

Grand, Ste. Ursule, and St. Joseph de Maskinongé, and to regulate hydrants, fountains and public drinking-places."

Contracts,
respecting
water-
works, etc.,
binding.

14. All contracts respecting water-works, public wells, cisterns, reservoirs, hydrants, fountains, and public drinking-places, in question in the preceding section 13, between the corporation of the town of Louiseville and the parties to the said contracts, made before the date of the coming into force of this act, as well as all acts, by-laws and works relating thereto, shall be considered as having been made and adopted by the corporation of the town of Louiseville incorporated by this act and shall bind the corporation towards the parties, and the parties towards the latter.

R. S., 5726,
replaced for
the town.

15. Article 5726 of the Revised Statutes, 1909, is replaced for the town by the following:

Taxes to
bear
interest.

"5726. Taxes shall bear interest, at the rate of seven per cent per annum from maturity, without its being for such purpose necessary that a special demand for payment be made.

Taxes, etc.,
cannot be
remitted.

Subject to article 5775 neither the municipal council nor its officers can remit any taxes or the interest thereon.

Coming into
force.

16. This act shall come into force on the day of its sanction.

CHAP. 114

An Act to incorporate the Town of Mont-Joli

[Assented to, 21st of March, 1922]

Preamble.

WHEREAS the corporation of the village of Mont-Joli has, by its petition, represented that the provisions of the Municipal Code no longer suffice for its present needs; that it has become necessary to take measures on a larger scale for the administration of the said village; that it prays to be incorporated as a town under the name of "Town of Mont-Joli" under the provisions of the Cities and Towns' Act with certain modifications and additional and special powers; whereas it is in the interest of the rate-payers of the said village of Mont-Joli, that its petition be granted;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. This act shall be cited under the name of "Charter of Citation the Town of Mont-Joli".

2. The inhabitants and ratepayers of the village of Mont-Joli are constituted a town corporation under the name of "the Town of Mont-Joli". Town of Mont-Joli replaces Mont-Joli incorporated.

3. The Town of Mont-Joli shall be governed by the Cities and Towns' Act and its amendments, except when inconsistent with the provisions of this act. Provisions to govern.

4. The Town of Mont-Joli, hereby incorporated, shall succeed to the rights, obligations, property, privileges, titles, claims and actions of the corporation of the village of Mont-Joli, and shall replace it for all legal purposes. Town replaces village.

5. The present municipal officers and employees of the corporation of the village of Mont-Joli shall remain in office until their resignation, replacement or dismissal by the council of the Town of Mont-Joli. Present officers, etc., to remain.

6. All by-laws, resolutions, procès-verbaux, assessment rolls, valuation rolls, collection rolls, notes, accounts for taxes, dues, lists, plans and other acts, and municipal documents whatsoever, now in force, shall continue to have their full effect until amended, annulled, repealed, executed or accomplished, or unless they are inconsistent with the provisions of this act. By-laws, etc., to continue in force.

7. The Town of Mont-Joli shall not form part of the county of Rimouski for municipal purposes. Municipal purposes.

8. The territory of the Town of Mont-Joli shall be a separate and distinct school municipality. Separate school municipality.

9. The territory of the Town of Mont-Joli comprises the present territory of the village of Mont-Joli, less the territory hereinunder described: Territory of the Town.

Starting from the northwestern corner of the territory of the village of Mont-Joli; southeastward following the line separating said village from the parish of Ste. Luce as far as the northwestern boundary of the parish of St Joseph de Lepage; thence northeastward following the boundary line between St. Joseph de Lepage and Mont-Joli as far as the intersection of the prolongation of said line with the axis of the Mitis river; thence northwesterly following said axis until it meets the prolongation of the line between the second and third ranges of the parish of Ste. Flavie; thence southwestward, the said boundary line Less certain territory.

between the second and third ranges as far as the north-western corner of lot number four hundred and eighty-nine of the said cadastre of Ste. Flavie; thence southeastward following the line separating lots numbers four hundred and eighty-nine and four hundred and ninety of the said cadastre as far as the front road of the third range; thence southwestward following the northern line of the said front road of the third range as far as the eastern line of Aubin street; thence southerly, crossing the road of the third range diagonally to the intersection of the south line of said road with the northeast line of the Matapedia road or highway; thence southwestward, crossing the said Matapedia road at right angles; thence southeastward following the northeastern line of lot four hundred and ninety-nine, about forty English feet; thence southwestward following a line perpendicular to the northeastern line of said lot four hundred and ninety-nine as far as the boundary line between lots five hundred and two and five hundred and three of said cadastre; thence northwestward following the said line until it intersects the line between the second and third ranges; thence southwestward as far as the starting point.

Annexation
of parts not
included in
town.

10. The Lieutenant-Governor in Council may annex the portion of the village of Mont-Joli, not included within the limits of the Town of Mont-Joli under this act, to one of the neighbouring municipalities whereof it shall then form part, on the publication of a proclamation to such effect in the *Quebec Official Gazette*.

Wards.

11. The Town of Mont-Joli is divided into three wards, respectively called "North Ward", "East Ward" and "West Ward", the boundaries whereof shall be fixed by by-law of the council of the said town; or the town shall be a single ward, if the council so decides by by-law.

R. S., 5300,
replaced for
the town.

12. Article 5300 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Composition
of council.

"5300. The municipal council is composed of a mayor and of two aldermen for each ward of the town, or of six aldermen, in the event of there being only one ward, elected as hereinafter prescribed."

Mayor, etc.,
to remain in
office.

13. The present mayor and councillors of the village of Mont-Joli, if they are still qualified, shall remain in office until the first general election which shall take place in 1923, according to the provisions of the Cities and Town's Act.

14. Article 5301 of the Revised Statutes, 1909, is re-
placed, for the town, by the following: R. S., 5301,
replaced for
the town.

"5301. The mayor shall be elected for two years by
the majority of the municipal electors of the municipality
who have voted." Election of
Mayor.

15. The seats of the aldermen shall be indicated by
numbers and at each election for aldermen, for a ward, the
seat of such ward for which each candidate is nominated
must be indicated on his nomination paper, by the number
it bears. Indication
of seats by
numbers.

At the first session of the municipal council of the town,
after the sanction of this act, or at any adjournment
thereof, the council shall, by resolution, assign to each
alderman the number of his seat. Number of
seat assign-
ed to each
alderman.

16. Joint stock companies or corporations may be in-
scribed on the electoral lists, on account of the immove-
ables owned by each of them respectively, subject to the
general or special assessment, of sufficient value to qualify
a municipal elector, and have the right to vote in their
name, through a representative of the company, authorized
to that effect by resolution, a copy whereof must be filed
with the clerk of the town on or before the day of the
nomination of candidates, in the case of the election of
mayor or aldermen. Such resolution shall serve for the
above purposes, until replaced by another. Right of
joint-stock
companies
to vote.

Such companies or corporations may exercise the right
to vote in every ward where they are obliged to pay taxes. Where
exercised.

17. When a by-law is to be submitted to the electors
who are proprietors, joint stock companies or corporations
have also the right to vote once on such by-law, through
their representative, authorized as aforesaid, and in such
case a copy of the resolution indicating such representative
shall be produced at the clerk's office at least five days
before the date of the approval of the said by-law. Right of
joint stock
companies
to vote once
on submis-
sion of by-
law.

18. Articles 5553 and 5555 of the Revised Statutes,
1909, shall not apply to the town. R. S., 5553
and 5555,
not to apply.

19. Paragraph 5 of article 5639 of the Revised Statutes,
1909, is replaced, for the town, by the following: R. S., 5639,
§ 5, replaced
for town.

"5. To provide for the inspection of milk, and to prohibit
the use, sale, and exposure for sale of milk which is un-
healthy, infected with germs of disease or otherwise danger-
ous to health, and to authorize the seizure and confiscation
thereof; to inspect and regulate dairies, stables and cow-
Dairies, etc.

sheds situate within or outside the limits of the town, whence the milk sold in the municipality comes; to inspect and regulate the premises in which milk is sold; to compel milkmen selling milk in the town to employ the methods of transport and treatment of milk most suitable for protecting it against contamination and to ensure the purity thereof; to grant licenses to milkmen selling milk in the town; to refuse such licenses to milkmen who do not comply with the law or the by-laws of the town respecting milk, as well as those of the Board of Health of the Province, and to suspend or annul such licenses for infractions of the law and by-laws, in addition to any other penalty; to order that no license be given to sell milk in the town, unless the party applying therefor has declared the names of those from whom he buys his milk, and to compel him to produce a certificate that the cattle belonging to such persons have been examined by a veterinary surgeon appointed by the council and that they have undergone the tuberculine test."

R. S., 5641,
§ 19, re-
placed for
town.

Cleaning of
streets.

Recovery
of cost.

Tax, how
levied.

20. Paragraph 19 of article 5641 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"19. To order the sweeping, watering and cleaning of streets and public places at the cost of the town, and the keeping of the sidewalks in all the streets or in the streets indicated by the council, also the removal of the snow and ice from the streets, during the winter, by the town, which may recover the cost of such work from the proprietors, occupants or lessees of properties situated in such streets, in proportion to the frontage or valuation of such properties. Such tax shall be levied in the manner prescribed by the council and shall be exigible as ordinary taxes."

R. S., 5641,
§ 33, enact-
ed for town.

Closing of
street.

Proviso.

21. The following paragraph is added, for the town, after paragraph 32 of article 5641 of the Revised Statutes 1909:

"33. To close any street or part of a street, lane or public park, and to sell the land for the benefit of the town, providing however, that if anyone suffers any damage he shall receive an indemnity determined by arbitration."

R. S., 5736,
replaced for
town.

Form of cer-
tain special
taxes.

22. Article 5736 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"5736. Every special tax imposed under article 5735 may, in the discretion of the council, be imposed and levied in the form of a license; and thereupon such tax shall be

payable annually, at such time and under such conditions and restrictions as the council may determine.

It is not necessary that the persons obliged to pay such taxes be mentioned on the valuation roll or collection roll. Such tax may be imposed in addition to that mentioned in article 5732. Mention on rolls not necessary.

The council may make by-laws, to oblige any company, firm or person, to pay to the town a special annual tax, not exceeding twenty-five cents for each pole used by it or of which it has the use or control, in streets or public places of the town, for telegraph, telephone, and electric light, or for transmission of electric motive power, or intended for its use." Special annual tax.

23. Article 5750 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S., 5750, replaced for town.

"5750. After such twenty days, the treasurer shall make a demand of payment of all sums entered in the collection roll and remaining uncollected, from the persons liable for the same, by serving or causing to be served upon them personally, or at their domicile, a special notice to that effect, accompanied by a detailed statement of the sums due by them. Demand of col-payment. Notice and statement.

Until the fee for the service of such notice is fixed by the council, the treasurer shall be entitled to twenty-five cents for such service. Fee therefor.

Such service may also be made by mailing a copy at the post office of the locality, under sealed registered letter, addressed to the ratepayer." Service by registered letter.

24. Article 5762 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S., 5762, replaced for town.

"5762. At the time appointed for the sale, the clerk or some other person acting for him, shall sell to the highest bidder, the immoveables described in the notice upon which taxes are still due, after making known the amount to be raised on each of such immoveables, including therein a part of the costs incurred for the sale, proportionate to the amount of the debt. Proceedings at sale.

The town may bid for and purchase at such sales, or at any other held under the authority of justice or at public sales by auction, of immoveables indebted to it for taxes, but such bidding must not exceed the amount required for assuring the payment of taxes due to the town in principal, interest and costs". Bidding by town.

25. Article 5801 of the Revised Statutes, 1909, is placed, for the town, by the following: R. S., 5801, replaced for town.

Court before
which suits
are to be
brought.

"5801. Penalties imposed by the by-laws of the council, or by the provisions of this chapter or of the charter, shall be recoverable either before the district magistrate's court of the district within which they have been incurred, or by action before any court of civil jurisdiction."

Not liable
for bridge
over Mitis
river.

26. Notwithstanding any act or municipal procedure to the contrary, the town of Mont-Joli shall not be subject or bound to pay any part of the cost of the works of building and rebuilding, repairs and maintenance of the bridge over the Mitis river, between the municipalities of Saint Flavie and of St. Octave de Métis at the place called Grand Métis.

River Mitis
Falls, etc.,
part of
Mont-Joli.

27. The River Mitis Falls and lot number 446 bounded to the southwest by lot number 464 and in all the other directions by the east shore of the River Mitis shall form part of the Town of Mont-Joli.

Approval of
provisions.

28. The preceding provisions shall be submitted for the approval of the municipalelectors of that part of the village of Mont-Joli hereby erected a town.

Referen-
dum.

29. For such purpose, a referendum shall be held on the first juridical day of May, 1922, and the poll for such referendum shall remain open from nine o'clock in the morning until six o'clock in the evening.

Voting by
secret
ballot.

30. The voting shall be by secret ballot, and the ballot-paper submitted to the municipal electors shall contain the following questions:

Questions
on ballot-
paper.

"1. Are you in favour of the erection of the village of Mont-Joli into a town corporation in conformity with the act sanctioned on the 21st of March, 1922 ?

2. Are you against the erection of the village of Mont-Joli into a town corporation in conformity with the act sanctioned on the 21st of March, 1922 ?"

How elector
to vote.

The elector shall vote by marking a cross on his ballot-paper opposite the question to which he wishes to reply in the affirmative.

Report of
result of
vote.

31. After having made the final addition of the votes, the secretary-treasurer shall report to the Provincial Secretary on the result of such vote.

Coming into
force.

32. The sections 1 to 27 inclusive of this act shall come into force on proclamation of the Lieutenant-Governor and the sections 28, 29, 30 and 31 shall come into force on the day of the sanction of this act.