

powers not  
affected by  
loans for  
public  
works.

sewers and lighting system under existing or future laws, shall not affect the limits of the borrowing power, if a special yearly tax is imposed for paying the cost of the waterworks, sewers or electric light system, provided the proceeds of such tax be invested as a sinking-fund for redeeming an equivalent portion of the debt.

Coming  
into force.

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

## CHAP. 97

An Act to amend the charter of the town of Montreal West

[Assented to, 14th of February, 1920]

Preamble.

**W**HEREAS the town of Montreal West has, by its petition, prayed that certain amendments be made to its charter, the act 1 George V (second session), chapter 65; and

Whereas it is expedient to grant the prayer to that effect contained in the said petition;

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

1 Geo. V,  
(1911), c.  
65, s. 10,  
replaced.  
Provisions  
not to apply.

**1.** Section 10 of the act 1 George V (second session), chapter 65, is replaced by the following:

“**10.** Articles 5283 and 5285 of the Revised Statutes, 1909, shall not apply to the town.”

Id., s. 11,  
repealed.

**2.** Section 11 of the said act is repealed.

R. S., 5286,  
replaced, for  
the town.

**3.** Article 5286 of the Revised Statutes, 1909, is replaced for the town by the following:

By-laws to  
extend  
limits of  
the town.

“**5286.** The commission, by the affirmative vote of the absolute majority of all its members, may make by-laws to extend the limits of the municipality, by annexing thereto, for municipal purposes, any contiguous city, town, village or municipality, or part thereof.

Every such by-law shall contain a complete description of the territory to be annexed, and shall set forth the terms and conditions upon which it shall be so annexed.”

Id., 5299,  
replaced, for  
the town.

**4.** Article 5299 of the Revised Statutes, 1909, is replaced for the town by the following:

**“5299.** The town of Montreal West shall be represented, and its affairs administered, by a commission.” Administration by a commission.

**5.** Section 12 of the act 1 George V (2nd session), chapter 65, is replaced by the following: 1 Geo. V, (1911), c. 65, s. 12, replaced.

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

**“5300.** The commission shall be composed of a mayor and four commissioners, elected in the manner prescribed by the charter of the town.” Composition of commission.

**6.** Article 5301 of the Revised Statutes, 1909, is replaced 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.

The four candidates for the office of commissioner who receive the greatest number of votes of the municipal electors of the municipality who have voted, shall likewise be elected for two years.” Commissioners.

**7.** Article 5302 of the Revised Statutes, 1909, shall not apply to the town. Id., 5302, not to apply.

**8.** Article 5309 of the Revised Statutes, 1909, is replaced for the town by the following: Id., 5309, replaced, for the town.

**“5309.** If the office of mayor becomes vacant, the clerk of the municipality, within eight days after such vacancy, shall call a meeting of the commission for the purpose of electing one of the members of the commission to discharge the functions of mayor during the remainder of his term of office; and the commission, at such meeting, shall elect such mayor. Vacancy in office of mayor or commissioner.

In the event of a tie, the secretary shall give a casting vote. New election.

The acceptance of the office of mayor by any member of the commission shall have the effect of rendering his seat vacant, and in such case, a new election to fill such vacancy shall be held.” Vacancies.

**9.** Paragraph 3 of article 5368 of the Revised Statutes, 1909, is replaced for the town by the following: Id., 5368, par. 3, replaced, for the town.

**“3.** Every male person and every widow or spinster, being a resident householder in the municipality under a lease, whose name is entered on the collection roll in force, as tenant of a dwelling-house or part of a dwelling-house, of the value of two hundred dollars or upwards, or of the Qualification of voters.

annual value of twenty dollars or upwards, according to such roll;”.

Id., 5370,  
5371, not  
to apply.

**10.** Articles 5370 and 5371 of the Revised Statutes, 1909, shall not apply to the town.

Id., 5377,  
replaced, for  
the town.

**11.** Article 5377 of the Revised Statutes, 1909, is replaced for the town by the following:

Number of  
polling  
districts.

**“5377.** The clerk, in preparing the electors’ list of the municipality, shall divide it into as many polling districts as there are multiples of two hundred and fifty electors for each, adding a district for every fraction of that number.

Such districts shall, as far as possible, contain an equal number of electors.”

Id., 5380,  
not to  
apply.

**12.** Article 5380 of the Revised Statutes, 1909, shall not apply to the town.

Id., 5382,  
replaced, for  
the town.

**13.** Article 5382 of the Revised Statutes, 1909, is replaced for the town by the following:

Duty of the  
mayor *in re*  
electoral  
list.

**“5382.** The mayor shall see that the electors’ list for the town is made as aforesaid, and he may dismiss the clerk, if the latter refuses or neglects to so make the said list, and also any civic employee who tampers with the same.”

Id., 5397,  
replaced for  
the town.

**14.** Article 5397 of the Revised Statutes, 1909, is replaced for the town by the following:

Setting aside  
of part.

**“5397.** The setting aside, for any reason, of any part of the list, shall not affect any other part of the list.”

Id., 5422,  
am., for  
the town.

**15.** Paragraph 1 of article 5422 of the Revised Statutes, 1909, is replaced for the town by the following:

Nomina-  
tion for  
mayor and  
commis-  
sioner.

**“5422. 1.** Ten electors qualified to vote and whose names are entered on the list of electors in force in the municipality, may nominate a candidate for the office of mayor, and ten electors qualified to vote, and whose names are entered on the list of electors in force in the municipality, may nominate a candidate for the office of commissioner, by signing, in either case, a nomination paper, in the form H if the mayor be in question, and in the form I if a commissioner be in question, stating therein the names and surnames, residence and profession or occupation of the person nominated, in such manner as sufficiently to identify such candidate, and by delivering the said nomination-paper to the returning-officer on the day and at the hour and place indicated in the notice of the returning-officer

published in accordance with article 5419, or causing the same to be delivered to the returning officer as herein-after mentioned."

**16.** Article 5423 of the Revised Statutes, 1909, shall not apply to the town. Id., 5423, not to apply.

**17.** Article 5432 of the Revised Statutes, 1909, is replaced for the town by the following: Id., 5432, replaced, for the town.

**"5432.** Any candidate nominated may withdraw at any time after his nomination, and before the closing of the poll, by filing, with the returning-officer, a declaration in writing to that effect, signed by himself; and any votes cast for the candidate who has so withdrawn shall be null and void; and if, after the withdrawal, there remains but one candidate for mayor, or but four candidates or less for the office of commissioner, the returning-officer shall return, as duly elected, the one candidate for mayor so remaining, or the four or less candidates for the office of commissioner, as the case may be, without waiting for the day fixed for holding the poll, or for the closing of the poll, if such withdrawal is filed on the polling day." Withdrawal of candidate after nomination.

**18.** The following paragraph is added, for the town, to article 5433 of the Revised Statutes, 1909: Id., 5433, am., for

"5. The death of a candidate for mayor shall not, however, affect the election for commissioners, nor shall the death of a candidate for commissioner affect the election for mayor, and the returning-officer shall recommence proceedings, as above provided, only in respect to the election in which the deceased was a candidate." the town. Effect of death of candidate for mayor or commissioner.

**19.** Article 5473 of the Revised Statutes, 1909, is replaced for the town by the following: Id., 5473, replaced, for the town.

**"5473.** No person shall vote more than once at the same election, and in the same municipality, for the election of mayor and four commissioners." Voting for mayor and commissioners.

**20.** Paragraph 3 of article 5488 of the Revised Statutes, 1909, is replaced for the town by the following: Id., 5488, am., for the town.

"3. In any case arising under this article, the returning-officer shall return the candidate, if a candidate for mayor, who appears to have the majority of votes, and the four candidates for the office of commissioner who appear to have the greatest number of votes, and shall mention specially in the report to be sent with the return to the commission the circumstances accompanying the disap- Duties of returning officer election.

pearance of the ballot boxes, or the want of any statement as aforesaid, and the mode by which he ascertained the number of votes given to each candidate."

Id., 5547, am., for the town.

**21.** Paragraph 2 of article 5547 of the Revised Statutes, 1909, is replaced for the town by the following:

"2. That the person returned did not receive the majority of legal votes at such election, or, if a candidate for commissioner, was not among the four candidates who received the greatest number of votes at such election."

R. S., certain words replaced, for the town.

**22.** Wherever the following words are used in the Revised Statutes, 1909, in any other general act applicable to the town or in its charter, or amendments thereto, they shall be replaced, for the town, in the following manner, namely:—the word "council" by the word "commission," and the words "alderman" or "aldermen," by the words, respectively, "commissioner" or "commissioners".

Inter-pretation.

**23.** The several forms, forming part of the Revised Statutes, 1909, shall be amended for the town, in so far as it may be required to make them conform to the abolition of wards in the said town.

Date for giving effect to provisions in re election for mayor, etc.

**24.** The foregoing provisions of this act shall be first given effect to in respect to the election for mayor and commissioners to be held on the first juridical day of February, 1921, and the electoral list, and all other matters appertaining thereto, preparatory to said election, shall be prepared and conducted in accordance with the provisions hereof, but without affecting the provisions of article 5303 of the Revised Statutes, 1909, nor the qualifications or powers of the mayor and aldermen then in office.

6 Geo. V, c. 52, s. 1, am.

**25.** The first two lines of section 1 of the act 6 George V, chapter 52, are replaced by the following, with retro-active effect to the date of said statute, namely:

"1. The following section is inserted in the act 1 George V (second session), chapter 65, after section 24 thereof:"

Coming into force.

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