

C H A P. 102

An Act to amend the charter of the town of East Angus

[Assented to, 14th of February, 1920]

WHEREAS the town of East Angus has, by its petition, represented:

That in the interest of the ratepayers and the proper administration of its affairs, it is expedient to grant it more ample powers than those it already possesses under the authority of its charter, the act 2 George V, chapter 72, and also to make new amendments, for the said town, to the Cities' and Towns' Act, and for other purposes;

Whereas it is expedient to grant its prayer;

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

1. Section 9 of the act 2 George V, chapter 72, is replaced by the following: 2 Geo. V, c. 72, s. 9, replaced.

"9. Companies shall be entered on the list of electors in respect of the real estate owned by each respectively, as appears by the valuation roll, and the officer appointed for that purpose by the board of directors of each of such companies respectively, shall have the right to vote in the name of the company represented by him, on all by-laws which under the charter must be submitted to the proprietors; provided that none of the said companies shall have the right to vote upon any by-law granting a bonus to itself. Companies may vote in certain case.

The right of any such company to vote shall be exercised only if it gives, in writing, the name of its agent or authorized representative, with a copy of the resolution to that effect, to the secretary-treasurer of the town, at least five days before the date fixed for the approval or disapproval of a by-law or a resolution. Condition on which right may be exercised.

2. The following article is added, for the town, after article 5695 of the Revised Statutes, 1909: R. S., 5695a enacted, for the town.

"5695a. Notwithstanding any by-law to the contrary, the council may compel every incorporated company to pay the town a special yearly tax, not exceeding twenty-five cents, for every pole used by it or whereof it has use or control in the streets or public places of the town, for telegraph, telephone, electric light lines or for transmission of electric motive power or destined for its use, with the exception of the telegraph line along the Quebec Central Authorization to tax poles in town. Exception.

Railway, and the poles of the Brompton Pulp and Paper Company, Limited.”

Id., 5639,
am., for
the town.

3. Paragraph 5 of article 5639 of the Revised Statutes, 1909, is replaced for the town by the following:

Dairies, etc.

“5. To provide for the inspection of milk and cream, and to prohibit the use, sale, and exposure for sale of milk and cream which is adulterated, impure, unhealthy, infected with germs of disease or otherwise dangerous to health, and to authorize the seizure and confiscation thereof; to inspect and regulate dairies, stables and cowsheds situate within the town, whence the milk and cream sold in the towns comes; to inspect and regulate the premises in which milk and cream are sold; to compel milkmen selling milk and cream in the town to employ the methods of transport and treatment of milk and cream most suitable for protecting it against contamination and to ensure the purity thereof; to compel milkmen to give to the health officer appointed for the purpose a certificate from a veterinary surgeon of the town that none of the cows are diseased; to grant licenses to milkmen selling milk or cream 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 and cream, 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.”

Id., 5731a,
enacted.

4. The following article is added for the town after article 5731 of the Revised Statutes, 1909:

Assessment
for per-
manent
sidewalks,
etc.

“**5731a.** Notwithstanding any law, regulation or provision to the contrary, the corporation is authorized to apportion and levy, by special taxes, on all bordering proprietors in proportion to the frontage of their property and without regard to their valuation, the expenses already incurred and to be incurred for the construction of permanent sidewalks apportioned for one half upon each side of the street. Corner lots shall be taxed in either case only upon double the smallest width.

Do. for
macadam-
izing streets.

The corporation is also authorized to apportion and levy, by means of a special tax on the bordering owners, one half the expense to be incurred in future for macadamizing the streets to the width of twenty-five feet; such expense shall be apportioned by one half on each side of the street. The said taxes shall be levied in forty annual instalments, and shall bear interest at the rate

Annual
payments.

of six per cent per annum. Whenever a special tax shall have been imposed under the foregoing provisions, the corporation debt, which shall be payable by means of a special tax, shall not be counted in determining the borrowing power, provided the proceeds of such tax are invested as a sinking-fund for repayment of an equal portion of the debt." Borrowing power not affected.

5. The following articles are added, for the town, after article 5782 of the Revised Statutes, 1909: R. S., 5782a and 5782b added for the town.

"5782a. Notwithstanding any provision to the contrary, the council may, by by-law adopted by the majority of its members, contract special loans, the total whereof shall never at any time exceed twenty-five thousand dollars. Such loans shall form a special fund to provide for the payment of the share of owners of immovable property, in the event of the making of sidewalks or other permanent works, at the charge of the property-owners, pending the collection of the special taxes imposed for such purposes; the loan or loans, for which this article provides, may be effected by the issue of annuity bonds, signed by the mayor and secretary-treasurer, without its being necessary that the by-laws determining the same be approved by the electors who are owners of immoveables; such by-laws however, must be approved by the Lieutenant-Governor in Council. Special loans.

"5782b. The council may, by resolution, authorize the expenditure out of the town revenues of all sums of money which may be necessary or useful for advertising and making known the advantages of the town, as well as for paying the costs of official receptions which it may deem advisable to hold, and those of the delegates it may deem advisable to send, providing such expenditure does not exceed five hundred dollars." Advertising of town, etc.

6. By-law No. 134 passed by the municipal council of Westbury on the twentieth day of May, 1907, and intituled: "By-law respecting the Brompton Pulp and Paper Company, as amended by the council of the county of Compton, at a meeting hold at Cookshire on the thirty-first day of July, 1917, and herewith reproduced as a schedule to this act, is hereby approved, ratified and confirmed. By-law ratified.

7. All the immovable property of the Brompton Pulp and Paper Company, Limited, within the boundaries of Special valuation.

the town of East Angus, and entered on the valuation roll now in force as belonging to that company, shall, for a period of twenty years from the 1st of June, 1919, be assessed, for municipal and school purposes, at a total valuation of not more than nine hundred and fifty thousand dollars.

R. S., 5667*a*, enacted for the town. **8.** Article 5667*a* is added for the town after article 5667 of the Revised Statutes, 1909:

Acquisition of water powers, etc., authorized.

“5667*a*. The town of East Angus may acquire, utilize and develop water and electric powers and operate the same or procure electric power in any manner deemed advisable for supplying light, heat and motive power to the inhabitants, industrial and commercial establishments in the town, and, for its own use, acquire hydraulic and electric powers outside the limits of the town; and for such purpose it may erect and possess transmission lines.

May supply power, etc., outside town.

In addition to its right to sell and furnish electric energy for light, heating and motive power, within the limits of the municipality, the corporation may furnish and sell electric energy for the same purposes within a radius of fifteen miles from its boundaries; and to that end it may acquire, possess and use any right of way, servitude or usufruct within the said radius of fifteen miles from its boundaries, and may acquire, by expropriation if necessary, the right of way for its poles and conduits; but if the said poles and conduits are to be put in a public road, the town must previously obtain the consent of the municipalities having the control of such public roads.

Approval of by-law.

For the exercise of the powers granted by this article, as to operations not yet begun, the council must first pass a by-law to that effect, approved by the majority in number and in value of the owners of taxable immoveable property in the town, and by the Lieutenant-Governor in Council.”

R. S., 5677, am. for the town. Public scales, etc.

9. Paragraph 7 of article 5677 of the Revised Statutes, 1909, is replaced for the town by the following:

“7. To establish and maintain public scales, and collect the revenue thereof; to prescribe where and in what manner hay, bran, coal, lime, stone and other building material shall be weighed and sold, and how cordwood shall be measured and sold;”

R. S., 5772*a*, enacted for the town.

10. Article 5772*a* is added, for the town, after article 5772 of the Revised Statutes, 1909:

Acquisition

“5772*a*. The town may acquire immoveables sold for

nonpayment of taxes under the authority of articles 5756 of immoveables. to 5774 and following, provided the price of sale shall not exceed the amount due the town for taxes, over and above the price of sale."

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

SCHEDULE

I, the undersigned, R. C. Cowling, Secretary-Treasurer, certify that the within written by-law was posted by me on the 22nd day of May, 1907, by affixing copies thereof at the door of the R. C. Church and of the Post Office.

(Signed) R. C. COWLING,
Sec.-Treas.

(True copy),

J. A. GIRARD,
Sec.-Treas.

SPECIAL SESSION, JULY 3rd, 1907.

A special meeting of the Council was held at the Council Room, Cookshire, on Wednesday the 3rd day of July 1907.

Present; Councillors:

Samuel Cooper,	Mayor of the Municipality of Westbury
Jas. H. Leonard,	" " Bury
H. A. Cairns,	" " E. Clifton
M. J. N. Murray,	" " Whitton
J. W. Rogers,	" " Village of Sawyerville
H. A. Stevenson	" " Newport
B. Lebourveau,	" " Eaton
J. D. Graham,	" " Hampden

The meeting was convened by the Secretary-Treasurer in accordance with article No. 930 of the Municipal Code of the Province of Quebec, to take into consideration a Petition signed by F. F. Willard and others in appeal from the action of the Local Council of the Corporation of Westbury, in the passing of By-Laws Nos. 133 and 134 passed by the said Council on the 10th and 20th days of May respectively, and entitled a "By-law concerning the Brompton Pulp and Paper Co." Council met at eleven o'clock as per notices.

The Warden not being present, the Secretary called upon the Council to appoint a Warden *pro-tem*.

Moved by Co. J. H. Leonard seconded by Co. M. J. N. Murray that Co. J. W. Rogers be and is hereby appointed Warden *pro-tem*. Carried.

It was established that the meeting has been regularly called and the notices properly given to the Councillors and regularly posted in the local Municipality, according to Article No. 931A of the Municipal Code.

The Petition in appeal and all the papers connected therewith were then read by the Secretary-Treasurer.

Moved by Co. H. A. Stevenson, seconded by Co. B. Lebourveau that the Petition of F. F. Willard and others be received and be taken up for discussion. Carried.

Mr. Campbell, Advocate, of Sherbrooke, then presented a counter Petition signed by Co. O. R. Bean and 119 others, ratepayers of Westbury, asking the Councillors to grant the request of the Petition in appeal.

Mr. John Leonard, Advocate, of Sherbrooke then addressed the Council in the interest of the petitioners.

Council adjourned at 12 o'clock noon, one hour for dinner and met again at 1 o'clock P.M.

Present same as the forenoon session.

On motion of Co. J. H. Leonard, seconded by Co. H. A. Cairns the Petition of O. R. Bean and others was read and received.

Moved by Co. H. A. Stevenson, seconded by Co. B. Lebourveau, that the witness to be heard in the case in appeal before the Council be sworn. Carried.

The following witnesses were severally sworn and heard in favor of the Petition in appeal: F. F. Willard, E. Breault; and against the Petition in appeal: J.E. Palmer, H. Aubin, L. R. Willard. F.N. McRae, President of the Brompton Pulp & Paper Co. and Mr. Samuel Jamieson addressed the Council in favor of the petition in appeal and Mr. Campbell, Advocate, against.

No further evidence being offered, the evidence was declared closed and the matter was then taken up and discussed by the Council.

It was moved by Co. H. A. Stevenson, seconded by Co. Lebourveau and resolved that the petition of F. F. Willard and others in appeal be and is hereby dismissed, and that By-Law No. 134 of the Corporation of the municipality of Westbury be and is hereby amended to read "fifteen" years instead of "twenty-five" years, and that each party pay their own costs.

It was moved in amendment by Co. J. H. Leonard, seconded by Co. J. N. Murray that the word "Fifteen"

in the foregoing resolution be struck out and replaced by the word "Twelve".

The amendment was then put and carried on the following division: Councillors J. H. Leonard, H. A. Cairns, M. J. N. Murray and J. D. Graham voting Yea (4), and Councillors S. Cooper, H. A. Stevenson and B. Lebourveau voting Nay, (3).

The main motion as amended was then put and carried unanimously.

Council adjourned.

(Signed) A. Ross,
Secretary-Treasurer.

D. I. McLEOD, Warden.
Pro-Tem.

I certify the foregoing to be a true copy of the original remaining of record in my office.

J. ALFRED GIRARD,
Sec.-Treas. Municipality of the town of East Angus.

PROVINCE OF QUEBEC,
MUNICIPALITY OF THE TOWNSHIP OF WESTBURY

At a Special session of the municipal Council of the Township of Westbury, convened by Samuel Cooper, the Mayor of said municipality, and held at East Angus in the said Westbury, on the twentieth day of May in the year one thousand nine hundred and seven, in conformity with the provisions of the Municipal Code of the Province of Quebec, at which are present the Mayor S. Cooper, and Counsellors J. E. Palmer, H. Aubin, E. Breault, D. Row, L. Nolet and E. A. Montgomery, being the seven members of the said council, under the presidency of the Mayor.

It is enacted by resolution of the council and by-law of this municipality, as follows:

Moved by Counsellor Montgomery, seconded by Counsellor L. Nolet and resolved that the following resolution and by-law be passed, to wit:

BY-LAW No. 134

Intituled: "a By-law concerning the Brompton Pulp & Paper Co'y".

Whereas the Brompton Pulp & Paper Company, hereinafter called the "Company," a body corporate and politic,

having its head office at Auburn, in the State of Maine, with an office for the Province of Quebec in the Town of Bromptonville, has purchased from the Royal Paper Mills Co. all its property in this municipality and elsewhere;

Whereas the Company intends to make alterations to its dam and paper mill at East Angus and to change its actual soda pulp mill into a sulphate mill or plant;

Whereas such intended alterations and changes would put the said mill on a paying basis and therefore be advantageous to this municipality and of general benefit to the population, by procuring continual employment;

Whereas for such purpose the Company has asked permission of the Council to raise the bridge crossing over the River St. Francis at the Company's mills at East Angus and the abutments thereof, and the road leading to and from the said bridge, and has also asked the right to put on such bridge a pipe for pumping material from one mill to the other;

Whereas the Company has also asked of the municipality a commutation for twenty-five years, of all their municipal taxes, unto a fixed sum of Eight Hundred Dollars per year;

Be it and it is hereby enacted by By-Law of this municipality and resolution of this council, as follows:

1. The corporation of the township of Westbury, hereby agrees to all of said intended work, alteration and change, provided (a) that the said bridge, its abutments, and the road leading to same, be not raised more than five feet from its present level; (b) that the said alteration shall be made at the sole expense of the company; (c) that the company shall take all such precautions against accidents, as are required by law when working on public roads and public bridges; (d) that the company place and keep a pipe on the bridge in such manner however as not to be an impediment to traffic thereon;

2. The council of the township of Westbury hereby agrees that, for and during the same period of twenty-five years the company shall pay to this municipality annually, the sum of eight hundred dollars, in commutation of all municipal taxes upon all the property owned by the said company during the same period, save and except any new pieces of land which the company may hereafter acquire or houses which may be built on land now owned or which may be acquired, will not be subject to commutation of taxes save and except that portion required for the erection of buildings for manufacturing purposes in this municipality, and also upon all the industries which the

company will, during the same period, carry on in this municipality, provided:

(a) That the company repairs its paper mills, in this municipality, and runs it during the said period of twenty-five years;

(b) That the company runs its saw mill, in this municipality, in proper season, during the same period;

(c) That the company changes its soda pulp mill into a sulphate mill and produces in such plant, at least one-quarter more material than the said soda pulp mill was producing in the past;

(d) That during the same period of twenty-five years, the company shall employ, on an average, at least as many hands and pay wages, in this municipality, on at least as large an average pay roll as when the said mills were running full capacity at any time during the past, to wit: At least two hundred employees, equivalent to at least one hundred thousand dollars per year;

3. The aforesaid period of twenty-five years shall begin on the first day of June next, 1907;

4. Barring cases of *force majeure*, strikes or cases of repairs or improvements or additions to said mill and dependencies, the said pulp and paper mills shall not be closed more than one month in any two consecutive years, failing which the present commutation of taxes shall not be in force for and during the fiscal year during which any of the said two mills are not in operation as aforesaid.

The foregoing by-law was enacted and passed at East Angus in Westbury, on the twentieth day of May, nineteen hundred and seven.

(Signed) SAMUEL COOPER, *Mayor*.

“ R. C. COWLING, *Sec.-Treasurer*.

I certify the foregoing to be a true copy of the original remaining of record in my office.

J. ALFRED GIRARD,
*Secretary-Treasurer of the town
of East Angus.*
