

Payment of
taxes condi-
tion prece-
dent to
voting.

Nevertheless, no one shall be qualified to vote at such election, although entered on the list, if on the 8th of April, 1915, he owes to the municipality any tax or water tax, special taxes excepted.

Mayor and
aldermen to
remain in
office till
election of
successors.

4. The mayor and aldermen elected at such election shall remain in office until the election of their successors, which shall be held in conformity with the provisions of the act 3 George V, chapter 62.

Provisions
applicable.

5. Save in so far as hereby derogated from, the provisions of the act 3 George V, chapter 62, and of the Cities and Towns' Act not amended nor repealed for the town of St. Lambert, shall apply to the list of electors and to the election governed by this act.

Public act.

6. This act shall be construed as a public act.

Coming into
force.

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

CHAP. 108

An Act to incorporate the parish of Sault-au-Recollet, under the name of the town of Montreal North.

[Assented to 5th March, 1915]

reamble.

WHEREAS the corporation of the parish of Sault-au-Recollet in the county of Laval has, with the consent of most of its inhabitants and ratepayers, prayed, by petition, that the whole of the territory described in section 1 of this act, be incorporated as a town under the name of the "Town of Montreal North", subject to the application of the Cities and Towns' Act, with certain modifications and restrictions; and that it is further necessary that it be granted power to borrow an amount of two hundred and fifty thousand dollars to extinguish its floating debt, construct a sewerage system, extend the laying of its water works, complete the macadamising of its streets, and also to purchase or expropriate the land required for widening and straightening its main road, and to build a town hall;

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. The town of Montreal North shall comprise the territory bounded as follows: beginning at a point on the Rivière des Prairies, on the dividing line between lots Nos. 123 and 124 of the cadastre of the parish of Sault-au-Recollet; thence southeasterly along the dividing line between Nos. 123 and 124, the said line extending to the middle of the public road; thence on the southwest by the middle of the public road to opposite the northeast line of lot No. 126; thence crossing the public road and following the northeast line of lot No. 126 to where it touches the southwest side of the St. Michel road, thence northeasterly to the middle of the "Montée St. Michel"; thence on the southeast by the middle of the "Montée St. Michel", to opposite the dividing line between lots Nos. 97 and 353 of the cadastre; thence following a broken line northeast, southeast and northwest, along the northwestern boundary of the village of St. Michel de Laval, and of the municipality of the parish of St. Leonard de Port Maurice, to the western boundary of the parish of Rivière des Prairies, being the east side of lot No. 2 of the cadastre of the parish of Sault-au-Recollet; thence northerly along the southwest limits of Rivière des Prairies, being the east side of lots Nos 2 and 1 of the cadastre, to their intersection with the Rivière des Prairies; thence continuing to the middle of said river; thence, southwesterly, following the winding of the middle line of the waters of the Rivière des Prairies, to opposite the prolongation of the dividing line between Nos. 123 and 124 of the same cadastre; thence southeasterly to the point of departure, including all the islands comprised within the above described limits.

Town of
Montreal
North incor-
porated.

2. The inhabitants and ratepayers of the above territory shall form a town corporation under the name of "the Town of Montreal North."

3. The town of Montreal North shall be divided into three distinct wards, namely: the East, Centre and West wards.

The East ward shall comprise all the lots from No. 1 to No. 28 inclusive, of the cadastre of the parish of Sault-au-Recollet, together with the portion of the public road, of the Rivière des Prairies, and of the islands comprised within the limits of or in front of such lots.

The Centre ward shall comprise all the lots from No. 29 to No. 64 inclusive of the cadastre of the parish of Sault-au-Recollet, together with the portion of the public road, of the Rivière des Prairies, and of the islands comprised within the limits of and in front of such lots.

West ward.

The West ward shall comprise all the lots from No. 65 to 123 inclusive of the cadastre of the parish of Sault-au-Recollet, together with the portion of the public road, of the "Montée St. Michel," of the Riviere des Prairies, and of the islands comprised within the limits of or in front of the said lots.

Provisions applicable.

4. The town shall be subject to the provisions of the Cities and Towns' Act, except in so far as the same may be inconsistent with the provisions of this act.

R. S. 5271, replaced for the town.

5. Article 5271 of the Revised Statutes, 1909, is replaced, for the town, by the following:

First general election.

"5271. The first general election of the mayor and aldermen shall be held on the second Monday of May, 1915, or, if such day is a non-juridical day, then on the next juridical day, and, until such election is held, the present members of the council of the former parish of Sault-au-Recollet shall respectively fill the offices of mayor and aldermen of the town. The nomination of candidates at such election shall be held on the first Monday of May, 1915. The second general election shall be held on the second Monday of May, 1917, and the subsequent general elections shall be held every second year on the second Monday of May; nevertheless, when the first or the second Monday of May is a nonjuridical day, the nomination of candidates, or the voting, as the case may be, shall be held on the next juridical day."

When nomination shall be held.

Subsequent elections.

The first election shall be held under the provisions of the Municipal Code of the Province of Quebec, as to the qualification of the electors and of the candidates."

R. S. 5272, replaced for the town.

6. Article 5272 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Returning-officer for first general election.

"5272. The returning-officer for the first general election shall be the secretary-treasurer of the said corporation, or, in his default, any person whom the council may select by resolution."

R. S. 5300, replaced for the town.

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

Composition of municipal council.

"5300. The municipal council of the town shall consist of a mayor and six aldermen elected in the manner hereinafter prescribed."

R. S. 5302, replaced for the town.

8. Article 5302 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"5302. The aldermen, to the number of two for each ward, shall be elected for the same period by the majority of the electors of the ward who have voted." Term of office of aldermen.

9. Article 5373 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5373, replaced for the town.

"5373. No person qualified to vote as proprietor, tenant or occupant, shall be entitled to have his name entered on the electors' list for any of the wards of the municipality, who on the first day of February next preceding the expiration of the delay mentioned in article 5374, is indebted to the municipality for any taxes or water-rates (special taxes excepted). Payment of taxes a condition precedent to being entered on list.

Every person entered as owner on the valuation roll in force and who is qualified to vote, shall have the right to vote at the election of the mayor and aldermen, even if, at the date of such election, he is indebted to the town for taxes on immoveables or for any other kind of taxes." Proviso.

10. Article 5374 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5374, replaced for the town.

"5374. Prior to the first of March of each year, there shall be prepared by the clerk, or under his direction, in the manner hereinafter mentioned, a list for the municipality of the names of persons entered on the valuation roll, as well as on the collection roll of the municipality, and qualified to be entered in the electors' list." When electors' list to be prepared.

11. Article 5376 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5376, replaced for the town.

"5376. In the preparation of the list the clerk shall omit therefrom, and, from time to time, cause to be removed therefrom, the names of all persons who either are or who may become deceased, also the names of minors, of aliens, of non-residents, of corporation employees referred to in article 5372, and of all others who are not entitled to have their names entered in such list. Names to be omitted or removed therefrom.

During the month of February, the rate-payer may, under proper safe-guards, examine the list in the office of the clerk, and if he finds therein the name of any person whom he may have reason to believe is not legally entitled to be entered, he may file with the clerk a signed statement, specifying the name and alleging the causes of disqualification; and, in each such case, the clerk shall make careful inquiry respecting the truth of such allegations, before permitting any name thus objected to to remain upon the list, when he certifies it." Examination of list.

R. S. 5383,
replaced for
the town.

Appoint-
ment of
special clerk
to make list
in default of
clerk.

12. Article 5383 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"5383. If the clerk has not made the alphabetical list of electors or has not given or published the notice required by article 5379, by the third day of March, the judge of the Superior Court for the district, or, in the event of the absence of the district judge or of his inability to act, a judge of a neighbouring district, or the district magistrate, on summary petition of any person entitled to be entered as an elector in the municipality, shall appoint a special clerk to prepare the alphabetical list of electors."

R. S. 5395,
replaced for
the town.

13. Article 5395 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Coming into
force of list.

"5395. The list of electors shall come into force at the expiration of the thirty days following the expiration of the delay prescribed for the preparation of the list, or, if the list has been completed after the expiration of the said delay, within the thirty days after the notice given in virtue of article 5379, and shall remain in force until the first day of March following the coming into force, and, thereafter, in all cases until a new list is made and put into force under the authority of this chapter.

List in force,
even if
appealed
from, until
decision.

Notwithstanding the appeal to a judge of the Superior Court, or to a district magistrate in districts in which there is no judge of the Superior Court, touching a portion of the list, such portion of the list shall remain in force until the final decision of the court before which the said petition in appeal is pending."

Corporations
may be enter-
ed on list.

14. Joint stock companies or corporations may be entered on the electors' list and vote in the name of and through a representative of the company duly authorized to that effect by a resolution, a copy whereof shall be filed with the town clerk, on or before the first of March of each year, and they may exercise such right in all the wards where they pay taxes, and which they shall indicate, provided such representative is a director or employee of the company when authorized and called upon to vote. The said companies shall, in their application to be entered on the list, indicate the wards where they pay taxes, and wish to exercise their right to vote.

R. S. 5413,
replaced for
the town.

When gener-
al elections
are held.

15. Article 5413 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"5413. The general election of the mayor and aldermen of the municipality shall be held every second year on

the second Monday of May, or, if such day is a non-juridical day, then on the next following juridical day, in accordance with the provisions hereinafter set forth."

16. Article 5415 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"**5415.** Ten days at least before the first Monday of May, at noon, in the year in which a general election is to be held, the returning-officer, by a commission under his hand, in the form E, shall appoint an election clerk, and may, at any time during the election, appoint in the same manner another election clerk, if the one first appointed resigns, or refuses or is unable to perform his duties as such clerk."

R. S. 5415,
replaced for
the town.

Appointment
of
election
clerk.

17. Article 5419 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"**5419.** Eight days at least before the first Monday of May, in the year in which a general election is to be held, the returning-officer shall give public notice in the form G, under his signature, setting forth:

R. S. 5419,
replaced for
the town.

Notice of
election to be
given by
returning-
officer.

a. The place and time fixed for the nomination of candidates;

b. The day on which the poll for taking the votes of the electors will be held, in case a poll is necessary;

c. The appointment of the election clerk."

18. Article 5421 of the Revised Statutes, 1909, is replaced for the town, by the following:

"**5421.** The nomination of candidates at a general election shall be held on the first Monday of May, from noon to two o'clock in the afternoon. If such day is a holiday, it shall be held on the first juridical day following such date, and during the same hours."

R. S. 5421,
replaced for
the town.

When nomination to be held.

19. Article 5556 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"**5556.** The sittings of the council shall be held in the St. Charles School of the former parish of Sault-au-Recollet, until the corporation decides otherwise by resolution."

R. S. 5556,
replaced for
the town.

Where sessions are held.

20. The corporation hereby constituted shall succeed to the rights and obligations, privileges, property, claims and actions of the corporation of the parish of Sault-au-Recollet, and shall replace it for all legal purposes.

Vesting of
rights, obli-
gations, &c.

21. All by-laws, resolutions, *procès-verbaux*, valuation By-laws, &c.

to remain in force. rolls, collection lists, rolls, plans, and other municipal acts and documents in force in the former parish of Sault-au-Recollet, shall remain in force until amended or repealed, or until their object is accomplished.

R. S. 5731,
replaced for
the town.

Taxing of
farming
lands.

22. Article 5731 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"5731. During the ten years following the sanction of this act, no land under cultivation or farmed or used as pasture for live stock, as well as all uncleared land or wood lots, shall be valued at more than one hundred dollars per arpent, if it contains an area of at least fifteen arpents.

What shall
be included
in valuation.

The above valuation shall include barns, stables and other buildings used for the said farm, as well as the horses, cattle, and other farm animals and fowls, and also carriages, winter and summer vehicles of all kinds, agricultural implements and generally all moveables used in the ordinary working of the farm; it shall likewise include a dwelling-house for personal occupation of the farmer, provided it does not exceed \$3,000 in value, but it shall not include a dwelling-house which exceeds such value, nor any other houses erected on such farm.

Addition to
roll in cer-
tain cases.

The council may cause to be added to the valuation roll, from time to time, by the assessors in office, on the valuation by them made, any portion of such land, which has been detached therefrom as a building lot, and shall thus have become liable to taxation after the closing of the valuation roll, and may exact the said tax as upon all other lots entered on the said roll."

By-law
ratified.

23. By-law No. 84 authorizing the corporation of the former parish of Sault-au-Recollet to issue debentures for the opening of Boulevard Pie IX, and enacting that such issue shall not affect the corporation's borrowing power, is validated for all legal purposes.

Loan au-
thorized.

24. The council is authorized to borrow an amount of two hundred and fifty thousand dollars on bonds or debentures repayable within forty years, at the rate of six per cent per annum, for the purpose of extinguishing its floating debt, of constructing its sewerage system, of extending the laying of its waterworks and completing the macadamizing of its streets, and also of purchasing or expropriating the necessary land for the prolongation and straightening of its main road, and for the widening and straightening of the Montée St. Michel, and the building of a town hall; and articles 5782 and 5788 of the Revised Statutes,

Purposes of
loan.

1909, are expressly declared to not apply to the corporation as regards such loan.

25. The following article is inserted, for the town, in the Revised Statutes, 1909, after article 5790:

R. S. 5790a,
enacted for
the town.

"5790a. The council may acquire, by mutual agreement or by expropriation, all immoveables, parts of immoveables and servitudes necessary for the widening and straightening of its main road, of the "Montée St. Michel," and Viel boulevard, and other streets according to the plans prepared for the purpose by F. C. Laberge, land surveyor, and dated the 27th November, 1914, and the first December, 1914, respectively, afterwards amended so as to extend the "Montée St. Michel" in a straight line to the Rivière des Prairies; it may also, if it deems the same advantageous, acquire in the same manner the whole of any immoveables, a portion only whereof is required for the aforesaid purposes, and, in such case, all excess of land so acquired may be sold, exchanged or otherwise alienated on a mere resolution of the council, by auction or by mutual agreement, in a lump or partially.

Acquisition
of immovea-
bles for cer-
tain pur-
poses.

Alienation.

The widening and extension of the "Montée St. Michel" to Gouin boulevard, shall be completed before the 1st July, 1916."

Time for
finishing cer-
tain work.

26. The plan of the widening of the "Montée St. Michel," dated the 27th November, 1914, and the plan of the municipality dated the 1st December, 1914, made and prepared by F. C. Laberge, land-surveyor, are declared legal, valid, and obligatory for the municipality, for the proprietors interested, and for all other persons; and the provisions of article 5644 of the Revised Statutes, 1909, shall apply; but the plan shall be carried out only when the council deems it advisable.

Plans ratified
and declared
binding.

27. The contract and agreement between the municipality of the parish of Sault-au-Recollet and Joseph A. Cadieux, dated the 27th November, 1914, passed before Mr. J. B. Latour, notary, is confirmed, ratified, and declared valid and binding for all legal purposes.

Contract
ratified.

28. Nothing in this act shall be construed as affecting or modifying the charter of the city of Montreal, the act 62 Victoria, chapter 58, nor the territory of the latter municipality.

Certain pro-
visions not
affected.

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

Coming into
force.