

not resided in the municipality or the parish of Ste. Victoire d'Arthabaska for twelve months and for persons who reside therein."

Coming into
force.

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

CHAP. 84

An Act to amend and consolidate the charter of the town of Montmagny.

[Assented to 19th February, 1914]

Preamble.

WHEREAS the town of Montmagny, has, by its petition, represented that the provisions of its charter, the act 46 Victoria, chapter 84, no longer meet the needs of its inhabitants and the commercial requirements of the locality, and that it is necessary that it be subjected to the Cities' and Towns' act, and that additional powers be granted it;

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:

Short title.

1. This act shall be cited under the name of "Charter of the town of Montmagny".

Separation
from county.

2. The town is and shall be separate from the county of Montmagny for municipal purposes.

46 Vict. ch.
84, repealed.

3. The act 46 Victoria, chapter 84, is hereby repealed.

Cities and
Towns Act
to apply.

4. The town of Montmagny shall be subject to the provisions of chapter first of title XI of the Revised Statutes, 1909, (articles 5256 to 5884), except in so far as the same may be inconsistent with this act.

Corporation
constituted.

5. The inhabitants and ratepayers of the former town of Montmagny and their successors are and shall remain a body corporate and politic under the name of "The town of Montmagny".

Succession to
rights and
liabilities.

6. The corporation hereby constituted shall succeed to the rights, privileges, property, claims and actions of the corporation existing under the act repealed by section 3.

7. The present mayor and councillors of the town of Montmagny, or their substitutes in the case of vacancies, shall remain in office until replaced under the provisions of this act. Mayor and councillors to retain office.

8. The present officers and municipal employees of the town of Montmagny shall remain in office until dismissed or replaced by the council. Also officers and employees.

9. The by-laws, resolutions, *procès-verbaux*, rolls, accounts for taxes and dues, ordinances, plans and other municipal deeds and documents whatsoever, passed or consented to by the council of the town of Montmagny and now legally in force, shall continue to have their full effect until cancelled, amended, repealed or accomplished. By-laws, &c., to remain in force.

10. The notes, bonds, obligations, engagements, agreements or contracts subscribed, accepted, endorsed by or consented to by the town of Montmagny until the coming into force of this act, shall continue to have their legal effect. Obligations to have legal effect.

11. The town of Montmagny shall comprise the following territory, bounded as follows: Territory.

On the north by the river St. Lawrence; on the west by the southeastern line of lot No. 139 of the official cadastre of the parish of St. Thomas, and by the prolongation of said line to its inter-section with the southern line of the Intercolonial Railway; on the south by the southern line of the Intercolonial Railway; on the east by a line extending from the river St. Lawrence, at the northern extremity of the property of Joseph Gazé to the mouth of the Rivière du Sud, ascending the same and bordering on the basin and falls formed by the said Rivière du Sud to the point of Rue des Bouleaux; thence crossing the said Rivière du Sud in a southerly direction on the opposite bank; thence in a southerly direction crossing the property of Mr Alphonse Thibault, No. 127 of the official cadastre of the parish of St. Thomas, as far as the public road; thence on the southwest as far as the line of the Intercolonial railway; and all lots or parcels of lots whatever comprised within the aforesaid limits, shall form part of the town of Montmagny, less however that part of the above described territory being part of number 1169 of the official cadastre of the parish of St. Thomas, and being number 290 of the official cadastre of the town of Montmagny, which latter lot is hereby annexed to the parish of St. Thomas.

Division into
three wards.

12. The town of Montmagny is divided into three wards, respectively called West Ward, Centre Ward and South Ward. The centre ward shall be separated from the west ward by a line marked in red on the plan starting from the mouth of the Rivière des Vases, following the middle of the course of that river to its intersection with the division line of lots 10 and 11, following such line to its southern extremity; thence running easterly to the old road; thence southerly to St. Magloire street, following the said St. Magloire street as far as its intersection with St. Jean Baptiste street; thence easterly following St. Jean Baptiste street to Depot street; thence southerly to St. Thomas street; thence easterly from the said St. Thomas street to May avenue, following the said avenue as far as Rivière du Sud, ascending the middle of the said river to the line separating the said town from the parish of St. Thomas, all the numbers above indicated being those of the official plan and book of reference of the cadastre of the town of Montmagny.

The centre ward shall comprise all the portions situate east of the said line and north of the Rivière du Sud; the south ward shall comprise that portion situate to the south of the Rivière du Sud; and the west ward all that portion situate west of the said line separating the centre from the west ward.

5300 R.S. re-
placed for
the town.

Constitu-
tion of coun-
cil.

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

"5300. The municipal council shall consist of a mayor and six aldermen."

Number of
aldermen for
each ward.

14. The number of aldermen to represent each ward shall be determined as follows: the west ward shall have three aldermen, the centre ward two, and the south ward, one alderman.

R.S. 5413a
added.

15. The following article is inserted after article 5413 of the Revised Statutes, 1909, for the town:

First elec-
tion.

"5413a. The first election in accordance with the provisions of this act shall be held on the first juridical day of February, 1915. The nomination for such election shall be held on the 20th January, 1915, or on the following juridical day, if that day be a non-juridical day".

5556 R.S. re-
placed for
the town.

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

Place of
meeting.

"5556. The council shall hold its sittings in the town

hall, or at any place within the limits of the municipality which it may determine by resolution ”.

17. The following article is inserted after article 5665 in the Revised Statutes, 1909, for the town: R.S. 5665a added.

“ **5665a.** The town council on a report of the town engineer that it is practically impossible; owing to the topography of certain parts of the town, to carry or cause the sewers to flow elsewhere than into the Rivière des Vases and the basin where the tide rises, for the centre and west wards, and into the Rivière du Sud for the south ward, may carry or cause such sewers to flow into any place in the Rivière des Vases, the basin and the Rivière du Sud, determined by the engineer, and approved by the town council and the Provincial Board of Health ”.

Permission to drain into Rivière des Vases under certain conditions.

18. Article 5732 of the Revised Statutes, 1909, is replaced, for the town, by the following: 5732 R.S. replaced for the town.

“ **5732.** The council may impose and levy annually: Tax on traders authorized.

1. On the stock in trade of all descriptions kept by merchants and dealers and exposed for sale in shops, or kept in vaults, warehouses or store-houses; on all yards or depots for rough, sawn or manufactured wood or lumber; and on all yards or depots for coal or other articles of commerce kept for sale, a tax not exceeding one-half of one per cent, on the estimated average value of such stock in trade or other articles of commerce;

2. On all tenants paying rent in the municipality, an annual tax not exceeding eight cents in the dollar on the amount of their rent. Also on tenants.

Every person occupying property or part of any property of which he is neither the owner nor the lessee, shall be liable for the payment of the tax provided for by this paragraph.” And on occupants.

19. The town is authorized to borrow, for the construction of public sewers, an amount not exceeding sixty thousand dollars, by by-law adopted by the council and ratified by the majority in number and in value of the municipal electors, in the usual manner. The said by-law shall be valid and come into force without the approval of the Lieutenant-Governor in Council. Loan authorized for sewers.

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