

Realty Company, Limited, the value of work done in the streets made by it, in exchange for the transfer of the said streets by good title-deeds, free and clear of all charges and hypothecs. In default of agreement between the town and the company, such value shall be determined by Mr. F. C. Laberge, civil engineer, and on his default or refusal by arbitrators as agreed upon between the interested parties.

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

Coming into force.

## CHAP. 74

An Act to incorporate the town of Chateauguay.

[Assented to 21st December, 1912]

**W**HEREAS the majority of the ratepayers and inhabitants in the territory described in section 1 of this act, have by petition prayed that the inhabitants or ratepayers of the said territory be constituted a town corporation under the name of "Town of Chateauguay" and be subject to the operation of the Cities and Towns' Act;

Whereas for the better administration of the territory and the greater advantage of its inhabitants, it is expedient to grant the prayer 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.** The town of Chateauguay shall comprise the territory now forming part of the municipality of St. Joachim de Chateauguay and consisting of lots bearing the following numbers: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295 and 378 of the official plan and book of reference of the cadastre of St. Joachim de Chateauguay, including the subdivisions of the said original lots which may exist.

**2.** The inhabitants and ratepayers of such municipality shall constitute a town corporation under the name of the "Town of Chateauguay" for municipal purposes.

Persons incorporated. Name.

Law applicable.

**3.** 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.

By-laws, &c. not affected.

**4.** All *procès-verbaux*, assessment rolls, titles, by-laws, orders, lists, rolls, plans, resolutions, ordinances, agreements, provisions, engagements or municipal acts whatsoever, now in force in the territory described in section 1 of this act, shall continue to have full force and effect, until cancelled, amended, repealed, or fulfilled.

First general election.

**5.** The first general election of aldermen shall take place on the 15th June 1913. The nomination of candidates shall take place on the 6th of June 1913, or on the following juridical day, and the returning officer shall be the secretary-treasurer of the municipality of the parish of St. Joachim de Chateauguay.

No wards.

**6.** Articles 5283, 5284 and 5285 of the Revised Statutes, 1909, shall not apply to the town. Nevertheless on a vote of two-thirds of the members of the council, ratified by the majority of the electors, on a referendum submitted to the people, after a notice has been posted for fifteen days on the door of the town hall, the town may be divided into wards, and articles 5302, 5370, 5371, 5372, 5373 second clause, 5377, 5380, 5382, 5395, 5397, 5422, 5423, 5501, 5505, 5506 and 5507, of the Revised Statutes, 1909, amended or repealed for the town by this act, shall apply to the town in their original tenor.

Proviso.

Municipal council

**7.** The corporation shall be represented by a mayor elected for two years and by six aldermen elected for two years by the majority of the municipal electors who have voted.

Certain articles not to apply.  
Voting where to take place.

**8.** Articles 5302, 5370, 5371, 5377, 5380, 5397 and 5423 of the Revised Statutes, 1909, shall not apply to the town.

The voting shall take place at a single spot designated by resolution of the council, or, in default thereof, by the returning-officer.

Voting at elections.

Persons qualified to vote shall vote at such place but they shall vote only once for the six offices of aldermen.

Polling subdivisions.

**9.** The provisions of the Cities and Towns' Act respecting the division into polling sub-divisions and the deputy-returning officers within the limits of a municipality shall apply to the town only on a vote of two-thirds of the council and the majority of the electors enacting that the town be divided into polling sub-divisions.

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

**“5373.** No person qualified to vote as proprietor, tenant or occupant shall be entitled to have his name entered on the electors' list for 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).” Disfranchisement for non payment of taxes.

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

**“5382.** The mayor shall see that the electors' list for the municipality 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.” Mayor's duty re list of electors.

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

**“5413.** The general election shall be held every two years on the 15th day of June, in accordance with the provisions hereinafter set forth, beginning with the year 1915. The mayor and aldermen elected in June 1913 shall remain in office until they are replaced on the fifteenth day of June 1915. If the latter day be a Sunday, the election shall be held the following juridical day.” General elections.

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

**“5415.** Ten days at least before the sixth day of June, 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.” Election clerk.

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

**“5419.** Eight days at least before the sixth day of June, 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: Notice by returning officer.

a. The place, day and hour 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.

Id., 5421  
replaced by  
town.  
Nomination  
of candi-  
dates.

**15.** 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 sixth day of June from noon to two o’clock in the afternoon. If such day be a holiday, it shall be held on the first juridical day following such date, and during the same hours.”

Id., 5450  
replaced for  
town.  
Polling  
hours, &c.

**16.** Article 5450 of the Revised Statutes, 1909, is replaced, for the town, by the following:

“**5450.** The poll shall be opened at the hour of nine of the clock in the forenoon and kept open until half past eight of the clock of the afternoon of the same day, and the returning-officer, shall, during that time receive in the manner herein-after prescribed, the votes of the electors duly qualified to vote.

Id., 5479,  
am., for  
town.

**17.** Article 5479 of the Revised Statutes, 1909, is amended by replacing the first paragraph thereof, for the town, by the following:

Closing of  
poll.

“**5479.** At half past eight of the clock in the afternoon the poll and the voting shall be closed and an entry thereof shall be made in the poll-book.”

Id., 5501  
replaced.  
for town.  
Entry of  
certain  
armed per-  
sons for-  
bidden.

**18.** Article 5501 of the Revised Statutes, 1909, is replaced, for the town, by the following:

“**5501.** Except the returning-officer, the deputy-returning officer, the poll clerk, and the constables and special constables appointed by the returning-officer or the deputy returning-officer for the orderly conduct of the election or poll and the preservation of the public peace thereat, no person who has not had a stated residence in the municipality for at least six months before the day of such election, shall come, during any part of the day during which the poll is to remain open, into such ward armed with offensive weapons of any kind such as fire-arms, swords, staves, bludgeons or the like, and no person being in such ward shall arm himself, during any part of the day, with any such offensive weapon, and thus armed approach within one mile of the place where the poll is held unless called upon to do so by lawful authority.”

Id., 5505  
replaced for  
town.  
Closing of  
bars, &c., on  
electiondays.

**19.** Article 5505 of the Revised Statutes, 1909, is replaced, for the town, by the following:

“**5505.** No person shall keep open in the municipality any bar in a hotel or club, or any tavern, shop or store, whether licensed or not, in which spirituous or fermented

liquors are ordinarily sold, during the day of voting in the municipality, and any person so offending shall be guilty of an offence triable summarily and shall be liable to a fine of fifty dollars, and to imprisonment not exceeding three months in default of payment."

20. Article 5506 of the Revised Statutes, 1909, is replaced, Id., 5506 replaced for town, for the town, by the following:

"5506. On the polling day no person shall, within the limits of the municipality, either sell for a price in money or in exchange for any article, or lend or deliver, or gratuitously supply any quantity whatever of spirituous or fermented liquor; and any person who so sells, lends, delivers or supplies such liquor, shall, unless he proves that the liquor so sold, lent, delivered or supplied was sold, lent, delivered or supplied for a sick person upon the certificate of a priest or minister of some religious denomination, or of a physician, be guilty of an offence triable summarily, and be liable to a fine of fifty dollars and to imprisonment not exceeding three months in default of payment; and whoever shall give or deliver a false certificate in respect thereof shall be guilty of an offence summarily triable, and shall be liable to a fine of fifty dollars, and, in default of payment, to imprisonment not exceeding one month."

21. Article 5507 of the Revised Statutes, 1909, is replaced, Id., 5507 replaced for town, for the town, by the following:

"5507. During the days mentioned in article 5506, and under the same penalties, but subject to the same exceptions in case of sickness, it is forbidden to cause to be brought or transported, or to bring or transport, within the limits of the municipality, or from one place to another within the said limits, any quantity whatever of spirituous or fermented liquor. Bringing liquor into town on election days.

This provision shall not affect the sale, transport, delivery or purchase of spirituous or fermented liquor, made in good faith and in the ordinary course of business by a merchant or trader; provided that the cases, casks, bottles or envelopes containing the said liquor be not opened, broken or unclosed during the days above mentioned." Proviso.

22. In addition to the powers granted it by the Cities and Towns' Act, the council may also impose and levy an annual tax on all telegraph, telephone, electric light or power poles in the streets and public places, provided such tax shall not exceed twenty-five cents per annum per pole. Such tax shall be recoverable from the owners of the poles and shall be due for all such poles in the town, except the telegraph poles on Taxes on telegraph, &c., poles.

the property of railway companies and used by such companies."

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

**5731.** All land under cultivation or farmed or used as pasture for cattle, as well as all uncleared land or wood lots within the municipality, shall be taxed on of the basis of one-fourth of its value as appearing from the valuation roll.

The following shall be exempt from all taxes: the horses, cattle and other live stock and poultry belonging to the farm, the carriages and summer and winter vehicles of all kinds, agricultural implements and all moveable articles forming part of the machinery of the farm and ordinarily used by farmers.

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 or immoveable, 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."

**24.** Paragraph 1 of article 5680 of the Revised Statutes, 1909, is replaced, for the town, by the following:

**5680.** 1. To regulate the carrying on of trades and to prohibit, restrict to certain parts of the town and regulate, the building and operation in the town of factories, work-shops, and establishments of all kinds the operation or use whereof may endanger public health and safety or which may in any way be a nuisance to the properties in the neighborhood or depreciate their value."

**25.** The council shall hold its first sitting within the limits of the town, at the place indicated by the returning officer, and the subsequent sittings shall be held in the municipality at the place indicated by the council.

The person who presided at the election shall perform the duties of mayor until the latter assumes office.

**26.** The costs, fees and expenses incurred in connection with the present incorporation by the interested parties of each portion of the territory comprised in section 1 of this act, shall be paid by the town.

**27.** This act shall come into force on the first day of June, 1913.