

for a claim of the town of Maisonneuve for taxes as set forth in the said schedule.

Schedule number	Cadastral number	Street	Persons assessed or taxed	Amount claimed	Nature of claim

Sheriff's office.

Sheriff.

Montreal, 19 .

First publication on the 19 .

C H A P . 6 5

An act to revise and consolidate the charter of the town of Montreal West.

[Assented to 14th March, 1911]

Preamble.

WHEREAS, the corporation of the town of Montreal West has, by its petition, represented that it is expedient to revise and consolidate the acts 60 Victoria, chapter 67, and 5 Edward VII, chapter 45, governing the same, and to subject it to the provisions of the Cities and Towns' Act ; to grant it certain powers ; and to ratify certain of its by-laws ; 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 :

SECTION I

NAME OF ACT

1. This act may be cited as "The Montreal West Charter." Short title.

SECTION II

INCORPORATION

2. The inhabitants and rate-payers of the town of Montreal West, and their successors, shall continue to be a municipal corporation under the name of the Town of Montreal West. Persons incorporated. Name.

3. Chapter first of title eleventh of the Revised Statutes, 1909, (Articles 5256 to 5884 inclusive) shall govern the town of Montreal West, except where the same may specially be derogated from by this act, and by the inconsistent provisions it may contain. Law applicable.

SECTION III

MISCELLANEOUS PROVISIONS

4. The acts 60 Victoria, chapter 67, and 5 Edward VII, chapter 45, are repealed : 60 V., c. 67, and 5 Ed. VII., c. 45, repealed.

5. The corporation hereby constituted succeeds to all the rights, obligations, privileges, claims and actions of the corporation existing under the acts repealed by article 4. Rights, &c., of corporation.

6. The present municipal officers and employees of the corporation of the town of Montreal West shall remain in office until removed or replaced under the provisions of this act. Officers, &c., to remain in office.

7. All by-laws, resolutions, *procès-verbaux*, assessment rolls, claims, lists, plans and other municipal acts and documents whatsoever, heretofore made and consented to by the council of the town of Montreal West, shall continue to have their effect until amended, repealed or executed. By-laws 26 and 27 of the said town and the debentures of the town issued and to be issued in virtue thereof are hereby declared to be valid and binding upon the said town. By-laws, &c., not affected.

8. All notes, bonds, debentures, engagements, titles, or Obligations.

&c., not affected.

contracts whatsoever subscribed, accepted, endorsed or issued by the council of the said corporation, until the coming into force of this act, shall continue to have their legal effect.

SECTION IV

BOUNDARIES

Territory of town.

9. The town of Montreal West shall include the following territory, to wit :

Boundaries.

That portion of the said village of Notre-Dame de Grâce West, in the former parish of Montreal, bounded on the east by the western line of cadastral lot No. 141, and the subdivisions thereof ; on the south by the river St-Pierre; on the west by the westerly line of cadastral lot No. 138, and the subdivisions thereof ; on the north by the southern line of the lands of Côte St-Luc, being the whole of cadastral lots Nos. 138, 139 and 140, and those portions of lots Nos. 4688 and 4689 occupied by the Grand Trunk Railway Company of Canada, between the prolongation of the westerly line of lot No. 138, and the prolongation of the easterly line of lot No. 140 ; the whole on the official plan and book of reference of the parish of Montreal, both as subdivided and not subdivided.

SECTION V

WARDS OF THE TOWN

Wards.

10. The town shall be divided into three wards as follows, or as may be, from time to time, otherwise determined by the council by by-law enacted under article 5284 of the Revised Statutes, 1909, as replaced for the town, to wit :

1. The South ward, consisting of all that portion of the town situated south of the north side of the Lachine Road.

2. The Centre ward, consisting of all that portion of the town lying between the north side of the Lachine Road, and the north side of St. Catherine street, as prolonged, and the north side of Midland Road.

3. The North ward, consisting of all that portion of the town situated north of the north side of St. Catherine street, as prolonged, and north of the north side of Midland Road.

R.S.Q., 5284, replaced for town.

11. Article 5284 of the Revised Statutes, 1909 is replaced for the town, by the following :

Change of boundary of wards, &c.

“ **5284.** The council may, by a by-law passed by a vote of two-thirds of its members, alter the boundaries of the wards and increase or reduce the number thereof, and fix, decrease or increase the number of aldermen to be elected for each

ward ; but at least four years must elapse between each change unless the annexation of new territory renders the same sooner necessary. ”

SECTION VI

THE COUNCIL, MAYOR, AND ALDERMEN

12. Article 5300 of the Revised Statutes, 1909, is replaced Id., 5300, replaced for town.

“ **5300.** The town of Montreal West shall be governed, and Council. its affairs managed, by an elective council consisting of a mayor and seven aldermen. Two aldermen shall represent the North ward, three the Centre ward, and two the South ward, or as may be from time to time otherwise determined by the council by a by-law, enacted under article 5284 of the Revised Statutes, 1909, as replaced for the town. ”

13. On the coming into force of this act, the mayor and Mayor, &c., to remain in office till first election, &c. aldermen elected in the month of January, 1911, or their successors who may have filled any vacancy created by said mayor and aldermen, shall remain in office until replaced by the mayor and aldermen respectively elected at the first election under this act, to be held on the first juridical day in the month of February, 1913. Any vacancy, which may occur from time time in the offices of mayor or alderman, prior to said election in February, 1913, shall be filled according to the provisions of the Cities and Towns' Act.

14. The following clauses are added for the town to article Id., 5313, am. for town. 5313 of the Revised Statutes, 1909 :

“ *c.* When a person exempt from serving in such office has Notice of claim for exemption. been elected mayor or alderman, or when the person filling such office becomes exempt therefrom during his occupation of the same, and when he, in either case, within fifteen days following the personal notification of his nomination, or on the day when he becomes exempt from the office he occupies, causes a special notice to be served at the office of the council, declaring that he intends to avail himself of such exemption ;

d. When the mayor or alderman no longer resides or has his Non-residence. place of business within the limits of the municipality ;

e. When the person filling the office has made a judicial Abandonment of property, &c. abandonment of his property, or becomes insolvent ;

f. In the event of death.

Notwithstanding any vacancy in the council, the members Proviso. of the council, remaining in office, shall continue to possess their powers and to perform their duties as such. ”

SECTION VII

ELECTORS AND VOTING

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

5373. No person shall have the right to vote at municipal elections, unless he has paid all his water rates and municipal taxes (excepting special taxes) before the 20th January preceding the elections.

On the 20th January of each year or on a date fixed by by-law of the council, the treasurer shall examine the list of electors who at that time owe any taxes or assessments to the town, writing in red ink opposite their names, in the column reserved for remarks in such list, the taxes or assessments which they owe.

No deputy-returning-officer in charge of the polling station shall deliver a ballot-paper to a person shown upon the list as owing any municipal taxes, under penalty of a fine not exceeding fifty dollars, unless such person shows him a receipt from the treasurer, attesting that he has paid his taxes before the 20th January, or before such other date as may be fixed by by-law of the council."

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

5450. The polls shall be opened at the hour of eight of the clock in the forenoon, and kept open till seven o'clock in the afternoon, of the same day, and each deputy-returning-officer shall during that time, in the polling station assigned to him, receive the votes of the electors qualified to vote at such polling station."

SECTION VIII

SESSIONS, POWERS OF THE COUNCIL AND BY-LAWS

17. All companies and corporations shall, on account of the immoveables held by them respectively, and subject to special or general taxation, of sufficient value to qualify a municipal elector, and whenever a by-law is to be submitted to the electors who are proprietors, have the right to vote through their agents or duly authorized attorneys, provided they give the names of such agents or attorneys to the clerk of the town at least five days before the day fixed for the approval or disapproval of such by-law.

18. Articles 5613 and 5615 of the Revised Statutes, 1909, are replaced, for the town, by the following :

“ **5613.** Six electors, who are owners of immoveable property and qualified to form part of such meeting, may require that a poll be held to ascertain whether the by-law is approved or not. Demand of poll. ”

Upon such requisition, the mayor or other person presiding shall, within the following eight days, fix one day for the poll. Fixing of poll.

“ **5615.** The poll shall be held on one juridical day from eight o'clock in the morning to seven o'clock in the afternoon. Holding of poll. ”

19. Paragraph 6 of article 5639 of the Revised Statutes, 1909, is replaced for the town, by the following : Id., 5639, am. for town.

“ 6. To inspect and regulate ice-houses and the manner of cutting ice for the supply of the town, and to prescribe the place where such ice may be taken and to grant licenses to ice-dealers within the limits of the town ” Inspection, &c., of ice-houses, &c.

SECTION IX

ASSESSORS AND VALUATION ROLL

20. Article 5711 of the Revised Statutes, 1909, is replaced for the town by the following : Id., 5711, replaced for town.

“ **5711.** If, after the valuation rolls have been homologated, any immoveable property in the town is considerably diminished or increased in value by any cause whatsoever, the council may, at any time or when the roll is revised, if such revision is made, on application to that effect or of its own accord, again require the services of the assessors and reduce or increase the estimate of such property to its real value. ” Revision of valuation in certain case.

SECTION X

TAXES

21. Article 5730 of the Revised Statutes, 1909, is replaced for the town, by the following : Id., 5730, replaced for town.

“ **5730.** The council may impose and levy, annually, on every immoveable in the municipality, a tax not exceeding one half of one per cent. of the real value, as shown on the valuation roll. ” Real estate tax.

22. The council may impose and levy, from time to time, such special taxes as it may deem necessary for improvements and works, which it may determine to be of a local character, upon the immoveable properties which the council shall decide will be benefited thereby, imposed upon the frontage of the Special taxes, &c.

said immoveables, provided the majority in number and value of the proprietors thereof, shall, by petition to the council, ask for such local improvements or works. After such improvements have been made or such works completed, and so paid for by said proprietors, the town shall, in future, maintain the same at its own expense.

SECTION XI

POWER TO CONTRACT LOANS

Id., 5782, am. for town. **23.** Article 5782 of the Revised Statutes, 1909, is amended, for the town, by the addition of the following paragraph :
 Repayment of loans by bonds, &c. "The town may always issue new bonds or debentures to repay, from time to time, any loans existing at the time of the coming into force of this act, or which may hereafter be effected in accordance with its provisions. Every loan, having for its object the replacing of a portion of the funded debt, may be effected solely on the authority of a resolution approved by the majority of the members of the council."

SECTION XII

BUILDINGS FOR RECREATION

Buildings for recreation, &c. **24.** The council may utilize any building of the town, and may lease such building or any premises for gymnastic and similar instruction, and divers forms of amusement, and may charge and collect, or authorize the charging of an admission thereto, or to any part thereof. The council may further acquire, use and control, and charge and collect fees for the use of such apparatus, furniture and moveables, and may employ and charge and collect fees for the services of such instructors and attendants as it may require for the purpose.

Rules therefor. The council may, by by-law or resolution, enact such rules and regulations as it may desire in respect to the foregoing.

SECTION XIII

COMING INTO FORCE

Coming into force. **25.** This act shall come into force on the day of its sanction.