

Ottawa, or by an action for debt before the Circuit Court for the district or county of Ottawa.”

Id., 5808, re-
placed for
town. **42.** Article 5808 of the Revised Statutes, 1909, is replaced for the town by the following :

Procedure. **“5808.** Prosecutions or actions brought in virtue of this act before the Circuit Court, are heard and decided according to the rules and proceedings of said court, and if they are brought before the district magistrate, the recorder, or a justice of the peace according to the rules contained in part XV of the Criminal Code, except in so far so as the same are inconsistent with the provisions of the present act.”

SECTION XVII

COMING INTO FORCE.

Coming into
force. **43.** This act shall come into force on the day of its sanction

C H A P . 6 7

An act to incorporate the town of Baie D'Urfée

[Assented to 14th March, 1911]

Preamble.

WHEREAS James Morgan, merchant ; G. Edward Gudewill, manufacturer; Honorable J. Alderic Ouimet, a former judge; Alfred Brunet, ex-banker; James Birchenough, real estate agent ; St. George Dillon, merchant ; David A Poe, engineer, all of the city and district of Montreal; Edward Maxwell, architect ; William E. Davis, railway manager ; Pascal Deslauriers, real estate agent ; Olibrius Constantineau, manufacturer ; V. de Vivian Dowker, manufacturer ; the latter five of the parish of Ste. Anne du Bout de l'Île, in the district of Montreal, and other rate-payers of the municipality of the parish of Ste. Anne du Bout de l'Île, in the county of Jacques-Cartier, comprising the majority of the rate-payers and inhabitants of the territory described in section 1 of this act, have, by petition, prayed that the said territory be detached from the municipality of the parish of Ste. Anne du Bout de l'Île and be erected into a town municipality governed by the Cities and Town's Act, under the name of “The Town of Baie D'Urfée;”

Whereas, for the better administration of the said 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. That portion of the parish of Ste. Anne du Bout de l'Île, Territory of in the county of Jacques-Cartier, bounded on the north by town. lots Nos. 63 and 64, by the south line of the old Côte Ste Marie road, as it appears on the official plan of the said parish of Ste. Anne to the line of lots Nos. 305, 318 to 327, inclusively ; on the south by lake St. Louis and the Ottawa river ; to the east by lot No. 329 ; on the west by a line starting from a point north of the division line between lots Nos. 304 and 305 following the latter towards the south to the north line of the public lower Ste. Anne road, and crossing the latter in a straight line as far as its south line, and thence following such south line of the said public road, westward, a distance of 380 feet, English measure, and from the latter point descending parallel to the east line of lot No. 304, as far as the Ottawa river, such numbers of lots being the numbers of the official cadastre of the parish of Ste. Anne du Bout de l'Île ; such territory comprising lots Nos. 305 to 328 inclusively of the cadastre of the said parish of Ste. Anne, and that portion of lot No. 304 of the same cadastre, bounded on the north by the public lower Ste. Anne road, on the south by the Ottawa river, on the east by part of lot No. 305, and on the west by another part of lot No. 304, the said land measuring 380 feet in width, English measure, with and including the subdivision of the said original lots which may lie within the territory so bounded, and also the land occupied in the same territory by the Grand Trunk of Canada, the Ontario and Quebec or the Canadian Pacific railways, and the Provincial Light, Heat and Power Company, and moreover, lots Nos. 299, 300 and 301 of the cadastre of the said parish of Ste. Anne, are detached from the municipality of the said parish of Ste. Anne du Bout de l'Île and erected into a town municipality, under the name of the " Town of Baie D'Urfée. "

2. The inhabitants and rate-payers of the municipality Persons in- and their successors constitute and shall constitute a town corporation. corporation under the name of " The Town of Baie D'Urfée. " Name.

3. The town shall be subject to the provisions of chapter Law to ap- first of title eleventh of the Revised Statutes, 1909 (articles ply. 5256 to 5884) except where the same may be derogated from expressly or impliedly.

4. All by-laws, resolutions, *procès-verbaux*, assessment rolls, By-laws, &c., lists, plans and other municipal acts and documents now in not affected.

force in the territory described in section 1 of this act, shall continue to have their effect until amended, cancelled, repealed or executed or unless they be inconsistent with this act.

First general election. **5.** The first general election for mayor and aldermen shall take place on the 1st of July next, notwithstanding article 20 of the Revised Statutes, 1909, and the returning-officer shall be the secretary-treasurer of the parish of Ste. Anne du Bout de l'Île.

First council meeting. **6.** The council shall hold its first sitting on the second Monday of July, 1911, and if that day should be a non-judicial day, it shall be held on the following judicial day at the place within the town limits and hour indicated by the returning-officer.

Chairman at same. At the first election, the returning-officer shall perform the duties of mayor until the latter enters into office.

R. S. Q., certain articles of not to apply to town. **7.** Articles 5283, 5284, 5285, 5370, 5371, 5377, 5380, 5397 and 5423 of the Revised Statutes, 1909, shall not apply to the town. Nevertheless, on a vote of two thirds of the members of the council, the town may be divided into wards and the said articles shall then apply to it, and articles 5302, 5372, 5373, (second clause), 5382, 5422, 5501, 5506 and 5507 of the Revised Statutes, 1909, as amended or repealed for the town by this act, shall then apply to the town as originally worded.

Id., 5300, replaced for town. **8.** Article 5300 of the Revised Statutes, 1909, is replaced, for the town, by the following :

Council. “ **5300.** The council of the town shall be composed of a mayor and six aldermen. ”

Id., 5302, replaced for town. **9.** Article 5302 of the Revised Statutes, 1909, is replaced, for the town, by the following :

Election of aldermen. “ **5302.** The aldermen shall be elected for two years by the majority of the municipal electors who have voted and shall be elected for the seat for which they were nominated. ”

Id., 5362, replaced for town. **10.** Article 5362 of the Revised Statutes 1909 is replaced for the town by the following :

Qualifications for municipal office. “ **5362.** Every male real estate proprietor or every male resident in the municipality not declared disqualified by law may discharge any municipal office. ”

Id., 5363, par. 8, not to apply to town. **11.** Paragraph 8 of article 5363 of the Revised Statutes, 1909, shall not apply to the town.

12. Voting at the municipal elections shall be at a single Place for spot indicated by a resolution of the council or, in default voting. thereof, by the returning-officer.

Persons qualified to vote shall vote only once for the election One vote per of mayor and only once for each of the six aldermen. elector.

13. Paragraph 4 of article 5372 of the Revised Statutes, Id., 5372, am. 1909, is replaced, for the town, by the following: for town.

“ 4. Tenants who, at the time of the revision of the elec- Exclusions tors' list, are no longer householders in the municipality, from voters' and also tenants of any office, qualified as such, who have list. not actually occupied such office since the month of May next preceding, or who have ceased occupying the same at the time of the revision of the electors' list. ”

14. Article 5373 of the Revised Statutes, 1909, is replaced, Id., 5373, re- for the town, by the following : placed for 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 the municipality who, on the first day of April 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 not paying taxes.

15. Article 5374 of the Revised Statutes, 1909, is replaced, Id., 5374, re- for the town, by the following : placed for town.

“ **5374.** Prior to the first of May of each year, there shall be prepared by the clerk, or under his direction, in the Preparation manner hereinafter mentioned, a list for the municipality of voters' list. 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. ”

16. Article 5376 of the Revised Statutes, 1909, is replaced Id., 5376, re- for the town, by the following : placed for town.

“ **5376.** In the preparation of the list, the clerk shall Names on omit therefrom and, from time to time, cause to be removed list. 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.

During the month of April, any rate-payer may, under Examination proper safe-guards, examine the list in the office of the clerk of list. 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. ”

Id., 5382, re-
placed for
town. **17.** Article 5382 of the Revised Statutes, 1909, is replaced,
for the town, by the following :

Powers of
mayor as to
list. “ **5382.** The mayor shall see that the electors’ list of 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. ”

Id., 5383, re-
placed for
town. **18.** Article 5383 of the Revised Statutes, 1909, is replaced,
for the town, by the following :

Special clerk
for list. “ **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 May, 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. ”

Id., 5395, re-
placed for
town. **19.** 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 arti-
cle 5379, and shall remain in force until the month of June
following its coming into force, and, thereafter, in all cases,
until a new list is made and put into force under the author-
ity of this chapter.

Effect of ap-
peal. 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. ”

Id., 5413, re-
placed for
town. **20.** Article 5413 of the Revised Statutes, 1909, is replaced
for the town, by the following :

Date of gene-
ral elections. “ **5413.** The general election for mayor and aldermen
shall be held every two years, on the first of July, notwith-

standing the provisions of article 20 of the Revised Statutes, 1909, in accordance with the provisions hereinafter contained. If the first of July is a Sunday, the election shall take place on the following day. ”

21. 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 twentieth day of June, 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. ”

22. 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 twentieth 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 :

- 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. ”

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

“ **5421.** The nomination of candidates at a general election shall be held on the twentieth 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. ”

24. Paragraph 1 of article 5422 of the Revised Statutes, 1909, is replaced, Id., 5422, am. for town. for the town, by the following :

“ **5422.** Ten electors qualified to vote and whose names are entered on the list of electors in force in the municipality, may nominate a candidate for the office of mayor, and ten electors qualified to vote and whose names are entered on the list of electors in force in the municipality, may nominate a candidate for the office of alderman, by signing, in either case, a nomination paper, in the form H if the mayor be in question and in the form I if an alderman be in question, stating therein the names and surnames, residence and pro-
Nomina-
tions. ”

fession or occupation of the person nominated, in such manner as sufficiently to identify such candidate, and by delivering the said nomination paper to the returning-officer on the day and at the hour and place indicated in the notice of the returning-officer published in accordance with article 5419, or causing the same to be delivered to the returning-officer as hereinafter mentioned."

Id., 5501, replaced for town. **25.** Article 5501 of the Revised Statutes, 1909, is replaced, for the town by the following :

Carrying of weapons prohibited. **" 5501.** Except the returning-officer, the deputy-returning-officer, the poll-clerk and the constables and special constables appointed by the returning-officer or 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 next before the day of such election, shall come, during any part of the day upon which the poll is to remain open, armed with offensive weapons of any kind such as fire-arms, swords, staves, bludgeons or the like ; and no person being in the municipality 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 a poll is held, unless called upon to do so by lawful authority. "

Id., 5505, replaced for town. **26.** Article 5505 of the Revised Statutes, 1909, is replaced, for the town, by the following :

Bars, &c., to be closed during polling. **" 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, on penalty of being guilty of an offence triable summarily and liable to a fine of fifty dollars and to imprisonment not exceeding three months in default of payment. "

Id., 5506, replaced for town. **27.** Article 5506 of the Revised Statutes, 1909, is replaced, for the town, by the following :

Liquor selling, &c., forbidden on polling day. **" 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.

28. 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 Bringing, &c., of liquor into town on polling day, forbidden. under the same penalties, but subject to the same exception 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.

This provision shall not affect the sale, transport, delivery Proviso. 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. ”

29. Article 5615 of the Revised Statutes, 1909 is replaced Id., 5615, replaced for town. for the town by the following :

“ **5615.** The poll shall be held on one juridical day from Hours, &c., of polling. eight o'clock in the morning to eight o'clock in the afternoon.

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

“ **5731.** All land under cultivation or farmed or used as Valuation of farming land. pasture for cattle, as well as all uncleared land or wood lots within the municipality, shall be taxed to an amount proportional to one-fourth of its value as entered in the valuation roll.

The council may cause to be added to the valuation roll, Id. 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. ”

31. Article 5780 of the Revised Statutes, 1909, is replaced Id., 5780, replaced for town. for the town, by the following :

“ **5780.** Coupons to the amount of the half-yearly interest, signed by the mayor and countersigned by the clerk, Coupons of bonds. and payable to bearer when the interest specified therein

falls due, may be annexed to each bond, obligation or debenture.

Signatures on coupons. The signatures of the mayor and clerk may be lithographed or printed."

Delivery of coupons upon payment. At the time of payment, the coupons shall be handed to the treasurer; and the possession, by such officer, of any coupon, shall be *prima facie* evidence that the half-yearly interest specified therein has been paid."

Tax on poles, &c. **32.** The council may, by by-law, levy upon every person, firm or company a special yearly tax not exceeding twenty-five cents for every wooden or metal pole belonging to him or it, erected or to be erected in the streets of the town for telegraph or telephone lines, or for the transmission of electricity for light or motive power.

Borrowing on notes, &c. **33.** Notwithstanding any law to the contrary, the municipal council of the town may, by by-law, contract one or more loans, on notes, for general municipal purposes, provided that the total of such loan or loans shall at no time exceed ten thousand dollars, without it being necessary to submit the said by-law to the electors who are proprietors.

Id., 5789 not to apply. **34.** Article 5789 of the Revised Statutes, 1909 shall not apply to the municipality.

Coming into force, &c. **35.** This act shall come into force on the 30th June, 1911, but the preliminary proceedings for the first election shall be had in virtue thereof.

C H A P . 6 8

An act to incorporate the town of Greenfield Park

[Assented to 24th March, 1911]

Preamble. **W**HEREAS the rate-payers of the territory comprised in cadastral lots Nos. 225, 226, 227, 228, 229, 230, 231, 232, 236, 237, 238, 239, 240, 241, 242, 243, and 244, of the parish of Longueuil have by a large majority in number and value represented that, in consequence of the rapid increase of population within the said territory being a suburb of the city of Montreal and in consequence of the necessity for local improvements similar to those of other suburbs of Montreal, it is necessary that the said territory be erected into a separate municipality and they have prayed that the general principles