

of the premises where such trades, industries, occupations and kinds of business are carried on."

Coming into force.

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

CHAP. 91

An Act to amend the charter of the town of Chicoutimi

[Assented to 14th April, 1908]

Preamble.

WHEREAS the town of Chicoutimi has, by its petition, represented that it is in the interest of its proper administration that certain amendments be made to its charter, the act 4 Edward VII, chapter 62, 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 :

3 Ed. VII, c. 38, s. 17, amended for town.
Date of second general election.

1. The second paragraph of article 17 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

" 17. The second general election is held on the first juridical day of the second month of October after the coming into force of the charter, and the subsequent general elections are afterwards held every second year, on the first juridical day of October."

Id., s. 157, replaced for town.

2. Article 157 of the said act is replaced, for the town, by the following :

Subsequent general elections.

" **157.** The general elections for mayor and aldermen of the municipality are held every two years, on the first juridical day of October, in accordance with the provisions hereinafter contained."

Id., s. added for town after s. 157.

3. The following article is added, for the town, after article 157 of the said act :

First election of mayor, &c.

" **157a.** The next election of mayor and aldermen for the town of Chicoutimi shall be held on the first day of October, 1908."

Id., s. 55, replaced for town.

4. Article 55 of the said act is replaced, for the town, by the following :

Vacancy in office of mayor.

" **55.** If the office of mayor become vacant, the clerk of the municipality shall at once give the necessary notices for a new election by the people."

5. Article 108 of the said act is replaced, for the town, by Id., s. 108, replaced for town. the following :

" 108. No person shall be either nominated or elected Qualifications of mayor, &c. mayor or alderman or occupy such office unless he, during the six months immediately preceding the day of his nomination, has been seized of and has possessed, as proprietor in his own name or in that of his wife, immoveable property in the municipality of the value of six hundred dollars, after payment or deduction of all charges imposed thereon, such qualification required by this article to be established by the valuation roll in force at the date of the nomination."

6. Article 117 of the said act is replaced, for the town, by Id., s. 117, replaced for town. the following :

" 117. No person qualified to vote as proprietor, tenant or occupant is entitled to have his name entered on the electors' list for any of the wards of the municipality who, on the thirtieth June preceding the completion of the list, is indebted towards the municipality for any taxes on immoveables Payment of taxes before entry on voters' list. (except his special taxes).

A tax due in one ward deprives the person owing the same of the right of being entered on the list of electors for all the other wards also." Further consequence of non-payment.

7. Article 118 of the said act is replaced, for the town, by Id., s. 118, replaced for town. the following :

" 118. During the month of July of each year, there is Voters' list. 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 as well as on the collection roll of the municipality, and qualified to be entered upon the electors' list."

8. The second paragraph of article 120 of the said act is Id., s. 120, par. 2, replaced for town. replaced, for the town, by the following :

" During the month of July, any ratepayer may, under proper safeguards, examine the lists in the office of the clerk, and if said rate-payer find therein the name of any person Examination of lists by electors, &c. whom he may have reason to believe is not legally entitled to be entered, he may serve upon the clerk a signed statement, specifying the name and alleging the causes of disqualification; and, in each such case, it is the duty of the clerk to make careful inquiry respecting the truth of such allegations, before permitting any name thus protested to remain upon the list, when he certifies it."

9. Article 127 of the said act is replaced, for the town, by Id., s. 127, replaced for town. the following

Clerk *ad hoc*
for voters'
list.

" 127. If the clerk has not made the alphabetical list of electors, or has not given or published the notice required by article 123, by the third day of the month of August, 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 neighboring district or the district magistrate, on summary petition of any person entitled to be entered as an elector in the municipality, shall appoint a clerk *ad hoc* to prepare the alphabetical list of electors."

Id., s. 139,
replaced for
town.

10. Article 139 of the said act is replaced, for the town, by the following :

Coming into
force of
voters' list.

" 139. The list of electors comes 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 123, as it then exists, and remains in force until the month of September following its coming into force, and, thereafter, in all cases, until a new list is made and put into force under the authority of this act.

Remains in
force pending
appeal.

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., s. 159,
replaced for
town.
Election
clerk, &c.

11. Article 159 of the said act is replaced, for the town, by the following :

" 159. Ten days at least before the twentieth day of September, 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."

Id., s. 163,
replaced for
town.

12. Article 163 of the said act is replaced, for the town, by the following :

Public notice
by returning-
officer.

" 163. Eight days at least before the twentieth day of September 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 day and hour fixed for the nomination of candidates;

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

c The appointment of the election clerk."

13. Article 165 of the said act is replaced, for the town, by Id., s. 165, replaced for the following : town.

"**165.** The nomination of candidates at a general election is held on the twentieth of September from noon to two o'clock in the afternoon. If such day be a holiday, it is held on the first juridical day following such date, also from noon to two of the clock in the afternoon." Date of nomination.

14. The following article is added, for the town, after article 167 of the said act : Id., s. added after s. 167, for town.

"**167a.** The nomination paper of each candidate shall, before being handed to the returning-officer, indicate the number of the seat for which he is nominated, and, at the expiration of the delay for the nomination of candidates, the returning-officer shall nominate one against another if there be but two candidates, or one against the others if there be more than two candidates for the same numbered seat, the candidates whose nomination papers shall indicate the same number, or shall proclaim elected the candidate who is alone nominated for the same numbered seat ; the whole on pain of nullity. Contents of nomination paper.

A candidate can be nominated for one seat only."

One candidate per seat.

15. The following article is added, for the town, after article 304 of the said act : Id., s. added for town after s. 304.

"**304a.** The absolute majority of the whole council, within the meaning of the various provisions of this act, shall be the majority of the members composing the council, exclusive of the mayor." What is absolute majority of whole council.

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