

CHAP. 99

An Act to incorporate the town of Montcalm

[Assented to 25th April, 1908]

Preamble.

WHEREAS the corporation of the parish of Notre-Dame de Québec has, by petition, represented that it is desirable that an act be passed to erect its territory into a town municipality, and has prayed to be incorporated as a town in accordance with the provisions of the Cities and Towns' Act, 1903, and to be given certain powers not granted by the said act, and further to exclude certain of the provisions thereof ;

And whereas it is expedient to grant the prayer of 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 as " The Charter of the Town of Montcalm, 1908."

Territory erected into town.

2. The territory comprised within the actual limits of the municipality of the parish of Notre-Dame de Quebec is erected into a town municipality, under the name of " The Town of Montcalm ", and the inhabitants and ratepayers of the said municipality and their successors are and shall remain constituted a town corporation under the name of " The Corporation of the Town of Montcalm."

Persons incorporated. Name.

Boundaries.

3. The territory of the town of Montcalm is bounded by the city of Quebec, the parish of St. Malo, the parish of St. Colombin of Sillery, the parish of Ste. Foye and the municipality of the Little River.

3 Ed. VII, c. 38, to apply, &c.

4. The town shall be governed by the provisions of the Cities and Towns' Act, 1903, except such of its provisions as may be inconsistent therewith.

Town succeeds to certain rights, &c.

5. The corporation hereby constituted succeeds to the rights, privileges, obligations, property, claims and actions of the corporation of the parish of Notre-Dame de Quebec.

Present mayor, &c., to remain in office.

6. The present mayor and councillors of the parish of Notre-Dame de Quebec shall remain in office until replaced under the provisions of this act.

Present mun-

7. The present municipal officers and employees of the said

parish shall remain in office until they resign, are dismissed or replaced by the council.

icipal officers,
&c., to re-
main in of-
fice.

8. The by-laws, resolutions, *procès-verbaux*, rolls, accounts for taxes and dues, ordinances, plans and other acts and municipal documents whatsoever, passed or consented to by the council of the said parish and now in force, shall continue to have their full effect until cancelled, amended, repealed, or accomplished.

Certain by-
laws, &c.,
to continue
in force, &c.

9. The notes, bonds, obligations, undertakings, covenants or contracts subscribed, accepted, endorsed or consented to by the said parish, up to the time of the coming into force of this act, shall continue to have their legal effect.

Certain oblig-
ations to con-
tinue to have
legal effect.

10. The territory of the town shall be divided into four wards, designated as wards Nos. 1, 2, 3 and 4, the boundaries whereof shall be as follows :

Ward No. 1, shall be bounded to the north-west by the division line between the city of Quebec and the town of Montcalm, and by the parishes of St. Malo and Ste. Foye and the municipality of the Little River ; to the south-east by the St. Foye road ; to the south-west by the division line between the parish of Ste. Foye and the town of Montcalm ;

Ward No. 1.

Ward No. 2, shall be bounded to the north-west by the Ste. Foye road ; to the east by the division line between the city of Quebec and the town of Montcalm ; to the south-east by St. James street ; to the south-west by Maple Avenue ;

Ward No. 2.

Ward No. 3, shall be bounded to the north-west by St. James street ; to the east by the division line between the city of Quebec and the town of Montcalm ; to the south-east by St. Louis road ; to the south-west by Maple Avenue ;

Ward No. 3.

Ward No. 4, shall be bounded to the north-west by Ste. Foye road ; to the north-east by Maple Avenue ; to the south-east by the city of Quebec and the parish of St. Colombin of Sillery ; to the south-west by the division line between the municipality of Ste. Foye and the town of Montcalm.

Ward No. 4.

11. There shall be two aldermen for each of such wards.

Two alder-
men per
ward.

12. Article 47 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

3 Ed. VII, c.
38, s. 47, re-
placed for
town.
Election of
mayor, &c.

“ 47. The mayor shall be elected by the municipal council for two years.

13. The first general election for aldermen of the town shall be held on the first juridical day of February, 1909, and until such date the present councillors shall remain in office.

First election
for aldermen,
&c.

First return-
ing-officer.

14. The returning-officer for the first general election shall be the then secretary-treasurer of the town.

First session
of council.

15. The first general session of the council of the town shall be held at the usual place of meeting of the present council, on the first Monday of the first month after the coming into force of this act.

Crossing
water-pipes
of Quebec
city, &c.

16. Should the town, in the course of construction and extension of its sewers and water-works, be forced to cross the pipes of the city of Quebec, it must, before crossing, warn the water-works engineer of the city, and he may determine how the works at the crossing shall be performed, but he must so determine within a delay of one week from such warning, without affecting pending cases.

Id., s. 402,
replaced for
town.
Placing of
distribution
pipes, &c.

17. Article 402 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

" **402.** In all cases the municipality shall lay the distribution pipe to the line of the street and shall have the right to exact payment of the water rate from the proprietor, although the latter may refuse or neglect to connect such pipe with his house or building within the limits of municipality."

Id., s. 409,
replaced for
town.
Special agree-
ments to sup-
ply water
outside town,
&c.

18. Article 409 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

" **409.** The council may also make special agreements for the supply of water beyond the limits of the municipality, save and except the city of Quebec, provided that the persons, company or corporation with whom such agreements are made, comply with the by-laws respecting the management of the water-works; provided however, that nothing contained in this article shall authorize the town of Montcalm to change its present water rates for the supply of water within the parish of St. Charles Borromée de Charlesbourg, without the consent of the council of said parish."

Id., s. added
after s. 420.

19. The following is added for the town after article 420 of the Cities and Towns' Act, 1903 :

Watering
cars, &c., of
street rail-
way.

" **420a.** To permit under such conditions and restrictions as the council may impose, the passage of any watering car or sprinkler of any street railway through the streets of the municipality."

Loan, &c., for
certain pur-
poses.

20. For the purpose of completing its water-works and sewers, and organizing a fire brigade, and for the purpose of general improvements, the town is hereby empowered to borrow a sum of seventy thousand dollars. For this purpose bonds or

debentures shall be issued payable within fifty years or less, of the date of issue, at a rate of interest not to exceed five per cent and the loan shall be extinguished by means of a sinking fund of at lost one per cent.

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

CHAP. 100

An Act to incorporate the town of St. Pierre

[Assented to 25th April, 1908]

WHEREAS the corporation of the village of St. Pierre-Preamble.
aux-Liens has, by its petition, represented that it would be desirable to erect it into a town in accordance with the provisions of the Cities and Towns' Act, 1903 ; to enlarge its limits and to grant it certain powers not granted by the said act ;

Whereas it is in the interest of the ratepayers of the said village that their petition be granted ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The territory bounded on the north-west by lot No. 116 Territory created town municipality.
of the cadastre of the parish of Montreal and by the Côte St. Luc road ; on the north-east by the south-west line of lot No. 138 of the cadastre of the parish of Montreal, and the prolongation of the same line across lots numbers 4712, 4709, 4689, 4688 and 4706 of the cadastre of the parish of Montreal, and also by the south-west line of lot No. 1005 of the cadastre of the parish of Saints Anges de Lachine ; on the south-east by the Lachine canal ; on the south-west by the east and the north-east line of lot number 915 of the cadastre of the parish of Saints Anges de Lachine, passing across lots numbers 1035 and 1026 of the said cadastre to the south-east line of the Ontario and Quebec Railway ; thence by said line to the north-east line of lot number 914 of the cadastre of the said parish of Saints Anges de Lachine ; thence by said line crossing the Ontario and Quebec Railway and the Grand Trunk Railway to the south-east line of lot number 913 of the said cadastre of Lachine, and thence by said line and by the north-east line of said lot number 913 and of lot number 912 of the same cadastre to lot number 116 of the cadastre of of the parish of Montreal, is erected into a town municipality under the name of " The Name.
Town of St. Pierre."