

## CHAP. 103

[Assented to 25th April, 1908]

## An Act to incorporate the town of Emard

**W**HEREAS the corporation of the village of Boulevard Preamble.

St. Paul has, by its petition, represented that it is desirable that an act be passed to erect its territory into a town municipality, under the provisions of the Cities and Towns' Act, 1903, and its amendments ; that certain powers not conferred by the said act be granted to it; that certain provisions of that act shall apply to it and, further, that certain by-laws and contracts made and entered into by the council of the said corporation be confirmed and ratified to all intents and purposes;

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 :

**1.** From and after the coming into force of this act, the Name of village of Boulevard St. Paul shall be called "The Town of town. Emard,".

**2.** The municipality of the town of Emard shall be Boundaries. bounded as follows :

On the north by the Côte St. Paul road to the eastern line of No. 3603 of the cadastre of the parish of Montreal, by the new course of the St. Peter river ; then following such eastern line of the said No. 3603 to the Lachine Canal ; thence by the Lachine Canal to the western boundary of the municipality of the town of Emard, the foregoing being the southern boundary of the municipality of Notre Dame de Grâces West ; on the west by the numbers 1008, 1009, 1010, 1011, 1013, 1014, 1015, 1017, 1018, 1019, 1021, 1022 of the cadastre of the parish of Montreal ;

On the south west by No. 1002 of the cadastre of the parish of Lachine ;

On the south-east by the canal of the Montreal water-works to the property of Sir A. T. Galt, or his representatives, exclusively ;

On the north-east from the latter point and in a straight line towards the west to the property called St. Paul Annex and afterwards continuing towards the west separating the Galt property from St. Paul Annex, to the eastern line of No. 149 of the subdivision of No. 3929 of the cadastre of the parish

of Montreal, which number 3929—149 is known under the name of "The Lane" (*Petit Chemin*); then following that eastern line of the said lane to the south-eastern line of the public road, on the south side of the Lachine Canal and thence in a north easterly direction following the south side of the said public road to the south-western line of the bridge over the Lachine canal; such north eastern boundary being the south western boundary of the town of St. Paul; from the latter point and crossing the Lachine canal, following the said south-west line of the bridge to the north side of the road, on the north side of the said canal, then following the north side of the said road and in its direction towards the north-east to the Côte St. Paul road.

Finally by the Côte St. Paul road, being the boundary of the former town of St. Henry, (now St. Henry ward of the city of Montreal) and thence to the northern boundary of the municipality of the town of Emard as previously described.

Nothing in the description of the above boundaries shall be interpreted as altering or encroaching on the present limits of the city of Montreal, and shall not prejudice pending cases between the corporation of the Boulevard St. Paul and the said city of Montreal.

3 Ed. VII, c. 38, to apply, &c. **3.** The provision of the Cities and Towns' Act, 1903, shall apply, *mutatis mutandis*, to the corporation and municipality of the town of Emard with the exception of those specially extended by this act or expressly inconsistent therewith.

Wards. **4.** The municipality of the town of Emard shall be divided into three wards, respectively called : wards numbers 1, 2, and 3, the boundaries whereof shall be fixed by a by-law of the council.

Aldermen. **5.** Each of such wards shall be represented by two aldermen.

Corporation substituted. Name, &c. **6.** The inhabitants and ratepayers of the municipality shall constitute a corporation under the name of "the Corporation of the town of Emard," which shall not be deemed a new corporation, but which shall have, retain and continue to exercise all the rights, powers and privileges possessed and exercised by the corporation of the village of Boulevard St. Paul until the passing of this act, in the same manner as if the said corporation had continued to exist under its original name, and shall remain subject to the same obligations.

*Procès-ver-* **7.** All *procès-verbaux*, assessment and collection rolls, titles,

accounts, claims, by-laws, orders, lists, rolls, plans, resolutions, ordinances, provisions or municipal acts whatsoever now in force in the village of Boulevard St. Paul, shall continue to have their full effect until cancelled, amended, resiliated or carried out, or except in so far as as they may be expressly inconsistent with this act.

Nothing in this act shall affect the rights of persons or companies having contracts with the said village or having acquired franchises therein.

**8.** All bonds, notes, obligations, debentures, agreements and securities whatsoever, subscribed, issued, made and contracted by the council of the said village, shall continue to have their legal effect.

**9.** The present officers of the council of the village of Boulevard St. Paul, shall be and remain the officers of the town of Emard, until replaced by the council.

**10.** The mayor and councillors of the former municipality of the village of Boulevard St. Paul, in office when this act comes into force, shall remain in office as mayor and aldermen of the municipality until the election of their successors, as provided by section 11 of this act.

The first session of the council shall be held at eight o'clock P.M., at the place where the council usually sits in the municipality of the village of Boulevard St. Paul, on the first Monday following the coming into force of this act.

**11.** The council shall consist of a mayor and six aldermen elected according to law. The first general election shall take place on the first juridical day of February, 1909, under the provisions of the Cities and Towns' Act, 1903.

**12.** In the event of a vacancy in the office of mayor or alderman before the first general election, such vacancy shall be filled in the manner prescribed by the Municipal Code.

**13.** In the case of imposition of special taxes for any improvement, the council if it deem expedient, may, by-law or resolution, provide for the making, out of the general funds of the municipality, of the portion of the said improvement situate on or in the part of any street, lane, alley, square or public place intersected by any other street, lane, alley, square or public place or which might otherwise fall upon a property exempt from taxation.

**14.** Paragraph 8 of article 107 of the Cities and Towns' Act, 1903, s. 107, c. 38, s. 107,

amended for town. Act, 1903, is replaced, for the town, by the following, in so far only as it relates to the first general election:

Non-residents. "8. Whosoever has no residence or business office in the municipality for at least twelve months previous to the election or nomination."

Id., s. 384, amended. **15.** Article 384 of the Cities and Towns' Act, 1903, is amended, for the town, by adding the following paragraphs after paragraph 18.

To prevent breeding, &c., of swine. "18a. To prevent the breeding, keeping or fattening of swine in the town or in any part thereof, or impose by-laws, licenses or restrictions on the subject, as the council may think proper."

To determine what live stock may be kept in town, &c. Proviso. "18b. To determine the number of live stock that may be kept together at any place in the municipality, or determine the distance between horse and cow stables or other similar structures, from dwelling houses and other buildings." These two paragraphs shall not apply to farmers."

Id., s. 384, par. 21, replaced for town. **16.** Paragraph 21 of article 384 of the Cities and Towns' Act, 1903, is replaced for the town, by the following :

Regulation of sewerage, &c. "21. To regulate the sewerage of the municipality ; to construct any public sewer in any street of the town and even, if the council deems advisable, any connection between such public sewer and the private drains of owners of immoveables situate on such street ; to assess proprietors of immovable property for the purpose of defraying wholly or partly the cost of making any common sewer in any street, in which such proprietors own property, including the cost of such connections and the cost of such repairs to the sewer and of such as are rendered necessary in the paving on account of the construction of private drains ; to allot the assessment between itself and the adjacent proprietors ; to apportion the assessment imposed on such proprietors either according to the frontage of the property or otherwise, and to prescribe the mode in which such assessment shall be levied.

Id., s. 424, amended for town. **17.** Article 424 of the Cities and Towns' Act, 1903, is amended, for the town, by adding the following paragraphs thereto :

Business license from certain non-residents. "24. To prevent any person residing outside the limits of the municipality from coming himself or sending his employees to solicit or take orders for the delivery of merchandize or to offer such merchandize for sale without previously obtaining from the corporation the license required for such kind of business."

Special license in certain cases. "25. To impose and levy by resolution or by-law, by means of a special license, a sum not exceeding one hundred

dollars upon every person coming temporarily into the municipality to sell or cause to be sold by auction or by private sale, goods coming wholly or partly from a bankrupt stock."

**18.** Article 470 of the said act is replaced, for the town, Id., s. 470, replaced for town.  
by the following :

" **470.** Taxes bear interest at the rate of five per cent per annum, from the expiration of the delay during which they ought to be paid, without its being for such purpose necessary that a special demand of payment be made. Interest on taxes.

Neither the municipal council nor its officers can remit any taxes or the interest thereon, subject to the provisions of article 518. Council, &c., cannot remit same.

The council may, by by-law, provide for a discount to such persons as shall pay the taxes due by them on or before a date to be fixed by such by-law." Proviso. Discount in certain cases.

**19.** The first paragraph of article 475 of the Cities and Towns' Act, 1903, is replaced for the town by the following : Id., s. 475, amended for town.

" **475.** All lands under cultivation or farmed or used as pasture for cattle as well as all uncleared land, or wood lots, within the limits of the municipality, shall be taxed for an amount not exceeding three quarters of one per cent, for all general as well as special taxes which may be levied on such lands ; and the valuation of these lands shall be that given in the valuation roll preceding that now in force." Taxation of certain lands, &c.

**20.** Article 477 of the said act is replaced, for the town, Id., s. 477, replaced for town.  
by the following :

" **477.** The council may impose and levy an annual tax, to be fixed by by-law, on every horse aged three years and over, on every head of horned cattle over two years of age, on every dog and on every vehicle kept in the municipality, including bicycles." Tax on horses, &c.

This article does not apply to farmers.

Proviso.

**21.** The following article is inserted in the said act for the town after article 479. Id., s. inserted after s. 479, for town.

" **479a.** The amount of such annual dues or taxes shall be fixed and determined by one or more by-laws of the municipality, and shall be fixed and determined by the council at its discretion. The amount so fixed may be different for each kind of business, occupation or trade." Amount of certain taxes, how fixed, &c.

**22.** The following article is inserted in the said act, for the town, after article 485 : Id., s. inserted after s. 485, for town.

" **485a.** Every person who, during the fiscal year, does Payment of

business tax, or carries on any business or occupation which makes him liable to the business tax, is bound to pay the same in full, unless the council grants a partial remission of the same on account of the short time remaining to the expiration of the fiscal year."

Id., s. 523, replaced for town. **23.** Article 523 of the said act is replaced, for the town, by the following :

Interest coupons. **" 523.** Coupons to the amount of the half-yearly interest, signed by the mayor and countersigned by the clerk, and payable to bearer at the period when the interest specified therein falls due, may be annexed to each bond, obligation or debenture,

Delivery thereof on payment of interest, &c. At the time of payment, the coupons are handed to the treasurer ; and the possession, by such officer, of any coupon is *primâ facie* evidence that the half-yearly interest specified therein has been paid.

Signatures on coupons. The signatures on such coupons may be lithographed, stamped, printed or engraved."

Certain agreements re widening of certain road, authorized, &c. **24.** The council is authorized to make all covenants with owners of lots on the west side of Côte St. Paul road from Notre Dame Street, in the city of Montreal, to the bridge over the Lachine canal, in the town of Emard, that may be necessary for widening the said road; to do all the work the council may deem necessary for the purposes of such widening ; to drain, pave or macadamize wholly or partly the portion of the said road so widened and keep it in good order ; to make all necessary arrangements with the city of Montreal, or any other corporation for the purpose of apportioning as the council may deem advisable the cost of the work above mentioned between the town and the city of Montreal, the town of St. Paul, the town of Notre Dame de Grâce or any other corporation if necessary, and the same powers are given the town of St. Paul or any other corporation for the purpose of making any arrangement necessary for such purposes with the town of Emard.

Borrowing money therefor, &c. The council is authorized to borrow, by means of debentures, the money required for the aforesaid works and improvements according to a by-law adopted according to law.

Certain arrangements re sewers, authorized. **25.** The council may make any arrangement that may be deemed necessary with the town of St. Paul or any other corporation with regard to sewers, either to connect its sewerage system with that of the town of St. Paul or that of any other corporation and the use of the latter's collecting sewers for that or any other purpose, and to indemnify accordingly the town of St. Paul or other corporation to such amount as may be

deemed reasonable and be agreed upon between the parties ; the same powers are conferred upon the town of St. Paul or other corporation for making the said arrangement with the town of Emaré.

**26.** The act 6, Edward VII, chapter 55, is repealed.

6 Ed. VII, c.  
55, repealed.

**27.** The council may adopt, amend or repeal by-laws to grant to any person or company for a number of years not exceeding thirty, the exclusive privilege of working any tramway by means of steam or electricity upon the conditions and in the manner it may consider right. Exclusive privileges.

Every by-law passed under this act shall, before coming into force and having effect, be approved of by the majority in number and real value of the municipality who shall vote thereon, and by the Lieutenant-Governor in Council. Approval by electors, &c.

**28.** The following is approved and declared valid, to wit: Certain by-law ratified.  
By-law No. 19, annexed to this act as schedule A., being a consolidation of by-laws 13 and 15 of the council of the village of Boulevard St. Paul and granting to Laurent Justinien Marchand, his representatives and assigns, the right and privilege of supplying electric light within the limits of the village of Boulevard St. Paul, as well as electric power and all the other accessories required for pumping the water of the water-works of the said village on the conditions therein set forth, passed by the council of the corporation of the village of Boulevard St. Paul on the 11th February 1908.

After the coming into force of the by-law annexed to this act as schedule A, the town shall enter into a contract with the said Laurent Justinien Marchand in accordance with the provisions of the said by-law modified however by the insertion in clause 14 of the said by-law after the words : " The prices mentioned," of the following words : " except those fixed by clauses 12 and 13 of the said by-law." Certain contract to be entered into.

**29.** Nothing contained in this act shall be interpreted as affecting or repealing any power specially given by statute to any corporation or company. Certain rights not affected.

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

## SCHEDULE A

Province of Quebec, } CORPORATION OF THE VILLAGE OF  
District of Montreal. } BOULEVARD ST. PAUL.

At a general session of the council of the village of Boulevard St. Paul, held at the place where the sittings of the said council are usually held on Tuesday, the eleventh day of February, nineteen hundred and eight, at eight o'clock p. m., according to law and pursuant to adjournment ; at which session were present : His Worship the Mayor, Joseph Ulric Emard and councillors Charles Mignot, Joseph Deslauriers, Joseph Charland, Léon Dubois, Moïse Jodoin and Jean-Baptiste Prévost, forming a quorum under the presidency of the said Joseph Ulric Emard.

It is ordered and enacted as follows by the by-law number nineteen of the by-laws of the said council :

1. The present by-law is a consolidation of the by-laws numbers thirteen (13) and fifteen (15) of the council of the village of Boulevard St. Paul, by which the said council repeals certain clauses of the said by-laws, and adds certain amendments thereto ;

2. The village of Boulevard St. Paul gives and grants hereby to Laurent Justinien Marchand, trader and manufacturer, of the said village, his successors and assigns, the exclusive right and privilege of supplying electricity for lighting within the limits of the said village of Boulevard St. Paul for a period of thirty years, counting from the sixteenth of January, nineteen hundred and seven ;

3. Every firm, company, corporation or person, other than the said Laurent Justinien Marchand, his successors and assigns, are hereby forbidden for a period of thirty years, counting from the sixteenth of January nineteen hundred and seven, to put up in the streets, lanes or public places of the said village of Boulevard St. Paul any conduit for electricity or any poles or electric wires, and also to operate, except for his or its own personal use, within the limits of the said village, any dynamo or electric generator or any system producing electricity ;

4. The said village of the Boulevard St. Paul hereby disseizes itself in favor of the said Laurent Justinien Marchand and his successors or assigns, of its rights and powers to light the said village of the Boulevard St. Paul with electric light during the whole period stipulated and until the expiration of thirty years, counting from the sixteenth of January nineteen hundred and seven, during which time the said Laurent Justinien Marchand, his successors or assigns, shall continue to enjoy the privilege aforesaid ;

5. The said Laurent Justinien Marchand, his successors or assigns shall continue to avail himself or themselves as the said Laurent Justinien Marchand has done since the first of September nineteen hundred and seven, under the said by-laws numbers thirteen and fifteen, of the advantages to him or them given by the present by-law and to light the village of the Boulevard St. Paul with electric light, supply and erect at his or their cost all poles, electric wires and conduits that may be necessary for lighting the said village of the Boulevard St. Paul with electric light ;

6. The said Laurent Justinien Marchand, his successors or assigns, shall also procure and furnish at his or their expense, all other plant, generators and dynamos for producing the necessary electricity for operating the electric lamps either in the streets, lanes or public places or in houses, stores, shops or public buildings, and the village of the Boulevard St. Paul shall not be bound to perform any labor nor to incur any cost of maintenance and shall not be obliged to put up any lamps, poles, wires, dynamos or other apparatus, the whole to be at the charge of the said Laurent Justinien Marchand, his successors or assigns ;

7. At any time from the date wherein the said Laurent Justinien Marchand shall have begun in virtue of these presents to light the village of the Boulevard St. Paul with electric light, the latter shall have the right to compel the said Laurent Justinien Marchand, his successors or assigns to put up and maintain at his or their expense, as aforesaid, such number of electric lamps as the council of the said village may deem advisable or useful, provided there shall never be less than forty, and he or they shall place them at his or their expense at the places which the council shall designate by resolution. Each of the arc lamps shall have a nominal power of twelve hundred candles ;

8. Should the council deem it advisable between now and the first of September nineteen hundred and eight to remove certain arc lamps, the said Laurent Justinien Marchand, his successors or assigns shall remove the same at his or their expense. All changes after such date shall be at the expense of the corporation ;

9. The said Laurent Justinien Marchand, his successors or assigns shall supply gratuitously to the village of the Boulevard St. Paul, the electric current required for thawing the hydrants and water-pipes of the corporation in all the streets of the municipality, upon written application by the chief of the department ; provided such work be done under the direction of an employee, paid by the said village, of the said Laurent Justinien Marchand, his successors or assigns ;

10. In consideration of the light so supplied by the said

Laurent Justinien Marchand, his successors or assigns, the village of Boulevard St. Paul shall pay him or them every three months for the time he or they shall have so supplied it from the coming into force of this by-law, until the expiration of the period above mentioned, the sum of seventy-five dollars per annum for each arc lamp put up and giving light from twilight till dawn, of a nominal power of twelve hundred candles. The first payment shall become due three months after the said Laurent Justinien Marchand, his successors or assigns, shall have begun to light by electricity the streets, lanes and public places of the said village under the present by-law ;

11. When the number of arc lamps supplied to the said village as aforesaid shall have reached the number of seventy-five, the price for each lamp shall only be seventy-two dollars and fifty cents per annum ; and when the number of such lamps shall have reached one hundred, the price of each lamp shall be only seventy dollars per annum ;

12. The said Laurent Justinien Marchand, his successors or assigns shall, during the whole time that he or they shall supply the village of the Boulevard St. Paul with electric light, also supply the citizens requiring the same, at the following prices :

For five (5) lamps and less, for one and the same person, fifty cents (50) per month, for each lamp of sixteen candle-power.

When the same person, company or corporation requires more than five (5) lamps, the said Laurent Justinien Marchand may be compelled to supply a meter at a rental of twenty-five cents per month and in such case the light shall be supplied at one-half cent per ampere hour for each lamp of sixteen candle-power.;

13. If the council of the said village wishes to have incandescent lamps in the streets, lanes or public places, the said Laurent Justinien Marchand, his successors or assigns, shall be bound to supply the same at the rate of ten dollars (\$10.00) per lamp of sixteen candle-power and twenty dollars (\$20.00) per lamp of thirty-two candle-power per annum. Nevertheless, the said council shall not exact such incandescent lamps unless there are already forty arc lamps in the said village, paid for by the latter ;

14. The prices above mentioned shall be revised every five years and modified proportionately if necessary, adopting as a basis the prices charged on the sixteenth of January nineteen hundred and seven to the city of Montreal by The Montreal Light, Heat and Power Company and those which shall prevail in the said city at the same date every five years, provided always that, whatever may be the price paid by the city of Montreal at the date of each five years' revision, the price paid

to the said Laurent Justinien Marchand, his successors or assigns, shall never at any time exceed those above mentioned ;

15. The putting in of the electric lamps in houses, stores or public buildings, as well as the renewal of the lamps which may be broken, shall be at the cost of the consumers ;

16. With the view of testing the current and the voltage supplied for lamps, and examining the apparatus and accessories, the council of the said village shall permit any competent person or persons authorized to that effect by the said council, to have access at any time to all lamps, poles, conduits, apparatus or machines on the streets or at any station belonging to the said Laurent Justinien Marchand or his successors and assigns, and the said person or persons shall have the privilege, at all times while the said lamps are lighted, to test the said circuits of such places as he may select, by such standard instruments as he may deem advisable to use, and to maintain such instruments in circuit as long as he may deem advisable; and every electric lamp which shall not fulfill the conditions prescribed herein shall not be considered as giving light ;

17. The said Laurent Justinien Marchand, his successors or assigns, shall give light to each of the lamps so put up within the limits of the said village every night from twilight till dawn. If any lamp or lamps should be extinguished or not be lighted during a period of the night exceeding sixty consecutive minutes, the council shall deduct from the accounts of the said Laurent Justinien Marchand, his successors or assigns, one-half of the amount the latter would have been entitled to receive for such lamp or lamps had they given light throughout the night. For each lamp so extinguished or not lighted during one hundred and twenty consecutive minutes, the council shall deduct the full amount that the said Laurent Justinien Marchand, his successors or assigns, would have been entitled to receive for such lamp or lamps had they been lighted throughout the night ;

18. The said Laurent Justinien Marchand, his successors or assigns further covenant that they shall hold the village of the Boulevard St. Paul, its officers, agents or employees and each of them harmless and shall defend them against all suits or actions of any kind taken against any of them as well as from all damages and costs to which any of them might be exposed, in consequence of bodily injury to the person or damage to the property of any one whomsoever arising through neglect or from carelessness in the working of the said light, the execution of the present by-law or the defectiveness or insufficiency or the default of the plant, machinery, apparatus or instruments employed for that purpose or any act of omission or neglect of the said Laurent Justinien Marchand his successors or assigns;

19. If, in case of fire, it should be deemed necessary by the employees of the fire department to cut or remove the lines or the wires which might impede their work at such fire, they shall have the right to cut or remove such wires without the village of the Boulevard St. Paul being responsible for any expenses or damages in so doing; and it shall be the duty of the said Laurent Justinien Marchand, his successors or assigns, to atonce render such line or wire harmless, and to immediately restore them after the cause for which they had been removed has ceased to exist, the whole without expense to the village of Boulevard St. Paul, provided that no reduction be made for the lamps which were extinguished in consequence of such occurrence.

20. In the event of the said Laurent Justinien Marchand, his successors or assigns, neglecting to fulfill the obligations imposed on them by the present by-law and ceasing to properly light the said village, the latter after putting him or them in default for three months, may end the privilege hereby granted the said Laurent Justinien Marchand, his successors or assigns. On application, the said Laurent Justinien Marchand, his successors or assigns, shall be bound to supply electric current to consumers at any hour of the day.

The manner in which an end shall be put to the present by-law shall be the passing of another by-law to repeal the present one.

In such case the village of the Boulevard St. Paul shall pay to the said Laurent Justinien Marchand, his successors or assigns, the value of all the work done by him or by them within the limits of the said village for the purposes of the present by-law; and such value shall be established by arbitrators appointed according to law. The present clause shall not apply to cases of irresistible force.

21. The moveable and immoveable property belonging to the said Laurent Justinien Marchand, his successors or assigns, and used by him or by them for the purpose of the present by-law in the village of the Boulevard St. Paul, shall be exempt from all municipal taxes during the period of thirty years above mentioned, with the exception of the water rate and assessment for sewerage ;

22. The said Laurent Justinien Marchand, shall have power to grant to any person, firm, company or corporation he may choose, all the rights and privileges upon him conferred by the present by-law ; provided the assignee thereof shall bind himself to fulfil and shall fulfil the conditions thereof ;

23. During the above mentioned period of thirty years, the said Laurent Justinien Marchand, his successors or assigns, shall furnish at his or their expense the electric power, labor and all other accessories required for the pumping of water of the

water-works of the said village and the said village shall pay, under that head, every three months to the said Laurent Justinien Marchand, his successors or assigns, a sum equal to two thousand dollars per annum, to wit : five hundred dollars per three months.

The electric power mentioned above shall never exceed fifty horse-power, and if higher power is required, the said Laurent Justinien Marchand, his successors or assigns, shall furnish the same at the price of thirty dollars (\$30.00) per annum for each additional horse-power.

And whereas the pump actually installed and the motor are of the development and capacity of fifty-seven horse-power ; it is understood that the present pump and motor shall be considered by the said Laurent Justinien Marchand, his successors or assigns, as being a pump and motor of fifty horse-power in so far as the work of pumping shall not last more than twenty-one out of the twenty-four hours. All time beyond the twenty-one hours shall be paid for in the proportion of two and one-third horse-power per hour.

The water mentioned in the present clause is all the water that may be consumed in the municipality ;

24. The pumping above mentioned shall begin at the same date as the supply of the electric light ;

25. The repairs of any plant used or to be used by the said Laurent Justinien Marchand, his successors or assigns for pumping the water of the water-works, shall be at the expense of the latter, except such caused by the usual wear and tear of the portion of the plant belonging to the corporation, such as the pump for instance ;

26. All sums of money due under the present by-law to the said Laurent Justinien Marchand, his successors or assigns, shall bear interest at the rate of five per cent per annum from the date of its maturity ;

27. All that has been or shall be done by the said Laurent Justinien Marchand and the council of the said village in the execution of by-laws numbers thirteen and fifteen above mentioned, from the time of their coming into force until their repeal, is, by the present by-law declared valid to all intents and purposes ;

28. The by-laws numbers thirteen and fifteen above mentioned shall be repealed by the present by-law only if the latter comes into force, and counting from such coming into force.

29. A notarial contract, in accordance with the clauses and conditions of the present by-law, shall be entered into by the said village of Boulevard St. Paul, and the mayor and the secretary-treasurer are hereby authorized to sign the said contract after the latter has been submitted to the council ;

30. The present by-law shall be published in the manner required by law, but it shall only come into force fifteen days after its approval by the Legislature of the Province of Quebec.

(Signed) JOSEPH ULRIC EMARD, *Mayor*.

“ L. E. HÉTU, *Secretary-treasurer*.

True copy.

L. E. HÉTU,  
*Secretary-treasurer*.

## CHAP. 104

[Assented to 14th April, 1908]

An Act to amend the charter of the village of Rosemont

Preamble.

**W**HEREAS the municipality of the village of Rosemont has, by its petition, represented that it is in the interest of the proper administration of its affairs that its charter the act 5 Edward VII, chapter 49, be amended, and whereas it is expedient to grant its prayer ;

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. 29, replaced for village. Division by council into wards.

**1.** Section 29 of the Cities and Towns' Act, 1903, is replaced for the village as follows :

“ **29.** The municipal council of the said village of Rosemont may, by by-law, divide the municipality into such number of wards as it may deem expedient, and shall thereafter have all the powers set forth in articles 30 and 31 of the Cities and Towns' Act, 1903, as if said wards had been originally fixed in the charter of the municipality.

Number of councillors per ward.

In the event of the municipal council dividing the municipality into wards, it shall have the power, by the same or a subsequent by-law, to fix the number of councillors or aldermen so as to provide an equal number for each ward.”

5 Ed. VII, c. 49, s. 12, replaced.

**2.** Section 12 of the act 5 Edward VII, chapter 49, is replaced by the following :

Parts of 3 Ed. VII, c. 38, may be adopted by by-law.

“ **12.** Nevertheless, it shall be lawful for the municipal council of the said village to adopt, at any time after the coming into force of this act, one or more by-laws enacting the application to the corporation of the village of Rosemont of