

Id., art. 383 amended.

17. Article 383 of the Cities and Towns' Act, 1903, is amended for the town by adding the following after the first paragraph of the said article :

Regulating construction of buildings, &c.

“1a. To prevent the construction of any buildings on certain streets to be determined by the council, and to prescribe the kinds of buildings to be constructed in the town, in order to preserve its natural beauty, and to improve the sanitary condition and comfort of its inhabitants.”

SECTION X

DRAINAGE SYSTEM, &c.

Drainage system for south ward.

18. The corporation of the town of Megantic shall forthwith provide the south ward with a system of drainage, similar to that now existing in the centre and north wards, and complete the water-works now in operation in the south ward, by adding proper hydrants thereto in such manner as to protect that ward against fire on the same conditions as the centre and north wards.

SECTION XI

POLICE

Police protection for south ward.

19. The corporation of the town of Megantic shall give to the south ward the same police protection as to the centre and north wards.

Costs of act how paid.

20. The cost of this act shall be defrayed by the corporation of the Town of Megantic.

Coming into force.

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

CHAP. 78

An Act to incorporate the village of Bordeaux as a town and to change its name to that of the Town of Bordeaux

[Assented to 14th March, 1907.]

Preamble.

WHEREAS the corporation of the village of Bordeaux has, by its petition, represented that, in consequence of public improvements, marked progress is observed in that municipality ; that extensive public buildings are about to be erected therein ; that it is desirable that its name be changed to that of “The Town of Bordeaux” and that certain additional powers be granted to it ;

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 :

1. The proclamation of the twenty-first March, one thousand eight hundred and ninety-eight, (*Official Gazette* 1898, page 750) erecting into a distinct municipality and incorporating the village of St. Joseph de Bordeaux, is repealed. Certain proclamation of March 21st, 1898, repealed.

2. The act 6 Edward VII, chapter 56, is repealed. 6 Ed. VII, c. 56, repealed.

3. The municipality of the village of Bordeaux shall, from and after the coming into force of this act, bear the name of the "Town of Bordeaux." Name of municipality.

4. The municipality of the town of Bordeaux is bounded as follows : On the north by the Rivière des Prairies ; on the north-east by the municipality of the village of Ahuntsic ; on the south-east by the parish of St. Laurent ; on the south-west by the village of Cartierville. Boundaries.

5. The municipality of the town of Bordeaux shall be divided into three wards, respectively designated as the East, Centre and West wards, as follows : Three wards.

The East ward shall be bounded on the north by the Rivière des Prairies ; on the south by the lands of the parish of St. Laurent ; on the east by the municipality of the village of Ahuntsic ; and on the west by and including the east side of Bois de Boulogne avenue and by the east side of No. 303 subdivision No. 3 of the official plan and book of reference of the parish of Sault-au-Récollet ; Boundaries of east ward.

The Centre ward shall be bounded on the north by the Rivière des Prairies ; on the south by the lands of the parish of St. Laurent ; on the east by and including the west side of Bois de Boulogne avenue and of No. 303 subdivision No. 3 of the official plan and book of reference of the parish of Sault-au-Récollet ; and on the west by and including the east side of Ray street to No. 324 of the official plan and book of reference of the parish of Sault-au-Récollet and by the division line separating Nos. 309 and 310 from No. 324 of the official plan and book of reference of the parish of Sault-au-Récollet and by the east side of a private lane comprised between No. 319, subdivisions 4 and 5 and No. 320 of the official plan and book of reference of the parish of Sault-au-Récollet ; Boundaries of centre ward.

- Boundaries of west ward. The West ward shall be bounded on the north by the Rivière des Prairies ; on the south by the lands of the parish of St. Laurent ; on the east by and comprising the west side of Roy street and by the line separating No. 324 from Nos. 309 and 310 of the official plan and book of reference of the parish of Sault-au-Récollet, and on the west side by a private lane comprised between No. 319, subdivisions 4 and 5 and No. 320 of the official plan and book of reference of the parish of Sault-au-Récollet ; and on the west by the municipality of the village of Cartierville.
- Representa- tion of wards. **6.** Each of such wards shall be represented by two aldermen.
- Name of cor- poration. **7.** The inhabitants and ratepayers of the municipality shall constitute a corporation under the name of "the Corporation of the Town of Bordeaux," 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 Bordeaux 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.
- To retain rights, &c., of village of Bordeaux. **8.** All *procès-verbaux*, assessment and collection rolls, titles, accounts, claims, by-laws, orders, lists, rolls, plans, resolutions, ordinances, provisions or municipal acts whatsoever passed or consented by the council of the former municipality of the village of Bordeaux, are declared valid and shall continue to have their full effect until cancelled, amended, resiliated or carried out by the council of the Town of Bordeaux, or except in so far as they may be expressly inconsistent with this act.
- By-laws, &c., remain in force. **9.** All bonds, notes, obligations, debentures, agreements and securities whatsoever, subscribed, issued, made and contracted by the council of the said town, are declared valid and shall continue to have their legal effect.
- Bonds, notes, &c., remain in force. **10.** The mayor and councillors of the former municipality of the village of Bordeaux, 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.
- Mayor, &c., of village remain in office, &c.

11. The council shall consist of a mayor and six aldermen and the first election under the provisions of the Cities and Towns' Act, 1903, shall be held as follows : Composition of council, &c.

(a) The nomination of candidates shall take place on the fifteenth September 1907. If such day be a non-juridical day it shall take place on the next following juridical day ; Date of nomination, &c.

(b) If a poll be necessary, the voting and election shall take place on the first juridical day of October, after the nomination of candidates. Date of poll.

(c) The secretary-treasurer of the municipality shall act as returning-officer ; in the event of his being unable to act, the council may appoint a substitute. In case of urgency he may be appointed by the mayor *ex officio*. Returning-officer.

d. With regard to the other formalities connected with the nomination, the right to vote and the voting, the provisions of the Cities and Town's Act, 1903, shall apply ; 3 Ed. VII, c. 38, to apply.

e. The first general session of the council shall be held at the place where the sittings of the council are usually held in the municipality, on the Monday following the return of the elections. First general session of council.

12. The general election of the mayor and aldermen shall take place thereafter every second year at the date and in the manner provided by section 11 of this act. Bi-annual general election.

13. In the case of imposition of special taxes for any improvement, the council may, if it deem expedient, by law or resolution, provide for the making out of the 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. Certain improvements may be defrayed out of general funds.

14. The following paragraphs are added, after paragraph 32 of article 386 of the Cities and Town Act, 1903, for the town of Bordeaux. Id., art. 386, amended.

“**33.** Establish the line of the buildings on lots abutting upon any street, road, avenue, highway, alley, park or lane within the limits of the municipality, between which line and street, road, avenue, highway, alley, park or lane no building or part of a building or dependency shall be placed or erected ; and change the name of any street, road, avenue, highway, alley, park or lane within the limits of the municipality. Building lines, &c.”

“**34.** When a proprietor gratuitously makes over to the town a lot intended for a street across his property, the Exemption of property fronting on

given for
street, &c.

remainder of the property fronting on the new street may, by resolution of the council, be exempted, wholly or partially, from the assessment rendered necessary by the opening of such street, provided the portion so exempted does not exceed one hundred and fifty feet in depth."

Proviso.

Repairs on
private roads
or avenues.

15. If an avenue or road not belonging to the municipality, but open to the public and used as such, and on which building lots have been sold, needs repairs, the council may, on the petition of one or more of the purchasers of such lots, compel the owner or owners of the said road or avenue to effect such repairs, and, if they are not made within the delay fixed by the council, the latter may have the same made at the expense of such owner or owners and recover the cost thereof from the latter, unless such owner or owners gives the said road or avenue to the municipality.

Id., art. 107,
par. 8,
replaced.

16. Paragraph 8 of article 107 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

Disqualifi-
cation.

"**8.** Whosoever has no residence or principal place of business and has not been a householder in the municipality for at least twelve months previous to the election or nomination."

Id., s. 117,
replaced.

17. Article 117 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

Exclusion
from voters'
list for not
paying taxes,
&c.

"**117.** No person qualified to vote as a 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 first January preceding the completion of the list, is indebted towards the municipality for any taxes or water rates (special taxes excepted).

Proviso.

This article deprives the proprietor of the right to be entered on the list for the ward only in which such taxes become due."

Id., art. 118
replaced.

18. Article 118 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

Making of
voters' list.

"**118.** Prior to the first of July of each year, there is 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 on the electors' list."

Id., art. 120
replaced.

19. Article 120 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

“ **120.** In the preparation of the list, the clerk omits therefrom, and, from time to time, causes to be removed therefrom, the names of all persons who either are or who may become deceased, also the names of minors, of aliens, of non-residents in the municipality, of corporation employees (as defined by article 116) and of all others who are not entitled to have their names entered on such list. Names omitted from voters' list.

During the month of June, any ratepayer may, under proper safeguards, examine the lists in the office of the clerk, and if the said ratepayer finds 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, it is the duty of the clerk to make careful enquiry respecting the truth of such allegations, before permitting any name thus protested to remain upon the list, when he certifies it.” Examination of list, objection there-to, &c.

20. Article 127 of the Cities and Towns' Act 1903, is replaced for the town by the following : Id., art. 127 replaced.

“ **127.** If on the third day of July, the secretary-treasurer has not made the alphabetical list of electors or has not given or published the notice required by article 123, the judge of the Superior Court for the district, or, in the event of his being absent or unable to perform his duties, a judge of a neighbouring district, or the district magistrate, shall, on summary petition of any person entitled to be entered as an elector in the municipality, appoint a special clerk to prepare the list of electors. Special clerk in certain cases.

21. Article 139 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following : Id., art. 139 replaced.

“ **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 in force under the authority of this act. When voters' list comes into force, &c.

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.” Remains in force pending appeal.

- 22.** Article 169 of the Cities' and Towns' Act 1903, shall not to apply. not apply to the town of Bordeaux.
- 23.** Article 302 of the Cities and Towns' Act, 1903, is replaced. replaced, for the town, by the following :
- Meetings of council. " **302.** The council shall meet at least once a month in general or ordinary session for the transaction of the business of the municipality, and shall sit on the days and hours it may determine by by-law."
- 24.** Article 304 of the Cities and Towns' Act, 1903, is replaced. replaced, for the town, by the following :
- Quorum. " **304.** The majority of the members of the council, shall constitute a quorum for the despatch of business, except when otherwise specially provided by this act."
- Procuring of money for certain payments. **25.** Notwithstanding any law to the contrary, the council may, by such means as it deems proper, procure the moneys required for the payment of all judicial obligations or other costs, expenses and current accounts and all urgent matters generally ; provided that such moneys shall at no time exceed \$10,000.
- Tenders for certain contracts. **26.** For every contract of five hundred dollars or over, tenders must be asked for by the council, which shall likewise exact such guarantees as it may deem advisable from the parties tendering. In all cases such guarantees shall not be less than five per cent.
- Borrowing on resolutions. **27.** Notwithstanding any law to the contrary, it shall be lawful for the town of Bordeaux to borrow, upon a resolution of the council, all moneys required for payment of the following works in the public interest viz : water-works, drains and sewers, roads, streets, permanent sidewalks, municipal buildings and embellishment of streets : provided the total debt of the town shall never exceed fifteen per cent of the real estate valuation. The cost of the sewers now built, amounting to about eight thousand dollars, and to be paid for by the property owners shall never be calculated as forming part of the said debt."
- Proviso. **28.** The provisions of the Cities and Towns' Act, 1903, shall apply, *mutatis mutandis*, to the corporation of the municipality of the town of Bordeaux, with the exception of those specially excluded by this act or which are expressly inconsistent therewith.
- 28.** The provisions of the Cities and Towns' Act, 1903, shall apply, *mutatis mutandis*, to the corporation of the municipality of the town of Bordeaux, with the exception of those specially excluded by this act or which are expressly inconsistent therewith.

29. The sinking fund of all loans effected or to be effected by the town of Bordeaux is fixed at the uniform rate of one per cent per annum, notwithstanding any law or by-law to the contrary.

Rate of sinking fund.

30. The council may grant such exclusive privileges as it may deem advisable, for a period not exceeding thirty years, to any street railway company applying for the same.

Exclusive privilege to street railway company.

31. All proprietors who shall subdivide their farms and lots, shall send to the the secretary-treasurer a copy of the plans of the official subdivision thereof, within thirty days from the date of the deposit of the same in the registry office.

Subdivision plans.

32. The council may, by resolution, correct the assessment and collection rolls for the taxes imposed for the payment of the sewers, whenever the proprietors interested make a written application therefor and show, to the satisfaction of the council, that a mistake has been made to their detriment.

Correction of assessment rolls re sewers.

33. The debentures bearing date the first day of May, 1906, payable on the first day of May, 1926, issued under a resolution passed on the seventh day of June, 1906, are hereby declared valid, although they bear a date prior to that of the resolution authorising such issue.

Certain issue of debentures ratified.

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

Coming into force.

CHAP. 79

An Act to amend the charter of the town of Notre-Dame des Neiges

[Assented to 14th March, 1907]

WHEREAS the town of Notre-Dame des Neiges has, by petition, represented that it has become necessary in order to meet the needs of its population, to amend the act 52 Victoria, chapter 85, incorporating the said town, and that it be declared subject to the provisions of the Cities and Towns' Act, 1903;

Preamble.

Whereas it has been further represented that it is desirable to enact that the transfer of streets to the town of Notre-Dame des Neiges, made by Joseph Antoine de Padoue Flavien Filiatrault, Dame Marie Anne Josephine Filiatrault, wife separated as to property by contract of Louis Trudel, and Henri Jodoin, in his quality of usufructuary of his wife, the