

poration at the time of the expiration of the existing policies, the said corporation may have the property insured at the cost of the said Girard and Godin.

SECTION 6.—In the event of the said buildings, machinery or plant or any portion thereof being destroyed or damaged by fire, if the said Girard and Godin rebuild, replace or repair, and at once restore them in the same condition as before the fire, the corporation shall retain, out of the amount paid to it by the insurance companies for losses suffered, only the amount of the instalments then due under the mortgage, and shall hand over the surplus to the said Girard and Godin, as soon as the said buildings, machinery and plant shall have been replaced in as good order as before the fire, provided always that it be done within a delay not exceeding twelve months from the date of the fire, but on condition that they shall continue to carry out their obligations as before.

SECTION 7.—The present by-law shall come into force immediately after its approval by the municipal electors.—Adopted.

## CHAP. 44

An Act to amend the charter of the town of Lachine

[Assented to 20th May, 1905]

Preamble.

**W**HEREAS the corporation of the town of Lachine has, by petition, represented that it is in the interest of the proper administration of the town that certain amendments be made to its charter, the act 36 Victoria, chapter 53, and the various acts amending the same, and it is expedient to grant such petition ;

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

38 V. c. 78,  
s. 2, replaced  
but only after  
elections of  
1906.  
Division of  
town into  
wards.

**1.** Section 2 of the act 38 Victoria, chapter 78, is replaced by the following section, which shall take effect only at the general elections of the year 1906, inclusively :

**“ 2.** The town of Lachine shall be divided into four wards, which shall be respectively designated as “ West Ward,” “ Centre Ward,” “ East Ward,” “ North Ward ” and shall be bounded as follows, to wit :

West Ward.

**1.** West Ward shall be bounded on the north by North

Ward of the town of Lachine ; on the south by the river St. Lawrence ; on the east by a line passing through the middle of twenty-seventh Avenue, extending at the southern extremity of the said Avenue to the south side of St. Joseph street, and afterwards along the easterly line of the land belonging to Claude Legault dit Deslaurier, and thence in a straight line to the river St. Lawrence ; on the west by the western limits of the town of Lachine.

2. Centre Ward shall be bounded on the north by North Ward of the town of Lachine ; on the south by the river St. Lawrence ; on the east by a line passing through the centre of the eighteenth Avenue, and extending to the southern limits of the town of Lachine ; on the west by West Ward.

3. East Ward shall be bounded on the north by North Ward of the town of Lachine ; on the south by the river St. Lawrence ; on the east by the eastern limits of the town of Lachine ; on the west by Centre Ward.

4. North Ward shall be bounded on the north by the northern limits of the town of Lachine ; on the south by the southern line of the railway now known as the main line of the Grand Trunk Railway of Canada, running through the town of Lachine, from east to west ; on the east by the eastern limits of the said town of Lachine ; on the west by the western limits of the town of Lachine.

There shall be two seats for each ward, respectively designated under the numbers one and two, with the exception of East Ward which shall have three seats, respectively designated under the numbers 1, 2 and 3 ; and one alderman shall be elected for each seat."

2. From and after the aforesaid general elections of 36 V., c. 53, 1906, inclusively, section 3 of the act 36 Victoria, chapter 53, as amended by section 4 of the act 38 Victoria, chapter 78, as replaced by section 1 of the act 62 Victoria, chapter 64, and as amended by section 1 of the act 2 Edward VII, chapter 55, is again replaced by the following :

" 3. The council of the town of Lachine shall consist of a mayor and nine aldermen who shall, to all intents and purposes, represent the corporation of the town of Lachine.

The general elections of mayor and aldermen shall be held in January, 1906, and such elections shall afterwards be renewed every two years.

The words " councillor " or " councillors," wherever they occur in the charter of the town of Lachine, namely the act 36 Victoria, chapter 53, and in all the acts amending

the same, are replaced by the word : " alderman " or " aldermen," as the case may be.

38 V. c. 78, s. 8, §6, replaced. **3.** Paragraph 6 of section 8 of the act 38 Victoria chapter 78, replacing section 9 of the act 36 Victoria, chapter 53, is replaced by the following :

Quorum of council.

" 6. Six members of the council shall constitute a quorum."

46 V., c. 53, s. 43, replaced.

**4.** Section 43 of the act 46 Victoria, chapter 53, as replaced by section 5 of the act 52 Victoria, chapter 83 ; by section 8 of the act 55-56 Victoria, chapter 54 ; by section 8 of the act 62 Victoria, chapter 64 ; and by section 5 of the act 2 Edward VII, chapter 55, is replaced by the following :

Power to borrow certain sums for certain purposes.

" **43.** The said town council may, from time to time, borrow sums of money to the extent of six hundred thousand dollars, including the amount of the loans already effected, or be appropriated for public improvements in the town, for the erection of one or more markets, for the drainage of the streets, for providing water and light, for the erection of an incinerator, and for all other purposes which the council may consider necessary and advantageous, and which shall be mentioned in the by-laws to that effect."

Debentures already issued valid.

**5.** All and every the debentures already issued by the town of Lachine are declared valid and are hereby validated in their form and tenor for all lawful purposes, and the the said town is liable for the payment thereof.

R. S., 4416, §3, replaced for town.

**6.** Paragraph 3 of article 4416 of the Revised Statutes, which is made to apply to the town of Lachine by the act 55-56 Victoria, chapter 54, section 2, is replaced by the following, in so far as it shall apply to the town of Lachine :

Domicile required.

**3.** He has had his domicile within the limits of Lachine for six months preceding the election and keeps the same during his term of office.

Section added after 36 V., c. 53, s. 55.

**7.** The following sections are inserted in the act 36 Victoria, chapter 53, after section 55 :

Notice to be given by persons claiming damages for accidents, &c.

" **55a.** If any person pretend to have suffered bodily injury by any accident, for which he intends to claim damages from the corporation, he shall, within sixty days from the date of such accident, give or cause notice to be given in writing to the clerk of the corporation of his intention to take out a suit, containing the particulars of his claim, and stating the place where he resides, failing which the corporation is relieved from any liability for any damages caused by such accident, notwithstanding any article or pro-

vision of law to the contrary ; and, in case of any claim for damages to property, moveable or immoveable, a similar notice shall also be given to the clerk of the corporation, within thirty days, failing which the corporation is not liable for any damages, notwithstanding any article or provision of law ; but in all cases no action for such damages shall lie unless such action has been instituted within six months after the day the accident happened or right of action accrued.

Prescription of action.

No such action can be instituted before the expiration of fifteen days from the date of the serving of such notice.

Action not to be taken before certain time after notice.

“ **55b.** The corporation has its recourse in warranty against any person whose fault or negligence occasioned the accident and damages arising therefrom.

Recourse in warranty.

“ **55c.** All actions, suits or claims against the corporation or any of its officers or employees, for damages resulting from offences or quasi-offences, or illegalities, are prescribed by six months from the day on which the cause of action accrued, any provision of law to the contrary notwithstanding.

Prescription of certain suits for damages.

“ **55d.** The number of licenses for hotels, inns, and restaurants for the sale of intoxicating liquors within the limits of the town of Lachine is limited to nine, until the population of the town shall have attained the number of ten thousand souls ; and the council of the said town shall not confirm in any year more than nine certificates for such licenses.

Limit of number of hotel, &c., licenses.

When the population shall exceed ten thousand and not exceed eleven thousand souls, an additional license may be granted, and so on for each increase of one thousand souls.

Increase in certain event.

“ **55e.** Articles 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 111, 387, 388, 389, 420, 421, 422, 423, 424, 425, 426, 427, 428, 432, 437, 440, 441, 442, 443, 444, 445, 446, 447, 448, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 608, 609, 610, 611, 612, 613, and 614, of the Cities and Towns' Act, 1903, shall apply to the town of Lachine and shall remain in force for the town of Lachine as set forth in the said act, so long as they shall not be repealed and amended for the said town in particular ; and all the sections of the act 36 Victoria, chapter 53, and its amendments which are inconsistent with or contrary to the above-mentioned articles of the Cities and Towns' Act, 1903, are hereby repealed.”

Certain articles of 3. Ed. VII, c. 38, apply to town and provisions of 36 V. c. 53, inconsistent therewith, repealed.

Sec. added to  
36 V. c. 53,  
after s. 21.

Standing and  
select com-  
mittees.

When com-  
mittees are  
appointed.

Reports by  
committees.

Require rati-  
fication by  
council.

Council may  
make by-laws  
to require  
removal of  
ashes, &c. ;

Acquire land  
for garbage  
&c.

Health laws  
to apply.

Paragraph  
added to 36  
V., c. 53, s. 35

Prescribe  
nature of  
foundations,  
&c. of houses,  
&c.,

**8.** The following section is inserted in the act 36 Victoria, chapter 53, after section 21 :

“ **21a.** The council may appoint standing or select committees, composed of as many of its members as it may deem necessary, for the supervision and administration of the several civic departments for which they are respectively named and for the management of such business as it may, by by-law or resolution, assign to them.

Standing committees are formed every year at the first monthly session of February, and select committees at any time whenever it may be necessary or expedient to appoint the same.

The committees render account of their labors and their decisions by reports signed by their chairman or by a majority of the members who compose them.

No report whatever of a committee has any effect until it has been ratified or adopted by the council.

“ **21b.** The council may make, amend and repeal by-laws :

1 To require, throughout the municipality or in such district or districts as the council may designate, the owner or occupant of any premises, or the person having deposited the same, to collect, remove and dispose of ashes, swill, offal, refuse, garbage, manure, dead animals, night-soil, and other unclean, unhealthy or offensive matter ; to regulate and provide for the collection, removal and disposal of the same throughout the municipality or in such districts as the council may designate, and to authorize and direct such collection, removal and disposal, either at the expense of the municipality or of such owner or occupant, or the person having deposited the same :

2. To acquire the land necessary for depositing garbage, and to install, erect and operate an incinerator for the destruction of the said garbage, the whole to be paid out of the general funds of the corporation of the town of Lachine.

This act shall not prevent the application of the health laws of the Province of Quebec.”

**9.** Section 35 of the act 26 Victoria, chapter 53, as amended by section 4 of the act 48 Victoria, chapter 71, is amended by adding, after paragraph 12, the following :

“ **12a.** To prescribe and order that the foundations of all buildings, or certain classes of buildings, such as houses, shops, stores, warehouses and factories, which may hereafter be built, repaired or rebuilt in the town of Lachine or in any section of the said town, shall be made of stone or of brick or of iron or steel or other incombustible and solid materials specified in the by-laws which shall be passed to that effect ;

"12b. To prevent the building of terraces of houses on certain streets determined by the council, in order to preserve the natural beauty of the site, and determine the kind of houses to be erected in such streets ;

Prevent building of terraces of houses &c.;

"12c. To prevent proprietors, whose properties front on certain streets specified by the council, from building houses less than two and a half stories in height ; and to forbid any person from building, in any place within the territory of the municipality, any houses less than two and a half stories in height unless, however, such new houses be detached cottages ;

Prevent certain proprietors from building except certain style of houses.;

"12d. To compel any person desiring to build, repair or rebuild any structure, within the limits of the town of Lachine, to previously obtain a permit or license to that effect, to prescribe the manner in which such permit shall be applied for and determine the conditions on which it shall be granted ;

Require building permit to be taken before building, &c.

"12e. To prevent the continuation of works not in accordance with the by-laws passed for the purpose of carrying out the above provisions ;

Prevent continuance of works not in accordance with by-laws;

"12f. To prescribe and order that the sidewalks, in all the streets or in such streets as the town council shall designate, shall be kept in order and that the snow and ice shall be removed therefrom during the winter by the corporation of the town, which shall levy the cost of such works on the proprietors, occupants or tenants of the lots situate on such streets in proportion to the frontage of the properties. Such apportionment shall be made in such manner as the council shall prescribe and shall constitute a tax recoverable in the same manner as ordinary taxes ;

Require sidewalks to be kept clear of snow, &c. ;

"12g. To exempt all new buildings from the payment of municipal taxes for one year counting from the granting of the building permit."

Exempt new buildings from taxes.

**10.** Paragraph 30 of section 34 of the act 36 Victoria, chapter 53, is replaced by the following :

36 V., c. 53, s. 34 §30, replaced.

"30. To determine the places in the said town where factories or machinery, whose motive power is steam, gas, gasoline, petroleum, electricity or compressed air, shall be erected."

Erection of factories.

**11.** Paragraph 14, added by section 4 of the act 48 Victoria, chapter 71, to section 35 of the act 36 Victoria, chapter 53, is replaced by the following :

36 V., c. 53, s. 35 §14, replaced.

"14. To oblige every person who wishes to work a factory, workshop or any establishment whatsoever, using steam, gas, gasoline, petroleum, electricity or compressed

License required for certain factories.

air, as motive power, to previously obtain a permit or license to that effect; prescribe the manner in which such license shall be asked for; determine the conditions on which it shall be granted, and prescribe that it shall be granted only to be made use of in specified localities of the town."

2 Ed. VII, c.  
55, s. 19,  
replaced.

**12.** Section 19 of the act 2 Edward VII, chapter 55, is replaced by the following:

License  
required to be  
taken out by  
non-resident  
traders, &c.;

"**19.** The council of the town may, by by-law to that effect, impose a license of not more than twenty-five dollars upon every person, firm and corporation not residing in the town or not having a place of business therein, who shall come, personally or through others, to do a retail business therein by taking orders and who shall deliver or cause to be delivered therein, personally or by others, by means of waggons, or vehicles, the goods sold on orders in the town. But garden or farm produce, offered for sale or sold within the limits of the municipality by gardeners and farmers, shall not be taxed so long as there is no central market erected in the town.

Proviso.

Penalty for  
infringement  
of by-law  
under this  
section.

Whosoever shall infringe the by-law passed in virtue of this section shall incur, on conviction before a justice of the peace, a fine not exceeding ten dollars and costs or, in the event of non-payment, an imprisonment of not more than one month for each offence."

Remission of  
taxes, &c., to  
poor people.

**13.** The council may, by resolution, remit municipal taxes and water-rates to such persons as it may consider too poor to pay the same.

Coming into  
force.

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

## CHAP. 45

### An Act to amend the charter of the town of Montreal West

[Assented to 20th May, 1905]

Preamble.

**W**HEREAS the town of Montreal West has, by petition represented that it is necessary to amend its charter in divers respects;

Whereas it has prayed that an act be passed to that effect and 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: