

appoint or designate to give effect thereto and carry out the provisions thereof;

"10. To determine and change the alignment and the width, height and level of the streets or sidewalks of the town, and to close and discontinue any street ; provided always that if any person suffers damage thereby, he may receive compensation to be settled by arbitrators."

Determine, &c., alignment, &c., of streets, &c.

5. Section 23 of the said act is replaced by the following : Id., s. 23, replaced.

"23. The council shall not have power to levy any other taxes on immoveable property than the foregoing and such taxes as may be duly approved of, as required by article 4529 of the Revised Statutes, as amended, for the purpose of providing for the interest on and sinking funds of loans."

Limit of power to levy taxes.

6. The council shall have power to make contracts, from time to time, as it may deem proper, with street railway companies, lighting companies, water companies and any other public or private corporations, firms and persons in relation to any matters in the interest of the municipality, subject to the approval of the ratepayers when required by the town corporations' act.

Authority given to council to make contracts with street railway and other companies, &c.

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

Coming into force.

C H A P. 46

An Act to revise and consolidate the charter of the town of Grand'Mère

[Assented to 20th May, 1905]

WHEREAS the corporation of the town of Grand'Mère Preamble. has, by its petition, represented that it is expedient to revise and consolidate the act 1 Edward VII, chapter 52, incorporating the said town, and it is expedient to grant such prayer ;

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

SECTION I

INCORPORATION AND BOUNDARIES OF THE TOWN

1. This act shall be cited as the " Charter of the town of Name of act. Grand'Mère."

Law to apply.
Proviso.

2. The town of Grand'Mère shall in future be subject to the provisions of the Cities and Towns' Act, 1903, except in so far as they may be incompatible with the provisions of this act and with such clauses of the act 1 Edward VII, chapter 52, as are not repealed.

Corporation continued.

3. The inhabitants and ratepayers of the town of Grand'Mère and their successors shall continue to constitute a municipal corporation under the name of "The corporation of the town of Grand'Mère."

Name.

Territory comprised in town.

4. The territory of the town of Grand'Mère is comprised and included within the following boundaries :

Bounded on the east, by the river St. Maurice ; on the south, starting from the said river St. Maurice, by the division line, in des Hêtres range, between lot number five (5) and lot number six (6) of the official cadastre of the parish of Ste Flore, and by the division line, in Ste. Catherine range No. 2, between lot number eighty-three (83) and and number eighty-four (84) of the said cadastre, to the public highway ; thence by the prolongation, in St. Olivier range, of the line aforesaid to its intersection with the line between numbers one hundred and thirty-five (135) and one hundred and thirty-six (136) of the said St. Olivier range ; thence by the said division line between the said lots 135 and 136 to the line of the lots of Grand'Mère concession ; thence by the said line to its intersection with the line passing between numbers ninety-seven (97) and ninety-eight (98) to the river St. Maurice.

Extent thereof.

The whole of such territory forms an area of one thousand and six arpents, French measure, and comprises the territory described in the decree of the canonical erection of the parish of *St. Paul de la Grand'Mère*, issued by the diocesan ecclesiastical authority of Three-Rivers on the 2nd June, 1900.

3 Ed. VII,
c. 38, art. 32,
replaced for
town.

Limits may
be extended
by by-law.

5. Article 32 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

It shall be lawful for the council of the municipality, by the affirmative vote of the absolute majority of its members, to make by-laws to extend the limits of the town by annexing thereto for municipal purposes, wholly or partly, any contiguous city, town, village or municipality or any land immediately adjacent or contiguous to the limits of the town, if the owner of such land applies therefor to the council.

Contents of
by-law, &c.

Every such by-law shall contain a complete description of the territory to be annexed, set forth the terms and conditions upon which it shall be annexed, and determine wheth-

er the territory so annexed shall form a ward by itself, or be wholly or in part annexed to any existing ward or wards of the town.

6. The by-law passed for the annexation of land adjacent or contiguous to the town, on the application of the owner thereof, shall not be subject to the formalities prescribed by articles 33 to 42, inclusively, of the Cities and Towns' Act, 1903. By-law for annexation not subject to certain formality.

SECTION II

WARDS OF THE TOWN

7. The town of Grand'Mère shall be divided into four wards respectively called : St. Paul's ward, St. Maurice ward, St. Louis ward and St. Peter's ward. Division of town into wards ;

1. St. Paul's ward shall comprise lots number one, two, three, four and five (1, 2, 3, 4 and 5) of Ste. Catherine range No. 1 or des Hêtres range ; lots numbers eighty-four, eighty-five, eighty-six, eighty-seven and eighty-eight (84, 85, 86, 87 and 88) of Ste. Catherine range No. 2 ; part of lot number eighty-nine (89) situate to the west of the right of way of the Great Northern Railway Company of Canada ; part of lots numbers ninety and ninety-three (90, 93) situate to the south-west of the centre line of Chamberlain street ; St. Paul's ward ;

2. St. Maurice ward shall comprise that portion of lot number eighty nine (89) situate to the east of the line of the Great Northern Railway of Canada ; all that part of lots numbers ninety and ninety-three (90, 93) extending north-east of the centre line of Chamberlain street, such portion of number ninety-three not to extend beyond the south bank of the river Grand'Mère ; lots numbers ninety-one and ninety-two (91, 92) ; St. Maurice ward

3. St. Louis ward shall comprise that portion of lot number ninety-three (93) situate on the north bank of the river Grand'Mère ; lots numbers ninety-four, ninety-five, ninety-six and nine-seven (94, 95, 96 and 97) of Grand'Mère concession ; St. Louis ward ;

4. St. Peter's ward shall consist of that portion of lots one hundred and thirty-six, one hundred and thirty-seven, one hundred and thirty-eight, one hundred and thirty-nine and one hundred and forty (136, 137, 138, 139 and 140) situate north-east of the prolongation to the north-west of the division line between lots numbers eighty-three and eighty-four (83, 84) of Ste. Catherine range No. 2. St. Peter's ward ;

SECTION III

COUNCIL, MAYOR AND ALDERMEN

Id., 46, re-
placed for
town.

Management
of affairs of
town.

8. Article 46 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

The town of Grand'Mère is governed and its affairs are administered by an elective council consisting of a mayor and eight aldermen, two for each ward of the town.

Id., 47, re-
placed for
town.

Mayor elected
for one year
by electors.

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

The mayor of the town is elected for two years by the majority of the municipal electors who have voted.

Id., 298 to
300, repealed
for town.

10. Articles 298, 299 and 300 of the Cities and Towns' Act, 1903, are repealed for the town.

Id., 48, re-
placed for
town.

Aldermen
elected for
two years by
electors.

11. Article 48 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

The aldermen are elected for two years by the majority of the municipal electors of the ward who have voted, but the election of four aldermen only out of the eight shall take place every year, one for each ward, in turn as the term of office of the occupants expires.

Term of office
of councillors
elected in
February,
1905.

12. On the coming into force of this act, the councillors elected in the month of February, 1905, or their successors who shall have filled any vacancy among such councillors, shall remain in office until replaced by the aldermen elected at the second general election held under this charter ; but the mayor in office on the coming into force of this act and the aldermen elected in the month of February, 1904, or their successors who shall have filled any vacancy caused through such mayor or councillor, shall remain in office until replaced by the mayor and aldermen elected at the first election to be held under this act.

Id., 108, re-
placed for
town.

Property
qualification
of mayor and
aldermen.

13. Article 108 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

No person shall be either nominated or elected mayor or alderman or occupy such office unless he, during the twelve months immediately preceding the day of his nomination, has been seized of and has possessed in the town as proprietor, in his own name or in that of his wife, of immoveable property of the value, according to the valuation roll in force, of one thousand dollars for the office of mayor and of

four hundred dollars for that of alderman, after payment or deduction of all charges imposed thereon.

14. Article 55 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following : Id., 55, replaced for town.

If the office of mayor become vacant, the clerk of the town shall, within eight days from the occurrence of such vacancy, call a meeting of the council for the purpose of fixing a day for the nomination of candidates to such office, as well as for the election in the event of contestation ; such election shall be held within thirty days of the occurrence of such vacancy. Vacancy in office of mayor, how filled.

Nevertheless, the council may, with the same effect, fix the nomination and polling day at the sitting whereat it accepts the mayor's resignation should such vacancy be caused by resignation, and the person elected shall remain in office until the expiration of the term of office of the person whom he replaces. Proviso.

SECTION IV

ELECTIONS

15. Articles 157 and 158 of the Cities and Towns' Act 1903, are replaced, for the town, by the following : Id., 157 and 158, replaced for town.

At one of its sessions of the month of December in each year, the council shall appoint a competent person to be returning officer for the elections to be held on the first juridical day of February. Appointment of returning officer.

Whenever the returning officer refuses, is forbidden or unable to act as such, previous to the appointment of the election clerk under article 159 of the Cities and Towns' Act, 1903, the mayor shall, by a commission under his hand, appoint a competent person to be returning officer. If officer appointed refuses, &c., to act.

When an election is held to fill a vacancy, the council shall appoint a returning officer at any general or special session held at least ten days previous to the day fixed for the nomination of candidates to fill such vacancy. If election, to fill a vacancy.

16. Article 195 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following : Id., 195, replaced for town.

The poll shall be opened at the hour of nine of the clock in the forenoon and kept open until eight of the clock in the afternoon of the same day ; and each deputy-returning officer shall, during that time, in the polling station assigned to him, receive the votes of the electors duly qualified to vote at such polling station. Hours of polling.

Article 224 of the Cities and Towns' Act, 1903, is amended accordingly. Id., 224, amended for town.

Id., 112, § 1,
replaced for
town.

Qualification
of proprietors
as electors.

17. Paragraph 1 of article 112 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

1. Every male person and every widow or spinster whose names are entered on the valuation roll in force as a *bona fide* owner or occupant of immoveable property, in the town, of the value of one hundred dollars or upwards, or of an annual value of ten dollars or upwards, according to said roll ; in cases where such property is held in usufruct, the name of the usufructuary shall alone be entered on the electors' list.

Id., 117, re-
placed for
town.

Payment of
taxes, a con-
dition pre-
cedent to
right to vote
and proceed-
ings to estab-
lish such
right.

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

No person shall have the right to vote at the municipal elections unless he has paid all his municipal and school taxes before the tenth of January preceding the elections.

On the tenth of January of each year the treasurer examines the list of electors and indicates thereon those electors who at that date are indebted for any municipal or school tax or assessment, by writing opposite their respective names in the column set apart for remarks on such list, what tax or assessment they owe.

Every deputy-returning officer in charge of a poll is forbidden to deliver a ballot to any person indicated on such list as owing any municipal or school tax, under penalty of a fine not exceeding fifty dollars, unless such person produces a receipt from the treasurer of the town or a receipt from the secretary-treasurer of the school board attesting that he has paid his taxes before the tenth of January.

Nevertheless, in order that the treasurer of the town may be able to strike from the list of electors the names of those persons indebted on the tenth of January to the school board of Grand'Mère, the secretary-treasurer of the said school board must send him the list of such persons before the thirteenth of January. Such list shall be attested under oath before a justice of the peace.

SECTION V

ASSESSORS AND VALUATION ROLL

Id., 451, re-
placed for
town.

Hearing of
complaints,
&c.

19. Article 451 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

The council, at its first general session after the expiration of the thirty days mentioned in article 449 of the Cities and Towns' Act, 1903, takes into consideration and decides all the complaints made under article 450 of the said act.

Summoning
of witnesses.

The parties interested, who may have witnesses to be heard

on the hearing of such complaints, may obtain from the mayor an order summoning the said witnesses to appear before the council. A copy of such order shall be served by a bailiff at least one day before the session of the council held in virtue of the first paragraph of this article. And if the witnesses so summoned do not appear without just cause, their default shall be established by the council, and the said witnesses shall be liable to a penalty of twenty dollars, recoverable before a justice of the peace.

After having heard the parties and their witnesses, under oath, administered by its presiding officer, as also the assessors if they wish to be heard, and the witnesses produced on behalf of the town, the council maintains or alters the roll, as to it seems meet.

Power of council re-
specting roll.

20. Article 455 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

Id., 455, re-
placed for
town.

If, after the valuation rolls have been homologated, any immoveable property in the town is considerably diminished or increased in value, by any cause whatsoever, the council may, at any time, or at the revision of the roll, if such revision be made, on petition to that effect or of its own accord, again require the services of its assessors and cause the valuation of such property to be reduced or increased to its actual value.

Reduction or
increase in
value of prop-
erty after
completion of
roll.

SECTION VI

MISCELLANEOUS PROVISIONS

21. No compensation or damages shall be awarded for buildings in course of construction erected on an immoveable or for improvements to such immoveable after notice of the resolution concerning such expropriation has been given by the council, provided such notice be followed by expropriation proceedings within the year.

No damages
allowed for
buildings
erected after
notice of ex-
propriation.

22. The town of Grand'Mère shall continue to form part of the county of Champlain for municipal, school, electoral and judicial purposes, any law to the contrary notwithstanding.

Town to form
part of the
county of
Champlain.

23. The by-laws of the town of Grand'Mère, now in force or observed as such, shall continue so to be until repealed, or with such amendments as may be made thereto in virtue of this act ; and all fines and penalties incurred in virtue of the said by-laws previous to this act, as well as in virtue of the acts respecting the incorporation of the village of Grand'Mère

Existing
by-laws, &c.

shall be sued for and recovered according to the usual procedure.

Id., 302, § 2,
not to apply.

24. The second paragraph of article 302 of the Cities and Towns' Act, 1903, shall not apply to the town of Grand'Mère.

1 Ed. VII,
c. 52, re-
pealed.
Exception.

25. The act 1 Edward VII, chapter 52, is repealed, less articles 2, 3, 4, 5, 47, 56, 57 and 71, which shall remain in force and shall have force of law.

Coming
into force.

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

CHAP. 47

An Act to incorporate the town of Marieville

[Assented to 20th May, 1905]

Preamble.

WHEREAS the corporation of the village of Marieville, incorporated under the provisions of the Municipal Code, has, by its petition, represented that, in view of the increase of the population and the industrial development of the municipality, it is expedient that it be incorporated as a town for all municipal purposes;

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

Town incor-
porated.
Name.

1. The corporation of the village of Marieville is incorporated as a town under the name of the "town of Marieville."

Law to
govern.

The town shall be subject to the operation of the Cities and Towns' Act, 1903.

Boundaries
of town.

2. The town of Marieville shall be bounded on the west and south by the present limits of the village of Marieville; on the south-east by a line starting from the south-east angle of lot number one hundred and eight (108) of the official plan and book of reference of the said village, deviating towards the south in the municipality of the parish of Ste. Marie de Monnoir, reaching to the south-west side of the road of the church range, which is a continuation of Marieville street, at a distance of three hundred and twenty feet to the south of the south-east corner of Marieville and Girouard streets, completed by following the west side of Marieville street,