

a loan for this purposes in accordance with the provisions of the Municipal Code and its amendments.

Arbitration
in default of
mutual agree-
ment.

In default of mutual agreement between the parties, the price based on the by-laws and the contract granting the franchises shall be established by three arbitrators, one named by the council of the village of Malbaie, another by the proprietors of the said aqueduct and sewers and the third by the two others. In default of the proprietor naming his arbitrator, the judge of the Superior Court may appoint the same, after such notice as may be deemed reasonable.

Act to apply.

The arbitration shall be held according to the provisions of the Expropriation Act, 54 Victoria, chapter 38.

Annexation
of contiguous
lands.

12. It shall be lawful for any owner of lands contiguous to the municipality of the said village, to demand the annexation of such lands to the municipality. Such application may be granted by municipal by-law in the usual form. All other lands which become contiguous by the aforesaid annexation, may be annexed in the same manner.

Law to apply
to prosecu-
tions.
Proviso.

13. The provisions of part LVIII of the Criminal Code, 1892, shall apply to all prosecutions instituted before a justice of the peace, but it shall not be necessary to take the depositions in writing.

Coming
into force.

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

CHAP. 51

An Act to amend the act incorporating the village of
Pointe au Pic

[Assented to 20th May, 1905]

Preamble

WHEREAS the corporation of the village of *Pointe au Pic*, has by petition, represented :

That a certain portion of the territory of the municipality of the parish of *Saint Etienne de la Malbaie* is destined, by its situation and through the intention of the owners thereof, to be divided into building lots and to be inhabited by tourists who can no longer find room in the municipality of the village of *Pointe au Pic*, and that the annexation of such territory to the municipality of the village of *Pointe au Pic* will be advantageous to both municipalities ;

That the act 40 Victoria, chapter 46, as amended by the act 1 Edward VII, chapter 53, does not meet the require-

ments of the said corporation, and it is expedient to amend the same :

Whereas 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 :

1. Section 1 of the act 40 Victoria, chapter 46, as replaced ^{40 V., c. 46,} by section 1 of the act 1 Edward VII, chapter 53, is amended ^{s. 1, amended.} by adding the following paragraph thereto :

“ Also, the lots, respectively, designated on the official plan and book of reference of the parish of *Saint Etienne de la Malbaie* under the numbers 769, 770, 771, 772, 773, 775, 778, 780, 783, 785, 787, 790, 791, 796, 799, 801, 803, 806, 808, 810, 813, 815, 817, 819, 821, 823, 825, and 825a, also a strip of land bounded on the south-east by the above lots, measuring five arpents in depth and extending from the north-eastern limits of the municipality of the parish of *Saint Irénée*, to the south-western limits of the lots, respectively designated, on the official plan and book of reference of the village of *Pointe au Pic*, under the numbers 131, 131-27 and 131-28, and being the south-east portion of the lots, respectively designated on the official plan and book of reference of the parish of *Saint Etienne de la Malbaie*, under the numbers 776, 779, 781, 784, 786, 788a, 792, 793, 797, 800, 802, 804, 807, 809, 811, 814, 816, 818, 820, 822, 824, 826 and 826a ; also the lots, respectively designated, on the official plan and book of reference of the parish of *Saint Etienne de la Malbaie*, under the numbers 757, 759, 760, 761, 762, 763, 764, 765, 766, 767 and 768 ; but the said corporation shall have the right to build a road across the above mentioned lots, towards ^{Powers as to} St. Irénée, only with the approval of the majority in number ^{road to St.} and in value of the ratepayers of the village of *Pointe au Pic*. ” ^{Irénée.}

2. The following sections are added after section 4h of the act 40 Victoria, chapter 46, added by the act 1 Edward ^{40 V., c. 46,} VII, chapter 53, section 3 : ^{after sec. 4h.}

“ **4i.** No person can be appointed a member of the council, nor act as such, unless he has his domicile within the limits of the village of *Pointe au Pic* uninterruptedly during the year preceding his election, and unless he possesses as owner, in his own name or in the name of his wife, real estate situate within the limits of the municipality and valued at the least at six hundred dollars, and unless he possesses the other qualifications required by law. ^{Qualification of members of council.}

“ **4j.** The general elections of councillors shall take place ^{General elec-} every year on the third juridical Monday of the month of ^{tions, when} August. ^{held.}

Revision of valuation roll, when no new roll is made.

“**4k.** The council, in every year when no valuation roll is made, shall, in the month of June, revise and amend the valuation roll in force, by complying with the formalities prescribed in the Municipal Code.

Power of council respecting streets, &c.

“**4l.** The council shall have power to indicate the places in the streets, roads, and public places of the municipality where poles for telegraph, telephone, electric light and other wires may be erected ; to prescribe the manner in which such poles, as well as the sidewalks or street crossings, shall be erected or laid ; to have such poles, sidewalks and crossings removed, as well as sign-boards, galleries, balconies and fences erected or placed on or above the public roads or in public places, wherever the council shall deem necessary, at the expense of the proprietor or person thereunto liable by law or by the by-laws of the council, when such proprietor or person shall have neglected to do so within six days following a verbal or written notice given him by the secretary-treasurer of the council.

Notice to be given to proprietor.

Proviso.

No proprietor or person shall be entitled to such notice, unless he resides within the limits of the municipality or unless he shall have given his address in writing to the secretary-treasurer of the council.

Penalties and how they are recoverable.

“**4m.** Every infringement of a by-law of the council or of any provision of the act 40 Victoria, chapter 46 and its amendments, shall render the offender liable to a fine not exceeding twenty dollars, recoverable with costs of suit in conformity with the provisions of the Municipal Code.

Imprisonment in default of payment.

In default of payment immediately, or within the delay fixed by the court or the justice of the peace who shall have pronounced the sentence or judgment, the defendant shall be imprisoned in the common gaol of the district of Saguenay for a term not exceeding one month, at the discretion of the court or justice of the peace, as the case may be.

Law applicable to suits.

When an action is taken before a justice of the peace, the procedure to be followed is that given by part LVIII of the Criminal Code, but it shall not be necessary that the depositions be taken down in writing.

Tax on dealers in intoxicating liquors.

“**4n.** The council may, by by-law, exact, from every dealer in intoxicating liquors, a tax not exceeding twenty-five dollars per annum for the time his license shall be in force in accordance with the Quebec License Law ;

Payment required before certificate confirmed.

The council shall not confirm any certificate in virtue of the Quebec License Law until such tax shall have been paid by the petitioner, and such sum shall be returned to the petitioner if his certificate be not confirmed.

"40. No tenant or occupant shall exercise his rights as a municipal elector, if at the time he is called upon to exercise such rights, he has not so resided for six months within the limits of the municipality." Residence required to qualify to vote.

3. The provisions of the Municipal Code or any other law, inconsistent with the present act, shall not apply to the corporation of the village of *Pointe au Pic*. Inconsistent provisions of Municipal Code, &c., not to apply.

4. The corporation of the village of *Pointe au Pic* shall be obliged to reimburse to the municipality of the parish of *Saint-Etienne de la Malbaie* the sum of two hundred and twenty-eight dollars by it expended for the laying out by it of the road which is to cross the lands annexed by this act. Certain sum to be reimbursed to parish of St. Etienne.

5. The bridge mentioned in the act 40 Victoria, chapter 46, section 4, shall be under the control of the county council, and the works of maintenance and repair in future shall be at the cost of the municipalities of the parish of *Saint Etienne de la Malbaie*, of the village of *Malbaie* and of the village of *Pointe au Pic*, and be divided between the three municipalities according to the valuation of their taxable property. Control of certain bridge. Maintenance and repair thereof.

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

C H A P . 5 2

An Act to further amend the charter of the Atlantic,
Quebec and Western Railway Company

[Assented to 11th May, 1905]

WHEREAS the Atlantic, Quebec and Western Railway Company has, by petition, prayed that its charter be amended as hereinafter set forth, by adding certain provisions for the purpose of simplifying the deeds of conveyance of land to the company for the purposes of its undertaking, and to determine the method and cost of registration thereof; and whereas it is expedient to grant the prayer of the said petition; Preamble.

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

1. All deeds of conveyance of land to the company, for the purposes of its undertaking, shall, as far as possible, be Form of deeds of conveyance of lands.