

C H A P . 66

An Act to further amend the act incorporating the town of Buckingham, 53 Victoria, chapter 74, and the acts amending the same

[Assented to 31st May, 1904]

WHEREAS it appears, by the petition of the corporation Preamble. of the town of Buckingham, that it has become advisable and necessary to enlarge the limits of the town of Buckingham, to enlarge its powers to borrow money, to ratify certain of its by-laws, to make certain provisions of the Cities and Towns' Act, 1903, apply to it, and otherwise to amend the act of incorporation of the town of Buckingham and the acts amending the same ;

Whereas the said corporation has petitioned to that effect, and 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 :

1. The act 53 Victoria, chapter 74, is amended by inserting, after article 4, the following articles :

"4a. From and after the coming into force of this act, in addition to the lands, territory and property now constituting the town of Buckingham, the said town of Buckingham shall also comprise and include all those tracts, parcels and lots of land, territory and property hereinafter described, that, before the passing of this act, formed part of the township of Buckingham and the parish of L'Ange Gardien ; which said lands, territory and property, so hereby annexed to the town of Buckingham are known, described and bounded as follows, to wit :

1. The west half of lot twelve (12) in the fourth (4th) range of the township of Buckingham, according to the original subdivision thereof, now known as the west half of lot twelve A (12 A) in the said fourth (4th) range of the township of Buckingham, according to the official plan and book of reference of the said township, which said west half of lot twelve A (12 A) is bounded as follows:—On the north by lots twelve A (12 A) and twelve B (12 B) and twelve C (12 C) in the fifth (5th) range of the said township of Buckingham, according to the official plan and book of reference thereof ; on the east by the east half of said lot twelve A (12 A), which is already within the limits of the said town of Buck-

Article added to 53 V., c. 74 after 4.

Certain territory annexed to town.

Boundaries of such territory.

ingham ; on the south by lot twelve A (12 A) in the third (3rd) range of the said township, according to the official plan and book of reference thereof, which said lot twelve A (12 A) in the said third (3rd) range is presently part of the parish of L'Ange Gardien ; and on the west by lot thirteen B (13 B) in the fourth (4th) range of the township of Buckingham, according to the official plan and book of reference thereof ;

2. Lots eleven A (11 A), twelve A (12 A), twelve B (12 B), twelve C (12 C) and twelve D (12 D) in the third (3rd) range of the said township of Buckingham, according to the official plan and book of reference thereof, which said lots, before the passing of this act, formed part of the parish of L'Ange Gardien ;
3. Lots nine A (9 A), nine B (9 B), ten A (10 A), ten B (10 B) and eleven B (11 B) of the said third (3rd) range of the township of Buckingham, according to the official plan and book of reference thereof ;
4. The south part of lot nine B (9 B) in the fifth (5th) range of the said township of Buckingham, according to the official plan and book of reference thereof, which said part is bounded as follows :—On the south by the line between the fourth (4th) and fifth (5th) ranges of said township ; on the east by lot eight C (8 C) in the said fifth (5th) range ; on the west by lot ten B (10 B) in the fifth (5th) range of the said township of Buckingham, which lot ten B (10 B) is already within the limits of the said town of Buckingham ; and on the north by the remaining portion of said lot nine B (9 B) and a line crossing said lot nine B (9 B) parallel to the said division line between said fourth (4th) and fifth (5th) ranges and distant therefrom seven hundred and sixty (760) feet in a northerly direction.

Division of
town into
wards.

“ 4b. The land, territory and property, that, after the coming into force of this act, shall constitute the town of Buckingham, shall be and the same is hereby divided into three wards, to be known respectively as the North Ward, the South Ward and the West Ward.

North Ward.

The North Ward shall include and be composed of all lands, territory and property in the town of Buckingham, lying north of the centre line of St. Joseph street and north of the line dividing lots four hundred and sixty-two (462) and four hundred and sixty-three (463) of the town of Buckingham, according to the official plan and book of reference thereof,

and north of the prolongation of the last mentioned line in a westerly direction to the centre of the River du Lièvre, and which is also situate east of the centre line of said river, extending against the stream from said last mentioned line to the northern limit of the town of Buckingham.

The South Ward shall include and be composed of all the lands, territory and property in the town of Buckingham, lying south of the said centre line of St. Joseph street, south of said line dividing said lots, four hundred and sixty-two (462) and four hundred and sixty-three (463), and south of the prolongation of said last mentioned line extended to the centre of said River du Lièvre, and which is also east of the centre line of said river, extended with the stream from said last mentioned line to the southern limit of the town of Buckingham.

The West Ward shall include and be composed of all lands, territory and property in the town of Buckingham not included in the said North Ward and the said South Ward.

Those parts of the resolutions and by-laws of the town of Buckingham, which are inconsistent with the foregoing division of the lands, territory or property constituting the town of Buckingham into the wards aforesaid, are hereby repealed.

Nothing herein or in this act shall necessitate the holding of a new election ; but the council of the town of Buckingham shall, after the coming into force of this act, have the same powers and jurisdiction over and throughout the territory by this act annexed to the town of Buckingham, as it will then have over and throughout the territory that, before the passing of this act, constituted the town of Buckingham."

2. Article 21 of the said act is amended by adding thereto the following paragraph :

" 12. Under the provisions of the said act the town council has and always has had the power to compel each of the following persons to take out a license from the corporation for the exercise in the municipality of his trade, occupation or calling, and to prevent the carrying on of such trade, occupation or calling, without such license, that is to say : every broker or banker, and every wholesale or retail butcher, trader, merchant and dealer residing in the municipality or not, in so far only as relates to the particular business for which they must have such license. No such license can be given for a longer period than twelve months. The council shall fix by by-law the price for granting any such license in virtue of this article. The price so fixed may be different for each class of business, trade or craft, provided that it does not exceed \$50.00."

South Ward.

West Ward.

Certain inconsistent by-laws, &c., repealed.

Present council continued in office.

Id., art. 21, amended.

Certain powers of taxation of council.

Duration of license.

Price of license.

Grading of prices of licences.

Id., 22, re-
placed.
Power to bor-
row.

3. Article 22 of the said act is replaced by the following :

“ **22.** Without restricting in any manner the other provisions of this act, and notwithstanding article 520 of the Cities and Towns' Act, 1903, or any other act, the council of the town may, of itself, by by-law or resolution, borrow money during any year, for the prosecution of objects within the purview of its charter, and the other acts that apply to it, to an amount equal to that which it would be possible to levy, during such year, under the powers and provisions contained in its charter, and the other acts that apply to the said town.”

Id., 23,
amended.

4. Article 23 of the said act is amended by adding thereto the following paragraph :

Territory of
school muni-
cipality of
town.

“ **2.** The school municipality of the town of Buckingham shall include and comprise, in addition to the territory referred to above, the territory referred to and described in paragraph 4a of section 1 of the present act, and which by said section is annexed to the town.”

Art. added to
id., after 44.

5. The said act is amended by inserting after article 44 the following :

Certain
articles of
R. S., not to
apply, and
certain
articles of 3
Ed. VII, c.
38, to apply.

“ **44a.** From and after the passing of this act, articles 4523, 4524, 4525, 4526, 4527, 4528, 4529, 4530, 4531, 4532, 4533, 4534, 4535, 4536 and 4537 of the Revised Statutes, shall not apply to the town of Buckingham, but articles 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530 and 531, of the Cities and Towns' Act, 1903, as contained in chapter 38 of 3 Edward VII, shall be and are hereby substituted for said articles of the Revised Statutes, and the said articles of the said Cities and Towns' Act, 1903, shall apply to the town of Buckingham, in lieu of the said articles of the Revised Statutes of Quebec ; and it is hereby further enacted that whenever the provisions of any act, statute, law or by-law require the approval of the electors of the town of Buckingham, who are owners of immoveable property, for the validity of any municipal act, by-law or ordinance, such approval shall be obtained in the manner provided in articles 354 to 367 of the Cities and Towns' Act, 1903, both inclusive, notwithstanding any act or statute, or any provision therein, to the contrary.”

Provisions to
apply to ap-
proval of by
laws by elect-
ors.

Existing
municipal
acts, &c.

6. All municipal acts, by-laws, ordinances, rolls, reports, agreements, dispositions and engagements whatsoever, heretofore passed and entered into by the municipal council of the town of Buckingham, shall have full force and effect, over and throughout all the territory hereafter constituting

the town of Buckingham, until such time as they are formally rescinded, abolished or amended by the council of the said town, or fulfilled.

7. By-law number 34 of the town of Buckingham, as passed by the council of the said town of Buckingham, on or about the 14th day of May, 1892, whereby the mayor and secretary-treasurer of the town of Buckingham were authorized and required to borrow by means of debentures the sum of forty thousand dollars on the terms and for the purposes therein mentioned and referred to, and the said debentures and the sale and disposal of the said debentures under said by-law, are hereby ratified and confirmed in all respects, and declared to be and to have always been legal and binding on the corporation of the town of Buckingham, until the due payment of said debentures or of such of them as remain unpaid.

By-law No.
34 of the
town ratified,
&c.

8. By-law number 36 of the town of Buckingham, as passed by the council of the said town of Buckingham, on or about the 20th day of November, 1893, whereby the mayor and secretary-treasurer of the said town of Buckingham were authorized and required to borrow by means of debentures the sum of ten thousand dollars on the terms and for the purposes therein mentioned and referred to, and the said debentures and the sale and disposal of the said debentures under said by-law, are hereby ratified and confirmed in all respects and declared to be and to have always been legal and binding on the corporation of the town of Buckingham, until the due payment of said debentures or of such of them as remain unpaid.

By-law No.
36, of the
town ratified,
&c.

9. By-law number 44 of the town of Buckingham, as passed by the council of the said town of Buckingham on or about the 26th day of September, 1896, whereby the mayor and secretary-treasurer of the said town of Buckingham were authorized and required to borrow by means of debentures the sum of fifteen thousand dollars on the terms and for the purposes therein mentioned and referred to, and the said debentures and the sale and disposal of the said debentures under said by-law, are hereby ratified and confirmed in all respects and declared to be and to have always been legal and binding on the corporation of the town of Buckingham, until the due payment of said debentures or of such of them as remain unpaid.

By-law No.
44 of the
town ratified,
&c.

10. By-law number 53 of the town of Buckingham, as passed by the council of the said town of Buckingham, on or about the 13th day of September, 1899, whereby, among

By-law No.
53 of the town
ratified, &c.

other provisions, certain taxes, by way of licenses, were imposed on certain classes of persons doing business therein, is hereby ratified and confirmed in all respects, and the same and each, all and every the provisions thereof are hereby declared to be and to have always been legal and binding on all parties affected thereby, until the same shall be duly repealed by said council.

By-law No.
54 of the town
ratified, &c.

11. By-law number 54 of the town of Buckingham, as passed by the council of the said town of Buckingham, on or about the 22nd day of January, 1900, whereby the mayor and secretary-treasurer of the said town of Buckingham were authorized and required to borrow by means of debentures the sum of four thousand, five hundred dollars on the terms and for the purposes therein mentioned and referred to, and the said debentures and the sale and disposal of the said debentures under said by-law, are hereby ratified and confirmed in all respects and declared to be and to have always been legal and binding on the corporation of the said town of Buckingham, until due payment of the said debentures or of such of them as remain unpaid.

By-law No.
58 of the town
ratified, &c.

12. By-law number 58 of the town of Buckingham, as passed by the council of the said town of Buckingham, on or about the 6th day of March, 1902, whereby the mayor and secretary-treasurer of the said town of Buckingham were authorized and required to borrow by means of debentures the sum of twenty-five thousand dollars on the terms and for the purposes therein mentioned and referred to, and the said debentures and the sale and disposal of the said debentures under said by-law, are hereby ratified and confirmed in all respects, and declared to be and to have always been legal and binding on the corporation of the town of Buckingham, until the due payment of said debentures or of such of them as remain unpaid.

By-law No.
66 of the town
ratified, &c.

13. By-law number 66 of the town of Buckingham, as passed by the council of the said town of Buckingham, on or about the 21st day of September, 1903, whereby the mayor and secretary-treasurer of the said town of Buckingham were authorized and required to borrow by means of debentures the sum of seventeen thousand dollars, on the terms and for the purposes therein mentioned and referred to, is hereby ratified and confirmed in all respects and declared to be legal and binding on the corporation of the town of Buckingham, and the mayor and secretary-treasurer, for the time being of the said town of Buckingham are hereby empowered and authorized, without further approval, sanction or formality, to borrow the said sum of seventeen thousand

dollars on the terms and conditions and in the manner set out in said by-law, and to sign and issue and dispose of debentures to secure the said sum of seventeen thousand dollars in the manner set out in sections numbered 1, 2 and 3 respectively of said by-law.

14. By-law number 67 of the town of Buckingham, as passed by the council of the said town of Buckingham, on or about the 21st day of September, 1903, whereby the mayor and secretary-treasurer of the said town of Buckingham were authorized and required to borrow by means of debentures the sum of twenty thousand dollars on the terms and for the purposes therein mentioned and referred to, is hereby ratified and confirmed in all respects, and declared to be legal and binding on the corporation of the town of Buckingham, and the mayor and secretary-treasurer for the time being of the said town of Buckingham are hereby empowered and authorized, without further approval, sanction or formality, to borrow the said sum of twenty thousand dollars on the terms and conditions and in the manner set out in said by-law, and to sign and issue and dispose of debentures to secure the said sum of twenty thousand dollars in the manner set out in sections 1, 2 and 3 respectively of said by-law.

By-law No. 67
of the town
ratified, &c.

15. The council of the said town of Buckingham may, by by-law, establish a court in the municipality to be called the "Recorder's Court," and articles 555 to 605, both inclusive, of the Cities and Towns' Act, 1903, shall apply to the organization of the said recorder's court, the jurisdiction and powers thereof and of the recorder, the appointment of the recorder and other officials thereof, the proceedings thereof, and all other matters relating thereto or connected therewith; and any provisions contained in title eleventh, chapter first, of the Revised Statutes, or in any other act, inconsistent or at variance with said articles 555 to 605, both inclusive, of the Cities and Towns' Act, 1903, shall not apply to the town of Buckingham, provided, however, that, in construing the said articles of the Cities and Towns' Act, 1903, from 555 to 605, both inclusive, the words "this act" shall be construed to mean and shall mean and include those articles and parts of articles of the Towns' Act as contained in chapter first of title eleventh of the Revised Statutes, and also those articles and parts of articles of the Cities and Towns' Act, 1903, that by the provisions of this act or any other act apply to the town of Buckingham.

Establishment of Recorder's Court authorized and provisions applicable thereto.

16. The town council may, by by-law duly passed by the council and duly approved by the electors who are owners of immoveable property in the manner provided by articles

Power to grantaid, &c., to certain undertakings, &c.

354 to 367, both inclusive, of the Cities and Towns' Act, 1903, grant a bonus in money to the owners of industrial, manufacturing or power establishments carrying on business within the limits of the town of Buckingham, or to such of them only as shall be named and designated in a by-law or by-laws passed as aforesaid, upon such terms and conditions as may be stated in such by-law or by-laws, and such by-law or by-laws shall also determine the amount of the bonus and how the amount constituting the bonus shall be raised and provided; and the said town council, by by-law duly passed and approved as aforesaid, may also grant a bonus in money to persons and companies owning or operating water power or water powers outside of the municipality, or to such of them only as shall be named in a by-law or by-laws passed as aforesaid, provided such persons or person, companies or company, as the case may be, transmit or undertake to transmit electric or other motive power to points within the said municipality, the whole upon such terms and conditions as may be stated in the by-law or by-laws, and the said by-law or by-laws shall determine the amount of the bonus and how the amount constituting the bonus shall be raised and provided; and the town council may also, by one or more by-laws passed and approved as aforesaid, take stock in one or more companies owning such industrial, manufacturing or power establishments within the limits of the town of Buckingham, or in one or more companies owning or operating water powers outside of the town of Buckingham, but which transmit or undertake to transmit to points therein electric or other motive power, and pay for the same in cash, or in such other manner as may be agreed upon; and such by-law or by-laws shall also determine the amount of stock to be so taken and paid for, and how the same shall be paid for, and how the amount that is to be paid for such stock, in case the same is paid for in cash, shall be raised and provided.

Proviso.

Amount of bonus, &c.

Power to subscribe for shares in industrial companies.

Number of payment shares and thereof.

Coming into force.

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