

CHAP. 57

An Act to divide the municipality of St Malo

[Assented to 26th March, 1902]

Preamble.

WHEREAS Arthur F. Hunt, Edouard Juchereau Duchesnay, of Quebec, John Jack, Charles Julien and James Rourke, of St. Malo, ratepayers of the municipality of St. Malo, have, by their petition, represented that the part of the said municipality which they occupy is exclusively devoted to agricultural purposes and, as such, has not the same interests as the other part of the said municipality, which is divided into building lots and is becoming a manufacturing centre ;

And whereas they have, by their said petition, prayed that the municipality be divided, and it is expedient to grant their prayer ;

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

Division of municipality of St. Malo. Names of new municipalities.

1. After the sanction of this act, the municipality of St. Malo shall be divided into two municipalities ; the western or rural part shall be known under the name of the : “ municipality of *La Petite Rivière*, and the eastern or that part called “Village,” under the name of the : “ municipality of the village of St. Malo.”

Territory of municipality of *La Petite Rivière*.

2. The municipality of *La Petite Rivière* shall comprise all the present territory of the municipality of St. Malo, less the detached portion hereinafter described, which shall form the municipality of the village of St. Malo.

Territory of municipality of village of St. Malo.

3. The municipality of the village of St. Malo shall be comprised within the following boundaries : on the east the line separating the city of Quebec from the present municipality of St. Malo ; on the north, the middle of the river St. Charles ; on the south, the line at present separating St. Malo from the municipality of Notre-Dame de Québec, and on the west partly by the road known as the Scott's Bridge road and partly by a straight line prolonged from the west side of the said road as far as the hill.

M. C., to apply. Elections of councillors.

4. All the provisions of the Municipal Code shall apply to the said municipalities ; but, on the first Monday of May next, in each of the said municipalities, an election of councillors for the said municipalities shall be held, and the

subsequent elections shall take place at the date and in the manner prescribed by the Municipal Code.

5. Such election shall be presided over, in each of the said municipalities, by a person chosen by the majority of electors present. The person presiding over such meeting shall be subject to articles 299, 300, 301, 302, 303, 304 and 306 of the Municipal Code, and if the said election does not take place as above provided, the councillors shall be appointed by the Lieutenant-Governor in Council.

Who to preside and law applicable.

6. The election of the mayor of each of the said municipalities shall take place in conformity with articles 330 and following of the Municipal Code.

Articles of M. C., to govern election of mayor.

7. The valuation rolls, electoral lists, *procès-verbaux*, assessment rolls, by-laws and other documents hitherto governing the territories above-mentioned shall continue to apply to each of the said municipalities until they have been changed, repealed or replaced by the respective councils of such municipalities ; they shall hereafter form part of the archives of the municipality of *La Petite Rivière* being the greatest in value, and copies thereof certified by the secretary-treasurer of such municipality shall be authentic for all legal purposes.

Existing valuation rolls, &c.

8. The assets and liabilities of the former municipality shall be divided between the two new municipalities in proportion to their respective values, as set forth in the valuation roll in force at the time of the division.

Division of assets, &c., between new municipalities.

9. The municipality of the village of St. Malo may annex itself to the city of Quebec, with the consent of the municipal council of the said city of Quebec, after a vote of the electors of the said municipality by which one half of the electors qualified to vote shall approve the annexation, which shall be final after a proclamation of the Lieutenant-Governor in Council.

Village of St. Malo may annex to Quebec.

10. After the date of the next elections, as provided in section 4, the municipality of the village of St. Malo shall be erected into a village municipality.

Erection of village municipality of St. Malo.

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

Coming into force.