

CAP. LXIII.

An Act to amend the charter of the town of Westmount,
and the acts amending the same.

[Assented to 9th January, 1897.]

WHEREAS the council of the town of Westmount has, Preamble
by petition, represented that, in the interest of the
town, it is necessary to define and increase the powers
conferred by its charter, 56 Victoria, chapter 54, and the
acts amending the same, and for other purposes ; and where-
as it is expedient to grant the prayer of the said petition :

Therefore, Her Majesty, by and with the advice and con-
sent of the Legislature of Quebec, enacts as follows :

1. Article 3 of the act 58 Victoria, chapter 54, is replaced 58 V., c. 54,
by the following : art. 3, re-
placed.

“**3.** The municipal council of the town shall continue to Composition
consist of eight councillors to be elected for two years as of council.
provided by by-law, until otherwise ordered by the council.
council.”

The order of retirement, as at present existing, shall be Order of
maintained until otherwise ordered by the council. retiring.

The mayor shall continue to be elected by the council at Election of
the first meeting of the council held after the general elec- mayor.
tion of councillors, or after a vacancy occurring in the office
of mayor, but the councillors shall be elected by ballot, as Election of
is hereinafter provided.” councillors.

2. Articles 4243 to 4264, inclusively, of the Revised R. S., 4243 to
Statutes of Quebec, are replaced, for the town, by the fol- 4264, replaced
lowing : for town.

The articles of the Quebec Election Act, 1895, from Articles of
article 127, inclusively, to article 197, inclusively, and from Quebec Elec-
article 222, inclusively, to article 250, inclusively, and from tion Act, 1895,
article 252, inclusively, to article 288, inclusively, and also to apply to
all the forms connected therewith, as well as articles 310 municipal
to 330, inclusively, of the same act, concerning corrupt elections.
practices during elections and the punishment thereof, and
the offences and other matters therein mentioned, shall ap-
ply, *mutatis mutandis*, to the municipal elections of the town
of Westmount, as far as respects the election of councillors,
in default of a provision on the matter in its charter.

The council may, by by-laws duly passed from time to Power of
time, alter the details of the procedure in the holding of council to
elections of councillors and the mode of receiving ballot- make by-laws
papers ; provided, that in so doing, it does not include any regulating
provisions contrary to the principle set forth in the said details of
articles, and the council may also incorporate in any such procedure for
elections.
Proviso.

by-laws any amendments to the above-mentioned articles which may be subsequently made by the Legislature.

Interpreta-
tion.

In the application of the said articles to the elections to be held under this act, the words "Returning-officer," in each of such articles, shall mean the presiding officer, and the words "Deputy returning-officer," shall mean the deputy presiding officer, or other person having charge of any poll, and the words "Clerk of the Crown in Chancery," shall mean the secretary-treasurer of the town.

Power given
to council to
make ar-
rangements
with Montreal
Water and
Power Com-
pany for
certain pur-
poses.

3. The council may enter into such agreements with the Montreal Water and Power Company, its successors or assigns, as may, in its discretion, be necessary in the public interest, for the purpose of performing the works and supplying the materials which may be required for extending the water-works of the company, and supplying water to residents in the new streets of the town, and in such parts thereof where there is at present no water supply, in such manner and under such conditions as it may deem fit, and the corporation shall remain the owner thereof; and such works shall not be deemed to form part of the company's general system of water-works with respect to the said company and to its privileged hypothecary or chirographic creditors.

Council may
make agree-
ments for
supply of
water.

4. The council of the town may make special agreements for a determined period with the city of Montreal, or with any other municipality or municipalities on the Island of Montreal, or any company or companies, person or persons, for the supply of water for the town, or any part thereof; and such special agreements may be validly entered into by the town and by the said municipalities, or any of them.

Assistance
that may be
given con-
tractor.

The town or the said municipalities, or any of them, may assist the contractor in any agreement for the supply of water as aforesaid :

1. By exempting the said company from the payment of municipal assessments and dues, for such time as the councils of such municipalities may determine ;

2. By acquiring, on such terms as the council of the said town, or the councils of the said municipalities, respectively, or any of them, may deem advisable, the water-works or water systems already existing in the said municipalities, or any of them, or any part or parts thereof, as well as any extensions thereof which may hereafter be made in the said municipalities or any of them. And the said corporations, and any one or more thereof, are authorized to so acquire, own and possess the said water-works or systems or any portions thereof, whether the same be within the limits of the municipality so acquiring the said water-work

or not, and to use the same for the purpose of supplying water to the said municipalities, or any of them, and to the inhabitants thereof respectively.

3. The provisions of article 4406 of the Revised Statutes of Quebec shall not apply to any by-law passed in connection with the supply of water referred to in the present section.

R. S., 4406, not to apply to by-laws as to water supply under this section.

5. Article 133 of the act 56 Victoria, chapter 54, is replaced by the following :

56 V., c. 54, art. 133, replaced.

"~~133~~. The town is subject to the operation of the law governing town corporations, contained in chapter first of title eleventh of the Revised Statutes of Quebec, articles 4178 and following, except in so far as any of the provisions of this act derogates from or contains provisions inconsistent with articles 4194, 4195, 4227, 4229, 4231, 4234, 4235, 4243 to 4264, inclusively, 4274, 4414, 4450, 4452, 4464, 4478, 4486, 4487, 4498, 4500, 4514, 4529, 4559, 4564 to 4569, inclusively, of the said Statutes, when the said articles shall be replaced, for the town, as respects the subjects mentioned in the said articles, by articles 12, 15, 16, 17 to 19, inclusively, 20, 22, 23, 27 to 34 inclusively, 36, 40, 62 to 91 inclusively, 97 to 99 inclusively, 106 to 130, inclusively, and 132 of this act."

Law to govern town.

6. The secretary-treasurer of the town is authorized to make, in any court of justice, in cases of *saisie arrêt*, in the hands of such corporation, all declarations which the said corporation was heretofore held to make through an attorney specially authorized to that effect.

Declarations as garnishee.

7. The council may, by by-law :

Exact that, in all cases of death occurring in the town, a certificate be deposited in the health office, and that such certificate be made in the form and manner determined by the board of health and the council, and adopt means to obtain accurate and sure returns respecting mortality and the cause thereof; authorize the medical health officer to make such inquiries as he may deem necessary when no certificate of death has been produced, or when the certificate does not disclose the cause of death, so as to establish, as precisely as possible, the cause of death and other particulars which public health may require; prevent any corpse being taken out of the town without a special permit from the medical health officer, without prejudice to existing laws respecting coroner's inquests and the examination of any corpse ;

Council may, by by-law : Require production of certificates of death ;

Compel every physician and every licensed midwife who shall have attended at the birth of any child in the town, and in default of such physician or midwife, every relative, guardian or householder, or any other person who may have been present at or be cognizant of a birth occurring

Require notification of births to be given to Board of Health.

in the town, to report the same within three days to the Board of Health, and to furnish such particulars and details as the said Board may require in the interests of public health.

Coming into force.

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

CAP. LXIV.

An Act to amend the charter of the town of St. Louis.

[Assented to 9th January, 1897.]

Preamble.

WHEREAS the corporation of the town of St. Louis has, by petition, prayed for certain amendments to the act 59 Victoria, chapter 55 ; and whereas it is expedient to grant its prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Art. added after 59 V., c. 55, art. 16.

1. The following article is added after article 16 of the charter of the town of St. Louis, 59 Victoria, chapter 55 :

When secretary-treasurer bound to make list of electors.

“**16a.** The secretary-treasurer shall be bound to make out the list of electors required by article 4515 of the Revised Statutes only after the coming into force of the roll preceding the general election.”

Arts. added after id., art. 17.

2. The following articles are added after article 17 of the charter :

Deposit by candidate.

“**17a.** When a candidate is nominated for the office of mayor, such candidate shall, with his nomination paper, deposit in the hands of the presiding officer, a sum of two hundred dollars, and when a candidate is nominated for the office of councillor, such candidate shall likewise deposit a sum of one hundred dollars.

Not to be liable to seizure and to be returned to him in certain event.

Such sum shall not be liable to seizure, and shall be repaid to the candidate elected, or to the candidate who, if not elected, obtains at the voting at least one half the number of votes given in favor of the candidate elected ; otherwise such sum belongs to the town.

Application of sums not returned.

The sums so paid in and which have not been withdrawn shall be applied to the payment of election expenses, and the treasurer shall account therefor to the council.

Division of wards according to number of councillors to be elected, &c.

“**17b.** The council may, by by-law, order that the wards be subdivided, as regards the nomination and election of candidates for the office of councillor, by seats, bearing numbers corresponding with the number of councillors to