

town ; that you have a right to vote at this election, and that you have not received anything, nor has anything been promised you, either directly or indirectly, to induce you to vote at this election. So help you God.

## CAP. LXVII.

An Act to incorporate the Town of Montreal West.

[Assented to 9th January, 1897.]

**W**HEREAS the majority of the rate-payers and inhabitants of that portion of the municipality of Notre-Dame de Grâces West, now generally known as "Montreal West," in the former parish of Montreal, have prayed to be incorporated, as a distinct and separate corporation, under the name of the "Town of Montreal West"; Preamble.

And whereas it is in the interests of the petitioners that they be constituted a town corporation, under the provisions of the Revised Statutes governing town corporations distinct and separate from the village of Notre-Dame de Grâces West, in the former parish of Montreal ;

And whereas it is expedient to grant their prayer ;

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

### CONSTITUTION OF THE CORPORATION.

**1.** The town of Montreal West shall include the following territory, to wit :— Territory comprised in town.

That portion of the said village of Notre-Dame de Grâces West, in the former parish of Montreal, bounded, on the east, by the western line of the cadastral lot number one hundred and forty-one, and the subdivisions thereof; on the south, by the river St. Pierre; on the west, by the westerly line of the cadastral lot number one hundred and thirty-eight, and the subdivisions thereof; on the north, by the southern line of the lands of Côte St. Luc, being the whole of cadastral lots one hundred and thirty-eight, one hundred and thirty-nine and one hundred and forty, both as subdivided and not subdivided, of the official plan and book of reference of the former parish of Montreal.

**2.** The inhabitants and rate-payers of the town are hereby constituted a town corporation, under the name of the "Town of Montreal West," for municipal purposes only. Corporation constituted. Name.

Certain divisions not affected.

**3.** This act shall in no wise affect the present division for parochial, school and registration purposes.

What law to govern.

**4.** The town shall be governed by the provisions of the Revised Statutes governing town corporations, except in so far as this act derogates therefrom, or contains provisions inconsistent therewith.

#### THE COUNCIL.—MUNICIPAL ELECTIONS.

Composition of council.

**5.** The corporation shall be represented by seven councillors elected for a term of two years.

Annual election of mayor.

Notice therefor.

**6.** Notwithstanding articles 4196, 4231, 4238, 4241, 4244, 4245, 4246, 4247, 4248, 4253, 4256, 4257, 4258 and 4302 of the Revised Statutes, the mayor shall be elected annually by the council from their number by ballot, at its first general or special session after the annual election of councillors, or after the expiry of the term of office of the retiring mayor; of which election special notice shall be given according to the terms of articles 4295 and 4296 of the Revised Statutes.

Election to replace mayor in case of vacancy in office.

**7.** Notwithstanding article 4274 of the Revised Statutes, when a vacancy occurs in the office of mayor under article 4273 of the Revised Statutes, the election of a substitute is proceeded with at the next general or special session of the council after the election of the new councillors; and special notice of such election of the mayor shall be given according to the terms of articles 4295 and 4296 of the Revised Statutes.

First meeting of electors where to be held.

When nomination to be held.

**8.** The first meeting of the municipal electors for the nomination of councillors, shall be held at the Aberdeen School Hall, in the said town.

Notwithstanding article 4229 of the Revised Statutes, nominations shall take place at ten o'clock in the morning, one week before the general elections, or on the following juridical day.

When and where first election to be held.

**9.** The first general election in the said municipality shall be held on Monday, the eighth day of February, eighteen hundred and ninety-seven, at the Aberdeen School Hall, in the said town.

Mayor of Notre-Dame de Grâces West to preside. If absent.

**10.** The mayor of the village of Notre-Dame de Grâces West shall preside at such first nomination and election.

In the event of his disability or absence, the person elected at such meeting shall preside over the said nomination and over the said election.

**11.** Notwithstanding articles 4243 and 4264 of the Revised Statutes, the poll shall be opened at the hour of eight in the forenoon, and shall be finally closed at the hour of seven in the afternoon of the same day.

When poll to be opened and closed.

**12.** Such first election shall be held according to the valuation roll of the said village of Notre-Dame de Grâces West in force on the day of the sanction of this act.

Valuation roll to serve for election.

**13.** Notwithstanding articles 4229 and 4230 of the Revised Statutes, the subsequent general elections shall take place every second year.

Subsequent general elections when to be held.

**14.** Notwithstanding article 4243 of the Revised Statutes, the voting shall be by ballot, and sections 29, 30, 31, 34, 36, 37, 38, 39, 40, 45 (1) (3), 46, 47, 48, 49, 51, 52, 53 54, 55, 56, 57, 58, 64, 70, 71, 73, 74, 75, 79, 82, and 83 of The Dominion Elections Act, Revised Statutes of Canada, chapter 8, with amendments thereto, shall govern the same, save in so far as they may be inconsistent with the provisions of the Revised Statutes of Quebec governing town corporations or of this act, which so far as applicable shall be read into the said sections of the Dominion Elections Act.

Elections to be by ballot.

Law to govern.

**15.** Article 4232 of the Revised Statutes is amended, for the town, by replacing the words: "eight days," in the first line thereof, by the words: "two weeks."

R. S., 4232, amended for town.

**16.** The first session of the council shall be held at the Aberdeen School Hall, in the town.

When first meeting of council to be held.

**17.** The quorum of the council shall be four members, including the mayor.

Quorum of council.

**18.** Notwithstanding article 4300 of the Revised Statutes, the mayor may vote whenever any question is put to the vote, and, in case of an equal division, he shall give his casting vote.

Mayor votes on all questions, and has casting vote in certain case.

**19.** Every public notice shall be published at least seven clear days before that fixed for the purpose for which it is given, except when otherwise specified.

Delay on public notices.

#### WARDS—REPRESENTATION.

**20.** The town shall be divided into the "East Ward," comprising the whole of cadastral lots numbers 139 and 140, both subdivided and not subdivided, of the said official plan and book of reference, and the "West Ward," comprising the whole of cadastral lot number 138, sub-

Division of town into wards.

divided and not subdivided, of the same plan and book of reference.

Representa-  
tion of wards  
in council.

**21.** The East Ward shall be represented by four councillors and the West Ward by three councillors.

#### POWERS OF THE COUNCIL.

Additional  
powers of  
council by by-  
law to :

**22.** The council shall, in addition to the powers given by article 4373 and following of the Revised Statutes, save as hereinafter excepted, have power to make by-laws :

Restrain, &c.,  
sale by retail  
of intoxicants;

1. To restrain, regulate or prohibit the sale by retail of any spirituous, vinous, alcoholic or intoxicating liquors within the town as it may deem fit, notwithstanding article 4414 of the Revised Statutes ;

Regulate, &c.  
slaughtering  
of animals,  
&c. ;

2. To regulate or prohibit the slaughtering of animals, the establishment of any soap factory or unhealthy or obnoxious business creating a nuisance, within the municipality, or any factory, workshop or business of any kind whatever, the working of which may endanger public health or safety in any manner ;

Prevent erec-  
tion of stables,  
&c., within  
certain dis-  
tance of  
streets ;

3. To prevent all stables, pig-styes, sheds, closets or any similar buildings from being erected on any lot in the town at a distance of less than thirty feet from the street ; and, on indemnifying the proprietors thereof, to cause all existing buildings to be removed, if they be not erected at such distance ;

Levy taxes on  
immoveable  
property ;

4. To levy an annual tax on immoveable property within the town, not to exceed the sum of one-half of one per cent. of the valuation thereof, as entered upon the valuation roll of the town, for the administration and maintenance of the property of the town, and for the purpose of making and carrying on such improvements and works as the council shall, by a two-thirds vote thereof, determine to be for the general benefit of the town ;

Levy special  
taxes for local  
improve-  
ments ;

5. To levy such special taxes, as it may deem necessary for local improvements and works, upon the immoveable property which the council shall decide will be benefited thereby, based upon the frontage of the said real estate, provided a majority in number and in value of the proprietors thereof shall, by a petition to the council, ask for such local improvements or works ; and, after such improvements have been made or such works completed and so paid for by the said proprietors, the town shall, in future, maintain the same at its own expense ;

Levy taxes on  
dogs ;

6. To levy a tax on all dogs within the town as the council may deem fit ;

Determine  
manner of  
levying taxes.

7. To determine the mode of levying and collecting the taxes so imposed.

**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, for the purpose of providing for the interest on and sinking funds of loans.

Limit of  
powers to levy  
taxes.

**24.** Farm property or properties used for agricultural purposes, within the town, shall be taxed only on a basis of one-fourth of its valuation, as shown on the valuation roll thereof; but such property shall be valued in the same manner and on the same basis as property adjacent thereto or similarly situated.

Valuation of  
farm property  
for purposes  
of taxation.

**25.** The act 40 Victoria, chapter 39, intituled: "An Act to authorize the corporation of the village of Notre-Dame de Grâces to have a plan of the said municipality made, and to define the procedure to be followed, to have the said plan declared binding on all concerned, and for other purposes," shall apply in all its provisions to the town of Montreal West, and the council of the town shall possess all the powers of the council of the said municipality thereunder, save and except, however, the following amendments, to wit:

40 V., c. 39, to  
apply to  
town.

(a.) Section 3 of the said act is amended for the town by adding thereto the following clause, to wit:

Id., section 3,  
amended for  
town.

"The council may also cause to be made a plan of the cross streets of the town only."

Plan of cross  
streets.

(b.) Section 7 of the said act is replaced for the town by the following:

Id., s. 7, re-  
placed for  
town.

"7. The said corporation shall have all the necessary powers to open to the public, whenever the said corporation shall deem it advantageous so to do in the interest of the municipality, any new street, highway, public place, or boulevard shewn on the said plans or maps, also to widen any of the streets, highways, public places or boulevards therein indicated as widened, after having adopted, however, the formalities and procedure prescribed by the provisions of the Revised Statutes governing town corporations relating to such matters and to expropriation."

Power to open  
new streets,  
&c.

#### MISCELLANEOUS.

**26.** The corporation of Notre-Dame de Grâces West shall retain its assets and shall alone be responsible for its liabilities. It shall levy, upon the immoveables in the town and upon its inhabitants, only such taxes as may be due to it, before the coming into force of this act.

Corporation  
of Notre-Dame  
de Grâces  
West to retain  
assets, &c.,  
and to levy  
certain taxes  
only.

**27.** The council of the town shall have the right to obtain, free of charge, access to all books, documents, archives

Access of  
council of

town to archives of village.

and papers, the property of the village of Notre-Dame de Grâces West.

Existing *procès-verbaux*, &c., to remain in force until repealed.

**28.** All *procès-verbaux*, valuation rolls, titles, accounts, orders, lists, plans, by-laws and resolutions and ordinances heretofore passed and agreed to by the corporation of the village of Notre-Dame de Grâces West, which are consistent herewith and with the provisions of the Revised Statutes governing town corporations, shall remain in force for the town until repealed by its council, which in every case may be done by a majority thereof.

Expenses of incorporation to be charge on revenues of town.

**29.** The expenses of incorporating the town shall be the first charge upon the revenues and property of the same, with interest at six per cent., until paid.

Coming into force.

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

## CAP. LXVIII.

An Act to amend the act 53 Victoria, chapter 79, incorporating the town of Magog.

[Assented to 9th January, 1897.]

Preamble.

**W**HEREAS the corporation of the town of Magog, by petition, have prayed for amendments to their charter, and for certain powers beyond those granted by the law governing town corporations; and whereas it is expedient to grant the prayer of the said petition;

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

53 V., c. 79, s. 1, replaced.

**1.** Section 1 of the act 53 Victoria, chapter 79, is replaced by the following:

Villagers incorporated as a town.

**"1.** The inhabitants of the village of Magog and their successors shall be and they are hereby declared to be a body corporate and politic, in fact and in law, under the name of the "Corporation of the town of Magog;" and separated from the county of Stanstead for all municipal and school purposes.

Name. Separate from county.

Corporate powers.

Under that name, they and their successors shall have perpetual succession, and shall be capable of appearing in law, suing and being sued in all courts, and in all actions, causes and complaints whatsoever.

Seal.

They shall have a common seal, which they may change or modify at pleasure.