

7. The corporation shall cause to be made, at its own expense, a plan of the parts of lots numbers 2, 3, 4, 5 and 6 of the said town, which have been annexed to the parish of Ste. Cécile under the provisions of the said act, with a book of reference relating thereto, giving them numbers corresponding to those on the *cadastre* of the said parish.

Plan of certain part of parish of Ste. Cécile to be made at expense of corporation;

Such plan and this book of reference must be approved and deposited by the Commissioner of Crown Lands in the registry office of the county.

To be approved &c. by Commissioner of Crown Lands.

8. This act shall not affect pending suits or the rights of third parties.

Pending suits &c. not affected.

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

Act in force.

CAP. LXXXIV.

An Act to incorporate the town of Montmagny.

[Assented to 30th March, 1883.]

WHEREAS the provisions of the Municipal Code do not meet the present wants of the Corporation of the Village of Montmagny, and it has become necessary to make more ample provisions for the internal management of the said village; and whereas the inhabitants of the said village are desirous that the same should be incorporated as a town and have a special act of incorporation; and application to that effect has been duly made; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Preamble.

CORPORATION.

1. The inhabitants of the Town of Montmagny, as hereinafter described, and their successors shall be and are hereby declared to be a body politic and corporate, by the name of: "The Corporation of the Town of Montmagny", and by that name they and their successors shall have all the rights and be subject to all the obligations of corporations.

Corporation created.

Name.

GENERAL PROVISIONS.

2. All by-laws, ordinances, agreements, dispositions and engagements whatever, passed and entered into by the

Existing by-laws, &c., of village to

continue in
force.

municipal council of the village of Montmagny, as heretofore existing, shall continue to have full force and effect, as though such by-laws, ordinances, and agreements, dispositions and engagements had been passed and agreed to by the council of the said town of Montmagny, as hereby constituted, until such time as such by-laws, agreements, ordinances, dispositions or engagements shall be formally rescinded, abolished, or amended by the council of the town, or fulfilled. And the corporation of the town of Montmagny shall succeed to and be substituted in all the engagements, rights, debts and obligations of the corporation of the village of Montmagny, as now existing.

Idem.

3. The by-laws, orders, rolls and municipal acts, which governed the territory, heretofore constituting the village of Montmagny, shall continue in force until they are amended, repealed or replaced by the town council to be hereafter elected; but, saving the changes provided by law, no revision of the valuation roll, now in force, shall be made except after the first municipal general elections, which will be held on the first Monday of the month of May next, as stated below; and the mayor and councillors of the village of Montmagny shall remain in office until the elections under this act have taken place, and shall discharge their functions as though they had been elected under this act; and all municipal officers of the village of Montmagny shall continue in office until their successors are chosen or appointed under this act.

Proviso as to
revision of
valuation roll.

Present mayor
and councillors
to remain in
office.

BOUNDARIES.

Boundaries of
town.

4. The Town of Montmagny shall comprise all that tract of land now forming the village of Montmagny.

DIVISION INTO WARDS.

Division of
town into
wards

5. The town shall be divided into three wards, which shall respectively be known and designated under the names of "south ward" "centre ward" and "west ward."

The "centre ward" shall be separated from the "west ward" by a line [marked in red on the plan] starting from the mouth of the *Rivière des Vases*, following the centre of the said river until the said line meets the division line between lots ten and eleven, following the same as far as its southern extremity, thence running in an easterly direction to the old road, thence in a southerly direction as far as Magloire street, following the said street to its junction with St. Thomas street, and thence in an easterly

direction following St. Thomas street as far as the lane which separates lot number two hundred and three (203) from the lots numbers two hundred and four (204) and two hundred and twelve (212), following the said lane as far as the river *Du Sud*, thence up the middle of the said river to the line which separates the said town from the parish of St. Thomas. All the above mentioned numbers being those of the plans and books of reference of the official cadastre of the village of Montmagny.

The centre ward shall comprise all that portion situated to the east of the said line and to the north of the river *Du Sud*; the south ward shall comprise that portion situate to the south of the river *Du Sud*, and the west ward all that portion situated to the west of the said line which separates the centre ward from the west ward. And the council of the town shall not at any time hereafter alter either the number or the boundaries of such wards; but nothing shall prevent the extension of the limits of such wards in the manner provided by the following section.

Boundaries of wards not to be changed.
Proviso.

6. After the first day of July next, it shall be lawful for any owner or proprietor of land, immediately adjoining and contiguous to the limits of the town of Montmagny, after notice given by such owner or proprietor to the municipal authorities of the said town, and with the consent of the said authorities, manifested by a by-law which may be passed to that effect by the said municipal authorities, in the ordinary manner, to demand and obtain that the said property be included within the limits of the town, and thereafter so, successively, for all other proprietors of property or properties so adjoining the property or properties so successively included into the limits of the town of Montmagny as aforesaid; and upon such inclusion being declared by a by-law, as aforesaid, such proprietors, whose properties shall be so included, shall have and possess all the municipal privileges, and shall be subject to all the obligations, duties and charges, imposed on the persons and on the properties originally included in the limits of the town.

Annexation of territory.

TOWN COUNCIL.

7. The municipal council shall be composed of seven councillors. The number of councillors to represent each ward is determined as follows: the centre ward shall have three councillors, the west ward three, and the south ward one.

Number of councillors.

8. The councillors shall be elected for three years, except in the case provided for in section 20 of the Town Corpora-
Duration in office.

tions' General Clauses Act, and except also in the case provided for in the following section.

Replacing of
councillors.

9. Of the seven councillors elected at the first general election under this act :

1. Two must be replaced at the time of the general municipal election first had thereafter ;

2. Two others at the same period in the year which follows that lastly mentioned ;

3. And the three last also at the same period in the following year, and so on, so that two councillors may be appointed or elected during two consecutive years and three every third year.

How first
councillors
elected are to
retire.

10. The councillors who shall retire the first and second years, after the first general election under this act, shall be selected by lot at a session of the council in the month of December preceding the general election at which they are to be replaced.

Proviso if
council does
not draw lots.

If, fifteen days before the day fixed for the general election, the council has not proceeded to such drawing of lots, the secretary treasurer shall do so in the office of the council, at least six days before such election and after notice given to all the members of the council of the day and hour of such drawing of lots.

Appointment
of mayor
when and how
made.

11. At the first session after any general election of councillors, the members of the council if there be no vacancy in the office of councillor or, if there be a vacancy, immediately after such vacancy shall have been filled, must appoint, as mayor of the corporation, any one of the councillors possessing the necessary qualifications.

Quorum of
council.

12. The quorum of the council shall be four members.

Duration in
office of mayor.

13. The mayor shall remain in office from the moment he takes the oath until the appointment of his successor.

General
elections, when
held.

14. The general elections shall take place on the second Monday in the month of January of every year, at nine of the clock in the morning.

First general
election, by
whom presided
over and when
and where
held.

15. The first general elections under this act shall be held on the first Monday in the month of May now next, and shall be presided over, in the west ward by Charles Pacaud, Esquire, advocate, in the centre ward by the registrar of the county of Montmagny, and in the south ward by the secretary-treasurer.

The said election shall be held, for the centre ward, at the usual place of meetings of the council of the village of Montmagny, for the west ward, at any place that the council shall previously fix within the said ward, and for the south ward, at the bridge-house.

16. At the first general election there shall be elected seven councillors, and at each subsequent general election as many councillors as there are councillors retiring from office. Number of councillors to be elected at first general election.

17. After having opened the meeting of the electors for the nomination of councillors, the presiding officer shall receive and place in nomination the names of all persons handed in, in writing, by at least five municipal electors. The presentation must be made by the electors of the ward for which the candidate is proposed. Nomination of candidates.

18. If, one hour after the opening of such meeting, there have been and remain nominated for the office of councillor more persons than there are councillors to be elected in each ward, it shall be the duty of the presiding officer to grant a poll for such ward ; which poll shall be held without delay. Poll to be granted if more candidates are nominated than required to fill office.

19. The poll shall be opened at ten o'clock in the forenoon and be closed at five o'clock in the afternoon of the same day. Poll, when to be held.

20. Vacancies in the office of mayor or councillor shall be filled according to the provisions of the Municipal Code. Vacancies, how filled.

MUNICIPAL ELECTORS.

21. Every person of the male sex shall be a municipal elector, and as such shall have the right to vote at the election of councillors, and to exercise all the rights and privileges conferred on municipal electors by the provisions of this act, who, at the time he exercises such rights and privileges, is under the following conditions : Qualifications of electors.

1. He must have attained the age of majority, and be a British subject ;

2. He must have been actually and in good faith in possession, in the municipality, during the preceding six months, either in his own name or in the name and for the benefit of his wife, as appears by the valuation roll in force, as proprietor of real estate, of the actual value of at least one hundred dollars, or as tenant, farmer or lessee,

of real estate of the value of at least one hundred dollars, or of an annual value of at least twenty dollars ;

3. He must have paid all the municipal and school taxes and all other municipal dues payable by him at the period of his exercising such right as elector ;

4. His name must be entered for four months in the valuation roll in force in the municipality, either as proprietor, or lessee, or on the list of municipal electors, if there be such list.

First session of council, when and where held.

22. The first session of the council, to be elected under this act, shall be held on the Monday next after the closing of the election, in the usual meeting hall of the council of the village of Montmagny. Such session shall be a general session of the council.

General sessions, when held.

23. The council shall further hold general or ordinary sessions on the first Monday of each month, and at such other times as may be provided by the council.

Hotels, &c., to be closed during voting day.

24. All hotels, taverns and saloons shall be closed during the day of voting, under a penalty of fifty dollars, or imprisonment in the common gaol for three months, in default of payment.

POWER TO MAKE BY-LAWS.

Power of council to make by-laws.

25. The town council may make by-laws for all purposes authorized both by the Municipal Code and by the Town Corporations General Clauses Act, not inconsistent with the provisions of this act.

40 Vict, c. 29, to apply with certain exceptions,

26. The provisions of the Town Corporations General Clauses Act shall be considered as forming part of this act, in so far as they are consistent with the provisions thereof, and saving the modifications hereinafter set forth :

1. Section 33 of the Town Corporations General Clauses Act is expressly excepted, saving as respects the mayor, who shall *ex-officio* be a justice of the peace ;

2. In sections 99, 200 and 214, of the above cited act, the words : " Circuit Court " are substituted for the words : " Superior Court ; "

3. By adding after section 124 the following words : " nor to the appointment of mayor or pro-mayor ; "

4. By substituting for the words : " at the time fixed by the council," in section 169 the words : " on the first Monday of December ; "

5. By substituting the word : "shall" for the word : "may," in section 337.

27. This act shall come into force on the day of its Act in force, sanction.

CAP. LXXXV.

An act to amend the law respecting subsidies in money to certain railways.

[Assented to 30th March, 1883.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Subsection 1 of section 3 of the act 40 Victoria, chap-40 Vic., c. 3 ter 3, is amended by striking out, in the second line thereof, s. 3, § 1 the words : " fifty six " and replacing them by the words : amended.
" fifty eight."

CAP. LXXXVI.

An act to amend the Quebec Consolidated Railway Act, 1880, 43-44 Victoria, chapter 43.

[Assented to 30th March, 1883.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section 59 of the Quebec Consolidated Railway Act, 43-44 Vic., c. 1880, 43-44 Victoria, chapter 43, is amended by substituting the word : " fifty " for the words : " twenty one " in the twelfth line of the first paragraph of the said section. 43, sec. 59 amended.

2. This act shall come into force on the day of its sanc- Act in force. tion.