



## CHAPTER 104

An Act respecting the settlement of the tramway question in Montreal

[Assented, to the 20th of May, 1937]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

- 1.** In this act:

    - a. "Committee" designates the Committee contemplated under section 2;
    - b. "Company" designates the Montreal Tramways Company.
- Interpretation:  
"Committee";  
"Company".
- 2.** The Lieutenant-Governor in Council may create an Investigating Committee composed of not less than three nor more than five members, one of whom shall be president and another vice-president.

Creation of Investigating Committee.

There shall be attributed to each of such members the remuneration to be fixed by the order-in-council appointing them or by any subsequent order-in-council.

Remuneration.

In the case of death, resignation or inability to act, the Lieutenant-Governor in Council shall provide for their replacing.

Vacancy.

Two members of the Committee shall form a quorum.

Quorum.
  - 3.** The Committee shall have the power and be obliged to examine, make an inventory and value all the tramways system of the Company and, amongst others, and without restriction, its railway lines,

Duty, etc., of Committee.

rolling-stock, machinery, equipment and its other moveable and immoveable property, wherever they be situated.

Obligatory investigations.  
Financial structure, etc.

Working conditions.

Other transportation matters.

Committee may:

Enter upon land, etc.;

Take cognizance of books, etc.;  
Use, etc., equipment, etc.;

Gather information, etc.

Powers of Committee.

Employing of experts, etc.

**4.** The Committee may and must investigate respecting:

*a.* every question concerning the financial structure of the Company, its accounting methods, rates, receipts, expenses, profits and dividends;

*b.* the working conditions with respect to such undertaking and to the salaries and wages paid to its employees;

*c.* any matter or affair relating to the improvement of the means of public transportation in Montreal and relating to the contract mentioned in the act 8 George V, chapter 84.

**5.** For the above purposes, the Committee, or any member or representative of the Committee, may on any day not a holiday, between eight o'clock in the morning and six o'clock in the evening:

*a.* enter upon any land, into any plant, store, warehouse and other construction and examine all the moveable property belonging to the Company and obtain with respect thereto all information which the Committee may deem useful or necessary;

*b.* take cognizance of all books, plans, drawings, records, titles, documents and papers whatsoever;

*c.* bring and use on the premises such equipment and instruments as it or he may deem necessary for its or his research and make use of such as are found there;

*d.* gather all information which it or he may deem useful; question anyone deemed to be able to supply it or him with information, and investigate the facts within its or his sphere of action by any means it or he may deem suitable.

**6.** In carrying out the powers conferred upon it, the Committee shall have all the powers attributed to commissioners under the Public Inquiry Commission Act (Revised Statutes, 1925, chapter 8) and, in addition, those attributed to the Provincial Electricity Board under the act 1 George VI, chapter 25.

**7.** The Committee is authorized, with the approval of the Lieutenant-Governor in Council, to employ all the necessary experts and any person useful or

necessary for the carrying out of this act and to fix their remuneration.

**8.** All the sums required for the carrying out of this act shall be taken from the consolidated revenue fund; but such sums shall be as advances only and shall be reimbursed to the Government of the Province in such manner and form as the Lieutenant-Governor in Council may enact.

Expenses of act.

**9.** The Montreal Tramways Commission, contemplated under the contract mentioned in section 4, shall afford all the collaboration and assistance which the Committee may require of it.

Collaboration of Montreal Tramways Commission.

**10.** For the purposes of the investigation, the Committee shall possess all the investigating powers and all the powers as to the obtaining of information which the Montreal Tramways Commission possesses.

Investigating powers.

**11.** Within the first eight days of the ensuing Session the Committee shall communicate to the Legislative Assembly the results of its investigation and work.

Making of report.

**12.** The Committee, however, must make such reports as may be required of it, to the Lieutenant-Governor in Council at such times as the latter may fix.

Additional reports.

**13.** Notwithstanding any general law or special act to the contrary, the Montreal Tramways Company shall agree to and must pay to the city of Montreal, to form part of the revenues of that city, the sum of one million dollars payable in four instalments of a quarter of a million each, the first instalment payable on the day of the sanctioning of this act; the second, on the first day of August, 1937; the third, on the first day of December, 1937, and the last, on the first day of March, 1938.

Payment by Montreal Tramways Company to city of Montreal.

The payment of the said sum of one million dollars applicable to the rentals stipulated in the contract mentioned in section 4 shall be made without prejudice to the rights of the city of Montreal and to those of the Montreal Tramways Company.

Rights safeguarded.

Legal recourse.      The city of Montreal shall possess every legal recourse necessary to secure to it the payment of the above instalments in accordance with this section. The Montreal Tramways Company and its administrators and officers cannot be sued by any bondholder, any shareholder or any other interested party other than the city of Montreal in connection with the payment of the sum contemplated in this section.

Coming into force.      **14.** This act shall come into force on the day of its sanction.