



CHAPTER 88

An Act to amend the charter of the city of Montreal

[Assented to, the 20th of April, 1934]

WHEREAS the city of Montreal has, by its petition, Preamble.
represented that it is in the interest of the city and
necessary for the proper administration of its affairs that
its charter, the act 62 Victoria, chapter 58, and the acts
amending the same, be further amended, and whereas it is
expedient to grant its prayer;

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

1. Article 1 of the act 62 Victoria, chapter 58, as amend- 62 Vict., c.
ed by the acts 63 Victoria, chapter 49, section 1; 3 Edward 58, art. 1,
VII, chapter 62, section 1; 1 George V (1911), chapter 60, am.
section 1; 4 George V, chapter 73, section 1; 15 George V,
chapter 92, section 1; 19 George V, chapter 97, section 1,
and 22 George V, chapter 105, section 1, is further amended:

a. By replacing, in the English version of paragraph *d* Director of
thereof, the words: "director of the finance department", finance.
by the words: "director of finance";

b. By adding to the said paragraph *d* thereof the fol-
lowing paragraph:

"Nevertheless, the bonds or other documents which Validation
may have been signed since the sanction of the act 23 of certain
George V, chapter 123, and in the French version whereof signature.
the director of finance appeared under the title of "*directeur
du service des finances*" are declared to have been legally and
validly signed."

2. Article 5 of the act 62 Victoria, chapter 58, as 62 Vict., c.
amended by the acts 7 Edward VII, chapter 63, section 1; 58, art. 5,
am.

8 Edward VII, chapter 85, section 1; 9 Edward VII, chapter 81, section 1; 1 George V (1910), chapter 48, sections 1, 2 and 3; 1 George V (1911), chapter 60, section 2; 2 George V, chapter 56, sections 1 and 31; 3 George V, chapter 54, section 1; 4 George V, chapter 73, section 2; 7 George V, chapter 60, section 1; 8 George V, chapter 84, section 1; 9 George V, chapter 90, section 1; 10 George V, chapter 86, section 1; 15 George V, chapter 92, section 2; 22 George V, chapter 105, section 2, and 23 George V, chapter 123, section 1, is further amended by adding thereto, after subparagraph 4 of paragraph *h*, said paragraph *h* as enacted by the act 1 George V (1910), chapter 48, section 1, the following:

Bordering
proprietors,
and cost of
replacing
sewers.

"However, the cost of replacing existing sewers by sewers of larger size, and the construction of sewers in streets which are not included in the Dupont Plan, have always been chargeable to bordering proprietors and will continue to be charged to them, and the provisions of the city charter shall apply to the cost of said sewers and to the apportionment of such cost. The rolls prepared by the said city and whereby the cost of the construction or reconstruction of said sewers is charged to the bordering proprietors, as well as the collection made by the city, in accordance with said rolls, are declared valid and legal."

62 Viet., c.
58, art. 79,
replaced.

3. Article 79 of the act 62 Victoria, chapter 58, as amended by the act 3 Edward VII, chapter 62, section 10, and replaced by the acts 3 George V, chapter 54, section 5; 11 George V, chapter 112 (Schedule B), section 22, and 16 George V, chapter 71, section 4, is again replaced by the following:

Date of mu-
nicipal
elections.

"79. Except the election in April, 1934, which shall be held under the provisions of article 79 of the charter as enacted by the act 16 George V, chapter 71, section 4, the election of the mayor and aldermen of the city shall be held every two years, on the second Monday of November or, if such date be a non-judicial day, then on the next judicial day, in accordance with the provisions of this charter.

First
election
after 1934.

The first general election, after that of the month of April, 1934, shall be held in the month of November, 1936, and the mayor and aldermen elected in 1934 shall continue in office until the month of November, 1936, as regards the mayor, until the day his successor has taken the oath of office required by law, and, as regards the aldermen, until the day of the election.

Indemnities.

The indemnity or indemnities of the mayor and aldermen for the period extending from the month of April,

1934, to the month of November, 1936, shall be calculated on the same basis as those provided for in articles 22 and 39 of this charter."

4. Articles 79a and 79b of the act 62 Victoria, chapter 62 Vict., c. 58, as enacted by the act 11 George V, chapter 112 (Schedule 58, arts. 79a, B), section 23, are repealed. 79b, repealed.

5. Article 285 of the act 62 Victoria, chapter 58, as Id., art. 285, replaced by the acts 9 Edward VII, chapter 81, section 6, replaced. and 15 George V, chapter 92, section 15, is again replaced by the following:

"**285.** With the exception of the months of July and Council August of each year, and, in the year in which a general meetings. municipal election is to be held, of the month in which such election is to take place, the council shall regularly meet once a month, namely, on the second Monday of each month.

Notice of each meeting shall be given to the members of Notice the council, in the manner hereinafter provided for special thereof. meetings.

The meetings of the council shall be open to the public." Public.

6. Section 300 of the act 62 Victoria, chapter 58, as 62 Vict., c. 58, art. 300, amended by the acts 63 Victoria, chapter 49, sections 7 am. and 8; 3 Edward VII, chapter 62, sections 22 and 23; 4 Edward VII, chapter 49, sections 6 and 7; 7 Edward VII, chapter 63, sections 10 and 11; 8 Edward VII, chapter 85, section 15; 9 Edward VII, chapter 81, sections 7, 8 and 9; 1 George V (1910), chapter 48, section 29; 1 George V (1911), chapter 60, sections 10 and 11; 2 George V, chapter 56, sections 11 and 12; 3 George V, chapter 54, section 8; 4 George V, chapter 73, section 8; 6 George V, chapter 44, section 12; 7 George V, chapter 60, section 2; 8 George V, chapter 84, section 29; 10 George V, chapter 86, section 2; 11 George V, chapter 111, section 1; 12 George V, chapter 105, section 4; 13 George V, chapter 91, section 5; 15 George V, chapter 92, section 17; 16 George V, chapter 71, section 11; 18 George V, chapter 97, section 5; 19 George V, chapter 97, section 14; 22 George V, chapter 105, section 14, and 23 George V, chapter 123, section 14, is further amended:

a. By adding to paragraph 27 thereof the following subparagraph:

"Every merchant who buys gold or any other precious Dealers in metal, precious stones or jewelry of any kind whatsoever, gold, etc.; unless such purchase be effected from a merchant dealing

Jewelers; in like articles, shall be deemed to be a second-hand dealer or a junk dealer and shall be subject to the provisions of this paragraph. Jewelers, however, shall not be obliged to pay the special tax or license imposed on second-hand dealers."

b. By adding thereto, after paragraph 41 thereof, as replaced by the act 63 Victoria, chapter 49, section 7, the following paragraph:

Persons,
etc., selling,
etc., milk;

"41a. To exercise, as regards every person, firm, company or corporation, whose establishment is situated outside of the territory of the city, and who or which, himself or itself, sells milk or delivers the same to be sold within the city limits, all the powers the city has as regards any person, firm, company or corporation whose milk trade establishment is situated within the said limits; but no tax, license or permit shall be imposed for powers exercised outside the city limits;"

c. By adding thereto, after paragraph 104 thereof, the following paragraph:

Selling of
ice;

"104a. To prohibit the sale, wholesale or retail, within the city limits, of ice the cutting whereof has not been carried out under the control of the city health department and to determine the price of the license to be issued for such business when the ice has been cut under the control of the said department, provided no license be granted for a term exceeding one year and the price of said license do not exceed the sum of fifty dollars per annum;"

d. By replacing paragraph 164 thereof, as enacted by the act 18 George V, chapter 97, section 5, by the following:

Slot
machines;

"164. To allow, subject to a permit, regulate or prohibit slot machines and to impose on such machines a license as follows:

a. For any slot machine used exclusively in the sale of any merchandise whatsoever, the commercial value whereof is well known, the license shall not exceed ten dollars for each slot machine;

b. For any other slot machine whatsoever, the license shall not exceed twenty dollars;"

e. By replacing paragraph 173 thereof, as enacted by the act 23 George V, chapter 123, section 14, by the following:

Keeping of
records by
bicycle
dealers, etc.;

"173. To compel every dealer in bicycles to keep a record of his sales and purchases, to allow the same to be examined by any constable at the request of the latter, and to deliver, once a week, at the office of the chief of police of the city, an extract from such record showing the purchases and sales of bicycles effected by him during the

preceding week, with indication of the names and addresses of the persons who have sold or purchased the same, and to compel every person using a bicycle within the city limits to obtain from the city a permit, which he shall affix in a conspicuous place on the said bicycle, unless such bicycle already carries a permit from another municipality in the Province; the sum to be paid for such permit not to exceed two dollars per annum; but a motorcycle shall not be deemed a bicycle for the purposes of this paragraph;”.

7. Article 351*b* of the act 62 Victoria, chapter 58, as 62 Vict., c. 58, art. 58, art. 351*b*, and amended by the acts 18 George V, chapter 97, section 7; 22 George V, chapter 105, section 18, and 23 George V, chapter 123, section 22, is again replaced by the following:

“**351*b*.** 1. The city is authorized to borrow, from time to time, the sums of money which it may require, as working capital, to provide: Loans authorized:

a. For the current expenses in anticipation of the ordinary revenue, and for the deferred expenses in anticipation of the revenue of the following year; Current expenses, etc.;

b. For the purchase of merchandise, materials, furnishings and other effects which the city may need in the ordinary course of administration. Certain purchases;

The loans authorized by the above sub-paragraph *b* shall not exceed, at any time, the total amount of six hundred thousand dollars; Amount restricted;

ba. After the 1st of May, 1932, for the purposes of hospitals and charitable institutions, a sum not exceeding five hundred thousand dollars for the year 1932, provided that, in such case, there shall be voted each year in the budget a sum sufficient to pay the interest and the sinking-fund of the sums employed for the purposes mentioned in this sub-paragraph, whether the sums be raised by a loan or are taken from the proceeds of the special assessments, as authorized by paragraph 2 of the present article 351*b*; Hospitals, etc.;

bb. After the 1st of May, 1933, for the purposes of hospitals and charitable institutions, a sum not exceeding five hundred thousand dollars for the fiscal year ending on the 30th of April, 1934, provided that, in such case, there shall be voted each year in the budget a sum sufficient to pay the interest and the sinking-fund of the sums employed for the purposes mentioned in this sub-paragraph, whether the sums be raised by a loan or are taken from the proceeds of the special assessments, as authorized by paragraph 2 of this article. Hospitals, etc.;

Fiscal year and certain loan; Notwithstanding the provisions of by-law No. 1234, the loan of five hundred thousand dollars authorized by said by-law shall cover the fiscal year ending on the 30th of April, 1934;

Hospitals, etc., during 1934-35; *bc.* For the fiscal year 1934-35, for the purposes of hospitals and charitable institutions, a sum not exceeding three hundred and fifty thousand dollars, provided that, in such case, there shall be voted each year in the budget a sum sufficient to pay the interest and the sinking-fund of the sums employed for the purposes mentioned in this sub-paragraph, whether the sums be raised by a loan or are taken from the proceeds of the special assessments, as authorized by paragraph 2 of this article.

Unexpended balance; Any unexpended balance of the loan of five hundred thousand dollars authorized by by-law No. 1184 may be utilized for the above-mentioned purposes during the fiscal year 1934-35;

Purchase of horses, etc.; *c.* For the purchase of horses, machines, tools or other apparatus which the city may need in the ordinary course of administration.

Amount restricted; The loans authorized by the above sub-paragraph *c* shall not exceed, at any time, the total amount of three hundred thousand dollars.

Proviso; Provided that, in the case of sub-paragraph *b*, there shall be voted each year in the budget a sum sufficient to pay the cost of merchandise, materials, furnishings and other effects used or employed by the city in the course of the year, and, in the case of sub-paragraph *c*, a sum sufficient to cover the losses and to cover the depreciation on the items mentioned therein.

Amounts realized; The amounts thus realized out of the budgets may be again used for the purposes set forth in said paragraphs *b* and *c*;

Expropriation costs; *d.* For the proprietors' share of the cost of expropriation, of the construction of permanent pavings, of permanent sidewalks, of sewers and other permanent works.

Making good of losses; The losses which may arise through the inability to collect the special assessments imposed for the purposes mentioned in this sub-paragraph shall be made good from the revenue or from the general loan fund or other sums at the disposal of the city;

Cost of pavings, etc.; *e.* To pay the share of the city and that of the proprietors in the cost of the pavings carried out since 1919 and of the pavings to be laid in the future and of all other works or improvements which the law authorizes to charge against such fund;

2. The proceeds from the collection of the said special assessments may, with the permission of the Quebec Municipal Commission, be again utilized for the purposes mentioned in sub-paragraph *d* above or to repay at maturity the loans contracted under this article or for the purposes mentioned in sub-paragraphs *ba*, *bb* and *bc* of paragraph 1 of this article, but shall not be used for other purposes. Utilization of proceeds of special assessments.

3. The loans provided for by this article may be contracted for a period not exceeding forty years, by the issue of bonds, debentures or registered stock signed by the mayor and the director of finance and countersigned by the city auditor, except those mentioned in sub-paragraphs *ba*, *bb* and *bc* of paragraph 1 of this article which may be effected for a period not exceeding twenty years. Period for loans.

In the case of sub-paragraphs *b* and *c* of paragraph 1 of this article, the loan may also be contracted, in whole or in part, simply by treasury notes and these notes may be renewed at any time. How contracted.

4. Before any loan authorized by this article is issued, the director of finance shall furnish a certificate to the effect that the sum to be borrowed is required for the purposes provided for by this article. Furnishing of certificate.

5. The loans authorized by this article shall not form part of the general borrowing power of the city in virtue of article 343. Borrowing power.

6. By-law No. 718, adopted by the city on the 26th of April, 1920, and by-law No. 793, adopted by the city on the 17th of October, 1922, are confirmed and ratified and declared valid for all legal purposes." By-laws ratified.

8. Article 362 of the act 62 Victoria, chapter 58, as replaced by the act 3 Edward VII, chapter 62, section 36, and amended by the acts 8 Edward VII, chapter 85, sections 18 and 19; 15 George V, chapter 92, section 24, and 18 George V, chapter 97, section 8, is further amended by adding to paragraph *f* thereof, as enacted by the act 15 George V, chapter 92, section 24, the following: 62 Vict., c. 58, art. 362, am.

"The charitable institutions above mentioned include likewise institutions which receive the blind, the deaf and dumb and foundlings, and those recognized as public charitable institutions by the Lieutenant-Governor in Council and which accept the conditions imposed by the Bureau of Public Charities. This definition does not affect, however, the exemptions granted in the past by the city, under this paragraph." Charitable institutions.

9. Article 362*b* of the act 62 Victoria, chapter 58, as enacted by the act 23 George V, chapter 123, section 24, is replaced by the following: 62 Vict., c. 58, art. 362*b*, replaced.

Lands, etc.,
exempted
from muni-
cipal taxes.

"362b. Notwithstanding any law or by-law to the contrary, the city council, on report of the executive committee, is authorized to assimilate to the property of educational establishments, as regards exemption from municipal taxes, the buildings, lands and other immoveables held as owner and occupied by the corporation of "*Les Dominicaines du Rosaire*" and by "The Sisters of Service of Canada", for religious service and for educational, charitable and sheltering purposes.

Taxes
exigible.

Such exemption shall not apply to the water-rates, nor to special taxes for sewers, paving, sidewalks and public lighting."

62 Vict., c.
58, art. 362c,
added.

10. The act 62 Victoria, chapter 58, is amended by adding thereto, after article 362b thereof, as enacted by the act 23 George V, chapter 123, section 24, the following article:

Exemption
from muni-
cipal taxes
of lands,
etc., of cer-
tain religious
corporation.

"362c. Notwithstanding any law or by-law to the contrary, the buildings, lands and other immoveables held as owner and occupied by "*La Corporation des Religieux du Très Saint-Sacrement*" for educational purposes and the moral preservation of youth, which lands and immoveables consist of a site on Mount Royal Avenue, in Montreal, measuring seventy-five feet in width by one hundred and twenty-five feet in depth and bounded in front by Mount Royal Avenue, in rear by lot No. 162-1 of the cadastre for the village of Côte St. Louis, on one side by Berri street, and on the other side by Pontiac street, the said site being composed of part of lots Nos. 27, 26 and 16-e of original lot No. 160 of the said cadastre, and as acquired by the said corporation from Georges Tanguay on the 20th of November, 1928, by deed before Paul Paquet, notary, are assimilated, as long as they are devoted to their present purposes of education and the moral preservation of youth, to the property of educational establishments as regards exemption from municipal and school taxes, and such as from the 1st of May, 1933.

Idem.

From and after the 7th of April, 1932, the city is authorized to exempt from municipal and school taxes, the lands ceded in virtue of a contract passed on the 7th of April, 1932, before Jean Baudouin, N. P., by the city of Montreal to the Corporation of the College of Notre-Dame, for the purpose of constructing thereon for a period of at least twenty-five years the *Externat Classique de Ste. Croix*, provided that the said construction be commenced between now and the 1st of May, 1935.

These exemptions shall not apply to the water-rates, nor Taxes to special taxes for sewers, paving, sidewalks and public exigible lighting."

11. Article 364 of the act 62 Victoria, chapter 58, as 62 Vict., c. amended by the acts 3 Edward VII, chapter 62, sections 58, art. 364, 37 and 38; 4 Edward VII, chapter 49, sections 13 and 14; am. 7 Edward VII, chapter 63, sections 21 and 22; 9 Edward VII, chapter 81, section 16; 1 George V (1911), chapter 60, section 19; 2 George V, chapter 56, section 20; 3 George V, chapter 54, section 17; 4 George V, chapter 73, section 15; 5 George V, chapter 89, sections 9 and 10; 7 George V, chapter 60, section 4; 8 George V, chapter 84, section 34; 10 George V, chapter 86, section 8; 11 George V, chapter 111, section 2; 12 George V, chapter 105, section 5; 13 George V, chapter 91, section 9; 15 George V, chapter 92, section 25; 16 George V, chapter 71, section 14; 18 George V, chapter 97, section 9; 19 George V, chapter 97, section 20; 22 George V, chapter 105, section 20, and 23 George V, chapter 123, section 25, is further amended:

a. By adding thereto, after the first paragraph of paragraph *f* thereof, as replaced by the act 22 George V, chapter 105, section 20, and amended by the act 23 George V, chapter 123, section 25, the following paragraphs:

"When the business of peddler is carried on by means of Tax on a horse-drawn or motor vehicle, the city shall impose upon peddlers. the person, firm or corporation, owning such vehicle, an additional tax of twenty-five dollars for each vehicle used for the said business; bakers distributing bread or bread and cakes, fruit peddlers employing not more than three vehicles, ice merchants distributing only ice to their clients, and persons, companies or corporations delivering, by means of a vehicle, their goods to places of business to resell same, and milkmen distributing only milk, cream or other dairy products or eggs, shall be exempt from the said tax.

The words "junk dealers" or "second-hand dealers" shall Junk not apply to dealers in motor vehicles as defined and dealers, etc. licensed as such under chapter 35 of the Revised Statutes, 1925, who carry on trade in new automobiles and who, occasionally or in the ordinary course of their said business, sell or buy used automobiles, and the said dealers shall be exempt from the special tax first above-mentioned;"

b. By replacing paragraph *dd* thereof, as added by the act 4 Edward VII, chapter 49, section 14, by the following:

"*dd.* An annual special tax not exceeding two hun- Non-resi- dred dollars upon every person, firm, company or cor- dents car- poration, not residing or having a place of business within rying on retail business;

the limits of the city, who or which shall come therein to carry on a retail trade, or the business of removing and transport, or who or which therein shall cause to be delivered or delivers by waggons or vehicles goods so sold in the city, in the case only where a municipality has passed or passes a by-law to impose a tax of this kind upon persons, firms or corporations of the city of Montreal going to do business or deliver goods in such municipality;"

Proviso;

c. By adding thereto the following paragraphs:

Collecting agents;

"ccc. An annual special tax not exceeding one hundred dollars upon every collecting agent, as defined by the act 23 George V, chapter 95;

Public vendors;

"ddd. A special tax not exceeding two dollars per day upon every public vendor plying his trade on a private lot, at the entrance or outside of a building, or on a private vacant lot, except farmers, newspaper vendors and any other public vendor who already pays the city a license or business tax for one kind of business;

Wholesale poultry business;

"eee. An annual special tax not exceeding one hundred dollars on every person carrying on the wholesale poultry business;

Gasoline pumps;

"fff. An annual special tax on pumps used for the sale of gasoline, the amount of such tax being five dollars for each pump over four in the same establishment. Any establishment operating four pumps or less shall be exempt from such annual tax;

Exemption;

Dry cleaning, etc., establishments;

"ggg. An annual special tax of fifty dollars for every dry cleaning, dry dyeing and stain or grease removing establishment. Such tax shall not apply to a tailor's establishment nor to any establishment having less than three employees;

Fumigators, etc.

"hhh. An annual special tax of fifty dollars on every person carrying on the business of fumigation by means of cyanogen gas and an annual special tax of ten dollars on fumigators and an annual special tax of five dollars on journeymen fumigators."

62 Vict., c. 58, art. 369a, repealed.

12. Article 369a of the act 62 Victoria, chapter 58, as enacted by the act 15 George V, chapter 92, section 28, is repealed.

Id., art. 394, repealed.

13. Article 394 of the act 62 Victoria, chapter 58, as replaced by the acts 9 Edward VII, chapter 81, section 19, and 1 George V (1910), chapter 48, section 41, is repealed.

Id., art. 396a, added.

14. The following article is inserted in the act 62 Victoria, chapter 58, after article 396 thereof, as replaced by the act 22 George V, chapter 105, section 23:

"396a. In the cases provided for in articles 761 and following and 1055 of the Code of Civil Procedure, the city shall have recourse for false bidding against the defaulting purchaser when the taxes due since the date of the adjudication have not been paid and if the defaulting purchaser wishes to complete his adjudication he shall, besides the price of his bid, pay the taxes due to date."

Recourse for false bidding in certain case.

15. Article 421 of the act 62 Victoria, chapter 58, as replaced by the act 3 George V, chapter 54, sections 20 and 21, and amended by the acts 4 George V, chapter 73, section 60, and 11 George V, chapter 111, section 4, is further amended by adding thereto the following paragraphs:

62 Vict., c. 58, art. 421, am.

"The city is authorized to accept from a proprietor the gratuitous cession of a piece of land required for the opening or the widening of a street or lane, with the understanding that, should an expropriation tax be later imposed for such improvement, the said proprietor shall have, on his share of such tax which he shall be called upon to pay, the right to a reduction equal to the value, at the time of the expropriation, of the piece of land so ceded, while continuing to be held to the payment of any excess, should such excess exist. The amount so credited to the said proprietor shall be charged to the other proprietors who shall not have ceded their land gratuitously. The value at the time of the expropriation of the land so ceded shall be determined, at the same time as said expropriation, by the Quebec Public Service Commission, the decision of said commission to be final and non-appealable."

Gratuitous cession of certain lands.

When, for the purpose of opening or widening a street, the immoveables belonging to the city are affected, the said immoveables shall be considered the same as if they belonged to individuals and shall be subject to the expropriation, as well as to the apportionment, according to the provisions of the city charter, of the cost of such expropriation."

When immoveables of city affected.

16. The city of Montreal must, as soon as this act comes into force, indemnify the present owner of lot No. 489-23 of the official plan and book of reference for Sault au Recollet situated at the southeast corner of Chateaubriand and Castelnau streets in the city of Montreal, by paying him for all damage incurred through the homologation or expropriation of a portion of the said lot and the entire depreciation of the remainder of the said lot.

Indemnity to owner of certain lot.

17. The city of Montreal is authorized to create a commission composed of the representatives of the great

Creation of commission for:

public bodies, with power to add to their number competent engineers and surveyors to study the expediency:

- Greater Montreal; a. Of realizing a Greater Montreal by annexation of all the municipalities situated on the Island of Montreal;
- Survey; b. Of making a survey of the Island of Montreal;
- Construction of bou- c. Of determining as soon as possible upon a plan of the
levards; whole to permit of the construction of large boulevards or
means of communication, which will greatly reduce the ills
resulting from present unemployment;
- Wages of employees. The wages paid to employees for such works must be
reasonable wages in order to lessen the number of those now
living on direct relief.
- Members. All the members of such commission, except the en-
gineers engaged, must give their services free of charge.

62 Vict., c. 58, art. 477, am. **18.** Article 477 of the act 62 Victoria, chapter 58, as replaced by the acts 7 Edward VII, chapter 63, section 42, and 1 George V (1911), chapter 60, section 27, and amended by the acts 2 George V, chapter 56, section 21; 8 George V, chapter 84, section 41; 11 George V, chapter 111, section 7; 18 George V, chapter 97, section 18, and 23 George V, chapter 123, section 33, is further amended by replacing the third paragraph thereof by the following:

Recorders' salary. "The salary of the chief recorder shall be eight thousand dollars per annum from his appointment as such and the salary of each of the recorders shall be seven thousand dollars per annum, this act applying to the salary of the present chief recorder."

62 Vict., c. 58, art. 487, am. **19.** Article 487 of the act 62 Victoria, chapter 58, as replaced by the act 2 George V, chapter 56, section 23, is amended by replacing the second paragraph thereof by the following:

Additional jurisdiction. "The said court shall also have jurisdiction in all suits for the recovery or imposition of any fine or penalty resulting from any infraction of the provisions of this charter or of any by-law of the city, and also in any suit for the recovery of any tax due to the city by any person, firm, company or corporation, residing or having his or its place of business outside of the city limits.

Provisions safeguarded. This article shall not have the effect of amending section 47 of the act 22 George V, chapter 105, as regards the collection of the water tax."

3 Geo. V, c. 58, s. 5, replaced. **20.** Section 5 of the act 3 George V, chapter 58, as replaced by the act 15 George V, chapter 92, section 60, is again replaced by the following:

"5. There shall not be, in the future, erected,—on the ^{Building regulations on Boulevard Pius IX.} Boulevard Pius IX, from the river St. Lawrence to the Rivière des Prairies, except between Notre-Dame street and the river St. Lawrence and on the lots of land herein-after described, to wit: a lot of land known and described as forming part of the lot of land bearing No. 1, of the official subdivision of lot No. 14, (14-1); a lot of land forming part of lot No. 28 of the official subdivision of lot No. 14, (14-28); a lot of land forming the rear portion of the lot of the official subdivision No. 28, of the lot original official number 14, (14-28); a lot of land forming part of original lot number 13; a lot of land forming part of the lot known and described under the No. 28 of the official subdivision of lot No. 14, (14-28); all such lots being of the official plan and book of reference of the incorporated village of Hochelaga, and except from Ontario street to the tracks of the Canadian Pacific and of the Canadian Northern Railways—,any manufactory, factory or workshop whatsoever. Wood and coal yards and the construction of ice-houses are likewise prohibited thereon. Dwelling-houses, shops and stores, which alone may be there erected,—except the properties forming the corner of St. Catherine street and the constructions situated on the following lots, to wit: a lot of land known and described as forming part of the lot of land bearing No. 1, of the official subdivision of lot No. 14, (14-1); a lot of land forming part of lot No. 28, of the official subdivision of lot No. 14, (14-28); a lot of land forming the rear portion of the lot of the official subdivision No. 28, of the lot original official number 14, (14-28); a lot of land forming part of the original lot number 13; a lot of land forming part of the lot known and described under the No. 28 of the official subdivision of lot No. 14, (14Pt. 28); all such lots being of the official plan and book of reference of the incorporated village of Hochelaga—, shall be twelve feet uniformly from the homologated line of the said Boulevard, have at least two stories in height, and be built of stone or brick, or wood encased in stone or brick.

Stairs constructed on the face of the above buildings or constructions are prohibited."

21. Notwithstanding the provisions of sections 2 and 3 of the act 5 George V, chapter 101, the plan of the city establishing the lines of St. Laurent road (now Lachapelle street) and designated under number L-23, Cartierville, is declared valid and legal, and the building permits which have been granted by the said city according to the lines appearing on the said plan are declared to have been so granted validly and legally. ^{Validation of certain city plan, etc.}

11 Geo. V,
c. 112 (Sch.
B), s. 34,
am.

22. Section 34 of the act 11 George V, chapter 112 (Schedule B), as replaced by the acts 12 George V, chapter 105, section 12; 13 George V, chapter 91, section 12; 15 George V, chapter 92, section 65, and 19 George V, chapter 97, section 38, and amended by the acts 22 George V, chapter 105, section 41, and 23 George V, chapter 123, section 39, is further amended by adding thereto, after paragraph 10 thereof, as replaced by the act 23 George V, chapter 123, section 39, the following paragraph:

Lighting
system.

"11. To the loans, up to nine hundred thousand dollars, for the improvement of the city's lighting system."

13 Geo. V, c.
91, s. 17,
replaced.

23. Section 17 of the act 13 George V, chapter 91, is replaced by the following:

Imposition
on bordering
proprietors
in certain
case.

"**17.** When the city lays a water-main to be connected with its general waterworks system and finds that the amounts it will collect for the water supplied to the places where such main is laid do not produce a revenue of six per cent per annum on the cost of such water-main and on the expenses entailed by the laying thereof, the city is authorized, by simple resolution of the council, on a report from the executive committee, to impose on the bordering proprietors in front of whose immoveables such water-main has been laid a special tax not exceeding a sum representing the difference between the amounts collected and the above-mentioned six per cent.

Assessment.

Such assessment shall be made according to the frontage of the immoveables.

Entering,
etc., of tax.

The tax so levied shall be entered on the annual assessment roll and shall be collected in the same manner as the annual assessments, and the cost of said works shall include the sums expended by the city for such purpose as well as the interest thereon, at the rate of six per cent per annum from the date on which such sums have been paid by the city to the date of the coming into force of the annual assessment roll on which such tax is entered."

22 Geo. V, c.
105, s. 58,
repealed.

24. Section 58 of the act 22 George V, chapter 105, is repealed.

23 Geo. V, c.
123, s. 43,
replaced.

25. Section 43 of the act 23 George V, chapter 123, is replaced by the following:

How certain
roll amend-
ed in certain
case.

"**43.** Notwithstanding any law to the contrary, if, after the coming into force of a roll assessing on the bordering immoveables the cost of an expropriation, a sewer, a paving, a sidewalk or other works, an immoveable affected

by such roll is, in whole or in part, subdivided or resubdivided as per a duly registered plan, or if the plan of a single lot is modified, it shall be lawful for the city to amend such roll by assessing the tax as if the state of affairs created by the subdivision or resubdivision or the modification of the plan had existed at the time of the coming into force of the original roll, provided that, by such new assessment, the city remit no portion whatever of the tax."

26. Section 44 of the act 23 George V, chapter 123, is replaced by the following: 23 Geo. V, c. 123, s. 44, replaced.

"44. The city is authorized to amend the resolution of the council, under date of the 19th of January, 1931, enacting the expropriation of Van Horne Avenue, between Côte des Neiges Road and Décarie Boulevard, Amending of certain resolution authorized.

a. By replacing paragraph *a* of said resolution by the following:

"a. That instructions be given to the city attorneys to make, under articles 421 and following of the city charter, the necessary proceedings for the acquisition, by mutual agreement or by expropriation, of the pieces of land required for the opening of Van Horne Avenue, between Côte des Neiges Road and Décarie Boulevard, Mount Royal and Notre Dame de Grâces wards, including Lemieux, Victoria, Lavoie and Légaré streets, as per plan V-4, Côte des Neiges." Acquisition of certain land.

b. By replacing paragraph *b* of said resolution by the following:

"b. That the total cost of the acquisition, by mutual agreement or by expropriation, of the pieces of land required for the opening of Van Horne Avenue, between Côte des Neiges Road and the western limit of Mount Royal ward, including Lemieux, Victoria, Lavoie and Légaré streets, be paid by the bordering proprietors of said part of Van Horne Avenue, between Légaré street and the southwest limit of Mount Royal ward, according to the value of the immoveables, without the buildings, and as per an apportionment roll to be prepared in this connection, in accordance with the provisions of the city charter." Total cost, etc., of acquisition.

27. Section 48 of the act 23 George V, chapter 123, is replaced by the following: 23 Geo. V, c. 123, s. 48, replaced.

"48. The city is authorized within the next three years, to add as special tax to the assessment roll for any year the amount of the tax for the expropriation enacted, by Adding of special tax to assessment roll authorized.

resolution of its council under date of the 9th of September, 1929, for the acquisition of the immoveables required for the approaches to the bridge connecting Montreal to the south shore of the St. Lawrence river, and the chairman of the board of assessors shall not be held to prepare an expropriation roll in this connection nor to give any notices in respect thereto."

23 Geo. V, c. 123, s. 54, replaced. **28.** Section 54 of the act 23 George V, chapter 123, is replaced by the following:

Payment
out of
surplus.

"**54.** During the course of the fiscal year ending on the 30th of April, 1935, the council may, on the report of the executive committee, authorize the payment of any debt contracted by the city during the course of a previous fiscal year—provided that there are no funds available for this purpose—out of any surplus in reserve, and, in case such surplus should not exist or should be insufficient, out of the appropriations voted by the budget for the said fiscal year then running and amend the budget in consequence."

Annulling of
certain bud-
get, etc.

29. The budget prepared by the executive committee for the fiscal year beginning on the 1st of May, 1934, and ending on the 30th of April, 1935, and which was deposited in the office of the council on the 20th of February, 1934, and the report of the committee accompanying the same, are annulled.

Prepara-
tion, etc., of
new budget.

The executive committee shall prepare a new budget and deposit the same with the report or the reports required by law, in the office of the council not later than the 5th of May, 1934, and the council shall pass it on or before the 14th of the same month.

Special loan
in certain
case.

At any time before the passing of the budget, the council shall impose, to the extent it may deem just, the taxes which are to be levied for the said fiscal year. If the probable revenue from the taxes imposed by law as well as by the council, including permits, licenses, any other source of revenue and any available surplus from any previous fiscal year, if such surplus exist, the whole estimated by the director of finance, and notwithstanding section 58 of the act 23 George V, chapter 123, is, in the opinion of the council insufficient to meet the necessary expenses for the said fiscal year, there may be added to the probable revenue so estimated a sum not exceeding six million seven hundred and thirty-one thousand two hundred and ninety-one dollars and forty-five cents, which the city may obtain by means of a special loan hereinafter mentioned.

The amount of the said estimate, as well as the additional sum that the council may add thereto, which sum shall not exceed the said sum of six million seven hundred and thirty-one thousand two hundred and ninety-one dollars and forty-five cents, shall form the total sum which the council may vote in the said budget. Total sum to be voted.

All the powers conferred by this section, either upon the executive committee, or upon the council, or upon both bodies, may be exercised by mere resolution, without preliminary or subsequent formality. These resolutions must be adopted before the budget and they shall come into force as soon as they shall have been adopted. Exercising of powers.

All the provisions of the charter respecting the issue and negotiation of such special loan, unless they are derogated from by this section, shall apply. Issue, etc., of special loan.

Such loan shall not affect the general borrowing power of the city. Borrowing power.

Such loan shall be made by means of bonds issued in series, the maturing dates extending over a period not exceeding fifteen years, the amount payable each year in principal and interest to be, in so far as possible, uniform, except for the first two years when the part of the principal repayable may be for a smaller amount. How loan to be effected.

The resolution authorizing such loan must provide for the imposing of a special tax which must be levied during the term of the loan, of a sufficient amount, every year, to meet the principal and interest payments maturing during the year. Such special tax shall be established and levied in the following manner: on or before the 15th of February of each year, the director of finance of the city shall establish by a certificate signed by him (a) the amount in principal and interest of such loan falling due in the coming year, and (b) to constitute the amount required to pay such interest and principal, the percentage which must be added to the amount of taxes for the coming year taking as a basis the estimated revenue prepared for the budget, namely, all real estate and personal taxes of whatever nature, including the water tax, but not including the special tax authorized by the act 23 George V, chapter 123, section 50, the school tax, the special real estate taxes imposed for paving work, sewers, sidewalks or expropriation, and the special real estate taxes imposed to pay the interest and sinking-funds of special loans. Imposing and scope of special tax.

For the fiscal year beginning on the 1st of May, 1934, such certificate may be prepared and produced at any time before the passing of the budget. Certificate.

Levying of
special tax.

Every year, including the fiscal year 1934-35, the council shall order, at the time of the passing of the budget, the levying of such special tax by means of such percentage as it may determine. The adoption of such resolution shall have the effect of increasing to the extent of such percentage all taxes as set forth above, payable for the year mentioned in the resolution.

Assimila-
tion.

Such special tax shall form part of the tax to which it shall have been so added, without the necessity to enter it in any roll. It shall constitute a privileged claim in favour of the city of the same nature as that to which it is added and shall enjoy all the privileges attached to the latter by the charter.

Tax
receipts.

Such tax must appear on every tax receipt issued by the director of finance.

Temporary
loan in cer-
tain event.

If the budget for the fiscal year 1934-35 is not passed before the 1st of May, the executive committee in office may authorize the director of finance to use temporarily the cash in hand coming from any source to pay the necessary expenses chargeable against the revenue incurred and exigible from and after the 1st of May. If there is no cash in hand or if the amount in hand is insufficient, the committee may authorize a temporary loan from the banks, which loan must be reimbursed immediately after the passing of the budget, either by means of revenue collected or by means of a regular loan in anticipation of the collection of the revenue for the fiscal year then running.

Loan au-
thorized.

30. To carry out the undertaking authorized by the act 9 Edward VII, chapter 81, section 37, the city may borrow a sum not exceeding three million dollars for a term not exceeding forty years. Any loan made for such purpose shall not affect the general borrowing power which the city has in virtue of articles 343 and 343a of its charter and shall be subject to the approval of the electors owning immoveables.

Certifying
of financial
statements.

31. The financial statements of the city for the period ending on the 30th of April, 1934, shall be certified by the firms P. S. Ross & Sons and Larue & Trudel, instead of being so certified by the city auditor, and such statements thus certified shall constitute the annual financial statements required by the city charter and by-laws.

Charging to
special tax
of:

32. The city is authorized to charge to the special tax provided for by section 23 of the act 6 George V, chapter 44, as replaced by section 40 of the act 22 George V, chapter 105:

a. The cost of the expropriation on Sherbrooke street, to the extent that the part of such expropriation effected in the former municipality of Longue Pointe and in the municipality of St. Jean de Dieu is concerned, and the cost of the slab sidewalk on the south side of Sherbrooke street, across the municipality of St. Jean de Dieu; Certain expropriation;

b. The cost of the construction of that part of Gilford street sewer, between Franchère and Iberville streets; Certain construction;

c. The cost of the paving of Hochelaga street, to the extent that the part of such paving in the municipality of St. Jean de Dieu is concerned; Certain paving;

d. The cost of the paving of Décarie Boulevard, to the extent that the part of such paving in the town of Mount Royal and in the village of Côte St. Luc is concerned. Idem.

33. All the immoveable properties which the city now possesses or which it may hereafter possess within the limits of other municipalities and which are utilized as streets, avenues or boulevards shall be, from the 1st of January, 1910, exempt from all municipal taxes whatsoever as well as from school taxes. Tax exemption of city's immoveable properties.

This provision shall not affect the provisions of the act 11 George V, chapter 115, section 1. Provisions safeguarded.

34. Notwithstanding any law to the contrary and especially section 34 of the Quebec License Act (Revised Statutes, 1925, chapter 25) that part of by-law No. 432 imposing a tax of five dollars on restaurants, is declared valid and legal, and the sums collected under this head by the city in the past are declared to have been legally collected. Certain sums declared legally collected.

35. For the purpose of apportioning the cost of expropriations or of pavings, sidewalks or sewers or of other municipal works, an intersection of two or more streets, notwithstanding the names of the streets forming such intersection, may indifferently bear one or the other of the names of the streets constituting the same. The intersection of two or more streets forming a regular or irregular figure shall be determined, as need be, by the director of public works or by any other person duly authorized to represent him. Apportioning of certain costs.

36. The city is authorized to charge the cost of the stairs taking the place of a roadway or a sidewalk to the proprietors to whom it deems that the construction of such stairs is profitable. Charging of cost of stairs.

Tax
therefor.

The tax to be established for such purpose shall be assimilated to the tax relating to the construction of sidewalks and shall be imposed and collected in the same manner as the latter.

Diverting of
certain sum
authorized.

37. The city is authorized to divert from the sum of one million dollars provided for the enlargement of Bonsecours market, out of the loan of one million seven hundred thousand dollars authorized, for the purposes of public markets, by by-law No. 1151, adopted by the council on the 30th of October, 1931, as amended by by-laws Nos. 1168 and 1235, adopted on the 7th of January, 1932, and 22nd of May, 1933, respectively, a sum not exceeding two hundred and twenty-five thousand dollars to provide for the repairing of said Bonsecours market. The by-law which the city will pass in this connection shall not be subject to the approval of the electors owning taxable real estate in the city. The amount which will be thus applied to the repairing of said Bonsecours market may be borrowed for a term not exceeding forty years from the date of the issue of such loan.

Loan
authorized.

38. The city is also authorized to borrow a sum not exceeding nine hundred and fifty-five thousand dollars to provide for the purchase of ground situated between Frontenac, Ontario, St. Catherine and Bercy streets, for the purposes of a market, and for the construction of pavements and shelters on the said ground, such constructions to be used as public halls, the whole subject to the approval of the elector-proprietors.

Decision,
concerning
certain
expropriations.

39. 1. Notwithstanding any provision to the contrary contained in any act, resolution, by-law or apportionment roll, the president of the Quebec Public Service Commission, whose decision in this connection shall be final, without appeal and binding upon everyone, shall determine if certain expropriations included in the two following classes are too costly and, in the affirmative, by what percentage the cost of an expropriation or the apportionment roll shall be reduced.

Expropriations
comprised.

Such classes include, saving the exceptions contained in subsection 5 of this section if the council amends the said rolls within the delay fixed:

a. Every expropriation authorized and carried out before the 31st of December, 1921, and the cost whereof has not been apportioned, or, if the cost thereof has been apportioned, the roll whereof has been suspended by law or otherwise;

b. Every expropriation authorized and carried out between the 1st of January, 1922, and the 1st of October, 1933, whether the cost thereof has been apportioned or not, and whether the rolls thereof have been suspended or not, except the expropriations sixty per cent of the total cost whereof shall have been collected by the city on the 1st of October, 1933, the latter expropriations not being subject to revision.

2. The president of the Public Service Commission, however, shall not proceed with the revision of the whole or part of the cost of an expropriation assessable or apportioned on: When revision not proceeded with.

a. the bordering immoveables on a street where such expropriation has been carried out, unless the share so payable, without accrued interest, exceed five per cent of the total sum of the municipal valuation of the immoveables so assessable or assessed;

b. the immoveables of a ward or of a distinct territory, unless the share so payable, without accrued interest, exceed one-fourth of one per cent of the total sum of the municipal valuation of the immoveables so assessable or assessed.

The above-mentioned municipal valuation shall be that appearing on the valuation roll in force on the 1st of October, 1933. Valuation contemplated.

3. Within thirty days from the coming into force of this act, the chairman of the board of assessors of the city shall deposit with the president of the Public Service Commission, in connection with every expropriation within the jurisdiction of the president of the Public Service Commission, under this act, the following documents: Deposit of certain documents within certain period.

(1) a certified copy of every resolution or by-law authorizing the said expropriation and determining in what manner and by whom the cost thereof shall be paid;

(2) a statement signed by the director of finance, for each such expropriation, containing;

a. the date of said expropriation with an indication to the effect that the roll has or has not been made, or has been suspended by an act of the Legislature or otherwise;

b. a description of the extent of the expropriation;

c. the apportionment of the cost of the expropriation, as established by the resolution or the by-law enacting the same;

d. the total cost of said expropriation, without taking the accrued interest into account;

e. the total sum of the municipal valuation as at the 1st of October, 1933:

- I. of the bordering immoveables on the street where the said expropriation has been carried out and which are assessable or assessed as a result of said expropriation;
- II. of the immoveables of a ward or of a territory which are assessable or assessed as a result of said expropriation;
- III. the percentage of the total of the apportionment without accrued interest, opposite the total sum of the municipal valuation as at the 1st of October, 1933, of the properties assessable or assessed in connection with
 - A. the bordering immoveables on a street where the said expropriation has been carried out;
 - B. the immoveables of a ward or of a territory subject to the apportionment of the cost of said expropriation;

f. the total cost of said expropriation in capital with the interest exigible from the proprietors as at the 1st of October, 1933;

g. the total percentage of the sums collected in capital from the ratepayers on the rolls of said expropriation, as at the 1st of October, 1933.

Requiring
of other
documents.

The president of the Public Service Commission may require any other documents which he may deem useful or necessary.

Fixing of
hearing
after
deposit.

4. As soon as such documents shall have been deposited as above mentioned, the president of the Public Service Commission shall fix the days convenient for him to hear the interested parties, who may be represented by attorneys, but no fee or expense payable by the city shall be granted to the said attorneys.

Notice of
hearing.

As soon as a day shall have been fixed for the hearing of one or more expropriations, public notice of such hearing shall be given five days beforehand by the city attorney, according to the provisions of article 533 of the charter.

If cost of
expropria-
tion deemed
too costly.

5. The president of the Public Service Commission may, if he deems that the cost of an expropriation which has not been apportioned, with the interest which the law imposes on the proprietors, or that the total amount of an apportionment roll, with interest calculated on such roll up to the 1st of October, 1933, is too costly for the ratepayers called upon to pay the same, reduce the total sum so calculated or simply the share of the bordering proprietors, or of any other class of ratepayers established by the resolution enacting such expropriation, by a percentage not

exceeding 50% of the total amount of the said cost or of the said roll, including interest up to the 1st of October, 1933; except for the expropriation of Rachel street, the apportionment whereof, as regards the share of individuals, shall remain the same except that such share shall be limited to 25%, the remaining 75% to be paid by the city of Montreal by means of a special general tax.

The president of the Public Service Commission shall also be empowered to determine within what delay, from the 1st of October, 1933, the percentage of the tax with the interest imposed upon the taxpayers shall be payable, provided that, notwithstanding any law to the contrary, the term so fixed do not exceed twenty years.

The reduction which may be granted and the delay which may be fixed by the president of the Public Service Commission shall not be necessarily uniform for each expropriation.

In no case, however, shall the president of the Public Service Commission otherwise change or modify the modes of apportionment (resolutions or rolls) of the cost of such expropriations.

The municipal council of Montreal is authorized, within a delay not to exceed six months, to revise or amend the apportionment rolls for Jean Talon street, Park Avenue, Lajeunesse street, and Côte Ste. Catherine.

6. The president of the Public Service Commission shall complete his work within six months from the coming into force of this act. The president of the Public Service Commission shall, however, have the right to extend this delay if it is impossible for him to complete his work within that period, provided that such additional delay does not exceed six months.

7. The amount of the reduction in capital and interest shall be borne by the city and be taken out of its ordinary revenue without the imposition of any special tax.

8. a. For any expropriation not submitted to the president of the Public Service Commission, the rolls made shall remain in force and be executory. The rolls which have not yet been made shall be prepared at once and shall be put in force according to the law within the year following the coming into force of this act.

b. For any expropriation which shall have been submitted to the president of the Public Service Commission, the rolls which have not been made shall be prepared at once in accordance with the award and put in force according to law within the year following the coming into force of this act.

- Amending of rolls. Any roll made which shall have to be amended shall be so amended within sixty days from the date of the award by the president of the Public Service Commission in connection with the expropriation covered by such roll.
- Percentage of interest. In the cases mentioned in the two preceding paragraphs of paragraph *b*, the percentage of the interest to be charged to the proprietors shall be added to the proportion of the capital which shall remain due by them, so as to form a total sum which shall in future constitute the amount of the roll.
- Other rolls. The other rolls which shall have been made and which shall not have to be amended shall remain in force and be executory.
- Making of amendments to rolls. *c.* Every amendment to the rolls shall be made by the chairman of the board of assessors in the margin of such rolls. Every change shall be initialed by him and a certificate bearing his signature attesting such change shall be placed on each roll so amended.
- Certificate. The certificate shall refer to the award of the president of the Public Service Commission enacting the said change.
- No revision, etc., of amended rolls. *d.* No roll so amended shall be subject to revision or to homologation or to contestation. It shall come into force and be executory by the sole fact of the change made as above mentioned.
- Invoices. *e.* In the case where invoices shall have been already addressed to the interested parties, it shall not be necessary to forward new ones and the changes required shall be made on the invoices which shall be in their hands, after having been effected in the city's books, as indicated in this act.
- Making of adjustments. *f.* The director of finance shall make the adjustments ordered, after having made them in the city's books, on the invoices already sent, upon presentation of the latter by the interested taxpayers.
- Application of sums collected. *g.* The sums already collected by the city shall be applied to the payment of the sums, whether exigible or not, imposed by the rolls as amended, provided, however, the proprietors whose names appear on the valuation roll in force on the 1st of October, 1933, be credited with any surplus to which they are entitled, as well as with the interest paid on the surplus which may have been charged to them under the original rolls.
- Proviso. When the tax appearing on the original rolls shall have been fully paid, the sum collected shall be applied to the payment of the charges established by the amended rolls, and the surplus, if any, shall be credited against any sum
- Surplus sums.

otherwise due to the city by the proprietors whose names appear on the valuation roll on the 1st of October, 1933. Should the said proprietors not be indebted to the city for any sum on the date on which the above-mentioned credit shall be allowed, the city shall reimburse the said surplus ^{Reimbursement.} without interest. Any reimbursement which shall not have been made within five years from the correction of the said rolls shall be prescribed. The reimbursement shall be made upon production of the receipts which shall have been given to the ratepayers and, in default of the production of said receipts, the executive committee is authorized to determine the necessary procedure to safeguard the city against double reimbursements.

h. The interest at the rate fixed by the charter shall run ^{Interest.} from the 1st of October, 1933, on every roll coming under the first three paragraphs of paragraph *b* of the present subsection 8.

9. This act does not include the annual expropriations, ^{Exclusions} nor the expropriations charged to the city, nor those the ^{from act.} apportionment whereof, after having been made, has been specially confirmed by the law.

Neither shall this act apply to an expropriation the ap- ^{Idem.} portionment whereof has been enacted by law, except where the cost of such expropriation exceeds the percentage of 5% or of $\frac{1}{4}$ %, as the case may be, of the total amount of the municipal valuation, as indicated in paragraphs *a* and *b* of subsection 2, but, even in such case, this act does not apply if, on the 1st of October, 1933, a percentage of 60% of the cost of such expropriation has been collected by the city.

10. From and after the coming into force of this act, all ^{Suspension} judicial proceedings taken against the city for the purpose ^{of certain} of annulling a resolution or a by-law enacting an expropria- ^{judicial pro-} tion, or an apportionment roll of the cost of an expropria- ^{ceedings.} tion, shall be suspended until final decision by the president of the Quebec Public Service Commission, and, as soon as such decision shall have been rendered, the said proceedings shall become null and of no effect, the city to pay the costs thereof.

Notwithstanding any law or resolution to the contrary, ^{Exercising} the powers granted to the council of the city of Montreal ^{of certain} by the act 19 George V, chapter 97, section 46, shall be ^{powers.} exercised by the president of the Quebec Public Service Commission after the city shall have given notice, in conformity with subsection 4 of this section 39, and, the manner of apportioning the cost of the said expropriations being determined, the provisions of this section 39 shall apply.

In absence of president. 11. In the absence of the president of the Quebec Public Service Commission, or if it is impossible for him to act, the vice-president shall exercise the powers vested in the president.

Certain payments authorized. 12. The city is hereby authorized to pay to the president of the Public Service Commission all accounts for fees, additional disbursements and expenses, such as expenses of secretaries, stenographers, etc., to which he shall be equitably entitled as a result of the application of this act.

Rules of procedure. 13. The president of the Public Service Commission shall establish such rules of procedure as he may deem advisable to observe in order to achieve the purposes prescribed by this act.

Amending of certain roll. 14. The roll imposing upon part of St. George Ward the apportioning of the cost of the expropriation of Cypress street between Peel and Stanley streets is amended, so that the total cost of the said expropriation be charged to all the owners of immoveables situated in the said St. George Ward, in proportion to the value of the said immoveables, as entered on the valuation roll without the buildings.

Use of certain valuation roll. **40.** 1. Notwithstanding any law to the contrary, the valuation roll which came into force on the 18th of September, 1933, shall be used for the imposition of real estate taxes or assessments for the fiscal year beginning on the 1st of May, 1934, and ending on the 30th of April, 1935. However, such roll shall be subject to revision. This revision the purpose of which shall be the preparation of a supplementary roll, to include only those immoveables which

Supplementary roll. have undergone change, either as respects their condition or their owners' names, since the 18th of September, 1933, must be completed not later than the 30th of April, 1934. As soon as such supplementary roll shall have been completed, the chairman of the board of assessors shall give public notice thereof in two daily newspapers published in French and in two daily newspapers published in English, at Montreal, specifying in each of such notices the delay allowed for the examination of the said rolls with respect to each ward of the city, which delay shall not be less than eight days counting from the date of the last insertion of such notice, and also specifying the days on which the board of assessors will hear the persons who within

Complaints. the said delay laid a complaint against one or the other of the said rolls. Articles 380 to 386 of the charter shall apply, *mutatis mutandis*, except that the board of assessors must render its decisions before the 1st of July, 1934.

Such supplementary roll shall form part, for all legal purposes, of the general roll and with the latter roll shall remain in force until a new roll be made according to law. Assimilation of supplementary roll.

2. The board of assessors must prepare an exact copy of the said valuation roll, including therein the amendments made thereto by the said supplementary roll and by the decisions which the board will render. Such copy, certified by the chairman of the board of assessors, must be transmitted to the director of finance not later than the 2nd of July, 1934. Preparation of copy of valuation roll.

The real estate tax or assessment roll for the said fiscal year 1934-35, which must include the real estate taxes imposed by the law and by the by-laws and resolutions, including the school tax, shall be prepared by the director of finance who shall use, for the preparation of such tax roll, the said certified copy of the valuation roll. Preparation of assessment roll for 1934-35.

Such tax roll shall not be subject to revision nor to homologation. As soon as it shall have been completed, the director of finance shall, at any time before the 20th of September, give public notice thereof according to form No. 25 of the charter, in which he shall announce that the real estate assessment roll has been completed and deposited in his office, and he shall require all persons held to pay the sums mentioned therein to pay the amount at his office on or before the 1st of October following. Notice of same.

3. From and after the 1st of May, 1934, and each year thereafter counting from the same date, the board of assessors shall proceed, following the provisions of the charter, saving the amendments made thereto by this act, with the preparation in duplicate of a new valuation roll which shall be completed for the 1st of December following. Preparation of new valuation roll.

As soon as such roll shall have been completed, the board of assessors shall give public notice in two daily newspapers published in French and in two daily newspapers published in English, at Montreal, that such roll is completed and deposited, and that any complaint against such roll must be produced before the board of assessors on or before the 20th of December under penalty of being debarred. After the 20th of December, the board of assessors shall proceed to hear and decide the complaints laid, provided that at least two days previous notice thereof be given to the complainants. The board of assessors shall render its decisions within the shortest possible delay, but not later than the last day of February following. Notice of same. Complaints.

Every complaint shall be made, heard and decided in accordance with the procedure indicated in the charter, Hearing of complaints.

and every decision rendered by the board of assessors shall be subject to appeal, as provided for by the charter.

Coming into
force, etc.,
of roll.

The roll shall be certified and signed, as provided for by the charter, and one of the duplicates thereof shall be transmitted to the director of finance not later than the 1st of March following, and, immediately, such roll, except in the case where an appeal is made, shall come into force and be obligatory and shall be used as a basis for the imposition of real estate taxes, including the school tax, for the fiscal year following.

Preparation
of real
estate
assessment
roll.

Each year, on reception of this roll, the director of finance shall prepare the real estate assessment roll for the following fiscal year. Such roll shall not be subject to revision nor to homologation. As soon as it shall have been completed, the director of finance shall give public notice according to form No. 25, in which he shall announce that the real estate assessment roll has been completed and deposited in his office, and he shall require all persons held to pay the sums mentioned therein to pay the amount at his office within ten days, without further notice.

Discount for
prior pay-
ment of
taxes.

4. Every ratepayer who shall pay, in whole or in part, before the date on which they become due, except within fifteen days preceding such date, the tax or taxes which he is held to pay under such real estate assessment roll, shall be entitled, on the amount so paid in advance, to a discount equal to the interest on the amount of the taxes due, from the date of the payment of such taxes to the date on which they become due. The rate of interest to serve as a basis for the calculation of the discount shall be fixed, each year, by the council, but, in no case, shall the rate of $4\frac{1}{2}\%$ per annum be exceeded.

Amount
restricted.

Provisions
safeguarded.

5. With the exception of the modifications made by this section, all the provisions of the charter shall continue to apply as regards the exigibility of real estate taxes or assessments, their collection, the privileges and any other matter pertaining thereto.

Idem.

6. The law is not amended as regards the annual roll designated in article 376 of the charter under the name of "tax roll". This roll, however, shall contain the valuation of the actual annual value of the immoveables.

Proviso.

Use of cer-
tain tax roll.

The tax roll to be made in 1934 and each year thereafter shall be used for the fiscal year beginning on the 1st of May of the year in which it shall have been made.

Electoral
list.

7. The electoral list to be prepared each year shall be based, for the year 1934, on the valuation roll which came into force on the 18th of September, 1933, as revised on

the 15th of May, 1934, and on the tax roll which shall come into force in the month of August, 1934.

For the year 1935 and for each year thereafter, the Electoral electoral list shall be based on the valuation roll which shall ^{list.} have been completed and certified on the 1st of March preceding and on the tax roll which shall come into force in the month of August of the same year, and it shall be revised and completed in the manner indicated in this subsection.

As soon as the list of a ward shall have been completed, Deposit. it shall be deposited with the city clerk. The list of all the wards shall be in the hands of the city clerk not later than the 15th of September.

As soon as the city clerk shall have received the list of Revision. one or more wards or of all the wards, he shall proceed, as soon as he receives such list, with their revision by the recorder according to the procedure indicated in the charter, observing the same delay, as regards the number of days, as that required by the charter.

The revision of all the lists shall be completed for the Completion. 10th of October.

8. The date of the 10th of September is substituted for Changing of that of the 25th of November mentioned in article 44a of certain dates. the charter; that of the 10th of October is substituted for that of the 18th of January mentioned in article 76 of the charter, and for that of the 15th of January mentioned in article 73 of the charter.

9. Whenever, in the charter, reference is made to the Interpretation. valuation roll or to the real estate assessment roll, or to the valuation and real estate assessment roll, such reference shall apply, as the case may be, to the valuation roll or to the real estate assessment roll prepared according to the provisions of this act.

41. 1. If, after the valuation roll has been homologated, it is found that an immoveable has been omitted from the roll, the board of assessors may, the interested proprietor having been heard after a written pre-notice of eight days, enter on the roll the immoveable so omitted. ^{Entering of omitted immoveable.}

There shall be appeal from the decision of the board of Appeal. assessors to the recorder's court within the delays and in the manner indicated in article 383 of the charter.

Any change so made in the valuation roll shall be communicated, after the delay for appeal has expired or after the decision of the recorder if an appeal has been made, to the director of finance, by means of a certificate bearing the signature of the chairman of the board of assessors. ^{Communication of change.}

Modifying
upon receipt
of certifi-
cate.

Upon receipt of such certificate, the director of finance shall modify accordingly the real estate assessment roll by imposing on the immoveable which had been omitted the taxes for which such immoveable would have been imposed if it had been entered at the time of the preparation of the roll.

Effect of
changes.

2. The changes or modifications so made in the valuation roll and in the real estate assessment roll shall form part of the said rolls for all legal purposes.

Residue of
certain lots.

42. When, following expropriation proceedings, the city acquires the residue of a lot for which, at the time of its sale by auction, it could not find any purchaser and which is not usable by the said city, such residue is assessable for its share of the cost of local improvements, but the instalments are to be charged, as they become due, to the special tax prescribed by section 23 of the act 6 George V, chapter 44, as replaced by section 40 of the act 22 George V, chapter 105, for the time during which the city shall remain proprietor thereof.

Idem.

The city is authorized, when it deems it advisable, to declare that certain residues, whereof it has become proprietor following an expropriation, form a square or form part of a street or a lane.

Loan
authorized.

43. The city is authorized to effect, under the unemployment relief acts, a loan to the amount of three hundred and forty-two thousand nine hundred and forty dollars and nine cents to pay the excess of the expenses over the amount of the loan authorized by by-law No. 1156, for the carrying out of unemployment relief works.

Furnishing
of list of em-
ployees.

44. Notwithstanding any law to the contrary, every person, corporation, firm or institution whatsoever, having one or more persons in his or its employ in the city of Montreal, must, within a delay of fifteen days after the coming into force of this act, deliver to the Unemployment Commission of the City of Montreal, a list of the names and addresses of his or its employees, and, every week thereafter, a list of employees engaged or dismissed during such week.

Penalty for
refusal.

Every person, corporation, firm or institution who or which refuses to comply with the above provision commits an offence and shall be liable, in addition to costs, to a fine not exceeding fifty dollars for each offence. The said fine shall be recoverable before the Recorder's Court of the city of Montreal.

45. In the expropriation made in the year 1916, for the widening of the waterworks' canal and the establishing of boulevards, the city of Montreal may, to provide a remedy for the loss of the arbitration awards and failure to register them, have a declaration registered containing a description of the lands and properties which were the object of the expropriation and a mention of the amount of the indemnity deposited for each property expropriated, accompanied by a receipt or duplicate receipt from the prothonotary showing that the entire sum of the indemnities has been deposited in his hands. The registration of such declaration shall be sufficient for any purpose whatever and the city shall not be obliged to register any other titles of ownership. The registrar for the Registration Division of Montreal shall accept such declaration and such receipt or duplicate receipt and register them. Registration, etc., of certain declaration.

46. Notwithstanding any provision to the contrary, the city is authorized to sell, in accordance with the provisions of its charter, the lots numbers 2628-1, 2 and 3a, of the cadastre of the parish of St. Laurent, which were ceded to the said city to form part of Hanotaux (now Jean Talon) street and were not used for such purpose, with the consent of the assignor or of his legal representatives. Sale of certain lots authorized.

47. The city may, in case of the superannuation of the director of the health department, pay him a pension equal to the maximum provided for by by-law 1149, as amended by by-law 1209. Pension to director of health department.

48. The deed of arrangement between the city of Montreal and the Montreal Tramways Company, passed before Jean Baudouin, N. P., on the 7th of April, 1934, under the number 13330 of the minutes of his repertory, is declared valid and legal. Validation of certain deed of arrangement.

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

