



## CHAPTER 123

An Act to amend the charter of the city of Montreal

[Assented to, the 13th of April, 1933]

**W**HEREAS the city of Montreal has, by its petition, re-<sup>Preamble.</sup>  
presented that it is in the interest of the city and ne-  
cessary 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 5 of the act 62 Victoria, chapter 58, as amend-<sup>62 Viet., c.</sup>  
ed by the acts 7 Edward VII, chapter 63, section 1; 8<sup>58, art, 5,</sup>  
Edward VII, chapter 85, section 1; 9 Edward VII, chapter<sup>am.</sup>  
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, and 22 George  
V, chapter 105, section 2, is further amended by adding  
thereto, after paragraph *g*, as enacted by the act 22 George  
V, chapter 105, section 2, the following paragraph:

“*r.* The city of Montreal has jurisdiction for policing  
purposes to the exclusion of the city of Verdun, over the  
following territory situated in the city of Verdun, to wit:  
“Starting from a point, being the intersection of the tail  
race and of the center of Atwater avenue; thence, following  
the center of Atwater avenue to the center of Joseph  
street; thence, following the center of Joseph street to the

Jurisdiction  
for policing  
purposes  
over certain  
territory:  
Description.

center of Dupuis avenue; thence, following the center of Dupuis avenue to the center of Bannantyne avenue; thence, following the center of Bannantyne avenue to the dividing line between cadastral numbers 3401 and 3406; thence, following the dividing line between cadastral numbers 3401 and 3406 to the center of Bond street; thence, following the center of Bond street and the center of the proposed Aqueduct boulevard to the limit line between the cadastral divisions designated as Municipality of the Parish of Montreal and Parish of Lachine; thence, westwards, following the said limit line to the present limit between the city of Montreal and the city of Verdun; and thence, following the said limit on the northwest side of the aqueduct, to the starting point.”

62 Vict., c.  
58, art. 21c,  
am.

**2.** Article 21c of the act 62 Victoria, chapter 58, as enacted by the act 11 George V, chapter 112, (Schedule B), section 5, is amended by replacing the fifth paragraph thereof by the following:

When  
chairman  
chosen.

“The chairman of the executive committee shall be chosen by the council at the time of the election of such committee.

In case of  
absence.

In the absence of the chairman, another member shall be chosen by the members present to preside at the meeting.

Appointing  
of acting  
chairman.

If the absence of the chairman, on account of illness or for any other cause, continues for more than five days, the other members of the committee shall appoint another member as acting chairman, who, during such absence, shall have and exercise all the powers with which the chairman is vested under the charter. The same rules shall apply in the case of the office of chairman being vacant.

Acts of  
acting  
chairman  
validated.

All the acts accomplished by the acting chairman, within the limits of the powers and duties of the chairman, up to the 13th of April, 1933, are hereby validated and legalized.”

62 Vict., c.  
58, art. 21e,  
am.

**3.** Article 21e of the act 62 Victoria, chapter 58, as enacted by the act 11 George V, chapter 112, (Schedule B), section 5, is amended by replacing sub-paragraph *a* of paragraph 1 thereof by the following:

Annual  
budget;

“*a.* The annual budget. Such budget must be filed in the city clerk’s office on or before the 15th of March for the year 1933, and on or before the 15th of February for each subsequent year;”.

62 Vict., c.  
58, art. 23,  
am.

**4.** Article 23 of the act 62 Victoria, chapter 58, as enacted by the act 11 George V, chapter 112, (Schedule B), section 7, is amended by adding thereto the following paragraph:

"If the chairman of the executive committee is absent or unable to sign, which must be attested by a certificate of the city clerk, the acting chairman of the executive committee may sign in his stead with the same effect."

**5.** Article 44a of the act 62 Victoria, chapter 58, as enacted by the act 1 George V (1911), chapter 60, section 5, and replaced by the acts 5 George V, chapter 89, section 1, and 19 George V, chapter 97, section 5, is again replaced by the following:

"**44a.** Incorporated societies, owning one or more immoveables, as well as joint-stock companies or corporations, may be entered on the voters' list and vote in the name of and through a representative of the society, company or corporation, as the case may be, duly authorized to that effect by a resolution bearing the seal of the corporation and a copy whereof shall be filed with the city clerk on or before the 25th of November, and they may so vote in all the wards where, in the case of said societies, they own taxable real estate and, in the case of said companies or corporations, in all the wards where they pay taxes; provided such representative be a director or employe of the said society or of the said company or corporation, as the case may be, when authorized and when called upon to cast his vote. The said societies, or the said companies or corporations, as the case may be, shall mention, in their applications to be entered on the voters' list, the wards where they own taxable real estate or where they pay taxes, as the case may be, and where they desire to exercise the right to vote."

The said resolution shall serve for the above purposes until it has been replaced by another resolution to the same effect, which shall be produced on the date above specified."

**6.** Article 45 of the act 62 Victoria, chapter 58, as replaced by the acts 3 Edward VII, chapter 62, section 8, and 4 Edward VII, chapter 49, section 2, is again replaced by the following:

"**45.** Persons entitled to vote, as aforesaid, shall vote in and for the particular ward in which the property constituting their qualification to vote shall be situated: but, when any such person is qualified as owner, tenant or occupant in more than one ward, or as tenant in one ward, and at the same time as owner or householder in any other ward, he may vote for the election of aldermen in any of the wards wherein he is qualified so to do, and he shall be entered once only on the list of electors for each of such wards."

At election  
of mayor.

For the election of mayor, the elector shall vote only once, and, if he is qualified in respect of his residence, his vote shall be accepted at the polling-station nearest his said residence, when his name on the list is not marked with the words "does not vote for mayor", which the chairman of the board of assessors shall affix after the name of every elector qualified to vote in any other ward than that in which he is qualified to vote on account of his residing therein."

62 Vict., c.  
58, art. 46,  
replaced.

**7.** Article 46 of the act 62 Victoria, chapter 58, as replaced by the act 5 George V, chapter 89, section 2, is again replaced by the following:

Place of  
voting for  
mayor.

"**46.** When the elector is not qualified to vote in respect of his residence, the chairman of the board of assessors shall determine where, in his judgment, such vote for mayor may be most conveniently cast.

Certificate  
entitling to  
vote in  
certain case.

Whenever the chairman of the board of assessors has failed to indicate the place where such elector may vote, or whenever the words "does not vote for mayor" shall have been affixed by error opposite his name, the elector deprived of his right to vote may obtain the same by declaring under oath before the city clerk, on election day, that he has not already voted at said election for the mayor, and the city clerk shall deliver to him a certificate authorizing him to vote and mentioning the poll where he may vote."

62 Vict., c.  
58, art. 51,  
am.

**8.** Article 51 of the act 62 Victoria, chapter 58, is amended by replacing the first paragraph thereof by the following:

Names to be  
omitted or  
removed  
from list.

"**51.** In the preparation of the list, the chairman of the board of assessors shall omit therefrom and shall, from time to time, cause to be removed therefrom the names of all persons who either are or who may become deceased also the names of minors, of aliens, of corporation employees (as defined by article 47) and of all others who by virtue of this charter shall not be entitled to have their names entered on such list."

62 Vict., c.  
58, art. 55,  
replaced.

**9.** Article 55 of the act 62 Victoria, chapter 58, as replaced by the act 3 George V, chapter 54, section 4, is again replaced by the following:

Furnishing  
of copies of  
electoral  
lists.

"**55.** The city clerk shall be held to furnish, to any ratepayer asking for the same, a copy of any one or of all the electoral lists for the year and shall be allowed to charge a fee of ten cents for every hundred words of such copy.

The city clerk shall further, in the year when a general election is held, as soon as the list of electors is revised, have such list printed, numbering thereon successively the names of the electors of each poll, and shall give ten copies, free of charge, to each of the candidates officially nominated for the office of mayor or alderman who applies to him for the same."

**10.** Article 65 of the act 62 Victoria, chapter 58, as replaced by the act 4 George V, chapter 73, section 5, is again replaced by the following: 62 Vict., c. 58, art. 65, replaced.

**"65.** Such notice shall specify the qualifications of the electors whose names are sought to be added and the causes of disqualification of those sought to be struck off, and shall be served, at the diligence of the applicant, on or before the 18th of December, upon every elector whose name is sought to be struck from the electors' list, by registered letter, sent to the address mentioned on the list." Contents of notice and service thereof.

**11.** Article 73 of the act 62 Victoria, chapter 58, is replaced by the following: 62 Vict., c. 58, art. 73, replaced.

**"73.** The revision of the list of the polling districts for each of the said wards of the city shall be completed on or before the 15th of January." When revision to be completed.

**12.** Article 207 of the act 62 Victoria, chapter 58, is replaced by the following: 62 Vict., c. 58, art. 207, replaced.

**"207.** The returning-officer or deputy returning-officer may require the assistance of any justices of the peace, constables or other persons present, to aid him in maintaining peace and good order at such election; the returning-officer may also, on a requisition made in writing by any candidate, or by his agent, or by any two electors, swear in such special constables as he deems necessary." Requiring of aid and swearing of special constables.

**13.** Article 295 of the act 62 Victoria, chapter 58, is replaced by the following: 62 Vict., c. 58, art. 295, replaced.

**"295.** The minutes of the meetings of the council shall be drawn up and fairly entered or typewritten in French and English, in a book to be kept for that purpose by the city clerk, and, after being read and confirmed at the following meeting, shall be signed by the said city clerk and by the mayor or the member who presides at such meeting, and they shall be open to the inspection of all ratepayers who wish to examine the same." Minutes of proceedings.

62 Vict., c.  
58, art. 300,  
am.

**14.** Article 300 of the act 62 Victoria, chapter 58, as amended by the acts 63 Victoria, chapter 49, sections 7 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, and 22 George V, chapter 105, section 14, is further amended:

*a.* By adding to paragraph 24 thereof the following paragraph:

Permit for  
commercial  
sale by  
auction;

“No commercial sale by auction, save those excepted by section 68 of chapter 25 of the Revised Statutes, 1925, and those effected at the place of business of the auctioneer, shall be made in the city unless it be authorized by means of a permit previously obtained from the city, for which said permit the city may require the payment of a sum not exceeding twenty dollars for the first day the auction shall last and of a sum not exceeding ten dollars for each additional day. The council may also determine, by by-law, the number of days such auction may last;”

*b.* By adding thereto, after paragraph 63 thereof, the following paragraph:

Period for  
visitation  
of leased  
premises;

“63*a.* To pass any by-law to the effect that in the cases of leases of lodgings, dwellings and apartment houses, for a period of one year or more, the lessee shall not be obliged to allow visitation of the leased premises for purposes of releasing except during a period of not exceeding sixty days immediately preceding the expiration of the lease notwithstanding any custom to the contrary and to declare that every stipulation extending the period for such visitation shall be null and void, provided, however, that such by-law shall not affect leases existing at the time of its coming into force;”

*c.* By adding to paragraph 65 thereof the following paragraph:

City au-  
thorized to  
lease kiosks;

“The city is authorized to lease kiosks, which it shall place on the sidewalks, or elsewhere within the city limits,

for the sale of newspapers, reviews, periodicals, etc., to fix by resolution, from time to time and at its discretion, a scale of prices, not exceeding fifty dollars per annum, according to the importance of the locations of such kiosks;”;

*d.* By replacing paragraph 121 thereof by the following: Issuing, etc.,  
 “121. To prescribe in what manner shall be issued the numbers, plates, certificates or cards in connection with the licenses which the city is authorized to grant under this act; to prescribe that each such number, plate, certificate or card shall be issued or, in the event of its being lost, shall be replaced only on payment, by the license holder, of a sum not exceeding three dollars for each permit, and that, in default of payment of the said sum, no duplicate shall be delivered; to compel license holders to take greater care of the numbers, plates, certificates or cards connected with such licenses; provided, however, that the plate issued by the city for the motor vehicles which it may tax, under the authority of paragraph 4 of section 60 of the Motor Vehicle Act (Revised Statutes, 1925, chapter 35) and of paragraph 167 of this article, as enacted by the act 19 George V, chapter 97, section 14, be of a different size and colour from those issued under the Motor Vehicle Act, by the Province, and be placed on the side of the motor vehicle and not in front or in rear;”;

*e.* By replacing paragraph 132 thereof, as replaced by the act 3 George V, chapter 54, section 8, and amended by the act 13 George V, chapter 91, section 5, by the following:

“132. To determine, notwithstanding any law to con- Determining  
 trary, the number of stands which may be established, of stands  
 on public as well as on private property, and which the and fares  
 owners, chauffeurs or drivers of motor vehicles used for respecting  
 transporting, for a remuneration, passengers or goods, may motor  
 occupy, and to determine the number of motor vehicles vehicles;  
 which may occupy each stand; to fix the fares which they may charge and to punish the passengers using such vehicles and refusing to pay the established fares; to prescribe the places where such vehicles may stand, to prohibit them from standing elsewhere than at such places and to regulate the inspection of the taximeters with which such vehicles may be provided; to supervise and control the stands so established, both on private and public property; and to grant only to owners, chauffeurs or drivers of such vehicles residing in the city the right to occupy the said stands;

*a.* Notwithstanding the provisions of the Revised Statutes, 1909, concerning motor vehicles, the city is empowered to levy a special tax not exceeding fifty dollars on every Special tax  
 on auto-  
 buses.

autobus as defined by the act 12 George V, chapter 35, section 1, used for the conveyance of passengers or tourists and making use of the streets of the city.

License for driving certain motor vehicles;

b. Notwithstanding the provisions of the Motor Vehicle Act, every chauffeur or driver of a motor vehicle in the employ of an owner of any such motor vehicle carrying on the business of conveying passengers and every such owner driving his motor vehicle must, in order to have the right to carry on such business, previously obtain, each year, a license or permit from the city, and the latter is authorized to require, for such license or permit, a sum of five dollars;”;

f. By adding to paragraph 164 thereof the following sub-paragraph:

“Auto-matic distributor”;

“For the purposes of this paragraph, the words “auto-matic distributor (slot machine)” shall mean any apparatus, table, board, rack or device placed at the disposal of the public and operated by the introduction of coins or counters, or any device, etc., as above described, the operation whereof is governed, in any way, by the skill or exercise of judgment of the person operating the same; but such term does not include automatic scales, nor telephone apparatus, nor the apparatus used for supplying gas or for electrical refrigerators, nor those the use or keeping whereof is prohibited by law because they constitute gambling devices or for any other reason;”;

g. By adding thereto, after paragraph 171 thereof, the following paragraphs:

Parking;

“172. To regulate or prohibit the parking of motor vehicles in private lanes;

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 purchasing a bicycle and using the same within the city limits to obtain from the city a permit, which he shall affix in a conspicuous place on the said bicycle; the sum to be paid for such permit not to exceed two dollars per year; but a motorcycle shall not be deemed a bicycle for the purposes of this paragraph;

Regulation of cleaning and dyeing establishments;

“174. To regulate cleaning and dyeing establishments already existing within the city limits, as well as those which may be hereafter set up therein;

"175. To prevent accidents occasioned in the city by the use of cyanogen, hydrocyanic acid or any other similar substance for the fumigation of commercial or industrial establishments or dwelling-houses." Prevention of certain accidents.

**15.** The act 62 Victoria, chapter 58, is amended by adding thereto, after article 307c thereof, as enacted by the act 10 George V, chapter 86, section 3, and replaced by the acts 13 George V, chapter 91, section 6; 19 George V, chapter 97, section 15, and 22 George V, chapter 105, section 15, the following:

"**307d.** The fine which the city may impose for any and each infraction of its by-laws may be for a maximum of two hundred dollars instead of being for a maximum of forty dollars, as provided by article 307 of this act, and the term of imprisonment in default of payment of the fine may be for a maximum of six calendar months instead of being for a maximum of sixty days, as provided by the said article, in the case of persons found strolling or loitering at night in the streets, lanes, fields, yards or other places in the city and who cannot satisfactorily account for their presence there or refuse to do so." Maximum fine and imprisonment for infraction of by-laws.

**16.** Article 332 of the act 62 Victoria, chapter 58, as amended by the act 3 Edward VII, chapter 62, section 25, is replaced by the following: 62 Vict., c. 58, art. 332, replaced.

"**332.** The civic fiscal year shall begin on the first of May and terminate on the 30th of April of the following year, and the annual taxes and assessments, including the school tax, the water-rate and any other taxes, shall be deemed to be imposed and levied for the same fiscal year." Civic fiscal year.

Nevertheless, the city may, by by-law, fix or change the date on which any taxes are to become due. Date when taxes due.

The current fiscal year shall terminate on the 30th of April, 1934." Current fiscal year.

**17.** Article 334 of the act 62 Victoria, chapter 58, as replaced by the acts 3 Edward VII, chapter 62, section 27, and 2 George V, chapter 56, section 13, is amended: 62 Vict., c. 58, art. 334, am.

a. By replacing the first paragraph thereof by the following:

"**334.** Between the 15th of March and the 15th of April for the year 1933, and between the 15th of February and the 15th of March for each subsequent year, the council shall appropriate the sums at its disposal out of the revenues of the city for the needs of the various civic departments for the ensuing fiscal year." Appropriation of sums for civic departments.

*b.* By replacing sub-paragraph *d* of the second paragraph thereof by the following:

Reserve fund;

“*d.* A reserve of one and a half per cent for unforeseen expenses such as those relating to judgments, official receptions, epidemics, inundations, fortuitous events and damages caused by irresistible force;”.

62 Vict., c. 58, art. 334c, added.

**18.** The act 62 Victoria, chapter 58, is amended by adding thereto, after article 334*b* thereof, as enacted by the act 7 Edward VII, chapter 63, section 12, and amended by the act 9 Edward VII, chapter 81, section 12, the following:

Certain withdrawal from reserve fund authorized.

“**334c.** From and after the 15th of February, the city is authorized to use, each year, for administration purposes, any sum over and above one hundred thousand dollars, which may be available in the reserve fund.”

62 Vict., c. 58, art. 335, am.

**19.** Article 335 of the act 62 Victoria, chapter 58, as replaced by the act 3 Edward VII, chapter 62, section 28, and amended by the acts 3 George V, chapter 54, section 11, and 10 George V, chapter 86, section 4, is further amended by replacing paragraphs *b* and *c* thereof by the following:

Estimation of revenue, how made.

“*b.* By adding to the amount of said rolls the estimated amount which shall be effectively collected during the following fiscal year and to be derived from licenses, permits and taxes other than those above mentioned, or to be derived from any other source, with the exception of the revenue to be derived from interest, rentals and other sources of revenue which increases from day to day.

How estimate to be based.

Such estimate shall be based on the effective collection of the receipts derived from those various sources of revenue, during the two preceding fiscal years and during the current fiscal year up to the date of the preparation of the budget, and on the probable collection for the balance of the current fiscal year.

Sums added.

“*c.* By adding to the above sums the estimated revenue to be derived from interest, rentals and any other sources whatever other than those hereinabove mentioned.

Surplus added.

“*d.* By adding any surplus consisting of the excess of the amount voted by the budget over the expenses from a previous fiscal year.

Estimated revenue added.

“*e.* By adding to the above sums the estimated revenue to be derived from new taxes imposed.”

62 Vict., c. 58, art. 335a, repealed.

**20.** Article 335*a* of the act 62 Victoria, chapter 58, as enacted by the act 3 Edward VII, chapter 62, section 29, and replaced by the acts 2 George V, chapter 56, section 15, and 15 George V, chapter 92, section 23, is repealed.

**21.** The act 62 Victoria, chapter 58, is amended by adding thereto, after article 345a thereof, as enacted by the act 22 George V, chapter 105, section 16, the following: 62 Vict., c. 58, art. 345b, added.

**"345b.** Notwithstanding any provision to the contrary, the sum of seven thousand four hundred and fifty-four dollars and fifteen cents remaining available out of the loan of one hundred and thirty-five thousand one hundred dollars, effected in virtue of by-law No. 951, adopted by the executive committee on the 17th of April, 1928, and, by the council, on the 7th of May, 1928, to pay the cost of the enlargement of Martel park, may, without the approval of the real estate owners, be applied to other capital expenditures which shall be specified in a new by-law of the council." Application of balance of certain loan.

**22.** Article 351b of the act 62 Victoria, chapter 58, as replaced by the act 13 George V, chapter 91, section 8, and amended by the acts 18 George V, chapter 97, section 7, and 22 George V, chapter 105, section 18, is again amended: 62 Vict., c. 58, art. 351b, am.

*a.* By replacing sub-paragraphs *b* and *c* of paragraph 1 thereof by the following:

*"b.* For the purchase of merchandise, materials, furnishings and other effects which the city may need in the ordinary course of administration; Purchase of merchandise, etc.;

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

The loans authorized by the above sub-paragraphs *b* and *c* shall not exceed, at any time, the total amount of six hundred thousand dollars;"; Limitation of amount;

*b.* By adding thereto, after sub-paragraph *ba* thereof, as enacted by the act 22 George V, chapter 105, section 18, the following sub-paragraph:

*"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 year 1933, 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 paragraph, whether these sums be raised by a loan or are taken from the proceeds of the special assessments, as authorized by paragraph 2 of this article;"; Sums for hospitals and charitable institutions;

*c.* By replacing paragraph 3 thereof by the following:

**"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 Period for contracting loans;

mayor and the city treasurer and countersigned by the city comptroller, except those mentioned in sub-paragraphs *ba* and *bb* of paragraph 1 of this article which are for a period not exceeding twenty years.

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

62 Vict., c. 58, art. 356, am. **23.** Article 356 of the act 62 Victoria, chapter 58, as replaced by the act 16 George V, chapter 71, section 13, is amended by replacing the second paragraph thereof by the following:

Effect of certificate. "Such certificate shall have the same effect as a by-law of the council lawfully imposing the rate therein mentioned, and shall be obeyed and acted upon by all officials of the city and by all others; and the said rate shall be forthwith levied and collected accordingly, in addition to any other rates lawfully imposed by any by-law or resolution of the council."

62 Vict., c. 58, art. 362b, added. **24.** The act 62 Victoria, chapter 58, is amended by adding thereto, after article 362*a* thereof, as enacted by the act 7 Edward VII, chapter 63, section 19, the following:

Buildings, etc., of certain corporation exempted from certain taxes. "**362b.** Notwithstanding any law or by-law to the contrary, the buildings, lands and other immoveables held as owner and occupied by the corporation of "*Les Dominicaines du Rosaire*" for religious service and for educational, charitable and sheltering purposes, are assimilated to the property of educational establishments as regards exemption from municipal and school taxes.

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. 364, am. **25.** Article 364 of the act 62 Victoria, chapter 58, as amended by the acts 3 Edward VII, chapter 62, sections 37 and 38; 4 Edward VII, chapter 49, sections 13 and 14; 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, and 22 George V, chapter 105, section 20, is further amended:

*a.* By striking out the words: "which shall be transferable", in the tenth line of the first paragraph of paragraph *f* thereof;

*b.* By adding to the said paragraph *f* the following paragraph:

"The city is authorized to define the word "laundry" as "Laundry"; follows: "Laundry means any building or part of a building or premises in which clothes are marked, sorted, washed, dried, starched or ironed, or in which any one of the said operations is effected or any other allied operation, or in which the clothes are received or from which they are delivered in connection with the above operations, and every private laundry for a hotel, restaurant or public institution. This definition shall form part of by-law 1009 of the city, from the 1st of January, 1933;"

*c.* By replacing paragraph *h* thereof, as replaced by section 37 of the act 3 Edward VII, chapter 62, by the following:

"*h.* 1. An annual special tax not exceeding fifty dollars Fish, etc., dealers; on every fish, provision or produce dealer carrying on business in the city outside of the land used for public markets, this clause not to affect, however, retail grocers. Exception;

2. An annual special tax on every person, firm, company or corporation operating one or more butcher's stalls Persons operating butcher's stalls; in the city outside of the land used for public markets, not exceeding:

1. Fifty dollars for each of the first and second stalls;
2. One hundred dollars for each stall over and above two up to twenty inclusive;
3. One hundred and fifty dollars for each stall over and above twenty;"

*d.* By replacing paragraph *o* thereof by the following:

"*o.* A special tax not exceeding one per cent on the Fire insurance companies; Proviso; premiums collected in the city by fire insurance companies doing business and taking risks in the city, provided the minimum, in each case, be two hundred dollars.

Mutual fire insurance companies taking risks on property situated in the city of Montreal, or the other associations or the persons insuring property situated in the said city against loss or damage by fire, except those which pay the tax mentioned in the first paragraph of the present paragraph *o*, shall pay a special tax of one hundred dollars. Mutual fire insurance companies;

Fire insurance companies combining other insurance;

When any fire insurance company combines other branches of insurance, such as marine insurance, life insurance, insurance against accidents and sickness, health insurance, cattle insurance, plate glass and boiler insurance, insurance against burglary, guarantee insurance and employers' liability insurance, insurance of automobiles, an additional special tax of two hundred dollars shall be levied on such company, but the latter shall not be held to pay the tax mentioned in paragraph *n*.

This article does not affect the subscribers to the reciprocal contracts of indemnity governed by the act 16 George V, chapter 61, section 1;"

*e.* By replacing paragraph *z* thereof, as replaced by the act 8 George V, chapter 84, section 34, by the following:

Owners, etc., of concert-halls, etc.;

"*z.* 1. A special tax not exceeding five hundred dollars on every owner, occupant or tenant of a concert-hall or hall for theatrical performances; a special tax not exceeding eighty-five cents for every seat for one person, on every owner, occupant or tenant of a hall for the exhibition of moving pictures; a special tax not exceeding two hundred dollars on every owner, occupant or tenant of a dancing-hall; a special tax not exceeding fifty dollars on every owner, occupant or tenant of a museum or hall of amusement whatsoever, where any entrance fee or any sum whatsoever is paid for taking part in the amusements. In order to prevent fire, the city may place one of its firemen in concert halls, halls for theatrical performances or for the exhibition of moving pictures during every performance or exhibition in such halls. For the purposes of this paragraph, the council may define, by by-law, what constitutes a dancing-hall.

Owners, etc., of clubs, etc.;

2. An annual special tax not exceeding two hundred dollars on every owner, occupant or tenant of clubs, concert-café, singing-café or dancing-café. For the purposes of this sub-paragraph, the city is authorized to define the words "club", "concert-café", "singing-café" and "dancing-café";"

*f.* By replacing paragraph *hh* thereof by the following:

Persons carrying on the stock exchange business;

"*hh.* An annual special tax not exceeding one hundred dollars on every broker or person carrying on the stock exchange business, either as principal, agent or as correspondent or representative of such broker or person, except the members of the corn exchange; and provided that, in the case of a firm of brokers, the above annual tax of one hundred dollars can be exacted only from the firm;"

*g.* By adding thereto the following paragraphs:

"xx. An annual special tax not exceeding fifty dollars on every establishment where meat is smoked, except in the case of a merchant already paying a license of fifty dollars as a meat dealer; Smoked meat establishments; Restriction;

"yy. An annual special tax not exceeding twenty-five dollars on every person keeping a boarding-house for children; Children's boarding-houses;

"zz. An annual special tax not exceeding twenty-five dollars on every person doing business as bottler of aerated waters; Aerated water bottlers;

"aaa. An annual special tax on every person, firm, company or corporation operating a number of groceries, not exceeding: Persons, etc., operating a number of groceries;

1. Five dollars for each grocery over and above the first up to the fifth inclusive;

2. Twenty-five dollars for each grocery over and above the fifth up to the tenth inclusive;

3. Fifty dollars for each grocery over and above the tenth.

This tax shall not apply when such person has paid the tax prescribed by sub-paragraph 2 of paragraph *h* of this article; Restriction;

"bbb. A special tax not exceeding two hundred dollars on any person or corporation not being an employee of a public laundry, having its principal place of business in the city of Montreal, and having duly obtained its licence from the city of Montreal, and who, for himself or for another, solicits, receives, transports or delivers, within the limits of the city of Montreal, linen washed or intended to be washed, ironed, or dry-cleaned or otherwise; this tax not to exceed that which is exigible from the laundries of the city of Montreal; but these provisions shall not apply in the case of a laundress who performs some of the operations above mentioned alone or with one or two members of her family, nor in the case of a religious community which does this kind of work." Certain persons carrying on laundry, etc., business.

**26.** Article 372a of the act 62 Victoria, chapter 58, as enacted by the act 4 George V, chapter 73, section 16, and replaced by the act 22 George V, chapter 105, section 21, is amended by adding thereto, at the end thereof, the following paragraph: 62 Vict., c. 58, art. 372a, am.

"The name of this third party with his address shall be noted in a special book kept for this purpose." Special book.

**27.** Article 383 of the act 62 Victoria, chapter 58, is replaced by the following: 62 Vict., c. 58, art. 383, replaced.

**383.** Any ratepayer who has filed a complaint in connection with any entry or omission in the said rolls or Appeal to recorder's court from

decision and proceedings thereon.

any one of them, and who may think himself aggrieved by the decision of the assessors, or any ratepayer who has filed a complaint in connection with any entry or omission in the said rolls or any one of them, which the board of assessors has failed or refused to dispose of within the delay provided for by article 380, may, within a delay of eight days from the date of the decision of the board of assessors, or within a delay of eight days from the 30th of November, in the case of the board of assessors having refused or failed to dispose of a complaint, appeal by petition to the recorder's court, which shall have jurisdiction in all such cases.

Filing of petitions, etc.

All such petitions together with a copy of the proceedings had in each case before the assessors, duly certified by the secretary of the board, shall be filed with the clerk of the recorder's court, who shall give each petitioner notice of the day and hour when the said court will proceed to hear and determine the merits of the complaint.

Hearing of cases.

When the cases are heard, evidence may be adduced by the parties interested upon the matters at issue."

62 Vict., c. 58, art. 402, am.

**28.** Article 402 of the act 62 Victoria, chapter 58, as replaced by the act 7 George V, chapter 60, section 6, and amended by the acts 15 George V, chapter 92, section 32; 16 George V, chapter 71, section 17; 19 George V, chapter 97, section 25, and 22 George V, chapter 105, section 28, is further amended by replacing the second paragraph thereof by the following:

Sale of immoveables.

"Except where several lots owned by the same proprietor and used for the same purposes are assessed as a single lot, in accordance with the provisions of paragraph 1 of article 375 of the act 62 Victoria, chapter 58, as replaced by the act 7 Edward VII, chapter 63, section 23, or except where the proprietor consents to the sale *en bloc* of several lots, in which cases the said lots may be offered for sale as a single immoveable, the immoveables shall be offered for sale separately in the order in which they appear in the notice, and if, on the day of the sale, no bid is made, or if all the immoveables cannot be sold on the day appointed, the sale shall be postponed until the following day and so on, from day to day, until all are sold."

Postponement.

62 Vict., c. 58, art. 404, am.

**29.** Article 404 of the act 62 Victoria, chapter 58, as replaced by the act 7 George V, chapter 63, section 28, and amended by the acts 15 George V, chapter 92, section 33, and 22 George V, chapter 105, section 29, is further amended by adding thereto the following paragraph:

“In the case of bankruptcy between the beginning of the current year and the homologation of the tax collection rolls, and notwithstanding the fact that such rolls are not homologated, the city shall have a privileged claim for taxes for the elapsed proportion of the current year to the date of the bankruptcy. The taxes so collected in the past are declared to have been legally collected. Such proportion shall be based on the collection roll of the previous year and shall be established by a certificate from the chairman of the board of assessors. The proportion of taxes to which the city shall be entitled in the case of an expropriation, as provided for in this article, shall likewise be established by the certificate of the chairman of the board of assessors.”

Privileged claim for taxes in respect to certain bankruptcy.

**30.** Article 453 of the act 62 Victoria, chapter 58, as replaced by the acts 3 Edward VII, chapter 62, section 45; 7 Edward VII, chapter 63, section 38, and 15 George V, chapter 92, section 50, is again replaced by the following:

62 Vict., c. 58, art. 453, replaced.

**453.** The council may, by resolution, enact the construction of sidewalks or curbs of permanent durable materials, other than wood, in any street, square or public place in the city, and order that the cost of such construction be paid, up to an amount not exceeding one-half of the cost, by the city, by means of a special real estate tax levied on all the immoveables situated in the city, and as regards such special tax and the payment of such portion of the cost by the city the provisions of section 40 of the act 22 George V, chapter 105, shall apply, *mutatis mutandis*, and may apportion the balance of the cost thereof upon the land situated on the side of such street, square or public place on which such sidewalk or curb is constructed.

Construction of sidewalks, etc.

Payment by city.

Apportionment of balance of cost.

Such apportionment shall be made in proportion to the frontage of each lot, provided that no such resolution be adopted before the cost of such construction is established by a report made by the city surveyor and submitted to the council.

Mode of apportionment.

The want of notice cannot constitute a lawful objection for work already performed.

Want of notice.

It shall be lawful for the city to apportion separately the cost of the construction of a curb, whether such curb is constructed at the same time as a sidewalk or at the same time as a paving.”

Separate apportionment.

**31.** Article 455 of the act 62 Victoria, chapter 58, as enacted by the act 1 George V, (1911), chapter 60, section 25, and replaced by the acts 3 George V, chapter 54, section

62 Vict., c. 58, art. 455, am.

29; 4 George V, chapter 73, section 26, and 18 George V, chapter 97, section 15, and amended by the acts 19 George V, chapter 97, section 26, and 22 George V, chapter 105, section 32, is further amended by adding thereto the following paragraph:

Changing  
of level.

“12. If, at the time of the construction of the paving, a change of level is effected, necessitating the renewal of the sidewalks, in whole or in part, the cost of such renewal shall be added to the cost of the paving and apportioned in accordance with the provisions of the charter, provided, however, that the sidewalk which is to be so replaced be still in good condition and that the cost or part of the cost thereof has been paid by the bordering proprietors.”

62 Vict., c.  
58, art. 456,  
replaced.

**32.** Article 456 of the act 62 Victoria, chapter 58, as replaced by the acts 7 Edward VII, chapter 63, section 41; 4 George V, chapter 73, section 28; 15 George V, chapter 92, section 52; 18 George V, chapter 97, section 16, and 19 George V, chapter 97, section 27, is again replaced by the following:

Payment of  
expropria-  
tion assess-  
ment by  
annual in-  
stalments.

“**456.** 1. The executive committee may, by resolution, enact that a real estate assessment, which has already been or may hereafter be levied to pay the cost of an expropriation, may be paid by annual instalments covering a period not exceeding forty years, with interest at the rate fixed by the city charter on any balance remaining unpaid, the interest on such balance to be equally apportioned on each of the instalments; and, in such case, the privileges and hypothecary rights of the city shall continue to exist on the immoveables liable for the payment of such assessment, until the proprietors of such immoveables have paid in full their share thereof. On receipt of the resolution above mentioned, the city treasurer is authorized to amend accordingly or to replace, if necessary, the rolls relating to such expropriations. The instalments already collected by the city shall be applied to the payment of the sums due under the amended rolls, provided, however, that the proprietors whose names appear on the assessment roll in force at the time of the adoption of such resolution be credited with any surplus they may be entitled to, as well as with the interest paid on the surplus which may have been charged to them under the original rolls, such surplus to be applied to the instalments as they become due.

Amending,  
etc., of rolls.

Payment of  
assessment  
for certain  
construc-  
tions by

2. The executive committee may likewise, by resolution, enact that any real estate assessment levied to pay the cost of the construction of sidewalks, pavings, drains or sewers, may be paid by annual instalments covering a period not

exceeding twenty years, with interest at the rate fixed by the city charter on any balance remaining unpaid, the interest on such balance to be equally apportioned on each of the instalments; and, in such case, the privileges and hypothecary rights of the city shall continue to exist on the immoveables liable for the payment of such assessment, until the proprietors of such immoveables have paid in full their share thereof." annual instalments.

**33.** 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, and 18 George V, chapter 97, section 18, is further amended by adding thereto, after the third paragraph thereof, the following paragraphs: 62 Vict., c. 58, art. 477, am.

"The Lieutenant-Governor in Council may also appoint, from among such recorders, a chief recorder. Chief recorder.

The said chief recorder shall have, in the recorder's court, the powers with which are vested the chief justice and the acting chief justice of the Superior Court with regard to the said Superior Court and to the judges thereof. Powers.

The recorders shall be subject to the supervision, orders and control of the chief recorder as regards the distribution of the cases, the holding of the sittings, and generally any administration matters which concern them." Id., over recorders.

**34.** Article 564a of the act 62 Victoria, chapter 58, as enacted by the act 7 Edward VII, chapter 63, section 43, is replaced by the following: 62 Vict., c. 58, art. 534a, replaced.

"**564a.** The city is authorized to fix each year or for a period of several years together an amount as a valuation basis, for the real estate taxes to be imposed on the immoveables belonging to any railway company, within the city, and intended to be used as a plant for the manufacture of coaches, locomotives or machines, as well as on the properties and lands used and occupied for the business purposes of the said company, including its express service. Valuation of certain property.

The agreements passed between the city and the C.P.R. and the C.N.R., in this connection, are declared to be valid and legal." Agreements validated.

**35.** Section 39 of the act 9 Edward VII, chapter 81, as amended by the acts 2 George V, chapter 56, section 30; 3 George V, chapter 54, section 37, and 22 George V, chapter 107, section 1, is further amended: 9 Ed. VII, c. 81, s. 39, am.

*a.* By adding thereto, after subsection 3 thereof, the following subsections:

Construction of underground conduits subject to certain approval.

"3*a.* No person, firm, syndicate, company or corporation, including the city of Montreal, shall hereafter construct any underground conduit in or through the streets, parts of streets, public squares or public places, situated outside of the territory described in subsection 3 of this section, unless the plans and specifications of such conduit be previously approved by the Electrical Commission of the City of Montreal, which shall moreover have the power to determine the level at which the said conduit shall be constructed, the nature and the quality of the materials to be used in the construction thereof, as well as the mode of construction.

Appeal from decision.

Every decision of the Commission in connection with any matter covered by the present subsection shall be subject to appeal to the Quebec Public Service Commission within the delays and according to the procedure provided for in subsection 11 of this section.

Conduits which shall form part of system.

"3*b.* The conduits constructed in the past by the city and those which may hereafter be constructed in any subways or on any bridges or viaducts situated outside of the territory described in subsection 3 of this section, but on or across a street or part of a street, on a public square or on a public place, shall form part of the system established by the present act, when the city and the Commission so decide, and shall then be subject to all the provisions thereof the same as if they were constructed in the territory described in subsection 3 of this section.

Conduits hereafter constructed.

Every such conduit which may hereafter be constructed shall be subject to the provisions of the preceding subsection 3*a.*"

*b.* By adding thereto, after subsection 7 thereof, the following subsections:

Construction of service or distributing ducts.

"7*a.* Every service or distributing duct connecting the underground conduits to any building or structure whatsoever, outside of the line of a street, lane or public place, or connecting the underground conduits to any poles, street lamps, fire and police alarm systems, or to any other place whatever within the limits of a street, lane or public place, shall be constructed by the city.

To form part of system.

Such service or distributing ducts shall form part of the system established by this act, except that the cost of any such duct on private property, for any distance beyond fifteen feet from the limit line of the street, with the exception of the inlet into the building, shall be chargeable to

Cost.

the owner of said property. Every such service or distributing duct shall remain under the control of the Commission.

The city shall have the right to construct any service or distributing duct on private property without the consent of the proprietor, and before constructing that part of such duct extending beyond the distance of fifteen feet above mentioned, shall have the right to require from the proprietor the deposit of a sum sufficient to guarantee the payment of the cost of the work chargeable to said proprietor. The amount of the cost of the work shall be determined by the Electrical Commission of the City of Montreal.

Construction on private property.

Deposit.

Determination of cost.

In the event of any proprietor refusing or failing to make the deposit required by the city, the latter may nevertheless proceed with the carrying out of the works, the cost whereof shall be established by the Electrical Commission of the City of Montreal, by means of a certificate, which shall be transmitted to the city treasurer. The sum thus fixed by such certificate shall constitute a tax on the immoveable of the proprietor, which said tax shall be considered in all respects as if it formed part of the assessment roll of the city for the then current year.

When proprietor refuses or fails to make deposit.

"7b. Whenever any proprietor, or the city, or any person or company concerned, applies for a change or alteration to the service or distributing duct established for the purpose of serving his or its property, such change or alteration shall be made by the city at the expense of such proprietor, or of the city or of the person or company concerned, or of the system, as the Electrical Commission may decide, whether the work be done on the street or outside of the street. Before proceeding with such work, the city shall have the right to require the deposit of a sum sufficient to guarantee the cost thereof."

Changing or altering service or distributing duct.

**36.** The French version of the fifth paragraph of section 23 of the act 6 George V, chapter 44, as replaced by the acts 18 George V, chapter 97, section 20; 19 George V, chapter 97, section 36, and 22 George V, chapter 105, section 40, is replaced by the following:

6 Geo. V, c. 44, s. 23, Fr. version, am.

*"Toutes taxes spéciales qui ne peuvent être imputées aux propriétaires riverains dans une amélioration locale, ainsi que toutes corrections dans un rôle de répartition pour amélioration locale entraînant une perte pour la cité, seront chargées à la taxe spécial ci-dessus mentionnée."*

**37.** Section 26 of the act 7 George V, chapter 60, is repealed.

7 Geo. V, c. 60, s. 26, repealed.

10 Geo. V, c. 86, s. 16, replaced. **38.** Section 16 of the act 10 George V, chapter 86, as replaced by the act 15 George V, chapter 92, section 63, is again replaced by the following:

Destruction of redeemed bonds, etc.

**“16.** The Director of Finance has the power, with the consent of the city, to destroy in the presence of the auditor, the bonds or debentures which are redeemed by the said city, provided that an official report of the whole be drawn up by the said officials and deposited in the office of the city notary who shall keep it in his minutes, which said official report shall contain the description of the said bonds or debentures.”

11 Geo. V, c. 112 (Sch. B), s. 34, am. **39.** 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 act 22 George V, chapter 105, section 41, is further amended by replacing paragraph 10 thereof by the following:

Loans for contribution to University of Montreal.

**“10.** To the loans, up to an amount of one million dollars which the city is authorized to effect, representing the city's contribution to the cost of the construction of the hospital of the University of Montreal, the University, in consideration of the payment of such sum, having to retrocede to the city of Montreal the piece of land situate on Mount Royal street, to the east of the ground of the Protestant cemetery, which the city ceded to it, on the 14th of March, 1923.

Payment by issue of bonds, etc.

Instead of contracting one or more loans in the ordinary way, the city may, by giving notice to the University of Montreal on or before the 30th of April, 1933, free itself as regards the latter of the payment of this sum of one million dollars by means of a sum of money of five thousand dollars and an issue of its own bonds of the nominal value of one million dollars, which the University must accept. These bonds shall be for a term of five years beginning on the 15th of February, 1933, shall bear interest at the rate of five per cent per annum payable semi-annually, and shall be redeemable on the 15th of February, 1938. The city shall establish a sinking-fund based on a period not exceeding forty years from the date of the issue of the said bonds. To pay the principal of the said bonds on the 15th of February, 1938, the city may issue a new loan for an additional period not exceeding thirty-five years, after having deducted the sinking-fund then accumulated.

Temporary loan.

To secure the said sum of five thousand dollars, the city may borrow temporarily by means of treasury bills or

other negotiable instruments. The said loan may be renewed from time to time provided that the final term of maturity does not exceed the 15th of February, 1938, and that the said loan be redeemed during the said period.

Such loans or issue of bonds or treasury bills shall not affect the general borrowing power of the city.” Borrowing power not affected.

**40.** Section 18 of the act 12 George V, chapter 105, is amended by replacing the first paragraph thereof by the following: 12 Geo. V, c. 105, s. 18, am.

“**18.** If the council finds, on a report from the executive committee, that the city’s revenues shall be insufficient to meet the administration expenses of the year, the said council is authorized to adopt, on a report from the executive committee, a special budget in order to make up the deficiency. Such budget may only be adopted between the 1st of January and the 1st of March, of each year. It shall be prepared by the executive committee and submitted to the council, which may adopt the same immediately after the reception thereof.” Adoption of special budget.

**41.** Section 36 of the act 18 George V, chapter 97, is replaced by the following: 18 Geo. V, c. 97, s. 36, replaced.

“**36.** Notwithstanding any law to the contrary, the city may, from the loans authorized by article 351*b* of its charter, reimburse the Seminary of Saint-Sulpice the cost of the permanent works which it will execute with the consent of the city on private streets or lanes, and apportion, on the riparian owners of the said private streets or lanes, the amount so reimbursed, by means of a roll prepared according to the provisions of the charter of the city, upon condition, however, that the interested parties cede gratuitously to the city the said private streets or lanes, if the city so requires. Reimbursement to Saint-Sulpice Seminary authorized.

The provisions of section 20 of the act 18 George V, chapter 97, as amended, apply in the present case. Provisions applicable.

The riparian owners of the said streets or lanes shall not be held to pay the cost of the works done on the said streets or lanes, except on the same basis, as regards the amount, and with the same privileges as the other proprietors in Montreal who have to pay the cost of local improvement works.” Riparian owners and payment of cost of works.

**42.** Section 71 of the act 22 George V, chapter 105, is repealed. 22 Geo. V, c. 105, s. 71, repealed.

**43.** Notwithstanding any provision to the contrary, the rolls of apportionment of the cost of local improve- Certain rolls not

affected by  
certain ho-  
mologation.

ments, as well as the rolls of apportionment of the cost of the opening, widening, extension, straightening or diversion of streets, lanes, places, parks, or of any other public improvements, which will be in force at the time of the establishment of a homologated line, or at the time of the subdivision or resubdivision of lots, shall in nowise be affected by such establishment or such subdivision or resubdivision, and the proprietors whose names are entered on said rolls shall be subject to the full payment of the taxes imposed by such rolls, without taking into account the changes which the immoveable might have undergone after the homologation of said rolls.

Amending  
of certain  
resolution  
authorized.

**44.** The city is authorized to amend the resolution of the council under the date of the 19th of January, 1931, enacting the expropriation of Van Horne street, between Côte-des-Neiges Road and Décarie Boulevard:

Expropria-  
tions in-  
cluded.

*a.* By including therein the expropriation of Lemieux, Victoria, Lavoie, and Légaré streets;

Apportion-  
ment of cost  
of expropria-  
tions.

*b.* By apportioning the cost of all these expropriations on the immoveables bordering on Van Horne street, between Legaré street and the southwest limits of Mount-Royal ward, according to the value of said immoveables, without the buildings.

Validation  
of certain  
expropria-  
tion pro-  
ceedings.

The expropriation proceedings in connection with Lemieux, Victoria, Lavoie and Légaré streets which have been taken at the same time as those concerning the expropriation of Van Horne street, are declared valid and legal.

Amending  
of certain  
resolution  
authorized.

**45.** The city is authorized to amend the resolution of the council, under the date of the 29th of October, 1930, enacting the expropriation of Snowden street, from Clanranald street to the east side of the right of way of the tramways company, by adding, at the end of paragraph *b* of said resolution, the following words:

“with the exception of the lots fronting on Côte St. Luc and Queen Mary roads.”

Amending  
of certain  
apportion-  
ment roll  
authorized.

**46.** The city is authorized to amend the apportionment roll of the cost of opening Eadie street to Rockland street, in accordance with a resolution dated the 8th of April, 1929, so that the cost of such improvement be paid by the proprietors of the immoveables bordering on said Eadie street, throughout its whole extent.

**47.** The rolls prepared with respect to expropriations for streets shall be suspended for one year, provided that the Quebec Municipal Commission gives its assent for such streets which it deems in the interest of the city or of the ratepayers.

Suspension  
of rolls.

**48.** The city is authorized to add as special tax to the assessment roll for the year 1933 the amount of the tax for the expropriation enacted, by resolution of its council under date of 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 or to give any notices in respect thereto.

Adding of  
special tax  
to 1933 as-  
sessment  
roll au-  
thorized.

**49.** In addition to the powers which it already has for such purposes, the city may borrow a sum not exceeding eight hundred and fifty thousand dollars for the enlargement and development of its aqueduct, and the loans effected under the present section shall not form part of the consolidated debt of the city.

Loan for  
enlargement  
etc., of  
aqueduct  
authorized.

**50.** Notwithstanding any provision to the contrary contained in this or any other act, the city is authorized to prepare and adopt a budget which shall cover the period extending from the 1st of January, 1933, to the 30th of April, 1934. Such budget shall be prepared in accordance with the provisions of the charter, as amended by this act. It shall be adopted within thirty days from the coming into force of this act. The budget for each of the following years shall be adopted on or before the 15th of March of each of such years. In addition to the amount of the estimated revenue for the period extending from the 1st of May, 1933, to the 30th of April, 1934, there may be voted by such budget an additional sum not exceeding thirteen million, five hundred thousand dollars, to cover all the expenditures authorized by the budget adopted in the month of December, 1932, and those which will be authorized by the new budget. Such sum shall also include what would have been the proceeds of the collection of the tax of seven cents imposed by resolution of the council adopted on the 21st of October, 1932.

Budget for  
certain  
period  
authorized.

Subsequent  
budgets.

After the new budget has been adopted, the budget adopted in the month of December, 1932, shall become null and void, but the expenditures incurred and authorized by such budget are declared to have been legally incurred.

Adoption of  
new budget  
to render  
previous  
budget null.

Expenditures validated.

The expenditures incurred in anticipation of the collection of the said tax of seven cents are also declared to have been legally incurred.

Loan authorized.

In order to obtain the said sum of thirteen million, five hundred thousand dollars, the city is authorized to effect a loan by means of bonds, debentures or registered stock, which shall be issued serially, the maturing dates extending over a period not exceeding twenty years, and the amount payable, each year, in capital and interest, to be, as far as possible, uniform, except for the first two years, when the portion of capital repayable may be for a lesser amount.

Procedure for authorization.

The said loan may be authorized by mere resolution of the council, on a report from the executive committee. Such resolution shall not be submitted to the electors owning real estate for their approval nor to any preliminary or subsequent formality and shall be adopted prior to the budget.

Provisions applicable.

The provisions of the charter concerning the issuing and negotiation of loans shall apply.

Special loan.

Such loan shall be special and shall not affect the general borrowing power of the city.

Repayment provisions.

The resolution authorizing such loan shall provide for the imposition of a special tax, which shall be levied during the term of the loan, in an amount sufficient, each year, to cover the amounts, in capital and interest, which may become due during the year. Such special tax shall be established and collected in the following manner. On or before the 15th of March for the year 1933, and on or before the 15th of February for each subsequent year, the city treasurer shall establish by a certificate under his hand: (a) the amount in capital and interest of such loan which shall become due in the following year, and (b) to make up the amount necessary to pay such interest and such capital, the percentage which will have to be added to the amount of the taxes for the following year, as estimated for the budget, namely all real estate and personal taxes, whatever may be the nature thereof, including the water-rate, but exclusive of the school tax, the special assessments imposed for paving works, sewers, sidewalks or for expropriation, and the special assessments imposed to pay the interest and cover the sinking-fund on special loans.

Certificate by city treasurer.

Certificate for 1933.

For the year 1933, such certificate may be prepared, at any time, previous to the adoption of the new budget.

Levy, upon resolution.

By resolution adopted at the same time as the budget, the council shall order the levying of the above special tax by means of the percentage which it shall determine. The adoption of the said resolution shall have the effect of in-

creasing by such percentage any taxes such as hereinabove defined, which shall be payable for the year mentioned in the resolution.

The said special tax shall form part of the tax to which it is so added, without it being necessary to enter the same on any roll. It shall constitute in favour of the city a privileged claim, which shall be of the same nature as that to which it is added, and shall carry all the privileges attached by the charter to the latter tax.

Such tax shall appear on every receipt for taxes issued by the city treasurer. Entry on receipts.

**51.** The resolution passed by the council on the 21st day of October, 1932, imposing a real estate tax of seven cents per one hundred dollars of the value of immoveables as shown on the valuation roll is repealed, and the rate-payers are freed from the tax imposed by such resolution. Repealing of certain resolution.

**52.** Notwithstanding the provisions of article 301 of the charter, as enacted by the act 62 Victoria, chapter 58, and as replaced by the acts 3 George V, chapter 54, section 10, and 15 George V, chapter 92, section 18, any by-law imposing taxes to meet the expenditure provided for in the budget shall be deposited in the office of the clerk at the same time as the budget, and such by-law may be adopted by the council without it being necessary to give previous notice thereof. Depositing, etc., of by-laws.

The said by-law shall be adopted at the same time as the budget. Adoption.

**53.** The city may, by by-law, which can be passed without notice of motion previously given, divide the duties now performed by the city comptroller and auditor and assign to the treasurer or director of finance, in whole or in part, the duties discharged by the comptroller, and limit the functions now vested in the comptroller and auditor to that of auditor and define the functions of the latter. Dividing, etc., of certain functions.

From and after the date of the coming into force of such by-law, (a) every certificate which, under the charter, must be given by the comptroller to the effect that there are available funds for a contemplated expenditure as well as any certificate required by articles 346, 355 and 351b, paragraph 4, of the charter, shall be given by the Director of Finance; (b) the treasury bills, bonds, debentures and other documents which, under the charter, must be countersigned by the comptroller, shall be so countersigned by the auditor; (c) the certificate required by article 354 shall be given by the auditor. Giving, etc., of certain certificate.

Previous debts and fiscal year of 1933.

**54.** During the course of the fiscal year ending on the 30th of April, 1934, 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.

When additional taxes may be imposed.

**55.** The additional taxes authorized by this act may be imposed for the tax year beginning on the 1st of May, 1933, by mere resolution of the council, at the time of the adoption of the budget, without it being necessary to amend the existing by-laws.

Certificate prior to incurring of certain expenditure.

**56.** No expenditure which may be charged against the budget of a subsequent fiscal year shall be incurred until a certificate from the treasurer or director of finance has been filed, establishing that the budget of the subsequent fiscal year can bear such expenditure.

Changing of use of proceeds of certain loan authorized.

**57.** The city is authorized to divert from by-law No. 1151, adopted by the council on the 30th of October, 1931, as amended by by-law No. 1168, adopted by the council on the 7th of January, 1932, providing, among other things, for a loan of five hundred thousand dollars for the erection and establishment of a public wholesale market in the northern part of the city, north of Rachel street, an amount not exceeding three hundred thousand dollars to provide for the enlargement of the city hall. 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 enlargement of the city hall may be borrowed for a term not exceeding forty years from the date of the issue.

Constituting and using of reserve.

**58.** If, at the end of any fiscal year, there is a surplus of revenue over and above the amounts voted in the budget for the requirements of such fiscal year, such surplus shall not be added to the estimated revenue for the following year, but shall constitute a reserve which may be temporarily used for any purposes whatever, provided for in the budget for the current year.

**59.** The estate of the Honourable Louis Tourville is exempted from the payment of the special real estate tax imposed by the roll made by the city of Montreal on the 30th of January, 1930, intituled: "Special apportionment for expropriation of Boucher street, opening and widening Boucher street between Rivard and Resther streets", which tax amounts to ten thousand nine hundred and six dollars and ninety cents and affects the following immovables, numbers 21, 42, 63, 84, 105, 126, 264, 231, 196, 172, 146 and 128 of the subdivision of lot 326 of the official plan and book of reference for the village of Côte St. Louis, and the said lots are hereby freed from the said tax.

Estate  
Tourville  
exempted  
from certain  
special real  
estate tax.

The city is authorized to apportion the said sum of ten thousand nine hundred and six dollars and ninety cents among the other property-owners whom it deems will benefit from such expropriation or to pay such sum out of its other resources.

Apportion-  
ment on  
other prop-  
erty-owners.

**60.** The properties, lands and other immovables belonging to "The United Talmud Torahs of Montreal Incorporated" and to "The Jewish Peoples' School Association Limited" and occupied for educational purposes are exempted from every school tax.

Properties,  
etc., ex-  
empted  
from  
school  
taxes.

**61.** Notwithstanding any act to the contrary, the city is authorized to reimburse out of the loans authorized by article 351b of its charter, to the town of Hampstead, its part of the cost of the paving and the sewer on Dufferin Avenue, from Aumond Street to the Côte St. Luc Road, and to apportion on the riparian owners on the north side of the said street, within the limits of the city of Montreal, the cost of the said paving and the said sewer, in accordance with the provisions of its charter and its by-laws.

Reimburse-  
ment of part  
of cost of  
certain  
works.

The provisions of section 20 of the act 18 George V, chapter 97, as amended, shall apply.

Provisions  
applicable.

The city is also authorized to reimburse out of the loans authorized for the waterworks to the town of Hamsptead its part of the cost of a water conduit on the said Dufferin Avenue within the limits of the city of Montreal.

Reimburse-  
ment of part  
of cost of  
water con-  
duit.

**62.** The city is authorized to replace paragraph b of the resolution of the council of the 4th of November, 1929, enacting the expropriation of part of the land bearing the No. 3409 of the cadastre of the parish of Montreal, by the following:

Change in  
certain  
resolution  
authorized.

"b. That the total cost of acquiring the said part of lot No. 3409 of the cadastre of the parish of Montreal shall be payable by the riparian owners of St. Patrick Street

between Atwater Avenue and the boundary line between the lot bearing the No. 4691, of the cadastre of the parish of Montreal, which belongs to the Federal Government, and that part of the said St. Patrick Street which belongs to the city of Montreal, in proportion to the frontage of the said immoveables, according to an apportionment roll which shall be prepared for this purpose in accordance with the provisions of the city charter.

Validation  
of certain  
resolution,  
etc.

**63.** Notwithstanding the provisions of section 4 of the act 5 George V, chapter 110, the resolution passed by the city on the 7th of September, 1932, approving the plan of homologation of Prieur Street, between Séguin Street and lot No. 217, subdivision 830, of the parish of Sault-au-Récollet, bearing date the 23rd of May, 1932, and designated under the No. P19 Sault-au-Récollet, is declared to be valid and legal, and the building permits which have been granted by the said city, following the lines of the said street as they appear on the said plan, have been validly and legally granted.

Validation  
of deeds,  
etc.

**64.** The following deeds are declared to be valid and legal:

*a.* Contract and transfer between the city of Montreal and Montreal Rail & Water Terminals Limited, passed before Jean Baudouin, N.P., on the 20th of December, 1926, under the No. 10776 of the minutes of his repertory;

*b.* Deed of sale by the city of Montreal to the Montreal Catholic School Commission, passed before Jean Baudouin, N.P., on the 2nd of February, 1932, under the No. 12737 of the minutes of his repertory;

*c.* Deed of sale by H. Henri Lalande to the city of Montreal, passed before Jean Baudouin, N.P., on the 6th of June, 1932, under the No. 12871 of the minutes of his repertory;

*d.* Deed of cession by the city of Montreal to The Royal Institution for the Advancement of Learning, passed before Jean Baudouin, N.P. on the 1st of December, 1932, under the No. 13018 of the minutes of his repertory;

*e.* Deed of exchange between the city of Montreal and the Montreal Catholic School Commission, passed before Jean Baudouin, N.P., on the 23rd of February, 1933, under the No. 13085 of the minutes of his repertory;

*f.* Deed of exchange between the city of Montreal and Mr. Aldéric Gobeille, passed before Jean Baudouin, N.P., on the 24th of February, 1933, under the No. 13088 of the minutes of his repertory.

**65.** The city of Montreal may pay an annual pension to Rosario Lemire, former chief detective of the said city, and an annual pension to Adolphe Tremblay, former detective-captain of the same city. The said pensions to be paid from the date of the dismissal of the said Rosario Lemire and Adolphe Tremblay by the city of Montreal. Payment of certain pensions authorized.

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