

C H A P. 91

An Act to amend the charter of the city of Montreal

[Assented to, the 29th of December, 1922]

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 amended; and whereas it is expe-
 dient 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. Section 21*h* of the act 62 Victoria, chapter 58, as 62 Viet., c.
 enacted by the act 11 George V, chapter 112, section 5, 58, s. 21*h*,
 replaced. schedule B, is replaced by the following:

“**21*h*.** The council may, except in cases where it is Adoption,
 otherwise provided, upon a majority vote of the members etc., of re-
 present, amend, reject or adopt a report of the executive ports of
 committee with the exception of reports recommending council.
 the granting of contracts upon the call by tender which
 can only be adopted or rejected.

2. Article 21*o* of the act 62 Victoria, chapter 58, as 62 Viet., c.
 enacted by the act 11 George V, chapter 112, section 5, 58, s. 21*o*,
 replaced. Schedule B, is amended by replacing paragraph 3 thereof
 by the following:

“**3.** The heads of departments, unless it be otherwise Respon-
 provided by this charter, shall be directly responsible to sibility of
 the executive committee for the administration of their the heads of
 departments, and the latter may require their verbal or depart-
 ments.
 written advice on all matters connected with their depart-
 ments. They shall choose, appoint and replace all their
 subordinate employees, with the approval of the executive
 committee. They shall prepare, every year, the budget
 of their respective departments and make all reports re-
 quired by the executive committee. The council may,
 however, require the verbal or written opinion of the chief
 city attorney or his substitute on any matters within the
 province of the said council.”

3. Section 21*q* of the act 62 Victoria, chapter 58, as 62 Viet., c.
 enacted by the act 11 George V, chapter 112, section 5, 58, s. 21*q*,
 replaced. schedule B, is replaced by the following:

Fixing of
salaries.
Exception.

“**21g.** Unless otherwise ordered, the salary of all officials is fixed by the executive committee. This article shall not apply to those officers who are appointed exclusively by the council.”

62 Vict., c.
58, s. 39, am.

4. Article 39 of the act 62 Victoria, chapter 58, as replaced by the acts 9 Edward VII, chapter 81, section 4; 1 George V (1st session), chapter 48, section 21; 6 George V, chapter 44, section 7, and 11 George V, chapter 112, section 20, Schedule B, and amended by the act 12 George V, chapter 105, section 3, is further amended by replacing the first two paragraphs thereof by the following:

Aldermen's
indemnity.

“**39.** Every alderman shall receive, out of the funds of the city, as an indemnity or compensation for his services, from the date of the voting to the date of the expiry of his term of office, an annual sum of one thousand five hundred dollars; provided that there shall be deducted from the indemnity of each alderman a sum of ten dollars for every failure on his part, even with the authorization of the council, to attend a meeting of the council, duly called, whether there be a quorum or not, unless such alderman has been absent on an official mission for the city or through illness.

Proviso.

Indemnity
of chair-
man, etc.

In addition to the above mentioned indemnity, the chairman of the executive committee shall have the right to receive a yearly indemnity of four thousand five hundred dollars, and each of the other members of the committee, a yearly indemnity of three thousand five hundred dollars, from the date of their appointment to the date of the swearing in of their successors.”

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

5. 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 (1st session), chapter 48, section 29; 1 George V (2nd session), 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, and 12 George V, chapter 105, section 4, is further amended:

1. By adding, after paragraph 107 thereof, the following paragraph:

Pension
fund.

“The city of Montreal may, moreover, create and

establish a pension fund for permanent officials and employees, and all said officials and employees must contribute to this pension fund. Every by-law creating and establishing a pension fund, as aforesaid, shall be effective only in so far as it will have been approved by the majority of officials and employees called upon to contribute thereto;"

By-law effective only after approval.

2. By adding thereto, after paragraph 132, the following paragraphs:

"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 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;

Special tax on auto-busses;

"b. Notwithstanding the provisions of the Revised Statutes, 1909, 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 the same amounts as are exigible from owners and drivers of hackney-coaches drawn by two horses."

License from the city for driving certain motor vehicles.

6. Article 307c of the act 62 Victoria, chapter 58, as enacted by the act 10 George V, chapter 86, section 3, is replaced by the following:

62 Vict., c. 58, s. 307c, replaced.

"307c. The fine which the city may levy for all and every infraction of its by-laws may be for a maximum of two hundred dollars, in the case of by-laws passed under paragraphs 25, 40 and 41 of article 300 of the charter, and under the act 11 George V, chapter 79, section 55, instead of being for a maximum of forty dollars, as provided by article 307 of the charter."

Maximum penalties for infraction of certain by-laws.

7. Article 348 of the act 62 Victoria, chapter 58, as replaced by the acts 3 Edward VII, chapter 62, section 32, 3 George V, chapter 54, section 15, and 11 George V, chapter 112, section 35, is again replaced by the following:

62 Vict., c. 58, s. 348, replaced.

"348. The city may also borrow sums of money beyond the limit of the borrowing power fixed by the city charter, and to that end, it may issue bonds, debentures or registered stock, but only in virtue of a by-law which shall be approved by the affirmative vote of at least the absolute majority of all the members of the council, on the previous

Certain loans not submitted to the limit of the borrowing power.

How effective.	recommendation of the executive committee, and such by-law shall specify, under pain of nullity:
Contents of by-law.	<ol style="list-style-type: none"> 1. All the purposes, in detail, for which the loan is to be effected; 2. The term of the loan; 3. The rate of interest; 4. The sinking-fund; 5. The place or places of issue, registration, transfer, payment of the interest and redemption of the capital at maturity; 6. The form of the security to be issued, whether bonds, debentures or inscribed stock, and whether in sterling or currency or otherwise; 7. All other matters of detail connected with the said loan.
Special tax for interest and sinking-fund.	By such by-law, there shall be imposed on all taxable real estate in the city, a special tax sufficient to meet the interest on the loan and to form a sinking-fund sufficient to redeem the loan at maturity. Such tax, the rate of which shall be fixed each year by resolution of the executive committee, shall be apportioned yearly, according to the value of taxable real estate, as shown on the valuation roll, during the period of the loan, and shall be entered on the annual assessment roll.
Apportionment of tax.	
Approval required.	No such by-law shall have any effect without the approval of the majority in number and in value of the electors owning taxable real estate, who vote and whose names appear on the assessment rolls in force, obtained by means of a referendum held in accordance with the provisions of this act.
Proviso.	This article shall not apply to special loans which are declared not to be included in the general borrowing power of the city."
62 Vict., c. 58, s. 351b, replaced.	8. Article 351b of the act 62 Victoria, chapter 58, as enacted by the act 7 Edward VII, chapter 63, section 15, amended by the act 8 Edward VII, chapter 85, section 17, and replaced by the acts 1 George V (1st session), chapter 48, section 38; 1 George V (2nd session), chapter 60, section 18; 4 George V, chapter 73, section 14, and 10 George V, chapter 86, section 6, is again replaced by the following:
Loans authorized.	"351b. 1. The city is authorized to borrow, from time to time, the sums of money which it may require, as working capital, to provide:
Current expenses;	a. For the current expenses in anticipation of the ordinary revenue;
Purchase of	b. For the purchase of merchandise, materials, supplies

and other articles it may need during the ordinary course of the administration, provided that, in such case, the total amount of the loans does not, at any time, exceed the sum of \$300,000.00;

c. For the purchase of machinery, plant or other apparatus it may need during the ordinary course of the municipal works, provided that, in such case, the total amount of the loan does not, at any time, exceed \$300,000.00; provided that, in the case of paragraphs *b* and *c*, a sum be voted, every year, in the estimates, sufficient to pay for the merchandise, materials, supplies and other articles used or utilized during the year, to cover the losses and to establish a sinking-fund for the purpose of offsetting the depreciation in the machinery, apparatus or plant.

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

d. For the proprietors' share of the cost of expropriations, of the construction of permanent paving, of permanent sidewalks, of sewers and of other permanent works.

The losses, which may arise through the inability to collect the special assessments imposed for the purposes mentioned in the above paragraph *d*, shall be made good from the revenue or from the general loan fund or other sums at the disposal of the city.

2. The proceeds from the collection of the said special assessments may be again used for the purposes set forth in the above paragraph *d*, or applied to the redemption, at maturity, of the loans made under this article, but shall not be used for any other purposes.

3. The loans provided for by this article may be effected for a term not exceeding forty years, by the issue of bonds, debentures or inscribed stock, signed by the mayor and the city treasurer and countersigned by the city comptroller.

In the case of sub-paragraphs *b* and *c* of paragraph 1 of this article, the loan may also be effected, in whole or in part, by means of treasury bonds, and such bonds shall be renewable at any time.

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

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

By-laws
ratified.

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 to all intents and purposes.

62 Vict., c.
58, s. 364,
am.

9. 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 (2nd session), 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, and 12 George V, chapter 105, section 5, is further amended by adding thereto the following paragraph:

Special tax
for business
by adver-
tisements,
etc.

“*uu.* A special tax not exceeding two hundred dollars on every person who carries on any business in a private house by means of advertisements in the newspapers or otherwise.”

62 Vict., c.
58, ss. 364c
and 364d,
repealed.
Proviso.

10. Articles 364c and 364d of the act 62 Victoria, chapter 58, as enacted by the act 11 George V, chapter 111, section 3, and replaced by the act 12 George V, chapter 105, section 6, are repealed, but such repeal shall not affect the provisions of the by-laws adopted under said articles, which shall remain in force until the first of May, 1923.

8 Geo. V, c.
84, s. 73,
replaced.

11. Article 73 of the act 8 George V, chapter 84, is replaced by the following:

Special tax
upon the
bordering
proprietors
in the town
of Cartier-
ville.

“**73.** The city is authorized to impose, by resolution, upon the bordering proprietors, special real estate taxes to recover the cost of the sewers and permanent sidewalks constructed under by-laws or resolutions adopted by the town of Cartierville, before its annexation to the city of Montreal.

Preparation
of the appor-
tionment
rolls.
Payment of
taxes.

The apportionment rolls in connection therewith shall be prepared in accordance with the provisions of article 450 of the city charter.

Interest.

Notwithstanding any provision to the contrary contained in the by-laws or resolutions adopted by the said town of Cartierville, such taxes shall be paid by yearly instalments in the same manner as the taxes for sewers in the city of Montreal, and shall bear interest at the rate stipulated in section 64 of this act.

Cost of

The cost of the water mains laid in the former town of

Cartierville, before its annexation to the city of Montreal, water mains at charge of the city.

The apportionment roll made under the said act 8 George V, chapter 84, section 73, by the city of Montreal, on or about the 29th of September, 1921, is declared null and of no effect, in so far as it relates to the cost of the water mains laid in the former town of Cartierville, before its annexation to the city of Montreal." Nullity of certain apportionment roll.

12. Section 34 of the act 11 George V, chapter 112, Schedule B, as replaced by the act 12 George V, chapter 105, section 12, is again replaced by the following; 11 Geo. V, c. 112, s. 34, Sch. B, replaced.

"**34.** Notwithstanding any law to the contrary, no loan shall be effected nor negotiated, in the future under articles 343 and 343a of the charter of the city of Montreal without the approval of the majority in number and in value of the owners of real estate who vote, and obtained by a referendum held in accordance with the provisions of this act. Approval of the owners of real estate for certain future loans.

This article shall not apply:

1. To loans authorized by by-laws adopted by the council before the sanction of this act; Exceptions.

2. To loans required for the enlargement and development of the waterworks and the construction of reservoirs and filtering basins, including the cost of the necessary expropriations;

3. To loans for urgent need or needs recognized as such by the council on the recommendation of the executive committee, provided such loans shall not exceed in any year the sum of three hundred and fifty thousand dollars, whereof two hundred and fifty thousand dollars shall be applied only to the laying of the waterworks, and one hundred thousand dollars for the other purposes only, mentioned in this paragraph.

Every loan by-law, which is to be submitted to the owners of real estate, including those authorized by article 348 of the city charter, except in the case of urgency, declared as such by the council, must be submitted at the time of the general elections. When by-law submitted.

13. Whenever a loan by-law is submitted to the approval of the electors owning taxable real estate, in virtue of the provisions of sections 7 and 12 of this act, the procedure to be followed in connection with the voting thereon, shall be as follows: Procedure for voting on by-law submitted for approval.

a. The council shall fix, in the by-law, the date on which the vote of the electors who are real estate owners and whose names are entered on the assessment roll in force shall

be taken, and there shall be an interval of not less than thirty days between such date and that on which the by-law has been adopted. The council may, however, decree whether the vote shall be given on each loan mentioned in the by-law or on the total amount of the loan.

b. Polls shall be established at the city hall and at such other places as may be designated by the council, provided that, in every case, there shall be a poll in each ward.

c. The voting shall not last less than two nor more than six juridical days, from 9 o'clock of the forenoon to 5 o'clock of the afternoon. The council may, however, if it deems it advisable, extend the hours for voting, provided that the polling come to an end not later than 11 o'clock in the evening.

d. The city clerk shall prepare or cause to be prepared, for use at the polling place or places, a copy of the assessment rolls in force and shall certify the accurateness thereof by his signature and the official seal of the city.

e. The city clerk is, however, authorized to use for the purpose of the voting the original of the assessment rolls.

f. Each elector who is a real estate owner may vote but once, and no person whose name is not entered on the assessment rolls in force, or who has not the qualifications required by law, shall be entitled to vote.

g. Joint-stock companies or corporations may only vote through a representative of the company or corporation duly authorized to that effect by a resolution of the board of directors, a copy of which, certified by the secretary, shall be deposited with the city clerk at the time of the voting.

h. Joint-owners or usufructuaries of any immoveable whatsoever, in the city, may only vote through a representative appointed by the majority of said joint-owners or usufructuaries. A power of attorney to that effect must be given by them to the person authorized to vote in their name, and such power of attorney must be deposited with the city clerk at the time of the voting. The person so authorized to vote in the name of the joint-proprietors or usufructuaries must moreover deposit with the city clerk a declaration sworn before a justice of the peace or a commissioner of the Superior Court, attesting the authenticity of the signatures affixed to said power of attorney.

i. Every vote, which shall have been given contrary to the provisions of this section, shall be set aside when counting the votes.

j. Each elector shall present himself in turn and give his vote by "yea" or by "nay"; the word "yea" meaning

that he approves of the by-law and the word "nay", that he disapproves of the same.

k. The name of the elector and the vote given by him shall be entered in a special book, called poll-book, which the deputy returning-officer shall keep for such purpose.

l. The city clerk shall, at least one week before the day fixed for the polling, publish or cause to be published over his signature, in two French and two English newspapers, a notice indicating:

1. The nature of the by-law to be submitted to the electors being real estate owners, according to a summary approved by the council;
2. The days and hours of polling as well as the polling place or places.

m. The city clerk shall, at least two days before the date fixed for polling, appoint a deputy returning-officer for each of the polls and supply him with a certified extract from the assessment rolls in force or with the original of such rolls.

n. The city clerk may, by a commission signed by him, appoint such number of persons as he may deem advisable to represent, at the polling place or places, the citizens who are interested in promoting the passing of the by-law and a like number of persons to represent the citizens who are interested in opposing the passing of the by-law. Such persons shall, before being so appointed, sign before the city clerk a declaration to the effect that they are interested in promoting or opposing, as the case may be, the passing of the by-law.

o. During the time appointed for polling, no person shall be permitted to remain in the poll or polls, other than the officers, clerks and persons or electors, being real estate owners, authorized as aforesaid to act as representatives.

p. The proceedings at each poll shall be, as far as possible, the same as at municipal elections held under the city charter, and all the provisions of articles 80 to 85, inclusive, and 106 to 278, inclusive, in so far as the same are applicable, and except when inconsistent with the provisions of this section, shall apply, *mutatis mutandis*.

q. Any elector, being a real estate owner, may be required by the deputy returning-officer or by any person authorized, under paragraph n, to act as representative, to take the following oath or affirmation before voting, and before being allowed to vote must answer, under oath or affirmation, in the affirmative, the questions numbered

1, 2 and 3, and in the negative, the questions numbered 4 and 5:

You swear or affirm (as the case may be):

1. That you are of the full age of 21 years and a British subject;
2. That you are, according to law, entitled to vote on the by-law now being submitted for approval;
3. That you are the person named or purporting to be named on the assessment roll now shown to you;
4. That you have not received anything nor has anything been promised to you, directly or indirectly, either to induce you to vote on this by-law, or for loss of time, travelling expense, cab hire, or any other services connected therewith, and that you have not, directly or indirectly, promised anything to any person, either to induce him to vote or to abstain from voting on this by-law;
5. That you have not already voted on this by-law at this or any other poll.

No inquiry shall be made of any voter except with respect to the facts specified in such oath or affirmation.

r. The deputy-returning officers shall, while the voting is being proceeded with, obtain from the electors owning real estate who vote all such information as may tend to establish the value of all the immoveables owned by each of them in the different wards of the city.

s. At the closing of the voting, the city clerk, aided by the election clerk and any other person he may deem advisable to appoint for such purpose, shall proceed to count the "yeas" and "nays", and, within eight days thereafter, he shall submit to the council the result of the polling with a statement showing the value of the taxable real estate of each of the voters, according to the assessment rolls in force.

The city clerk shall also state in his report whether the majority in number and in value of the taxable real estate owners approve or disapprove of the by-law.

t. If the council desires to examine the poll-books and the valuation rolls, the same shall be produced at once.

u. In the event of the votes being equally divided, the city clerk shall give his casting vote."

12 Geo. V, c. 105, s. 17, replaced. **14.** Section 17 of the act 12 George V, chapter 105, is replaced by the following:

Renewal, etc., of the loans. **17.** The city is authorized to make, in advance, arrangements for the renewal of its loans or for the making

of new loans to be applied to the redemption of maturing loans, provided that such arrangements be not concluded more than six months before the date of maturity of said loans."

15. In order to enable it to carry out the order of the Railway Commissioners of Canada dated the 25th of June, 1922, ordering it to reconstruct the Ontario Street viaduct, the city is authorized to borrow under article 343 and 343a of its charter without the approval of the real estate owners a sum not exceeding three hundred thousand dollars which shall be employed exclusively for the construction of the viaduct. Loan for Ontario street viaduct.

16. The city is authorized to close that part of the former Sherbrooke street, comprised between Aylwin and Bourbonnière streets, as well as the lanes abutting on the lands purchased by the city, and this, for the purpose of opening Sherbrooke street in conformity with the new plan, and for the purpose also of resubdividing the lots now belonging to the said city. Sherbrooke street.

17. The city is authorized to levy, by mere resolution of the council, on a report from the executive committee, on all vacant land in front of which a water main, connected with the general waterworks system of the city, is laid, a special tax not exceeding six per cent per annum of the estimated cost of such main and of the expenses entailed by the laying thereof. Special tax on certain vacant land.

The revenue derived by the city from the supplying of water to the places where such main was laid shall be applied to reducing the rate of the tax so levied. Tax reduced by revenue.

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. Collection of tax. What included in cost of works.

18. Whenever the city is held, in virtue of a contract with the Montreal Water & Power Company, to pay to such company an annual rental for the laying of a water main by the said company in any street or part of street, it may, by mere resolution of the council, on a report from the executive committee, levy on all vacant land, in front of which such main is laid, a special tax Special tax on certain vacant land in certain event.

sufficient to cover the amount which the city is thus called upon to pay, as well as the interest thereon until such tax become exigible.

Duration of tax. This tax is imposed in favour of the city so long as the said city is held to pay said rental, that is to say, so long as the said company does not derive from the supplying of water to the places where the main was laid a revenue equal to the rental paid by the city.

Rate of tax proportionally reduced. As the company derives a revenue from the supplying of water to the places where the main was laid and the rental exigible from the city decreases, the rate of the special tax so levied shall be proportionally reduced.

Collection of tax. What included in cost of works. 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.

Application subject to objections. **19.** The provisions of the two preceding sections shall apply only in so far as the majority of the interested proprietors do not object to the execution of the works mentioned in these two sections. Such objections shall be transmitted to the city within the thirty days following the notice given to this effect to the said proprietors of the city. The majority of the interested proprietors shall be reckoned according to the number of feet frontage which each proprietor possesses.

Determination of majority.

Purchase of coal and loans therefor. **20.** The executive committee of the city of Montreal is authorized, in cases of crisis or urgency, to purchase coal or other fuel for resale to the citizens of Montreal, and to pay the expenses generally connected with the trade in fuel, and to borrow temporarily, from time to time, the sums necessary, without referendum.

Amount, etc. of loans. Such temporary loans, which shall not exceed two hundred thousand dollars, shall not form part of the borrowing powers possessed by the city under articles 343 and 343a, and they may be effected, wholly or in part, by treasury bonds, and such bonds may be renewed at any time.

Special account. The city treasurer is obliged to keep a special account of the expenditure made out of such loans and establish the cost price of the fuel purchased, which fuel cannot be sold otherwise than for cash, and at a price which must not be less than the cost price.

Cost and sale price.

Use of fuel The executive committee may use the fuel so purchased

for the various municipal services, provided that the credits be voted out of the general revenues of the city to pay the price which the city treasurer may fix for the said fuel.

If there be any loss in connection with the sale of such fuel, such loss shall be made up immediately out of the general revenues of the city.

21. Notwithstanding any provisions in the act 4 George V, chapter 73, section 28, and the apportionment rolls made under the said act, the cost of the sewers for the lots Nos. 149, 151 and 152 of Notre-Dame de Grâces ward, laid in Walkley, Monclair, Mariette and Rosedale streets and King Edward and Western avenues, shall be payable by annuities, the interest being calculated at the rate of six per cent per annum, during a period not exceeding thirty years, with interest after maturity at the rate stipulated in section 64 of the act 8 George V, chapter 84.

The capital to be converted into annuities is the sum remaining payable in virtue of existing rolls, with accrued interest.

The privileges and hypothecary rights of the city are conserved on the immoveables subject to the payment of this assessment on real estate until the owners have paid their share of the assessment in full.

22. The system of double shifts established for the fire department shall be maintained in the said department, provided, however, that it shall not apply to the officers and provided also that the system shall be established by by-law.

23. Within thirty days from the sanction of this act, the city shall insert, on the list of those who have a right to a pension under by-law No. 506, the police officers who resigned in 1918, after an understanding with the then Director of safety, and shall allow them such pension on the first of March each year, from their resignation, the arrears being graduated in thirds over a period of three years, deducting amounts already paid by the city.

24. The city of Montreal is authorized, by simple resolution of the council, upon a report of the executive committee, to close Nicolet street, between Notre-Dame street and the Port of Montreal; and it is likewise authorized to cede that part of the said street thus closed to the Harbour Commissioners upon the conditions agreed upon between the said Harbour Commissioners and the city.

Certain by-law and contract validated. **25.** By-law No. 761, adopted on the 15th of September, 1922, to the effect of allowing the Government of the Province of Quebec to build a subway under Notre-Dame street, and the contract based on said by-law and executed before Mtre. Jean Beaudoin, N. P., on the 17th of October, 1922, are declared valid and legal.

Coming into force. **26.** This act shall come into force on the day of its sanction.

C H A P. 92

An Act respecting lands under cultivation in the city of
Montreal

[Assented to, the 29th of December, 1922]

Preamble. **W**HEREAS François Xavier Décary, John McEvoy, both of the city of Montreal, farmers, have, by their petition, represented:

That by the act 1 George V (1st session), chapter 48, when the city of Montreal annexed certain territory, it was enacted that the lands under cultivation should be valued for municipal purposes at one hundred dollars an arpent for a certain period of time;

That, when this act was passed, it was hoped that these lands would be converted into building lots and be built upon during such period;

That, notwithstanding the great development of the city, there still remain in the city several lots of land that are still being cultivated, as their owners cannot obtain other revenue from them or otherwise dispose of them;

That, under the circumstances, by the act 10 George V, chapter 87, an act was passed fixing anew the valuation of these lots of land for municipal purposes for a certain additional period of time;

That, as in the preceding case, it was hoped that the said lots of land would be disposed of within this additional period of time, but that this hope has not been realized and they still remain in the same state;

That, under the circumstances, it would be unjust if the municipal valuation of these lands were changed while they are being used as they are now;

That, consequently, such lands should be valued for municipal purposes at a special price per arpent, including the buildings used in connection therewith;

Therefore, His Majesty, with the advice and consent of