

temporary loans to meet current expenses, provided the total amount does not exceed the amount appropriated or authorized. loans for certain expenses.

**15.** Nothing in this act shall affect the by-laws or conditions of annexation with neighboring municipalities with respect to the rate of taxes to be collected in the annexed territory. Effect of act as regards annexation.

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

## C H A P . 8 4

An Act to amend the charter of the city of Montreal

[Assented to 9th February, 1918]

**W**HEREAS the city of Montreal, has, by its petition, Preamble. represented that it is in the interest of the city and necessary for the good 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 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 62 Vict., c. 58, s. 5, am. amended by the acts 7 Edward VII, chapter 63, section 1; 8 Edward VII, chapter 85, section 1; 9 Edward VII, chapter 81, section 1; 1 George V (1st session), chapter 48, sections 1 and 3; 1 George V (2nd session), chapter 60, section 2; 2 George V, chapter 56, section 1; 3 George V, chapter 54, section 1; 4 George V, chapter 73, section 2, and 7 George V, chapter 60, section 1, is further amended:

*a.* By adding to sub-paragraph *a* of paragraph *o* the following clause:

“ The following is also annexed to the city of Montreal and shall form part of the same ward, namely, that portion of the *montée* St. Laurent comprised between the extension of the centre of the old Bois Franc road and a point situate three thousand and four feet from the northwest line of Gouin Boulevard so as to allow the city to establish its boundary at that place on the southwest side of the said *montée*.”; Annexation of part of montée St. Laurent.

b. By adding the following paragraph after paragraph o :

City of  
Maison-  
neuve an-  
nexed.

"p. The following territory is annexed to the city of Montreal, namely, the city of Maisonneuve, with its territorial limits as defined by its charter, which shall be annexed to and form part of Mercier ward, which shall hereafter be known as Mercier-Maisonneuve ward.

Merger of  
assets, &c.

The assets and liabilities of the city of Maisonneuve hereby annexed shall form part of the assets and liabilities of the city of Montreal.

By-laws,  
&c., to re-  
main in  
force.

Every municipal by-law *proces-verbal*, resolution, or municipal act legally passed or done by the city of Maisonneuve shall continue after the annexation to have full effect until the object of such by-law, *procès verbal*, resolution or municipal act has been attained or realized.

Certain  
contracts  
must be  
approved.

Nevertheless, every contract entered into by the said city of Maisonneuve after the 1st of July, 1917, and every by-law, resolution or contract passed or given by the said city of Maisonneuve from the 1st of January, 1917, for granting exemptions, limitations, or commutations of taxes, as well as for giving guarantees or grants of any kind, are and shall be without effect as to the City of Montreal unless approved by the administrative commission; and accordingly the delay mentioned in any such by-law, resolution or contract, shall be extended for an additional period of four months, to run from the 1st of April next (1918).

Borrowing  
power not  
affected.

The debts of the city of Maisonneuve shall not have the effect of diminishing the borrowing powers possessed by the city of Montreal. The municipal electoral list now in force for the city of Maisonneuve shall be used for the next municipal elections.

Special tax  
on annexed  
territory.

Notwithstanding any law to the contrary, the city of Montreal shall, for a period of fifteen years, impose on the taxable property situate within the annexed territory, a general tax of two and one-half per cent on the value of the said taxable property.

Delay to pay  
certain  
debts.

A delay is granted to the city of Montreal until the 1st of September next (1918), to pay any debt payable by the city of Maisonneuve now due and exigible or which may become due or exigible before the 1st of September next.

Loans  
authorized.

Notwithstanding any law to the contrary, the city is authorized to effect the loans required for paying the debts, due and to become due, legally contracted by, and to renew at their maturity all loans effected by the city of Maisonneuve. Such loans or renewals of loans shall not affect the general or special borrowing powers which the city possesses or would possess if the city of Maisonneuve had not been annexed to the city of Montreal.

Indemnity  
to Recorder.

A sum of four thousand dollars shall be paid by the city

of Montreal to the Recorder of the city of Maisonneuve to indemnify him for the loss of his office.

There shall be paid to each of the legal advisers of the city of Maisonneuve whose services shall not be retained by the city of Montreal, a sum of two thousand five hundred dollars, as an indemnity for the loss of his office.”

**2.** Articles 21*a*, 21*c*, 21*e*, 21*h*, 21*n* and 21*p* of the act 62 Victoria, chapter 58, as enacted by the act 9 Edward VII, chapter 82, are repealed.

**3.** Articles 21*b*, 21*d*, 21*f*, 21*g*, 21*k*, 21*m* and 21*q* of the act 62 Victoria, chapter 58, as enacted by the act 9 Edward VII, chapter 82, section 2, and replaced by the act 1 George V (1st session), chapter 48, sections 6, 7, 8, 9, 12, 14 and 16, are repealed.

**4.** Article 21*i* of the act 62 Victoria, chapter 58, as enacted by the act 9 Edward VII, chapter 82, section 2, and as replaced by the act 1 George V (1st session), chapter 48, section 10, and by the act 5 George V, chapter 89, section 31, is repealed.

**5.** Article 21*j* of the act 62 Victoria, chapter 58, as enacted by the act 9 Edward VII, chapter 82, section 2, and replaced by the act 1 George V (1st session), chapter 48, section 11, and by the act 6 George V, chapter 44, section 5, is repealed.

**6.** Article 21*l* of the act 62 Victoria, chapter 58, as enacted by the act 9 Edward VII, chapter 82, section 2, replaced by the act 1 George V (1st session), chapter 48, section 13, and by the act 3 George V, chapter 54, section 2, and amended by the act 6 George V, chapter 44, section 6, is repealed.

**7.** Article 21*o* of the act 62 Victoria, chapter 58, as enacted by the act 9 Edward VII, chapter 82, section 2, and replaced by the act 1 George V (1st session), chapter 48, section 15, and amended by the act 3 George V, chapter 54, section 3, is repealed.

**8.** Article 21*r* of the act 62 Victoria, chapter 58, as enacted by the act 4 George V, chapter 73, section 3, is repealed.

**9.** Article 21*s* of the act 62 Victoria, chapter 58, as enacted by the act 5 George V, chapter 53, section 30, is repealed.

62 Vict., c. 58, s. 21, replaced.

Government of city.

62 Vict., c. 58, ss. 21a, et seq. enacted.

Certain officials *ex officio* members of Commission.

Removal of such officers.

Appointment of successors in case of vacancy.

Appointment of other members.

And their successors in case of vacancy.

Certain officers may refuse office and still re-

**10.** Article 21 of the act 62 Victoria, chapter 58, as replaced by the act 9 Edward VII, chapter 82, section 1, is again replaced by the following:

**“21.** The city of Montreal shall, from the general municipal elections in 1918, be governed, subject to the provisions hereinafter mentioned, by a mayor, a commission of five members, called “The Administrative Commission of the City of Montreal” (hereinafter called “The Commission”), and a council composed of the mayor and one alderman for each ward.”

**11.** The following articles are inserted in the act 62 Victoria, chapter 58, after article 21:

**“21a.** The present chief city attorney, the present city comptroller and the city treasurer shall be *ex officio* members of the commission mentioned in the foregoing article.

**“21b.** Such officials, so long as they are members of the commission, may be dismissed only by a vote of two-thirds of all the members of the council, and such dismissal shall take effect only if approved by the Lieutenant-Governor in Council.

**“21c.** When a vacancy occurs in the office of city treasurer or comptroller, owing to the death, refusal, neglect or incapacity to act, to resignation sent to the commission, or to dismissal, the appointment of the successor shall be made by a resolution of the majority of the members of the commission remaining in office, approved by the absolute majority of the members of the council.

If the vacancy is not so filled within thirty days after it has occurred, it may be filled by the Lieutenant-Governor in Council.

**“21d.** The other members of the commission shall be appointed for four years by the Lieutenant-Governor in Council, who may however dismiss them at any time for cause.

If a member of the commission appointed under this article dies or refuses, neglects or becomes unable to act, sends his resignation to the Lieutenant-Governor in Council, or is dismissed, his office shall become vacant, and the Lieutenant-Governor in Council shall appoint a successor to him, who shall remain in office until the expiry of the term of office of the person whom he replaces.

**“21e.** The present chief city attorney or the present city comptroller may refuse to accept the office of member of the commission, or may, after accepting it, resign, while

retaining nevertheless the respective office of chief city attorney or comptroller. tain former office.

In such case, as well as in the case where, either of such officials being a member of the commission, his office as member becomes vacant for any other reason, the Lieutenant-Governor in Council may appoint as member of the commission one or two persons, as the case may be, who may be and remain officials of the city at the same time as they are members of the commission. Appointment of members of commission in such case.

Article 21*d* shall apply to such members and to the appointment of their successors. Provision applicable.

“21*f*. The present chief city attorney shall be chairman of the commission. Chairman.

If he refuses to accept or ceases to act, the chairman shall be designated by the Lieutenant-Governor in Council.

“21*g*. The annual salary of the chairman of the commission shall be \$15,000.00 so long as such office is held by the present chief city attorney, and \$12,000.00 when it is held by any other person. Salaries of members of commission.

That of each of the other members of the commission shall be \$10,000.00.

The salary granted under this article to a member of the commission who is at the same time an official shall, so long as he acts in both capacities, also cover his salary as official. One salary only.

“21*h*. Before entering into office, every member of the commission shall take oath before the city clerk, according to form No. 1, *mutatis mutandis*. Oath of office.

“21*i*. The quorum of the commission shall be three members. Quorum.

Decisions, in all cases, shall be made by the majority of the members present, even on questions and matters which when they pertained to the council, required a greater number of votes in favor thereof. Majority vote to decide.

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

The chairman or the member presiding in his absence shall vote as commissioner, but shall have no casting-vote. No casting-vote.

“21*j*. The members of the commission shall not have any other paid employment or office, nor any other occupation, saving the exceptions above provided for. No other occupation for members.

“21*k*. Hereafter the following shall be exclusively vested in the commission: Powers of commission.

1. The powers, attributes and competence which the city charter, the other general or special acts and mu-

municipal by-laws of the city conferred previous to the 2nd of April, 1918, either upon the city, or the council, or the board of commissioners, or upon the two latter bodies jointly or subordinately one to the other.

2. The powers, attributes and competence which may, at or after the said date, be conferred (a) upon the commission appointed by a general or special act; (b) upon the city by a general or special act; (c) upon the council by a general act.

Certain matters to be submitted to council.

Nevertheless, the resolutions, by-laws and other acts of the commission shall be submitted to the council in connection with the following matters:

Annual and supplementary budgets;

Variation of funds;

Appropriations of the proceeds of loans;

Taxes and licenses;

By-laws, with the exception of those defining the attributes and duties of the municipal officials, officers and employees;

Granting of franchises and privileges;

Annexations.

Council may amend by three-fourths majority.

The council may, by a majority of three-fourths of all its members, reject or amend the commission's reports on such matters within thirty days of their receipt by the city clerk, or within sixty days in the case of a by-law; otherwise, they shall be deemed to be adopted notwithstanding any provision to the contrary in the charter or in any general or special act.

Limit to amending power on financial questions.

The council cannot, however, in amending the reports of the commission on questions of finance, increase or apply to other purposes the appropriations recommended, nor add new ones.

Approval by electors.

This article shall not dispense with the approval of the municipal electors, whether proprietors of immoveable property or others, when the same is required.

Particular provisions.

"21. Without limiting the scope of article 21*k*, and for greater certainty, it is hereby declared as follows:

Commission to see to employment of funds.

1. After the adoption of the annual or supplementary budgets or of reports providing for variations of funds or the appropriation of the proceeds of loans, the commission shall see that such funds are used for the purposes for which they were voted without any further report to the council, whether such appropriation has been general or special;

Tenders,

2. The commission shall prepare all plans and speci-

fications, call for and accept tenders, award contracts and contracts, &c.  
see that all works are carried out.

The formalities in connection with tenders shall be Delay after  
determined, from time to time, by the commission, but advertisement for  
a delay of at least eight days must be given between the tenders.  
date of the publication in the newspapers of the advertise-  
ment calling for tenders and the date fixed for receiving  
the same.

Tenders shall, in all cases, be addressed to the commis- Opening  
sion and opened by it, in meeting assembled, at the time tenders.  
and place specified in the notice, and not before.

Nevertheless the commission may, without calling for Certain  
tenders, purchase materials, supplies, machines, tools, purchases  
horses, vehicles and other articles, provided the amount without  
does not exceed \$2,500.00 in each case. tender.

**“21m.** Notwithstanding the provisions of article 21k: Certain

a. The commission may neither appoint, suspend nor officers may  
dismiss the chief city attorney or city comptroller when not be ap-  
they are not members of the commission, nor reduce their pointed, &c.  
salary, without the approval of the majority of all the without  
members of the council; approval of  
council.

b. The appointment and dismissal of the city clerk and Council to  
of his assistants, as well as the fixing of their salaries, shall deal with  
devolve upon the council. other  
officers.

**“21n.** The commission may adopt such rules as it Rules.  
deems advisable for conducting its deliberations and for  
its internal government.

It shall appoint a secretary. Secretary.

**“21o.** Reports to the council, contracts and other acts Signature to  
of the commission shall be signed by the chairman and reports, &c.  
secretary of the commission.

**“21p.** The commission may hold investigations and Inquiries.  
examine witnesses on oath in order to elucidate questions  
of fact and establish the truth of representations made  
to it.

In the event of a witness refusing to appear, he shall Witnesses.  
be summoned by a resolution of the Commission, a copy  
whereof shall be served upon him at least twelve hours—  
if the subpoena is delivered to him within the city limits,  
and, in other cases, at least one clear day—before that  
fixed for his examination.

When the distance exceeds fifty miles, the delay shall Delay.  
be increased by one day for every additional fifty miles.

A witness may be summoned either to state what he

- knows or to produce some document in his possession, or for both such purposes.
- Contents of resolution.** The resolution of the commission ordering the summoning of a witness shall indicate the place where and the day and hour when he must appear, and shall contain an enumeration of the documents which he must produce.
- Signatures.** The resolution of the commission must be signed and the copy certified by the chairman.
- Service.** The service of such summons shall be made by a bailiff of the Superior Court in accordance with article 128 of the Code of Civil Procedure.
- To be sworn by chairman. Penalty for non-appearance, &c.** The chairman is authorized to swear the witnesses. A witness, so summoned, who without sufficient reason, does not appear on the day, and at the hour and place indicated, or who, after having appeared, refuses to take the oath or to answer the questions put to him, or to produce documents or other things connected with the inquiry and in his possession, shall be liable to a fine of not more than forty dollars, recoverable by and in the name of the city by a suit before the Recorder's Court. Such fine shall belong to the city.
- Provisions applicable.** Articles 313, 314, 319, 320, 322, 324, 325, 326, 327, 331 and 332 of the Code of Civil Procedure shall apply in such case.
- Depositions.** The depositions of the witnesses may be taken down in writing by means of stenography by an official stenographer of the Superior Court, who shall, under his oath of office, certify to the exactness and accuracy of the transcription of his notes, which shall then be considered as proof of their contents.
- Taxation.** Witnesses shall be entitled to be taxed as in a case before the Superior Court.
- Certain powers to be exercised by council.** "**21q.** Notwithstanding the provisions of article 21*k*, the powers conferred upon the council by articles 26, 27, 31 and 532 are not transferred to the commission, but shall continue to be exercised by the council."
- Id., art. 22, re-enacted.** **12.** Article 22 of the act 62 Victoria, chapter 58, repealed by the act 1 George V (1st session), chapter 48, section 17, is again enacted as follows:
- Functions of mayor.** "**22.** The mayor is the first magistrate of the city. He shall represent it on all ceremonial occasions. He shall, when he deems it advisable, submit observations and suggestions to the administrative commission, to the council and to the committees of the council. He shall preside at the meetings of the council.

He shall have the right to vote on all questions submitted to the council, and shall, moreover, have a casting-vote when the votes are evenly divided on questions which are decided by a mere majority of the members.

He shall be *ex-officio* member of all committees of the council.

His salary shall be \$10,000.00 per annum."

**13.** Article 23 of the act 62 Victoria, chapter 58, is replaced by the following: Id., art. 23, replaced.

"**23.** If the mayor fails or refuses, within forty-eight hours after it has been presented to him, to sign any by-law, obligation, bond or other document—the signing whereof is not to be done in accordance with article 21o—Chairman may sign instead of mayor, in certain case. which he is called upon by the charter, by a general or special act, or by a by-law or resolution, to sign, or if he is unable to sign the same within the said delay, the chairman of the commission, on a certificate from the city clerk attesting such fact, may sign it in his stead, with the same effect."

**14.** Article 24 of the act 62 Victoria, chapter 58, as replaced by the act 1 George V (1st session), chapter 48, section 18, is again replaced by the following: Id., art. 24, replaced.

"**24.** The mayor and the members of the commission, shall be *ex-officio* justices of the peace for the city and district of Montreal." Ex-officio justices of the peace.

**15.** Article 24a of the act 62 Victoria, chapter 58, as enacted by the act 1 George V (2nd session), chapter 60, section 4, is again replaced by the following: Id., s. 24a, replaced.

"**24a.** The mayor, the members of the commission, and the aldermen shall be exempted from serving as jurors." Exemption from jury service.

**16.** Article 37 of the act 62 Victoria, chapter 58, as replaced by the act 4 George V, chapter 73, section 4, is amended by adding thereto the following paragraph: Id., art., 37, am.

"Whoever, while holding office as mayor or alderman, avails himself, as debtor, of the provisions of article 1147a of the Code of Civil Procedure, shall be deemed insolvent within the meaning of this article, and shall cease to hold office." Who shall be deemed insolvent.

**17.** Article 40 of the act 62 Victoria, chapter 58, as replaced by the act 1 George V (1st session), chapter 48, section 22, is again replaced by the following: Id., art. 40, replaced.

"**40.** The council may, at any time, appoint committees of council." Committees of council.

tees and entrust them, either on its own initiative or at the request of the administrative commission, with the study of or inquiry into any facts, matters or questions which it may deem advisable to submit to them, and such committees shall study or inquire into such facts, matters or questions, and report thereon to the body upon which it devolves to deal with the facts, matters or questions at issue."

Id., art. 287, replaced. **18.** Article 287 of the act 62 Victoria, chapter 58, is replaced by the following:

Calling of special meeting on refusal of mayor.

"**287.** In case the mayor should at any time refuse to call a special meeting when deemed necessary by at least five members of the council, or by the commission, such members of the council, or the commission, may order the meeting to be called, by means of a written requisition to the city clerk; and upon such requisition the city clerk shall issue a notice of meeting, which he shall forward in the manner mentioned in the preceding article, provided such requisition shall specify the business for which the meeting is called."

Id., art. 289, replaced. **19.** Article 289 of the act 62 Victoria, chapter 58, as replaced by the act 1 George V (2nd session), chapter 60, section 9, is again replaced by the following:

Adjourned meetings.

"**289.** If, at any special or monthly meeting, the business cannot be fully disposed of, the council may adjourn as often as may be deemed necessary for the consideration and disposal of the unfinished business; but no new business shall be brought up or considered at any such adjourned meeting, except with the unanimous consent of all the members of the council present and of the mayor, save in the case of the adjournment of a monthly meeting."

Id., art. 338, replaced. **20.** Article 338 of the act 62 Victoria, chapter 58, as replaced by the act 1 George V (1st session), chapter 48, section 35, and amended by the act 4 George V, chapter 73, section 11, is again replaced by the following:

Consequences of illegally authorizing money expenditure.

"**338.** The mayor, or any member of the commission, or any alderman, who authorizes, either verbally or in writing, by his vote or tacitly, any expenditure of money exceeding the amount previously voted and legally placed at the disposal of the commission, may, at the discretion of the court, according to the gravity of the irregularity or illegality, be either held personally liable therefor or be declared disqualified to sit or act in the above capacity,

or be declared incapable of being re-elected or re-appointed to either of such offices for a period of two years from the commission of the irregularity or illegality, or be condemned to all such penalties, or even be declared not liable thereto.

And, in any case, the liabilities and disqualifications Exception. enacted by this article shall not exist if the commission has authorized, ratified or confirmed such expenditure of money as valid and legal, and if its report to that effect, submitted to council, has been approved by the latter or has automatically come into force as above provided."

**21.** Article 341 of the act 62 Victoria, chapter 58, is Id., art. 341, replaced by the following: replaced.

"**341.** After the proposed expenditures in virtue of When by- articles 334 and 335 have been authorized in accordance law dimin- with the charter, no by-law or resolution which has for its ishing civic object, purpose or result the diminution of the civic reve- revenue to nue, shall be valid or operative during the year for which take effect such expenditure has been authorized." after certain authoriza- tion.

**22.** The following article is inserted in the act 62 Id., 350a, Victoria, chapter 58, after article 350 thereof, as replaced enacted. by the act 8 Edward VII, chapter 85, section 16:

"**350a.** The same shall apply to any member of the Commis- commission, who shall, in like case, forfeit his right to sit ioner to for- in the commission, and shall be ineligible for re-appoint- feit seat, &c. ment thereto for a period of five years." in certain case.

**23.** The following article is inserted in the act 62 Id., art. Victoria, chapter 58, after article 564n, as enacted by the 564o, en- act 2 George V, chapter 56, section 29: acted.

"**564o.** The administrative commission may create a Technical technical commission composed of such number of the commission. heads of the municipal departments and other persons as it deems advisable, and may, from time to time, make such changes in the personnel of such commission as it considers necessary.

Such commission shall have charge of the study of and Its duties. inquiry into such facts, matters and questions of a technical nature as may be entrusted to it by the administrative commission."

**24.** Every provision inconsistent with sections 2 to Interpreta- 23 inclusive of this act which may be found in the city tion of charter, in any other act, either general or special, or in certain any by-law or resolution passed by the city, now in force, provisions.

must be interpreted in such a way that the said sections 2 to 23 inclusive shall be given their full force and effect.

Coming into force of ss. 2—24. **25.** Sections 2 to 24 of this act shall come into force on the day of the general municipal elections, in 1918.

62 Vict., c. 58, art. 74, replaced. **26.** Article 74 of the act 62 Victoria, chapter 58, is replaced by the following:

Certificate after list revised. **“74.** As soon as the recorder shall have revised such list as aforesaid, he shall affix thereto a certificate, as per form No. 3, which said certificate shall be countersigned by the city clerk, and such list shall thereupon come into force, and shall so remain in force until a new list is made and put in force in virtue of this charter.

May be affixed by stamp. The certificate and signature of the recorder may be affixed, by means of a stamp, by a municipal officer designated by the recorder.”

Id., art. 92, par. 2, replaced. **27.** The second paragraph of article 92 of the act 62 Victoria, chapter 58, as replaced by the act 2 George V, chapter 56, section 10, is again replaced by the following:

Documents to be filed with nomination paper. **“A** certificate from the city treasurer showing that the candidate is not indebted to the city for taxes, assessments on immoveables, or water-rates, and that he has deposited the sum of \$500.00 in the hands of the said treasurer, as required by law.”

Id., art. 93, am. **28.** The first paragraph of article 93 of the act 62 Victoria chapter 58, is replaced by the following:

Deposit required. **“93.** A sum of five hundred dollars in gold, silver, dominion notes, or bills of an incorporated bank doing business in this Province, must be paid into the hands of the city treasurer by each candidate, previous to the delivery of the nomination-paper to the returning-officer.”

Id., art. 300, am. **29.** 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; and 7 George V, chapter 60, section 2, is further amended:

a. By replacing paragraph 6 by the following:

"6. To regulate the use of pavements, sidewalks, crossings, curb-stones and gutters, and to regulate, permit on payment of a license or forbid the placing on the streets, on or above sidewalks, alleys or public places, of awnings, porticoes or canopies, and to have a sum of five dollars paid yearly as the price of such license, and, in addition, a sum of not more than fifty cents per square foot of the city's land covered by such awnings, porticoes or canopies; such sums to be paid when the license is issued;"

b. By replacing paragraph 46 by the following:

"46. To require the owner, tenant, possessor or occupant under any title, of a building of three stories or more, to provide such building with fire-extinguishers and fire escapes, such as iron ladders, canvas or metal tubes, or other safety appliances in case of fire;"

In cases only where the city may deem the same advisable, to require every owner, tenant, possessor or occupant under any title of a building to install dry sprinklers in the cellar, entresol, basement, garret or attic of such building;"

c. By adding the following paragraph after paragraph 96:

"96a. To require the owner of any building to be erected in future to instal on his private drain, at the place indicated by the city, an automatic valve approved by the said city, and also to require the said owner to connect the spouts from the roof of such building with the private drain, and to make such connection between the valve and the street sewer;"

d. By adding the following paragraph after paragraph 125a:

"125b. Every tax imposed by the city under by-laws based on the foregoing paragraph (125a) shall be a tax on immoveables and a privileged claim ranking, without registration, on the proceeds of the sale of the immoveables for the use whereof the occupation of the public grounds has been permitted, in the order fixed and determined by the Civil Code.

All the provisions of the city charter respecting annual taxes on immoveables shall apply to these taxes;"

e. By replacing paragraph 135 by the following:

"135. To provide for the establishment and operation of ice-houses, of fire-wood and coal yards and of dairies, and to authorize the city to carry on a general trade in ice, fire-wood, coal and milk.

The cost of the lands and buildings required for establishing such ice-houses, fire-wood and coal yards and dairies

may be charged against the loan fund, but the other expenses and the purchase price of the ice, fire-wood, coal and milk may be paid out of the reserve fund to the amount of fifty thousand dollars, but the surplus shall be paid out of the general revenue of the city.

For the purchase of the above articles of trade, the city shall not be obliged to call for tenders, but may purchase such various articles on the market, in the ordinary course of business;”;

*f.* By adding the following paragraph after paragraph 137:

Taximeters,  
&c.

“137*a.* To compel the owners of automobiles and taximotor cars kept for hire, to provide their cars with taximeters of a model approved by the city, and impose a penalty on every chauffeur of an automobile or taximotor car kept for hire, who has no taximeter;”;

*g.* By adding the following paragraph after paragraph 145:

Closing of  
barber  
shops.

“145*a.* To order that barber shops be closed on the following holidays, namely: Good Friday, Labour Day, Christmas Day and New Year's Day;”;

*h.* By adding the following paragraphs after paragraph 152:

Clearing  
roofs, &c.,  
of snow.

“153. To prescribe the manner of throwing snow from roofs, galleries, platforms or porticoes into private streets or lanes, and order in what manner and at whose expense such snow shall be removed;

Forbidden  
to purchase  
certain  
articles from  
non-trader.

“154. To forbid anybody buying from a non-trader any metal pipes or other second-hand metal articles used in the erection of buildings, unless the seller gives the purchaser a certificate from the chief of police of the city or his representative, establishing that such articles belong to him; which certificate shall be kept by the purchaser for at least one year;

City to be  
notified of  
leases, &c.

“155. To compel any person who, as owner or in any other capacity, leases immoveables in the city for any purpose whatever to give the city a written notice of any verbal or written lease made, or of any leave granted to occupy the same, and of the departure of any tenant or occupant from the premises leased or occupied, and to determine what such notice shall contain and within what delay it shall be given;

Names of  
streets.

“156. To give names to private streets and to change the names of any public or private street notwithstanding any contract or agreement designating such public or private street, and to forbid anybody giving a name to

a private street and designating it under such name, without the same being previously approved by the city;

"157. To compel every person retailing poultry, eggs or vegetables (except fresh vegetables) in the city, to sell the same by weight."

Sale of poultry, &c., by weight.

**30.** Paragraph 6 of article 361 of the act 62 Victoria, chapter 58, as amended by the act 7 Edward VII, chapter 63, section 18, is amended by replacing paragraph 6 thereof by the following:

Id., art. 361, par. 6, replaced.

"6. The city may make by-laws to impose and levy on taxable immovable property in the city, an assessment not to exceed one and one-half per cent of the assessed value of such property according to the valuation roll; such assessment shall be a charge upon the immovable property, and the owners thereof shall be personally liable therefor."

Real estate tax.

**31.** The following article is inserted in the act 62 Victoria, chapter 58, after article 361*a* thereof, as enacted by the act 5 George V, chapter 89, section 8:

Id., art. 361*b*, enacted.

"**361*b*.** The city is authorized to impose and levy every year, during the years 1918, 1919, and 1920, a special real estate surtax on the property situate in the streets, lanes and public places of the city, belonging to any telephone, telegraph, lighting, gas, electric power, or water-works company, or to any company operating public utility services of any kind whatsoever and making use of the city's streets, lanes or public places for its operations.

Special surtax on certain property for three years.

Such surtax shall not exceed one per cent per annum, in the case of water-works companies, or five per cent per annum in all other cases, of the value of the said property as entered on the valuation roll in force, and shall be shewn every year on the valuation and assessment rolls.

Limitation in certain cases.

The Montreal Tramways company shall be exempt from such tax."

Exemption to Mont. Tramways Co.

**32.** Article 363 of the act 62 Victoria, chapter 58, as amended by the act 1 Edward VII, chapter 43, section 1, and by the act 6 George V, chapter 44, section 15, is again amended by replacing the first paragraph by the following:

Id., art. 363, am.

"**363.** The city may also impose and levy, by by-law, a tax to be called the "business-tax," on all trades, manufactures, financial or commercial institutions, premises occupied as warehouses or storehouses, occupations, arts, professions, or means of profit or livelihood, carried on or exercised by any person or persons, in the city; provided

Business tax authorized.

that such business-tax does not exceed eight and one-half per cent of the annual value of the premises in which such trades, manufactures, financial and commercial institutions, occupations, arts, professions or means of profit or livelihood are respectively exercised or carried on; and all persons, companies and corporations engaged in or carrying on such trades, manufactures, financial or commercial institutions, occupations, arts, professions or means of profit or livelihood, shall be directly responsible for the payment of such tax."

Id., art.  
363b, en-  
acted.

**33.** The following article is inserted in the act 62 Victoria, chapter 58, after article 363a thereof, as enacted by the act 7 Edward VII, chapter 63, section 20:

License for  
plumbing  
certificate.

"**363b.** The city is authorized to charge a sum of not more than \$10.00 in the form of a license for every plumbing certificate which is issued under the municipal by-laws."

Id., art. 364,  
am.

**34.** 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, section 9, and 7 George V, chapter 60, section 4, is again amended:

a. By replacing the words: "servants' registry office", in paragraph *f* of the English version, by the words: "employment offices";

b. By replacing paragraph (*q*) by the following:

Detective  
agencies,  
&c.

"(*q*) A special tax not exceeding \$200.00 on every detective agency, and a special tax, in the form of a license, of not more than \$10.00, on any constable not in the exclusive service of the city or of any railway or navigation company;"

c. By replacing paragraph (*z*) by the following:

Concert  
hall, &c.

"(*z*) A special tax not exceeding \$500.00 on every owner, occupant or tenant of a concert hall or hall for theatrical performances; a special tax not exceeding 85 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 \$200.00 on every owner, occupant or tenant of a dancing hall; a special tax not exceeding \$50.00 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;”;

*d.* By adding the following paragraphs after paragraph (*mm*):

“(*nn*). A special tax not exceeding twenty-five dollars on every longshoreman, not being a resident of the Province of Quebec, who comes to work in the port of Montreal. In the case of longshoremen coming to work from the provinces of Nova-Scotia and New Brunswick, such special tax shall not be imposed during the present war (1918);”

Longshoremen non-resident.

“(*oo*). A special tax not exceeding \$100 on every wholesale dealer in meat or fish.”

Wholesale fish and meat dealer.

**35.** The following articles are inserted in the act 62 Victoria, chapter 58, after article 364 :

Id., arts. 364a and 364b, enacted.

“**364a.** The city is authorized to impose and levy on any person occupying an immoveable or part of an immoveable in the city either as owner, tenant, usufructuary, or by any other title, an annual tax not exceeding three per cent of the rental value of such immoveable or part of immoveable, as entered in the valuation roll in force; but any person occupying as aforesaid an immoveable or part of an immoveable the rental value whereof is less than \$150.00, shall be exempt from such tax.

Occupation tax.

“**364b.** The city is authorized to impose a yearly tax not exceeding \$10.00 upon every bachelor who has reached the age of 25 years and who resides, works, or has a place of business in the city. The city may also enact in what manner such tax shall be imposed and levied and at what date it shall be exigible. This provision shall not apply to persons belonging to religious orders.”

Bachelors.

**36.** The following article is inserted in the act 62 Victoria, chapter 58, after article 389:

Id., art. 389a, enacted.

“**389a.** The service on the debtor required by article 389, may, in default of any known regular domicile, be made at the debtor’s business office or commercial establishment or ordinary residence.

How service may be effected.

If the debtor has no known regular domicile, nor business office, nor commercial establishment nor ordinary residence, the notice shall, on a return attesting such fact, be given in the manner ordered by one of the city recorders.”

Id., art. 396, replaced. **37.** Article 396 of the act 62 Victoria, chapter 58, as replaced by the act 7 Edward VII, chapter 63, section 26, is again replaced by the following:

Schedule of immoveables in arrears for taxes. **"396.** It is the duty of the city treasurer to prepare, before the first day of May, every year, a schedule indicating every immoveable in the city, describing it as it is entered on the valuation and assessment rolls, on which at least two years arrears of assessments or any portion thereof have accrued, or on which the assessment or any portion thereof for any single year shall have been due and unpaid for more than one year, or on which any special assessment or portion thereof has been due, with the names of the proprietors as they appear upon the latest valuation and assessment rolls, and stating also the amount due in each case, with accrued interest."

Id., art. 397, am. **38.** Article 397 of the act 62 Victoria, chapter 58, is amended by adding, after the fourth paragraph thereof, the following:

When owner is unknown. **"When** the name of the owner is unknown and the immoveable appears in the last valuation roll in the name of an unknown person, the formality of the notice is not necessary, and, in all notices published in connection with the sale, it shall be sufficient to indicate that the owner of such immoveable is unknown."

Id., art. 398, replaced. **39.** Article 398 of the act 62 Victoria, chapter 58, is replaced by the following:

Statement to be delivered to sheriff, and sale by that officer after notice. **"398.** If the amount due is not paid within a delay of ten days, the city treasurer shall transmit a statement duly certified by him, to the sheriff of the district of Montreal, which statement shall contain a description according to law of every immoveable to be sold for taxes, and the sheriff shall, without the formality of a *procès-verbal* of seizure, proceed to the sale of all the immoveables described in such statement, after having published a notice thereof, as provided in the following article."

Id., art. 399, replaced. **40.** Article 399 of the act 62 Victoria, chapter 58, as replaced by the acts 3 Edward VII, chapter 62, section 43, and 4 Edward VII, chapter 49, section 17, and amended by the act 7 Edward VII, chapter 63, section 27, is replaced by the following:

Form of notice, and contents. **"399.** The notice to be given, as aforesaid, by the sheriff, may be in the form No. 29; it shall mention as many immoveables as the sheriff has been required to

sell, for the levying of the amount due to the city, with interest and costs.

In the said notice it shall be sufficient to describe the immoveables by their cadastral numbers or by the subdivision number of a cadastral number on the official plan and book of reference, and by adding the word "part", when such immoveable is only a portion of a lot bearing a cadastral or subdivision number, and by adding the name of the street and the civic number if there be any.

The sheriff shall, nevertheless, refer, in the said notice to the statement prepared by the city treasurer, in accordance with article 398.

Such notice shall be published once at least one month before the date fixed for the sale, in the *Quebec Official Gazette*, and also once in a daily English newspaper, and in a daily French newspaper, published in the city, or in the *Municipal Bulletin* alone, if the city so decides by resolution."

**41.** 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 (2nd session), chapter 60, section 27, and amended by the act 2 George V, chapter 56, section 21, is further amended by replacing the third paragraph thereof by the following:

"The salary of each of the recorders shall be six thousand dollars per annum."

**42.** The following article is inserted in the act 62 Victoria, chapter 58, after article 487:

"**487a.** The Recorder's Court has also jurisdiction for hearing and deciding any action, whatever may be the amount or the domicile of the debtor, which the city may institute under articles 3696, 3697, 4035, 4037 and 4148 of the Revised Statutes, 1909, and the debtor may be validly summoned before such court."

**43.** The following article is inserted in the said act after article 540:

"**540a.** The present city treasurer shall retire on the 1st of May, 1918, and, in such case, he shall be granted a pension equal to three-quarters of the salary of \$6,000.00 he now receives, and the payment of such pension shall begin immediately after his resignation; and the same shall continue to be paid to him during his life-time, and shall not be liable to seizure."

**44.** Article 541 of the act 62 Victoria, chapter 58, as replaced.

replaced by the act 7 George V, chapter 60, section 10, is again replaced by the following:

Abattoir companies to pay certain sum for salaries of health officers, &c.

**“541.** The city may exact and recover from any person, partnership, corporation or company operating one or more public or private abattoirs situated in or in the vicinity of the city, in order to meet the expenses the city may be called upon to pay for the inspection of the said abattoirs as well as for the inspection of the cattle and other animals slaughtered therein, a sum of not more than two thousand dollars per annum for each public abattoir, and a sum of not more than four hundred dollars per annum for each private abattoir operated by any such person, partnership, corporation or company. The amounts to be recovered shall be fixed every year by the city, by resolution, before the first of July, and shall be payable on the first of September following.”

Dates when amounts to be fixed and paid.

Id., art. 564*n*, replaced.

**45.** Article 564*n* of the act 62 Victoria, chapter 58, as enacted by the act 2 George V, chapter 56, section 29, is replaced by the following:

Clubs, &c.

**“564*n*.** The city may charge a fee of not more of \$25.00 for every authorization given to any association or club applying for incorporation under article 7233 or 7245 of the Revised Statutes, 1909.”

Id., art. 564*d*, replaced.

**46.** Article 564*d* of the act 62 Victoria, chapter 58, as enacted by the act 1 George V (1st session), chapter 48, section 46, is repealed.

Special provisions for present vacancy in board of control.

**47.** In the event of the council deciding to choose one of its members to fill the present vacancy on the board of commissioners, the seat of the alderman who shall be appointed commissioner shall remain vacant until the next general municipal elections.

Appoint-ment, &c. by present board prohibited.

**48.** Notwithstanding the provisions of paragraph 9 of article 21*l* of the act 62 Victoria, chapter 58, as enacted by the act 3 George V, chapter 54, section 2, the present board of commissioners shall not appoint, suspend or dismiss from office any officer or employee of the city, nor fix his salary, for any reason whatsoever, until the expiration of its mandate, except for a serious offence and with the consent of the council.

Damages to be included in cost of municipal works.

**49.** The cost of municipal works shall include the damages of any kind whatsoever that the city is called upon to pay in connection with such works, and the amount

of such damages may be charged against the loans authorized for the performance of the said works.

**50.** Notwithstanding the provisions of articles 1388 and following of the Revised Statutes, 1909, and amendments, and notwithstanding any other law, the city of Montreal shall be exempt from paying the Government of this Province any tax or license for motor vehicles owned by the city and used in carrying out its public works.

No tax on city automobiles.

**51.** The city may purchase and operate quarries and sand-pits outside its limits.

Purchase and operation of quarries, &c., outside city limits.

It may effect such purchase by mutual agreement or by expropriation by following the provisions of articles 421 and following of its charter.

The purchase price or compensation to be paid, including the cost of expropriation, may be charged against the loan fund.

**52.** The *procès verbaux* and by-laws governing water-courses or ditches adopted by any municipality, whether annexed to the city or not, shall have no effect as regards the portion of such water-courses or ditches situated within the city.

Proceedings in annexed municipalities not to affect city in certain case.

The city may make by-laws on all matters connected with the portion of the said water-courses or ditches situated within the city, and determine by whom they shall be maintained, or may maintain them itself and charge the cost of such maintenance to the owners whose lands are drained wholly or partly by or into such water-courses or ditches.

City may make by-laws re ditches, &c.

The city is also empowered to regulate the construction and maintenance of all other water-courses and ditches not governed by *procès verbal* or by by-law for the portion of such water-courses and ditches within its limits, and determine by whom and when such maintenance work shall be done.

Regulation of construction and maintenance.

**53.** The city cannot be compelled by *mandamus* or any other judicial proceeding to discharge, before the first of January, 1920, the obligations imposed upon it by the act 1 George V (1st session), chapter 48, section 1. This provision shall apply to cases now pending as well as to those in which the city has already been condemned to discharge any portion of the said obligations, but the said city shall be bound to pay the costs in such cases.

Delay granted for discharge of certain obligations.

**54.** The work of enlarging the waterworks, the filtration Certain

works combined. plant and the works for producing electricity shall be considered as forming but one and the same undertaking. The borrowing powers possessed by the city for such purposes are accordingly combined together.

Funds may be used without discrimination. The loans already effected by the city or those which it may effect hereafter, under the powers conferred on it for such purposes, may be used indiscriminately, in whole or in part, for any of the objects forming part of such undertaking, notwithstanding the provisions of the by-laws or acts authorizing such loans.

Certain payments to be apportioned over five years. **55.** The amounts which the city may be called upon to pay for damages caused by altering the level of the streets in the quadrilateral formed by Hochelaga, Nolan, Desery and Valois streets, either by judgments, arbitrators' awards or experts' reports, including interest and costs, shall be equally apportioned over the years 1918, 1919, 1920, 1921 and 1922, instead of being paid entirely out of the revenue of the year 1918.

What funds to be used. The amount to be paid in the year 1918 may be charged against the reserve fund. Those to be paid in the years 1919, 1920, 1921 and 1922, shall be specially voted each year in the estimates, and may be raised by issuing temporary bonds maturing respectively in 1919, 1920, 1921 and 1922 at a date to be fixed by the city. Such temporary bonds shall bear interest at the rate of six per cent per annum, shall be temporarily placed in the city's sinking-fund, and shall be redeemed as they respectively mature, with the amounts which shall be voted for that purpose in the estimates as aforesaid.

Certain damages to be considered as part of cost of undertaking. **56.** The damages which the city may be called upon to pay to the contractor for the works of improvement and enlargement of the water-works system, undertaken by a contract entered into between the said city and the Cook Construction Company Limited, before R. A. Dunton, N.P., on the 17th of July, 1913, shall be considered as part of the cost of the undertaking, and may be charged against the loan funds authorized for the execution of the works mentioned in the said contract.

Taxes to be imposed in 1918 by mere resolution. **57.** Inasmuch as the amounts voted in the estimates adopted by the council in the month of December, 1917, are insufficient to meet the expenses of administration for the current civic year, and it is necessary to create an additional revenue, the city may, in 1918, by mere resolution, impose any taxes authorized by this act and even

increase, within the limits of the act, any tax on immovables or other tax already imposed by municipal by-laws.

The resolutions adopted to that effect shall come into force immediately after their adoption.

After the adoption of the said resolutions, the city treasurer shall make an estimate of the probable revenue to be derived from such taxes, and, on such estimate, the administrative commission shall draw up a special budget showing how such special revenue shall be used. Such budget shall come into force after having been submitted to the council according to law.

The board of assessors shall enter on the tax roll or on the assessment roll, as the case may be, the taxes imposed by the city, and which must be entered on such rolls under the provisions of the charter.

For future years, the taxes shall be imposed in the manner provided for by the charter.

**58.** Section 22 of the act 6 George V, chapter 44, as amended by the act 7 George V, chapter 61, section 1, is amended:

a. By adding the following clause to sub-paragraph 2:

*"L'Oeuvre de l'assistance maternelle* shall be considered a maternity hospital within the meaning of this paragraph."

b. By replacing the second clause of paragraph b by the following:

*"b. The average cost per day for each patient or destitute person is fixed at \$1.50 for general hospitals, at \$1.00 for special hospitals and \$0.50 for charitable institutions, that is to say, the general hospitals shall receive one-half of the amount to be distributed, the special hospitals one-third, and the charitable institutions one-sixth;"*

c. By adding, at the end of the first clause of paragraph c thereof, the following paragraph:

*"The fact of a hospital or charitable institution receiving a gratuity or partial compensation from a destitute patient shall not deprive it of its right to its share for the bed occupied by such patient."*

**59.** Section 25 of the act 6 George V, chapter 44, is replaced by the following:

**"25.** Notwithstanding any provision to the contrary, there may be entered in the estimates every year for five consecutive years, for the municipal library, as established by by-law 624 of the city, adopted on the 28th of May, 1917,

an amount not exceeding \$25,000.00, for the following purposes:—

*a.* For the purchase of books, pamphlets, magazines, newspapers, pictures, engravings, portraits, stamps, drawings, manuscripts, coins, medals, and other historical articles;

*b.* For the expense of binding, repairing and keeping the books;

*c.* For the works and materials required for the installation, exhibition and conservation of works of art.

Tenders not necessary. The sum voted may be spent for the above purposes without it being necessary to call for tenders.

Library committee. The jurisdiction of the library committee may extend to branch reading-rooms already established by the city and those it may establish in future."

6 Geo. V, c. 44, s. 26, replaced. **60.** Section 26 of the act 6 George V, chapter 44, is replaced by the following:

Renewal of temporary loans. **"26.** Any temporary loan may be for a specified term, and may be renewed in whole or in part from time to time, until the time be deemed favourable for the issue of a long term loan."

Amount from Government substituted for tax. **61.** The amount which the city of Montreal receives from the Government under article 1292*m* of the Revised Statutes, 1909, as added by the act 7 George V, chapter 17, section 29, shall replace the tax which the city was authorized to impose under the act 5 George V, chapter 89, section 26, as amended by the act 6 George V, chapter 44, section 22, and by the act 7 George V, chapter 61, section 1, and shall be subject to the same provisions.

Remission of special tax authorized. **62.** The city is authorized to remit to the owners of immovable property situate on Toulouse street, the whole or part of the special tax imposed for sewers constructed on that street.

Do. **63.** The city is authorized to remit to the owners of immovable property situate on Belanger and MacGregor streets the whole or part of the special tax imposed for sewers constructed on those streets.

7 Geo. V, c. 60, s. 27, replaced. **64.** Section 27 of the act 7 George V, chapter 60, is replaced by the following:

Interest on taxes. **"27.** Notwithstanding any act or by-law to the contrary, every tax imposed in future shall bear interest at the rate of six per cent per annum during sixty days after it becomes due, and at the rate of seven per cent per annum

at the expiration of such sixty days until payment thereof; and every tax payable by instalments shall bear interest at the rate of six per cent per annum, from the coming into force of the roll, and every instalment not paid within sixty days after it has become due, shall bear interest at the rate of seven per cent per annum, from the expiration of such sixty days, until payment thereof.

Notwithstanding any law or by-law to the contrary, and without prejudice to the interest accrued up to the 9th of February, 1918, every tax due and payable at such date shall bear interest at the rate of six per cent per annum from such date, and if such tax is not paid within sixty days thereof, it shall bear interest at the rate of seven per cent per annum until paid, from the expiration of such sixty days; and, in the case of a tax payable by instalments, interest shall be at the rate of seven per cent per annum from the above date on the instalments due, and at the rate of six per cent per annum on the instalments not due; and if such instalments are not paid when due or within sixty days after they become due, the interest on such over-due instalments shall be at the rate of seven per cent per annum, from the expiration of such sixty days."

**65.** The city is authorized, without paying any in- Erection of demnity or compensation, to erect fences on private prop- fences on erty during the winter season, for the purpose of preventing private pro- snow from accumulating on the roads. perty.

**66.** Notwithstanding any law or by-law to the contrary Certain the city may, by resolution, enact that the special taxes special taxes imposed upon the owners of immoveables for the construc- may be paid tion of sewers, shall be payable by yearly instalments by instal- during a period not exceeding twenty years, with interest ments. at the rate stipulated in section 64 of this act, per annum, on any balance remaining unpaid; and in such case, the hypothecary privileges and rights of the city shall remain on the immoveables liable for the payment of such taxes until the owners have paid the same.

This provision shall also apply to sewers the construc- tion whereof has been begun since the 1st of January, 1915.

**67.** Whenever a patient suffering from tuberculosis, or Payment by an incurable or contagious disease, is interned in a hospital town of at the expense of the city of Montreal, and such patient domicile has had no domicile within the city for at least twelve for expense months, the city may then have the expense of mainten- of mainten- ance, stay, treatment, transportation or any other expense ance, &c., for such patient in the hospital, paid by the city, town or of certain invalids.

county municipality within the limits, whereof such patient previously had his domicile.

Patient to be responsible to town, &c. Every city, town or county municipality which pays to the city of Montreal any such sum of money under this section, may recover the same from the patient or the persons bound by law to support him.

Certain payments authorized in debentures.

**68.** The city is authorized to pay, in debentures bearing interest at the rate of five per cent per annum, and redeemable at the date mentioned in by-law No. 556, adopted by the council of the City of Montreal on the 1st of April, 1915:

*a.* An amount of not more than \$31,620.00, to pay the purchase price of property required for opening St. Joseph Boulevard between DeLorimier Avenue and Des Erables street;

*b.* The amount necessary to pay the cost of the immoveables required to complete the widening of St. Denis street, between Des Carrieres street and the St. Denis street tunnel;

*c.* The amount necessary to pay the cost of the immoveables required to widen Notre Dame street East (former municipality of Beaurivage);

*d.* The amount necessary to complete the widening of St. Lawrence street between DeFleurimont and Costello streets.

The owners of the immoveables required for the aforesaid improvements shall accept debentures of the city of Montreal in payment for their properties, and the city is authorized to issue such debentures under the by-law above mentioned.

Investigation of financial position of municipalities on Island of Montreal.

**69.** The city of Montreal is authorized to look into the financial position of any municipal corporation on the Island of Montreal, and to that end it shall have power and authority to examine any book, *procès-verbal*, by-law, roll, contract, or other document of any of the said municipal corporations.

The clerk, secretary-treasurer, treasurer, or any other officer or employee of the said municipal corporations, shall be bound to place at the disposal of the city, every book, *proces-verbal*, by-law, roll, contract, or other document which it may require for such purpose.

Before the opening of the next session of the Legislature, the city of Montreal shall transmit to the Lieutenant-Governor in Council a report of its investigations.

Contents of report. Such report shall indicate, for each municipal corporation:

1. The population and area of the territory;
2. The number of farms under cultivation as well as the area and value of each of such farms;
3. The total value of the taxable property;
4. The rental value of the taxable property;
5. The value of the non-taxable property and of what it consists;
6. The rental value of the non-taxable property;
7. The rate of the annual real estate tax;
8. The special taxes on real estate;
9. The total annual revenue, and the various sources of revenue;
10. The total indebtedness;
11. The loans and their respective maturity dates;
12. The amount of interest payable every year;
13. The sinking-funds;
14. The administration expenses for the past year;
15. The rate of the school tax;
16. The amount of arrears of taxes;
17. The term and the amount of every contract in course of execution or to be executed;
18. The term of any contract entered into with any municipal employee, and the expenses resulting therefrom;
19. The privileges and franchises.

**70.** In every case where a child from five to fourteen years of age is interned in an industrial school at the expense of the city of Montreal, and such child has not had his domicile within the city for at least six months, the city of Montreal may then have the costs incurred for such child, as well as his transportation to the said industrial school, paid by the city, town or county municipality within whose limits the child had previously had his domicile.

Costs of internment of children may be recovered from town, &c., of domicile.

Every city, town or county municipality which pays the city of Montreal any sum of money under this section, may recover the same from the persons bound to support the child.

Subrogation.

**71.** The deed of conditional conveyance to the city of Montreal by the Montreal City Land Company, and certain streets in Mercier ward, is confirmed and ratified, and the city is authorized to give it effect and specially to impose and levy, in accordance with the provisions of article 450 of the city charter:

Deeds of ratified, and special assessments authorized.

1. On the immoveables situate on both sides of Main

street, between Notre Dame and Gouin streets, a special tax to pay the sum of \$32,863.59, whereof \$23,653.07 is for sewers, \$8,766.95 for water mains, and \$443.57 for engineers' costs and other incidental expenses;

2. On the immoveables situate on both sides of Main street, between Notre Dame and Sherbrooke streets, a special tax to pay the sum of \$10,037.32 for levelling;

3. On the immoveables situate on the west side of Main street, between Notre Dame street and the Canadian Northern Railway, and on the east side between Notre Dame street and the dividing line of cadastral lot No. 325-112, sub-divisions Nos. 24 and 25, a special tax to pay the sum \$7,217.72 for sidewalks, curbs and gutters;

4. On the immoveables situate on both sides of Lyall avenue, between Notre Dame and Pascal streets, and on Pascal street as far as Main street, a special tax to pay the sum of \$8,969.31, whereof \$6,737.30 is for sewers, \$2,113.30 for water mains, and \$118.71 for engineers' costs and other incidental expenses;

5. On the immoveables situate on both sides of Hays street from Notre Dame street to the middle of lot No. 326-10, subdivision No. 56, a special tax to pay the sum of \$912.06, whereof \$616.50 is for sewers, \$280.35 for water mains, and \$15.21 for engineers' costs and other incidental expenses.

The sum of \$60,000, which the city shall pay to the Montreal City Land Company under the said deed of conveyance, may be charged against the loan authorized by by-law No. 556, adopted by the council of the city of Montreal on the 1st of April, 1915, and, notwithstanding the provisions of such by-law, the city is authorized to issue, under such by-law, debentures to an amount of \$60,000.00, bearing interest at the rate of six per cent per annum, payable half-yearly on the first day of May and of November of each year, and to be redeemable in ten years from the date of their issue.

The other provisions of the city charter concerning the privileges, term of payment, interest and preparation of rolls in connection with special real estate taxes, shall apply to the taxes to be imposed under this section.

Certain  
special taxes  
on bordering  
properties  
in former

**72.** The city is authorized to impose, by resolution, upon bordering proprietors, special real estate taxes to recover the cost of the sewers and permanent sidewalks constructed and water-pipes laid under by-laws or resolu-

tions adopted by the town of Sault-au-Recollet before its annexation to the city of Montreal.

town of  
Sault-au-  
Recollet.

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

Notwithstanding any provision to the contrary contained in the by-laws or resolutions adopted by the said town of Sault-au-Recollet, 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.

**73.** The city is authorized to impose, by resolution, Do. for recover the cost of the sewers and permanent sidewalks constructed and water-pipes laid under by-laws or resolutions adopted by the town of Cartierville, before its annexation to the city of Montreal.

former town  
of Cartier-  
ville.

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

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.

**74.** The city is authorized to apportion, by resolution, on the owners of immoveables on Sherbrooke street, within such limits as the city may fix, the sum of six thousand nine hundred and fifty dollars required to pay the cost of a portion of a building bearing the civic No. 228 Sherbrooke St. West, and erected on the lot bearing cadastral number 20, part of lot cadastral number seven hundred and forty-six (p. 746) of St. Louis ward, and erected inside the building line fixed by the municipal by-laws.

Special  
assessment  
for certain  
property on  
Sherbrooke  
Street.

**75.** The contract, entered into before Mr. Jean Bau-douin, notary, on the twenty-eighth day of January, 1918, under the number 8106 of his minutes, between the city of Montreal and the Montreal Tramways Company, reproduced as schedule A of this act, is ratified, confirmed, declared legal, valid and binding, and shall form part of this act.

Contract  
with  
Montreal  
Tramways  
Company,  
ratified.

The Quebec Public Utilities' Commission shall have Power of

Quebec  
Public Utilities' Commission.  
Powers of Montreal Tramways Commission.

jurisdiction for exercising the powers conferred on it and for performing the duties assigned to it by the said contract.

The Montreal Tramways Commission created by the said contract shall have jurisdiction for exercising the powers conferred on it and for performing the duties assigned to it by the said contract. No writ of prohibition, certiorari or injunction shall be issued nor maintained by any court of justice to prevent the Montreal Tramways Commission from exercising the powers or performing the duties vested in or assigned to such Commission by the said contract.

Incompatible provisions nullified.

Every provision of any contract, agreement or arrangement entered into between the Montreal Tramways Company and any municipal corporation outside of Montreal, whether such contract was made by the Montreal Tramways Company itself or by the Montreal Street Railway Company, the Montreal Park and Island Railway Company, the Montreal Terminal Railway Company or the Public Service Corporation, which may be inconsistent with the said contract of the 28th of January, 1918, shall be and shall remain without effect, from the date of the coming into force of the said contract.

The Lieutenant-Governor in Council may exercise all the powers conferred upon him by the said contract.

Provisions not to apply.

Article 6706 of the Revised Statutes, 1909, shall not apply to the said contract.

Deeds ratified.

**76.** The following deeds are declared legal and valid:

*a.* A deed of conveyance to the city of Montreal of certain strips of land situate in Notre Dame de Grace ward, passed before Mr. Jean Baudouin, N. P., on the 28th of February, 1911, by the City Realty Investing Company, Limited, *et al.*;

*b.* A deed of conveyance to the city of Montreal, passed before Mr. Jean Baudouin, N.P., on the 28th of November, 1917, by the Cure and churchwardens of l'Oeuvre et Fabrique of the parish of St. Francois d'Assis de la Longue Pointe;

*c.* A deed of conveyance to the city of Montreal of a portion of Oxford street, passed before Mr. Jean Baudouin, N.P., on the 25th of January, 1918, by the Westlea Realty Company, Limited, *et al.*

By-law 639 validated.

**77.** By-law No. 639, intituled: "By-law respecting Raimbault Creek", adopted by the council of the city of Montreal on the 9th of October, 1917, is declared valid and legal.

**78.** By-law No. 26 of the former town of Sault-au-Recollet, the resolutions of the council of the said town relating thereto, and the sales referred to therein, are confirmed and validated in so far as need may be.

By-law 26,  
&c., of  
former town  
of Sault-au-  
Recollet,  
validated.

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

Coming into  
force.

### SCHEDULE A

In the year one thousand nine hundred and eighteen,  
on the twenty-eighth day of January,

#### BEFORE:

Mtre. JEAN BAUDOIN, the undersigned notary public for the Province of Quebec, in Canada, residing and practising in the city of Montreal in the said Province of Quebec,

#### CAME AND APPEARED:

THE CITY OF MONTREAL, a legally constituted corporation, having its principal place of business in the city of Montreal, district of Montreal, herein represented and acting by the Honorable JOSEPH PHILIPPE BABY CASGRAIN, of the city of Montreal, member of the Senate of Canada; the Honorable CHARLES PHILIPPE BEAUBIEN, of the city of Outremont, member of the Senate of Canada; ALPHONSE VERVILLE, of the city of Montreal, member of the Federal Parliament; CHARLES LAURENDEAU, of the city of Montreal, King's Counsel, chief attorney of the city of Montreal, and ARCHIBALD W. STEVENSON, of the city of Montreal, chartered accountant, appointed for the purposes of this contract by the act 7 George V, chapter 60, section 28,

#### AND

THE MONTREAL TRAMWAYS COMPANY, a legally constituted corporation, having its principal place of business in the city of Montreal, herein represented and acting by Mr. EDMUND ARTHUR ROBERT, its president, and by Mr. PATRICK DUBEE, its secretary, both of the city of Montreal, and, in their said capacity, duly authorized for the purposes of this contract by a resolution adopted at a meeting of the directors of the said com-

pany held on the twenty-sixth day of January, one thousand nine hundred and eighteen, a certified copy whereof shall remain annexed to these presents after having been signed by the undersigned notary, *ne varietur*.

Which parties have declared that they have made the following covenants:

*Article 1.*—In this contract, unless the context indicates the contrary:

a. The words "The City" shall mean the city of Montreal;

b. The words "The Company" shall mean the Montreal Tramways Company, and the Montreal Tramways Company shall comprise all the tramway companies it now controls or may hereafter control, or whose powers, franchises, privileges or other rights it exercises or may hereafter exercise, either under its own or any other name, when such powers, franchises, privileges or other rights are exercised within the territory covered by this contract;

c. The words "The Commission" shall mean the Montreal Tramways Commission created by this contract;

d. The word "valuation" shall mean the valuation made by L. A. Herdt, D. W. Ogilvie and A. H. Lapierre, of the physical assets of the Company, and shall represent, for the purposes of this contract, the value of such physical assets at the (30) thirtieth of June, one thousand nine hundred and seventeen (1917). A copy of such valuation is annexed to this contract as schedule A;

e. The words "Capital Value" shall mean, for the purposes of this contract, the sum of thirty-six millions, two hundred and eighty-six thousand, two hundred and ninety-five dollars (\$36,286,295.00), and shall comprise any addition that may be made thereto.

*Article 2.*—A Commission of control is hereby created which shall be known and designated as the "Montreal Tramways Commission", and which shall exercise the powers and perform the duties assigned to it by this contract.

*Article 3.*—The Commission shall consist of three members who shall be appointed by the Lieutenant-Governor in Council immediately after the coming into force of this contract.

The chairman and the acting-chairman of the Commission shall be appointed by the Lieutenant-Governor in Council.

The members of the Commission shall reside in the territory under the control of the Commission.

Before entering into office, every member of the Commission shall take oath before a commissioner of the Superior Court for the district of Montreal, to faithfully and impartially perform the duties of his office.

*Article 4.*—Every vacancy shall be filled by the Lieutenant-Governor in Council as soon as such vacancy is brought to his knowledge.

No vacancy shall impair the right of the remaining members to exercise their functions.

*Article 5.*—Every member of the Commission shall be appointed for ten (10) years, and shall retain office during good behaviour; but he may, at any time, be dismissed for cause by the Lieutenant-Governor in Council.

*Article 6.*—The City or the Company shall also have the right to apply, by writ of *quo warranto*, to the Superior Court for the district of Montreal, for the dismissal of any member of the Commission, for fraud, bribery, refusal or neglect to carry out in good faith the powers or perform the duties assigned to him by this contract, or if he becomes disqualified for any of the reasons set forth in the following article.

*Article 7.*—The members of the Commission shall not form part of any body charged with the government or administration of the affairs of the city or of any other municipal corporation interested, nor be in the employ in any capacity of any of the parties or other municipal corporations interested, nor be shareholders nor holders of bonds or debentures of the Company, nor have, directly or indirectly, any contract or interest in a contract, with one of the parties or with any other municipal corporation interested, nor any interest in any invention, apparatus, machinery, process or patented article used or which may be used by the Company, nor be shareholders in any company having a contract or an interest in a contract with one of the parties or with any other municipal corporation interested, nor be members of the Legislative Assembly or the Legislative Council of this Province.

*Article 8.*—The quorum of the meetings of the Commission shall be two members, and each member shall have but one vote.

In the absence of the chairman, the acting-chairman shall preside at the meeting.

Every decision of the Commission must be voted for by two members, in order to have effect.

*Article 9.*—The remuneration of the members of the Commission shall be fixed by the Lieutenant-Governor in Council, and shall be payable monthly by the Company.

*Article 10.*—The Commission shall make rules for its internal government and for the procedure to be followed in matters brought before it.

Such rules shall be obligatory when approved, after notice given to the City, to the other municipal corporations interested and to the Company, by the Quebec Public Utilities' Commission, which is authorized to do so.

Such rules may be amended, from time to time, subject to such approval.

*Article 11.*—Notice of every appealable decision rendered by the Commission, shall be given, without delay, to the City, to the Company and to any other party in the case, by sending to each a copy of such decision by registered mail, or by having the same served by a bailiff of the Superior Court, who shall make a return under his oath of office.

*Article 12.*—The Commission shall not render any decision before having notified all interested parties.

*Article 13.*—The Commission shall hear and decide all complaints or applications made to it verbally or in writing by any person whomsoever.

*Article 14.*—The Commission shall keep accurate and true minutes of its meetings, of the proceedings before it and of the decisions rendered by it; and the minutes of every meeting shall be signed by the chairman of the meeting and by the secretary.

*Article 15.*—Any party in the case, the Company, the City or any municipal corporation interested, may appeal to the Quebec Public Utilities' Commission from any decision of the Commission on any question of law or jurisdiction relative to this contract, as well as from any decision rendered by the Commission in the cases mentioned in the following articles of this contract:

(a), Seventeen (17), as provided for in the said article

for the revision of the expenses of the Commission; (b), twenty-eight (28); (c), thirty-two (32) and thirty-eight (38), when the decision of the Commission implies an expenditure exceeding fifty thousand dollars (\$50,000.00); (d), from the decision of the Commission rendered under the last paragraph of article thirty-three (33); (e), thirty-four (34); (f), from any decision of the Commission rendered under article seventy-one (71), as provided in the said article; (g), seventy-six (76); (h), from any decision of the Commission fixing the freight tariff under article eighty-three (83); (i), eighty-seven (87); (j), ninety-two (92).

Such appeal shall be final, except on questions of law, and shall be taken within fifteen (15) days from the service by the Commission upon the interested parties of a copy of the decision rendered; otherwise the right of appeal shall lapse.

Such appeal shall be brought by an inscription deposited in the office of the Secretary of the Quebec Public Utilities' Commission, and notice thereof shall be served upon the other parties in the case or upon their attorney.

When deciding on such appeal, the Quebec Public Utilities' Commission may confirm, reverse or modify the decision of the Commission, and render such decision as should, in its opinion, have been rendered by the Commission.

*Article 16.*—The Quebec Public Utilities' Commission shall proceed on any appeal brought before it under this contract as if the case or matter had originated before it.

*Article 17.*—The Commission shall have the right to appoint a secretary and the employees it may require to assist it in fulfilling the duties imposed upon it by this contract, to fix their salaries, to obtain the advice of experts and advocates, and pay such experts and advocates the fees it may deem just, to provide itself with suitable offices and whatever it may need to enable it to perform its duties diligently and effectively.

All necessary expenses incurred by the Commission in and for the performance of its duties, including the remuneration of its members and the salaries of its employees, shall be paid by the Company and shall form part of its operating expenses.

The Company shall pay such expenses at the request of the Commission.

The Company may, if need be, by proceeding as in the case of an ordinary appeal, have such expenses revised by the Quebec Public Utilities' Commission, which is authorized so to do.

*Article 18.*—To enable it to exercise all the powers and to perform all the duties assigned to it by this contract, the Commission shall have the right, by itself or by its employees, at any time, to examine all the Company's records or other documents, and to inspect the Company's property, but for the examination, verification and audit of the Company's accounts, the Commission, unless it does so itself, shall employ a chartered accountant.

*Article 19.*—The Commission shall make a report to the City, every year, respecting the Company's capital account and other accounts relative to Maintenance and Renewals, and to the Reserve and Tolls Reduction Funds.

*Article 20.*—The powers conferred by this contract on the Commission shall not operate to remove the Company from the jurisdiction of the Quebec Public Utilities' Commission. But, in order to avoid all conflict of jurisdiction, it is agreed that any demand or complaint coming under the jurisdiction of the Commission and which might be taken before the Quebec Public Utilities' Commission against the Company, shall be initiated before the Commission. When an appeal is not authorized under this contract, or when an appeal is authorized but not lodged, if the Company neglects or refuses to comply with the decision of the Commission, the latter shall report to the Quebec Public Utilities' Commission, which shall take any measure and give any order it may deem necessary to carry out the decision of the Commission, in the same manner and with the same effect as if such decision had been given by it.

When the Quebec Public Utilities' Commission renders judgment upon an appeal from a decision rendered by the Commission, its judgment shall be carried out by it as if it had decided in the first instance.

The provisions of this article, as well as the appeal authorized by article fifteen (15) hereinabove, are without prejudice to the fines and penalties imposed upon the Company by the present contract.

*Article 21.*—The Commission shall have, at any time, after having heard the parties, the right to change, modify or revoke a decision rendered by it, except when an appeal has been taken.

*Article 22.*—Any application made to the Commission, and rejected or refused by it, may be renewed at any time.

*Article 23.*—In the opinion of the contracting parties the object of the present contract is to secure for the population a system of transportation and means of communication, both rapid and efficient.

*Article 24.*—In execution of the acts 1 George V (2nd session), chapter 77, sections 14 and 15, and 7 George V, chapter 60, section 28, the City grants to the Company, on the conditions mentioned in the present contract, the privilege of constructing, equipping, maintaining and operating, from the coming into force of the present contract until the twenty-fourth (24th) of March, one thousand nine hundred and fifty-three (1953), a system of surface tramways in the City, as it now exists and as it may later be extended, and the Company obliges itself to construct, equip, maintain, keep up and operate at its cost the said system of tramways, in accordance with the stipulations and during the term of the present contract.

Consequently, from the coming into force of the present contract, the privileges, rights and franchises which the Company now possesses in the City for the above purposes, and which it holds either by law, by contract, or under by-laws, resolutions or other acts, are annulled; and the privileges, rights and franchises which it possesses or will possess in other territories for the same purposes shall be annulled by the mere fact of the annexation of such territories to the City, which territories shall then be subject to the present contract.

*Article 25.*—The Company shall not have the power, directly or indirectly, to sell, cede, transfer or lease, in whole or in part, its system of tramways situated within or without the limits of the City, nor the rights conferred upon it by the present contract, nor the rights which it possesses or will possess in virtue of any contracts, by-laws or resolutions passed or which may be passed in its favor by the City or by other municipal corporations.

The Company may, however, execute any new Trust Deed for the purpose of enabling it to renew or replace the hypothecary obligations created by the Trust Deeds in force on the 30th of June, one thousand nine hundred and seventeen (1917), and the debentures, to the amount of one million five hundred thousand dollars (\$1,500,000.), maturing in May, one thousand nine hundred and twenty-two (1922).

*Article 26.*—The Company undertakes to guarantee the City against all claims which may be made against it, and

to indemnify it for any condemnation which may be rendered against it by reason of the construction, the existence, the upkeep, the repairs to or the operation of the said system of tramways.

*Article 27.*—The Company shall not, within or without the limits of the City, carry on any industrial or commercial operation other than that which is the object of the present contract or which relates thereto.

*Article 28.*—The Company shall not cause or allow the circulation upon its lines, within or without the limits of the City, of cars of any other company, nor connect its lines with those of another company, without the consent of the Commission. This article shall not affect the arrangement entered into between the Company and the Montreal and Southern Counties Railway Company, relative to that part of the Company's tracks situated on McGill street between Youville and Common streets.

*Article 29.*—Subject to the provisions of article thirty-two (32), the Company's cars, within and without the limits of the City, shall be propelled by electricity or by any other motive power other than steam, approved by the Commission, and the Company shall continue, for the present, to use the system known as the "Trolley System".

*Article 30.*—The lines of the Company and all their accessories, the rolling stock and everything used in the operation of the said system, both within and without the limits of the City, shall be of the best and most modern type, made or constructed of first class material and in accordance with the latest designs and improvements known to art.

*Article 31.*—The Company must always keep its system of tramways, including everything pertaining to it and to its operation, both within and without the limits of the City, in a good condition of maintenance and repair, so as to give a rapid, sure and efficacious service in accordance with the intention of the present contract.

*Article 32.*—In its operation, the Company shall be on the look-out for all improvements and betterments relating to any part whatever of its system, both within and without the limits of the City, including its rolling stock, as may prove to be of recognized advantage, and it must adopt

the same when so ordered by the Commission and within the delay fixed by it.

*Article 33.*—The Company must construct and operate the following double tracks on or before the first of November, one thousand nine hundred and eighteen (1918), namely:

(a) On St. Patrick street, from Church street to Monk Boulevard, and on Monk Boulevard from St. Patrick street to Allard street, such lines to be connected with those of Church street;

(b) From Westmount Avenue on the Company's property, and then on the Cote des Neiges Road to Queen Mary Road, with connections both east and west to the existing tracks on the last mentioned road;

(c) On Park Avenue from Atlantic Avenue to Beaumont street, on Beaumont street, from Park Avenue to Bickerdike street, and on Bickerdike street to Ball street;

(d) On Kelly street, in Bordeaux Ward, from the present Ahuntsic station to Tolhurst street, on Tolhurst street from Kelly street to Dazé street, on Dazé street from Tolhurst street to Meilleur street, on Meilleur street from Dazé street to McDuff street, on McDuff street from Meilleur street to Poincarré street, on Poincarré street from McDuff street to Boulevard Gouin, with the necessary connections to connect this line with that leading to the Bas du Sault.

The Commission may suspend the construction of this line until the City shall have acquired the necessary right of way. The Commission may also change the course of this line if the City can acquire the right of way elsewhere at a lesser cost.

As the municipal underground works have not yet been constructed under this proposed line, the Commission may order the construction of a single line which must be replaced by a double track when the municipal underground works have been constructed;

(e) On DeFleurimont street from Christophe-Colomb street to Papineau street, with connections to the existing tracks on DeFleurimont street and with connections to the tracks on Christophe-Colomb street and Papineau street, to the north; On Rosemount Boulevard from Papineau street to Boulevard Pie IX, with connections to the tracks on Papineau street and on Boulevard Pie IX, to the south; on Boulevard Pie IX from Rosemount Boulevard to the present double tracks on Boulevard Pie IX; on Bellechasse street from Henri Julien street to St. Denis street, with

connections to the tracks on St. Denis street, in both north and south directions; the construction of such tracks to form a continuous line from St. Lawrence street to Boulevard Pie IX inclusively by way of Bellechasse, St. Denis, DeFleurimont and Papineau streets and Rosemount and Pie IX Boulevards;

(f) On Iberville street from Masson street to Belanger street, with connections with the present tracks on Iberville and Masson streets, and with connections to the tracks to be constructed on Rosemount Boulevard, both east and west.

In the cases mentioned in this article, apart from the exceptions contained in it, work must be commenced on or before the first of June next and diligently continued.

The Commission is, however, authorized to extend the time for the execution of these works if the Company proves to the Commission, the City having been heard, that it is impossible for the said Company to execute them within the given time.

*Article 34.*—The Company shall build and operate within or without the limits of the City, all other new lines asked for by it or by the City, or by any other municipal corporation, if, in the opinion of the Commission, they are justified by the needs of the population and of the traffic, and if general financial conditions permit.

If, in the opinion of the Commission, the same is justified by the needs of the population and of the traffic, and the general financial conditions permit, the Company shall build and put into operation, within or without the limits of the City, any new line ordered by the Commission, even if such line is not asked for by the City, by another municipal corporation or by the Company.

In each case the Commission shall fix the delay within which the work must be done or completed.

Nothing herein shall deprive any municipality outside the City of the right to exact the routes and frequency of service to which it is entitled by its contract with the Company.

*Article 35.*—No new line shall be constructed by the Company, within or without the limits of the City, without the previous authorization of the Commission.

*Article 36.*—Outside of the uniform-tariff territory, the cost of construction of any new line or of the extension of any existing line, or of their operation, shall not be a burden on the revenues of the Company in the sense that the

revenues of such new lines must be sufficient so as not to affect unjustly the passenger and freight tariff on the other parts of the Company's system.

*Article 37.*—No tramway line shall be constructed in the public parks of the City except on Victoria and Viger Squares, and on the same only when absolutely necessary to meet the pressing needs of the traffic.

*Article 38.*—The Company, on the order of the Commission and within the delay fixed by it, shall make to its lines, to the pavements under its care, to its rolling stock or to anything else pertaining to its system, either within or without the limits of the City, all necessary modifications, additions, reconstructions, alterations or repairs.

*Article 39.*—The Company shall, on the order of the Commission and within the delay fixed by it, remove at its own cost all lines or parts of lines situated within or without the limits of the City, which the Commission may adjudge as useless, as well as the poles, wires or cables belonging to the same, and shall also, where such tracks and poles have been so removed, reconstruct the pavement of the street or sidewalk in such a manner that the same shall correspond with the pavement of the remainder of such street or sidewalk.

If the Company neglects to carry out this work within the above delay, the City or the municipal corporation interested, as the case may be, may carry out the same at the cost of the Company, with the consent of the Commission.

*Article 40.*—The Company, in the construction of its tracks in the City, shall conform to the grades of the various streets through which the said tracks run, as furnished by the Chief City Engineer, and shall not in any way alter the same.

*Article 41.*—In constructing or reconstructing its tracks in the City, the Company, after having made the excavations and placed the rails and other apparatus necessary to the operation of its road, shall remove the surplus earth and other materials taken from the excavations, and shall reconstruct at its own expense that part of the street where it has so excavated to lay its tracks, in order to place the same in the same condition as it was when the said excavation was made, and for that purpose shall use the materials which the City shall consider the most advantageous, pro-

vided such materials be of the same quality as those employed for the pavement of the street so excavated at the time such excavation was made. But if the City avails itself of such excavation to substitute another and more expensive kind of pavement in the said street or streets, in whole or in part, the Company shall then have the right to recover from the City the excess of the cost. The City may itself, however, construct such new kind of pavement, but it shall charge to the Company only the amount which the latter would have been called upon to spend to restore the street to its former condition.

*Article 42.*—If, at any time, a new grade is established by the City, in a street where the rails of the Company have been laid, or if a new permanent pavement, including asphalted macadam laid on foundation, is ordered to be made, and is laid by the City in any such street, the Company shall, at its own expense, perform the work necessary to relay its tracks so as to conform to such new grade and to reconstruct the pavement, between the rails, and eighteen inches on each side of the rails, and also between the tracks, in order that the same shall correspond with the pavement ordered by the City.

*Article 43*—When the City makes the first permanent pavement, including asphalted macadam laid on foundation, in a street where the Company uses T rails, the latter shall, within the delay set by the Commission and in proper time to avoid delaying the work of the City, substitute at its own expense, for such T rails, grooved rails, or rails of any other type approved by the Commission, and shall do all the necessary work upon its line so that the said line shall correspond to the proposed pavement. The paving shall be done by the City at its own expense.

*Article 44.*—If the City widens a street, the Company shall, upon order of the Commission, remove its poles and its tracks, if need be, and reset the same in the place fixed by the Commission, the whole at the expense of the City.

*Article 45.*—When it shall become necessary to renew a wooden pole in the City, the Company shall replace the same by an iron pole.

In constructing any new line, the Company shall, within the City, use iron poles.

*Article 46.*—The Company shall maintain within the City, at its expense, clear and in proper repair, that portion

of the streets and the pavement which lies between the rails and eighteen inches on each side of the rails, and between the tracks in the streets where there is a double track; and, in default thereof, the City may, with the consent of the Commission, do such works at the expense of the Company.

*Article 47.*—When the Company does any work in the streets of the City it shall proceed diligently and without interruption, and shall leave in the streets free spaces for traffic, and shall so place its materials as to interfere as little as possible with the traffic.

*Article 48.*—Whenever, in the opinion of the Commission, it is necessary for the City to remove and replace the tracks of the Company in order to carry on, either directly or through other parties, any municipal work in a street where the Company has its tracks, such work, including the repaving between the tracks, between the rails and eighteen inches on each side of the rails, shall be done by the City at its cost. If the City so requests, the Company shall rebuild, at the City's expense, that part of the track removed, but the Company shall not be entitled to claim any damages from the City by reason of the interruption of its traffic or for any other cause.

*Article 49.*—Except as provided in articles forty-one (41) and forty-two (42) hereinabove, and also as otherwise provided in the present contract, whenever the Company shall dig trenches or openings in paved streets or through sidewalks, the City shall rebuild the pavement or the sidewalks, at the expense of the Company, and in this respect the Company shall comply with all municipal by-laws.

*Article 50.*—The Company shall provide drainage for its tracks according to the system approved by the Chief City Engineer, and no connection with the City sewers shall be made without a permit from the City.

*Article 51.*—Except in case of minor repairs, the Company shall obtain a permit from the City before carrying out, directly or through any other person, in the streets or public places of the City, any construction work or repair work to its tracks, poles, conduits, etc., which would affect in any manner any pavement, sidewalk or other municipal work.

However, the Company shall not change, modify or

displace any sewer, manhole or lamphole, water main or any other underground structure belonging to the City, without the consent of the latter, and if such changes, modifications or displacements are necessary, they shall be made by the City, at the expense of the Company.

*Article 52.*—The Company shall, within and without the limits of the City, use grooved rails or rails of any other type approved by the Commission, in the streets paved with permanent pavement, including asphalted madacam laid on foundation, but it may use T rails in other streets.

*Article 53.*—Within and without the limits of the City, the width of the space between the tracks, the width of the tracks, the radius of track curvature on the streets, the projection of the ties outside of the rails, the width of the rolling stock, the type of cars and of their accessories, the type and location of poles, the location of tracks in the streets, the weight and the type of rails, the signs indicating the regular stops, the lighting and the heating of the passenger cars, the weight of passenger cars as well as the weight of freight cars and their maximum permissible load, the numbering of cars, the maximum number of cars per train, shall be subject to the approval of the Commission.

*Article 54.*—The Commission shall determine, from time to time and according to the requirements, within as well as without the limits of the City, the speed of cars, the stopping and transfer points, the service and the frequency of service, on each route or circuit, by day as well as by night.

The Commission may allow a speed in excess of the speed fixed by law.

*Article 55.*—The Company, within and without the limits of the city, shall maintain its tramway service on the lines or circuits mentioned in schedule B annexed to and forming part of the present contract, and maintain on each line or circuit the present frequency of service, as indicated in the said schedule, until otherwise ordered by the Commission.

The routes or circuits established by such schedule may be changed from time to time by the Commission, but no change shall be made by the Company without the consent of the Commission.

*Article 56.*—The Company shall place an agent at every transfer point indicated by the Commission, within or

without the limits of the City. Such agent shall perform all the duties which the Commission may determine.

*Article 57.*—The Company shall not, within or without the limits of the City, operate combined passenger and freight cars, without the consent of the Commission.

*Article 58.*—Within and without the limits of the City, it is forbidden to enter or leave a car unless it has come to a full stop.

*Article 59.*—Within and without the limits of the City, the conductors and the transfer agents shall speak both languages, and shall also call in both languages to the passengers the names of the streets along the route of the cars.

*Article 60.*—Within and without the limits of the City, each car shall be provided with a warning gong which the motorman shall sound when the car is at a distance of more than forty feet from each crossing.

*Article 61.*—Within and without the limits of the City, every passenger car shall bear, in front and on each side, in a manner approved by the Commission, a sign clearly legible indicating its route and its destination. After sunset such signs shall be illuminated.

*Article 62.*—Within and without the limits of the City, every passenger car shall be well ventilated and kept at all times in a good state of cleanliness.

*Article 63.*—Within and without the limits of the City, the Commission shall determine the number of passengers which each car may accommodate. The Company shall post up such number on the outside of its cars, in figures at least four inches in height.

*Article 64.*—Within and without the limits of the City, the cars of the Company shall have the right to use its tracks as against all other vehicles whatsoever, and all other such vehicles using the said tracks, whether meeting or proceeding in the same direction as the said cars, shall turn out of the said tracks and permit the said cars to pass, and shall in no case and under no pretence whatever obstruct or hinder the passage thereof and the free use of the said tracks by the said cars of the Company.

Article 65.—The City shall have the right, without any indemnity to the Company, to make use of the Company's poles to place thereon its wires for fire alarm, patrol, or electric light, or to put up signs to give information of public interest, the whole in the manner determined by the Commission, provided that no expense be incurred thereby by the Company and that the City be responsible for all damages caused to anybody by the use made of said poles by the City.

Article 66.—The Company shall, under instructions from the City, keep its tracks free from ice and snow; and the City may, at its option, remove the whole or such part of the ice and snow from curb to curb, as it may see fit, from any street or part of street in which cars are running, including the snow from the roofs of houses, thrown or falling into the street, and that removed from the sidewalks into the street, with the consent of the City, and the Company shall be held to pay one half of the cost thereof.

Article 67.—The City shall have the right to open up streets where it may see fit, and for such purpose it may cross the land of the Company used as right-of-way, without paying any indemnity to the Company for the possession and use of the said land. The cost of the works executed on the part of the street situated on the land of the Company, and their maintenance, shall be paid by the City.

Article 68.—If the City so requires, the Company shall flush, sprinkle or sweep the streets or part of the streets on which it has its tracks, and also carry all garbage, waste or rubbish or snow for a price not to exceed the cost of the same to the Company, plus a profit of ten per cent (10%), provided that in the opinion of the Commission, such work will not interfere with the traffic.

Article 69.—The Company shall make connections between its main line and all sidings which the City may require in order to communicate with its yards or other municipal establishments, and shall do all other work pertaining to such sidings, which the City may not choose to execute itself. Such work shall be done at the expense of the City, but at cost price.

Article 70.—All work provided for by this contract, the performance of which is imposed upon the Company, shall be carried on under the supervision of the Commission.

*Article 71.*—Any contract involving an expenditure exceeding fifty thousand dollars (\$50,000), either for the performance of work or for the supply of electricity, the purchase of materials, or the purchase or sale of immovables, made by the Company, shall be submitted to the Commission either prior to or within eight (8) days of its execution.

The Commission shall within the eight following days approve or disapprove of such contract.

The Company may appeal to the Quebec Public Utilities' Commission, from the decision of the Commission.

If the Commission disapproves of the contract and no appeal is taken, or if an appeal is taken and the Quebec Public Utilities' Commission disapproves of the contract, then in such case the contract shall be null and void.

The present article shall not apply to contracts entailing the expenditure of any sum which the Company may distribute to its shareholders or might distribute to them except for the restriction imposed by paragraph three (3) of article ninety-two (92) of the present contract, concerning the maximum dividend.

The present article shall not be construed as depriving the Commission of the right of supervision and control which it possesses in virtue of the other articles of the present contract, and especially in virtue of article ninety-two (92).

*Article 72.*—The Company shall use such means and appliances as may prevent water-pipes, conduits, drains or other municipal underground works from being damaged in consequence of the escape or discharge of electricity into the ground.

The Company shall be responsible to the City or to any other municipal corporation interested for all damages which they may incur by reason of the escape or discharge of electricity into the ground, and the Company shall guarantee and indemnify them as to any condemnation rendered against them by reason of such damages.

*Article 73.*—The wires of the Company may be cut upon the order of the Chief of the Fire Department if he deems it necessary to help extinguish a fire, and in such case the Company shall have no right to any claim or indemnity either for damages caused to the wires or for any other cause.

*Article 74.*—Except when otherwise provided by this contract, whenever the City performs any work the cost of

which is repayable by the Company, or whenever the Company performs any work the cost of which is repayable by the City, such cost shall include only the actual expenditure, without profit.

*Article 75.*—All sums payable by the Company to the City, or by the City to the Company, in virtue of the present contract, shall bear interest from the date upon which they become due.

*Article 76.*—The tariffs in force at the date of this contract, both within and without the City, which the Company is authorized to collect in virtue of the law or of any contract, by-law or resolution, shall remain in force until amended by the Commission.

Within the sixty (60) days following the appointment of its members, the Commission shall, if necessary, amend the said tariffs in order to give full effect to the present contract, and in so doing shall take into consideration the operating expenses incurred by the Company since the coming into force of this contract.

The Commission shall, within the same delay, make such tariffs uniform for the territory comprising the City as it exists at the date of this contract, as well as the towns of Maisonneuve, Westmount, Outremont, Verdun, St. Laurent, Mount Royal, the territory of that portion of St. Laurent parish and the territory of that portion of the municipality of Cote St. Luc lying to the east of the line of the Company running from Snowdon station to Cartierville, including the land occupied by the said line. Such territory shall be known as the uniform-tariff territory.

Outside of the uniform-tariff territory, the Commission may fix different tariffs for the various municipalities, as well for local traffic as for traffic from one municipality to another, or from a municipality to the uniform-tariff territory and vice-versa; provided that such tariffs, or any of them, do not unjustly burden the rest of the system, and provided further that such various municipalities may, with the consent of the Commission, agree to pay to the Company any part of the cost of their respective services for the purpose of obtaining lower rates.

In the uniform-tariff territory, as well as in the other municipalities, the Commission may fix different tariffs for all passengers at certain hours of the morning or evening, or at certain hours of both the morning and evening. It may also fix higher tariffs for night hours from midnight until five o'clock in the morning.

The Commission may fix lower tariffs for school children

and for apprentices, which shall apply only upon week days. For school children such preferential tariffs shall apply only from eight o'clock in the morning to six o'clock in the evening, and for apprentices from six o'clock in the morning until seven o'clock in the evening.

Children under five years of age shall be carried free.

The Company shall sell, in all its offices and on its cars, transportation tickets of the denominations which will be fixed by the Commission.

The Commission may, from time to time, as required, but in conformity with the provisions of this contract, amend the tariffs established in virtue of the present article.

All changes in the tariffs shall take effect only at the expiration of a period of eight days following the publication by the Commission of a notice during two consecutive days, in an English and in a French newspaper, published in the City.

After the coming into force of a new tariff, passengers shall not use tickets previously purchased and not in accordance with such new tariff, but the Company shall redeem such tickets at the price at which they were sold.

*Article 77.*—The rates of fares established by the Commission shall provide for the issue of transfers, and the following regulations shall be observed:

(a) Any passenger on paying his fare shall be entitled to a transfer, either free or at the rate fixed by the Commission, as the case may be, from one car of the Company to another, at the points where the routes or circuits meet or intersect, or at other points fixed by the Commission, so as to enable such passenger to go without stop-over from one point to another, within the territory covered by the fare paid by him. (b) The payment of one fare shall not in any case entitle a passenger to return to his starting-point. The intention is that the Company shall carry a passenger for a continuous journey on its lines within the limits covered by the fare paid, so long as such journey is continued in the same direction. (For example, a transfer issued in the West shall entitle a passenger to continue towards the East, North or South). (c) The transfers issued to the passengers shall designate the point or place of transfer, and transfers must be used at such points only, and within the time punched on the transfer.

*Article 78.*—It is forbidden to any person:

(a) to sell, exchange or give away a transfer issued by the Company.

(b) to receive, to offer or to use for his passage upon any car of the Company, any transfer not regularly issued to him.

(c) to throw away a transfer without having first destroyed it.

*Article 79.*—Except as otherwise provided in the present contract, no person shall be carried free on the cars of the Company.

*Article 80.*—The policemen and firemen in the employ of the City, or of any other municipal corporation interested, the officers and the employees of the Company, the members and the employees of the Commission when travelling in the exercise of their functions, shall be transported free provided they comply with the regulations established by the Commission.

*Article 81.*—The Company shall, at the request of the City, have special tickets printed to be sold exclusively to the City for the use of its employees. Such tickets shall be sold to the City at the ordinary price.

Such tickets shall be in accordance with the design to be furnished by the City.

*Article 82.*—The Company may enter into any agreement which the Commission deems equitable, with the Federal Government for the transportation of letter carriers and mails of His Majesty, and with the Provincial Government for the transportation of its officers and for the service to and from the Bordeaux jail.

*Article 83.*—The Commission may allow the Company to carry freight over all or any part of the territory of the City as it now exists and as it may hereafter be enlarged, as well as over all or any part of the territory outside of the City, provided that such transportation of freight shall not, in any way, interfere with nor hinder the transportation of passengers, or the carrying out of any work, or the transportation of garbage, waste, rubbish or snow, which the Company may be called upon to undertake for the City under the present contract.

In case it should permit the carrying of freight, it shall be the duty of the Commission to determine the routes which the freight cars will follow and the hours of the day or of the night during which such cars may run on the Company's lines.

The tariff shall be fixed by the Commission.

The tariff for the transportation of freight shall be fair and reasonable and as uniform as possible, in order that no person or company be favoured to the detriment of another, but such tariff shall be so fixed as to produce such sufficient revenues as may be required not to burden the passenger tariff.

The Commission may, from time to time, establish rules for the transportation of freight, which, once approved by the Quebec Public Utilities' Commission, shall be binding upon all interested parties.

It shall be the duty of the Commission to determine what merchandise or other articles may be transported by the Company.

The transportation of live stock, carrion or manure, or of any other substance liable to diffuse odors or to become a nuisance, shall be effected only in cars approved by the Superior Board of Health of the Province of Quebec.

Notwithstanding the above, the Company shall have the privilege of transporting as freight all construction material used for the construction or the repair of its lines, as well as all construction material which the City, or any other municipal corporation where the Company has lines, may require for municipal work, and also any surplus from excavations made during the carrying out of such work.

The Commission shall not have the right of authorizing the Company to allow its freight cars to remain stationary on the streets in order to load or unload them, except when used for work carried on by the Company or by the City or by any of the said municipal corporations.

If the carriage of freight is allowed, the Commission may order the Company to establish at different places loading and unloading stations.

This article is subject to the authority of the Board of Railway Commissioners of Canada in cases where such authority may be exercised.

*Article 84.*—The articles of this contract by which the Company is called upon to pay any sum of money to the City, shall not be construed as creating an exemption or commutation of taxes, the Company and its property being in the future liable to the payment of municipal taxes like any other person or company.

*Article 85.*—The Company shall at all times keep its properties insured to the full amount of their insurable value.

*Article 86.*—Notwithstanding this contract, the Com-

pany shall remain subject to the act 9 Edward VII, chapter 81, section 39, and its amendments, concerning underground conduits.

*Article 87.*—The Company shall establish and maintain its plants, workshops and principal offices within the City limits. The Company shall also build and manufacture within the City limits any part of its material, which, in the opinion of the Commission, can be manufactured as advantageously within as without the City.

*Article 88.*—The Company shall not, directly or through any other person, do anything to prevent its employees from organizing a labour union authorized by law. Each class or category of employees may form a separate union.

The employees of the Company shall be entitled to one day's rest per week, the same to be fixed by the regulations of the Company.

*Article 89.*—If, in the opinion of the Commission, the requirements of the population and of the traffic justify it and the financial conditions permit, the Company shall establish and operate, within or without the limits of the City, an autobus system on the streets which the Commission shall designate and under the conditions which it shall determine, provided that the establishment and the operation of such system shall not be a charge upon the revenues of the Company, in the sense that the earnings of the autobus system shall be sufficient not to unjustly affect the passenger or freight rates on the tramway system.

*Article 90.*—The Company shall, within a delay of five years from the coming into force of the present contract, sell the immoveables mentioned in schedule C, hereto annexed, and deduct the selling-price from the capital as fixed by this contract.

If the Company does not sell the said immoveables within such delay, there shall be deducted from the said capital, an amount corresponding to the value of such immoveables as shown in the valuation, schedule A.

*Article 91.*—When the Commission is obliged to act in virtue of this contract, and when it neglects or refuses so to do within the fixed delay, if such delay is established by the contract, or within a reasonable delay, in all other cases, then, upon request by any interested party, the Quebec Public Utilities' Commission shall act in its place and stead.

*Guarantee Fund*

*Article 92.*—The Company, by yearly instalments of not less than one hundred thousand dollars (\$100,000.00), and in any case within five years from the coming into force of this contract, shall provide out of its own resources, to wit, those beyond the control of the Commission, a special Fund of five hundred thousand dollars (\$500,000.00), to be known as the Guarantee Fund, which shall be used to meet all liabilities and all other debts (except mortgage debts) incurred by the Company prior to the coming into force of this contract, through the operation of its system, and to provide for the payment in each year of any portion of excess expenditure as hereinafter defined, which shall be found by the Commission to have been unnecessary for the payment of penalties imposed on the Company, and also to guarantee the fulfilment by the Company of all obligations assumed by it under this contract. Such fund, when created, shall be maintained by the Company at all times at the said sum of five hundred thousand dollars (\$500,000.00). Such fund shall be deposited by the Company in some chartered bank or Trust Company in such a manner as to remain available at all times for the purpose for which it is created. The interest thereon or income therefrom shall be the property of the Company. Upon the termination of this contract the said fund shall be the property of the Company.

*Disposition of the Gross Revenues.*

All revenues derived by the Company from the operation of its entire system of tramways, as well as from all other sources whatsoever, whether within or without the corporate limits of the City, shall, except as herein otherwise provided, constitute the gross revenues of the Company, and shall be disposed of for the following purposes and in the following order:

*Paragraph 1.—Operating Expenses and Taxes.*

Within sixty days after the coming into force of this contract, the Commission shall, for the first year of operation hereunder, allow the Company, out of gross revenues, a sum for each revenue car-mile, exclusive of car-house and car-yard miles, made by cars equipped with motors, except cars operated to carry materials used in the construction and repair work of the Company itself, and other sums for each revenue car-mile, for trailers, and for freight cars,

always exclusive of car-house and car-yard miles. Such sums shall be known as the operating allowance, and shall be used for the payment of all operating expenses (exclusive of maintenance, renewals and depreciation), and all taxes levied against the Company or its property. Such operating expenses shall include, among other things, the expenses of the Commission, and the actual and necessary expenses incurred by the Company during the year for insurance and for the defence and settlement of claims and suits for damages made during the year, and an amount to be held in reserve estimated by the Commission to be sufficient to pay all such claims and suits that have not been settled during the year. The Company shall so increase the transportation service, under the direction of the Commission, that the permissible average density of traffic per car-mile during the first year of operation under this contract shall not be excessive. Within sixty (60) days after the close of the first year of operation under this contract, and annually thereafter, the Commission shall re-determine and fix for the ensuing year the amount of the operating allowance and the permissible average car-mile density; and, in so doing, it shall base its action upon the actual and necessary expenses for operation incurred during the preceding year with such adjustments as may be foreseen to be necessary on account of modifications of service, changing costs, or any circumstances tending either to increase or to diminish the necessary expenses of operation. If at the end of any year the Commission shall find that the Company has kept within the operating allowance or shall not have exceeded the same by more than two and one-half per cent ( $2\frac{1}{2}\%$ ) of its amount, subject to the conditions imposed as to density of traffic being in the judgment of the Commission reasonably observed, then the Commission shall permit the Company to take out of gross revenues, as a charge prior to all other charges except operating expenses and taxes, as hereinabove defined, a sum to be known as the operating profit, which shall be equivalent to one-eighth of one per cent ( $\frac{1}{8}$  of  $1\%$ ) on the total average capital value for that year; and such operating profit shall belong to the Company. In case the Company shall have spent more than the operating allowance, plus the above percentage of two and one-half per cent ( $2\frac{1}{2}\%$ ), during any year, then the excess over such allowance and percentage shall be known as the excess expenditure, and shall be taken from gross revenues up to an amount not exceeding one-eighth of one per cent ( $\frac{1}{8}$  of  $1\%$ ) on the average capital value for such year, and the operating profit shall be reduced accordingly; and if the excess expenditure shall ex-

ceed one-eighth of one per cent ( $1/8$  of 1%) on average capital value, then the Company shall receive no operating profit, but, on the contrary, shall pay out of the guarantee fund the amount by which such excess expenditure exceeds the said one-eighth of one per cent; provided that if the Company shall during such year, in anticipation of such excess expenditure, or immediately upon the close of such year, submit to the Commission a detailed statement and explanation thereof, and if the Commission shall find, not later than sixty days after the close of such year, that the excess expenditure, or any part thereof, was necessary and unavoidable in the rendition of service as required by the Commission, then the Commission shall permit the Company to take out of gross revenues the additional sum required to cover such excess expenditure or such part thereof, and shall also award the Company the full amount of the operating profit, less any part of such excess expenditure which may be found to have been unnecessary; but if such unnecessary part shall exceed the amount of said profit, the balance shall be paid by the Company out of the guarantee fund. The Commission, in determining the operating allowance for the ensuing year, shall take into consideration the excess expenditure incurred during the preceding year and found to be necessary as above provided. Any portion of the operating allowance which shall not be expended or needed for the expenses of the year, shall, at the close of the year, with the approval of the Commission, be returned to gross revenues to be disposed of as hereinafter provided.

Paragraph 2. *Maintenance and renewals fund.*

The entire plant and property of the Company used and necessary to provide the public transportation service shall at all times be maintained at the highest practicable standard of operating efficiency. For the purpose of maintenance, renewals, replacements and substitution made necessary by wear and tear, age, obsolescence, inadequacy, accident or other cause, a sum shall be set aside for each revenue car-mile, exclusive of car-house and car-yard miles, made by cars equipped with motors, and other sums for each revenue car-mile made by trailers and by freight cars, always exclusive of car-house and car-yard miles. Such sums shall be known as the Maintenance Allowance, and shall be placed in a Fund to be known as the Maintenance and Renewals Fund. Any items of property contained in the valuation Schedule A, or added to the tramways system since the thirtieth (30th) of June, nine-

teen hundred and seventeen (1917), which shall become worn out or which for any other reason shall at any time be deemed no longer useful as a part of such system, shall be disposed of under the direction of the Commission, subject to the provision of any trust deed, upon the most advantageous terms obtainable, and the proceeds thereof, with, when required, the consent of any Trustee for the Bondholders of the Company, shall be paid into said Maintenance and Renewals Fund, or if such consent be not forthwith obtained, then said proceeds shall be deducted from Capital Value. The proceeds from the sale of land and buildings shall not form part of said Fund, but shall however be deducted from Capital Value. Out of said Maintenance and Renewals Fund shall be paid from time to time the actual and necessary expenses of maintenance and renewals, and of replacements and substitutions as hereinafter provided, and any moneys not needed for such purposes during any year shall remain in said Fund and be held in reserve until required for such purposes, or for investment in betterments, additions and extensions as hereinafter provided. Whenever any portion of the plant is replaced or other property substituted therefor, the cost of such replacement or substitution up to the full reproduction cost of the unit or article so replaced or substituted for, as fixed by the said valuation, shall be paid out of the Maintenance and Renewals Fund, and any cost in excess of said reproduction cost shall be paid out of moneys supplied by the Company as hereinafter provided, and the amount thereof shall be added to Capital Value. In case any item of property which shall have been added to the plant subsequent to the thirtieth of June, nineteen hundred and seventeen, shall be replaced or substituted for, then the actual cost to the Company of such item shall be paid from the Maintenance and Renewals Fund, and any cost in excess of such actual cost shall be paid out of monies supplied by the Company as hereinafter provided, and the amount thereof shall be added to Capital Value. In case the cost of any such replacement or substitution shall be less than such reproduction cost or such actual cost, as the case may be, or in case any item of property included in said valuation or thereafter added to the plant shall become worn out or be abandoned or sold as hereinabove mentioned, and shall not be replaced or substituted for, then the difference in cost or the full amount of the reproduction cost or the actual cost, or the proceeds of the sale, as the case may be, shall, except to the extent that Capital Value shall be reduced by the proceeds of the sale of land and buildings as hereinbefore

provided, be appropriated out of the Maintenance and Renewals Fund from time to time with the approval of the Commission, for the making of betterments, additions to and extensions of plant, as may be required, and the cost of such betterments, additions and extensions paid from such appropriations shall not be added to Capital Value.

If at the end of the first year of operation under this contract or at the end of any subsequent year, it shall appear to the satisfaction of the Commission that the Maintenance Allowance herein fixed is insufficient, such allowance shall be increased for the ensuing year and from year to year as may be deemed necessary. If at the close of any year the Commission shall find that the Maintenance Allowance is excessive or that the Maintenance and Renewals Fund is greater than prudent management of the tramways system required, then the Commission may reduce such allowance to any extent which it may see fit; provided that the Maintenance Allowance shall never be so reduced as to cause a reduction in the Maintenance and Renewals Fund, except temporarily, below the sum of five hundred thousand dollars (\$500,000), and in case such fund is at the end of any year found to be reduced below such sum, then the Commission shall forthwith increase the Maintenance Allowance in an amount sufficient to restore said fund to at least said sum of five hundred thousand dollars (\$500,000). Said fund shall be under the control of the Commission, and no monies in it shall be paid out or loaned or invested except with the Commission's approval. In case the monies in such fund are deposited in bank or invested, the interest thereon or the revenues derived therefrom shall be added to and become a part of said fund.

In case the City shall purchase or acquire the property of the Company at the termination of this contract, the Maintenance and Renewals Fund, as then existing, shall become the property of the City, and the amount of such fund shall not be added to the purchase price, and any monies then due by the Company to said fund shall be deducted from the Purchase Price.

### Paragraph 3.—*Return Upon Capital Value.*

The capital value of the tramways system is hereby fixed at the sum of thirty-six millions, two hundred and eighty-six thousand, two hundred and ninety-five dollars (\$36,286,295), said sum including all physical assets added to the system up to December 31st, 1917. As its usual return upon the capital value so fixed, the Company shall receive in quarterly payments out of gross revenues a sum equal to six per cent on such capital value. From

time to time hereafter as money is needed for betterments, additions to and extensions of plant required by this contract or approved by the Commission, such money, except to the extent that monies for such purposes are payable at the time from the maintenance and renewals fund as hereinbefore provided, shall be supplied by the Company, and the amounts so supplied and actually expended for such purposes under the supervision of the Commission shall, plus net interest expenses during construction, be added to capital value, and the Company shall receive out of the gross revenues an annual return of six per cent. on such amount. For such purposes, however, the Company shall be obliged to borrow temporarily from monies in the maintenance and renewals fund, except from monies already in that fund for the same purposes, and from the contingent reserve fund and the tolls reduction fund, to the extent that in the judgment of the Commission the monies in any or all of such funds are available for loans, and upon monies so borrowed from such funds, the Company shall pay into such funds interest at the rate of six per cent per annum. Monies so borrowed shall be reimbursed by the Company when and as ordered by the Commission.

Within sixty days after the coming into force of this contract, the Commission shall ascertain and determine the amount of money expended by the Company for all physical assets added to its system subsequently to December thirty-first (31st), nineteen hundred and seventeen (1917), and the amount so determined shall be added to capital value, and the Company shall receive an annual return therefrom at the rate of six per cent per annum, to be taken out of gross revenues.

Upon all monies supplied for capital expenditure by the Company, from other sources than the aforesaid funds, during the continuance of the present world war, or within two years after its close, the Company shall receive out of gross revenues an additional return of one per cent (1%) per annum, provided such additional return shall not be paid for a period extending more than five years beyond the close of the war.

As the capital hereinbefore established at the sum of thirty-six million, two hundred and eighty-six thousand, two hundred and ninety-five dollars (\$36,286,295), does not include any working capital, it is agreed that any working capital required shall, as and when ordered by the Commission, be furnished by the Company. Upon such working capital so furnished the Company shall receive a return at the rate of six per cent (6%) per an-

num. Should the Commission so order, the Company shall be obliged, for the purpose of creating or maintaining such working capital, to borrow from any or all the different funds created by the present contract, in the same manner, to the same extent and under the same conditions as hereinabove established for monies borrowed by the Company from said funds for betterments, additions to and extensions of plant.

For the purpose of covering the expense to be incurred by the Company in procuring additional capital, the Company shall, out of gross revenues, receive annually an amount of one hundred and eighty-one thousand, four hundred and thirty-one dollars and forty-seven cents (\$181,431.47), being equivalent to one half of one per cent ( $\frac{1}{2}$  of 1%) of the said sum of thirty-six million, two hundred and eighty-six thousand, two hundred and ninety-five dollars (\$36,286,295), provided said amount is expended solely for the following purposes, to wit: when issuing bonds or debenture stock, for discounts, commissions, printing and engraving, exchange, legal and other expenses incidental thereto; when issuing stock, for printing, engraving, transfer and registration fees and listing on stock exchanges.

Any surplus over and above the said expenditure, and the interest or income therefrom, shall belong to the Company, but shall be kept in a special account and shall not be distributed until the termination of this contract.

During the life of this contract the Company shall not pay dividends of more than ten per cent (10%) annually on its capital stock.

In procuring any amounts of additional capital required after the coming into force of this contract, the Company shall be held to limit its mortgages or issues of mortgage bonds or debenture stock so that the same shall not aggregate more than seventy-five per cent (75%) of the total additional capital then furnished under this contract, but this restriction shall not apply to securities which the Company may issue to renew or replace the loans contracted under the Company's trust deeds in existence on the thirtieth (30th) of June, nineteen hundred and seventeen (1917), and also the debentures amounting to one million five hundred thousand dollars (\$1,500,000.00) and maturing on the twenty-second of May, one thousand nine hundred and twenty-two (May 22nd, 1922).

#### Paragraph 4.—*City Rentals.*

The City shall receive out of gross revenues over and above all other amounts to which it may be entitled under

this contract or otherwise, the sum of five hundred thousand dollars (\$500,000) per annum during the continuation of this contract, payable quarterly.

Paragraph 5.—*Contingent Reserve Fund*

A sum equal to one per cent of the gross revenues shall be paid annually into a Contingent Reserve Fund until such fund, with its accretions, shall amount to five hundred thousand dollars (\$500,000), and thereafter no further payments shall be made to this fund, and the accretions thereof shall be paid into and become a part of the gross revenues; provided, that if said fund shall be diminished by any of the contingent payments herein after described, the accretions of the fund shall thereafter belong to it, and the payment of said one per cent (1%) of the gross revenues into said fund shall be resumed as soon as said percentage is available, and shall so continue until said fund is again restored to the full amount of five hundred thousand dollars (\$500,000). Said fund shall be used whenever it may be necessary to make up any deficiency in the payments to be made under paragraphs one (1) to four (4) hereof, inclusive, in the order of priority herein established; and allowances provided for in said paragraphs one (1) to four (4) inclusive, and in this paragraph, shall be cumulative in the order herein established. Upon the termination of this contract, the Company shall repay any monies borrowed from said fund and not previously repaid, and the total amount then in said fund shall be distributed as follows: To the City, thirty per cent. (30%), to the Company twenty per cent. (20%), and to the tolls reduction fund hereinafter established, fifty per cent. (50%).

Paragraph 6.—*Division of Surplus*

All the portion of the gross revenues remaining after the payment of the charges described in paragraphs one (1) to five (5) hereof, inclusive, shall constitute the divisible surplus, and shall, at the end of each year, be distributed as follows: To the City, thirty per cent (30%); to the Company, twenty per cent. (20%), and to the tolls reduction fund, fifty per cent. (50%). The portions distributed to the City and to the Company shall belong to them and may be used or disposed of as they respectively see fit. The tolls reduction fund shall be held in trust for the patrons of the Company for the reduction of tolls, and shall be administered by the Commission as herein provided. Whenever at the end of any year the amount in the tolls reduc-

tion fund shall exceed one million dollars (\$1,000,000), the Commission may, and whenever the amount in said fund shall exceed two million and a half dollars (\$2,500,000), the Commission shall reduce the fares or tolls on the tramways system. For the purpose of effecting said reduction, an amount not exceeding twenty-five per cent. (25%) of the total amount in such fund at the close of the year preceding the year when such reduction is to be made, shall be taken out of the tolls reduction fund and added to gross revenues, and the Commission shall thereupon reduce the tolls to an extent that in the aggregate for the year is at least equal to the amount so taken out of the tolls reduction fund, but does not exceed such amount plus seventy-five per cent (75%) of the amount which during the last preceding year flowed from gross revenues into the divisible surplus. Thereafter, at the beginning of each year, an amount shall be taken from the tolls reduction fund and turned into gross revenues equal to the amount so taken from said fund at the time of the reduction of tolls; but when the total amount remaining in said tolls reduction fund at the end of any year is less than the amount taken annually from such fund for the increase of gross revenues as above provided, the appropriation from said fund to gross revenues shall for the time being be discontinued, but the tolls shall remain as previously reduced until it shall be necessary, as hereinafter provided, to increase them.

If the tolls reduction fund, in spite of its depletion for such reduction in tolls, shall again increase to an amount in excess of two million and a half dollars (\$2,500,000), the tolls shall be further reduced in the same manner as before. If in any year the gross revenues shall be insufficient to provide for the payment of all sums payable under paragraphs one (1) to five(5) hereof, inclusive, and if the contingent reserve fund is less than three hundred thousand dollars (\$300,000), the Commission shall forthwith, from any monies in the tolls reduction fund, appropriate the amount necessary to bring the contingent reserve fund up to five hundred thousand dollars (\$500,000), all deficits in the payments provided for under paragraphs one (1) to four (4) hereof inclusive being made up, or if sufficient monies therefor are not available in said tolls reduction fund, then the Commission shall forthwith increase the tolls to the extent necessary to provide at least sufficient gross revenues to meet all the payments provided for under paragraphs one (1) to five (5) hereof inclusive.

At the termination of this contract said tolls reduction fund shall be the property of the City, and any amounts borrowed by the Company from said Fund and not pre-

viously repaid, shall forthwith, upon the demand of the City, be paid into said fund by the Company, and in case of purchase by the City of the tramways system any amounts then due from the Company to said fund shall be deducted from the purchase price.

Any loans made to the Company from the maintenance and renewals fund, the contingent reserve fund or the tolls reduction fund, shall constitute, without registration, a lien upon the Company's plant and property, superior to any other lien hereafter created by act of the Company and not previously authorized by any mortgage or trust deed in existence on the thirtieth (30th) of June, nineteen hundred and seventeen (1917), affecting such plant and property; but the Company may reimburse said loans for the purpose of replacing or renewing any lien created or authorized in virtue of any trust deed existing on said date.

#### Paragraph 7.

No monies taken from earnings—except amounts available for distribution by the company to its shareholders, or which would be so available but for the restriction contained in paragraph three (3) of this article with respect to the maximum dividend—shall be used to redeem any mortgage, lien, or other mortgage indebtedness of the Company.

#### Paragraph 8.—*Expropriation*

On March twenty-fourth (24th), nineteen hundred and fifty-three (1953), and at the expiration of every subsequent five-years period, the City shall have the right, after six months notice given to the Company within the twelve months immediately preceding March twenty-fourth (24th) nineteen hundred and fifty-three (1953), and also after a similar notice of six months and on the same conditions at the end of each subsequent five-years period, to appropriate for itself the railway of the said company as well as the immoveables and dependencies, plant and cars belonging to it and necessary for the operation of the said railway, situate within and without the limits of the said City, by paying the value thereof, to be fixed by arbitrators, and ten per cent (10%) over and above the estimate. Such arbitrators shall be appointed as follows; one by the City, one by the Company, and the third by a judge of the Superior Court sitting in and for the district of Montreal.

Should the City exercise the right conferred upon it by this clause, then it is agreed that the valuation of thirty-

six million, two hundred and eighty-six thousand, two hundred and ninety-five dollars (\$36,386,295), fixed by the present contract, shall in no way bind the arbitrators in establishing the purchase price payable by the City.

The purchase price shall also include all privileges, rights and franchises of the Company in any municipality wherein the assets so acquired are situated, but the City shall not pay for the value of such privileges, rights and franchises, and shall further have the right to operate the system of tramways so purchased in any municipality wherein the same is located.

No municipality other than the City shall have the right to purchase the railway system of the Company, in whole or in part.

#### Paragraph 9.

Within thirty (30) days after the expiration of each year of operation, the company shall furnish to the Commission detailed statements of its expenditures made within the preceding year, provided for in paragraphs one (1), two (2) and three (3) of the present article.

*Article 93.*—The first year of operation of the Company under this contract, shall include the period extending from the coming into force of this contract to the thirtieth (30) of June, nineteen hundred and nineteen (1919), and for this purpose the Commission shall increase the allowances, etc., so as to cover the period exceeding twelve months.

*Article 94.*—The parties declare that they have at present unliquidated claims one against the other, including the right of the City to receive, under section thirty-five (35) of by-law number two hundred and ten (210), a percentage of the receipts of the Company for the period preceding the putting into force of this contract, and that this contract shall not have the effect of prejudicing the rights of the parties as to their respective claims, nor of depriving the City of its above-mentioned percentage.

*Article 95.*—All the provisions of the contracts, compacts or agreements passed between the Company and any municipal corporation outside of the City, inconsistent with the provisions of this contract, shall be and shall remain without effect from the time of the coming into force of the present contract.

*Article 96.*—Should the Company, at any time, fail to conform to or infringe any of the conditions or obligations imposed on the Company by the present contract, or fail

to conform to any of the decisions or infringe any of the orders given by the Commission, it shall be liable to and shall incur a penalty not exceeding forty dollars (\$40.00), with or without costs at the discretion of the Court, for each and every day during which it neglects to conform to or infringes any of the above conditions, obligations, decisions or orders.

The fine imposed by the present article shall be recoverable before the Recorder's Court of the City of Montreal in the same manner as are other fines imposed by municipal by-laws.

Any suit for the recovery of such fines may also be taken by the City itself or by any of its officers in the name of the City.

Articles four hundred and seventy-six (476) to five hundred and twenty-seven (527), inclusive, of the City Charter, and their amendments, shall apply to the suits authorized above.

In all cases the fines shall be the property of the City, and shall form part of its general revenues.

If the infraction has been committed outside of the City limits, or refers to a decision or an order of the Commission concerning that part of the Company's system situated outside the City, any suit in recovery of the fines imposed by the said article may also be taken by the municipal corporation in whose territory the infraction was committed, or by its officers in its name, before the Recorder's Court having jurisdiction in such territory, and if there is no Recorder's Court, before any competent Court. In such case the fines shall be the property of such corporation and shall form part of its general revenues.

No suit authorized by the present article may be taken after the expiration of six (6) months from the date on which the fine was incurred.

*Article 97.*—Anyone, other than the Company, who infringes any of the provisions of the present contract, shall be liable to and shall incur a fine not exceeding forty dollars (\$40.00), with or without costs, at the discretion of the Court.

The fine imposed by the present article shall be recoverable before the Recorder's Court of the City of Montreal, in the same manner as are other fines imposed by municipal by-laws.

Any suit for the recovery of such fines may be taken by the Company or by the City itself or by any of its officers in the name of the City.

Articles four hundred and seventy-six (476) to five

hundred and twenty-seven (527), inclusive, of the City Charter, and their amendments, shall apply to the suits authorized above.

In all cases the fines shall be the property of the City, and shall form part of its general revenues.

If the infraction has been committed outside of the City limits, any suit for the recovery of the fines imposed by this article may be taken by the municipal corporation in whose territory the infraction was committed, or by its officers in its name, or by the Company, before the Recorder's Court having jurisdiction in such territory, and if there is no Recorder's Court, before any competent Court. In such case the fines shall be the property of such corporation, and shall form part of its general revenues.

No suit authorized by the present article may be taken after the expiration of six (6) months from the date on which the fine was incurred.

Failing the payment of the fine inflicted by the Court, or the said fine and costs, as the case may be, immediately after the pronouncement of the sentence, the person condemned may be imprisoned for a term not exceeding thirty (30) days; which imprisonment shall, nevertheless, cease at any time before the expiration of the term fixed by the Court, upon payment of the said fine or of the said fine and costs, as the case may be.

*Article 98.*—This contract shall form part of the securities furnished by the Company under the trust deed in favour of the National Trust Company, Limited, and the Harris Trust and Savings Bank, dated July first (1st) one thousand nine hundred and eleven (1911), and other trust deeds existing on the thirtieth (30) of June, one thousand nine hundred and seventeen (1917), to guarantee the loans and the issues of debenture stock made by the Company under the authority of the said trust deeds, and the Company is authorized to execute the necessary deeds to give effect to this article.

*Article 99.*—This contract shall be null and void if it is not signed by the Company and by the appearing and intervening parties on or before the twenty-eighth (28) day of January, one thousand nine hundred and eighteen (1918).

*Article 100.*—If the present contract is signed by the Company and by the appearing and intervening parties in the delay mentioned in the preceding article, this con-

tract and the hereinafter-mentioned intervention shall nevertheless not take effect nor come into force until ratified by the Legislature of the Province of Quebec, at its present session.

Until the date of the ratification of this contract, the parties shall continue to be governed by the existing contracts.

If this contract and the said intervention are not ratified as above stated, they shall be null and void.

### INTERVENTION

In the present contract intervened: 1st. The National Trust Company, Limited, a corporation legally constituted under the laws of the Province of Ontario, Dominion of Canada, having its principal place of business in the City of Toronto, Province of Ontario, herein acting and represented by John McDonald, its manager at its office in Montreal, and Orich B. MacCallum, its trust officer at its office in Montreal, and

2nd. The Harris Trust and Savings Bank Company, a corporation legally constituted under the laws of the State of Illinois, one of the United States of America, having its principal place of business in the City of Chicago, in the said state, herein acting and represented by its duly authorized agent, The National Trust Company, Limited, the Corporation above mentioned, herein acting and represented by its duly authorized agents, John McDonald and Orich B. MacCallum, abovementioned, the said intervening parties being the trustees appointed by the trust deed consented to by the Company the first of July, one thousand nine hundred and eleven (1911), and intervening in the present contract in such said capacity, who by these presents give, subject to article ninety-eight (98) of this contract, their consent to the substitution of this contract for the contracts which are or which will be cancelled by this contract.

### WHEREOF ACTE.

DONE AND PASSED in the said City of Montreal, on the day and in the month and year first above written, under the number eight thousand one hundred and six of the minutes of the said Mtre Baudouin.

And the parties appearing and intervening have signed

with us, the said notary, and in our presence, these presents duly read.

(Signed) J. P. B. CASGRAIN,  
 " C. P. BEAUBIEN,  
 " CHARLES LAURENDEAU,  
 " A. W. STEVENSON,  
 " ALPHONSE VERVILLE,  
 " E. A. ROBERT, *President.*  
 " PATRICK DUBEE, *Secy.-Treas.*  
 " JOHN McDONALD,  
 " O. B. MACCALLUM,  
 " JEAN BAUDOIN, *N. P.*

True copy of the present minutes remaining in my office.

JEAN BAUDOIN,  
*N. P.*

CHAP. 85

An Act to amend the charter of the city of Three Rivers

[Assented to 9th February, 1918]

**W**HEREAS the city of Three Rivers has, by its petition, Preamble.  
 represented that it is in the interest of the rate-payers and of the proper administration of its affairs that its charter, the act 5 George 5, chapter 90, as amended by the acts 6 George V, chapter 45, and 7 George V, chapter 63, be again amended as hereinafter set forth, and that additional powers be granted it, as well as to the school board;

Whereas it is expedient to grant the prayer of the said petition;

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

**1.** Article 5299 of the Revised Statutes, 1909, is replaced, R. S. 5299, replaced for the city.  
 for the city, by the following:

**"5299.** The corporation is represented and its affairs are administered by its council. Council to represent city.

If required by the majority of the council, the city clerk shall, within the thirty days following such requisition, submit to the municipal electors who have the right to vote at the election of mayor and aldermen for the city, Question may be submitted to electors.