

C H A P . 5 6

An Act to amend the charter of the city of Montreal.

[Assented to 3rd April, 1912.]

Preamble.

WHEREAS, the city of Montreal, has, by its petition represented that it is in the interest of the proper administration of its affairs that its charter, the act 62 Victoria, chapter 58, and its amendments, 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:

62 V., c. 58,
s. 5, am.

1. Article 5 of the act 62 Victoria, chapter, 58, as 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, and 1 George V, (2nd session), chapter 60, section 2, is further amended by adding thereto the following paragraph after paragraph *m*:

Annexation
of Côte St.
Luc.

“*n.* That part of the village of Côte St. Luc bearing Nos. 70, 71, 143, 148, 152*a*, 154 and 164 of the cadastre of the parish of Montreal, shall be annexed to the city and shall form part of Notre-Dame de Grâces Ward, without any other conditions than the following:

Valuation of
farming
land.

1. Lands under cultivation in the territory so annexed shall not be valued at more than one hundred dollars per arpent from the date of the annexation to 4th June, 1920, or so long, during such period, as such lands or parts of lands have not been subdivided into building lots; and during the said period, farmers may keep manure on said lands for the use of their farms, provided that the same be not placed at a distance less than 100 feet from the public road or from any dwelling. The said valuation shall include the houses, barns, stables and other buildings required for the cultivation of said lands.

Payment to
village of
Côte St.
Luc.

2. The city of Montreal shall pay the corporation of the village of Côte St. Luc a sum of \$250.00.”

Id., s. 7, am.

2. Article 7 of the act 62 Victoria, chapter 58, as amended by the acts 3 Edward VII, chapter 62, section 2; 7 Edward VII, chapter 63, section 3; 8 Edward VII, chapter 85, section 2; 9 Edward VII, chapter 81, section 2 and 1 George V, (1st session), chapter 48, section 4, is further amended by replacing paragraph 20 thereof by the following:

"20. Notre-Dame de Grâces Ward shall comprise the territory described in paragraphs *e* and *n* of article 5." Notre-Dame de Grâces ward.

3. Article 25 of the act 62 Victoria, chapter 58, is replaced by the following: Id., s. 25, replaced.

"**25.** No person can be nominated for the office of mayor or alderman nor elected to such office unless he is a British subject and has resided in the city during the whole year preceding the nomination day." Qualification for mayor, &c.

4. Article 29 of the act 62 Victoria, chapter 58 as amended by the act 1 George V (1st session) chapter 48, section 20, is replaced by the following: Id., s. 29, replaced.

"**29.** No person can be nominated for the office of alderman nor elected to such office unless he is a British subject and has resided in the city during the whole year preceding the nomination day." Qualifications for alderman.

5. Article 34 of the act 62 Victoria, chapter 58, is repealed. Id., s. 34, repealed.

6. Article 47 of the act 62 Victoria, chapter 58, as amended by the acts 63 Victoria, chapter 49, section 2, and 7 Edward VII, chapter 63, section 8, is replaced by the following: Id., s. 47, replaced.

"**47.** The following persons are not entitled to have their names entered on the electors' list: Persons not entitled to be on list of electors.

1. The city clerk and his assistants;
2. Persons who are not British subjects;
3. Persons who are no longer in possession as proprietors of the property on which they are qualified when said list is made. Nevertheless, the chairman of the board of assessors shall enter the name of the new proprietor on the voters' list, provided, however, that he be possessed of the qualification required by law;
4. Persons who are guests or lodgers in a hotel, boarding-house, or private dwelling, and not otherwise qualified;
5. Tenants who, at the time of the revision of the electoral lists, are no longer householders in the ward, and also tenants of any office, qualified as such, who have not actually occupied said office since the month of May next preceding, or who have ceased occupying the same at the time of the revision of the electoral lists."

7. Article 48 of the act 62 Victoria, chapter 58, as replaced by the act 63 Victoria, chapter 49, section 3, and as amended by the act 1 George V, (1st session), chapter 48, section 25, is repealed. Id., s. 48, replaced.

Id., s. 61, re-
placed, **8.** Article 61 of the act 62 Victoria, chapter 58, as amended for the English version by the act 63 Victoria, chapter 49, section 4, is replaced by the following:

Transmis-
sion of
voters' list
to city clerk. **"61.** On the first December, the chairman of the board of assessors, shall transmit the certified voters' list to the city clerk, who shall keep the same in his office, where it may be examined by the parties interested until finally revised."

Id., s. 62, re-
placed. **9.** Article 62 of the act 62 Victoria, chapter 58, is replaced by the following:

Notice of
revision of
list. **"62.** On receipt of the list delivered to him by the chairman of the board of assessors, the city clerk shall immediately cause to be inserted in two French and two English newspapers a notice of the revision of the municipal voters' list (as per form No. 2), stating the day on which and the place where the list for each of the wards shall be revised."

Id., s. 92, re-
placed. **10.** Article 92 of the act 62 Victoria, chapter 58 as replaced by the act 1 George V (2nd session), chapter 60, section 6, is again replaced by the following:

Documents
to be filed
with nomin-
ation paper. **"92.** With every nomination paper there shall be filed: 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 \$200.00 in the hands of the said treasurer, as required by law.

The nomination paper shall also be accompanied by the solemn declaration contained in form No. 7.

Delivery of
nomination
paper, &c.,
to returning
officer. The nomination papers, declarations and certificates above mentioned shall be handed to the returning officer by the candidate or his representative within the delay indicated in the public notice mentioned in article 81."

Id., s. 300,
am. **11.** 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, and 1 George V, (2nd session), chapter 60, sections 10 and 11, is further amended by replacing paragraphs 88, 107, 120 and 127 thereof, by the following paragraphs bearing the same numbers respectively.

Sale of prov-
isions, &c.,
on markets. **"88.** To provide that provisions and provender, usually bought and sold in public markets, that may be brought to the city for sale, or any of them, shall be conveyed to the public markets and there exposed for sale; and that no such

provisions or provender shall be offered, or exposed for sale, or be sold or purchased elsewhere in the city, than on the public markets, but the council may provide for empowering any person to sell or offer or expose for sale beyond the limits of said markets, meat, vegetables and provisions usually brought and sold on public markets and for granting him a license for that purpose upon payment of such sum and the performance of such conditions as shall be fixed by by-law. Nevertheless, the city shall grant yearly licenses, the price whereof shall not exceed \$25.00, to farmers, gardeners and market gardeners, allowing them to sell their produce to grocers, butchers, fruit and vegetable dealers and provision merchants at the respective stores or warehouses of the latter. The provisions of the city charter and by-laws respecting the manner of issuing permits and licenses shall apply to this case;

" 107. To create and establish and the city shall create Pension and establish within a delay of twelve months from the 3rd fund. day of April, 1912, out of the general funds of the city, a pension fund for the officers and employees of the city, with such conditions and stipulations as the council may determine and to compel the said officers and employees to contribute to such fund out of their salaries in such proportion as may be fixed by the council;

" 120 To protect the members of the fire brigade of the city against accidents resulting from false fire alarms, and, to that effect, to impose on those who sound false alarms, for the first offence, a fine of \$100. and in default of payment, imprisonment for a term of not less than six months; for the second offence, a fine of \$200. and in default of payment imprisonment for a term of not less than twelve months; for the third offence, two years imprisonment without any option of a fine, the whole with costs. Penalty for false alarms of fire.

" 127. To enact that all municipal officers shall be authorized to enter at any time, in public buildings, industrial establishments, places of amusement, hotels, apartment houses, educational and charitable institutions, or in any other premises, or places where explosive compounds, shavings, rubbish or other materials, articles, goods or merchandise liable to cause fire are placed or kept, in order to ascertain whether such explosive compounds, shavings, rubbish, or other materials, articles, goods or merchandise are so kept or placed in such a manner as, in the opinion of any such officers, to be a source of a danger of fire. Entry of municipal officers into public buildings, &c.

To compel the owners, tenants, occupants, caretakers, and watchmen of any such public buildings, industrial establishments, places of amusement, hotels, apartment houses, educational and charitable institutions, and any other premises, Keeping of explosives, &c., so as not to cause fire.

or places where are placed and kept any explosive compounds, shavings, rubbish, or other materials, articles, goods or merchandise liable to cause fire, to place and keep the same in such a manner that, in the opinion of the said officers, they may not cause any fire; to give such municipal officers power to order that they be so arranged that there shall be no danger of fire and to prescribe that in the event of the by-laws or orders so given not being complied with, the same shall be removed at the expense of the delinquent and that the latter shall further be liable to such penalty as the council may enact within the limits authorized by the charter."

Id., 300, am. **12.** 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, and 1 George V, (2nd session), chapter 60, sections 10 and 11, is further amended:

a. By inserting after paragraph 130, the following paragraph:

Right of
way of am-
bulances, &c.

" 130a. To enact that on the approach of any ambulance or of any vehicle and apparatus of the fire department in the city responding to a call, every owner or driver of any vehicle or motor vehicle whatsoever shall bring the same to a stand-still on the right-hand curb and remain there until the said ambulance, vehicle or apparatus shall have passed, and to enact that, in the case of tramways, the cars shall also stop as promptly as possible, and remain stationary to allow the ambulances, vehicles and apparatus of the fire department to pass.

b. By adding the following paragraphs after paragraph 133.

Exclusive
use by fire
department,
&c., of cer-
tain horns,
&c.,

" 134. To allow, notwithstanding any law to the contrary, the vehicles of the fire department, the patrol waggons of the police or of tramway and light companies and the hospital ambulances, the exclusive use of horns or alarm whistles of a pattern to be determined by the city and also to determine the exclusive manner of using the same.

Municipal
ice-houses,
&c.

" 135. To provide for the establishment, maintenance and operation of municipal ice-houses; to charge the cost of the establishment of such ice-houses against the loan fund and to pay the expenses connected with the maintenance and operation thereof out of the city revenue.

Sale of ice
by city.

To authorize the city to sell ice from its ice-houses or otherwise dispose of such ice as it may deem expedient.

Cutting, &c.,
of weeds.

" 136. To compel the owners or occupants of any lot

of land except farm lands, to cut and destroy between the 15th July and the 15th August of each year, all weeds whatsoever existing thereon which may be a source of danger of fire and to determine in what cases such weeds are a source of danger.

" 137. To permit, under such conditions and restrictions as the city may impose, the circulation of autobuses and the establishment, maintenance and operation of autobus lines in the city of Montreal; to prescribe on which streets they may circulate and be established and from what streets they may be excluded; subject to the provisions of articles 1388 to 1435 of the Revised Statutes, 1909, governing motor vehicles, respecting speed limits, the registration of vehicles and the licenses of owners and chauffeurs. Circulation of autobuses, &c.

138. To regulate the government and discipline of chauffeurs of automobiles and taxicabs for hire, and to punish persons who use such vehicles and refuse to pay the tariff rates indicated by the taximeter and to allow the city to inspect the taximeter.

" 139. To regulate: (a) the manner of placing in the streets, lanes, or public places, or in or on private properties, overhead and underground wires, with their accessories and installation; Placing of wires in streets, &c. (b) the manner of connecting any building now erected or to be hereafter erected, or any machine or apparatus, in said buildings, with the wires and installations of persons, firms, and corporations supplying or producing electric power within the limits of the city; (c) the manner of placing the wires in any building where electric power is used; (d) the nature and kind of materials and appliances to be used and the method of using such materials and appliances. This paragraph shall not be construed so as to restrict in anywise the rights and powers conferred upon the city in virtue of any of the provisions of the charter and its amendments."

13. Article 334 of the act 62 Victoria, chapter 58, as replaced Id., 334, re-
by the act 3 Edward VII, chapter 62, section 27, is further placed.
replaced by the following:

" **334.** In the month of December of each year, the council shall appropriate the sums at its disposal out of the revenues of the city for the needs of the various civic departments for the ensuing fiscal year. Appropriation of sums for civic departments.

In so doing, the council shall maintain the equilibrium between the revenues and expenses and provide for:

- (a) The cost of collection of the civic revenue;
- (b) The interest upon the civic debt and any sinking fund which may be established;

(c) The school tax;

(d) A reserve of three per cent for unforeseen expenses such as those relating to judgments, official receptions, epidemics, inundations, fortuitous events and damages caused by irresistible force;

(e) Other established charges upon the civic revenue, including any deficit from any previous year;

(f) Repairs, maintenance, salaries and expenses for general administration;

(g) Possible loss in the collection of taxes."

Id., 334c,
am.

14. Article 334c of the act 62 Victoria, chapter 58, as enacted by the act 9, Edward VII, chapter 81, section 12, is amended by replacing the first paragraph by the following:

Grant to
Montreal
Technical
School.

"334c. The city shall, in future contribute annually a sum of forty thousand dollars for the establishment and maintenance of the Montreal Technical School and it is authorized to take such amount out of the reserve fund or any other fund available."

Id. 335a, re-
placed.

15. Article 335a, of the act 62 Victoria, chapter 58, as enacted by the act 3 Edward VII, chapter 62, section 29, is replaced by the following:

Submission
of estimates
by comp-
trollers.

"**335a.** It shall be the duty of the city comptroller to submit to the council, at its monthly meeting of the month of April, each year, an estimate of the surplus resulting from the previous fiscal years, after all the appropriations voted and the obligations connected therewith shall have been provided for. This estimate shall also mention the probable collection of such surplus before the expiration of the then current fiscal year.

Supplemen-
tary appro-
priations.

The council after the first day of May, may vote as supplementary appropriations for administration purposes, permanent works or other purposes provided by the charter, the sum established according to the preceding paragraph."

Id., 336, re-
placed.

16. Article 336 of the act 62 Victoria, chapter 58, as replaced by the act 1 George V, (1st session) chapter 48, section 34, is replaced by the following:

Certificate of
comptroller
re certain
resolutions.

"**336.** No resolution of the council, or report or resolution of the board of commissioners, authorizing or recommending the expenditure of any moneys, shall be adopted or have any effect, until a certificate of the comptroller is produced establishing that there are funds at the disposal of the city for the service and purposes for which such expenditure is proposed.

Proviso.

It shall, nevertheless, be lawful for the council, on a report from the board of commissioners, to make contracts or

agreements for the purchase of various supplies for the needs or use of the different civic departments during a subsequent fiscal year, and in such case, the amount of said contracts or agreements shall be charged in anticipation against the appropriations of such fiscal year."

17. Article 338*a* of the act 62 Victoria, chapter 58, as Id., 338*a*, re-enacted by the act 9 Edward VII, chapter 81, section 14, placed. is replaced by the following:

"**338*a*.** Notwithstanding any provision to the contrary, the council, may, by the vote of two-thirds of all its members, on the previous recommendation of the board of commissioners, grant indemnities, annuities or gratuities to employees of the municipal service who have become unable to efficiently fulfil their duties; make gifts or exchanges of vacant lands or lands built upon for educational, charitable, philanthropic or other purposes whatsoever which the council and the board of commissioners may deem as being of general or public interest; vote sums of money for the relief of the victims of conflagration, floods or disasters in the city or elsewhere, for unforeseen hygienic, charitable and public interest purposes, for artistic purposes or for works designed to promote the physical, intellectual and moral development of the population, for the purpose of aiding, maintaining and developing universities, public or civic libraries, and public or charitable institutions, and for the purpose of erecting monuments and of contributing to the erection thereof."

18. The following article is inserted in the act 62 Victoria, Id., 343*a*, chapter 58, after article 343 as replaced by the act 8 Edward VII, chapter 85, section 5: added.

"**343*a*.** This article shall not be interpreted as affecting in any way the loans made under the foregoing article or authorized by the said article but not yet effected, amounting in the aggregate to the sum of \$47,932,500.00, representing fifteen per cent of the valuation of the taxable property, which, according to the valuation and real estate assessment roll for 1910, is fixed at \$319,550,000.00; but, subject to the above, the city shall not in future borrow more than twelve per cent on any increase in the value of the taxable property over and above the aforesaid amount of \$319,550,000.00; and every loan it shall effect under this provision shall be redeemed by means of a sinking fund sufficient to repay the capital at the expiration of the period of every such loan."

19. Article 353*b* of the act 62 Victoria, chapter 58, as Id., 353*b*, am.

enacted by the act 3 Edward VII, chapter 62, section 34, is amended by replacing paragraphs 1, 2, and 3, by the following:

Space, &c.,
at Bonse-
cours mar-
ket.

"353b. 1. The city of Montreal shall, between the 3rd day of April, 1912 and the 1st May 1914, provide a sufficient space and also provide for the building of suitable booths and shelters required for the accommodation of the farmers and gardeners who bring their produce to the Bonsecours market.

Expropriat-
ion for that
purpose.

2. To that end the city may expropriate the lands bounded to the north-west by Le Royer street, to the north east by Claude street, to the south east by St. Paul street, and to the south west by Jacques Cartier Square as well the lots numbers 16, 17, 18 and 19 on the official plan and book of reference of the east ward of the city and acquire all the existing tenants' or occupants' rights which may exist within such limits in accordance with the formalities, conditions and restrictions set forth in the law respecting expropriations in the general interest.

Loan there-
for.

3. To defray the cost of such improvements, the city may, on the previous recommendation of the board of Commissioners, by by-law of the council, borrow the amount required for such purpose."

Id., s. 364,
am.

20. 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, and 1 George V, (2nd session) chapter 60, section 19, is further amended by replacing paragraph *o* by the following:

Special tax
on fire pre-
miums.

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

Additional
tax in cer-
tain cases.

When any fire insurance company combines other branches of insurance, an additional special tax shall be levied upon such company, to wit: the tax the rate of which is the highest on any of said branches of insurance, respectively.

Saving
clause.

The repeal by the act 4 Edward VII, chapter 49, section 13, of the first clause of paragraph (*o*) of article 364 of the act 62 Victoria, chapter 58, shall in nowise affect the by-laws passed in virtue thereof, which have been and shall continue in force as if such repeal had not taken place."

Id., 477, am.

21. 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, is amended by adding at the end of the fourth paragraph the following words:

"In computing the years conferring the right to a pension, ^{Pension of} account shall be taken of the years when a recorder of the ^{recorder.} city has acted as recorder of a municipality afterwards annexed to the city of Montreal."

22. Article 483 of the act 62 Victoria, chapter 58, is replaced ^{Id., 483, re-} by the following: ^{placed.}

"**483.** Each recorder is *ex-officio* a justice of the peace ^{Powers of} in and for the district of Montreal, and is vested with all the ^{recorder.} rights, powers, and authority of the Recorder's Court, and of one or two justices of the peace with jurisdiction throughout the Province of Quebec, as granted to certain justices of the peace by article 3361 of the Revised Statutes, 1909.

They may, at the discretion of the council, be members of ^{May be mem-} the committee appointed to revise and consolidate the charter ^{bers of cer-} of the city of Montreal." ^{tain commit-} ^{tee.}

23. Article 487 of the act 62 Victoria, chapter 58 is replaced ^{Id., 487, re-} by the following: ^{placed.}

"**487.** The Recorder's Court may hear and try summarily ^{Jurisdiction} all offences mentioned in articles 3580 to 3592, inclusive, of ^{of Record-} the Revised Statutes, 1909; and article 3579 of the said Re- ^{er's Court.} vised Statutes shall apply to the recorder *mutatis mutandis*.

The said court shall also have jurisdiction in all suits for the recovery or imposition of any fine or penalty resulting from any infraction of this charter or of any by-law of the city."

24. Article 493 of the act 62 Victoria, chapter 58 is replaced ^{Id., 493, re-} by the following: ^{placed.}

"**493.** In cases tried for drunkenness or where a person ^{Verbal com-} is arrested on view by a police officer or constable for any ^{plaint in cer-} violation of the provisions contained in articles 3580 to 3592, ^{tain cases.} inclusive, of the Revised Statutes 1909, or of the provisions of this act or of a by-law of the council, it is not necessary that the complaint be reduced to writing, but a verbal complaint, under oath, made before the Recorder's Court by the constable who has arrested such person, shall be deemed a sufficient complaint. However, if the accused demands that the complaint be reduced to writing, the court shall direct the clerk to do so."

25. Article 503 of the act 62 Victoria, chapter 58, is replaced ^{Id., 503, re-} by the following: ^{placed.}

"**503.** In all prosecutions instituted before the Recorder's ^{Procedure in} Court or before the recorder, other than civil actions, the ^{criminal} provisions of part XV of the Criminal Code, respecting ^{prosecutions.} summary proceedings before magistrates, shall apply to the

Recorder's Court and to the recorder, as regards the mode of procedure on such prosecutions to final conviction or judgment, the execution and carrying out of such conviction or judgment, and generally as to all rules imposed upon magistrates for such objects, in so far as they are not inconsistent with the provisions of this act, and where no express provision is made in relation thereto.

Variation of forms. The several forms contained in the said code may be varied in so far as may be necessary to render them applicable to the said court."

Id., 522, re-placed. **26.** Article 522 of the act 62 Victoria, chapter 58, is replaced by the following:

Commitment to prison by recorder of insane persons, &c. **"522.** 1. Whenever a person reputed insane is brought before the recorder under articles 4131 and 4132 of the Revised Statutes, 1909, or any provisions that may replace the same, the recorder may send him to prison, or to a public institution, according to form I of the said statutes, or any form substituted therefor, or confide him to the care of any person for such period of time as may be necessary to make the enquiries required by article 4132 of the said statutes, provided that such confinement, which may be renewed, shall not exceed eight consecutive days.

Ascertaining of domicile of such persons, &c. 2. In all cases of persons sent to public institutions as aforesaid, the recorder shall ascertain if possible the domicile of such persons, and a special record shall be kept showing the name of the person and his or her domicile, and a certificate stating the name and domicile of such person shall be forwarded to the institution receiving said person. Residence of at least twelve months in the city shall be necessary in order that the cost of the maintenance of such person shall be chargeable to the city by the Province. In default of such residence, the municipality of the domicile of such person shall be responsible to the Provincial Government for the cost of such maintenance."

Id., 523, re-placed. **27.** Article 523 of the act 62 Victoria, chapter 58, is replaced by the following:

Examination of persons suspected to be insane. **" 523.** If, at the trial of a person charged before the Recorder's Court or one of the judges of said court with an offence against the law or by-laws, it appears to the said court or to the said judge or is established under oath, that such person is insane, the said court or said judge may then send such person to a prison or confide him to the care of any public institution to be confined therein for the purpose of having him undergo a medical examination and if need be, of obtaining the certificates required by article 4132 of the Revised Statutes

1909, provided that such confinement, which may be renewed, shall not exceed eight consecutive days."

28. Article 526 of the act 62 Victoria, chapter 58, is re-Id., 526, replaced by the following: placed.

"**526.** The recorder may, upon satisfactory proof that a ^{Bringing of} child, less than sixteen years of age, is without sufficient ^{certain children before} protection, cause such child to be brought before him and ^{recorder.} deal with him as stated in the aforesaid articles.

In these various cases, articles 4082, 4083, 4084, 4086 and ^{Law to} 4087 of the Revised Statutes 1909, shall apply to the recorder, ^{apply-} in the same manner as to the superintendent of any industrial or reformatory school."

29. The following articles are inserted in the act 62 Vic-Id., 564m. toria, chapter 58 after article 564l as enacted by the act 1 ⁵⁶⁴ⁿ, added. George V, (2nd session), chapter 60, section 30:

"**564m.** Notwithstanding any law to the contrary, when ^{Roll of ap-} work in connection with making sidewalks, or sewers, paving, ^{portionment} opening, extending or widening streets or improvements to ^{for certain} streets, has been authorized by contract, by-law or resolution, ^{works on} by any municipality previous to its annexation to the city of ^{sidewalks,} Montreal, the rolls of apportionment for such work shall be ^{&c.} made by the city officer who shall be designated for such purpose by the board of commissioners who shall, as regards the making of such rolls, comply with the prescriptions of the contracts, by-laws or resolutions authorizing such work except as regards the procedure respecting the completion and putting of such rolls into force, which shall be as follows:

As soon as the roll is prepared, the said officer shall give ^{Notice of ex-} public notice of the day when the interested rate-payers can ^{amination of} examine it and submit their objections before the said roll ^{same.} is completed and put in force. Such notice shall be published for two days in two English and in two French newspapers.

The said officer shall hear and summarily judge all the ^{Hearing of} objections that may be made and there shall be no appeal ^{objections.} from his decision.

The said roll shall then be signed by the said officer and ^{Signing of} shall be in force *ipso facto*. ^{rolls.}

The amount due under the apportionment so made shall ^{Signing of} be levied from the rate-payers affected thereby and be recov- ^{apportion-} erable in the same manner as the other taxes and contributions ^{ment.} on immoveables."

"**564n.** The city is authorized to charge a fee not exceeding ^{Fee payable} \$25.00 on every authorization given to any association or club ^{by certain} applying for incorporation under article 7233 of the Revised ^{associations,} Statutes, 1909." ^{&c.}

9 Ed. VII, c. 81, s. 39, am. **30.** Section 39 of the act 9 Edward VII, chapter 81, is amended:

a. By replacing paragraph 6 by the following:

Electrical Commission. "6. All compensations shall be fixed and determined by the Electrical Commission of the City of Montreal.

Hearing, &c., by Commission. The said commission shall hear the interested parties and give their award within four months unless such delay be extended by the said commission, The decision of the majority of the commission shall be final and binding upon the city and persons, firms, syndicates, companies or corporations notwithstanding any provision to the contrary in this or in any other act.

b. By replacing paragraph 9 by the following:

Entering on private property to place wires, &c. "9. The city is authorized to enter in and upon any private property, including lanes, courts, yards, and buildings, for the purpose of placing overhead or underground wires with their appurtenances, without the consent of the proprietor thereof; but compensation shall be given for all real damages caused by the work done or in consequence of such obstructions.

Fixing of compensation, &c. Such compensation shall be fixed by the Electrical Commission of the City of Montreal. In the event, however, of the interested proprietors refusing to accept the compensation granted, the said proprietors may apply for the fixing of such compensation to the Quebec Public Utilities Commission in the manner provided and within the delay fixed by the last clause of paragraph 11 of this section."

c. By replacing paragraph 11 by the following:

Electrical Commission. "11. To carry out this undertaking the city shall pass a by-law providing for the appointment of a commission to be known as "THE ELECTRICAL COMMISSION OF THE CITY OF MONTREAL." Such commission shall exercise all the rights of the city as they are delegated to it by the council for the purpose of this undertaking.

Composition, &c., of Commission, &c. Such commission shall consist of three competent engineers as hereafter provided, to prepare and draw up complete plans, drawings and specifications of underground conduits for the districts, streets, or sections of streets, and portions of the city of Montreal, in which the commission shall decide from time to time, at its discretion, to construct underground conduits, and the plans, drawings, and specifications may be submitted as soon as they are prepared, to the approval of the Quebec Public Utilities Commission, which may, after hearing the interested parties, approve and adopt or amend the said plans, drawings and specifications.

Appointment of Commission, &c. The commission of engineers charged with the preparation of such plans, drawings and specifications, shall be appointed as follows: one member shall be appointed by the city of Mont-

real, another by the companies having the right, under a charter, to put up poles and wires in the city of Montreal and which, within a delay of one month from the public notice published in an English and in a French newspaper, register a notice of such right in the office of the clerk of the city of Montreal, each company to have a vote in the appointment of such engineer; and the third member shall be appointed by the Quebec Public Utilities Commission.

Whenever the persons, firms, syndicates, companies or corporations do not comply with the provisions of the foregoing paragraph, the city shall apply to a judge of the Superior Court and request him to appoint the third commissioner to represent the persons, firms, syndicates, companies or corporations. Appointment by judge in certain cases.

Such commission shall draw up rules and regulations respecting the use, management and maintenance of such conduits, which rules and regulations, when approved or amended by the Quebec Public Utilities Commission, shall have full force and effect. Rules, &c., of Commission.

As soon as the said plans, drawings and specifications of the underground conduits and the rules and regulations mentioned in the foregoing paragraphs are approved by the Quebec Public Utilities Commission and the contract or contracts for the construction of any part of the underground conduits are given out by the city of Montreal, the city shall, with the approval of the Quebec Public Utilities Commission, appoint a competent engineer who shall alone have the direction and supervision of the construction, management and maintenance of the said underground conduits, which may then be constructed by the city or which shall become the property of the said city, and as soon as such appointment is made, the duties of the three members composing the said Electrical Commission shall cease and determine as to that part of the conduits for which plans shall have been prepared and approved, and the powers of the said commission as regards such parts of conduits shall be exercised by the engineer appointed as aforesaid. Appointment of engineer, &c.

The salaries of the members of the said commission charged with the preparation of the plans, drawings and specifications, rules and regulations, and that of the permanent engineer charged with the supervision of the construction and maintenance of such conduits, shall be fixed by the city subject to the approval of the Quebec Public Utilities Commission, and none of the said engineers shall be dismissed except by the Quebec Public Utilities Commission, after hearing the interested parties. Salaries of Commission, &c.

Vacancies occurring in the said commission charged with the preparation of the said plans, drawings and specifications, Vacancies.

rules and regulations, shall be filled in the same manner as the appointment was first made.

Appeal to
Quebec Util.
Commission.

An appeal shall lie to the Quebec Public Utilities Commission by the city of Montreal, or by the persons and companies interested, from any rule and regulation or from any decision rendered and any act done by the Electrical Commission of the city of Montreal or by the city of Montreal.

Delay forthak-
ing appeal.

Such appeal shall, nevertheless, be taken within thirty days from the date of the service on the interested party or of the publication in an English and in a French newspaper published in the city, of a notice stating that such rule or by-law has been adopted, such decision rendered or such act performed by the said Electrical Commission of the city of Montreal and no appeal shall lie after such delay.

Appeal how
taken.

The appeal shall be taken by an inscription filed in the hands of the secretary of the Quebec Public Utilities Commission and notice thereof shall be served upon the adverse party or upon his attorney."

1 Geo. V
(1910), c. 48,
s. 2 (French)
amended.

31. Section 2 of the act 1 George V., (1st session), chapter 48, is amended by striking off, in the third line of the sixth paragraph of the French version of said section, the words "ne" and "pas" so that the said section shall read as follows:

"Cette disposition ne s'applique pas aux paiements des égouts qui ne sont pas des égouts collecteurs, des trottoirs permanents et de tous autres travaux qui sont généralement à la charge des propriétaires, mais s'applique à la balance de l'emprunt de douze mille piastres contracté par la corporation du village de Beaurivage pour la construction d'égouts."

1 Geo. V
(1911), c. 60,
s. 32, am.

32. Section 32 of the act 1 George V., (2nd session) chapter 60, is amended by striking out paragraph *b*.

Acquisition
of property
to extend
Palace
street.

33. The city shall acquire by mutual agreement, or expropriate under articles 7581 and following of the Revised Statutes, 1909, within twelve months from the sanctioning of this act, for the purpose of extending Palace street (St. Joseph Boulevard) in St. Denis ward from the northeastern boundary of Laurier ward to Papineau avenue, all the immoveables it may need for such purpose with the exception however, of convents, schools, churches, and parsonages; and sell by auction, in whole or in part, the lands thus acquired by mutual agreement or by expropriation, on either side of the said boulevard, the whole according to the plan prepared by John R. Barlow on the 25th February 1911, and a copy of which shall be deposited in the office of the city clerk, or according to any other plan approved by the city.

Erection of

No one shall erect any buildings on the lines comprised

within the lines given on said plan within twelve months ^{certain buildings forbidden.} from the sanctioning of this act, unless the city of Montreal, having become proprietor of the whole or of part of the said Palace street (St. Joseph Boulevard), allows it.

The amount required to pay the cost of such improvement ^{Cost of improvement.} shall be charged to the loan fund which the city has at its disposal and the proceeds of the sales of such lots and of the materials of the demolished buildings shall be applied to the repayment of the same amount to the loan fund.

34. Section 32 of the act 1 George V (2nd session) chapter ^{Id., 32, am.} 60, is amended by replacing paragraph *i* by the following:

"*i.* To acquire by mutual agreement the lands required ^{Acquisition to prolong Masson street.} for the prolongation of Masson street in Rosemont ward, across lots Nos. 173, 176, 177, 178, 179, 180, and 181 of the cadastre of the village of Côte Visitation.

The total cost of such acquisition shall be paid by the ^{Payment of cost of improvement.} proprietors of immoveables situate on both sides of the part of the said street as so extended, with the exception of a sum of \$1,650. to be paid by the city out of the loan fund to Mr. Georges Vermette or other parties owning or being in possession of or interested in the piece of land being part of No. 173, of the cadastre of the village of Côte Visitation, subject to the application of article 443 of the act 62 Victoria, chapter 58, and the cessions mentioned both in the report of the board of commissioners of the 6th October 1911, and in the resolution of the council of the city of Montreal adopted on the 9th of the same month, are ratified and confirmed."

35. Notwithstanding any law to the contrary, the city ^{Improvement authorized.} is authorized, on a report to that effect by the board of commissioners, to enact and carry out the following improvement:

To widen Notre Dame street, north side, in Ste Cune- ^{Widening Notre-Dame street.} gonde ward, from Fulford street to Atwater avenue and, to that end, to acquire by mutual agreement or to expropriate, for the whole or a portion only of their depth, the immoveables fronting on such street and afterwards sell the whole or a portion of the excess of such immoveables not used for such improvement.

In the event of total or partial expropriation, the compensation to be paid to the owners of such immoveables shall ^{Compensation for expropriated property.} be determined in accordance with the requirements of articles 7581 and following of the Revised Statutes, 1909.

The amount required to pay the cost of such improvement ^{To what fund cost charged.} shall be charged to the loans fund which the city has at its disposal and the proceeds of the sale of the excess of the lots so

acquired and of the materials of the demolished buildings shall be applied to the repayment of the said amount to such loans fund.

Acquisition
of certain
property.

36. The city is authorized to acquire by mutual agreement or by expropriation on a report to that effect by the board of Commissioners, the lot designated as part of lot No. 5 of the cadastre of the parish of La Longue Pointe, bounded on the west by the line separating the town of Maisonneuve from the city of Montreal; on the south by a line which would be the extension of the homologated south line of Viau street in the town of Maisonneuve; on the north by the boundary of the said cadastral lot No. 5 and on the east by a straight line 600 feet from the eastern boundary of the town of Maisonneuve; the whole as indicated on a plan made by J. P. B. Casgrain, land surveyor and dated the 9th February, 1912.

Certain sale
authorized.

The city is also authorized to sell by auction any excess or residue of land it may deem advisable to so dispose of.

Compensa-
tion to cer-
tain owners.

In the event of expropriation, the compensation to be paid to the owners shall be determined in accordance with the provisions of articles 7581 and following of the Revised Statutes, 1909.

Fund to
which cost
charged.

The total cost of such acquisition or expropriation shall be charged to the loans fund which the city has at its disposal for permanent works.

Improve-
ments au-
thorized.

37. 1. Notwithstanding any law to the contrary, the city of Montreal, is authorized to enact, on a report to that effect from the board of commissioners, and to carry out the following improvements:

Opening
Gilford str.

a. To acquire by mutual agreement or to expropriate the immoveables required for the opening of Gilford Street between Simard Street and Papineau Avenue in deLorimier Ward.

Payment of
cost.

The total cost of such improvement shall be paid one-half by the city and the other half by the owners of immoveables situated on said Gilford street, between Papineau avenue and Simard Street;

Opening of
Cartier str.

b. To acquire by mutual agreement or to expropriate the immoveables required for the opening of Cartier street from de Montigny street to a line drawn between two points marked A & B on a plan prepared by the city engineer.

Payment of
cost.

The cost of said improvement shall be paid one-half by the city and one-half by the proprietors of immoveables bordering upon that part of Cartier street which is to be so extended;

Improve-

This improvement shall be made within twelve months from

the date of the sanction of this act and no one shall erect any buildings on the land included within the lines of the plan of the opening of the said Cartier street prepared by the engineers of the city and bearing date the 7th December 1911.

c. To acquire by mutual agreement or to expropriate the immoveables required for the opening of Gauthier street from de Lorimier avenue to Chaussé street.

The cost of said improvement shall be paid by the city out of the annual loans which the said city is authorized to effect for the carrying out of permanent works;

d. To acquire by mutual agreement or to expropriate Lot. No. 328, subdivision No. 309 of the cadastre of Côte St. Louis in order to straighten the line of Mentana Street.

The cost of said improvement shall be paid by the city out of the annual loans which the said city is authorized to effect for the carrying out of permanent works;

e. To acquire by mutual agreement or expropriate the immoveables required for the opening of Gauthier street between de Lorimier avenue and Parthenais street.

The cost of such improvement shall be paid one half by the city and one half by the proprietors of immoveables bordering upon the part of the street to be so opened;

f. To acquire by mutual agreement or expropriate the immoveables required for the opening of Logan street from Papineau avenue to Dorion street.

The cost of such improvement shall be paid one half by the city and one half by the proprietors of immoveables bordering upon the part of the street to be so opened ;

g. The city may, within a delay of two months from the date of the sanction of this act, acquire by mutual agreement or expropriate the immoveables bearing the numbers 1207 subdivision 37, 38 and 39 of the cadastre of St. James ward for the widening of Roy street, between St. André street and St. Christophe street; provided the total cost of such purchase do not exceed \$18,000.00, payable \$11,000.00 by the city, to be taken from the loan fund available and \$7,000 00 assessed on the immoveables which will benefit by this improvement, and this by an assessment roll prepared by the chief engineer of the city in accordance with the provisions of article 450 of the city charter in so far as they may be applicable, *mutatis mutandis*.

The chief engineer shall, in making the roll, determine which immoveables will benefit by the above improvement and in what proportion.

h. To acquire by mutual agreement or expropriate the immoveables required for the opening of Dufferin street between Laurier street and the Canadian Pacific Railway track.

Cost. The cost of such improvement shall be paid one-half by the city and the other half by the owners of immoveables bordering upon the part of the streets to be so opened;

Widening St. André st. *i.* To acquire by mutual agreement or expropriate the immoveables required for the widening of St. André street, east side, from deMontigny street northwards.

Cost. The cost of said improvement shall be paid as follows: \$2,000 in five annual and consecutive payments by the proprietors of immoveables bordering upon St. André street between deMontigny and Ontario streets and the balance by the city;

Enlarging of certain park. *j.* To enlarge the proposed park, in Laurier ward, between Clarke street and St. Lawrence Boulevard and between Atlantic and Pacific avenues by acquiring by mutual agreement or by expropriation the lots situate between the boundaries of the said park and Atlantic avenue and bearing the following numbers of the cadastre of the incorporated village of Côte St. Louis, namely: No. 11 subdivision part 1159, 1160, 1161, 1162, part 1177, 1178 and 1179.

Cost. The cost of such improvement shall be paid by the city out of the loans fund available for permanent works;

Enlarging Lafontaine park, *k.* To enlarge Lafontaine park on the east side, by acquiring by mutual agreement or by expropriation the immoveables in Duvernay ward situate to the south of Lafontaine Park avenue, formerly Rachel street, in Papineau ward, west of Papineau avenue.

Cost. The cost of such improvement shall be paid by the city out of the loan which the city is already authorized to effect for permanent works;

Price to be paid. The price to be paid for the acquisition by mutual agreement or by expropriation of the said immoveables, shall notwithstanding any law to the contrary be the real and actual value of the immovable at the time of its acquisition by mutual agreement or of its expropriation, and in the case of expropriation the indemnity to be paid the proprietor shall be determined according to the provisions of articles, 7581 and following of the Revised Statutes, 1909.

Widening Rosemont Boulevard. *l.* To acquire by mutual agreement or expropriation the immoveables required for widening Rosemont Boulevard opposite lot No. 172 of the cadastre of La Côte de la Visitation.

Cost. The cost of such improvement shall be paid one half by the city and one half by the owners of the immoveables bordering on that portion of Rosemont Boulevard so widened.;

Widening St. André street. *m.* To acquire by mutual agreement or to expropriate the land required for widening St. André street, from Beaubien street for a length of about 113 feet towards the north.

Cost. The total cost of such improvement shall be paid by the

owners of the immoveables bordering on that portion of St. André street so opened;

n. To acquire by mutual agreement or to expropriate the land required for opening Masson street to Papineau avenue, namely: part of lot 159b of the incorporated village of La Côte de la Visitation, now belonging to Mr. James Wilder. The city is also authorized to acquire by mutual agreement or by expropriation the adjoining lot also forming part of lot 159b of the cadastre of the incorporated village of la Côte de la Visitation now belonging to Mr. Joseph Théophile Roy and to sell such lot wholly or partly when it may deem expedient.

The cost of the acquisition by mutual agreement or by expropriation of the portion of lot No. 159b of the cadastre of the incorporated village of La Côte de la Visitation, now belonging to Mr. James Wilder, shall be paid one-half by the city and one-half by the owners of the properties bordering the part of Masson street so opened;

o. To acquire by mutual agreement or to expropriate the immoveables required for extending Messier street to Rachel street.

The cost of such improvement shall be paid one half by the city and one-half by the owners of the immoveables bordering on that part of Messier street so extended;

p. To acquire by mutual agreement or to expropriate lot No. 1537, subdivisions 10, 11 and 12, to complete the widening of Aqueduct street.

The total cost of such improvement shall be paid by the city out of the loans fund for permanent works;

q. To acquire by mutual agreement or to expropriate the immoveables required for opening Villeneuve street, between Sanguinet and St. Denis streets.

The cost of such improvement shall be paid one-half by the city and one-half by the owners of the immoveables bordering on that part of Villeneuve street so opened;

r. To acquire by mutual agreement or to expropriate the immoveables required to widen Smith street in St. Anne ward, between Colborne and McCord streets.

The total cost of such improvement shall be paid by the city out of the loans fund for permanent works.

2. Except where the same may be inconsistent, the provisions of articles 423 to 445 of the city charter inclusive, and the amendments thereto, shall apply to the above improvements.

3. Both as regards vacant lots or those that are built upon and as regards the claims of owners or of lessees or occupants, the provisions of articles 450 and 451 of the city charter shall also apply to such cases, *mutatis mutandis*.

Extension of Mountain st. To acquire by mutual agreement or to expropriate the land required to open and extend Mountain street from Sherbrooke street in a north easterly direction to a point opposite the division line between the lots bearing cadastral numbers 1755-24-1 and 1755-22-4.

Cost. The total cost of the said improvement shall be paid by the owners of the immoveables situated on both sides of the proposed extension. The said improvement shall be made within six months from the date of the sanction of this act.

Improvements authorized. **38.** Notwithstanding any law to the contrary, the city is authorized, on a report to that effect by the board of commissioners, to enact and to carry out the following improvement:

Opening LeRoyer str. To acquire by mutual agreement or to expropriate all the immoveables required for the opening of LeRoyer street, from Jacques-Cartier square westwards to that part of said LeRoyer street which is already opened. For that purpose Ste. Therèse street may be widened so as to form an extension of said LeRoyer street.

Cost. The cost of said improvement shall be paid by the city out of the annual loans which the said city is authorized to effect for the carrying out of permanent works.

Price to be paid. The price to be paid for the acquisition by mutual agreement or by expropriation, of the immoveables required for such improvement shall, notwithstanding any law to the contrary, be the real and actual value of the immoveable at the time of the acquisition thereof by mutual agreement or by expropriation, and, in the case of expropriation, the indemnity to be paid to the owners shall be determined according to the provisions of articles 7581 and following of the Revised Statutes, 1909.

Improvement authorized. **39.** Notwithstanding any law to the contrary, the city is authorized in a report to that effect by the board of commissioners, to enact and carry out the following improvement.

Widening St. Vincent street. To acquire by mutual agreement or to expropriate, within six months of the date of the sanction of this act, after the demolition of the buildings, that part of the land bearing numbers 86 and 87 of the cadastre of the East ward, necessary for widening St. Vincent Street according to the homologated plan of the city. The cost of such improvement shall be paid by the city out of the annual loans the city is authorized to make for the execution of permanent works.

Price to be paid. The price to be paid for the acquisition by mutual agreement or by expropriation, of the land necessary for such improvement, shall notwithstanding any law to the contrary, be the real and actual value of the said lands at the time of

their acquisition by mutual agreement or by expropriation, and, in the case of expropriation, the indemnity to be paid to the proprietor shall be determined according to the provisions of articles 7581 and following of the Revised Statutes, 1909.

40. Notwithstanding any law to the contrary, the city is authorized on a report to that effect by the board of commissioners, to enact and carry out the following improvement: Improvement authorized.

To open Sherbrooke street from de Lorimier avenue to Fulum street, according to the homologated plan, by purchase by mutual agreement or by expropriation, and to that end, to acquire or expropriate the immoveables, crossed by the homologated line as shown on such plan, and any land contiguous in rear of this immoveable, for the whole or a portion only of their depth; and afterwards sell the whole or a portion of the excess of such immoveables not used in opening the street. Opening Sherbrooke street.

In the event of total or partial expropriation, the compensation to be paid to the owners of such immoveables shall be determined in accordance with the requirements of articles 7581 and following of the Revised Statutes, 1909. Compensation to owners.

The amount required to pay the cost of such improvement shall be charged to the loans fund which the city has at its disposal and the proceeds of the sale of the excess of the lots so acquired and of the materials of the demolished buildings shall be applied to the repayment of the said amount to such loans fund. Cost.

41. Notwithstanding any law to the contrary, the city of Montreal is authorized, on a report to that effect by the board of commissioners, to enact and have the following improvement carried out: Improvement authorized.

To widen to seventy feet, either by purchase by mutual agreement or by expropriation, the Côte des Neiges road in Mount Royal ward from the track of the Montreal Park and Island Railway Company to the St. Catherine road; and, to that end, to acquire or expropriate the immoveables fronting on such street or any lot contiguous to the rear of such immoveables, for the whole or a portion only of their depth and afterwards sell any excess of such immoveables not used in widening the road; Widening Côte des Neiges Road.

In the event of total or partial expropriation of the said immoveables, the compensation to be paid the owners thereof shall be determined in accordance with the requirements of articles 7581 and following of the Revised Statutes 1909. Compensation to owners.

The amount required to pay the cost of such improvements shall be charged to the loans fund which the city has at its disposal and the proceeds of the sales of lots so acquired and Cost.

of the materials of the demolished buildings shall be applied to the repayment of the same amount to such loans fund.

Improve-
ment au-
thorized.

42. Notwithstanding any law to the contrary, the city of Montreal is authorized, on a report to that effect by the board of commissioners, to enact by resolution and have the following improvement carried out:

Opening
Maplewood
avenue.

To acquire by mutual agreement or expropriation the immoveables required for the opening of Maplewood avenue in Mount Royal ward, with a width of sixty-six feet, starting from the Côte des Neiges road on an approximate depth of 200 feet towards the west.

Cost.

The cost of such improvement shall be paid one half by the city and one half by the proprietors of the immoveables bordering on Maplewood avenue from the Côte des Neiges road to the western boundary of lot No. 130 of the official plan and book of reference for the village of Côte des Neiges.

Compensa-
tion.

In the event of expropriation, the compensation to be paid to the proprietors shall be determined in accordance with the requirements of articles 7581 and following of the Revised Statutes, 1909.

Widening de
Montigny st.

43. The city of Montreal, on a report to that effect by the board of commissioners, is authorized to widen de Montigny street north side, from Wolfe street to a distance of 75 feet east of Visitation street, and, to that end, to acquire by mutual agreement or to expropriate wholly or partly, the immoveables fronting on that part of de Montigny street and also the contiguous lots in rear of such immoveables, and afterwards sell any excess of such immoveables not used for such improvement.

Compensa-
tion.

In the event of total or partial expropriation, the compensation to be paid to the owners of such immoveables shall be determined in accordance with the requirements of articles 7581 and following of the Revised Statutes, 1909.

Cost.

The amount required to pay the cost of such improvement shall be charged to the loans fund which the city has at its disposal and the proceeds of the sale of the excess of the lots so acquired and of the materials of the demolished buildings shall be applied to the repayment of the said amount to such loans fund.

Expropria-
tion for
Sherbrooke
street.

44. The city of Montreal is authorized to acquire by mutual agreement or to expropriate, wholly or partly, the following immoveables required for opening Sherbrooke street, according to the homologated plan of the said Sherbrooke street across the lots Nos, 22, 23 and 29 of the cadastre of the incorporated village of Hochelaga made by Marius

Dufresne, land-surveyor, bearing date the 12th December 1910, which plan has been legalized by the act 1 George V, (2nd session), chapter 60, section 12, to wit the following lots:

Lot cadastral No. 22, subdivisions 701-704 inclusive, with the lane in rear of that portion of lot No. 22 bearing the No. 22, subdivision 708 of the cadastre;

Lot cadastral No. 22, subdivisions 544-555 inclusive and 519-528 inclusive;

Lot cadastral No. 23, subdivisions 823-830 inclusive and 805-812 inclusive;

Lot cadastral No. 23, subdivisions 383-387 inclusive and 401-403 inclusive;

Lot cadastral No. 29, subdivisions 1194 and 1220, and the lane bearing the cadastral No. 29, subdivision 1193, the lane bearing the cadastral No. 23, subdivisions 382 and 804, and the lane bearing the cadastral No. 22, subdivision 518;

Lot cadastral No. 22, subdivisions 509-517 inclusive;

Lot cadastral No. 23, subdivisions 793-803 inclusive;

Lot cadastral No. 23, subdivisions 371-381, inclusive;

Lot cadastral No. 29, subdivisions 1186 to 1192 inclusively;

Lot cadastral No. 29, subdivisions 1178-1184 inclusive;

Lot cadastral No. 23, subdivisions 359-369 inclusive;

Lot cadastral No. 23, subdivisions 781-791 inclusive;

Lot cadastral No. 22, subdivisions 499-507 inclusive;

Lot cadastral No. 22, subdivisions 681-689 inclusive;

The lanes bearing cadastral No. 29, subdivision 1177; 23, subdivisions 358 and 780; 22, subdivisions 498, 679 and 700;

Lot cadastral No. 22, subdivisions 691-699 inclusive.

The city may also, if necessary, purchase and dispose as it Purchase, deems expedient of the land designated as Sherbrooke street &c., of part (projected) from Aylwin street to the eastern boundary of of Sherbrooke st. the city; the whole as indicated on a plan made by Marius Dufresne, land surveyor, and bearing date the 12th December 1910.

The city is also authorized, after the said Sherbrooke street Auctioning shall be opened, to sell by auction, all the lots or parts of lots of certain it may deem advisable to dispose of. lots.

The total cost of such purchase or expropriation shall be Cost. charged to the loans fund which the city has at its disposal for permanent works.

The price to be paid for such acquisition by mutual agree- Price to be ment or by expropriation of the immoveables aforesaid shall, paid. notwithstanding any law to the contrary, be the real and actual value of the immoveables at the time of their acquisition by mutual agreement or by expropriation, and, in the event of expropriation, the compensation to be paid to the proprietors shall be determined according to the require-

ments of articles 7581 and following of the Revised Statutes 1909.

Acquisition
of land for
St. Antoine
street.

45. In order to give an uniform width to St. Antoine street, the city shall, during the current year, acquire by mutual agreement or by expropriation, the whole or a portion of the property belonging to Mr, Henry Demers and designated under the No. 1637 subdivisions 1 and A. of the cadastre of St. Antoine ward.

Price to be
paid.

The price to be paid by the city for such acquisition by mutual agreement or by expropriation as aforesaid of such property or portion of the property, as the case may be, shall, notwithstanding any law to the contrary, be the real and actual value of the immoveable at the time of its acquisition by mutual agreement or by expropriation, and, in the event of expropriation, the compensation to be paid to the proprietors and tenants shall be determined according to the requirements of articles 7581 and following of the Revised Statutes, 1909, and shall be paid by the city out of the yearly loans which the city is authorized to effect for the execution of permanent works.

Plans to be
followed for
improve-
ments.

46. The improvements mentioned in sections 37 to 45 may be executed in accordance with the homologated plans or in accordance with all other plans which may have been prepared or which may be prepared by the city engineers and approved by the city.

Improve-
ments by
sections.
Fund to
which cost.
chargeable.

Such improvements may also be executed in whole or in parts or sections as the city may decide.

Notwithstanding article 440 of the city charter, the city's share in the cost of such improvements shall be charged to the loans fund which the city has at its disposal for permanent works.

9 Ed. VII, c.
81, s. 28, am.

47. Section 28 of the act 9 Edward VII, chapter 81, as amended by the act 1 George V, (2nd session), chapter 60, section 33, is further amended:

a. By adding the following clause after sub-paragraph *l* of paragraph 1:

Cost of cer-
tain impro-
vement.

"The cost of such improvement shall be paid by the city out of the loans fund available for permanent works;"

b. By adding the following clause after sub-paragraph *m* of paragraph 1:

Id.

"The cost of such improvement shall be paid by the city out of the loans fund available for permanent funds."

c. By again replacing paragraph 2 by the following:

Id.

"2. The cost of each of the improvements authorized by this section, with the exception or sub-paragraphs *a*, *b*, *k*, *l*, and *m*

shall be paid by means of a loan contracted in accordance with article 348 of the charter; provided, however, that it shall not be necessary to submit any such loan for the approval of the proprietors of taxable immoveables in the city of Montreal."

48. The resolution adopted by the council of the city of Montreal on the 26th February, 1912, voting an amount of \$65,093.00 for the purchase of the land belonging to the estate of A. F. Gault, for opening Ste Emilie street in St. Henry ward, is ratified and the city is authorized to carry out such resolution. Certain resolution ratified.

49. The homologated lines of Ste Emilie street on the land acquired from the estate Gault, are effaced and the city is authorized to open the said street at such place and in such manner as it may see fit. Certain homologated lines effaced, &c.

50. Sherbrooke street in Notre Dame de Grâces Ward, on a width of 66 feet is declared to be a public street and the property of the city of Montreal, and the city is authorized to widen the said street to 80 feet according to the new line established by by-law No. 37 of the town of Notre-Dame de Grâces, and to assess the cost of such widening in the way indicated in by-law 46 adopted by the municipal council of the town of Notre-Dame de Grâce on the 4th May 1908. The by-laws above mentioned are for all purposes declared valid and legal. Sherbrooke street in N. D. de Grâces ward, &c.

51. The contract between the city of Montreal and the Canadian Pacific Railway Company, entered into on the 6th March 1912, before Jean Beaudoin, notary, is ratified and confirmed and the contracting parties are authorized to fulfil and carry out its conditions and to do all that may be necessary to give it effect. Certain contract ratified.

52. The resolutions adopted by the Montreal city council on the 7th August, 1911, and the 11th December, 1911, enacting the opening of St. Lawrence boulevard, and the acquisition of certain properties required for such purpose, are ratified and the city of Montreal is authorized to give effect to said resolutions. Certain resolutions ratified.

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