

Contribution to young offenders' court, &c. **41.** The city is authorized to contribute to the establishment and maintenance of a court for young offenders as well as of a house of detention and house of industry for such young offenders and also to the payment of the staff required for such purpose.

Proviso. **42.** The city shall not, however, bind itself in any manner to contribute to the confinement and maintenance of young offenders coming from any other municipality than that of Quebec.

Coming into force. **43.** This act shall come into force on the day of its sanction.

SCHEDULE A

OATH TO BE TAKEN BY THE MAYOR AND ALDERMEN

" I, A. B., having been elected mayor *or* alderman (*as the case may be*) of the city of Quebec, swear that I will fulfill the duties of the said office faithfully and to the best of my judgment and capacity ; that I own, in the said city, for my own use, immoveable property of the value of at least five thousand dollars (*for the office of mayor*), and two thousand dollars (*for the office of the alderman for seat No. 1*), and one thousand dollars (*for the office of alderman for seat No. 2*), over and above any rents, hypothecs or charges on such immoveables, and that I have not obtained the said property by fraud or collusion ; that I will be faithful and bear true allegiance to the lawful sovereign of the United Kingdom of Great Britain and Ireland, and that I will defend him to the best of my power from all conspiracies or attempts that may be made against his Person, Crown and Dignity. So help me God."

CHAP. 60

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

[*Assented to 14th March, 1911*]

Preamble. **W**HEREAS, 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 :

1. Article 1 of the act 62 Victoria, chapter 58, as amended 62 V., c. 58, by the acts 63 Victoria, chapter 49, section 1, and 3 Edward VII, chapter 62, section 1, is further amended by replacing the first clause of paragraph *d* by the following:

“(d.) The words “city clerk”, “city treasurer”, “city comptroller” or “city comptroller or auditor of the city”, “city surveyor”, or “city building inspector”, or “chairman of the board of assessors of the city” shall mean the clerk, treasurer, comptroller, or comptroller or auditor, the surveyor, the building inspector of the city of Montreal and the chairman of the board of assessors or their assistants or any persons duly authorized to replace them”.

Definitions.

2. Article 5 of the act 62 Victoria, chapter 58, as amended by Id., s. 5, am. the acts 7 Edward VII, chapter 63, section 1; 8 Edward VII, chapter 85, section 1; 9 Edward VII, chapter 81, section 1, and 1 George V, chapter 48, sections 1 and 3, is further amended:

a. By inserting the following clauses after paragraph *a* :

“The lands under cultivation bearing the official numbers 332, 484, 486, 487 and the south part of No. 483 of the official cadastre of the parish of Sault au Récollet, shall not be valued at more than one hundred dollars per acre, during a period of ten years from the 25th April 1908, or so long, during the said period, as the said lands, or portions thereof, shall not be subdivided into building lots.

Valuation of certain lots in Sault au Récollet.

The lots of land under cultivation in Mount Royal ward, shall not be valued at more than one hundred dollars per acre during a period of ten years from 1st May, 1908, or so long, during such period, as the said lots or any portion thereof are not subdivided into building lots.

Valuation of certain lot in Mount Royal Ward.

The above provisions shall not be interpreted as having a retroactive effect as regards taxes due at the time of the coming into force of this act.

Proviso.

b. By adding the following paragraph after paragraph *l*.

“*m.* From and after the 14th of March, 1911 the total valuation of the immoveables possessed or to be possessed by the city of Montreal in the town of Verdun is fixed at four hundred and fifty thousand dollars for the purpose of determining the amount of municipal and school taxes the city of Montreal shall pay, and for all other purposes whatsoever, and the said city shall pay every year to the said town of Verdun on the date when the annual general taxes of the said town are paid, the sum of four thousand five hundred dol-

Valuation in Verdun.

lars. Such payment shall replace, as commutation, all taxes and contributions on immoveables, assessments, annual or special apportionments as well as all taxes or water-rates which the said town of Verdun may otherwise impose on the said city of Montreal.

Effect of certain commutation. Such commutation shall have force and effect for a period of twenty-five years and shall apply to taxes becoming due in future.

Closing of certain streets, &c. The city is authorized to close any street, lane or highway, or part thereof, situate on lands now belonging to it and shall act with diligence to have the Canadian Pacific Railway Company open, in the said town of Verdun the projected road, sixty feet wide extending from Bannatyne street to Holmfield street."

c. By replacing sub-paragraph 9 of paragraph k by the following :

Limit to be paid in certain expropriation. "9. The city of Montreal shall not, in any case, be called upon to pay for purposes of expropriation of this street (such expropriation, as well as the expropriations enacted by number 1 and number 7 of the present amendments, to be effected according to the Expropriation Act of the Province of Quebec) more than ten thousand dollars, and the surplus of the cost of expropriation of the street described in number 8 of the said amendments shall be payable by the riparian proprietors of the said street."

Id., s. 8, replaced. **3.** Article 8 of the act 62 Victoria, chapter 58 is replaced by the following :

By-laws to extend city. &c. "8. The council may, upon the affirmative vote of the absolute majority of its members, make by-laws for extending the boundaries of the city by annexing for municipal purposes, any city, town, village or municipality or part of a municipality, whether contiguous or not to the city, within the island of Montreal.

Contents of by-law, &c. Any such by-law must contain a full description of the territory to be annexed with a plan showing the superficies and boundaries, stating the terms and conditions of such annexations and declaring whether such territory thus annexed shall form a new ward or be annexed in whole or part to some one or more of the ward of the city."

Id., s. 24a, added. **4.** The following article is inserted in the act 62 Victoria, chapter 58, after article 24, as replaced by the act 1 George V, chapter 48, section 18 :

Exemption from jury service. "24a. The mayor and the members of the municipal council and of the board of commissioners shall be exempted from serving as jurors."

5. The following article is inserted in the act 62 Victoria, Id., s 44a, chapter 58, after article 44 :
added.

“ **44a.** Joint stock companies or corporations may be entered on the voters' list and vote in the name of and through a representative of the company, duly authorized to that effect by a resolution, a copy whereof shall be filed with the city clerk on or before the first of December of each year, and they may so vote in all the wards where they pay taxes; provided such representative be a director or employee of the company when authorized and called upon to cast his vote. ”
Voting of companies, &c.

6. Article 92 of the act 62 Victoria, chapter 58, is replaced by the following :
Id., s. 92, replaced.

“ **92.** With each nomination-paper shall be filed :

1. A declaration from the candidate stating under oath that he is a British subject, and that he is duly qualified under article 25 or 29, as the case may be, and containing a description of the real estate on which the candidate's qualification is based ;
Documents to be filed with nomination paper.

2. A certificate from one of the assessors, establishing the value of the aforesaid real estate, according to the assessment and valuation rolls in force ;

3. A certificate from the city-treasurer showing that the candidate is not in the city's debt for taxes, assessments on real estate or water-rates, and that he has deposited the sum of two hundred dollars, as required by law, in the hands of the said treasurer.

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

The nomination-paper, together with the declaration and certificates above mentioned, shall be delivered to the returning-officer by the person nominated as candidate, or by any one on his behalf, within the period indicated in the public notice referred to in article 81. ”
Delivery of nomination papers, &c., to returning officer.

7. Article 105 of the act 62 Victoria, chapter 58, as replaced by the act 4 Edward VII, chapter 49, section 3, is again replaced by the following :
Id., s. 105, replaced.

“ **105.** Six days at least prior to the voting, the city clerk shall give public notice, as provided by the charter, of the date of the election.
Notice of date of election.

The said notice shall indicate the names, domiciles and occupations of the persons nominated in the order in which they are or will be printed on the ballot-papers to be used at the polling, and the order of such names shall be alphabetical.
Contents of notice.

Instructions
for voters.

The returning-officer shall, at the same time, publish printed instructions for the guidance of electors in voting.

Information
bureau, &c.

The returning-officer shall, between the day of the nomination and the day of the election, keep in each ward an information bureau for the electors and send to the latter cards or letters indicating the place where they are to vote. Such cards or letters shall be sent to the address mentioned on the voters' list or to any other place where, in the opinion of the returning-officer, the elector is most likely to be reached. But any error or omission committed by the city clerk or his representatives in connection with the transmission of such notice cannot in any wise invalidate the election of any candidate nor give rise to any recourse whatsoever either against the city or against the city clerk or his representatives."

Id., s. 223,
am.

8. Article 223 of the act 62 Victoria, chapter 58, is amended by adding thereto the following paragraph :

Opening
more than
one commit-
tee, &c.

"f. Who, directly or indirectly, during the thirty days preceding the date of a municipal election, organizes or opens more than one electoral committee or more than one information bureau in each ward."

Id., 289, re-
placed.

9. Article 289 of the act 62 Victoria, chapter 58, is replaced by the following :

Adjournment
of meetings,
&c.

"**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."

Id., s. 300,
am.

10. 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 and 1 George V, chapter 48, section 29, is further amended by replacing paragraphs 4, 7, 44a, 67, 95 and 99 by the following paragraphs bearing the same numbers respectively :

Regulating
openings,
&c., in
streets, &c.

"4. To regulate the making and maintaining of openings and excavations in streets, alleys and public grounds and public places for the laying of gas and water mains and pipes, electric conductors, subways and conduits, and for other purposes, and to regulate the building and maintaining of sewers, tunnels and drains, and the construction and use of all structures and conduits of every kind underneath the streets,

alleys, sidewalks, public grounds and places of the city, and to regulate, and, if deemed necessary, to prohibit the construction and maintaining of coal-holes, man-holes, hatchways, and other openings in sidewalks, streets and alleys and to order coverings and guards therefor ; to compel all persons or companies who have, or may hereafter have, the right to make any excavations in the streets to deposit in the hands of the city treasurer an amount sufficient to guarantee that such streets shall be put back to their former state, or to permit the city to make such repairs at the expense of such persons or companies, or to prevent such excavations and fill up the same whenever they are made contrary to the by-law ; to prevent any person or company from tearing up any pavements, sidewalks or cross-walks, drain or sewer, or from making any hole, ditch or drain in any street, pavement, or sidewalk, without previously sending a written notice to the board of commissioners, with a plan showing the exact location and dimensions of the proposed opening, and obtaining the permission of the said board of commissioners, if not previously authorized, and, in no case, without obtaining its approval of the place where, and the manner in which, the proposed opening is to be made ; to prohibit the deposit, upon any permanently paved street, of any building materials, tar, lime, stone, brick or other articles whatever of a nature to deteriorate the paving, or to regulate the permission to be granted to make use of such streets for the aforesaid purposes, and to exact a sufficient deposit to replace the paving in good order ;

“ 7. To regulate or prevent the use of streets, alleys, sidewalks, and public grounds for signs, sign-posts, awnings, awning-posts, telegraph, telephone and electric poles, horse troughs, racks and other obstructions, and to regulate the posting and distributing of hand-bills and advertisements ; to define what is to be meant by “ illuminated and electric signs ” ; to prescribe of what metal such signs and the supports thereof shall be made, and how the same shall be attached to buildings and placed on the streets, alleys, sidewalks and public grounds, or to prohibit said signs wholly or in part ; to define the duties and powers of the city surveyor, as well as of any other officers with respect to such signs ; to require that a sketch of said signs be submitted to the city surveyor or any other officer and that such sketch be deposited in the archives of the city surveyor ; to remove and abate any nuisance or obstruction upon the sidewalks streets, alleys, and public grounds, and prevent the encumbering of the same with vehicles, boxes, lumber or any other things ; to regulate the erection of hitching posts and rings for fastening horses, and to prohibit the same in any portion of the

Regulating,
&c., use of
streets, &c.

city ; and the city council shall prohibit the piling of snow or other encumbrances upon any street or alley or public place by persons owning or operating any street railway along or across the same ;

Building re-
gulations,
&c.

“ 44a. To regulate the kind of buildings that may be erected on certain streets, parts or sections of streets or on any land fronting on any public place or park ; to determine at what distance from the line of the streets public places or parks the houses shall be built, provided that such distance shall not be fixed at more than twenty-five feet from the said line, or to prohibit the construction, occupation and maintenance of factories, workshops, taverns, billiard-rooms, pigeon-hole rooms, livery-stables, butcher's stalls or other shops or similar places of business in the said streets, parts or sections of certain streets or on any land fronting on any public place or park, saving the indemnity, if any, payable to the proprietors, tenants or occupants of the buildings now built or being built or who have building permits, which indemnity shall be determined by three arbitrators : one to be appointed by the city, one by the proprietor, tenant or occupant interested and the third by the two former and, in default of agreement, by a judge of the Superior Court ;

Regulating
planting, &c.,
of trees, &c.

“ 67. To regulate the planting, rearing and preserving of ornamental trees in the streets, squares and parks of the city ; to forbid all persons, companies or corporations to cut or trim trees or shrubs in the streets, boulevards, parks, squares or public places in the city, without making previously a written application ; to permit the city to grant or refuse such application and, in the event of its being granted, to stipulate that the work shall be done at the cost of the applicant or applicants, under the supervision and to the satisfaction of the officers to be designated by the council ; to compel any proprietor to plant trees in front of his property, under the direction of the city surveyor ; to authorize the city-surveyor to cause such planting to be done, and to exact the cost thereof from such proprietor, in case the latter shall refuse or neglect to comply with the city surveyor's order ; to punish injuries to the ornamental trees or shrubbery in the streets, parks and public places of the city ;

Safety-valves
for sewers,
&c.

“ 95. To permit the city to provide, where it may be necessary, suitable automatic safety-valves at connections in sewerage for the drainage of any lands, the expense thereof to be borne one-half by the city and one-half by the owner of the property, and such cost shall be recovered according to the statement prepared by the officer designated for that purpose by the board of commissioners and approved by the latter and to provide for the inspection of the same by the city ;

but for all other buildings, the expense shall be borne entirely by the city;

“ 99. To define the duties and powers of the inspector of buildings and to authorize him and such other officers as the city may appoint for the purpose, to issue permits for the construction, extension, alteration or repairing of all buildings ; to require that plans and specifications and all other documents in this connection be submitted at the same time as the application for a permit ; to require that such plans, specifications and other documents be deposited in the department of the inspector of buildings, where the same shall be filed of record ; to visit and examine, in the performance of their duties, the interior as well as the exterior of any house or building under construction, under repairs or completed for the purpose of adopting any measures tending to prevent fires or deemed necessary for the safety of workmen and for public safety ; to require that all dwellings be provided with at least two exits with stairs leading to the ground, and to provide for the immediate demolition, after notice, of every building erected in contravention of the municipal by-laws.”

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, and 1 George V, chapter 48, section 29, is further amended :

a. By inserting the following after paragraph 91 :

“ 91a. To cause the alignment and level of any street, lane or public square to be established and fixed by such officers, and to compel every person erecting a building on any street, lane or public place, to obtain from the city the alignment and level of such street, lane or public place and to sign a minute to that effect, a copy whereof shall be delivered to him at his request on payment of an amount not exceeding two dollars ;”

b. By adding the following paragraphs after paragraph 132:

“ 133. To authorize the city, notwithstanding any law to the contrary, to prevent any person, firm, company or corporation whatsoever from making any excavations in any street, lane, thoroughfare or public place, including squares and public parks, without having previously deposited in each case with the city treasurer, a sufficient sum, which shall be fixed by the board of commissioners of the city, to perform the work required in order to restore the road-way, macadam, paving and side-

walks to its former state of solidity and durability, and even to renew the same should the board of commissioners of the city so decide, the whole subject to the provisions hereafter set forth; to provide that the work of refilling the cut or excavation shall be done by the person who has made such cut or excavation, under the supervision and to the satisfaction of the officer designated for that purpose by the board of commissioners, and that the repairs to the road-way, macadam, paving and sidewalk shall be made by the city and that the cost thereof shall be paid out of the deposit in the hands of the city; to provide that, in the event of the sum deposited not being sufficient to pay the cost of such repairs, the city may require an additional amount to entirely cover the cost of such repairs, without diminishing in any way the obligations and responsibilities towards the city of the person who shall have the excavation made.

Any such deposit shall be made either in cash or by bonds of a surety, guarantee or trust company authorized to do business in the Province of Quebec and, in the event of accident to any underground installation necessitating immediate excavations, a delay of forty-eight hours shall be granted to such persons, firms, companies or corporations to make the deposit required by this article. In the event of any dispute between the city or the board of commissioners and any such persons, firms, companies or corporations as to the extent or cost of the repairs rendered necessary by any excavations, the same shall be submitted for adjudication to the Quebec Public Utilities Commission and its decision shall be final and without appeal. Pending litigation before the Public Utilities Commission, the city shall, nevertheless, have the right to proceed with the repairs.

Saving
clause.

The foregoing provisions shall not in any way affect any contracts existing between the city and any persons, firms, companies or corporations. ”

Id., s. 300a,
replaced.

12. Article 300a, of the act 62 Victoria, chapter 58, as enacted by the act 3 Edward VII, chapter 62, section 24, is replaced by the following :

Cabstands.

“ **300a.** Notwithstanding paragraph 29 of article 300, the council may, by resolution, authorize the board of commissioners to establish, fix and change cabstands, from time to time. ”

Id., 301a,
added

13. The following article is inserted in the act 62 Victoria, chapter 58, after article 301 :

Loan by-
laws.

“ **301a.** Any by-law providing for a loan may include one of more objects, for which the city is empowered by its char-

ter to borrow, and it shall not be necessary to make a separate by-law for each object."

14. Article 317 of the act 62 Victoria, chapter 58, is replaced Id., 317, replaced. by the following :

" **317.** The city clerk shall, at least one week before the Notice of day fixed for the polling, publish or cause to be published, voting on by-law. over his signature, a notice which shall state :

a. The nature of the by-law to be submitted to the real estate owners or to the electors generally, as the case may be, according to a summary or abstract approved by the council ;

b. The day and hours of polling.

The city clerk shall, moreover, send to each voter a card Sending of cards to voters. or letter, indicating the place where he is to vote. Such cards or letters shall be sent to the address mentioned on the voters' list or to any other place where, in the opinion of the returning-officer, the elector is most likely to be reached; but any error or omission committed by the city clerk or his representatives in connection with the transmission of such notices cannot in any wise invalidate the proceedings nor give rise to any recourse whatsoever either against the city or against the city clerk or his representatives."

15. The following article is inserted in the act 62 Victoria, Id., 330a, added. chapter 58, after article 330 :

" **330a.** Whenever a resolution or a question is submitted Procedure in reference to elections. to the electors generally, the procedure prescribed by this section shall be followed *mutatis mutandis*, and if this section does not contain any provisions applicable to the case, the procedure shall be the same as that for municipal elections, *mutatis mutandis*. "

16. The following article is inserted in the act 62 Victoria, Id., 344a, added. chapter 58, after article 344 :

" **344a.** The funds levied under article 343, may also be Application of certain funds. applied to the first furnishing of public buildings, to the first levelling of streets and highways, to the first purchase of horses and apparatus for new fire stations, and to the purchase of materials, machinery and plant required for the carrying out of permanent municipal works. "

17. Article 347 of the act 62 Victoria, chapter 58, as amend- Id., 347, replaced. ed by the act 3 Edward VII, chapter 62, section 31, is replaced by the following :

" **347.** Should the city, at any time, decide to dispose Sale of lands of city. of or sell any of its lands or buildings (which said sale if

the property to be disposed of does not consist of residues of land, shall be by public auction), the proceeds of such sale may be expended in doing the permanent works described in article 344 of the charter.

Change of destination of city property.

The council may, by the absolute vote of all its members, change the destination of a municipal property, not made use of as a public park or garden, to install a public library therein."

Id., 351b, replaced.

18. Article 351 *b* of the act 62 Victoria, chapter 58, as enacted by the act 7 Edward VII, chapter 63, section 15, amended by the act 8 Edward VII, chapter 85, section 17, and replaced by the act 1 George V, chapter 48, section 38, is again replaced by the following :

Loan for working capital.

"**351b.** The city is authorized to effect, from time to time, a special loan or special loans to an amount not exceeding five million dollars, which shall constitute a fund called "Working Capital", to provide for current expenses in anticipation of the ordinary revenue and also for the share of proprietors in cases of expropriation, for paving streets, for the construction of sidewalks and sewers, and for other permanent works, until special assessments therefor shall have been collected.

Application of proceeds.

The proceeds of such loan or loans shall be held solely and exclusively for the purposes above mentioned and shall not in any way be diminished in consequence of any losses which may arise through inability to collect any portion of the said assessment, which losses shall be made good from the revenue or other sums which may be at the disposal of the city.

Bonds, &c.

The loan or loans provided by this article may be effected by the issue of bonds, debentures or registered stock, signed by the mayor and city treasurer and bearing a certificate from the city comptroller, stating the purposes for which they are issued."

Id., 364, am.

19. Article 364 of the act 62 Victoria, chapter 58, as amended by the act 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, and 9 Edward VII, chapter 81, section 16, is further amended :

a. By replacing paragraph *z* by the following :

Special tax on concert halls, &c.

"*z.* A special tax not exceeding \$500.00 on every owner or tenant of a concert hall or hall for theatrical representations or for the exhibition of moving pictures; and a special tax not exceeding \$100 on every owner or tenant of a dancing hall; a special tax not exceeding \$50. on every owner or tenant of a museum, or hall of amusement whatsoever where an entrance fee is paid. 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."

b. By adding the following after paragraph *kk*, as enacted by the act 7 Edward VII, chapter 63, section 22:

"*ll* An annual special tax not exceeding \$1.00 per square foot on every illuminated sign or electric sign placed on the streets, alleys, sidewalks or public grounds. "

Tax on illuminated signs, &c.

20. Article 373 of the act 62 Victoria, chapter 58, is replaced by the following :

Id., 373, replaced.

" **373.** The council, in December of each year, shall appoint eight assessors, with power to increase or diminish their number, from time to time, by a resolution adopted by the majority of the whole of its members. "

Appointment of assessors.

The council may dismiss any of such assessors who shall fail in the performance of his duty, and may fill any vacancy which may occur in their number. "

Their dismissal.

Such assessors shall hold office till their successors shall have been appointed. "

Term of office.

The remuneration of such assessors shall be fixed from time to time, by the council, and it shall designate which of the assessors shall act as chairman of the board and, in his absence, the board shall elect one of its members to preside at their meetings. "

Remuneration, &c.

The council shall decide in what manner the work shall be divided among the assessors. "

Division of work among assessors.

21. The following article is inserted in the act 62 Victoria, chapter 58, after article 409 :

Id., s. 409a, added.

" **409a.** The provisions of articles 396 to 409 inclusively shall apply to the sale of properties on which ordinary or special immoveable assessments were due at the date of the annexation in the municipalities which have been annexed to the city of Montreal since the 1st May, 1909, and in those which may be hereafter annexed. "

Sales of certain property for taxes.

22. The following article is inserted in the act 62 Victoria, chapter 58, after article 410 :

Id., 410a, added.

" **410a.** The provisions of article 410 shall apply with the same effect to territories annexed. "

Special provisions.

23. Article 452 of the act 62 Victoria, chapter 58, as replaced by the act 3 Edward VII, chapter 62, section 44, is replaced by the following :

Id., 452, replaced.

" **452.** The council may, at any time, by by-law or resolution, order that any immoveable property upon which no buildings are erected, situated and lying between the old

Order to expropriate certain property.

line and the new homologated line of any street, shall be expropriated, upon the proprietor of such immoveable property ceding in writing to the city the portion of land belonging to him so to be expropriated, and of which the city surveyor shall at once make a plan.

Appointment
of valuers,
&c.

The mayor shall then appoint two of the city assessors to value the portion of land so ceded to the city. They shall value it at the price entered in the valuation roll for the current year and shall report in writing to the council. On the confirmation of their report by the council, it shall be referred to the city surveyor and the said two city assessors, with instructions to apportion the cost of the land expropriated on the lands only on each side of the street within the limits to be fixed by them according to frontage in equal proportions.

Effect of roll
of apportion-
ment.

The roll of apportionment, when certified by the city surveyor and the said two city assessors and filed with the city treasurer, shall be equivalent to and have the same force and effect as a final roll of special assessment, and the amounts therein mentioned shall thereupon become due and be payable within thirty days of the date of the deposit of the roll.

Payment for
expropriated
property.

The proprietor whose land has been expropriated shall be paid therefor without interest, within three months from the date of the deposit of the roll. But in the event of there being any hypothec or privileged claim on the immoveable so expropriated, then the provisions of articles 441, 442, 443, 444 and 445 of the charter shall apply, except where the same may be inconsistent.

Temporary
bonds.

In order to pay the cost of the expropriation, the city shall have the right to issue temporary bonds in conformity with article 355 of this charter, and this right shall extend to all expropriations of the same nature which may be effected or which shall not have been settled at the date of the sanction of this act. "

Id., 454, re-
placed.

24. Article 454 of the act 62 Victoria, chapter 58, as replaced by the act 7 Edward VII, chapter 63, section 39, is again replaced by the following :

Apportion-
ment of cost
of sewers.

" **454.** The apportionment of the cost of sewers shall be made in the same manner as that of the cost of sidewalks, by means of an assessment roll prepared by the official designated for that purpose by the board of commissioners and approved by the latter, in accordance with by-laws in force. "

Id., 455,
added.

25. The following article is inserted in the act 62 Victoria, chapter 58, as article 455 :

Cost of cer-
tain paving.

" **455.** 1. Notwithstanding any law to the contrary, when the city of Montreal shall decide and order the paving

of any street, lane, highway, square or public place, wholly or partly, with permanent materials other than wood and macadam; the total cost of such paving shall be paid by the proprietors of immoveables bordering on such street, lane, highway, square or public place.

2. A roll shall be prepared for such purpose by the city Roll as to surveyor, and the total cost of such paving shall be apportioned ^{same.} among such proprietors proportionately to the frontage of their properties as shown on the valuation roll, independently of the buildings thereon erected.

3. The city surveyor shall give notice of the day when the proprietors bound to pay such special assessment, may examine such apportionment and submit their objections before the roll is completed and put in force. Such notice shall be published during eight days in a French and in an English newspaper. ^{Notice to object to roll, &c.}

4. The surveyor shall hear and summarily decide all objections that may be made and there shall be no appeal from his decision. ^{Hearing, &c., of objections.}

5. The amount due under such apportionment shall be collected from the said proprietors and recoverable in the same manner as other taxes and assessments on immoveables. ^{Collection of amounts due.}

6. Any riparian proprietor may pay the amount of his special assessments by yearly instalments sufficient to pay off the amount for which he is liable, in forty years with interest at five per cent per annum. ^{Payment of instalments.}

7. When a street, highway, square or public place is over fifty feet wide, the cost of paving the excess shall be wholly payable by the city. ^{Certain costs payable by city.}

8. When the city shall order the remaking, wholly or partly, of the permanent pavements made before the 14th day of March, 1911, in any street, lane, highway, square or public place or part thereof, the cost of such remaking shall be apportioned among and collected from the proprietors of riparian immoveables on such street, lane, highway, square or public place or part thereof by means of a roll drawn up in the manner above prescribed. ^{Apportionment of certain expenses.}

9. The pavements to be made or re-made as aforesaid shall be maintained, repaired or renewed in future by the city for ever. ^{Maintenance, &c., of pavements.}

26. Article 468 of the act 62 Victoria, chapter 58, is amended by adding thereto the following paragraph : ^{Id., 468, am.}

"8. To compel the owners of any building or property whatsoever to place stop-cocks for water inside their premises, in a suitable and convenient place, and to allow the officers of the city to have access to such cocks at all hours of the day ^{Placing of stop-cocks for water, &c.}

and night ; to allow the city to turn off such cocks and to seal the same and to impose a fine on the owner, occupant or tenant, as the case may be, if the seal be found broken or the cock open after having been turned off and sealed by the city officers. ”

Id., 477, re-
placed. **27.** Article 477 of the act 62 Victoria, chapter 58, as replaced by the act 7 Edward VII, chapter 63, section 42, is further replaced by the following :

Appointment
of recorders. **“ 477.** The Lieutenant-Governor in Council, by special commission under the seal of the Province, shall appoint the recorders, whom he shall select from among the members of the Bar of the Province who have practised as such for at least five years, to fill the office of recorder.

Their tenure
of office. The recorders shall hold office during good behaviour and their commission cannot be revoked except upon a joint address of the Legislative Council and Legislative Assembly to the Lieutenant-Governor in Council.

Their salary. The salary of each of the recorders shall be five thousand dollars per annum.

Pension of
recorders. If a recorder of the city, after fifteen years service as such, should resign his office or if, while in office, he becomes afflicted with any permanent or chronic infirmity preventing him from discharging the duties of his office, the city shall grant him a pension equal to three fourths of the salary he received at the time of his retirement ; and such pension, which shall begin immediately on his retirement, shall be paid him during his life-time and shall be exempt from seizure.

Of present
city clerk, &c. The provisions of the above last paragraph shall also apply to the present city clerk and the present treasurer and the present chief legal adviser.”

Id., 484, re-
placed. **28.** Article 484 of the act 62 Victoria, chapter 58, is replaced by the following :

Jurisdiction
of recorder's
court. **“ 484.** The recorder's court has the jurisdiction of a recorder and shall hear and try summarily :

1. Any action brought in virtue of any by-law or resolution of the council for the recovery of any sum of money due to the city for any assessment, license, tax, water-rate, or permit or for the rent of any butcher's stall or other stall or stand, in or upon any of the markets, or outside the same ;

2. Any action for the recovery of wages or salary arising from the lease and hire of work, or for the recovery of damages resulting therefrom or for money due hotels, restaurants or boarding houses by their guests, or for the value of goods therein deposited and therein lost or damaged, provided that in no case shall the amount claimed exceed \$50 ;

3. Any action for the enforcement of any by-law;
4. Any action for the recovery of taxes, assessments, license fees, personal taxes and water-rates due at the time of the annexation of any municipality or part of a municipality to the city of Montreal."

29. Article 528 of the act 62 Victoria, chapter 58, is replaced Id., 528, replaced by the following :

" **528.** The city clerk, the city treasurer and the city surveyor may, respectively, affix their signatures to the certificates and to the notices which they are required to give under this charter, by stamping such signatures thereon with a stamp to be used exclusively for that purpose after having been approved by the council. The signature, so affixed and stamped, shall be, to all intents and purposes, as valid as if in the handwriting of the clerk, treasurer or surveyor." Signing by stamp, &c.

30. The following articles are inserted in the act 62 Victoria, chapter 58, after article 564g, as enacted by the act 1 George V, chapter 48, section 46: Id., 564h-564i added.

" **564h.** Notwithstanding the act 54 Victoria, chapter 53 the bonds and debentures or registered stock which the Board of Roman Catholic School Commissioners of the city of Montreal and the Board of Protestant School Commissioners of the city of Montreal can issue and sign for the purposes mentioned in the said act, may be issued directly by the city of Montreal and be signed by the city treasurer and countersigned by the city comptroller when the board of commissioners concerned asks for the same. Issue by city of school bonds, &c.

Such loans shall not form part of the city's consolidated fund debt and the various acts applying to the issue of such bonds, debentures and registered stock shall apply to such issue as if it had been made by the board of school commissioners concerned. Law to apply to such bonds, &c.

" **564i.** The city may use or lease a part of Mount Royal Park for the erection of a saluting battery. Lease of part of Mount Royal Park.

" **564j.** Notwithstanding any law to the contrary, it shall not be lawful for any person, firm, syndicate, company or corporation, to erect or maintain any poles on Ontario avenue, between Sherbrooke street and Pine Avenue, when underground conduits shall have been constructed in the said avenue. Poles on part of Ontario Avenue.

" **564k.** The city may make exchanges of lands whenever the same shall be deemed in the interest of the city, except, for Mount Royal Park. Exchange of lands.

" **564l.** When tenders are called for by the city for the Tenders how called for.

performance of municipal works, the city shall tender for such works through its chief engineer ; and, when its tender is the lowest, it shall, if it deems expedient, have such works done and purchase all the materials and plant it may need for such purpose."

3 Ed. VII, c.
62, s. 52, am.

31. Section 52 of the acts 3 Edward VII, chapter 62, as amended by the act 4 Edward VII, chapter 49, sections 25 and 26 ; 5 Edward VII, chapter 40, section 1 ; 5 Edward VII, chapter 41, section 1 ; 7 Edward VII, chapter 63, section 49 ; 8 Edward VII, chapter 85, sections 20 and 21, and 9 Edward VII, chapter 81, section 27, is further amended by replacing paragraph 22 by the following :

Extension of
Sherbrooke
street, &c.

" 22. The city is authorized to extend by purchase, by mutual agreement or by expropriation, Sherbrooke street from de Lorimier avenue to Papineau street. The price to be paid for the purchase by mutual agreement or for the expropriation of the immoveables on Sherbrooke street between Papineau avenue and Delorimier street shall, notwithstanding any law to the contrary, be the actual and merchantable value of the said immoveables, as well as of the industries or trades established thereon, when the said immoveables are acquired by mutual agreement or by expropriation and, in the event of expropriation, the compensation to be paid the proprietors, both for the immoveables and for damage to the said industries, shall be determined according to the provisions of articles 7581 and following of the Revised Statutes, 1909. The whole of the compensation shall, in any case, be payable by the city of Montreal."

Certain im-
provements
authorized.

32. 1. Notwithstanding any law to the contrary, the city of Montreal is authorized to enact, by resolution passed by the majority of all the members of its council, and to carry out, the following improvements:

a. To acquire by mutual agreement or to expropriate, the immoveables required for straightening the line of Roy street, in Lafontaine ward, from St. Andrew street to St. Christophe street, according to a plan made by John R. Barlow, city surveyor, dated 15th April, 1904 ;

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 Roy street between St. Denis Street and Lafontaine park ;

b. To acquire by mutual agreement or to expropriate, within two years from the sanctioning of this act, the lands required for the extension of St. Joseph Boulevard (heretofore Palace street) from the eastern limit of the said boulevard in Laurier ward to Papineau Avenue on the boundary of St. Denis ward ;

to sell by auction in whole or in part the lands thus acquired by mutual agreements or by expropriation on either side of the said boulevard, the whole according to the plan made by John R. Barlow on the 25th February, 1911 and a copy of which shall be deposited in the office of the city clerk.

No one shall erect any buildings on the lands comprised within the lines given on the said plan within two years from the sanctioning of this act unless the city of Montreal, having become proprietor of the whole or of part of the said Boulevard St. Joseph, allows it.

The total cost of such opening shall be paid one half by the city and one half by the owners of immoveables situated on Palace street and St. Joseph Boulevard;

c. To acquire by mutual agreement or to expropriate the lands required for the widening of St. Denis street, from Carriere street to Laurier avenue, according to the homologated plan.

The total cost of such improvement shall be paid one half by the city and one half by the owners of immoveables situated on said St. Denis street, between Duluth avenue and the north city limits ;

d. To acquire by mutual agreement or to expropriate the strip of land between the old line and the homologated line on Wellington street between Ash avenue and the tail race.

The total cost of said improvement to be paid one half by the city and the other half by the proprietors on Wellington street;

e. To acquire by mutual agreement or expropriation the immoveables necessary to widen Roy street between Cadieux and St. Lawrence streets according to the homologated plan.

The total cost of said widening shall be paid one half by the city and the other half by the proprietors of immoveables situated on said Roy street between St. Denis and St. Lawrence streets;

f. To acquire by mutual agreement or to expropriate, the land necessary for the extension of Fullum street from Hoche-laga street to Rachel street

The cost of such improvement shall be paid one half by the city and one half by the proprietors of Fullum street;

g. To acquire by mutual agreement or to expropriate Sherbrooke street from Delorimier avenue, to the southwest limits of the town of Maisonneuve.

The total cost of such improvement shall be paid one half by the city and the other half by the proprietors bordering on this part of Sherbrooke street;

h. To acquire by mutual agreement or to expropriate the immoveables required for the opening of the 42nd avenue,

in Ahuntsic ward, from St. Charles street to Back River road, a distance of 1630 feet, more or less.

The total cost of such improvement shall be paid one half by the city and one half by the proprietors of immoveables bordering on this part of the said 42nd avenue ;

i. To acquire by mutual agreement or by expropriation the lands required 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 or expropriation shall be paid by the proprietors of immoveables situate on both sides of the part of the said street as so extended ;

j. To acquire by mutual agreement or to expropriate the lands required for widening Gouin boulevard within the limits of Ahuntsic ward.

The cost of such improvement shall be paid one half by the city and the other half by the riparian proprietors ;

k. To acquire by mutual agreement or to expropriate the land necessary to open Drolet street from Palace street to Laurier avenue.

The total cost of such improvement shall be paid one-half by the city and one-half by the riparian owners ;

l. To acquire by mutual agreement or by expropriation the land required for extending Everetta street to Dorion street, in Papineau ward.

The cost of such acquisition or expropriation shall be payable one-half by the city of Montreal and the other half by the proprietors of immoveables bordering on the said Everetta street ;

m. To acquire by mutual agreement or to expropriate the immoveable property required to open Beaubien street from Dufferin street to Papineau street.

The cost of such opening shall be paid one-half by the city and one-half by the riparian proprietors ;

n. The city shall, within a delay of one year from the coming into force of this act, acquire by mutual agreement or by expropriation, the land required for opening Dumont street from Elizabeth street to Ontario street in accordance with the homologated plan.

The total cost of such acquisition or expropriation shall be paid by the city.

The compensation payable for such acquisition or expropriation shall, notwithstanding any law to the contrary, comprise the actual value of the immoveables expropriated, and the damages, if any, caused by the expropriation shall be determined in accordance with the provisions of article 7581 and following of the Revised Statutes, 1909.

2. Except where the same may be inconsistent, the provisions of articles 423 to 445, of the city charter inclusively, and the amendments thereto, shall apply to the above improvements. Law applicable to 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 article 450 of the city charter and the amendments thereto shall also apply to such cases, *mutatis mutandis*."

33. Section 28 of the act 9 Edward VII chapter 81, is amended : 9 Ed. VII, c. 81, s. 28, am.

a. By adding after sub-paragraph *k* of paragraph 1, the following :

"The cost of such improvement shall be payable by the city out of the proceeds of the loan which the city is already authorized to contract in the public interest " ; Cost of a certain improvement.

b. By replacing paragraph 2 by the following :

"2. The cost of each of the improvements authorized by this section except subsections *a*, *b* and *k*, 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 within the city limits."

34. The special assessment rolls to levy the cost of the construction of sewers in different streets of the town of Notre-Dame des Grâces, (now Notre Dame des Grâces ward,) according to the rolls prepared by Mr. B. D. McConnell, civil engineer, dated 27th November, 1909, and 4th May, 1910, and those, prepared by Mr. A. Ghysens, civil engineer, dated 31st May 1910, are hereby confirmed and ratified, the whole in accordance with the provisions of by-laws Nos. 35 and 60 of the town of Notre-Dame de Grâces. Certain assessment rolls confirmed.

35. The funds levied under article 343 may also be used for the year 1911, to the extent of \$250,000.00 as follows : Application of certain funds.

1. For the preliminary works of levelling in streets belonging to the city and which are open and in public use, but which have not yet been levelled;

2. For the cost of the necessary works for the first opening of streets which belong to the city and which must be opened to the public;

3. For the repairs, improvement and levelling of streets and for any works in connection with the opening of streets.

36. The city is authorized to contribute to the erection of a monument to the memory of His Majesty the late King Edward VII, sovereign of the British Empire. Monument to King Edward VII.

- Contribution to certain armoury, &c.** **37.** The city is authorized to contribute to the armoury of the 65th Rifles of Montreal and to the Georgian Bay canal.
- Certain resolution confirmed, &c.** **38.** The resolution of the city council adopted on the 18th August, 1910, concerning the subscription of a sum of five thousand dollars in favor of the sufferers by fire at Campbellton, is ratified and confirmed. Such subscription shall be paid out of the reserve fund.
- Certain other resolutions confirmed, &c.** **39.** The resolution adopted by the council of the city of Montreal on the 30th January, 1910, for the purpose of acquiring, at the price of forty-three thousand three hundred and thirty dollars, certain properties required for opening Montcalm street in La Fontaine ward, is ratified
- Acquisition of certain lots for Mount Royal Park.** **40.** The city is authorized to acquire by mutual agreement for the purpose of enlarging Mount Royal park, the undivided part of lot 1862, the Nos. 18 *2a*, 1862*b*, and 1818, and a part of 1817, of the cadastre of St. Antoine ward, the Nos. 1, 1*a* and 1*b*, of the cadastre of St. Lawrence ward and a part of No. 6 of the cadastre of the parish of Montreal.
- Application of sums expended.** The amount to be expended for such purpose shall be debited to the general loan funds of the city.
- Resolution, &c., re certain improvement.** **41.** The city of Montreal is authorized to enact, by resolution passed by the majority of all its members, and to carry out, the following improvement:
To acquire by mutual agreement or by expropriation the immovables required to widen St. Catherine road to seventy feet, from Outrement to the Côte des Neiges road.
The cost of such widening shall be paid one-half by the city and the other half by the proprietors of the bordering immovables.
Notwithstanding any law to the contrary, the said expropriation shall be made according to the provisions of the expropriation law, articles 7581 and following of the Revised Statutes, 1909.
- Certain contract ratified, &c.** **42.** The contract passed between the city of Montreal and the Canadian Pacific Railway Company on the 7th January, 1910, before Robert A. Dunton, notary, is ratified and confirmed and the contracting parties are authorized to fulfil and execute the conditions and to do everything necessary to give effect thereto.
- Coming into force.** **43.** This act shall come into force on the day of its sanction.