

CHAP. 84

An Act to amend the charter of the city of Quebec, respecting
des Carrières Street

[Assented to 14th April, 1908]

Preamble.

WHEREAS the Chateau Frontenac Company, have by their petition represented that it is desirable in the public interest that the act 7 Edward VII, chapter 62, be amended, and it is expedient to grant the prayer of said petition;

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

7 Ed. VII, c.
62, s. added
after s. 43.

Closing of
part of Des
Carrières
street, &c.

1. The following section is inserted in the act 7 Edward VII, chapter 62, after section 43 :

“ **43a.** The city may, by by-law of the council, close that part of Des Carrières street extending between St. Louis and Mont Carmel streets, and transfer to the Chateau Frontenac Company, on such conditions as it may deem proper, and as shall be set forth in a notarial contract between the parties, the land therein contained, in exchange for a strip of land for the opening of another street further west between St. Louis and Mont Carmel streets, which streets may be less than sixty feet wide. In the event of the said street being opened, the city shall have the power to grant to the Chateau Frontenac Company permission to build wings or other constructions of the proposed addition to its hotel over the said new street.”

Coming into
force.

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

CHAP. 85

An Act to amend the charter of the city of Montreal, with
respect to general administration

[Assented to 25th April, 1908]

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 the acts amending the same, be amended, and whereas it is expedient to grant its prayer ;

Therefore, His Majesty, with the advice and consent of the

Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Article 5 of the act 62 Victoria, chapter 58, as amended 62 V., c.58, s. by the act 7 Edward VII, chapter 63, section 1, is again ⁵, amended. amended by adding the following paragraphs thereto :

“ a. The following is annexed to the city and shall form Territory part of St. Denis ward : annexed to city to form part of St. Denis ward.

A territory bounded on the north-east by the cadastral numbers 207 of the municipality of Rosemont and 474 of the parish of Sault-au-Recollet ; on the north-west by the Côte St. Michel road ; on the south-west by the territory annexed on the 5th November, 1906, that is to say by number 482 of the cadastre of the parish of Sault-au-Recollet and by the north-eastern boundary of St. Denis ward, of the city of Montreal ; on the south-east by the municipality of deLorimier and the north-eastern boundary of part of number 172 of the cadastre of the municipality of Rosemont, the said number 172, now forming part of the city of Montreal. Such territory comprises the following cadastral numbers and their subdivisions : 208, 209, 210 and 211 of the municipality of Rosemont and numbers 475, 476, 477, 478, 479, 480 and 481 of the parish of Sault-au-Recollet.

The city agrees to pay the present funded debt of the cor- Conditions of poration of the village of Rosemont, consisting of bonds or debentures issued by the council to the extent of twenty thousand dollars; the interest to become due on these bonds or debentures from the coming into force of this act shall be paid by the city. annexation.

The city shall pay a further sum of three thousand dollars to the corporation of the village of Rosemont within thirty days from the coming into force of this act.

The city shall be proprietor of all property whatsoever belonging to the corporation of the village of Rosemont, which may be situated within the territory annexed.

The corporation of the village of Rosemont shall upon request made to them by the clerk of the city, deliver copies of all plans, archives, by-laws, *procès-verbaux*, ordinances, titles, and contracts relating to the annexed territory.

The taxes due or to become due up to the coming into force of this act shall be collected by and belong to the corporation of the village of Rosemont.

The taxes shall be levied by the city from the coming into force of this act.

The city shall respect all contracts of the village of Rosemont with regard to commutations and exemptions of taxes granted to the estate Molson and Mr. Ovide Lapierre.

The present councillors of the village of Rosemont shall

remain in office as members of the council of the village of Rosemont until the expiration of the term for which they were elected.

Town of
Notre-Dame
des Neiges
annexed to
city, as
Mount Royal
Ward.

“*b.* There shall be annexed to the city, and shall form a ward under the name of Mount Royal ward, which shall be represented in the municipal council of the city by two aldermen :

The town of Notre Dame des Neiges, with its territorial limits as established by its charter.

Conditions of
annexation.

The assets and liabilities of the town of Notre Dame des Neiges shall form part of the assets and liabilities of the city of Montreal, and the permanent employees of the said town shall become employees of the city and be continued in their offices at the discretion of the committees having jurisdiction in the matter when the appropriations for the next fiscal year are voted.

The city of Montreal shall :

1. Continue in 1908, the opening of Mountain street, with a width of sixty-six feet in the direction of St. Catherine road, the amount of expenditure not to exceed \$6,000.00.

2. Continue, within two years from the coming into force of this act, the opening of Decelles street, with a width of sixty-six feet in the direction of St. Catherine road, the amount of expenditure not to exceed \$6,000.00 ;

3. Widen, within two years from the coming into force of this act, the Côte des Neiges road so as to give it a width of seventy feet, the amount of expenditure not to exceed \$70,000.00.

The rate of assessment on immoveables situate within the present territory of the town of Notre-Dame des Neiges shall not exceed one-half of one per cent for the two years following the annexation.

The expropriations required for the execution of the works and improvements mentioned in this section, shall not be governed by the charter of the city of Montreal, but shall be effected under the act 54 Victoria, chapter 38, and the compensation to be paid to the persons expropriated shall be established in accordance with the provisions of this act.”

62 V., c.58, s.
7, amended.

2. Article 7 of the act 62 Victoria, chapter 58, as amended by the acts 3 Edward VII, chapter 62, section 2, and 7 Edward VII, chapter 63, section 3, is again amended:

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

Wards of
city.

“ **7.** The city of Montreal is divided into twenty-one wards respectively called: East, Centre, West, St. Anne, St. Joseph, St. Andrew, St. George, St. Lawrence, St. Louis, St. James, La Fontaine, Papineau, St. Mary, Hochelaga, St. Jean Bap-

Boundaries.

tiste, Duvernay, St. Gabriel, St. Denis, Ste. Cunégonde, St. Henry, and Mount Royal ; and each of such wards is comprised between the following boundaries and limits ;”

b. By adding the following clause after the third clause of paragraph 17.

“ St. Denis ward also comprises the territory described in St. Denis Ward. the twelfth clause of article 5 ;”

c. By inserting the following paragraph after paragraph 17 ; Boundaries of Mount Royal Ward.

“ 18. The boundaries and extent of Mount Royal ward shall be those mentioned in article 5.”

3. Article 7 of the act 62 Victoria, chapter 58, as amended Id., s. 7, by the acts 3 Edward VII, chapter 62, section 2, and 7 Edward amended. VII, chapter 63, section 3, is amended by adding the following clause at the end of paragraph 1 :

“ The East ward also includes St. Helen’s Island, l’East ward includes certain islands. Ile Ronde, and l’Ile Verte.”

4. Article 333 of the act 62 Victoria, chapter 58, as re- Id., s. 333, placed by the act 3 Edward VII, chapter 62, section 26, is replaced. again replaced by the following :

“ **333.** Every year, the council may dispose of such capi- Expenditure on capital account. tal amounts as the city may have at its disposal within the limits of its legal borrowing powers, but only for the purposes mentioned and set forth in article 344 ; provided always that no expenditure of such capital amount shall be voted or made, until and unless the details, specifications, and approximate cost of each of the works or objects for which such special expenditure is contemplated, are submitted to the council and approved by the absolute majority of all the members of the council, on a report of the finance committee, in accordance with article 42. ”

5. Article 343 of the act 62 Victoria, chapter 8, is replaced Id., s. 343, by the following : replaced.

“ **343.** In addition to the special loans authorized by Limits of borrowing power. the act 62 Victoria, chapter 58, and its amendments, as well as the loans authorized by article 344 of the said act and by section 13 of the act 7 Edward VII, chapter 63, amending the latter article—which loans do not form part of the funded debt—the city’s borrowing power is limited to fifteen per cent of the value of the taxable immoveable property, and such limit shall never be exceeded.”

6. The change made in article 343 by the foregoing section shall not be interpreted so as to prevent the city from doing Consolidation of debt not prevented. what is necessary to complete the consolidation of its debt

in accordance with schedule A, of the act 62 Victoria, chapter 58.

Id., s. 344,
replaced.

7. Article 344 of the act 62 Victoria, chapter 58, as amended by the act 7 Edward VII, chapter 63, section 13, is replaced by the following :

How certain
moneys to be
used, &c.

“ 344. The moneys levied under the foregoing article cannot be used for any other purpose than continuing the execution of certain public works, such as the extension of water-works and water services ; the extension of public parks and of the sewerage system and laying of permanent (not wooden) sidewalks in accordance with the provisions of this charter ; the construction and enlargement of municipal buildings such as markets, fire and police stations, the city-hall, public baths and lavatories, hospitals and other municipal structures or buildings, permanent pavements, the opening and widening of streets, the purchase and extension of parks and squares ; the expropriation expenses authorized by law as well as the works or improvements rendered necessary by such expropriations.

Proviso.

Repairing,
&c., of
streets.

The council may, however, during the year 1908, take out of the amount borrowed in virtue of this article, a sum not exceeding \$250,000.00 for repairing and improving the streets.”

S. 344 not
retroactive.

8. The change made in article 344 by the foregoing section shall not be interpreted as affecting any matter or thing done under the provisions of the said article.

Id., s. 344a,
repealed.

9. Article 344a of the act 62 Victoria, chapter 58, as enacted by the act 4 Edward VII, chapter 49, section 10, is repealed :

Previous
loans, &c.,
not affected.

Such repeal shall in nowise affect loans previously effected under the said article, and shall not deprive the city of the power of contracting the loan of \$300,000.00 it was authorized to contract for the year 1906 by such article.

Certain
loans not
part of
funded debt.

The loans effected under article 344a and that to be contracted in virtue of the foregoing paragraph shall not form part of the city's funded debt.

Id., s. 344b,
replaced.

10. Article 344b, of the act 62 Victoria, chapter 58, as enacted by the act 7 Edward VII, chapter 63, section 14, is replaced by the following :

Certain
loans distinct
from funded
debt.

“ 344b. The loans effected under article 351b shall be considered as distinct from the funded debt and as having never formed part thereof.”

Id., s. 345,
replaced.

11. Article 345 of the act 62 Victoria, chapter 58, is replaced by the following :

Issue of
bonds, &c.

“ 345. The loans under article 343 may, at the choice of

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the council, be effected by means of an issue of bonds, debentures or inscribed stock, for a fixed term, provided the nominal rate of interest shall not exceed four per cent. Such bonds, debentures or inscribed stock may be issued in currency of the country where the loan is negotiated.

It shall, nevertheless, be lawful for the finance committee, ^{Temporary bonds, &c.} to negotiate such loans temporarily, in the name of the city, by means of temporary bonds, treasury bills or other securities negotiable on the money markets until the time is deemed favorable for the issue provided for in the foregoing paragraph."

12. Article 346 of the act 62 Victoria, chapter 58, as re- ^{Id., ss. 346,} placed by the act 3 Edward VII, chapter 62, section 30, and ^{346a, re-} article 346a of the act 62 Victoria, chapter 58, as enacted by ^{placed.} the act 4 Edward VII, chapter 49, section 11, are replaced by the following :

" **346.** Every year, as soon as possible after the assessors ^{Certificate of} have signed the assessment roll, it shall be the duty of the city ^{comptroller} comptroller to submit to the council a certificate showing the ^{re borrowing} borrowing power resulting from the increase in value of taxable property, and the council may award contracts for the supplying of materials in anticipation of the permanent works to be performed in the following year, provided the amount so disposed of shall not exceed twenty per cent of the borrowing power thus valued."

13. The following article is inserted in the act 62 Victoria, ^{Id., s. in-} chapter 58, after article 376 : ^{serted after s.}

" **376a.** In making the tax roll, the assessors shall insert ^{Contents of} therein the name, surname, occupation and residence of every ^{tax roll.} person in the city paying the water rate or tax to any firm or corporation other than the city ; and every such person shall, if he be otherwise qualified as an elector, be entered on the list of electors of the said city."

14. Article 455 of the act 62 Victoria, chapter 58, is re- ^{Id., s. 455,} pealed. ^{repealed.}

15. Article 300 of the act 62 Victoria, chapter 58, as amended ^{Id., s. 300,} by the acts 63 Victoria, chapter 49, sections 7 and 8 ; 3 Edward ^{amended.} VII, chapter 62, sections 22 and 23 ; 4 Edward VII, chapter 49, sections 6 and 7 ; and 7 Edward VII, chapter 63, sections 10 and 11, is again amended by replacing paragraph 109 by the following :

" 109. To contribute to the establishment and maintenance ^{Contribution} of libraries, reading-rooms and public museums for historical, ^{to libraries,} &c."

literary, artistic or scientific purposes and also to give subsidies to agricultural, industrial or international exhibitions."

Id., s. 350,
replaced.

16. Article 350 of the act 62 Victoria, chapter 58, is replaced by the following :

Alderman to
forfeit seat,
&c., in cer-
tain case.

" 350. Any alderman authorizing or approving the appropriation of any part of the loans above referred to, to any other purpose, shall *ipso facto* forfeit his right to sit in the council and shall be ineligible as member of the council for a period of five years."

Id., s. 351b,
amended.

17. Article 351b of the act 62 Victoria, chapter 58, as enacted by the act 7 Edward VII, chapter 63, section 15, is amended by replacing the last clause thereof by the following :

Issue of
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 purpose for which they are issued."

Id., s. 362,
amended.

18. Article 362 of the act 62 Victoria, chapter 58, as replaced by the act 3 Edward VII, chapter 62, section 36, is amended by replacing paragraph (a) by the following :

Certain
buildings, &c.,
exempt from
taxation.

" (a) Every building or part of a building used for the purpose of religious worship, including the land on which it is built, *fabriques*, bishops' palaces, and parsonages when occupied as residences by the priest or the minister in charge of any church in the city, provided but one parsonage for each church shall have the benefit of the exemption ; and when there is no parsonage occupied by a priest or minister in charge of a church, the residence of the priest or minister in charge of any church in the city, provided that if such residence be valued at more than \$15,000.00, it shall be exempt from the assessment on real estate imposed on an assessed value of \$15,000.00 only and that only one residence for each church, shall have the benefit of such exemption."

Proviso.

S. 18, retro-
active as to
years 1906,
1907.

19. Notwithstanding any law to the contrary, the provisions of the foregoing section shall, as regards the residences mentioned in the said section, have a retroactive effect extending to the yearly assessments on immoveables imposed in 1906 and 1907.

3 Ed. VII, c.
62, s. 52, par.
15, sub-par.
(d), amend-
ed.

20. Sub-paragraph (d) of paragraph 15, of section 52, of the act 3 Edward VII, chapter 62, as amended by the acts 4 Edward VII, chapter 49, sections 25 and 26 ; 5 Edward VII chapter 40, section 1, and 7 Edward VII, chapter 63, section 49, is again amended by adding the following clause thereto :

"The city shall pay \$17,500.00 for widening St. Antoine street between Mountain street and Guy street, in addition to half the cost of expropriation connected with such widening which it is authorized to pay in virtue of the first clause of this paragraph; and an equal amount shall be deducted from the one-half of the cost of the said expropriation at the charge of the proprietors in virtue of the said clause." Payment by city for widening St. Antoine street, &c.

21. Section 52 of the act 3 Edward VII, chapter 62, as amended by the act 7 Edward VII, chapter 63, section 49, is amended by replacing the first clause of sub-paragraph (e) of paragraph 15 by the following :

"(e). Between now and the end of December, 1908, to widen St. Antoine street, south side and north side from Guy street to Fulford street, in accordance with the homologated plan of St. Antoine ward. The cost of such widening shall be paid one half by the city and one half by means of an assessment levied on all the proprietors of immoveables situate on each side of St. Antoine street from Guy street to Fulford street." Widening part of St. Antoine str. Cost thereof.

22. Article 338 of the act 62 Victoria, chapter 58, is amended by adding the following clause thereto :

"Nevertheless the said liabilities and disqualifications enacted in this article shall not exist if the council of the city has subsequently acknowledged and ratified the said expenditures of money as being valid and lawful. This provision shall have effect for the past only." 62 V., c. 58, s. 338, amended. Certain liabilities, &c., to cease in certain event. Proviso.

23. Nothing contained in this act shall affect existing contracts nor vested rights, nor serve to interpret such contracts. Existing contracts, &c., not affected.

24. The city is authorized by by-law to assist the families of such officers and employees of the city who may have been killed or seriously injured in the exercise of their respective duties, the amount determined in each case to be left to the discretion of the council with the approval of the majority of the members of the council. Assistance to certain families

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