

SCHEDULE S

VOTERS' OATH.

I swear that my name is (*here insert or give the name*) and that I am the person named in the copy of the voters' list for the election of mayor or aldermen, for (*here name the ward*) ward of the city of Quebec, for the municipal elections, which is now shown to me; that I am duly qualified; that I have not voted at this election in this ward; that I have not received, either directly or indirectly, any money, note, or promise, or reward for my vote; that I am not an officer or a servant of the corporation, or receiving any income or wages from the corporation, as such; and that I have not now any contract with the corporation or any interest in such contract such as to disqualify me for voting; that the taxes, assessments, or rates due by me have not been paid in whole or in part by any person to induce me to vote for any candidate at this election; and that I am twenty-one years of age and a British subject. So help me God.

CHAP. 63

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

[Assented to 14th March, 1907]

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:

62 V., c. 58,
art. 5,
amended.
Annexation
to city.

1. Article 5 of the act 62 Victoria, chapter 58, is amended, by adding the following paragraphs thereto:

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

The territory forming part of the parish of St. Laurent and bounded to the south-west by the north-east side of the Canadian Pacific Railway, from the north-west limit of the municipality of the town of St. Louis to the Côte St. Laurent

front road ; to the north north-west by the said Côte St. Laurent front road, from the north-east side of the Canadian Pacific Railway to the south-west side of the lot No. 340, of the cadastre of the municipality of the parish of St. Laurent ; to the north-east by lots Nos. 341 and 342 of the cadastre of the said parish of St. Laurent ; to the north-west by the dividing line between the municipality of St. Laurent and of Sault-au-Récollet ; to the north-east by lot No. 228, of the cadastre of the parish of Sault-au-Récollet, and by that part of Sault-au-Récollet recently annexed to the city of Montreal, and following the south-west boundary of the lots Nos. 332, 490, part of 2630 and of 489 of the cadastre ; to the south-east by the city of Montreal and by the town of St. Louis. This territory shall comprise the following numbers of the cadastre of the parish of St. Laurent ; 267 to 340 inclusive, part of 350, part of 638, part of 639, part of 640, part of 641, part of 642, and all of 643, 644, 645, 736, 774, 817, 2427, 2643, 2644, 2645, 2628, 2629, part of 2630, 2641, of the said parish of St. Laurent.

The land under cultivation within the said territory shall not be valued from the first day of May, 1907, to the first of May, 1912, at more than fifty dollars per arpent no matter what their subdivisions may be.

Nothing in this act shall affect the rights or privileges granted by resolution or by by-law of the municipality of the parish of St. Laurent to any person or company.

This section shall take effect only on the first of May, 1907.

The city shall pay to the corporation of the parish of St. Laurent the sum of four hundred dollars as its contribution to the debts and obligations of the corporation, and this at the time of the annexation."

2. The following article is inserted in the act 62 Victoria, Art. added after id., s. 5 chapter 58, after article 5 :

" **5a.** The council may, from time to time, by by-law or Boundaries resolution, change the boundaries of the city as described in may be the foregoing article in such manner as to include any changed to municipality or part of a municipality which has hitherto or include an- annexed terri- which may hereafter be annexed to the city."

3. Paragraph 17 of article 7 of the act 62 Victoria, chapter Id., art. 7, 58, as amended by the act 3 Edward VII, chapter 62, section par. 17, 2, is further amended by inserting the following therein amended. after the second clause :

" St. Denis ward shall further comprise the territory Extension of detached from the parish of St. Laurent, as described in the St. Denis fifth and sixth paragraphs of article 5. "Ward.

Art. added
after id.,
art. 7a.

4. The following articles are inserted in the act 62 Victoria, chapter 58, after article 7a as enacted by the act 3 Edward VII, chapter 62, section 3 :

Increase of
wards to give
effect to an-
nexation.

"7b. The council of the city of Montreal shall have the right, by by-law or resolution, when any municipality or territory not now forming part of the city shall be annexed to the city, to increase the number of its wards or to change the boundaries, plans and limits of the wards adjacent or contiguous to such annexed municipality.

Certain part
of St. Mary's
ward, may be
annexed to
another
ward, &c.

"7c. The city is authorized to annex, by by-law, that portion of its territory which formerly formed part of Rosemont, and is now comprised within St. Mary's ward, to any other ward which the council may deem advisable and also to change the boundaries of the portions of Hochelaga, Ste. Marie and Papineau wards situate to the north of Sherbrooke street, between Papineau avenue and the north-east boundary of the city.

Certain an-
nexation pro-
ceedings and
elections
validated.

"7d. All the proceedings concerning the annexation to the city of the municipalities of Villeray, St. Henry, Ste. Cunégonde, part of the municipality of Rosemont and parts of the parishes of St. Laurent and of Sault-au-Récollet, and in connection with the elections which were recently held in such municipalities, are hereby declared to be valid and legal to all intents and purposes; articles 29, 36 and 37 of the charter shall not apply to the first election which has followed or which shall follow the annexation of a new ward, and the judgments rendered by the recorders' courts of such municipalities shall remain in force and may be executed by the officers of the recorder's court of the city.

Judgments of
certain re-
corders to
remain in
force, &c.
Continuation
of annexation
by-law by
new council.

"7e. All the proceedings in connection with the adoption of any annexation by-law commenced by a council whose term of office has expired, may be continued by the new council with the same effect."

Id., art. 9,
amended.

5. Article 9 of the act 62 Victoria, chapter 58, is amended by adding thereto the following paragraphs :

Submission of
annexation
by-law to
proprietors of
municipality
interested if
their council
do not ap-
prove it.

"If the council of the municipality interested should refuse or fail, within one month after the adoption at its second reading of such by-law by the city council, to approve or disapprove the same, or if it should disapprove the same, then the city council may, nevertheless, at the request of at least one fifth of the proprietors who are electors in said municipality, order, by resolution, that the by-law be submitted to the electors of the said municipality who are proprietors, so that it may be taken into consideration, as indicated in the following provisions.

Such application shall be made by means of a petition signed by the aforesaid number of proprietors who are electors, in the presence of a witness who shall, by his affidavit, attest the authenticity of each of the said signatures.” Application for submission how made.

6. Article 17 of the act 62 Victoria, chapter 58, is replaced by the following : Id., art. 17, replaced.

“ **17.** If the by-law be not approved, the city council shall not adopt the same ; but if it be approved by three-fifths of the electors who are proprietors and who vote, it shall be submitted to the council, within ten days after the expiration of the thirty days mentioned in article 10, with a preamble stating that such by-law has been approved by a majority of electors qualified to vote, as aforesaid, in the said municipality or part of a municipality, as the case may be, at a meeting called and held in conformity with the provisions of this act. Submission to city council of by-law approved by three-fifths of proprietors.

If the by-law be adopted by the vote of the majority of the members of the city council, it shall have effect after approval by the Lieutenant-Governor in Council.” Adoption of by-law, &c.

In the event of such by-law being rejected by the proprietors, a similar by-law shall not be again presented within one year after its rejection.” Proviso.

7. Paragraph 4 of article 43 of the act 62 Victoria, chapter 58, as amended by the act 3 Edward VII, chapter 62 section 7, is replaced by the following : Id., art. 43, par. 4, replaced.

“ 4. Every male person and every widow or spinster though neither an owner nor householder, who, individually or jointly as a co-partner with any other person, is entered on the last assessment and valuation roll or tax roll, in force, as the tenant under lease of any warehouse, counting-house, shop, office, or other place of business in the city, provided that such warehouse, counting-house, shop, office or other place of business, if occupied by the said person individually, be assessed at a value not less than three hundred dollars ; or, at a yearly assessed value of not less than thirty dollars ; or, if occupied by him as a co-partner, that his proportion or share thereof be not of less value than the amounts aforesaid, respectively, according to the value thereof as entered on the valuation or collection roll. Tenants of warehouses, &c., including widows and spinsters.

Nevertheless, such qualification granted to co-partners or tenants by the above paragraph shall not be held to extend to members of associations of persons using or holding the premises for social, educational, philanthropic or similar objects, nor to employees or agents of other persons entitled to be qualified as electors in respect of the same premises.” Proviso.

Id., art. 47,
amended.

8. Article 47 of the act 62 Victoria, chapter 58, as amended by the act 63 Victoria, chapter 49, section 2, is amended by replacing paragraph 1 thereof by the following :

“ 1. The city clerk and his assistants.”

Id., art. 281,
replaced.

9. Article 281 of the act 62 Victoria, chapter 58 is replaced by the following :

Security for
costs.

“ **281.** Upon the return day of such writ or within three days thereafter, the constestant shall give security for costs, after notice to the defendant by depositing the sum of one thousand dollars in the office of the prothonotary of the Superior Court.”

Deposit of
\$1,000.

Id., art. 300,
pars. 32, 42,
49, 69, 76, 92,
99 and 119
replaced.

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 ; and 4 Edward VII, chapter 49, sections 6 and 7, is amended by replacing paragraphs 32, 42, 49, 69, 76, 92, 99 and 119 by the following :

Dogs, &c.

“ 32. To license and regulate the keeping of dogs ; to prevent dogs from running at large and to authorize the destruction in a summary manner, or the impounding and sale thereof for the benefit of the city or of any firm or person designated by the city ;”

Hay, straw,
&c.

“ 42. To provide for and regulate the place and manner of weighing and selling hay, straw, lime and rough building stone ; the measuring and selling of fire-wood, coal and cut stone and to provide that such various articles and merchandise shall be weighed on public scales controlled and approved by the city ; provided that every by-law passed under this paragraph shall apply only to sales by retail ;

Sparks, &c.

“ 49. To declare the emission of sparks, cinders, soot or smoke from chimneys, stacks and other sources within the limits of the city a nuisance, and to prohibit such emission in any portion of the city and also to define and regulate the duties of stokers and other persons having the charge and care of boilers, furnaces and smoke-consuming apparatus ;

Business
licenses, &c.

“ 69. To require the payment of a license for the pursuit of all kinds of trades, industries occupations and of all kinds of business, the payment whereof cannot be exacted under any other provision of this act, and to divide, in certain cases, such trades, industries, occupations and business into different classes for the purpose of determining the price of the license according to the rental of the premises

in which such trades, industries, occupations and business are carried on ;

“ 76. To prohibit the selling on Sunday by shop-keepers, peddlers, hotel-keepers, tavern-keepers or other persons, of goods, wares, merchandise or intoxicating liquors, in any hotel, tavern or place of public entertainment, or the purchasing or drinking of intoxicating liquors therein ; to enforce the closing of saloons and taverns, from midnight on Saturday until Monday morning ; to permit and regulate the sale on Sunday of fruit, confectionery, temperance drinks and other dainties, as well as the sale of flowers, cigars, pipes, tobacco, toys and other small articles or knickknacks, as well as oysters and newspapers, in the city and in St. Helen's Island Park ; as well as certain games, amusements, concerts, museums, sports and recreations (with the exception of theatrical performances) and the running of ferry boats between the city and St. Helen's Island and adjoining towns, cities and villages ;

“ 92. To adopt the by-laws which the council may judge necessary in order to prevent accidents in winter caused by the accumulation of snow or ice on the side-walks and roofs of dwellings or other buildings ; and, for such purpose, to determine in what manner the said sidewalks and roofs should be maintained. All persons, bound by law or by-laws, to keep sidewalks or roofs in good order shall be responsible to the city for damages resulting from not having performed their obligations in this connection, and shall be liable to be called in warranty by the city in all cases entered against said city for the recovery of said damages ;

“ 99. To define the duties and powers of the superintendent of buildings and to authorize him, and such other officers as the council may appoint for that purpose, to issue permits for the construction and repairing of buildings, to require that plans and specifications be submitted at the same time as the application for permit, to require that such plans be deposited in the department of the inspection 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 security ; 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 to the municipal by-laws ;

“ 119. To make plans of streets extending from the city to the confines of the Island of Montreal, or from the city limits to any place whatsoever in the interior of the said island, for

Selling goods
or liquor on
Sunday, &c.

Permission,
&c., of sale on
Sunday of
fruit, &c.

Prevention of
accidents in
winter, &c.

Superintendent
of build-
ings, &c.

Plan of
streets, &c.,
on Island of
Montreal.

the purpose of having a general plan of the streets and parks throughout the whole island of Montreal.

Consent of other municipalities to works therein.

None of the works provided by these plans, shall be performed in another municipality without the consent of the council of such municipality being previously obtained and declared by by-law."

Id., art. 300, paragraphs added.

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; and 4 Edward VII, chapter 49, sections 6 and 7, is further amended by adding thereto the following paragraphs;

Payment by proprietors of underground connections with fire-alarms, &c.

" 123. To compel all persons, firms, companies or corporations including all owners of theatres and other establishments having now or in future on their premises either a fire alarm box or an alarm gong, to pay to the city or to the contractor who has done the work, the cost of all underground connections leading to such box or gong, and to authorize the city to cut off or have the connections with the fire alarm system cut off in case of refusal to pay such cost.

Private underground conduits to reserve ducts for fire-alarm wires, &c.

" 124. To compel all persons, firms, companies or corporations who shall build underground conduits in the streets, thoroughfares or public places of Montreal to reserve one duct, in such conduits, sufficiently large for the city to place therein, at its own risk and peril, at least two wires for the fire alarm and patrol alarm telegraph, for the use of the city; provided that the installation and maintenance of such wires shall be made and maintained by the owners of the conduits, if such owners so desire at their own expense. But in such case the city shall indemnify the said company or person for the additional costs occasioned to them by the reservation of such duct; such cost shall be established by arbitration in default of an understanding between the parties.

Tax upon cellars, &c., under streets, &c.

" 125. (a) To compel every person, firm, company or corporation to whom a permit has been granted for the construction of any cellar, vault, coal chute, or opening with permanent covering, tunnel, viaduct or conveyer either above or underground in any street, thoroughfare or public place of the city, and generally for the occupation of the public domain for private purposes, to pay an annual tax not exceeding five per cent, of the superficial value of the land occupied as aforesaid, taking as a basis the municipal valuation per foot, of the bordering property situated opposite, irrespective of the value of the building. This paragraph shall not affect companies that have obtained this power in virtue of their charter.

Proviso.

Liability of proprietors

(b) To hold such person, firm, company or corporation responsible for the damages or claims resulting from the con-

struction, existence or maintenance of such works on the city for damages, property ; &c.

(c) To determine the places where and the manner in which Where work such works shall be done and the quality of the materials to be done, be used in connection therewith ; &c.

(d) To revoke any such permit granted for any of the above Revocation purposes after a notice in writing of at least one month given of permit. to the proper party.

"126. To make by-laws authorized by law, apply only to By-laws ap- a portion of a ward, or to one ward or to several wards of the plicable to city. part of ward, &c.

"127. To empower members of the fire department to enter Members of at any time in public buildings, industrial establishments, fire depart- places of amusement, hotels, apartment houses, educational ment may and charitable institutions, or any place, including all places enter certain buildings for where explosive compounds, shavings, rubbish or other certain pur- materials, articles, goods or merchandise liable to cause fire poses, &c. are placed or kept, and have the same removed, and in case of neglect or refusal so to do, to cause the same to be removed at the expense of the delinquent and order that the delinquent shall further be liable to the penalty that may be imposed by the council within the limits authorized by the charter."

"128. To prevent the piling up of merchandise, goods, Prevention of produce, stock in trade and other articles whatsoever in win- piling up dows, doors, or other places required for circulation, of ware- merchandise, houses, industrial or commercial establishments, so as to allow &c. the firemen free access and unimpeded passage in any part of such warehouses or establishments.

"129. To prohibit all persons driving over or across hose Driving over in use, about to be used or which have been used in any hose forbid- street, avenue, lane or public place by the fire department, den. except His Majesty's mail, or ambulances which are conveying any patient or injured person to any hospital, or proceeding to the scene of an accident, or any vehicle which the officer in command at a fire may permit to pass under his direction.

"130. To give firemen the powers and duties of special Special con- constables, &c.

12. The following article is inserted in the act 62 Victoria, Art. added chapter 58, after article 334a, as enacted by the act 63 Vic- to id., after toria, chapter 49, section 10 :

"**334b.** The city may charge against the reserve fund Costs charge- the costs of representation and of delegations authorized by able against the council as well as the sums required for the settlement of reserve fund. claims and for the removal of snow and ice from the side-walks.

Contribution to a technical school. The city may contribute to an amount not exceeding fifteen thousand dollars towards the maintenance of a technical school in Montreal and charge such amount against the reserve fund, each year."

Id., art. 344, amended. **13.** Article 344 of the act 62 Victoria, chapter 58, is amended by replacing the first paragraph thereof by the following :

Certain loans, &c. " **344.** The city shall have the power, as recited in article 343, during such time as the consolidated debt of the city exceeds fifteen per cent of the taxable real estate of the city, to borrow each year, for the purpose of carrying on necessary public works, such as the extension of water-works and water services, the extension of the drainage system, the laying of permanent (not wooden) or cement sidewalks and pavements, the construction and extension of municipal buildings, such as markets, fire and police stations, city hall and others, the opening and widening of streets, street improvements, the acquisition of such lands and buildings as may be necessary for any of these purposes, a sum of money not exceeding ten per cent, of the increase in the value of the taxable real estate, shown by the assessment roll in force, over that of the year immediately preceding ; provided always that the total value of such taxable real estate exceeds one hundred and forty millions of dollars, and also that the sum total so borrowed does not in any one year, exceed five hundred thousand dollars."

Proviso.

Art. added to id. after art. 344a. **14.** The following article is inserted in the act 62 Victoria, chapter 58, after article 344a, as enacted by the act 4 Edward VII, chapter 49, section 10 :

Certain loans distinct from funded debt. " **344b.** The loans effected under articles 344, 344a and 351b shall be considered as distinct from the funded debt and as having never formed part thereof."

Art. added to id. after art. 351. **15.** The following articles are inserted in the act 62 Victoria, chapter 58, after article 351, as replaced by the act 3 Edward VII, chapter 62, section 33 :

Bonds to redeem perpetual 7 per cent debentures. " **351a.** Notwithstanding any provision to the contrary, the city may, from time to time, issue bonds, debentures or registered stock for the redemption of a portion of the whole of its perpetual seven per cent debentures.

Duration, rate of interest, &c., of bonds. The bonds, debentures or registered stock so issued shall be for a period not exceeding forty years, shall bear interest at a rate not exceeding four per cent and shall form part of the city's funded debt, the limit whereof shall for such purpose be extended proportionately.

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

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 special assessments, which losses shall be made good from the revenue or other sums which may be at the disposal of the city. **Application of proceeds, &c.**

The loan or loans provided for by this article shall be effected by means of debentures signed by the mayor and city treasurer, and shall bear a certificate from the city comptroller, stating the purpose for which they are issued. **Debentures therefor, &c.**

16. Article 355 of the act 62 Victoria, chapter 58, is amended by adding the following paragraph thereto : **Id., par. added to art. 355.**

“ The special power conferred by this article, shall be used only in cases where extraordinary or exceptional demands for street improvements or other permanent works may have exhausted the funds available under article 351b.” **When power to be used.**

17. The following article is inserted in the act 62 Victoria, chapter 58, after article 356 : **Id., art. added after art. 356.**

“ 356a. The city treasurer may be authorized by the finance committee, to make use temporarily of any funds which may be in the treasury at any time, for any lawful purpose in the course of the administration of the affairs of the city.” **Temporary use of funds by treasurer.**

18. Article 361 of the act 62 Victoria, chapter 58, as replaced by the act 63 Victoria, chapter 49, section 11, and amended by the act 3 Edward VII, chapter 62, section 35, is further replaced by the following : **Id. art. 361 replaced.**

“ 361. 1. All immoveable property situate within the limits of the city shall be liable to taxation and assessment, except such as may be hereinafter declared exempt therefrom. **All property taxable unless declared exempt**

2. Immoveable property shall comprise lands, buildings, erected thereon, and everything so fixed or attached to any building or land as to form part thereof, but shall not include **Immoveable property what to comprise.**

machinery, tools and shafting, used for industrial purposes, except such as are employed for the purpose of producing or receiving motive power.

Certain other things comprised.

3. Immoveable property shall also comprise all pipes, poles, wires, rails, tunnels, conduits and other constructions and apparatus of every nature used to produce or distribute for public use, motive power, light, heat, water, electricity or for traction purposes, constructed or placed on, over or under property, streets, highways or elsewhere within the limits of the city, or for the conveying, or receiving telegraph, telephone or pneumatic messages.

In what ward to be assessed.

4. The various things declared to be immoveable within the meaning of this article, owned by companies or persons supplying power, light, heat, water, electricity, or for traction purposes, or for the conveying or receiving telegraph, telephone or pneumatic messages, shall be assessed in the ward which the assessors shall select but according to the value of these things in the ward in which they are situated.

When taxable in name of tenant.

5. The things mentioned in the foregoing paragraphs 2, 3 and 4, may be taxed in the name of the tenant of the buildings and lands, when he is the owner of such things.

Assessment on immoveables.

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

Id., art. 362a, replaced.

19. Article 362a of the act 62 Victoria, chapter 58, as enacted by the act 4 Edward VII, chapter 49, section 12, is replaced by the following :

Exemptions under art. 362, limited.

" **362a.** The exemptions enacted by article 362, shall not apply either to persons occupying for commercial or industrial purposes buildings or lands belonging to His Majesty or to the Federal and Provincial Government, or to the board of Harbor Commissioners, who shall be taxed as if they were the actual owners of such immoveables and shall be held to pay the annual and special assessments, the taxes and other municipal dues.

Id., art. added after art. 363.

20. The following article is inserted in the act 62 Victoria, chapter 58, after article 363, as amended by the act 1 Edward VII, chapter 43, section 1 :

Special tax on non-residents earning salary in city.

363a. 1. The city is authorized to levy by by-law a special tax on every person residing outside the city limits but who earns or receives in the city, wages, a salary, or a commission, exceeding twelve hundred dollars per annum, whether his

engagement be by the day, week, month or year or for a longer period, and who pays no municipal tax to the city, and to compel every person, company or corporation to give the city assessors all the necessary information for imposing or levying such tax.

2. Article 365 of the charter as replaced by the act 3 Art. 365 and Edward VII, chapter 62, section 39, and article 367 of the 367 to apply. said charter shall apply to this provision.

3. Such tax shall not exceed one per cent per annum on Amount of the amount exceeding twelve hundred dollars as aforesaid." tax.

21. Article 364 of the act 62 Victoria, chapter 58, as Id., art. 364, amended by the acts 3 Edward VII, chapter 62, sections 37 amended. and 38, and 4 Edward VII, chapter 49, sections 13 and 14, is further amended by replacing paragraphs (i), (k) and (o), by the following :

"(i) A special tax not exceeding fifty dollars on financial Special tax agents ; on financial

"(k) A special tax not exceeding two hundred dollars on agents and pawnbrokers and money lenders, except duly incorporated on pawn- brokers, &c. loan companies ;

"(o) A special tax not exceeding one per cent, on the And on fire premiums collected in the city, by fire insurance companies insurance doing business and taking risks in the city, provided the premiums. maximum amount of such tax in each case shall not exceed one thousand dollars, and the minimum amount shall be two hundred dollars ;

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

The repeal by the act 4 Edward VII, chapter 49, section Certain by- 13, of the first clause of paragraph (o) of article 364 of the laws not act 62 Victoria, chapter 58, shall in no wise affect the by-laws affected by passed in virtue thereof, which have been and shall continue repeal of art 364. 364. in force as if such repeal had not taken place.

This paragraph shall not affect pending cases as regards Costs of taxable costs, which shall be paid by the city within fifteen pending days from the coming into force of this act." cases not affected.

22. Article 364 of the act 62 Victoria, chapter 58, as Id., art. 364, amended by the acts 3 Ed VII, chapter 62, sections 37 and amended. 38, and 4 Ed. VII, chapter 49, sections 13 and 14, is further amended by adding thereto the following paragraphs :

"(ii) A special tax not exceeding one hundred dollars on Special tax on every person canvassing or taking orders for the making of canvassers for photographic pictures or practising the act of photography, photographs, &c &c for gain, in any place other than a place of business entered

on the valuation roll, provided that, in the latter case, this provision shall not apply to the persons whose names appear on such roll or to their employees."

Annual tax
on money-
lenders, &c.

"(kk) An annual tax of one thousand dollars on all persons, firms or companies carrying on the business of loaning money on the security of moveables or wages and charging more than ten per cent. interest per annum; except pawn-brokers and incorporated companies."

Id., art. 375,
amended.

23. Article 375 of the act 62 Victoria, chapter 58, as replaced by the act 3 Edward VII, chapter 62, section 41, is amended:

(a) By replacing the first four paragraphs by the following:

Annual valuation and assessment roll for each ward.

"**375.** The assessors shall, every year, between the 1st of January and the 1st of September, make for each ward of the city a valuation and assessment roll of all immoveable property situate in such ward.

Two assessors to act together.

In valuing such immoveable property the board of assessors shall divide their labours in such a manner that at least two assessors shall act together.

Contents of roll.
Street names, &c.

Such roll shall contain:

1. The street names and street numbers of immoveables and their cadastral numbers, distinguishing between assessable immoveables and those exempt from assessment, and also between the lands and buildings, and valuing each lot separately, except, however, where a building covers several lots or where several lots owned by the same proprietor are being used for the same purposes, in which case the whole may be assessed as a single lot."

b. By adding after paragraph 4 the following paragraph:

Amount of tax for removal of snow, &c.

"4a. The amount of the tax for the removal of snow from the sidewalks in the city, under the by-laws relating to the matter, imposed on the proprietors of the immoveables from which the snow was removed, according to frontage or value of such immoveables as may be determined by the council.

To apply to 1906-1907.

This act shall also apply to the removal of snow for 1905, 1906 and 1907."

Id., art. 376,
replaced.

24. Article 376 of the act 62 Victoria, chapter 58, is replaced by the following:

Annual tax roll, &c.

"**376.** The assessors shall further make between the 1st of January and 1st of August of every year, a tax roll which shall specify all the personal, business and water rates due to the city in virtue of any law or by-law, and the names of all persons liable therefor.

This roll shall be prepared according to wards."

Prepared according to wards.
Id., art. 378, amended.

25. Article 378 of the act 62 Victoria, chapter 58, is amended by adding thereto the following paragraph:

"Owners of houses containing several lodgings or offices shall be bound to furnish the assessors, when required to do so, with a complete list of their tenants or occupants, together with the amounts paid by each of them for the rental or occupation of such lodgings or offices; and every owner who shall refuse to furnish such list, or who shall knowingly furnish a false or incorrect list, or insult or assault the assessors in the performance of their duties, shall incur the penalty above mentioned recoverable in the same manner."

House owners to give list of tenants, &c.

Penalty.

26. Article 396 of the act 62 Victoria, chapter 58, is replaced by the following:

Id., art. 396, replaced.

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

Schedule of immoveables in arrears for taxes, &c.

27. Article 399 of the act 62 Victoria, chapter 58, as replaced by the acts 3 Edward VII, chapter 62, section 43, and 4 Edward VII, chapter 49, section 17, is amended by replacing the last three paragraphs thereof by the following:

Id., art. 399, amended.

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

How immoveables described.

The sheriff shall, nevertheless, refer, in the said notice, to the schedule prepared by the city treasurer, in accordance with article 396.

Sheriff to refer to schedule.

Such notice shall be published once at least one month before the date fixed for the sale, in the *Quebec Official Gazette*, and also once in an English newspaper, and in a French newspaper published daily in the city, and it shall also be posted, at least fifteen days before the day fixed for

Publication of notice of sale.

the sale, on the property to be sold, provided there be a structure or fence on which the same can be posted."

Id., art. 404,
replaced.

28. Article 404 of the act 62 Victoria, chapter 58, is replaced by the following :

Claims for
taxes, &c.,
privileged.

" **404.** All moneys which, from and after the thirtieth of April, one thousand nine hundred and seven, shall become due to the city, for any tax, special or annual assessments or water-rates, together with interest accrued thereon and costs, are privileged debts and rank without registration upon the proceeds of the sale of the moveable or immoveable property in respect of which such debt is due, in the order fixed and determined in articles 1994 and 2009 of the Civil Code of Lower Canada ; provided always that such privilege shall not extend beyond the amounts due for five years from the time such taxes, or special or annual assessments or water-rates have become due and, in the case of special assessments payable by yearly instalments, for five years from the date each instalment has become due.

Rank thereof.

Proviso.

Further
proviso.

Nevertheless, if the city, within five years to be counted from the time at which such tax, special or annual assessment, or water-rates, become due, has taken legal proceedings for the recovery thereof, either under the provisions of this act or by an ordinary action, then its privilege shall continue, extend and apply to all taxes, special or annual assessments and water-rates, which may have become due between the institution of legal proceedings and final judgment."

Id., art. 408,
replaced.

29. Article 408 of the act 62 Victoria, chapter 58, is replaced by the following :

Prescription
interrupted
in certain
cases.

" **408.** Whenever any valuation and assessment roll, or special assessment roll, is attacked or contested by judicial proceedings, such proceedings shall be held to interrupt prescription and to extend the privilege in respect to the taxes imposed by such assessment rolls until the date of the final adjudication upon or determination of such judicial proceedings."

Id., art.
added after
art. 419.

30. The following article is inserted in the act 62 Victoria, chapter 58, after article 419 :

Land between
homologated
lines not tax-
able.

" **419a.** Whenever the city lays out and homologates a line through vacant lots, the owners of such lots shall not pay any general or special taxes or assessments on the portion of such lots reserved for public or municipal purposes, although the city has not taken possession thereof. This provision shall also apply to vacant lots in connection with which lines have already been laid out and homologated on the plan of the city."

31. The following article is inserted in the act 62 Victoria, chapter 58, after article 420 : Id., art. added after art. 420.

“ **420*a*.** All private streets or lanes opened to the public, shall be considered as assessable immoveables as long as they have not been formally ceded to the city and placed under its control.” Private streets and lanes assessable.

32. Article 422 of the act 62 Victoria, chapter 58, is replaced by the following : Id., art. 422, replaced.

“ **422.** Upon such report, if any immoveable property is, in accordance with the provisions of this charter and in the opinion of the absolute majority of the members of the whole council, required for any improvement of general interest or purpose of public utility, the same may be purchased by mutual agreement ; but, if such property is not so acquired, the same may afterwards, and without special proceedings being taken towards such acquisition by mutual agreement, be acquired by expropriation, and the price or compensation therefor may be fixed and determined as hereinafter provided.” Acquisition of property for improvements.

33. The following article is inserted in the act 62 Victoria, chapter 58, after article 423 : Id., art. added after art. 423.

“ **423*a*.** Whenever the city purchases by mutual agreement any immoveable, in whole or in part, under this act, the total or partial cost thereof, as the council may decide, shall be apportioned between the owners of property bordering on the street or part of street to be widened or extended, by means of a roll prepared by the city surveyor, in accordance with article 450.” Cost of property purchased, how apportioned.

This provision shall not apply to the opening of Gain street.” Not to apply to Gain street.

34. Article 427 of the act 62 Victoria, chapter 58, is replaced by the following : Id., art. 427, replaced.

“ **427.** Whenever it is necessary to expropriate only a part of an immoveable which would be reduced to less than forty feet in depth by such expropriation, the owner of the same may compel the city to acquire the whole of his lot or lots and to pay an indemnity therefor, as provided in the preceding article.” Owner may require purchase of whole lot in certain cases.

It shall, however, be lawful for the city, when it is necessary to expropriate only a part of an immoveable, to acquire the whole of the cadastral lot or lots comprising such immoveable and to sell the residue by public auction or private sale, and to grant a delay not exceeding five years for the Proviso.

payment of the price of sale, provided the proceeds of the sale be applied towards defraying the cost of the expropriation."

Id., art. 434, par. 1, replaced. **35.** Article 434 of the act 62 Victoria, chapter 58, is amended by replacing the first paragraph thereof by the following:

Commissioners shall proceed with diligence. **"434.** In arriving at their decision in connection with such expropriation, the commissioners shall proceed, after their appointment, with all diligence, to establish the value of the land and buildings to be expropriated including immovables by destination. The commissioners may exceed the amount of indemnity fixed in the foregoing articles, but in such case they shall mention in their report the special reasons for their decision. This clause shall apply to expropriations begun since the first of January 1906."

May exceed prescribed indemnity.

Proviso.

Id., art. added after art. 442. **36.** The following article is inserted in the act 62 Victoria, chapter 58, after article 442:

Cost of expropriations may be made payable annually, &c. **"442a-** The council may, by by-law or resolution, enact that the cost of expropriations shall be paid by annual instalments, and, in such case, the city's privileges and hypothecary rights shall hold good on the immovables liable for the cost of the expropriation until such time as the proprietors have paid their full share of assessment.

Declaratory, provisions. This provision shall apply to the expropriations authorized by the acts 3 Edward VII, chapter 62, and 4 Edward VII, chapter 49."

Id., art. 450, par. 4, replaced. **37.** Article 450 of the act 62 Victoria, chapter 58, is amended by replacing the fourth paragraph thereof by the following:

Notice by city surveyor. How published. **"The** city surveyor shall give public notice of a day when the contributors liable for the payment of the contribution may examine such apportionment and state to him their objections thereto before the roll is completed and put in force. Such notice shall be published during a period of ten days in one French and one English newspaper."

Id., art. 453, replaced. **38.** Article 453 of the act 62 Victoria, chapter 58, as replaced by the act 3 Edward VII, chapter 62, section 45, is again replaced by the following:

Construction of permanent sidewalks, and costs how defrayed, &c. **"453.** The council may, by resolution, order the construction of sidewalks of permanent durable materials, other than wood, in any street, square or public place in the city and order that the cost of such construction be defrayed out of the city funds to an extent not exceeding one-half of such

cost, and apportion the remainder thereof upon the land situated on the side of such street, square or public place on which such sidewalk is constructed.

Such apportionment shall be made in proportion to the frontage of each lot, provided that no such resolution shall be adopted before the cost of such construction is established by a report made by the city surveyor and submitted to the council.

Apportionment by city surveyor.

The want of notice cannot constitute a lawful objection for work already performed."

Want of notice no objection to work done.

39. Article 454 of the act 62 Victoria, chapter 58, is replaced by the following :

Id., art. 454, replaced.

"**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 city surveyor in accordance with by-laws in force."

Apportionment of cost of sewers.

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

Id., art. added after art. 455.

"**455a.** Notwithstanding any law to the contrary, whenever the city has any street, thoroughfare or public place paved, it shall, at the same time, construct the necessary drains to connect with the existing sewers to the line of such street, thoroughfare or public place, at the cost of the bordering proprietor, from whom it may recover the amount expended for such purpose as in the case of ordinary taxes, and the council may also, in such case, by simple resolution, compel lighting companies to lay underground within a delay of thirty days after notice, their pipes in such streets and thoroughfares, with the necessary connections to the line of the street. The city may avail itself of the opening of the street, to lay water mains therein."

Drains to be connected with sewers when street is paved, &c.

Laying of pipes and water mains, &c.

41. Article 456 of the act 62 Victoria, chapter 58, is replaced by the following :

Id., art. 456, replaced.

"**456.** Every by-law or resolution authorizing an expropriation under the provisions of any of the foregoing articles, or the construction of sidewalks, drains or sewers, may enact that all contributions on real estate for the cost of such expropriation or construction may be paid by annual payments covering a period not exceeding ten years, with legal interest on all balances remaining unpaid."

Assessments may be paid by instalments.

42. Article 477 of the act 62 Victoria, chapter 58, as amended by the act 63 Victoria, chapter 49, section 12, is replaced by the following :

Id., art. 477, replaced.

Appointment
of recorders.

“477. The Lieutenant-Governor in Council, by special commission under the seal of the Province, appoints the recorders, whom he selects 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.

Tenure of
office and
how removed.

The recorders 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.

Salary of
senior re-
corder, &c.
Salary of
other re-
corder.

The salary of the senior recorder and of the person replacing him, shall be four thousand dollars per annum.

The salary of the other recorder shall be likewise four thousand dollars per annum.

Pensioning of
a recorder.

If a recorder of the city, after fifteen years service as such, should resign his office, or if while in office he should become 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 at his retirement, shall be paid him during his lifetime and shall be exempt from seizure.”

Id., art.
added after
art. 482.

43. The following article is inserted in the act 62 Victoria, chapter 58, after article 482:

Appointment
of more than
two record-
ers.

“482a. Notwithstanding any law to the contrary, more than two recorders for the city of Montreal and more than one clerk of the recorder’s court, may, on a resolution by an absolute majority of the council, be appointed, by the Lieutenant-Governor in Council in the case of the recorders and by the city council in the case of the clerks, and they shall have the same powers as the recorders and clerk appointed under articles 477 and 478 respectively.

Salary of
additional
recorders.

The salary of the recorder appointed under the present article, shall be three thousand dollars, per annum, with an annual increase of two hundred dollars until it reaches four thousand dollars.”

Id., art.
added after
art. 484.

44. The following article is inserted in the act 62 Victoria, chapter 58, after article 484:

Judgments
of recorder’s
court for
taxes how
executed.

“484a. The judgments of the recorder’s court for arrears of taxes, shall be executory against any immoveable, and the sheriff shall proceed to the sale of such immoveable as if the judgment, in each case, had been rendered by the Superior Court. In such case articles 1132, 1133 and 1134 of the Code of Civil Procedure shall apply *mutatis mutandis*.”

Id. art 536,
replaced.

45. Article 536 of the act 62 Victoria, chapter 58, is replaced by the following:

"536. Notwithstanding any law to the contrary, no right of action shall exist against the city, for damages resulting from bodily injury, caused by an accident or for damages to moveable or immoveable property, unless, within fifteen days from the date of such accident or damages, a written notice has been received by the city containing the particulars of the damages sustained, indicating the name, surnames, occupation and address of the person who has suffered the same, giving the cause of such damages and specifying the place where the same occurred.

No action for damages, or for a compensation, shall be instituted against the city before the expiration of fifteen days from the date of the receipt of the aforesaid notice.

The default of such notice, however, shall not deprive the victims of an accident of their right of action, if they prove that they were prevented from giving such notice by irresistible force or for any other reason deemed valid by the judge or court."

"536a. No action against the city for damages or for compensation, shall be admissible, unless the same be instituted within six months from the date when the right of action originated."

"536b. The city shall have its recourse in warranty against any person whose fault, imprudence, negligence, or incapacity have been the cause of the accident and of the damages or compensation claimed."

46. Article 554 of the act 62 Victoria, chapter 58, is replaced by the following :

"554. Subject to the provisions of this charter, no contract or agreement for the performance of any work or service, or for the supply of goods or materials of any kind, involving the expenditure of one thousand dollars or upwards, payable at one time or annually, shall be entered into or shall be made by any committee, unless tenders have been called for by public advertisements in the newspapers at least eight days prior to the giving out of such contract."

47. Article 564 of the act 62 Victoria, chapter 58, is replaced by the following :

"564. The city shall contribute, to the amount of one-half, towards the expenses incurred for the opening, lighting and maintenance during winter, of a road on the river St. Lawrence, to communicate with the town of Longueuil and the opening and maintenance of another road on the said river to communicate with the village of Laprairie."

Id., art. inserted after 564.

48. The following article is inserted in the act 62 Victoria, chapter 58, after article 564 :

Certain property of railway companies how to be valued.

"564a. The city is authorized to fix an amount as the basis of valuation during a fixed number of years for the assessments to be levied on immoveables in the city, held by any railway company to be used as workshops for the manufacture of cars, locomotives or machinery, and also on property and land used and occupied for the purposes of the business of said railway company, including its express business."

3 Ed. VII, c. 62, s. 52, par. 16, replaced.

49. Section 52 of the act 3 Edward VII, chapter 62, is amended by replacing paragraph 16 by the following :

Improvement to approaches to Wellington Bridge.

"16. To improve the approaches to Wellington Bridge on the north side, in accordance with the plan marked "Y" and deposited in the office of the city surveyor.

Cost of improvement how paid.

The cost of such improvement shall be paid by the city to the extent of thirteen thousand dollars, and the balance by the proprietors of immoveables situated in St. Anne's ward. The amount to be paid for the property shall be determined according to the market value of the property in the immediate neighborhood."

City may borrow up to \$2,000,000 for certain purposes.

50. 1. The city of Montreal is authorized to borrow a sum of money, not exceeding two million dollars, for the purpose of acquiring properties and of performing certain works required for increasing the present water-power of the water-works and for the purpose of enlarging and improving the existing water-works, and generally in order to meet, for the present and the future, the requirements of hygiene and of protection against fire.

Debentures, &c.

2. Such loan shall be effected by the issue of debentures, bonds or registered stock, payable within a period not exceeding forty years from the date thereof, and bearing interest at a rate not exceeding four per cent per annum, and shall be redeemed by means of a sinking fund sufficient to repay the principal at the expiration of such period. Such loan shall not form part of the city's funded debt.

Sinking fund.

Proceeds of loan how applied.

3. The proceeds of such loan shall be used exclusively for the purposes specified in the by-law to be adopted to that effect by the city council, and shall be set aside by the city treasurer, and shall not at any time be available for any other purposes whatever.

City may borrow \$250,000 to acquire

51. The city is authorized to borrow a sum of two hundred and fifty thousand dollars, two hundred thousand dollars of which to acquire St. Helen's Island and to give effect

to the agreement entered into with the Dominion Government, and fifty thousand dollars to make on the said island such permanent improvements as may be deemed necessary ; and to issue for such purpose bonds or debentures or registered stock which shall not form part of the funded debt. Such loan shall be effected by the issue of debentures, bonds or registered stock payable within a period not longer than forty years from the date thereof and bearing interest at a rate not exceeding four per cent per annum, and shall be redeemed by means of a sinking fund sufficient to pay the principal at the expiration of such period.

52. The city is authorized to purchase one-half of the sewer constructed on Iberville street between Rachel street and the Canadian Pacific Railway tracks, at an approximate cost of seven thousand five hundred dollars, and to apportion this amount on the proprietors of immoveables bordering the east side of said Iberville street, by means of an assessment roll prepared by the city surveyor, in accordance with article 450 of the city charter.

53. Notwithstanding any law, by-law or arrangement to the contrary, the city is authorized to sell by public auction the buildings and lands belonging to it and formerly occupied for municipal purposes and situated within the new St. Henry and St. Cunégonde wards and in St. Denis ward ; the proceeds of said sale to be applied to the construction or reconstruction of other municipal buildings.

54. The city of Montreal shall pay to each of the recorders of the former cities of St. Henry and Ste. Cunégonde de Montreal, already annexed, and of the towns of Saint Louis, Maisonneuve and St. Paul, immediately after their respective annexation, upon their resigning their office according to law, a sum of four thousand dollars as sole and full compensation as recorder of each of the said municipalities.

55. 1. The city may, on the recommendation of the finance committee, by by-law adopted with the assent of three-fifths of all the members of the council, contribute towards the expense to be incurred by the Grand Trunk Railway Company of Canada for doing away with its level crossings and replacing them by elevated or underground tracks within the city limits, on the terms and conditions to be previously determined in the said by-law and recorded in a notarial deed to that effect ; provided that no portion of such contribution shall be employed for any other purpose than that above set forth.

Bonds, &c., for that purpose. 2. To that end the city is authorized to issue in favour of the said company and of all persons to whom the company may sell or transfer the same, bonds, debentures or inscribed stock payable at a period not exceeding forty years from their date, at a rate of interest not exceeding four per cent and redeemable by means of a sinking fund sufficient to repay the principal at the expiration of the said period.

Interest, &c. 3. The interest and sinking fund shall be paid out of the general revenue of the city.

Amount of such bonds, &c. 4. The amount of the bonds, debentures or inscribed stock handed over to the company in the manner above stated shall not exceed two million dollars.

Not part of funded debt. 5. The amount of the said bonds, debentures or inscribed stock, shall not form part of the city's funded debt.

Opening of St. Henry street according to certain plan. **56.** Notwithstanding any law to the contrary, the city shall, before the first of May, 1908, order, by resolution the opening of St. Henri street, between St. Paul street and William street in St. Anne's ward, according to the plan signed by John R. Barlow, dated the first of March, 1907, and deposited in the

Expropriation therefor. office of the city surveyor, and expropriate before said date all necessary land for said opening. Every proprietor whose land is expropriated for the above object, shall, before the above mentioned date and upon giving a perfect title for the part of his land so expropriated, receive an indemnity of two dollars per square foot. The total cost of the expropriation shall not exceed \$17,200.

Indemnity to persons expropriated. Cost of expropriation. Cost of opening how paid, &c. The cost of such opening shall be paid one half by the city and the other half by means of an assessment levied upon the real estate owners situated within the following limits namely ; on the south side of Notre Dame street, to the north side of Common street, and to the west side of McGill street, to the east side of Inspector street as far as William street, and from thence on the east side by Dalhousie street to Common street.

Assessment by city surveyor. This assessment shall be made by the city surveyor according to article 450 of the city charter *mutatis mutandis*.

Contract between the city and the G. T. R. of Canada confirmed. **57.** The contracts or agreements passed between the city of Montreal and the Grand Trunk Railway Company of Canada on the 19th of January, 1906, before Robert A. Dunton, notary, a copy whereof is annexed to this act as Schedules A and B, and all the conditions and stipulations therein set forth, are ratified and confirmed, and the contracting parties are authorized to carry out and execute the conditions thereof and to do all that may be necessary for giving effect to the said deeds or agreements, according to the intent thereof.

58. The contract between the city of Montreal and the Grand Trunk Railway Company of Canada, passed on the 7th day of January, 1907, before Robert A. Dunton, notary, a copy whereof is annexed to this act as Schedule C, and all the conditions and stipulations therein set forth are ratified and confirmed, and the contracting parties are authorized to carry out and execute the conditions thereof, and to do all that may be necessary for giving effect to the said contract or agreement, according to the intent thereof.

59. The city is authorized to modify the contracts entered into in 1903 between it and the Notre Dame and Alexandra hospitals, which contracts have been ratified by the act of Edward VII, chapters 115 and 116, for the purpose of increasing, at its discretion, the subsidy paid yearly to such hospitals.

60. When the city is authorized to make a loan, it may issue bonds, debentures or registered stock for such amount, and dispose of the same at the best price it can obtain therefor.

61. 1. The city of Montreal is authorized to borrow any sum necessary for the purpose of establishing a high water pressure system in case of fire, in certain parts of the city, which, for that purpose, shall be divided into districts by by-law, when the majority of proprietors in number and in value in the district affected apply for the same in writing.

2. The said loan shall be effected by the issue of debentures or bonds or registered stock, covering a term of forty years from the date thereof and bearing interest at a rate not exceeding four per cent and shall be redeemed by means of a sinking fund sufficient to refund the capital at the expiration of said term.

3. The amount of the expenses to be incurred for the establishment of such a system shall be assessed upon the proprietors of immovables situate in each district respectively, where the works shall have been done, according to an assessment roll prepared by the city surveyor according to the provisions of article 450 of the charter, *mutatis mutandis*. The total amount to be thus borrowed, shall not however exceed one million dollars.

62. Notwithstanding any law to the contrary, the city of Montreal is hereby authorized to construct, operate and maintain a system of underground conduits wherein shall be placed all telegraph, telephone, electric light and other wires and cables and transmission lines belonging to any person, firm, syndicate, company or corporation whatsoever, having or exercising franchises, rights, or privileges in, on or above

Placing of
private wires
therein, &c.

the streets, lanes, thoroughfares or public places, such conduits to be of sufficient size and capacity, not only to amply accommodate and fulfil the requirements of the several syndicates, companies and other corporations, but to provide also for all future exigencies, as well as to provide for the expropriation of all or any of the wires, cables and transmission lines now installed beneath the surface of the streets of the city.

Placing of
wires in con-
duits, re-
moval of
poles, &c.

63. As, from time to time, the city shall complete such underground conduit system in certain streets or parts of streets, the council shall be empowered, by resolution, to compel the said persons or companies, within a reasonable delay, to place their wires and cables within the said conduits and to remove the poles and overhead wires belonging to them presently in the said streets or parts of streets, or crossing the same, the whole on payment to such persons or companies of a reasonable compensation for the cost of such removal, for the value of the materials spoiled thereby, and for the value of existing conduits that shall have become useless and of the wires and cables therein contained; the amount of such compensation for each company or person shall be determined by three arbitrators, one of whom shall be chosen by the city, one by the person or company expropriated and the third by the two others, or, in the event of their not agreeing, by a judge of the Superior Court.

Poles &c., not
to be placed
on streets
thereafter.

64. No company or person shall hereafter have, for the purposes above mentioned, any right to plant polls or string wires on or across the streets or parts of streets where a conduit line has been constructed, and the city itself shall not have the right to plant or string wires or grant any permission for such purpose, except, however, the poles for the purpose of lighting the streets of the city or its fire alarm or patrol service. Telephone and telegraph wires shall not be placed in the same conduit or manhole with wires of electric light or motive power.

Rental on
those using
conduits, &c.

65. The city shall have the right to charge a rental or levy a tax upon all persons, firms, syndicates, companies or corporations using the said conduit system, in order to cover the cost of the maintenance and operation of the same, as well as the interest on the amount borrowed by the city for the establishment of the said conduit system as well as for the compensation to be paid to the companies under section 63 of this act. The amount which may be levied from each person or company shall be in proportion to the part of the conduit occupied so that if a person or company occupies one tenth part of the conduit it shall pay one tenth of the amount of the cost of maintenance and interest on the loan and so on.

66. The city council, in order to provide funds for the ^{Bonds, &c.,} construction and establishment of the said conduit system, ^{to cover cost} may issue bonds, debentures or registered stock, covering a period of fifty years from date of issue, or may effect a special loan not exceeding five million dollars, at a rate of interest not exceeding four per cent, with sinking fund, the whole as shall be prescribed by a by-law of the council.

67. The city is authorized to pass a by-law, which it may ^{Appointment} amend from time to time, providing for the appointment of ^{of engineers} one or more competent engineers whose duty it shall be to ^{to consult} make preliminary studies, in concert with the companies ^{with interest-} interested or their representatives, regarding the construction ^{&c.} and maintenance of the underground conduits; to superintend the construction of the works and the laying and maintenance of the wires in the conduits; to come to an understanding with the companies regarding the dimensions such conduits should have and the space to be allotted to each company, the isolation and installation of the wires in such conduits and the best methods to be adopted to secure for each company the facilities it requires for the laying and use of its wires, and to report to the proper authority. Separate man-holes shall be provided for each company using the said conduits, so as to allow each one to freely operate its own system.

68. 1. The city may manufacture, purchase or otherwise ^{City may} acquire, and in any manner whatsoever dispose of, gas for ^{manufacture,} light, heat or motive power, as well as all kinds of apparatus ^{&c., gas, &c.} and articles connected with such industry, and may dispose of and manufacture all by-products resulting therefrom.

2. The city may acquire all the property required in ^{May pur-} connection with such industry, by purchase, lease, expropriation ^{chase, &c.,} or otherwise, and may construct, purchase or lease all build- ^{property} ings, apparatus, plant and machinery which it may deem ^{therefor.} advisable to have or to use for such purpose, and it may, at its discretion, sell, lease or dispose of the same, in whole or in part.

3. The city may lease and operate the works or undertak- ^{And lease} ings, in whole or in part, of any person, firm, company, ^{and operate} syndicate or corporation carrying on or authorized to carry ^{works.} on any business connected with gas, for light, heat or motive power within the limits of the territory of the city.

4. The city may for the purpose of the manufacture and ^{And exercise} sale of gas and its by products, exercise the franchises and ^{franchises,} rights (conferred by charter) upon any person, firm, company, ^{&c., of Mon-} syndicate or corporation, among others upon the company ^{real Gas Co.,} &c.

known as "The Montreal Gas Company," whose franchises, business, undertakings, buildings, apparatus, plant, machinery or immoveables, as a whole (as a going concern) it may acquire by lease, purchase or expropriation.

And supply
gas to
citizens, &c.

5. The city may supply gas, for light, heat or motive power to the citizens or inhabitants, within the limits of its present territory or of any other territory which it may acquire hereafter by annexation; it may also fix by by-law the price or rate for the gas which it will supply.

And issue
bonds, &c.

6. The city, in order to obtain the funds required for the establishment of the aforesaid industry, may issue bonds or debentures covering a period not exceeding forty years, to be computed from the date of issue, or may raise a special loan, with sinking fund, for the amount which the council may deem necessary; the whole as shall be provided by a by-law adopted by the affirmative vote of the absolute majority of all the members of its council.

62 V., c. 58,
art. 348 to
apply to cer-
tain loans.

69. The powers and loans authorized by articles 62 and 68 shall be subject to the previously obtained approval of the property owners under the provisions of article 348 of the act 62 Victoria, chapter 58, and its amendments.

Contract obli-
gations not to
be violated,
&c.

70. Nothing in this act contained shall be construed as allowing the city to violate any of its obligations undertaken by contract, or as affecting or repealing any powers specially granted by statute to corporations or companies.

Issue of
bonds, &c.

71. The city is authorized, by by-law, to issue bonds, debentures or registered stock, payable at not more than forty years from date of issue, and bearing not more than four per cent per annum interest, for an amount not exceeding \$150,000, and to sell the same for the purpose of making good any amounts lost in the collection of any arrears of assessments imposed in virtue of any roll of assessment heretofore prepared and in force for the improvement enlargement or extension of any of the streets, squares or public places in the city.

Coming
into force.

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

SCHEDULE A.

EXTRACT from the minutes of the council of the city of Montreal, monthly meeting held on Monday, the 8th day of January, 1906.

Submitted agreement between the city and the Grand Trunk Railway Company, concerning the assessment of the company's property in St. Anne's Ward.

In this connection submitted and read a communication from the chief city attorney suggesting certain amendments thereto.

And a debate arising, on motion of Alderman Carter, seconded by Alderman Dagenais, it was

Resolved,—That said deed be amended by adding thereto the following words :—

“ It is agreed and understood by the parties that the property referred to in said plan shall be assessed at its full value, but the city shall collect only the taxes fixed by the council under the agreement on an amount of one million of dollars during said period, for municipal assessments, and said property shall also be assessed for school purposes according to law, and the said city shall collect such school taxes in addition to said municipal assessment.”

And that, so amended, said deed of agreement be approved of and that His Worship the mayor and the city clerk be authorized to sign the same on behalf of the city. (Aldermen Lavallée, Robillard and Ricard dissenting).

On motion of Alderman Sadler, seconded by Alderman Dagenais, it was

Resolved,—That a clause be inserted in the proposed amendments to the charter whereby the agreement between the city and the Grand Trunk Railway shall be ratified by the Legislature, conditionally that the company shall bind itself to pay any fine which may be imposed upon the city by the Legislature and any other expenditure connected with said legislation. (Aldermen Lavallée, DeSerres, Robillard and Ricard dissenting).

Certified,

L.-O. DAVID,
City Clerk.

SCHEDULE B.

On the nineteenth day of January, one thousand nine hundred and six.

BEFORE ROBERT A. DUNTON, the undersigned notary public of the Province of Quebec, residing and practising in the city of Montreal,

APPEARED :

THE CITY OF MONTREAL, a body politic and corporate, having its head office at the City Hall, in the east ward of the said city of Montreal, herein acting and represented by the acting mayor of said city, S. D. Vallières, Esquire, residing in said city, and the Honourable Laurent O. David, Senator, city clerk, duly authorized as hereinafter set forth,

Of the first part :

AND

THE GRAND TRUNK RAILWAY COMPANY OF CANADA, a body politic and corporate, having its head office and principal place of business at the city of London, in England, and its head office in Canada, in the said city of Montreal, herein acting and represented by Charles M. Hays, of Montreal, the second vice-president of the said company, duly authorized for the purposes hereof by the by-laws of said company as he hereby declares,

Of the second part.

Which said parties declared as follows :

That the said company has made application to the said city to place a fixed valuation on the assessment and valuation roll of the city during a period of twenty-five years from the first of May, nineteen hundred and five, for all purposes of taxation and taxes to be imposed and levied by the city on the immoveable property owned and occupied by the Company in the St. Anne's Ward in the said city of Montreal, with all the plant, works, fixtures, erections, material and machinery thereon; said property being comprised within the bounds colored green on the plan submitted by the company to the city and hereinafter referred to.

And whereas the present valuation of said property is about nine hundred and ninety-eight thousand, seven hundred and fourteen dollars.

And whereas, as represented by the said company, for years past, the company has maintained extensive shops and plant at Point St. Charles in the St. Anne Ward for the repair and manufacture of locomotive engines, passenger and freight

cars and the equipment of rolling stock required for the company's system of railways ; and owing to the increase in the traffic requiring the utilization of a larger tract of land for track room, and owing, moreover, to extensions of said works and storage facilities connected therewith being required, the said company has found it expedient to acquire extra lands as shown on said plan, and moreover the said company has in contemplation the extension and improvement of its said shops and plant.

And whereas, in connection with said application, the said company has agreed and will undertake to expend in the extension and improvement of their said property, plant and works, a sum not less than one hundred and fifty thousand dollars to be made at the rate of at least twenty thousand dollars per annum.

And whereas the said company has represented that its application for a fixed valuation or assessment for said period is not of the nature of exemption, but is desired chiefly for the purpose of removing all disputes and contentions as to the valuation of the company's property, which in the past has been a source of much trouble and litigation ; and has further represented that the proposed expenditures are in a large measure alterations and additions to the present capital invested, which has borne the burden of taxation for years, and has largely contributed to the upbuilding and development of the city by the steady employment of hundreds of men, and that the placing of a fixed valuation for assessment purposes is desired and required for the purposes of security, and the encouragement of the company to make extensive permanent improvements which will result in the employment of additional men.

And whereas, in view of the facts as above set forth and of the benefit which will accrue to the city from the extension of the said company's shops and plant, as appears by a resolution of the council of the said city passed and adopted at a meeting of the said council held on the twenty-eighth of December last (1905), adopting a report of the Finance Committee dated the twenty-ninth of June last (1905), a copy whereof is hereto annexed, identified by the signatures of the parties hereto and the undersigned notary, the said city has agreed to grant the request of the said company to the extent and subject to the conditions hereinafter set forth.

Wherefore these presents and I the said notary witness that the said parties hereto have covenanted and agreed with each other as follows :—

That the immoveable property owned and occupied by said company in the St. Anne's Ward in the said city of Montreal, comprised within the lines or bounds colored green

on the plan hereto annexed marked "A" identified by the signatures of the parties hereto and the undersigned notary, and all the buildings, plant, works, fixtures, erections and machinery of all kinds thereon, as well as all additions that may be made thereto within the said limits shall be valued and placed on the valuation or assessment roll of the said city for all assessment purposes at the sum of one million dollars for a fixed period of twenty years reckoned from the first of May, nineteen hundred and five, and terminating on the first of May, nineteen hundred and twenty-five, such valuation to be a uniform basis for assessment purposes and during the whole of said term of twenty years the said property shall be valued and entered by the said city for assessment purposes at the said sum of one million dollars.

It is agreed and understood by the parties that the property referred to in said plan shall be assessed at its full value, but the city shall collect only the taxes fixed by the council under this agreement on an amount of one million dollars during said period for municipal assessments, and said property shall also be assessed for school purposes according to law, and the said city shall collect such school taxes in addition to said municipal assessments.

The present agreement establishing fixed valuation has been thus granted, upon and subject to the following conditions to the fulfilment whereof the said company binds itself, namely :

1. That the said company shall expend in improvements and extensions to its buildings, shops and plant for the purpose of increasing the output of manufactured material such as locomotive engines, cars and rolling stock, and for the purpose of bringing the said plant up to the latest and most modern standard, the sum of one hundred and fifty thousand dollars, at the rate of at least twenty thousand dollars per year, commencing said expenditure forthwith.

2. That all the property, buildings, rails, poles and wires belonging to other companies or persons which are or may be erected on said property, shall be subject to valuation and taxation by the city according to the terms of the city charter, and, in the event of the said railway company acquiring any of said property, the same shall be liable to taxation according to law.

3. That any and all other property belonging to said company outside of the limits above referred to as shown on said annexed plan, shall be subject to valuation and taxation in the ordinary manner.

4. That in the event of any buildings, other than those required by said railway company for its operations, being erected within said limits, and in the event of said railway company disposing of any parts of said property by sale o

lease, such building and parts of said property shall be subject to valuation and assessment in the ordinary manner.

5. That the said railway company shall waive, as it doth hereby waive and relinquish, all claims for the refund or remittance of taxes paid or owing to the city by said company on the property above referred to ; and that any or all suits or litigation now pending in reference to taxes or assessment on the property above referred to, shall be forthwith discontinued by said company.

6. That a clause shall be inserted in the proposed amendment to the city charter whereby this agreement shall be ratified by the Legislature, subject to the condition that said company shall pay any fine which may be imposed upon the city by the Legislature and any other expenditure connected with such legislation.

The said company shall pay the costs of these presents and copy for said city.

These presents have been thus entered into on the part of the city of Montreal in virtue of the report and resolution of the finance committee dated the twenty-ninth of June last (1905), and of the resolution of the said council dated the twenty-eighth of December last (1905), a copy whereof is hereto annexed, identified by the signatures of the parties hereto and the undersigned notary ; and also in virtue of a resolution passed at a meeting of the said council held on the eighth of January instant (1906), an extract from the minutes of said last mentioned meeting being also hereto annexed, identified by the signatures of the parties hereto and the undersigned notary.

THUS DONE AND PASSED at the said city of Montreal, on the day and year herein first written, under the number twenty-four thousand four hundred and one of the original minutes of said Mtre. Dunton, and these presents having been duly read to said parties, the acting mayor and city clerk have signed the same and the city clerk has affixed thereto the seal of the corporation of the city of Montreal, and said company has also signed the whole in presence of said notary, who has also signed.

(Signed) The Grand Trunk Railway Company of Canada.

“ By C. M. HAYS, 2nd Vice-President and General Manager.

(Seal)

“ S. D. VALLIERES, Acting Mayor.

“ L. O. DAVID, City Clerk.

“ R. A. DUNTON, N. P.

A true copy of the original hereof remaining of record in my office.

R. A. DUNTON, N. P.

SCHEDULE C

On the seventh day of January, one thousand nine hundred and seven.

BEFORE ROBERT A. DUNTON, the undersigned notary public for the Province of Quebec, residing and practising in the city of Montreal,

APPEARED :

THE CITY OF MONTREAL, a body politic and corporate, having its head office and principal place of business at the city hall in the east ward of said city, herein acting and represented by Henry B. Yates, Esquire, the acting mayor of said city, residing in said city of Montreal, and the Honourable Laurent O. David, Senator, city clerk, duly authorized for the purposes hereof as hereinafter set forth,

Of the first part :

AND

THE GRAND TRUNK RAILWAY COMPANY OF CANADA, a body politic and corporate having its head office and principal place of business at the city of London, in England, and its head office in Canada, in the said city of Montreal, herein acting and represented by Charles M. Hays, of Montreal, the second vice-president and general manager of said company, duly authorized for the purposes hereof by the by-laws of said company, as he hereby declares,

Of the second part.

Which said parties declared as follows :

That the said company is the owner of a block of lands fronting on McGill street, and bounded on one side by St. Paul street and on the other side by Youville square, known as lot numbers sixteen and seventeen on the official plan and book of reference of the west ward in the said city of Montreal, immediately opposite the company's general office on McGill street, and said company has in contemplation the erection of an additional office building on said land.

That the said company has made application to said city requesting that a fixed assessment for a period of twenty years be established on said lot of land and said proposed new building.

That the present valuation of said land is thirty-six thousand seven hundred dollars.

That owing to the increase of traffic and the manufacture of cars requiring an increased staff, it is necessary to provide more space for the company's general office.

That, as represented by said company, the said company has for years past maintained extensive shops and plant at Point St. Charles for the manufacture and repair of locomotive engines, passenger and freight cars and the equipment of rolling stock required for the company's railway system, and the said company is one of the largest employers of labor in the city and has contributed to the upbuilding and development of the city.

That the said company has represented to said city that the said fixed valuation or assessment is desired chiefly for the purpose of removing all disputes and contestations as to the value of its property, the said question having in the past been a source of trouble and litigation; and the erection of said building will be an addition to the capital already invested which has borne the burden of taxation for years, and has largely contributed to the upbuilding and development of the city and has secured the steady employment of hundreds of men, and that the establishment of a fixed valuation for assessment purposes is more especially required for the purpose of security and the encouragement of the company to make extensive permanent improvements which will result in the employment of additional men.

That, in view of the facts as above set forth and of the benefit which will accrue to the city from the extension of the said company's works, plant and equipment, as appears by resolution of the council of said city passed at a special meeting thereof held on the twenty-fifth of June last (1906), adopting a report of the finance committee dated the eighth of June last (1906), copy whereof is hereto annexed identified by the signatures of the parties hereto and the undersigned notary, the said city has agreed to grant the request of the said company to the extent and subject to the conditions hereinafter set forth.

WHEREFORE these presents and I the said notary witness that the said parties hereto have covenanted and agreed with each other as follows :

That the said lots of land known as numbers sixteen and seventeen of the west ward, a blue print plan whereof is hereto annexed identified by the signatures of the parties hereto and the undersigned notary, with the new general office building to be erected thereon, shall be assessed annually at their real value, but that, for municipal purposes exclusively, the said city shall collect the assessments on said property on an amount of one hundred thousand dollars only for the balance of the term of twenty years reckoned from

the first day of May, eighteen hundred and ninety nine, the said term being the same as that covered by the agreement between the said city and said company of date the thirteenth of August, eighteen hundred and ninety eight, placing a fixed valuation for assessment purposes on the general offices of said company fronting on McGill street.

It is agreed and understood between the parties hereto that the said lots of land and the building to be erected thereon above referred to, shall be entered on the valuation roll and assessed annually at their actual full value, but the city shall collect only the taxes on an amount of one hundred thousand dollars as fixed by this agreement during said period, but this agreement shall not in any way affect the school taxes or other taxes or the imposition or collection thereof.

The said company shall pay the cost of these presents and of a copy for the said city.

These presents have been thus entered into on the part of the city of Montreal in virtue of the report and resolution of the finance committee dated the eighth of June, 1906, and of the resolution of the said council dated the twenty-fifth of June last (1906), hereinbefore referred to as annexed hereto and approved of by resolution of the council dated the seventh day of January, 1907, copy whereof is hereto annexed.

DONE AND PASSED at the said city of Montreal, on the day and year herein first written under the number twenty five thousand six hundred and fourteen of the original minutes of said Mtre Dunton and these presents having been first duly read to said parties, they have signed the same and the Honourable Laurent O. David, city clerk, has affixed hereto the seal of the corporation of the city of Montreal, the whole in presence of said notary also hereto subscribing.

(*S'gned*) THE GRAND TRUNK RAILWAY COMPANY
OF CANADA,

“ BY CHAS. M. HAYS, *2nd Vice-Prest. and
General Manager*,

(*Seal*) “ H. B. YATES, *Acting Mayor*,

“ L. O. DAVID, *City Clerk*,

“ R. A. DUNTON, *N. P.*

A true copy of the original hereof remaining of record in my office.

R. A. DUNTON, *N. P.*
