

14. The last paragraph of section 8 of the act 57 Victoria, chapter 58, is replaced by the following : 57 V., c. 58, s 8, amended.

“ Vacant lots shall be assessed upon the interest at six per cent. of their real value.” Assessment of vacant lots.

15. Section 26 of the act 61 Victoria, chapter 52, as replaced by the act 63 Victoria, chapter 48, section 6, is again replaced by the following : 61 V., c 52, s. 26, re-placed.

26. On the occasion of agricultural or industrial exhibitions within or without the city, of public rejoicings, of demonstrations of a public and popular character, of receptions of foreign public bodies and of distinguished personages, and under other similar circumstances, or whenever the city council deems it advisable to pay any sum for remuneration or compensation, or to encourage or aid public bodies, or to grant relief in cases of fire or other great calamity, it is lawful for the said council, on a recommendation to that effect from the finance committee, to vote or authorize the expenditure of an amount not exceeding ten thousand dollars in any one year, such sum to be taken from the general funds of the city.” Certain sum may be paid by council for public rejoicings, &c.

16. This act shall be deemed to form part of the charter of the city of Quebec. Interpretation.

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

CHAPTER 62

An Act to amend the charter of the city of Montreal

[Assented to 25th April, 1903]

WHEREAS the city of Montreal has, by petition, represented that it is in the interest of the proper administration of its affairs that its charter, the act 62 Victoria, chapter 58, be amended, and whereas it is expedient to grant its prayer : Preamble

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

1. Article 1 of the act 62 Victoria, chapter 58, as amended by the act 63 Victoria, chapter 49, section 1, is amended :

(a) By adding to paragraph (d) the following :

“ The words “ clerk of the recorder’s court ” shall mean the clerk of the recorder’s court of the city of Montreal, or his assistants, or any persons duly authorized to replace him ; ” 62 V., c. 58, art. 1, amended. . § (d) amended. “ Clerk of the recorder’s court.”

§ § (j) and (k) replaced. "Real estate tax" "Assessment" "Apportionment." "Tax."

(b) By replacing paragraphs (j) and (k) by the following :
 "(j) The words "real estate tax" "assessment" or "apportionment" shall mean the tax on immoveable property ;
 "(k) The word "tax" shall mean the personal rate or license fee levied upon any trade, business, profession or occupation whatsoever. It shall also mean, when used in a general way, any personal or real estate tax ;".

Id., art. 7, amended.
 Par. first, re-placed.
 Division of city into wards.
 Names of wards.
 Boundaries of wards.

2. Article 7 of the act 62 Victoria, chapter 58, is amended :
 (a) By replacing the first paragraph by the following :
 "7. The city of Montreal is divided into eighteen wards respectively called : East, Centre, West, St. Ann, St. Joseph, St. Andrew, St. George, St. Lawrence, St. Louis, St. James, La Fontaine, Papineau, St. Mary, Hochelaga, St. Jean Baptiste, Duvernay, St. Gabriel and St. Denis ; and each of the said wards is comprised within the following boundaries and limits :".

§ 15, re-placed.
 St. Jean Baptiste Ward.

(b) By replacing paragraph 15 by the following :
 "15. St. Jean Baptiste Ward is bounded as follows :
 On the north-east, by a line running along the middle of St. Hubert street, from Mount Royal Avenue to the former north-western boundary of the city ; on the south-east, by a line running along the former boundary of the city from St. Hubert street to the north-eastern boundary of Mount Royal Park, as indicated on the plan mentioned in the act of the Legislature of Quebec, 35 Victoria, chapter 32, section 6 ; on the south-west, by the north-eastern boundary of Mount Royal Park, as indicated on the aforesaid plan, from the former boundary of the city to Mount Royal Avenue ; on the north-west, by the north-western boundary of the city, from the north-eastern boundary of Mount Royal Park to Carrière street ; thence following the middle of Mount Royal Avenue from Carrière street to St. Hubert street.

§ 15a enacted.
 Duvernay Ward.

"15a. Duvernay Ward is bounded as follows :
 On the north-east, by a line running along the middle of Papineau Avenue and dividing the city of Montreal from the municipality of de Lorimier, from Mount Royal Avenue to the former north-western boundary of the city ; on the south-east, by the former north-western boundary of the city, from Papineau Avenue to St. Hubert street ; on the south-west, by a line running along the middle of St. Hubert street from the former north-western boundary of the city to Mount Royal Avenue ; on the north-west, by a line running along the middle of Mount Royal Avenue from St. Hubert street to Papineau Avenue."

Par. added.
 Interpretation of acts.

(c) By adding thereto the following paragraph :
 "In the act 62 Victoria, chapter 58, as well as the acts

amending the same and in the regulations and by-laws of the city, the words : "St. Antoine Ward South" are replaced by the words : "St. Joseph Ward" ; the words : "St. Antoine Ward West," by the words : "St. Andrew's Ward" ; the words : "St. Antoine Ward East," by the words : "St. George's Ward" ; the words : "St. Mary's Ward West," by the words : "Papineau Ward" ; the words : "St. Mary's Ward East," by the words : "St. Mary's Ward" ; the words : "St. James Ward North," by the words : "La Fontaine Ward" ; the words : "St. James Ward South," by the words : "St. James' Ward."

3. The following article is inserted in the said act after article 7 :

"**7a.** The council of the city may, by by-law, alter the boundaries of Hochelaga ward, in such manner that the line of the Canadian Pacific Railway shall divide it into two unequal parts in a direction from south-east to north-west, and that the portion of the said ward, comprised between the middle of Harbour street and that of Iberville street, shall be annexed to St. Mary's ward".

4. Article 31 of the said act is replaced by the following :

"**31.** If any vacancy occurs in the office of alderman, the mayor, within fifteen days after such vacancy, shall fix a day for the nomination of candidates, and also for the election in case of a contest, which election shall be held within thirty days after such vacancy.

Notice of such election shall be given as in the case of general elections ; and such nomination and election shall be held as in the case of general elections, and the person elected shall hold office during the unexpired term of the previous incumbent's tenure of office.

In case the mayor should not proceed, within the above-mentioned delay, to fill the said vacancy, the council may take action and order that the election be held."

5. Articles 40 and 41 of the said act are replaced by the following :

"**40.** The council shall appoint, at its first monthly meeting of February of each year, from its members, as many permanent committees as it may deem necessary for the supervision of the administration of the several civic departments for which they are respectively named.

Such committees shall also take cognizance of and report to the council on all matters specially submitted to them by the council.

In case the delay granted for any recount should not have expired at the date of the first monthly meeting in the month of February after the elections, the appointment of

Art added after id., art. 7.

Alteration of boundaries of Hochelaga Ward.

Id., art. 31, replaced. Vacancy in office of alderman.

Notice of election.

Council may act in default of mayor.

Id., arts. 40 and 41, replaced. Date of appointment of committees by council for certain purposes.

Other duties of committees.

Change in time for appointment

of committees.

the committees shall be made at one of the following meetings, which shall be specially convened for that purpose during the month of February.

Appointment of special committees.

The council may, likewise, at any time, appoint special committees to inquire into all such facts and matters as it may deem expedient to submit to them, and such committees shall inquire into such facts and matters and report thereon.

Appointment of finance committee.

“ 41. The council shall appoint a finance committee composed of seven of its members. ”

Id., art. 42, replaced.
Functions of finance committee.
Budget.

6. Article 42 of the said act is replaced by the following :

“ 42. The functions of the finance committee shall be :

The preparation of the annual estimates of expenditure ;

The consideration of all recommendations involving the

Contracts, &c.

expenditure of money, and the awarding of all contracts, subject to ratification by the council, for works, materials and supplies, unless an appropriation has been already voted.

No recommendation for such purpose shall be adopted by the council unless the same shall have been previously submitted to and sanctioned by the finance committee ; provided however that, upon the refusal of the finance committee to sanction an appropriation asked for by any committee, the council may, by a vote of the absolute majority of all its members, order such appropriation to be made.

Approval of finance committee required.

Who may not be members of committee.

No member of any other permanent committee can be a member of the finance committee.

Id 43, §§ 1 and 2 replaced.

7. Paragraphs 1 and 2 of article 43 of the said act are replaced by the following :

Proprietors.

“ 1. Every male person and every widow or spinster, or wife separated as to bed and board, whose name is entered on the assessment and valuation roll in force as a *bonâ fide* owner or occupant of immoveable property in the city, of the assessed value of \$300 or upwards, or of an assessed annual value of \$30 or upwards, according to said roll ; in cases where such property is held in usufruct, the name of the usufructuary shall alone be entered on the electors' list ;

Husband of woman separated as to property.

2. The husband of any woman separated as to property, when the latter is seized, as owner, usufructuary or institute, of immoveable property of the assessed value of \$300 or upwards, according to the assessment and valuation roll in force, or when she carries on trade or keeps a place of business which renders her subject to the payment of a tax. and when such place of business is entered on the tax roll as being of the assessed annual value of not less than \$30 ; but the husband, separated as to bed and board from his wife, shall not be entitled to be entered on the electors' list, in respect of property belonging to his said wife ;

Proviso.

2a. The right to vote, given as aforesaid to the wife separated as to bed and board, shall also be given her in cases where she is entered as tenant on the tax roll then in force ;”

Right of wife to vote as tenant if separated from bed and board.

8. Article 45 of the said act is replaced by the following :

Id., art. 45, replaced. Where electors are to vote.

“ 45. Persons entitled to vote, as aforesaid, shall vote in and for the particular ward in which the property constituting their qualification to vote shall be situated ; but when any such person is qualified as owner or occupant in more than one ward, or as tenant in one ward, and at the same time as owner or householder in any other ward, he may vote for the election of alderman in any or all of the wards wherein he is qualified so to do, and he shall be entered on the list of electors for each of such wards ; provided that, for the election of mayor, the elector shall vote only once, and if he is qualified in respect of his residence, that his vote shall be accepted at the polling place nearest his said residence, when his name on the list shall be marked with the letter X, which the chairman of the board of assessors shall affix thereto when making the list of electors ; provided that, in the case of the letter X being omitted through error, the city clerk may correct the error by giving the elector a certificate that will allow him to vote.

Proviso.

Further proviso.

9. Article 54 of the said act is replaced by the following :

“ 54. He shall make for each polling district an alphabetical list of the electors qualified to be entered thereon, which he shall sign and certify under oath before a justice of the peace, as correct to the best of his knowledge and belief.

Id., art 54, replaced. Alphabetical list for each polling district.

The clerk shall thereupon finally establish the polling subdivisions, and shall unite several polling districts, if required, in order that the number of qualified voters in each subdivision shall not exceed two hundred.”

Final establishment of polling subdivisions, &c.

10. Article 79 of the said act is amended by adding thereto the following clause :

Id., art. 79, amended.

“ Should however the said first juridical day fall upon a Saturday, the election shall be held on the next following juridical day.”

If day falls upon a Saturday.

11. Article 80 of the said act is amended by adding the following paragraph :

Id., art. 80, amended.

“ The clerk, before acting as returning-officer, shall make oath, before the mayor or a justice of the peace, that he will faithfully and impartially perform his duties.”

Oath to be taken by clerk as returning-officer.

Id., art. 103, replaced. **12.** Article 103 of the said act is replaced by the following :

Withdrawal of candidate.

Notice thereof.

Proclamation if only one candidate remains, &c.

When proclamation to be published, &c.

Effect thereof.

“ **103.** Any candidate, nominated as mayor or alderman, may, at any time before the closing of the poll, withdraw, by filing with the city clerk a written declaration to that effect, signed by such candidate in the presence of two witnesses, who shall also sign the same ; and, in such case, it shall be the duty of the returning-officer, on receiving such declaration, to make known such withdrawal by public notice ; and, if only one other candidate for such office remains, he shall thereupon proclaim such candidate to be duly elected, and, in the latter case, all proceedings in connection with such election shall be discontinued ; but such proclamation, which must be published within forty-eight hours from the filing of the letter of resignation in the hands of the clerk, shall have effect only from the day on which it is published in the newspapers.”

Id., 144, replaced.

Vote of election officer upon certificate.

Oath to be taken.

13. Article 144 of the said act is replaced by the following :

“ **144.** Any person who is entitled to vote in the ward in which the election is being held, and who has been appointed deputy returning-officer, poll-clerk, or polling agent of one of the candidates, for a poll other than the one where he is entitled to vote, shall, on request, receive from the returning-officer a certificate showing such right to vote and authorizing him to vote at the poll where he is employed. but he shall, before voting, make oath that he has not voted elsewhere and is duly qualified as required by law.”

Id., art. 145, replaced.

Manner of voting upon certificate.

Entry in poll-book.

Certificate when given.

14. Article 145 of the said act is replaced by the following :

“ **145.** On the production of such certificate, such person, if actually and in good faith employed at a poll as deputy returning-officer, poll-clerk or candidate's polling agent, may vote in the usual manner at such poll, instead of voting at the poll where he would otherwise have been entitled to vote. But the deputy returning-officer cannot, under penalty of a fine of one hundred dollars for each infraction, allow more than two agents for each candidate so to vote, under such certificate, at the poll kept by him.

Mention shall be made in the poll book, opposite the name of such voter, of the fact of his having voted in virtue of this article under such certificate.

Such certificate is given by the returning-officer to polling agents only upon the written power of attorney of one of the candidates.”

15. Article 171 of the said act is replaced by the following : Id., art. 171, replaced.

“ **171.** This statement shall be signed by him and his clerk, and be deposited in the ballot box, and he shall make a duplicate thereof, which shall also be signed by him and his clerk and given to the returning-officer; and he shall deliver a copy thereof gratuitously to one of the agents of each of the candidates, or to one of the electors representing each candidate who took part in the counting of the ballots and who may ask for it.” Original to be placed in ballot box.

16. Article 173 of the said act is amended by adding the following paragraph thereto : Id., art 173, amended.

“ On receipt by the returning-officer of such duplicate statements handed him in accordance with article 171, the returning-officer shall proclaim *viva voce*, at the city hall, the result of the voting as established by such statements.” Proclamation of result of voting.

17. Article 176 of the said act is replaced by the following : Id., art 176, replaced.

“ **176.** The returning-officer, immediately after having received all the ballot boxes, shall proceed to open them, in the presence of the election-clerk and one other witness, as also in the presence of the candidates or their respective agents who shall be notified by registered letter of the day, hour and place, at which the boxes shall be opened, and shall add up and ascertain the number of votes given for each candidate, from the statements found in the several ballot boxes returned by the deputy returning-officers in accordance with article 171, and, if no statement is found in any ballot box, then the returning-officer may ascertain the number of votes given for each candidate from the statement furnished him by the deputy returning-officer in accordance with article 171 and not by any other document, saving the following provisions. But the returning-officer shall not be held to open the boxes for the wards where the candidates do not require the compliance with such formality before the time fixed for opening such boxes.” Opening of the ballot boxes by the returning-officer and counting of the votes. Proviso.

18. Article 180 of the said act is replaced by the following : Id., art. 180, replaced.

“ **180.** The candidate who, on the final summing up of the votes after the same has been ascertained in the manner hereinbefore provided, shall be found to have a majority of votes, shall be declared elected, and he shall be proclaimed in the newspapers, immediately after the expiration of the four days granted for the recount.” Candidate declared elected. Proclamation in newspapers.

Id. art. 219, amended. **19.** Article 219 of the said act is amended by adding the following clause thereto :

Arts. 216 to 218 to apply only to general elections. “ The provisions of this article and of articles 216, 217 and 218, shall apply to general elections only.”

Id., art. 286, replaced. **20.** Article 286 of the said act is replaced by the following :

Special meetings called by mayor. **“ 286.** The mayor may call a special meeting of the council when and as often as he may deem proper ; such meeting may be convened upon a verbal or written order from the mayor to the city-clerk, who shall thereupon issue a notice of meeting summarily specifying the business to be transacted at such meeting, and shall cause a true copy of such notice to be delivered by one of his employees or sent by registered mail to every member, at his usual place of abode or business, at least two clear and juridical days prior to such meeting.

Evidence of mailing and delivering of notice. The certificate from the post office is evidence of the mailing of the notice on the date borne by it, and the delivery of the notice by the employee of the city clerk is established by a written return attesting the same and signed by him.”

Id., art. 291, replaced. **21.** Article 291 of the said act is replaced by the following :

Quorum of council. **“ 291.** One third of all the members of the council shall constitute a quorum for the transaction of business, except as otherwise provided by this charter.”

Id., art. 300, amended. **22.** Article 300 of the said act, as amended by the act 63 Victoria, chapter 49, sections 7 and 8, is further amended by replacing paragraphs 3, 6, 25, 27, 33, 35, 38, 39, 40, 60, 69, 86, 91, 100, 109 and 110, by the following paragraphs, respectively bearing the same numbers :

Obstructions on sidewalks, &c. ; **“ 3.** To require the owner or occupant of any immovable property to keep the sidewalks along or in front of the same free from obstructions, to provide for the removal of the same at the expense of such owner or occupant ; and to levy an assessment on such immovable property to cover the cost of keeping the said sidewalks in good order during the winter in all or in certain districts of the city ;

Use of pavements, &c. ; **“ 6.** To regulate the use of pavements, sidewalks, crossings, curbstones and gutters, and to regulate, license or prohibit the erection of awnings or porticoes on the streets, sidewalks, alleys or public places ;

Exhibitions of showmen, &c. ; **“ 25.** To license, regulate or prohibit the exhibitions of showmen and shows of all kinds, and the exhibitions of

caravans, menageries, circuses, concert-halls, dance-halls, theatrical performances, skating-rinks and all places of amusement and museums ;

“ 27. To license and regulate auctioneers, pawnbrokers, Auctioneers, &c.; second-hand dealers and junk dealers, and to compel all such persons to keep records of their transactions as it may direct, and make report thereof; and to give communication of such records to any constable desiring to examine the same, and to deliver, daily, at the nearest police station, a legible and correct extract therefrom, showing the purchases, exchanges or sales effected by the said persons on the preceding day ;

“ 33. To regulate or prohibit the manufacture, storage, Manufacture, &c., gunpowder, &c.; use and conveyance of gun-powder, dry pitch, resin, coal oil, benzine, naphtha, gasoline, turpentine, gun-cotton, nitro-glycerine and any product thereof, and other combustible or explosive materials within the city ;

“ 35. To regulate bathing and swimming in the waters Swimming, &c.; comprised within the limits of the city ;

“ 38. To establish, license or regulate markets and market-houses ; to change, enlarge or diminish the site of any market or market-place, or to establish any new market or market-place, or to abolish any market or market-place now in existence or hereafter to be in existence in the city, and appropriate the site thereof, or any part of such site, for any other purpose whatever, in the discretion of the council ; and to fix the rates to be levied on persons selling in the said markets any provisions or commodities whatsoever, or on the said provisions or commodities, or on the vehicles containing the same ; provided the present tariff shall not be increased in so far as regards Bonsecours market until said market is enlarged in such manner as to provide space for farmers and gardeners ;

“ 39. To regulate the manufacture, sale and conveyance Manufacture, &c., of bread, &c.; of bread ; to provide for the inspection of bread and bakeries ; to prescribe the weight and quality of the bread ; to provide for the seizure and forfeiture of bread made, conveyed, sold or offered or exposed for sale contrary to the by-laws or which is not of the weight or quality required by the by-laws, and to prescribe the manner in which bread seized and confiscated shall be disposed of ;

“ 40. To provide for the inspection of meats, poultry, fish, Inspection, &c., of meats, &c.; game, butter, cheese, lard, eggs, vegetables, flour, meal, milk, dairy products, fruit, and other food products ; to provide for the seizure, confiscation and summary destruction of any such products as are unsound, spoiled or unwholesome ; to prohibit the bringing into the city and the having or keeping such unsound, spoiled or unwholesome products,

and to define the duties, powers and attributions of the inspectors appointed for that purpose, and to prevent any animal or meat, brought into the city, from being sold within its limits for consumption, before it has been inspected and stamped in the manner prescribed by the council, at the cost of the city ;

City hospitals, &c. ;

“ 60. To establish and regulate city hospitals and pest-houses, and to make all regulations which may be necessary and expedient for the preservation of health and the suppression of disease ; to prevent the introduction or spread of contagious, infectious and other diseases into the city, and to make quarantine laws, and to enforce the same within the city ; to regulate, control or prevent the landing of persons, baggage, merchandise or other property from boats, vessels, cars or other conveyances infected with the germs of contagious diseases, and to make such disposal of such persons or property as to protect the health of the citizens, and to prevent infected boats, vessels, cars or other conveyances from coming within or near the limits of the city, and to order at the discretion of the medical health officer, when effective isolation is impossible in the person's residence, the compulsory removal to the civic hospital of any person affected with small-pox, or any other contagious or infectious disease, with the consent of the physician attending such persons ;

Business licenses, &c. ;

“ 69. To require licenses to be obtained for the pursuit of all kinds of trades and industries, and of all kinds of business, the payment whereof cannot be exacted under any other provision of this act, and, for the purpose of determining the price of the license, to divide such trades, industries and business into different classes according to the rental of the premises in which such trades, industries and business are carried on ;

Sale of horses, &c. ;

“ 86. To regulate the sale of horses and to levy an annual tax or license, not exceeding \$50, on horse-dealers, and to authorize the collection of the same ; and to establish a horse mart, and to levy taxes or duties on persons selling or offering horses for sale therein ;

Width of streets, &c. ;

“ 91. To regulate the width of streets, and to establish or alter the level of any roadway or sidewalk in any street ; to aid in the prolonging of streets or public roads in adjoining municipalities ; to regulate all things concerning the streets, parks, (including Mount Royal Park, St. Helen's Island and La Fontaine Park), squares, bridges or drains, in the city ; to protect the same from any encroachment or injury ; and to close and forbid the use of any street ;

Steam engines, &c. ;

“ 100. To regulate the erection, inspection, use or employment of steam-engines and steam-boilers, dynamos and

all machines operated by any power whatsoever ; to determine the qualification of the persons charged with the working of the same ; to define their examination ; to determine the license or certificate they must obtain, and to define the qualities, rights and powers of the persons appointed to make such inspection and hold such examinations ;

“ 109. To contribute to the establishment and maintenance of public libraries, reading rooms, museums for historical, literary, artistic or scientific purposes ; and also to subsidize agricultural and industrial exhibitions ;

Public libraries, &c. ;

“ 110. To provide, after notice given to the interested parties, according to the charter of the city of Montreal or its by-laws, for the closing and demolition of buildings within the city which are no longer fit for human habitation or occupation, and to recover from the owners of such buildings the cost of clearing and demolishing the same, when the work has been done by the city, which cost shall be an hypothecary charge upon the immovable.”

Uninhabitable buildings, &c. ;

23. Article 300 of the act 62 Victoria, chapter 58, as amended by the act 63 Victoria, chapter 49, sections 7 and 8, is further amended by inserting the following paragraphs therein :

Id., art. 300 further amended.

“ 44a. To regulate the kind of buildings that may be erected on certain streets, parts or sections of streets ; to determine at what distance from the line of the street the houses shall be built, or to prohibit the construction, occupation and maintenance of factories, workshops, taverns, saloons, billiard-rooms, pigeon-hole rooms, livery-stables, butchers' stalls or other shops or similar places of business in the said streets, parts or sections of certain streets, saving the indemnity, if any, payable to the proprietors, tenants or occupants of the buildings now built or being built, or who have building permits, which indemnity shall be determined by three arbitrators, one to be appointed by the city, one by the proprietor, tenant or occupant interested, and the third by the two former, and, in default of agreement, by a judge of the Superior Court ;

Buildings on certain streets, &c. ;

“ 115. To regulate or interrupt traffic in the streets of the city, whenever works of public improvement, duly authorized, are being performed thereon, or in case of fire ;

Traffic in streets in certain cases ;

“ 116. To regulate or temporarily interrupt traffic in the streets of the city on the occasion of any public reception, procession, celebration or public rejoicing, provided that notice thereof be given by proclamation of the mayor or,

Traffic in streets on occasions of public receptions, &c. ;

in his absence, of the acting mayor, in at least two newspapers, one published in the French language and the other in the English language ;

Opium joints; “ 117. To suppress all places where opium or any other similar drug is sold or supplied for consumption on the premises, and to punish the persons keeping, living in, frequenting, or found in such places, by a fine or imprisonment, or by both penalties at once ;

Begging; “ 118. To regulate or prohibit begging in the streets and public places ;

Plan of streets, &c., on Island of Montreal. “ 119. To make a plan of the streets from the boundaries of the city to the borders of the Island of Montreal, or from the limits of the city from some point in the interior of the said island in order to have a general plan of the streets and parks on the whole Island of Montreal.

Approval of plan by municipalities required. Such plan, to be binding on any municipality of the Island of Montreal, must be previously approved by the council of such municipality which may, within thirty days from the deposit of such plan in the office of the council of such municipality, refuse its approval or grant it on such conditions as it may deem advisable.”

Art. added after id., 300. **24.** The following article is inserted in the act 62 Victoria, chapter 58, after article 300 :

Cab-stands. “ **300a.** Notwithstanding paragraph 29 of article 300, the council may, by a mere resolution, authorize the police committee to establish, fix and change cab-stands, from time to time.”

Id., art. 332, amended. **25.** Article 332 of the said act is amended by adding thereto the following clause :

Date when taxes become due. “ Nevertheless the council may, by by-law, fix or change the date upon which any taxes are to become due.”

Id., art. 333, replaced. **26.** Article 333 of the said act is replaced by the following :

Disposal of capital sums for certain purposes. “ **333.** Every year, before the first of May, the council may dispose of such capital 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 amounts 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, but subject to the provisions of article 42.

Proviso.

27. Article 334 of the said act is replaced by the following : Id., art. 334, replaced.

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

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

- (a) The cost of the collection of the civic revenue ;
- (b) The interest upon the civic debt and any sinking fund which may be established ;
- (c) The school tax ;
- (d) A reserve of five per cent.,—two per cent. being to cover all possible loss in the collection of taxes, and three per cent. for unforeseen expenses, such as those relating to judgments, official receptions, epidemics, inundations, fortuitous events and damages caused by irresistible force ;
- (e) Other established charges upon the civic revenue, including the deficit from any previous year ;
- (f) Repairs, maintenance, salaries and expenses for general administration. ”

28. Article 335 of the said act is replaced by the following : Id., art. 335, replaced.

“335. The amount so set aside shall never exceed the amount of the revenue from all sources for the ensuing year, estimated as follows : Limitation of appropriations and how estimated.

(a) By taking the amount of the real estate tax, of the water rates and of the business tax of the current year ;

(b) By adding the amount of any other revenues collected up to the first of December and that which will be in hand up to the end of the current fiscal year, taking for a basis the average of such revenues collected in the month of December of the previous three years.

In cases of urgent necessity, such as epidemics, inundations, damages caused by irresistible force, or judgments, the council may, by by-law, make any appropriation it may think necessary beyond the amounts at its disposal ; provided that, by such by-law, an additional assessment shall be imposed, payable during the course of the year in which such by-law is passed, sufficient to cover the amount so appropriated ; which assessment shall be imposed, recovered and collected in the same manner as the ordinary assessments imposed and levied in virtue of the law. Proviso for cases of urgent necessity. Supplementary assessment in such case.

Approval re-
quired to
alter ap-
propriation.

No amount appropriated can be varied or applied to any other purpose, unless such change in the appropriation in question is approved by a vote of an absolute majority of all the members of the council."

Article added
after id., 335.

29. The following articles are inserted in the said act after article 335 :

Certain
balance may
be voted as
supplement-
ary approp-
riations for
certain pur-
poses.

" **335a.** Every year after the first of May, the council may vote, as supplementary appropriations for administrative purposes and for permanent works, any balance remaining available on the revenue collected in a previous year, after all the appropriations voted and the obligations connected therewith shall have been provided for.

If not ex-
pended dur-
ing year.

" **335b.** The funds voted in accordance with the preceding articles, and which are not expended during the civic year, shall remain available for the following year for the continuation of the works already commenced and for which such funds were voted."

Id., 346, re-
placed.

30. Article 346 of the said act is replaced by the following :

Authority
under which
such moneys
to be expend-
ed.

" **346.** The amounts raised under the two preceding articles can only be expended by the vote of the absolute majority of all the members of the council, but subject to the provisions of article 42."

Id., 347,
amended.

31. Article 347 of the said act is amended by adding the following paragraph thereto :

Installation
of public
library on
corporation
property.

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

Id., art. 348,
replaced.

32. Article 348 of the said act is replaced by the following :

Further
powers to
borrow for
specific pur-
poses under
by-law ap-
proved by
majority of
council.

" **348.** The city may also borrow sums of money, and, for that purpose, issue bonds, debentures or stock, or inscribed stock for special and specific purposes, but only by virtue and under the authority of a by-law, which shall be approved by the affirmative vote of at least the absolute majority of all the members of the council, and such by-law shall specify, under pain of nullity :

Contents of
by-law.

1. All the purposes, in detail, for which the loan is to be made ;
2. The term for which it is made ;
3. The rate of interest thereon, which shall not exceed four per cent. per annum ;

4. The sinking fund ;
5. The rate of special taxation imposed for the purpose of paying the interest, and a sufficient sinking fund or annuity, as the case may be, to repay the capital, at maturity ;
6. The place or places of issue, of registration, of transfer and of payment of the interest and of the redemption of the capital, at maturity ;
7. The form of security to be issued, whether bonds or debentures, or stock, or inscribed stock, in sterling or in currency, or otherwise ;
8. All other matters of detail connected with the said loan.

No such by-law shall have any effect unless and until it is submitted for the approval of the owners of taxable immovable property within the city limits, whose names are entered upon the elector's list then in force, which vote shall be taken by ballot, in accordance with the provisions of section thirteenth of this charter ; and if the majority in number of the said owners of immovable property who thus vote do not approve of such by-law, then the said by-law shall be null and of no effect."

By-law to be approved by certain rate-payers.

33. Article 351 of the said act is replaced by the following :

Id., art. 351, replaced.

"**351.** The city may borrow, in the course of any year, in anticipation of the collection of the ordinary annual taxes for the said year, the sum of money it requires, by the issue of temporary debentures signed by the mayor and treasurer of the city and countersigned by the city comptroller ; provided that all such debentures be redeemed and paid out of the said taxes for the said year as they are collected. The city may renew the said debentures, from time to time, until a sufficient amount of the said taxes to extinguish the said debentures has been collected."

Temporary loans in anticipation of revenue.

34. The following articles are added to the said act after article 353 :

Arts added after id., art. 353.

"**353a.** The city shall not allow any dealers to occupy any part of Bonsecours Market which is set apart for farmers, gardeners or market-gardeners ; and every farmer, gardener or market-gardener, who shall attend Bonsecours Market for the purpose of there selling the produce of his farm or garden, and to whom the clerk of the market is unable to assign a suitable place thereon for him to station himself, shall have the right, upon payment or offer of payment of the market dues, to travel through the city streets to dispose of his goods."

Dealers not to occupy certain part of Bonsecours market. Proviso.

City to provide shelters, on Bonsecours market for certain purposes before certain time.

Expropriation for that purpose.

Loan for such purpose.

Such loan not subject to ordinary formalities, &c.

Certain property not affected.

Id., art. 361, amended.

Certain things may be taxed.

Also buildings being erected.
Id., art. 362, replaced.

Property exempt from ordinary annual assessments.

“ **353b.** The city of Montreal shall, between now and the first of January, 1905, furnish sufficient space and provide for the construction of suitable stands or shelters necessary for the accommodation of farmers and gardeners bringing their produce to Bonsecours market.

2. To that end the city is authorized to expropriate a portion or the whole of the immoveables situate between Notre-Dame, Bonsecours, St. Victor and Commissioners streets and Jacques-Cartier Square, and to acquire all the rights of the tenants or occupants that may exist within such limits, observing the formalities, conditions and restrictions contained in the law respecting expropriations of general interest.

3. To pay the cost of such improvements, the city may, by by-law of the council, contract a loan which shall not exceed the sum of one hundred thousand dollars.

4. This article shall be interpreted separately and as if it stood alone; and the loan authorized shall not be subject to any of the formalities prescribed by the other articles of the city charter or its amendments.

Nothing contained in this act shall be interpreted as applying, in any manner, to the property known as Chateau de Ramesay as it now exists.”

35. Article 361 of the said act, as replaced by the act 63 Victoria, chapter 49, section 11, is amended by inserting therein, after the second paragraph, the following:

“ The things mentioned in the second paragraph of this article may be taxed in the name of the tenant of the buildings and lands, when he is the owner of such things.

Buildings in course of erection may also be taxed.”

36. Article 362 of the act 62 Victoria, chapter 58, is replaced by the following :

“ **362.** The following immoveable property is exempt from the ordinary and annual assessment ;

(a) Every building or portion of a building used for the purpose of religious worship, including the land on which the same is erected, as well as *fabriques*, bishops' palaces, and parsonages, when occupied as a residence by the priest or the minister in charge of any church in the city, provided that but one parsonage for each church shall have the benefit of the exemption ;

(b) The lands and buildings recognized as educational establishments by the Council of Public Instruction, or subsidized by the Catholic or Protestant school commissioners of the city ;

(c) Lands and buildings actually occupied and used as public hospitals or asylums ;

(d) Lands and buildings exclusively occupied and used as public libraries, reading-rooms, art galleries, or museums, provided the same are opened gratuitously to the public and shall not be kept for lottery purposes ;

(e) The lands and buildings owned and exclusively occupied as establishments of higher education or scientific teaching duly incorporated or recognized by the Government.

The above exemption shall not apply to special taxes or assessments, nor to the water-rate or price of water ; it shall not apply either to the said lands or buildings, or portions thereof, occupied or used for industries or works, the profit whereof is not entirely applied to the support of said institutions ; and the assessors shall make, in such case, a special and separate estimation of the value of such lands and buildings, or portions thereof.”

Exemption
not to apply
to certain
assessments.

37. Article 364 of the said act is amended by replacing paragraphs (f), (h), (n) and (o), by the following :

Id., art. 364,
amended.

“(f) A special tax, not exceeding \$50, on servants’ registry offices, public laundries, persons keeping private hospitals, real estate agents, hawkers, peddlers, hucksters, second-hand dealers and on all transient traders doing business in the city.

Servants’
registry
offices, &c. ;

Such tax shall not be exigible from an advocate or notary having an advocate’s or notary’s office, and who, occasionally, and in the ordinary course of his professional business, sells or purchases immoveables for others, or leases the same or makes investments for his clients ;

“(h) A special tax, not exceeding \$50, on every person keeping a butcher’s stall within the limits of the city outside of the grounds set apart for the public markets of the said city, and on every fish, provision or produce dealer carrying on business outside of the land used for public markets ; but this clause shall not affect retail grocers ;

Butcher’s
stalls, &c. ;

“(n) A special tax, not exceeding \$200, on every accident or guarantee insurance company, and \$100 upon every marine insurance company doing business or taking risks in the city ; when any such insurance company combines two or more branches of any insurance, one tax only shall be levied on such company, that is to say, the tax the rate of which is the highest on any of the said branches of insurance respectively ;

Accident,
guarantee and
marine insur-
ance compa-
nies &c. ;

“(o) A special tax, not exceeding one per cent., on the premiums collected in the city by fire insurance companies

Fire insur-
ance compa-
nies ;

doing business and taking risks in the city ; provided the maximum amount of such tax in each case shall not exceed \$1,000 and the minimum amount shall be \$200."

Id. art. 364,
further
amended.

38. Article 364 of the said act is further amended by adding thereto the following paragraphs :

Certain com-
mission mer-
chants.

"(v) A special tax, not exceeding \$50, on commission merchants selling food products ;

Coal oil tra-
ders ;

"(w) On persons, corporations or firms carrying on the coal oil trade and selling by retail or delivering such oil in quantities less than 35 gallons, in the streets or places in the city other than their place of business, a tax not exceeding \$50 for each vehicle drawn by one horse ; \$75 for each vehicle drawn by two horses ; \$100 for each vehicle drawn by three horses ; and \$120 for each vehicle drawn by four horses, employed for the purposes of such trade or commerce ;

Public, &c.,
scales, &c.

"(x) On every person, firm or corporation keeping public or private scales for use in consideration of a fee, a special tax not exceeding \$20 ;

Skating
rinks ;

"(y) A special tax, not exceeding \$50, on every owner of a skating rink ;

Museums,
concert halls,
&c.

"(z) A special tax, not exceeding \$50, on every owner of a museum, concert hall, dancing hall, or hall where theatrical representations are given or any place of amusement whatsoever, or on all persons giving exhibitions of animated or other views ;

Exhibitions
of magic
lanterns, &c.

"(aa) A special tax, not exceeding \$5 per diem, on any exhibition given by means of magic lanterns or electric lamps, or other apparatus or illuminated advertisements, images or signs used for advertising articles not included in the usual trade of the house whereon such sign is placed."

Id, art 365,
replaced.

39. Article 365 of the said act is replaced by the following :

Special tax
may be in
form of
license, &c.

"**365.** Every special tax imposed under the preceding article may, in the discretion of the council, be imposed and levied in the form of a license ; and thereupon such tax shall be payable annually, at such time and under such conditions and restrictions as the council may determine, but the city treasurer may, however, issue licenses from the 1st of February for a term of fifteen months.

Refusal, &c.,
of licenses.

"**365a.** The city council may refuse or revoke, in the interest of good morals or public order, any license which may be granted under this charter."

40. This act shall not affect in any way the privileges granted to the Montreal Zoological Gardens by the act 57 Victoria, chapter 77. Certain corporation not affected.

41. Article 375 of the act 62 Victoria, chapter 58, is replaced by the following : Id., art. 375, replaced.

“ 375. The assessors shall, every year, between the first of May and the first of September, make for each ward of the city a valuation and assessment roll of all immoveable property situated in such ward. Annual valuation and assessment roll of immoveables for each ward.

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

Such roll shall contain :

Contents of roll.

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 ; Street names &c.

2. The full names and occupations of proprietors and their actual residences, as far as can be ascertained ; except in the case of successions where the name of the predecessor shall be sufficient, and where the heirs are not known, according to the registers in the registry office, or do not make known their names and qualities to the assessors ; Full names, &c., of proprietors, Exception.

3. The actual value, as well as the *bonâ fide* rent, of such immoveable property, and if the assessors consider that such rent does not represent, or is disproportionate to the annual value of such property they shall insert, in the assessment roll, the actual annual value thereof ; Actual value, &c., of property, &c.

4. The amount of assessments imposed on immoveable property by law and in virtue of any provision of this charter ; Amount of assessments.

5. The necessary information for the compilation of the panels for the school-tax ; Necessary information for panels for school tax.

6. Any other information required by law or by the council.” Any other information required.

42. Article 389 of the said act is replaced by the following : Id., art. 389, replaced.

“ 389. Before proceeding to the sale of goods and chattels for the payment of taxes, the bailiff charged with the writ of execution shall give notice, in the form No. 28, of the day and place of sale, and of the name of the debtor in default, which notice shall be posted in a conspicuous place Notice to be given before proceeding to sell goods and chattels.

at the entrance of the city-hall, and he shall serve a copy thereof on the debtor at least eight clear days before the said sale."

Id., art. 399, replaced. Form of notice by sheriff.

43. Article 399 of the said act is replaced by the following :

" **399.** The notice to be given, as aforesaid, by the sheriff, may be in the form No. 29; it shall comprise as many immoveables as the sheriff has been required to sell, for the levying of the amount due to the city, with interest and costs.

Description of immoveables in notice.

In the said notice, it shall be sufficient to describe the immoveables by the cadastral number, or subdivision of a cadastral number, of the immoveables 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 number if there be one.

Reference to schedule.

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

Publication of notice, &c.

Before the day fixed for the sale, such notice shall be published twice during one month, reckoning from the first publication in the *Quebec Official Gazette*, and also twice 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 the sale, on the property to be sold."

Id., art. 452, replaced.

44. Article 452 of the said act is replaced by the following :

Expropriation of property between old and new alignment of any street.

" **452.** The council may, at any time, by by-law or resolution, order that any immoveable property upon which no buildings are erected, situate and lying between the old line and the new homologated line of any street, shall be expropriated, upon the proprietor of such immoveable property ceding in writing to the city the portion of land belonging to him so to be expropriated, and of which the city surveyor shall at once make a plan.

Appointment of two assessors to value land and their duties in so doing. Reference to city surveyor, &c., to apportion cost.

The mayor shall then appoint two of the city assessors to value the portion of land so ceded to the city. They shall value it at the average price at which the property has been assessed for three years previous to their valuation, and shall report their decision in writing to the council. On the confirmation of their report by the council, it shall be referred to the city surveyor and the said two city assessors, with instructions to apportion the cost of the land expropriated on the land only on each side of the street, within limits to be fixed by them according to frontage, in equal proportions.

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

Roll of apportionment, &c.

The proprietor whose land has been expropriated shall be paid therefor without interest, within three months from the date of the deposit of the roll; but, in the event of there being any mortgage or privileged claim on the immovable so expropriated, then the provisions of articles 441, 442, 443, 444, and 445 of the charter shall apply, except where the same may be inconsistent. In order to pay the cost of the expropriation, the city shall have the right to issue temporary bonds in conformity with article 355 of this charter, and this right shall extend to all expropriations of the same nature which may be made or which shall not have been settled at the date of the sanction of the present act.

When proprietor to be paid for expropriated property

Temporary bonds for such purpose.

45. Article 453 of the said act is replaced by the following :

Id., art. 453, replaced.

“ **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.

Construction of sidewalks in permanent materials and payment of cost by means of an apportionment.

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; and provided also that a notice specifying the nature and cost of such construction be sent by registered letter to each of the proprietors liable to contribute, as their names appear on the valuation and assessment roll then in force.

Basis of apportionment

46. Article 474 of the said act is replaced by the following :

Id., art. 474, replaced.

“ **474.** The proprietor of a building leased by two or more tenants, sub-tenants or families shall be liable for the tax imposed for the water supplied such tenants, sub-tenants or families occupying such building, unless a separate and distinct supply pipe has been put into such building by the proprietor thereof for each such tenant, sub-tenant or family occupying a separate apartment or separate apartments in such building, in such manner that the city may, at any

Separate pipes for each tenant, &c.

time, control the supply of water to each of such tenants, sub-tenants or families as in the case of buildings occupied by a single tenant.”

Id., art. 475, replaced. **47.** Article 475 of the said act is replaced by the following :

Liability of proprietor of rows of houses. **“ 475.** Such liability shall apply to any proprietor of a row of dwelling houses or tenements contiguous to one another, who refuses or neglects to provide each such house or tenement with a separate and distinct service pipe ; such liability also applies to the proprietor in all cases where the number of tenants, sub-tenants or families in a dwelling house, is such that it is impossible to provide a separate service pipe for each of them ; and it shall be lawful for the city, in such cases, to exact from the proprietor the ordinary price of water for each such tenant, sub-tenant or family.”

Id, art. 476, replaced. **48.** Article 476 of the said act is replaced by the following :

Two recorders for city. Recorders court and who presides. **“ 476.** There shall be two recorders for the city of Montreal, and there shall be a court of record, to be called “ The Recorder’s Court of the city of Montreal,” over which either or both of the recorders together shall preside.

Simultaneous sittings in two rooms, and who presides. The said court, however, may sit simultaneously in two separate rooms, and it is presided over by either of the recorders.

Where held. The said court shall have its sittings in the city-hall, or in such other place as may be designated for the purpose by the council.

Seal. The said court shall have an official seal.”

Id., art 530, replaced. **49.** Article 530 of the said act is replaced by the following :

How right to use franchises on streets, to be exercised. **“ 530.** No person, partnership, syndicate, company or corporation whatever shall have or exercise any franchise, right or privilege in, over or upon any street, lane, public place or highway (including Mount Royal Park and St. Helen’s Island Park) for constructing or operating any tramways or inclined railways—whether surface, elevated or underground— or for the establishment of telephonic, telegraphic, pneumatic or traction systems, or for other like purposes, or for poles or wires, or for bridges, trestles, viaducts, cables, pipes, conduits or such like apparatus, unless by and in virtue of a by-law adopted by the affirmative vote of the absolute majority of the council.”

50. Form No. 28 of the said act is replaced by the following : Id., Form 28, replaced.

No. 28

Form mentioned in article 389

NOTICE OF SALE OF GOODS AND CHATTELS

Public notice is hereby given, that on _____, the goods and chattels of the persons hereinafter named and designated, now under seizure for non-payment of assessments (or other dues or taxes as the case may be), will be sold by public auction, at the hours and places hereinafter mentioned, to wit :

NAMES.	AMOUNT.	PLACE OF SALE. No. STREET.	HOUR OF SALE.

(Signature) A. B.,

Bailiff of the Recorder's Court
of the city of Montreal.

City Hall,
Montreal, (date)

51. 1. The city of Montreal is authorized to expend for permanent works, any surplus of revenue over expenditure of the year 1902.

Surplus revenue may be expended for permanent works.

2. It is also authorized to expend for permanent works such as those set forth in article 344 of the charter, the following sums :

Expenditure for certain works authorized, &c.

(a) The amount remaining due out of the proceeds of the sale of the abattoirs and the amount to be collected from the Montreal Stock Yards' Company, according to agreement, which may be expended as they are received ;

Sums received from Montreal Stock-Yards Company.

(b) The sum of \$25,000.00 voted by the council in 1894 towards the building of a military school and included in the consolidation of the debt of 1899, provided such sum be

Military school.

not required or exigible before December, 1904 ; and that it be lawful for the council to appropriate the same to technical and industrial education ;

Damages from suspension of certain expropriations.

(c) The balance of \$21,599.78 remaining available on the amount of the consolidated debt of 1899, to pay the damages resulting from the suspension of the expropriations of 1894 ;

Bridge over Notre-Dame street.

(d) The amount of \$35,000.00 included in the said consolidated debt of 1899, for the building of a bridge over Notre Dame Street, at the Canadian Pacific Railway Station, which amount is in litigation and may become available under a judgment of the court ;

Proceeds of sale of certain civic property.

(e) The proceeds of the sale of certain civic properties sold in 1901 and 1902, as well as the proceeds of the sale of any other civic property which may be hereafter sold, notwithstanding the provisions of article 347 of the charter ;

Sum received from city of Ste. Cunégonde of Montreal.

(f) The sum which the city of St. Cunégonde of Montreal will have to pay, either by mutual agreement or otherwise, for its share of the damages resulting from the overflow of the St. James Street sewer, as well as its share in the amount already expended or which may hereafter be expended for the extension of the said sewer.

Certain cities and town authorized to borrow certain sums to be paid for damages, &c., and cost of sewer now being built by Montreal.

3. In order to pay the sums which shall be admitted to be payable to the city of Montreal, as well as the sums disbursed and at present claimed by the latter for damages, principal, interest and costs, arising from the inundation caused by the waters from the lands situate to the west of the said city, and of a proportion of the cost of an auxiliary sewer now being built by the said city of Montreal, the city of Ste. Cunégonde of Montreal, the city of St. Henri de Montréal and the town of Westmount, are hereby authorized to borrow, over and above the total amounts of their debts for which they are authorized under their respective charters to pay by loans, an amount not exceeding in all the sum of one hundred thousand dollars according to the proportion and the amounts, as regards each municipality, as may be agreed upon between them.

How loans to be effected and issue of bonds therefor.

Such loans may be effected in virtue of by-laws of the respective councils, which need not be submitted for the approval of the electors and shall not be subject to any other formality ; and for the repayment of the amount of such loans, as well as of the interest thereon, the rate whereof shall not exceed four per cent. per annum payable half yearly, each of the said municipal corporations is authorized, for its share of the same, to issue bonds payable in fourteen years by means of a sinking fund or by annuities. The city of Montreal may accept such bonds, in whole or in part, in payment of the said claims or may negotiate the same and guarantee the payment thereof in whole or in part.

City of Montreal may accept bonds in payment, &c.

4. The city of Montreal is also authorized to take, from the reserve of five per cent. for 1903, the amount necessary to settle the claims of the provincial Government for fines collected by the said city in the Recorder's Court to the first of January, 1903.

Government claims for fines collected may be paid out of certain reserve.

52. The city of Montreal is authorized to order, by resolution, adopted by the majority of all the members of the council, and to have the following improvements made :

Certain improvements may be made.

1. To widen that portion of Elgin Street, opposite to cadastral number 107, subdivision C, of St. Lawrence ward, at an approximate cost of \$327.00, according to the homologated plan.

Widening of Elgin street.

The total cost of such widening shall be paid by means of an assessment levied upon the proprietors of immovables situate on each side of the said Elgin street, from the north side of Milton street to the south side of Prince Arthur street ;

How cost to be paid.

2. To widen St. Andrew street, opposite numbers 881 and 884 of the cadastre of St. James ward North, at an approximate cost of \$4,489.00, according to the homologated plan.

Widening of St. Andrew street.

The total cost of such widening shall be paid by means of an assessment levied upon the proprietors of immovables situate on either side of St. Andrew street, from the north side of Notre Dame street to the south side of Sherbrooke street ;

How cost to be paid.

3. To widen St. Catherine street on the north side from Guy street to St. Matthew street in St. Antoine ward West, at an approximate cost of \$6,548.00, according to the homologated plan.

Widening of St. Catherine street.

The total cost of such widening shall be paid by means of an assessment levied on the proprietors of immovables situate on each side of St. Catherine street, from the west side of Drummond street to the western boundary of the city ;

How cost to be paid.

4. To widen Amherst street, on the east side, between Craig and St. Catherine streets, at an approximate cost of \$87,368.82, in accordance with the homologated plan.

Widening of Amherst street.

The cost of such widening shall be paid one half by the city and the other half by means of an assessment levied upon the proprietors of immovables situate on both sides of Amherst street between Craig and St. Catherine streets.

How be paid.

Such assessment shall be made in proportion to the extent of the frontage of each cadastral lot, including the lots which in consequence of the expropriation, will be situated at the south corners of St. Catherine street and Amherst street, those which will be situate on the north corners of

How assessment to be made.

Craig and Amherst streets, and those which will be situate on the corners of Dorchester and Amherst, and Lagauchetière and Amherst streets.

Nevertheless, a copy of the resolution of the council ordering the improvement, as well as a notice setting forth the probable cost of the expropriation, shall be sent, by registered letter mailed to their last known address, to each of the proprietors bound to contribute according as their names may appear on the valuation roll in force.

If a majority in number and in value of the proprietors of the lots or lands to be assessed for the widening of the said Amherst street, should file at the office of the city surveyor,—within the period of thirty days from the date of the aforesaid notice, under their respective signatures, attested by an officer designated by the city surveyor,—objections against the execution of such works by expropriation, the city surveyor shall report to the council without delay, and, in such case, all the proceedings until then had for the widening shall be null and void. Otherwise the expropriation shall be definitively decided ;

5. To expropriate the immoveable property necessary for straightening the line of Roy street in St. James ward North, at an approximate cost of \$10,880.40, from St. Andrew street to St. Christopher street according to the homologated plan.

The total cost of such improvement shall be paid by means of an assessment levied on the proprietors of immoveables situate on each side of Roy street throughout its extent ;

6. To widen Robin street, opposite cadastral lot No. 974, subdivision 31, part of lots numbers 30 and 91, part of numbers 90 and 150 of St. James ward North, at an approximate cost of \$12,318.00, according to the homologated plan.

The total cost of such widening shall be paid by means of an assessment levied upon the proprietors of immoveables comprised within the following boundaries : the north side of de Montigny street, from the east side of Amherst street to the south-west side of Visitation street ; the south side of Ontario street, from the east side of Amherst street to the west side of Visitation street ; the east side of Amherst street, from the north side of de Montigny street to the south side of Ontario street, and the west side of Visitation street, from the north side of de Montigny street to the south side of Ontario street ;

7. To widen Aqueduct street, opposite lot number No. 1537, subdivisions 10, 11 and 12 of the cadastre of St. Antoine ward West, at an approximate cost of \$3,480.00, according to the homologated plan.

The total cost of such widening shall be paid by means of an assessment levied on the proprietors of immoveables

situate on each side of Aqueduct street, from the north side of Notre Dame street to the south side of Dorchester street ;

8. To widen Mount Royal Avenue, on the north side from Rivard street to St. Denis street, and from Drolet street to Carrières street, at an approximate cost of \$10,875.00, according to the homologated plan of St. Denis ward.

Widening of
Mount Royal
Avenue.

The total cost of these two widenings shall be paid by means of a single assessment levied on the proprietors of immoveables situate on the south side of Mount Royal Avenue, between the west side of Papineau Avenue, and the east side of Park Avenue, and also upon the proprietors of immoveables situate on the north side of the said Mount Royal Avenue, from the west side of Papineau Avenue to the east side of Carrières street ;

How cost to
be paid.

9. To widen St. Timothée street, opposite cadastral lots numbers 552 and 554 of St. James ward South, at an approximate cost of \$1,609.00, according to the homologated plan.

Widening of
St. Timothée
street.

The total cost of such widening shall be paid by means of an assessment levied on the proprietors of immoveables situate on each side of St. Timothée street, between the north side of Craig street and the south side of St. Catherine street ;

How cost to
be paid.

10. To widen Quiblier street at the corner of Essex Avenue to wit : on a vacant lot, number 1651, subdivision 14, of the cadastre of St. Antoine ward West, at an approximate cost of \$523.80, containing 582 feet in superficies, according to the homologated plan.

Widening of
Quiblier
street.

The total cost of such widening shall be paid by means of an assessment levied upon the proprietors of immoveables situate on each side of Quiblier street ;

How cost to
be paid.

11. To open Fortin street, from Carrières street to the south western boundary of the city in St. Denis Ward, at an approximate cost of \$3,335.35, according to the homologated plan.

Opening of
Fortin street.

The total cost of such opening shall be paid by means of an assessment levied upon the proprietors of immoveables situate on each side of Fortin street, from the west side of Carrières street to the south-western boundary of the city ;

How cost to
be paid.

12. To open Napoleon street from Mentana street to St. Hubert street in St. James ward North, at an approximate cost of \$20,364.00.

Opening of
Napoleon
street.

The total cost of the said opening shall be paid by means of an assessment levied upon the proprietors of immoveables situate within the following boundaries : on the south side of Duluth Avenue, from St. Hubert street to La Fontaine Park ; on each side of St. Hubert street, from Duluth Avenue to the division line in rear of the immoveables or lots touching the properties on the north side of Roy

How cost to
be paid.

street ; on the west side of La Fontaine Park, from Duluth Avenue to the division line in rear of the properties fronting on the north side of Roy street ;

Opening of McKay street.

13. To open McKay street, from Dorchester street southward in St. Antoine ward West, at an approximate cost of \$21,360.00.

How cost to be paid.

The total cost of said opening shall be paid one half by the corporation and one half by the proprietors of immoveables situate within a radius to be determined by the council.

Opening of DeMontigny street.

14. To open DeMontigny street, from Parthenais street to Dufresne street, in St. Mary's ward East, at an approximate cost of \$13,280.00.

How cost to be paid.

The cost of such opening shall be paid as follows : one quarter by the city, one half by the owners of immoveables bordering on the part expropriated, and one quarter by means of an assessment levied on the proprietors of immoveables situate on each side of DeMontigny street from the west side of Harbour street to the east side of Visitation street, with the exception of the proprietors of immoveables bordering on the part expropriated.

Widening of St. Antoine street.

15. To widen St. Antoine street on the south side, from Craig street to Inspectors' street, and from Inspectors' street to Windsor street, and from Windsor street to Mountain street, and from Mountain street to Guy street, and from Guy street to Fulford street, in accordance with the homologated plan of St. Antoine ward.

How to be effected.

Such expropriation shall be effected in five sections, to wit :

From Craig street to Inspectors street ;

(a) From now to the end of December, 1904, from Craig street to Inspectors' street ; the cost whereof shall be paid one half by the city and one half by means of an assessment levied upon all the proprietors of immoveables situate on each side of St. Antoine street, from Craig street to Inspectors' street ;

Inspectors' street to Windsor street ;

(b) From now to the end of December, 1905, from Inspectors' street to Windsor street ; the cost whereof shall be paid one half by the city and one half by means of an assessment levied upon all the proprietors of immoveables situated on each side of St. Antoine street, from Inspector street to Windsor street ;

Windsor street to Mountain street ;

(c) From now to the end of December, 1906, from Windsor street to Mountain street ; the cost whereof shall be paid one half by the city and one half by means of an assessment levied upon all the proprietors of immoveables situate on each side of St. Antoine street, from Windsor street to Mountain street ;

(d) From now to the end of December, 1907, from Mountain street to Guy street; the cost whereof shall be paid one half by the city and one half by means of an assessment levied upon all the proprietors of immoveables situate on each side of St. Antoine street, from Mountain street to Guy street;

Mountain street to Guy street;

(e) From now to the end of December, 1908, from Guy street to Fulford street, the cost whereof shall be paid one half by the city and one half by means of an assessment levied upon all the proprietors of immoveables situate on each side of St. Antoine street, from Guy street to Fulford street.

Guy street to Fulford street.

With regard to the immoveables in these five sections, the proprietors shall receive as compensation the average value as shown on the valuation and assessment rolls for the years 1901, 1902 and 1903, with an additional amount equal to twenty per cent. of such average value.

Compensation to be received by proprietors.

The city shall pay one half the cost it is bound to pay, out of the annual loan fund of the aforesaid years; and the proprietors shall pay one half the cost for which they are liable in twenty annual payments bearing interest at five per cent.

How cost of widening to be paid.

The section between Windsor street and Mountain street shall have a total width of sixty feet only, notwithstanding the actual homologation of such section;

Width between Windsor and Mountain streets.

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, at an approximate cost of \$15,672.00.

Improvement of approaches to Wellington bridge.

The cost of such improvement shall be paid two-fifths by the proprietors of St. Ann's ward, and the other three-fifths by the city, the amount to be paid for the property to be the market value of the property in that vicinity;

How cost to be paid.

17. To expropriate, during the current year, all the immoveables whereof the city is in possession, on Notre Dame street East, from Frontenac street to the eastern boundary of the city; and as to the other immoveables, situated on the said street, within the said limits, they shall be expropriated in 1904, with the option, in the interval, in favor of proprietors whose lots have not been taken by the city, to cede them to the city until the date of the expropriation of 1904, upon the city paying the cost of such properties, without prejudice to the allotment to be made at the time of the expropriation of 1904.

Expropriation of immoveables in city's possession on Notre Dame street East, from Frontenac to eastern boundary.

The total cost of such widening shall be paid, one half by the city and the other half by means of an assessment levied upon the proprietors of immoveables situate on both sides of Notre Dame street from Frontenac street to the eastern boundary of the city.

How cost to be paid.

Certain resolution of 22nd September, 1902, ratified. The resolution adopted by the council on the 22nd September, 1902, reproduced as Schedule C of this act, is ratified ;

Widening of St. Lawrence street. 18. To widen, during the current year, St. Lawrence street on the west side, from Sherbrooke street to Pine Avenue, according to the homologated plan.

How cost to be paid. The total cost of such widening shall be paid, one half by the city and the other half by the proprietors of immoveables situate on both sides of St. Lawrence street between Sherbrooke street and Pine Avenue ;

Enlarging of Amos Farm. 19. To enlarge the property commonly called "Amos Farm," for the purpose of establishing a park, by expropriating the lots situate in St. Denis Ward, and the lots situate on the west side of Dufferin avenue, from Laurier avenue to St. Grégoire street, at an approximate cost of \$5,500.

How cost to be paid. The total cost of such enlarging shall be paid one half by the city and the other half by means of an assessment levied upon all the proprietors of immoveables situate on the space bounded by Papineau avenue, from the line of the Canadian Pacific Railway to Mount Royal avenue ; by Mount Royal avenue, from Papineau avenue to St. Denis street ; by St. Denis street, from Mount Royal avenue to the line of the Canadian Pacific Railway ; and by the line of the Canadian Pacific Railway, from St. Denis street to Papineau avenue.

When expropriation to be effected. Such expropriation to be effected within three years from the sanction of this act ;

Enlarging of LaFontaine Park. 20. To enlarge La Fontaine Park, on the east side, at the approximate cost of \$34,000, by expropriating the immoveables situate in St. Jean Baptiste Ward and in St. Mary's ward West, to the west of Papineau avenue.

How cost to be paid. The total cost whereof shall be paid one half by the city and the other half by means of an assessment levied upon all the proprietors of immoveables situate within the space surrounded by the following streets : by La Fontaine Park, from Papineau avenue to Chambord avenue ; by Chambord avenue on the east side, from La Fontaine Park to Mount Royal avenue ; by Mount Royal avenue on the south side, from Chambord avenue to Papineau avenue ; by Papineau avenue on the west side, from Mount Royal avenue to La Fontaine Park ; by the northern boundary of the city, from Papineau avenue to Parthenais street ; by Parthenais street on the east side, from the northern boundary of the city to Ontario street ; by Ontario street, from the north side of Parthenais street to Visitation street ; by Visitation street, from the east side of Ontario street to Sherbrooke street ; by Sherbrooke street, from Visitation street to Papineau avenue ; by Papineau avenue, from the east side of Sherbrooke street to the northern boundary of the city.

Such expropriation to be effected within three years from the sanction of this act ;

When expropriation to be effected.

53. The city is authorized to take, from the funds at its disposal derived from various sources, the amounts necessary to defray the costs of the expropriations.

Whence funds to be taken for such expropriations.

54. Except where the same may be inconsistent, the provisions of articles 423 to 445, inclusively, of the charter shall apply, *mutatis mutandis*, to the improvements authorized by section 52, both as regards vacant lots and those on which buildings are erected and as regards the claims of proprietors or those of tenants.

Certain provisions of charter to apply unless inconsistent.

The provisions of articles 450 and 451 of the charter shall also apply in such case *mutatis mutandis*.

Certain articles also to apply.

In no case shall more than twenty per cent. be allowed, over and above the value of the ground and buildings, for each of the cases above mentioned, notwithstanding any law to the contrary.

Certain percentage only to be allowed over value.

55. Notwithstanding any law to the contrary, the cost of opening Milton street shall be paid as follows : one half by the city and the other half by the proprietors whom the commissioners already appointed shall determine and declare to be benefited by such opening.

Payment of cost of the opening of Milton street.

56. Notwithstanding any law to the contrary, the city of Montreal shall commence, within nine months, and complete, within two years, from the coming into force of this act, all the proceedings necessary for the widening by expropriation, —both as regards the report of appraisal and the special assessment roll for apportioning one half the cost, as hereinafter set forth,—the immoveables situate on the street known as St. Lambert Hill on the west side, from St. James street to Notre-Dame street, according to the homologated plan of the said city, under and in accordance with the act 52 Victoria, chapter 79.

When widening of St. Lambert Hill, &c., to be commenced and completed.

The total cost of such expropriation shall be paid one half by the city and the other half shall be levied, by means of a special assessment roll, on the proprietors of the immoveables, situate within the limits which shall be determined and fixed by the expropriation commissioners, which, in their opinion, will benefit by the said improvement ; the whole in accordance with the aforesaid act, all the provisions whereof shall apply for the purposes of the said expropriation.

How cost to be paid.

57. The agreements or deeds between the city of Montreal and the Union des Abattoirs de Montréal, of the 12th January, 1903, and between the city of Montreal, and the Montreal Stock Yards' Company, of the 16th January, 1903,

Certain deeds of 12th January, and 16th January, 1903, hereto annexed, ap-

proved and confirmed.

passed before Robert A. Dunton, Notary, copies whereof are 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 fulfil and execute the conditions thereof according to their terms and tenor; and power is hereby granted to the said parties to do all acts necessary for carrying out the said agreements or deeds, in accordance with the intentions of the contracting parties.

Balance of expenses incurred for supplying coal and wood may be taken from certain funds.

58. The city is authorized to take, from the reserve fund or from any fund derived from the revenue, a sufficient amount to cover the balance of the expenses incurred by the council, during the winter of 1902-03, in purchasing wood and coal in the interest of its citizens.

City authorized to subscribe certain sum for certain monument.

59. The city of Montreal is authorized to subscribe an amount, not exceeding two thousand dollars, in aid of the erection of a monument to the memory of Monseigneur Bourget, second bishop of Montreal.

Coming into force.

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

SCHEDULE A

On this twelfth day of January, one thousand, nine hundred and three,

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

APPEARED :

L'UNION DES ABATTOIRS DE MONTRÉAL, a body politic and corporate, duly incorporated by letters-patent issued on the eighth day of October, eighteen hundred and eighty-four, having its head office and principal place of business in the said city of Montreal, herein acting and represented by THOMAS TAIT, the chairman of the executive committee of the said company, and J. BEAMISH SAUL, the secretary-treasurer of said company, both of Montreal aforesaid, duly authorized for the purposes hereof by a resolution of the shareholders of said company passed at a special general meeting of shareholders held on the second day of January instant (1903), and by

a resolution of the directors of the said company passed at a meeting thereof held on the second day of January instant (1903), certified copies of which resolutions are hereto annexed, identified by the signatures of said officers and the undersigned notary,

Party of the first part ;

AND

THE CITY OF MONTREAL, a body corporate and politic, having its office and place of business in the city-hall, in the East ward of the said city of Montreal, herein acting and represented by his worship the mayor of the said city, JAMES COCHRANE, Esquire, residing at Montreal,

Party of the second part ;

Which said parties declared to have entered into the following agreement :

For the purpose and better intelligence of this deed or agreement, the said city and adjoining territory shall be considered as divided into two sections in this deed called "the eastern and western sections" ; the division line between the said sections being St. Peter street, Bleury street and Park Avenue, and the prolongation of said streets in a direct line, notwithstanding that the usual recognized dividing line between the eastern and western portions of the city of Montreal is St. Lawrence Main street.

Whereas, by deed entered into between the Montreal Abattoir Company, a body corporate then in liquidation, the Dominion Abattoir and Stock Yards Company, (Limited) a body corporate, the said city of Montreal and said L'Union des Abattoirs de Montréal, executed before O. Marin, notary, the twenty-second of July, eighteen hundred and eighty-five, and registered in the registry office for the counties of Hochelaga and Jacques Cartier under No. 18,005, (the said deed being executed under the authority and in pursuance of the act of the Legislature of the Province of Quebec, 48 Victoria, chapter 67, intituled: An act to amend the charter of the city of Montreal), the said city of Montreal acquired from the said the Dominion Abattoir and Stock Yards Company and the said the Montreal Abattoir Company in liquidation, the two public abattoirs and the property in connection therewith, the first of which was situate within the limits of the municipality of St. Henri, adjoining the city of Montreal, and the second within the eastern limits of the said city, in Hochelaga Ward, the said two abattoir properties being more fully described in said deed ; and by the same deed the said city did sell, cede, assign and make over to the said

L'Union des Abattoirs de Montréal, the said two abattoir properties, so acquired by the city from the two companies above named, together with all the rights, titles, privileges, grants and exemptions in said deed, with the exception however of the ten acres of land reserved from each of said properties for establishing cattle markets thereon and providing a place for rendering of tallow, and said city undertook to pass a by-law prohibiting the sale of cattle in the city outside of the said cattle markets with the exception of milch cows and animals brought to the city in transit and bound to foreign ports, the whole for the price and upon the terms and conditions set out in said act of Legislature and in said deed ;

And whereas, owing to the changes that have taken place in the city and the general conditions relating to the running of the abattoir and cattle markets at the west end of the city, it has become desirable and necessary to put an end to the contracts existing between the city and the said L'Union des Abattoirs de Montréal, in relation to said Western Abattoir and cattle markets, and the said city and said company have come to an agreement whereby the said company, for the consideration hereinafter mentioned, shall abandon its rights, privileges and franchises to operate an abattoir in the western end or part of the city and shall release the said city from the obligation to prohibit the sale of cattle or live stock outside the cattle markets referred to in said deed of the twenty-second July, eighteen hundred and eighty-five, so far as the western section is concerned, and to free the said city from all obligations in respect only to its Western Abattoir and to the cattle markets in the said western section, the said city retaining as its own absolute property the ten acres of land reserved in said deed for a cattle market in connection with said Western Abattoir, and the said company retaining the ownership of the abattoir grounds with all buildings, plant and machinery thereon, to be disposed of by it as its private property as it may see fit, and also retaining the abattoir property in the eastern section, the cattle markets in connection with this last mentioned abattoir being continued as heretofore, and the prohibition to be made by the city prohibiting the sale of live stock outside of said cattle markets to continue to apply to the eastern section ;

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

First. — The said company doth hereby cede, abandon and relinquish to the said city all the rights, privileges and franchises to operate an abattoir in the said western section

granted to or vested in said company under the above cited deed of sale of date the twenty-second of July, eighteen hundred and eighty-five, before O. Marin, notary, and the act of the Legislature, 48 Victoria, chapter 67, or under any other contracts or agreements.

Second.—The said company shall retain as its absolute property the said abattoir grounds situate in the municipality of St. Henri as conveyed to it under said deed, with all the buildings, plant, machinery and fittings thereon to be disposed of by it as it may see fit; and the said city shall retain as its absolute property, free from any claim or obligation to establish or maintain a market thereon and free from any other claim or obligation towards said company, the said ten acres of ground adjoining said abattoir property at St. Henri, described in said deed as follows:

Ten acres of land, French measure, composed of:

(1) The greatest part of said lot number seventeen hundred and twenty-one (1721) upon the official plan and in the book of reference of the said municipality of the parish of Montreal;

And of (2) the lots of land bearing numbers one hundred and forty, one hundred and forty-one, one hundred and forty-two, one hundred and forty-three, one hundred and forty-four, one hundred and forty-five, one hundred and forty-six, one hundred and forty-seven, one hundred and forty-eight, one hundred and fifty, one hundred and fifty-one, one hundred and fifty-two, the south half of one hundred and fifty-five, one hundred and fifty-six, one hundred and fifty-seven, one hundred and fifty-eight, one hundred and ninety-seven, one hundred and ninety-eight, one hundred and ninety-nine, two hundred, two hundred and one, two hundred and two, two hundred and three, two hundred and four, two hundred and five, two hundred and six, two hundred and seven, two hundred and eight, two hundred and nine, two hundred and ten, two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, and the north west part of two hundred and thirty-two, of the official subdivision of said lot number seventeen hundred and five (1705) upon the official plan and in the book of reference of the said municipality of the parish of Montreal; the said lots and parts of lots of land forming together an extent of ten acres, bounded to the north-west partly by the line of the Grand Trunk Railway, partly by the said John McMillan and partly by St. Joseph street (projected), to the south-east by the residue of said property, on the south-west side by said Delinelle street, and on the north-east side by lot No. 1722 of the said plan; which said ten acres of land being enclosed in a line commencing at the

northern extremity of said property, at a point of its intersection with the line of the said Grand Trunk Railway, and extending in the east direction a distance of nine hundred and twenty feet, thence turning to the south a distance of two hundred and eighty-eight feet, then turning to the north-west a distance of fifty-eight feet, then turning to the south again another distance of two hundred and seventy-nine feet, then turning to the north-west again a distance of four hundred and sixty feet, then turning to the north a distance of one hundred and seventy-six feet, then turning to the north west again a distance of one hundred and twelve feet, then turning to the north again a distance of one hundred and ninety-seven feet, then turning to the north-west again a distance of three hundred and eighty-three feet, eight inches, and then turning to the north and extending in a straight north-easterly direction a distance of one hundred and ninety-two feet up to the said point of departure of the said line, excepting the lots of land Nos. 149, 153, 154 and the north-west half of lot No. 155, which are not included in the said reserve, and the whole as shewn and tinted green on the plan annexed to said deed of the twenty-second of July, eighteen hundred and eighty five.

The said city to have and to hold the said ten acres of land heretofore dedicated as a cattle market in connection with said abattoir as its absolute property, and to make such use and disposal of it as it may see fit, the said company hereby releasing said ten acres from any claim, hypothec or servitude or right it has or might pretend to have in or upon said ten acres.

Third.—In abandoning the right, privilege and franchise to operate an abattoir in the western section it is understood that said company also releases and doth hereby release the said city from the obligation to maintain a cattle market at said Western Abattoir's premises and to prohibit the sale of live stock or cattle and the collection of fees on live stock elsewhere or outside the cattle market adjoining said Western Abattoir referred to in said deed of the twenty-second of July, eighteen hundred and eighty-five, but so far only as the said western section is concerned; thus leaving the said city at liberty to allow the erection of an abattoir and to establish a market or markets for the sale of cattle and live stock in the western section.

It is, however, understood and agreed that the right of the city to permit the establishment of cattle markets in the western section shall cease to exist if and so soon as a public abattoir shall be erected and put into operation within a mile of such market, in which case it shall be obligatory upon the city to close and suppress any such market situate within a mile of a public abattoir. This clause shall not, however, apply to any part of the territory known as Point St. Charles.

Fourth.—And it is agreed that the said company retains the abattoir property at the easterly end of the city described in and conveyed to said company by said deed of the twenty-second July, eighteen hundred and eighty-five, and the markets in connection with this abattoir, as provided in said deed shall be continued as heretofore, and that the obligation by the city to prohibit the sale of live stock and cattle and the collection of market fees outside of said market shall apply to the said eastern section, and that the provisions of said deed and all the franchises and privileges thereby established shall remain in force in favor of said company so far as said eastern section is concerned.

Fifth.—The said city undertakes to keep effective and to enforce, during the life of its contract with the said company, of date the 22nd July, 1885, good and sufficient by-laws and regulations to prevent private slaughter houses being kept in said city and the killing of animals, the meat whereof shall be intended to be sold for consumption within the said city, elsewhere than at the said East End Abattoir or at any other public abattoir authorized or recognized by the city; but the city covenants and guarantees that no other public abattoir will be built or operated within one mile of said East End Abattoir during the life of the said contract.

Sixth.—And in consideration of the premises the said company hereby releases, frees and discharges the said city of and from all the obligations existing in its favour in connection with said abattoir and cattle markets, in the western section under said deed and under all existing contracts and agreements or otherwise. And the said city releases and discharges the said company from its obligation of maintaining its said Western Abattoir, and the said city shall release and discharge the said Western Abattoir and the land connected therewith from all mortgages and liens of whatsoever kind in its favor; and the said city and said company do hereby release and discharge each other from all claims and demands the one has or might pretend to have against the other for non-fulfilment of contracts or for damages arising in connection with the said Western Abattoir up to the present time.

Seventh.—The present cession and relinquishment has been thus made by said company in consideration of the price or sum of thirty thousand dollars, which sum has been applied in reduction of the indebtedness due and owing by said company to said city under the terms of said deed of the twenty-second of July, eighteen hundred and eighty-five or in connection therewith, whereof quit.

It is further understood that the sum of twenty-seven thousand, three hundred and fifty dollars of insurance moneys now held by said city as a special deposit shall be and the same is hereby applied in further reduction of the said indebtedness of said company to said city.

Eighth.—Twenty-five thousand dollars of the sum of seventy-five thousand dollars, now held by the city as a special deposit as security for the payment of the balance remaining due in virtue of said deed of the twenty-second of July, eighteen hundred and eighty-five, shall also be applied, so soon as the present deed shall become operative, in further reduction of said indebtedness, and any balance remaining shall be payable by said company to said city in twenty-three equal annual and consecutive payments, the first whereof shall fall due on the twenty-second of July next (1903) with interest at the rate of four *per centum per annum*. The whole without novation of or derogation from the rights, claims, privileges and recourse of said city with regard to the balance of said special deposit of \$75,000, and the security existing in favor of said city under said deed as modified by this agreement.

Ninth.—The above mentioned deed of the twenty-second of July, eighteen hundred and eighty-five, as modified by this agreement, and also this agreement shall apply to the city of Montreal as it may be constituted and delimited from time to time, so far as said city may have the right or power to make the same apply to extensions of the city and without prejudice to or interfering with any rights or franchises legally vested in other companies or corporations prior to annexation to the city.

Tenth.—The present deed of agreement shall be ratified by the Legislature of Quebec, at its next session, and if not ratified it shall be null and void ; and the parties hereto agree to make application for said ratification, the cost of such ratification to be borne by the parties interested proportionately, and the cost of the present deed to be paid by the parties hereto in equal shares.

The present agreement has been thus entered into by the said city of Montreal, in conformity with a resolution of its city council passed at a meeting thereof held on the fifteenth day of December last, (1902), adopting a report from the joint finance and market committees dated the twelfth day of December last, (1902), a copy whereof shall remain hereto annexed, identified by the signature of the undersigned notary, *ne varietur*.

DONE AND PASSED, at the city of Montreal, on the day, month and year herein first written, under the number twenty-one thousand, one hundred and seventy-three of the original minutes of said Mtre Dunton.

And these presents having been first duly read to said parties hereto they have signed the same, and LAURENT O. DAVID of the city of Montreal, esquire, city clerk, has countersigned the same and has affixed hereto the seal of the city of Montreal in presence of said notary who has also signed.

(Signed) L'UNION DES ABATTOIRS DE MONTRÉAL,
THOS. TAIT,
Chairman of the executive committee,
J. BEAMISH SAUL,
Secretary-treasurer.

“ JAMES COCHRANE, Mayor,
[L. S.] “ 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 B

On this sixteenth day of January, one thousand, nine hundred and three,

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 corporate and politic, having its office and place of business in the city-hall, in the East ward of the said city of Montreal, herein acting and represented by his worship the mayor of the said city, JAMES COCHRANE, esquire, residing at Montreal,

Party of the first part ;

AND

THE MONTREAL STOCK-YARDS COMPANY, a body corporate, incorporated by letters-patent of the Province of Quebec,

the thirteenth day of March, eighteen hundred and eighty-five, having its head office and principal place of business in the said city of Montreal, herein acting and represented by WILLIAM STRACHAN, manufacturer, the president, and FRANCIS H. CARLIN, the secretary-treasurer of said company, both of Montreal, duly authorized for the purposes hereof by a resolution of the shareholders of said company, passed at the annual meeting thereof held on the thirteenth of January instant (1903), and by a resolution of the directors of the said company, passed at a meeting thereof held on the thirteenth day of January, 1903, a certified copy of which last mentioned resolution is hereto annexed, identified by the signature of the undersigned notary *ne varietur*,

Party of the second part ;

Which said parties declared as follows :—

That the said Montreal Stock-Yards Company has long since established its stock-yards at Point St. Charles and is now erecting a group of buildings, at Point St. Charles, within the limits of the city of Montreal, on the property hereinafter described, for the purpose of operating an abattoir for the slaughter of cattle, sheep, lambs, hogs and calves ;

That, with the view of perfecting a satisfactory arrangement regarding a cattle market, milch cow market and abattoir, at the west end of the said city, the said parties hereto declared to have covenanted, stipulated, and agreed to and with each other as follows, to wit :—

(1) The said Montreal Stock-Yards Company shall construct, on the land hereinafter described or adjacent thereto, an abattoir, or shall complete the abattoir now being constructed by it and all accessories thereto, and shall maintain the same in good order, and shall also provide and maintain in good order suitable premises as a cattle market and cattle yards for live stock of all descriptions including milch cows in such a manner as will meet the requirements and development of the trade, to wit : the said abattoir upon a lot of land containing two hundred and sixty feet in length by two hundred and thirty feet in width, situate at the corner of Oak and Mill streets, in the said city of Montreal, known by the number three hundred and twenty-three on the official plan and book of reference of St. Ann's Ward, of the said city of Montreal ; and the said cattle market and cattle yards upon the lot of land composed of subdivision lots numbers one, two and three of lot number one hundred and forty-six, subdivisions one and two of lot number one hundred and forty-seven, and subdivisions one and

two of lot number one hundred and forty-eight, on the official plan and book of reference of said St. Ann's Ward, situate at the corner of Mill street and St. Etienne street, but not including the bank, restaurant and hay barn premises;

(2) The said cattle yards and cattle market shall be provided with suitable modern pens for the purpose of receiving and protecting the cattle that may be brought there, and shall be constructed in such a way as to meet the requirements of our climate.

(3) The said market shall be known and designated as the Live-Stock Market of the city of Montreal and the same shall be duly established as a cattle market by by-law to be enacted by said city.

(4) The said company shall pay to the city of Montreal all real estate assessments, business tax and water rates that may be imposed by the city on all its lands and buildings, whether used or not by said company, even should said buildings be erected on land belonging to the Government.

(5) The said city shall have the right of levying and collecting the market fees on all live-stock brought to said stock-yards or cattle market (except live-stock for export or in transit) and the said city shall establish, at a place to be selected by it on the said market grounds, public scales which shall be under the control of said city, and no other public scales shall be established or allowed on said market grounds; the said company shall however be at liberty to operate and control for all its purposes as heretofore the weighing of cattle delivered at said stock-yards and of collecting its fees therefor, but the scales of said company shall be used for its own purposes only.

(6) The said company shall at all times keep a set of books containing a record and shewing the amount of cattle received and offered for sale for local consumption, and the said books shall be open at all times for examination by any official designated by the city to make such inspection.

(7) The said city shall appoint its own officials to collect the market dues at said cattle markets or cattle yards, and every facility shall be given to the city by said company for the collection of the same.

(8) The said company shall provide water and fodder for all the cattle brought to the said yards of the company and shall properly and sufficiently stable and insure all said cattle and shall charge for said water, fodder and services the current market prices to wit: reasonable rates, and shall also at all times keep the pens in said yards, and said yards

in good order and sanitary condition, and the officials of said city shall at all times be at liberty to inspect the same. The said company also agrees to allow the meat inspectors of the city to inspect the cattle at all times whenever desired before being slaughtered, as well as to make inspection after the cattle have been slaughtered ; the said meat inspectors to be paid by the city.

THE PRESENT AGREEMENT has been thus made and the said rights and privileges granted for the term or period of twenty-eight years to be reckoned from the first day of January instant (1903.)

The present contract has been thus made on the part of the said city in consideration of the price or sum of fifteen thousand dollars, which sum has been paid in cash by said company to said city at the execution hereof, the receipt whereof is hereby acknowledged ; whereof quit.

And, in consideration of the construction and maintenance by said company of said cattle and milch cow market, and in consideration of the said company properly stabling and insuring all cattle brought to the said cattle market, the said city of Montreal shall pay to the said company the sum of three thousand dollars per annum during the period of continuance of this agreement, which sum shall be paid in and by even consecutive quarterly payments of seven hundred and fifty dollars each, the first whereof to become due and payable on the first day of April next (1903) ; payment of said consideration to be made at the office in the said city of Montreal of said city.

It is agreed and understood that all pending cases and litigation between the city and the said Montreal Stock-Yards Company, in connection with the said stock-yards and market at said locality at Point St. Charles, and the construction of an abattoir there, shall, in consequence of these presents, be abandoned and discontinued, and each party shall pay its own costs.

The present agreement has been thus entered into by the said city of Montreal, in conformity with a resolution of the council of said city, passed at a special meeting thereof, held on the fifteenth day of December last, (1902), adopting a report of the joint finance and market committees dated the twelfth day of December last, (1902), a copy whereof is hereto annexed, identified by the signature of the undersigned notary *ne varietur*.

DONE AND PASSED, at the said city of Montreal, on the day, month and year first herein written, under the number twenty-one thousand, one hundred and ninety of the original minutes of said Mtre. Dunton.

And these presents having been first duly read to the said parties hereto, they have signed the same, and LAURENT O. DAVID, of the city of Montreal, esquire, clerk of the said city of Montreal, has countersigned the same and has affixed hereto the seal of the said city of Montreal in presence of said notary who has also signed.

(Signed) W. STRACHAN, President,
 “ F. H. CARLIN, Secretary-treasurer
 “ JAMES COCHRANE, Mayor,
 [L. S.] “ 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

EXTRACT FROM THE MINUTES OF A SPECIAL MEETING OF
 THE CITY COUNCIL OF MONTREAL, HELD ON
 THE 22nd SEPTEMBER, 1902

Submitted and read the following report from the Finance Committee submitting conditions of an agreement with proprietors of the land which the city has taken possession of for widening Notre Dame street (Hochelaga)

The FINANCE COMMITTEE respectfully report :—

That they have considered a draft of agreement, under which the owners of the land of which the city has taken possession, at Hochelaga, for the widening of Notre Dame street, agree to make over the said land to the city, on the following conditions :

1. The price of the land shall be based upon the value set forth in the assessment roll for the current year, plus an additional sum of twenty per cent.
2. Legal interest on the capital established according to the preceding section shall be paid, from the month of May, 1894, to the day when the said city shall pay the capital ; the whole to be paid before the 1st May, 1903.

3. Pending the payment of the capital and interest, the city may, however, continue to occupy the said immoveables for the widening of the said street and to give the use of the same to the public.
4. Pending suits shall be discontinued at once, and the city shall pay all the costs incurred and the costs of an action after the filing of the plea.
5. In case the city should have an assessment roll made to recover any portion of the price of such land, the said proprietors shall contribute proportionately with the other proprietors an amount not exceeding twenty-five per cent. of the value of said land, as set forth in the assessment roll for this year.
6. In the event of the city making an assessment roll as aforesaid, none of the said proprietors shall be held to pay any tax or assessment other than the amount which they agree to contribute with the other proprietors.

That your committee are well pleased with the steps taken by the proprietors on Notre Dame street East, with a view of putting an end to the long litigation, which has been so onerous for the parties concerned, and they cannot but congratulate them upon the course they have adopted in the premises.

They therefore beg to lay before your council the conditions of the said agreement and to request that the same be referred to the committees whose duty it shall be to finally prepare the annual appropriations in the month of December next, with instructions to give all possible practical effect to the said proposed agreement, to provide for the payment of the interest, and to invite, at the same time, the said proprietors to remain in *statu quo*,—the city, however to continue to occupy the said land for the use of the public, and to pay out of the reserve fund the costs incurred in the actions now discontinued, on a bill taxed according to the tariff as in a contested case.

The whole, etc.

(Signed) H. LAPORTE,
 " GEO. W. SADLER,
 " C. B. CARTER,
 " LS. PAYETTE,
 " L. A. LAPOINTE,
 " H. A. ECKERS.
 " N. GIROUX.

Committee Room, City Hall.

Montreal, Sept. 19th, 1902.

Certified,

L. O. DAVID,
 City Clerk.

Proposed by Alderman Laporte, seconded by Alderman Carter, that the said report be adopted.

Resolved that it be adopted

Certified a true copy.

L. O. DAVID,
City Clerk.

CHAP. 63

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

[Assented to 25th April, 1903]

WHEREAS the city of Ste. Cunégonde of Montreal has, Preamble.
by petition, represented that it is in the interest of the proper administration of the city that certain amendments be made to its charter, the act 53 Victoria, chapter 70 and the various acts amending the same; and whereas it is expedient to grant the prayer of the said petition;

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

1. Article 25 of the act 53 Victoria, chapter 70, as re- 53 V., c. 70,
placed by the act 2 Edward VII, chapter 50, section 5, is art. 25, re-
again replaced by the following : placed.

“**25.** The mayor is elected for three years by the vote of Election of
the electors, and no elector can vote more than once at such mayor by
election. The procedure to be followed for the election of electors.
mayor shall be the same as in the case of the election of Procedure to
aldermen, *mutatis mutandis.*” be followed.

2. Article 50 of the act 53 Victoria, chapter 70, is Id., art. 50,
replaced by the following : replaced.

“**50.** The committees are formed every year at the first Formation of
session in November.” committees.

3. Article 52 of the said act is replaced by the following : Id., art. 52,
replaced.

“**52.** The mayor and pro-mayor are *ex-officio* members Ex-officio
of all committees and have a right to vote.” members of
committees.