

garbage within the municipality, and for such purposes may, subject to the approval of the Provincial Board of Health, acquire by purchase or otherwise or enter upon and take, with or without the consent of the owners thereof, such land as may be necessary therefor and may erect thereon such buildings, plant and machinery as may be required, and may, for the said purposes acquire such further plant, machinery, tools and material as the council may deem necessary; but where the amount required for acquiring the land and erecting and placing the necessary buildings, plant and machinery thereon exceeds the sum of \$2,000 the by-law shall require the assent of the ratepayers of the municipality before the final passing thereof.

(3) In case the council of the said corporation and the owner of any land taken or injuriously affected thereby, under this section, fail to agree as to the amount of the compensation to be paid to such owner, the same shall be determined by arbitration in the manner provided by *The Municipal Act*.

(4) The municipal corporation of such city or town, for the purpose of providing the money for the acquisition of the necessary lands, buildings, plant and machinery, and for the initial establishment of the said system; may, from time to time, issue debentures of the said corporation for such sum as the council of the said corporation may deem expedient, which said debentures shall be made payable not more than ten years from the day on which they shall respectively bear date, shall bear interest at a rate not exceeding 4 per cent. per annum, payable half-yearly, shall be signed by the mayor and the treasurer of the said city or town for the time being, and may be made payable either in sterling money of Great Britain or in currency in Canada, in this Province or elsewhere, as the said corporation may deem expedient.

(5) For the payment of the debt and interest represented by the said debentures, to be issued under the authority of subsection 4 of this section, there shall be annually raised, levied and collected by the corporation during the currency of the said debentures, a sum sufficient to discharge the said debt and interest when the same shall be respectively payable, said sum to be raised by an annual special rate upon the amount of the ratable or assessable property of the said corporation, according to the then last revised assessment roll thereof.

(6) In lieu of establishing a system of public scavenging, as provided in subsection 2 of this section, the said corporation may contract with some person, firm or corporation for the removal of all ashes, refuse and garbage within the said city or town upon such terms and subject to such conditions, rules and regulations as the council may deem expedient, and the said council may pass by-laws for regulating the removal of such ashes, refuse and garbage under such contract.

(7) The council of the corporation of the city or town may, from time to time, pass by-laws, dividing the said city or town into certain areas, districts or sections within which all ashes, refuse and garbage shall be collected, removed and disposed of, and may impose a special rate upon the assessed real property therein, according to the assessed value thereof, in order to pay all expenses incurred in collecting, removing and disposing of all ashes, refuse and garbage therein.

(8) No land within the said city or town shall be exempt from liability for assessment under subsection 7, but all land within the said city or town, no matter by whom owned or how or for what purpose or by whom used or occupied, shall be liable to assessment thereunder anything in any special or general Act or in any by-law to the contrary notwithstanding.

18. Section 22 of *The Municipal Amendment Act, 1901*, amending section 557 of *The Municipal Act* is repealed.

19. Section 577 of *The Municipal Act* is amended by adding the following subsection thereto:

3. For making annual or other grants of money to the owners or trustees of cemeteries situated within the municipality or any other municipality.

20. Clause 4 of section 566 of *The Municipal Act*, as amended by section 35 of *The Municipal Amendment Act, 1899*, and by section 29 of *The Municipal Amendment Act, 1900*, is further amended by striking out all the words after the words "five years," in the fifth line thereof, down to and including the words "latest census," in the eleventh line.

TRANSMISSION OF ELECTRICITY AND STEAM OVER AND UNDER STREETS.

21.—*The Municipal Act* is amended by inserting the following section after section 566:

566a. By-laws may be passed by the municipal councils of cities, towns, incorporated villages and townships for the following purposes, that is to say:

(a) For authorizing any person, firm or incorporated company, supplying electricity for power, lighting or heating, to lay down pipes or conduits enclosing wires for the transmission of electricity under streets or public squares, or to carry wires for the transmission of electricity across or along any streets or public squares or to erect poles in streets and public squares where necessary to support such wires, subject to such regulations as the council sees fit to impose.

(b) For authorizing any person, firm or incorporated company supplying steam for heat or power, to lay down pipes or conduits for transmitting steam under streets or public squares, subject to such regulations as the council sees fit to impose.

Provided that nothing contained in this section or in any by-law passed in exercise of the powers hereby conferred, shall be taken or deemed to authorize the council of any municipality or any person, to do any act or to enter into any contract, directly or indirectly, in contravention of subsection 4 of section 566 of this Act, and the clauses lettered a to a9 appended thereto, as enacted by section 35 of *The Municipal Amendment Act, 1899*, and the amendments thereto, or in contravention or violation of the true intent and meaning of any contract heretofore or hereafter entered into by any municipal corporation.

22. Subsection 1 of section 567 of *The Municipal Act*, is repealed, and the second subsection thereof is amended by striking out the word "such," and by inserting, after the word "town" in the first line, the words "having a population of 5,000, or less, as ascertained by the latest census of Canada," and the third subsection thereof is amended by striking out the words "such town" in the first and second lines, and the word "town" in the third line, and substituting, in each place, the words "city, town or village."

23. Subsection 5 of section 569 of *The Municipal Act*, is amended by substituting the words "town or village" for the words "or town" in the nineteenth line thereof, and also in the twenty-ninth line thereof.

BY-LAWS RESPECTING ELECTRIC LIGHT OR WATER-WORKS VALIDATED.

24. No by-law of any city, town or village heretofore passed, creating or intending to create, a debt for the erection, purchase, improvement or extension of gas, electric light or water works, and which has received the assent of the electors, or if for improvements or extensions has been approved by the lieutenant-governor in council, shall be quashed or shall be deemed to be invalid or illegal by reason only that the period fixed by the said by-law for the repayment of the debt thereby created exceeds twenty years, provided such period does not exceed thirty years, and to remove doubts it is hereby declared that the proviso of subsection 5 of section 569, has,

since the passage of *The Municipal Amendment Act, 1899*, applied to and included, and shall continue to apply to and include, villages as well as cities and towns.

25. Subsection 5 of section 574 of *The Municipal Act*, enacted by section 19 of *The Municipal Amendment Act, 1898*, is amended by striking out the words "of over 100,000 inhabitants" and by inserting after the word "city," in the second line, the words "or town."

PREVENTING INDECENT POSTERS.

26. Subsection 6 of section 583 of *The Municipal Act*, is amended by inserting after the word "force" in the second line thereof, the following words "and preventing the posting up and distributing, in the said municipality, of posters, pictures or hand-bills, which shall, in the opinion of the police commissioners, the chief of police, the deputy-chief of police, or any officer specially detailed for that purpose by the police commissioners, be indecent."

LICENSING ELECTRIC WORKERS.

27. Section 583 of *The Municipal Act*, is amended by inserting therein, immediately after the paragraph numbered 26, the following:

By the councils of towns and of cities having less than 100,000 inhabitants, and by the board of commissioners of police in cities having 100,000 inhabitants or more:

26a. For examining, licensing and regulating electrical workers.

By the councils of cities and towns:

26b. For fixing the sums to be paid for licenses required under by-laws passed under the preceding clause, 26a.

BONUSING ESTABLISHED INDUSTRIES.

28. Clause e in paragraph number 12 of section 591 of *The Municipal Act*, as amended by section 9 of *The Municipal Amendment Act, 1900*, is repealed and the following substituted therefor:

(e) No by-law shall be passed by the council of any municipality, for granting a bonus to any industry already established elsewhere in the province, or which has been removed to such municipality from another municipality in the province, whether such industry is to be carried on by the same proprietor as in the locality from which it has been, or is to be, removed, or is to be carried on by some other person deriving title or claiming through or under such proprietor, or otherwise, or by such proprietor in partnership with other persons or by a joint stock company, or otherwise.

NOTICE OF ACTION TO BE SERVED ON COUNTIES.

29. Subsection 3 of section 606 of *The Municipal Act*, is amended by inserting after the word "mayor" in the fourth line of the said subsection, the word "warden" and by inserting after the word "township" in the seventh line of the said subsection, the words "or a county."

30. Subsection 4 of section 632 of *The Municipal Act*, is amended by striking out the words "A township or village" in the first line, and inserting the words "any municipality" in lieu thereof.

CONTRACTING AND INCURRING DEBTS FOR PURCHASE OF ROAD MACHINERY.

31.—Section 637 of *The Municipal Act*, is amended by adding thereto the following paragraphs after the paragraph number 10 in the said section:

10a. For contracting for the purchase, conditionally or otherwise, or for the rental for a term of years, or otherwise, of road-making machinery and appliances for public uses within the municipality, and such contract may provide that payment for such road-making machinery and appliances may be made in instalments extending over a period not exceeding five years.