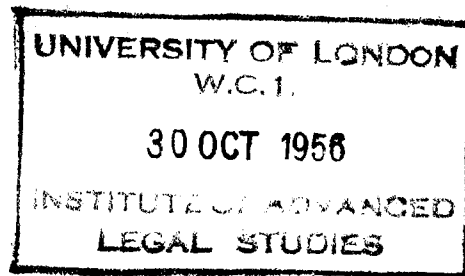


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IN THE PRIVY COUNCIL

No. 37 of 1934.

CITY OF WINNIPEG and CITY OF ST. BONIFACE

vs.

WINNIPEG ELECTRIC RAILWAY

ST. BONIFACE CHARTER.

STATUTES OF MANITOBA 11 GEORGE V. CHAPTER 134.

Gas and Electric Light Works.

10 659. Nothing in this Act contained shall in any way affect or take away any right or privilege vested in the Winnipeg Electric Railway Company under any by-law or contract with the City of St. Boniface or its Act of incorporation, but this section shall not affect the City's rights as to electric street lighting and the lighting of civic buildings and public places.

x x x x

Street Railway Assessment.

20 739. (1) In every case of construction or renewal of any kind of pavement upon any of the streets or portions of streets occupied by the Winnipeg Electric Railway Company, or on any parts of same, the said company shall have the option of constructing their portion of any such pavement, proceeding with such construction at the same time as the city's portion is constructed; provided always that such work shall be of the same character and quality as that done by the city; or, at the company's request, the city shall construct the

same, and in every case the city shall assess the annual rate, covering interest and sinking fund upon the said company for the cost thereof, the rate of interest upon debt and upon investment of sinking fund to be the same as charged and allowed to frontage owners and extending over a like period as that upon which the assessment upon the adjacent properties is adjusted, with full power to the city to raise such sum by the issue of debentures and to collect the same in manner provided under this Act for the construction of improvements. 10

(2) The above sub-section, however, shall not have the effect of compelling the company to build or pay for any pavement which the company is not liable to build or pay for, nor shall anything herein contained release or relieve the company from its liability as at present existing (if any) or any future liability under any contract or statute now in force, or which may hereafter be in force, as to construction or paying for pavements; 20

x x x x

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WINNIPEG CHARTER.

STATUTES OF MANITOBA 8 GEORGE V. 1918, CHAPTER 120.

623. Nothing in this Act contained shall take away any right or privilege vested in the Winnipeg Electric Street Railway Company under any by-law or contract with the City of Winnipeg or its Act of incorporation.