



CHAPTER 25

An Act to amend the Seigniorial Rent Abolition Act

[Assented to, the 17th of May, 1940]

HIS MAJESTY, with the advice and consent of the
Legislative Council and of the Legislative As-
sembly of Quebec, enacts as follows:

1. Section 4 of the Seigniorial Rent Abolition Act 25-26 Geo. V.
(25-26 George V, chapter 82) is amended by adding c. 82, s. 4, am.
thereto, after the word: "rents", in the fourth line
thereof, the words: "as well as of the interest on such
capital, until the redemption thereof is effected.
The Syndicate may also borrow, from time to time, the
sums necessary for its administration and the carrying
out of the act to the extent of fifty thousand dollars."

2. Section 23 of the said act is amended by adding Id. s. 23, am.
thereto the following paragraphs:

"Upon failure by the council to homologate the Special com-
missioner.
terrier within the delay fixed by the Board of Com-
missioners, the Lieutenant-Governor in Council, upon
the recommendation of the Board, may appoint a Homologa-
tion.
special commissioner to proceed with such homologa-
tion.

The special commissioner so appointed, after hearing Same effect
as by council.
the complaints and making the changes required, if
need be, shall homologate the terrier with the same
effect as if the homologation had been made by the
council. Such special commissioner shall give the
public notices prescribed by section 21 upon the failure
of the secretary-treasurer or of the clerk so to do. Public no-
tices.

Expenditure paid by Syndicate. All expenditure incurred for such purposes shall be paid by the Syndicate."

25-26 Geo. V, c. 82, s. 25a-25f, added. **3.** The said act is amended by inserting therein, after section 25 thereof, the following sections:

Statement to be transmitted. "**25a.** The seignior or other creditor of constituted rents replacing seigniorial rights must transmit, on or before the twentieth of June, 1940, to the secretary-treasurer of the *Syndicat National* a statement, under oath, of the seigniorial rents which have been redeemed by the debtor and which must be struck from the statement filed in accordance with the provisions of section 13.

Statement on special form. Such statement shall be given on a form drawn up for the purpose by the Board of Commissioners.

Sworn copies. Two duly sworn copies thereof must be forwarded within the same delay to the secretary-treasurer of each municipality interested.

Annual rents, etc., struck out. **25b.** Upon receipt of such statement, the secretary-treasurer or clerk shall strike out the annual rents and capitals mentioned therein from the statement which was sent to him in accordance with section 13, and from the terrier drawn up by him according to section 16 and shall deduct same from the total as entered.

Copies to sec.-treas. of county corporation. **25c.** The secretary-treasurer of a local municipality shall, before the 1st of August, 1940, transmit one of the two copies of the said statement to the secretary-treasurer of the county corporation, who shall make the corresponding corrections in the terrier received by him from the secretary-treasurer of the same municipality.

Corrected statement. **25d.** On or before the 1st of September, 1940, the secretary-treasurer of the county council shall transmit to the Board of Commissioners for the Redemption of Seigniorial Rents a statement corrected upon the basis of the statements received from the secretary-treasurers of the local municipalities and showing the total amount of rents and capital claimable in each local municipality by each creditor of constituted rents.

Total amount of rents, etc. Such statement must also specify the total amount of rents and capital exigible in the whole county.

25e. On or before the 1st of September, 1940, the secretary-treasurer or the clerk of each independent town or city shall transmit to the Board of Commissioners a like statement showing the total amount of rents and capital claimable by each creditor of constituted rents within the limits of the municipality.

Statement
for city or
town.

25f. Upon the failure of a secretary-treasurer or clerk to comply with the provisions of the four preceding sections, a special commissioner appointed by the Board may perform such duties."

Failure to
comply.

4. Section 26 of the said act is amended:

a. By replacing, in the second line of the first paragraph thereof, and in the second line of the third paragraph thereof, the number: "1936", by the number "1940";

25-26 Geo. V,
c. 82, s. 26,
am.

b. By adding thereto the following paragraphs:

"The *Syndicat National* shall not, however, be obliged to pay such sum until after the production of all the statements required and of all documents necessary to establish, to the satisfaction of the Board of Commissioners, the right of the seignior or creditor to such capital sum, and such capital sum shall not bear interest during any delay occasioned through the omission to produce such statements or documents.

Payment
only after
production
of all state-
ments, etc.

If the Board of Commissioners be of the opinion that the collection of certain rents has been so neglected that it is undesirable that they be redeemed, it may, by resolution, exclude them from the application of the act."

Rents exclud-
ed from
application
of act.

5. Section 27 of the said act is amended:

a. By replacing the words: "at the date of redemption or of the offer of redemption contemplated by section 26, from and after the said date of such redemption or of such offer of redemption," in the third, fourth, fifth and sixth lines thereof, by the words: "at that date; on the 11th of November, 1940,";

25-26 Geo. V,
c. 82, s. 27,
am.

b. By adding thereto, at the end thereof, the words: "Nevertheless, the rents excluded by the Board of Commissioners in accordance with the preceding section shall be withdrawn from the abolition and the seignior or creditor shall retain all the rights which he may claim therein even if the exclusion is decreed after the above-mentioned date."

Rents
excluded.

25-26 Geo. V,
c. 82, s. 28,
am. **6.** Section 28 of the said act is amended by replacing the number: "1936", in the sixth line thereof, by the number: "1940".

Id., s. 29, am. **7.** Section 29 of the said act is amended by replacing the number: "1936", in the first line thereof, by the number: "1940".

Id., s. 30, am. **8.** Section 30 of the said act is amended by replacing, in the seventh line thereof, the number: "1936", by the number: "1940".

Id., s. 31, am. **9.** Section 31 of the said act is amended by adding, at the end thereof, after the word: "terrier", the words: "and the first of which shall become exigible on the 11th of November, 1941".

Id., s. 33, am. **10.** Section 33 of the said act is amended:
a. By replacing, in the second line thereof, the number: "1936", by the number: "1940";
b. By replacing, in the fourth line thereof, the word: "rural", by the word: "local".

Id., s. 34, am. **11.** Section 34 of the said act is amended by replacing, in the second line thereof, the number: "1936", by the number: "1940".

Id., s. 35, am. **12.** Section 35 of the said act is amended:
a. By replacing the words: "The secretary-treasurer of the county council", in the fifth and sixth lines thereof, by the words: "The county municipality";
b. By adding thereto the following paragraphs:

Power to borrow. "Every such municipality may borrow the sums needed to effect such payments, on a mere resolution of its council without any approval other than that of the Quebec Municipal Commission.

In case of insufficiency. Such temporary loans may be paid off at maturity out of the general funds of the corporation in the case of insufficiency of the sums collected."

25-25 Geo. V,
c. 82, s. 38,
am. **13.** Section 38 of the said act is amended by adding thereto the following paragraphs:

Effect of approval. "Every statement or document, the production whereof is required under the provisions of this act, shall be valid and incontestable when it has been approved by a resolution of the Board of Commissioners.

The Board of Commissioners may extend the delays, even after the expiration thereof, fixed for the performance of any formality or production of any document, for such period as it shall determine.”

Extension of delays.

14. Section 40 of the said act is replaced by the following sections:

25-26 Geo. V, c. 82, s. 40, replaced.

“40. Every terrier homologated in conformity with the provisions of section 23 and as corrected by the secretary-treasurer, the clerk or the special commissioner in conformity with the provisions of sections 25*b* to 25*f* inclusively, is ratified and declared legal and valid from and after the passing, by the Board of Commissioners for the Redemption of Seigniorial Rents, of a resolution approving such terrier.

Terrier ratified.

41. This act shall apply to the Government of this Province with respect to the constituted rents replacing seigniorial rights of which it is creditor.

Act applies to Government.

42. This act shall come into force on the day of its sanction, with the exception of sections 26 to 36, inclusive, which shall come into force on the 17th of May, 1940.”

Coming into force.

15. The provision hereinenacted as section 41 of the said act shall have the same effect as if it had been inserted therein at the time of the passing of the said act.

Retroactivity.

16. The act 2 George VI, chapter 86, is repealed.

2 Geo. VI, c. 86, repealed.

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

Coming into force.

