



## CHAPTER 108

An Act to validate certain by-laws passed by the council  
of the city of Sherbrooke

*[Assented to, the 28th of April, 1939]*

**WHEREAS** during the year 1931, under the by-laws Preamble.  
Nos. 512, 519 and 522, the city of Sherbrooke borrowed certain monies for the relief of unemployment in the municipality and for certain permanent works;

Whereas, in virtue of the said by-laws, paving work and sewerage work, as well as sidewalk construction, were effected in certain streets of the city;

Whereas, in 1932, by by-law bearing the No. 518, the city apportioned the cost of the work done in virtue of the by-law No. 512, in halves between the city and the bordering proprietors on the streets where the work was done, in accordance with its charter;

Whereas in 1937, by a by-law bearing the No. 575, and in 1938, by a by-law bearing the No. 580, paving, sidewalk and sewer work was done in other streets in the city;

Whereas both under its by-laws and under the act 12 George V, chapter 106, the cost of the paving of streets, of sidewalks and of sewers was made payable one-half by the city and one-half by the owners of immoveables situated on either side of the streets where such work was done;

Whereas it has been the constant practice for over thirty years that the paving of the streets, the making of concrete sidewalks, and the construction of sewers be payable one-half by the city and one-half by the bordering proprietors;

Whereas doubts have arisen as to the legality of the by-laws Nos. 518, 519, 522, 575 and 580 and as to the collection rolls made or to be made in conformity with such by-laws;

Whereas the city of Sherbrooke has prayed for the passing of an act with respect to the above; and

Whereas it is expedient to grant such prayer;

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

Action for reimbursement, prohibited in certain cases.

**1.** No action may be taken against the city of Sherbrooke for reimbursement of the sums paid in virtue of the by-laws Nos. 518, 519, 522, 575 and 580 nor for the sums paid in virtue of the apportionment rolls ordered by a resolution of the council on the 2nd of May, 1932.

Prescription not to be invoked.

**2.** Prescription of the actions in nullity or of the sums owing to the city under the by-laws mentioned in the preceding section cannot be invoked on behalf of the city or against it.

Coming into force.

**3.** This act shall come into force on the day of its sanction and shall remain in force until the first day of May, 1940.