



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.