



CHAPTER 133

An Act to ratify a loan by-law and a contract passed between the corporation of the parish of St. Gédéon and the *Compagnie J. & P. Limitée* and to grant certain powers to the corporation of the parish of St. Gédéon

[Assented to, the 16th of March, 1939]

WHEREAS the corporation of the parish of St. Gédéon, Preamble.
Lake St. John, has, by its petition, represented:

That it has possessed and operated since 1912, and still possesses and operates a waterworks system supplying the ratepayers of its territory and the ratepayers of the village of St. Gédéon;

That the territory of the village of St. Gédéon was detached from the parish of St. Gédéon on the 9th of May, 1916, to form a separate municipality and that the supplying of water to the ratepayers of the village has always been and still is made by means of the municipal waterworks of the parish of St. Gédéon;

That the waterworks of the parish of St. Gédéon has always been and still is fed by the waterworks of Aubin & Perron and their successive assigns, by means of a four inch intake pipe for which the corporation of the parish of St. Gédéon paid a sum of sixteen thousand dollars in 1912, with the right to be supplied with water for the future, free and forever;

That, since 1930, the said intake pipe so sold to the corporation of the parish of St. Gédéon has been the subject of numerous law suits which have occasioned great inconvenience and considerable costs to the said corporation;

That, on the 30th of April, 1937, the *Compagnie J. & P. Limitée* became owner of the said waterworks system constructed by Aubin & Perron and supplying the waterworks of the parish of St. Gédéon and that during the month of July, 1937, the *Compagnie J. & P. Limitée*, in its turn, contested the parish of St. Gédéon's right to be supplied with water, free and forever, thus obliging the corporation of the parish of St. Gédéon to further long and costly judicial proceedings for the safeguarding of its rights;

That, following an order of the Quebec Public Service Commission, dated the 18th of March, 1938, assuring the *Compagnie J. & P. Limitée* of a gross annual operating revenue of around four thousand three hundred dollars from its customers, and, in addition, obliging the corporation of the parish of St. Gédéon to pay to the said company an annual sum of one thousand five hundred dollars, for the water supplied by means of the four inch intake pipe, the corporation of the parish of St. Gédéon decided to purchase the said entire waterworks system of the *Compagnie J. & P. Limitée*, furnishing the ratepayers of part of the territories of Hébertville, St. Jérôme and Ste. Croix and also supplying the waterworks of the parish of St. Gédéon;

That, on the 6th of September, 1938, the corporation of the parish of St. Gédéon adopted by-law No. 71 authorizing the acquisition of the entire waterworks system of the *Compagnie J. & P. Limitée* and providing for a loan of thirty-eight thousand dollars for such purpose;

That this by-law No. 71 was duly approved by the elector-proprietors on the 22nd of September, 1938, and that it was also approved by the Quebec Municipal Commission and by the Minister of Municipal Affairs, Trade and Commerce on the 30th of November, 1938, subject, however, to the ratification of the said by-law by the Legislature;

That, in the fulfillment of this by-law, the *Compagnie J. & P. Limitée*, by deed of sale executed before Notary Léonidas Gagnon, on the 16th of December, 1938, No. 11,322 of his minutes, sold to the corporation of the parish of St. Gédéon, with warranty of free and clear and immediate possession, the entire said waterworks system supplying the ratepayers of a part of the territories of the parishes of Hébertville, St. Jérôme and Ste. Croix, as well as all rights, titles, interests, contracts, active servitudes

and other accessories inherent to the said system or the operating thereof, for the price of thirty-five thousand dollars which was paid as follows: ten thousand dollars in cash and twenty-five thousand dollars in bonds issued by the corporation of the parish of St. Gédéon and redeemable in series over a period of twenty-five years and bearing interest at the rate of four per cent per annum;

That it is expedient that the said by-law No. 71 be ratified by the Legislature of the Province of Quebec to give it force and effect;

That it is essential that the said deed of purchase passed in the enforcement of the said by-law be also ratified by the Legislature of the Province of Quebec to give it force and effect;

That the corporation of the parish of St. Gédéon prays that the said by-law No. 71 and the contract of sale passed in fulfillment of the said by-law be ratified and confirmed;

That, moreover, by reason of article 64 of the Municipal Code, the corporation of the parish of St. Gédéon would not have jurisdiction to operate the said waterworks system supplying the ratepayers of a part of the territories of the parishes of Hébertville, St. Jérôme and Ste. Croix and to also operate its municipal waterworks system in the limits of the village of St. Gédéon, with all the rights, powers and obligations of a public service respecting the said systems, unless such powers, rights and obligations be conferred upon it by an act passed by the Legislature of the Province of Quebec; and

Whereas it is expedient to grant the prayer contained in the said petition;

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

1. The municipal by-law No. 71 of the corporation of the parish of St. Gédéon authorizing the acquisition of the waterworks system of the *Compagnie J. & P. Limitée*, which system supplies the ratepayers of a part of the territories of the parishes of Hébertville, St. Jérôme and Ste. Croix and which also feeds the municipal waterworks of the parish of St. Gédéon, and providing for a loan of thirty-eight thousand dollars for such purpose, is ratified, confirmed and declared valid and legal for all legal purposes. Validation of certain by-law.

Validation of
certain deed
of purchase.

2. The deed of purchase of the said waterworks system from the *Compagnie J. & P. Limitée*, executed before Notary Léonidas Gagnon, on the 16th of December, 1938, No. 11,322 of his minutes, in fulfillment of the by-law No. 71, is ratified, confirmed and declared valid and legal for all legal purposes.

Authoriza-
tion to opera-
te water-
works.

3. The corporation of the parish of St. Gédéon is authorized to operate its own waterworks system, within the limits of the village of St. Gédéon. It is also authorized to operate the waterworks system which it is acquiring within the limits of the parishes of Hébertville, St. Jérôme and Ste. Croix, under the control of the Quebec Public Service Commission.

Coming into
force.

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