



CHAPTER 116

An Act to ratify an agreement entered into between the school commissioners for the municipalities of the town of Montreal-East, in the county of Laval, and of St. Yves de Laval, and certain resolutions of these municipalities and to confer certain powers on the school commissioners of the municipality of the town of Montreal-East, in the county of Laval

[Assented to, the 17th of May, 1937]

WHEREAS, by an Order-in-Council dated the 30th ^{Preamble} of January, 1912, the Lieutenant-Governor of the Province of Quebec was pleased to detach from the school municipality of La Pointe aux Trembles the land bearing, in the official cadastre of the parish of La Pointe aux Trembles, the numbers nineteen, forty-seven, forty-eight and forty-nine, inclusive; seventy-five to ninety-two, inclusive, and to erect it into a separate school municipality under the name of "Town of Montreal-East";

Whereas such erection came into effect on the 1st of July, 1912;

Whereas, by a letter dated the 4th of October, 1934, the Honourable Cyrille F. Delâge, Superintendent of the Department of Education of the Province of Quebec, drew the attention of the school commissioners for the municipality of the Town of Montreal-East to an error which had slipped into the Order-in-Council incorporating the said school municipality, the lots numbers nineteen, forty-seven, forty-eight and forty-nine of the cadastre of the parish of La Pointe aux Trembles being mentioned therein as to be detached from the school

municipality of La Pointe aux Trembles whereas such lots then formed part of the school municipality of St. Jules now St. Yves de Laval, and the said municipality of St. Jules was not informed, according to law, that the said lots were to be detached from its territory;

Whereas, when the above-mentioned mistake was brought to the knowledge of the interested parties, application was made to the Honourable the Superintendent of Education, on the one part, by the school commissioners for the municipality of the town of Montreal East, supported by all the real estate owners of the said lots numbers nineteen, forty-seven, forty-eight and forty-nine or of their present subdivisions, to have the said mistake corrected, and, on the other part, by the school commissioners of St. Jules, to reclaim their jurisdiction on the said lots or subdivisions thereof;

Whereas the school commissioners for the municipality of the town of Montreal-East acted in good faith, and the mistake, if mistake there be, is not imputable to them;

Whereas, relying upon their charter, the school commissioners for the municipality of the town of Montreal-East, organized their school territory, built schools for boys and girls, furnished and equipped these schools and issued bonds which they sold to the public, secured upon all the territory mentioned in their charter;

Whereas, after long negotiations, the interested parties have come to an agreement to settle the dispute between themselves and to avoid lengthy and costly suits;

Whereas, since then, under an Order-in-Council bearing number 3146, dated the 14th of November, 1936, His Honour the Lieutenant-Governor in Council was pleased to change the name of the school municipality of St. Jules, in the county of Laval, to that of "School Municipality of St. Yves de Laval";

Whereas the said agreement was duly approved by a resolution unanimously adopted at a special meeting of the school commissioners for the said school municipality of St. Yves de Laval, held on the nineteenth day of March, one thousand nine hundred and thirty-seven, and by the school commissioners for the municipality of the town of Montreal-East, at their special

general sitting held on the twenty-first of March, one thousand nine hundred and thirty-seven; and

Whereas, it is expedient to ratify the said agreement and to confer upon the said school board the necessary powers to give effect thereto;

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

1. The resolution dated the 19th of March, 1937, adopted by the school commissioners for the school municipality of St. Yves de Laval, and the resolution dated the 21st of March, 1937, adopted by the school commissioners for the municipality of the town of Montreal-East, in the county of Laval, are declared valid, legal and obligatory. Validation of certain resolutions.

2. The lot number nineteen of the official plan and book of reference of the parish of La Pointe aux Trembles and its subdivisions are and shall form part, for school purposes, of the territory of the school municipality of St. Yves de Laval. Certain lot and school mun. of St. Yves de Laval.

3. The lots forty-seven, forty-eight and forty-nine (47, 48 and 49) of the same cadastre and the subdivisions thereof are and shall form part and be considered as having always formed part, for school purposes, of the territory of the school municipality of the town of Montreal-East, in the county of Laval, and the taxes imposed and collected on the said lots by the said municipality since its incorporation are and shall remain the property of the said municipality. Certain lots and school municipality of Montreal-East.

4. The school commissioners for the municipality of the town of Montreal-East, in the county of Laval, are authorized to pay to the school commissioners for the school municipality of St. Yves de Laval a sum of five thousand five hundred dollars in cash, within thirty days from the coming into force of this act, for the purposes mentioned in the said resolutions. Making of certain payment authorized.

5. Notwithstanding any law to the contrary, the school commissioners for the municipality of the town of Montreal-East, in the county of Laval, are authorized to borrow, by a mere resolution, by debentures, bonds, promissory notes or any other negotiable instru- Loan authorized.

ments, a sum not exceeding seven thousand five hundred dollars, at a rate of interest not exceeding five per cent, per annum, for a period not exceeding ten years, for the objects mentioned in the said resolutions and for the costs and incidental expenses connected therewith.

Application
of act. 1.

6. This act shall not affect in any way the conditions established between the school commissioners for the municipality of the parish of La Pointe aux Trembles and the school commissioners for the municipality of the town of Montreal-East, in the county of Laval, at the time of the erection of the latter school municipality, and no recourse shall be exercised against the school commissioners for the municipality of the parish of La Pointe aux Trembles by reason of the error which slipped into the Order-in-Council incorporating the school municipality of the town of Montreal-East.

Coming into
force.

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