



CHAPTER 89

An Act respecting the charter of the city of Montreal

[Assented to, the 20th of April, 1934]

WHEREAS Oscar Mathieu, merchant, J. C. Lamothe, Preamble.

advocate and King's Counsel, both of the city of Outremont, district of Montreal, and others, have, by their petition, represented: that, by the act 1 George V (1910), chapter 48, section 1, paragraph *k*, the town of Côte des Neiges was annexed to the city of Montreal to form Côte des Neiges ward thereof and the city of Montreal at that time undertook to open, within a period of two years, and to maintain a street from Snowdon station in Notre-Dame de Grâces to the Côte de Liesse road in the parish of St. Laurent, of a width of one hundred feet, macadamized and with sidewalks;

That, in spite of the efforts of the citizens of the new ward, the said street was only opened a long time after the date fixed by the act above-mentioned.

That the said street has never been macadamized;

That, recently, in violation of the engagements undertaken, the city of Montreal has paved such street and has charged the cost to the proprietors of the immoveables bordering on such street;

That such assessment creates a grave injustice to such proprietors;

That such street is to the particular advantage of the city of Montreal, generally, as forming part of a highway system for the general interest, traversing the island from the St. Lawrence River to the Rivière des Prairies;

That the assessment made on the proprietors of the immoveables bordering on such street is onerous;

That the paving work was carried out at too late a period for the proprietors to benefit thereby;

That at the time of the carrying out of such work their immoveables had been greatly depreciated through the non-accomplishment of the above obligations;

That the cost of the roadway of such street was charged to the city of Montreal under the conditions of annexation;

That the city of Montreal has proceeded in the manner above-mentioned, to unlawfully and unduly free itself therefrom;

That it is expedient that the cost of such work be borne by the city of Montreal;

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

City of
Montreal
charged
with cer-
tain cost.

1. Notwithstanding any law to the contrary and any apportionment roll, the cost of the construction and the maintenance of the paving of the street from Snowdon station in Notre-Dame de Grâce to the Côte de Liesse road in the parish of St. Laurent (Décarie Boulevard) shall be and always has been a charge upon the city of Montreal alone and shall be charged to the special tax provided for by section 23 of the act 6 George V, chapter 44, as replaced by section 40 of the act 22 George V, chapter 105, and, in any event, this clause shall not affect pending suits as to damages and as to costs.

Coming into
force.

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