



CHAPTER 129

An Act to amend the charter of the city of Sherbrooke

[Assented to, the 11th of March, 1931]

WHEREAS the city of Sherbrooke has represented, by ^{Preamble} its petition, that it is in the public interest and important for the proper administration of its affairs, that its charter, the act 7 Edward VII, chapter 66, as amended by the acts 8 Edward VII, chapter 87; 1 George V (1910), chapter 51; 2 George V, chapter 58; 4 George V, chapter 76; 5 George V, chapter 91; 7 George V, chapter 67; 12 George V, chapter 106; 15 George V, chapter 95, and 16 George V, chapter 76, be again amended, in order to grant it additional powers;

Whereas, by a contract dated the third day of October, 1910, the city of Sherbrooke gave to the Sherbrooke Railway & Power Company the exclusive privilege of operating a street railway, in the city limits, for a period of forty years from the 9th of April, 1910, as well as an exemption of taxes and the free use of its streets for a period of twenty years from the said date;

Whereas, by a subsequent contract dated the 15th of October, 1919, it was agreed between the city and the company that the conditions of the existing contracts between them could be revised and modified by mutual consent;

Whereas, under a contract dated the 3rd of October, 1910, the Sherbrooke Railway & Power Company agreed to sell to the city of Sherbrooke, after a period of twenty years, to count from the 9th of April, 1910, the street railway belonging to it;

Whereas, until the city of Sherbrooke purchases the properties of the Sherbrooke Railway & Power Company, it would be in the interest of its ratepayers to grant the said company an exemption from taxes on the properties used

in operating the street railway, for a period of twenty years, as well as the free use of the streets for the same period of time;

Whereas the said city of Sherbrooke has prayed for the passing of an act for the above purposes, and it is expedient to grant its prayer;

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

Sherbrooke street railway.

1. The city of Sherbrooke shall have the right and power to build, acquire, possess and operate a street railway in the city of Sherbrooke, and within a radius of four miles from the limits of the said city. The powers conferred by this section shall not apply to the property of the Sherbrooke Railway & Power Company, which shall be governed exclusively by section 2 hereof.

Rights safeguarded.

Purchase of street railway.

2. The city of Sherbrooke is authorized, after six months notice to the Sherbrooke Railway & Power Company, to purchase and acquire the street railway of the said company, with all its appurtenances and accessories, in the same manner, and subject to all the conditions set forth in the contract between the city and the said company, dated October 3rd, 1910, and the same to operate and extend; which railway and appurtenances and accessories shall not mean, comprise or include the water power and the hydraulic development of said company; provided always that, in the case of the exercise by the city of the authority conferred by this section, electrical energy in the quantity required for operating such railway, as at the time of purchase, shall be furnished, if required, to the city by the company from its plant in the city of Sherbrooke, at a toll or rate to be agreed upon, or, in default of agreement, to be fixed by the Quebec Public Service Commission. Nevertheless, to purchase the said properties of the Sherbrooke Railway & Power Company, the council of the city of Sherbrooke must pass a by-law for that purpose, which must be approved by the absolute majority of the members of the council, and approved by the ratepayers, with the same formalities as for a loan by-law.

Proviso.

By-law therefor.

Exemption from municipal taxes.

3. Until the city of Sherbrooke purchases the said properties of the Sherbrooke Railway & Power Company, the municipal council of the city of Sherbrooke may, by resolution of the council, grant an exemption from municipal

taxes on the properties of the said company, used in operating the street railway, for a period of twenty years to be computed from the 9th of April, 1930.

4. The municipal council of the city of Sherbrooke may, by resolution of the council, give, for the same period of time, to the said company, the free use of its streets for operating the street railway. ^{Free use of streets.}

5. The municipal council of the city of Sherbrooke shall have the right to make a new contract with the Sherbrooke Railway & Power Company, to replace or amend all presently existing contracts between the said city and the said company. ^{New contract.}

6. This act shall come into force on the day of its sanction. ^{Coming into force.}