



CHAPTER 134

An Act respecting the corporation of the village of Asbestos

[Assented to, the 4th of April, 1931]

WHEREAS the population of the village of Asbestos, Preamble, which is of about five thousand souls, depends almost entirely for its subsistence on the operating by the Canadian Johns-Manville Company, Limited, of its asbestos mine at that place;

Whereas, to meet foreign competition, the company must reduce its cost price to a minimum and has acquired therefor a considerable amount of land belonging to individuals, in order to operate on the surface, which is less expensive than operating in depth, as it is obliged to do at present;

Whereas the company states that if it cannot operate at reduced cost, it will probably have to suspend its operations wholly or in part, which would cause much harm to the corporation of the village of Asbestos and its inhabitants;

Whereas the lands which the company so acquired are situated on the eastern side of the place where it now operates and include nearly ninety-nine per cent of the block of land, forming about fifty-five arpents in area, situated between its mine and St. Aimé street and bounded on the north, east and south by St. Aimé street and on the west by the western line of St. George and Nicolet streets;

Whereas the company was unable to acquire the remainder of such land by private agreement;

Whereas the company is ready to purchase from the corporation of the village of Asbestos the streets and municipal works situated in the portion of the above-described territory and also to cede free of charge to the said corpora-

tion an extent of land at least equal, situated to the east of St. Aimé street, between Roi street and the prolongation of Manville street, to open new streets thereon, thus securing the development of the village at the most suitable place;

Whereas the corporation of the village of Asbestos cannot close the existing streets in this portion of the above-described territory without exposing itself to proceedings for damages on the part of interested owners, and the company on its part cannot operate such portion of territory without owning the whole;

Whereas it is in the interest of the corporation of the village of Asbestos and of its inhabitants that the company become, within the shortest possible delay, owner of the whole territory above-described, and that new streets be opened in the territory situated east of St. Aimé street between Roy street and the prolongation of Manville street;

Whereas, to carry out this plan, it is necessary that the corporation of the village of Asbestos obtain the power to acquire, by private agreement or by expropriation, all the land, mining or other rights of what nature soever, situated within the territory described in section 1 of this act, and not yet belonging to the company, and then to transfer to the company, for the amount which it disbursed, what it thus acquires;

Whereas the corporation of the village of Asbestos has, by its petition, 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:

Power to acquire lands, etc.

1. The corporation of the village of Asbestos is authorized to acquire, at the request of the Canadian Johns-Manville Company, Limited, either by private agreement at a price agreed to by the said Company, or, if not, by expropriation, all the lands, mining rights or other rights of any nature whatsoever, of which the said company is not yet the owner and which it must acquire to continue its operations; the whole situate within the following limits:

Territory described.

Beginning at a point at the intersection of the north-eastern line of St. Aimé street and of the southern line of Manville street; thence, in a westerly direction, following the southern line of Manville street, to the intersection of the northwestern line of cadastral lot No. 185-2; thence, in a southwesterly direction, following the northwestern line

of said lot No. 185-2 and of lot No. 185, to the depth of the latter number; thence, in a southeasterly direction, following the southwestern line of lots Nos. 185, 184, 45-2, 45-3 and 45-4 to the south corner of said lot No. 45-4; thence, in a northeasterly direction, following the southeastern line of lot No. 45-4 to its intersection with the southwestern line of lot No. 5; thence, in a southeasterly direction, along the southwestern line of said lot No. 5 to its intersection with the eastern line of St. George street; thence, in a northerly direction, along the eastern line of St. George street, to its intersection with the southern line of St. Aimé street; thence, following the southern, southeastern, eastern and northeastern lines of said St. Aimé street to the point of beginning,—

and after acquiring them it must transfer them to the latter which must accept them for the amount which the said corporation will have actually disbursed in principal, interest and costs.

Before acquiring the said lands or rights, the corporation must obtain from the said company an undertaking to supply it with money for the above purposes, as required.

2. The corporation of the village of Asbestos is authorized to sell to the Canadian Johns-Manville Company, Limited, the land which it owns as streets or otherwise in the territory described in section 1 of this act, with all the rights which its titles to such land convey, and also the municipal works therein, for the price and upon such terms and conditions as may be agreed to between them, and to close said streets.

3. The Canadian Johns-Manville Company, Limited, shall guarantee the corporation of the village of Asbestos against any action which may be instituted against it by reason of the exercise by the said corporation of the powers conferred upon it by sections 1 and 2 of this act.

4. In the event of expropriation, the compensation shall be fixed by the Quebec Public Service Commission which special jurisdiction is conferred by this act. The expropriation shall be effected under the Cities and Towns' Act and the provisions of sections 598 to 609, inclusive, such act shall apply.

5. All the powers granted by this act to the said corporation may be exercised by mere resolution of its council.

Costs.

6. All the expenses occasioned by the passing of this act shall be paid by the Canadian Johns-Manville Company, Limited.

Coming into
force.

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