



CHAPTER 127

An Act to ratify and validate certain by-laws of the city of Levis

[Assented to, the 4th of April, 1929]

WHEREAS the city of Levis has, by its petition, re-Preamble.
presented:

That its council passed two by-laws on the 23rd of October, 1928, bearing numbers 278 and 279, and imposing taxes for the year beginning on the 1st of May, 1928, and expiring on the 30th of April, 1929;

That said by-laws were passed, both at the first and second reading, by a majority of the members at the meetings of the council at which such by-laws were considered;

That, recently, doubts have arisen as to the legality of the passing of the said by-laws and the imposition of taxes by the same, owing to the existence of a previous by-law, requiring that by-laws be passed by the absolute majority of the members of the council, and particularly as the Superior Court for the district of Quebec, in a suit bearing number 10194 of the records of that court, in which Victor Angers was petitioner, and the city of Levis respondent, decided on the 24th of January, 1929, that the said by-laws had not been passed by the absolute majority of the members of the council, and annulled and quashed them;

That at the passing of the said by-laws, at their first and second reading, one of the aldermen of the said city was absent from the meetings of the council; that, if all the aldermen had been present, the absolute majority would have consisted of the vote of the three aldermen who voted in favour of the passing of the said by-laws, and of that of the mayor, who might then have given his casting-vote;

That the doubts which have arisen as to the legality of the passing of the said by-laws are of a nature to cause serious injury to the city of Levis, to make confusion in its affairs by preventing it from continuing to collect the sums necessary for the administration of its affairs and payment of its debts, and by exposing it to be forced to restore considerable amounts hitherto collected under the said by-laws;

That it is in the public interest to regularize the situation and to validate the said by-laws Nos. 278 and 279 passed by the council of the city of Levis on the 23rd of October, 1928;

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:

By-laws
ratified.

1. By-laws Nos. 278 and 279 passed by the council of the city of Levis on the 23rd of October, 1928, are ratified and confirmed, and declared legal, valid and obligatory in their form and tenor.

Collection
rolls ratified.

2. The collection rolls made in accordance with the said by-laws are also ratified and confirmed, and declared valid and obligatory for all legal purposes.

Payments
ratified.

3. All payments made to the city of Levis under the said by-laws are validated and ratified for all legal purposes, and cannot be claimed back.

Pending
suits.

4. This act shall apply to pending suits, except as to the costs.

Coming into
force.

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