



CHAPTER 81

An Act to amend the charter of the city of Montreal with respect to the Côte-des-Neiges road

[Assented to, the 1st of April, 1927]

WHEREAS Victor Cardinal, Hercule Roy, Pierre, Emile Preamble. and Séraphin Deguire, Alphonse and Edouard Cardinal, Joseph Deguire, Alphonse Goyer, Edouard Roy, Auguste Cardinal and Camille Légaré, farmers, all of the the city and district of Montreal, have, by their petition, represented, that they are owners of immoveables bordering on the Côte-des-Neiges road in the former town of Côte-des-Neiges annexed to the city of Montreal in 1910 under the act 1 George V, chapter 48; that by the said act, the city of Montreal undertook, within the delay of one year, to widen and construct said road; that the city was bound by the conditions of annexation and according to the provisions of its charter at that time to alone pay for the cost; that the city did not fulfil the obligations assumed by it with regard to said road within the delay, and, several years afterwards, it had its charter changed, and had itself authorized to levy, by resolution, upon the bordering owners to defray the cost of establishing and paving new streets; that under such authorization the city had apportionment rolls made and assessed the immoveables situated along the Côte-des-Neiges road for the cost of its construction and paving at the rate of seventeen dollars and thirty-one cents per lineal foot; that such work was executed in spite of the protests of the petitioners; that the imposition of these special taxes constituted a violation of the conditions upon which the former town of Côtes-des-Neiges agreed to annex to the city of Montreal and lays an excessive burden upon the said immoveables, out of proportion to their value and revenue; that the Côte-des-Neiges road was built seventy feet wide and paved for a width of fifty-two feet, as it is used as a highway between the city and the suburbs of

Montreal and in noway because the petitioners needed same; that works of the same kind, which are in the general interest, were done in other wards entirely at the cost of the city; that if the city had fulfilled at the proper time the conditions of annexation, it would have paid the cost of the said road itself; that the levying of the said special taxes, if maintained, will unjustly affect the immoveables of the petitioners as well as of the other ratepayers in the same circumstances;

Whereas the petitioners have by their petition prayed for the passing of an act to the effect that the cost of the said work shall remain at the charge of the city of Montreal;

Whereas by the act 16 George V, chapter 71, section 38, the city of Montreal was authorized to annul the said rolls imposing a special real tax for the construction, remaking and paving of the whole of the Côte-des-Neiges road;

Whereas the city of Montreal has not yet annulled the said rolls but has declared that its Council was now considering this question, and, by a resolution, adopted on the 14th of February, 1927, it has decided that in the meantime the collection of the said special taxes provided for in said rolls be suspended; and

Whereas it is but right that the petitioners be not called upon to pay the said taxes so long as the question shall not have been definitely solved;

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

Côte-des-Neiges road paving cost.

1. The apportionment rolls made by the city of Montreal, imposing a special real estate tax for the cost of building, remaking and paving the whole of the Côte-des-Neiges road, shall remain of no effect so long as the city of Montreal shall not have annulled them.

Coming into force.

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