



CHAPTER 82

An Act to amend the charter of the town of Montreal East
and to approve a resolution of its municipal council,
dated the 20th of December, 1926

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

WHEREAS the town of Montreal East has, by its petition, represented: Preamble.

That the opening of Sherbrooke street across the territory of the town has become necessary;

That the work necessary for such purpose will occasion considerable expense which it would not be fair to have borne by the bordering property-owners alone;

That it is expedient to determine who shall bear the cost of opening such street;

That it has thus become necessary to amend section 10 of the act 6 George V, chapter 50, an act to amend the charter of the town;

That by the terms of the said act, 6 George V, chapter 50, the town's power of borrowing was limited to fifteen per cent, while the limit provided by the Cities and Towns' Act is actually twenty per cent;

That the National Cement Company possesses, within the town, lands upon which buildings and factories are erected, and machinery and accessories installed, and which are presently entered on the valuation roll at a valuation of one million two hundred and four thousand five hundred and eighty dollars;

That the amount of this valuation is disputed and causes a disagreement between the town and the National Cement Company;

That it is to the interest of both parties to avoid litigation;

That it is also to the interest of the town to secure for a

period of twenty years from the National Cement Company the payment of a fixed, indisputable sum;

That the National Cement Company is ready to agree to a commutation of taxes for twenty years at the rate of fifteen thousand dollars per annum;

Whereas the town of Montreal East has prayed for an act for the above purposes; and

Whereas 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:

6 Geo. V, c. 50, s. 10, replaced.

1. Section 10 of the act 6 George V, chapter 50, is replaced by the following:

Who shall bear costs of improvements and works.

"10. In and by any by-law provided for in section 9, the town may declare or order that the cost of such improvements and works shall be borne and paid in proportion deemed equitable by this council by the proprietors of immoveables situated on each side of the streets or public places, or of any part thereof, on which such improvements or works have been or may be made, or by the latter and by the owners of immoveables situated within a specified area or within the limits specified in such by-law and who benefit by such works or improvements already made or to be made, by means of a special assessment made, prepared or imposed upon the owners of the said immoveables in proportion to the frontage or to the area of the said properties when such improvements are made.

Effect.

This section shall not affect the provisions of the act 14 George V, chapter 137."

6 Geo. V, c. 50, s. 11, replaced.

2. Section 11 of the act 6 George V, chapter 50, is replaced by the following:

Limit of borrowing power.

"11. The indebtedness of the town shall never be more than twenty per cent of the value of the taxable immovable property in the town, as it appears by the valuation roll; but sums borrowed for works or expropriations whose cost is payable by the proprietors shall not be reckoned in computing the indebtedness of the town, provided that the sums levied on said proprietors be deposited as a sinking-fund for the repayment of the loans contracted for the carrying out of the said works or expropriations."

Resolutions approved, etc.

3. The resolution of the municipal council of the town of Montreal East, unanimously adopted at its ordinary general sitting of the 20th of December, 1926, and the

resolution of the board of management of the National Cement Company adopted at its sitting of the 23rd of December, 1926, are approved, ratified and declared valid, for all legal purposes.

This arrangement shall, however, be submitted to the Proviso. vote of the electors who are property-owners in the town and the present ratification shall take effect only when it shall have been approved by the majority in number and in value of those who have voted, but the period of the said commutation shall be for ten years instead of twenty years.

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