CHAPTER 122

An Act to ratify by-law No. 62 of the corporation of the Village of Richelieu and certain agreements entered into between the said corporation and Montreal & St. Lawrence Light & Power Company, Montreal Light, Heat & Power Company, and Montreal Light, Heat & Power Consolidated

[Assented to, the 24th of February, 1927]

WHEREAS the Corporation of the Village of Richelieu, Preamble. in the county of Rouville, a municipal corporation duly constituted, has, by its petition, represented:

That difficulties and disputes have arisen between the said municipal corporation, on the one hand, and the Montreal & St. Lawrence Light & Power Company, Montreal Light, Heat & Power Company and Montreal Light, Heat & Power Consolidated, on the other hand, concerning the valuation for municipal purposes of the said companies' properties situate in the said municipality, which disputes have resulted in a number of lawsuits between the parties;

That with a view to putting an end to the differences between the parties, said municipal corporation did pass its by-law No. 62 on the 7th of September, 1926, which by-law was voted upon and confirmed according to law by the municipal electors on the 30th of September, 1926;

That the said by-law did provide *inter alia*:

(*a*) That the said companies as a unit should pay municipal taxes for the years 1921-22, 1922-23, 1923-24, 1924-25 and 1925-26 upon the municipal valuations actually in force for each of said years, with interest from the due dates thereof at the rate fixed by the Municipal Code;

(*b*) That for the next thirty years, namely up to and including the year 1956-57, the said companies and their successors should pay each year, in full of all municipal

375

taxes, special as well as general, of every nature, an amount equal to three times the general and special taxes imposed for the year on all immoveable properties in the village of Richelieu other than those belonging to the said companies, and used by them for the production of electricity, provided the amount so payable by the said companies as a unit should not in any one year during said term exceed the sum of nine thousand dollars ($9,000.), and the properties of the companies not used for the production of electricity to remain subject to taxation under the general laws;

(c) That during said period of thirty years the said companies would furnish gratuitously to the corporation of the village of Richelieu, so long as the latter was proprietor of the water-works system, ten horse-power of electrical energy to run the pumps of such water-works, and would see to the running of the said pumps and their upkeep without charge, said pumps to be located at a place approved by the companies, the said municipal corporation to furnish the materials necessary for the installation, maintenance and repair of said pumps; and if the corporation of the village of Richelieu should construct a filtration plant, the place where the same should be installed, as well as the water-works pumps, should be approved by the engineers of the said companies, which said companies would take charge of the running and maintenance of the said filtration plant without cost to the corporation of the village of Richelieu, which latter would, however, provide the materials for the maintenance and repair thereof;

(d) If the said companies or their successors ceased permanently to operate their electric plant, the obligations assumed by them in the preceding paragraph would cease *ipso facto*, and if the said companies temporarily suspended their operations on account of fortuitous events, their obligations assumed in the preceding paragraph would also be suspended, but only for the temporary period; and

(e) The immoveables of the companies, which were subject for taxation purposes to the operation of said by-law, would be omitted from the collection roll of the corporation but would remain upon the valuation roll for the said period of thirty years at a fixed valuation of seven hundred and fifty thousand dollars;

That an agreement embodying the foregoing provisions of the said by-law was passed between the said companies, of the one part, and the corporation of the village of Ri-

chelieu, of the other part, by notarial deed, dated the 3rd of November, 1926, before Edouard Honoré Bégin, N. P.;

That by the terms of the said by-law and of the said agreement it is provided that the same should be approved by the Legislature of the Province of Quebec at its next session, and that the actions pending between the parties should be suspended in the meantime;

That it is expedient that the said by-law No. 62 of the corporation of the village of Richelieu and the said notarial agreement between the parties be confirmed by the Legislature in order to give them force and effect;

Whereas it is expedient to grant the prayer of 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:

1. Are hereby ratified, confirmed and rendered obligatory for all legal purposes, the by-law and deed of agreement described as follows, to wit: By-law and deed of agreement ratified, etc.

(*a*) By-law No. 62 of the corporation of the village of Richelieu, passed on the 7th of September, 1926, and duly ratified by the municipal voters on the 30th of September, 1926, and

(*b*) The deed of agreement passed, pursuant to the terms of the said by-law, before Edouard Honoré Bégin, Notary Public, on the 3rd of November, 1926, between the Montreal & St. Lawrence Light & Power Company, Montreal Light, Heat & Power Company and Montreal Light, Heat & Power Consolidated, parties of the first part, and the corporation of the village of Richelieu, party of the second part.

2. The valuation of the said immoveable properties, fixed at $750,000.00 shall be for municipal purposes only, but the said immoveable properties shall be valued at their real value for school and all other purposes. Valuation.

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