



CHAPTER 73

An Act to amend the charter of the city of Verdun

[Assented to, the 11th of March, 1926]

WHEREAS the corporation of the city of Verdun has, Preamble
by its petition, represented that it is in the interest
of the proper administration of its affairs that its charter,
the act 7 Edward VII, chapter 73, as amended by the acts
3 George V, chapter 61; 4 George V, chapter 80; 6 George
V, chapter 48; 7 George V, chapter 72; 8 George V, chapter
88; 9 George V, chapter 95; 11 George V, chapter 115; 12
George V, chapter 108; 13 George V, chapter 95; 14 George
V, chapter 91, and 15 George V, chapter 97, be further
altered and amended in order to give it certain powers
which it does not possess, and to do away with certain pro-
visions which may govern it;

That out of the advances made to it by the Government
of this Province under the Workmen's Dwelling Act, it has
loaned to the Metropolitan Housing Company, Limited,
a sum of seventy-six thousand, five hundred dollars, by
deed executed before Oscar Deguise, Notary, on the 7th
of November, 1922, and another sum of one hundred and
forty-nine thousand, six hundred dollars, by deed before
Oscar Deguise, Notary, on the 14th of June, 1923, which
deeds were registered in the office of the registration divi-
sion of Montreal, under the numbers 4940 and 23672;

That among the conditions contained in these deeds it
was stipulated that, in default of the borrower or repre-
sentatives fulfilling and conforming to the stipulated con-
ditions, it might, without any other judicial proceeding than
the passing by its council of a resolution establishing such
default and at the expiry of thirty days from the date of
the signification of a copy of such resolution on the bor-
rower or his representatives, register another copy of such
resolution against the immoveable described in said deeds
of loan and mortgage, and it would *ipso facto* become prop-
rietor of the immoveable charged with the warranty of the

loan and without prejudice to its right to claim damages and costs, retaining these instalments as liquidated damages;

That the borrower made default in the fulfillment of the conditions stipulated in the deed of loan, specially in not paying the instalments in interest and capital;

That, on the 25th of August, 1924, it passed two resolutions establishing such default;

That, on the 23rd of October, 1924, these two resolutions were served upon the borrower through the ministry of Oscar Deguise, Notary;

That, on the 30th of December, 1924, these two resolutions were registered in the registry office of the division of Montreal under the numbers 68823 and 68825;

That these proceedings constitute a title;

That it desires to dispose of these immoveables and for this purpose desires that its title be confirmed;

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:

13 Geo. V,
c. 95, s. 3,
replaced.

City author-
ized to ex-
propriate
certain
properties.

1. Section 3 of the act 13 George V, chapter 95, is replaced by the following:

“3. Notwithstanding the provisions of a certain agreement existing with proprietors who have ceded streets to the city provisionally, and stipulating that: “Should the council for the city, or their successors, at any time, within the next twenty years, pay any sum of money unto any party or parties for any streets or avenues, within the boundaries of the territory now called the city of Verdun, then and in such case the said proprietors shall be paid by such city and its successors, on demand, in like proportion and at the same rate for the said streets and avenues, so hereby ceded and transferred”, the city is hereby empowered to proceed by expropriation in the ordinary manner to acquire the parcels of land hereinafter described, and to charge the cost of the expropriation of said parcels of land to the proprietors of property fronting on the said parcels of land expropriated for the purpose of opening streets within the city’s limits, the description of each piece of land being set after the name of the street for the opening of which it is required, as follows:

Description
of certain
pieces of
land.

Wellington Street: A certain piece of land being of triangular shape, bounded as follows: on the northeast by Woodland Street, on the southeast by Lasalle Road, on the southwest by Osborne Street, and on the northwest by the west

line of Wellington Street as indicated on the homologated plan of the city;

Bannantyne Avenue: A certain piece of land being the continuation of the existing lines of Bannantyne Avenue, from cadastral No. 4679, subdivision 740, to cadastral No. 4677, subdivision 1, forming part of cadastral No. 4678;

Aqueduct Avenue: A certain piece of land being the continuation of Aqueduct Avenue, from cadastral No. 4679, subdivision 461, to cadastral No. 4676, subdivision 139, forming part of cadastral No. 4678;

All the lands or parts of lands not belonging to the city and situated to the south of Lasalle Road between the said road and the river, from Second Avenue to the western limits of the city."

2. Section 2 of the act 15 George V, chapter 97, is replaced by the following:

"**2.** Notwithstanding the provisions of certain agreements existing with proprietors who have ceded streets to the city provisionally, and stipulating that "Should the council for the city or their successors, at any time, within the next twenty years, pay any sum of money unto any party or parties, for any streets or avenues, within the boundaries of the territory now called the city of Verdun, then and in such case the said proprietors shall be paid by such city and its successors, on demand, in like proportion and at the same rate for the said streets and avenues, so hereby ceded and transferred", the city is hereby empowered to proceed by expropriation in the ordinary manner to acquire the parcels of land hereinafter described, and to charge the cost of the expropriation of said parcels of land to the proprietors of property fronting on the said parcels of land expropriated for the purpose of opening streets within the city's limits, the description of each piece of land being set after the name of the street for the opening of which it is required, as follows:

Verdun Avenue: A certain piece of land being the continuation of the existing lines of Verdun Avenue, from cadastral number 4679, subdivision 951, to cadastral number 4681, subdivision No. 1, forming part of cadastral number 4680;

Bannantyne Avenue: A certain piece of land being the continuation of the existing lines of Bannantyne Avenue, from cadastral No. 4679, subdivision 740, to cadastral No. 4681, subdivision 206, and forming part of cadastral No. 4680;

Bannantyne Avenue: A certain piece of land being the continuation of the existing lines of Bannantyne Avenue,

15 Geo. V,
c. 97, s. 2,
replaced.

Expropria-
tion for the
opening of
certain
streets.

Description
of certain
pieces of
land.

from cadastral No. 4682 to Lasalle Road across cadastral No. 4683;

Aqueduct Street: A certain piece of land being the continuation of the existing lines of Aqueduct Street, from cadastral No. 4679, subdivision 461, to cadastral No. 4681, forming part of cadastral No. 4680.

Expropriation for the opening of certain streets.

3. Notwithstanding the provisions of certain agreements existing with proprietors who have ceded streets to the city provisionally, and stipulating that: "Should the council for the city or their successors, at any time within the next twenty years, pay any sum of money unto any party or parties, for any streets or avenues, within the boundaries of the territory now called the city of Verdun, then and in such case the said proprietors shall be paid by such city and its successors, on demand, in like proportion and at the same rate for the said streets and avenues, so hereby ceded and transferred", the city is hereby empowered to proceed by expropriation in the ordinary manner to acquire the parcels of land hereinafter described for the purpose of opening streets within the city's limits, the description of each piece of land being set after the name of the street for the opening of which it is required, as follows:

Description.

Strathmore Avenue: A certain piece of land being lot 3268-1-2 and lot 3401-1245 and lot 3401-1244, bounded to the northeast by lot 3268-2, to the southeast by Wellington Street, to the southwest by part of lot 3401-1243 and part of lot 3268-1-1, and to the northwest by Lasalle Road, Rushbrooke Street;

Claude Street: A certain piece of land being:

- a. Lot 4342, bounded to the north by Galt Avenue, to the east by lot 4343, to the south by lot 4357, and to the west by lot 4341, measuring 70 feet in width;
- b. Lot 4357, bounded to the north by lot 4342, to the east by lot 4356, to the south by Gordon Avenue, and to the west by lot 4358, measuring 70 feet in width;
- c. Lot 4372, bounded to the north by Gordon Avenue, to the east by lot 4373, to the south by lot 4386, and to the west by lot 4371, measuring 70 feet in width;
- d. Lot 4387, bounded to the north by lot 4372, to the east by lot 4386, to the south by Rielle Avenue, and to the west by lot 4388, measuring 70 feet in width;
- e. Lot 4402, bounded to the north by Rielle Avenue, to the east by lot 4403, to the south by lot 4470, and to the west by lot 4401, measuring 70 feet in width;
- f. Lot 4417, bounded to the north by lot 4408, to the east by lot 4416, to the south by Willibrord Avenue, and to the west by lot 4418, measuring 70 feet in width;

Argyle Avenue: A certain parcel of land being lot 4673-2, bounded to the north by lot 4673-3, to the east by Lasalle Road, to the south by Argyle Avenue, and to the west by Wellington Street, of irregular measure.

4. Section 1 of the act 14 George V, chapter 91, is re-<sup>14 Geo. V,
c. 91, s. 1,
replaced.</sup> placed by the following:

"1. Upon petition, signed by the proprietors representing <sup>Works and
loans au-
thorized.</sup> at least two-thirds of the land bordering on a street or lane and approved by the Montreal Metropolitan Commission and by the Lieutenant-Governor in Council, the city is authorized to do all permanent works, such as sidewalks, sewers, paving, aqueducts, and other so-called permanent works, and to borrow, as may be necessary, the amounts for such purposes.

The costs of these works and the interest on the loan <sup>Payment of
costs.</sup> contracted for the payment thereof, as well as the costs and disbursements incurred, in such case, in the preparation of the by-laws and the negotiation of the loans, shall be paid by a special assessment on the interested proprietors, in proportion to the frontage of their properties in conformity with the by-laws of the city and under the terms of section 576 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102).

For this purpose, the city is authorized, during five years, <sup>Loan au-
thorized.</sup> to borrow all the necessary money to pay for these works, but the amount shall not exceed two hundred thousand dollars per annum.

The terms of each of such loans shall not exceed that of <sup>Terms of
loans.</sup> a special assessment made for the works for which such loan is made; and the interest shall not exceed six per cent ^{Interest.} per annum.

These loans shall be ordered by by-laws of the city council, but without being submitted to the ratepayers for ap- <sup>Loan by-
laws.</sup> proval, as required by section 574 and following of the said Cities and Towns' Act, but they must be approved by the Lieutenant-Governor in Council.

They shall be made by means of an issue of debentures <sup>Issue of de-
bentures,
etc.</sup> or registered stock issued in accordance with the provisions of the city charter, or, in default of provision on the subject in the charter, in accordance with the provisions of the Cities and Towns' Act. Any by-law ordering such loan shall, in each case, clearly specify the object of such loan, and no by-law of this nature shall be adopted by the city council without having obtained from the city engineer a written declaration on his oath of office, attesting to the total cost of the works for which such loan is required, and that the works have been entirely executed.

Sinking-fund.

The special assessment, collected from the interested proprietors for the permanent works made under this section, shall constitute a sinking-fund to be applied exclusively to paying the interest on the debentures or registered stock issued for the payment of these works, and to redeem such debentures and registered stock at maturity, which said interest and sinking-fund shall nevertheless remain a charge against the general funds of the city.

Bank loan.

The city is authorized to borrow from the bank the money necessary for the execution of these works. This loan shall be reimbursed to the bank with the proceeds of the sale of the bonds or debentures, issued by the city, according to the by-laws passed in accordance with the charter.

Delay.

These loans and the negotiation of these bonds or debentures shall be made within the year following the completion of the works.

City of Verdun declared proprietor of certain lots, according to certain deeds.

5. The city of Verdun is declared to be proprietor for all purposes of the lots known and distinguished under the numbers 4424-1, 2, 3 and 4, and 4419-1, 4419-2, 4420-1, 4420-2, 4421-1, 4421-2, 4422-1, 4422-2, 4423-1, 4423-2, and each of lots composed of numbers 4669-824 and 4669-825-1, 4669-825-2 and 4669-826-1, 4672-13 and 4672-14-2, 4672-15 and 4672-14-1, 4672-132 and 4672-131-1, 4672-130 and 4672-131-2, of the parish of Montreal, and the lots subdivisions numbers one and two of original lot number four thousand four hundred and sixteen (4416-1-2); numbers one and two of the original lot number four thousand four hundred and two (4402-1-2); one and two of the original lot number four thousand four hundred and seventeen (4417-1-2); subdivisions numbers one and two of the original number four thousand four hundred and eighteen (4418-1-2), and numbers one and two of the original lot four thousand four hundred and three (4403-1-2), of the said official plan and book of reference of the parish of Montreal, and of buildings erected thereon; the whole according to deeds intervened between it and the Metropolitan Housing Company, Limited, on the 7th of November, 1922, and the 14th of June, 1923.

Coming into force.

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