



## CHAPTER 67.

An Act respecting the Corporation of the  
City of Port Moody.

[ Assented to 11th December, 1925.]

**W**HEREAS the City of Port Moody was incorporated by "Port Moody Incorporation Act," chapter 91 of the Statutes of British Columbia, 1913, and is a municipality governed by the provisions of the "Municipal Act": Preamble.

And whereas the Port Moody Steel Works, Limited, was incorporated under the "Companies Act" of the Province of British Columbia, with registered office at Port Moody, British Columbia:

And whereas the said Port Moody Steel Works, Limited, on second November, 1915, issued debentures to the amount of one hundred thousand dollars, and executed a trust deed to Montreal Trust Company of its site and plant situate at Port Moody, British Columbia, and the undertaking and assets of the said Company to secure payment of the said debentures for one hundred thousand dollars, payable ten years from the date thereof, with interest at seven per cent. per annum payable half-yearly on the first days of May and November in each year:

And whereas the Corporation of the City of Port Moody, under the authority of By-law No. 55, guaranteed payment of the debentures of the said Port Moody Steel Works above recited:

And whereas the said Port Moody Steel Works, Limited, made default in payment of the interest of the said debentures as the same became due and payable, and the said Corporation of Port Moody has paid the said interest and is the holder of coupons representing the interest of the said debentures so paid by the said Corporation:

And whereas the said Port Moody Steel Works, Limited, is unable to pay the principal of the said debentures now due and owing from the first day of November, 1925, and the Corporation of the City of Port Moody is obliged to pay said debentures:

And whereas the said Port Moody Steel Works, Limited, is indebted to the said the Corporation of the City of Port Moody for

taxes on the said site and for insurance, watchmen, repairs to and upkeep of the said plant, and trustee's fees:

And whereas the said Port Moody Steel Works, Limited, has given to the said Montreal Trust Company release and quit-claim of all its interest in the said site, plant, and the real and personal property described in the said trust deed made to secure payment of the said debentures:

And whereas the said Corporation of the City of Port Moody has presented its petition, praying that the said city be authorized to borrow and raise the sum of one hundred thousand dollars for the purpose of paying and retiring the debentures of the said Port Moody Steel Works, Limited, and to acquire the assets of the said Port Moody Steel Works, Limited, which were hypothecated and charged as security for payment of the said debentures, with power to possess, operate, lease, or otherwise dispose of the assets of the said Port Moody Steel Works, Limited, so acquired:

And whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Port Moody  
debenture issue,  
\$100,000.

1. Notwithstanding anything contained in the "Municipal Act," it shall and may be lawful for the Council of the City of Port Moody, without the assent of the electors, to pass by-law authorizing the borrowing upon the credit of the Corporation of the sum of one hundred thousand dollars and to issue debentures in such form and divided into such amounts as the Inspector of Municipalities may approve, and said debentures shall be payable at the expiration of ten years from the date thereof and shall bear interest at a rate not to exceed six per cent. per annum half-yearly, and to sell the said debentures at a price to be approved of by the said Inspector of Municipalities, and from and out of the proceeds of sale of the said debentures to pay off and retire the debentures hereinbefore recited issued by the Port Moody Steel Works, Limited, which become due on the first day of November, 1925.

Trustee release.

2. Upon payment of the said debentures by the said the Corporation of the City of Port Moody, the said Montreal Trust Company are directed and authorized to grant, transfer, and release unto the said the Corporation of the City of Port Moody the lands, plant, equipment, personal property, and other assets of the said Port Moody Steel Works, Limited, described in the trust deed from the said Port Moody Steel Works, Limited, to the Montreal Trust Company, dated second November, 1915, made to secure payment of the debentures hereinbefore recited issued by the said Port Moody Steel Works, Limited, and guaranteed by the Corporation of the City of Port Moody.

3. The said the Corporation of the City of Port Moody is authorized to accept conveyance, grant of, acquire and hold the said lands, plant, equipment, and personal property and assets of the said Port Moody Steel Works, Limited, without the necessity of any by-law being passed by the Council of the said Corporation to authorize transfer of the said real and personal property to the said Corporation, and the provisions of the "Municipal Act" with reference to the acquiring the lands and property shall not apply. Port Moody accept.

4. The said Corporation of the City of Port Moody shall be the absolute owner of said land, plant, machinery, and equipment and other property and assets of the said Port Moody Steel Works, Limited, and shall not be accountable or in any way liable to the said Company or its assigns or any creditor of the said Company, and on production of release from Port Moody Steel Works, Limited, and conveyance from said Montreal Trust Company the Registrar of Titles at New Westminster shall issue in the name of the Corporation of the City of Port Moody certificate of indefeasible title to said lands free from encumbrance. Port Moody own plant, etc.

5. The Corporation of the City of Port Moody is authorized by resolution of the Council, and subject to the approval of the Inspector of Municipalities, to enter into any contract with any person or company to operate said plant, and to sell, lease, or dispose of the whole or any portion of the said land, plant, machinery, equipment, property, and assets of the said Company so transferred to the said Corporation. Operate, lease, or sell

6. The proceeds of the operation, lease, or sale of the said plant or any part thereof shall be deposited in a separate account in a chartered bank and shall be applied towards the upkeep of the said plant, insurance, watchmen, repairs, and other expenses incident to the ownership of the said plant, and the surplus shall be applied towards the redemption and retiring of the debentures for the sum of one hundred thousand dollars authorized by this Act, and as such debentures are redeemed, retired, and got in from the proceeds of the operation, lease, or sale of the assets of the said Port Moody Steel Works, Limited, such debentures shall be cancelled and defaced. Any surplus after payment of the said debentures shall be transferred to current revenue of the said Corporation and applied as the Council of the said Corporation may by resolution determine. Proceeds to redeem debentures.

7. Where the provisions of the "Municipal Act" conflict with the provisions of this Act the provisions of this Act shall prevail. Conflict.

This Act may be cited for all purposes as "Port Moody Act, Short title 1925."