

# *An Act Respecting the City of Moose Jaw*

*being a Private Act*

Chapter 40 of the *Statutes of Saskatchewan, 1908*  
(effective November 1, 1908).

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### **NOTE:**

**This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.**

1908

CHAPTER 40

An Act respecting the City of Moose Jaw

(Assented to June 12, 1908)

HIS Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

**Incorporation of the city of Moose Jaw**

1(1) On, from and after the coming into force of this Act the inhabitants of the locality or lands described in subsection (2) of this section and their successors shall under the name of the city of Moose Jaw be and they are hereby declared to be a municipal corporation and a city municipality within the meaning of *The City Act*.

**Area of city**

(2) The locality of lands referred to in subsection (1) of this section consist of the following lands situated in the province of Saskatchewan, namely:

(a) Sections 32 and 33 in township 16 in range 26 west of the second meridian, and the south-west quarter of section 4 and the south-east quarter of section 5 in township 17 in range 26 west of the second meridian;

(b) Commencing at the north-east corner of section 29 in township 16 range 26 west of the second meridian; thence southerly along the eastern boundary of the said section a distance of forty rods; thence westerly parallel to the eastern boundary of the said section to a point in the northern boundary thereof; thence easterly along the northern boundary of the said section to the place of beginning and containing by admeasurement forty acres of land more or less;

(c) Commencing at the north-west corner of section 28 in township 16 range 26 west of the second meridian; thence southerly along the western boundary of the said section nine hundred and forty-three feet five inches; thence easterly parallel to the northern boundary of the said section nine hundred and forty-three feet five inches; thence northerly parallel to the said western boundary of said section nine hundred and forty-three feet five inches; thence westerly along the northern boundary of said section nine

hundred and forty-three feet five inches to the place of beginning and containing by admeasurement twenty acres of land more or less;

(d) All that portion of section 28 in township 16 and range 26 west of the second meridian, bounded on the south and east by the Moose Jaw creek and on the north by the southern boundary of the city of Moose Jaw as it existed immediately prior to the eighth day of October, A.D. 1904, and on the west by the line of Twelfth avenue of the said city produced southerly to meet Moose Jaw creek;

(e) The east half of section 31 in township 16, the southeast quarter of section 6 and the south-west quarter of section 5 in township 17 all in ranges 26 west of the second meridian:

**Proviso**

Provided however that no assessment shall be made nor any rate levied by said corporation upon the lands described in clauses (b), (c) and (d) of this section for the purpose of paying any indebtedness to the city of Moose Jaw incurred by said corporation prior to the eighth day of October, A.D. 1904, nor shall the lands mentioned in said clauses (b), (c) and (d) or any portion thereof be liable for the purpose of securing repayment of any debenture indebtedness of the city of Moose Jaw incurred prior to the first day of January, A.D. 1904.

1908, c. 40, s. 1.

**Same**

**2** Chapter 34 of the Ordinances of 1903 (second session), chapter 15 of the Ordinances of 1904 and chapter 49 of the Acts of 1906 are hereby repealed:

Provided however that the repeal of the said chapters shall not be construed as effecting a dissolution of the corporation of the city of Moose Jaw as constituted under the said chapters; but the said corporation shall upon such repeal taking effect be deemed not to have been dissolved; and the provisions of this Act and *The City Act* shall upon such repeal taking effect be deemed as provisions substituted for the said chapters so repealed; and

Provided further that the city of Moose Jaw shall not by reason of anything in this Act or *The City Act* contained or by reason of the repeal of the said chapters be relieved from any duty, obligation, liability or indebtedness heretofore or now owing, existing, due or accruing due to any person, corporation or company and whether the same arises or exists by reason of or by virtue of any Statute, Ordinance, Bylaw, law, contract or tort or by virtue of any proceedings heretofore taken, passed, existing or in force; and notwithstanding the repeal of the said chapters such duty, obligation, liability or indebtedness shall continue with the same force and effect as if the said chapters had not been repealed; and

Provided further that the city of Moose Jaw (as hereby constituted) shall be entitled to and it is hereby invested with and declared to have all the rights and privileges, real and personal property of every kind and description which the city of Moose Jaw (as constituted under said chapter) immediately prior to the coming into force of this Act was entitled to and invested with and with as full power and authority in respect of the same as the city of Moose Jaw (as constituted under said chapters) had or possessed immediately prior to the coming into force of this Act.

1908, c. 40, s. 2.

**Council, bylaws, etc, continued**

**3** Until a new council is elected under *The City Act* the head and members of the council of the city of Moose Jaw as existing at the time of the coming into force of this Act shall be deemed and taken for all purposes to be the head and members of the council of the incorporation hereby created and all officers of the said city shall remain in office until their successors are appointed and until altered under the authority of *The City Act* all bylaws and all contracts, property, assets, rights and liabilities of the city of Moose Jaw as existing at the time of the coming into force of this Act shall be deemed and taken for all purposes to be the bylaws, contracts, property, assets, rights and liabilities of the city of Moose Jaw as hereby constituted.

1908, c. 40, s. 3.

**Coming into force of Act**

4 The Lieutenant Governor in Council shall by proclamation published in *The Saskatchewan Gazette* declare the day on, from and after which this Act shall become and be in force and the said Act shall on and after such day so declared become and be in force.

1908, c.40, s.4.