

Saskatoon: Ratifying certain money bylaws

being a Private Act

Chapter 39 of the *Statutes of Saskatchewan, 1907*
(effective April 3, 1907) as amended by the *Statutes of
Saskatchewan, 1908, c.44.*

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.

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Editorial Appendix

1907

CHAPTER 39

An Act ratifying Certain Money Bylaws of the City of Saskatoon

(Assented to April 3, 1907)

Preamble

WHEREAS the municipal corporation of the city of Saskatoon has by petition represented that the council of the said corporation on the first day of August, 1906, finally passed Bylaw No. 68 of the said city authorizing the issue of debentures of the said city for a sum not exceeding \$250,000 to be expended in the construction of a system of waterworks, sewerage, electric lighting and power which bylaw is set forth as schedule A hereto;

And whereas before the final passing of the said bylaw the same was duly submitted to a vote the burgesses of the said city qualified to vote thereon and was assented to by a majority of the said burgesses voting thereon;

And whereas the said municipal corporation has by petition represented that the council of the said corporation on the seventeenth day of October, 1906, finally passed Bylaw No. 73 of the said city entitled "A Bylaw for the purchase of lands for an hospital site and for the erection, furnishing and maintenance of an hospital in the city of Saskatoon", set forth as schedule B hereto;

And whereas before the final passing of the said bylaw the same was duly submitted to a vote of the burgesses of the said city qualified to vote thereon and was assented to by a majority of the said burgesses voting thereon;

And whereas the said municipal corporation has by petition further represented that the council of the said corporation on the seventeenth day of October, A.D. 1906, finally passed Bylaw No. 74 of the said city entitled "A Bylaw of the city of Saskatoon to provide for the raising of a sum not exceeding \$8,000 to be expended in the purchase of property for the erection of municipal buildings", set forth as in schedule C hereto;

And whereas before the final passing of the said bylaw the same was duly submitted to a vote of the burgesses of the said city qualified to vote thereon and was assented to by a majority of the said burgesses voting thereon;

And whereas the said municipal corporation has by petition further represented that certain doubts exist as to the validity of the said bylaws and of the debentures issued or to be issued thereunder and that it is expedient to validate and confirm the said bylaws;

And whereas the said municipal corporation has by its said petition prayed that an Act may be passed for the purposes aforesaid;

And whereas no opposition has been offered by or on behalf of any ratepayer or otherwise to the said petition;

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 Saskatchewan enacts as follows:

Bylaws confirmed

1 Bylaws numbers 68, 73 and 74 of the corporation of the city of Saskatoon which said bylaws are set forth respectively in schedules A, B and C to this Act are and each of said bylaws is hereby declared to be valid and binding and to have been valid and binding upon the said corporation and upon the ratepayers thereof as and from the date of the final passing thereof anything in any Act or law to the contrary notwithstanding.

1907, c. 39, s. 1.

Authority to issue debentures

2 The said corporation is hereby authorised to issue debentures in pursuance of the several provisions of the said bylaws and each of them to secure the payment of the several debts by the said bylaws created or any of such debts.

1907, c. 39, s. 2.

Method of repayment

3 The debentures to be issued by the said corporation under the provisions of bylaw number 68 aforesaid shall provide for such annual payment of principal and interest that each instalment of principal and interest payable under the said debentures shall be as nearly as possible equal in each year for the period of thirty years during which the said debentures are to run.

1907, c. 39, s. 3.

Same

4 The debentures to be issued by the said corporation under the provisions of Bylaw No. 73 aforesaid shall provide for such an annual payment of principal and interest that each instalment of principal and interest payable under the said debentures shall be as nearly as possible equal in each year for the period of twenty years during which the said debentures are to run.

1907, c. 39, s. 4.

Same

5 The debentures to be issued by the said corporation under the provisions of Bylaw No. 74 aforesaid shall provide for such an annual payment of principal and interest that each instalment of principal and interest payable under the said debentures shall be as nearly as possible equal in each year for the period of ten years during which the said debentures are to run.

1907, c. 39, s. 5.

Execution of debentures charge on city

6 That all debentures issued or to be issued by the said corporation under the provisions of the said bylaws or any of them if said debentures be so prepared and executed as to substantially conform to the provisions of *The Saskatoon Act respecting Debentures* shall be valid and binding upon said corporation and on the ratepayers thereof and the debt by said bylaws or any of them created and the debentures or any of them issued in pursuance of the provisions of such bylaws or any of them shall be a valid and binding charge upon the works, buildings and all other property connected therewith for the construction, erection or acquirement of which the said debts have been or shall hereafter be respectively created and

also upon the credit of the corporation as a whole; and such debentures or any of them may be issued and sold by the said corporation in such manner and at such times and at such prices as the council of said corporation shall think fit:

Time limit on issue

Provided however that no debentures shall be issued or sold by the said corporation under the provisions of said bylaws or any of them after the expiration of four years from the date of the passing of such bylaws or any of them.

1907, c. 39, s. 6.

Special rate to be levied

7 The said corporation shall and it is hereby authorised to raise in each and every year during the term in which the said debentures or any of them are payable by a special rate levied on all the ratable property of the said corporation a sum or sums sufficient to meet the annual payment in respect of principal and interest upon each and all of said debentures due in each year during the term for which said debentures or any of them are so made payable.

1907, c. 39, s. 7.

Contracts ratified

8 All contracts made or hereafter to be made by the said corporation under and by virtue of the provisions of the said bylaws or any of them to borrow upon credit of the corporation at large or upon the credit of the said undertakings or any of them or partly by one method and partly by the other the sums mentioned in the said bylaws or any of them or any portions of said sums and to issue debentures of the said corporation therefor or to pledge or hypothecate the said debentures or any portion thereof, to secure any advance or advances made by any person, firm or corporation to the said corporation of the city of Saskatoon, to aid in the completion of said undertakings or any of them are hereby validated and confirmed and declared to be legal and binding upon the corporation of the said city of Saskatoon and the ratepayers thereof.

1907, c. 39, s. 8.

Validity of bylaws not open to question

9 The validity or legality of the said bylaws or of any of them or of any debentures to be issued in pursuance of the said bylaws or any of them if said debentures substantially conform to the provisions of *The Saskatoon Act respecting Debentures* and are properly executed as required by the said Act shall not hereafter be questioned in any actions, suit or other proceeding in any court of the province of Saskatchewan.

1907, c. 39, s. 9.

SCHEDULE A

BYLAW NO. 68

A bylaw of the corporation of the city of Saskatoon to provide for the raising of a sum not exceeding two hundred and fifty thousand dollars to be expended in the construction of a system of waterworks, sewerage, electric lighting and power for the corporation of the city of Saskatoon:

Whereas the corporation of the city of Saskatoon deems it necessary and expedient to construct a system of waterworks, sewerage, electric lighting and power as a corporation public work under the powers vested in the said corporation, under and by virtue of the Charter of the Incorporation of the said city of Saskatoon, passed at the first session of the Legislature assembled for the Province of Saskatchewan and known as "The Saskatoon Charter";

And whereas the corporation of the city of Saskatoon aforesaid is authorised and empowered by the said Act to borrow on the security of the said system of waterworks, sewerage, electric lighting and power plant, and the lands acquired for the purposes thereof, and every matter and thing pertaining thereto, and all revenues deriving therefrom, and on the credit of the corporation at large, such sum or sums as the corporation may deem expedient or necessary on the terms of repayment and at the rate of interest as in the said Act provided. And whereas the said corporation is nevertheless also authorised and empowered by the last mentioned Act to borrow on the credit of the corporation at large for the purposes of construction of such system of waterworks, sewerage, electric lighting and power, such sum or sums of money as may be required for such purpose, on such terms as to repayment and of the payment of interest as aforesaid;

And whereas the amount of the whole ratable property in the said city of Saskatoon according to the last revised assessment roll is two million five hundred and seventeen thousand one hundred and forty-five dollars;

And whereas the total amount of the existing debt of the said city of Saskatoon, outside of the debt due for the current expenditure of the year 1906, is thirty thousand nine hundred and ninety dollars of which nine thousand is for school debentures upon The Nutana School District and twelve thousand seven hundred and forty dollars is for school debentures upon The Saskatoon School District, which two school districts embrace a large area outside of the city limits;

And whereas it is deemed advisable that the indebtedness thus to be created should be spread over a period of thirty years;

And whereas it is deemed expedient that this bylaw take effect on the second day of August, A.D. 1906;

Now therefore the council of the corporation of the city of Saskatoon in council duly assembled enacts as follows:

1. That the mayor and secretary treasurer of the corporation of the city of Saskatoon by and they are hereby authorised and empowered to borrow on behalf of the said corporation for the aforesaid purposes a sum or sums not exceeding in the aggregate the sum of two hundred and fifty thousand dollars.
2. The said sum of two hundred and fifty thousand dollars so to be borrowed is hereby expressly appropriated for the purpose of constructing, under and by virtue of the powers conferred upon the said corporation by the said Act, the said system of waterworks, sewerage, electric lighting and power as corporation public works.
3. That should the council of the corporation of the said city of Saskatoon deem it advisable so to do, the whole of the said sum of two hundred and fifty thousand dollars or any portion thereof or such portion thereof as can be borrowed in such manner, may be borrowed solely on the credit of the corporation at large.

4. That for the purpose of securing the repayment of the said sum of two hundred and fifty thousand dollars or any portion thereof the mayor and secretary treasurer be and they are hereby authorised to issue to the person or persons, firm or firms, corporation or corporations by whom such loan is made one or more debentures of the said corporation under and by virtue of the provisions of the said Act in that behalf made and provided, which such debentures shall be issued and shall bear interest at a rate not exceeding five per cent per annum and shall be repayable in equal annual instalments of principal and interest, such payments of principal and interest to be made on the first day of January in each and every year of the said period of thirty years.
5. During the currency of the said debentures to be issued to secure the repayment of said indebtedness there shall be raised annually by a special general rate on all the ratable property in the corporation at the same time and in the same manner as the ordinary general property taxes, a sum sufficient to meet such equal annual instalments of principal and interest thereon falling due in each year in respect of the said debentures or such part thereof as shall not be met by the revenues of the said undertaking and by special frontage tax.
6. The said debentures shall be dated as of the actual date of the issue thereof and within the period prescribed by the said Act.
7. This bylaw shall take effect and come into force on the second day of August, A.D. 1906.
8. The votes of the burgesses of the city of Saskatoon for and against this bylaw shall be taken at the city hall in the city of Saskatoon on the twenty-sixth day of July, A.D. 1906, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon.
9. That Adam Turner be and he is hereby appointed returning officer to take the votes of the burgesses of the city of Saskatoon for and against this bylaw at the time aforesaid.
10. That the said returning officer shall at the city hall aforesaid, at the hour of five o'clock in the afternoon, on the twenty-sixth day of July, A.D. 1906, sum up the votes of the burgesses of the said city, taken for and against the said bylaw and the said time and place is hereby fixed for the purpose of the summing up of such votes as aforesaid.

Introduced and read a first time in council at the city of Saskatoon, this twentieth day of June, A.D. 1906.

Read a second time 20th June, 1906.

Read a third time and passed August 1st, 1906.

(Sgd.) Jas. Clinkskill, Mayor.

(Sgd.) Adam Turner, Secretary Treasurer.

SCHEDULE

BYLAW NO. 73

A bylaw for the purchase of lands for a hospital site and for the erection, furnishing and maintenance of a hospital in the city of Saskatoon:

Whereas the corporation of the city of Saskatoon deems it necessary and expedient to acquire lands for a hospital site and to erect, furnish and maintain a hospital in the city of Saskatoon as a public work and under the powers vested in the said corporation under and by virtue of the charter of incorporation of the said city of Saskatoon passed at the first session of the Legislature assembled for the Province of Saskatchewan and known as "The Saskatoon Charter";

And whereas the corporation of the city of Saskatoon aforesaid is authorised and empowered by the said Act to borrow on the credit of the corporation such sum or sums as the corporation may deem expedient or necessary on the terms of repayment and at the rate of interest as in the said Act provided;

And whereas the amount of the whole ratable property of the said city of Saskatoon according to the last revised assessment roll is two million five hundred and seventeen thousand and forty-five dollars;

And whereas the total amount of the existing debt of the said city of Saskatoon outside of the debt for the current expenditure of the year 1906 is sixty thousand nine hundred and ninety dollars of which nine thousand dollars is for school debentures upon The Nutana School District and forty two thousand seven hundred and forty dollars is for school debentures upon The Saskatoon School District which two school districts embrace a large area outside of the city limits;

And whereas money Bylaw No. 68 has been passed authorising the mayor and secretary treasurer to borrow the sum of \$250,000 for the construction of a system of waterworks, sewerage and electric lighting and indebtedness to the full extent thereof has already been incurred;

And whereas it is deemed advisable that the indebtedness thus to be created shall be spread over a period of twenty years;

And whereas it is deemed expedient that this bylaw take effect on the day of the final passing thereof:

Now therefore the council of the corporation of the city of Saskatoon in council duly assembled enacts as follows:

1. That the mayor and secretary treasurer of the corporation of the city of Saskatoon be and they are hereby authorised and empowered to borrow on behalf of the said corporation for the aforesaid purposes a sum or sums not exceeding in the aggregate the sum of \$30,000.
2. That the said sum of \$30,000 so to be borrowed is hereby expressly appropriated for the purpose of acquiring lands for a hospital site and for the construction, furnishing and maintenance of a hospital in the said city of Saskatoon.
3. That should the council of the corporation of the said city of Saskatoon deem it advisable so to do the whole of the said sum of \$30,000 or any portion thereof, or such portion thereof as can be borrowed in such manner may be borrowed solely on the credit of the corporation at large.

4. That for the purpose of securing the repayment of the said sum of \$30,000 or any portion thereof the mayor and secretary treasurer be and they are hereby authorised to issue to the person or persons, firm or firms, corporation or corporations by whom such loan is made one or more debentures of the said corporation under and by virtue of the provisions of the said Act in that behalf made and provided, which said debentures will be issued and shall bear interest at the rate not exceeding five per cent per annum and shall be repayable in equal annual instalments of principal and interest, such repayments of principal and interest to be made on the first day of January in each and every year of the said period of twenty years.
5. During the currency of the said debentures to be issued to secure the repayment of the said indebtedness there shall be raised annually by a special general rate on all ratable property in the corporation at the same time and in the same manner as the ordinary general property taxes, a sum sufficient to meet such equal annual instalments of principal and interest thereon falling due in each year in respect of the said debentures.
6. The said debentures shall be dated as of the actual date of the issue thereof and within the period prescribed by the said Act.
7. This bylaw shall take effect and come into force on the day of the final passing thereof.
8. The votes of the burgesses of the city of Saskatoon for and against this bylaw shall be taken at the city hall in the city of Saskatoon on the twelfth day of October, 1906, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon.
9. That Adam Turner be and he is hereby appointed returning officer to take the votes of the burgesses of the city of Saskatoon for and against this bylaw at the time aforesaid.
10. That the said returning officer shall at the city hall aforesaid at the hour of five o'clock in the afternoon on the twelfth day of October, 1906, sum up the votes of the burgesses of the said city taken for and against the said bylaw and the said time and place is hereby fixed for the purpose of the summing up of such votes as aforesaid.

Introduced and read a first time in council at the city of Saskatoon this nineteenth day of September, 1906.

Read a second time in council at the city of Saskatoon this nineteenth day of September, A.D. 1906.

Read a third time in council at the city of Saskatoon this seventeenth day of October, 1906.

(Sgd.) Jas. Clinkskill, Mayor.

(Sgd.) Adam Turner, Secretary Treasurer.

SCHEDULE C

BYLAW NO. 74

A bylaw of the city of Saskatoon to provide for the raising of a sum not exceeding \$8,000 to be expended in the purchase of property for the erection of municipal buildings:

Whereas the corporation of the city of Saskatoon deems it necessary and expedient to provide land for the erection of municipal buildings as a public work under the powers vested in the said corporation under and by virtue of the Charter of Incorporation of the city of Saskatoon passed at the first session of the Legislature assembled for the Province of Saskatchewan and known as "The Saskatoon Charter;"

Whereas the corporation of the said city of Saskatoon is authorised and empowered by the said Act to borrow on the security of the municipal buildings and the lands acquired for the purposes thereof and every matter and thing pertaining thereto and on the credit of the corporation at large such sum or sums as the corporation may deem expedient or necessary on the terms of repayment and at the rate of interest as in the said Act provided;

And whereas the amount of the whole ratable property in the said city of Saskatoon according to the last revised assessment is two million five hundred and seventeen thousand one hundred and forty five dollars;

And whereas the total amount of the existing debt of the said city of Saskatoon outside of the debt due for the current expenditure of the year 1906 is sixty thousand nine hundred and ninety dollars of which nine thousand dollars is for school debentures upon The Nutana School District and forty-five thousand seven hundred and forty dollars for school debentures upon The Saskatoon School District which two school districts embrace a large area outside of the city limits;

And whereas by Bylaw No. 68 of the city of Saskatoon, the city of Saskatoon is authorised to raise \$250,000 to establish a system of sewerage, waterworks and electric lighting and the said works have been commenced and indebtedness to the amount thereof has already been incurred;

And whereas it is deemed advisable that the indebtedness thus to be created should be spread over a period of ten years;

And whereas it is deemed expedient that this bylaw take effect on the day of the final passing thereof:

Now therefore the council of the corporation of the city of Saskatoon in council duly assembled enacts as follows:

1. That the mayor and secretary treasurer of the corporation of the city of Saskatoon be and they are hereby authorised and empowered to borrow on behalf of the said corporation for the aforesaid purposes a sum or sums not exceeding in the aggregate the sum of eight thousand dollars.
2. The said sum of eight thousand dollars so to be borrowed is hereby expressly appropriated for the purpose of acquiring land for the erection of municipal buildings in the said city of Saskatoon.

3. That for the purpose of securing the repayment of the said sum of eight thousand dollars, or any portion thereof, the mayor and secretary treasurer be and they are hereby authorised to issue to the person or persons, firm or firms, corporation or corporations by whom such loan is made, one or more debentures of the said corporation under and by virtue of the provisions of the said Act in that behalf made and each such debentures shall be issued and shall bear interest at a rate not exceeding five per cent per annum, and shall be repayable in equal annual instalments of principal and interest such payments of principal and interest to be made on the twelfth day of October in each and every year of the said period of ten years.
4. During the currency of the said debentures to be issued to secure the repayment of the said indebtedness there shall be raised annually by a special general rate on all ratable property in the corporation at the same time and in the same manner as the ordinary general property taxes a sum sufficient to meet such equal annual instalments of principal and interest thereby falling due in each year in respect of the said debentures.
5. The said debentures shall bear dates as of the actual date of the issue thereof and within the period prescribed by the said Act.
6. This bylaw shall take effect and come into force on the day of the final passing thereof.
7. The votes of the burgesses of the city of Saskatoon for and against this bylaw shall be taken at the city hall in the city of Saskatoon on the twelfth day of October, 1906, between the hours of 9 o'clock in the forenoon and 5 o'clock in the afternoon.
8. That Adam Turner be and he is hereby appointed returning officer to take the votes of the city of Saskatoon for and against this bylaw at the time aforesaid.
9. That the said returning officer shall at the said hall aforesaid at the hour of five o'clock in the afternoon of the twelfth day of October, 1906, sum up the votes of the burgesses of the said city of Saskatoon taken for and against the said bylaw and the said time and place is hereby fixed for the purpose of the summing up of such votes as aforesaid.

Introduced and read a first time in council at the city of Saskatoon this thirteenth day of September, 1906.

Introduced and read a second time in council at the city of Saskatoon this nineteenth day of September, 1906.

Read a third time October seventeenth, 1906.

(Sgd.) Jas. Clinkskill, Mayor.

(Sgd.) Adam Turner, Secretary Treasurer.

Editorial Appendix

Section 6 of Chapter 44 of the *Statutes of Saskatchewan, 1908* provides as follows:

1907, c.39, amended

6 Chapter 39 of the Acts of 1907 is hereby amended in so far as the same is inconsistent herewith and as amended shall apply to all of said bylaws numbers 68, 73, 74, 170, 171, 172, 173 and 174.

1908, c.44, s.6.