

An Act to ratify and confirm Bylaw No. 114 of the Town of Arcola

being a Private Act

Chapter 52 of the *Statutes of Saskatchewan, 1909*
(effective October 19, 1909).

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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Bylaw Number 114

1909

CHAPTER 52

An Act to ratify and confirm Bylaw No. 114 of the Town of Arcola

(Assented to December 18, 1909)

Preamble

Whereas the town of Arcola has by petition represented that the council of the said town on the nineteenth day of October, 1909, finally passed bylaw number 114 of the said town entitled "A Bylaw of the Town of Arcola authorising the Issue of Debentures to the Amount of \$15,000 to be expended in the completion and extension of a System of Waterworks for the said Town;"

And whereas before the final passing of the said bylaw the same was duly submitted to a vote of the burgesses of the said town qualified to vote thereon and received the assent of more than two-thirds of the duly qualified burgesses of the said town voting thereon;

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

And whereas the said town of Arcola has by its said petition prayed that an Act may be passed for the purpose aforesaid;

And whereas no opposition has been offered by or on behalf of any burgess 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:

Bylaw validated

1 Bylaw number 114 of the town of Arcola is hereby declared to be valid and binding and to have been valid and binding on the said corporation and upon the burgesses thereof as and from the date of the final passing thereof.

1909, c.52, s.1.

Debentures issued thereunder declared valid

2 All debentures heretofore or hereafter issued by the said town in pursuance of the provisions of the said bylaw are hereby validated and confirmed and declared to be legal and binding upon the said town and the burgesses thereof.

1909, c.52, s.2.

Validity of bylaw not to be questioned

3 The validity of the said bylaw number 114 or of the debentures issued or to be issued in pursuance of the provisions thereof shall not be questioned in any action, suit or other proceeding in any court of the province.

1909, c.52, s.3.

BYLAW NUMBER 114

A Bylaw of the Town of Arcola authorising the issue of Debentures to the amount of Fifteen Thousand Dollars to be expended in the completion and extension of a System of Waterworks for the said Town.

(Passed the nineteenth day of October, 1909)

Whereas a bylaw authorising the issue of debentures of the town of Arcola to the amount of sixty thousand dollars (\$60,000) for the purpose of constructing a waterworks system for the said town was duly submitted to the vote of the qualified burgesses and received the support of two-thirds of the burgesses voting thereon and the same was finally passed on the fourteenth day of December, A.D. 1908, and numbered 89;

And whereas pursuant to the provisions of the said bylaw the sum of sixty thousand dollars (\$60,000) was borrowed for the purpose of paying for the construction of the said system of waterworks;

And whereas the construction of the said system of waterworks has been undertaken and it has been found that the sum of sixty thousand dollars (\$60,000) is insufficient to pay for the same and that a further sum of fifteen thousand dollars (\$15,000) is required for that purpose and to extend the said system;

And whereas the council of the said town deems it expedient that the said system of waterworks should be completed and extended as a municipal public work under the provisions of *The Public Works Act*;

And whereas for the purpose aforesaid it is expedient that debentures of the said town should be issued to the amount of fifteen thousand dollars (\$15,000) payable in thirty years from the first day of November, A.D. 1909, bearing interest at the rate of six per centum per annum payable half yearly, which sum of fifteen thousand dollars (\$15,000) is the debt intended to be created by this bylaw;

And whereas amount of the rateable property in the said town according to the last revised assessment roll is five hundred and ninety-five thousand one hundred and seven dollars and eighty cents (\$595,107.80);

And whereas the amount of the existing debenture debt of the town exclusive of debts for local improvements secured by special assessments is sixty thousand dollars (\$60,000) of which no part either principal or interest thereof is in arrear;

And whereas it is necessary to make provision for a sinking fund to cover the repayment of the said sum of fifteen thousand dollars (\$15,000):

Therefore the council of the Town of Arcola in Council assembled enacts as follows:

1 It shall be lawful for the council of the town of Arcola to borrow on the credit of the said town the sum of fifteen thousand dollars (\$15,000) for the purpose of defraying the cost of completing and extending the system of waterworks as aforesaid and to issue debentures of the said town for the said sum of fifteen thousand dollars (\$15,000) to be payable as hereinafter provided.

2 The said debentures shall bear date the first day of November A.D. 1909, and shall be made payable in such manner that the whole amount of the principal indebtedness incurred thereby shall be paid at the end of thirty years from the first day of November, 1909.

3 The rate of interest shall be six (6) per centum per annum computed from the first day of November, A.D. 1909, payable semi-annually on the first day of the months of May and November in each year and coupons shall be attached to each of the said debentures representing the respective payments of interest.

4 The said debentures and coupons shall be signed by the mayor or by some person authorised by bylaw to sign the same in his stead and by the secretary treasurer or by some person authorised by bylaw to sign the same in his stead and the secretary treasurer is hereby authorised and instructed to attach the corporate seal of the said town to the said debentures; and the said debentures and coupons shall be made payable at the Merchants Bank of Canada at Arcola.

5 In addition to all other amounts there shall be levied and collected in each year during the currency of said debentures on all rateable property in the said town by special rate or rates sufficient therefor the sum of nine hundred dollars (\$900) for the annual interest and the sum of two hundred and sixty-seven dollars and forty-five cents (\$267.45) by way of sinking fund to meet the principal at maturity making in all the sum of eleven hundred and sixty-seven dollars and forty-five cents (\$1,167.45).

6 This bylaw shall take effect on the day of the final passing thereof.

7 That Alexander Duncan McLeod is hereby appointed returning officer for the purpose of taking the votes of the burgesses on the said bylaw.

8 The votes of the qualified burgesses of the said town shall be taken on this bylaw on the eighteenth day of October, 1909, in the council chamber in the town of Arcola commencing at nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day (mountain standard time).

9 On Tuesday the nineteenth day of October, 1909, in the town hall in the town of Arcola at ten o'clock in the forenoon the returning officer shall sum up the total number of votes given for and against this bylaw.

10 On Monday the eighteenth day of October, 1909, at the hour of nine o'clock in the forenoon the mayor shall attend at the office of the secretary treasurer of the said town in the town hall for the purpose of appointing persons to attend at the various polling places and at the final summing up the votes hereinbefore referred to on behalf of the persons interested in this bylaw and promoting or opposing the passage of the same respectively.

Read a first and second time and passed this twentieth day of September, 1909.

[SEAL]

Jas. R. Donaldson,
Secretary Treasurer.

Sam McGurk,
Mayor.

Read a third time and finally passed this nineteenth day of October, 1909.

[Seal]

Jas. R. Donaldson,
Secretary Treasurer.

Sam McGurk,
Mayor.

NOTICE

The above is a true copy of a proposed bylaw which has been introduced by the council of the town of Arcola and which may be finally passed by the said council (in the event of the assent of the burgesses being obtained thereto) within four weeks of the voting thereon and that upon the day and at the place fixed by the said bylaw for taking the votes of the burgesses the voting thereon will be held between the hours of 9 a.m. and 5 p.m. (mountain standard time).

Dated this twenty-first day of September, 1909.

A. D. McLeod,
Returning Officer.