



CHAPTER 128

An Act respecting the collection roll of 1926 and certain by-laws and minutes of the meetings of the council of the town of Terrebonne

[Assented to, the 22nd of February, 1929]

WHEREAS the town of Terrebonne is subject to the Preamble. Cities and Towns' Act of 1922, 13 George V, chapter 65, in virtue of a special act passed in 1907, 7 Edward VII, chapter 75;

Whereas, since about seven years, on different dates, certain by-laws and minutes of the meetings of the council of the town of Terrebonne have not been signed in some instances by the presiding officer of the council, and in other instances by the secretary-treasurer, and in other instances again, by neither of these officers, particularly from the 5th of December, 1923, to the 1st of December, 1926, and the marginal notes have not been initialed by both the above-named officers;

Whereas from 1921 to 1928, inclusively, no poll-book of the voting by the people on certain loan by-laws passed by the town of Terrebonne exist, and, in certain instances, no minute has been made of their publication, and public notices have been given in a manner inconsistent with the provisions of law;

Whereas the general collection roll for the year 1926 was not signed by the secretary-treasurer, no mention of the date of deposit appears on the said collection roll, and no notice of the deposit of the said collection roll appears to have been given, and most of the ratepayers have paid the taxes imposed by the said collection roll;

Whereas the corporation of the town of Terrebonne, has, by its petition, prayed for the passing of an act to remedy these informalities, correct the irregularities and ratify the acts in question, of the town of Terrebonne; and

Whereas, it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Affixing of
certain
signatures
authorized.

1. The council of the town of Terrebonne may, by by-law, authorize its mayor and its secretary-treasurer to sign, within a period of three months from the date of the sanction of this act, the collection roll for 1926, on which the secretary-treasurer's signature is missing, and all such by-laws and minutes of meetings previous to the month of February, 1927, hereinafter enumerated, on which either the signature of the officer presiding over the council, or that of the secretary-treasurer, or both of such signatures, are missing.

By-laws:

No. 331, passed on the 7th of December, 1921; No. 332, passed on the 7th of December, 1921; No. 333, passed on the 19th of June, 1922; No. 333A, passed on the 28th of July, 1922; No. 337, passed on the 28th of March, 1923; No. 338, passed on the 23rd of April, 1923; No. 339, passed on the 27th of April, 1923; No. 340, passed on the 22nd of May, 1923; No. 341, passed on the 12th of June, 1923; No. 342A, passed on the 25th of July, 1923; No. 343, passed on the 1st of August, 1923; No. 344, passed on the 1st of August, 1923; No. 345, passed on the 1st of August, 1923; No. 346, passed on the 7th of November, 1923; No. 347, passed on the 5th of December, 1923; No. 348, passed on the 7th of May, 1924; No. 349, passed on the 4th of June, 1924; No. 350, passed on the 4th of June, 1924; No. 351, passed on the 4th of June, 1924; No. 352, passed on the 26th of June, 1924; No. 352A passed on the 26th of June, 1924; No. 353, passed on the 6th of August, 1924; No. 354, passed on the 6th of August, 1924; No. 355, passed in September, 1924; No. 357, passed on the 1st of October, 1924; No. 358, passed on the 5th of November, 1924; No. 359, passed on the 27th of December, 1924; No. 360, passed on the 23rd of December, 1924; No. 367, passed on the 1st of December, 1926.

Minutes of:

5th October, 1921; 22nd December, 1921; 4th January, 1922; 7th June, 1922; 6th September, 1922; 6th June, 1923; 19th October, 1923; 6th March, 1924; 13th March, 1924; 7th May, 1924; 30th July, 1924; 19th January, 1925; 4th June, 1925; 2nd December, 1925; 15th January, 1926; 18th February, 1926; 24th March, 1926.

Contrary to the law, the following minutes have not been countersigned by the secretary-treasurer:

29th of April, 1908; 2nd November, 1911; 6th March, 1918; 4th June, 1919; 6th October, 1920; 5th April, 1922; 21st March, 1923; 18th May, 1923; 11th September, 1923; 3rd October, 1923; 29th April, 1924; 5th November, 1924; 1st April, 1925; 17th April, 1925; 21st April, 1925; 10th June, 1925, and 4th November, 1925.

Marginal notes not initialed:

Meeting of 17th of February, 1925, page 317 (neither by the mayor nor the secretary).

Meeting of 17th of April, 1925, page 340 (initialed by mayor but not by secretary).

2. Mention shall be made at the end of the collection roll for 1926, and at the foot of each of such by-laws and minutes of meetings, that they have so been signed, in virtue of the by-law authorized by this act. Mention to be made.

3. a. When the said by-laws and minutes of the meetings of the council, and general collection roll for the year 1926, shall so have been signed, they shall have and be deemed to have always had the same validity as if they had been regularly signed or signed and countersigned by the officers who ought to have signed or signed and countersigned them at the time, provided that they are legal and valid in all other respects. Validation.

b. The loan by-laws previous to the month of December, 1928, where no poll-book of the public vote exists, and loan by-laws or other by-laws where it appears that no notice was given or no promulgation, or it appears that the legal delay was not observed, and where even the notices are not according to form and irregular, shall not be deemed invalid by reason of such informalities or illegalities and cannot be attacked, broken or rescinded on that account; Idem.

c. The want or insufficiency of the notice, or even the absence of mention of the date of deposit, have not had the effect of rendering the general collection roll for 1926 invalid, and any payment made in conformity with the said roll is deemed to have been lawfully made. Idem.

4. This act shall not affect pending suits.

Pending suits.

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