

interferes to injure or prevent the execution of the work by the special superintendent, is liable, on summary conviction, to a fine of twenty-five dollars, and costs, and, on failure to pay such fine and costs, to imprisonment for not more than eight days, in addition to any other recourse at law which may be exercised against him."

Coming  
into force.

**2.** This act shall come into force on the day of its sanction.

## CHAP. 84

An Act respecting loans by municipalities for the carrying out of drainage works

[Assented to, 14th of February, 1920]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Short title.

**1.** This act may be cited as "The Drainage Act".

Loans may  
be made by  
municipal-  
ities to assist  
drainage  
works.

**2.** The council of any town, village or rural municipality may borrow, from time to time, by by-law, various sums of money not less than two thousand nor more than fifty thousand dollars, to assist in the carrying out of works for the drainage of land situated within the limits of its jurisdiction, in accordance with the following provisions.

Limit of  
amount.

No such council may, nevertheless, at any time incur, by means of such loans, a debt of more than fifty thousand dollars.

Money may  
be advanced  
to farmers  
for drainage  
purposes.

**3.** The money so borrowed shall be devoted to advances which the municipality is authorized, by this act, to make, by by-law passed according to the formalities hereinafter enacted, to farmers, for the purpose of inducing them to drain their land, by assisting them in payment of the cost of such work.

Limit of  
amount.

**4.** Not less than fifty nor more than one thousand dollars may be advanced to any one farmer.

Applications  
for ad-  
vances.

**5.** Applications for advances shall be considered by the council in turn, in the order in which they are received at the office of the secretary-treasurer of the municipality.

The secretary-treasurer must note, on each application, the date and hour when it was received.

**6.** No advance to any one farmer may be for more than seventy-five per cent of the cost of such drainage work. Not more than 75% of cost.

**7.** No such advance shall be made by the council until a detailed report is made by a competent inspector of drainage, under its orders, or by the special superintendent appointed by it, who has attended during the performance of the work and has declared that the same has been completed. Report by drainage inspector.

The appointment of such officer shall be made, and his salary fixed, by the council, by resolution. Appointment and salary.

The resolution must contain also the instructions of the council as to the inspection to be made.

The report of the inspector or of the special superintendent, as the case may be, shall be entered in a register provided for that purpose by the council.

The salary and expenses of such inspector shall be borne by the farmer or farmers applying for the inspection or for whom it is made, and shall be retained out of the money advanced, or they shall be borne by those who will be benefitted by the work done by the borrower, as may be decided by the council in the resolution ordering the inspection. Expenses borne by applicants.

**8.** No advance may be made to any person who is then a member of the council; but such advance made to a farmer shall not be an obstacle to his being elected a member of the council. Councillors may not receive advances.

**9.** Any farmer desiring an advance for drainage purposes must: Applications for advances.

a. apply therefor in writing to the council: Contents thereof.

b. declare that he is the actual owner of a lot in the municipality, and whether or not his property is free from hypothecs and encumbrances;

c. give the names and addresses of his creditors, if the property is burdened with encumbrances and hypothecs, and, in such case, the secretary-treasurer must, before submitting the application to council, give a two weeks' notice, by registered letter, to every privileged or hypothecary creditor, of such application by his debtor for an advance.

**10.** The loans mentioned in section 2 shall be effected by means of an issue of bonds, signed by the mayor, Loans to be by bond issue.

countersigned by the secretary-treasurer, and bearing the seal of the municipality.

Form of bonds.

Every such bond shall be payable by annual instalments in not more than twenty years from date of issue, payable to bearer or otherwise, and bearing interest, payable semi-annually at the dates fixed by by-law of the council, at a rate of not more than six per cent per annum.

How transferable.

Any such bond, if payable to bearer, or to any person named therein or to bearer, may be transferred by delivery.

Any such bond, if payable to any person, or to any person or order, shall, after general indorsation thereof by such person, be transferable by delivery from the time of such indorsation.

Any such bond, if payable to bearer or to the registered holder thereof, may, until the holder has registered his title thereto, be transferred by delivery, and may, after the holder has registered his title thereto, be transferred by subsequent registration thereof.

Effect of transfer.

The transfer of any such bond shall vest the property thereof in the holder, and enable him to maintain an action thereupon in his own name.

By-law to be passed.

**11.** Any council desiring to borrow money and issue bonds in virtue of this act may pass a by-law authorizing such loan and bond issue.

Approval by Lt-Gov. in C.

It shall not be necessary for such by-law to be submitted to the electors for approval, but it must be approved by the Lieutenant-Governor in Council.

Provisions to apply.

**12.** The passing and putting into force of the said by-law shall be subject to the provisions of articles 359 to 370 inclusive, 388 and 389 of the Quebec Municipal Code.

Repayment of money advanced.

**13.** The repayment to the council of money advanced to a farmer shall be made according to the conditions set forth in the by-law passed in regard thereto.

Annual instalments.

**14.** The council shall apportion the whole sum, both principal and interest, into annual instalments payable in a period of ten or twenty years.

To be collected as taxes.

It shall levy and collect such instalments and interest, in addition to the other taxes for which the farm benefitted by the work done by means of such advance is liable, in the ordinary way of collecting taxes and assessments under the Quebec Municipal Code.

Debtors

**15.** Any farmer to whom money has been advanced for

drainage work on his farm may, at any time before the due date thereof, repay to the council the full amount of such advance or the balance thereof still unpaid, adding thereto the interest to date. may make payment in full at any time.

**16.** The capital and interest thereon shall constitute a hypothecary obligation affecting all the immoveable property on which the drainage work has been paid for, altogether or in part, with the money advanced by the municipality, from and after the date of the registration by the secretary-treasurer of the municipality of a declaration under his oath of office mentioning the amount owing, and the purposes for which it is so owing. To constitute a hypothec.

**17.** Every council which has borrowed money in virtue of this act, must, every year before the 15th of January, transmit to the Minister of Agriculture a return for the preceding year ended on the 31st of December, showing: Annual return to Minister of Agriculture.

- a. the total amount borrowed by the municipality under this act;
- b. the total amount advanced to farmers for drainage work;
- c. the number of feet of drain constructed;
- d. the names of the farmers to whom advances have been made;
- e. the description of the lands affected by such advances.

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

## C H A P. 85

An Act to amend the charter of the city of Quebec

[Assented to, 14th of February, 1920]

**W**HEREAS the city of Quebec has, by its petition, represented that it is in the interest of the city and necessary for the proper administration of its affairs that its act of incorporation and the acts amending the same be amended and that additional powers be granted it; Preamble.

And whereas it is expedient to grant the said prayer;

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

- 1.** Paragraph 2 of section 6 of the act 24 Victoria, chapter 26, s. 6, am. 24 Vict., c. 26, s. 6, am.