

C H A P. 110

An Act to incorporate the town of Kipawa

[Assented to, 14th of February, 1920]

Preamble.

WHEREAS William Laird Ketchen, manager, Allan Keay Grimmer, town engineer, Frank Osmond White, engineer, Sven Arvid Salmonson, superintendent, and Hilaire Emile Daoust, gentleman, all residing in the unorganized township of Gendreau in the county of Temiscaming, in the Province of Quebec, and Kipawa Company Limited, a body corporate having its head office at the city of Montreal in said Province, have by their petition represented that the said petitioners, other than the company, all reside in that part of said unorganized township situate within the boundaries hereinafter set forth, and that the said company is the owner of all said territory, and that said territory is likely to be occupied by a considerable number of citizens in the near future, and it is desired to furnish the territory with modern improvements and to provide for its administration;

Whereas in order to make such provision for improvements and for administration it is necessary to erect the said territory into a town with the necessary powers; and

Whereas it is expedient to grant the prayer contained in the said petition;

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

GENERAL PROVISIONS

Short title.

1. This act may be cited as the charter of the "town of Kipawa".

Territory of town.

2. The town of Kipawa shall comprise the territory described as follows and confined within the following boundaries, namely:

Part of lots 5, 4, 3, 2 and 1 of range 1, parts of lots 1, 2, 3, 4 and 5 of south range Gordon Creek, lots 24, 23, 22, 21 and part of lot 20 of Lake Temiscaming range, all of the township of Gendreau, county of Temiscaming (formerly part of the county of Pontiac), more particularly described as follows:

Commencing at the point A, where the division line between lots 5 and 6 of range 1 meets at its westerly extremity the shore line of the Ottawa river; thence, running in a

direction N. 60° O' E. along said division line a distance of six hundred feet (600') more or less to the point B, the said point B being at a distance of six thousand feet (6000') measured along said division line from its easterly extremity; thence, running in a direction N. 10° 15' E. and traversing lots 5, 4, 3, 2 and 1 of range 1, and lots 1, 2, 3, 4 and 5 of south range Gordon Creek, a distance of eleven thousand nine hundred and fifty feet (11950'), more or less, to the point C, the said point C being on the division line between lots 5 and 6 and at a distance of four thousand eight hundred and twenty feet (4820') more or less, measured along said division line from its southerly extremity; thence, running in a direction N. 30° O' W. along said division line between lots 5 and 6 and along the prolongation of the said division line across the Gordon Creek a distance of one thousand four hundred and fifty feet (1450'), more or less, to the point D, where the said prolongation meets the northerly shore line of the said Gordon Creek; thence, in a southwesterly direction along the said shore line, and following the sinuosities thereof, a distance of one thousand seven hundred feet (1700'), more or less, to the point where the said northerly shore line meets the easterly extremity of the division line between lots 19 and 20 of Lake Temiscaming range; thence, running in a direction S. 60° O' W. along the said division line between lots 19 and 20 a distance of nine hundred feet (900'), more or less, to the point E; thence, at right angles to the said division line in the direction S. 30° O' E. across lot 20 a distance of eight hundred and fifty-eight feet (858'), more or less, to the point F on the division line between lots 20 and 21; thence, running in a direction S. 60° O' W. along said division line between lots 20 and 21 a distance of four thousand four hundred feet (4400') to the point G, where the westerly extremity of the said division line meets the shore line of lake Temiscaming; thence in a southerly direction, along the said shore line of Lake Temiscaming and the Ottawa river, and following the sinuosities thereof, a distance of ten thousand feet (10,000), more or less, to the starting point at A.

All bearings given are astronomical, and all measurements are English measure.

3. The inhabitants and ratepayers of the town of Town in-Kipawa comprised within the foregoing territory are here-incorporated. by incorporated into a town corporation under the name Name. of "Town of Kipawa".

Provisions to govern. **4.** The town of Kipawa shall be subject to the provisions of the Cities and Towns' Act except in so far as inconsistent with the provisions of this act.

First council. **5.** The first council of the town shall be composed of the said William Laird Ketchen, Allan Keay Grimmer, Frank Osmond White, Sven Arvid Salmonson and Hilaire Emile Daoust, of whom William Laird Ketchen shall be mayor and the others shall be aldermen. They shall hold office until replaced according to law.

First general election. **6.** The first general election shall be held on the first juridical day of February, 1921, and subsequent general elections shall be held every second year thereafter on the first juridical day of February in such year. The returning-officer for the first general election shall be the secretary-treasurer of the town.

Vacancies in first council. **7.** If any vacancy occurs in the first council before the municipal list of electors has been prepared and put in force, the said council shall appoint an alderman or the mayor, as the case may be, to fill the vacancy. If they fail or neglect to do so within two months after such vacancy occurs, the successor shall be appointed by the Lieutenant-Governor in Council.

Provisions not to apply. **8.** Articles 5283, 5284 and 5285 of the Revised Statutes, 1909, shall not apply to the town.

COUNCIL, MAYOR AND ALDERMEN

Council. **9.** The town council shall be composed of a mayor and four aldermen, elected according to law.

R. S., 5302, replaced, for the town. **10.** Article 5302 of the Revised Statutes, 1909, is replaced for the town by the following:

Aldermen. **"5302.** The aldermen shall be elected for two years by the majority of the municipal electors who have voted."

R. S., 5321, replaced, for the town. **11.** Article 5321 of the Revised Statutes, 1909, is replaced for the town by the following:

Appointment of committees. **"5321.** The council may appoint permanent or special committees, composed of as many of its members as it may deem necessary to supervise the administration of the several civic departments for which they are respectively appointed, and to manage such business as it may, by by-law or resolution, assign to them.

When com- The permanent committees shall be formed every year

at the first meeting after the annual general election, and committees are special committees at any time whenever necessary or formed. expedient.

The council may replace any member of any of the said committees whenever it thinks proper. Replacing of members.

The mayor shall be a member *ex officio* of all committees, and shall have a right to vote therein. Mayor member ex-officio.

Each committee shall render account of its labors and decisions by a report signed by its chairman or by a majority of the members who compose it. Reports by committees.

No report of a committee shall have any effect until it has been ratified or adopted by the council. Adoption by council.

The council may also at any time, by by-law, delegate to any municipal officer such administrative powers as it may consider proper; and the acts done by any such officer shall have the same effect as though he had been specially authorized by the council, provided that such officer shall every month submit a report of all he has done during the preceding month." Powers may be delegated to officers. Monthly report.

TOWN ENGINEER

12. The town shall have an officer styled the town engineer. It shall be his duty to superintend the construction and maintenance of sewers, roads, sidewalks, parks, buildings and municipal work generally, to make such plans, maps, estimates and reports as may be required, to exercise the functions of building and plumbing inspector, and to perform such duties as may be assigned to him. Such officer shall be a civil engineer. Town engineer.

13. Notwithstanding article 5338 of the Revised Statutes, 1909, the town engineer shall have the custody of all municipal plans, maps, books, registers, and other documents prepared or kept by him, or required in the discharge of his duties, and shall have the right of signing all plans, maps, documents and papers prepared by him. Custodian of plans, etc.

All copies of and extracts from plans, maps, books, registers and other documents and papers in the custody of the town engineer shall when certified by him be evidence of the contents of the originals. Certified copies to be evidence.

QUALIFICATIONS FOR MUNICIPAL OFFICE

14. Paragraph 8 of article 5363 of the Revised Statutes, R. S., 5363, 1909, is replaced by the following: am. for the town.

"8. Whosoever has had no residence or principal place of business in the municipality for at least three months previous to the election or nomination;" Disqualification.

R. S., 5364, **15.** Article 5364 of the Revised Statutes, 1909, is re-replaced, for placed for the town by the following:
the town.

Property
qualifica-
tion for
municipal
office.

"5364. No person shall be either nominated or elected mayor or alderman or occupy such office unless he, during the three months immediately preceding the day of his nomination, has been seized of and has possessed as proprietor in his own name or in that of his wife, immoveable property in the municipality of the value of six hundred dollars, after payment or deduction of all charges imposed thereon; such qualification to be established by the valuation roll in force at the date of the nomination.

LIST OF ELECTORS

Companies
may vote in
municipal
affairs.

16. Every joint stock company or corporation which pays taxes in the municipality shall be entitled to be entered on the electors' list and to vote in all municipal matters through a representative of the company duly authorized to that effect by resolution of the board of directors, provided that such representative is a director or employee of the company at the time he is authorized and at the time he votes, and that a copy of such resolution is filed with the secretary-treasurer not more than one year and not less than fifteen days before the date of the vote.

R. S., 5370,
5371 not to
apply.

17. Articles 5370 and 5371 of the Revised Statutes, 1909, shall not apply to the town.

Where
voting to be
held.

18. The electors shall vote at such place or places as are fixed by the council.

For such purpose the council may, by resolution, subdivide the town into as many polling subdivisions as it may deem necessary, each one of which must contain not more than two hundred and fifty electors. Any such resolution must be passed before the 1st of October.

ELECTIONS

R. S., 5422,
am. for the
town.

19. Paragraph 1 of article 5422 of the Revised Statutes, 1909, is replaced for the town by the following:

Nomina-
tions for
mayor and
aldermen.

"5422. 1. Ten electors qualified to vote and whose names are entered on the list of electors in force in the municipality, may nominate a candidate for the office of mayor or alderman, by signing, in either case, a nomination-paper in the form "H" if the mayor be in question, and in the form "I" if an alderman be in question, stating therein the names and surname, residence, and profession or

occupation of the person nominated, in such manner as to sufficiently identify such candidate, and by delivering the said nomination-paper to the returning-officer on the day and at the hour and place indicated in the notice of the returning-officer published in accordance with article 5419, or causing the same to be delivered to the returning-officer as hereinafter mentioned."

20. Form I referred to in the preceding article is re-
placed for the town by the following:

Form I
replaced, for
the town.

FORM I

Nomination-paper for Alderman

Town of Kipawa,

We, the undersigned, qualified to vote at the municipal election in the town of Kipawa do hereby nominate

..... of No.....

..... street as a candidate at the election for the office of alderman for seat No. for the town of Kipawa.

IN WITNESS WHEREOF we have signed at.....

..... this day of

Name	Occupation	Qualifications (Giving the electoral franchise).	Residence

Signed by the said electors
in presence of

.....
(Signature)

I, the said nominated in the foregoing nomination-paper, hereby consent to such nomination.

WITNESS my hand at, this
day of 19

.
(Signature)

Signed by the said
in the presence of

.
(Signature)"

R. S., 5423, **21.** Article 5423 of the Revised Statutes, 1909, is re-
replaced, for placed for the town by the following:
the town.

Seats to be "5423. Each aldermanic seat shall be designated by
numbered. a number."

R. S., 5434, **22.** Article 5434 of the Revised Statutes, 1909, is re-
replaced, for placed for the town by the following:
the town.

When poll "5434. If more candidates are nominated for any of
to be the said seats than are required, the returning-officer shall
granted. grant a poll for such seat, but no person shall be elected
who shall not have been nominated for such seat in the
manner hereinabove provided.

Place of The poll shall be held at the Town Hall unless the
voting. council has resolved to have polling-stations in different
polling divisions; and unless the council has so decided the
provisions of the Cities and Towns' act regarding the
establishment of polls in different polling-divisions shall
not apply."

R. S., 5618, **23.** Article 5618 of the Revised Statutes, 1909, is re-
replaced, for placed for the town by the following:
the town.

Conditions "5618. No one shall be allowed to vote unless his
precedent name appears on the list of electors if there be one, and
to voting. also on the valuation roll in force as an owner of immove-
able property.

In order that a person be qualified to vote on a by-law
under this article it is not necessary that the municipal
or school taxes shall have been paid upon the property in
respect of which the qualification exists."

SESSIONS OF THE COUNCIL

Sessions of **24.** The first session of the council shall be held in the
the council.

town on the second Wednesday after the coming into force of this act.

BY-LAWS

25. Article 5636 of the Revised Statutes, 1909, is replaced for the town by the following: R. S., 5636, replaced, for the town.

"5636. The council may make, amend and repeal by-laws to secure the peace, order, good government, general welfare and improvement of the municipality, provided that such by-laws are not contrary to the laws of Canada, or of this Province, or inconsistent with any provisions of its charter or of these Revised Statutes, applicable to the town. No provision of the charter or of the Cities and Towns' Act conferring any specific power or authority on the town or its council shall be deemed by implication to restrict the generality of the foregoing or to derogate from the full authority thereby granted to the council."
By-laws that council may make.

26. The council may make, amend and repeal by-laws: Do.

1. To provide for the appointment of one or more commissions or boards, from among the members of the council and other persons, to supervise, regulate and control the location, height, shape and design of buildings or other structures to be erected, converted or established in the town, and to regulate and advise upon the development of the town; Commissions;

2. To regulate the subdivision and redivision of real estate within the limits of the town, and to compel owners to obtain the approval of the council to all new subdivisions or redivisions before registering the same; Real estate subdivision;

3. To regulate and inspect plumbing, heating and electrical installation and repairs; Plumbing;

4. To control and regulate the locality in which any hospital, charitable or other like institution may be erected or kept; Hospitals;

5. To regulate the erection, use or employment hereafter of steam-engines or boilers in the town, or in any particular locality thereof; Steam-engines;

6. To establish building lines on the lands abutting on any street, road, avenue, alley, park or lane, within the said city, between which lines and such street, road, avenue, highway, alley, park or lane, no building or part of a building or construction or erection of any kind (saving such exceptions as the by-law may permit, for particular streets for which local conditions may render the same necessary) shall be set up or erected; Building lines;

7. To regulate or restrict the posting, painting, erection Advertisements;

or other display and maintenance of advertisements of any description on fences, buildings or otherwise within the town, and to prohibit all or any such advertisements other than those made by a trader at his place of business and for the purposes of his business;

Nuisances; 8. To prohibit the making or existence of manure piles or piles of decaying plants or refuse, and to provide for their removal or destruction at the expense of the proprietor on whose property they are found;

Weeds; 9. To compel owners and occupants of land to cut and destroy all noxious or objectionable weeds and plants growing on such lands, or cause the same to be done at the cost of such owners or occupants;

Garbage; 10. To license, control and regulate the collection of waste material, and to regulate or prohibit the storage thereof;

Incineration; 11. To provide for the construction, maintenance and operation of an establishment for the incineration, destruction or utilization of garbage and other refuse;

Renting buildings belonging to the town; 12. To rent or let for commercial or other purposes, any building or part of a building owned or occupied by the town and not immediately required for municipal purposes;

Acquisition of property; 13. To acquire, construct, furnish and maintain lands and buildings for municipal works and services, and for other municipal purposes.

R. S., 5639, am. for the town; ice-houses, etc.; **27.** Paragraph 6 of article 5639 of the Revised Statutes, 1909, is replaced for the town by the following:

"6. To inspect and regulate, either within or beyond the limits of the town, places where ice is cut, made or stored; to inspect and examine ice; to license persons selling ice or delivering ice in the town; to prohibit the sale or delivery of and provide for the summary confiscation and destruction of ice which is or is suspected to be impure, unwholesome or infected with the germs of disease;"

R. S., 5641, am., for the town. **28.** Article 5641 of the Revised Statutes, 1909, is amended for the town by adding thereto the following paragraphs:

Closing of streets; "33. To close any street, road, public place or public square or any part thereof and to sell the land for the benefit of the town;—provided always that if any person suffers damages thereby he shall receive compensation, to be settled by agreement or by arbitration;

Watering of streets; "34. To have the streets, public ways, places and side-

walks swept, watered and kept in good order, and to have the snow removed there from at the expense of the municipality or at the expense of the proprietors of the adjoining properties, and in the latter case to declare any such expense to be a privileged claim against such adjoining property;

"35. To make any regulations that may be necessary to compel the proprietors of private lanes in the town to keep the same clean and in a good sanitary state and in proper repair, and, in case of their default, to have the work done by the town, and to assess the owners or occupants of such lanes with the cost thereof; to compel any person who has placed or constructed anything in, under or upon any private lane to remove the same unless he can produce a valid title from the proprietor of the lane authorizing him so to place or construct such thing, and, on failure so to do, to have the same removed at his expense; to provide for the paving, with such material as may be deemed advisable, of any private lane in the town, and to assess the cost thereof upon the proprietors of land abutting on such lane according to the length of their frontage or in such other manner as the council may deem equitable. The assessment roll for the paving of lanes shall be prepared by the secretary-treasurer in the same manner as other special assessment rolls are prepared, and the assessment shall be collected in the same manner as other special assessments."

29. Article 5674 of the Revised Statutes, 1909, is replaced for the town by the following:

"**5674.** The owners or occupants of houses, buildings or lands in the town shall, whether the system belongs to the town or to others, permit all pipes, conduits, posts, wires, tubes, lamps and other apparatus necessary or useful in connection with any system of lighting, heating, waterworks, drainage, communication or other public service, to be placed on their houses, buildings or lands, saving their recourse in damages if any be occasioned thereby."

MUNICIPAL FINANCES

30. Notwithstanding anything contained in the Cities and Towns' Act or in this charter, the council may by by-law provide that any and all assessments, taxes or licenses, whether annual or not, shall be payable in semi-annual or quarterly instalments.

VALUATION ROLL

R. S., 5699,
replaced, for
the town.

31. Article 5699 of the Revised Statutes, 1909, is re-
placed for the town by the following:

Valuation of
real estate.

"5699. The actual value of the real estate in the mu-
nicipality assessable for purposes of taxation, shall com-
prise lands and buildings, work-shops and machinery and
their accessories thereon erected, and all the improvements
made thereto.

Valuation
roll.

The valuation roll must contain, in separate columns
(a) the value of the land, and (b) the value of the buildings
and structures upon the land.

Actual
value.

The actual value of immoveable property for the pur-
pose of taxation shall be the total of both the values
hereinbefore mentioned; but any building or structure
which does not belong to the owner of the land, or which
is situated on any street, way, square or public place of
the town, shall be taxable property subject to the real
estate tax independently of the land."

Town may
take over
streets, etc.,
from
Kipawa Co.,
Ltd.

32. Within one year after the coming into force of
this act the town may take over from Kipawa Company
Limited all streets and squares shown on the plan or plans
registered before the date of taking over the same, also
all sewers and sewer equipment and all property, plant,
machinery, pipes, wires, poles, conduits, apparatus and
equipment occupied or held and used or intended for the
supply of water to the town and its inhabitants or used or
intended for fire and police protection and equipment and
for other municipal purposes; and the town shall pay to
the company therefor an amount equal to the cost of the
construction, improvement, acquisition and installation
thereof and interest on such cost at six per cent per annum
to the date of taking over the same.

Payment
therefor.

Settlement
of amount.

But such amount must first have been audited and
certified as correct, and as representing the expenses
actually incurred by the said company, by an accountant
appointed by the Minister of Municipal Affairs.

TAXES AND LICENSES

R. S., 5727,
replaced, for
the town.

33. Article 5727 of the Revised Statutes, 1909, is re-
placed for the town by the following:

Taxes to be
privileged
claims.

"5727. Municipal taxes and monies or compensation
due to the town for water, and interest thereon, are priv-
ileged claims which need not be registered."

34. Article 5729 of the Revised Statutes, 1909, is replaced for the town by the following: R. S., 5729, replaced, for the town.

"5729. 1. The following property shall not be subject to taxation: Exemptions from taxation.

a. All lands belonging to His Majesty or held in trust for the service of His Majesty;

b. The property of the Federal and Provincial Governments and of the municipal corporation;

c. Property held and occupied for public worship, presbyteries, parsonages and cemeteries;

d. All educational establishments as well as the land upon which the same are situate, and all buildings or lands used for libraries open to the public free of charge;

e. All buildings and lands occupied and possessed by a charitable establishment; but the property possessed by religious institutions, as well as charitable and educational corporations, for the purpose of deriving a revenue, shall not be exempt from taxation;—

Provided, nevertheless, that the said exemption shall not extend to lands or to buildings erected upon lands leased or occupied under lease from the Government; the said lands belonging to the Government and occupied under lease shall be assessed in the same manner as any other immoveable property, and the assessments shall be paid by the lessee or occupant, as if they were assessed against the lessee or occupant personally. Proviso respecting lands leased from Government.

2. The proprietors, lessees and occupants of the property mentioned in paragraphs *c*, *d*, and *e* of this article shall nevertheless be taxable in respect of the works required for the opening, construction and maintenance of streets, squares, sidewalks, sewers, fences, water-courses, and for public lighting, and for the cost of organizing and maintaining systems for fire and police protection, and shall be liable for the payment of any special tax, assessment or charge made for these purposes, and for payments for the use of water, and for other services and utilities performed, owned or operated by the town. Certain proprietors and lessees, however, to be liable for certain taxes, etc.

35. Article 5736 of the Revised Statutes, 1909, is replaced for the town by the following: R. S., 5736, replaced, for the town.

"5736. Every special tax imposed under article 5735 may in the discretion of the council be imposed and levied in the form of a license, and thereupon such tax shall be payable at such time or times and under such conditions and restrictions as the council may determine. Special tax may be in form of license.

R. S., 5738,
replaced, for
the town.

Due date of
taxes.

Certain
property
may be
exempted
from
payment of
certain
taxes.

Cost of
improve-
ments, by
whom
borne.

Special
taxes.

Prescrip-
tion.

How
allotted.

What
property
to be taxed.

Procedure.

36. Article 5738 of the Revised Statutes, 1909, is re-
placed for the town by the following:

"5738. Every tax imposed by virtue of the foregoing
provisions shall be payable at such time or times as may
be fixed by the by-laws."

37. When a proprietor cedes gratuitously to the town
any land for a street traversing his property, the remainder
of the property fronting on the new street may by resolu-
tion of the council be exempted in whole or in part from
the apportionment necessitated by the opening of such
street, provided that the part so exempted has a depth of
not more than one hundred and fifty feet.

IMPROVEMENTS

38. The town may, from time to time, by by-law,
declare that the whole or part of the cost of the construc-
tion of sewers, sidewalks, pavements, waterworks, bridges,
or the cost of any work on ditches or streams, or of any
expropriation, shall be borne by the owners of immoveable
property.

For such purposes the town may, from time to time,
by by-law, impose upon the immoveable property situated
within its boundaries such tax as may be necessary to
pay the amount to be borne by the owners. Such tax
must be sufficient to pay such amount in principal and
interest. It may be made payable in several annual
instalments, with interest.

Prescription shall run only from the due date of each
instalment of such tax.

The allotment of such tax shall be made either accord-
ing to the frontage of the property, according to its area,
or according to its value as shown by the municipal valua-
tion roll, as the council may deem just.

Such tax may be imposed on the immoveable property
situated on one street or part of one street only, or upon
several streets or parts thereof, or immoveable property
situated in a certain fixed territory, or on all the immo-
veable property situated in the town, as the council may
deem just.

Every time an assessment roll authorized by this section
is made, it shall be signed by the secretary-treasurer and
deposited at his office. Articles 5705 to 5709, inclusive,
of the Revised Statutes, 1909, shall apply to such roll,
mutatis mutandis. The tax shall be payable after a public
notice given in accordance with article 5749 of the Revised
Statutes, 1909, *mutatis mutandis*, and the other provisions

of the Cities and Towns' Act as to the collection and recovery of the annual tax on immoveables, shall apply.

Article 5747 of the Revised Statutes, 1909, shall not apply to such roll.

39. In case of a special assessment for any improvement the council, if they think fit, may provide in the by-law or by resolution that the town out of its general funds shall pay the cost of the part of the improvement which is situate upon or in the part of any street, lane, alley, public place or square intersected by any other street, lane, alley, public place or square, or the cost which would otherwise fall on property exempted from assessment. Certain part may be paid by the town.

40. The council may, by any such by-law or resolution, provide an equitable mode of assessment on corner lots, or on pieces of land of triangular or irregular shape, or on lots situate at the intersection or junction of streets, roads or squares, having due regard to the situation, value and superficial area of such lots as compared with adjoining lots and pieces of land assessable for such works, improvements and services, and may add the cost of such improvements or of a specified portion thereof to the total cost to be paid by the owners of fronting properties in whole or in part. Assessment of corner lots, etc.

41. In case any clerical error, omission or informality should occur in any proceedings in expropriation or in any report of arbitrators, or in any roll of assessment prepared in respect of the costs of any improvements, or in any by-law, whether such error, omission, or informality be committed by the arbitrators, or any of them, or by those who are by law entrusted with such proceedings, the Superior Court or any judge thereof may, upon petition to that effect, permit, in its discretion, the rectification of such error, omission or informality upon such conditions as to costs as the court or judge may order. Rectification of clerical errors, etc.

42. If any special assessment roll is annulled by competent authority, the secretary-treasurer shall make a new special assessment roll for the same purpose, in the manner by law provided; and such new roll when completed according to the formalities provided, shall have full force and effect. New assessment rolls.

43. If, for the purpose of any improvement, any immoveable property is charged with any special assessment by any report or special assessment roll, which is subse- Provisions in case of change of ownership.

quently annulled by competent authority, and a new report and special assessment roll are made for the recovery of such special assessment, and if any change has taken place in the ownership of such property between the date of the first report and the date of the completion of the new special assessment roll, the new proprietor of such immoveable property, upon payment or demand of the amount thereof, shall have the same right in warranty against his vendor, in respect of such payment or demand, as if such property had become charged with a valid hypothec for such amount at the date of the homologation of the first-mentioned special assessment roll.

Payments
made under
quashed
roll not to be
invalid.

44. Whenever a special assessment roll for any improvement as aforesaid shall be annulled or set aside, payments made under the authority of the same shall not be thereby invalidated, but such payments, with interest at the rate of six per cent added, shall go to the discharge of the respective amounts to be fixed by the new report and assessment roll, subject to the liability of any rate-payer to make good any deficiency, and to his right to receive back any surplus according to the difference that may eventually exist between the old and the new reports and assessment rolls.

Coming
into force.

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

CHAP. 111

An Act to amend the charter of the Roberval-Saguenay Railway Company

[Assented to, 14th of February, 1920]

Preamble.

WHEREAS the Roberval-Saguenay Railway Company has by its petition represented that it is necessary that certain amendments be made to its charter, the act 1 George V (2nd session), chapter 84, as amended by the acts 3 George V, chapter 84, 4 George V, chapter 104, and 6 George V, chapter 74, and whereas it is expedient to grant its prayer;

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

Delay for

1. The Roberval-Saguenay Railway Company may