

CHAP. 45

An Act to amend the Municipal Code in connection with the redemption of constituted rents

[Assented to 4th June, 1910]

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

Title, &c., added to M. C. **1.** The following title and articles are inserted in the Municipal Code after article 891.

“ TITLE SIXTH A

REDEMPTION OF CONSTITUTED RENTS

Appointment of superintendent to inquire into constituted rents. **891a.** Every council of a county or part of a county or of a local municipality, on receipt of a petition from at least ten interested persons, requesting the council to redeem the constituted rents affecting lands in such municipality, shall appoint a special superintendent to inquire into all the facts connected with the constituted rents in the municipality, to report to it and, if necessary, to draw up a *procès-verbal* thereof within such delay as it shall specify.

Holding of meeting by superintendent. **891b.** The special superintendent, after taking the oath as such, shall call, hold and preside over a public meeting of the rate-payers interested on the day and at the hour and place fixed by him and whereof he has given public notice.

Obtaining information from rate-payers. The special superintendent may, at any time after the public meeting of the rate-payers interested, proceed to the domicile of the said rate-payers and require from them all the information he may need.

Drawing up of *procès-verbal*, &c. **891c.** If the superintendent considers it possible for the municipal council to procure the necessary moneys at the rate he fixes, to redeem the capital of the constituted rents due by the rate-payers of the municipality on the lands belonging to them in the municipality, he shall draw up a *procès-verbal*, according to the provisions hereinafter set forth ; if he is of a contrary opinion, he must give the reasons for such opinion in his report.

Contents of *procès-verbal*. **891d.** The *procès-verbal* shall state :
1. The name of every rate-payer, the capital of whose constituted rents is not redeemed ;

2. The amount of yearly rent due by such rate-payer and the description of the lot or lots liable for the payment of such rent ;

3. The total amount needed for redeeming the capital of the rents due by the rate-payers mentioned in the *procès-verbal*, and for the payment of the cost of the *procès-verbal* and of the other proceedings for carrying out the same ;

4. The name of an attorney, who may be the special superintendent himself, who shall offer to the person entitled thereto and, if necessary, deposit, the capital of the various rents mentioned in the *procès-verbal* ;

5. The amount, number and date of payment of the instalments that each rate-payer shall pay every year to the municipal council, to pay the interest and sinking fund on the municipal bonds hereinafter mentioned. None of such instalments imposed on a rate-payer shall exceed the amount of arrears of constituted rents previously paid by such rate-payer ;

6. The amount and denomination of the municipal bonds which the council shall issue for the purpose of redeeming the loan contracted under the *procès-verbal* ; the conditions and delay for the redemption of such municipal bonds ; and the establishment of a sinking fund.

891e. The *procès-verbal* shall specify the manner of collecting instalments imposed upon the rate-payers the capital of whose constituted rents is to be redeemed, and the remuneration of the officers appointed to make such collection. Manner of collecting instalments, &c.

891f. The municipal council interested may homologate such *procès-verbal* with or without amendments or reject the same, provided public notice has been given by the secretary-treasurer of the council, of the place where and time when such examination is to begin. Homologation of *procès-verbal*, &c.

While the *procès-verbal* is under consideration any councillor may take part in the deliberations and vote although interested in the *procès-verbal*. Rights of certain councillors.

891g. The provisions of section seventh of chapter second of title first of book second shall apply to loans and issues of debentures under this title. Provisions of applicable.

891h. The municipal council shall, without registration, be legally subrogated in all the rights, privileges, and hypothecs conferred by law or otherwise upon the seigniors or other proprietors of constituted rents. Subrogation of council in certain rights.

891i. Every municipal council interested is authorized to issue the necessary municipal bonds for procuring sufficient Issue of bonds.

sums for the redemption of the capital of constituted rents in the municipality.

By whom interest, &c. on bonds, due.

891j. The instalments required for paying the interest and sinking fund of the capital of the municipal bonds are due only by the rate-payers interested in the redemption, and no tax can be imposed on taxable property which does not benefit by the redemption. Nevertheless the corporation shall be responsible for the amount of the loan."

CHAP. 46

An Act to amend the acts respecting the Recorder's Court of the city of Quebec

[Assented to 4th June, 1910]

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

24 V., c. 26, s. 6, amended.

1. Paragraph 2 of section 6 of the act 24 Victoria, chapter 26, as amended by the acts 52 Victoria, chapter 58, section 1, and 59 Victoria, chapter 48, section 4, is replaced by the following :

Salary of recorder.
Retiring pension of recorder.

" 2. His salary shall be four thousand dollars a year payable monthly in equal instalments out of the funds of the city.

" If the recorder, after having served for fifteen years, resigns, or if, while in office he becomes afflicted by some permanent infirmity which prevents him from performing his duties, the city shall pay him a pension equal to three fourth's of the salary he was receiving at the time of his resignation or disability, as the case may be, and such pension, which shall begin to run immediately after his resignation or disability, shall be paid him during his lifetime, and shall be exempt from seizure.

To apply to present recorder.

This paragraph shall apply to the present recorder as well as to his successors. "

Coming into force.

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