

***Maple Creek:  
Authorizing Town to  
install a drainage  
and sewerage system  
and to issue  
debentures***

*being a Private Act*

Chapter 53 of the *Statutes of Saskatchewan, 1909*  
(effective April 12, 1910).

**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.

## Table of Contents

1	Authority to construct a drainage and sewage system
2	Town to have certain powers in carrying out works
3	Compensation for property taken or injuriously affected
4	Town may issue debentures
5	Countersigning debentures
6	Special rate to be levied
7	Validation of work heretofore done
8	<i>The Town Act</i> to apply
9	Coming into force of Act

**1909**  
**CHAPTER 53**

An Act to authorise the Town of Maple Creek to install a Drainage and  
Sewage System and to issue debentures for payment of same.

(Assented to December 18, 1909)

**Preamble**

WHEREAS the ratepayers or burgesses of the town of Maple Creek have deemed it necessary for the protection of the public health and for the general benefit of the said town that a drainage and sewage system be established for the said town;

And whereas it is shown to be necessary that the said town be empowered to issue debentures for the purpose of paying for the said system:

Therefor His Majesty by and with the advice and consent of the Legislative Assembly of Saskatchewan enacts as follows:

**Authority to construct a drainage and sewage system**

1(1) The town of Maple Creek is hereby authorised to install a drainage and sewage system for the said town said system to consist of pumping station, pumping equipment, sump, outlet and mains on Pacific avenue from Sydney street to Aspen street and on Marsh, Walsh, Harder, Jasper, Maple, Cypress and Aspen streets from Pacific avenue to Third avenue, including laying 6 inch and 4 inch sewer pipe with open joints above the mains for the collection of subsoil drainage water which is discharged at each street intersection into the manhole, the whole system to be according to the general and detailed plans and specifications therefor prepared by C.M. Arnold, civil engineer.

**System may extend beyond corporate limits**

(2) Full power is given to extend the said system beyond the corporate limits of said town, where in the opinion of the engineer acting on behalf of the town it is deemed necessary so to do.

1909, c. 53, s. 1.

**Town to have certain powers in carrying out works**

2 The powers and authorities given a corporation under *The Municipal Public Works Act* to enter upon and to take property, to break up streets, lay pipes and do other things necessary for the proper carrying out of the works authorised may be exercised as fully and effectually by the said town in the installation of said system as if the said system were constructed under the authority of the said *The Municipal Public Works Act* and in pursuance of the terms thereof.

1909, c. 53, s. 2.

**c. 53** MAPLE CREEK: DRAINAGE AND SEWERAGE, DEBENTURES

**Compensation for property taken or injuriously affected**

3 The town shall do as little damage as may be in the execution of the powers hereby conferred upon it and shall make reasonable and adequate satisfaction to the owners, occupiers or other persons interested in any property (real or personal), rights or privileges entered upon, taken or used by the town or injuriously affected by the town in the exercise of the powers hereby conferred and in case of disagreement respecting the compensation or damages to be paid therefor the same shall be ascertained by arbitration as provided in *The Town Act*.

1909, c. 53, s. 3.

**Town may issue debentures**

4(1) For the purpose of defraying the costs of installing the said system the mayor and council of the said town are hereby authorised to issue debentures of the said town in the amount of \$45,000.00, such debentures to be repaid in thirty consecutive annual instalments.

**No submission of bylaw necessary**

(2) Notwithstanding any provision of law to the contrary the said debentures may lawfully be issued without the submission of any bylaw or bylaws to the burgesses or ratepayers of said town.

**Debentures to be a charge upon the town generally**

(3) All debentures to be issued under the authority of this Act shall when issued be valid and binding upon the said town and upon all the rateable property therein.

**Interest coupons**

(4) The said debentures shall have attached thereto coupons for the payment of interest thereon and the rate of the interest shall be five per cent per annum.

**Execution of debentures and coupons**

(5) Every debenture issued under the authority of this Act shall be sealed with the seal of the town and each debenture and interest coupons attached thereto shall be signed either 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 in his stead.

**Method of repayment**

(6) The said debentures shall be payable in such manner that each instalment of principal and interest shall be as nearly as possible equal in each year of the period of years during which the debentures are to run.

**Time and mode of issue**

(7) No debentures authorised by this Act shall be issued after the expiration of four years after the coming into force of this Act and said debentures may within four years bear any date within said period.

1909, c. 53, s. 4.

**Countersigning debentures**

5(1) The said town by its mayor or secretary treasurer may upon the execution of said debentures apply to the minister of municipal affairs to have the said debentures countersigned by him and the said minister of municipal affairs or his deputy is hereby authorised to countersign the same.

**Effect of countersigning debentures**

(2) Every such debenture countersigned by the minister of municipal affairs or by his deputy shall be valid and binding upon the town and upon all the rateable property therein and shall not thereafter be open to question in any court on any ground whatever.

1909, c. 53, s. 5.

**Special rate to be levied**

**6** There shall be raised in each year during the currency of said debentures and upon all the rateable property in the said town a sum of money sufficient to pay the annual instalment or instalments payable in each year in respect of said debentures.

1909, c. 53, s. 6.

**Validation of work heretofore done**

**7** Any work heretofore done, materials provided, expenditure made or undertaken by the council of said town in connection with the said system is hereby declared to have been legally done, provided, made or undertaken by the said council and to be the act of the said town.

1909, c. 53, s. 7.

***The Town Act to apply***

**8** Notwithstanding anything contained in this Act proceedings may be taken under the provisions of *The Town Act* relating to local improvements for the purpose of defraying a portion of the cost of the said system.

1909, c. 53, s. 8.

**Coming into force of Act**

**9** The Lieutenant Governor in Council shall by proclamation notice of which shall be published in *The Saskatchewan Gazette* declare the day on, from and after which this Act shall become and be in force and the said Act shall on and after such day so declared become and be in force.

1909, c. 53, s. 9.

