

CHAPTER 18.

An Act respecting a Provincial Loan for purposes in connection with the Halifax Disaster.

(Passed the 26th day of April, A. D., 1918).

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. This Act may be cited as "The Halifax Disaster ^{Title.} Provincial Loan Act."
2. The Governor-in-Council is authorized to raise ^{Loan \$100,000.} by way of loan on the credit of the Province the sum of one hundred thousand dollars for the public service.
3. The sum realized from the sale of debentures of Nova Scotia or of Nova Scotia stock issued for the purpose of raising the said sum of one hundred thousand dollars, or any part thereof, shall be paid into the ^{Money payable to Provincial Treasurer for purposes in connection with Halifax Disaster.} Provincial Treasury and shall be paid and applied for purposes in connection with conditions created by the explosion in Halifax Harbour on the 6th day of December, A. D., 1917.
4. The sum realized as aforesaid shall be paid and ^{To be applied as Governor in Council deems expedient.} applied for such of the purposes aforesaid in such sums and on such terms and conditions as the Governor-in-Council deems expedient.
5. There shall be included in the estimates of ^{Interest to be included in estimates.} expenditure submitted to the House of Assembly in each year a sum sufficient to pay the interest on any debentures or on any stock issued under the provisions of this Act, for the year for which such estimates are made, and also if a sinking fund is established a sum sufficient to pay the amount due on account thereof for the year for which such estimates are made.
6. No taxes whatever shall be leviable or pay- ^{Exempt from taxation and succession duty} able for provincial, city, town, municipal or local purposes in Nova Scotia on or in respect of the debentures or the stock issued under the provisions of this Act, and no succession duty shall be leviable or payable in Nova Scotia on or in respect thereof.

CHAPTER 19.

An Act to Authorize Cities, Towns and Municipalities
to Contribute to any Fund for the Relief of
Sufferers from the Halifax Explosion, and to
Validate Contributions already made.

(Passed the 26th day of April, A. D., 1918).

Be it enacted by the Governor, Council, and Assembly, as follows:—

City, town and
municipality
authorized to
contribute and
by laws or reso-
lutions for mak-
ing contribu-
tions prior to
this Act declar-
ed valid.

1. Any city, incorporated town or municipality may lawfully contribute to any fund for the relief of sufferers from the explosion, on the 6th of December, at Halifax and any such contribution, and every contribution made by any city, town or municipality prior to the passing of this Act for the relief of the sufferers from the said explosion, or for any purpose incidental to the relief of such sufferers, shall be deemed to have been and to be properly made, and every by-law or resolution for the making of such contribution shall be deemed to have been and to be valid, and shall have force and effect to the same extent as if it had been passed pursuant to all the power and authority necessary for that purpose.

Contributions
may be rated
and assessed
for.

2. Every such contribution or part thereof may be rated, assessed and collected in the same way as the ordinary expenses of such city, town or municipality is rated, assessed and collected.

CHAPTER 61.

An Act to Incorporate the Halifax Relief Commission.

(Passed the 26th day of April, A. D., 1918).

WHEREAS, on the 6th day of December, A. D., 1917, ^{Preamble.} following a collision in Halifax Harbour between the French Ship "Mont Blanc" laden with high explosives and the Belgian Relief Ship "Imo," an explosion occurred on the said "Mont Blanc," which caused heavy loss of life, serious personal injuries and destroyed property in the City of Halifax, in the Town of Dartmouth and in surrounding districts;

And Whereas, immediately following the said disaster steps were taken and committees and sub-committees were organized in the City of Halifax and in the Town of Dartmouth for the purpose of the immediate relief of those rendered destitute or homeless by the said disaster;

And Whereas, generous contributions and subscriptions of money and property have been received by the said committees from all parts of the world, and the said committees and sub-committees have expended and distributed a large portion of the said money and property for relief purposes;

And Whereas, the Governor-General of Canada in Council, under the Enquiries Act of Canada, being Chapter 104 of the Revised Statutes of Canada, 1906, and under the War Measures Act, 1914, being Chapter 2 of the Acts of Canada for the year 1914, has appointed T. Sherman Rogers, of Halifax, in the County of Halifax, one of His Majesty's Counsel; His Honour William Bernard Wallace, of Halifax, aforesaid, Judge of the County Court for District Number One, and Frederick Luther Fowke, of Oshawa, in the Province of Ontario, Merchant, Commissioners for the purpose of making certain enquiries regarding the losses, damages and injuries sustained and incurred by reason of the said disaster, and for the further purpose of taking over and administering all moneys and property subscribed, contributed and voted for the relief of those who suffered in or by reason of the said disaster;

And whereas, the said Halifax Relief Commission as heretofore constituted has recommended to the Governor-General of Canada in Council, that reasonable compensation or allowances should be made to persons injured in or by reason of the said disaster and the dependents of persons killed or injured in or by reason of the said disaster, and the Governor-General of Canada in Council has been pleased to adopt the said recommendation;

Be it enacted by the Governor, Council, and Assembly, as follows:—

Interpretation. **1.** In this Act, unless the context otherwise requires,

Commission. (a) the term “Commission” means the Halifax Relief Commission;

Devastated
area. (b) the expression “devastated area” means and includes such portions of the City of Halifax, the Town of Dartmouth and the Municipality of the County of Halifax as the Commission may from time to time delimit or describe, pursuant to the provisions of this Act;

Person. (c) the word “person” shall include persons, firms, or private, public or municipal corporations;

Contrattor. (d) the word “contractor” shall mean and include any person entering into any contract or sub-contract with the Commission for the rebuilding, repairing, restoration or improvement of any property in or any part of the City of Halifax, the Town of Dartmouth or the Municipality of the County of Halifax destroyed, damaged or injured in or by reason of the said disaster;

Owner. (e) the word “owner,” when used in relation to any land or lands, tenements, or hereditaments or any interest in or concerning the same, means any person having an estate in fee simple or for life at law or in equity in any such land or lands, tenements or hereditaments or any interest in or

concerning the same and includes a mortgage thereof.

2. The said T. Sherman Rogers, William Bernard Incorporation. Wallace and Frederick Luther Fowke and their successors are hereby created a body corporate and politic under the name of The Halifax Relief Commission, and by that name shall have perpetual succession and a common seal.

3. The said T. Sherman Rogers shall be chairman Chairman. of the Commission.

4. Any two members of the Commission shall Quorum. constitute a quorum for the transaction of any business or for the exercise of any of the powers exercisable by the Commission.

5. Should any one or more of the members of the Commission die or retire, the Governor-General of Vacancies, how filled. Canada in Council may appoint a person or persons in place of the member or members so dying or retiring, and in case the chairman dies or retires may appoint a chairman in his place.

6. The Commission shall elect a vice-chairman, Vice-chairman. who shall, in the absence of the chairman, exercise all the functions of the chairman.

7. There shall vest in the Commission all moneys All moneys and property to vest in commission. and property subscribed, contributed or voted, or which may hereafter be subscribed, contributed or voted by any person, municipality or government for the relief of persons who suffered loss, damage or injury in or by reason of the said disaster. There shall be exempt from the operation of this section—

(a) all moneys and property subscribed, contributed or voted for the purposes aforesaid or for any particular purpose relating to the said disaster, but forwarded or given to any person to be distributed as such person may see fit;

(b) all moneys and property subscribed, contributed or voted for the purposes aforesaid or for any particular purpose in connection with said disaster which upon an accounting to the Commission shall appear to have been expended, disbursed or appropriated for any of the said purposes before the coming into effect of this Act.

Powers.

8. (a) The Commission shall have power to expend, disburse, distribute and appropriate all moneys vested in, or paid, given or donated to the Commission in such manner as the Commission shall in its discretion deem proper, and may repair, rebuild or restore any buildings or property damaged, destroyed or lost in or by reason of the said disaster, or compensate the owner thereof, or any person having an interest therein in respect thereof to such extent as the Commission may think fit; provided, however, that in case any money or property has been subscribed, contributed or voted for any particular purpose or purposes, the Commission shall expend, disburse, distribute or appropriate the same as far as practicable in accordance with the expressed intention of the donor;

(b) the Commission may, in its discretion, aid any institution or association which undertakes or heretofore has undertaken the relief of persons injured in or by reason of the said disaster, or whose illnesses or diseases were aggravated thereby, or persons rendered dependent or destitute by reason thereof, and the Commission may set aside or apply reasonable portions of said moneys subscribed, contributed or voted for the relief, maintenance, support and education of any such persons, whether such persons are or are not being cared for, maintained, supported or educated by any such institution or association;

(c) the Commission shall also have power to build or construct any building which the Commission in its discretion may deem necessary or proper for the relief of persons injured in or by reason of the said disaster or of persons thereby rendered dependent or destitute or for any purpose incidental thereto.

9. The Commission shall have the following ^{Further powers} powers:

(a) to appoint and hire such officials, servants, agents and workmen as the Commission may think proper for the purpose of the proper exercise of the powers exercisable by the Commission; ^{To appoint officials, servants, agents and workmen.}

(b) to appoint, retain and consult with barristers, solicitors, physicians, surgeons, medical specialists, dentists, planning experts, contractors and all other experts in any matters in which the Commission may deem it advisable to obtain expert advice, counsel or assistance, and to enter into agreements and contracts with any such persons for the purpose of carrying out any of the powers exercisable by the Commission under this Act, or otherwise; ^{To appoint professional men and experts.}

(c) to acquire, hold and dispose of real and personal property of every kind and description, and to deal with the same in any way that the Commission may think fit; ^{To acquire real and personal property.}

(c 1.) to effect from time to time temporary loans with any chartered bank if for any reason funds to be supplied to the Commission are not presently available; ^{To effect temporary loans.}

(d) to exercise all and any powers and to carry out and perform all and any duties which may have heretofore been conferred upon or required of the said T. Sherman Rogers, William Bernard Wallace and Frederick Luther Fowke, or the Halifax Relief Commission, by the Governor-General of Canada in Council, or which may hereafter lawfully be conferred upon or required of the Commission by the Governor-General of Canada in Council, or by the Parliament of Canada; ^{To carry out and perform all duties conferred by Governor-in-Council.}

(e) to investigate into and to report to the Governor-General of Canada in Council and to the Lieutenant-Governor of Nova Scotia in Council upon the following matters, that is to say: ^{To make investigations and report on:}

Losses, damages and injuries.

(1) The losses, damages and injuries caused by or resulting from the said disaster;

Money and property subscribed.

(2) The amount of money and property subscribed, paid, contributed or voted for any purpose for the relief of persons who suffered loss, damage or injury in or by reason of the said disaster;

Additional money and property required.

(3) The additional money and property required for the purpose of such relief and for the cost of administering and distributing such money and property, and of exercising the powers exercisable by the Commission;

Legislation.

(4) The legislation which, in view of the said disaster, ought in the opinion of the Commission to be passed;

General matters.

(5) Generally, all such other matters which in the opinion of the Commission are necessary or incidental to the collection, disbursement, distribution and administration of the moneys and goods heretofore subscribed, contributed or voted, or which may hereafter be subscribed, contributed or voted for any of the purposes aforesaid.

Commission to have powers conferred under The Enquiries Act, Chapter 104, R. S. C., 1906, and Of Enquiries concerning public matters Chapter 12 of R. S. N. S., 1900.

10. For the purpose of the proper exercise by the Commission of all the powers and functions exercisable by the Commission, the Commission shall have all powers which may be conferred by the Governor-General of Canada or by the Governor-General of Canada in Council under The Enquiries' Act, being Chapter 104 of the Revised Statutes of Canada, 1906, and the amendments thereto; or which may be conferred by the Lieutenant-Governor or the Lieutenant-Governor in Council under Chapter 12 of the Revised Statutes of Nova Scotia, 1900, and the amendments thereto, and for all the purposes aforesaid, and of this Act, the Commission shall have all the powers of a court of record.

Devastated area.

11. (1) The Commission may in respect of the devastated area, or any part thereof, prepare a town

planning scheme and a set of town planning by-laws subject to the consent and approval of the Commissioner of Public Works and Mines, and upon such consent being given may proceed with and carry out said scheme.

Commission may prepare town planning scheme, and by laws.

(2) For the said purpose the Commission shall within the devastated area have all powers exercisable under Sections 11, 12 and 15 of the Town Planning Act, 1915, by all local boards (as defined in and by said Town Planning Act, 1915), heretofore appointed or constituted in respect of the devastated area or any area or areas, including the devastated area, or any part thereof.

Sections 11, 12 and 15 Town Planning Act applicable.

(3) In respect of the devastated area the Town Planning Act, 1915, as amended, shall not except as heretofore provided be applicable.

Otherwise Town Planning Act does not apply.

(4) The cost of preparing such Town Planning scheme, Town Planning By-laws and of proceeding with and carrying the said scheme into effect shall be borne by the Commission.

Expense of preparing scheme and by-laws to be borne by Commission.

12. The Commission may in the devastated area, at any time, lay out and open any new street and may widen, straighten, alter or extend any existing street, and for that purpose may remove the whole or any portion of any building, wall or fence.

Streets in devastated area.

13. The Commission may, in the devastated area, at any time raise or lower the level of any street, and no action shall be maintained against the Commission or the officers or contractors of the Commission for any injury thereby occasioned to any property.

Level of street may be raised or lowered.

14. The Commission may whenever it deems it necessary temporarily close any street in the devastated area.

Street may be temporarily closed.

15. The Commission may use steam rollers in any street in the devastated area.

Use of steam rollers permissible.

16. No person shall have, construct or erect upon any street in the devastated area any obstruction, encroachment or encumbrance whatsoever.

Obstructions, encroachments or encumbrances forbidden.

Soil of any street may be broken.

17. The Commission may break or open the soil of any street in the devastated area for any purpose, notwithstanding anything contained in the Halifax City Charter, or any ordinance made thereunder.

Property in new streets, and where existing streets are widened, straightened, etc., to rest in city.

18. Whenever any new street is opened by the Commission or any existing street is widened, straightened, extended or altered, the property in such new street, or in such existing street as widened, straightened or altered, shall forthwith vest in the city, town or municipality in which the same is situate, and shall be and be deemed for all purposes a public street or road.

Grading of new and existing streets.

19. The Commission shall grade in a manner satisfactory to the Commission all new streets opened or laid out by the Commission, and all existing streets widened, straightened, extended or altered by the Commission pursuant to this Act.

Commission may dispose of property not required and which has become vested by reason of re-location or closing up of streets and expend proceeds in purchase or expropriation of lands required.

20. The Commission may at any time within the devastated area re-locate any existing street, or close up or divert the same in whole or in part, and any street or part of a street so closed up, and any street or part of a street so re-located, which may after such re-location no longer form part of a street, shall vest in the Commission, and the Commission may sell, or exchange, or convey any such street, or part of street, and any moneys received from the sale of any such land may be expended by the Commission for the purchase or expropriation of lands required by the Commission for streets.

Sewerage in devastated area

21. The Commission shall have power in the devastated area to divert any public or private sewers and to connect with the sewer system of any city, town or municipality; provided, however, that where any property is injuriously affected by any such diversion the Commission shall provide efficient sewerage connection for such property, and no action shall be brought against the Commission for making such diversion or connection; provided always that in making such diversion or connection, the Commission shall do so in conformity with the sewerage system of the city, town or municipality in which such diversion or connection is made.

22. (a) The Commission shall have power to divert water mains and service pipes forming part of the water supply system of any city, town or municipality in the devastated area, and to make such connections therewith as the Commission may deem proper, and no action shall be maintained against the Commission by reason of any such diversion or connection.

(b) the Commission shall also have power to remove and re-locate existing hydrants and to install additional hydrants in such manner as the Commission may deem expedient; provided, however, that in the exercise of the powers conferred upon the Commission by this section, the Commission shall make such diversions, connections, removals, re-locations and installations in conformity with the water supply system of such city, town or municipality.

23. The powers conferred upon the Commission by Sections 11 to 22 of this Act, may be exercised by the Commission notwithstanding any statute now in force, and such powers shall be deemed to be paramount over similar powers exercisable by any city, town or municipality, or the councils or officers thereof, in which the said powers are sought to be exercised.

24. Notwithstanding the provisions of Section 789 of the Halifax City Charter as amended, the Commission shall have power to rebuild, construct or repair any building of any material that the Commission may think suitable; provided, however, the said power is exercised by the Commission with the consent of the owner and of the person entitled to possession of the land upon which such re-building, construction or repairs are made.

25. The Commission shall have power in relation to the devastated area, from time to time, to amend, repeal, alter or add to the provisions of Part X of the Halifax City Charter, and the amendments thereto, and the schedules thereto. Any such amendments, repeal, alteration or addition shall be published in the Royal Gazette and in at least two newspapers published in the City of Halifax by two insertions in each of said publications.

Expropriation
of lands.

26. (1) Whenever the Commission determines that any land or interest therein, whether situate within the devastated area or elsewhere, is required by the Commission for any purpose, the Commission may expropriate such land or interest therein without first endeavouring to contract with the owner thereof, or any person having an interest therein, for the purchase thereof.

Plan and de-
scription of
land to be filed.

(2) The Commission shall cause to be prepared a plan and description of the land proposed to be expropriated, and shall file the said plan and said description in the office of the Registrar of Deeds for the County of Halifax. For the purpose of preparing such plan and description the Commission may authorise entry upon any land in respect of which expropriation is contemplated and survey or examine the same.

Notice of in-
tention to ex-
propriate to be
filed.

(3) The Commission shall publish a notice of its intention to expropriate in not less than two newspapers published in the City of Halifax for two weeks by one insertion each week; such notice shall contain a description of the land or interest therein intended to be expropriated and that the Commission intends at the expiry of the time limited therefor to expropriate the same. It shall not be necessary in any case to serve any owner, mortgagee or encumbrancer of any land sought to be expropriated with a copy at such notice.

Declaration of
expropriation
and payment of
compensation.

(4) At the expiration of the time limited in such notice the Commission may declare the land or interest therein to be expropriated, and shall pay into the Supreme Court at Halifax such sum as in the judgment of the Commission is a reasonable compensation for the land or interest therein expropriated, and notice of such payment shall be given by such publication as is hereinbefore provided in respect of the notice of intention to expropriate. A copy of such notice shall be lodged for registration in the office of the Registrar of Deeds for the County of Halifax.

Title vests in
commission free
of liens.

(5) Upon compliance with the provisions of the preceding sub-sections of this section, the title to the land or interest therein sought to be expropriated shall

be absolutely vested in the Commission free from any encumbrance or lien of any kind whatsoever.

(6) If the owner within one month from the first publication of such notice gives notice to the Commission that the amount of such compensation is insufficient and names a person as arbitrator, the Commission shall forthwith name an arbitrator and the two so named shall appoint a third, or if they are unable to agree such third arbitrator shall be appointed by a Judge of the Supreme Court, and the three arbitrators so appointed shall determine the amount of compensation and shall file their award with the Prothonotary of the Supreme Court of Nova Scotia, and the provisions of the Arbitration Act, as amended, shall apply to any proceedings had by the arbitrators.

Arbitrators
may be ap-
pointed.

(7) If the owner does not give such notice and name an arbitrator within one month, he shall be deemed to have accepted the amount of compensation so paid into Court as sufficient, but in such case any holder of a charge or encumbrance upon the land expropriated, and any person otherwise interested therein may give such notice and name an arbitrator within one week from the expiry of the month, and the arbitration shall proceed accordingly.

Owner to give
notice and
name arbitra-
tor.

(8) The Commission shall pay the arbitrators such fee as shall in the opinion of the Commission be reasonable and proper.

Arbitrators'
fees.

(9) If the amount of compensation determined by the arbitrators exceeds the amount paid into Court, the Commission shall pay the amount of excess into Court.

Where arbi-
trators' award
exceeds amount
paid into court.

(10) If the amount of such compensation is less than the amount paid into Court, the difference may be paid out of Court to the Commission on the application of the Commission or the solicitor of the Commission.

Where arbitra-
tors' award less
than amount
paid into court.

(11) Any money paid into Court on account of any expropriation shall be subject to every lien, encumbrance or other charge to which the land or interest therein expropriated was subject.

Money paid in-
to court subject
to changes to
which land was
subject.

Application for
money paid in-
to court.

(12) Any money paid into court may be paid out to the person or persons entitled thereto on application to a Judge of the Court, notice of such application being first given to the Commission, and on such application the judge shall make such orders and direct such notices to be given as he deems necessary to protect all persons interested in the money so paid in.

Costs of appli-
cation paid by
Commission.

(13) The cost of any such application, not exceeding fifteen dollars in all, shall be paid by the Commission.

Commission
exempt from
taxation.

27. No tax, rate or assessment, whether provincial, civic, municipal or otherwise, shall be rated, levied or assessed upon the Commission, or upon or in respect of any property, real or personal, of the Commission,

Servants,
agents, em-
ployees and
contractors ex-
empt from
special tax,
levy, assess-
ment or license
fees.

28. (a) No special tax, rate, levy or assessment or license fee, whether provincial, civic, municipal or otherwise, shall be levied, rated, assessed or charged or required of or from any servant, agent, employee or contractor of the Halifax Relief Committee or committees or any sub-committees thereof, or the Halifax Relief Commission as heretofore constituted from and after the 6th day of December, 1917, or of the Commission or any contractor engaged in reconstruction work in the devastated area, and Section 540, sub-sections 1 and 2 of the Halifax City Charter are declared to be suspended and ineffective from the 6th of December 1917, until the 6th of December 1920.

Workmen's
Compensation
Act.

(b) nothing in the two next preceding sections contained shall in any manner affect the liability of the Commission or any of its contractors as "employers" within the provisions of the Workmen's Compensation Act.

Courts and
Boards of en-
quiry.

29. The Commission shall have power to constitute, maintain and organize such courts and boards of enquiry as the Commission may think fit for the purpose of enabling the Commission the more effectively to carry out or perform any of the powers, duties or functions exercisable by the Commission. The procedure of such courts and boards shall be regu-

lated by the Commission. Such courts and boards, and the members thereof, shall have the power to administer oaths. The Commission shall have power to enforce in such manner as the Commission may think fit attendance before any of the said courts and boards of any person, and may require any person to give testimony before any of the said courts or boards.

30. The Commission shall have the right to continue in possession of any land now in the possession of the Halifax Relief Commission as heretofore constituted for such period as the Commission may deem proper whether such possession or the continuance thereof be with or without the consent of the owner or of the person entitled to the possession thereof. No action shall be brought by reason of the Commission being or continuing in such possession by any person against the Commission or any member servant, agent, workman, employee, licensee or invitee of the Commission, nor shall any indemnity be payable by the Commission in respect of such possession until one month after the Commission shall vacate or deliver up possession of such lands. In the event of any dispute as to the amount of such indemnity, the sum shall be determined in accordance with the provisions of the Arbitration Act as amended.

Commission may continue in possession of lands, etc.

31. In every case where any building or other structure has been built or constructed by or under the direction of the Halifax Relief Committee or any sub-committee thereof or by the Halifax Relief Commission as heretofore constituted upon the lands of any person, whether with or without the consent of the owner or the person entitled to the possession thereof, the Commission shall have the right to use, occupy and possess the said buildings or structure, and to remove the same at any time; provided, however, that the Commission shall within one month after giving up possession of the lands whereon such building or structure is erected pay to the owner or to the person entitled to the possession of such lands a reasonable indemnity for the use and occupation of such lands. In the event of any dispute as to the amount of such indemnity the same shall be determined in accordance with the provisions of the Arbitration Act as amended.

Commission to have right to occupy buildings placed by them on lands with or without consent of owner for which payment shall be made.

Certain actions,
suits and pro-
ceedings not to
be taken with-
out consent of
commission.

32. (1) No action, suit or other proceeding shall be brought—

(a) by any person for the recovery of the possession of any lands, tenements or hereditaments or any interest therein;

(b) by any landlord under the provisions of the Overholding Tenants' Act, being Chapter 174 of the Revised Statutes of Nova Scotia, 1900, with the amendments thereto; or

(c) by any landlord for the recovery of any greater rate of rent than the rate of rent payable by the tenant from whom such rent is sought to be recovered immediately preceding the 6th day of December, 1917; or

(d) by any person for the foreclosure of any mortgage or for the sale of any lands described in any mortgage, without the consent of the Commission in writing and under the seal of the Commission.

(2) All actions, suits and other proceedings of the nature referred to in sub-section (1) of this section commenced or brought since the 6th day of December 1917, are hereby stayed until such consent of the Commission has been given.

(3) The Commission may grant or refuse such consent upon such terms as to security or otherwise as the Commission thinks fit.

(4) The provisions of this section shall apply only in respect of lands situated in the City of Halifax or the Town of Dartmouth.

(5) The provisions of this section shall be applicable notwithstanding any agreement made heretofore since December 6th, 1917, or any agreements hereafter to be made.

Insurance.

33. In every case in which the Commission shall pay any sum or sums of money in respect of any real property destroyed or damaged in or by reason

of the disaster and in every case in which the Commission shall repair, restore or re-build any real property damaged in or by reason of the said disaster, the Commission shall to the extent of such payment or to the extent of the cost of such repair, restoration or rebuilding be subrogated to and have all the rights of the owner of such property against all or any insurance companies which may have insured the said property or any part thereof, and may sue for, recover or give valid and effectual receipts for the same in its own name. In every case in which the Commission shall pay any money under this section, where such real property is subject to any mortgage, lien or encumbrance, such money shall only be paid as the work of restoring, repairing or rebuilding progresses, unless such mortgagee or person having such mortgage, lien or encumbrance otherwise agrees.

Where property subject to mortgage, etc., payment for restoration, repairing, etc., only to be made as work progresses.

34. The transfer of all moneys and properties from the Halifax Relief Committee and the sub-committees thereof to the said T. Sherman Rogers, William Bernard Wallace and Frederick Luther Fowke, or to the Commission, is hereby ratified and confirmed.

Transfer of moneys and properties to commission ratified.

35. The benefits and rights of and created by and the burdens, obligations and duties of all contracts (including loans) entered into by or on behalf of the Halifax Relief Commission, or the sub-committees, the Dartmouth Relief Commission, or the sub-committees thereof, or the Halifax Relief Commission as heretofore constituted, shall respectively enure to the benefit of and be binding upon the Commission.

Benefits, rights, etc., of contracts, entered into by the commission to enure to commission.

36. No action or proceeding of any kind shall be brought against the said T. Sherman Rogers, William Bernard Wallace and Frederick Luther Fowke, while acting as the Halifax Relief Commission as heretofore constituted, or against Robert T. MacIlreith or Ralph P. Bell, of Halifax aforesaid or against The Halifax Relief Committee or Committees or any sub-committees thereof or the Dartmouth Relief Committee or any sub-committee thereof or against any member of such committees or sub-committees or against any official, servant, agent, workman or employee thereof or against any person for or by reason of any act,

Actions and proceedings.

matter or thing done or performed by them or any of them or by reason of any neglect or omission of them or any of them from the 6th day of December, A. D., 1917, to the date of the coming into force of this Act, provided such act, matter or thing, neglect or omission was done or performed or occurred while such Commission, committee, sub-committee or person, were or was or deemed themselves, himself or itself to be engaged in the work of relief of the persons or any of the persons who suffered loss, damage or injury in or by reason of the said disaster or engaged in any work which was or was deemed by such Commission, committee or person to be properly incidental to such work of relief or to be necessary or proper under the circumstances; provided that the protection of this section shall not extend to any fraudulent act, matter, thing, neglect or omission.

Loans by commission.

37. The Commission may in its discretion lend to any city, town or municipality such sum or sums and upon such terms as the Commission may think fit.

Limits of devastated area may be changed; notice to be published.

38. The Commission may from time to time describe, delimit and define any part of the City of Halifax, the Town of Dartmouth or the County of Halifax as the "devastated area." The Commission may also from time to time, alter, enlarge, restrict or in any way change the area so described, delimited or defined. In every case a notice of such description, delimitation, definition, alteration, enlargement, reduction or change shall be published by at least two insertions in the Royal Gazette and in at least three newspapers published in the City of Halifax.

Workmen's Compensation Act not applicable after June 10, 1918.

39. On and after June 10th, 1918, the Workmen's Compensation Act shall cease to be applicable to any accident or injury caused by, arising out of or resulting from the said explosion on the said Mont Blanc, and no compensation or other payments shall thereafter be made under or by virtue of said Act with respect to any such accident or injury, or upon any claim with respect thereto, and the Workmen's Compensation Board shall on said day cease to be liable with respect to any such accident, injury or claim; provided, however, that if any person who after the tenth day of June, 1918, was entitled to the benefits of the

Workmen's Compensation Act does not receive from the Commission compensation at least equivalent to that which such person would have been entitled to under the Workmen's Compensation Act, then this section shall not in such case apply except to the extent of the compensation received by such person from the Commission.

CHAPTER 62.

An Act to Amend Chapter 87, Acts of 1917, entitled
"An Act to Ratify a Certain Agreement Between the City of Halifax and the Government of Canada."

(Passed the 26th day of April, A. D., 1918).

Be it enacted by the Governor, Council, and Assembly, as follows:—

WHEREAS, the conveyance from the City of Halifax to His Majesty recited or referred to in the statute hereby amended as having been duly executed is set out at length in the schedule hereto; Preamble.

And Whereas, the Act hereby amended does not in the opinion of His Majesty satisfy the requirements necessary for the purpose of carrying into effect the terms of the agreement scheduled to the said Act, because the said deed of conveyance is not scheduled, and because of the following words with which the said Act concludes—"and to have conveyed to the Crown all the right, title and interest of the City in and to the properties and rights therein mentioned;"

It is Therefore Enacted, that the deed of Conveyance set out in the schedule to this Act shall be deemed to have been properly made and executed by the City of Halifax, and to be binding upon the said City, and moreover that the concluding words of the Act hereby amended, as quoted above, are hereby repealed and declared to have been without effect from the beginning.

SCHEDULE.

This Indenture made this 24th day of March in the year of our Lord one thousand nine hundred and seventeen; Schedule.

CHAPTER 34.

An Act to Incorporate Massachusetts—Halifax Health Commission.

(Passed the 17th day of May, A. D., 1919).

Preamble.

WHEREAS, the explosion in Halifax Harbor on the sixth day of December, 1917, not only caused heavy loss of life and personal injury, but also produced conditions which seriously menace the general public health of the City of Halifax and the Town of Dartmouth; and

Whereas, the people of the State of Massachusetts have generously contributed in services, money and materials to the relief and rehabilitation of Halifax and Dartmouth, and in addition to the gifts already made have expressed through their agents, the Massachusetts-Halifax Relief Committee, a desire to give further assistance in the restoration and improvement of the sanitary conditions of Halifax and Dartmouth, and other districts affected by the explosion, and the health of the inhabitants; and

Whereas, as a result of careful investigation and expert advice, it has been determined by the said Massachusetts-Halifax Relief Committee to carry out a definite programme for the said purposes in co-operation with the Halifax Relief Commission, the Province of Nova Scotia and the City of Halifax, which shall involve the expenditure of large sums of money, and it is considered advisable to incorporate a Commission with proper power and authority for said purposes to work in conjunction with the Provincial Department of Health, the Boards of Health of the City of Halifax and the Town of Dartmouth, the Halifax Relief Commission and other constituted authorities; and

Whereas, the proposed programme and contributions have been heartily appreciated and endorsed by various public bodies representing the people of Halifax and Dartmouth;

Be it enacted by the Governor, Council, and Assembly, as follows:—

1. In this Act, unless the context otherwise re- Interpretation.
quires:

(a) the term "Commission" means the Massachusetts-Halifax Health Commission;

(b) the word "person" shall include persons, firms, or private, public or municipal corporations.

2. There shall be constituted the Massachusetts- Commission,
Halifax Health Commission composed of the Provin- how constitute
ed.
cial Health Officer for the time being, the chairman of the Board of Health of the City of Halifax for the time being, the Medical Health Officer of the Town of Dartmouth for the time being, two members appointed by the Halifax Relief Commission and four members appointed by the Massachusetts-Halifax Relief Committee, each for a term of two years. Such Commission shall be a body corporate under the name of the Massachusetts-Halifax Health Commission, and by that name shall have perpetual succession and a common seal.

3. The Provincial Health Officer for the time being, Members by
the chairman of the Board of Health of the City of virtue of
Halifax for the time being, and the Medical Health office;
Officer of the Town of Dartmouth for the time being, vacancies.
shall be members of the Commission by virtue of their respective offices. If a vacancy occurs in the Commission by the death, resignation or removal of any of the other members of the Commission, the successor of such member shall be appointed by the body which appointed him.

4. The Commission shall elect a chairman from Chairman.
among its members and also a vice-chairman who, in the absence of the chairman, shall exercise all the functions of the chairman.

5. The Commission may appoint a Secretary, who Secretary.
shall undertake the correspondence of the Commission

and keep its records, minutes, orders and accounts. He shall hold office during the pleasure of the Commission, and the Commission may prescribe the duties and powers of such Secretary.

Quorum.

6. Any four members of the Commission shall constitute a quorum for the transaction of any business or for the exercise of all or any of the powers exercisable by the Commission.

Objects and powers.

7. The objects and powers of the Commission shall be the rehabilitation of the City of Halifax and the Town of Dartmouth from the effects of said explosion of December 6th, 1917, and to this end it shall have power:

(a) to undertake and carry into effect whatever in its opinion may make for the restoration and improvement of the sanitary conditions of the City of Halifax and the Town of Dartmouth, and the health of the inhabitants of said City and Town;

(b) to collaborate with and assist the constituted authorities in the said City and Town, including the City Board of Health, the Halifax Relief Commission or any other public body who may exercise any powers of jurisdiction with respect to the purpose of the Commission;

(c) to receive, hold and invest from time to time, all moneys and property paid, voted or contributed by any person or government to the Commission for the purposes of the Commission;

(d) to expend, distribute and appropriate all such moneys and property in such manner as the Commission shall in its discretion deem proper, provided, however, that in case any money or property has been contributed or voted for any particular purpose or purposes, the Commission shall expend, distribute or appropriate the same in accordance with the expressed intention of the donor;

(e) to aid any institution, association or public body which undertakes or has heretofore undertaken any work which in the option of the Commission conduces to the improvement or the restoration of the health of the inhabitants of the City of Halifax and the Town of Dartmouth, or any other purposes of the Commission;

(f) to collect, publish and distribute information to promote good health and improved sanitation;

(g) to appoint and hire such officials, servants agents and workmen as the Commission may think proper for the purpose of the proper exercise of the powers exercisable by the Commission, and in particular the Commission may employ experts in Municipal sanitation and public hygiene, or otherwise;

(h) to enter into agreements and contracts for the purpose of carrying out the powers exercisable by the Commission.

(i) to acquire, hold and dispose of real and personal property of every kind and description, and to deal with the same in any way the Commission may think fit;

(j) to effect from time to time temporary loans with any chartered bank, if for any reason funds to be supplied to the Commission are not presently available;

(k) to make reports and recommendations to the City Board of Health, the City Council or Board of Control of the City of Halifax, the Town Council of the Town of Dartmouth, and the Halifax Relief Commission, on any matter which in the opinion of the Commission may conduce to the improvement of public health;

(l) to do all such other things as are incidental or conducive to the attainment of the above objects and powers, or any of them.

By-laws.

8. For the purpose of more effectually carrying out the above objects and powers, or any of them, the Commission may make all such by-laws and from time to time alter, amend or repeal such by-laws as to it may seem proper.

Executive officer.

9. The Commission may appoint an executive officer who may be a physician, not necessarily registered in the Medical Register of the Province of Nova Scotia, but a graduate of a Medical school approved by the Provincial Medical Board.

CHAPTER 35

An Act respecting an Annuity to William J. Egan.

(Passed the 17th day of May, A. D., 1919).

Be it enacted by the Governor, Council, and Assembly, as follows:—

Annuity.

1. After the retirement of William J. Egan from the services of the Province as an official in the Department of Industries and Immigration, the sum of seven hundred dollars shall be paid to him out of the consolidated revenue fund of the Province of Nova Scotia during his lifetime.