



No. 50

Halifax, 9th August, 1928.

Copy to Mr. J. A. Parker, Secretary.

Dear Sir:

I beg to advise you that the Governor in Council by Order in Council dated the 7th day of August, 1928 declared the Mersey Hydraulic Company Limited dissolved, and all its works provincial works.

I enclose marked copy of the Royal Gazette of the 8th instant, which contains the Order in Council referred to.

Yours truly,

Clerk of the Executive Council.

T. H. Raddall, Esq.,
Vice-President, Mersey Hydraulic Co. Ltd.,
Milton, N. S.



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APPOINTMENTS



Department of the Provincial Secretary

His Honour the Lieutenant Governor in Council is pleased to make the following appointments, viz:—

Halifax, 8th August, 1928.

To be Commissioners under Section 5 of Chapter 38 of The Revised Statutes of Nova Scotia, 1923:—Max Pascal, of Halifax in the County of Halifax; Ralph Emerson Hennigar, of Chester in the County of Lunenburg.

COMMISSION CANCELLED

Halifax, 8th August, 1928.

The Governor in Council is pleased to revoke and rescind the appointment and commission dated the 3rd day of May, A. D. 1921, of Renfrew F. Butler, of Chester, in the County of Lunenburg, as a Justice of the Peace.

ORDER IN COUNCIL

At the Government House in the City of Halifax, the 7th day of August, A. D. 1928.

PRESENT:—His Honour the Lieutenant-Governor-in-Council.

WHEREAS the Minister under the Nova Scotia Water Act in a report dated the 14th day of July, A. D. 1928, states:—

That Mersey Hydraulic Company, Limited, a body corporate, was duly incorporated in the year 1902 under and by virtue of Chapter 138 of the Acts of 1902;

That by Section 2 of the said Act the said Company was empowered, among other things, to build, construct and maintain dams across the Mersey River, so-called, and to create ponds and reservoirs for the storage of water in connection with the said dams and to generate, manufacture and produce electric and galvanic currents;

That pursuant to the powers contained in the said Act the said Company acquired lands in and about the Mersey River aforesaid and in the watershed thereof and constructed thereon ponds, dams and raceways, gates, locks and other contrivances for the regulation of the water on the Mersey River aforesaid and as an aid to the development of power on said River;

That section 18 of the said Chapter 138 of the Acts of 1902, incorporating

Mersey Hydraulic Company, Limited, is as follows:

"Whenever it is found expedient for the public service the Governor in Council may declare the Company dissolved and may declare all the works of the Company provincial works upon payment to such Company of the amount actually expended on such works, one of whom shall be appointed by the Commissioner of Public Works and Mines and one by the Company, and if they do not agree to an award, a Judge of the County Court for District No. 2 shall appoint the third arbitrator, and the decision of any two of the said arbitrators shall be final".

And whereas the said Minister recommends that it is expedient for the public service that the Governor in Council should declare Mersey Hydraulic Company, Limited, dissolved and that the Governor in Council should declare all the works of the said Mersey Hydraulic Company, Limited, provincial works upon payment to the said Mersey Hydraulic Company, Limited, of the amount actually expended on such works, to be decided by arbitrators appointed in manner provided by said Section 18 of Chapter 138 of the Acts of 1902;

And whereas on or before the 28th day of July, A. D. 1928 the said Mersey Hydraulic Company, Limited, was notified in writing of the recommendation of said Minister, and that the Governor in Council would on Tuesday, the 7th day of August, A. D. 1928, at the hour of 11.00 o'clock in the forenoon, (Daylight Saving Time, so-called being 10.00 o'clock in the forenoon, Standard Time), at the Province Building, Halifax, N. S., hold an inquiry for the purpose of ascertaining if it is expedient for the public service that the Governor in Council should adopt the said recommendation of the Minister and should declare said Mersey Hydraulic Company, Limited, dissolved and all the works of said Company provincial works, upon payment to such Company of the amount actually expended on such works to be decided by arbitrators appointed in manner provided by Section 18 of said Act;

And whereas prior to said hearing due notice was also published in one issue of The Royal Gazette and in one issue each of the following newspapers, namely,—The Halifax Herald, The Liverpool Advance and The Acadian Recorder;

And whereas at the said time and place the Governor in Council held the said inquiry and the said Mersey Hydraulic Company, Limited, and all others concerned were then and there given a fair opportunity of making any relevant statement which they or any of them might desire to bring forward and a fair opportunity of contradicting or controverting any relevant statement brought forward to the prejudice of them or any of them;

Upon hearing what was alleged by and on behalf of the said Minister and by and on behalf of Mersey Hydraulic Company, Limited, by petition dated the 6th day of August, A. D. 1928 and upon reading and examining the several documents and things submitted and upon making due and proper investigation;

The Governor in Council is pleased to approve of the report of the said Minister and under the provisions of Section 18 of said Chapter 138 of the Acts of 1902 to declare and hereby declares Mersey

Hydraulic Company, Limited, dissolved; and hereby further declares all the works of Mersey Hydraulic Company, Limited, provincial works upon payment to such Company of the amount actually expended on such works, to be decided by arbitrators appointed in the manner provided by said Section 18; and hereby finds it expedient for the public service to declare as aforesaid.

ARTHUR S. BARNSTEAD,
Clerk of the Executive Council.

NOTICE

THE REGISTRATION OF PARTNERSHIPS ACT (Chapter 205, The Revised Statutes of Nova Scotia, 1923)

TAKE NOTICE THAT I, the undersigned Registrar, have pursuant to Section 15 of Chapter 205, "The Revised Statutes of Nova Scotia, 1923," being "The Registration of Partnerships Act" revoked the certificate of registration of the undermentioned firm on and from the date set opposite its name:—

W. T. Simmons and Company, Aug. 6, 1928
Declaration of Dissolution of Partnership filed.

Dated at Halifax, this Sixth day of August, 1928.

ARTHUR S. BARNSTEAD,
Registrar.

ALL persons having legal demands against the estate of John P. Spittal, late of Annapolis Royal, County of Annapolis, entomologist, deceased, are requested to render the same, duly attested, within twelve months from the date hereof; and all persons indebted to said estate are required to make immediate payment to

ARTHUR KELSALL,
Executor,
Annapolis Royal, N. S.

Probate granted July 12th, 1928.
1736—July 25—6m

In the Court of Probate,
PROVINCE OF NOVA SCOTIA,
COUNTY OF HALIFAX.

In the matter of the estate of the late Isabella Hartree, deceased.

To the heirs, creditors, legatees and all persons in any way interested in the estate of Isabella Hartree, late of Halifax, in said County, married woman, deceased.

WHEREAS William Hartree, sole administrator of the estate of the said deceased, has presented his petition, praying that a day be appointed for the auditing and passing of his account herein, and for a final settlement of said estate;

You are therefore required to appear before the Court of Probate, in the Registry thereof, in the City of Halifax, in the said County, at eleven o'clock in the forenoon (daylight saving time so called) on Wednesday, the 22nd day of August, 1928, to attend the adjudication of the claims of creditors and other persons, the taking of the account of the said administrator, and the final settlement and distribution of the said estate according to law.

Given under the Seal of the said Court, this 5th day of July, A. D. 1928.

ROBERT F. YEOMAN,
Registrar.

1711—July—11—1m

ALL persons having legal demands against the estate of Tamar Abigail Stewart, widow of Alexander Stewart late of Bridgewater, in the County of Lunenburg, deceased, are requested to render the same, duly attested, within twelve months from the date hereof; and all persons indebted to the said estate are requested to make immediate payment to

J. MARCUS NEWCOMBE,
Administrator,
Wolfeville, N. S.

S. MABEL MILLER,
Administratrix,
Bridgewater, N. S.

Administration granted January 31, 1928.

Dated at Bridgewater, N. S., February 7th, 1928.

ERNEST & PEARSON,
of Bridgewater, N. S.,
Proctors for Estate.
1413-feb15-6m

ALL persons having legal demands against the estate of Henry Flechler late of Halifax, in the County of Halifax, retired merchant, deceased, are requested to render the same, duly attested, within twelve months from the date hereof; and all persons indebted to the said estate are requested to make immediate payment to the

CANADA PERMANENT TRUST COMPANY,
436 Barrington Street, Halifax, N.S.,
Sole Administrator.

Letters of Administration granted February 1st, 1928.

Dated at Halifax, this 6th day of March, A. D. 1928.

DALRY, PEINNEY & BETHUNE,
50 Sackville Street,
Halifax, N. S.,
Proctors for said Estate.
1453—march7—6m

ALL persons who have any claims or demands against the estate of Joseph Thomson Shirreff, late of the City of Hull, in the Province of Quebec, manufacturer, deceased, are hereby called upon to render the same, duly attested, within twelve months from the date hereof, to the undersigned; and all persons indebted to the said estate are requested to make immediate payment to the undersigned.

R. B. BENNETT, K. C.

and

MONTREAL TRUST COMPANY,
Executors, Halifax, N. S.

Probate resealed April 27th, 1928.

Dated at Halifax, N. S., May 1, 1928.
1563—may2—6m

ALL persons having legal demands against the estate of Barclay Webster, late of Kentville, in the County of Kings, Judge of the Court for district number four, retired, are requested to render the same, duly attested, within twelve months from the date hereof; and all persons indebted to the said estate are requested to make immediate payment to

ETHEL S. WEBSTER,
Kentville, N. S.,
Executrix.

Probate granted February 20th, A. D. 1928.

Dated Kentville, N. S., this 25th day of February, A. D. 1928.

H. M. CHASE,
Kentville, N. S.,
Proctor for Estate.
1428—feb29—6m

In the Court of Probate.
PROVINCE OF NOVA SCOTIA,
COUNTY OF DIGBY, S.S.

To the legatees, creditors, next of kin and parties any way interested in the estate of Daniel J. Morehouse, late of Sandy Cove, in the said County of Digby, master mariner, deceased:

WHEREAS Vera B. Walsh, sole executrix of the last will of the above-named deceased, has by her petition on file in the Registry of this Court, prayed that a day may be appointed to audit and pass her account as such executrix, and that the same may be allowed, and that the said estate may be finally settled;

You are therefore requested to appear before the Court of Probate, to be held at the Registry thereof, in Digby, in the said County, at 11 o'clock in the forenoon, on Tuesday, the 21st day of August, next, to show cause, if any you have, why the said account should not be passed and allowed, and the said estate finally settled.

Given under the Seal of the said Court, this 20th day of July, A. D. 1928.

(Sgd.) J. A. TAYLOR,
Registrar.

1740—july25—1m

Notice is hereby given that all creditors and others having any claims or demands against the estate of Margaret E. Teed, formerly of Springhill, in the County of Cumberland, but late of the City of New York in the United States of America, married woman, deceased (who died at New York aforesaid in the month of February, 1928, where she had her fixed place of abode and to whose estate letters of administration were granted on the 11th day of July 1928, to the undersigned by the Court of Probate for the county of Cumberland) are requested to send particulars in writing of their claims and demands to the undersigned within one year.

Dated at Springhill, in the county of Cumberland, the 12th day of July, A. D. 1928.

HERBERT S. TERRIS,
Sole Administrator.

MILNER & PURDY,
Amherst, N. S.,
Proctors.

1733—july25—6m

ALL persons having legal demands against the estate of Luzetta A. Blair, late of Granville Ferry, in the County of Annapolis, married woman, deceased, are requested to render the same, duly attested, within one year from the date hereof; and all persons indebted to the said estate are requested to make immediate payment to

HIRAM R. MACKAY,
Annapolis Royal, N. S.,
Executor.

Probate granted the 4th day of July, A. D. 1928.

Dated July 25th, A. D. 1928, at Annapolis Royal, Nova Scotia.
1755—aug1—6m

ALL persons having legal demands against the estate of Frederick Wier, late of South Rawdon, in the County of Hants, farmer, deceased, are requested to render the same, duly attested, within twelve months from the date hereof; and all persons indebted to the said estate are requested to make immediate payment to

GEORGE COLE,
Administrator.

Administration granted the 29th day of June, 1928.

Dated the 20th day of July, 1928.
1745—july25—6m

ALL persons having legal demands against the estate of John Duncan Leavitt, late of Annapolis Royal, in the County of Annapolis, banker, deceased, are requested to render the same, duly attested, within twelve months from the date hereof; and all persons indebted to the said estate are requested to make immediate payment to

MONTREAL TRUST COMPANY,
Royal Bank Chambers,
Halifax, N. S.,
Sole Executor.

Probate granted on the 18th day of

January, 1928.

Halifax, April 25th, 1928.

1553—may2—6m

ALL persons having legal demands against the estate of Philip T. O'Toole, late of Halifax, in the County of Halifax, deceased, are requested to render the same, duly attested, within twelve months from the date hereof; and all persons indebted to the said estate are requested to make immediate payment to

ELIZABETH O'TOOLE and
PHILIP T. O'TOOLE,
Executors.

Probate granted February 6th, 1928.

Dated February 9th, 1928.

ROBERTSON & MEAGHER,
Proctors.

1396—feb15—6m

ALL persons having legal demands against the estate of Thomas W. Davis, late of Halifax, in the County of Halifax, merchant, deceased, are requested to render the same, duly attested, within twelve months from the date hereof; and all persons indebted to the said estate are requested to make immediate payment to the undersigned.

THE EASTERN TRUST COMPANY,
184 Hollis Street, Halifax, N. S.,
ROBERT B. COLWELL,
619 Barrington Street, Halifax, N. S.,
Executors.

Probate granted June 28, 1928.

Dated at Halifax, N. S., July 7, 1928.

1717—july11—6m

In the Court of Probate.
PROVINCE OF NOVA SCOTIA,
COUNTY OF ANnapolis.

To creditors, next of kin, and parties any way interested in the estate of Cranswick Jost, deceased, late of Bridgetown, in the said County, clergyman, deceased:

WHEREAS a petition dated the 12th day of April, 1928, has been presented by the executors of the estate of the deceased, praying that a day may be fixed for the settlement of the said estate, the taking of the accounts and the distribution thereof according to law;

You are therefore requested to appear before the Court of Probate, at the Registry thereof, in Annapolis Royal, in the said County, at two o'clock in the afternoon, on Thursday, the 30th day of August, next, to show cause, if any you have, why the prayer of the said petition should not be granted.

Given under the Seal of the said Court, this 13th day of July, A. D. 1928.

FRED W. HARRIS,
Registrar.

1727—july18—1m