

# BILL

No. <sup>96</sup>~~93~~ of 1913.

## An Act Validating and Confirming Certain By-laws of the City of Calgary.

(Assented to 1913.)

WHEREAS the Council of the City of Calgary, purporting to act under and by virtue of the authority conferred upon it by sections 110a and 117, chapter 33 of the Ordinances of the North-West Territories, 1893, intituled "*An Ordinance to Incorporate the City of Calgary*," and amendments thereto, did, on the 4th day of March, A.D. 1913, finally pass By-law No. 1468, in the words and figures following:

### BY-LAW NO. 1468.

A by-law of the City of Calgary to consolidate the debentures authorized to be issued under certain local improvement by-laws and to provide for the issue of such consolidated debentures to the amount of \$2,346,177.24 Canadian currency, or its equivalent in pounds sterling at par of exchange, the proceeds to be used for the purposes mentioned in such by-laws: and also to provide for the assessment and collection of the sums necessary to pay such debentures.

Whereas the City of Calgary duly passed certain local improvement by-laws, being numbers 1450, 1439, 1464, 1437, 1445, 1435, 1461, 1434, 1465, 1441, 1451, 1452, 1443, 1453, 1440, 1462, 1466, 1463, 1467, 1442, 1436, 1460, 1454, 1455, 1456, 1446, 1438, 1457, 1458, 1459, 1447, 1449, 1444, 1448, authorizing the issue of debentures to the amount of \$2,346,177.24 payable in twenty years from the date of the coming into force of the respective by-laws, and bearing interest at the rate of four and one-half (4½) per centum, per annum, payable half-yearly, and each of such by-laws provided for levying and collecting certain monies in each year during the currency of the debentures thereby authorized for paying such interest and for forming a sinking fund for the payment of the debt created by the issues of such debentures, the particulars as to such by-laws being as follows:

No.	Purpose.	Amount.	Date in Force.	Term.	Int.
1450	Sewer .....	\$ 3,673.54	Jan. 1st, 1913	20 years.	4½ p.c.
1439	C. Sidewalk .....	3,303.34	"	"	"
1464	Boulevard .....	19,357.05	"	"	"
1437	C. Sidewalk .....	372.57	"	"	"
1445	Sewer .....	106,800.62	"	"	"
1435	C. Sidewalk .....	37,837.07	"	"	"
1461	Paving .....	165,015.60	"	"	"
1434	Paving .....	192,000.52	"	"	"
1465	C. Sidewalk .....	135,766.77	"	"	"
1441	Sewer .....	49,007.05	"	"	"
1451	Sewer .....	1,655.04	"	"	"
1452	Sewer .....	54,826.77	"	"	"
1443	Retaining wall ....	4,072.95	"	"	"
1453	Sewers .....	23,284.02	"	"	"
1440	Sewers .....	23,402.06	"	"	"
1462	Grading .....	68,659.33	"	"	"
1466	C. Sidewalk .....	156,908.28	"	"	"
1463	Sewers .....	321,265.61	"	"	"
1467	Paving .....	692,023.02	"	"	"
1442	St. opening .....	59,072.50	"	"	"
1436	C. Sidewalk .....	279.19	"	"	"
1460	Sewer .....	60,390.95	"	"	"
1454	Retaining wall ....	3,587.29	"	"	"
1455	Paving .....	109,162.28	"	"	"
1456	Curb and Gutter ..	6,674.97	"	"	"
1446	Boulevard .....	973.79	"	"	"
1438	C. Sidewalk .....	514.25	"	"	"
1457	Paving .....	19,011.61	"	"	"
1458	Grading .....	6,000.00	"	"	"
1459	Sewer .....	458.17	"	"	"
1447	Sewer .....	11,067.27	"	"	"
1449	Grading .....	5,485.46	"	"	"
1444	Street Lighting ...	3,826.20	"	"	"
1448	Sewer .....	442.10	"	"	"

And whereas all the debentures authorized by the said by-laws are unsold and it is deemed desirable to consolidate the same into one issue and to make the debentures payable in Canadian currency to the amount of \$2,346,177.24, or its equivalent in pounds sterling, at par of exchange being £482,091 4s. 3 1-3d. which is the amount of the debt created by this by-law; and

Whereas it is expedient that the interest on the said debentures should be payable at the said rate of four and one-half (4½) per centum, per annum, half-yearly, on the first days of July and January in each year, and that the said principal sum be paid in twenty years from the date of this by-law taking effect; and

Whereas there are required to be raised in each and every year for twenty years the sum of \$105,577.97 to pay the interest on the said amount and the sum of \$78,788.95 to form a sinking fund for the payment of the principal money; and

Whereas the value of the whole real property rateable in respect to the said several and respective improvements mentioned in the said by-laws is the sum of \$51,208,752.00; and

Whereas the city's share of the cost of the said improvements is the sum of \$811,314.33 and the portion chargeable against the properties fronting on the streets, lanes or portions thereof, or places where the improvements were made is the sum of \$1,534,862.91; and

Whereas the sum of \$1,534,862.91, part of the said debt, is created on the security of the special rates settled by the said by-laws and is further guaranteed by the city at large; and

Whereas it will be necessary to raise annually the sum of \$36,509.14 to pay the interest and the sum of \$27,245.43 to form a sinking fund for the payment of the principal of the portion of the said debentures which is to be paid by the city; and

Whereas the value of the whole rateable property of the City of Calgary according to the last revised assessment roll is the sum of \$111,598,135.00 and the total amount of the existing debt of the city, outside of debts for local improvements and for current expenses of the year is \$9,128,950.00;

Therefore the Council of the City of Calgary enacts as follows:

**1.** That the amounts of the debentures authorized to be issued under the said several by-laws numbered 1450, 1439, 1464, 1437, 1445, 1435, 1461, 1434, 1465, 1441, 1451, 1452, 1443, 1453, 1440, 1462, 1466, 1463, 1467, 1442, 1436, 1460, 1454, 1455, 1456, 1446, 1438, 1457, 1458, 1459, 1447, 1449, 1444, 1448, are hereby consolidated and there shall be one issue of debentures under this by-law of the total amount of \$2,346,177.24 or its equivalent in pounds sterling at par of exchange, being £482,091 4s. 3 1-3d.

**2.** That such debentures shall be in sums of one hundred pounds sterling each, with the exception of one which shall be for £91 4s 3 1-3d., and shall be payable in twenty years from the date of this by-law taking effect, and that coupons shall be attached to said debentures for the half-yearly interest thereon at the rate of four and one-half per centum, per annum, and the said debentures and coupons shall be made payable in sterling at the Bank of Montreal, London, E.C., England, or in Canadian currency at the principal office of the said bank in the Cities of Montreal, Toronto or Calgary at holder's option.

**3.** That the said debentures shall be sealed with the corporate seal, and signed by the mayor or acting mayor and clerk of the City of Calgary, and the said coupons shall bear the lithographed or stamped or printed signatures of the mayor or acting mayor and clerk aforesaid.

**4.** That for the purpose of paying the sum of \$811,314.33 or its equivalent in pounds sterling at par of exchange, being £166,708 8s. 5 2-3d., the amount charged and assessed against the City of Calgary, and to cover the interest thereon at the rate of four and one-half (4½) per centum per annum in manner

before mentioned, there shall be assessed, levied and collected in the same manner, at the same time and along with other city rates and taxes for each year, commencing with the year 1913, over and above all other rates, the sum of \$63,754.57 by a special rate on the dollar sufficient therefor, upon and from the whole rateable property in the City of Calgary.

5. That for the purpose of paying the said sum of \$1,534,862.91 or its equivalent in pounds sterling at par of exchange, being £315,382 15s. 9½d. the amount charged and assessed against the real property fronting as aforesaid, and to cover interest thereon for twenty years at the rate of four and one-half (4½) per centum per annum in the manner before mentioned, there shall be assessed, levied and collected in the same way, at the same time and along with the other city rates and taxes each year for twenty years, commencing with the year 1913, over and above all other rates levied and collected yearly upon the real property fronting or abutting on the respective portions, streets, lanes or places mentioned in column two (2) of the schedule to the said by-laws, a special rate per foot frontage in the ninth (9) column of such schedule, which special rate shall be sufficient to produce in each year the sum of \$120,612.35 and for that purpose the provisions of the said several by-laws in that behalf shall remain in full force and effect.

6. That the said debt of the sum of \$1,534,862.91 and that portion of the said debentures issued in respect thereof are issued on the credit of and guaranteed by the City of Calgary at large.

7. That the said debentures shall be sold and the proceeds thereof shall be paid out in paying and discharging the temporary loan or debts incurred in and for the construction of the improvements mentioned in the said by-laws and in no other way and for no other purpose whatever.

8. That the power and authority to issue debentures under the said by-laws numbered 1450, 1439, 1464, 1437, 1445, 1435, 1461, 1434, 1465, 1441, 1451, 1452, 1443, 1453, 1440, 1462, 1466, 1463, 1467, 1442, 1436, 1460, 1454, 1455, 1456, 1446, 1438, 1457, 1458, 1459, 1447, 1449, 1444, 1448, and to borrow thereunder, and any and all debentures issued thereunder are hereby cancelled and annulled.

9. That this by-law shall come into effect on the first day of January, 1913.

Done and passed in Council this 4th day of March, A.D. 1913.

H. A. SINNOTT,  
*Mayor.*

J. M. MILLER,  
*Clerk.*

And whereas the Council of the City of Calgary purporting to act under and by virtue of the authority conferred upon it by sections 110a and 117, chapter 33 of the Ordinances of the North-West Territories 1893, intituled "*An Ordinance to Incorporate the City of Calgary,*" and amendments thereto; did, on the 4th day of March, A.D. 1913, finally pass By-law No. 1469, in the words and figures following:

BY-LAW NO. 1469.

A by-law of the City of Calgary to consolidate the debentures authorized to be issued under certain money by-laws and to provide for the issue of such consolidated debentures to the amount of \$263,500.00 Canadian currency, or its equivalent in pounds sterling, at par of exchange, the proceeds to be used for the purposes mentioned in such by-law, and also to provide for the assessment and collection of the sums necessary to pay said debentures.

Whereas the City of Calgary passed certain by-laws duly assented to by the electors for the purpose of borrowing certain moneys in all amounting to \$263,500.00 and issuing debentures to that amount payable at the respective dates hereinafter mentioned, and bearing interest at the rate of four and one-half per centum per annum, to be paid half-yearly, and each by-law provided for levying and collecting certain moneys in each year during the currency of the debentures thereby authorized for paying such interest and forming a sinking fund for the payment of the debt, created by the issue of such debentures, and particulars as to such by-laws being as follows:

No.	Purpose.	Amount.	Date in Force.	Term.	Int.
1298	Stables .....	\$ 12,000.00	May 1st, 1912.	20 years.	4½ p.c.
1317	Retaining walls ....	18,500.00	July 1st, 1912	"	"
1325	Pavements and sub-ways .....	6,000.00	Aug. 1st, 1912	"	"
1333	Sewers in Lanes..	82,000.00	Sept. 1st. 1912	"	"
1397	Catch Basins .....	50,000.00	Jan. 1st, 1913	"	"
1398	Sewer Connections..	50,000.00	Jan. 1st, 1913	"	"
1400	Fire Dept. ....	45,000.00	Jan. 1st, 1913	"	"
		\$263,500.00			

And whereas all the debentures so authorized are unsold and it is deemed desirable to consolidate the same into one issue and to make the debentures payable in Canadian currency to the amount of \$263,500.00 or its equivalent in pounds sterling at par of exchange, being £54,143 16s. 8½d., which is the amount of debt created by this by-law.

And whereas it is expedient that the said debentures bear interest at the rate of four and one-half per centum per annum, to be paid half-yearly, and that the said principal sum of \$263,500.00 or its equivalent in pounds sterling, at par of exchange, being £54,143 16s. 8½d., to be paid at the expiration of twenty years from the date of this by-law taking effect;

And whereas the value of the whole rateable property in the City of Calgary according to the last revised assessment roll is the sum of \$111,598,135.00;

And whereas the amount of the existing debt of the City of Calgary, outside of debts due for current expenses, but including the amount of this by-law, is the sum of \$9,392,450.00, no instalment of principal or interest of which is yet due;

And whereas the respective amounts required to be raised annually by special rate during the currency of the said debentures are (a) for paying the interest thereon, \$11,857.50, and (b) for forming a sinking fund for payment of the debt created by the issue of the said debentures, \$8,848.81;

Now, therefore, the Council of the City of Calgary enacts as follows:

**1.** That the amounts of the debentures authorized to be issued under the seven several by-laws are hereby consolidated and there shall be one issue of debentures under this by-law of the total amount of \$263,500.00 or its equivalent in pounds sterling, at par of exchange, being £54,143 16s. 8½d.

**2.** That debentures be issued for the said sum of £54,143 16s. 8½d. to be paid at the expiration of twenty years from the date of this by-law taking effect, the said debentures being for £100 each (with the exception of one which shall be for £43 16s. 8½d.) and that coupons shall be attached to said debentures for the half-yearly interest on each debenture respectively at the rate of four and one-half per centum per annum, in the meantime.

**3.** That said debentures shall be sealed with the corporate seal of the city and shall be signed by the mayor and clerk of the said city, and the coupons shall bear the lithographed or stamped or printed signatures of the mayor and clerk, and the debentures and coupons shall be payable in sterling at the Bank of Montreal, London, E.C., England, or in Canadian currency at the principal office of the said bank in the Cities of Montreal, Toronto or Calgary, in the Dominion of Canada, at holder's option.

4. That in addition to all other amounts there shall be levied and collected in each year during the currency of the said debentures on all rateable property in the said city by special rate or rates sufficient therefor \$11,857.50 being the equivalent at par of exchange of the amount of £2,436 9s. 5½d. for paying the interest on the said debentures, and the amount of \$8,848.81 being the equivalent at par of exchange of £1,818 4s. 11½d. to form a sinking fund for the payment of the debt created by the issue of the said debentures to be payable, levied and collected, at the same time and in the same manner as other taxes are payable, levied and collected by Ordinance, Statute or By-law in the said city.

5. That this by-law shall come into effect on the first day of January, A.D. 1913.

6. That the power and authority to issue debentures under said by-laws 1298, 1317, 1325, 1333, 1397, 1398, and 1400, and any and all debentures issued thereunder are hereby cancelled and annulled.

Done and passed in Council this 4th day of March, A.D. 1913.

H. A. SINNOTT,  
*Mayor.*

J. M. MILLER,  
*Clerk.*

And whereas the Council of the City of Calgary purporting to act under and by virtue of the authority conferred upon it by sections 110a and 117, chapter 33 of the Ordinances of the North-West Territories 1893, intituled "*An Ordinance to Incorporate the City of Calgary,*" and amendments thereto, did, on the 4th day of March, A.D. 1913, finally pass by-law No. 1470, in the words and figures following:

BY-LAW NO. 1470.

A by-law of the City of Calgary to consolidate the debentures authorized to be issued under certain money by-laws and to provide for the issue of such consolidated debentures to the amount of \$1,338,000.00 Canadian currency or its equivalent in pounds sterling at par of exchange, the proceeds to be used for the purposes mentioned in such by-laws, and also to provide for the Assessment and collection of the sums necessary to pay said debentures.

Whereas the City of Calgary passed certain by-laws duly assented to by the electors for the purpose of borrowing certain moneys, in all amounting to \$1,338,000.00 and issuing debentures to that amount payable at the respective dates hereinafter mentioned, and bearing interest at the rate of four and one-half per centum per annum, to be paid half yearly and each by-law provided for the levying and collecting certain moneys in each year during the currency of the debentures thereby authorized for paying such interest and forming a sinking fund for the payment of the debt created by the issue of such debentures, and particulars as to such by-laws being as follows:

No.	Purpose.	Amount	Date in Force.	Term.	Int.
1314	Public Service Buildings . . . .	\$130,000	July 1-12	30 yrs.	4½ p.c
1332	Electric Light Extensions . . .	200,000	Aug. 1-12	"	"
1339	Police Patrol System . . . . .	40,000	Aug. 1-12	"	"
1362	Water Works Extensions . . .	378,000	Oct. 1-12	"	"
1375	Extension to Gravity Intake.	90,000	Nov. 1-12	"	"
1399	Street Railway Extensions ..	500,000	Jan. 1-13	"	"
		<u>\$1,338,000</u>			

And whereas all the debentures so authorized are unsold and it is deemed desirable to consolidate the same into one issue and to make the debentures payable in Canadian currency to the amount of \$1,338,000.00 or its equivalent in pounds sterling, at par of exchange, being £274,931 10s. 1½d. which is the amount of the debt created by this by-law;

And whereas it is expedient that the said debentures bear interest at the rate of four and one-half per centum per annum, to be paid half-yearly, and that the said principal sum of \$1,338,000.00 or its equivalent in pounds sterling at par of exchange, being £274,931 10s. 1½d. be paid at the expiration of thirty years from the date of this by-law taking effect;

And whereas the value of the whole rateable property in the City of Calgary according to the last revised assessment roll is the sum of \$111,598,135.00;

And whereas the amount of the existing debt of the City of Calgary, outside of debts due for current expenses, but including the amount of this by-law, is the sum of \$10,730,450.00, no instalment of principal or interest of which is yet due;

And whereas the respective amounts required to be raised annually by special rate during the currency of the said debentures are (a) for paying the interest thereon \$60,210.00, and (b) for forming a sinking fund for the payment of the debt created by the issue of the said debentures, \$23,856.64.

Now therefore the Council of the City of Calgary enacts as follows:

**1.** That the amounts of the debentures so authorized to be issued under the said six several by-laws are hereby consolidated and there shall be one issue of debentures under this by-law of the total amount of \$1,338,000.00 or its equivalent in pounds sterling, at par of exchange, being £274,931 10s. 1½d.

**2.** That debentures be issued for the said sum of £274,931 10s. 1½d. to be paid at the expiration of thirty years from the date of this by-law taking effect, the said debentures being for £100 each (with the exception of one which shall be for £31 10s. 1½d. and that coupons shall be attached to the said debentures for the half-yearly interest on each debenture respectively, at the rate of four and one-half per centum per annum in the meantime.

**3.** That said debentures shall be sealed with the corporate seal of the city and shall be signed by the mayor and clerk of the said city, and the coupons shall bear the lithographed or stamped or printed signatures of the mayor and clerk, and the debentures and coupons shall be payable in sterling at the Bank of Montreal, London, E.C., England, or in Canadian currency at the principal office of the said bank in the Cities of Montreal, Toronto or Calgary, in the Dominion of Canada, at holder's option.

**4.** That in addition to all other amounts there shall be levied and collected in each year during the currency of the said debentures on all rateable property in the said city by special rate or rates sufficient therefor \$60,210.00 being the equivalent at par of exchange of the amount of £12,371 18s. 1¼d. for paying the interest on the said debentures, and the amount of \$23,856.64 being the equivalent at par of exchange of £4,902 0s. 11¾d. to form a sinking fund for the payment of the debt created by the issue of the said debentures to be payable, levied and collected at the same time and in the same manner as other taxes are payable, levied and collected by Ordinance, Statute or By-law in the said city.

**5.** That this by-law shall come into effect on the first day of January, A.D. 1913.

6. That the power and authority to issue debentures under said by-laws 1314, 1332, 1339, 1362, 1375, 1399 and any and all debentures issued thereunder are hereby cancelled and annulled.

Done and passed in Council this 4th day of March, A.D. 1913.

H. A. SINNOTT,  
*Mayor.*

J. M. MILLER,  
*Clerk.*

And whereas the by-laws which are consolidated by the said by-laws Nos. 1469 and 1470 were submitted to the ratepayers of the said city and received the assent of two-thirds of the ratepayers voting thereon in the manner provided in the said Ordinance and amendments thereto;

And whereas the preliminary, final Local Improvement By-Laws which are consolidated under said by-law No. 1468 were not required by the said Ordinance and amendments thereto to be submitted to the rate-payers of the said city;

And whereas doubts have arisen as to the validity of the said by-laws passed by the Council of the City of Calgary as aforesaid and of the by-laws or proceedings prior thereto;

And whereas the City of Calgary has by its petition prayed that all of the said by-laws hereinbefore set forth or any by-laws or proceedings prior thereto may be confirmed and validated;

And whereas it is expedient to grant the prayer of the said petition,

Therefore his Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. By-law No. 1468, finally passed by the Council of the City of Calgary on the 4th day of March, 1913, being a consolidation of certain local improvement by-laws Nos. 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467; and by-law No. 1469 finally passed by the said Council on the 4th day of March, 1913, being a consolidation of by-laws numbers 1298, 1317, 1325, 1333, 1397, 1398 and 1400, of the City of Calgary; and by-law number 1470 finally passed by the said Council on the fourth day of March, 1913, being a consolidation of by-laws Nos. 1314, 1332, 1339, 1362, 1375 and 1399, are and each of them is hereby declared legal, valid and binding on the said City of Calgary notwithstanding any informalities, irregularities or defects therein or in the several by-laws thereby consolidated or in any by-laws or proceedings prior thereto either in substance or in form, and each and all of the debentures and coupons thereto attached issued or to be issued thereunder are hereby declared legal, valid and binding on the City of Calgary, and the city shall be bound to pay each and all of the said debentures and coupons as therein respectively stated.

No. 96

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FOURTH SESSION  
**SECOND LEGISLATURE**  
3 GEORGE V  
1913

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**BILL**

An Act Validating and Confirming  
Certain By-Laws of the City  
of Calgary

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Received and read the

**First time** .....

**Second time** .....

**Third time** .....

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EDMONTON :  
J. W. JEFFERY, Government Printer  
A.D. 1913