

EVENING SESSION

8.10 o'clock
Council Chamber,
City Hall,
January 12th, 1926

A Special Meeting of the City Council was held this evening. At the above named hour there were present, His Worship the Mayor and Aldermen Munnis, Russell, Bissett, Sanford, Tobin, H.W. Cameron, MacDuff, Gastonguay, Whelan, Hubley, Rains, Drysdale, Power, O'Toole, W.O. Cameron, Smeltzer and Daw.

The City Clerk read the following requisition for a Special Meeting:-

Halifax, N.S. Jan. 6-26

His Worship the Mayor,
Halifax, N.S.

Sir:

We the undersigned members of the City Council petition you to call a special meeting of the City Council for the purpose of giving consideration to a By-Law to amend By-Law No. 7 entitled "of the Sale of Milk in the City of Halifax" passed by the City Health Board at a Special Meeting of the City Health Board held on the 5th day of January, 1926 copy of which has been filed with the City Clerk this date (Wednesday January 6th, 1926)

Sgd. H.W. Cameron,
Andrew Hubley
Albert Drysdale
Robert Daw
W.S. Munnis

Jan. 6-26

I direct a special meeting to be called for Tuesday Evening January 12th, 1926 at 8 p.m.

Sgd. J.B. Kenny
MAYOR

January 12th, 1926

✓
The following Resolution was submitted:-

WHEREAS a By-Law was recently passed by the Board of Health of the City of Halifax, authorizing the distribution of milk in cans or in bottles, at the option of the consumer;

AND WHEREAS the Provincial Government disallowed the aforesaid By-Law, pending an expression of opinion on the part of the City Council with relation to the same:

AND WHEREAS the City Council while cognizant of the fact that it has no legal right to approve or disapprove of said By-Law is nevertheless desirous of expressing its views with relation to the distribution of milk;

BE IT THEREFORE RESOLVED that this Council is of the opinion that the consumers of Halifax should have the privilege of purchasing their daily milk supply delivered to their own homes either in cans or bottles, at their option, and that the compulsory use of either form of delivery should not be sanctioned by the Provincial Government.

Moved by Alderman Hubley, seconded by Alderman Gastonguay.

Alderman Rains arose to a point of order and appealed to His Worship for a ruling, if the Resolution submitted by Alderman Hubley is in order.

His Worship the Mayor rules the Resolution out of order, and states as his reason for doing so as follows:-

To be consistent I must rule the motion out of order. You will remember that the By-Law in question was brought up for discussion before the Council recently and I ruled the discussion out of order. I do not see that it makes any difference that the present motion is by a "canner" while the motion ruled out of order was by a "bottler". If the latter was out of order, so must the former be. My ruling was submitted to the vote of Council and was upheld by a large majority. To allow the present motion to be presented would be to stultify ourselves and make the Council a laughing-stock

Moreover, it is at least doubtful if any good purpose can be served by passing the resolution proposed. I presume it is intended as a preliminary to the re-enactment by the Health Board of the By-Law which has been disallowed by the Provincial Government. The matter to my mind is, now res judicata that is, it has been determined once for all by the action of the Government. No tribunal could give effect to a By-Law, which had once been disallowed or to any By-Law which, if not in exactly the same terms as the By-Law disallowed, was in effect the same in purpose and object.

But by the enactment of appropriate Legislation the difficulty can be overcome and my suggestion is that the matter should be laid over until the existing unsatisfactory legislation is repealed and the Health Board made a Committee of the City Council, when the regularity and legality of the Council's action could not be called in question.

My ruling that the Resolution is out of order must be taken as an expression of opinion on my part for or against the By-Law or the Policy it is intended to carry out. It is purely a matter of procedure.

Alderman Hubley appealed from the ruling of the Chair and moved that the decision of the Chair be not sustained, which was seconded by Alderman Munnis.

The City Clerk submitted to the Council the question "Shall the decision of the Chair be sustained?"

On the vote being taken there appeared for sustaining the decision of the Chair:-

For

- Alderman Russell
- Tobin
- Sanford
- Bissett
- Rains
- Whelan
- Power
- Smeltzer
- W.O. Cameron -9

Against

- Alderman Munnis
- Gastonguay
- MacDuff
- H.W. Cameron
- Hubley
- O'Toole
- Drysdale
- Daw

-8

The City Clerk declared the decision of the Chair sustained.

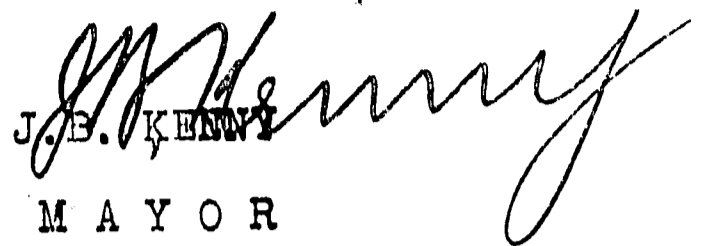
Jan. 12th, 1926

Moved by Alderman Bissett, seconded by
Alderman Russell that this meeting do now adjourn.

Motion passed at 8.20 o'clock



H S. Rhind
CITY CLERK



J. B. KENNY
MAYOR

EVENING SESSION

8.10 o'clock,
Council Chamber, City Hall,
January 14th, 1926

A meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor, Alderman Munnis, Russell, Sanford, Tobin, H.W. Cameron, MacDuff, Gastonguay, Hubley, Power, O'Toole, W.O. Cameron, Smeltzer and Daw.

The meeting was called to proceed with business standing over and the transaction of other business.

✓
WORKS DEPARTMENT ACCOUNTS

Read report of the Committee on Works recommending for payment accounts, chargeable to the Water Department \$655.21; and to Works Department \$6,549.55:-

Halifax, N.S. Jan. 14-26

Accounts-Works & Water -Dec. 1925

His Worship the Mayor and City Council.

Sirs:-

At a meeting of the Works Committee held on the 13th instant, the undermentioned accounts for December were approved and recommended to Council for payment:-

Water Dept.- Capital	\$110.68	
" " Maintenance	544.53	\$655.21
Works Department-Capital	172.50	
" " Appropriations	6377.05	6549.55

Respectfully submitted
Sgd. A.F. Messervey
CLERK OF WORKS

January 14th, 1926

Moved by Alderman Daw, seconded
by Alderman Power that the report be adopted and
accounts paid. Motion passed.

✓
GENERAL ACCOUNTS

Read report of the Finance
Committee recommending for payment accounts amounting
to \$4,201.09:-

Committee Room,
City Hall,
January 13th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Finance
Committee held this day the attached list of accounts
amounting to \$4,201.09 was passed as correct and
recommended to the City Council for payment.

Respectfully submitted

Sgd. J.J. Power
ACTING CHAIRMAN.

Moved by Alderman Power, seconded
by Alderman Hubley that the report be adopted and
accounts paid. Motion passed.

CITY HOME AND T.B. HOSPITAL ACCOUNTS

Read report of the Charities
Committee recommending for payment accounts, chargeable
to City Home \$9,326.44; and to the T.B. Hospital
\$2,582.43:

Halifax, N.S. Jan. 13-26

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

The Charities Committee met

January 14th, 1926

this day and beg to submit the following report.

MEMBERS PRESENT:- The Chairman, Aldermen
Drysdale, Sanford and Gastonguay.

CITY HOME ACCOUNTS DECEMBER 1925 AMOUNT \$9326.44

City Home-accounts for the month of
December 1925 amounting to \$9,326.44 are recommended
for payment.

TUBERCULOSIS HOSPITAL ACCOUNTS DECEMBER 1925 , AMOUNT
\$2,367.39

Tuberculosis Hospital accounts for the
month of December 1925 amounting to \$2,367.39 are
recommended for payment.

TUBERCULOSIS HOSPITAL CAPITAL ACCOUNT DECEMBER 1925
Amount \$215.04

Maritime Dental Supply Co.Ltd. amounting
to \$215.04 chargeable to Tuberculosis Hospital
Capital Account is recommended for payment.

Respectfully submitted

Andrew Hubley,
CHAIRMAN.

Moved by Alderman Hubley, seconded by
Alderman Daw that the report be adopted and accounts
paid. Motion passed.

✓
CITY PRISON ACCOUNTS

Read report of the City Prison Committee
recommending for payment accounts amounting to \$1,156.58
and covering report of Governor Grant for the month
of December showing Forty-One Prisoners in custody:

Committee Room, City Hall,
January 6th, 1926

His Worship the Mayor,
and Members of the City Council.

Gentlemen:-

At a meeting of the City Prison
Committee held this day the report of the Governor,
showing the number of prisoners in custody on the
31st December to be Thirty-Three Males and Eight
Females, was submitted and ordered filed.

January 14th, 1926

The attached list of accounts amounting to \$1,156.58 were recommended to the City Council for payment.

Respectfully submitted,

L.A. Gastonguay,
CHAIRMAN.

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City Prison, Jan. 14th, 1926

To the Chairman,
and Members of City Prison Committee.

Gentlemen:-

I beg to submit the report of City Prison for month December 1925, as follows:-

Number admitted during the month
Ten males, and Two Females. In custody December
31st 1925, Thirty-Three Males and Eight Females
Total Forty-One Inmates. Included in this number
there is Seven males and two females convicted under
the N.S. Temperance Act.

At this date last year there were
thirty-One in custody. Made up of Twenty-four men
and Seven women

Respectfully submitted

Sgd. George Grant
GOVERNOR.

Moved by Alderman Hubley, seconded
by Alderman Daw that the report be adopted and
accounts paid. Motion passed

✓
GARDENS, PARKS & COMMON ACCOUNTS

Read report of the Committee on
Gardens Parks and Common, recommending for payment
accounts amounting to \$1,153.97:

Committee Room, City Hall,
Jan. 8th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Committee on
Gardens, Parks and Common held this day, the attached
list of accounts were passed as correct and
recommended for payment:-

January 14th, 1926

Chargeable to Public Gardens	
Capital	\$500.80
Current	<u>564.57</u> \$1,065.57
Fleming Park	87.40
	<u>\$1,152.97</u>

Respectfully submitted

J.B. Kenny
MAYOR AND CHAIRMAN.

Moved by Alderman Munnis, seconded
by Alderman Sanford that the report be adopted and
accounts paid. Motion passed.

✓
CITY HEALTH BOARD ACCOUNTS

Read report of the City Health Board
recommending for payment accounts totalling \$2,238.96:

Halifax, N.S. Jan.12-26

His Worship the Mayor,
and Members City Council.

Gentlemen:-

At a meeting of the City Health
Board held on Tuesday, January 12th, 1926, the following
named accounts amounting to \$2,238.96 were passed as
correct and are recommended for payment.

Respectfully submitted

Arthur C. Pettipas
SECRETARY C.H.B.

Moved by Alderman Daw, seconded by
Alderman H.W. Cameron that the report be adopted and
accounts paid. Motion passed.

January 14th, 1926

✓
UNIFORM CLOTHING POLICE DEPARTMENT

Read report of the Police Committee covering tenders for Sixty-five pairs, more or less, of uniform trousers for members of the Police Force:-

Halifax, N.S. Jan. 14th, 1926

His Worship the Mayor
and Members of City Council.

Gentlemen:-

At a meeting of the Police Committee held on the 18th day of November 1925, tenders were received from the following for the making and trimming of 65 more or less uniform Police Trousers.

Robt. Stanford,	Blue Doe Skin	\$20.00	per pair
Clayton & Sons	Indigo Serge	10.25	" "
W.H. Paul	" "	14.00	" "
T.M. Vaughn	No. 7 Sample	9.15	" "
R.M. Vaughn	No. 8 Sample	7.50	" "
Scotia Tailors	No. 1 Sample Serge	10.85	" "
Scotia Tailors	No. 2 " "	9.20	" "
Scotia Tailors	No. 3 " "	7.80	" "

Alderman Munnis was present and acted as Judge of material and reported that in his opinion. No. 2 Sample Price \$9.20 per pair of the Scotia Tailors was far superior to any other submitted.

Moved by Alderman Cameron and seconded by Alderman Whelan and Acting on the recommendation of Alderman Munnis, that the tender of the Scotia Tailors, sample No. 2 Price \$9.20 per pair, be accepted and that 65 more or less paid of trousers be ordered

Carried

A True Extract

Sgd. J.B. Kenny
MAYOR AND CHAIRMAN

Moved by Alderman H.W. Cameron

Amended
seconded by Alderman Smeltzer that the report be adopted and the tender of the Scotia Tailors accepted. Motion passed.

✓
POLICE DEPARTMENT ACCOUNTS

Read report of the Police Committee recommending for payment accounts amounting to \$8,824.05:

January 14th, 1926

Police Commission,
Monday, Jan. 11th, 1926

His Worship the Mayor,
and City Council.

Gentlemen:-

At a meeting of the Police Commission held this date, the attached list of accounts amounting to \$8,824.05 was examined, found correct and recommended for payment.

Respectfully submitted

Sgd. J. B. Kenny
MAYOR AND CHAIRMAN.

Moved by Alderman H. W. Cameron
seconded by Alderman Smeltzer that the report be
adopted and accounts paid. Motion passed.

✓
FIRE DEPARTMENT ACCOUNTS

Read report Committee of Firewards
recommending for payment accounts, chargeable to
Fire Department \$12,287.90; and to Fire Alarm Maint-
enance \$347.84:

Committee Room,
City Hall,
Jan. 11th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Committee of Firewards held this day the attached list of accounts amounting to \$12,287.90 chargeable to Fire Department and \$347.84 chargeable to Fire Alarm Maintenance were submitted passed as correct and recommended to the City Council for payment.

Respectfully submitted

W. S. Munnis
CHAIRMAN

Moved by Alderman Munnis, seconded
by Alderman Daw that the report be adopted and accounts
paid. Motion passed.

Jan. 14th, 1926

✓
CAMP HILL CEMETERY ACCOUNTS

Read report Camp Hill Cemetery
Committee recommending for payment accounts amounting
to \$210.53:-

Committee Room,
City Hall,
3.p.m. Jan.12th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of Camp Hill Cemetery
Committee held this day, the attached list of accounts
amounting to \$210.53 was passed as correct and
recommended to the City Council for payment.

Respectfully submitted

I.E. Sanford
CHAIRMAN.

Moved by Alderman Sanford,
seconded by Alderman W.O. Cameron that the report
be adopted and accounts paid. Motion passed.

✓
HOSEMAN-LEO McISAAC -MEDICAL TREATMENT

Read report Committee of
Firewards recommending for payment an account of
J.W. Mullinger \$60.00 for electrical treatment etc.,
to Fireman Leo.McIsaac:-

Committee Room,
City Hall,
Jan.11th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Committee of
Firewards held this day, the attached bill of J.W.
Mullinger \$50.00, for electrical treatment to Fire-
man Leo.McIsaac, authorized by the City Council at
a meeting held on the 12th November last and \$10.00
for a knee splint, was submitted, passed as correct
and recommended to the City Council for payment.

Respectfully submitted

Sgd. W.S.Munnis
CHAIRMAN

Jan. 14th, 1926

Moved by Alderman Munnis,
seconded by Alderman Daw that the report be adopted
and account paid. Motion passed.

✓
CAMP HILL CEMETERY - FENCE CONTRACT

Read report of the Camp Hill
Cemetery Committee covering report of the City Engineer
recommending a progress payment of \$1,600.00 on
account of the contract for the Cemetery fence:

Halifax, N.S.
January 12th, 1926

His Worship the Mayor,
and City Council.

Gentlemen:-

Referring to the attached report
of the City Engineer re Camp Hill Cemetery. Your
Committee beg to recommend that the Contractors
for the erection of the new fence around the Cemetery
be paid the sum of \$1,600.00 on account of stock and
material for the fence to be delivered at the City
Yard.

Respectfully submitted
I.E. Sanford
CHAIRMAN.

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CITY ENGINEER'S OFFICE
Halifax
December 17th, 1925

CEMETERY FENCE

Chairman of The Cemetery Committee.

Dear Sir:-

The Contractor for the erection
of the new fence around the Cemetery has asked for a
payment on account of the material for the fence, which
he has in his factory, which has not yet been erected.

A progress certificate was given
for the amount of the work completed in place. The con-
tract provides that payment will be made to the value
of 80% of such completed work.

Owing to the weather conditions
being unsuitable for the construction of the foundation
for the fence the work was stopped by the Engineer.

Jan. 14th, 1926

The value of the fence on hand which is ready for erection is \$2,000 at the contract rates.

The Contractor will agree, if the City makes a payment on account of 80% of the value of this material, to deliver the fencing to the City Store Yard, assume the responsibility for any damage that may occur while stored there, and also insure it in favour of the City to its full value.

If the Committee decide to pay the amount asked the consent of the bondsmen should be obtained. With this payment of \$1,600.00 the account would stand as follows:-

Estimated value of work completed-	
Main Gates.....	\$1,200.00
Fence 1351 ft @2.41	<u>3,255.91</u>
Total value of work completed in place	\$4,455.91
Estimated value of materials on hand	<u>2,000.00</u>
Total	\$6,455.91
Less 20% retained	<u>1,291.18</u>
Balance	\$5,164.73
Paid on certificate No. 1	<u>3,564.73</u>
Balance asked for	<u>\$1,600.00</u>

Respectfully submitted

H.W. Johnston,
CITY ENGINEER.

Moved by Alderman Sanford, seconded by Alderman W.O. Cameron that the report be adopted and a progress payment paid. Motion passed.

*Accepted ✓
Engineer ✓*

W.W.FOSTER, vs CITY OF HALIFAX

Read report of the Finance Committee covering Judgment of the Supreme Court of Nova Scotia on the appeal in the suit of W.W Foster, late City Auditor, vs City of Halifax:

Committee Room,
City Hall, Jan. 13th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

in Re Suit W.W. Foster vs City of Halifax

At a meeting of the Finance Committee held

Jan. 14th, 1926

this day, the City Clerk reported that he had received a copy of the Decision handed down by the full Bench of the Supreme Court, on the appeal taken by the City of Halifax in the suit of W.W Foster vs City of Halifax.

The City Solicitor reported that he had given Notice of an Appeal to the Supreme Court of Canada, and in this regard your Committee recommend that the City abandon any intention to appeal the case.

A copy of the Decision is hereto attached.

Respectfully submitted

John J. Power
ACTING CHAIRMAN.

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IN THE SUPREME COURT

Foster
vs
City of Halifax

Harris, C.J. The Plaintiff was City Auditor of the City of Halifax, and on the 25th October 1923, sent a letter addressed to His Worship the Mayor and Members of the City Council reading as follows:

Gentlemen:-

I attach hereto a certificate from my physician, which is self explanatory. On the doctor's advise I beg to notify you that ill health compels me to resign from office; same to take effect immediately.

Section 12 (304) Chapter 74 of the Acts 1914, reads:

"Any person who has been in the employ
"of the City for not less than thirty
"years and has contributed to the fund
"for not less than ten years, and who
"has reached the age of sixty-five years
"shall be entitled on resignation or other
"retirement from office to receive for the
"remainder of his life an annual allowance
"equal to thirty fiftieths of the average
"of his yearly salaries for the three years
"immediately preceding his retirement, and
"the difference between the amount of the
"allowance which he is entitled to receive from
"the fund and the amount of such thirty-
"fiftieths shall be included in the yearly
"estimates and collected therewith"

As I have been in the employ of the City for over thirty years, have contributed to the fund since its inception, and have reached the age of sixty-five years, I have complied with the requirements of the above act.

Respectfully submitted

Sgd. W.W.Foster
CITY AUDITOR.

The enclosure referred to in the letter read as follows:-

"This certifies that Mr. W.W.Foster, who is under my medical care, is in poor state of health and on the verge of a nervous breakdown, and unable at present to do any active work. I have recommended that Mr. Foster take complete rest for an indefinite period"

(Sgd.) S.J. Turel, M.D."

Prior to the date of the Plaintiff's resignation grave irregularities in the accounts of and defalcations by certain officials of the City had been discovered by Price, Waterhouse & Co., who had been employed to conduct an independent audit of the finances and accounts of the City; and while preliminary reports had been made by Price, Waterhouse & Co., their investigations were still proceeding and continued for some months after October 25th, 1923.

It appears that when the Plaintiff's resignation was received it was referred to the Finance Committee and the Mayor on the 26th December 1923 wrote Plaintiff asking him when he would return to his work as City Auditor and the plaintiff called and verbally stated to the Mayor that he stood by his resignation.

It was not until February 21st, 1924 that the Finance Committee reported to the City Council their findings and recommended "that a meeting of the City Council should be called at an early date for the purpose of considering the following resolution to the following effect:

- "RESOLVED 1. That the report of the Finance Committee dated the 21st day of February A.D. 1924 be adopted.
2. That W.W.Foster, City Auditor, be dismissed from the said office of City Auditor.
3. That such dismissal take effect forthwith.
4. That there be paid to the said W.W. Foster three months salary in lieu of notice".

"AND BE IT FURTHER RESOLVED that the evidence submitted to this Committee be forwarded with this report to and presented to Council at the meeting to be called for the purpose of considering this report".

Jan. 14th, 1926

On the 23rd February 1924, formal notice was served on the Plaintiff requiring him to attend a special meeting of the City Council to be held on March 4th for the consideration of the report of the Finance Committee, and the plaintiff's dismissal from the position of City Auditor.

The plaintiff appeared with his solicitor on the date named, and at various adjourned hearings, reserving all objections to the jurisdiction of the City Council and of the members thereof and eventually the Council passed a resolution dismissing the Plaintiff.

The Chairman of the Finance Committee was Alderman Whitman, and the report of that Committee recommending Plaintiff's dismissal was signed by Alderman Whitman, Chairman, and by Alderman W.O. Cameron, Alderman R.A. Guildford and Alderman H.W. Cameron.

Alderman Whitman moved, and Alderman W.O. Cameron seconded, the resolution in the City Council that the report of the Finance Committee be adopted and that the plaintiff be dismissed.

It also appears that Alderman Whelan was present at a number of meetings of the City Council held for the consideration of this resolution, but he had not been present at one of the meetings at which important evidence had been taken in connection with the question of the Plaintiff's dismissal.

The several Aldermen who signed the report of the Finance Committee and Alderman Whelan all voted for the final resolution adopting the report of the Finance Committee and dismissing the plaintiff from his office of City Auditor.

There are eighteen aldermen and the City Charter provides with regard to certain officials of which the City Auditor is one, that they should hold office until death or resignation, but that any Official "May be dismissed from his office for good cause by a two thirds vote of the whole Council at a meeting of the Council called to consider the question"

The resolution dismissing Plaintiff had therefore to be voted for by twelve members of the Council in order to pass. It did receive exactly twelve votes and the fact that the votes of the Alderman who signed the report of the Finance Committee and Alderman Whelan were all included in the twelve has to be borne in mind in considering the legal questions hereafter referred to. For many years there had existed in the City of Halifax a Fund known as the Halifax Officials Superannuation Fund to which Officials or employees of the City were bound to contribute annually an amount equal to four per cent of their respective salaries and a proportionate part was deducted monthly from the salary. The plaintiff had been a contributor for years to this fund, and admittedly if he had properly retired from the service of the City he was entitled to a superannuation allowance for the remainder of his life of \$2,130.00 per year. The position of the City in his litigation was that the Plaintiff's resignation was not effective because it was not accepted by the City Council and as he was dismissed for cause

Jan. 14th, 1926

he forfeited his superannuation allowance and was entitled under the provisions regulating the fund to receive only one half of the total amount he had contributed to the fund to be paid to him in a lump sum.

Having been refused his superannuation the plaintiff sued the City claiming a declaration that the plaintiff having resigned his office was entitled to an annual allowance from the Superannuation Fund payment of the amount due and a mandamus commanding the City and the trustees of the Fund to pay plaintiff the amounts to which he was so entitled.

By an amendment to the Statement of Claim all the proceedings leading up to the dismissal of the plaintiff were set up and plaintiff further asked for a declaration that all these proceedings were illegal and void and of no effect.

The case came on for trial before the Honourable Mr. Justice Mellish, without a jury, and he gave Judgment for the Plaintiff, holding;

- (a) That the plaintiff's letter of resignation was effective, from the time it reached the City, without acceptance by the City, and plaintiff was therefore entitled to his superannuation payments, and
- (b) That Alderman who had been members of the Finance Committee had passed judgment upon the causes to be assigned for Plaintiff's dismissal and were therefore disqualified to sit and vote as members of the Council upon the question as to plaintiff's dismissal.

And the learned trial judge concluded his reasons for Judgment by saying:

"For these reasons to which others might be added I do not think the resolution for dismissal should stand—even assuming that plaintiff's resignation is to be regarded as ineffectual without acceptance"

The City of Halifax has appealed and on the argument of the appeal contended:

(1) That the Plaintiff's resignation was not effective until accepted by the City Council.

(2) That plaintiff was properly dismissed while an officer of the City and under the rules governing the Superannuation Fund is not entitled to any yearly payments.

(3) That the Alderman who signed the report of the Finance Committee were not disqualified from sitting and voting on the trial of the Plaintiff.

(4) That plaintiff's dismissal was justified by the facts.

The plaintiff relied upon the grounds discussed and conclusions reached by the learned trial judge and also contended that the absence of Alderman Whelan from the meeting of March 24th disqualified him from voting or taking any part in the subsequent proceedings, and therefore the dismissal was null and void in as much as without the vote of Alderman Whelan there was not the necessary two thirds of all the members voting for the dismissal.

Jan. 14th, 1926

Inasmuch as I think this last objection must prevail, I deal with it first.

One, of course, must not lose sight of the fact that the City Council was not bound by all the rules applicable to trials in Courts of Justice, but it is I think correct to say that the trial had to be in accordance with principles of natural justice. Here one of those who voted for the dismissal of the Plaintiff and whose vote was essential to give the necessary two thirds of the Council was not present at a sitting when evidence was taken and arguments made. If it can be said that he was still eligible to adjudicate and to decide we only have to go a little further to say that if he had never heard any of the evidence he could still vote, and it would seem to follow that if one member of the City Council could absent himself from a hearing without prejudice to his right to vote, so could others, and this leads to results and conclusions which are untenable and absurd. The evidence taken during the absence of the Alderman in question may very well have been favourable to the Plaintiff and have changed the vote he finally gave or it may very well have been that the absent member of the courts, had he been present would by reason of having heard the evidence have been able to convince the other Alderman that Plaintiff should not be dismissed.

We cannot make a law to suit this particular case. We must decide it upon proper and just principles and I do not think we ought to decide that under the circumstances Alderman Whelan was qualified to vote on the question and it follows that if he was not so qualified the vote was bad and ought to be set aside.

I refer to Russel on Awards, 155
in Re Plews & Middleton, 14, L.J. Q.B. 139,
6 Q.B. 852.
in Re Beck & Jackson 1, C.B.N.S. 695.
People vs Shaw 63 N.Y. 37, 6 Corpus Juris 84.

It was argued that the absence of Alderman Whelan was only an irregularity and was waived by Council for the plaintiff proceeding with the investigation, and it was pointed out that Alderman Whelan had voted on a subsequent occasion before the final vote. I am not prepared to say that the objection was of such a nature that it could be waived, but assuming that it was, waiver was not pleaded. The Statement of Claim as amended set up the facts as to Alderman Whelan and there is no defence of waiver pleaded and consequently no enquiry as to the question of waiver at the trial. It may have been that plaintiff's counsel did not know of Whelan's absence on the date in question. The City Council is a large body and frequently there are vacant chairs for the shorter or longer time during a sitting and it might very well be that his absence was unnoticed. All this could have been raised and investigated if waiver had been pleaded, but as it was not I think it is impossible for defendant to rely upon waiver at this stage.

If I am right that the decision of the City Council dismissing the plaintiff should be set aside and is null and void because of the vote of Alderman Whelan it is, of course, unnecessary to consider the questions raised as to the disability of other Alderman.

Jan. 14th, 1926

It may perhaps be that the decision of this one question practically disposes of the whole case and renders it unnecessary to decide the main point raised by the learned trial judge. I am inclined to think this is so, and I understood counsel to agree to this on the argument, but it may save further litigation if it is dealt with now.

The question as to whether or not the resignation of the plaintiff became effective before ~~ation~~ brought has been decided by the learned trial judge in the affirmative and he has exhaustively examined the various provisions of the City Charter referring to the Superannuation of Officials upon the proper interpretation of which the decision of the decision of the question turns.

I think the question is one of great difficulty and while with great deference I have much doubt as to the correctness of the decision of the learned trial judge on this point, I am not fully convinced that it is wrong and am not prepared to dissent from it.

I would dismiss the appeal with costs.

HALIFAX
December, 7th, 1925
McKenzie concurred

Sgd. C.J.

IN THE SUPREME COURT

Foster,
V
City of Halifax

CARROLL J. I fully concur in the conclusion reached in this case by the Learned Chief Justice that the appeal must be dismissed. With the greatest deference however I do not share the doubts expressed by him as to the interpretation placed upon the word "resignation" in the City Charter by the learned Trial Judge as it refers to the plaintiff. I think the conclusions of the learned Trial Judge in this respect are correct.

Graham, J.

I agree with Mr. Justice Carroll.

Appeal dismissed with costs.

.....

Moved by Alderman Power, seconded by
Alderman Hubley that the report of the Finance Committee
be adopted. Motion passed.

Jan. 14th, 1926

✓
RE-WRITING ASSESSMENT ROLLS

Read report of the Finance Committee covering account of C.G. Corbett \$18.60 for services rendered in re-writing Assessment Rolls, and recommending that Mr. Corbett be engaged to complete this work:

Committee Room, City Hall

January 6th, 1926

His Worship the Mayor
and City Council.

Gentlemen:-

At a meeting of the Finance Committee held on the 6th inst., the City Collector reported that owing to the state of the Assessment Rolls in his office, through excessive handling it was necessary that a large number of sheets be re-written. He estimated that it would take One Hundred and Fifty hours to do the work. That he had arranged with Mr. Corbett of the Assessors Department to do this work after office hours at a rate of 60¢ per hour.

Your Committee recommend that the City Collector be authorized to have this work completed by Mr. Corbett at a cost not to exceed \$108.00

Respectfully submitted

Sgd. J. J. Power
ACTING CHAIRMAN.

*auditor
C. G. Corbett
collector
account*

Moved by Alderman Power, seconded by Alderman Hubley that the report be adopted and account paid. Motion passed. ✓

W. W. FOSTER vs CITY OF HALIFAX
ACCOUNT OF MESSRS. HENRY, ROGERS, HARRIS, & STEWART

Read report of the Finance Committee recommending for payment the account of Messrs. Henry, Rogers, Harris and Stewart \$1,403.73, being the amount of their account less 10% for professional services rendered in the suit of W. W. Foster, late City Auditor, against the City of Halifax:

Jan. 14th, 1926

Committee Room,
City Hall,
Jan. 13, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

ACCOUNT HENRY, ROGERS, HARRIS AND
STEWART-FOSTER vs CITY OF HALIFAX

At a meeting of the Finance Committee held this day, the attached account of Messrs. Henry, Rogers Harris and Stewart \$1,559.70 for professional services in the suit of W.W. Foster vs City of Halifax was submitted and read.

Your Committee recommend that the offer of Messrs. Henry Rogers, Harris and Stewart to accept payment of the account less 10% be accepted and the account paid.

Respectfully submitted,

Sgd. J.J. Power,
ACTING CHAIRMAN.

Moved by Alderman Power seconded

by Alderman Hubley that the report be adopted, and the account paid. Motion passed unanimously.

*and also
treasurer
Henry Rogers*

W.W. FOSTER, vs CITY OF HALIFAX
TAXED COSTS MESSRS. BURCHELL & RALSTON

Read report of the Finance Committee recommending for payment the amount of the Judgment and taxed costs of Messrs Burchell & Ralston in the suit of W.W. Foster vs, City of Halifax:

Committee Room,
City Hall, Jan 13-26

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

Account Messrs. Burchell and
Ralston Taxed cost in the Suit
of W.W Foster vs the City of Halifax

At a meeting of the Finance Committee held this day, the following account of Messrs. Burchell and Ralston covering the Judgment and taxed cost in the suit of W.W. Foster, vs City of Halifax amounting in all to \$5,734.20 was submitted:-

Jan. 14th, 1926

RE FOSTER VS CITY OF HALIFAX ET AL

Superannuation Fund and
City of Halifax

	Principal	Interest to date Jan. 2-26
Order of March 28, 1925	\$1,819.43	\$68.87
Instalment due Apr. 25-25	292.88	9.96
Instalment due July 25-25	292.88	6.30
Instalment due Oct. 1925	292.88	2.64
	<hr/>	
Interest brought down	\$2,698.07	\$87.77
	87.77	
	<hr/>	
	\$2,785.84	

Taxed cost on trial City of Halifax	420.33
" on appeal	<u>248.65</u>

Total Superannuation Fund and City \$3,454.82

CITY OF HALIFAX

	Principal	Interest to date
Order of March 28th, 1925	\$1,488.72	\$56.35
Instalment due Apr. 25-25	239.62	8.15
Instalment due July 25-25	239.62	5.15
Instalment due Oct. 25-25	239.62	2.15
	<hr/>	
	\$2,207.58	\$71.80
Interest brought down	71.80	
	<hr/>	
	\$2,279.38	<u>2,279.38</u>

Total due at this date by both Defendants \$5,734.20

Your Committee recommend that this account be paid and that the accompanying Resolutions be adopted.

Respectfully submitted
John J. Power
ACTING CHAIRMAN.

Moved by Alderman Power, seconded by Alderman Hubley that the report be adopted and the accounts paid. Motion passed unanimously.

The following Resolutions (3) are submitted:

Jan. 14th, 1926

1. RESOLVED that the City borrow from the Royal Bank of Canada or any fund available under the authority of the second Schedule to Chapter 83 of the Acts of 1925 the sum of \$2,396.71 to pay costs incurred in connection with the Action Foster vs the City of Halifax, and that the Treasurer be authorized to negotiate the said Loan, and to execute in behalf of the City any documents reasonably required in that behalf.

Moved by Alderman Power, seconded by Alderman Hubley and passed unanimously.

2. RESOLVED that the Trustees of the Officials Superannuation Fund do pay to W.W. Foster formerly Auditor of the City from the said fund under the authority of Section 304 of the City Charter as amended by Section 12 of Chapter 74 of the Acts of 1914 and under Section 291 of the said Charter the sum of \$2,791.84 being the amount which he is entitled to receive under the authority of the said Section 304.

Moved by Alderman Power, seconded by Alderman Hubley and passed unanimously.

3. RESOLVED that the Treasurer be authorized and directed to pay from any fund available under the authority of Section 304 of the City Charter as amended by Section 12 of Chapter 74 of the Acts of 1914 the sum of \$2,283.38 being the difference between the amount which W.W. Foster formerly auditor of the City is entitled to receive from the Officials Superannuation Fund and the whole amount which he is entitled to receive under the said Section.

Moved by Alderman Power, seconded by Alderman Hubley and passed unanimously, the following named aldermen being present and voting for the several resolutions:

Aldermen Russell, Munnis, Tobin, Sanford, Gastonguay, MacDuff, H.W. Cameron, Hubley, O'Toole, Power, Smeltzer, W.O. Cameron and Daw.

*Auditor
Treasurer
Burke
Russell
W.W. Foster*

Jan. 14th, 1926

✓
HAYES DEFALCATION
CITY OF HALIFAX vs LONDON GUARANTEE
AND ACCIDENT COMPANY

Read report of the Finance Committee re account of Messrs. Henry, Rogers, Harris and Stewart - \$150.00 for professional services in the suit of the City of Halifax, vs the London Guarantee and Accident Company:-

Committee Room,
City Hall,
Jan. 13th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Finance Committee held this day the Committee had before them an account of Messrs. Henry, Rogers, Harris and Stewart - \$150.00 for professional services in the suit of City of Halifax vs London Guarantee and Accident Company.

The City Solicitor reported to the Committee that he was authorized by the Late Mayor Murphy to engage Mr. Stewart to assist him with the case and as the question arose as to the liability of the City for this account under these circumstances, the same is referred to the City Council for its action without recommendation

Respectfully submitted

John J. Power
ACTING CHAIRMAN.

Moved by Alderman Smeltzer, seconded by

Alderman Tobin that the report and account be referred back to the Finance Committee for further consideration.
Motion passed.

*John J. Power
acting
Chairman*

✓
CITY PRISON APPROPRIATION

Read report of the Finance Committee covering report of the City Auditor re City Prison appropriation for 1925-26:-

Jan. 14th, 1926

Committee Room,
City Hall, Jan. 13th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Finance Committee held this day the following report of the City Auditor in re City Prison appropriation for 1925-26 was submitted and read:-

City Auditor's Office,
Halifax, N.S. Jan. 11-26

His Worship the Mayor,
and Members of City Council.
City Hall.

Re City Prison Appropriation

Gentlemen:-

I have to report that due to the shortage in revenue and increased cost of maintenance at the City Prison this appropriation will be insufficient for the necessary expenditure of the Prison for the remainder of the Civic Year.

At the present time there is only about \$240.00 left in the maintenance account to meet the remaining four months expenditure. After this amount is utilised there are no funds out of which to meet expenditure, that is after setting aside the necessary amount to meet salaries.

It is obvious the prison must be maintained and I would suggest you authorise me to allow necessary orders for foodstuffs and coal to be issued in excess of the balance standing to the credit of the maintenance account, and that the actual payment of these accounts stand over until Legislation is obtained authorising the borrowing of the Deficit. This perhaps is not quite legal but it seems to me the best way out of the difficulty.

Yours truly,

Sgd. H.F. Glass,
CITY AUDITOR.

Your Committee recommend that the suggestions of the City Auditor be concurred in and that he be authorized to incur the necessary expenditure.

Respectfully submitted,

Sgd. J.J. Power,
ACTING CHAIRMAN.

Jan. 14th, 1926

*Alderman
Power
seconded
by
Alderman
W.O. Cameron
that the report
of the Finance
Committee be
adopted.
Motion passed.*

Moved by Alderman Power, seconded

by Alderman W.O. Cameron that the report of the Finance Committee be adopted. Motion passed.

✓
CITY HOME AND T.B. HOSPITAL-TENDERS
FOR SUPPLIES

Read report of the Charities Committee in reference to the tender of Messrs. Davis & Fraser for mess pork rectifying a clerical error in the report of this Committee of October 28th, 1925:

Halifax, N.S. Jan. 13-26

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

The Charities Committee met this day and beg to submit the following report.

MEMBERS PRESENT:- The Chairman,
Alderman Drysdale, Sanford and Gastonguay.

Re Clerical error in report to your
Council under date of October 28-25

In report to Council made under date of October 28th 1925 the price of Mess Pork in the accepted tender of Davis & Fraser should have read 18¢ per lb. instead of .08 ¢ per lb.

Your Committee recommend that the action of the Council be amended and the acceptance of the tender for the correct amount be ratified.

Respectfully submitted

A. Hubley,
CHAIRMAN.

*Alderman
Hubley
seconded
by
Alderman
Smeltzer
that the report
be adopted.
Motion
passed.*

Moved by Alderman Hubley seconded by Alderman Smeltzer that the report be adopted. Motion passed.

Jan. 14th, 1926

CITY HOME AND

T. B HOSPITAL -MONTHLY REPORT

Read report of the Charities Committee giving the number of inmates in the City Home during the month of December as 292 and the number of patients in the T.B.Hospital as 35:

Halifax, N.S. Jan.13th,1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

The Charities Committee met this day and beg to submit the following report

MEMBERS PRESENT:- The Chairman,
Aldermen Drysdale, Sanford and Gastonguay.

SUPERINTENDENT'S REPORT CITY HOME DECEMBER 1925
NO. OF INMATES 292

The Superintendent's report shows that during the month of December 1925 there were 11 persons admitted into the City Home, 7 were discharged and 4 died. Of the number admitted 2 were chargeable to the Province and 9 to the City.

The total number of inmates Dec.31st, 1925 was 292 made up of 157 men, 133 women and 2 children. On the same date last year there were 180 men, 130 women and 4 children, a total of 314.

SUPERINTENDENT'S REPORT TUBERCULOSIS HOSPITAL
DECEMBER 1925 NO. PATIENTS 35

The Superintendent's report shows that during the month of December 1925 there were 10 patients admitted into the City Tuberculosis Hospital, 8 men and 2 women. Five men and 2 women were discharged and 1 man and 1 woman died.

The total number of patients December 31st 1925 was 25 made up of 20 men and 15 women. On the same date last year there were 16 men and 16 women and 1 child a total of 33.

Respectfully submitted

A.Hubley
CHAIRMAN

FILED.

Jan. 14th, 1926

✓
FIRES THEIR CAUSES & LOSSES

Read report of the Committee of Firewards covering report of Chief Churchill re fires their causes and losses during the month of November 1925:-

Committee Room,
City Hall,
Jan. 11th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Committee of Firewards held this day the attached report of Chief Churchill re fires their causes and losses was submitted and ordered to be forwarded to the City Council for its information.

Respectfully submitted
W.S. Munnis
CHAIRMAN.

.....

Halifax, Jan. 11th, 1925

Board of Firewards,

Gentlemen:-

Herewith I make the following report for the month of November during which there were 35 alarms from the following causes:

Thawing water pipes, 1, Children playing with fire and matches 3, chimneys 15, false 3, poor chimney 1, grass 1, defective wiring 1, hot fat 1, supposed careless smoking 4, unknown 1.

Property at risk	\$790,220.00	
Insurance losses		\$12,124.70
Losses not insured		365.00
		<u>\$12,489.70</u>

Respectfully submitted
Sgd. J.W. Churchill
CHIEF H.F.D.

FILED

Jan. 14th, 1926

✓
TAX COLLECTIONS DECEMBER 1925

Read report of the City Auditor
in re Tax Collections for the month of December 1925:-

City Auditor's Office,
Halifax, N.S.
Jan. 14th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

Re Tax Collections

I attach hereto monthly statement
as to Tax Collections for the month of December 1925,
and supplement same with the following additional in-
formation.

The collections during December on
account of back years taxes amounted to \$64,798.92 as
compared with \$51,066.67 for the previous month, being
an increase during December of \$13,732.25.

In order that you may compare back
years Tax Collections with those of last year, I give
you the following:-

	1924	1925
May-November Collections	\$326,789.11	\$327,783.32
December	39,670.02	64,798.92
	<u>\$366,459.13</u>	<u>\$392,582.24</u>

It will, therefore, be seen that there is an increase
of \$26,123.11 in the Collection of back years taxes
during the eight months to 31st December 1925 as com-
pared with the same period last year.

The Collections on account of
Current Years Taxes during December amounted to
\$22,938.94 which compares with last year as follows:-

	1924	1925
Total Collections of Current taxes to 30th November	\$1,034,859.20	\$1,141,277.09
December Collections	112,529.47	22,938.94
	<u>\$1,147,388.67</u>	<u>\$1,164,216.03</u>

Jan. 14th, 1926

I have already advised you that the Current Years Taxes were collected earlier this year than last year which accounts for the difference in the December collections. It will be seen that the collections of Current Years Taxes for the eight months to 31st December this year show an increase over those of last year of \$16,827.36, this increase, however, must be discounted to the extent of about \$12,000.00 by the fact that the levy this year is larger than last year.

It will be noted that there is still the very large sum of \$691,188.17 due in respect of the Current Years Taxes, and that the Collections for December only amounted to \$22,938.94, so that it is imperative the Collector considerably increase his collections during the remaining four months of the Civic Year, otherwise it is difficult to see how the City can finance itself with its limited borrowing powers.

On the 1st January last in order to meet its interest obligations the City had to again obtain advances from its Bankers against uncollected taxes.

For the purpose of comparing our present general tax situation with that of a year ago, I would state the outstanding general taxes amounted at 31st December 1924 to \$2,516,050.82
These arrears have been reduced by collections during the 12 months ending 31st December 1925 by 746,956.97
Leaving a total of arrears of back years taxes as at 31 December of \$1,769,093.85
Adding to this the outstanding General taxes for the Current Year of 691,188.17
(which is after deducting collections of \$1,164,406.83)
we have the total outstanding general taxes at 31 December 1925 of \$2,460,282.02
showing a decrease of \$55,768.80 in the twelve months ending 31st December 1925 which is of course very slow progress in view of the large amount still outstanding. The best that can be said of the situation at present is that the City has now ceased to accumulate arrears of taxes as in the past, and is in a small degree reducing its total outstandings.

Yours truly,

H.F. Glass,
CITY AUDITOR.

STATEMENT AS TO TAX COLLECTIONS

as AT 31st DECEMBER 1925

General Tax Arrears Prior to 30 April 1924

Balance as at 30 November 1925		\$1,451,172.26
Less Cash Collections during the month of December 1925	\$52,044.06	
Written off to Defalcation a/c by Board of Tax Arrears etc.	<u>5,196.60</u>	<u>57,240.66</u>
Total Tax Arrears outstanding 31 Dec. 1925 Exclusive of Year 1924-25		<u>\$1,393,931.60</u>

General Tax Arrears for year ending 30 April 1925

Balance as at 30 November 1925		386,449.32
Less Cash Collections during month of December 1925	\$12,754.86	
Written off to Defalcation a/c	<u>226.21</u>	<u>12,981.07</u>
Total Tax Arrears outstanding 31 Dec. 1925 for year 1924-25		<u>\$373,468.25</u>

Poll Tax for year ending 30 April 1925

Balance outstanding 30 November 1925 (No Cash Collection during December)		<u>1,694.00</u>
Total Arrears as above		<u>\$1,769,093.85</u>

Current Years General Taxes year 1925-26

Balance outstanding 30 Nov. 1925		714,317.91
Less Cash Collections during month of December 1925	\$ 22,938.94	
Adjustments	<u>190.80</u>	<u>23,129.74</u>
Total current year Taxes outstanding 31 December 1925		<u>\$691,188.17</u>

Poll Tax For Current Year 1925-26

Total Estimated outstanding 30 Nov. 1925		3,100.00
Less Cash Collected during month of December 1925		<u>28.00</u>
Total Estimated Poll Tax outstanding 31 Dec. 1925		<u>\$3,072.00</u>

DOG TAX FOR CURRENT YEAR

Total collected in excess of estimates at 30 November 1925		\$248.00
Add Collections during month of December 1925		<u>6.00</u>
Total Collected in excess of Estimates as at 31st December 1925		<u>\$254.00</u>

Jan. 14th, 1926

Water Rates & Taxes

Total outstanding 30 November 1925	\$224,707.41
<u>Add Additional monthly charges</u>	<u>2,892.24</u>
	\$227,599.65
Less Cash Collected during month of December 1925	\$8,487.65
Written off to Defalcation a/c by Board of Tax Arrears	<u>77.79</u>
	<u>8,565.44</u>
Total Water Rates & Taxes outstanding 31 December 1925	<u>\$219,034.21</u>

Total Cash Collected on account of the above
rates and taxes during month of December 1925
\$ 96,259.51

FILED

✓
DEPARTMENTAL APPROPRIATIONS

Read report of the City Auditor cover-
ing Statements of Departmental Appropriations as at
November 30th, 1925:-

City Auditor's Office,
Halifax, N.S.
Jan. 11th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

I enclose the usual monthly reports on
the various Departmental appropriations, copies of
which have been supplied the different departments

I would call your attention to the
fact that the Appropriations of the

Home,
Prison,
Health Board

will be insufficient for the necessary expenditure
of these Departments to the end of the Civic Year, and
Legislation will have to be obtained to enable these
Departments to incur deficits, which matter I will take
up at a later date, when more accurate figures of the
probable deficit is obtainable.

FILED

Yours truly,
H. F. Glass
CITY AUDITOR

Jan. 14th, 1926

✓
WATER METER BILL 335-347 BARRINGTON ST.

Read report of the Committee on Works
and City Engineer re Water Meter Bill 335-347 Barrington
Street: -

City Works Office,
Halifax, N.S. Jan. 14-26

Water Meter Bill 335-47 Barrington St.

His Worship the Mayor and City Council.

Sirs:-

At a meeting of the Works Committee held January 6th the City Engineer submitted a report of Water supplied to the premises # 335-47 Barrington Street where there has been an excessive consumption of water. The report was approved and it was unanimously recommended to Council that the bill for six months ending October 1925 be reduced to \$12.34 that being the largest amount the owners had been called upon to pay for several years for a similar period.

Respectfully submitted,

A.F. Messervey,
CLERK OF WORKS.

...

....

City Engineers Office,
Halifax, N.S.
January 5th, 1925

335-347 Barrington St.-Water Bill

His Worship the Mayor.

Sir:-

I beg to report on a claim for a reduction in the meter readings for the property #335-347 Barrington Street, that this property is owned by the Trustees of St. Matthews Church. The monthly consumption since April has been as follows:-

April	2,400	Sept	--
May	500	Oct.	198,900
June	500	Nov.	135,500
July	--	Dec.	71,300
Aug.	2,900		

The half yearly bills for recent years have been.

	<u>1923</u>		<u>1924</u>		<u>1925</u>
Mar.	\$11.54	Mar.	\$12.34	Apr.	\$9.32
Sept.	2.17	Oct.	1.59		

Jan. 14th, 1926

The Church is supplied by a service pipe from Hollis Street and the meter is in the sidewalk. On receipt of the claim from the Trustees an investigation was made and a leak was found some distance west of the street line. The owners renewed the pipe from the Church to within thirty feet of the street

This is a case where the owners took immediate steps to locate and remedy the waste when they had notice of it, and it seems to be a case where the Committee could exercise their discretion in granting a reduction.

This is a very good example of the necessity of placing a water meter near the street line where there is a long length of service pipe, as if the meter had been placed in the basement of the building this leak might have gone on indefinitely without the City being aware of it.

Respectfully submitted

H. M. Johnston,
CITY ENGINEER.

*Cancelled
Engineer
Collector
Clerk of Works*

Moved by Alderman Hubley, seconded
by Alderman Daw that the report of the Committee on
Works be adopted. Motion passed.

✓
WATER METER BILL No. 141 CREIGHTON ST

Read report of the Committee on
Works and City Engineer re Water Meter Bill No. 141
Creighton St.:-

City Works Office,
Halifax, N.S.
Jan. 14th, 1926

Water Meter Bill #141 Creighton St.

His Worship the Mayor and City Council.

Sirs:-

At a meeting of the Works Committee held November 18, the City Engineer submitted a report on a claim by the owner of property # 141 Creighton Street requesting a reduction in the consumption of water for the months of September and October for the current year.

It was decided to recommend to Council that the consumption for the said month totalling 25,100 gals. be reduced to 17,600 gals.

Respectfully submitted

Sgd. A. F. Messervey
CLERK OF WORKS

Jan. 14th, 1926

City Engineer's Office,
Halifax, N.S. Nov. 17, 1925

Water Meter Bill
141 Creighton St

His Worship the Mayor.

Sir:-

I beg to report on a claim for reduction in the meter readings for the months of September and October at the premises 141 Creighton Street made by the owner of the premises on the grounds that the consumption was excessive and was caused by a leaky closet, which was repaired immediately on notice being sent. The monthly consumption at these premises during the current half year was as follows:-

April	-	8,600	
May	-	6,800	
June	-	8,800	
July	-	8,200	
Aug.	-	10,200	
Sept.	-	13,100	W.C. Wasting (n)
Oct.	-	12,000	
Nov.	-	7,900	

Notice of the large consumption was sent to the owner in October and he had the leaky closet repaired.

The claim is made in accordance with Section 508, sub-section 3 of the City Charter. The records show that the waste was stopped immediately after notice was given, and as the owner has complied with the provisions of the Charter I would recommend that the readings for Sept. and October be reduced to 8,800 gallons for each month.

Respectfully submitted.

H. W. Johnston,
CITY ENGINEER.

*Auditor
Eng. in charge
Collector
Chkrs of Work*

Moved by Alderman Hubley, seconded by Alderman

Daw that the report of the Committee on Works be adopted.

Motion passed.

WATER METER BILL No. 191 GRAFTON ST

Read report of the Committee on Works and

City Engineer re Water Meter Bill No. 191 Grafton St.:-

City Works Office,
Jan. 14-26

Water Meter Bill 191 Grafton St.

His Worship the Mayor and City Council.

Sirs:-

At a meeting of the Works Committee held

Jan. 14th, 1926

November 18th, the City Engineer reported on a letter received from G.M.M. Stephens, owner of property as above, asking for an adjustment of water consumed for the months of September and October for the current year.

It was decided to recommend to Council that the consumption for said months totalling 73,300 gallons be reduced to 5,200 gallons

Respectfully submitted

A.F. Messervey,
CLERK OF WORKS

...

City Engineer's Office,
Halifax, N.S.
Nov. 17th, 1925

191 Grafton Street-Water Bill

His Worship the Mayor.

Sir:-

I beg to report on the attached letter from the owner of the premises # 191 Grafton St. asking for an adjustment in the consumption of water at these premises during September and October of the Current half year, that the monthly consumption since the beginning of the year has been as follows:-

1925

April - 2,600
May - 1,100
June - 2,100
July - 2,600
Aug. - 2,400
Sept. - No reading
Oct. - 73,300 W.C. Wasting (N) 28-10-25

The meter was not read in September and in October there was a consumption of 73,300 gallons, due to a closet wasting, immediately on notification the owner had the leak repaired. He has written claiming a reduction in this large reading on the ground that he had no knowledge of the leak until notice was sent him when he immediately called in the plumber to repair it. This is in compliance with section 508, sub-section 3 of the City Charter.

I have investigated the matter and find that his statement is correct, and I would recommend that the consumption of 73,300 gallons be reduced to 2,600 for September and 2,600 for October, this being the highest monthly reading of consumption for the period.

Respectfully submitted

H.W. Johnston,
CITY ENGINEER

Jan. 14th, 1926

*Auditor,
Engineer,
City Treasurer,
Chief of Works*

Moved by Alderman Hubley, seconded by
Alderman Daw that the report of the Committee on
Works be adopted. Motion passed.

✓
SCHOOL TEACHERS' PENSION FUND

Read report of the Finance Committee
covering report of the City Auditor on the application
of the Trustees of the Halifax Teachers' Pension
System for an appropriation of \$787.13 to supplement
the amount payable for pensions on January 31st:-

Committee Room, City Hall,
City, Jan. 13th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

SCHOOL TEACHERS' PENSION SYSTEM

At a meeting of the Finance Committee
held this day, the attached application of the
Secretary of the Board of School Commissioners for an
appropriation of \$787.13 to supplement the Halifax
Teachers Pension fund for the payment of Pensions due
on January 31st, together with a report from the City
Auditor on the subject, recommending the payment,
were submitted.

Your Committee recommend that the sum
of \$787.13 be paid to the Board of School Commissioners
to be turned over by them to the Teachers Pension
System under authority of Chapter 69, Section 27 of
the Acts of 1923.

Respectfully submitted
John J. Power
ACTING CHAIRMAN.

...

....

City Auditor's Office,
Halifax, N.S. Jan. 13-26

The Chairman,
Finance Committee

Dear Sir:-

Re Teachers' Pension System

Referring to the attached request of the
Board of School Commissioners, I would state that I

January 14th, 1926

have examined the books of the System and find that they require the sum of \$3,311.83 to meet pensions due January 30th, next and that they will only have on hand the sum of \$3,024.75 and therefore recommend that the sum of \$787.13 be paid to the Board of School Commissioners to be turned over by them to the Teachers' Pension System under authority of Acts 1923 Chap. 69 Sec.27.

Yours truly,

H.F. Glass,
CITY AUDITOR.

*Auditor
Treasurer
School Board*

Moved by Alderman Power, seconded by Alderman Hubley that the report be adopted. Motion passed, unanimously.

✓
COAL WEIGHERS MONTHLY REPORT

Read report of the Supervisor of Coal Weighers for the month of November 1925, showing that the regular city weighers received the sum of \$94.20 in fees during the month of November:
FILED.

✓
W.W.FOSTER VS. CITY OF HALIFAX

Read report of the Laws & Privileges Committee re Judgment of the Supreme Court in the case of W.W.Foster vs, The City of Halifax:

Committee Room,
Jan.14th,1926

His Worship the Mayor,
and Members of the City Council.

Gentlemen:-

At a meeting of the Laws and Prigileges Committee held this day the Chairman submitted a copy of the Judgment of the Supreme Court of Nova Scotia in the case of Foster vs The City of Halifax.

Your Committee recommend that the City accept the decision of the Supreme Court as final.

Respectfully submitted,

B.W.Russell
CHAIRMAN

FILED.

Jan. 14th, 1926

✓
CITY CHARTER REVISION
AND ASSISTANT TO CITY SOLICITOR

Read report of the Laws & Privileges Committee in re revision of the City Charter and the employment of an assistant to the City Soliditor:-

Committee Room,
City Hall, Jan. 14-26

His Worship the Mayor,
and Members of the City Council.

Gentlemen:-

At a meeting of the Laws & Privileges Committee held this day it was recommended that the revision of the City Charter be made by the City Solicitor without additional remuneration, as he is conversant with the details and has long experience in the work, and that the same be completed by January 1st, 1927; also that Legislation be procured at the ensuing session of the Legislature to put the Revised Charter into force by proclamation.

That Legislation be sought at the approaching session of the Legislature empowering the City to employ an Assistant City Solicitor for a period not exceeding two years at a salary not to exceed \$2000.00 per year, for the purpose of assisting in the work entailed in the collections of tax arrears and such other work as may be entrusted to him

Respectfully submitted,
B.W. Russell,
CHAIRMAN.

Moved by Alderman Russell,

seconded by Alderman Tobin that the report be adopted.

*Solicitor's
Legislation* ✓
Motion passed. Alderman Daw asked to be recorded against the motion.

✓
TRAFFIC ORDINANCE

Read report of the Laws & Privileges Committee covering amended ordinance

Jan. 14th, 1926

to regulate traffic on the Streets:

Committee Room
City Hall, Jan. 14-26

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Committee on Laws & Privileges Committee held this day there being present Aldermen Russell, Chairman, Power and MacDuff. The Committee had under consideration the Traffic Ordinance passed by The City Council on November 12th, 1925 and duly forwarded to the Governor-in-Council for approval.

The Governor-in-Council having been pleased to disallow this Ordinance on account of it conflicting with the Motor Vehicle Act, your Committee have carefully revised and amended the several sections which were in conflict.

A conference was held at which the Chairman, The City Solicitor and Mr. Beazley of the Attorney Generals Department were present, and the Ordinance as originally submitted amended.

Your Committee recommend that the Ordinance as now amended be adopted and read the first and second time at this meeting.

Respectfully submitted,
B. W. Russell,
CHAIRMAN.

Moved by Alderman Russell seconded by
Alderman Power that the report be adopted. Motion passed.

.....

Moved by Alderman Russell seconded by
Alderman Power that the said Ordinance be now read
the 1st time.

Read Ordinance to Regulate Traffic on
Streets. First reading.

Moved by Alderman Russell, seconded by
Alderman Power that the said Ordinance be read the
2nd time.

Read Ordinance to Regulate Traffic on
Streets. Second reading.

Jan. 14th, 1926

✓
CAMP HILL CEMETERY-AN ORDINANCE
TO AMEND ORDINANCE NO.13 OF CAMP HILL
CEMETERY

Read report of the Camp Hill Cemetery
Committee recommending for adoption a Draft Ordinance
to amend Ordinance No.13 relating to Camp Hill Cemetery:

Council Chamber,
City Hall,
4 o'clock

Gentlemen:-

The Camp Hill Cemetery Committee
beg to recommend for adoption the attached draft
ordinance to amend Ordinance No.13 relating to Camp
Hill Cemetery.

Respectfully submitted,
I.E. Sanford,
CHAIRMAN.

Moved by Alderman Munnis, seconded
by Alderman Power that same be referred to the Committee
on Laws & Privileges for report. Motion passed.

*and Russell
and Sanford*

✓
EDWARD MAXWELL -TAX ARREARS

Read report of the Committee on
Laws & Privileges re offer of the Eastern Canada
Savings and Loan Co., to pay off the whole of the
taxes for which the City had a lien on certain pro-
perty of Edward Maxwell:

Committee Room, City Hall,
14 Jany. 1926

To his Worship the Mayor
and City Council.

Gentlemen:-

At a meeting of the Committee on
Laws & Privileges held this day the City Solicitor
brought up the proposition of the Eastern Canada Savings
and Loan Co. to pay off the whole of the Taxes for which
the City had a lien on certain property of Edward Maxwell
and also a portion of the taxes on the same not secured

Jan. 14th, 1926

by lien on condition of the City releasing the said property from the Judgment held by it against said Maxwell.

On consideration it was resolved to recommend the acceptance of the offer and the passage of the accompanying resolution to enable it to be carried into effect.

Respectfully submitted

B.W. Russell,
CHAIRMAN

Moved by Alderman Daw, seconded by Alderman Tobin that the report be adopted. Motion passed

The following Resolution is submitted:

"WHEREAS the Eastern Canada Savings & Loan Company has offered to pay the taxes on certain properties owned by Edward Maxwell, for a period covered by the lien, and also a considerable proportion of the taxes not so covered by the lien period, the said properties being now about to be sold on foreclosure in consideration of the City executing a release of the said properties from the Judgment held by the City against the said Edward Maxwell;

AND WHEREAS it is in the interest of the City that such payment should be made and release given;

BE IT THEREFORE RESOLVED that the Mayor and Clerk are hereby authorized and empowered upon a satisfactory payment being made to execute a Release of the said properties from the said judgment.

Moved by Alderman Daw seconded by Alderman

Tobin and passed unanimously.

Moved by Alderman Munnis, seconded by Alderman Russell that the Council do now adjourn. Motion passed.

List of Headlines

Works Departmental Accounts	414
General Accounts	415
City Home and T.B. Hospital Accounts	415

*Collection
and
Distribution
of C.S. & L.C.*

City Prison Accounts	416
Gardens, Parks and Common Accounts	417
City Health Board Accounts	418
Uniform Clothing Police Department	419
Police Department Accounts	419
Fire Department Accounts	420
Camp Hill Cemetery Accounts	421
Hoseman Leo McIsaac-Medical Treatment	421
Camp Hill Cemetery-Fence Contract.	422
W.W.Foster, vs. City of Halifax	423
re-writing Assessment Rolls	430
W.W.Foster vs City of Halifax account	
messrs. Henry, Rogers Harris and Stewart b	430
W.W.Foster, vs City of Halifax	
Taxed costs Messrs Burchell & Ralston	431
Hayes Defalcation City of Halifax vs	
London Guarantee and Accident Company	434
City Prison Appropriation	434
City Home and T.B.Hospital Tenders for	
Supplies	436
City Home and T.B.Hospital Monthly report	437
Fires their causes & losses	438
Tax es Collections December 1925	439
Departmental Appropriations	442
Water Meter Bill 335-347 Barrington st	443
" " " 141 Creighton St.	444
" " " 191 Grafton St.	445
School Teachers' Pension Fund	447
Coal Weighers monthly report	448
City Charter Revision and Asst.City Solicitor	449
Traffic Ordinance	449
Camp Hill Cemetery-An Ordinance to	
amend Ordinance No.13 of Camp Hill Cemetery	451
Edward Maxwell- Tax Arrears	451

Meeting adjourned 9.30

H. S. Rhind

H. S. Rhind
CITY CLERK

J. B. Kenny
J. B. Kenny,
MAYOR

EVENING SESSION

8:10 o'clock
Council Chamber,
City Hall,
February 11th, 1926

A meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor and Aldermen Munnis, Bissett, Sanford, Tobin, H.W. Cameron, MacDuff, Gastonguay, Hubley, Rains, Drysdale, Power, O'Toole, W.O. Cameron, Smeltzer and Daw.

The meeting was called to proceed with business standing over and the transaction of other business.

TAX ARREARS LIST

His Worship the Mayor submits and reads the following letter from the City Collector in reference to the preparation of the tax arrears list as required by the Charter:-

City Collector's Office,
Halifax, N.S.
Feb. 11th, 1926

His Worship the Mayor,
City Hall,
CITY.

Dear Sir:-

RE LIST OF UNPAID TAXES

Referring to your letter of the 5th inst., beg to say that on September 24th last, I addressed a letter to you and Members of the City Council regarding the selling of properties in which I stated:-

"It is very hard to realize stupendous undertaking it really is until one commences to put the machinery into operation. This difficulty is accentuated by the array of arrears behind the liens, also, by the difficulty experienced in accurately tracing these taxes back through the rolls in order to compile

Feb. 11th, 1926

accurate statements of amounts due; betterment charges by way of Sewerage, Sidewalk, Pavement etc., are in many cases very intricate and hard to trace out and identify"

These are the conditions which apply with equal force to the difficulty of supplying a list of the unpaid taxes, to be more explicit I might explain to you that to get out the list desired it will be necessary to go through the property cards and list therefrom the individual owners, referring frequently to the Rolls where further identification is necessary; after this is completed the personal cards containing Business and Household Taxes must be added to the list, after which, the betterment viz; sewers, Sidewalks, Pavements, must be gone through to get what is owing by the individual in that respect; when we get into the betterments our real trouble will begin, and the job will be long and tedious, so that from a practical point of view the furnishing of the list required is impossible of accomplishment. I do not pretend to say that it cannot be done, I do maintain, however, that I cannot attempt to undertake the work without the necessary additional staff. It is very hard to tell you how long it would take to get our such a list but I might hazard the opinion that (4) four men of the necessary qualifications might do it in (4) four or (5) five months, it might take very much longer remembering there are some seventeen years accumulations to wade through.

As my letter of the 4th inst., would indicate, I am quite aware of the Legislation requiring me to furnish the list mentioned, but I am sure this Legislation must have been obtained without knowing or realizing what was being placed upon the statutes.

I have asked different Aldermen from time to time, to come into my office and look over the books in order to see for themselves the extent of this most extraordinary situation, but none of them have ever done so, I would, therefore, recommend to the Council that, say, two Aldermen be appointed to look into the situation, and, either affirm or disprove the truth of my contentions.

As an alternative to the foregoing, I can only suggest that a rough copy be made of the records, making no attempt to check them up, and showing the betterments just as they are charged in the ledgers not attempting to identify them with the present ownership.

I cannot conceive of what possible use such a list would be, and I would not assume any responsibility in connection with it, and I feel that if it were published either in whole or in part, it would very likely cause no end of trouble. In order to prepare it we would require, at least, two additional clerks and two additional stenographers, and I believe the work would take at least two months and possibly a much longer time/

Yours faithfully,
R.V. Dimock
CITY COLLECTOR

Feb. 11th, 1926

Moved by Alderman Hubley, seconded by Alderman Munnis that the letter be referred to a special Committee of two Aldermen, for a report, as recommended in the Collector's letter. Motion put and passed Eleven voting for the same and Three against it as follows:

For the Motion:

Alderman Munnis
Sanford,
Bissett
Gastonguay
MacDuff
H. W. Cameron
Hubley
Rains
Power
Smeltzer
W. O. Cameron. -11

Against it:

Alderman O'Toole
Drysdale
Daw.

-3

*as Bissett
Hubley*

His Worship the Mayor nominates Aldermen Bissett and Hubley to compose the Special Committee. Approved.

N. S. PROVINCIAL EXHIBITION RE-ESTABLISHMENT

Alderman Gastonguay moved that the order of business be suspended to permit him to introduce a Resolution. Granted.

Alderman Gastonguay submits the following Resolution:-

"RESOLVED that the City hereby agree to an expenditure not exceeding One Hundred and Fifty Thousand Dollars as its proportion of the cost of erecting the necessary Exhibition Buildings, subject to the Provincial Government providing one half of the total cost, and that the City be given a proportionate representation on the Commission.

FURTHER RESOLVED that work on the Buildings be commenced at as early a date as practicable and,

Feb. 11th, 1926

ALSO FURTHER RESOLVED that the Exhibition be conducted (regarding deficits, if any should occur) in the same manner and way as in past years.

Council

His Worship the Mayor rules that this Resolution is a new matter and as such will be received as a notice of motion.

✓
WORKS DEPARTMENT ACCOUNTS

Read report Committee on Works recommending for payment accounts amounting to \$8,351.77:-

City Works Office,
Halifax, N.S. Feb. 11-26

ACCOUNTS-WORKS AND WATER DEPT

His Worship the Mayor and City Council.

Sirs:-

At a meeting of the Works Committee held on the 10th inst., the following accounts for January were approved and recommended to Council for payment:-

Water Dept.- Capital	\$147.55	
Current	<u>679.95</u>	\$827.50
Works Dept.- Capital	287.46	
Appropriations	<u>7236.81</u>	7524.27

Respectfully submitted,

A.F. Messervey,
CLERK OF WORKS

Moved by Alderman Daw, seconded by Alderman Munnis that the report be adopted and accounts paid. Motion passed.

✓
FIRE DEPARTMENT ACCOUNTS

Read report Committee of Fire wards recommending for payment accounts amounting to \$11,984.71:-

Feb. 11th, 1926

Committee Room,
City Hall, Feb. 10, 1926

His Worship the Mayor,
and Members of the City Council.

Gentlemen:-

At a meeting of the Committee of Firewards held this day, the attached list of accounts, amounting in all to \$11,984.71, were submitted and recommended to the City Council for payment.

Fire Alarm Maintenance	\$544.40
Fire Department 1925-26	11,420.81
" " 1924-25	19.50
	<u>\$11,984.71</u>

Respectfully submitted,

W.S. Munnis
CHAIRMAN.

Moved by Alderman Munnis, seconded by Alderman Daw that the report be adopted and accounts paid. Motion passed.

✓
CITY HOME AND T. B. HOSPITAL
ACCOUNTS

Read report of the Charities

Committee recommending for payment accounts chargeable to City Home \$5,608.51 and to the Tuberculosis Hospital \$2,162.74:-

Halifax, N.S. Feb. 9-26

His Worship the Mayor
and Members of City Council.

Gentlemen:-

The Charities Committee met this day and beg to submit the following report. Members Present:- The Chairman, Alderman Sanford and Gastonguay

CITY HOME ACCOUNTS JANUARY 1926 AMOUNT \$5,608.51

The City Home Accounts for the month of January 1926 amounting to \$5,608.51 are recommended for payment.

Feb. 11th, 1926

TUBERCULOSIS HOSPITAL ACCOUNTS JANUARY
1926, AMOUNT \$2,162.74

The Tuberculosis Hospital Accounts for the month of January 1926 amounting to \$2,162.74 are recommended for payment.

Respectfully submitted

Andrew Hubley
CHAIRMAN

Moved by Alderman Hubley, seconded by Alderman Sanford that the report be adopted and accounts paid. Motion passed.

✓
GENERAL ACCOUNTS

Read report of the Finance Committee recommending for payment accounts amounting to \$3,112.53:

Committee Room,
City Hall, Feb. 8th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Finance Committee held this day the attached list of accounts amounting to \$3,112.53 was passed as correct and recommended to the City Council for payment.

Respectfully submitted

John J. Power,
ACTING CHAIRMAN

Moved by Alderman Power, seconded by Alderman W.O. Cameron that the report be adopted and accounts paid. Motion passed.

✓
CITY PRISON ACCOUNTS

Read report City Prison Committee recommending for payment accounts amounting to \$934.00 and covering report of the Governor of the Prison for January 1926:

February 11th, 1926

Committee Room,
City Hall, Feb. 8-26

His Worship the Mayor,
and Members of the City Council

Gentlemen:-

At a meeting of the City Prison Committee held this day the report of the Governor showing the number of Prisoners in custody on the 31st of January to be Thirty-five males and Seven Females, was submitted and ordered filed.

The attached list of accounts amounting to \$934.00 was recommended to the City Council for payment.

Respectfully Submitted,
L.A. Gastonguay,
CHAIRMAN

Moved by Alderman Gastonguay,
seconded by Alderman Sanford that the report be adopted and accounts paid. Motion passed.

POLICE DEPARTMENT ACCOUNTS

Read report of the Police Committee recommending for payment accounts amounting to \$8,116.71:

Mayors Office
City Hall,
Halifax, N.S. Feb. 8-26

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Police Commission held this date, the following accounts amounting to \$8,116.71 were examined, found correct and recommended to Council for payment.

Candyland, Meals for Prisoners	\$20.25
Amherst Boot & Shoe, Oshoes & Rubber boots	27.30
Halifax Vul. Works. Repairs to tube	1.00
Imperial Oil Co. Oil	10.24
Telephone Co. Phone Service	12.00
Wentzells Ltd. Dutch Soap etx.	2.95
Auto Equipment. Bearing	2.50
Scotia Tailors, Clothing.	110.00
F.M. O'Neill, Office supplies	7.05
Robertson Motors Bulbs	.75
Miner Rubber Co., Rubber Boots	15.80
R.J. Leary. Cleaning Uniform	2.00

February 11th, 1926

Salaries Jan. 1st to 15th	\$3978.79
Salaries Jan 16th, to 31st	3926.08
Total	<u>\$ 8116.71</u>

Respectfully submitted

J.B. Kenny
MAYOR & CHAIRMAN

Moved by Alderman H.W. Cameron
seconded by Alderman O'Toole that the report be
adopted, and accounts paid. Motion passed.

✓
CITY HEALTH BOARD ACCOUNTS

Read report of the City Health
Board recommending for payment accounts, charge-
able to the Health Board Appropriation \$1,723.18
and to the Isolation Hospital \$541.43, making a
total of \$2,264.61.

Moved by Alderman Daw, seconded
by Alderman H.W. Cameron that the report be adopt-
ed and accounts paid. Motion passed.

✓
GARDENS PARKS AND COMMON ACCOUNTS

Read report of the Committee on
Gardens, Parks and Common recommending for payment
accounts amounting to \$377.48:-

Mayor's Office,
City Hall, Feb. 10th, 1926

His Worship the Mayor,
and Members of the City Council.

Gentlemen:-

At a meeting of the Committee of
Gardens, Parks & Commons, held this day the attached
list of accounts amounting to \$290.08 chargeable to
Public Gardens, and \$87.40 chargeable to Fleming
Park were submitted and passed as correct, and
recommended to the City Council for payment.

J.B. Kenny
MAYOR AND CHAIRMAN

Moved by Alderman Munnis, seconded
by Alderman Gastonguay that the report be adopted

February 11th, 1926

PUBLIC GARDENS-PURCHASE OF TREES

Read report of the Committee on
Gardens, Parks and Common recommending the purchase
of 100 trees at a cost of \$103.75:-

Mayor's Office
City Hall, Feb. 10th, 1926

To His Worship the Mayor,
and Members of the City Council.

Gentlemen:-

At a meeting of the Committee of
Gardens, Parks and Commons held this day, the
Committee decided to recommend that the purchase
of One Hundred (100) trees at a total of \$103.75
be made from John Connon of Hamilton, Ontario at
the prices submitted.

Respectfully submitted,

J. B. Kenny
MAYOR AND CHAIRMAN

Moved by Alderman Munnis, seconded.
by Alderman Gastonguay that the report be adopted.
Motion passed.

*Auditor
City Hall*

FIRE DEPARTMENT- TENDERS UNIFORM CAPS

Read report of the Committee of
Firewards covering tenders for Thirty(30) Uniform
caps for men of the Department:

Committee Room, City Hall,
Jan. 11th, 1926

His Worship the Mayor,
and Members of the City Council.

Gentlemen:-

At a meeting of the Committee of
firewards held this day, tenders for the supplying
of 30 uniform Winter Caps were opened from the
following:-

Colwell Bros. Ltd.	\$3.25
Frank Colwell, Ltd.	3.00

Your Committee respectfully recommend
that the tender of Frank Colwell Ltd. @ \$3.00 per cap
be accepted.

Respectfully submitted,

W. S. Munnis,
CHAIRMAN

*And also
for Churchill*

Feb. 11th, 1926

Moved by Alderman Munnis seconded by Alderman Daw that the report be adopted. Motion passed.

FIRES THEIR CAUSES & LOSSES

Read report Committee of Firewards covering report of Chief Churchill of the Halifax Fire Department re fires their causes and losses during the month of January:

Committee Room,
City Hall, Feb. 10th, 1926

His Worship the Mayor,
and Members of the City Council

Gentlemen:-

At a meeting of the Committee of Firewards held this day, the attached report of Chief Churchill re Fires, their causes and losses was submitted and ordered to be forwarded to the City Council for its information.

Respectfully submitted

W. S. Munnis
CHAIRMAN

Halifax, Feb. 1926

Board of Firewards;

Gentlemen:-

Herewith I make the following report for the month of January during which there were 64 alarms from the following causes:

False 4, chimneys 39, unknown 2, defective wiring 3, oil stove exploded 1, smoke 1, overheated pipes 2, poor construction 2, overheated gas stove 1, hot coals, 2 ignition following by explosion 1, thawing water pipes 1, hot fat in oven 1, careless smoking 1, defective hearth, 1, hot poker set fire to wood 1, hot soot 1.

Property at risk	\$715,600.00	
Insurance Losses		\$7324.50
Losses not insured		8070.00
Total losses		<u>\$14394.50</u>

Respectfully submitted
J. W. Churchill,
CHIEF H. F. D.

Feb. 11th, 1926

✓
WORKS DEPARTMENT-TENDERS FOR DREDGING
McFATRIGES DOCK

Read report of the Committee on Works
and City Engineer, re tenders for dredging McFatrignes
Dock:

Halifax, N.S.
Feb. 11th, 1926

DREDGING McFATRIDGE'S DOCK

His Worship the Mayor and City
Council.

Sir:-

At a meeting of the Works Committee held
on the 10th inst., the City Engineer submitted tenders
received for dredging McFatrige's Dock. The report
was approved and recommended to Council for adoption.
Copy of same is hereto attached.

Respectfully submitted

A. F. Messervey,
CLERK OF WORKS

CITY ENGINEERS OFFICE
Halifax, N.S. Feb. 6-26

DREDGING AT McFATRIDGE'S DOCK

His Worship the Mayor,

Sir:-

I beg to report that in response to
advertisement three tenders were received for
dredging at McFatrige's Dock.

Halifax Dredging Co. Ltd.	\$2,275.00
Wm. McFatrige..	1,350.00
Standard Construction Co. Ltd.	1,485.00

I have a letter from the Halifax
Dredging Co., Ltd. who agree to reduce their price
to \$1,231.00, and I would recommend that the con-
tract be awarded to them at this latter figure.

Respectfully submitted

H. W. Johnston,
CITY ENGINEER.

Feb. 11th, 1926

*Copy to
Auditor's Office*

Moved by Alderman Dew seconded by
Alderman Power that the reports of the Committee
on Works and City Engineer be adopted. Motion passed.

TAX COLLECTIONS FOR JANUARY 1926

Read report of the City Auditor
covering Statement of taxes and other rates collected
during the month of January 1926:-

City Auditor's Office,
Halifax, N.S. Feb. 11th, 1926

His Worship the Mayor,
and Members of City Council.

RE: TAX COLLECTIONS

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

I enclose herewith monthly statement
as to Tax Collections and outstanding Taxes for the
month of January 1926, and supplement same by the
following additional information:-

The Collections during January on
account of back years taxes amounted to \$41,719.17 as
compared with \$64,798.92 for the previous month.
In this connection I would point out that a large cheque
was received from the Government during December which
inflated the December Collections for comparative
purposes.

In order that you may compare back years
Tax Collections with those of last year, I give you the
following:-

	<u>1924-25</u>	<u>1925-26</u>
May to December Collections	\$366,459.15	\$392,582.24
January	70,957.69	41,719.17
	<u>\$437,416.84</u>	<u>\$434,301.41</u>

It will therefore be seen that there is a decrease of
\$3,091.41 in the collection of back Years Taxes during
the nine months to 31st January last as compared with the
same period last year. Here again it is necessary to point
out when making comparisons that in January 1925 there was
a large cheque of over \$40,000.00 received from one
estate cleaning up several years arrears. The small falling
off in back Years Collections as at 31 Jan. will be recovered
this month as the Collections in February compare

Feb. 11th, 1926

favourably with those of this month last year.

The Collections on account of Current Years taxes during January amounted to \$30,982.50 being an increase of \$8,000.00 over those of December. The Current Tax Collections of this year compare with last year as follows:-

	<u>1924-25</u>	<u>1925-26</u>
Total Current Tax Collections to 31 Dec.	\$1,147,388.67	\$1,164,216.03
January Collections	60,731.12	30,982.50
	<u>\$1,208,119.79</u>	<u>\$1,195,198.53</u>

It will be seen from the above that there is a falling off in the Collection of Current Years Taxes of \$12,921.26 for the nine months to 31st January 1926, as compared with the corresponding period of last year, to which figure must be added approximately \$13,000.00 for comparative purposes, as the levy this year is larger than last year.

It will be noted there is still the large sum of \$660,205.67 outstanding of Current Years Taxes and that the Collections for January only amounted to \$30,982.50. The Collections during the ten days of this month show a further falling off so that the position in regard to Current Years Taxes is very discouraging and unless the Collector considerably increases his collections during the remaining portion of the Civic Year to 30th April next the City will have difficulty in financing its obligations, and further will end the year with an increase in its arrears outstanding as compared with a year ago.

Yours truly,

H. F. Glass,
CITY AUDITOR.

STATEMENT AS TO TAX COLLECTIONS
AS AT 31st JANUARY
1926

General Tax Arrears Prior to 30 April 1924

Balance as at 31 December 1925	\$1,393,931.60
Less	
Cash Collections during month of Jan. 1926	<u>29,782.10</u>
Total Tax Arrears outstanding 31 January 1926 Exclusive of year 1924-5	\$1,364,149.50

Feb. 11th, 1926

GENERAL TAX ARREARS FOR YEAR ENDING 30 April 1925

Balance as at 31 December 1925	\$373,468.25
<u>Less</u>	
Cash Collections during month of January 1926	<u>11,932.07</u>
Total Tax Arrears outstanding 31 Jan. 1926 for year 1924-25	<u>\$361,536.18</u>

Poll Tax for year ending 30 April 1925

Total Estimated outstanding 31 Dec. 1925	1,694.00
<u>Less</u>	
Cash Collected during January 1926	<u>5.00</u>
Total Estimated Poll Tax outstanding 31 January 1926 Year 1924-25	<u>\$1,689.00</u>

Total Arrears as above \$1,727,374.68

Current Years General Taxes year 1925-26

Balance outstanding 31st Dec. 1925	\$691,188.17
<u>Less</u>	
Cash Collected during month Jan. 1926	<u>30,982.50</u>
Total Current Year Taxes outstanding 31 January 1926	<u>\$660,205.67</u>

Poll Tax for Current Year 1925-26

Total Estimated outstanding 31 Dec. 1925	3,072.00
<u>Less</u>	
Cash Collected during month of January 1926	<u>35.00</u>
Total Estimated Poll Tax outstanding 31 January 1926	<u>\$3,037.00</u>

Dog Tax for Current Year

Total Collected in Excess of Estimates as at 31 December 1925	254.00
<u>Add Collections during month of January 1926</u>	<u>4.00</u>
Total Collected in excess of Estimates at 31st January 1926	<u>\$258.00</u>

Feb. 11th, 1926

Water Rates

Total outstanding 31 December 1925	\$219,034.21
<u>Add</u>	
Additional monthly charges	<u>1,498.07</u>
	\$220,532.28
<u>Less</u>	
Cash Collected during month of Jan. 1926	<u>3,154.70</u>
Total Water Rates & Taxes outstanding 31 January 1926	<u>\$217,377.58</u>

Total Cash Collected on Account of the above rates and taxes during month of January 1926 \$75,895.37

FILED

✓
DEPARTMENTAL APPROPRIATIONS

Read report of the City Auditor covering statements of Departmental Appropriations as at December 31st 1925:-

City Auditor's Office,
Feb. 11th, 1926

His Worship the Mayor,
and City Council.

Gentlemen:-

I enclose herewith the usual statement of appropriations as at the 31st December 1925 copies of which have been supplied the various departments.

You are already aware that there will be shortages in the amounts required to operate the City Home and Prison, and that Legislation is being sought to provide for same.

Yours truly,

H. F. Glass,
CITY AUDITOR.

FILED

Feb. 11th, 1926

✓
POLICE OFFICER ALFRED WOOLASTON
REFUND OF SUPERANNUATION PAYMENTS

Read reports of the Police Committee and City Treasurer recommending a refund to Ex- Police Officer Alfred Woolaston of the sum of \$259.06 being amount equal to one-half of his contributions without interest to the Police Superannuation Fund:

Halifax, N.S.
February 8th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Police Commission on the 8th day of February 1926, the attached report from the City Treasurer, re Claim of Ex-Constable F. Woolaston from Police Superannuation Fund, was read, and on motion of Alderman Cameron seconded by Alderman Whelan, was recommended to Council for payment.

Respectfully submitted,

J.B. Kenny,
MAYOR AND CHAIRMAN

Halifax, N.S. Jan. 28th, 1926

His Worship the Mayor,
and Members of Police Commission.

Gentlemen:-

There is recorded deductions from the salary of Police Officer Alfred Woolaston amounting to \$518.13 in accordance with Section 53 of Chap 60 Acts 1924 repealing Section 274 of City Charter 1914 he is entitled to receive from the fund an amount equal to one half of his contributions without interest viz \$259.06.

Respectfully submitted,

James T. Hopewell,
CITY TREASURER

Feb. 11th, 1926

Moved by Alderman H.W. Cameron ,
seconded by Alderman Power that the reports of the
Police Committee and City Treasurer be adopted.
Motion passed.

*Auditor
Treasurer
Woolaston*

CITY HOME AND T. B. HOSPITAL-MONTHLY
REPORT TO J anuary 1926

Read report of the Charities
Committee for the month of January 1926 showing the
number of inmates in the City Home on the 31st
January to be 297 and the number of patients in
the Tuberculosis Hospital to be 36:

Halifax, N.S. Feb. 9th, 1926

His Worship the Mayor,
and Members of City Council

Gentlemen:-

The Charities Committee met this
day and beg to submit the following report. MEMBERS
PRESENT:- The Chairman Aldermen Sanford and Gastonguay.

SUPERINTENDENT'S REPORT CITY HOME JANUARY 1926
NO OF INMATES 297

The Superintendent's report shows
that during the month of January 1926 there were 7 persons
admitted into the City Home, one born, 2 discharged and
1 died. Of the number admitted, 2 were chargeable to
the Province, one to East Hants and 4 to the City.

The total number of inmates January
31st 1926 was 297, made up of 159 men, 135 women and
3 children. On the same date last year there were 185 men,
133 women and 5 children a total of 323.

SUPERINTENDENT'S REPORT TUBERCULOSIS HOSPITAL JANUARY
1926 PATIENTS 36

THE Superintendent's report shows that
during the month of January 1926 there were 8 patients
admitted into the City Tuberculosis Hospital, 3 men and
5 women, 2 men were discharged and 2 men and 3 women
died.

The total number of patients Jan.
13st 1926 was 36 made up of 19 men and 17 women. On
the same date last year there were 21 men, 22 women and
1 child a total of 44.

Respectfully submitted

FILED.

Andrew Hubley,
CHAIRMAN

Feb. 11th, 1926

✓
TAG DAY SALVATION ARMY

Read letter of Harold C. Ritchie Major
Salvation Army asking permission to hold a Tag Day
On May 22nd inst:-

Halifax, N.S. Feb. 4-26

His Worship Mayor Menny,
City Hall,
Halifax, N.S.

Dear Sir:-

We are approaching the date when the
authorities throughout the larger cities and towns
in Canada grant us permission to hold a Tag Day in
connection with our Annual Self Denial Effort.

I am therefore writing to ask your
kind permission to set aside Saturday, May 22nd for us
in Halifax.

Thanking you in anticipation of a
favourable reply, I am,

Yours sincerely,

Harold C. Ritchie,
MAJOR.

Major Ritchie
Moved by Alderman Power, seconded by
Alderman Smeltzer that the request be granted. Motion
Passed.

✓
COAL WEIGHERS REPORT

Read report of A.H. Cullymore, Super-
intendent of Coal Weighers for the month of December
1925.

FILED

✓
ASSISTANT CITY SOLICITOR

Read application of Mr. E.F. Doyle
for the position of Assistant City Solicitor:-

Feb. 11th, 1926

Halifax, N.S.
January 15th, 1926

His Worship the Mayor

Dear Sir:-

I beg to make application for the position of Assistant City Solicitor which I see is proposed to be filled by the City Council. As to my qualifications therefor will be pleased to enumerate them when called for.

Yours truly,

Ernest F. Doyle.

FILED

✓
LOANS MATURING 1926

Read letter from Jas. J. Hopewell, City Treasurer informing the Council that City of Halifax stock to the amount of \$186,000.00 falls due on the 1st day of July next:

Halifax, N.S.
February 11th, 1926

His Worship Mayor Kenny
and City Council.

Gentlemen:-

I beg to notify you that on the first day of July, 1926- City of Halifax Stock to the amount of \$186,000.00 falls due \$55,000 on account of Water Extensions \$21,000 for Schools, \$15,000 for Public Gardens \$70,000 for Sewerage, and \$25,000 for Dry Dock subsidies, and request that the Trustees of the Sinking Funds be so notified in accordance with the attached resolution

Respectfully submitted
Jas. J. Hopewell
CITY TREASURER

✓
The following Resolutions are submitted:-

RESOLVED that the Trustees of the Sinking Funds be notified that City of Halifax Stock to the amount of \$21,000 for School purposes falls due on the first day of July 1926, and that the City hereby requests that the said sum of \$21,000 be paid by the said Trustees to the City Treasurer for the purpose of retiring said Bonds from the Schools Sinking Fund.

Moved by Alderman Power seconded by Alderman Hubley and passed unanimously.

RESOLVED that the Trustees of the Sinking Funds be notified that City of Halifax Stock to the amount of \$25,000. for Water Extensions falls due on the first day of July 1926, and that the City hereby requests that the said Sum of \$25,000 be paid by the said Trustees to the City Treasurer for the purpose of retiring the said Bonds from the special Sinking Fund 1901 created under Chapter 60 Edward VII.

Moved by Alderman Power, seconded by Alderman Hubley and passed unanimously.

RESOLVED that the Trustees of the Sinking Funds be notified that City of Halifax Stock to the amount of \$140,000 (for water extensions; \$30,000 Public Gardens- \$15,000; Sewerage proper \$70,000. Dry Dock subsidies \$25,000) falls due on the first day of July 1926, and that the City hereby requests that the said sum of \$140,000. be paid by the said Trustees to the City Treasurer for the purpose of retiring the said bonds from the General Sinking Funds.

*Mayor
Councillor
Treasurer*

Moved by Alderman Power, seconded by Alderman Hubley and passed unanimously.

ISOLATION HOSPITAL-REPORT CITY HEALTH BOARD

Read report of the City Health Board on

Feb. 11th, 1926

conditions existing at the Isolation Hospital:

Halifax N.S. Feb. 11-1926

His Worship the Mayor,
and City Council.

Gentlemen:-

At a meeting of the City Health Board held this date, report was read from the Secretary, pointing out the hazards the Members of the Staff and the patients at the Isolation Hospital are subjected to, during the winter, due to snow storms.

I was directed by resolution to forward the report as read, to the City Council, for immediate consideration.

Respectfully submitted
Arthur C. Pettipas,
SECRETARY C.H.B.

.....
Halifax, N.S. Feb. 11, 1926

Chairman and Members
City Health Board.

Gentlemen:-

For your information and necessary action I wish to report on the undesirability of the Isolation Hospital at Rockhead. The location of the Building, in my opinion, militates against its use for the treatment and observation of patients suffering from contagious or infectious diseases. The seriousness of the situation can no longer be covered up, due to the difficulties experienced so far this winter in providing the hospital, the patients, and the staff with what measure of protection for their safety to which they are entitled.

Following the first snow storm of the Season much trouble was experienced in establishing proper travel communication to the Hospital, but these were removed with as little delay as possible by City Workmen. Then followed other storms and on top of that came the very heavy snow storm which completed the entire blockade of not only the main lines to the hospital by way of Gottingen and Robie Streets, but the lane leading from the end of Gottingen Street line into the Hospital, fully a quarter of a mile. The Gottingen Street line via the lane is the principal route to the Hospital. With these avenues completely blocked and with no machinery available for the removal of it, the Hospital was shut off for four days, so far as all kinds of traffic was concerned. As a matter of fact there were one or two days when no one could get in or out of the Hospital. There was no way whereby patients who had recovered could be discharged and the same condition applied in connection with the admission of patients. The ambulance could not reach the Hospital, neither could any other conveyance, as the snow was banked in some places ten feet high.

The conditions of the lane was perhaps the worst outside of a portion of Gottingen Street about a quarter of a mile this side of the City Prison. In the meantime the Hospital was running short of provisions and was unable to get a milk supply and had to depend upon tinned milk as a substitute. The first outside communication established for the delivery of foodstuffs to the Hospital was by having them delivered at the City Prison and from there carried across the field in small quantities. Another important factor in connection with supplies is that of coal delivery.

Feb. 11th, 1926

The Hospital only has accommodation for a limited amount of coal and there are times when the dealer has a large supply that the Hospital is only able to take a certain amount. Then, when coal is needed, the dealer may not have it available. The recent storms showed the necessity of having a supply on hand, but to have it piled outside the building, would not be very satisfactory as much of it would be stolen at night. The only other alternative, if the Hospital is to be kept where it is, is to provide a small coal shed outside so that the coal could be kept under lock and key and only used in case of an emergency, such as was experienced this winter.

Realizing that the situation was a serious one and in the event of fire, nothing short of a shocking tragedy could have been prevented, an appeal was made to the Works Department, but no assurance of immediate relief could be given as the number of workmen for the removal of snow seemed to be limited and those engaged apparently could not be taken away from where they were working. On the day following the blizzard nothing by way of relief could be given to open up a thoroughfare as the storm continued with heavy winds which continued to fill in any places which might be cleared out. Finally a letter was sent to the City Engineers as follows:-

Feb. 6th, 1926

Dear Sir:-

The roadway leading to our Isolation Hospital is badly blocked with snow, this including all the portion on this side of the City Prison right to the entrance of the Government Tracoma Hospital and from there through the lane to the Hospital, proper. In conversation with Mr. Downey yesterday, he said that if weather conditions were favourable today he would put men to work to clear the roadway. Whether Mr. Downey has the authority to have this work continued until it is possible for teams to reach our hospital, I do not know, but I wish to point out on the Hospital, I do not know, but I wish to point out on the instructions from the Chairman that it is absolutely necessary that the snow drifts be cleared so that our Hospital may be reached. It has now been cut off for nearly two days. The matron informed me yesterday that she was short of supplies including coal. We have five patients in the Hospital, one of whom is very sick and with the thoroughfare blocked, medical attendance is deprived this patient. In case of fire, the situation would be extremely serious and may possibly result in loss of life. I would appreciate your assistance in this matter so that if necessary men may be kept at work all day today and on Sunday.

The Chairman instructed me to use every means to have the thoroughfare opened up. It was suggested that the men now working at the stonished might be placed on this work along with others and any adjustment of the cost to be taken up later with the Board of Health.

Feb. 11th, 1926

I was in touch yesterday with Governor Grant at the City Prison with a view of obtaining assistance from him but he was unable to give any help as the men he had were busy clearing the roadway leading to that institution.

I would greatly appreciate a reply to-day as to what assurance you can give in having this roadway to our Hospital open for traffic.

Respectfully yours,

Arthur C. Pettipas,

SECRETARY C.H.B.

A number of City workmen were placed on the Gottingen Street Line, where a large number of tramway men were working, but no assistance could be obtained to have the lane leading to the Hospital opened up, which made conditions extremely bad and challenged this Department to adjust a serious situation empty handed. Governor Grant at the City Prison was appealed to for assistance but on the day following the storm was not in a position to comply as he was confronted with a situation which required all the resources at his command to adjust. His own institution was blocked and he, too, was unable to get certain supplies. On Saturday, February 6th City workmen continued the removal of snow on Gottingen Street, while Governor Grant generously placed a number of men on the Hospital lane where they did good work, but the banks of snow had drifted to such an extent that it was impossible for them to complete their undertaking and it was not until 3 o'clock on Monday, February 8th, that the Hospital was open to traffic and then only through the co-operation and assistance of Governor Grant of Rockhead Prison.

It appears that the Works Department have no special control over the Hospital lane and do not feel that the clearing of the lane is contingent upon them or that it should take precedent over the clearing of main arteries in the City. As this Department has no facilities for doing this work and has no money for hiring men, and if it had on this occasion workmen were not available, as the City, I was informed, could not get all the men they wanted I felt that in justice to the members of the Board and to myself that the circumstances in connection with the Hospital arising out of the recent storms should be placed before the Board with a view of steps being taken to have the hospital abandoned as a permanent institution for the treatment of infectious and contagious diseases.

The seriousness of the situation just past cannot be overlooked, neither can it be denied that in the event of a fire having occurred.

Feb. 11th, 1926

at the hospital nothing short of a tragedy would have happened. The fire apparatus could not have reached the hospital and it would have been only after a valuable loss of time that any firemen or citizens could have responded to the call for assistance. There are five patients in the Hospital besides a staff of five and there is no provision for placing any of the patients or the staff in a temporary building in the event that anything should happen. In other words, there are no outdoor buildings on the property. The Hospital as is well known, is not fire proof and has no semblance of it. While we have a fair amount of apparatus for meeting an incipient blaze by fire extinguishers and the Hydrant located outside the building, the protection is quite inadequate in the event of the roof catching on fire, and if fire does occur it is very liable to catch from the outside as the chimneys are not built for taking care of furnace fires. They become choked with soot and cannot be cleaned out in winter time without letting the fires out and fires cannot be let out in the cold weather when patients are there otherwise the patients would suffer complications from the cold. On five occasions this winter the main chimney caught fire with the result that the fire in the furnace had to be lowered and this made the building colder than it should have been for the comfort, safety and convenience of the patients and the members of the staff.

I had the chimneys cleaned out as late in the year as possible, but on account of the unsuitability of the chimneys, one cleaning in a year is insufficient when fires have to be kept steadily going for five or six months.

The matron at the Hospital has complained to me that she has been extremely nervous on windy nights and has been greatly worried about the safety of those in her charge. The fire department had to be called out on one occasion, but fortunately the roads were not blocked with snow. In the event of a serious fire occurring there would be no way for the patients to be cared for and the only safeguard if it could be so called would be to put them outdoors in the cold and subject them to the hazards of the elements. Such a situation could not but have disastrous results and one which I feel certain the Members of this Board do not desire to be held responsible for. It is for that reason and as a protection to myself and to the Staff at the Hospital that I call attention in the way I have to the existing conditions. This is not the first time that this Department has been faced with a similar situation but it would seem as though there must be an end to it as the responsibility, in my opinion, seems to be too great to assume without full and complete information. I feel that it is better to be acquainted with the true facts and conditions than to wait until the tragedy occurs and have them disclosed under a searching investigation.

The present hospital building is old and it is only a few years when it will be quite

Feb. 11th, 1926

unfit for further use unless a large expenditure for improvements is made. The hospital was erected in 1870 and the first cases admitted were in 1892. The building was erected principally for the use of small pox patients and in 1893 was used for Scharlet Fever and diphtheria, and some years later was used for general cases of infections and contagious diseases. The building was enlarged since it was first erected. The explosion practically laid in ruins the building. The part of it remaining left no more than two rooms which could be used under prevailing fine weather conditions and as a matter of fact even these two rooms could not be used with safety. For nearly a year the building in its partially destroyed state was open to the weather as nothing could be done through the heavy storms which followed the explosion. The site was abandoned and a temporary hospital was erected on Morris Street. About two years later the hospital was recovered and made weather proof at a cost of about \$4,000. in addition to the installation of a new heating system costing about \$6,000. Only minor repairs which would keep the building waterproof have been made annually.

In 1915 Dr. Almon submitted two reports regarding the condition of the Hospital pointing out that the building was not suitable for the accommodation of several kinds of diseases at the same time due to the danger of cross-infection. Some improvements were carried out following the report of Dr. Almon. The building is not now in a good state of repair and it would require quite a large amount to carry out the necessary improvements, but even if this was done it is quite evident that the building is situated too far from the centre of the City, thus offering hazards which are not desirable. As the present board knows, it is difficult to get firms to tender for supplies and very few will undertake to re-accept contracts as they have learned by experience that it does not pay them to do so. There are other bad features which militate against the maintenance of the Hospital where it is now located, but the ones I have outlined are perhaps the more important.

Respectfully submitted,

Arthur C. Pettipas,

SECRETARY C.H.B.

Moved by Alderman Daw, seconded by
Alderman Smeltzer that consideration of this matter
be deferred until next meeting and that copies of
the report be sent to each member of the Council.
Motion passed.

Council

February 11th, 1926

✓
Read letter M r. W.P. Buckley in
ference to the Secretary of the City Health Board being
a non-resident of the City and an Alderman of the
Town of Dartmouth:-

Halifax, N.S. Jan. 29-26

To His Worship the Mayor,
and Members of the City Council.

Gentlemen:-

At the request of a number of
Citizens , I desire to call your attention to the
fact that A.C.Pettipas, Secretary of the Board of
Health, A Civic Official, is an Alderman of the town
of Dartmouth, and we cannot consistently understand,
in view of the fact that there are times when the
City ,County, and Dartmouth clash over financial
affairs, how he can look after the interests of the
City of Halifax and Dartmouth at the same time. The
City of Halifax at the present time on account of the
mode of assessment of Dartmouth and the County are
given a very bad deal in the manner in which the pay-
ment of joint expenditures is made up on account
of the low assessment of Dartmouth and the County.
It is not fair to our other employees of the City that
a man living outside the City should hold the position
occupied by A.C.Pettipas and you are all aware that the
Board of Health has been a bone of contention in Civic
Affairs and needs re-organization. We are overloaded
with expenditures and the expenditures are far too high.
Secretary Pettipas has had a Stenographer in order to
catch up with his subsidiary jobs as he does other work
outside of his official duties to the City, and the City
carries the whole cost .

I am bringing this matter to your
attention and you can deal with it as you see fit.
However, in the interests of economy and efficiency,
it is about time that this state of affairs which has
gone on too long, is remedied.

The Board of Health was put over
on the Taxpayers of this City on the promise that the
expenditure would not exceed Five Thousand Dollars per
year. It is now exceeding over Forty Thousand Dollars
a year and it is the least that the Citizens of this
City can expect that some of the Officials can at least
keep sober on their jobs.

Yours

W.P. Buckley.

Referred to the City Health Board
for information and report.

-478-

D. Forrest
A. C. Pettipas

Feb. 11th, 1926

LEGISLATION 1926

Read report of the Laws & Privileges
Committee covering a Draft Act to amend the law re-
lating to the City of Halifax:-

Committee Room

City Hall, Feb. 8th, 1926

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

The Laws & Privileges Committee
beg to report that at a joint meeting of this Committee
with the Finance Committee the attached Draft Act
to amend the Law relating to the City of Halifax
was under consideration and is recommended to the City
Council for adoption.

Respectfully submitted

B. W. Russell,
CHAIRMAN.

AN ACT TO AMEND THE LAW RELATING TO
— — — THE CITY OF HALIFAX — — — —

BE IT ENACTED by the Governor, Council
and Assembly as follows:-

1. In this Act the expression "City" means the
City of Halifax, the expression "Council" means the
City Council of that City, and any Committee or
Official herein mentioned by name means the Committee
or Official of that name of the said Council or City;
The expression "Charter" means the Halifax City
Charter of 1907, or the Halifax City Charter of 1914,
and any amendments thereto according to the sections
of those charters respectively as now in force under
and by virtue of Chapter 80 of the Acts of 1919, and
sections referred to by numbers without any reference
are the sections of the said Charters, or any amendments
thereto now in force under the said Chapter 80 of
the Acts of 1919, and this Act shall relate ex-
clusively to the City of Halifax.

Feb. 11th, 1926

2. The Clause marked (c) added to Section 31 of the Charter by Section 4 of Chapter 60 of the Acts of 1924 is hereby suspended in its operation until the last Wednesday in April 1927.

3. Section 304 as amended by Section 12 of Chapter 74 of the Acts of 1914 is amended

(a) by adding at the beginning thereof the words "Except as is herein otherwise provided", and

(b) by adding thereto the following subsection:

(2) "This section shall not apply to the case of an Official who is dismissed by the Council for just cause, and the Council may by a two thirds vote of the whole Council if it has reasonable grounds for believing that such just cause exists in respect to any official who tenders his resignation withhold the acceptance of such resignation for not more than one month in order to investigate the matter of such dismissal and to initiate proceedings to affect the same".

4. Section 338 Sub-Section 2 is amended by striking out in the first line the words "not exceeding two and one-half per cent" and substituting therefor the words "of a sum representing such percentage of the total amount to be raised as is deemed requisite"

5. Amend Section 341, sub-section 6 by adding thereto the words "And all other expenses legitimately incurred by him in transacting the business of the City"

6. Sub-Section (8) of Section 378 is amended by substituting the figures "1926" for the figures "1906" in the last line thereof.

7. Section 433, sub-section (2) is amended by adding thereto the words following:-

"and every employer of labor in the City shall on request furnish to the Assessor the name and address of every person in his employ in receipt of an income of Seven Hundred Dollars or upwards".

8. Section 508 Sub-section (3) is amended by striking from the second line thereof the words "one month" and substituting therefor the words "Sixty days".

9. Section 6 of Chapter 54 of the Acts of 1922 is hereby amended by striking out the figures "677" from the first line thereof and substituting the figure "737"

10. Section 771 Sub-Section (1) is amended by striking out from the fifth and sixth lines thereof the words "by the Council".

Feb. 11th, 1926

11. Section 35 of Chapter 60 of the Acts of 1924 is hereby repealed.

12. Section 10 Chapter 83 of the Acts of 1925 is repealed and the following substituted:

(1) There shall be constituted a Board composed of the Collector, the Auditor and a person to be appointed by the Chief Justice of the Province to deal with the arrears of rates, taxes and betterment charges outstanding and due or appearing to be due previous to the first day of May 1926.

(2) Such Board shall have power:

(a) to adjust and determine any such rate, tax or charge in dispute and to ascertain and fix the amount due to the City.

(b) to compromise any such rate tax, or interest not in dispute and not secured by a lien upon any real property, and which is proved to the satisfaction of the Board to be impossible to collect in full.

(c) to extend the time for payment of any amount found to be due or which is agreed upon as a compromise or to make any other arrangement respecting the payment of the same which the Board deems proper and in the interest of the City, including the taking in the name of the City of any mortgage of real or personal property or other security.

(3) No compromise of any undisputed amount shall be made unless the person indebted first files with the Board an Affidavit that he is unable to pay the amount claimed in full.

(4) Any such adjustment, compromise or arrangement shall be binding and final, and conclusive upon the City and upon the person indebted.

(5) The Board may examine any witness and may, if it deems fit, require evidence to be given under oath, such oath to be administered by any of the Board.

(6) Two Members of the Board shall constitute a quorum for the transaction of business.

(7) Such Board shall continue for two years from the date of this Act, and may be continued from year to year for further periods of one year each by order of the Governor-in-Council.

Feb. 11th, 1926

13. (1) The Council may appoint a Barrister of the Supreme Court of Nova Scotia, of not less than five years standing to be assistant City Solicitor to assist the City Solicitor especially in reference to the Collection of Taxes and other charges due the City, to act in place of the Solicitor when he is not in attendance, and to discharge such other duties of the Solicitor as are from time to time specified by the Council. The person appointed shall hold office for not more than two years and may be paid such Salary as the Council determines, not exceeding Two Thousand Dollars per annum. For the next ensuing Civic Year the amount required may be borrowed from any Bank or Fund Available, and included in the Civic Estimates of the following Civic Year and thereafter in the Annual Estimates.
- (2) Nothing in this Section shall be deemed to affect the provisions of Section 157.
14. (1) Any amount which has been assessed and rated against any person for rates and taxes or for a betterment charge shall be deemed to be a "judgment" in favour of the City against such person within the meaning of the Collection Act, notwithstanding the provision of the Clause Marked (e) of Section 3 of that Act and any proceedings which might be taken by a creditor upon any Judgment or upon any order of an Examiner against a person under the said Act, may be taken by the City against the person so assessed and rated.
- (2) A Warrant for the collection of rates and taxes shall be deemed to be an execution for the purpose of said Act.
- (3) The Stipendiary Magistrate or Assistant Stipendiary Magistrate of the City shall be an examiner within the meaning of the said Act for the purpose of conducting any examination or making any order or other purpose for the collection of or for enforcing payment of the amount so assessed and rated and such examiner shall be entitled to receive the fees usual in such case.
- (4) The duty performed by the sheriff under the Collection Act shall for the purposes of this Section be discharged by the Chief of Police, and any person ordered to be committed to prison, under this section may be committed to either the County Jail or the City Prison at Rockhead.

Any execution required to be issued upon any order made by an examiner may be issued by the City Clerk under his hand and the seal of the City Court, and the recital of the form of execution given in the collection shall be modified accordingly.

(5) Nothing in this section shall be construed to deprive the person so assessed and rated of any right or remedy which he has to contest the validity or amount of such assessment and rating.

15. (1) notwithstanding any provisions of the Charter or any amendment thereto to the contrary the following provisions respecting the lien of the City for rates, taxes and betterment charges, water rates or other charges (hereinafter called lien charges) assessed or imposed or due for payment in respect to any real property in respect to certain years, and the sale of such property for the realization of such lien charges shall have force and effect.

(2) The liens on real property specified in section 447 and in other Sections shall be in respect to all such lien charges assessed or imposed or due for payment in respect to any real property for or during the Civic Year which began on 1st May, 1921 and for each succeeding Civic Year up to and including those for the Civic Year which began 1st May 1925, shall continue and be in force until 31st May 1928, and if previous to such last mentioned date, proceedings have been begun to sell such property in order to realize any such lien charge, the said lien shall continue for such further period as is necessary to complete such sale.

(3) In place of the provisions of Section 458, the following provisions shall apply to any property in respect to which any such lien charge for the aforesaid years, is unpaid.

(a) The Collector may give to the owner or Agent of any such property by personal Service or registered letter addressed to his last known address a Statement in full of all such lien charges due upon or in respect to the said property whether by the then owner or by any previous owner, together with a notice in writing that if such charges are not paid within one month from the date of such notice or arrangements for the payment thereof made to the satisfaction of the Collector, the said property will be sold by the Collector to realize the payment of the said Liens (Provided that no property in respect to which no lien charge is due in respect to any year which began before 1st May 1925, shall be sold before 1st May 1927)

Feb. 11th, 1926

(b) If within the said month the said charges are not paid, or arrangements for the payment thereof made to the satisfaction of the Collector, the Collector may proceed to sell the said Real Property for the realization of the same in the manner hereinafter provided.

(c) If the Collector determines to sell the said Property he shall at or after the expiry of the said month publish an advertisement of such sale, giving such description of the property as is sufficient to identify the same (but not necessarily by metes and Bounds) and the amount due for all lien charges with interest thereon to the date of the sale and the charge for advertising the sale and the cost of obtaining a proper description of the property, if the same is required, at least thirty days previously to the day of sale, by one insertion each week in two daily papers published in the City.

(d) The amount of rates, taxes or charges, interest and expenses, stated in the Collector's advertisement shall in all cases and in any action or other proceeding touching the assessment, rating or taxing of the real property therein mentioned be conclusive evidence of the legality of the assessment, rating or taxation or the imposition of any charge and that the said rates and charges were due and unpaid and that the real property mentioned in such statement was legally liable for the amount of rates, taxes or charges, interest or expenses specified and that the said amount of rates, taxes or charges was a lien upon such property.

The form of Deed given in Section 470 may be modified by making the recital therein conform to any sale made as aforesaid.

16. Section 336 Clause (e) is amended to read as follows:

A sum not exceeding Two Thousand Dollars for the maintenance of the Sir Sanford Fleming Park.

17. The moneys enumerated in the second Schedule hereto now lying in the Bank to the credit of the City which were borrowed on short term debentures and were not expended for the purposes for which they were borrowed and which debentures have been repaid out of current revenue shall not be paid over to the Trustees of the General Sinking Fund, but shall form a Fund to be used as a Fund to meet uncollectible taxes and may be paid to the Royal Bank in reduction of loans made in anticipation of the Collection of Taxes.

18. The City may include in its annual estimates provision for expenditure that will be required in the course of the Civic Year to meet interest on money borrowed in anticipation of the Collection of Taxes, arrears of instalments due the Province of Nova Scotia, in respect to the Housing Commission; provision for Teachers Pension Fund, the cost of preparing Voters lists, Election expenses or other charges for which Legislative authority exists, or in respect to any charge now directed by Legislation to be borrowed and included in succeeding years estimates; and moneys included in the estimates under this section, and not expended for the purposes intended, shall not be paid to the Trustees of the General Sinking Fund as unexpended Balances, but shall be carried forward to meet such expenditures in the subsequent year.

19. Sub-section (3) of Section 326a as added by section 42 of Chapter 60 of the Acts of 1924 is amended by striking out the word "two" in the first line thereof and substituting therefor the word "three"

20. Section 274 as amended by Section 53 of Chapter 60 of the Acts of 1924 is amended by adding after the word "incapacity" in the fourth line the words "or is dismissed from the force".

21. (1) notwithstanding any enactment or enactments to the contrary, every person or corporation operating any street railway or tramway in the City of Halifax, shall remove all snow and ice, including any snow or ice fallen or formed upon the sidewalks from any street or streets, through, on or along which such street railway or tramway is operating or has its tracks, within forty, eight hours after the snow has fallen, and for every day on which such person or corporation fails to remove such snow or ice it shall be liable to a penalty not exceeding Five Hundred Dollars.

(2) Such removal shall be made under the order and to the approval of the City Engineer.

(3) If such person or corporation fails to remove such snow or ice the City may, whether such penalty has been imposed or not, itself remove the snow or ice and the cost of so doing may be recovered by the City by Action against such person or corporation.

(4) On November first of each year every such person or corporation shall deposit with the City Treasurer Five Hundred Dollars of lawful money of Canada, to be used by the City to carry out the provisions of this clause if such person or corporation fails so to do, Said sum to be refunded to such person or corporation if not required on the first day of May, and at no time between the said first day of November and May shall such sum be less than Five Hundred Dollars

Feb. 11th, 1926

The Public Utilities Act shall not apply to the Halifax City Water Works, or to any other utility operated by the City of Halifax.

23. The City may borrow from any Bank or Fund available the sums set out in the first Schedule hereto, and apply the same to the purposes set opposite each respectively. Any sum so borrowed with the interest thereon shall be included in the estimates for the Civic Year 1927-28 and collected therewith.

✓
FIRST SCHEDULE

AMOUNT TO BE BORROWED AND INCLUDED IN ESTIMATES FOR 1927-28:-

To pay Edwards for damages to his property by water	\$50.00
To pay amount due B.W. Russell for services on prosecution of T. Hayes.	625.00
To pay amount due Northern Electric Company	163.00
To pay deficit in City Prison Account not exceeding	1,500.00
To pay deficit in City Home Account not exceeding.	6,000.00

✓
SECOND SCHEDULE

Public Gardens Greenhouse Sec. 34 Cap. 77 Acts. 1921	5,000.00
T.B. Hospital Furniture, Sec. 34 Cap. 77 Acts 1921	3,500.00
Fire Alarm Engine Houses, Sec. 46, Cap. 86 Acts 1920	5,000.00
	<u>\$ 13,500.00</u>

/
AN ACT TO ENABLE THE CITY OF HALIFAX TO BORROW MONEY

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

The City of Halifax may borrow the sums set out in the Schedule hereto for the purposes specified and no other.

The sums so borrowed, which may be borrowed from time to time, and in such amounts as the Council of the City determines, shall be in addition to the amount authorized to be borrowed by the Halifax City Consolidated Fund Act, 1905, and amendments thereto, and shall form part of that fund and shall be secured by stock or debentures to be issued in conformity with the provisions of that Act, at a rate of interest not exceeding six per cent per annum, and the dates on which the same shall be made payable shall be determined by the Council.

SCHEDULE

To defray expenses incurred in collection of Tax arrears in accordance with Section 32 of Chapter 69 of the Acts of 1923 a further sum not exceeding \$20,000.00

Moved by Alderman Power, seconded by Alderman Hubley that this Draft Act be considered Clause by Clause. Motion passed.

Read Clause 1. Passed.

Read Clause 2. Passed.

Read Clause 3 Passed.

Read Clause 4 Passed.

Read Clause 5 Moved by Alderman

Bissett, seconded by Alderman Gastonguay that this Clause pass. Motion put and passed thirteen voting for the same and two against it as follows:-

For the Motion

Against it

Alderman Munnis
 Tobin
 Sanford
 Bissett
 Gastonguay
 MacDuff
 H.W. Cameron
 Rains
 O'Toole
 Power
 Drysdale
 W.O. Cameron
 Daw.

Alderman Smeltzer
 Hubley

- 13

-2

Feb. 11th, 1926

Read Clause 6

Passed.

Read Clause 7

Moved by Alderman Hubley,

seconded by Alderman Tobin, that Clause No. 7 be amended by substituting the following:

7. (1) Section 433 sub-section (2) is amended by adding thereto the words following:-

"And every employer of labor shall half-yearly on the second days of February and August furnish to the Assessor the name and address of every person in his employ in receipt of a yearly income of Seven Hundred Dollars or upwards.

(2) Subsection (3) of the same Section is amended by striking out the word "refuses" from the first line thereof and substituting the word "fails".

(3) Section 380 (as substituted for Section 400 by Order in Council of 24 August 1918) is amended by adding after the word City in the third line the words " on the first day of February or on"

Motion passed.

Read Clause 8

Passed.

Read Clause 9

Passed.

Read Clause 10

Passed.

Read Clause 11

Passed.

Read Clause 12

His Worship the Mayor

calls upon Alderman Power to take the Chair and he then addressed the Council from the floor of the Chamber on the subject of this Clause, strongly protesting against the adoption of this Clause, after which he resumes the Chair.

Moved by Alderman Tobin, seconded by Alderman Munnis that this Clause be amended by the substitution of the word "considered" for the word "made" in the 2nd line of Section 3, and that the word "showing" be added after the word "Affidavit" in the third line of Section 3, and that the Clause as so amended be adopted. Motion put and passed ten

voting for the same and five against it as follows:-

For the Motion:

Against it:

Alderman Tobin
Sanford
Bissett
Gastonguay
MacDuff
H.W. Cameron
Hubley
O'Toole
Power
Drysdale - 10

Alderman Munnis
Rains
Smeltzer
W.O. Cameron
Daw

-5

Clause No. 13 Moved by Alderman Bissett

seconded by Alderman Tobin that this Clause be adopted. Motion put and passed 9 voting for the same and 6 against it as follows:

For the Motion:

Against it:

Alderman Munnis
Tobin
Sanford
Bissett
Gastonguay
MacDuff
Hubley
Power
W.O. Cameron 9

Alderman H.W. Cameron
Rains
O'Toole
Drysdale
Smeltzer
Daw

-6

Clause No. 14 Moved by Alderman Gastonguay

seconded by Alderman Munnis that this Clause be amended to read as follows:-

Sub Section (1) passed as read.

" " (2) " " "

" " (3) " " "

Sub Section (4) The duties to be performed by the Sheriff under the Collection Act shall for the purposes of this Section be discharged without additional remuneration by the Chief of Police or his Deputy or by any Police Constable duly authorized by the Chief of Police in that behalf, and any person ordered to be committed, to prison under this section may be committed to either the County Jail or the City Prison at Rockhead

Motion passed.

Feb. 11th, 1926

Sub-Section (5) any execution required to be issued upon any order made by an Examiner under this Section may be issued by the City Clerk under his hand and the seal of the City Court, and the recital of the form of execution given in the Collection Act shall be modified accordingly.

Sub-Section (6) passed as read.

Motion passed. Alderman Daw dissenting.

Read Clause 15- Moved by Alderman Tobin

seconded by Alderman Power that this Clause be amended to read as follows, and that the Clause as so amended be adopted:

Sub-Section (1) Passed as read.

Sub-Section (2) Passed as Read.

Sub-Section (3) In place of the provisions of Section 458, the following provisions shall apply to any property in respect to which any such lien charge for the aforesaid years, is unpaid.

(a) The Collector may give to the owner or Agent of any such property by personal service or registered letter addressed to his last known address a statement in full of all such lien charges due upon or in respect to the said property whether by the then owner or by any previous owner, together with a notice in writing that if such charges are not paid within one month from the date of such notice, or arrangements for the payment thereof made to the satisfaction of the Collector, the said property will be sold by the Collector to realize the amount of the said charges (Provided that no property in respect to which no lien charge is due in respect to any year which began before 1st May 1925, shall be sold before 1st May 1927)

(b) If within the said month the said charges are not paid, or arrangements for the payment thereof made to the satisfaction of the Collector, the Collector may proceed to sell the said real property for the realization of such charges in the manner hereinafter provided.

(c) If the Collector determines to sell the said Property he shall at or after the expiry of the said month publish an advertisement of such sale, giving such description of the

property as is sufficient to identify the same (but not necessarily by metes and bounds) and the amount due for all lien charges with interest thereon to the date of the sale and the charge for advertising the sale and the cost of obtaining a proper description of the property, if the same is required, at least thirty days previously to the day of sale, by one insertion each week in two daily papers published in the City.

(d) The amount of rates, taxes or charges, interest and expenses, stated in the Collector's advertisement shall in all cases and in any action or other proceeding touching the assessment, rating or taxing of the real property therein mentioned be conclusive evidence of the legality of the assessment, rating or taxation or the imposition of any charge and that the said rates and charges were due and unpaid and that the real property mentioned in such statement was legally liable for the amount of rates, taxes or charges, interest or expenses specified and that the said amount of rates, taxes or charges was a lien upon such property.

(4) The form of Deed given in Section 470 may be modified by making the recital therein conform to any sale made as aforesaid.

Motion passed.

Read Clause 16 - Passed.

Read Clause 17 - Passed.

Read Clause 18 - Passed.

Read Clause 19 - Passed.

Read Clause 20 - Passed.

Read Clause 21 - Moved by Alderman Gastonguay seconded by Alderman Tobin that this Clause be referred to the Laws & Privileges Committee for further consideration and report at the next meeting of Council; and that a copy of the proposed Legislation be sent to the Nova Scotia Tramways and Power Company, Limited.

Moved in amendment by Alderman Power, seconded by Alderman Daw that this section be adopted as presented and submitted to the Legislature for enactment. Amendment put and lost four voting for the same and ten against it as follows:

For the Amendment:

Against it:

Alderman O'Toole
Power
Smeltzer
Daw -4

Alderman Munnis
Tobin
Sanford
Bissett
Gastonguay
MacDuff
H.W. Cameron
Hubley
Rains
W.O. Cameron - 10

The original motion is put and passed ten voting for the same and four against it as follows:-

For the Motion:

Against it:

Alderman Russell
Munnis
Tobin
Sanford
Bissett
Gastonguay
MacDuff
H.W. Cameron
Hubley
Rains
W.O. Cameron -10

Alderman O'Toole
Power
Smeltzer
Daw.

*Old Russell
vs Swann
& Power Code*

-4

Read Clause 22 Passed.

Read Clause 23 Moved by Alderman

Gastonguay, seconded by Alderman Hubley that the Clause be adopted. Motion put and passed, twelve voting for the same and one against it as follows:

For the Motion:

Against it:

Alderman Munnis
Sanford
Bissett
Gastonguay
MacDuff
H.W. Cameron
Hubley
Rains

Alderman Daw.

(Continued)

<u>FOR THE MOTION:</u>	<u>Against it</u>
Alderman O'Toole	
Power	
Smeltzer	
W.O. Cameron- 12	1

Read First Schedule Moved by Alderman Power, seconded by Alderman Hubley that this Schedule pass. Motion passed unanimously.

Read Second Schedule - Moved by Alderman Power, seconded by Alderman Hubley that this Schedule pass. Motion passed unanimously.

Read Page 9 "An Act to enable the City of Halifax to Borrow Money"

Referred to a special Committee appointed at this meeting to consider the matter of the City Collector preparing lists of Tax Arrears.

*Ans Bisson
"Hubley"*

RATES FOR EXTENSION OF WATER PIPE LINE

Alderman Daw submits the following to be added to the Draft Act:

Whenever the City extends the water pipe, and fixes a special rate for each house taking water from the pipe, the City shall in addition to this rate charge all properties fronting on the street through which the pipe is so extended not paying the aforesaid rate a special rate as follows:-

(a) On all vacant lots the sum of .10¢ per \$100.00 of assessed valuation,

(b) on improved lots the sum of .20¢ per \$100.00 of assessed valuation.

All these rates to be in addition to the Fire Protection rates.

Solvent

Moved by Alderman Daw seconded by Alderman W.O. Cameron that the Draft as submitted be incorporated in the Act to amend the law relating to the City of Halifax. Motion passed.

Feb. 11th, 1926

✓
FIRE DEPARTMENT SUPERANNUATION FUND

Alderman Munnis submits the following Resolution:-

RESOLVED that the Laws & Privileges Committee be requested to amend section 775 of the 1914 Charter-Making age requirement 60 years-instead of 65 years as present.

Moved by Alderman Munnis, seconded by Alderman Daw that the Resolution as submitted be incorporated in the Act to amend the law relating to the City of Halifax. Motion passed.

Solvent

✓
His Worship the Mayor submits the following to be added to the Draft Act:-

Notwithstanding any provision of the City Charter to the contrary any monies accruing to the City under the contract for street lighting between the City and N.S. Tramway and Power Company dated 1st November 1922 may be applied to reductions of the amount required in the next yearly estimate for street lighting.

Moved by Alderman Power, seconded by Alderman Hubley that this Clause be added to the Act to amend the law relating to the City of Halifax. Motion passed.

Solvent

Moved by Alderman Power, seconded by Alderman Daw that the Draft Act to amended the law relating to the City of Halifax as amended be adopted as a whole. Motion passed.

Moved by Alderman Power,
seconded by Alderman Gastonguay that His Worship
the Mayor nominate a Special Committee to watch
the progress of the City's bills through the
Legislature. Motion passed

Cons Russell
" Tobin
" Hubley

His Worship the Mayor nominates
as a Special Committee, Aldermen Russell, Tobin
and Hubley.

✓
Alderman Daw submits the following
as a Notice of Motion:

RESOLVED THAT Legislation be
prepared and submitted to the
Legislature for enactment making
the term of office in future for
Mayor and Aldermen two years. If
This change is approved of by
the Legislature every Alderman
whose term of office does not
expire until 1927 and 1928 shall
resign and go to the people for
re-election"

Consent

✓
Alderman Daw submits the following
as a Notice of Motion:-

RESOLVED that Legislation be pre-
pared enabling the City to take a
plebiscite of the Ratepayers entitled
to vote at the ensuing Civic election
to ascertain their wishes in regard
to the re-establishment of the Nova
Scotia Provincial Exhibition in
Halifax

Consent

Moved by Alderman Power, seconded
by Alderman Munnis that this meeting do now adjourn.
Motion passed.

Moved by Alderman Power,
seconded by Alderman Gastonguay that His Worship
the Mayor nominate a Special Committee to watch
the progress of the City's bills through the
Legislature. Motion passed

*See Russell
" Tobin
" Hubley*

His Worship the Mayor nominates
as a Special Committee, Aldermen Russell, Tobin
and Hubley.

✓
Alderman Daw submits the following
as a Notice of Motion:

RESOLVED THAT Legislation be
prepared and submitted to the
Legislature for enactment making
the term of office in future for
Mayor and Aldermen two years. If
This change is approved of by
the Legislature every Alderman
whose term of office does not
expire until 1927 and 1928 shall
resign and go to the people for
re-election"

Council ✓

✓
Alderman Daw submits the following
as a Notice of Motion:-

RESOLVED that Legislation be pre-
pared enabling the City to take a
plebiscite of the Ratepayers entitled
to vote at the ensuing Civic election
to ascertain their wishes in regard
to the re-establishment of the Nova
Scotia Provincial Exhibition in
Halifax

Council ✓

Moved by Alderman Power, seconded
by Alderman Munnis that this meeting do now adjourn.
Motion passed.

LIST OF HEADLINES

Tax Arrears List	454
N.S. Provincial Exhibition re-Establishment	456
Works Department Accounts	457
Fire Department Accounts	457
City Home and T.B.Hospital	458
General Accounts	459
City Prison Accounts	459
Police Department Accounts	459
City Health Board Accounts	460
Gardens Parks and Common Accounts	460
Public Gardens-Purchase of Trees	461
Fire Department-Tenders Uniform Caps.	461
Fires their causes & Losses	462
Works Department Tenders for Dredging	
McFatrighes Dock	463
Tax Collections for January 1926	464
Departmental Appropriations	467
Police Officer Alfred Woolston	
Refund of Superannuation Payments	468
City Home and T.B.Hospital-Monthly report to January 1926	469
Tag Day Salvation Army	470
coal Weighers report	470
Assistant City Solicitor.	470
Loans Maturing 1926	471
Isolation Hospital-Report City Health Board.	472
Letter W.P. Buckley	478
Legislation 1926	479
An Act to enable the City of Halifax to Borrow Money	486
Rates for Extension of Water Pipe Line	493
Fire Department Superannuation Fund.	494

11.50 o'clock p.m.

Meeting adjourned

H.S. Rhind
H.S. Rhind,
CITY CLERK

J.E. Henry
J.E. Henry
MAYOR