

Exhibit 39

Water Department Operating Account for Year Ending 30 April, 1927.

Revenue		
Metered rates.....		\$140,994.56
Less Discount.....		2,466.72
		<u>\$138,527.84</u>
Pipe and Bond Rates.....		89,638.36
Miscellaneous Revenue.....		1,161.43
		<u>\$229,327.63</u>
Expenditure		
Wages.....		\$42,080.11
Salaries.....		23,477.63
Expenditure under Acts 1927 Ch. 62 to J. F. Edwards for damages to property by water.....		50.00
Materials and supplies.....		7,830.05
Service Repairs.....		2,906.97
Motor Vehicle Operating Account.....		732.87
General Expenses.....		6,027.64
Interest on Bank Loans, etc.....		9,107.05
Interest on Funded Debt.....		103,615.26
Sinking Fund Requirements.....		19,782.24
Reserve for adjustments of Rates and Discounts.....		3,347.56
Surplus on Operations.....		10,370.25
		<u>\$229,327.63</u>

Exhibit 40

Water Department, Balance Sheet Current Account 30 April, 1927.

ASSETS		LIABILITIES.	
Cash in Bank.....	\$ 3,831.42	Bank Loan (secured by uncollected rates)....	\$70,000.00
Uncollected Water Rates..	192,998.00	Accounts Payable.....	3,966.68
Accounts Receivable.....	47.92	Due to Water Capital Account.....	59.25
Due from General Capital Account.....	14.01	Due to General Current Acct. (Balance interest Water Debt).....	74,201.12
Due from General Current Account.....	58.80	Reserve for adjustment of rates and discounts..	3,347.56
Property Acquired under Tax Sales.....	64.07	Reserve for non-collection and Defalcations..	45,485.94
Theakston Defalcation account.....	10,017.29	Surplus on operations... \$10,370.25	
		Less Deficit 1925-26....	399.29
			<u>9,970.96</u>
	<u>\$207,031.51</u>		<u>\$207,031.51</u>

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Your Committee recommend that same be adopted.

Respectfully submitted,

T.F. Tobin,  
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 Chapters 79 and 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 Chapters 79 and 80 of the Acts of 1919, and this Act shall relate exclusively to the City of Halifax.

2. Section 467, Sub-Section (1) is amended by adding at the end thereof the words "and also", except in a case where the City has itself purchased the land, paying to the City the amount assessed for rates and taxes in respect to the property for the civic year succeeding that in which the property was sold"

3. The form of tax deed set out in Section 470 is amended by striking out therefrom the words "the same appearing to be the property of by deed ( or will) dated and registered at Halifax in book Page" and no tax deed heretofore given shall be deemed invalid or ineffective by reason of the any omission or inaccuracy in respect to the words so deleted.

4. Section 401 F., Sub-Section (1) is repealed and the following substituted therefor:

(1) The undivided real property of a deceased person may be assessed to his heirs or devisees without designating any of them by name until.

(a) notice has been given to the assessor of the

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division of such property into shares and the names of the persons to whom such shares are respectively allotted, or

(b) notice has been given to the assessor of the names of such heirs or devisees and that they are holding the said property as tenants in common.

5. Section 7 of Chapter 79 of the Acts of 1919 is amended by striking out the figures 400 in the first line thereof and substituting therefor the words and figures "section 380 as substituted for Section 400 by order in Council of 24th August 1919" and said amendment is declared to have been in force and effect from the date of the Act amended.

6. Sections 424 and 425 are hereby repealed.

7.A Section 541 is repealed and the following substituted therefor:

541 (1) Except as is hereinafter provided, no person shall carry on business as a hawker, peddler, petty chapman or other petty tradesman or by going about from place to place on foot or with any animal bearing or drawing any goods for sale, or with any motor vehicle, or with any vehicle of any description, without having first taken a license therefor

541 (2) The Council may by ordinance regulate the carrying on of the business of such petty trades and prescribe the fees to be paid on the granting of such license, and to differentiate in such licenses between residents and non residents:

(3) Nothing in this Section shall apply to-

(a) Any person bringing into the City milk, vegetables, fruit or other produce of his own farm or garden, or of the forest, for sale, or offering to sell the same at the Market or in any part of the City:-

(b) Any fisherman bringing into the City fish caught by himself and selling or offering to sell the same,

(c) Any person assessed for a business tax of not less than thirty-five dollars annually.-

(4) Any person who contravenes or fails to comply with the provisions of this Section, or of any Ordinances made thereunder, shall be liable to a penalty not exceeding Fifty Dollars and in default of payment to imprisonment for a period not exceeding thirty days.

(5) In any prosecution under this section the burden of proving an exemption under sub-section 3 shall be on the person accused.

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7 B. Any person acting as bailiff for the collection of taxes shall be entitled for his services in the execution of any warrant to the fees provided by law for a bailiff levying a warrant for distress for rent.

8. Section 602, sub-section (1) is amended by striking out the words "two-thirds" in the second line and substituting therefor the words "fifty-one percent".

9. Section 10 is amended by adding in the second line after the word "illness" the words "or resigns"

10. (1) In any case in which a property is held under an agreement of sale from the Housing Commission of the City of Halifax, which agreement contains a provision that the purchaser shall pay the rates and taxes charged or assessed on the said property, such rates and taxes, notwithstanding that they are or have been assessed and rated against the said Housing Commission, shall be deemed to be due, and to have been due, by said purchaser from the assessment and rating thereof to the City, and the same may be collected by the Collector by warrant or other process against the real or personal property of such purchaser in like manner and with the like rights and remedies as other rates and taxes due to the City.

(2) The lien of the City for any rates and taxes on any property so held shall not expire on the first day of May 1928, but shall continue and be in force until the first day of May 1931, and proceedings to collect such rates and taxes by a sale of the said property may be taken by the Collector at any time up to the said date.

(3) Nothing in this Section shall be construed to have the effect of preventing the said Commission from itself enforcing payment of any amount due for taxes by any means legally open to it, including cancelling the agreement and repossessing itself of the property.

11. The City may apply in reduction of taxation for the Civic Year 1928-29 any moneys received in the Civic Year 1927-28 from Licenses issued for bicycles.

12. Any money which has heretofore been given to the Commissioners of Camp Hill Cemetery or to the City, or is hereafter given to the City, for the care and maintenance of any lot or grave in Camp Hill Cemetery shall be invested by the City, and the income thereof applied in accordance with the terms and conditions on which the same was given provided that such terms and conditions are not inconsistent with the regulations in force in respect to the Cemetery.

13. The clause marked (b) of Section 264 is repealed and the following clause substituted therefor:

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(b) All deductions from the remuneration of any member of the force, all fines and lapsed salaries during suspensions, all fees for police attendance at any meetings, shows or entertainments, all remuneration paid in respect to detective or other police service, and all fines or penalties or portions thereof directly or indirectly paid or awarded to any member of the force under any statute or enactment whatever, the same to be paid immediately on receipt.

14. The City may relieve Mary Kirker of the charge imposed on her for the cost of the sidewalk, curb and gutter laid in front of her property number 38 Seymour Street.

15. Section 976 added by Chapter 60 of the Acts of 1924 is amended by inserting in the first line thereof after the word "purpose" the words "not referred to or provided for in the estimates"

16. The City may apply any moneys receivable by the City under any policy of insurance in any insurance Company against accident to police officer Howard Trueman Smith, to the reduction of the amount required to be raised by taxation for the maintenance of a police force for the Civic Year 1928-29 and subsequent years.

17. For the purposes of Chapter 53 of the Revised Statutes ( of Local Asylums for Harmless Insane) The City Home shall be deemed a local asylum to which the harmless insane may be transferred and in which they may be detained under the provisions of that Act.

18. The City may apply in reduction of taxation for the Civic Year 1928-29 the amount of \$2,749.53 unexpended out of the amounts borrowed for costs and charges in connection with the suit of the City of Halifax vs, The Estate of Fairbanks, and the inclusion of the same in the estimates for that year is hereby ratified.

19. The appointment of George J. Allen on 20th, May 1927 as Assistant Treasurer is hereby ratified and confirmed and all acts done by him as such Assistant and as Acting Treasurer up to the appointment of R.V. Dimock as Treasurer are hereby confirmed.

20. Section 16 Sub-Section (1) of Chapter 58 of the Acts of 1927 is amended by striking out in the last line the words "erection of a fire hall in the North End of the City" and substituting therefor the words "any capital expenditure required by the Fire Department"

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21. Section 18 of Chapter 58 of the Acts of 1927 is amended by adding thereto the words following "for his services under this section the Sheriff shall be entitled to charge a commission of one-half of one percent on the amount collected by him, such commission to be in any case not less than five dollars or more than ten dollars;

The City may borrow from any bank or fund available the amounts set out in the Schedule thereto and apply the same to the purposes set opposite each respectively. The amounts to be borrowed with the interest thereon shall be included in the estimates for 1929-30 and collected therewith.

SCHEDULE

To pay costs in action The Housing Commission of the City of Halifax v The Dominion Guarantee and Accident Co.	\$873.05
To pay cost of advertising in the Maritime Progress and Opportunities Review	375.00

AN ACT TO AMEND THE ILLEGITIMATE CHILDRENS' ACT

(R.S.C. 49)

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

Section 8 of the Illegitimate Childrens' Act (R.S.C. 49) is amended by adding thereto the words following:

"and, in the events of any appeal being taken by a defendant on any such proceeding, notice of such appeal is given by the defendant to the City Solicitor of the City who shall appear and take part on such appeal"

.....  
.....

AN ACT TO AMEND CHAPTER 51 OF THE REVISED STATUTES ( OF THE NOVA SCOTIA HOSPITAL)

BE IT ENACTED BY THE GOVERNOR, COUNCIL AND ASSEMBLY AS FOLLOWS;-

Sub-Section (3) of Section 26 of Chapter 51 of the Revised Statutes is amended by adding thereto the words following:

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"provided that the Minister shall on the application of any party interested state a case for the opinion of the Supreme Court and the provisions of the Summary Convictions Act in respect to a case stated shall apply in respect to any such application"

Moved by Alderman Tobin, seconded by Alderman Power that the report be received and that the Draft Act be considered clause by clause. Motion passed.

AN ACT TO AMEND CHAPTER 52 OF THE REVISED STATUTES (OF THE VICTORIA GENERAL HOSPITAL)

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

Sub-Section (4) of Section 15 of Chapter 52 of the revised Statutes is amended by adding thereto the words following:

"provided that the Minister shall on the application of any party interested state a case for the opinion of the Supreme Court and the provisions of the Summary Convictions Act in respect to a case stated shall apply in respect to any such application"

.....

AN ACT TO AMEND THEATRES, CINEMATROGRAPHS AND AMUSEMENT ACT ( R.S.C. 162)

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

Sub-Section (2) of Section 5 of the Theatres, Cinematographs and Amusements Act ( R.S.C. 162) is amended by adding after the word "towns" in the third line the words "and Cities".

Jan. 26th, 1928

Amendment on being put is lost seven voting for  
the same and eight against it as follows:

Moved by Alderman Tobin, seconded by  
Alderman Power that the report be received and that  
the Draft Act be considered clause by clause. Motion  
passed.

Clauses 1 to 8 inclusive are  
read and approved.

Read Clause 9.

Moved by Alderman Tobin, seconded by  
Alderman Shannon that this clause be amended by  
adding thereto the following subsection "(2) In  
the event of the Mayor resigning, the Deputy Mayor,  
if acting as Mayor, shall be entitled to receive a  
proportionate part of the salary appropriated for  
the Mayor from the time of such resignation until  
another Mayor is elected, and such sub-section  
shall be deemed to have been in force and effect  
since the first day of May 1927". Motion passed

Clauses 10 to 20 inclusive are  
read and approved.

Read Clause 21.

Moved by Alderman Robinson, seconded  
by Alderman Smeltzer that this Clause be struck out.

Moved in amendment by Alderman Power,  
seconded by Alderman Tobin that this clause be  
amended fixing the amount of remuneration to the  
Sheriff at not more than \$5.00



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Amendment on being put is lost seven voting for the same and eight against it as follows:

For the Amendment

Alderman Weston  
Shannon  
Tobin  
Gastonguay  
Corbin  
Power  
Drysdale -7-

Against it

Alderman Mitchell  
MacDuff  
McCarthy  
O'Toole  
Robertson  
Smeltzer  
Rains  
Robinson

-8-

The original motion is put and passed, eight voting for the same and seven against it as follows:

For the Motion

Alderman Mitchell  
MacDuff  
McCarthy  
Rains  
O'Toole  
Robertson  
Smeltzer  
Robinson -8-

Against it

Alderman Weston  
Shannon  
Tobin  
Gastonguay  
Corbin  
Power  
Drysdale  
-7-

Moved by Alderman Power, seconded by Alderman Smeltzer that an Act be prepared providing that the Provincial Treasurer be instructed to pay over to the City Treasurer of Halifax every six months 50% of the amount received by the Province for Motor Vehicle Licenses registered by residents of the City of Halifax. Motion passed.

Moved by Alderman Power, seconded by Alderman Smeltzer that an Act be prepared providing that the Provincial Treasurer be instructed to pay over to the City Treasurer of Halifax every six months 50% of the amount received by the Province for Theatre or amusement taxes collected in the City of Halifax. Motion passed.

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Moved by Alderman Rains, seconded by Alderman Power that an Act be prepared providing that all fines under the Nova Scotia Temperance Act collected in the Police Court in the City of Halifax be paid over to the City Treasurer of the City for the use of the City. Motion passed.

His Worship the Mayor submitted for the consideration of Council the proposed amendment to the Motor Vehicle Act as follows:-

Notwithstanding any existing statute the City of Halifax may License, operate, or permit the operation of Motor bussessin Point Pleasant Park on such roads therein as the City Council of the City of Halifax may from time to time direct.

His Worship calls upon the Deputy Mayor to take the Chair and addresses the Council from the floor of the Chamber on the subject of this amendment.

After considerable discussion the amendment is referred to the Laws & Privileges Committee for report.

Moved by Alderman Shannon, seconded by Alderman Tobin that the following clause relating to the limits of the residential district be approved and incorporated in the Bill. Motion passed.

Section 17 subsection 1 of Chapter 46 of the Acts of 1915 is amended by striking out the first three lines of the said Section and substituting in their place the following:

Beginning at a point on the north boundary of Point Pleasant Park where it is intersected by the eastern line of lots abutting on the east side of Young Avenue; thence northerly by the eastern boundary of the properties or lots abutting on Young Avenue to the south line of Atlantic Street;

*and John  
C. Clark*

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thence eastwardly by the south line of Atlantic Street to the east line of S.Bland Street; thence northerly by the east line of S.Bland Street to the north line of Inglis Street; thence by the eastern boundary of the lots on the east side of North Bland Street to Victoria Road; thence easterly by Victoria Road to Queen Street; thence northerly by Queen Street to South Street; thence westwardly to the rear line of lots abutting on the east side of South Park Street; thence northerly by the Rear lines of lots abutting on the east side of South Park Street to Sackville Street; thence easterly

Moved by Alderman Tobin, seconded by Alderman Power that the Schedule of amounts to be borrowed and included in the estimates for 1928-29 be adopted. Motion passed.

Moved by Alderman Tobin, seconded by Alderman Power that the Draft Act to amend the Illigitimate Children's Act ( R.S.C. 49) be adopted. Motion passed.

Moved by Alderman Tobin, seconded by Alderman Power that the draft act to amend Chapter 51 of the Revised Statutes ( of the Nova Scotia Hospital) be adopted. Motion passed.

Moved by Alderman Tobin, seconded by Alderman Power that the draft Act to amend Chapter 52 of the Revised Statutes ( of the Victoria General Hospital) be adopted. Motion passed.

Moved by Alderman Tobin, seconded by Alderman Power that the Draft Act to amend Theatre Cinematographs and Amusements Act ( R.S.C 162) be adopted and that the amendments submitted in reference to the revenue derived from Theatre and Amusement Taxes, Motor Vehicle Licenses and Fines under the Nova Scotia Temperance Act be incorporated in separate bills, and submitted to the Legislature for enactment as separate Acts. Motion passed.

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Moved by Alderman Tobin, seconded by Alderman Power that the report and draft Act as amended be adopted as a whole. Motion passed.

✓  
AMENDMENTS TO LAW RELATING TO THE  
COLLECTION OF TAXES

Read report of the Finance Committee covering amendments to the law relating to the collection of taxes, covering joint report of the City Auditor, City Assessor and City Collector:

Halifax, N.S. Dec. 5th, 1927

The Chairman and  
Members of Finance Committee

Gentlemen:-

With reference to the Auditor's plan for revising the method of tax settlements, submitted at a recent meeting of the Finance Committee, this will advise of the withdrawal of this plan as that Official, in collaboration with the Collector and Assessor have decided on a plan which they submit herewith and recommend for adoption.

The plan would go into operation with the Civic Year beginning May 1st 1929.

TAXES

All taxes would be due May 1st. Taxpayers will have the privilege of a discount if they pay in full any time during May. They would also have the privilege of a discount if the tax bills were paid by instalments; the instalments being due in May and August. The Collector, however, in all cases would have the right to refuse to accept payment by instalments if he considered it in the City's interest to do so. This is essential so as to protect the City in the event of the Taxpayer paying the first instalment and changing his domicile. Nothing in this plan affects existing legislation regarding Poll Tax.

DISCOUNT

For payment of Taxes in full on or before May 31st a discount of  $2\frac{1}{2}\%$

For payment of 1st instalment, i.e. 50% of tax bill in full, on or before May 31st a discount of  $2\frac{1}{2}\%$ .

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For payment of 2nd instalment i.e. 50% of tax bill in full, during August a discount of  $1\frac{1}{2}\%$

The Highway Tax will be collected with the first instalment.

No discount will be allowed on the second instalment unless the first instalment is paid.

No discount will be allowed on payments made on account of an instalment.

No discount will be allowed on the Highway Tax.

No discount will be allowed on the tax bill of a ratepayer whose assessment is fixed by Legislation.

The Tax bills of this group shall be due for payment May 1st and must be paid in full not later than May 31st.

#### INTEREST

Interest will become effective on September 1st of the Current Civic Year at the rate of 7% and continue until the tax bill is paid.

Interest on the tax bill of a ratepayer, whose assessment is fixed by Legislation, if unpaid, will become effective at the rate of 7% on June 1st.

#### PENALTY

In addition to the interest charge of 7% on unpaid taxes a penalty of 3% would be added on May 1st of the succeeding Civic Year to any taxes remaining unpaid on that date.

In the case of ratepayers whose assessment is fixed by Legislation a penalty of 5% would be added on September 1st of the Current Civic Year to any taxes remaining unpaid on that date.

With reference to the foregoing plan, attention is drawn to the fact that while it is proposed to allow ratepayers who pay in full a discount of  $2\frac{1}{2}\%$  and that this is  $\frac{1}{2}\%$  above the amount allowed ratepayers who pay by the instalment method, the City is compensated for this  $\frac{1}{2}\%$  from its Bankers by way of interest on the money it receives prior to the time for payment of the second instalment.

As regards discount allowed on the first and second instalments it is pointed out that this averages 2% ( $2\frac{1}{2}\% \times 1\frac{1}{2}\%$ ) and that for the additional  $\frac{1}{2}\%$  allowed to taxpayers who pay in full, that the City recovers this from its Bankers by way of interest.

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It is necessary to allow a larger discount to the taxpayers paying in full for the reason that if we are unable to collect a satisfactory amount of our taxes within the Current Civic Year under the present plan obviously we will not be able to collect the same taxes under the proposed system, and if the City can, without cost to itself, induce certain taxpayers to pay in full, by so doing it should receive sufficient to prevent the bank account running into an overdraft, which would otherwise be the tendency prior to the second instalment coming due, if no extra discount were allowed for payment in full.

If any objection is offered on the ground that this is an inducement to the monied man, the answer is that it is necessary from the standpoint of the City's finances to collect a larger sum in May than in August and obviously the City can look for these payments only from those who are in funds.

Some thought was given to the question of penalties and it was felt serious objection should not be made to the enforcement of a penalty on February 1st of the Civic Year on any taxes then unpaid. The penalty will go a long way to prevent that tendency of many taxpayers to place other financial expenditures ahead of taxes. The criticism for years has been that we do not collect sufficient of the current taxes during the Civic Year. It is not drastic to impose a 3% penalty on February 1st. The taxpayer will then have had nine months in which to pay. It is only temporizing with the situation to say further time should be allowed. In the preparation of this plan consideration was given to the special needs of taxpayers in the face of local conditions.

It is substantially modified from the first plan submitted to your Committee and it is felt that any further modifications would destroy its efficacy. The Officials who prepared the plan urge its adoption in full.

In the further consideration which your Committee will give to this matter, the point should not be overlooked that all interests are subordinate to those of the City and if it is thought it will help the City to improve its finances it should be recommended for adoption.

Respectfully submitted.

Sgd. A.M. Butler,  
CITY AUDITOR  
P.J. McManus,  
CITY ASSESSOR  
W.H. Morrow,  
CITY COLLECTOR.

January 26th, 1928

DRAFT AMENDMENTS TO TAX ACT TO CARRY OUT  
RECOMMENDATIONS OF AUDITORS' REPORT

Sections 435 and 436 are hereby repealed, and the following substituted therefor:

- 435 (1) All City rates and taxes shall become due on the first day of May in each year.
- (2) Except as is hereinafter provided all rates and taxes may be paid in two instalments of one-half each, the first payable on the first day of May and the second on the first day of August.
- (3) The Collector may in any case in which he considers it in the interest of the City refuse to receive payment by instalments and require the whole amount due to be paid forthwith and may take proceedings by warrant, writ or other legal proceedings for the immediate recovery of the same.
- 436 (1) Except as is herein otherwise provided if the amount of rates and taxes due in respect to any one property or the first instalment thereof is paid on or before the thirty-first day of May, there shall be allowed a discount of two and one-half per cent on such amount or on such instalment to be deducted by the Collector when the same is paid.
- (2) If the amount of the second instalment is paid on or before the thirty first day of August, and if the first instalment has been previously paid, there shall be allowed on the amount of second instalment a discount of one and one-half per cent, to be deducted as aforesaid.
- (3) No discount shall be allowed on payments of amounts less than the said instalments.
- (4) The Provincial Government Highway Tax shall be payable on or before the 31st day of May and no discount shall be allowed on the amount thereof
- (5) No discount shall be allowed on the rates and taxes payable by a ratepayer the amount of whose assessment is fixed by Legislation.
- 436 a(1) On all amounts for rates and taxes payable in respect to any property the assessment of which is fixed by Legislation, unpaid on the first day of June, interest shall be payable at the rate of seven per cent per annum until the same is paid.
- (2) On all other amounts for rates and taxes remaining unpaid on the first of September, interest shall be thereafter payable at the rate aforesaid.

436 (b (1) To all amounts for rates and taxes payable in respect to properties the assessments of which is fixed by Legislation remaining unpaid on the first day of September, there shall, be added in addition to the amount payable for interest as hereinbefore provided, the sum of five per cent of the amount remaining unpaid to be collected along with such amount with the like rights and remedies.

(2) On all other amounts due for rates and taxes remaining due after the 30th day of April there shall be added three per cent on the amount then remaining unpaid.

Section 438 is amended by striking out the words "thirty -first " wherever they occur and substituting the word "first"

Section 418 and sub-section (1) of Section 419 as amended by Section 24 of Chapter 86 of 1920 are amended by striking out the word "June and substituting therefor the word "May"

Section 448 is amended by striking out the word "three" in the third line thereof and substituting therefor the word "two"

Moved by Alderman Rains, seconded by Alderman Smeltzer that the Draft Act to amend the Tax Act in respect to the Collection of Taxes be not adopted.

Moved in amendment by Alderman Tobin, seconded by Alderman McCarthy that Clause 435 (1), 436 (4 & 5), 436 a (1) ,436 b (1) be adopted.

Aldermen Rains and Smeltzer withdraw their objection to these sections and the several sections mentioned are passed unanimously.

Moved by Alderman Rains, seconded by Alderman Smeltzer that all other sections be struck out.

Moved in amendment by Alderman Shannon, seconded by Alderman Tobin that Sections 435 ( 2) ,436 (1) (2) and (3) be adopted. Motion put and passed unanimously the following named Aldermen voting for the same



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Aldermen Weston, Shannon, Mitchell, Tobin,  
Gastonguay, MacDuff, McCarthy, Rains, Corbin, O'Toole,  
Power, Drysdale, Robertson, Smeltzer and Robinson.

His Worship the Mayor ruled the Motion submitted  
by Alderman Rains and seconded by Alderman Smeltzer  
lost.

Moved by Alderman Rains, seconded by Alderman  
Tobin that Section 436 b (2) be struck out.

Motion put and passed eleven voting for the  
same and four against it as follows:

FOR THE MOTION

Alderman Weston  
Mitchell  
Smith  
Gastonguay  
Rains  
Corbin,  
O'Toole  
Power  
Drysdale  
Smeltzer  
Robinson- 11

AGAINST IT

Alderman Shannon  
MacDuff  
McCarthy  
Robertson.

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Moved by Alderman Power, seconded by Alderman  
Tobin that Section 435 (3) be amended by striking out  
the words "it in the interest of the City", and sub-  
stituting therefor the words "the City may suffer loss".  
Motion passed.

Moved by Alderman O'Toole that Section 436 A  
Sub-Section 2 be amended by striking out the word  
"September" and substituting therefor the word  
"October". Motion passed.

11.55 P.M.

Moved by Alderman Weston, seconded by Alderman  
Shannon that Council do now adjourn until Thursday

*Solicitor*

ADJOURNED MEETING

January 26th, 1928

evening next February 2nd, at 8 o'clock p.m.

Motion passed.

8.10 o'clock,  
Council Chamber,  
City Hall,  
Feb., 2nd, 1928

LIST OF HEADLINES

Canadian National Institute for Blind.....504  
 City Collector's Dept.-Overtime Work.....505  
 Legislation-Amendments to the Law Relating  
 to the City of Halifax.....506  
 Amendments to law relating to the Collection  
 of Taxes.....517

Meeting adjourned

*J. B. Kenny*  
 J. B. Kenny  
 MAYOR

*H. S. Rhind*

H. S. RHIND  
CITY CLERK

FIRE DEPARTMENT - TWO PLACES

His Worship the Mayor read the following  
 letters, one from the Board of Fire Commissioners  
 from the Nova Scotia Board of Fire Commissioners,  
 in reference to the installation of the new  
 system in the Fire Department.

Referred to the Council for  
wards.

GRAFTON STREET FIRE STATION

Read report of the Fire Department  
 the sale of Grafton Street Fire Station.

ADJOURNED MEETING

EVENING SESSION

City Clerk's Office  
5.10 o'clock,  
Council Chamber,  
City Hall,  
Feb., 2nd, 1928

His Worship the Mayor  
and City Council.

Gentlemen:-

A meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor and Aldermen Weston, Mitchell, Redden, Smith, Gastonguay, McCarthy Ryan, Corbin, O'Toole, Drysdale, Robertson and Robinson.

The Council met pursuant to adjournment to further consider legislation, to proceed with business standing over and the transaction of other business.

FIRE DEPARTMENT- TWO PLATOON SYSTEM

His Worship the Mayor submits two letters, one from the Board of Trade and the other from the Nova Scotia Board of Fire Underwriters in reference to the installation of the two platoon system in the Fire Department.

Referred to the Committee of Firewards.

GRAFTON STREET FIRE STATION

Read report of the City Clerk on the sale of Grafton Street Fire Station:

*add Shannon*

*Engineer  
Dossier*

Feb. 2nd, 1928

City Clerk's Office,  
Feb. 2nd, 1928

His Worship the Mayor,  
and City Council.

Gentlemen:-

I beg to report that acting under a resolution of Council I have advertised for sale by tender the Grafton Street Fire Station, but have not received any reply to the advertisement.

Respectfully submitted

H.S. Rhind  
CITY CLERK

FILED

The following Resolution is submitted:

RESOLVED that the Grafton Street Engine House be offered for sale at public auction with an up-set price to be fixed by the City Engineer and City Assessor and in such manner and by such Auctioneer as the said City Engineer and City Assessor shall determine.

Moved by Alderman Mitchell, seconded by Alderman Robinson and passed, Ten voting for the same and one against it as follows:

FOR THE MOTION

Aldermen Weston,  
Mitchell  
Redden  
Smith  
Gastonguay  
Corbin  
O'Toole  
Drysdale  
Robertson  
Robinson

AGAINST IT

Alderman McCarthy

*Engineer  
Assessor*

Feb. 2nd, 1928

MESSAGE FROM HIS WORSHIP THE MAYOR  
ON FREEDOM OF THE PRESS

His Worship the Mayor submits and reads the following message to Council in reference to the action of the Police Committee in conducting meetings of that Committee in private:

RE POLICE COMMITTEE

Although, as I see it, each Committee is the master of its own procedure and is in nowise responsible to the City Council for decisions it makes within its power and competence, a word of explanation of the Action of the Police Committee in excluding the Press may not be amiss.

I am sure that you will not misunderstand me, and that no one will make the mistake of supposing that I take too seriously the criticism and scolding of the newspapers. Sad experience has taught me that such criticism is generally valueless, and as far as I am concerned it "passes by me as the idle wind which I respect not".

To many, too, it may seem unnecessary to give reasons for the course adopted by the Committee to those whose business it has been to handle bodies of men like a police force, to lay down and enforce regulations and assure discipline, it may seem axiomatic to say that newspaper criticism and publicity are not only not conducive to but are incompatible with true efficiency.

But there may be those, without knowledge or experience deluded by the views they see expressed in the newspapers, who may imagine, - it is hard to conceive but there may be - that the exclusion of the Press is for the purpose of hiding some sinister scheme from the public gaze. I cannot believe that any member of the City Council holds such views, on the contrary I believe that every member will give us credit for doing what we conceive to be the best thing in the circumstances.

~~CONFIDENTIAL~~

It has become quite evident that the deliberations of the Committee are made use of by the Press, or at least a section of the Press, to provide scare head-lines and sensations for its readers. You who read the newspapers know what I mean. The motive is not the good government of the City or the welfare of the Force, but to make the paper sell. Not only is this unfair to the Committee- and if that were all it could well be overlooked- but it is in a large measure responsible for any loss of prestige there may be in our Police Force. The demoralizing influence of over-stressed and sometimes, unreliable publicity threatens to nullify the steps we are and have been taking to put the Force on a higher level. For one deficiency, that of numbers, the Committee is not responsible, - it is a condition imposed by the financial needs of the City and entailed by the policy of retrenchment so necessary to the City's welfare, and in no conceivable way can it be affected by the presence at or absence from our meetings of reporters.

The Press is excluded for just one reason, and that is the efficiency of the Force, its discipline and morale. In so doing we are making no new departure. From the noise, and the irate remarks we read you might imagine that a death-blow had been struck at the sacred freedom of the Press, whereas in fact we are following a precedent already established, probably for the same reason.

If any justification were needed for the course we have taken, it is to be found in the following incident. The Secretary of the Exhibition Commission appeared before the Committee at a meeting at which the Press was represented and made complaint that injury had been done to the Exhibition Buildings, by some vandals and asked that a plain clothes man should be sent out to catch the culprits when they resumed their operations, as he expected they would that same night. The Committee asked the reporters to suppress any mention of the application, that the culprits might not be put on their guard. It seems incredible, but it is the fact, that the Evening Mail of this same day, under double-headed headlines came out the whole story and needless to say the birds were not caught in the net. The Daily Star to its credit be it said, did not publish the news but respected the request of the Committee.

It is difficult to reach any other conclusion than that a deliberate attempt is being made to embarrass the Committee, and I feel it my duty to warn taxpayers, whose servants we are and whose interests we are doing our best to serve, to disregard the campaign of abuse and fault-finding now being carried on knowing that it is being waged by those whose actions rest under the suspicion of being actuated by pique and annoyance at being deprived of toothsome morsels for their readers.

Seconded by Alderman [unclear]

Section 607 to agenda 527-

Draft Section. Motion passed.

Feb. 2nd, 1928

In conclusion let me say that the Committee has always communicated to the Press and will continue to communicate to the Press the results of its meetings, so that the public may be and will be fully informed of the decisions and actions of the Committee.

J. B. Kenny  
MAYOR

FILED ✓

LEGISLATION

The Council now proceeds with the further consideration of the report of the Finance Committee covering amendments to the Tax Act.

Read Clause re Section 438

Moved by Alderman Weston, seconded by Alderman Mitchell that this Clause be adopted.  
Motion passed.

Read Clause re Section 418 and Sub-Sec. 1 of 419.

Moved by Alderman Weston, seconded by Alderman Robertson that this Clause be adopted.  
Motion passed.

Moved by Alderman Mitchell, seconded by Alderman Robertson, that Clause two of the Draft Act to amend the Law Relating to the City of Halifax, passed at a previous session of this meeting be rescinded.  
Motion passed.

Moved by Alderman Drysdale, seconded by Alderman Corbin that Sub-Section 1 of Section 607 be amended by substituting the following Draft Section. Motion passed.

Feb. 2nd, 1928

Sub-section 1 of Section 607 is amended by striking out from the end thereof the words "and shall file the same in his office"

Sub-Section (2) of the said Section is repealed and the following substituted.

(2) Upon such plan and list being completed the engineer shall publish by two insertions in one week in two papers published in the City of Halifax, a notice that such plan and list have been completed and may be inspected by any person interested, at his office during office hours, and that any person interested may lodge with him any objection to such plan or list on any charge or item therein; any such objection to be made in writing and either delivered at the office of the Engineer or mailed to the Engineer by registered letter, and shall also state in such notice that all such objections will be heard by him at a time and place to be set and that such time and place any person interested may appear and be heard in person or by Counsel. At the time and place so set or any adjournment thereof the engineer shall hear all such objections and determine the same and in any action or proceeding the finding and determination of the Engineer shall be conclusive of the liability of etc. ( as in present sub-section)

Moved by Alderman Robertson,  
seconded by Alderman Robinson that the Clause No. 223, relating to the sale of fireworks in the City of Halifax, which was re-enacted by Section 238 of the City Charter of 1914 be and is hereby repealed  
Motion passed.

Moved by Alderman Robertson,  
seconded by Alderman O'Toole that an amendment be submitted to Chapter 62 of the Revised Statutes of Nova Scotia relative to Theatres, Cinematographs and other amusements by adding after the word "circus" in sub-section 2 of section 5 of the said Chap.th words "exhibitions or shows". Motion passed.



Feb. 2nd, 1928

Moved by Alderman Weston, seconded by Alderman Robinson that the following amendments be made to the Tax Act of the City of Halifax:

(1)

The amendments made to Section 338 by Section 22 of Chapter 86 of the Acts of 1920 are hereby amended by striking out of such amendments wherever they occur the words "fifteenth day of March" and substituting therefor the words "first day of March".

(2)

Section 369 as substituted by Order in Council of 24th August 1918 is amended by striking out therefrom the words "first day of April" and substituting therefor the words "tenth day of March"

(3)

Section 973 added by Chapter 60 of the Acts of 1924 as amended by Section 18 of Chapter 83 of the Acts of 1925 is further amended by substituting the words "twenty-fifty day of February" for the words "first day of March".

*Solvent*

POLL TAX LEGISLATION

Read report of the Special Committee on Tax Collections recommending amendments to the Act relative to the assessment and collection of poll tax in the City of Halifax.

City Collector's Office,  
Feb. 2nd, 1928

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

Gentlemen:-

Your Committee on Tax Collections submit for your consideration, the attached draft of amend-

Feb. 2nd, 1928

amends and additions to the existing sections of the City Charter relative to Poll Taxes.

Respectfully submitted,

A.W.Reddon,  
CHAIRMAN

The same is considered clause by clause and the various clauses as amended and approved are as follows:

(1) Any person not a resident of the City, coming into the City shall upon entering into any employment in the City pay to the City a tax of Five Dollars. Payment of such tax shall entitle the person paying the same to engage in such employment at any time during the civic year in which the same is paid, but a further tax of like amount shall be paid on engaging in such employment in a subsequent year.

(2) Any one engaging any person so coming into the City shall before engaging him require the person so engaged to produce a receipt from the Collector showing payment by such person of such tax for the Civic Year then current, or if such tax has not been paid the person employing shall himself pay the same and retain the amount out of the wages paid the employee.

(3) Any employer who contravenes the provisions of this Section shall for each offence be liable to a penalty not exceeding Twenty Dollars and in default of payment to imprisonment for a period not exceeding one month.

(4) The taxes made payable by this Section and by Section 380 shall be payable to the City of Halifax notwithstanding the provisions of Sub-Section (3) of Section 6 of the Assessment Act.

Moved by Alderman Weston, seconded by Alderman Robinson that Section 380 Sub-Section 2 be amended as follows. Motion passed.

*Solicitor*

Feb. 2nd, 1926

Section 380, sub-section (2) is amended by striking out in the second line the words "30th day of September " and substituting therefor the words "31st day of December".

Moved by Alderman Mitchell, seconded by Alderman Weston,  
The Chairman of the Finance Committee submits the following amendments to the Act in reference to the Sinking Fund established under the provisions of Chapter 62 of the Acts of 1926

The same is considered clause by clause

During the consideration of this Act His Worship the Mayor called upon Deputy Mayor to take the Chair while he addressed the Council on the subject.

Moved by Alderman Ryan, seconded by Alderman Drysdale that this Act be referred back to the Finance Committee and that the Committee confer with His Worship the Mayor and the City Auditor with a view of submitting an amendment regarding the same at the next meeting of Council. Motion passed unanimously

✓  
POLICE COMMITTEE-RESIGNATION OF  
ALDERMAN GASTONGUAY

Alderman Gastonguay a Member of the Police Committee tendered verbally his resignation as a Member of that Committee giving as his reason that he was not in harmony with the Committee in holding secret meetings.

Moved by Alderman Weston, seconded by Alderman Mitchell that the resignation of Alderman Gastonguay

Feb. 2nd, 1928

as a member of the Police Committee be accepted.

Motion passed

Moved by Alderman Mitchell, seconded by Alderman Weston, that Alderman Ryan be appointed to the Police Committee to fill the vacancy caused by the resignation of Alderman Gastonguay, Motion passed.

11.45 p.m.

Moved by Alderman Mitchell seconded by Alderman Weston that the Council do now adjourn. Motion passed.

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Meeting adjourned

*H. S. Rhind*  
H. S. RHIND  
CITY CLERK

*J. H. Kenny*  
J. H. KENNY,  
MAYOR

✓  
SPECIAL MEETING

AFTERNOON SESSION

5.10 o'clock, P.M.

Council Chamber, City Hall

Feb. 9th, 1928

A meeting of the City Council was held this afternoon. At the above named hour there were present His Worship the Mayor and Aldermen Weston, Shannon, Mitchell, Redden, Tobin, Gastonguay, McCarthy, McDuff, Ryan, Corbin, O'Toole, Robertson, Robinson, and Smeltzer.

The meeting was called specially to consider Legislation in reference to Tax Refunding Loan Sinking Fund.

✓  
REFUNDING LOAN- SINKING FUND

Read report of the Finance Committee covering Draft Act dealing with the surplus in the Sinking Fund established under the provisions of Chapter 62 of the Acts of 1926 for the redemption of a loan authorized to be made by the City of Halifax under that Act.

Committee Room,  
City Hall, Feb. 9th, 1928

His Worship the Mayor,  
and City Council.

Gentlemen:-

At a meeting of the Finance Committee

Feb. 9th, 1928

held this day, the following draft Act dealing with the Sinking Fund established under the Provisions of Chapter 62 of the Acts of 1926 for the redemption of the loan authorized to be made by the City of Halifax under that Act was submitted, approved and recommended to the City Council for adoption.

AN ACT TO AMEND CHAPTER 62  
OF THE ACTS OF 1926

WHEREAS the Sinking Fund required to be established under the provisions of Chapter 62 of the Acts of 1926 for the redemption of the loan authorized to be made by the City of Halifax under that Act has been accumulated more rapidly than was anticipated and has already reached an amount more than sufficient with the accumulations thereof for the redemption of the said loan at the maturity thereof and there now exists a surplus in such fund which surplus will be increased by other collections of the taxes due the City for the Civic Years prior to the year 1925-26, and it is desirable to make use of such surplus in discharge of the debt due to the Royal Bank of Canada for moneys borrowed since 1st May 1925.

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

Sections 8 and 9 of the said Act are repealed and the following substituted.

The Trustees of the Fund shall transfer to the Treasurer of the City of Halifax any such surplus as aforesaid now in their hands and invested above the sum of four hundred thousand ( \$400,000) dollars and hereafter all moneys received by the Collector from the collection of taxes and interest thereon for the aforesaid years shall be paid by the Collector to the said Treasurer, specifying the amounts for principal and interest respectively. The Treasurer shall apply all amounts received by him for interest to the payment of interest on the moneys borrowed under the authority of this Act, and shall apply the amount of such surplus so transferred and also the amount received by him for principal of taxes to the payment from time to time to the Royal Bank of Canada, in discharge pro tanto of the debt due by the City to that Bank for moneys borrowed under the authority of Section 346 of the Halifax City Charter in anticipation of the collection of taxes for the Civic year 1925-26, 1926-27, and 1927-28.

In the event of the said collections exceeding the amount required to satisfy the said debt due by the City to the Royal Bank of Canada for the amount so borrowed for the said years, the balance or surplus of

Feb. 9th, 1928

said collections shall be applied to payment of interest on the moneys borrowed under the authority of this Act in such amounts and at such times as the City Council may determine.

Respectfully submitted,

B. A. Weston,  
CHAIRMAN

Moved by Alderman Weston, seconded by Alderman Tobin that the report be adopted and the Draft Act submitted to the Legislature for enactment. Motion passed.

✓  
LEGISLATION

LOAN FOR NEW POLICE PATROL

Read report of the Finance Committee on recommendation of the Police Committee that an item of \$2,000.00 be placed in the Short Term Schedule of the Borrowing Act for the purchase of a new Police Patrol:

Committee Room, City Hall,  
Feb. 9th, 1928

His Worship the Mayor,  
and Members of City Council.

Gentlemen:-

At a meeting of the Finance Committee held this day, the attached report of the Police Committee recommending that an item of \$2,000.00 for a Motor Police Patrol, be placed in short term borrowing schedule of the Legislation, to be submitted was approved and recommended to the City Council for adoption.

Respectfully submitted,

B. A. Weston,  
CHAIRMAN

Feb. 9th, 1928

Moved by Alderman Weston, seconded by Alderman Tobin that the report be adopted and the item included in the borrowing bill. Motion passed.

SPRAYING OUTFIT FOR PUBLIC GARDENS

Read report of the Finance Committee covering recommendation of the Committee on Gardens Parks and Common that an item of \$900.00 be placed in the Short Term Borrowing Bill for the purchase of a spraying outfit for the Public Gardens:

Committee Room, City Hall,  
Feb. 7th, 1928

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 following Resolution was adopted and ordered to be forwarded to the City Council for its information.

RESOLVED that in the opinion of this Committee it is absolutely essential for the preservation of trees in the Gardens that a spraying outfit be purchased at an approximate cost of \$900.00 and that the necessary legislation be sought authorizing this expenditure"

Respectfully submitted,

S. L. Shannon,  
CHAIRMAN

Committee Room, City Hall,  
Feb. 9th, 1928

His Worship the Mayor,  
and Members of City Council.

Gentlemen:-

At a meeting of the Finance Committee held this day, the attached report of the Committee on Gardens Parks and Common recommending that an item



Feb. 9th, 1928

Such sums as may be necessary to complete  
War Memorial - not to exceed

of \$900.00 for a spraying outfit be placed in  
the short term borrowing schedule of the Legislation  
to be submitted, was approved and recommended to the  
City Council for adoption.

Alderman Tobin

passed.

Respectfully submitted,  
B.A. Weston,  
CHAIRMAN

Moved by Alderman Weston, seconded by  
Alderman Tobin that the report be adopted and the  
item included in the Borrowing Bill. Motion passed.

✓  
PUBLIC GARDENS ENTRANCE

Read report of the Committee on  
Gardens Parks and Common recommending that an item  
of \$900.00 be placed in the Short Term Borrowing  
Bill for improvements at the entrance at the Public  
Gardens:

By unanimous consent it was decided  
to defer action on this item until the next meeting  
of Council.

*Council*

LOANS

Read report of the Finance Committee  
recommending that the following items be placed in  
the Borrowing Bills:

SCHEDULE 1

<u>Amounts to be borrowed and included in Estimates 1929-30</u>	
Deficit V.G. Hospital Civic Year 1926-27	\$327.30
To pay cost of advertising in the Maritime and Opportunity Review	375.00

SCHEDULE 2

Amounts to be borrowed on Short Term Deventures

Feb 9th, 1928

Such sums as may be necessary to complete  
War Memorial - not to exceed..... \$8,000.00

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

FIRE DEPARTMENT

SUPERANNUATION OF 3rd DEPUTY CHIEF JOSEPH FULTZ

Read report of the Committee of Firewards  
re the superannuation of 3rd Deputy Chief Joseph Fultz,  
and covering report of the City Treasurer on same:

Office of City Treasurer,  
Halifax, N.S., Feb. 7th, 1928

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

Gentlemen:-

I beg to advise you in connection with  
the retirement of Joseph H. Fultz from the Fire De-  
partment. He is entitled to superannuation in the sum  
of EIGHT HUNDRED AND EIGHTY FIVE DOLLARS AND SIXTY  
(\$885.60) CENTS ANNUALLY - \$590.40 of which is payable  
out of the Firemen's Superannuation Fund and \$295.20  
out of the City's Current account.

Respectfully submitted,

R. V. Dimock  
CITY TREASURER

Committee Room, City Hall,  
Feb. 8th, 1928

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

Gentlemen:-

At a meeting of the Committee of Fire-  
wards held this day it was brought to its attention  
the fact that in making up the estimates for the  
Civic Years 1927-28, the appropriation for salary of  
3rd Deputy Chief Joseph Fultz was struck out, and  
through an oversight of this Committee the necessary  
resolution providing for the superannuation of Deputy  
Chief Fultz which amounts to \$885.60 annually was not  
reported to Council.

Feb. 9th, 1928

REGULAR SESSION

Your Committee recommend that Mr. Joseph Fultz who has served 40 years in the Department and whose services are no longer required be superannuated and that he be paid the sum of \$885.60 per annum as from May 1st 1927 during the remainder of his life.

A letter of the City Treasurer in reference to this matter is attached hereto.

Respectfully submitted,  
S.L. Shannon  
CHAIRMAN

*Auditor  
Treasurer*

Moved by Alderman Weston, seconded by Alderman Robinson that the report be adopted.

Motion passed.

5.30 p.m.

Moved by Alderman Shannon, seconded by Alderman Tobin that this meeting do now adjourn.

Motion passed.

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*Alderman*

Meeting adjourned

*H.S. Rhind*

H. S. RHIND  
CITY CLERK

*J. B. Fady*  
MAYOR

1928-29

EVENING SESSION

His Worship the Mayor,  
and City Council.

8.10 o'clock,

Council Chamber, City Hall,

February 16th, 1928

Gentlemen:-

The Board of School Commissioners,  
for 1928-29, resolution add.

A meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor and Aldermen Weston, Shannon, Mitchell, Redden, Smith, Gastonguay, McDuff, Rains, Ryan, Corbin, O'Toole, Drysdale, Power, Robertson, Robinson and Smeltzer.

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

✓ The following papers were submitted:

APPLICATION FOR SALARY INCREASE  
CHESTER G. CORBETT

Read application of Chester G. Corbett, Clerk in the City Assessor's office for an increase to his salary.

Referred to the Finance Committee for report.

*Asst Weston*

✓  
ESTIMATES PUBLIC SCHOOLS, 1928-29

Read letter Secretary of the Board of School Commissioners covering estimates for the Public Schools of the City of Halifax for the Civic Year 1928-29: