

June 19th, 1928

Committee Room,
City Hall,
June 13th, 1928

His Worship the Mayor,
and Members of City Council.

GENTLEMEN:-

At a meeting of the Finance Committee held this day, the City Auditor submitted a report in reference to the Provincial Highway Tax for 1928 which amounts to \$44,196.30.

If this tax is paid before the 30th, June a discount of $1\frac{1}{2}\%$ is allowed which amounts to \$662.94, reducing the tax to \$43,533.55.

There is a balance still outstanding of approximately \$9,500.00 on arrears which will be dealt with by the Special Committee appointed for that purpose.

Your Committee recommend that the City Auditor be authorized to pay to the Provincial Treasurer on or before the 30th inst., the said amount of \$43,533.55, the Highway Tax for 1928.

Respectfully submitted,
S.L. Shannon
CHAIRMAN

Moved by Alderman Shannon, seconded by Alderman Robertson that the report be adopted. Motion passed.

TAX ARREARS ESTATE I. B. SCHAFFNER

Read report of the Special Committee on Tax Arrears and City Auditor in reference to writing off an amount of \$4,104.30 uncollectible taxes owing by the Estate I.B. Schaffner:

City Collector's Office,
Halifax, N.S.,
June 19th, 1928

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

Gentlemen;-

At the request of the City Auditor and City Collector, your Committee on Tax Arrears recommend, for your approval, that the arrears of taxes for the years 1909 to 1918 inclusive, amounting to \$4,104.30 and assessed to the Estate of I.B. Schaffner and Sons be written off the Collector's Tax Roll.

The City Auditor's letter to the Committee is hereto attached for your information.

Respectfully submitted
A.W. Redden
CHAIRMAN

✓
Auditor
R Gordon

June 19th, 1928

City Auditor's Office,
Halifax, N.S.,
June 13th, 1928

The Chairman,
Special Tax Committee,
City Hall.

Dear Sir:-

I have a request from the City Collector to write off the Tax Rolls an amount of \$4,104.30 for uncollectible taxes owing by I.B. Schaffner & Sons, whose affairs were liquidated some years ago. These taxes cover a period from 1909-1918 inclusive.

After reviewing the facts of the case I do not see any chance of the City Collecting them, and I would request that your Committee consider this account, and recommend to Council that the taxes be written off.

The facts briefly of this case are, the Company went into liquidation in the year 1919 and a liquidator was appointed. The City filed its claim which was disputed by the Liquidator. The Collector received notice to appear before a Judge of the Supreme Court and bring proof of the City's claim, but as there is no doubt that the former collector Mr. Theakston was involved financially in this account he failed to put in an appearance at the Court, and our claim therefore received no attention.

There is no source at the present time from which we can collect this money, and I trust after reviewing the facts you will forward your approval to Council to have the account written off.

Yours truly,

A.M. Butler,
CITY AUDITOR

Moved by Alderman Redden, seconded by Alderman Shannon that the report be adopted. Motion passed.

APPOINTMENT POLL TAX COLLECTORS

Read report of the Special Committee on Collection of Tax Arrears recommending the appointment of W.C. Yates and J.P. Walsh as Sub-Collectors of Poll Tax to work on a 15% commission basis:

City Collector's Office,
Halifax, N.S.,
June 19th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

The City Collector has requested the services of two poll tax collectors.

Your Committee on Tax Arrears therefore recommend the appointment of Mr. W.C. Yates, 3 Princess Place, and Mr. J.P. Walsh, 70 Jubilee Road, to the positions.

The understanding is that both Collectors are to work on a 15% commission basis.

Respectfully submitted
A.W. Redden,
CHAIRMAN

✓
Under
Collector

Moved by Alderman Redden, seconded by Alderman Shannon that the report be adopted. Motion passed.

THE ARENA LIMITED TAX EXEMPTION

Read report of the Committee on Laws and Privileges on the application of the new Arena Limited for tax exemption;

Committee Room,
City Hall,
June 11th, 1928

His Worship the Mayor,
and Members of City Council

Gentlemen:-

At a meeting of the Committee on Laws and Privileges held this day an application from the new Arena Limited for exemption from taxation was considered.

Your Committee are of the opinion that their request at this time cannot be entertained

Respectfully submitted

J. L. McDuff
CHAIRMAN

✓
Assessor
arena
fund
aid

Moved by Alderman McDuff, seconded by Alderman Mullane that the report be adopted. Motion passed.

✓
TAXATION NON-RESIDENT EMPLOYEES

Read report of the Committee on
Laws & Privileges on a resolution of the Board of
School Commissioners in reference to the taxation of
non- resident employees:

Board of School Commissioners
Halifax, N.S. May 11th 1928

His Worship the Mayor,
and City Council
Halifax, N.S.

Gentlemen:-

At a meeting of the Board of
School Commissioners held May 3, the following re-
solution was adopted.

CITY EMPLOYEES NON-RESIDENT:

RESOLVED "That , on condition that all- non-resident
Civic employees be required to pay ten (\$10.00)
Dollars a year each into the Civic funds,
the Board of School Commissioners will make
a ruling regarding its employees that they
shall each pay Ten (\$10.00) Dollars a year
into the School Board funds".

I am,
Yours very truly,

S.J. Wilson
SECRETARY

Committee Room,
City Hall,
June 11th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Laws and Privileges
Committee held this day a letter from the School Board
covering resolution re taxing non-resident employees
was considered.

Your Committee wish to advise Council that
they do not concur in this resolution.

Respectfully submitted
J.L. McDuff
CHAIRMAN

Moved by Alderman McDuff, seconded by

Mr. J. Wilson Alderman Cragg that the report be adopted. Motion
passed.

June 19th, 1928

POLL TAX BY LAW

Read report of the Committee on Laws and Privileges covering By-law relative to Poll Tax Assessment in the City of Halifax;

Committee Room,
City Hall,
June 11th, 1928

His Worship the Mayor
and Members of City Council.

Gentlemen:-

At a meeting of the Laws & Privileges Committee held this day an extract of the City Council meeting held May 17th, 1928, relative to Poll Tax Assessment was considered.

Your Committee recommend that the City Solicitor be instructed to prepare By-Law to enforce Act passed at last Legislature.

Respectfully submitted,
J. L. McDuff
CHAIRMAN

Moved by Alderman McDuff, seconded by Alderman Cragg that the report be adopted. Motion passed.

Moved by Alderman McDuff seconded by Alderman Cragg that the By -Law be read a first time, Motion passed.

Read By-Law in reference to the assessment for Poll Tax in the City of Halifax. First reading.

Moved by Alderman McDuff, seconded by Alderman Cragg that the By-law relative to the Poll Tax Assessment in the City of Halifax be now read a second time. Motion passed.

Read By-Law in reference to the assessment for Poll Tax in the City of Halifax. Second reading.

✓
Council

June 19th, 1928

✓
PEDLAR AND PETTY CHAPMEN

Read report of the Laws and Privileges Committee covering an ordinance relative to pedler and petty chapmen in the City of Halifax

Committee Room,
City Hall,
June 11th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Laws and Privileges Committee held this day an extract from the minutes of a meeting of the City Council held May 17th, 1928 re pedler, petty chapman etc., was considered.

Your Committee recommend that the City Solicitor be instructed to prepare an Ordinance providing for the licenses issued for \$40.00 one ton truck and \$75.00 for trucks two tons or over.

Respectfully submitted
J.L. McDuff
CHAIRMAN

Moved by Alderman McDuff, seconded by Alderman Cragg that the report be adopted. Motion passed.

Moved by Alderman McDuff, seconded by Alderman Cragg that the Ordinance relative to the Licensing of Pedlers and Petty Chapmen in the City of Halifax be now read. Motion passed.

Read Ordinance relative to the Licensing of Pedlers and Petty Chapmen. First reading

Moved by Alderman McDuff, seconded by Alderman Cragg that the Ordinance relative to the licensing of Pedlars and Petty Chapmen in the City of Halifax be now read the second time. Motion passed.

Read ordinance relative to the licensing of Pedlers and Petty Chapmen. Second Reading,

✓
Council

EARLY CLOSING BARBER SHOPS

Read report of the Laws and Privileges Committee covering Ordinance relative to the early closing of barber shops:

Committee Room,
City Hall, June 11th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Laws and Privileges Committee held this day, a petition from the Journeymen Barbers for early closing By-Law was considered.

Your Committee recommend that the prayer of the petition be granted.

Respectfully submitted,
J. L. McDuff
CHAIRMAN

Moved by Alderman McDuff, seconded by Alderman Cragg that the report be adopted.

Alderman Dickie brought to the attention of Council that a delegation was present from the Barbers' Association who would like to address the Council on the subject.

By unanimous consent permission is given to the representative of the Barbers' Association and the opponents to this proposed ordinance to address the Council on the subject for five minutes each.

The Council is then addressd by Mr. Thomas Green in opposition to the proposed Ordinance and Arthur Castle on behalf of the Barbers' Association

The motion to adopt the report is put and passed thirteen voting for the same and three against it as follows:

FOR THE MOTION

Alderman Dickie,

AGAINST IT

Alderman Shannon
Mitchell

June 19th, 1928

(Continued)

FOR THE MOTION

AGAINST IT

Alderman Redden
Smith
Donovan
Cragg
McDuff
Rains
Ryan
Corbin
O'Toole
Mullane
Robertson
Smeltzer- 13

Alderman Drysdale-

-3

Moved by Alderman McDuff, seconded by Alderman Cragg that the Ordinance relative to the Early Closing of Barber Shops be read the first time. Motion passed.

Read ordinance to amend Ordinance No. 63 relative to the Early Closing of Barber Shops. First reading.

Moved by Alderman McDuff, seconded by Alderman Cragg that the ordinance relative to the Early Closing of Barber Shops be read the second time. Motion passed.

Read Ordinance to amend Ordinance No. 65 relative to the Early Closing of Barber Shops. Second reading.

FIRE DEPARTMENT-TENDERS FOR CLOTH

Read report of the Committee of Firewards re tenders for supplying 240 yards of Fox serge for the Fire Department:

Committee Room,
City Hall,
June 13th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Firewards Committee held this day, tenders for the supplying of 240 yards Fox Serge were considered as follows:

Mark Fisher & Son-	17-18	oz-	\$2.15	per yard
P.A. Wallace & Co.	"	"	1.98	"
Clayton & Sons	18-19	"	1.99	"

Your Committee recommend that the tender of Clayton & Sons, being the lowest tender for the supplying of 240 yards more or less, of Fox Serge the quality required- @ \$1.99 per yard, be accepted.

Respectfully submitted,
Thomas Robinson
CHAIRMAN

Moved by Alderman Cragg, seconded by Alderman O'Toole that the report be adopted. Motion passed.

✓
Auction
Chas. J. D.

FIRE DEPARTMENT-TENDERS MAKING AND TRIMMING UNIFORM CLOTHING

Read report of the Committee of Firewards re tenders for making and trimming 85 Uniform suits for members of the Fire Department:

Committee Room, City Hall,
June 13th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Firewards Committee held this day tenders for the making and trimming of 85 suits Firemens' Uniform clothing was considered as follows:-

Tiptop Taylors	\$14.50	per suit
Clayton & Sons	15.75	"
Mahar & Co.	16.75	"
M. E. Giffin	17.25	"
S. D. McCormack	18.00	"
S. D. McCormack 3 pieces	21.50	

Your Committee recommend that the tender be awarded to-

Clayton & Son 28 suits @ 15.75 per suit	
\$441.00	
Mahar & Co. " " 16.75 "	
\$469.00	
M. E. Giffin 29 " 17.25 "	
\$825.00	

Alderman Smith dissenting.

Respectfully submitted,
Thomas Robinson
CHAIRMAN

Moved by Alderman Rains, seconded by Alderman O'Toole that the report be adopted.

Moved in amendment by Alderman Shannon, seconded by Alderman McDuff that the tender of Messrs.

June 19th, 1928

Clayton & Sons for making and trimming 85 uniform suits at \$15.75 per suit be accepted.

Amendment put and passed nine voting for the same and seven against it as follows:-

FOR THE AMENDMENT

AGAINST IT

Alderman Shannon
Mitchell
Dickie
Redden
Smith
Donovan
McDuff
Drysdale
Robertson -9-

Alderman Cragg
Rains
Ryan
Corbin
O'Toole
Mullane
Smeltzer

-7-

*Auditor
Chas N 7D*

✓
REVISION OF THE CITY CHARTER

Read report of the Committee on Laws and Privileges re Revision of the City Charter:

Committee Room,
City Hall,
June 19th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Committee of Laws & Privileges held this day the matter of Revising the City Charter was considered.

Your Committee recommend that F.H. Bell and R.T. McIlreith be appointed to revise City Charter at a cost not to exceed \$2000.00, work to be proceeded with at once and to be under the supervision of the Committee of Laws & Privileges.

Respectfully submitted
J. L. McDuff
CHAIRMAN

Moved by Alderman McDuff, seconded by Alderman Smeltzer that the report be adopted. Motion passed. Alderman Dickie dissenting.

✓
PUBLIC GARDENS
TENDERS FOR PAINTING BAND STAND

Read report of the Committee on Gardens, Parks, and Common, re tenders for painting band stand in the Public Gardens:

✓
*Solicitor
R. H. G. Smith
Auditor*

June 19th, 1928

Committee Room,
City Hall,
June 19th, 1928

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 attached tenders for painting Band Stand at Public Gardens were considered.

Roche & Co.	\$87.00
J.D.Lavers & Co.	106.00

Your Committee recommend that the tender of Roche & Co., for \$87.00 be accepted.

Respectfully submitted,
S.L. Shannon
CHAIRMAN

Moved by Alderman Shannon, seconded by Alderman Donovan that the report be adopted. Motion passed. ✓

FIRE DEPARTMENT- PURCHASE OF CHASSIS

Read report of the Committee of Firewards re purchase of a chassis for the motor service ladder truck:

Committee Room,
City Hall,
May 28th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Committee of Firewards held this day the tender of Robertson Motors Limited for supplying one chassis for motor service ladder truck at \$4,200.00 was considered.

Owing to a misunderstanding your Committee now find that only \$1,700.00 of money intended for this purpose is now available. Mr. W.McL. Robertson has suggested a manner of financing the balance of purchase price of this equipment copy of which is attached herewith.

Your Committee recommend that the offer of Mr. Robertson be accepted and that chassis for motor service ladder truck be purchased and that Legislation be sought at the next session of the Legislative authorizing this expenditure.

Respectfully submitted
Thomas Robinson
CHAIRMAN

Moved by Alderman Shannon, seconded by

*Anderson
Roche & Co
City Hall*

June 19th, 1928

Alderman Dickie that the report be adopted. Motion passed

✓
Alderman
Chap. NFD
Engineer

✓
FIRE DEPARTMENT-PURCHASE OF MOTOR PUMPER
FOR SALVAGE TRUCK

Read report Committee of Firewards
re tender for supplying of a pumper for installation
on the salvage truck:

Committee Room,
City Hall,
May 25th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Committee of Firewards held this day, the attached tender of the LaFrance Fire Engine & Foamite Limited for supplying a pumper for installation on salvage truck #2522 at \$5,750.00 was considered and recommended to the City Council for acceptance.

Respectfully submitted
Thomas Robinson
CHAIRMAN

Moved by Alderman Smith, seconded by Alderman O'Toole that the report be adopted. Motion passed.

Alderman
Chap. NFD
Engineer

✓
POLICE DEPARTMENT- PURCHASE OF POLICE PATROL

Read report of the Police Committee recommending the purchase of a Police Patrol at a cost of \$2,250.00:-

Halifax, N.S.,
May 30th 1928

His Worship the Mayor,
and City Council.

Gentlemen:-

At a meeting of the Police Committee held this date, the purchase of a Police Patrol for the use of the Police Department was under consideration.

Your Committee recommend the purchase of a Reo 1½ Ton chassis, 143" wheelbase, fully equipped with standard Patrol Body, from the Robertson Motors Limited Halifax, at a cost of \$2,250.00 and the present Police Patrol.

Respectfully submitted
L.A. Gastonguay
MAYOR AND CHAIRMAN.

June 19th, 1928

*Amended
Chief of Police*

Moved by Alderman O'Toole, seconded by Alderman Smeltzer that the report be adopted. Motion passed. ✓

POLICE DEPARTMENT -TENDERS FOR UNIFORM CLOTHING

Read report of the Police Committee covering tender for uniform clothing for members of the Police Department:-

Police Committee,
Halifax, N.S.,
June 1st 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Police Committee held this date, tenders for the supplying of police uniform trousers and vests, civilian suits for the detectives, and suits for the Police Women from the following were considered.

<u>CLAYTON & SONS</u>			
No. 12021 Trousers		\$6.88	
Vests		<u>3.60</u>	\$10.48
No. 12041 Trousers		\$6.88	
Vests		<u>3.60</u>	10.48
3 civilian suits (\$24.00-\$50.00)			
M.E.Giffin			
Sample submitted trousers and vests		\$20.80	20.80
3 civilian suits			43.90
S.D.McCormack			
Sample X	Trousers and vests		17.25
XX	" "		19.75
	Civilian suits		48.50
X	Police Women suits		46.00
XX	" "		48.50
Geo. Hay Tailoring Co.			
Sample No. 1	Police Women suits		45.00
" No. 2	" " "		50.00

Your Committee recommend that the tender of Clayton & Sons at \$10.48 for trousers and vests, the tender of M.E. Giffin at \$43.90 for civilian suits and the tender of the Geo. Hay Tailoring Co. at \$45.00 for Police Womens' suits, being the lowest tender be accepted.

Respectfully submitted

L. A. Gastonguay
MAYOR AND
CHAIRMAN

Moved by Alderman O'Toole, seconded by
 Alderman Smeltzer that the report be adopted. Motion
 passed.

*Auditor
 Chief of Police*

ANNUAL REPORT COAL WEIGHERS

Read annual report of the Supervisor of
 Coal Weighers for the Civic Year 1927-28:

Halifax, N.S.,
 April 30th 1928

His Worship the Mayor,
 and City Council.

Gentlemen:-

The following is a recapitulation of coal and
 coke weighed by City Weighers during the civic year end-
 ing April 30th 1928:

<u>NAME OF COAL</u>	<u>NUMBER OF TONS</u>	<u>NUMBER OF POUNDS</u>
Sydney	29523	1436
Inverness	20154	210
Slack	19281	80
Run of Mine	18249	535
Acadia Lump	4194	1840
Indian Cove	4385	983
Raven Rd. Ash	3692	880
Acadia Nut	2672	1650
Springhill	1470	90
Acadia	1393	1750
Bras D'or	1384	1195
Drummond	781	309
Island Creek	558	1430
Canadian Lump	523	700
McKay	468	1995
Reserve	463	1140
Acadia Stove	388	1920
Bay View	344	1556
Lawson	302	1160
American	208	450
Howard	122	1800
Pochontus	104	1090
Cumberland	69	1380
Victoria	50	60
Welsh	21	240
Kawanha	10	1700
Boston	4	1000
Queen	3	500
Charcoal	7	1650
Besco Coke	6088	1340
Gas "	4831	1720
Dominion	3314	1715
Petroleum Coke	1359	370
Run of Mine "	124	275
English	111	1920
American & Welsh Coal	27205	1650
	<u>153874 tons</u>	<u>200 pounds</u>

Tons	Pounds	
153874	200	at 10¢ per ton
		\$15,387.42

Cash paid Supernumeraries and Expenses	\$2810.83
" " Late J.T. Selig to Oct.	
31 1927	<u>391.42</u>

3,202.25
\$12,185.15

June 19th, 1928

The balance divided among twelve (12) permanent Weighers gives each the sum of One Thousand and Fifteen Dollars and Forty-three cents (\$1,015.43)

Respectfully submitted
A.W. Cullymore
SUPERVISOR

FILED

✓
COAL WEIGHERS REPORT

Read report of the Supervisor of Coal Weighers for the month of May showing that each of the Permanent Weighers received the sum of \$59.72 in fees during the month of May.

FILED

✓
TAX COLLECTIONS

Read report of the City Auditor covering Statement of Tax Collections for the month of May 1928:

City Auditor's Office,
June 14th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

Report on Tax collections for the month of May 1928 is submitted. Collections amounted to \$162,936.17. During the same month last year collections amounted to \$140,783.03:

ARREARS TAXES	Outstanding Bal. Previous month.	May 1928 Collect-ions	Amounts Written off and Tax Sale Credits	Outstanding Balances May 31 1928
Civic Year Prior to May 1, 1925	\$797,347.13	\$25,682.67	\$18,170.36	\$753,494.10
Civic Year 1925-26	127,441.19	9,689.86	3,502.19	114,249.14
Civic Year 1926-27	206,623.54	15,037.61	3,374.44	188,211.49
Civic Year 1927-28	408,852.04	37,008.29	3,109.57	368,734.18
	<u>\$1540,263.90</u>	<u>\$87,418.43</u>	<u>\$28,156.56</u>	<u>\$1424,688.91</u>
<u>CURRENT TAXES</u>				
Civic Year 1928-29	2005,267.76	52,107.85		1953,159.91
Water Department Rates and Taxes Apr. 30, 1928	\$141,878.33			
Add monthly charges	2,078.53	143,956.86	23,409.89	3,950.62
116,596.35				
<u>GRAND TOTALS</u>	<u>\$3689,488.52</u>	<u>\$162,936.17</u>	<u>\$32,107.18</u>	<u>\$3494,445.17</u>

FILED.

Respectfully submitted
A.M. Butler

CITY AUDITOR

DEPARTMENTAL APPROPRIATIONS

Read report of the City Auditor
covering Statements of Departmental Appropriations
as at May 31st 1928:

FILED:

✓
CITY HOME AND T.B. HOSPITAL
MONTHLY REPORT

Read report of the Charities Committee
for the month of May 1928 showing the number of inmates
in the City Home to be 262 and the number of patients
in the T.B. Hospital to be 41:

FILED.

✓
CLAIM W. F. HEALY

Read report of the City Solicitor
covering his opinion as to the liability of the City
in the matter of the claim of W.F. Healy and placing
the liability for the damage on Mr. A.J. Drummond:

Halifax, N.S. June 13th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:

RE ACCIDENT TO LADDER TRUCK

Gentlemen:-

I have already reported on the facts as
stated to me and what I believe to be the law in respect
to this case in my opinion on the claim by Mr. Healy,
and can only reiterate my opinion that if the facts
are as stated to me, the City is free from any liability
in the matter, and that the damage was the result of
the improper action of the driver of the car who caused
the collision by attempting to cut across the front of
our truck. The owner of this car I have since ascertained
is Mr. A.J. Drummond, Manager of R.G. Dun & Co.

A lawsuit is always more or less of
an uncertainty. The facts as stated may not be borne
out or disproved at the trial and a judge may take a
different view of the law. I can only say that in my
opinion on the facts as stated to me, and what I believe
to be the law Mr. Drummond is responsible for the
damages both to the City's car and to Mr. Healy's.

Respectfully submitted
F.H. Bell,
CITY SOLICITOR

Moved by Alderman Robinson, seconded
by Alderman Smeltzer that the City Solicitor be
instructed to communicate with Mr. Drummond regarding
the City's claim against him for damages to the
apparatus of the Halifax Fire Department. Motion
passed. ✓

Solicitor

NOTICE OF MOTION RE STEAM TRAWLERS
BY ALDERMAN RYAN

Alderman Ryan submits and reads
the following resolution of which he gave notice
at a meeting of the City Council May 17th, 1928:

WHEREAS the National Fish Company of
this City handles approximately Twenty
Five Million Lbs. of fish yearly, and
disburses the sum of \$1,800,000 annually
of which \$500,000.00 is for wages alone,
and the Leonard Fish Company also
makes large similar disbursements,

AND WHEREAS the continued operation of
these companies depends upon the use
of the steam trawler fishing vessels
and adoption of the recent majority
report of the Commission on Fisheries
recommending their prohibition will
result in driving these industries out
of this City and Province.

THEREFORE RESOLVED that this Council
wishes to express its opinion that the
recommendation of the said majority
report should not be carried into
effect and that the continued use of
the trawlers be permitted.

AND FURTHER MORE that copy of this
resolution be forwarded to the Minister
of Marine and Fisheries and the Minister
of National Defence.

Alderman Dickie submits the following
amendment:-

That this Council having in mind the
interest of the fishing industry as
a whole and its vital bearing on the
future prosperity of Nova Scotia
that they neither approve or disapprove
of the majority or minority report of
the Royal Commission on Fisheries, but
urge the immediate creation of a
Department of Fisheries as recommended
in the said report, such department be
presided over by a Minister familiar
with this important industry surrounded
by a Deputy Minister and Officials
intimately familiar with the said
industry who shall give immediate effect
to the findings of the Royal Commission
on Fisheries along lines which shall
be in the best interests of the fishing
industry as a whole

~~What will be done~~

Moved by Alderman Dickie, seconded by Alderman Robinson that the consideration of this resolution and amendment be deferred until the next meeting of this Council, and that in the meantime he would furnish members of Council with a copy of the printed report of the Fisheries Commission.

Council
Motion passed. ✓

COLD STORAGE WAREHOUSE
AND CANADIAN NATIONAL HOTEL AND PASSENGER STATION

Alderman Dickie submits the following
Resolution by way of Notice of Motion:

The City Council desires to record herewith an expression of appreciation and satisfaction with the progressive measures which are being initiated to enlarge the accommodation and increase the facilities of the port of Halifax. In particular it welcomes the beginning of the construction at the South Terminals of the large Cold Storage warehouses, which will provide the City and port of Halifax for the first time in its history with a modern plant for the handling of perishable products.

It desires to record also its high satisfaction with the passing by Government and Parliament of the estimate which insures the completion of the enterprise already initiated by the Canadian National Railways for the addition to the terminal equipment of the new Canadian National Hotel in conjunction with the new passenger station. The construction of these large undertakings upon which the sum of two to three million dollars will be expended in Halifax will furnish much desired employment for mechanics and labourers and the equipment of the Atlantic terminus of the Canadian National Railways with modern passenger and hotel Accommodation and should be influential factors in attracting to Halifax an increasing flow of travel and stimulating the business of the City and Province.

12 o'clock p.m.-Moved by Alderman Shannon, seconded by Alderman Mitchell that this meeting do now adjourn.

Council
Motion passed.

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June 19th, 1928

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Meeting adjourned

W. R. Rhind
HIS. RHIND

L. A. Gastonguay
L. A. Gastonguay
MAYOR

✓
EVENING SESSION

8.10 o'clock,
Council Chamber, City Hall,
July 12th, 1928

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

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

✓
UNION OF MUNICIPALITIES OF THE PROVINCE OF
QUEBEC

His Worship the Mayor submits the following papers:

Letter of appreciation from Joseph Beaubien, Esq., Mayor of the City of Outremont, Quebec, and President of the Union of Municipalities of the Province of Quebec, thanking His Worship the Mayor and Members of the City Council for the entertainment and reception to the Union of Municipalities of the Province of Quebec on their Convention in Halifax

FILED.

July 12th, 1928

Resolution of the City Council of the City of Sherbrook, Quebec, conveying the thanks of the Council to the Mayor and Council of the City of Halifax for courtesy extended members at the Convention of the Union of the Municipalities of the Province of Quebec at Halifax.

FILED.

✓
PUBLIC HOLIDAYS

Circular letter Acting City Clerk of the City of London Ontario covering a resolution in reference to the holding of statutory holidays on Monday.

Referred to the Committee on Laws and Privileges

*see Mr. Duff
Clerk*
✓
EARLY CLOSING OF BARBER SHOPS

Alderman Dickie brought to the attention of the Chair the fact that a delegation was present from the Barbers Union in the interests of the proposed Ordinance relative to the early closing of Barber Shops, and asked that the order of business be suspended and item No. 48 on the Agenda viz; - 3rd reading of Ordinance relative to the Early Closing of Barber Shops, be now taken up.

By unanimous consent of the Council this matter is now taken up for consideration.

Moved by Alderman Dickie, seconded by Alderman Redden that the Ordinance relative to the Early Closing of Barber Shops read the first and second time at a meeting of the City Council held on June 19th, be now read a third time. Motion

July 12th, 1928

Passed twelve voting for the same and four against it
as follows:

FOR THE MOTION

Aldermen Dickie
Redden
Smith
Donovan
Cragg
McDuff
McCarthy
Rains
Ryan
Corbin
O'Toole
Mullane -12.

AGAINST IT

Aldermen Shannon
Mitchell
Drysdale
Robinson

-4-

Read Ordinance relating to the Early Closing
of Barber Shops. Third reading.

An Ordinance in relation to the Closing of
Barber Shops in the City of Halifax:

Be it enacted by the Mayor and Council of
the City of Halifax under the authority of
Chapter 43 of the Acts of the Province of
Nova Scotia for the year 1902, and the Acts
in amendment thereof as follows:

1. Ordinance No. 63 of the said City entitled
"Early Closing of Shops, Barber Shops" is hereby
repealed and the following ordinance substituted
therefor;
2. "Barber Shops shall open in said City of
Halifax not earlier than eight o'clock in the
morning and shall close at seven o'clock in the
afternoon on each day with the following
exceptions, viz;
 - (a) They shall be permitted to remain open until
ten o'clock in the evening on Saturdays and on
any day preceding a public holiday.
 - (b) They shall close at 12.30 o'clock in the
afternoon on all Wednesdays from May 1st to
November 1st in each year except in any week in
which a public holiday occurs, in which case there
shall be no half holiday on Wednesday.
 - (c) Where the holiday occurs on a Monday,
they shall be permitted to remain open in the
fore noon up to 12 o'clock at noon on that day"
3. The time mentioned in this Ordinance
shall be either Atlantic Standard Time or
Daylight Saving Time, whichever is in force at
the time by virtue of any resolution of the
Council of the City of Halifax then in force.

July 12th, 1928

Moved by Alderman Dickie, seconded by Alderman Redden that the said Ordinance having been duly read a third time in Council be now adopted and engrossed and forwarded to the Governor-in-Council for approval. Motion passed.

✓
Hon E. J.
Rhodes P.C.

✓
LETTER INTERNATIONAL HOD CARRIERS UNION

Read letter International Hod Carriers Union Local 605 re the employment of non-union workmen in the City.

Referred to the Committee on Works.

✓
Engineer
City of Works

✓
STRAY DOGS

Read letter Secretary S.P.C., relating to the collection of stray dogs in the City.

Referred to the Police Committee.

McAnjo

✓
TAG DAY-TRINITY CHURCH

Read application of Trinity Church for permission to hold tag day on Saturday August 18th.

Moved by Alderman Drysdale, seconded by Alderman Rains that the request be granted.

Motion passed

Miss
M. de Waller

✓
TAG DAY-SEA VIEW BAPTIST CHURCH

Read application of the Seaview Baptist Church for permission to hold a Tag Day on Saturday July 14th:

Moved by Alderman McDuff, seconded by Alderman Rains that the request be granted. Motion passed.

J. Keeling

July 12th, 1928

TAG DAY-TRADES AND LABOR COUNCIL

Read application of the Halifax District Trades and Labor Council for permission to hold a Tag Day on September 3rd, 1928 (Labor Day):-

Moved by Alderman Rains, seconded by Alderman Drysdale, that the request be granted. Motion passed.

*S. J. Hunter
Secretary*

WORKS DEPARTMENT ACCOUNTS

Read report of the Committee on Works recommending for payment accounts amounting to \$11,248.92-

City Works Office,
Halifax, N.S.,
July 11th, 1928

WATER AND WORKS DEPT. ACCTS.

To the City Council.

Gentlemen:-

The Committee on Works recommend for payment accounts attached hereto chargeable to the following services:-

Water Department:

Capital	\$117.81	
Maintenance	<u>559.85</u>	\$677.66

Works Department

Capital	\$681.80	
Appropriations	<u>9873.40</u>	<u>10,555.20</u>
		\$11,232.85

1927-28

Works Department Appropriations	\$6.06	<u>16.06</u>
		\$ <u>11,248.92</u>

Respectfully submitted,
M.A. Hunter
CLERK OF WORKS

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

July 12th, 1928

✓
GENERAL ACCOUNTS

Read report of the Finance Committee recommending for payment accounts amounting to \$7,166.23:

Committee Room, City Hall,
July 10th, 1928

His Worship the Mayor,
and City Council.

Gentlemen:-

At a meeting of the Finance Committee held this day, the attached list of accounts chargeable to the various appropriations amounting to \$5,528.49 and to Capital Account \$1,637.74 was passed as correct and recommended to the City Council for payment.

Respectfully submitted

S.L. Shannon
CHAIRMAN

Moved by Alderman Shannon, seconded by Alderman Robinson that the report be adopted.
Motion passed.

✓
CITY HOME AND. T. B. HOSPITAL ACCOUNTS

Read report of the Charities Committee recommending for payment accounts chargeable to the City Home \$8,575.18 and to the T.B. Hospital account for 1928 \$2,748.50 , and account for 1927-28 \$601.62:

Halifax, N.S. July 11th, 1928

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 and Dickie.

CITY HOME ACCOUNTS June 1928. Amount \$8,575.18

City Home Accounts for the month of June 1928 amounting to \$8,575.18 are recommended for payment

July 12th, 1928

TUBERCULOSIS HOSPITAL ACCOUNTS JUNE 1928
Amount \$2,748.50

Tuberculosis Hospital Accounts for the month of June 1928 amounting to \$2,749.50 are recommended for payment.

TUBERCULOSIS HOSPITAL ACCOUNTS, YEAR 1927 AND 1928
AMOUNT \$601.62

Tuberculosis Hospital accounts chargeable to 1927 and 1928 amounting to \$601.62 are recommended for payment.

Respectfully submitted
James W. McCarthy
CHAIRMAN

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

FIRE DEPARTMENT ACCOUNTS

Read report of the Committee of Firewards recommending for payment accounts amounting to \$11,966.73:

Committee Room,
City Hall,
July 11th, 1928

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 chargeable to Fire Department - 1928-29 account \$11,442.06, 1927-28 account \$6.00 and to Fire Alarm System \$518.67, were passed as correct and recommended to the City Council for payment.

Respectfully submitted
Thos. Robinson
CHAIRMAN

Moved by Alderman Robinson, 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 amounting to \$9,946.35:

July 12th, 1928

Halifax, N.S. July 12th, 1928

His Worship the Mayor,
and Members, City Council.

Gentlemen:-

At a meeting of the City Health Board held on Wednesday, July 11th, 1928, the following named accounts amounting to \$9,946.35 were passed as correct and are recommended for payment.

Respectfully submitted,

Arthur C. Pettipas,
SECRETARY

Moved by Alderman Smith, seconded by Alderman Corbin 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 \$8,331.66:

City Hall, Halifax, N.S.
June 29th, 1928

His Worship the Mayor,
and City Council.

Gentlemen:-

At a meeting of the Police Committee held this date, the attached accounts amounting to \$8,331.66 were passed as correct and recommended for payment.

Respectfully submitted
L. A. Gastonguay
MAYOR AND CHAIRMAN

Moved by Alderman O'Toole, seconded by Alderman Robertson 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 \$1,201.66 and covering the annual report of the Governor for the Civic Year 1927-28:

July 12th, 1928

Halifax, N.S. July 5th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Prison Committee held this day, the attached list of accounts amounting to \$1,201.66 was passed as correct and recommended to the City Council for payment.

The Governor submitted his report for the month showing there were sixteen males and two females in custody June 30th, 1928.

The Governor also submitted his annual report for the Civic Year 1927-28, which was approved and ordered to be forwarded to the City Council for its information.

Respectfully submitted,
Sgd. A.A. Robertson
CHAIRMAN

Moved by Alderman Robertson,
seconded by Alderman Rains that the report be adopted.
Motion passed.

✓
GARDENS PARKS AND COMMON ACCOUNTS

Read report of the Committee on Gardens Parks and Common recommending for payment accounts, chargeable to Public Gardens \$1,671.27 and to Fleming Park \$372.32:

Committee Room, City Hall,
July 9th, 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 attached list of accounts chargeable to Public Gardens \$1,671.27 and to Fleming Park \$372.32 was passed as correct and recommended to the City Council for payment.

Respectfully submitted,

S. L. Shannon
CHAIRMAN

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

July 12th, 1928

✓
APPOINTMENT TRUSTEES FIREMENS' SUPERANNUATION FUND

Moved by Alderman Ryan, seconded by Alderman Robertson that Alderman Cragg be appointed a Trustee of the Firemens' Superannuation Fund to fill the vacancy caused by the retirement of ex-Alderman Weston. Motion passed.

*also Cragg
Auditor
Treasurer*

✓
PROVINCIAL EXHIBITION RE-CONSTRUCTION

Read report of the Finance Committee recommending payment of the sum of \$1,149.59, being the City's share of the cost of grading and opening the drain at the track at the Exhibition grounds:

Committee Room, City Hall,
July 10th, 1928.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Finance Committee held this day the Auditor submitted account for draining and grading at the Exhibition Grounds.

Your Committee recommend that the City Auditor be authorized to pay to the Commission the sum of \$1,149.59, being the City's share of the costs of this work.

Respectfully submitted,
S.L.Shannon
CHAIRMAN

City Auditor's Office,
Halifax, N.S.
July 6th, 1928

The Chairman
and Members
Finance Committee.

Dear Sirs:-

I attach two certificates for expenditures on Capital Account on the Exhibition Buildings. The first certificate amounts to \$1,776.15 made up of the following items:

Pay Roll opening drain at track	\$23.75
First pay roll Grading	776.90
Second Pay Roll Grading	975.50

The second certificate represents the amount required for pay roll in connection with the track fence and amounts to \$523.04.

July 12th, 1928

(City Auditor's Office)

These certificates are signed by the Foreman in charge of the work, the Secretary-Treasurer of the Exhibition Commission, and I have verified the amounts by reference to the time book.

The City's share of the first certificate is \$888.07, and of the second \$261.52, making a total of \$1,149.59, and I shall be glad if you will approve of the paying of this sum.

Yours truly,

A.M. Butler,
CITY AUDITOR.

Auditor
Treasurer
Moved by Alderman Shannon, seconded by Alderman Robertson that the report be adopted. Motion passed. ✓

PROVINCIAL EXHIBITION RE-CONSTRUCTION
PROGRESS PAYMENT

Read report of the Finance Committee recommending the payment of \$1,500.00 to the Exhibition Commission being one-half of the cost of installing and being the electric wiring/fittings, and \$187.59/one-half of the cost of erecting the fence bordering the track at the Exhibition grounds:

City Auditor's Office,
Halifax, N.S.,
July 6-28

The Chairman,
Finance Committee,
City Hall.

Dear Sir:-

I attach certificate from Andrew R. Cobb, Architect, calling for a payment of \$3,000.00 to the Provincial Exhibition Commission on account of Arthur and Conn's contract. The City's share of this account is \$1,500.00, and I shall be glad if you will approve payment.

I also attach an invoice from the Piercy Supply Co., Ltd., for materials supplied to erect the fence bordering the track which amounts to \$375.18, the City's part being \$187.59. Would you please approve this invoice for payment.

Yours truly,

Sgd. A.M. Butler,
CITY AUDITOR

July 12th, 1928

Committee Room,
City Hall,
July 10th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Finance Committee held this day the City Auditor submitted the attached certificate from Andrew R. Cobb, Architect of the new Exhibition Buildings, recommending a progress payment to Messrs. Arthur and Connof \$3,000 on account of their contract.

Your Committee recommend that the City Auditor be authorized to pay to the Exhibition Commission the City's share of this amount which is \$1,500.00

Your Committee also recommend that the City Auditor be authorized to pay to the Exhibition Commission the sum of \$187.59 being the City's share of the cost of erecting fence bordering the track at the Exhibition grounds.

Respectfully submitted
S.L. Shannon
CHAIRMAN

Moved by Alderman Shannon, seconded by

Auditor Alderman Robertson that the report be adopted. Motion
Treasurer passed.

✓
PROVINCIAL EXHIBITION RE-CONSTRUCTION
FINAL PAYMENT TO CONTRACTORS

Read report of the Finance Committee recommending the payment of \$1,450.15 to the Exhibition Commission being one-half of the final payment to the McDonald Construction Company on account of their contract for constructing buildings at the Exhibition grounds:

Committee Room,
City Hall,
July 10th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Finance Committee held this day, the City Auditor submitted the attached

July 12th, 1928

certificate of Andrew R. Cobb, recommending the final payment of \$2,900.31 to the McDonald Construction Company.

Your Committee recommend that the City Auditor be authorized to pay to the Exhibition Commission the sum of \$1,450.15 being one-half of the amount of the certificate submitted.

Respectfully submitted
S.L. Shannon
CHAIRMAN

City Auditor's Office,
Halifax, N.S.,
July 6th, 1928

The Chairman,
Finance Committee
City Hall.

Dear Sir:

I attach certificate from Andrew R. Cobb, Architect, calling for a final payment to the McDonald Construction Company Limited for \$2,900.31. This payment represents the balance due them on their contract including all extras furnished in connection with the Exhibition Buildings.

The City's share of this certificate is \$1,450.15, and I shall be glad if you will approve the account for payment.

Yours truly,

A.M. Butler
CITY AUDITOR

Auditor
Treasurer

Moved by Alderman Shannon, seconded by Alderman Robertson that the report be adopted. Motion passed.

✓
NOVA SCOTIA HOSPITAL ACCOUNT FOR
MAINTENANCE CLARA HAWKESWELL

Read report of the Finance Committee re account of the N.S. Hospital for maintenance of one Clara Hawkeswell:

Committee Room, City Hall,
July 10th, 1928

His Worship the Mayor,
and City Council.

Gentlemen:-

At a meeting of the Finance Committee held this day, the Chairman submitted the attached opinion

July 12th, 1928

of the City Solicitor on the account of the Nova Scotia Hospital for maintenance of one Clara Hawkeswell.

Your Committee recommend that this account be referred to the Charities Committee to deal with.

Respectfully submitted

S. L. Shannon
CHAIRMAN

Halifax, N.S. June 14th, 1928

Chairman,
Finance Committee,
City Hall.

RE: HAWKESWELL

Sir:

The liability of the City to this claim of the Provincial Government depended upon the settlement of an insane pauper woman who has been for some years past confined in the Nova Scotia Hospital.

The facts of the case briefly are as follows: The woman undoubtedly had a settlement by birth in the City of Halifax. Some twenty years ago however, she left the City and led a more or less wandering life until she was deported from the States in an insane condition, came to Halifax where she was placed in the Nova Scotia Hospital as a pauper patient prima facie chargeable to the City of Halifax, by reason of her settlement of birth.

Upon the bill for her maintenance being presented, Mr. Buchanan, who has taken the greatest interest in the matter, proceeded to investigate the claim and it was ascertained that the man to whom she was married, named Hawkeswell, had resided for a number of years, and probably paid taxes, in the Town of Stellarton, and therefore if he had resided there continuously for five years or upwards, or paid taxes, he would have acquired a settlement there and as the settlement of the wife follows that of the husband her original settlement would have been changed to a settlement in Stellarton and that consequently her maintenance would be chargeable to that town.

Mr. Buchanan and myself proceeded to Stellarton where we spent two days in investigating the facts and obtained sufficient evidence to lay before the Minister of Public Works a claim that the maintenance of the pauper should be charged to Stellarton and not to Halifax. The Minister thereupon directed that notice of our claim should be given to Stellarton and that a hearing in the nature of a trial should be held to determine this question of settlement, and consequent liability, and appointed Mr. Wall to take the evidence.

The taking of evidence and the subsequent hearing before the Minister took place while I was in England in the summer of 1927 and I can only report what I have been informed by Mr. White and Mr. Buchanan. The City made a strong case of five years residence and also a conclusive case of payment of taxes. The point, however, was raised that Hawkeswell could not in either way obtain a settlement in Stellarton because he was at the time a deserter from

July 12th, 1928

from the Army and therefore liable to be removed at any moment. The Minister offered to put his findings in the form of a Special Case and leave the question of law to the determination of the Supreme Court. Both parties, however, preferred to leave the matter to his decision which, by the terms of the Act, is final and without appeal. The Minister ultimately decided in favour of the contention of Stellarton and that no settlement had been acquired in that town and that consequently the original settlement of the woman being still in force, Halifax was liable for her maintenance.

As I have said, this decision is final. The late Mayor and myself discussed with the Minister the possibility of re-opening the matter or making a special case for reference to the Supreme Court, but the Minister pointed out, as I think correctly, he had no power to do so, and that Stellarton could properly disregard any such proceeding by him. It consequently follows that the City is liable for the maintenance of this pauper. The only defence which I can see could be made to an action by the Crown to recover the amount due, is the extremely technical one that the City is not included in the expression in the Act which makes the liability chargeable to "The Municipality or Incorporated Town" in which the pauper has a settlement. If the words "incorporated town" had not been used, there would not be any doubt that a city would be included in the general expression "municipality", but the use of these words may give ground for the argument that the word "municipality" was used in the more limited sense of meaning only a municipal corporation, under the Chapter dealing specifically with these bodies and did not include cities. It is impossible to foretell whether or not a Court would attach any importance to this contention. If the City sees fit to risk a lawsuit on so narrow a point, it can be raised. That, however, is a matter for the Council to determine.

Respectfully submitted
F.H. Bell
CITY SOLICITOR

Office of the City Solicitor
Halifax, N.S. July 12th, 1928

Chairman
Committee of Finance,
CITY.

RE: HAWKESWELL

Sir:-

In the opinion which I prepared and which will be handed to your Committee in the above matter, I refer to a possible technical defence on the ground that the expression "Municipality" or "Town" in the Nova Scotia Hospital Act, might not include a City. At that time the Acts of the last Session had not been published and I was unaware that this point had been expressly dealt with by Chapter 25, which provides that in the Act referred to "a municipality, town or incorporated town or any similar expression includes a City and shall be deemed to have prior to the enactment of this Section included a City"

This retroactive legislation completely disposes of the possibility of such a defence as I suggested, and consequently I am unable to see any ground upon which the City can successfully contest the claim of the Province.

Respectfully submitted
F.H. Bell
CITY SOLICITOR

July 12th, 1928

Moved by Alderman Shannon, seconded
by Alderman McCarthy that the report be adopted. Motion
passed.

MRS. M. DURAND CLAIM FOR REFUND

Read report of the Finance Committee
on the claim made by Mrs. M. Durand for refund of
\$51.60 amount paid for Real Estate License for years
1924 and 1925:-

Committee Room,
City Hall,
July 10th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Finance
Committee held this day, the attached application of
Mrs. Durand for refund of Real Estate License Fee paid
in 1924 and 1925 amounting to \$51.60 was submitted.

The Chairman submitted an opinion
from the City Solicitor to the effect that Mrs. Durand
was not entitled to a refund.

Your Committee recommend that the
opinion of the City Solicitor be concurred in and that
Mrs. Dur and be furnished with a copy of the opinion.

Respectfully submitted
S. L. Shannon
CHAIRMAN

Office of City Solicitor,
Halifax, N.S. June 14, 1928

Chairman
Committee on Finance
CITY

RE MRS. DURAND'S CLAIM

Dear Sir:

Previous to 1927 every Real Estate
Agent doing business in the City was liable to a
Special Tax of \$25.00, in addition to the ordinary
business tax. There was always difficulty in ascertaining
who were liable to this tax as so many persons, in
addition to other businesses, handle Real Estate to
a greater or less extent, and as a consequence in 1927
the tax was removed in the case of all persons who
paid a Business Tax in excess of \$25.00.

July 12th, 1928

As Mrs. Durand's payments were previous to this amendment I do not see any way in which she can claim a refund. Unless I am mistaken, Mrd. Durand's business is entirely that of a Real Estate Agent and consequently there would have been no question as to her liability to the tax previous to the amendment.

I take this opportunity, in view of the impending revision of the Charter, to call attention to what I consider the unwisdom of retaining a number of these special taxes on particular kinds of business. Previous to the introduction of the business tax and while taxation was imposed on personal property, there was excellent reason for their existence to impose a fair share of taxation on businesses which, though large and presumably profitable, escaped taxation by reason of their not requiring stock in trade. Today when all businesses alike are subject to a Business Tax, there seems no good reason for singling out certain forms of business for special taxation. These special taxes are a constant cause of trouble to ascertain what businesses are subject to them, and by the fact that in many cases forms of business overlap and they are a constant danger to troublesome litigation.

I would suggest that when the work of revision is taken up, consideration should be given as to whether or not many of them should be retained.

Respectfully submitted
F.H. Bell
CITY SOLICITOR

Moved by Alderman Shannon, seconded by

Mr Durand Alderman McCarthy that the report be adopted. Motion passed.

✓
W.F. HEALY CLAIM

Read report of the City Auditor on the claim of W.F.Healy for the payment of \$136.25 for damages to his car:

City Auditor's Office,
Halifax, N.S.,
July 9th, 1928

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At the meeting of Council held May 17th, 1928 the Council voted to pay the claim of W.F.Healy for \$136.25 for damages to his car.

The opinion of the City Solicitor read at this meeting was, on the facts of the case furnished him by responsible witnesses, that the driver of the car was not negligent, and the City therefore not liable. Further evidence received since has, I believe, only strengthened the City Solicitor's opinion.

July 12th, 1928

In the face of this opinion and the express provision of the Charter, Paragraph "D" Sub-Section 1 of Section 320A Chapter 60, Acts of 1924, it is clear to me that it would be illegal to authorize this payment; Further more the City Solicitor has informed me it would prejudice the case of the City in the event of suit.

For your information I will quote the Paragraph of the Charter referred to:

"It shall be the duty of the Auditor to examine into and make certain that each and every item of proposed expenditure is duly authorized by law, and in case he shall find that any proposed expenditure is not so authorized, to hold up such expenditure and report thereon to the Mayor and Council"

The matter was not reported to the June Council meeting as Mr. Healy only recently made a request for the amount, which for the reasons given I declined to pay.

Yours truly,

A.M. Butler,
CITY AUDITOR.

The City Solicitor submits and reads a letter in reference to the claim of the City against the third party Mr. Drummond:-

Office of City Solicitor,
Halifax N.S.
July 11th, 1928

His Worship the Mayor.

Dear Sir:

I beg to report that on the instruction of the Council I wrote Mr. Drummond claiming damage for the injury to our fire apparatus by his negligent operating his car on 10 March last, and have a reply from his solicitor repudiating liability.

Respectfully submitted,
F.H. Bell
CITY SOLICITOR.

Moved by Alderman Robertson, seconded by Alderman Shannon, that the City Solicitor be instructed to take legal proceedings against Mr. Drummond to recover damages for injury to the apparatus of the Fire Department:

July
~~May~~ 12th, 1928

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

For the Motion

Alderman Shannon
Mitchell
Redden
Smith
Donovan
Cragg
McDuff
McCarthy
Ryan
Corbin
Robertson-11

Against it

Alderman Dickie
Rains
O'Toole
Mullane
Drysdale
Robinson

- 6-

Auditor
Solicitor
W F Healy

✓
LETTER CITY AUDITOR ON PURCHASE OF
FIRE APPARATUS AND POLICE
PATROL

Read letter of the City Auditor in reference to the resolution passed by the City Council at its last meeting to purchase certain fire apparatus and a police patrol. Also read letter T.F. Tobin, Esq., Solicitor for Robertson Motors Ltd., on the subject:

City Auditor's Office,
Halifax, N.S.,
July 9th, 1928

His Worship the Mayor and
Members of City Council.

Dear Sirs:-

I beg to call your attention to the serious question involved in the proposal to attempt to enter into contracts for a piece of Fire Apparatus and for a Police Wagon in excess of the funds on hand, or authorized credit available by special Legislation. In the one case only a sum of \$1,700.00 is available for the purchase of a Motor Service Ladder Truck, and in the other case the deficiency is \$250.00

Sub-Sections 2,3 and 4 of Section 340 of the Charter provides as follows:

340-2 Neither the Board of Control or any Committee or Board, nor any member of either, shall make any expenditure or enter into any contract involving the making of any expenditure for such civic year in excess of the amount to the credit of the Board of Control or of such Committee or Board, or such appropriation, respectively.

340-3 Any mayor who signs or countersigns any cheque for the payment of any sum on account of any

July 12th, 1928

Auditor who certifies for any payment on account of any such expenditure shall be liable to a penalty of Five Hundred Dollars.

340 4 Any contract so entered into involving the making of an expenditure in excess of such amount shall not be binding upon the City, and notwithstanding that the City has benefited by such contract,

Sub-Section 2 of Section 366 is as follows:

366 2 If any debt is incurred, or any money is expended by the Council, or under its authority beyond the amount provided by law, such debt or expenditure shall not be recovered from the City, but the members of the Council voting for the resolution for the incurring of such debt, or for the making of such expenditure shall be jointly and severally liable therefor.

It is clear that the City cannot legally enter into either of the proposed contracts. The Council apparently is aware of this and proposes to meet the difficulty by entering into a provisional agreement by which it obtains the required apparatus, and undertakes to procure Legislation at the next session, the City paying in addition to the purchase price interest on the deficiency. In the case of the deficiency of \$250.00 on the Police Wagon I have not been advised how this is to be met. Such an undertaking I am advised by the City Solicitor is of no legal effect whatever, and if the necessary Legislation is not obtained would leave myself, and the members of the Council open to legal proceedings under the section quoted.

Assuming however, that the necessary Legislation could be obtained I should nevertheless point out that the proposal to incur expenditures in this way is a most dangerous one. The provisions quoted from the Charter are intended to prevent a Council from spending beyond the powers entrusted to it for the year, or by special enactment. If expenditures can be made in this way there would be no limit to the expenditures of an extravagant Council, or the extent to which it would involve future Taxpayers in expenditures of which they did not approve.

It may be that in the case of strong emergency it would be necessary to violate in this way the spirit of the Charter and the established principles of Municipal finance, but except in such a case it appears clear to me that it should not be resorted to. Whether such emergency exists in the present instance appears doubtful.

Yours truly,
A.M. Butler
CITY AUDITOR.

Halifax, N.S.,
July 11th, 1928

RE ROBERTSON MOTOR CO
CONTRACT FOR FIRE APPARATUS

Allan M. Butler, Esq.,
City Auditor, City Hall.