

EVENING SESSION

8.10 o'clock,
Council Chamber,
City Hall,
January 12th, 1933.

A meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor, Chairman; and Aldermen Mitchell, Minshull, Stech, Donovan, Miller, Logan, Conn, Adams, Shields, Golden, McDonald, O'Malley, O'Toole, Getley, Smeltzer, Probert and Doyle.

The meeting was called to consider a motion of the Finance Committee recommending the appointment of a City Clerk, and to proceed with business standing over and the transaction of other business.

The following named papers were submitted.

✓ LETTER, CITY CLERK, PORT ARTHUR

Read letter from City of Port Arthur submitting a resolution from the Trades Union of the Canadian National Railways as follows.

29th Dec, 1932.

Mr. H. S. Rhind,
City Clerk,
Halifax, N. S.

Dear Sir:-

The following resolution has been adopted by the Council of the City of Port Arthur:-

"That the attached resolution from the Trades Union of the Canadian National Railway be endorsed by this Council and copies forwarded to the Premier of Canada, Minister of Railways, and other interested officials and that other Municipalities be asked to endorse this resolution:

January 12th, 1933.

We the undersigned representatives of Trade Unions, Canadian National Railways, having given serious consideration to Bill A. dealing with Report of Duff Commission, make this resolution and recommendations:-

That we emphatically oppose the amalgamation of the Railway Systems either directly or indirectly. The leasing of the Canadian National Railway to the Canadian Pacific Railway Company or the operation of the Railways by an Arbitral Tribunal as contemplated in Bill A.

(1) As this would aggravate the already overloaded unemployment situation and would mean ruin for thousands of trades people who largely depend on the purchasing power of railway workers for their existence, it would mean the disappearance of railway towns and Municipalities with consequent loss to property owners and municipal bond-holders, an additional tax on other citizens who will have to pay the cost of relief for laid off railway workers as well as additional tax for municipal revenue that is now taken care of by employed railway workers, thus creating a condition this Government has pledged itself to eliminate rather than increase, and we expect them to keep this pledge and give some consideration to the human element of the railways and not sacrifice it in vain hope of solving the financial and material difficulties of Canada's railways.

(2) It would establish a monopoly of such magnitude and power that if not properly exercised would be disastrous to the trade and commerce of our country and throw us back to conditions similar to those that prevailed thirty-five years ago, when one privately-owned railway controlled most of the transportation of the Dominion.

(3) It would not eliminate the tax burden of the citizens of Canada. The Canadian National Railway has an earning power of approximately twelve million dollars in excess of its operating expenses in 1932, and in 1928 earned forty-nine million dollars in excess of operating expenses, but cannot take care of the interest on borrowed money. This bond indebtedness would not be taken over by the privately owned railroad, but would still be chargeable to the people of Canada and paid for by them through taxation. Therefore, we maintain it is far more desirable and business-like to operate the Canadian National in its entirety and permit it to earn its operating expenses rather than sacrifice its most productive parts to a privately-owned railway and still retain for the taxpayers of Canada the debt of borrowed money and

January 12th, 1933.

the disastrous and far-reaching results of further unemployment of such gigantic proportions.

Therefore we respectfully petition you to submit and support these recommendations:

- (1) That the identity of the Canadian National and Canadian Pacific Railways be maintained in their entirety as at present and the Canadian National Railway continue under Government Control.
- (2) That the Canadian National Railways Directorate be composed of at least five trustees appointed by the Government for a determined period of years. (not to exceed ten). One trustee appointed shall be recommended by Labor, having contractual relations with the Railway. A majority decision of the Board would govern all its actions.
- (3) That the capital debt of the Canadian National be written down an amount equal to the financial assistance and value of lines constructed by Government money given to the Canadian Pacific.

Yours truly,

T. F. Milne,
CITY CLERK.

Moved by Alderman Mitchell, seconded by Alderman Smeltzer that the resolution be embodied in the minutes and filed. Motion passed.

His Worship the Mayor orders copy of said resolution sent to Hon. J. Fred Fraser, Col. E. C. Phinney, Board of Trade and H. J. Stech, Chairman of the Finance Committee.

✓
MESSAGE OF CONDOLENCE

Mrs. Rhinds
Read report of the Finance Committee submitting message of condolence to the widow of the late City Clerk as follows.

January 12th, 1933.

Committee Room, City Hall,
December 29th, 1932.

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

Gentlemen:-

At a meeting of the Committee on Finance held this day, your committee had under consideration a resolution extending sincere sympathy to Mrs. Maud H. Rhind, widow of the late City Clerk.

Your committee recommend that the resolution attached hereto be approved, and embodied in the minutes of Council.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

WHEREAS the City has suffered a great loss in the recent death of Henry S. Rhind and desires to record and convey its sympathy to his family;

BE IT THEREFORE RESOLVED by the Mayor and Council of the City of Halifax in regular meeting assembled that the sincere sympathy of the corporation of the City of Halifax be extended to Mrs. H. S. Rhind, widow of the late H. S. Rhind and her family in their sad bereavement. Mr. Rhind for many years held the position of City Clerk of the City of Halifax. Before receiving his appointment to this position he held in succession an office in the City Collector's Department, License Clerk, and Assistant City Clerk. Mr. Rhind's connection with the City of Halifax covered a period of forty-four years and during this time he labored with diligence and honesty and with great loyalty to the City. His passing is deeply felt by all who knew him.

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

ACKNOWLEDGMENT, MRS. MAUDE H. RHIND

Read letter from Mrs. Maude H. Rhind acknowledging flowers, etc.

January 12th, 1933.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

Please accept my most sincere thanks
for the beautiful flowers and kind sympathy.

Sincerely yours,

Maude H. Rhind.

54 Fenwick St.,
December 27th, 1932.

FILED

✓ SCOTIA CONSTRUCTION CONTRACT

In view of the large audience in
the Council Chamber, His Worship the Mayor advises
that there will be no discussion on the paving
contract this evening and stated to those present
that the matter was at the present time in the hands
of the Solicitor.

✓ WORKS DEPARTMENT ACCOUNTS

Read report of the Committee on
Works recommending for payment accounts amounting
to \$13,062.30.

January 11th, 1933.

The City Council.

Gentlemen:-

At a meeting of the Committee on
Works on the 11th instant, accounts amounting to
\$13,062.30 chargeable as follows, were approved
and recommended to Council for payment:-

| | | | |
|--------------|----------------|----------------|--------------------|
| Works Dept - | Capital | \$847.58 | |
| | Appropriations | <u>6768.10</u> | \$7,615.68 |
| Water Dept - | Construction | 4576.94 | |
| | Maintenance | <u>869.68</u> | 5,446.62 |
| | | | <u>\$13,062.30</u> |

A. Audley Thompson,
MAYOR AND CHAIRMAN.

January 12th, 1933.

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

✓ CITY HOME AND T.B.HOSPITAL ACCOUNTS

Read report of the Charities Committee recommending for payment accounts chargeable to the City Home amounting to \$8,496.18 and to the T. B. Hospital \$3,004.52.

Halifax, N. S. Jan. 10th, 1933.

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 Logan, Probert, O'Malley, Shields and Miller.

CITY HOME ACCOUNTS DECEMBER 1932, AMOUNT \$8,496.18

City Home accounts for the month of December amounting to \$8,496.18 are recommended for payment.

TUBERCULOSIS HOSPITAL ACCOUNTS DECEMBER 1932,
AMOUNT \$3,004.52

Tuberculosis Hospital accounts for the month of December 1932, amounting to \$3,004.52 are recommended for payment.

Respectfully submitted,

A. H. Minshull,
CHAIRMAN.

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

✓ GENERAL ACCOUNTS

Read report of the Finance Committee recommending for payment accounts amounting to \$9,455.19

January 12th, 1933.

Committee Room, City Hall,
January 11th, 1933.

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

Gentlemen:-

At a meeting of the Committee on Finance held this day, the attached list of accounts chargeable to various services amounting to \$9,455.19 was passed as correct and recommended to the City Council for payment.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

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

✓ FIRE DEPARTMENT ACCOUNTS

Read report of the Committee on Firewards recommending for payment accounts amounting to \$13,400.00 chargeable to the Fire Department and \$388.55 chargeable to the Fire Alarm Maintenance.

January 5th, 1933.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Committee of Firewards held this day, the attached accounts amounting to \$13,400.00 for the Fire Department and \$388.55 for the Fire Alarm Department were considered.

Your committee recommend that these accounts be passed for payment.

Respectfully submitted,

Walter Mitchell,
CHAIRMAN.

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

January 12th, 1933.

✓ GARDENS, PARKS AND COMMONS ACCOUNTS

Read report of the Committee on Gardens, Parks and Commons recommending for payment accounts chargeable to the Public Gardens amounting to \$688.44 and to Fleming Park \$108.32.

Committee Room, City Hall,
January 11th, 1933.

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

Gentlemen:-

At a meeting of the Committee on Gardens, Parks and Commons held this day, the attached list of accounts amounting to \$688.44 chargeable to the Public Gardens and \$108.32 chargeable to Fleming Park was considered, passed as correct, and recommended to the City Council for payment.

Respectfully submitted,

J. H. Conn,
CHAIRMAN.

Moved by Alderman Conn, seconded by Alderman McDonald 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 \$2,684.68.

January 11th, 1933.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the City Health Board held on Tuesday, January 10th, the following named accounts amounting to \$2,684.68 were passed and recommended to the City Council for payment.

Respectfully submitted,

W. D. Forrest,
CHAIRMAN, C. H. B.

January 12th, 1933.

Moved by Alderman Minshull, seconded by Alderman Probert 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 \$2,061.26.

Committee Room, City Hall,
January 10th, 1933.

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

Gentlemen:-

At a meeting of the City Prison Committee held this day, the attached list of accounts amounting to \$2,061.26 was passed as correct and recommended to the City Council for payment.

The report of Governor Grant for the month of December 1932 is also attached hereto.

Respectfully submitted,

J. A. O'Malley,
CHAIRMAN.

Moved by Alderman O'Malley, seconded by Alderman Probert 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 \$10,824.27.

Halifax, N.S.
January 9th, 1933.

His Worship the Mayor,
and City Council.

Gentlemen:-

At a meeting of the Police Committee held this date, the following accounts amounting to \$10,824.27 submitted by the Chief of Police were examined, found correct, and recommended for payment.

A. Audley Thompson,
MAYOR AND CHAIRMAN.

January 12th, 1933.

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

✓ LIBRARY COMMITTEE ACCOUNTS

Read report of the Library Committee recommending for payment accounts amounting to \$312.10.

January 10th, 1933.

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

Gentlemen:-

The Library Committee beg to submit the following accounts for payment.

| | | |
|--------------------|-------------------|-----------|
| City of Halifax | Salaries | \$ 250.82 |
| T.C.Allen & Co. | Books | 16.33 |
| The Book Room | " | 25.20 |
| Halifax Chronicle | Subsc.Pal.Ch. on. | 7.00 |
| Nat.Geog.Soc. | Subscription | 3.50 |
| Ross Print. | Readers Cards | 4.00 |
| Univ.Toronto Press | Subscription | 2.00 |
| R. W. Wright | Supplies | 3.25 |
| | | \$ 312.10 |

Respectfully submitted,

S. H. Minshull,
CHAIRMAN.

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

✓ FIRE DEPARTMENT, ACCOUNT JAS. DONOHUE LTD.

Read report of the Committee on Firewards submitting an account of Jas. Donohue Limited amounting to \$247.00 for renewing the roof of West Street fire engine house.

January 12th, 1933.

January 10th, 1933.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Committee of Firewards held September 8th, 1931 the attached account of \$247.00 from James Donohue Limited was considered.

It was decided to recommend payment upon the certification of the completion of the work by the Building Inspector which has now been received.

Respectfully submitted,

Walter Mitchell,
CHAIRMAN.

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

✓ APPOINTMENT CITY CLERK

Read report of the Committee on Finance covering appointment of a City Clerk,

Committee Room, City Hall,
December 29th, 1932.

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

Gentlemen:-

At a meeting of the Committee on Finance held this day, your committee had under consideration the appointment of a City Clerk.

Your committee unanimously recommend that H. C. Powell, Assistant City Clerk be promoted to the position of City Clerk.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

Moved by Alderman Stech, seconded by Alderman O'Malley that the report of the Finance Committee be adopted and that H.C.Powell be appointed City Clerk.

January 12th, 1933.

Moved in amendment by Alderman Stech, seconded by Alderman Shields that the report of the Finance Committee be adopted appointing H. O. Powell City Clerk, subject to the drafting of rules and regulations governing the duties of the City Clerk, and the acceptance of same by his signature. Amendment put and passed unanimously.

The original motion not put.

✓ ACCOUNT, SHIPPING REGISTER

Read report of the Finance Committee submitting account of the Shipping Register amounting to \$21.33

Committee Room, City Hall,
January 11th, 1933.

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

Gentlemen:-

At a meeting of the Committee on Finance held this day, your committee had under consideration an account of the Shipping Register amounting to \$21.33, being amount due for cuts published in their weekly.

Your committee recommend that the account be paid.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

Moved by Alderman Stech, seconded by Alderman O'Malley that the report be adopted and account paid. Motion passed.

✓ REFUND, SUPERANNUATION CONTRIBUTIONS LATE
H. S. RHIND

Read report of the Finance Committee recommending a refund of amount contributed to the Officials Superannuation Fund by the late H. S. Rhind.

City Treasurer
Mrs Rhind

January 12th, 1933.

Committee Room, City Hall,
January 11th, 1933.

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

Gentlemen:-

At a meeting of the Committee on Finance held this day, your committee had under consideration a report of the City Treasurer and request from the Royal Trust Company, Executors of the Estate of the late City Clerk requesting a refund of the amount contributed to the Officials Superannuation Fund.

Your committee recommend that the widow of the late City Clerk be paid the sum of \$2,185.28 from the Officials Superannuation Fund as provided for by Section 150 of the City Charter.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

Moved by Alderman Stech, seconded
by Alderman O'Malley that the report be adopted.
Motion passed.

✓ REFUND, SUPERANNUATION CONTRIBUTIONS,
LATE WM. SHANKS

*City Treasurer
Mrs Shanks*

Read report of the Finance Committee recommending refund of the amount contributed to the Firemens Superannuation Fund by the late Hoseman Wm. Shanks.

Committee Room, City Hall,
January 11th, 1933.

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

Gentlemen:-

At a meeting of the Committee on Finance held this day, your committee had under consideration a report from the City Treasurer covering refund of amount contributed to the Firemens Superannuation Fund by the late Hoseman Shanks.

Your committee recommend that the report of the City Treasurer be adopted and that the widow of Mr. Shanks be paid the sum of \$984.82

January 12th, 1933.

as provided by Section 780 of the City Charter.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

Moved by Alderman Stech, seconded
by Alderman Doyle that the report be adopted.

Motion passed.

✓ SUPERANNUATION DAVID COLQUHOUN

Read report of the Finance Committee
and extract from the minutes of a meeting of the
Committee on Works covering superannuation of
David Colquhoun.

Committee Room, City Hall,
January 11th, 1933.

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

Gentlemen:-

At a meeting of the Committee on
Finance held this day, your committee had under
consideration an extract from the minutes of a
meeting of the Committee on Works held on the
15th day of December last, recommending that the
amount of superannuation to be paid to Mr.
David Colquhoun be changed from \$330.00 to \$357.00.

Your committee recommend that the
previous resolution passed by this Council regarding
the superannuation of Mr. Colquhoun be rescinded,
and that the report of the City Engineer
recommending that Mr. Colquhoun be paid \$357.00
superannuation be adopted.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

"A report of the City Engineer
recommending that the amount of superannuation to
be paid to Mr. David Colquhoun be changed from
\$330.00 to \$357.00 was referred to the Finance
Committee with a recommendation that the amount
be so changed.

*City Treasurer
D. Colquhoun*

January 12th, 1933.

Moved by Alderman Stech, seconded by
Alderman O'Malley that the report be adopted.

Motion passed.

✓ SUPERANNUATION, MISS HATTIE DOYLE

*City Treasurer
Miss Doyle*

Read report of the Finance Committee
submitting an application of Miss Hattie Doyle for
superannuation from February 1st, 1933, together
with report of the City Treasurer and Doctors
Certificates.

Committee Room, City Hall,
January 11th, 1933.

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

Gentlemen:-

At a meeting of the Committee on
Finance held this day, your committee had under
consideration the resignation of Miss Hattie Doyle
together with certificates from Dr. Judson V. Graham
and W. Bruce Almon requesting that she be allowed
to retire on superannuation on February 1st on
account of ill health. The report of the City
Treasurer stating that Miss Doyle will be entitled
to receive the sum of \$590.00 per annum is also
attached hereto.

Your committee recommend that the
resignation of Miss Doyle be accepted, and that she
be retired on superannuation of \$590.00 per annum,
as provided for by Sections 146 and 148 of
the City Charter.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

Halifax, N. S.
December 12th, 1932.

To His Worship the Mayor.

Dear Sir:-

Acting on the advice of my doctor,
Dr. J. V. Graham, I ask that I be allowed to
retire with superannuation from my duties as clerk
in the office of the City Assessor on Feb. 1st, 1933.

January 12th, 1933.

I have been in the employ of the City of Halifax since June 1913, and regret that my condition of health makes the above request necessary.

Am enclosing my doctor's certificate and would ask that you kindly bring the matter before the members of the City Council.

Yours respectfully,

Hattie Doyle.

January 11th, 1933.

The Chairman,
the Finance Committee,
CITY HALL.

Dear Sir:-

I beg to advise that Miss Doyle will have put in, up to 1st February next, nineteen (19) years and 8 months service to the City and if retired under Sections 146-148 of the City Charter, would be entitled to 19-2/3 rds of \$1,500.00, her average salary for the past three years, thus making her retiring allowance Five Hundred and Ninety (\$590.00) Dollars per annum.

Yours faithfully,

R. V. Dimock,
CITY TREASURER.

December 12th, 1932.

To Whom It May Concern.

This is to certify that Miss Hattie Doyle is physically unable to continue her duties as Clerk, being afflicted with intra - abdominal adhesions resulting from an illness in 1923.

Judson V. Graham, M.D.

Halifax, N.S.
Jan. 10th, 1933.

This is to certify that Miss Hattie Doyle, an employee of the City of Halifax, is suffering from abdominal adhesions, the result of a condition which necessitated an abdominal operation some months ago. This condition is incapacitating her from performing her duties and there is little likelihood of any permanent improvement.

W. Bruce Abmon, M.D., C.M.
CITY MEDICAL OFFICER.

January 12th, 1933.

Moved by Alderman Stech, seconded by Alderman Doyle that the report be adopted, and that Miss Doyle be retired on superannuation February 1st, 1933. Motion passed.

✓ ASSESSMENT PROPERTY 991 BARRINGTON ST.

Read report of the Finance Committee re assessment of property, 991 Barrington St.

Committee Room, City Hall,
January 11th, 1933.

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

Gentlemen:-

At a meeting of the Committee on Finance held this day, your committee had under consideration an extract from minutes of a meeting of the City Council held on the 15th day of December last regarding assessment of property, 991 Barrington St.

Your committee recommend that legislation be sought at the next session of the Legislature to enable the City to fix an assessment of \$20,000.00 on real estate only for a period of five years, and that business tax be based on the full assessed value.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

Moved by Alderman Stech, seconded by Alderman Shields that the report be adopted.

Moved in amendment by Alderman O'Malley, seconded by Alderman Golden that the report be adopted, and further than any additions or improvements to the said property that would be assessed in the ordinary course would not be exempted from taxation under this resolution. Amendment put and lost, 6 voting for the same and 10 against it as follows.

January 12th, 1933.

FOR THE AMENDMENT

Aldermen Donovan
Golden
O'Toole
Getley
O'Malley
Probert

AGAINST IT

Aldermen Mitchell
Minshull
Stech
Miller
Adams
Conn
Logan
McDonald
Shields
Doyle
-10-

-6-

Motion put and lost, 4 voting for
the same and 12 against it as follows.

FOR THE MOTION

Aldermen Stech
Conn
McDonald
Shields

AGAINST IT

Aldermen Mitchell
Minshull
Donovan
Miller
Adams
Logan
Golden
O'Toole
Getley
O'Malley
Probert
Doyle
-12-

-4-

His Worship the Mayor then declares
the amendment and motion both lost.

✓ COUNSEL FOR C. P. BETHUNE

Read letter of F. H. Bell, Esq., in
answer to a resolution of the City Council of the
15th instant as follows.

155 Barrington Street,
Halifax, N. S.
December 28th, 1932.

H. C. Powell, Esq.,
Asst. City Clerk,
CITY.

Dear Sir:-

I beg to acknowledge receipt from you
of copy of the resolution of the City Council of
15th instant adopting a report of the Committee on

January 12th, 1933.

Laws and Privileges recommending that I be retained as Counsel to Mr. C. P. Bethune for the period of three months "until Mr. Bethune acquaints himself with his department" at a salary of \$100. per month.

I am rather surprised that the Committee should have brought in any such report because nothing said by me could justify any expectation of my acceptance of such a retainer. I was approached by several members of the Committee and asked if I would be willing to act for the City as a consulting counsel for a year, and a salary of \$1,000. was suggested. I told them that I was willing to act in that capacity for a year for \$1200.00 provided I was furnished with adequate desk accommodation in the City Hall. I understood that offer was acceptable. At any rate no one had any authority to make any other offer on my behalf.

The next three months are the busiest of the year for the City Solicitor. There will no, as I understand, important and troublesome legislation to draft, and supervise in its passage through the legislature, including appearances before Committees and a good deal of redrafting of amendments. There is generally work for the Solicitor in connection with the estimates. There are two serious lawsuits outstanding and much other work is certain to be required. For my services in these various respects, I am offered the munificent sum of \$300.00. I beg to decline with thanks.

Yours very truly,

F. H. Bell.

Moved by Alderman Minshull, seconded by Alderman Mitchell that letter be filed.

Moved in amendment by Alderman Doyle, seconded by Alderman Stech that the letter be referred to the Laws and Privileges Committee for further consideration. Amendment lost.

The original motion carried.

✓ WATER METER BILLS

Read report of the Committee on Works covering water meter bills for various purposes.

Works Dept
City Eng

January 12th, 1933.

January 11th, 1933.

The City Council.

Gentlemen:-

The Committee on Works recommend reductions in water bills as follows:-

No. 22-24 Almon St. - Consumption for June and July 1932 to be reduced to 7,000 gallons for each month on condition that the bill is paid in full not later than thirty days from the date of notice of reduction.

No. 409-415 Barrington St - That a further reduction be granted of \$25.00 on the meter bill for these premises on condition that all outstanding water accounts to date, be paid on or before the 1st of February 1933.

A. Audley Thompson,
MAYOR AND CHAIRMAN.

Moved by Alderman Mitchell, seconded by Alderman Doyle that the report be adopted.

Motion passed.

✓ ACCOUNT, S. P. DUMARESQ

Read report of the Committee on Works on Renovation of the City Hall covering account of S. P. Dumaresq.

January 9th, 1933.

The City Council.

Gentlemen:-

At a meeting of the Committee on Works on December 28th, it was resolved that the Committee concur in the attached report of the Special Committee with reference to the account of Mr. S. P. Dumaresq, amounting to \$3,000.00 for preliminary plans for the remodelling of the City Hall, and recommend to Council that the account be paid.

A. Audley Thompson,
MAYOR AND CHAIRMAN.

*S. P. Dumaresq
City Auditor*

January 12th, 1933.

Moved by Alderman Doyle, seconded by Alderman O'Toole that the report be adopted and account paid. Motion passed. Alderman Probert wishing to be recorded against.

✓ STENOGRAPHER, CITY SOLICITOR'S OFFICE

City Auditor
Read letter Assistant City Clerk re salary, Stenographer, City Solicitor's Office.

January 12th, 1933.

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

Gentlemen:-

At the last meeting of Council, applications were considered for the appointment of a Stenographer in the City Solicitor's Department. When advertising for this position it was stated in the advertisement, also at the Laws and Privileges and Finance Committees that the salary for this position should be \$65.00 per month. The recommendation adopted by Council at its last meeting did not state any salary for the position. In view of the fact that Council has control of all salaries paid, I would request that a motion be made setting the salary at \$65.00 per month, so that the Auditor may add this amount to his pay roll.

Yours very truly,

H. C. Powell,
ASST. CITY CLERK.

Moved by Alderman Doyle, seconded by Alderman O'Toole that the salary for Stenographer in the City Solicitor's Office be set at \$65.00 per month. Motion passed.

✓ EXPROPRIATION LAND, CUNARD AND AGRICOLA STS.

Read report of the Committee on Works submitting award of the referee re land corner of Cunard and Agricola Streets.

January 12th, 1933.

January 11th, 1933.

The City Council.

Gentlemen:-

The Committee on Works submit the award of the referee in the matter of the expropriation of land for widening Agricola Street, belonging to the Halifax Rifles Armoury Association, and recommend that the City pay into Court the sum of \$778.04, being the difference between the amount of the award and the sum already paid into Court.

A. Audley Thompson,
MAYOR AND CHAIRMAN.

IN THE MATTER OF THE HALIFAX CITY CHARTER

and

IN THE MATTER OF THE EXPROPRIATION OF
CERTAIN LANDS IN THE CITY OF HALIFAX FOR
THE WIDENING OF AGRICOLA STREET.

J. Clifford Harris sitting as Referee.

This is a proceeding to determine the amount of compensation to be paid for certain lands expropriated by the City of Halifax for the purpose of widening Agricola Street at the corner of Cunard Street in the City of Halifax, said lands being a portion of the property of the Halifax Rifles' Armoury Association. The City of Halifax will be referred to throughout as "City". The Halifax Rifles' Armoury Association will be referred to throughout as "Association".

C. P. Bethune, City Solicitor and F. H. Bell, K.C., for the "City", Col. E. C. Phinney, K.C., for the "Association".

The land expropriated consists of a triangular strip containing 993 sq. feet, measuring 22 feet on Cunard Street and 83 feet on Agricola Street.

The City paid into Court the sum of \$595.80 which amount the "Association" declines to accept: hence these proceedings. Col. Phinney contends that the sum of \$595.80 is totally inadequate compensation for the land expropriated. In respect to this contention the evidence of Mr. Melvin S. Clarke, a real estate expert of Halifax, is that a fair price for the corner lot before the 1931 expropriation might be \$5000., the reason given for this valuation being that "it would be very desirable and very valuable a site for stores by reason of the fact that it is in a very populous district, and a great deal of traffic to and fro pass its doors". Mr. Clarke did not

January 12th, 1933.

examine the whole property of the "Association", but only the corner lot. The evidence of the City Assessor, Mr. P. J. McManus, is that the whole of the land of the "Association" is assessed at 30¢ per sq. foot, or a total of \$3000., for the land, and \$2500. for the building. The evidence of Mr. J. Leonard Fraser, a real estate expert of Halifax, is that the entire property of the "Association" as it now exists is worth around \$5000., and for the corner lot only, prior to the expropriation, \$1500. would be a very fair price for it depending on what they were going to use it for.

Generally, the rule adopted by the Exchequer Court is that the value of a property to be considered in expropriation cases is the market value and not the particular value to the owners.

In order to ascertain the market value per sq. foot for the land expropriated, I shall have to consider the evidence on the corner lot only, which, prior to the expropriation contained 3110 sq. feet. Mr. McManus values this land for assessment purposes at 30¢ per sq. foot. Mr. Fraser values the lot at about \$1500., which is a little over 48¢ per sq. foot. Mr. Clarke's valuation of possibly \$5000. seems to be out of all reason, as this figures out a fraction over \$1.60 per sq. foot, and I am quite positive that no such value existed in this locality at the time of the 1931 expropriation. There is no doubt, however, but that this corner lot measuring 38 feet on Cunard Street, and 83 feet on Agricola Street, was of much more value than the ordinary lot of land, and had it been on the market, it would probably have brought a price of about \$2500., which figures out at 80¢ per sq. foot.

It is therefore my opinion that 80¢ per sq. foot was the fair market value of the land expropriated. In respect to the frustration of any plans formed by the "Association" for the use of the land, a set of building plans has been put in evidence and marked Exhibit "A". Col. Doane has been examined at some length on the subject, but it has been shown by the evidence of Mr. H. W. Johnston, City Engineer, that the building proposed by these plans was very much too large to fit on the land owned by the "Association" and that the building could not be swung around to fit on this land without acquiring part of the Nickerson property or the O'Brien property. There is, however, in my opinion, an injury to the balance of the land of the "Association" by reason of the expropriation of 993 sq. feet, which makes a diagonal front on Agricola Street, and an interior angle of 109 degrees at the corner of Cunard and Agricola Streets, instead of an angle of 95 degrees as it existed prior to the 1931 expropriation. For this injury

January 12th, 1933.

I allow the sum of \$500.00.

I therefore find that the "Association" is entitled to recover the sum of \$1373.84, made up as follows:

| | |
|---|------------------|
| Market value of 993 sq. feet land expropriated, @ 80¢ | \$794.40 |
| Add 10% for compulsory taking, | 79.44 |
| Injury to balance of land, as above, | <u>500.00</u> |
| TOTAL AWARD | <u>\$1373.84</u> |

In my opinion the "City" should pay the costs of these proceedings.

Sgd. J. C. Harris,
REFEREE.

Halifax, N.S.
January 10th, 1933.

Moved by Alderman Doyle, seconded by Alderman Shields that the report be adopted.

Motion passed.

✓ SUPT'S REPORT OF INMATES, CITY HOME AND T. B. HOSPITAL FOR THE MONTH OF DECEMBER 1932.

Read report of the Charities Committee showing the number of inmates in the City Home to be 464 and the number of patients in the T. B. Hospital to be 55.

FILED

✓ DEPARTMENTAL APPROPRIATIONS AND EXPENDITURES

Read report of the City Auditor covering departmental appropriations and expenditures as at December 31st, 1932.

FILED

✓ TAX COLLECTIONS FOR THE MONTH OF DECEMBER 1932.

Read report of the City Auditor submitting tax collections for the month of December 1932.

January 12th, 1933.

City Auditor's Office,
December 31st, 1932.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

Report on Tax Collections for the month of December is submitted. Collections amounted to \$76,339.58; corresponding period last year \$92,866.38. Collections on account of taxes for the years 1908-1924 were \$115.00. The ledger value of this group on December 31st, 1932 after deducting Reserves for short collection amounted to \$553,826.91.

| Civic Year Tax Reserves | Outstanding Balances November | New Accts. and other adjustments | December Collections | Outstanding Balances December. |
|-------------------------|-------------------------------|----------------------------------|----------------------|--------------------------------|
|-------------------------|-------------------------------|----------------------------------|----------------------|--------------------------------|

Arrears Taxes

| | | | | |
|---------|--------------|-------------|-----------|-------------|
| 1925-26 | \$67,755.24* | \$66,462.00 | \$5.69 | \$66,456.31 |
| 1926-27 | 40,134.62* | 43,360.88 | 22.05 | 43,338.83 |
| 1927-28 | 44,432.38* | 43,422.37 | 353.41 | 43,068.96 |
| 1928-29 | 54,023.08* | 50,264.58 | 687.30 | 49,577.28 |
| 1929-30 | 79,730.89* | 57,263.68 | 1,962.53 | 55,301.15 |
| 1930-31 | 71,861.02* | 175,504.38 | 12,891.39 | 162,612.99 |
| 1931-32 | 63,622.62* | 296,181.95 | 11,433.19 | 284,748.76 |
| | | 732,459.84 | 27,355.56 | 705,104.28 |

Current Taxes

| | | | | |
|---------|-----------|------------|-----------|------------|
| 1932-33 | 46,970.94 | 665,122.33 | 26,062.66 | 639,059.67 |
|---------|-----------|------------|-----------|------------|

Water Dept.

| | | | | | |
|-------------|-----------|--------------|----------|-----------|--------------|
| Rates, etc. | 27,021.11 | 96,690.52 | 2,401.38 | 22,921.36 | 76,170.54 |
| | | 1,494,272.69 | 2,401.38 | 76,339.58 | 1,420,334.49 |

| | | | |
|---------------------------|-----------|----------|-----------|
| <u>Poll Taxes 1932-33</u> | 18,665.00 | 1,009.50 | 17,655.50 |
|---------------------------|-----------|----------|-----------|

Collections of Poll Taxes in 1932-33 of current and arrears to December 31st, 1932 were \$24,442.75; corresponding period last year \$19,664.13.

Respectfully submitted,

A. M. Butler,
CITY AUDITOR.

* Includes special tax payments and unexpended balances, and, for the Civic Year 1925-26, a special transfer as authorized by the Acts of 1928, Cap. 62. Any excess in these accounts above the outstanding tax balances will be transferred to the General Reserve or the General Sinking Fund, as the case requires, on April 30th of each year.

FILED

January 12th, 1933.

✓ LEGISLATION

The City Solicitor submits draft legislation for consideration of the Council.

Moved by Alderman Mitchell, seconded by Alderman Minshull that the Council do now adjourn until Tuesday, the 17th day of January at 8 o'clock, to consider Legislation, School Board Estimates and Directions as to the duties of the City Clerk.

The vote being taken resulted in a tie.

FOR THE MOTION

Aldermen Mitchell
Minshull
Stech
Donovan
Adams
Conn
Shields
O'Toole
-8-

AGAINST IT

Aldermen Miller
Logan
Golden
McDonald
Getley
O'Malley
Smeltzer
Doyle
-8-

His Worship the Mayor votes against the motion to adjourn.

✓ CONTRACT, DIRECT RELIEF

The City Auditor submitted copy of contract governing the administration of direct relief between the City of Halifax and the Provincial Government.

Moved by Alderman Stech, seconded by Alderman Donovan that authority be given the Mayor and City Clerk to sign said agreement on behalf of the City of Halifax. Motion passed.

LEGISLATION

The City Solicitor refers to amendment to Ordinance No. 13 entitled "the regulation of hacks".

January 12th, 1933.

Moved by Alderman Logan, seconded by Alderman Shields that draft amendment to Ordinance No. 13 be accepted as read for first time.

Motion passed.

Solicitor

His Worship the Mayor adopts the principle of having copies of all proposed legislation in the possession of each Alderman a reasonable time before the meeting of Council at which proposed legislation is to be considered.

10.25 o'clock,

Moved by Alderman Mitchell, seconded by Alderman Minshull that this meeting do now adjourn until Tuesday, January 17th at 8 P.M. for the purpose of considering Draft Legislation, Estimates of the School Board and the report of the Finance Committee covering salary, duties and regulations relating to the City Clerk. Motion passed.

Meeting adjourned.

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|--|-----|
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January 12th, 1933.

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| | |
|---|-----|
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A. Audley Thompson,
MAYOR.

H. O. Powell,
ASST. CITY CLERK.

EVENING SESSION

ADJOURNED MEETING.

8.10 o'clock,
Council Chamber,
City Hall,
January 17th, 1933.

A meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor, Chairman; and Aldermen Mitchell, Minshull, Stech, Donovan, Miller, Logan, Conn, Adams, Shields, Golden, McDonald, O'Malley, O'Toole, Getley, Smeltzer, Probert and Doyle.

The Council met pursuant to adjournment to consider Draft Legislation, Estimates of the School Board and the report of the Finance Committee on question of salary, duties and regulations relating to the City Clerk.

His Worship the Mayor asks consent of Council to submit the matter of The Scotia Construction Company versus The City of Halifax. He stated that a writ had been issued against the City by the contractors, and that on the advice of the Solicitor acting for the City no defence to the action was filed. Therefore, the contractors were entitled to a default judgment. His Worship the Mayor stated that the City Auditor had received a letter this afternoon regarding the above mentioned judgment which he would ask the Clerk to read.

Read letter from Russell McInnes, Solicitor for the Scotia Construction Company Limited as follows.

January 17th, 1933.

Jan. 17th, 1933.

Dear Sir:

Re: Scotia Construction Co., Ltd.
vs
City of Halifax.

I have today entered judgment in the above action for the sum of \$14,432.11 debt and \$17.95 costs.

Would you be good enough to advise me whether or not the City intends to pay the amount of this Judgment, or if I must issue execution.

Yours very truly,

Russell McInnes.

A. M. Butler, Esq.,
City Auditor,
City Hall,
Halifax, N.S.

The following resolution is submitted.

RESOLVED that Mr. F. H. Bell be retained to defend the action at the suit of Maurice Wren and Archibald R. Pearson, and to carry the same to a conclusion subject to arrangements being made with Mr. Bell as to fees, etc., such arrangements to be made by His Worship the Mayor and City Solicitor.

Moved by Alderman Shields, seconded by Alderman Stech and passed. 12 voting for the same and 5 against it as follows.

FOR THE RESOLUTION

Aldermen Mitchell
Minshull
Stech
Donovan
Miller
Adams
Copp
Golden
McDonald
Shields
O'Malley
Probert

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AGAINST IT

Aldermen Logan
O'Toole
Getley
Smeltzer
Boyle

Boyle

January 17th, 1933.

Moved by Alderman Doyle, seconded by Alderman Logan that the City Solicitor "Mr. Bethune", make the necessary motion to have the judgment in the case of the Scotia Construction Co., Ltd., versus The City of Halifax set aside or to take such steps as he in his discretion thinks best.

Moved in amendment by Alderman Minshull, seconded by Alderman Mitchell that the matter be left in the hands of Mr. F. H. Bell and the City Solicitor to take such steps as they may deem necessary to re-open the case. Amendment put and lost, 6 voting for the same and 11 against it as follows.

FOR THE AMENDMENT

Aldermen Mitchell
Minshull
Stech
Donovan
Adams
Shields

AGAINST IT

Aldermen Miller
Conn
Logan
Golden
McDonald
O'Toole
Getley
O'Malley
Probert
Smeltzer
Doyle
- 11 -

-6-

The original motion put and passed unanimously. *

The City Auditor then requests that the City Auditor be given authority to pay money into Court should the motion to have judgment re-opened fail.

Moved by Alderman Stech, seconded by Alderman Shields that the City Auditor be given authority to pay \$14,432.11, being the amount of the debt, and \$17.95 costs into Court, should the

-443-

City Auditor

January 17th, 1933.

motion to re-open the judgment fail. Motion passed unanbmously.

LEGISLATION

Moved by Alderman Logan, seconded by Alderman Doyle that drafts of proposed amendments to the City Ordinances be referred back to the Laws and Privileges Committee for consideration at their next meeting, which shall be advertised and any interested parties be given a hearing regarding said amendments. Motion carried.

✓ SCHOOL BOARD ESTIMATES

Read letter Secretary of School Board submitting estimates for the civic year 1933-34.

January 14th, 1933.

City Clerk,
Halifax, N.S.

Dear Sir:-

I enclose herewith for your information, copy of Estimate for the year 1933-34, as approved by the Board at its meeting January 10th.

Yours truly,

H. F. Bezanson,
SECRETARY.

Moved by Alderman Stech, seconded by Alderman Doyle that the estimates as submitted be referred to the Finance Committee for their consideration. Motion passed.

✓ SALARY AND DUTIES, CITY CLERK

Read report of the Finance Committee submitting regulations, duties and salary relating to the City Clerk.

January 17th, 1933.

Committee Room, City Hall,
January 16th, 1933.

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

Gentlemen:-

At a meeting of the Committee on Finance held this day, your committee had under consideration the question of salary, duties and regulations relating to the City Clerk.

Your committee recommend that the salary of the City Clerk shall be at the rate of \$2,700.00 per annum, and that the duties and regulations shall be those set out in the proposed draft amendment to Section 96 of the City Charter which is attached hereto.

Respectfully submitted,

H. J. Stach,
CHAIRMAN.

SECTION 96 of the Charter is repealed
and the following substituted therefor:

96 (1)

The clerk shall be the clerk of the Council and of the City Court, and, with the exception of the bonds or securities of officials, shall have the custody of all records, documents and papers of the City Council, and the City Court and Police Court, and shall perform such other duties, and have such other powers as are now or hereafter may be set out in the Charter, and as are now or hereafter maybe from time to time assigned to him by ordinance of the City, and including, but not so as to limit or restrict the generality of the foregoing, the following duties:

- (a) Attend all meetings of the Council and take and transcribe the minutes thereof and otherwise act as clerk thereof;
- (b) Whenever requested so to do by the Chairman of any Committee of the Council, or the Mayor, act as secretary of such committee, and for that purpose attend all meetings of such committee;

January 17th, 1933.

- (o) Act as clerk of the City Court and of the Police Court and shall have the powers and perform the duties as are now or hereafter may be set out in the Charter, and as are now or hereafter may be from time to time provided by ordinance of the City in respect to such office;
- (2). For the performance of all such duties and the exercise of all of such powers as are in this section mentioned, the Assistant City Clerk shall be deemed to be the Deputy of the City Clerk and shall be subject to his directions.
- (3) All fees or remuneration by the Clerk for any services rendered by him by virtue of his office, or arising out of any enactment of the Legislature of the Province of Nova Scotia, or other Provincial Legislature or of the Parliament of the Dominion of Canada or from any other source shall immediately be paid by him to the Treasurer, together with a return stating the source of the said fees, and the Treasurer shall receive the said fees from the Clerk and give a receipt therefor, and such fees shall form part of the general revenue of the City.
- (4) The Clerk shall not receive nor accept any salary or remuneration, other than such salary as is or may be from time to time authorized by the Council to be paid to the Clerk, for acting as secretary or in any other capacity for any Committee of the Council, or for any other Committee or Board which is a part of the Corporation of the City of Halifax, unless the same be authorized to be paid to the said Clerk by the Council.

Moved by Alderman Stech, seconded by Alderman Conn that the action of the Finance Committee in defining the duties and stipulating the salary of the City Clerk at \$2,700.00 per annum be approved and adopted as if embodied in the previous motion passed at a meeting of Council held on January 12th, 1933. Motion passed unanimously.

January 17th, 1933.

✓ LEGISLATION

The City Solicitor submits and reads a draft of proposed amendments to the City Charter.

1. Sub-section 2 of Section 115 of the Charter is amended by adding thereto immediately following the word "Chairman" in the second line thereof the words "and a Vice-Chairman, who shall preside in the absence, from the meeting, of the Chairman".
2. Sub-section 3 of said Section 115 is amended by inserting immediately following the word "Chairman" in the first line thereof the words "or vice-chairman".
3. Said Section 115 is further amended by adding the following sub-section:
 - (4) The Chairman or vice-chairman in the case of illness or absence from the City of the Chairman, of any committee shall call together the committee of which he is chairman or vice-chairman.
 - (a) whenever business requires such meeting to be held, and
 - (b) whenever he is required so to do by at least one-half of the members of the committee in writing, specifying the purpose for which such meeting is to be called, and if he does not call such meeting within twenty-four hours after receipt by him of notice of such requisition, the members who signed the same may direct the clerk to call a meeting and he shall forthwith do so, giving to the members of such committee forty-eight hours notice thereof.
 - (c) All acts and proceedings of a meeting of any committee held by members thereof who have signed a requisition for the same, shall be as legal and valid as if done at a meeting of such committee regularly called by the chairman or vice-chairman thereof, provided, however that no meeting of any committee thus held shall be legal or valid unless a quorum of the members thereof shall be present.
4. Sub-section 2 of Section 5 of Chapter 53 of the Acts of 1932 is repealed.
6. Section 156 of the Charter repealed and the following substituted therefor:
 156. The City Solicitor shall take charge of and manage any and all legal business connected

January 17th, 1933.

with or appertaining to the City or its affairs and without limiting the generality of the foregoing shall,

- (a) give legal advice and assistance to the Mayor and members of the Council and the officials in the performance of the duties of their respective offices;
- (b) attend all meetings of the Council;
- (c) attend all meetings of committees of the Council when required so to do;
- (d) draft or revise all legal documents required by the City or to which the City is a party;
- (e) act as solicitor and counsel for the City in any action in a provincial court in which the City is a party or which is conducted on the part of the City;
- (f) prosecute all infractions of the By-Laws of the City or of the Board of Health of the City;
- (g) prosecute all cases in the Police Court when a City Police Officer is prosecutor arising by reason of an infraction or an alleged infraction of The Criminal Code of Canada, The Liquor Control Act, The Motor Vehicle Act and the Bastardly Act, when requested by the Chief of Police on instructions from the Mayor so to do;
- (h) act as solicitor and counsel in all appeals from the decision of the Stipendiary Magistrate in which the City is directly or indirectly interested or in which a Police Officer in his official capacity of the City or some official of the City has been the plaintiff or prosecutor;
- (i) act as solicitor and counsel for the Board of School Commissioners for the City of Halifax, the City Health Board, the Halifax Boxing Commission and the Halifax City Relief Committee;
- (j) keep the Mayor and Council advised of all applications pending before the Board of Commissioners of Public Utilities in which the interests of the City or the rate payers may be affected or prejudiced, and attend on behalf of the City on the hearing of any such applications when instructed to do so by the Mayor or Council;
- (k) pass on the titles to all properties acquired by the City prior to the acquisition thereof by the City and where necessary pass on the titles of property sold by the City at Tax Sale.

January 17th, 1933.

(1) where legal action is necessary in the collection of taxes to render such legal assistance as the Collector may require;

(m) have the powers and duties of the recorder.

7. Section 285 is amended by adding thereto the following Sub-section.

(2) It shall be the duty of the Collector to attend all meetings of the Council, when requested by the Mayor or his Deputy.

8. Section 292 is amended by adding thereto the following sub-section:

(2) It shall be the duty of the Auditor to attend all meetings of the Council, unless excused by the Mayor or his Deputy.

9. Section 516 is amended by adding thereto the following sub-sections;

(2) When requested by the City Solicitor, it shall be the duty of the Engineer to survey all properties sold or to be sold or advertised for sale to satisfy the claims of the City for taxes for the purpose of ascertaining whether the descriptions of such properties are correct;

(3) It shall be the duty of the Engineer when requested by the City Solicitor, to prepare all descriptions of properties sold or to be sold or advertised for sale to satisfy the claims of the City for taxes;

(4) It shall be the duty of the Engineer to attend all meetings of the Council, unless excused by the Mayor or his Deputy.

(5) It shall be the duty of the Engineer at least one month prior to the expiration of any guarantee bond or other guarantee in respect thereto, to carefully inspect all work done or performed for or on behalf of the City, and to make a report on the condition thereof to the Committee on Works, which report shall be considered by the Committee on Works before any such guarantee bond or other guarantee shall be released by the City.

10. (1) Clause (b) of Sub-section (1) of Section 899 is amended by inserting the word "not" between the words "has" and "the" in the first line thereof.

January 17th, 1933.

(2) This section shall be read and construed as if the same had been enacted on the 26th day February, 1931.

(3) No acts done or performed by any member of the Board since the 26th day February, 1931, shall be held to be illegal or void for the sole reason of the omission of the said word "not" in the said clause,

11. (1) No person shall from any land or premises in the City discharge or permit to escape from such land or premises any sewerage or other deleterious or offensive matter into the waters of the North West Arm or into any brook or tributary the waters whereof are discharged into the North West Arm;

(2) Any person who contravenes or fails to comply with the provisions of the foregoing sub-section hereof shall for every day during which such contravention or failure to comply continues be liable to a penalty not exceeding One Hundred Dollars and in default of payment to imprisonment for a period not exceeding one month, and whether such penalty has been imposed or not any such person may be restrained by an order of the Supreme Court or a judge thereof in an action at the suit of the City of Halifax.

12. The lien on the personal property of any person assessed for a business tax or a household tax for the civic year 1932-33 conferred by Section 438 is hereby extended from the expiry of that year up to and including the first day of November 1933.

Moved by Alderman Logan, seconded by Alderman Golden that the draft of proposed legislation as submitted and amended be approved. Motion passed.

✓ DIRECT RELIEF ADMINISTRATION

His Worship the Mayor suggests that a monthly report be submitted covering the administration of relief.

City Auditor

January 17th, 1933.

✓
HOCKEY GAME

Alderman Probert advised Council that the time is approaching for the annual hockey game between the members of the City Council and the Provincial Legislature, and suggests that the members of Council have their skates sharpened and in readiness for practice at the Forum in preparation for the game, and also asks Council to relieve him of the duty of Chairman owing to pressure of other duties. Alderman Probert also suggests that Alderman Conn be appointed Chairman of the Hockey Committee.

Moved by Alderman Donovan, seconded by Alderman Golden that Alderman Conn be appointed Chairman of the Hockey Committee with authority to name the members of his committee. Motion passed.
11.00 o'clock,

Moved by Alderman Mitchell, seconded by Alderman O'Malley that this meeting do now adjourn. Motion passed. Meeting adjourned.

HEADLINES

| | |
|-------------------------------|-----|
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| School Board Estimates | 444 |
| Salary and Duties, City Clerk | 444 |
| Legislation | 447 |
| Direct Relief Administration | 450 |
| Hockey Game | 451 |

A. Audley Thompson,
MAYOR

H. C. Powell,
ASST. CITY CLERK.

S P E C I A L M E E T I N G

AFTERNOON SESSION.

5.10 o'clock,
Council Chamber,
City Hall,
January 25th, 1933.

A special meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor, Chairman; and Aldermen Mitchell, Minshull, Stech, Donovan, Miller, Logan, Conn, Adams, Shields, Golden, O'Toole, Getley, Probert and Doyle.

The meeting was called specially to consider and deal with the reports of the Finance Committee on School Board Estimates for the civic year 1933-34 and Direct Relief.

✓ SCHOOL BOARD ESTIMATES, 1933-34.

Read report of the Committee on Finance submitting amended Estimates of the School Board.

Committee Room, City Hall,
January 23rd, 1933.

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

Gentlemen:-

At a meeting of the Committee on Finance held this day, your committee had under consideration the Estimates submitted by the Board of School Commissioners for the civic year 1933-34.

Your committee having amended these Estimates, forward same to the City Council for their consideration, item by item.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

January 25th, 1933.

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

SCHEDULE "B"

School Board Estimates.

TEACHERS

Moved by Alderman Golden, seconded by Alderman Adams that all salaries included in this item be cut 10%. Motion put and passed, 9 voting for the same and 5 against it as follows.

FOR THE MOTION

Aldermen Mitchell
Minshull
Stech
Miller
Adams
Conn
Logan
Golden
Shields

-9-

AGAINST IT

Aldermen Donovan
O'Toole
Getley
Probert
Doyle

-5-

SUPERVISED PLAYGROUNDS

Moved by Alderman Stech, seconded by Alderman Doyle that this item be deleted from the Estimates, and that legislation be sought to authorize the payment of a like amount direct to the Playgrounds Commission. Motion passed.

DENTAL INSPECTION

Moved by Alderman Golden, seconded by Alderman Adams that this item be cut 10%. Motion passed.

MEDICAL INSPECTION

Moved by Alderman Golden, seconded by Alderman Adams that this item be cut 10%. Motion passed.

January 25th, 1933.

MAINTENANCE

Moved by Alderman Donovan, seconded by Alderman Doyle that this item be set at \$22,000.00. Motion passed.

INSURANCE

Moved by Alderman Donovan, seconded by Alderman Miller that the item of \$3,613.56 for insurance be restored to the Estimates. Motion passed.

WATER RATES

Read report of the Committee on Works re School Board water rates as follows.

January 26th, 1933.

The City Council.

Gentlemen:-

At a meeting of the Committee on Works held this day, it was resolved that the Committee do not approve of the principle that the School Board should not pay the regular water rates, and recommend that a sufficient sum for this service be provided in the Estimates.

A. Audley Thompson,
MAYOR AND CHAIRMAN.

Moved by Alderman Doyle, seconded by Alderman Mitchell that the item for water rates be raised to read \$6,700.00 as previously.

Motion passed.

SUPERVISOR

Moved by Alderman Golden, seconded by Alderman Adams that this item be cut 10%.

Motion passed.

SECRETARY

Moved by Alderman Golden, seconded by Alderman Adams that this item be cut 10%.

Motion passed.

January 25th, 1933.

STENOGRAPHERS

Moved by Alderman Golden, seconded by Alderman Adams that this item be cut 10%.

Motion passed.

MECHANICAL SUPT.

Moved by Alderman Golden, seconded by Alderman Adams that this item be cut 10%.

Motion passed.

ATTENDANCE OFFICER

Moved by Alderman Golden, seconded by Alderman Adams that this item be cut 10%.

Motion passed.

CONTINGENT ACCOUNT

Moved by Alderman Stech, seconded by Alderman Shields that this item be reduced to \$1,000. Motion passed.

Moved by Alderman Stech, seconded by Alderman Donovan that the Estimates for the School Board as amended be now approved, and that the said sum of \$447,121.11 be included in the Civic Estimates for 1933-34. Motion passed. Alderman Probert wishing to be recorded against all 10% cuts in salaries.

SCHEDULE "B"
SCHOOL ESTIMATES.
1933-34.

| | <u>1933-34</u> | <u>Increase</u> | <u>Decrease</u> | <u>1932-33.</u> |
|------------------------|----------------|-----------------|-----------------|-----------------|
| Teachers | \$307,498.50 | | \$23,411.50 | \$530,910.00 |
| Technical Classes | 3,500.00 | | | 3,500.00 |
| Supervised Playgrounds | — | | 2,000.00 | 2,000.00 |
| School Supplies | 5,000.00 | | | 5,000.00 |
| Auxiliary Classes | 1,220.00 | | 250.00 | 1,470.00 |
| Dental Inspection | 2,070.00 | | 230.00 | 2,300.00 |
| Medical Inspection | 5,922.00 | | 588.00 | 6,510.00 |

January 25th, 1933.

| | <u>1933-34</u> | <u>Increase</u> | <u>Decrease</u> | <u>1932-33</u> |
|--------------------------------|---------------------|-----------------|------------------|-------------------|
| Janitors | \$30,851.00 | \$360.00 | | \$30,491.00 |
| Maintenance | 22,000.00 | | 2,068.47 | 24,068.47 |
| Rents | 13,984.05 | | | 13,984.05 |
| Insurance | 3,613.56 | | | 3,613.56 |
| Fuel | 27,000.00 | | 1,199.28 | 28,199.28 |
| Telephones, Light and Power | 3,550.00 | | | 3,550.00 |
| Water | 6,700.00 | | | 6,700.00 |
| General Expense | 1,300.00 | | | 1,300.00 |
| Advertising and Printing | 650.00 | | | 650.00 |
| Interest on Debentures | 2,430.00 | | | 2,430.00 |
| Supervisor | 3,379.50 | | 375.50 | 3,755.00 |
| Secretary | 2,250.00 | | 250.00 | 2,500.00 |
| Stenographers | 1,822.50 | | 202.50 | 2,025.00 |
| Messenger Service | 480.00 | | | 480.00 |
| Mechanical Supt. | 2,700.00 | | 300.00 | 3,000.00 |
| Attendance Officer | 1,800.00 | | 200.00 | 2,000.00 |
| Office Expenses | 400.00 | | | 400.00 |
| Contingent | 1,000.00 | | 2,000.00 | 3,000.00 |
| Pension Ex- Secretary | 1,200.00 | | | 1,200.00 |
| Sewer, Sidewalks, etc. | 2,000.00 | 781.05 | | 1,218.95 |
| | <u>454,321.11</u> | <u>1,141.05</u> | <u>33,075.25</u> | <u>486,255.31</u> |
| LESS: | | | | |
| Estimated Revenue | | | | |
| Grants | 4,900.00 | | 400.00 | 4,500.00 |
| Fees | 500.00 | 600.00 | | 1,100.00 |
| Interest | 1,200.00 | | 200.00 | 1,000.00 |
| Miscellaneous | 600.00 | | | 600.00 |
| | <u>7,200.00</u> | <u>600.00</u> | <u>600.00</u> | <u>7,200.00</u> |
| | <u>\$447,121.11</u> | <u>1,741.05</u> | <u>3,367.25</u> | <u>479,055.31</u> |
| Decrease | \$31,934.20. | | | |

INSURANCE

Moved by Alderman Doyle, seconded
by Alderman Shields that the City Auditor be
instructed to submit a report and recommendation
to the Finance Committee as to the advisability
of the City carrying its own insurance.
Motion passed.

January 25th, 1933.

✓
DIRECT RELIEF "CLOTHING"

3
Read report of the Finance Committee and letter from His Worship the Mayor submitting resolution to provide \$2,500.00 for Direct Relief in the form of clothing.

Committee Room, City Hall,
January 23rd, 1933.

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

Gentlemen:-

At a meeting of the Committee on Finance held this day, your committee had under consideration the attached letter of His Worship the Mayor submitting resolution providing for \$2,500.00 to be used for clothing relief by the Red Cross Society.

Your committee recommend that the resolution as submitted be forwarded to the City Council for approval and that this committee further recommend that Alderman Miller represent the City on the Board of Directors for the Red Cross Society.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

January 23rd, 1933.

Chairman,
Finance Committee,
CITY.

Dear Sir:-

I am attaching hereto a resolution for the consideration of your committee.

A new problem has arisen in respect to relief and it seems as though it will be necessary for the City to assist in meeting the distress occasioned by the shortage of clothing in relief cases. Alderman Miller has worked diligently to place the matter on some organized basis and has had various meetings with the clergy and the Red Cross Society. The response from these groups was such as to indicate that the present needs of the situation cannot be met unless help is forthcoming from the governmental bodies.

January 25th, 1933.

Personally, I am opposed to the City itself administering direct relief in the form of clothing. There are two reasons for this view: the first is that we cannot afford it, and the second is that possibly we would not be able to control the demand. My opinion is that the Canadian Red Cross Society should be charged with the duty of not only disbursing this kind of relief, but of appealing to private charity for funds as well. With proper organization, I feel that many citizens will respond to such an appeal, particularly if it is sponsored by the Red Cross, the Churches and the Press.

As I said before, there are objections to the City itself assuming this obligation, and for this reason I am suggesting that the attached resolution should meet the needs of the situation and if donations can be received from the other governments, as they must under this resolution, I believe that it is the duty of the City to vote to provide the Red Cross Society with funds wherewith to administer this most essential work. My final suggestion is that Alderman Miller should be invited by the Red Cross to sit on its executive for the purpose of supervising the work on behalf of the City.

Sincerely yours,

A. Audley Thompson,
MAYOR.

Moved by Alderman Stech, seconded by
Alderman Shields that the report be adopted.

Motion passed.

The following resolutions are submitted
and read.

WHEREAS there exists a condition of distress, due to the inability of many of our unemployed citizens to provide necessary articles of clothing for themselves and their families;

AND WHEREAS in the opinion of the Council, responsibility for this work is deemed by Council to rest on the Canadian Red Cross Society (Nova Scotia Branch) both in respect to the raising of funds by public subscription and the administration of such funds;

BE IT THEREFORE RESOLVED that the City Council, in order to assist in this work and provided that similar assistance is extended by the Provincial and Federal Governments, vote a sum not exceeding \$2,500.00 to be paid by the City

January 25th, 1933.

Treasurer, in instalments to the Canadian Red Cross Society for the disbursal of relief in Halifax City alone, in the form of articles of clothing, throughout the present winter season.

Moved by Alderman Stech, seconded by Alderman Shields that the resolutions as submitted be adopted. Motion passed unanimously.

✓ SCOTIA CONSTRUCTION CO., LTD.,
VERSUS CITY OF HALIFAX.

His Worship the Mayor requests the unanimous consent of Council to submit a report of the City Solicitor re the application on behalf of the City to re-open the default judgment obtained by the Plaintiff against the City in the action of the Scotia Construction Co., Ltd., versus the City of Halifax.

7 p.m.

Moved by Alderman Stech, seconded by Alderman Mitchell that Council do now adjourn. Motion lost, 6 voting for the same and 8 against it as follows.

FOR THE MOTION

Aldermen Mitchell
Minshull
Stech
Donovan
Conn
Shields

AGAINST IT

Aldermen Miller
Adams
Logan
Golden
O'Toole
Getley
Probert
Doyle

-6-

-8-

Alderman Conn then asked the Mayor's permission to retire, which was granted.

Aldermen Stech and Mitchell registered their objection against taking this matter under consideration as it was not on the notice of meeting.

January 25th, 1933.

His Worship the Mayor thereupon instructed the City Solicitor to proceed as recommended at the meeting of the Committee on Works held this day, and enter an appeal to the Supreme Court en banc from the decision of Mr. Justice Hall dismissing the application to re-open the default judgment obtained by the Plaintiff.

7.50 P.M.

Moved by Alderman Minshull, seconded by Alderman Doyle that this meeting do now adjourn. Motion Passed. Meeting adjourned.

LIST OF HEADLINES

| | |
|--|-----|
| School Board Estimates, 1933-34. | 452 |
| Insurance | 456 |
| Direct Relief "Clothing" | 457 |
| Scotia Construction Co, Ltd. versus City of Halifax | 459 |

A. Audley Thompson,
MAYOR.

H. C. Powell,
CITY CLERK.