

EVENING SESSION

ADJOURNED MEETING.

8.10 o'clock,
Council Chamber,
City Hall,
March 28th, 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 Minshull, Stech, Daley, Donovan, Miller, Logan, Conn, Adams, Shields, Golden, O'Malley, O'Toole, Getley, Smeltzer, Probert and Doyle.

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

✓ PRIZES, HALIFAX HARBOUR CHAMPIONSHIP

Before taking up the regular business of the meeting, His Worship the Mayor presented the prizes won at the annual single scull race for the championship of Halifax Harbour held on the 21st day of June, 1932, on the North West Arm. The first prize- the Cogswell Gold Medal and a

Silver Tray was presented to Daniel Wallace of the Jubilee Rowing Club; this being his third time of winning the Harbour Championship Race.

The second prize- A Silver Wrist Watch to John Tietzel, also of the Jubilee Rowing Club.

March 28th, 1933.

✓ ABATTOIR EQUIPMENT

Read report of the Committee on Works covering sale of equipment removed from the Abattoir as follows.

March 27th, 1933.

The City Council.

Gentlemen:-

The Committee on Works at a meeting of the 22nd inst. had under consideration an offer from Mr. A. W. Thompson to purchase equipment removed from the Abattoir, for the sum of \$600.00.

It was resolved to recommend to Council that said offer be accepted.

A. Audley Thompson,
MAYOR AND CHAIRMAN.

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

Motion passed.

✓ MCDONALD STREET SEWER

Read report of the Committee on Works and City Engineer re sewer extension, McDonald Street.

March 22nd, 1933.

His Worship the Mayor.

Sir:-

I beg to report on the application of Mr. A. M. James for the extension of the sewer on McDonald Street far enough to connect the drain from #457 Quinpool Road to it, that at present this house drains to McDonald Street where sewerage comes to the surface of the street.

We have no record of the date of construction of this drain, but it was probably laid more than fifty years ago.

A nuisance is now being created on McDonald Street from its existence and which could be remedied by the extension of the McDonald Street sewer for a distance of about 135 feet. The estimated cost of this work is \$700.00 and the estimated sewerage rates \$275.00.

It is recommended that the sewer be ordered to be built.

Respectfully submitted,
H.W. Johnston,
CITY ENGINEER.

Clerk of Works

*City Engineer
Clerk of Works*

March 28th, 1933.

March 27th, 1933.

The City Council.

Gentlemen:-

Attached hereto is a report of the City Engineer on an application of Mr. A. M. James for the extension of the sewer on McDonald Street far enough to connect the drain from #457 Quinpool Road to it.

The Committee on Works recommend that the said report be adopted, and that the extension be made.

A. Audley Thompson,
MAYOR AND CHAIRMAN.

Moved by Alderman Miller, seconded by Alderman Adams that the reports be adopted.

Motion passed.

✓ PURCHASE OF TRACTOR

Read report of the Committee on Works and City Engineer re purchase of tractor.

March 28th, 1933.

His Worship the Mayor.

Sir:-

The Caterpillar Tractor which we are now using has completed its fourth year in service and has more than paid for itself in the value of the work done by it. This year owing to conditions that have obtained throughout the winter, the unimproved streets are in very bad condition and it will take some time when the Spring opens to put them in proper shape.

It would expedite matters if we had another tractor to use for the work. It could also be used in the winter time for moving snow.

I have a chance to purchase a tractor exactly similar to the one that we have in service at a price of \$2,750.00 delivered at the City Field, all charges paid. This machine has never been used. The present cost of such a machine if imported now, would be at least \$3600.00.

This machine could be used to good advantage and I would recommend its purchase at the price mentioned.

Respectfully submitted,

H.W. Johnston,
CITY ENGINEER.

*Blank of Works
City Engineer*

March 28th, 1933.

March 28th, 1933.

The City Council.

Gentlemen:-

The Committee on Works recommend that the attached report of the City Engineer be adopted, and that a tractor be purchased for the sum of \$2,750.00.

A. Audley Thompson,
MAYOR AND CHAIRMAN.

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

Motion passed.

✓ ACQUISITION OF LAND, DUBLIN STREET

Read report of the Committee on Works and City Engineer re acquisition of land, Dublin Street.

March 22nd, 1933.

His Worship the Mayor.

Sir:-

I beg to report on a letter from Mr. C. A. Norton asking to be paid for property taken from him for the widening of Dublin Street, that plan No. 7614 has been prepared showing the land formerly belonging to Mr. Norton, now a part of Dublin Street. It will be seen that between North Street and Seaforth Street the land colored "red" was originally part of the Norton property and when the sub-division was made, an area of approximately 2,472 sq. feet was left for street purposes.

In my opinion the improvement made by straightening the line of Dublin Street has enhanced the value of the lots in the sub-division to a greater amount than the value of the land taken for street purposes and no claim should be made on the City in connection therewith, however as the land was ~~taken~~ for street purposes the I suppose the owner is entitled to some compensation.

On North Street between Dublin Street and Windsor Street the property required for widening the street was obtained at the rate of 10 cents per square foot and while the present assessed value of Dublin Street is more than this, yet in view of the benefits that the remainder of the property has derived from the widening of the street, I think this would be a fair price to pay Mr. Norton.

Respectfully submitted,
H.W. Johnston,
CITY ENGINEER.

*City Engineer
C. A. Norton*

March 28th, 1933.

March 27th, 1933.

The City Council.

Gentlemen:-

The attached letter from Mr. C. A. Norton and report of the City Engineer thereon were discussed at a meeting of the Committee on Works on the 22nd inst., and it was resolved to recommend to Council that Mr. Norton be offered the sum of three hundred and seventy dollars and eighty cents (\$370.80) for land taken from him for the widening of Dublin Street.

A. Audley Thompson,
MAYOR AND CHAIRMAN.

Moved by Alderman Shields, seconded by Alderman Adams that the reports be adopted.

Motion passed.

✓ SEWER AND WATER EXTENSION, INGLIS STREET,
ROBIE STREET AND OAKLAND ROAD

Read report of the Committee on Works and City Engineer re sewer and water extension, Inglis Street, Robie Street and Oakland Road.

March 28th, 1933.

His Worship the Mayor.

Sir:-

In accordance with your request, I have had an estimate made of the cost of constructing sewers on the following streets:-

| | |
|---------------|-------------------------------|
| Inglis Street | Wellington St. to Robie St. |
| Robie Street | Inglis Street to Oakland Rd. |
| Oakland Road | Robie Street to Greenwood St. |

The estimated cost of the work is \$29,000. the estimated sewer assessment \$10,650. There is already a water pipe on Robie Street and Oakland Road, but if the sewer is laid on Inglis Street a twelve-inch pipe should be laid in the same trench. The estimated cost of this is \$5,000.

The construction of these sewers would make a desirable improvement as this district is fast building up and at present the only drainage is into cesspools. Whether at this time the City is warranted in making the capital expenditure involved is a matter of policy for the

*Chief of Works
City Engineer*

March 28th, 1933.

Council to decide. One argument in favor of proceeding with the work would be that it would provide a certain measure of relief for the unemployment situation.

Respectfully submitted,

H.W. Johnston,
CITY ENGINEER.

March 28th, 1933.

The City Council.

Gentlemen:-

Attached is a report of the City Engineer giving an estimate of the cost of constructing sewers on Inglis St, Robie St. and Oakland Road and water extension Inglis Street.

The committee on Works recommend that the work estimated for in the said report be ordered to be done.

A. Audley Thompson,
MAYOR AND CHAIRMAN.

Moved by Alderman Miller, seconded by Alderman Adams that the reports be adopted.

Motion passed.

✓ SHORT TERM BORROWING

Read report of the Committee on Works and City Engineer re short term borrowings.

March 28th, 1933.

His Worship the Mayor.

Sir:-

The estimated cost of widening and improving Brunswick Street and Cogswell Street, including the corner of Cogswell Street and Gottingen Street, is about \$7,500., of which amount \$4,000. would be for curbs, gutters and permanent pavement.

We have legislative authority to borrow money for the curbs, gutters and pavements, but if the improvements are proceeded with it will be necessary to obtain money for the balance required \$3,500. and it is recommended that authority to borrow a sum not exceeding \$3,500. for the purposes mentioned be obtained at this session of the Legislature.

Respectfully submitted,

H.W. Johnston,
CITY ENGINEER.

*Clerk of Works
City Engineer*

March 28th, 1933.

March 28th, 1933.

The City Council.

Gentlemen:-

The Committee on Works recommend that the attached report of the City Engineer be adopted and that authority be obtained to borrow a sum not exceeding \$3,500.00 for widening and improving Brunswick and Cogswell Streets, including the corner of Cogswell and Gottingen Streets.

A. Audley Thompson,
MAYOR AND CHAIRMAN.

Moved by Alderman Doyle, seconded by Alderman O'Toole that the reports be adopted.

Alderman Stech then suggested that this should be added in the legislation.

His Worship the Mayor then instructs the Clerk to call the City Solicitor's attention to this matter regarding adding same to the borrowing bill. Motion then passed.

✓ GRANT TO THE WIDOWS OF THE LATE
CAPT. GRAVES AND HOSEMAN SHANKS

Read report of the Committee on Finance and Firewards covering grant of \$1,000.00 each to the widows of the late Capt. E. S. Graves and Hoseman Wm. A. Shanks.

Committee Room, City Hall,
March 27th, 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 the City Council held on the 16th day of March, 1933, covering grants to the widows of the late Capt. Graves and Hoseman Shanks of \$1,000.00.

Your committee recommend that the report of the Committee on Firewards be adopted, and that the widows of these two firemen be paid the sum of \$1,000.00 each.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

*City Treas.
Chas. Churchill
Mrs. Esters Graves
Mrs. Mary Shanks*

March 28th, 1933.

March 6th, 1933.

His Worship the Mayor,
and Members of City Council.

Gentlemen:--

At a meeting of the Committee of Firewards held this day reports were read from Dr. F. R. Little and the City Medical Officer re circumstances concerning the deaths of Capt. E. S. Graves and Hoseman Wm. A. Shanks.

Your committee recommend that a grant of \$1,000 each be paid to the widows of these firemen.

Respectfully submitted,

W. H. Golden,
VICE CHAIRMAN.

Moved by Alderman Stech, seconded by Alderman Golden that the reports be adopted.

Motion passed.

✓ LIFE INSURANCE MEMBERS OF FIRE DEPARTMENT

Read report of the Finance Committee recommending that legislation be sought authorizing the City to insure members of the Fire Department.

Committee Room, City Hall,
March 27th, 1933.

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

Gentlemen:--

At a meeting of the Finance Committee held this day, it was unanimously decided to recommend to Council that legislation be secured to enable the Council, should it by resolution so decide, to enter into a contract of insurance with a life insurance company to insure the lives of members of the Fire Department under a group plan; said plan to be on a basis of cost in which both the city and the members of the Fire Department would share.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

Moved by Alderman Stech, seconded

by Alderman Shields that the report be adopted and that the necessary legislation be sought.

Motion passed.

*City Treas.
Chief Churchill*

March 28th, 1933.

✓ LEGISLATION

The Chairman of the Laws and Privileges Committee submits and reads proposed draft legislation as follows.

Item No. 1
Section 208 A.

The Charter is amended by adding thereto immediately following Section 208 thereof the following Section.

"The Provisions of Order 43 of the Rules of the Supreme Court respecting Attachment of Debts and of Order 45 of the said Rules respecting Replevin, as the same now stand or as the same may from time to time be amended, shall MUTATIS MUTANDIS be applicable to the City Court, and in the case of any obscurity or doubt as to the application of any Rule of either of the said Orders, the same shall be decided by the Stipendiary Magistrate, and his decision shall be final."

Moved by Alderman Daley, seconded by Alderman Doyle that this item be approved as submitted. Motion passed.

Item No. 2
Clause A of Sub-section 1 of Sec. 214

Clause (a) of sub-section 1 of Section 214 is repealed and the following substituted therefor:

"Filing with the Clerk of the City Court not later than ten days after the date of entering judgment, an affidavit of himself, or in his absence of his agent, stating that he is dissatisfied with the judgment and feels aggrieved thereby, and that such appeal is not prosecuted solely for the purpose of delay; provided that in the case where Judgment is reserved by the Magistrate, two days notice of the entering of said Judgment shall be given by the party to the action so entering Judgment to the other party thereto."

Moved by Alderman Daley, seconded by Alderman Smeltzer that this item be approved as submitted. Motion passed.

March 28th, 1933.

Item No.3
Sub-section 1 of Sec.311

Sub-section (1) of Section 311 is amended by adding thereto the following:

"A sum not exceeding \$1,800.00 for the Halifax Supervised Playgrounds".

Moved by Alderman Daley, seconded by Alderman Doyle that this item be approved as submitted.

Moved in amendment by Aldermen Donovan, seconded by Alderman Probert that this item be changed to read a sum not exceeding \$2,000.00. Upon the vote being taken on the amendment there resulted a tie, 8 voting for the same and 8 against it as follows.

FOR THE AMENDMENT

Aldermen Minshull
Donovan
Adams
Conn
Logan
O'Toole
Getley
Probert
-8-

AGAINST IT

Aldermen Stech
Miller
Daley
Golden
Shields
O'Malley
Smeltzer
Doyle
-8-

His Worship the Mayor thereupon casts his vote against the amendment and declares it lost.

The original motion is then put and passed, 12 voting for the same and 4 against it as follows.

FOR THE MOTION

Aldermen Minshull
Stech
Miller
Daley
Adams
Conn
Logan
Golden
Shields
O'Malley
Smeltzer
Doyle
-12-

AGAINST IT

Aldermen Donovan
O'Toole
Getley
Probert

March 28th, 1933.

Item No. 4
Section 312

Section 312 is amended by adding thereto, the following sub-section:

"Every board and committee of the Council and every board and committee which, by the Halifax City Charter or other enactment, is required to submit an annual estimate of the sums required by such board or committee for the ensuing civic year, shall not later than the twentieth day of February in each year deliver such estimate to the committee on Finance".

Moved by Alderman Daley, seconded by Alderman Doyle that this item be referred back to the Laws and Privileges Committee. Motion passed.

Item No. 5
Section 319

Section 319 as amended by Section 13 of Chapter 53 of the Acts of 1932 is further amended by adding thereto the following sub-section:

"In any case in which authorization has been given to the City to borrow any money, and any part of such money so authorized to be borrowed remains unborrowed, and it is desired to borrow all or any part of such remaining money, the rate of interest on such remaining part shall be such as may be determined by the Council by resolution, notwithstanding that the enactment authorizing such borrowing may specify a rate of interest other than that so determined by the Council".

Moved by Alderman Daley, seconded by Alderman Donocan that this item be approved as submitted. Motion passed.

Item No. 6
Section 341, Sub-section 1.

Clause (a) of Sub-section 1 of Section 341 as the same is amended by Section 17 of Chapter 53 of the Acts of 1932 is repealed and the following substituted therefor:

"Bonds or debentures of the Dominion of Canada or of any Province of Canada, or of the Cities of Montreal, Toronto or Ottawa, or in the bonds or debentures of any company, association or other body which are guaranteed by the Dominion of Canada or by any Province of Canada and any such investment heretofore made is hereby ratified".

March 28th, 1933.

Moved by Alderman Daley, seconded by Alderman Stech that this item be approved as submitted. Motion passed.

Item No. 7
Section 366, Sub-section 2.

Sub-section (2) of Section 366 as the same is enacted by Section 18 of Chapter 70 of the Acts of 1931 is amended by inserting therein immediately following the word "follows" in the second line thereof the following:

"If it is six hundred dollars but is less than eight hundred dollars...\$5.00".

Moved by Alderman Daley, seconded by Alderman Logan that this item be approved as submitted. Motion passed.

Item No. 8
Section 373

Section 373 is amended by inserting therein, immediately after the word "a" in the third line thereof the words "residential or recreational".

Moved by Alderman Daley, seconded by Alderman Logan that this item be approved as submitted. Motion passed.

Item No. 9
Section 440A

The Charter is amended by adding thereto immediately following Section 440 thereof the following Section:

"Where any person, upon whose personal property the city has a lien for business tax or household tax, dies, assigns, becomes bankrupt or winds up his business prior to the expiration of the said lien, the said lien shall remain in full force and effect until the expiration of one year from the expiration of the lien so existing at the date of the death of such person, or at the date of such assignment, bankruptcy or winding up".

March 28th, 1933.

Moved by Alderman Daley, seconded by Alderman Doyle that this item be approved as submitted.

Moved in amendment by Alderman Probert, seconded by Alderman O'Malley that this item be referred to the Laws and Privileges Committee for their consideration and report. Amendment put and lost, 3 voting for the same and 13 against it as follows.

FOR THE AMENDMENT

Aldermen Getley
O'Malley
Probert

AGAINST IT

Aldermen Minshull
Stech
Donovan
Miller
Daley
Adams
Conn
Logan
Golden
Shields
O'Toole
Smeltzer
Doyle
-13-

-3-

The original motion passed.

Items No. 10, 11, 12 and 14.
Sections 559, 561, 566 and 599.

10. Sub-section (3) of Section 559 is amended by adding thereto the following words:

"Provided however that no such amendment shall be made after the expiration of six years from the date of filing the said plan or list in the Office of the Engineer".

11. Sub-section (4) of Section 561 is amended by adding thereto the following words:

"Provided however that no such amendment shall be made after the expiration of six years from the date of filing the said plan or list in the Office of the Engineer".

March 28th, 1933.

12. Sub-section (3) of Section 566 is amended by adding thereto the following words:

"Provided however that no such amendment shall be made after the expiration of six years from the date of filing the said plan or list in the Office of the City Engineer".

14. Sub-section (3) of Section 599 is amended by adding thereto the following words:

"Provided however that no such amendment shall be made after the expiration of six years from the date of filing the said plan or list in the Office of the Engineer".

Moved by Alderman Daley, seconded by Alderman Donovan that these four items be referred to the Committee on Works for their consideration and necessary action. Motion passed.

Item No. 13
Section 587.

(1) Section 587 is hereby repealed.

(2) This section shall come into force on, from and after, but not before the first day of May 1934.

Moved by Alderman Stech, seconded by Alderman O'Malley that this item be approved as submitted

Moved in amendment by Alderman Smeltzer, seconded by Alderman Minshull that this item be referred to the Committee on Works for their consideration and report.

His Worship the Mayor upon being asked to give a ruling regarding this matter going to Council without recommendation from the committee, rules the matter out of order.

March 28th, 1933.

Items No. 15 and 16.
Sections 916 and 917.

15. Sub-section 1 of Section 916 is repealed and the following substituted therefor:

"The Board shall yearly, in time for inclusion in the yearly estimates, submit to the Council for approval, an estimate of the amount required in addition to the moneys provided from the Provincial Treasury for the support and maintenance of the schools under its charge. Such estimate shall give details and items of the amounts required for the various services of the Board, and may include a sum not exceeding three thousand dollars to be used as a contingent account, out of which may be defrayed any lawful expenditure of the Board for which no provision or insufficient provisions has been made."

16. Section 917 of the Charter is repealed.

Moved by Alderman Daley, seconded by Alderman Doyle that these two items be referred back to the Laws and Privileges Committee for further consideration. Motion passed. Alderman Donovan requests that the Chairman of the School Board be notified when the Laws and Privileges Committee consider these items.

Item No. 17
\$5,800.00 Paving Costs.

"The additional cost of paving during the civic year 1932-1933 due to the use of manual labor in the place of machinery and amounting to \$5,800.00 may be charged to the appropriation provided by the City for permanent paving".

Moved by Alderman Daley, seconded by Alderman Conn that this item be approved as submitted. Motion passed.

Item No. 18
Sections 560 and 561.

"Notwithstanding anything contained in Sections 560 and 561, the assessment lists and plans relating to the paving of portions of Windsor, Almon, Gottingen and Grafton Streets and filed in the office of the City Engineer on the third day of February A.D. 1933, are hereby ratified and confirmed".

March 28th, 1933.

Moved by Alderman Daley, seconded by Alderman Minshull that this item be referred to the Laws and Privileges Committee for further consideration, and that the City Engineer be notified to attend this meeting. Motion passed.

Item No. 19
Borrowing, \$1,700.00

"The City may borrow a sum not exceeding Seventeen Hundred (\$1700.00) Dollars and expend out of the said sum a sum not exceeding One Thousand (\$1,000.00) Dollars thereof in the purchase of a motor truck for the use of the Gardens, Parks and Commons Committee, and a sum not exceeding Seven Hundred (\$700.) Dollars thereof in the purchase of a calculating machine for use in the Office of the City Collector. The sum so borrowed, with interest, shall be repaid in three yearly instalments, the first payable on the first day of August in the year succeeding the year in which the money is borrowed and one instalment on each succeeding first day of August, the amount of each instalment with interest to be included in the estimates for the year in which the same is payable".

Moved by Alderman Conn, seconded by Alderman Golden that this item be approved as submitted. Motion passed.

Item No. 20.

"The City may borrow the sums set out in the second schedule hereto and expend the same for the purposes set opposite each item respectively. The sums so borrowed shall be repaid with interest in five yearly instalments, the first payment to be made on the first day of August in the year succeeding the year in which the money was borrowed and one instalment on each succeeding first day of August, the amount of each instalment with interest to be included in the estimates for the year in which the same is payable".

Moved by Alderman O'Malley, seconded by Alderman Minshull that this item be approved as submitted. Motion put and passed, 10 voting for the same and 6 against it as follows.

March 28th, 1933.

FOR THE MOTION

AGAINST IT

Aldermen Minshull
Donovan
Miller
Conn
Golden
O'Toole
Getley
O'Malley
P robert
Smeltzer
-10-

Aldermen Stech
Daley
Adams
Logan
Shields
Doyle

-6-

Item No. 21
\$1,800.00 Halifax Playgrounds.

"The sum required for the Halifax Supervised Playgrounds for the civic year 1933-1934, not exceeding Eighteen Hundred(\$1800.00) Dollars may be borrowed from any bank or fund available and included in the estimates of and repaid in the civic year 1934-1935."

Moved ~~in~~ Alderman Daley, seconded by Alderman Golden that this item be approved as submitted.

Moved in amendment by Alderman Donovan, seconded by Alderman O'Malley that the words "not exceeding" be deleted from the draft. Amendment put and passed, 10 voting for the same and 6 against it as follows.

FOR THE AMENDMENT

AGAINST IT

Aldermen Minshull
Donovan
Adams
Conn
Shields
O'Toole
Getley
O'Malley
Probert
Smeltzer
-10-

Aldermen Stech
Miller
Daley
Logan
Golden
Doyle

-6-

Item No. 22

"Any unexpended balances remaining from sums borrowed or to be borrowed for the purpose of the erection of schools and for the acquisition of land for the purposes of the schools or from appropriations for equipment to be used in or for the purposes of schools may be consolidated or merged and used on account of any future appropriation for any of the said purposes".

March 28th, 1933.

Moved by Alderman Daley, seconded by Alderman Smeltzer that this item be approved as submitted. Motion passed. Alderman Probert wishing to be recorded against the word "equipment" being used in the draft.

Item No. 23.
10% salary reduction.

"The Resolutions of the Council, passed on the 27th day of February, 1933, requiring certain employees of the City to contribute to the City ten per cent of the salary or wages received from the City for the purposes of the general revenue of the City during the civic year 1933-1934 is hereby ratified and confirmed, and declared to be binding on all employees affected thereby and the treasurer is hereby authorized to deduct the said amount of ten per cent from the salaries or wages of all such employees and retain the said sum for the purposes of the general revenue of the City."

Moved by Alderman Daley, seconded by Alderman Golden that this item as amended be approved. Motion passed.

Item No. 24
\$500.00 Childrens Aid Society.

"The payment of \$500.00 to the Childrens' Aid Society of Halifax in the civic year 1932-1933 is hereby ratified and confirmed".

Moved by Alderman Daley, seconded by Alderman Donovan that this item be approved as submitted. Motion passed.

Item No. 25.
Walker et al Vs.
Joseph LaPierre and the
City of Halifax.

"The City shall pay any sum awarded to the plaintiffs for damages, costs or charges in the action in the County Court- Walker et al against Joseph LaPierre and the City of Halifax, 1932, C.C, Number 2560, and any money required for such purpose may be borrowed by the city from any bank or fund available and with the interest thereon included in the estimates for the civic year next ensuing to the year in which the money was borrowed".

March 28th, 1933.

Moved by Alderman Daley, seconded by Alderman O'Toole that this item be approved as submitted. Motion passed.

Item No. 26
\$1,000.00 Public Gardens.

"The City may borrow from any bank or fund available a sum not exceeding One Thousand Dollars(\$1,000.) and expend the same for the payment of the deficit in the appropriation for the Public Gardens in 1932-1933, and the amount so borrowed with interest thereon may be included in the estimates for the civic year 1933-1934,"

Moved by Alderman Daley, seconded by Alderman Conn that this item be approved as submitted. Motion passed.

Item No. 27

"The City may transfer the following sums previously borrowed for capital purposes or received from the sale of capital assets, and which remain unexpended to the direct relief fund:

*Chas. Church
Clerk of Works
Charities Com
Library Com*

| | |
|-------------------------|------------|
| Fire Department | \$1,721.35 |
| Comfort Station | 10,847.08 |
| T. B. Hospital | 288.03 |
| Street Conduits | 92.35 |
| Land, Marlboro Woods | 200.00 |
| Library | 1,126.05 |
| City Hall Plumbing | 2,490.34 |
| Parade Wall | 1,748.69 |
| Land, Queen St. | 525.00 |
| Land, Harvard St. | 69.30 |
| Sale Abattoir Equipment | 350.00 |

Moved by Alderman Daley, seconded by Alderman Stech that this item be deferred, and that copies of same be sent to all committees affected thereby. Motion passed.

FIRST SCHEDULE: ONE YEAR BORROWINGS.

To pay contribution to the Childrens Aid Society of Halifax..... \$500.00

To pay deficit in Public Gardens appropriation of 1932-1933, to be repaid through assessment in the civic year 1933-34..... 1,000.00

March 28th, 1933.

SECOND SCHEDULE

FIVE YEAR BORROWINGS.

To pay for repairs to and rebuilding of wall
or walls surrounding the City Prison and
for the installation of flood lights,
not exceeding..... \$3,500.00

11.10 o'clock,

Moved by Alderman Minshull, seconded
by Alderman Stech that this meeting do now adjourn
until Wednesday, the 5th day of April at 8 P.M,
Motion passed. Meeting adjourned.

LIST OF HEADLINES

| | |
|--|-----|
| Prizes, Halifax Harbour Championship | 572 |
| Abattoir Equipment | 573 |
| McDonald Street Sewer | 573 |
| Purchase of tractor | 574 |
| Acquisition of land, Dublin Street | 575 |
| Sewer and Water Extension, Inglis Street, Robie Street and Oakland Road | 576 |
| Short Term Borrowings | 577 |
| Grant to the widows of the late Capt. Grages and Hoseman Shanks | 578 |
| Life Insurance, Members of Fire Department | 579 |
| Legislation | 580 |

A. Audley Thompson,
MAYOR AND CHAIRMAN.

H. O. Powell,
CITY CLERK.

EVENING SESSION

ADJOURNED MEETING.

8.10 o'clock,
Council Chamber,
City Hall,
April 5th, 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 Minshull, Stech, Daley, 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 a report from the joint committees on Laws and Privileges and Public Utilities regarding proposed amendment to amend Section 54 of the Public Utilities Act, Legislation and to proceed with business standing over and the transaction of other business.

The following named papers were submitted:

/ AN ACT TO AMEND SECTION 54 OF
"THE PUBLIC UTILITIES ACT".

Read report of the Laws and Privileges and Public Utilities Committees re proposed draft amendment to amend Section 54 of the Public Utilities Act.

Committee Room, City Hall,
April 3rd, 1933.

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

April 5th, 1933.

Gentlemen:--

At a meeting of the Committee on Laws and Privileges held this day, your committee had under consideration the attached report of the joint committees of the Laws and Privileges and Public Utilities regarding the proposed draft to amend Section 54 of the Public Utilities Act.

Your committee recommend that the report as submitted be adopted.

Respectfully submitted,

G. McL. Daley,
CHAIRMAN.

"Under date of the 23rd day of February 1933, Mr. J. C. MacKeen, the President of the Nova Scotia Light and Power Company, Limited, in a letter to His Worship the Mayor of Halifax enclosed a proposed amendment to Section 54 of the Public Utilities Act. In this letter the application to the Public Utilities Board of the Avon River Power Company and other subsidiary companies of the Nova Scotia Light and Power Company for permission to sell their assets to the Nova Scotia Light and Power Company Limited was referred to. This application was justified by Mr. MacKeen, in this letter, on the ground that such a consolidation of the companies would reduce expenses and make the operation and financing of the company more efficient.

The following paragraphs appear in the letter:

"The Board of Commissioners of Public Utilities in their decision handed down on January 28th questioned its authority under the Public Utilities Act to establish regional rates based on separate rate bases where such regions are the property of the one company, and for this reason refused the permission applied for by the Avon River Power Company and other subsidiaries.

To remove this objection Legislation was proposed by the Nova Scotia Light and Power Company Limited that would confer upon the Board undoubted power to establish regional rates and rate bases. A draft amendment to the Public Utilities Act was prepared and submitted previous to the opening of the Legislature in February of last year, but through pressure of other legislation the proposed amendment was not introduced until late in the Session. We assure

April 5th, 1933.

you that this delay in introducing the amendment was in no way the fault of this Company as every effort was made toward its early introduction."

It would appear from this letter that the sole reason for the refusal of the application of the companies was the fact that the Board did not have the power to establish regional rates and that in order to over-come this defect in the Act and to remove the alleged objections of the Board to the consolidation of the companies an amendment is proposed by the Company to the Public Utilities Act in the following words:

BE IT ENACTED by the Governor and Assembly as follows:

1. Section 54 of Chapter 128 of the Revised Statutes as amended is hereby amended by adding thereto the following sub-section.
2. The Board may approve any such proposed sale, assignment or transfer on such terms and conditions as the Board thinks fit including the term and condition that such undertaking or part thereof, together with any renewals, extensions, additions or betterments of the physical property or equipment forming part of the same or included therein or any future renewals, extensions, additions or betterments of such physical property as so renewed, extended, added to or bettered, until such time as the Board shall otherwise order, shall be deemed for the purposes of section 101 of this chapter and for all ratemaking purposes, to be separate and distinct from the property, assets and undertaking of the public utility to which such sale, assignment or transfer is to be made and in the future ownership, operation, management or control of any such undertaking or part thereof, the public utility so acquiring the same shall be deemed for said purposes to be a separate and distinct public utility.

In view of the fact that Mr. MacKeen requested in his letter an opportunity of meeting with the appropriate committee of the City Council for the purpose of discussing this legislation the City Council, at a meeting held on the 27th day of February 1933, the matter was referred to the Laws and Privileges Committee and the Public Utilities Committee. After discussing the matter

April 5th, 1933.

the joint committee considered it advisable to advertise the meetings in order to give any person desiring to be heard an opportunity of expressing his views in the matter. Three sittings of the committee were held on March the 20th, 21st and 24th, at all of which meetings His Worship the Mayor and all the members of the joint committees with Mr. C. P. Bethune, City Solicitor, attended.

Every opportunity was given by the committee to all persons present to be heard on the matter before the meeting.

A further meeting of the committee was held on Friday evening, March 31st at which the committee considered the matter in the light of the decision of the Public Utility Board dated January 28th, 1932, dealing with this merger and in the light of the information given at the Public hearings of the joint committees.

In view of the fact that in the letter of the President of the Nova Scotia Light and Power Company Limited it is definitely stated that the object of the proposed legislation is to remove the objection of the Public Utilities Board to the proposed merger or consolidation of the subsidiary companies, and in view of the fact that the Board has filed a decision refusing the application for consolidation or merger on very definite grounds, it is felt that the legislation should be carefully scrutinized in order to protect the rights of the citizens of Halifax.

The Public Utilities Board in arriving at its decision adopted the suggestion of its counsel that the onus was on the companies petitioning for such a merger or consolidation to show:

1. That the public interests will not be prejudiced.
2. That regulation will not be more difficult.
3. That the rates will be equally reasonable.
4. That no locality will be deprived in whole or in part of any reduction of rates that it would now or hereafter under present conditions be entitled to, or would have to pay higher rates by reason of the merger.

April 5th, 1933.

5. That the contract with the Nova Scotia Power Commission respecting St. Margaret's Bay, and the rights and benefits secured thereunder to the City of Halifax, will not be affected.
6. That the same standard of service will be provided.

The Board after hearing evidence and argument made this statement in respect to these points:

"We are not satisfied that the burden so placed has been so discharged".

The question of regional rates is then referred to by the Board in its decision. It was argued by the petitioning companies that if regional rates were fixed by the Board all of the alleged dangers incident to such a merger or consolidation would be over-come. The following paragraph from the decision of the Board is self-explanatory;

"On the argument before us, in answering the objections to the merger we have mentioned, Counsel of the Companies submitted that regional rates in the various territories, based on the cost of the service in those districts respectively, would be a sure preventative of the ills feared by others. It is not easy to reconcile some of the arguments for the merger with the theory of regional rates, and we do not think that such rates, even if admittedly possible under the Public Utilities Act, is a complete answer or a satisfactory solution of the difficulties presented. Moreover, in our opinion, regional rates under such circumstances, especially if it ever should be that the Nova Scotia Light and Power Company Limited, must be considered as one utility, will not facilitate regulation by this Board. It is not beyond the limits of reason to anticipate arbitrary allocations of expense growing out of the common service and possibilities of practices which might be hard to check or adequately control".

In view of the decision of the Board as expressed, your committee is unable to agree with the statement made by the President of the Nova Scotia Light and Power Co., Ltd. that:

April 5th, 1933.

"for this reason (the Board) refused the permission applied for by the Avon River Power Company, and other subsidiaries".

Nothing was adduced by the proponents of this legislation to show the committee that conditions affecting the City of Halifax in respect to the proposed merger had changed in the least since the application for the approval of the merger to the Public Utility Board. Your committee therefore recommends to Council that the City of Halifax oppose the proposed amendment to Section 54 of Chapter 128 of the Revised Statutes of Nova Scotia, when the same comes before the legislature, as being contrary to the interests of the citizens of Halifax for the following reasons:

1. Your committee is definitely opposed to a merger between the Nova Scotia Light and Power Company, Limited, and its subsidiary companies and views the proposed Bill as the first step leading to the consummation of such merger.
2. This legislation has been definitely linked by the proponents thereof with the proposed merger and therefore, the said legislation should be vigorously opposed.
3. The committee regards this legislation as unnecessary in view of the fact that the Board of Commissioners of Public Utilities is now exercising the power to establish regional rates.
4. Your committee further feels that as this proposed Bill amends a Public Statute which has set up a competent Board that any legislation affecting the jurisdiction of this Board should have emanated from the Board itself and not from a private corporation.

Moved by Alderman Daley, seconded by Alderman Shields that the report of the joint committees be adopted and incorporated in the minutes. Motion passed.

Capt Pollock

✓ GRANT, GRACE MATERNITY HOSPITAL

Read report of the joint committees on Charities, Finance and Laws and Privileges submitting draft legislation re grant, Grace Maternity Hospital.

April 5th, 1933.

Committee Room, City Hall,
April 5th, 1933.

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

Gentlemen:-

At a meeting of the joint committees on Charities, Finance and Laws and Privileges held this day, your committee had under consideration the attached draft legislation re Grace Maternity Hospital.

Respectfully submitted,

G. McL. Daley,
CHAIRMAN.

✓ DRAFT LEGISLATION RE GRACE MATERNITY
HOSPITAL.

Section 23 of Chapter 77 of the Acts of 1921 as the same is enacted by Section 3 of Chapter 54 of the Acts of 1932 is hereby repealed and the following substituted therefor:

23. (1) In consideration of the granting of Twenty Five Thousand Dollars by the City of Halifax to aid in the construction of the Grace Maternity Hospital by the Salvation Army, the said Salvation Army shall in perpetuity provide, free of charge, accommodation, maintenance and treatment in said hospital for maternity cases not exceeding thirty five in each year, where the patients are paupers, and have a settlement in the City of Halifax, and will also provide accommodation, maintenance and treatment in said hospital, when accommodation therein permits, for all additional maternity cases of a like kind at a charge to the City at the rate of \$28.00 per patient, and the City shall be liable to pay for such patients, notwithstanding the provisions of Section 929 of the Halifax City Charter.

(2) The Superintendent of said hospital within twenty-four hours after the admission of any maternity patient to a Public Ward in said hospital, shall notify in writing the City Clerk of the City of Halifax or other official appointed by the City Council that such patient has been admitted to the hospital, giving in such notice the following information, namely:

Patient's Name
Address
Age Birth Place
Married
Name of Father of Child
Address of same
Patient's Father
His Residence
Patient's Mother
Her Residence

April 5th, 1933.

If Notice of the admission of such patient is not given to the City Clerk or other official appointed by the City Council within the time above mentioned, said hospital shall have no claim against the City for any charges or expenses for the accommodation, maintenance or treatment of said patient, nor shall such patient be considered as one of the thirty five free patients referred to in Sub-section (1) of this section. Unless within fourteen days after the mailing of said Notice the City Clerk or other official as aforesaid notifies the Superintendent of said hospital in writing that such patient has no settlement in the City or is not a pauper such patient shall for the purposes of Sub-section (1) hereof be deemed to have a settlement in the City and to be a pauper.

(3) The Mayor of the City of Halifax shall always be ex officio a member of the Advisory Board of the Hospital.

(4) This section shall come into force on, from and after, but not before the first day of May, D. D. 1934.

(5) The City may on or before the 31st day of January in any year give to the hospital notice in writing that in and after the 1st day of May next after the notice is given the hospital is not required to provide accommodation, maintenance or treatment in said hospital for any maternity cases in addition to the thirty five free patients. Whereupon the hospital shall be absolved from providing such additional accommodation, maintenance and treatment, and the City shall not be liable to pay for any maternity cases admitted to the hospital in addition to the thirty five free patients.

Moved by Alderman Daley, seconded by Alderman Smeltzer that the draft legislation as submitted be adopted. Motion passed.

✓ RESIDENTIAL DISTRICT, ALMON, NORTH, WINDSOR AND OXFORD STREETS.

Read report of the Committee on Works re residential district, Almon, North, Windsor and Oxford Streets.

*Check of Works
City Engineer*

April 5th, 1933.

Apr. 5th, 1933.

The City Council.

Gentlemen:-

At a meeting of the Committee on Works held on this date, the resolution of the City Council passed on the 16th of March referring back to the Committee its report on a residential area in the district bounded by Almon, North, Windsor and Oxford Streets for further consideration, was read. The committee after further considering the matter and in view of some uncertainty as to the required number of signatures in regard to Windsor Street, decided to amend the original resolution by adding thereto the following words:-

"Excepting from the above described area the properties fronting on both sides of Windsor St".

and the original resolution as thus amended was recommended to Council for adoption.

E. Audley Thompson,
MAYOR AND CHAIRMAN.

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

Alderman O'Malley suggests that this whole matter be defeated and asked that interested parties attending Council tonight be given a hearing.

It was then moved by Alderman Logan, seconded by Alderman Doyle that interested parties be heard. Motion passed.

Mr. J. Johnson Murray who owns property on Almon and Deacon Streets asked that although he had signed the petition, he now wished to record himself as against same.

Mr. E. M. Tanner of 45 Dublin Street appears in support of the petition and stated that he was given to understand when buying his lot and building his house under the provisions of The Halifax Housing Commission Act that this section

April 5th, 1933.

would be a residential district, and would now urge Council to pass this motion making it a residential district.

The Clerk is instructed to request the Committee on Works to investigate the issuance of a permit to build a factory or mill granted Mr. A. H. McMillan, also the date Mr. McMillan signed the petition and application for permit.

The original motion was then put and passed, 14 voting for the same and 3 against it as follows. X

FOR THE MOTION

Aldermen Minshull
Stech
Donovan
Miller
Daley
Adams
Conn
Logan
Golden
McDonald
Shields
Probert
Smeltzer
Doyle
-14-

AGAINST IT

Aldermen O'Toole
Getley
O'Malley

-3-

✓ LAND, QUINPOOL ROAD AND ROSEBANK AVENUE

Read report of the joint committees on Laws and Privileges and Public Utilities re land, Quinpool Road and Rosebank Avenue.

Committee Room, City Hall,
March 31st, 1933.

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

Gentlemen:--

At a joint meeting of the Laws and Privileges and Public Utilities Committees held this day, Alderman Adams advised the committee that a private bill had been submitted to the Committee on Private and Local Bills of the

April 5th, 1933.

local legislature seeking to change the plan of two lots fronting on Quinpool Road to Rosebank Avenue.

It was regularly moved and seconded that this committee recommend to Council that the City Solicitor be instructed to oppose this legislation.

Respectfully submitted,

G. McL. Daley,
CHAIRMAN.

Moved by Alderman Daley, seconded by Alderman Shields that the report be adopted and that the City Solicitor be instructed to oppose any legislation concerning this property. Motion passed.

Moved by Alderman Logan, seconded by Alderman O'Malley that the City Solicitor be further instructed to take necessary steps to oppose any legislation introduced before the Committee on Private and Local Bills, which is detrimental to the City. Motion passed.

✓ GRANT, DALHOUSIE HEALTH CLINIC

Read report of the joint committees on Charities, Finance and Laws and Privileges re grant to Dalhousie Health Clinic as follows.

Committee Room, City Hall,
April 3rd, 1933.

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

Gentlemen:-

At a joint meeting of the Charities, Finance and Laws and Privileges Committees held this evening, your committee had under consideration an application from the Governors of Dalhousie College for a grant of \$10,000.00 to be used in the Health Clinic.

Your committee recommend that legislation be sought enabling the City to pay a sum of \$2,500.00 to the Governor of Dalhousie College for use in the Health Clinic; said sum

Prof. Stanley

April 5th, 1933.

to be paid in quarterly instalments during the civic year 1933-34 and to be included with interest thereon in the Estimates for the civic year 1934-35. Alderman O'Malley wishing to be recorded against.

Respectfully submitted,

G. McL. Daley,
CHAIRMAN.

Moved by Alderman Daley, seconded by Alderman Stech that the report be adopted and that legislation be sought enabling the City to pay to the Governors of Dalhousie College the sum of \$2,500.00 in quarterly instalments. Motion passed. Alderman O'Malley wishing to be recorded against.

✓ STREET OILING ASSESSMENT

Read report of the Committee on Works and City Engineer re street oiling assessment.

April 5th, 1933.

His Worship the Mayor.

Sir:--

In accordance with the request of the Committee on Works, I beg to report on the resolution of the Finance Committee and letter of the City Auditor re seeking necessary legislation to abolish the assessment for street oiling.

The immediate effect of such legislation would be to increase the appropriation for streets to the extent of about \$10,000., if the City wishes to oil streets to the same extent as is now being done, which would mean an increase of over one and one-half cents in the tax rate.

The cost involved in preparing the lists and collecting the amounts assessed is met by the salaries of the various officials voted by the Council. I am extremely doubtful whether abolishing this assessment would mean any reduction in the staff in any office. I have had a careful estimate made of the cost of preparing the lists in this office for the current

*clerk of Works
City Engineer*

April 5th, 1933.

year, and am satisfied that it does not exceed at a maximum \$400.00. Assuming that the cost of collecting the 1931 lists, the last that have been filed, would amount to about \$2,000., there could surely be no justification to sacrificing a gross revenue of \$11,000. because it costs \$2,000. to collect. The money obtained from this assessment is revenue to the City just as much as larger amounts obtained from other assessments.

The statement that street oiling is not a local improvement cannot be justified, because it is not permanent does not make it any less a local improvement. In some cities the cost of special lighting, snow removal and other services are charged against the properties benefiting either in whole or in part. In all these cases the individual amounts are small but in the aggregate they total a sum which the City can ill afford to throw away.

There is a special benefit to the properties abutting on the street due to its being oiled, in addition to the general benefit accruing to the City generally, and it is on account of this special benefit that an additional tax is levied on the property. Any argument against the levying of the assessment would apply equally to assessing abutting property owners for the cost of sidewalks, sewers or pavements. The fact that some of these improvements are more lasting than others, does not in my opinion alter the principle. Where the City is reaching in all directions for increased sources of revenue, the time does not seem appropriate for it to sacrifice the amount involved by abolishing the assessment for street oiling.

Respectfully submitted,

H. W. Johnson,
CITY ENGINEER.

April 5th, 1933.

The City Council.

Gentlemen:-

At a meeting of the Committee on Works held this day, the attached report of the City Engineer re street oiling was read. On motion the report was adopted and it was decided to recommend to Council that no changes be made in the existing law.

A. Audley Thompson,
MAYOR AND CHAIRMAN.

April 5th, 1933.

Moved by Alderman Miller, seconded by Alderman Adams that the reports be adopted. Motion put and passed, 10 voting for the same and 7 against it as follows.

FOR THE MOTION

AGAINST IT

Aldermen Miller
Daley
Adams
Logan
Golden
McDonald
Shields
O'Toole
Smeltzer
Doyle

Aldermen Minshull
Stech
Donovan
Conn
Getley
O'Malley
Probert

--10--

--7--

*Clerk of Works
City Engineer*

UNEXPENDED BALANCES

Read report of the Committee on Works and City Engineer re legislation to transfer unexpended balances.

April 3rd., 1933.

His Worship the Mayor.

Sir:-

At a meeting of the City Council held on the 28th ultimo, the following legislation was submitted at the Laws and Privileges Committee and was deferred and copies of same were ordered sent to all the committees affected thereby.

Item No. 27 "The City may transfer the following sums previously borrowed for capital purposes or received from the sale of capital assets, and which remain unexpended to the direct relief fund.

| | |
|--------------------------|------------|
| Fire Department | \$1,721.35 |
| Comfort Station | 10,847.08 |
| T.B.Hospital. | 288.03 |
| Street Conduits | 92.35 |
| Land, Marlboro Woods | 200.00 |
| Library | 1,126.05 |
| City Hall Plumbing | 2,490.34 |
| Parade Wall | 1,748.69 |
| Land, Queen Street | 525.00 |
| Land, Harvard Street | 69.30 |
| Sale, Abattoir Equipment | 350.00 |

--605--

April 5th, 1933.

The portions of the above with which the Committee on Works are concerned are --

| | |
|-----------------|-----------------|
| Comfort Station | \$10,847.08 |
| Parade Wall | <u>1,748.69</u> |
| | \$12,595.77 |

By legislation the amount to the credit of the Parade Wall may be used for the construction of the Comfort Station, this amount of \$12,595.77 in my opinion should not be disturbed as it can only be a question of a short time before such station will be built, if not on the Parade site, on some other.

City Hall Plumbing \$2,490.34

This amount should be kept for the purpose for which the money was borrowed, as parts of the plumbing in the City Hall have reached the age where renewals will be required.

Various Streets \$ 794.30

These amounts were received for the sale of land in various localities and if used, in my opinion should be transferred for street purposes and credited to the Street Widening Loan.

Sale, Abattoir Equipment \$ 350.00

This amount should be used to reduce the original capital borrowing for Abattoir purposes rather than be applied to current account.

Respectfully submitted,

H. W. Johnston,
CITY ENGINEER.

April 5th, 1933.

The City Council.

Gentlemen:--

Attached is a report of the City Engineer re transfer of balances on sums borrowed for capital borrowings. At a meeting of the Committee on Works held this day, it was resolved to recommend to Council as follows:--

1. That the following unexpended balances be transferred to street widening loan:--

April 5th, 1933.

| | |
|----------------------|-----------------|
| Street Conduits | \$92.35 |
| Land, Marlboro Woods | \$200.00 |
| Land, Queen St. | 525.00 |
| Land, Harvard St. | 69.30 |
| | <u>\$794.30</u> |

2. That the recommendation of the City Engineer be adopted and that the credit of the
Comfort Station 10,847.08
Parade Wall 1,748.69 \$12,595.77
be not disturbed.
3. That the City Engineer's recommendation be adopted and that the amount to the credit of City Hall
Plumbing, viz* \$ 2,490.34
be kept for the purpose for which the money was borrowed.
4. Sale, Abattoir Equipment.
That the recommendation of the City Engineer be adopted and that the unexpended balance from sale of abattoir equipment - \$350.00
be used to reduce the original capital borrowing for abattoir purposes.

A. Audley Thompson,
MAYOR AND CHAIRMAN.

Moved by Alderman Miller, seconded by
Alderman Doyle that the reports be adopted.

Motion passed.

city collector

✓ LIEN ON REAL ESTATE

Read report of the Finance Committee re
extension of lien on real estate.

Committee Room, City Hall,
March 27th, 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 from the City Collector regarding the advisability of an extension of the lien on real estate which will expire April 30th next.

Your committee recommend that the lien be extended to November 1st only.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

April 5th, 1933.

Moved by Alderman Stech, seconded by Alderman Daley that the report be adopted, and that the lien on real estate be extended to November 1st only. Motion passed unanimously.

Chief of Police

✓ APPOINTMENT DEPUTY CHIEF OF POLICE

Read report of the Police Committee recommending amendments to the City Charter regarding appointment of Deputy Chief of Police.

April 4th, 1933.

His Worship the Mayor,
and City Council.

Gentlemen:-

At a meeting of the Police Committee held this date, the following amendments to the City Charter were approved and recommended to Council for their approval.

(1) Sub-section 1 of Section 242 is amended by inserting after the word "police" in the second line thereof the following words:-

"assistant Deputy Chief of Police".

(2) Sub-section 2 of Section 244 is repealed and the following substituted therefor:-

"The Committee shall appoint from among the other members of the Force, a Deputy Chief of Police, an Assistant Deputy Chief of Police, and as many Sergeants of Police as the Council by resolution directs".

(3) Said Section 244 is further amended by adding thereto the following sub-section:-

(4) "The Assistant Deputy Chief of Police shall perform such duties as may be from time to time prescribed for him by the Chief of Police".

Respectfully submitted,

A. Audley Thompson,
MAYOR AND CHAIRMAN.

April 5th, 1933.

Moved by Alderman Conn, seconded by Alderman Golden that the report be adopted as redrafted by the City Solicitor. Motion passed.

*Clerk of Works
City Engineer*

✓ WORKS DEPARTMENT - LEGISLATION

Read reports of the Committee on Works submitting draft of proposed legislation as follows.

April 4th, 1933.

His Worship the Mayor.

Sir:-

At a meeting of the City Council held on the 28th ultimo, the following proposed changes in the Charter were submitted by the Laws and Privileges Committee and were referred to the Committee on Works for their consideration and necessary action.

10. Sub-section (3) of Section 559 is amended by adding thereto the following words;

"Provided however, that no such amendment shall be made after the expiration of six years from the date of filing the said plan or list in the office of the Engineer".

11. Sub-section (4) of Section 561 is amended by adding thereto the following words;

"Provided however, that no such amendment shall be made after the expiration of six years from the date of filing the said plan or list in the office of the Engineer".

12. Sub-section (3) of Section 566 is amended by adding thereto the following words;

"Provided however, that no such amendment shall be made after the expiration of six years from the date of filing the said plan or list in the office of the Engineer".

14. Sub-section (3) of Section 599 is amended by adding thereto the following words;

"Provided however, that no such amendment shall be made after the expiration of six years from the date of filing the said plan or list in the office of the Engineer".

These are of the same tenor applying to the assessment list for grading, paving, sidewalks and sewers. At present the Charter provides that

April 5th, 1933.

the Assessment List and Plan may be amended from time to time. The effect of the amendments proposed would be to limit this time to six years. If amendments were found necessary subsequent to this, they could not be made and the City would have to bear the loss.

If the lien were enforced when due, there would be little change of any error in the list or plan being carried over or undiscovered after three or four years. The cases where alterations have been made after six years are very few in number and little hardship has been suffered by the property owner.

In my opinion there is no necessity for making the proposed change.

Respectfully submitted,

H. W. Johnson,
CITY ENGINEER.

April 5th, 1933.

The City Council.

Gentlemen:-

The Committee on Works at a meeting held this day had under consideration a minute of Council referring to it, proposed amendments to Sections 559, 561, 556 and 599 of the City Charter.

After discussion the Committee recommended that no changes be made in the existing law.

A. Audley Thompson,
MAYOR AND CHAIRMAN.

Moved by Alderman Miller, seconded by Alderman Adams that the reports be adopted.

Motion passed.

✓ LEGISLATION

Read report of the Committee on Laws and Privileges submitting proposed legislation to amend various sections of the City Charter.

April 5th, 1933.

Committee Room, City Hall,
April 4th, 1933.

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

Gentlemen:-

At a meeting of the Committee on Laws and Privileges held this day, your committee had under consideration proposed legislation to amend various sections of the City Charter.

Your committee recommend that the draft legislation as submitted be approved with the exception of Item no. 7 on page 3 which is a request from the Police Committee to repeal Sub-section 2 of Section 244 and re-enact the same in the following words:-

"The committee shall appoint from among the other members of the force two Deputy Chiefs of Police and as many Sergeants of Police as the Council by resolution directs".

The foregoing is approved as to form only, and no recommendation is made as to the substance thereof.

Respectfully submitted,

G. McL. Daley,
CHAIRMAN.

Moved by Alderman Daley, seconded by Alderman Logan that the report be filed, and that legislation be taken up item by item. Motion passed.

Item No. 1
Section 312

Section 312 is amended by adding thereto, the following sub-section:.

(6)

Every board and committee of the Council and every board and committee which, by the Halifax City Charter or other enactment, is required to submit an annual estimate of the sums required by such board or committee for the ensuing civic year, shall not later than the twentieth day of February in each year deliver such estimate to the Committee on Finance, provided, however, that nothing herein contained shall apply to the Board of School Commissioners".

April 5th, 1933.

Moved by Alderman Smeltzer, seconded by Alderman Daley that this item be approved.

Motion passed.

Item No. 2
Section 440.

Section 440 is amended by striking out the words "under hire or purchase agreement" in the third line thereof and substituting therefore the following words:

"Whether or not such personal property is covered by a bill of sale, chattel mortgage, hire or purchase agreement, and whether or not the said personal property is claimed by any person other than the person so assessed".

Moved by Alderman Daley, seconded by Alderman Stech that this item be approved.

Motion passed. Aldermen Getley and O'Malley wishing to be recorded against.

Item No. 3
Section 644.

Section 644 of the Charter as the same is enacted by Section 25 of Chapter 70 of the Acts of 1931 and amended by Section 22 of Chapter 53 of the Acts of 1932 is hereby repealed and the following substituted:

- (1) The City of Halifax may take and hold any money or securities given to Halifax Camp Hill Cemetery, the committee thereof or to the City for the purposes of the Cemetery by any gift, assignment, devise, bequest or otherwise, and apply the same and the income thereof as hereinafter provided.
- (2) The income from all moneys or securities, which have at any time been deposited in trust with the City or with the trustees of the trust funds of the City, or contributed to the City or to the Committee on Camp Hill Cemetery for the care and maintenance of lots or graves, shall, together with the amounts yearly appropriated for the care of that cemetery be combined into one sum, out of which shall be defrayed:

April 5th, 1933.

- (a) First the cost of the due care and maintenance of all lots or graves in respect to which any moneys have been specifically so deposited or contributed in accordance with the terms and conditions of any such deposit or contribution, including the care of any tombstones or monuments in such lots, and,
- (b) thereafter to the care, preservation, improvement, embellishment and beautification of the whole cemetery.
- (3) The City may receive and hold any money given or bequeathed to it for the general purposes of the cemetery and apply the same or the income thereof in accordance with the terms of such gift or bequest and if no specific directions are given, for the general purposes of embellishing or caring for the cemetery.
- (4) Any person or persons may make a gift, assignment, devise or bequest to the City of Halifax upon the condition and in consideration of the City assuming and undertaking the duty and obligation of preserving and maintaining in proper manner forever, any particular lot, tomb, monument or enclosure in Camp Hill Cemetery, or
- (5) The City of Halifax is hereby empowered to enter into agreements binding the City of Halifax to preserve and maintain in a proper manner for all time to come the particular lot, tomb, monument or enclosure in Camp Hill Cemetery designated in such gift, assignment, devise, bequest or agreement, provided that such terms and conditions are not inconsistent with the regulations in force in such cemetery.
- (6) Executors, administrators or trustees may pay over and transfer to the City, moneys or securities in their hands, which they are by the will of their testator or other instrument, directed to apply for or toward the purposes in this Section specified.

Moved by Alderman Daley, seconded

by Alderman Smeltzer that this item be approved.
Motion passed.

April 5th, 1933.

Item No. 4
Section 858

Section 858 is repealed and the following substituted therefor:

Every person who wilfully and without reasonable excuse by out-cry or ringing of bells or starting an alarm from any fire alarm telegraph box, or otherwise makes or circulates, or causes to be made or circulated, any false alarm of fire, may be forthwith arrested by any police officer and detained in the city lock-up until he can be brought before the Stipendiary Magistrate, and he shall be liable to a penalty not exceeding forty dollars, and in default of payment to imprisonment for a period not exceeding one month.

Moved by Alderman Daley, seconded by Alderman Shields that this item be approved.

Motion passed.

Item No. 5
Insurance.

(1) The City may, by resolution of the Council, for the purpose of insuring the lives of the employees of the Halifax Fire Department, enter into a contract of insurance, under a group plan, with a recognized insurance company, legally carrying on business in Nova Scotia, and the City may contribute to the cost of such insurance such proportion of the cost as the Council may by resolution determine, such proportion however, not to exceed in any one civic year the sum of EIGHT HUNDRED DOLLARS, and the balance of such cost shall be contributed by such employees as may be benefited by such policy.

(2) Any such sum so paid by the City shall be included in the estimates for the year in which the said sum is paid.

(3) Any sum so required to defray the proportion of the cost to be contributed by the City as set out in sub-section 1 hereof for the civic year 1933-34 may be borrowed from any bank or fund available and with interest thereon included in the estimates for the civic year 1934-35.

Moved by Alderman Daley, seconded by Alderman Doyle that this item be approved.

Motion passed.

April 5th, 1933.

Item No. 6.

The City may pay to Gertrude Graves, widow of Ernest Graves and to Mary Shanks, widow of William Shanks, respectively, the sum of ONE THOUSAND DOLLARS each, and these sums may be borrowed from any bank or fund available and with interest thereon included in the estimates for the civic year 1934-35.

Moved by Alderman Daley, seconded by Alderman Shields that this item be approved.

Motion passed.

Item No. 8
Section 936.

Section 936 of the Charter is repealed and the following substituted therefor:

- (1) The provisions of Sections 1 to 11 of Chapter 107 of the Revised Statutes shall not apply nor be in force in the City.
- (2) The City Health Board may make regulations prescribing the weight of bread to be sold in the City, and the manner in which the same is handled or distributed, and for the care and upkeep and sanitation of Bakeshops and for the licensing and registration of Bakeshops.
- (3) This section shall come into force on, from and after, but not before such day as the Governor-in-Council orders and declares by Proclamation.

Moved by Alderman Logan, seconded by Alderman Smeltzer that this item be approved.

Motion passed.

Item No. 9
Assessments Lists and Plans.

The Assessment Lists and Plans relating to the paving of portions of Windsor, Almon, Gottingen and Grafton Streets during the civic year 1932-1933, and filed in the office of the City Engineer pursuant to the provisions of Section 561 of the Halifax City Charter on the third day of February, A.D. 1933.

April 5th, 1933.

Moved by Alderman Daley, seconded by Alderman Golden that this item be approved.

Motion passed.

Item No. 10
Section 437.

(1) Notwithstanding the provisions of Section 437 the lien of the City upon real property for rates and taxes assessed for the civic year 1930-1931 is hereby extended from the expiry of the said lien up to and including the first day of November, 1933.

(2) This Section shall be deemed to have come into force and effect on the twenty-ninth day of April, 1933.

Moved by Alderman Daley, seconded by Alderman Shields that Item No. 10 be approved.

Motion passed.

Item No. 11
Grant, Dalhousie Health Clinic.

The City may pay to the Board of Governors of Dalhousie University for the purposes of the Dalhousie Health Clinic the sum of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.) to be paid in quarterly instalments during the civic year 1933-1934, and such sum may be borrowed from any bank or fund available and with interest thereon included in the estimates for the civic year 1934-1935.

Moved by Alderman Daley, seconded by Alderman Logan that this item be approved.

Motion passed.

Item No. 12
Section 208A.

The Stipendiary Magistrate shall fix such scale of costs and fees as may in his opinion be necessary for the purpose of enabling the operation of the said rules. Any such scale of costs and fees shall be posted in the office of the City Clerk.

Moved by Alderman Daley, seconded by Alderman Logan that this item be approved.

Motion passed.

April 5th, 1933.

Item No. 13

To Pay--The cost of widening and improving Brunswick and Cogswell Streets, including the corner of Cogswell and Gottingen Streets, a sum not exceeding.....\$3500.

Moved by Alderman Daley, seconded by Alderman Miller that this item be approved and added to second schedule adopted at the last Council meeting. Motion passed.

Item No. 14
Purchase of Tractor.

The City may borrow a sum not exceeding Twenty-seven Hundred and fifty dollars (\$2,750.00) and expend the same for the purchase of a tractor for the use of the Works Department, and the sum so borrowed, with interest, shall be repaid in three yearly instalments, the first payable on the first day of August in the year succeeding the year in which the money is borrowed and one instalment on each succeeding first day of August, the amount of each instalment with interest to be ~~XXX~~ included in the estimates for the year in which the same is payable.

Moved by Alderman Daley, seconded by Alderman Doyle that this item be approved. Motion passed.

Item No. 15

Together with a right-of-way or easement for the purpose of installing, maintaining, repairing or removing overhead wires, cables or conduits, at any or all times whatsoever through, along and over that certain parcel of land situate between the parcels of land hereinbefore described and bounded and abutted by parcel number one to the south and parcel number two to the north, on the north-west by the south side line of Chebucto Road and on the east by the western boundary of the Halifax Ocean Terminal property of His Majesty the King, being the property through which certain water pipe lines of the City of Halifax run. PROVIDED HOWEVER, that nothing herein shall permit the Nova Scotia Power Commission, its successors or assigns to encumber, obstruct or interfere in any way with the access of the City of Halifax, its servants, agents or workmen at any time, in, upon or through the said lands described in the easement.

April 5th, 1933.

Moved by Alderman Daley, seconded by Alderman Conn that this item be approved as submitted and added to the legislation passed at the last meeting of Council regarding this matter. Motion passed.

The following resolution is submitted.

The City Building Inspector shall submit to the City Solicitor any permit issued to any person for repairs, alterations or erection of any building other than a building to be used for residential purposes only, within any residential district established by the City Council and the Solicitor shall in any case where no work has been begun under any such permit take such steps as may be necessary by injunction proceedings or otherwise to prevent any such work being done, and for the cancellation of the permit.

If in the opinion of the Solicitor legislation is necessary to prevent work proceeding under any permit, he is hereby authorized to prepare and introduce it at this session of the legislature now sitting.

Moved by Alderman Daley, seconded by Alderman Doyle that the legislation as submitted be adopted. Motion passed. Alderman O'Malley wishing to be recorded against.

11.25 o'clock,

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

LIST OF HEADLINES

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| An Act to Amend Section 54 of the Public Utilities Act | 592 |
| Grant, Grace Maternity Hospital | 597 |
| Residential District, Almon, North, Windsor and Oxford Streets | 599 |
| Land, Quinpool Road and Rosebank Avenue | 601 |
| Grant, Dalhousie Health Clinic | 602 |

April 5th, 1933.

HEADLINES (Continued)

| | |
|-------------------------------------|-----|
| Street Oiling Assessment | 603 |
| Unexpended Balances | 605 |
| Lien on Real Estate | 607 |
| Appointment, Deputy Chief of Police | 608 |
| Works Department- Legislation | 609 |
| Legislation | 610 |

A. Audley Thompson,
MAYOR.

H. C. Powell,
CITY CLERK.