

October 11th, 1934.

in view of the present provisions in the Charter of the Tram Company.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

I N T H E S U P R E M E C O U R T

THE CITY OF HALIFAX

v.

THE NOVA SCOTIA LIGHT
& POWER COMPANY,
LIMITED.

CARROLL, J., This matter comes before me by and under an agreed set of facts.

The defendant company was incorporated by Chapter 107 of the Acts of 1895, as The Halifax Electric Tramway Company Limited, and operates an electric street railway in the city of Halifax, and has placed and maintained its tracks with the consent and approval of the city as required by Section 580 of the City Charter. It is agreed that the tracks on South Park Street were laid under the direction of and in the manner required by the City Engineer, and in such part of the street ~~as~~ was then approved by the City Engineer.

The City some years ago notified the company of its intention to permanently pave South Park Street over which the company operates a line. I think the City has completed its work in that connection, but there are certain portions of the road bed of the company which have not been paved to date, which the said company are by statute obliged to pave. I am not suggesting that there has been any default or neglect on the part of the company, and perhaps the cause or reason for the work not having been done is not material.

There was eventually an agreement entered into between the parties on September 30th, 1933, whereby the company undertook to perform its part of the paving on South Park Street, namely, between the tracks of the company and to the extent of two feet on the outside of the rails.

Then on March 29th, 1934, the City Engineer wrote to the manager of the company regarding the location of the tracks on this street and gave

October 11th, 1934.

notice that it was decided by a Committee on Works that the company should move the tracks on South Park Street and re-locate them nearer the centre of the street to a place indicated on a plan filed in one of the offices of the plaintiff, and demanding the defendant to so move and re-locate the said tracks. The defendant company is quite willing and ready to do the paving "between the tracks and to the extent of two feet on the outside of the rails" as the tracks are at present and always have been located, but refuse to comply with the demand to re-locate its tracks at its own expense.

Three questions are reserved in the stated case for the opinion of the Court, with only two of which I find it necessary to deal:

- (a) Whether upon the facts above stated and by any authority contained in the Halifax City Charter or the Act or Acts of Incorporation of the said company, the obligation or duty of the company to replace its track or tracks and substructure, in the event of the paving of South Park Street by the plaintiff in a permanent manner, involves or includes a duty or obligation to change at its own expense the position in the street of the said track or tracks and substructure if directed so to do by the City Engineer.
- (b) Whether upon the facts above stated and by any authority contained in the Halifax City Charter, or the Act or Acts of Incorporation of the said company, the City Engineer has power, if the safety and comfort of the citizens so require, or if traffic conditions are interfered with by the presence of the tracks on any street, to direct the placing of the tracks of the said company at the expense of the company in any location other than the location in which they are now placed as he may deem in the best interests of the safety and comfort of the citizens and minimum interference with traffic conditions on any such street.

The answers to these questions depend on the interpretation to be placed on certain sections of the Act of Incorporation, and of the rules in Schedule "A" to said Act, and of the City Charter.

Before approaching consideration of these various sections, I think it necessary to stress the admitted fact that the rails of the defendant company were laid on South Park Street and on other streets of the city on "such parts of" those streets as the City Engineer did then approve, and I take it that they were placed where they offered the least possible impediment to the ordinary traffic on the streets and with an eye single for the safety and comfort of the citizens.

October 11th, 1934.

While there is nothing before me regarding the matter, I think it fair to presume that South Park Street and the other streets of the city on which the company has its tracks are now of the same width and general contour as they were when the rails were first laid, and I will of course presume that the engineering department of the city in those days were in their capable and competent men, and used their very best judgment and skill in approving of the position in which the tracks were laid on the various streets.

Section 27 of the Act incorporating the company requires some consideration:

"27. When a street upon which a track or tracks of the company has been paid is to be paved by the City in a permanent manner, the company shall remove its track or tracks and substructure, and replace the same according to the best modern practice of paving, and according to the manner adopted on the rest of the street, with approved rails, points and substructures of such description as may be determined on by the said engineer as most suitable for the purpose, and under the provisions thereof".

It is contended by counsel for the City that this section gives the city engineer the right to demand a re-location of the rails at the company's expense by substituting the word "replace" the meaning of re-locate, that is, take up and place in a different location.

I think having regard to the context that the word as used here cannot be given that interpretation. In addition I think there is another and perhaps stronger reason, because the only section which clearly and unmistakably gives the engineer power to demand the re-location of rails gives the right in a specific and individual case, namely, "to conform to any change of grade adopted by the city engineer". That is found in section 29 of the Act. If it was the intention of the Legislature to give the engineer that power generally, or where he thought the exigencies of the case required it, then there would be no necessity for placing section 29 in the Act, or in the words of Jessel, M.R. in *Ex parte Stephens*, 3 Ch. D. 660:

"There is the well known rule that when there is a special affirmative power given which would not be required because there is a general power, it is always read to import the negative and that nothing else can be done".

October 11th, 1934.

Rule 2 of the Schedule has, I think, reference to the original construction of the railroad and cannot, having regard to the whole scheme of the Act, have the force or effect of giving the engineer thereafter unlimited powers of ordering the re-location of rails and substructure.

Other sections of the Act and rules in the Schedule were brought to my attention by counsel but I do not think they are helpful to the plaintiff, as having regard to the whole act I think very plain and unambiguous language would be necessary to give the rights sought to the city and to place what might be an intolerable burden on the defendant company.

During the course of the argument I was invited to make a pronouncement on the right of the city to make regulations or by-laws, under the power conferred in Rule 13 of the Schedule, which would confer on the city the power of ordering and compelling the company to re-locate its substructure and rails. No regulations have been made under that rule, at least none covering or touching the matters at issue and I think I shall have to leave that matter to the law officers of the city and the legal advisers to the Governor-in-Council for decision.

In the result I am of opinion that the first two questions should be answered in the negative and in view of the course which the argument took, and in view of the opinion herein expressed regarding the first two questions submitted, I see no reason why I should deal with the third question.

The defendant is I think entitled to the costs of the action or submission.

J.,

Halifax,
October 5th, 1934.

Moved by Alderman Gates, seconded by Alderman Donovan that the reports be filed.

Moved in amendment by Alderman Power, seconded by Alderman Gates that the decision be appealed. Amendment put and passed, 12 voting for the same and 3 against it as follows.

October 11th, 1934.

FOR THE AMENDMENT

Aldermen Doyle
Gates
Getley
Gough
Hendry
Lordly
MacDonald
McDonald
McManus
O'Toole
Power
Smeltzer

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AGAINST IT

Aldermen Donovan
Miller
Stech

-3-

POLICE DEPARTMENT - SALARY, DESK SERGEANT

Read report of the Police

Committee together with resolution providing for
the salary of desk sergeant.

October 11th, 1934.

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

Gentlemen:-

At a meeting of the Police
Committee held on August 27th, your committee had
under consideration the attached resolution
covering the salary of Charles Aitken recently
appointed Desk Sergeant.

Your committee recommend that
the resolution be approved as submitted, and that
Mr. Aitken's salary be placed at an annual salary
of \$1700.00 with a maximum of \$1800.00, to
date as from September 1st, 1934 and be subject
to the 10% contribution made by other employees.

Respectfully submitted,

E. J. Cragg,
MAYOR AND CHAIRMAN.

WHEREAS it has been recommended
by the Chief of Police that Charles Aitken be
promoted from the position of Police Court Clerk
to the position of Desk Sergeant, acting in the
position of Assistant City Marshall, formerly
held by Norman A. Macalder, at an annual salary
of \$1700.00, less the 10% reduction, with a
maximum salary of \$1800.00 per annum.

AND WHEREAS the Police Committee
adopted the said recommendation at a meeting held
on August 27th, 1934.

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*City Auditor
Chief of Police*

October 11th, 1934.

AND WHEREAS the City Auditor has objected to the validity of the payment of any increase of salary to the said Charles Aitken on the ground that he has already received an increase of \$60.00 in the present civic year for the position of Police Court Clerk.

BE IT THEREFORE RESOLVED that the City Council approve of the recommendation approved by the Police Committee, and that the salary of the present Desk Sergeant be at the rate of \$1700.00 per annum, less the 10% reduction, from and after September 1st, 1934, with a maximum salary for this position of \$1800.00 per annum.

Dated at Halifax, N. S. this 11th day of October, A. D. 1934.

Moved by Alderman McManus,
seconded by Alderman Hendry that the report be adopted. Motion passed.

Moved by Alderman McManus,
seconded by Alderman Hendry that the resolution be adopted. Motion passed.

POLICE DEPARTMENT - SALARY, SECRETARY

Read report of the Police Committee together with resolution covering the salary of John B. Carter, recently appointed secretary to the committee.

October 11th, 1934.

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

Gentlemen:-

At a meeting of the Police Committee held on August 27th, your committee had under consideration the attached resolution covering the salary of John B. Carter recently appointed Secretary to the Police Committee.

Your committee recommend that the resolution be approved as submitted, and that Mr. Carter's salary be placed at a minimum

*City Auditor
Chief of Police*

October 11th, 1934.

of \$1440.00 and a maximum of \$1700.00, to date as from September 1st, 1934 and be subject to the 10% contribution made by other employees.

Respectfully submitted,

E. J. Cragg,
MAYOR AND CHAIRMAN.

WHEREAS John B. Carter has been appointed to the position of Secretary to the Police Committee and Chief of Police, formerly held by Norman A. Macalder, at a meeting of the Police Committee held on August 27th, 1934, at a salary of \$1440.00 per annum, less 10% reduction, with a maximum salary of \$1700.00 per annum;

AND WHEREAS the City Auditor has objected to the payment of the said salary to the said John B. Carter, as such Secretary to the Police Committee and Chief of Police, on the grounds that no such office is specified in the salary schedule;

BE IT THEREFORE RESOLVED that the Schedule of Salaries be amended by abolishing the position of Police Court Clerk and substituting therefor the position of Secretary to the Police Committee and Chief of Police, and that the salary for this position be a minimum of \$1440.00 and a maximum of \$1700.00, said salary for the current year to be subject to the 10% reduction and payable as from the 1st day of September, 1934.

Dated at Halifax, N. S., this 11th day of October, A. D. 1934.

Moved by Alderman McManus,
seconded by Alderman Hendry that the report be adopted. Motion passed.

Moved by Alderman McManus,
seconded by Alderman Hendry that the resolution be adopted. Motion passed.

SUPT'S REPORT OF INMATES IN THE CITY HOME AND T.B.HOSPITAL FOR THE MONTH OF SEPTEMBER, 1934.

Read report of the Charities Committee for the month of September 1934 showing the number of inmates in the City Home to be 435 and the number of patients in the T.B.Hospital to be 55.
FILED

October 11th, 1934.

FIRE DEPARTMENT - INSURANCE OF APPARATUS

Fire Dept.

Read report of the Committee on Firewards together with opinion from the City Solicitor re insurance of fire apparatus.

October 8th, 1934.

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

Gentlemen:-

At a meeting of the Committee on Firewards held this day, an account of \$1,400.00 from Rainnie and Company for Insurance of Fire Apparatus was considered. Your committee recommends that this account be passed for payment.

Attached hereto are reports of City Solicitor and Chief of Fire Department.

Respectfully submitted,

A. J. Smeltzer,
CHAIRMAN.

September 22nd, 1934.

Alderman A. J. Smeltzer,
Chairman, Committee of Firewards,
Halifax, N. S.

Dear Sir:-

The Chief of the Fire Department has today handed me the proposed policy of insurance with the Century Insurance Company, of whom Rainnie & Company, Limited, of this City, are the agents, which purports to cover all the apparatus of the Halifax Fire Department and the City Electrician's car. The number of vehicles included in this policy total fifteen, and I presume that these vehicles are all correctly described in the policy. I understand that Mr. Churchill will check this matter up and make his report as to this.

I find that all of the vehicles mentioned in the schedule attached to the policy are covered in the following words:

"Any use incidental to the City of Halifax Fire Department and City Electrician's Department".

It seems to me therefore that this is sufficient for the purposes of the City, in that "any use" would seem to me to cover all possible contingencies, including an emergency.

October 11th, 1934.

In addition to this the letter received by the Chief of the Fire Department from Rainnie & Company Limited, dated September 20th, 1934, calls particular attention to the above coverage as follows:

"We would draw your attention to our answer to item 3, Section A on the face of the policy, which you will note permits any use of the apparatus which is incidental to the conduct of the Halifax Fire Department or the City Electrician's Dept".

I understand that this policy has been before your Board and the limits are what you desire.

It therefore seems to me that this policy is quite in order and affords proper coverage for the City.

I would like to call attention to the fact that in examining this policy that the same does not cover the apparatus of the City for loss by fire, and as I believe the rate for loss by fire is comparatively low, it would seem to me to be reasonable to have this apparatus covered against loss by fire. However, I have no instructions in this matter as the same does not seem to be contemplated by the Committee, and I do not intend to hold up the policy for this reason.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

Halifax, N.S.
Sept. 22nd, 1934.

To the Chairman and Members
of the Board of Firewards.

Gentlemen:-

This is to certify that I have carefully checked the schedule attached to the policy #49840 of the Century Insurance Company Limited (Rainnie and Company Agents) covering bodily injury or death \$10,000.00 to \$20,000.00 and \$1,000.00 property damage and find the attached schedule correct.

On authorization of your committee and endorsement of the City Solicitor I have placed the same into effect.

Respectfully submitted,
J. W. Churchill,
CHIEF OF DEPARTMENT.

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October 11th, 1934.

Moved by Alderman Smeltzer, seconded by Alderman Donovan that the report be adopted and insurance placed with Rainnie & Co., for the sum of \$1,400.00. Motion passed.

TAX COLLECTIONS FOR THE MONTH OF SEPT., 1934.

Read report of the City Auditor re tax collections for the month of September, 1934.

City Auditor's Office,
September 29th, 1934.

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

Gentlemen:-

Report on Tax Collections for the month of September is submitted. Collections amounted to \$108,523.22; corresponding period last year \$99,984.52. Collections on account of taxes for the years 1908-1924 were \$23.89. The ledger value of this group on September 29th, 1934 after deducting Reserves for short collection amounted to \$550,971.19. Collections of Poll Taxes in 1934-35 of current and arrears to September 29th, amounted to \$12,799.25; corresponding period last year \$15,547.45.

Arrears Taxes

Civico Year	Reserve	Outstanding Balances August	New accounts and adjustments	September Collections	Outstanding Balances September.
1925-26	\$65,178.59*	\$65,151.89	- \$27.03	\$51.79	\$65,073.07
1926-27	39,868.23*	41,547.96	- 25.57	56.66	41,465.73
1927-28	40,518.47*	40,427.00	- 22.68	47.49	40,356.83
1928-29	45,387.58*	44,893.65	- 27.27	232.45	44,633.93
1929-30	48,269.19*	47,664.23	- 52.55	97.75	47,513.93
1930-31	57,823.91*	56,218.75	- 287.07	315.26	55,616.42
1931-32	69,790.12*	88,292.41	209.69	3,209.71	85,292.39
1932-33	48,424.79*	237,777.57	-432.22	7,139.71	230,205.64
1933-34	51,654.13	438,644.28	-2885.69	16,515.86	419,242.73
		1,060,617.74	-3550.39	27,666.68	1,029,400.67

Current Taxes

1934-35	47,364.81	848,448.60	- 132.52	72,206.62	776,109.46
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Water Dept.
Rates, etc.

	84,148.69	-2978.72	8,649.92	72,520.05
	1,993,215.03	-6661.63	108,523.22	1,878,030.18

Poll Taxes 1932-33	2,186.95	40.82	135.25	2,092.52
Poll Taxes 1933-34	6,488.98	146.43	346.00	6,289.41
Poll Taxes 1934-35	18,505.50	29.83	1,732.50	16,802.83

October 11th, 1934.

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 is transferable to the General Reserve or the General Sinking Fund, as the case requires, on April 30th of each year.

Respectfully submitted,

A. M. Butler,
CITY AUDITOR.

FILED

DIRECT RELIEF EXPENDITURES

Read report of the City Auditor covering direct relief expenditures.

REPORT ON DIRECT RELIEF EXPENDITURES.
(Estimated)

September 13th - October 11th, 1934.

<u>APPROPRIATION</u>	<u>TOTAL</u>	<u>CITY'S SHARE</u>
Vote June 16th/32	\$5,000.00	\$5,000.00
" July 14th/32	25,000.00	5,000.00
" Sept. 2nd/32	60,000.00	20,000.00
" Dec. 15th/32	135,000.00	45,000.00
" Apr. 13th/33	111,000.00	37,000.00
" July 13th/33	102,000.00	34,000.00
" Oct. 12th/33	150,000.00	50,000.00
" Jan. 11th/34	150,000.00	50,000.00
" Apr. 12th/34	132,000.00	44,000.00
" Aug. 16th/34	120,000.00	40,000.00
	<u>990,000.00</u>	<u>330,000.00</u>

Expenditures to Sept. 30th, 1934	\$73,890.09	291,296.69
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Add estimated to Oct. 11th, 1934	<u>14,000.00</u>	<u>4,666.66</u>
	<u>887,890.09</u>	<u>295,963.35</u>

Balance unexpended of authorized appropriations of which approximately \$24,000. is available for expenditure to Oct. 31st, the difference having lapsed. \$102,109.91 \$34,036.65

Respectfully submitted,

A. M. Butler,
CITY AUDITOR.

FILED

October 11th, 1934.

11 Oct. 1934

FIRE DEPARTMENT - PURCHASE OF KITZ PROPERTY

Read report of the City Solicitor together with letter from Mr. Kitz re purchase of his property, Brunswick Street.

October 11th, 1934.

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

Gentlemen:- Re - Kitz Property - Brunswick St., CITY.

At a meeting of the City Council, held July 24th, 1934, on page 173 of the Minutes, the following resolution was passed:

"AND BE IT FURTHER RESOLVED that this Committee again recommend the immediate building of a new fire station on Brunswick Street, as recommended by the Chief and if the City Council approved of the building of the new fire station, that the City purchase the property owned by Harry Kitz, immediately adjoining to the south of the present fire station on Brunswick Street, together with a strip of land running from Brunswick Street to Market Street, and being 13 feet wide and 60 feet long, that cost of both the said properties being \$7,000.00 and the same to be free from all encumbrances".

I wish to call the attention of Council to the last few words "that cost of both the said properties being \$7,000.00 and the same to be free from all encumbrances".

I attach hereto a copy of a letter from Mr. Kitz to the Firewards Committee, which contains his offer for the sale of this property to the City. I wish to call attention to the following paragraph in this letter:

"TERMS...the paving already paid and the taxes to be paid by me to May 1st, 1934..
PRICE, Seven Thousand Dollars (\$7,000.00)".

I have had the title to this property searched and I find that except for a mortgage on this property, which has just been released, the same is free from all encumbrances, EXCEPT cost of sidewalk on Brunswick Street in front of this property and taxes assessed in respect of this property for the year 1934-35. I regard the sidewalk charge and the 1934-35 taxes as encumbrances, but if the Council intended

October 11th, 1934.

to accept the offer of Mr. Kitz, as contained in his letter of June 11th attached hereto, these were to be paid by the City in addition to the \$7,000.00 to Mr. Kitz. I am attaching also hereto a copy of a statement received from the City Collector, showing the position of the taxes and other civic charges against this property.

My purpose in communicating with the Council is to ascertain whether they desire me to approve of the title and the transfer on the basis of Mr. Kitz's offer, or whether the minute of the Council referred to above means what it says, namely, that the property is to be free from all encumbrances.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

Halifax, June 11th, 1934.

To the Chairman and Members of the
Board of Firewards Committee,
CITY.

Gentlemen:-

With reference to my property adjoining the Fire Station on Brunswick Street, I will say that the size of the lot is forty-three feet by eighty-five feet.

TERMS - the paving already paid and the taxes to be paid by me to May 1st, 1934 - Price, seven thousand dollars (\$7,000.00).

It is hardly necessary for me to dwell on the merits of the building in question as some members of your committee have inspected the property and I hope that they too feel that the price asked is just and reasonable.

I will further say that I will give a quit claim to the additional lot adjoining the property size about thirteen feet by sixty feet, facing on Market Street at no further cost to either party.

Hoping this will meet with the approval of your committee, I am,

Yours truly,

Harry Kitz.

Moved by Alderman Gates, seconded by Alderman Doyle that this Council reaffirm the resolution that Council previously passed on July 24th, 1934. Motion put and passed, 10 voting for the same and 4 against it as follows.

FOR THE MOTION

Aldermen Donovan
Doyle
Gates
Hendry
McManus
Miller
O'Toole
Power
Smeltzer
Stech
-10-

AGAINST IT

Aldermen Getley
Gough
Lordly
MacDonald

- 4 -

10.30 o'clock,

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

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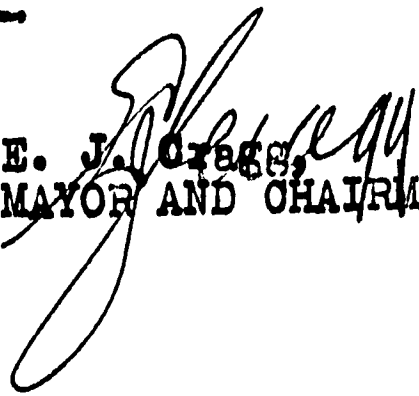
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E. J. Cragg,
MAYOR AND CHAIRMAN.

H. C. Powell,
CITY CLERK.

EVENING SESSION

8.10 o'clock,
Council Chamber,
City Hall,
November 15th, 1934.

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 Gates, Mitchell, Stech, Donovan, Miller, Lordly, Adams, McManus, McCarthy, Hendry, McDonald, MacDonald, O'Toole, Getley, Gough, Smeltzer and Doyle.

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

The following named papers were submitted.

MINUTES

Moved by Alderman Donovan, seconded by Alderman Stech that the minutes of last meeting be approved. Motion passed.

There appeared in the Council Chamber a gathering from the Employed and Unemployed Workers League who requested permission to address Council and lay their complaints before it regarding relief administration and other matters regarding housing situation.

The Mayor asked if there had been delegates appointed and was informed by Mr. W. L. Ross that there had been, naming W. L. Ross, W. J. Crane, W. H. Johnston and Mrs. Sophie McClusky.

His Worship the Mayor asked Council if it is its wish that the delegation be heard.

November 15th, 1934.

Moved by Alderman Gough, seconded by Alderman Getley that Council permit one member of the delegates appointed to address Council for a period of ten minutes. Motion passed.

Mr. W. L. Ross addressed Council on behalf of the delegation and requested the Mayor to use his influence to stop all eviction orders during the winter months, from this date, and that the Relief Committee implement the scale of relief used by the Provincial Government.

His Worship the Mayor assured the delegation that these matters were under consideration at the moment by the Direct Relief Committee, and that everything possible was being done to finally dispose of same.

Mr. Ross requested immediate action.

His Worship informed Mr. Ross that it was impossible to give these matters immediate action but assured him that it would be finalized at the earliest possible moment.

Mr. Ross then spoke for the delegation and requested a definite date when these matters would be finally dealt with.

The Mayor again informed Mr. Ross that he could not speak for the Relief Committee as he was only one member, but would assure him that he would do all in his power to have the matters in question finally dealt with before the next regular Council meeting.

November 15th, 1934.

*City Engineer
C. A. Copp.*

NOTICE OF RECONSIDERATION RE APPOINTMENT
SUPERINTENDENT OF STREETS AND SEWERS

Read extract from minutes of a meeting of the City Council of the City of Halifax held on the 11th day of October 1934 re appointment of Superintendent of Streets and Sewers, of which Alderman Donovan gave notice of reconsideration.

Moved by Alderman Donovan, seconded by Alderman Doyle that the matter be now reconsidered. Motion put and passed, 10 voting for the same and 7 against it as follows.

FOR THE MOTION

Aldermen Adams
Donovan
Doyle
Gough
MacDonald
McCarthy
Miller
Mitchell
O'Toole
Stech

AGAINST IT

Aldermen Gates
Getley
Hendry
Lordly
McDonald
McManus
Smeltzer

-10-

- 7-

Moved by Alderman Donovan, seconded by Alderman Doyle that the report of the Committee on Works recommending the appointment of Mr. C. A. Copp be adopted.

Moved by Alderman Miller, that Mr. E. L. Thorne Jr. be appointed to the position of Street Superintendent.

Moved by Alderman Lordly, seconded by Alderman Gates that Mr. James Wood be appointed to the position of Street Superintendent.

His Worship the Mayor announced that a ballot would be taken and the name of the candidate receiving the lowest number of votes on each ballot would be dropped and the Council to thus continue the election until a candidate is finally appointed.

November 15th, 1934.

FIRST BALLOT

For Mr. Copp: Aldermen Donovan, Doyle,
Gough, H. A. MacDonald,
McCarthy, Mitchell,
O'Toole, Stech. -8-

For Mr. Wood: Aldermen Gates, Getley,
Hendry, Lordly, J.F. McDonald,
McManus, Smeltzer. -7-

For Mr. Thorne: Aldermen Adams, Miller. -2-

Mr. Thorne's name is dropped.

SECOND BALLOT

For Mr. Copp: Aldermen Adams, Donovan,
Doyle, Gough, H. A.
MacDonald, McCarthy,
Miller, Mitchell, O'Toole,
Stech. -10-

For Mr. Wood: Aldermen Gates, Getley,
Hendry, Lordly, J. F.
McDonald, McManus,
Smeltzer. -7-

His Worship the Mayor declares

Mr. C. A. Copp appointed to the position of
Superintendent of Streets and Sewers.

INTEREST ON TAXES

Read extract from minutes of a
meeting of the City Council of the City of Halifax
held on the 11th day of October 1934 covering notice
of motion submitted by Alderman Gough re interest
on taxes, etc.

"Alderman Gough gives notice that
he will move at the next meeting of the City Council
the following:-

WHEREAS interest on over-due
taxes in the City of Halifax
on real estate is seven percent
(7%) and on improvements, such
as sidewalks, streets, etc., the
rate of interest is six percent (6%).

BE IT THEREFORE RESOLVED that the
said rate of seven percent (7%)
interest on over-due taxes on
real estate in the City of Halifax
be reduced to five and one-half
percent (5½%) and that the said
rate of six percent (6%) interest
on improvements such as sidewalks,
streets, etc. in the City of Halifax
be reduced to five and one-half
percent (5½%)."

*all Stech
back*

November 15th, 1934.

Alderman Gough suggested that the first paragraph in his resolution be left as it is, but the second paragraph should be left blank as regarding the rate of interest charged, and motion referred to the Finance Committee for their consideration and report to Council.

Moved by Alderman Gough, seconded by Alderman Smeltzer and passed.

APPOINTMENTS TO SCHOOL BOARD

Read letter from the Clerk of the Executive Council advising of appointments to the School Board by the Provincial Government.

Halifax, 2nd November, 1934.

Dear Sir:-

I beg to advise you that John W. Gordon and W. E. Haverstock, Barrister, have been appointed to be Commissioners of Schools for the City of Halifax for the term of three years ending the 1st day of November, A. D. 1937, in place of W. McT. Orr and Eric L. Miller, retired.

Yours truly,

A. E. Horne
for

Clerk of the Executive Council.

The City Clerk,
Halifax, Nova Scotia.
FILED

RECOMMENDATIONS OF GRAND JURY

Read letter from Martin Archibald, Municipal Clerk and Treasurer submitting the recommendations of the grand jury.

MUNICIPALITY OF HALIFAX.
OFFICE OF MUNICIPAL CLERK AND TREASURER.

Halifax, N. S.
October 20, 1934.

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

November 15th, 1934.

Dear Sir:-

I am enclosing a copy of the recommendation of the Grand Jury, submitted October 16th, 1934.

Yours truly,

Martin Archibald,
Municipal Clerk & Treasurer.

Halifax, N. S.
Oct. 16th, 1934.

To His Lordship Mr. Justice Doull:-

The Grand Jury for the County of Halifax, having made an inspection of the County Gaol, wish to make the following comments and suggestions with regard to that institution.

1. The Gaol is obviously overcrowded. Cells built for the accommodation of one person, are being used for two, and in one case three persons, without regard to age or condition.

We consider it an urgent necessity that more and adequate cell and corridor accommodation be provided without further delay.

2. With sufficient accommodation, it would be possible to carry out another urgently required improvement, viz: the classification of prisoners, in separate corridors.

We consider that no one awaiting trial should be grouped with convicted prisoners. Neither should civil offenders be grouped with those convicted of criminal offences. Young people, and those guilty of first offences, should not properly be associated with habitual criminals, not the deceased with the healthy.

3. We are of the opinion that all persons admitted should be immediately subject to medical inspection and any necessary sanitary attention, with the temporary provision of clothing where necessary.

4. The toilet facilities provided, together with access to the same, are totally inadequate. Access to proper toilet facilities should be possible at all hours. Matters could be much improved even under present conditions, if a turnkey was on duty at night, with a signal system in each cell. This arrangement would also be useful to summon aid in case of sickness or other emergencies.

5. The Grand Jury note that previous reports and recommendations of a similar character have been submitted, but without any resultant action.

November 15th, 1934.

We consider that these matters are of urgent public interest, and that assurance should be given by the authorities to this body that remedial action will no longer be postponed.

6. The Grand Jury wish to place on record their commendation of the efficient manner in which Gaoler Mitchell performs his duties under the handicaps with which he is faced, also his humane and intelligent treatment of the inmates.

The Gaol was found to be very clean and excellently maintained.

Sgd. Mionel L. Shatford,
Foreman.

FILED

COUNCIL MINUTES, MEETING AUGUST 16th, 1934.

Read letter from City Clerk covering minutes of Council meeting, August 16th, 1934.

November 13th, 1934.

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

Gentlemen:-

I wish to call your attention to the Council minutes of the meeting held August 16th, 1934, page 240, relating to "Piping greenhouse, Public Gardens". In transcribing these minutes, the motion adopting the committee's report was omitted, and when checking over was noticed and inserted in the proper place.

I am reporting this to Council because the minutes sent out to the Aldermen will not now show this motion, although this motion was in our official copy when approved by Council.

Yours very truly,

H. C. Powell,
CITY CLERK.

FILED

LETTER, ANDREW MATHEWS COVERING RELIEF COAL COST

Read letter from Andrew Mathews of the Mathews Coal Company regarding the price paid by the Direct Relief Committee for relief coal.

Moved by Alderman Donovan,
seconded by Alderman Stech that the letter be filed.
Motion passed.

November 15th, 1934.

Aldermen Gough, Gates and Smeltzer
wishing to be recorded against.

NOTICE OF ACTION, THREE ESS TAXI VS. CITY OF HALIFAX.

Read letter City Solicitor re notice
of action, Three Ess Taxi versus City of Halifax.

Halifax, N. S.
November 13th, 1934.

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

Gentlemen:- Re. Three Ess Taxi Service versus
City of Halifax.

I attach hereto a copy of a
notice of action today received in the above matter.
The claim is for \$30.81 and is identical with
the suit at present being brought against the
City by Phinney's Music Company Limited. I am
reporting on this matter for the information
of the Council.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

FILED

NOTICE OF ACTION, BEDFORD YOUNG VS. CITY OF HALIFAX

Read letter City Solicitor re notice
of action, Bedford Young versus City of Halifax.

Halifax, N. S.
November 13th, 1934.

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

Gentlemen:- Re. Bedford Young vs. City of Halifax.

I enclose herewith a notice of
action in the above matter. The amount claimed
is \$100.00. This matter is somewhat similar,
although not identical, with the present action
under way at the suit of Phinney's Music Company
Limited. I am advising the Council of this for
its information.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

FILED

November 15th, 1934.

GENERAL ACCOUNTS

Read report of the Finance Committee recommending for payment accounts amounting to \$16,053.79 chargeable to the various services.

Committee Room, City Hall,
November 13th, 1934.

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 amounting to \$16,053.79 chargeable to the various services were considered.

Your committee recommends that the accounts as submitted be passed as correct and forwarded to the City Council for payment.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

Moved by Alderman Stech, seconded by Alderman Miller that the report be adopted.
Motion passed.

CHARITIES COMMITTEE ACCOUNTS

Read report of the Charities Committee recommending for payment accounts amounting to \$7,397.53 chargeable to the City Home and \$2,959.77 chargeable to the T. B. Hospital.

Halifax, N. S.
Nov. 12th, 1934.

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 Gates, Doyle, Donovan and MacDonald.

November 15th, 1934.

CITY HOME ACCOUNTS, OCTOBER 1934, AMOUNT \$7397.53

City Home accounts for the month of October 1934 amounting to \$7397.53 are recommended for payment.

TUBERCULOSIS HOSPITAL ACCOUNTS, OCTOBER 1934,
AMOUNT \$2959.77.

Tuberculosis Hospital accounts for the month of October 1934 amounting to \$2959.77 are recommended for payment.

Respectfully submitted,

J. W. McCarthy,
CHAIRMAN.

Moved by Alderman McCarthy, seconded by Alderman H. A. MacDonald 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 \$2,560.43.

Halifax, N. S.
November 12th, 1934.

His Worship the Mayor,
and Members, City Council.

Gentlemen:-

At a meeting of the City Health Board held on Friday, November 9th, the following named accounts amounting to \$2,560.43 were passed and recommended to the City Council for payment.

Respectfully submitted,

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

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

POLICE COMMITTEE ACCOUNTS

Read report of the Police Committee recommending for payment accounts amounting to \$12,312.91 chargeable to current account and \$2,968.00 chargeable to capital account.

November 15th, 1934.

Nov. 12th, 1934.

His Worship the Mayor,
and City Council.

Gentlemen:-

The following list of accounts amounting to \$12,312.91 chargeable to current account and \$2,968.00 chargeable to capital account for the month of October, have been passed by the Police Committee and are submitted to the City Council for payment.

Respectfully submitted,

E. J. Cragg,
MAYOR AND CHAIRMAN.

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

GARDENS COMMITTEE ACCOUNTS

Read report of the Committee on Gardens, Parks and Commons recommending for payment accounts amounting to \$1,743.21 chargeable to the Public Gardens and \$351.63 chargeable to Fleming Park.

Committee Room, City Hall,
November 9th, 1934.

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 following accounts amounting to \$1,743.21 chargeable to the Public Gardens and \$351.63 chargeable to Fleming Park were submitted.

Your committee recommends that the accounts as submitted be passed as correct and forwarded to the City Council for payment.

Respectfully submitted,

W. E. Donovan,
CHAIRMAN.

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

November 15th, 1934.

FIRE DEPARTMENT ACCOUNTS

Read report of the Committee on Firewards recommending for payment accounts amounting to \$14,311.16 chargeable to the Fire Department and \$524.47 chargeable to the Fire Alarm Maintenance.

Halifax, N. S.
Nov. 12, 1934.

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

Gentlemen:-

At a meeting of the Committee of Firewards held this day, the attached accounts amounting to \$14,311.16 for the Fire Department and \$524.47 for the Fire Alarm Department were considered.

Your committee recommends that those accounts be passed for payment.

Respectfully submitted,

A. J. Smeltzer,
CHAIRMAN.

Moved by Alderman Smeltzer,
seconded by Alderman McDonald 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 \$3,243.20.

City Prison,
Halifax, N. S.
November 6th, 1934.

Gentlemen:-

At a meeting of the City Prison Committee held this day, the following list of accounts amounting to \$3,243.20 were submitted.

Your committee recommends that the accounts as submitted be passed as correct and forwarded to the City Council for payment.

Respectfully submitted,

E. L. Miller,
CHAIRMAN.

November 15th, 1934.

Moved by Alderman Miller, seconded by Alderman McManus 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 \$407.55.

Halifax, N. S.
November 9th, 1934.

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

Gentlemen:-

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

City of Halifax	Salaries	\$275.82
T.C.Allen & Co,Ltd.	Books	37.33
Aviation	Subscription	3.50
Book Room	Books	67.40
Globe Printing Co.	Subsc.Toronto Globe	5.00
H.C.Maclean Pub. Ltd.	" Canadian Mag.	2.00
Montreal Star Co.	" Montreal Star	5.00
New York Times	" N.Y.Times	10.50
Soulis Typewriter Co.	Typewriter ribbon	1.00
		<u>\$407.55</u>

Respectfully submitted,

J. F. McDonald,
CHAIRMAN.

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

WORKS DEPARTMENT ACCOUNTS

Read report of the Committee on Works recommending for payment accounts amounting to \$9,375.54.

November 15th, 1934.

The City Council.

Nov. 15th, 1934.

Gentlemen:-

The Committee on Works recommend for payment accounts amounting to \$9,375.54 chargeable as follows:-

Water Dept. Accounts	Capital	\$1.23	
	Current	<u>1481.35</u>	\$1482.58
Works	"		
	Capital	127.22	
	Current	<u>7765.74</u>	<u>7892.96</u>
			<u>\$9375.54</u>

E. J. Cragg,
MAYOR AND CHAIRMAN.

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

John Grant
APPOINTMENT, DEPUTY GOVERNOR AT CITY PRISON

Read report of the City Prison Committee recommending the appointment of John Grant to the position of Deputy Governor at the City Prison.

Committee Room, City Hall,
November 13th, 1934.

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

Gentlemen:-

At a meeting of the City Prison Committee held this day, your committee had under consideration the matter of a Deputy for the Governor at City Prison.

Your committee recommend that John Grant, Keeper at the City Prison for the past sixteen years, be appointed Deputy Governor at a salary of \$1500.00, subject to the 10% reduction.

Alderman McManus wishing to be recorded against.

Respectfully submitted,

E. L. Miller,
CHAIRMAN.

November 15th, 1934.

Moved by Alderman Miller, seconded
by Alderman Hendry that the report be adopted and
that John W. N. Grant be appointed Deputy Governor
at the City Prison at a salary of \$1500.00 per
annum, subject to the 10% contribution. Motion passed.

Alderman McManus wishing to
be recorded against.

His Worship the Mayor declares
Mr. Grant duly elected to the position of Deputy
Governor at the City Prison.

APPOINTMENT, GUARD AT CITY PRISON

Read report of the City Prison
Committee recommending the appointment of William
Doyle to the position of Guard at the City Prison,
on probation for a period of six months.

Committee Room, City Hall,
November 13th, 1934.

To His ~~W~~orship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the City Prison
Committee held this day, your committee had under
consideration the appointment of an extra guard
at a salary of \$1100.00 per annum, subject to the
10% reduction.

Your committee recommends that
William Doyle, relieving guard, at the City Prison
be appointed on probation for six months.

Respectfully submitted,

E. L. Miller,
CHAIRMAN.

Moved by Alderman Miller, seconded
by Alderman McManus that the report be adopted
and that Mr. William Doyle be appointed Guard at
the City Prison, on probation for a period of six
months, at a salary of \$1100.00 per annum, subject to
the 10% contribution. Motion passed.

*Geo Grant
W. Doyle*

November 15th, 1934.

OVERCROWDING, CITY PRISON

Read report of the City Prison
Committee re overcrowding at Prison.

City Prison,
Halifax, N. S.
November 6th, 1934.

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

Gentlemen:--

At a meeting of the City Prison
Committee held this day, your committee had under
consideration the Governor's report showing the
number of prisoners at the City Prison to be 84
males and 8 females.

Your committee recommends that
due to the fact that the capacity for men prisoners
at the City Prison is only 61, that Council
instruct the Governor of the City Prison not to
accept any male prisoner above the present capacity
of the City Prison, and that there be not more
than one person in a cell, and further that the
Stipendiary Magistrate and Attorney General be
advised forthwith.

Respectfully submitted,

E. L. Miller,
CHAIRMAN.

Moved by Alderman Miller, seconded
by Alderman McManus that the report be adopted.

Moved in amendment by Alderman
Gough, seconded by Alderman Getley that this matter
be referred back to the City Prison Committee for
further consultation with the Attorney General's
Department. Amendment passed.

WREATH FOR CENOTAPH

Read report of the Finance Committee
together with letter from the City Solicitor
submitting proposed draft legislation providing
for the payment of the cost of the wreath placed
on behalf of the City of Halifax on the Cenotaph,
Armistice Day 1933.

*Gov Grant.
to look*

*ald Mitchell
to look*

November 15th, 1934.

Committee Room, City Hall,
November 13th, 1934.

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 Solicitor regarding an account of \$15.00 for a wreath placed on the Cenotaph, Armistice Day 1933, payment of which is not authorized. The City Solicitor submits a draft of proposed legislation to cover same.

Your committee recommends that the letter of the City Solicitor and draft legislation as submitted be approved.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

Halifax, N. S.
November 1st, 1934.

Alderman H. J. Stech,
Chairman Finance Committee,
City Hall,
Halifax, N. S.

Dear Sir:-

In 1933, the then Mayor, Mr. A. A. Thompson, ordered from the Trustees of the Poppy Day Fund a wreath to be placed upon the cenotaph on behalf of the City. The intention was to charge the cost of this wreath, \$15.00, against the Mayor's contingent account for that year.

When the account was received it was submitted to me by the City Auditor to advise upon the propriety of charging this expenditure against the contingent account, and I gave as my opinion that it could not be legally charged to such account. This account is still outstanding.

This wreath was placed upon the Cenotaph by His Worship the Mayor, as had been the custom in previous years.

In order to have this account paid it will be necessary to obtain legal sanction for the same and I enclose herewith a draft of legislation to cover this matter.

November 15th, 1934.

I would suggest it be approved by you and forwarded to the Laws and Privileges Committee and from there to Council.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

Moved by Alderman Stech, seconded by Alderman McCarthy that the report be adopted and referred to the Laws and Privileges Committee to draft legislation. Motion passed.

CONSOLIDATED BALANCE SHEET

Read report of the City Auditor covering consolidated balance sheet as at April 30th, 1934.

This report and balance sheet will be found in printed form following minutes of this meeting.

SURVEY - ANALYSIS

Read report of the Finance Committee submitting report of Messrs. Johnson and Nightingale covering their survey-analysis of the accounting system used in the civic departments.

Committee Room, City Hall,
November 13th, 1934.

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 report of Messrs. Johnson and Nightingale covering their survey-analysis of the accounting system used in the civic departments.

Your committee begs to advise that copies of this report have been forwarded to each alderman, heads of departments and press.

November 15th, 1934.

The Finance Committee are taking this report under consideration and intend holding meetings the coming week, after which they will report to Council.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

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

SPECIAL COUNCIL MEETING

Moved by Alderman Mitchell, seconded by Alderman Gough that a special meeting of this Council be held three weeks from today to consider the report of the Finance Committee regarding the survey-analysis, which date would be December 6th, 1934. Motion passed.

MACALDER SUPERANNUATION CONTRIBUTIONS

Read report Finance Committee together with letter from the City Solicitor regarding contributions paid into the superannuation fund by Ex-Sergeant N. A. Macalder.

Committee Room, City Hall,
November 13th, 1934.

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 Solicitor covering superannuation contributions paid by Ex-Sergeant N. A. Macalder.

Your committee recommend that the City Solicitor be instructed to take the necessary steps in order that the City's interests may be protected and make application for a receiving order.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

November 15th, 1934.

Halifax, N. S.
November 13th, 1934.

Alderman H. J. Stech,
Chairman Finance Committee,
City Hall,
Halifax, N. S.

Dear Sir: Re. N. A. Macalder

I am advised that there is some \$600.00 or \$700.00 under the Superannuation Fund, to which ex-Sergeant N. A. Macalder is entitled. I have received a Notice of Assignment of this amount from N. A. Macalder to Ocean Realty Limited.

The claim of the Ocean Realty Limited is as vendor under an Agreement of Sale to N. A. Macalder, in which the Ocean Realty Limited agrees to sell and Macalder agrees to buy a certain piece of property, and pay the purchase price in instalments. The amount due on the purchase price is approximately the amount which is in the Superannuation Fund. I am advised by the solicitors for the Company that it is their intention to apply the money, which has been assigned to them, to the credit of N. A. Macalder and write off the amount that he owes them. They will then give him a Deed to the property. The property will be subject to a mortgage in favour of the Nova Scotia Trust Company for \$1500.00. I am further advised that Mrs. Macalder has paid in some hundreds of dollars on account of the purchase price of the house.

The point on which I desire directions from your Committee is this that Macalder is indebted to the City of Halifax for a considerable sum of money and is, in my opinion, by virtue of these sums of money, in an insolvent condition and therefore if proceedings were taken under the Bankruptcy Act to force him into Bankruptcy, this assignment would be liable to be set aside as a preference in favour of a particular creditor. In order that all the creditors of Macalder can share pro rata in his assets, it will be necessary for creditors to a total amount of \$500.00 to apply under the Bankruptcy Act for a Receiving Order. There will doubtless be some expense in this, and it is for directions as to policy in this matter that I bring this matter to your attention.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

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

Motion passed.

November 15th, 1934.

POLL TAX COLLECTIONS

Read report of the Poll Tax Officer for the period ending October 31st, 1934.

CITY OF HALIFAX - CITY HALL - NOVEMBER 1st, 1934.
POLL TAX COLLECTIONS FOR CIVIC QUARTER YEAR ENDING
OCTOBER 31st, 1934.

	<u>Current</u>		<u>Arrears</u>		<u>Total</u>
	\$4,805.00		\$1,968.25		\$6,773.25
	<u>1931-32</u>	<u>1932-33</u>	<u>1933-34</u>		<u>1934-35</u>
AUG.	\$2,341.25	\$2,941.75	\$2,354.00		\$1,787.50
SEPT.	3,012.75	3,303.25	2,885.75		2,412.75
OCT.	2,077.75	2,808.50	3,396.00		2,573.00
TOTAL	\$7,431.75	\$9,053.50	\$8,635.75		\$6,773.25
					Decrease.....\$1,862.50

COLLECTED BY STREET COLLECTORS

MR. YATES	\$2,350.75
MR. MAHAR	2,394.50
PAID AT OFFICE	2,028.00
TOTAL	<u>\$6,773.25</u>

Total collections for year ending Oct. 31st, 1934, \$29,873.89
 Total collections for year ending Oct. 31st, 1933. \$37,548.20
 Decrease \$7,674.31

Collections for current year to date \$10,106.50
 Collections for Current year (1933) at this date \$ 7,958.70
 Increase \$ 2,147.80

Respectfully submitted,

R. H. Gass,
Poll Tax Officer.

FILED

POPPY DAY

Read report of the Laws and Privileges Committee submitting application from the Canadian Legion of the British Empire Service League for permission to hold a Poppy Day campaign on Saturday, November 10th.

November 15th, 1934,

Committee Room, City Hall,
November 9th, 1934.

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

Gentlemen:-

At a meeting of the Laws and Privileges Committee held this day, your committee had under consideration the attached application from the Canadian Legion of the British Empire Service League requesting permission to hold a Poppy Day campaign on Saturday, November 10th, 1934.

It was the unanimous decision of the committee that the application be granted.

Respectfully submitted,

Walter Mitchell,
CHAIRMAN.

Moved by Alderman Mitchell, seconded by Alderman McManus that the report be adopted.
Motion passed.

DRAFT AMENDMENT TO AMEND ORDINANCE NO. 6

Read report of the Laws and Privileges Committee and Committee on Works submitting draft amendment to amend Ordinance No. 6 respecting "Electric Wiring and Use of Electrical Energy".

Committee Room, City Hall,
November 9th, 1934.

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

Gentlemen:-

At a meeting of the Committee on Laws and Privileges held this day, the attached amendment to Ordinance No. 6 respecting "Electric Wiring and Use of Electrical Energy" was considered.

Your committee recommend that the amendment to Ordinance No. 6 as submitted be forwarded to the City Council for first reading.

Respectfully submitted,

Walter Mitchell,
CHAIRMAN.

November 15th, 1934.

Nov. 9th, 1934.

Chairman,
Laws and Privileges Committee,
City.

Sir:-

The Committee on Works recommend the attached amendment to Ordinance No. 6 dealing with "Electrical Wiring and the Use of Electrical Energy", and I am instructed to forward it to you for consideration and submission to the City Council.

Respectfully submitted,

H. W. Johnston,
CITY ENGINEER.

Moved by Alderman Mitchell,
seconded by Alderman Doyle that the reports be adopted. Motion passed.

Moved by Alderman Mitchell, seconded by Alderman Doyle that the draft amendment to amend Ordinance No. 6 respecting "Electric Wiring and Use of Electric Energy" be now read a first time. Motion passed.

Read draft amendment to amend Ordinance No. 6 respecting "Electric Wiring and Use of Electrical Energy" a first time.

AMENDMENT TO ORDINANCE #6 RESPECTING
"ELECTRIC WIRING AND USE OF ELECTRICAL ENERGY".

BE IT ENACTED by the Mayor and the City Council of Halifax as follows:

1. Ordinance #6 respecting "Electric Wiring and Use of Electrical Energy" is hereby amended by striking out the first four lines of Section 2 of the said Ordinance and substituting the following therefor;
2. A Board of Wiring Examiners is hereby constituted to consist of the City Engineer, ex officio, (who shall be Chairman thereof), the City Electrician, ex officio, and also two additional persons, one of whom shall be a licensed Wireman of the City, and the other a Journeyman Wireman, of the City, who shall each be appointed,

November 15th, 1934.

for a term of two years, by the Committee on Works in the month of May in every alternate year, and who shall respectively hold office until their successors are appointed and shall each be eligible for reappointment. Any casual vacancy occasioned by the death, resignation, removal from the City, loss of qualification or other cause, of a member of the Board, other than the City Engineer or City Electrician, shall be filled by the Committee on Works as speedily as possible after the occurrence thereof, for the unexpired term.

First reading.

*Com on Works
City Engineer*

WINFIELD LAND, CONNAUGHT AVE. AND COBURG RD.

Read report of the Committee on Works re land, Connaught Avenue and Coburg Road.

November 15th, 1934.

The City Council.

Gentlemen:-

The Committee on Works recommend that the City pay to Mr. J. H. Winfield the sum of \$2900.00 for property required by the City on Connaught Avenue and Coburg Road free from all encumbrances; he to pay all rates, taxes and assessments to April 30th, 1935 to be paid by Mr. Winfield.

E. J. Cragg,
MAYOR AND CHAIRMAN.

Moved by Alderman Gates, seconded by Alderman Gough that the report be adopted.

Moved in amendment by Alderman McCarthy, seconded by Alderman Doyle that this matter be referred back to the Committee on Works for further consideration.

His Worship the Mayor calls upon the Deputy Mayor to assume the chair and addresses Council from the floor of the Chamber on the report from the Committee on Works.

November 15th, 1934.

Amendment put and passed, 12 voting for the same and 5 against it as follows.

FOR THE AMENDMENT

Aldermen Adams
Doyle
Getley
Gough
Lordly
McCarthy
McDonald
McManus
Miller
Mitchell
O'Toole
Smeltzer

-12-

AGAINST IT

Aldermen Donovan
Gates
Hendry
MacDonald
Stech

-5-

LEASE, NOS. 3 AND 5 SPRING GARDEN ROAD

Read report of the Committee on Works re lease, property 3 and 5 Spring Garden Road.

City Works Office,
Halifax, Canada.

The City Council.

Gentlemen:-

At a meeting of the Committee on Works November 14th, 1934, it was resolved to recommend to Council that the premises #3 - 5 Spring Garden Road be leased to Mr. T. Louis Connolly under a rental of \$60.00 per month and water rates, and the other conditions contained in the Wilson lease, for the period from the 16th day of November, 1934 to the 30th day of April, 1937.

E. J. Cragg,
MAYOR AND CHAIRMAN.

Moved by Alderman Gough, seconded by Alderman MacDonald that the report be adopted.
Motion passed.

DIRECT RELIEF BORROWING

Read report of the Direct Relief Committee submitting resolutions providing for the borrowing of \$28,000.00 for direct relief purposes.

-359-

Betty Engesser

E. J. Cragg

November 15th, 1934.

Halifax Direct Relief Committee,
City Hall,
Halifax, Nova Scotia,
November 13th, 1934.

His Worship the Mayor,
and City Council,
Halifax, Nova Scotia.

Gentlemen:-

At a meeting of the Halifax Direct Relief Committee, held Monday, Nov. 12th, 1934, the resolutions hereto attached, were passed unanimously and ordered sent up to Council for consideration.

Yours truly,

Halifax Direct Relief Committee,
Geo. J. Lynch, Secretary.

Moved by Alderman Gates, seconded by Alderman Donovan that the report be adopted.

Motion passed.

The following resolution is submitted.

BE IT RESOLVED by the Mayor and City Council that the City of Halifax, at the request of the Halifax Direct Relief Committee, appropriate the sum of TWENTY FIVE THOUSAND DOLLARS (\$25,000.) for the purpose of providing Relief Work, on condition that a contribution be made by each of the Government of the Province of Nova Scotia and the Government of the Dominion of Canada in accordance with agreement entered into with the Governments of Province of Nova Scotia and Dominion of Canada last year, and extended by them to December 31st, 1934.

Moved by Alderman Gates, seconded by Alderman Donovan that the resolution be adopted.

Motion passed.

The following resolution is submitted.

BE IT RESOLVED by the Mayor and City Council that the City of Halifax, at the request of the Halifax Direct Relief Committee, contribute to the Red Cross Society the sum of THREE THOUSAND DOLLARS (\$3,000.) to be used for providing clothing and footwear for the needy and unemployed, provided, that a like contribution of an equal amount be made by each of the Government of the Province of Nova Scotia and the Government of the Dominion of Canada.

November 15th, 1934.

Moved by Alderman Gates, seconded by Alderman Donovan that the resolution be adopted.

Motion passed.

*ald Miller
Red Cross Society*

REPRESENTATIVE OF CITY COUNCIL TO RED CROSS SOCIETY.

Moved by Alderman Donovan, seconded by Alderman Smeltzer that Alderman Miller be appointed to the Red Cross Society as City Council representative. Motion passed.

SUPERINTENDENT'S REPORT RE INMATES IN THE CITY HOME AND T.B. HOSPITAL FOR THE MONTH OF OCTOBER, 1934.

Read report of the Charities Committee for the month of October 1934 showing the number of inmates in the City Home to be 439 and the number of patients in the T. B. Hospital to be 57.

FILED

TAX COLLECTIONS FOR THE MONTH OF OCTOBER, 1934.

Read report of the City Auditor re tax collections for the month of October, 1934.

City Auditor's Office,
October 31st, 1934.

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

Gentlemen:-

Report on Tax Collections for the month of October is submitted. Collections amounted to \$73,864.21; corresponding period last year \$84,135.39. Collections on account of taxes for the years 1908-1924 were \$29.23. The ledger value of this group on October 31st, 1934 after deducting Reserves for short collection amounted to \$550,941.96. Collections of Poll Taxes in 1934-35 of current and arrears to October 31st, amounted to \$15,372.25; corresponding period last year \$18,943.45.

November 15th, 1934.

<u>Arrears Taxes</u>					
Civic Year	Reserve	Outstanding Balances September	New accounts and adjustments	October Collections	Outstanding Balances October.
1925-26	\$65,178.59*	\$65,073.07		\$13.32	\$65,059.75
1926-27	39,868.23*	41,465.73		38.09	41,427.64
1927-28	40,518.47*	40,356.83		35.14	40,321.69
1928-29	45,387.58*	44,633.93		51.93	44,582.00
1929-30	48,269.19*	47,513.93		61.70	47,452.23
1930-31	57,832.46*	55,616.42	- 1.50	262.43	55,352.49
1931-32	69,791.37*	85,292.39	- 4.26	5,130.29	80,157.84
1932-33	48,441.91*	230,205.64	-730.41	8,592.81	220,882.42
1933-34	51,884.03	419,242.73	499.23	19,853.89	399,888.07
		1,029,400.67	-236.94	34,039.60	995,124.13

<u>Current Taxes</u>					
1934-35	48,463.55	776,109.46	403.51	29,265.31	747,247.66

<u>Water Dept. Rates, etc.</u>					
		72,520.05	1,572.42	10,559.30	63,533.17
		1,878,030.18	1,738.99	73,864.21	1,805,904.96

Poll Taxes 1932-33	2,092.52	11.55	173.50	1,930.57
Poll Taxes 1933-34	6,289.41	14.45	364.50	5,939.36
Poll Taxes 1934-35	16,802.83	155.17	1,876.00	15,082.00

* 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 is transferable to the General Reserve or the General Sinking Fund, as the case requires, on April 30th of each year.

Respectfully submitted,

A. M. Butler,
CITY AUDITOR.

FILED

DIRECT RELIEF EXPENDITURES

Read report of the City Auditor covering direct relief expenditures as at November 15th, 1934.

REPORT ON DIRECT RELIEF EXPENDITURES.
(Estimated)

October 12th - November 15th, 1934.

<u>APPROPRIATION</u>	<u>TOTAL</u>	<u>CITY'S SHARE</u>
Vote June 16th/32	\$5,000.00	\$5,000.00
" July 14th/32	25,000.00	5,000.00
" Sept. 2nd/32	60,000.00	20,000.00
" Dec. 15th/32	135,000.00	45,000.00
" Apr. 13th/33	111,000.00	37,000.00
" July 13th/33	102,000.00	34,000.00
" Oct. 12th/33	150,000.00	50,000.00
" Jan. 11th/34	150,000.00	50,000.00
" Apr. 12th/34	132,000.00	44,000.00
" Aug. 16th/34	120,000.00	40,000.00
" Oct. 11th/34	150,000.00	50,000.00
	<u>2,140,000.00</u>	<u>380,000.00</u>

November 15th, 1934.

Expenditures to Oct. 31st, 1934	\$922,892.94	\$307,630.98
Add estimates to Nov. 15th, 1934.	<u>18,000.00</u>	<u>6,000.00</u>
	\$940,892.94	\$313,630.98
Balance unexpended of authorized appropriation of which approximately \$132,000.00 is available for expenditure to Jan. 31st, 1935, the difference having lapsed.	\$199,107.06	\$ 66,369.02

Respectfully submitted,

A. M. Butler,
CITY AUDITOR.

November 15th, 1934.

FILED

DEPARTMENTAL APPROPRIATIONS AND EXPENDITURES

Read report of the City Auditor
submitting statement of appropriations and
expenditures for the various departments as at
October 31st, 1934.

FILED

NOTICE OF MOTION RE INDEPENDENT AUDIT

Alderman Gough gives notice that
he will, at the next regular Council meeting, move
the following:-

"Halifax, November 14th, 1934.

WHEREAS, three months has elapsed,
it being the required time before the same resolution
can be introduced respecting an Independent
Audit covering every Department of our Civic
Government;

BE IT THEREFORE RESOLVED, that
this Council go on record in favor of carrying
out a complete and independent audit of every
civic department, covering a period of at least
not less than three years and to cover a further
period, if the Council so sees fit."

November 15th, 1934.

NOTICE OF MOTION RE RETIREMENT OF CITY TREASURER.

Alderman Gough gives notice that he will, at the next regular Council meeting, move the following:-

"Halifax, November 14th, 1934.

WHEREAS, by previous resolution passed by this Council giving the City Treasurer, thirty days to tender his resignation has expired and the resignation has not been submitted;

BE IT RESOLVED that at the next regular meeting of the City Council, I will move that the City Treasurer be advised or notified that after December 31st, 1934, his services will be no longer required."

10.55 P.M.,

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

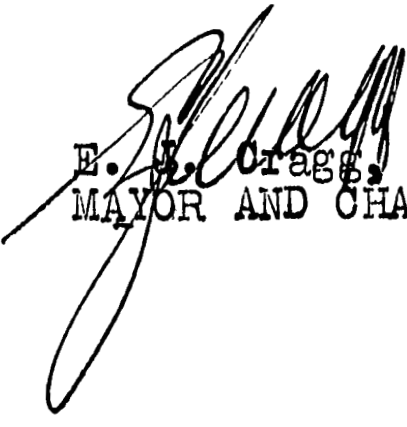
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E. S. Cragg,
MAYOR AND CHAIRMAN.

H. C. Powell,
CITY CLERK.