

Memorandum Re Legislation for Submission to
Provincial Legislature 1936

1. Subsection (1) of Section 8 is amended by striking out the word "two" in the second line thereof and substituting therefor the word "three".

2. Notwithstanding that in the estimates for the civic year 1936-1937, the sum of two thousand dollars was included to provide for the salary to be paid to the Mayor, the City may pay to the Mayor during the civic year 1936-1937 a salary not exceeding three thousand dollars, and any money required to supplement the amount provided by the estimates in order to pay the said salary of three thousand dollars may be borrowed from any bank or fund available and with the interest thereon included in the estimates for the civic year 1937-1938.

(Explanatory Note: Sections 1 and 2 are necessary in order to provide for the increase in the Mayor's salary from \$2,000.00 to \$3,000.00. Section 2 provides for the payment of this increased salary during the civic year 1936-1937.

3. Subsection (5) of Section 155 as the said subsection is enacted by Section 7 of Chapter 66 of the Acts of 1933 is repealed and the following substituted therefor:

(5) There shall be paid to him annually such salary as the Council from time to time determines, in lieu of all costs and fees from the City, and in all actions in which the City is successful, and in which he acts on behalf of the City, he shall be entitled to tax costs on behalf of the City against the adverse party therein, and such costs shall include counsel fees and solicitor's fees, and such costs when taxed shall be paid to the City and shall form part of the general revenue thereof:

Provided that this enactment shall not apply to any actions now concluded nor to any pending actions.

(Explanatory Note: This section has been suggested by the Laws & Privileges Committee and is for the purpose of providing that the costs earned by the City Solicitor in actions in which the City is successful, instead of being retained by the City Solicitor as part of his remuneration, shall be paid to the City and shall constitute part of the General Revenue of the City.)

4. Subsection (1) of Section 310 is amended by striking out the seventh paragraph thereof (being the last paragraph on Page 101 of the City Charter, 1931), providing for the payment of a sum not exceeding five hundred dollars to the Society for the Prevention of Cruelty, as the same is now enacted, and substituting therefor the following:

"A sum not exceeding fifteen hundred dollars for the Society for the Prevention of Cruelty, for the purposes of that Society within the City and to enable the Society within the City to carry on the work of impounding stray animals and disposing of the same."

5. The City may, in addition to the sum of \$450.00 included in the estimates for the civic year 1936-1937 to be paid to the Society for the Prevention of Cruelty, pay to the said Society during the civic year 1936-1937 a further sum of One Thousand and Fifty Dollars (\$1050.00) for the purpose of enabling the said Society within the City to carry on the work of impounding stray animals and disposing of the same, and such sum may be borrowed from any bank or fund available and with interest thereon included in the estimates for the civic year 1937-1938.

(Explanatory Note: These sections are recommended by the Finance Committee and are for the purpose of providing for an increase in the amount to be paid to the Society for the Prevention of Cruelty in consideration of that Society carrying on its present work and impounding stray animals and disposing of the same. Section 5 is necessary in order that the increased amount can be paid to the Society during the civic year 1936-1937.)

6. Section 361, as the same is enacted by Section 27 of Chapter 48 of the Acts of 1935 is repealed and the following substituted therefor:

361. (1) Each of the companies, firms or individuals enumerated in this section, and doing business in the City, shall, in addition to any real property tax or business tax payable in respect to any real property owned or occupied by it, pay to the City yearly a special tax of the amount specified in this section in respect to each such description of company, firm or individual.

(2) The taxes payable by companies, firms or individuals under this section shall respectively be the following:

- (a) Every telegraph company (other than a cable company) having an office in the City \$300.00
- (b) Every telegraph cable company having an office in the City, except the Bermuda Cable Company 100.00
- (c) The Bermuda Cable Company. 50.00
- (d) Every express company having an office in the City, and not having its head office in the Province of Nova Scotia. 200.00
- (e) Every express company having an office in the City, and having its head office in the Province of Nova Scotia 100.00
- (f) Every mercantile agency. 100.00
- (g) Every telephone company. 1000.00
- (h) Every building and loan company, every deposit and loan company, or loan and/or finance company which takes as its security for advances made, a lien upon real or personal property, every acceptance company and every trust company 200.00

(i) Every loan and/or finance company not included in the preceding clause	\$500.00
(j) Every life insurance company.	200.00
(k) Every fire insurance company.	200.00
(l) Every marine insurance company.	200.00
(m) Every company carrying on any branches of insurance business not hereinbefore mentioned (inclusive of all such branches	50.00
(n) Every person doing business as an insurance broker, other than a broker for an insurance company doing business in the City and paying a special tax as such	100.00
(o) Every real estate agent not otherwise taxed to the amount of \$25.00	25.00
(p) Every steamship company not otherwise assessed in an amount sufficient to produce \$100.00	100.00

(3) If any insurance company does business in more than one of the four branches of insurance set out in Clauses (j), (k), (l) and (m) of Subsection (2) hereof, it shall pay a tax for each such branch at the rate hereinbefore mentioned for the same.

(4) Any life insurance company which is engaged in winding up its business in the City and is issuing no new policies shall be exempt from special tax, but not from rates in respect to its real property and business tax.

(5) Any underwriting agency, trust company, loan company, or association doing business in the City and issuing policies of insurance shall be deemed a separate company and liable to pay a special tax as such notwithstanding that the policies issued by it are issued in the name of or on behalf of any company which is itself liable for a special tax.

(6) Every insurance company, doing business in the City and which issues or purports to issue its policies through or by any underwriting agency, or purports to issue its policies in such a manner as to induce any person to believe that such policies are issued through or by any underwriting agency, shall be liable to pay and shall pay to the City in respect to each such underwriting agency or purported underwriting agency, so used or purported to be used by such company, a tax at the rate hereinbefore mentioned, in the same manner as if such underwriting agency or purported underwriting agency had in fact issued such policies itself, notwithstanding that the said insurance company is itself liable for a special tax in respect to such branch of insurance.

(7) The agent of every company carrying on the business of life insurance, fire insurance, marine insurance, accident insurance, plate glass insurance, automobile insurance, burglary insurance or any other insurance or of a guarantee company shall, prior to the 15th day of December in every year, file with the assessor a return, under oath, upon a form to be supplied by the City, and obtainable by such agent from the assessor, showing the names of the companies for which he is agent and any other information which the assessor may require. Every person who fails to comply with the provisions of this subsection, shall for every such offence, be liable upon summary conviction, to a penalty not exceeding fifty dollars and in default to imprisonment for a period not exceeding sixty days.

(8) Notwithstanding that the assessor has assessed in respect to the civic year 1936-1937 the special tax against companies insuring automobiles, as provided by Clause (1) of Subsection (2) of Section 361 of the Halifax City Charter

(1931) as the same is enacted by Section 27 of Chapter 48 of the Acts of 1935, hereby repealed, the assessor may, at any time prior to the expiration of the civic year 1936-1937, cancel the said assessments, and, notwithstanding that the time for making the general assessment for the civic year 1936-1937 has elapsed, may, before the expiration of the said civic year, assess the special tax provided by Clause (m) of Subsection (2) hereof, against any company liable to be assessed therefor for the said civic year 1936-1937, and such assessment when made, shall have the same force and effect as if the said Clause (m) of Subsection (2) hereof had been enacted and in force prior to the 31st day of December, A.D., 1935, and all of the provisions of the Charter respecting notices of assessments and appeals from assessments applicable to such special taxes shall apply to such assessment when made.

(9) Except as hereinbefore provided in the next preceding subsection the repeal of Section 361 of the Halifax City Charter (1931), as the same is enacted by Section 27 of Chapter 48 of the Acts of 1935, by this section shall not affect any assessments made under the said section prior to the repeal thereof, and such assessments, so made, shall have the same effect as if the said section had not been repealed.

(Explanatory Note: This re-enactment of Section 361 of the Charter is necessary for the following reasons: The increase in the special tax on companies making what are known as "domestic loans", that is, small loans to persons, security for which is obtained by endorsements of other persons. The amount of this tax, which is found in Clause (i) of Subsection (2) is \$500.00. Another change made in this section is the dropping of a special tax of \$50.00 which was imposed last year on companies insuring automobiles. It has been felt that these companies, carrying on solely automobile business, should not be taxed to this extent as a special tax, and they will, therefore, in the future come under Clause (m).

Another new section is Subsection (6). It was found that fire insurance companies in addition to carrying on business through one general agent desired to have a portion of their business written through another general agent, and in order to bring this about evolved a scheme of having it appear that the policies were issued through an underwriting agency, although in fact there was never any legal entity bearing the name of such underwriting agency. It is felt, therefore, that since such insurance companies are really carrying on business in effect as an insurance company and an underwriting agency, that the provisions of the Charter should provide that the company should pay a tax for itself and also for the underwriting agency or purported underwriting agency. Subsection (8) is necessary to cancel the assessment on automobile insurance companies.)

7. The Charter is amended by adding thereto, immediately following Section 361, the following section:

361 A. Any company, firm or individual enumerated or described in Section 361, commencing to do business in the City after the beginning of any civic year, and in respect to which business such company, firm or individual would be liable to a special tax under the provisions of said Section 361, shall pay, in respect to such civic year, a proportionate part of such special tax, the amount of which shall be proportionate to the period of the civic year unexpired at the time of such commencement to do business, but shall not in any case be less than twenty-five per cent of the full amount of such annual tax, and such part of such tax may be collected as part of the rates and taxes for the civic year then current.

(Explanatory Note: This section, 361 A., is provided to enable the City to charge a portion of a special tax against a company commencing business after the commencement of any civic year and in proportion to the unexpired part of the civic year in which it commenced business. A minimum proportion, however, of 25% has been fixed.)

8. Section (1) of Section 367 is repealed and the following substituted therefor:

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

(Explanatory Note: This section is necessary in order to clarify Subsection (1) of Section 361. It was felt that some question might arise as to the meaning of this section. It is recommended by the Finance Committee.)

9. (1) Section 440 is amended by striking out the words "for the year then current" in the fifth line thereof.

(2) Section 440 is further amended by striking out the word "tax" where it occurs in the 7th and 8th lines thereof and substituting therefor the word "taxes".

(Explanatory Note: This section is necessary in order to clarify Section 440, due to the fact that the City's lien has been extended. Its real purpose is that of clarification.)

10. Clause (c) of Subsection (3) of Section 495 is amended by adding thereto the following:

Provided however that if any such person, to whom the foregoing exemption would apply, carries on any of the businesses enumerated in Subsection (1) hereof and uses in such business more than one vehicle of any description, such person shall, before using any such vehicles, obtain a license for each of such vehicles exceeding one.

(Memo: It is suggested that the \$35.00 exemption should be raised to \$50.00)

(Explanatory Note: Under Clause (c) of Subsection (3) of Section 495 persons assessed for business tax of not less than \$35.00 annually are exempt from the liability to obtain a pedlar's license. This exemption has been, according to the License Inspector, considerably overdone, in that there are cases of one person carrying on a small business and paying \$35.00 a year business tax, juggling with some 12 or

15 teams. It was felt by the Laws & Privileges Committee that such persons paying a business tax of \$35.00 should have the privilege of operating one team, but should pay the regular pedlar's license for any teams used by him exceeding one.

It is also suggested that the \$35.00 exemption should be increased to \$50.00.)

11. Section 656 is amended by adding thereto the following:

"Provided however, that before any permission is given by the Committee to any person to use the Common, or any part thereof, for any carnival, show, circus, fair, or any similar purpose, the approval of the Council therefor must first be obtained."

(Explanatory Note: This section was approved by the City Council, January 16th, 1936, and is intended to increase the control of the Council over the granting of permission to use the Common for certain purposes.)

12. Clause (e) of Section 589 is repealed and the following substituted therefor:

(e) the removal of snow and ice by the owners or occupiers of properties, and the measures to be taken by such owners or occupiers for the abatement of dangerous conditions arising from the presence of snow and ice.

(Explanatory Note: This section is recommended by the Committee on Works and is intended to provide authority to the City to prescribe what measures should be taken by owners or occupiers of property to prevent sidewalks being dangerous from the presence of snow and ice.)

13. (1) Subsection (1) of Section 597 is amended by striking out the words "towards the cost of" in the fifth and sixth lines thereof and substituting therefor the words "in respect to the".

(2) Subsection (2) of said Section 597 is repealed and the following substituted therefor.

(2) In the event of the said payment of two dollars and fifty cents, as provided for in the preceding subsection

not being sufficient to defray the entire cost of the construction of such sewer, any balance of such cost remaining shall be paid by the City.

(Explanatory Note: This section is recommended by the Committee on Works and provides that owners of properties abutting on any street in which a sewer is laid shall pay \$2.50 a foot frontage, regardless of the cost of the sewer. In the succeeding section of the Charter the Committee was advised by the City Solicitor that if the proportionate cost of the sewer did not amount to \$2.50 per foot that the amount that the abutter would have to pay would not exceed the actual cost of the sewer.)

14. Section 712 as the same is enacted by Section 42 of Chapter 48 of the Acts of 1935, is amended by adding thereto the following subsections:

(6) After the completion of any extension of the water supply or any part of such extension, the engineer shall prepare a list of the owners of real property on both sides of the street, which front on such extension or part thereof with the frontage of each property and the amount due in respect to each property and shall file such list in his office.

(7) Upon such list being so completed and filed, the same shall in any action or proceeding be conclusive evidence of the liability of every person therein named in respect to each property of which he is stated to be the owner for the amount stated in respect to each such property.

(8) Any such list may be amended from time to time by the engineer, and any such amendment shall, in like manner, be conclusive evidence of the facts therein stated.

(9) The engineer shall furnish the Clerk of Works and the Assessor with copies of every such list, or amendment thereto, with the date of filing of the same in the office of the engineer endorsed thereon.

(10) The amount for which any person is liable in respect to any property shall, from the date of the filing of such list, constitute and be a lien upon such property.

(11) Upon the filing of such list, the Clerk of Works shall forthwith send by prepaid letter, mailed to the owner of the real property concerned or the duly authorized agent of such owner, a statement of the amount due in respect to such real property, and shall cause an entry to be made upon the ledger, kept by him for that purpose, stating the date of such mailing, which entry when made shall be conclusive evidence of the date of the sending of such statement as hereinbefore provided.

(12) Such amount shall be divided into five equal instalments, the first of which shall be paid to the City Collector within thirty days after the date of the sending of such statement, as hereinbefore provided, and the remaining instalments shall be paid respectively in one, two, three and four years from the date of the mailing of such statement.

(13) Such amount shall bear interest at the rate of six per centum per annum from the date of the filing of such list and the payment of any such instalment shall be accompanied by payment of the interest which has accrued upon the amount unpaid at the date of the payment of such instalment.

(14) Nothing in this section contained shall be construed to prevent any person from paying in one payment, the whole of such amount so due together with all the interest due thereon, in respect to any real property.

(15) The Clerk of Works shall apply any payment made, first, to the payment of the interest which has accrued upon the

amount unpaid and then apply any balance of such payment to the reduction of any instalment which is unpaid.

(16) If the first or any subsequent instalment is not paid upon the date fixed for the payment thereof, the Clerk of Works may send by prepaid registered letter mailed to the owner of the real property concerned or the duly authorized agent of such owner, addressed to his last known address, a notice stating that such instalment has not been paid, and shall cause an entry to be made upon the ledger, kept by him for that purpose, stating the date of such mailing, which entry when made shall be prima facie evidence of the date of the sending of such notice as hereinbefore provided.

(17) If the unpaid overdue instalment or instalments are not paid within thirty days from the date of the mailing of the notice provided in the next preceding section, a default shall be deemed to have occurred and all unpaid instalments whether or not the same are due shall immediately become due and payable and the payment in a single sum of the total of all the instalments then remaining to be paid with interest thereon may be enforced in the same manner as rates and taxes, and the same may also be collected by action in the name of the City.

(18) No instalment shall be deemed to have been paid, within the meaning of this section, unless the whole interest due, at the date when such instalment became due, in respect to the unpaid amount, has been paid.

(Explanatory Note: Section 712 is provided to carry out the amendment obtained last year which changed the basis of assessing the cost of laying water mains and placed it upon the same basis as the charge for laying sewers, namely, on a per foot frontage basis. The legislation being sought this year deals with the method of collecting the amounts so set up.)

15. Subsection (10) of Section 815 is repealed and the following substituted therefor:

(10) A building within the said district may be erected, enlarged, altered or used by a milk dealer, for the purpose of his trade, provided -

(a) that such building, or the land upon which the same stands, or is to be erected, has been used for the purposes of the business of a milk dealer previous to and continuously since the 23rd day of April 1915 up to the date of such erection, enlargement, alteration or use.

(b) that such dealer comply with the regulations of the Halifax City Health Board;

(c) that in the case of any building erected, enlarged or altered since the 23rd day of April, 1915, permission for such erection, enlargement or alteration has been duly obtained from the Board of Control or Committee on Works, and

(d) that no cow is stabled in such building.

(Explanatory Note: This section was approved by the City Council and was made necessary by the reason that the Subsection (10) of Section 815 as at present in force seems to provide that the privilege of carrying on a milk business in a residential district is applicable only to the person who is actually carrying on the business. It was felt by the City Council that this privilege should go with the property so that the purchaser could if he wished carry on the milk business in the residential district.)

16. (1) The lien on the personal property of any person for real property tax or for business tax for the civic year 1935-1936, conferred by Section 438 of the Halifax City Charter is hereby extended from the expiry of that year up to and including the first day of November, 1936.

(2) The Governor-in-Council may, at the request of the City, made prior to the 21st day of September, 1936, and filed with

the Clerk of the Executive Council, prior to the 21st day of September, 1936, extend the said lien for real property tax or business tax beyond the 1st day of November, 1936, until such time as the City requests.

(3) This section shall be read and construed and shall be given effect to as if it had been enacted on the 29th day of April, A. D., 1936.

17. (1) Notwithstanding the provisions of Section 437, the lien of the City upon real property for rates and taxes assessed for the civic year 1933-1934 is hereby extended from the expiry of the said lien up to and including the first day of November, 1936.

(2) The Governor-in-Council may at the request of the City, made prior to the 21st day of September, 1936, extend the said lien upon real property for the civic year 1933-1934 beyond the 1st day of November 1936, until such time as the City requests.

(3) This section shall be read and construed and shall be given effect to as if it had been enacted on, from and after and not before the 29th day of April, A. D., 1936.

(Explanatory Note: These sections are made necessary due to the decision of the City Council to extend the liens for certain taxes as in previous years.)

18. (1) The resolution of the Council passed on the 28th day of February, A. D., 1936, requiring certain employees of the City to contribute to the City ten per cent (10%) of the salaries, wages or commissions received from the City for the purposes of the general revenue of the City during the civic year 1936-1937, 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 (10%) from the salaries, wages or Commission of all such employees and retain the said sum for

the purposes of the general revenue of the City: provided however, that nothing herein contained shall be deemed to reduce the amount of supreannuation to which any such employee would have been entitled if such ten per cent (10%) contribution had not been required to be made.

(2) Any surplus received in excess of the amount estimated to be received from the deductions as hereinbefore provided, in any year, shall be carried forward and placed in an account for the purpose of applying such surplus to the estimates of any ensuing civic year.

(Explanatory Note: This section is necessary in order to provide for the 10% reduction in salaries of City employees during the civic year 1936-1937.)

19. The City may pay to Mary Lyons, retired matron of the Tuberculosis Hospital, during the civic year 1936-1937, the sum of Three Hundred Dollars (\$300.00) in monthly payments of Twenty-five Dollars (\$25.00) provided however, that such payments shall cease in the event of the death of the said Mary Lyons during the said civic year 1936-1937. Any sums required for the said payments may be borrowed from any bank or fund available and with the interest thereon included in the estimates for the civic year 1937-1938.

(Council February 13th, 1936)

(Explanatory Note: This section is prepared in accordance with the directions of the City Council of February 13th, 1936, and is to provide Miss Mary Lyons, retired matron of the Tuberculosis Hospital with an allowance during the civic year 1936-1937, terminable in the event of her death during that year.)

20. The City shall pay to Alderman William J. O'Toole the disbursements made and incurred by him in defending the action brought against him by Sophia McClusky, and the appeal

therein, and any money required for such purpose may be borrowed from any bank or fund available and with the interest thereon included in the estimates for the civic year 1937-1938.

Upon such payment being made the said William J. O'Toole shall assign to the City of Halifax all his interest in the Judgment entered in his favour against the said Sophia McClusky.

(Explanatory Note: This section is submitted by the Laws & Privileges Committee and is to enable the City to pay the disbursements incurred by Alderman O'Toole in the slander action brought against him by Mrs. Sophia McClusky and which was decided in favor of Alderman O'Toole, but the disbursements made on behalf of Alderman O'Toole are apparently uncollectible at the present time.)

21. The City may borrow the sums set out in the first 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.

First Schedule.

Five Year Borrowing.

For the purchase of a motor-driven ladder-truck chassis, a sum not exceeding	\$4000.00
For the cost of equipping said motor-driven ladder-truck chassis, a sum not exceeding	500.00
For the Purchase and installation of a mechanized ledger system in the City Collector's office a sum not exceeding	15,000.00

(Explanatory Note: This section consists of five year borrowing, the first of which, namely, the ladder truck and equipment thereto, was approved by the City Council on February 13th, 1936. The second portion, namely, the mechanized ledger system for the Collector's office is recommended by the Finance Committee.

I would be very pleased to give any information in my power to explain any of these sections, which will be considered at the Council meeting on Thursday next.

Please bring these with you to the Council meeting as copies are limited.

Yours very truly,

C. P. Bethune

CITY SOLICITOR.

March 12th, 1936.

Moved by Alderman Mitchell, seconded by Alderman McManus that the legislation as submitted be approved.

Section 361, Sub-Sec. G.
"Company Taxes".

Moved in amendment by Alderman Walker, seconded by Alderman Gough that the tax on Telephone Companies be increased from \$1,000.00 to \$8,000.00. Amendment put and lost.

Section 495, Clause C.
of Sub-sec. 3.
"Pedlar's License".

Moved in amendment by Alderman MacDonald, seconded by Alderman McManus that the exemption fee in this section be increased from \$35.00 to \$50.00. Amendment passed.

Moved by Alderman Mitchell, seconded by Alderman McManus that the legislation as amended be now approved. Motion passed.

SUPPLEMENT TO DRAFT LEGISLATION

Read supplementary items to legislation as follows:-

4. Notwithstanding any provisions in the Halifax City Charter or in any other enactment, the City of Halifax, may during the civic year 1935-36, expend money for the purposes of the City Prison, and may enter into contracts involving the making of expenditures for the said purposes, in excess of the amount to the credit of the appropriation provided for the purposes of the City Prison, provided that the total amount of such excess expenditures and contracts shall not exceed Two Thousand Two Hundred Dollars (\$2,200.00) and any sums required to pay such excess expenditures may be borrowed from any bank or fund available and with the interest thereon, included in the estimates for the civic year 1937-38.

March 12th, 1936.

5. Notwithstanding that the Estimates of the Board of School Commissioners for the civic year 1936-1937, were approved by the City Council at such an amount which continued the contribution to the City for the purposes of the City heretofore, made by the teachers in the employ of the said Board, but at the rate of 5% of the salaries received by such teachers instead of 10% as heretofore, and which continued the contributions made by all other employees of the said Board at the rate of 10% of the salaries received as heretofore, the amount to which the recipients of such salaries would be entitled to receive from any superannuation fund shall not be affected thereby, but the amount of such superannuation shall be computed as if the salary received by such recipients had included the said amount of the contribution and such amount had in fact been received by such recipients and by them contributed to the City for the purposes of the City for the civic year 1936-1937.

6. Section 686 is amended by adding thereto the following sub-section:

(2) In addition to the items set out in the foregoing sub-section, the said estimates shall also include the sum of Twenty-five Thousand Dollars (\$25,000.00) to be retained by the City and to form part of the general revenue of the City, as compensation to the City for the privilege of using the streets of the City for the placing of the water-mains, service-pipes and hydrants therein, and for the benefits received by the consumers of water, due to the existence of such water supply.

Moved by Alderman Mitchell, seconded by Alderman McManus that the supplementary items as submitted be approved. Motion passed.

Alderman Gough wishing to be recorded against the legislation relating to the School Board estimates.

SEPT'S REPORT RE INMATES IN THE CITY HOME FOR THE MONTH OF FEBRUARY, 1936.

Read report of the Charities Committee for the month of February 1936 showing the number of inmates in the City Home to be 452.
FILED

March 12th, 1936.

DIRECT RELIEF EXPENDITURES

Read report of the City Auditor covering direct relief expenditures as at March 12th, 1936.

REPORT ON DIRECT RELIEF EXPENDITURES
(Estimated)

Feb. 13th - March 12th, 1936.

<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
" Jan. 17th/35	125,000.00	41,666.66
" Apr. 11th/35	125,000.00	41,666.66
" Aug. 15th/35	100,000.00	33,333.33
" Oct. 16th/35	100,000.00	33,333.33
" Jan. 16th/36	110,000.00	36,666.66
	<u>\$1,700,000.00</u>	<u>\$566,666.64</u>

Expenditures to Feb. 29th, 1936. \$1,483,453.74 \$494,484.58

Add estimates to March 12th, 1936 12,000.00 4,000.00
1,495,453.74 498,484.58

Balance unexpended of authorized appropriations of which approximately \$66,000.00 is available for expenditure to April 30th, 1936, the difference having lapsed. \$204,546.26 \$68,182.06

Respectfully submitted,

A. M. Butler,
CITY AUDITOR.

March 12th, 1936.
FILED

TAX COLLECTIONS FOR THE MONTH OF FEBRUARY 1936.

Read report of the City Auditor covering tax collections for the month of February 1936.

March 12th, 1936.

City Auditor's Office,
February 28th, 1936.

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

Gentlemen:-

Report on Tax Collections for the month of February is submitted. Collections amounted to \$72,611.98; corresponding period last year \$67,339.37. Collections of Poll Taxes in 1935-36 off current and arrears to February 28th amounted to \$20,598.00; corresponding period last year \$22,132.00.

Arrears Taxes

Civic Year	Reserve	Outstanding Balances January	New accounts and adjustments	February Collections	Outstanding Balances February.
1925-26	\$64,673.71*	\$64,434.74		\$2.00	\$64,432.74
1926-27	39,748.97*	40,829.10		27.00	40,802.10
1927-28	39,676.87*	39,213.91		47.81	39,166.10
1928-29	44,024.02*	43,193.51		50.10	43,143.41
1929-30	46,184.38*	45,119.87		81.18	45,038.69
1930-31	52,466.30*	49,967.96		219.75	49,748.21
1931-32	45,038.11*	40,822.46		520.54	40,301.92
1932-33	49,273.60*	75,441.16		5,426.02	70,015.14
1933-34	55,297.70	206,289.49		13,826.73	192,462.76
1934-35	50,732.23	368,322.19		16,161.40	352,160.79
		973,634.39		36,362.53	937,271.86

Current Taxes 1935-36	51,687.80	646,538.68	28,664.66	617,874.02
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Water Dept. Rates, etc.		65,563.30	7,584.79	57,978.51
		<u>1,685,736.37</u>	<u>72,611.98</u>	<u>1,613,124.39</u>

Poll Taxes 1932-33	\$670.31	\$80.00	\$590.31
Poll Taxes 1933-34	3,637.29	94.50	3,542.79
Poll Taxes 1934-35	5,438.14	274.00	5,164.14
Poll Taxes 1935-36	13,032.60	1,563.30	11,469.10

* 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

March 12th, 1936.

Moved by Alderman Mitchell,
seconded by Alderman Mollanus that this meeting adjourn
until Tuesday, March 17th at 5 P.M. to consider
the items which have been referred to the Finance
Committee.

Moved in amendment by Alderman
Gough, seconded by Alderman Walker that this meeting
adjourn until Tuesday, March 17th at 8 P.M.
Amendment lost.

Motion passed.

11.20 P.M.

Meeting adjourned until Tuesday,
March 17th at 5 P.M.

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March 12th, 1936.

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W. P. Publicover

W. P. Publicover,
CITY CLERK.

E. J. Crage
E. J. Crage,
MAYOR AND CHAIRMAN.

AFTERNOON SESSION

ADJOURNED MEETING.

5.10 o'clock,
Council Chamber,
City Hall,
March 17th, 1936,

An adjourned meeting of the City Council was held this afternoon. At the above named hour there were present the Deputy Mayor, Chairman; and Aldermen Gates, Mitchell, Donovan, McManus, Freda, McCarthy, MacDonald, Gough, Smeltzer and Walker.

INCINERATOR BORROWING, \$25,000.00

Council
Moved by Alderman Gates, seconded by Alderman Smeltzer that as this item requires a two-thirds vote of Council, and there not being the required number present, Council meet again on Monday, March 23rd at 8 p.m. Motion passed.

AUTHORITY TO BORROW \$10,000.00 FOR WORKS DEPT.
TO BE REPLACED WITH AUTHORITY TO BORROW
\$20,000.00.

*Engineer
Clerk of Works*
Read report of the Finance Committee recommending that legislation be obtained to borrow the sum of \$20,000.00 for the Works Department.

Committee Room, City Hall,
March 16th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Finance Committee held this day, the attached extract from a meeting of the City Council held on March 12th, 1936, regarding legislation to borrow the sum of \$20,000.00 for the purchase of equipment for the removal of snow, wastes or other Works Department purposes was under consideration.

March 17th, 1936.

Your committee recommends that legislation be obtained to borrow the sum of \$20,000.00 for the purpose of purchasing one or more of the following, tractors, trucks, snow ploughs or graders.

Alderman Mitchell wishing to be recorded against.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

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

Alderman Mitchell wishing to be recorded against.

5.20 P.M.,
Alderman Hendry arrives and takes his seat in Council.

AMENDMENT TO SECTION 331 OF THE CITY CHARTER

Read report of the Finance Committee re amendment to Section 331 of the City Charter.

Committee Room, City Hall,
March 16th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Finance Committee held this day, the City Auditor brought to the attention of the committee Section 331 of the City Charter which requires that any application for legislation to authorize a loan repayable in more than five years shall be supported by a two-thirds vote of all the members of Council. The Auditor suggested as a means for the better control over capital expenditures that it should also be necessary to have a two-thirds vote of the Council when the actual expenditure comes before Council for approval.

The committee concurred in the suggestion of the City Auditor and requested the City Solicitor to prepare the necessary amendment.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

March 17th, 1936.

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

Alderman Gough wishing to be recorded against.

LEGISLATION

The City Solicitor submitted the following legislation.

\$20,000.00 Borrowing
for Works Dept.

The City may borrow a sum not exceeding Twenty Thousand Dollars (\$20,000.00) and expend the same for the purchase of tractors, trucks, snowplows, graders or any or all of the said equipment, to be used by the Works Department of the City and such equipment may be purchased from time to time and the borrowings therefor made from time to time, but the aggregate amount of such borrowings for such purposes shall not exceed the said sum of Twenty Thousand Dollars (\$20,000.00) and the sums so borrowed shall be repaid with interest in such number of annual instalments not exceeding five such instalments, as shall be determined by the Council at the time when the said sums are borrowed, 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 such instalment with interest to be included in the estimates for the year in which the sum is payable.

Moved by Alderman McManus, seconded by Alderman Donovan that the legislation as submitted by the City Solicitor covering \$20,000.00 borrowing for the Works Department be approved. Motion passed.

Alderman Mitchell wishing to be recorded against.

March 17th, 1936.

Amendment to Sec.
331 of the Charter.

(1) No resolution of the Council, authorizing the expenditure of any money, which the City is authorized to expend by any Act of the Legislature, and which Act authorizes the City to borrow such money and requires such money so borrowed to be repaid in more than five years from the date of such borrowing, or fails to prescribe any time for repayment of the same, shall be passed except by a two-thirds vote of all the members of the Council, with the names of the members, voting for and against the resolution, recorded, and approved by the Mayor, or if he disapproves of such resolution, by a second such vote, after notice of such disapproval in writing has been filed with the City Clerk.

(2) Any such notice of disapproval shall be given by the Mayor in writing within one week after the resolution has been passed, and if he fails to give such notice within the time so limited he shall be deemed to have approved of the resolution.

Moved by Alderman Mitchell, seconded by Alderman McManus that the legislation as submitted by the City Solicitor covering amendment to Section 331 of the City Charter be approved. Motion passed.

Alderman Gough wishing to be recorded against.

5.40 P.M.

Meeting adjourned until Monday,
March 23rd at 8 P.M.

H. J. Stech,
DEPUTY MAYOR.

W. P. Publicover
W. P. Publicover,
CITY CLERK.

EVENING SESSION
ADJOURNED MEETING.

8.05 o'clock,
Council Chamber,
City Hall,
March 23rd, 1936.

An adjourned meeting of the City Council was held this evening. At the above named hour there were present the Deputy Mayor, Chairman; and Aldermen Gates, Mitchell, Donovan, Burgess, McManus, McCarthy, Hendry, McDonald, MacDonald, O'Toole, Curtis, Power, Smeltzer and Walker.

INCINERATOR BORROWING - \$25,000.00

Read report of the Finance Committee recommending that legislation be not obtained to borrow a sum of \$25,000.00 for the purpose of increasing the capacity of the Incinerator.

Committee Room, City Hall,
March 16th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Finance Committee held this day, consideration was given to the attached extract from a meeting of the City Council held on March 12th, 1936, regarding legislation to borrow a sum of \$25,000.00 to increase the capacity of the incinerator.

The recommendation of your committee is that this legislation be not obtained.

Aldermen Donovan and O'Toole dissenting.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

Moved by Alderman Mitchell, seconded by Alderman McCarthy that the report of the Finance Committee be adopted.

March 23rd, 1936.

During the discussion which followed the Deputy Mayor, on receiving a call to the committee room, requested Alderman Gates to assume the Mayor's chair until he returned.

Alderman Gates then assumed the chair for a few minutes.

Upon the Deputy Mayor returning to the chair, the motion was put and passed, 10 voting for the same and 4 against it as follows:-

FOR THE MOTION

Aldermen Burgess
Curtis
Hendry
MacDonald
McCarthy
McDonald
McManus
Mitchell
Smeltzer
Walker

-10-

AGAINST IT

Aldermen Donovan
Gates
O'Toole
Power

-4-

CANVASSING FOR ADVERTISEMENTS FOR PUBLICATION

The City Solicitor submitted a proposed amendment to be added to Section 510 of the City Charter.

- 510B. (1) Except as is herein otherwise provided, no person shall in the City of Halifax carry on the business of canvassing for advertisements for any publication, bulletin, program, book-cover or menu card which is published or which is to be published in the City of Halifax, unless such person has obtained a license therefor.
- (2) The Council may by ordinance regulate the business of canvassing for advertisements for publication, bulletins, programs, book-covers or menu cards, and for the several types of publications enumerated in Subsection (4) hereof, and may prescribe the kinds of licenses, the amount

March 23rd, 1936.

of the fees payable for the same, and the classes of persons who shall be required to obtain the same, and may define the meaning of "canvassing" and make such other regulations as it shall consider necessary to carry out the provisions of this section.

- (3) Every person who contravenes or fails to comply with the provisions of this section, shall for every offence be liable to a penalty of not exceeding \$50.00 and in default of payment to imprisonment for a period not exceeding thirty days.
- (4) Nothing in this section shall apply to any person who canvasses for advertisements for or on behalf of any daily, weekly or monthly newspaper, or other news publication, news periodical or magazine published in the City of Halifax, or to any person who has been assessed for a business tax, for the civic year then current in respect to the business of printing, publishing or advertising or to any duly accredited employee or agent of such persons.
- (5) Subsection (1) hereof shall come into force and effect immediately upon the coming into effect of the ordinance enacted pursuant to Subsection (2) hereof.

Moved by Alderman Mitchell, seconded by Alderman McManus that the legislation as submitted by the City Solicitor be approved. Motion passed.

INTEREST ON COLLECTIONS

The following amendment to be added to Section 425 was submitted.

- 425A. (1) In addition to all other methods or remedies given to the City for enforcing the payment of interest on any moneys due to it, the City may enforce the payment of such interest by the same methods and with the same remedies as in the case of rates and taxes.
- (2) This section shall be read and construed and given effect as if it had been enacted on the 31st day of March, A.D. 1928.

Moved by Alderman Mitchell, seconded by Alderman McManus that the amendment to Section 425 as submitted be approved. Motion passed.

March 23rd, 1936.

SECTION 815 OF THE CITY CHARTER RE
"RESIDENTIAL DISTRICT"

Milk Dealers

The City Solicitor submitted a proposed amendment to Section 815 Clause (a) of Sub-section 10 as follows:-

Clause (a) of Subsection (10) of Section 815 is amended by striking out the words "has resided and" in the first line thereof and substituting therefor the words "or his predecessor or predecessors in such business has or have".

Moved by Alderman McManus, seconded by Alderman McCarthy that the proposed amendment as suggested by the City Solicitor be approved.
Motion passed.

Alderman Gates wishing to be recorded against.

SECOND CLERK - CITY ASSESSOR'S DEPARTMENT

of Finance Com.
Alderman Power drew to the attention of Council the fact that, when the estimates were compiled, no provision was made therein to allow Mr. Arthur Gray, who would be promoted to the position of second clerk in the City Assessor's Department, to receive the salary of \$1,200.00 which was paid to his predecessor, Miss Rose Zwerling.

Moved by Alderman Power, seconded by Alderman McManus that the salary of Mr. Arthur Gray, second clerk in the Assessor's Office, be set at \$1,200.00 and that the Finance Committee be instructed to arrange the financing of the difference in salary. Motion passed.

March 23rd, 1936.

9.20 P.M.,

Moved by Alderman Donovan, seconded by
Alderman McManus that this meeting do now adjourn.

Motion passed.

Meeting adjourned.

LIST OF HEADLINES

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H. J. Stech,
DEPUTY MAYOR.

W. P. Publicover

W. P. Publicover,
CITY CLERK.

A F T E R N O O N S E S S I O N

SPECIAL MEETING.

5.05 o'clock,
Council Chamber,
City Hall,
March 30th, 1936,

A meeting of the City Council was held this day. At the above named hour there were present the Deputy Mayor, Chairman; and Aldermen Gates, Burgess, Lordly, McManus, Freda, McCarthy, MacDonald, O'Toole, Smeltzer and Walker.

The meeting was called specially to consider the report of the Finance Committee recommending sale of \$200,000.00 10 year serial debentures.

TENDERS FOR LOAN - \$200,000.00

*Treasurer
Solicitor*
Read report of the Finance Committee submitting tenders for an issue of \$200,000.00 3% serial debentures together with resolutions covering same.

Committee Room, City Hall,
March 26th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Finance Committee held this day, tenders for an issue of \$200,000.00 3% serial debentures dated February 1st, 1936 were considered.

Your committee recommends that the tender of The Dominion Securities Corporation Limited at 100.52%, being the highest, be accepted.

Resolutions for the City Council's adoption are herewith attached.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

March 30th, 1936.

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

WHEREAS on various occasions the Committee appointed by the City of Halifax to administer Direct Relief in the City of Halifax has expended as its share of Direct Relief a sum in excess of \$200,000.00 for the purpose of direct relief in the said City of Halifax.

AND WHEREAS it being desirable to borrow the sum of \$200,000.00, the Committee on Finance called for tenders for the purchase of three percent serial debentures of the City of Halifax, dated February 1st, 1936, repayable in ten years at the times and in the amounts following:-

February 1st, 1937	\$1,000.00
" " 1938	4,000.00
" " 1939	6,000.00
" " 1940	10,000.00
" " 1941	15,000.00
" " 1942	33,000.00
" " 1943	33,000.00
" " 1944	33,000.00
" " 1945	33,000.00
" " 1946	32,000.00
	<u>\$200,000.00</u>

AND WHEREAS in response to the said call for tenders the following were received:

	<u>3%</u>
Dominion Securities Corp.Ltd. and The Bank of Nova Scotia	100.52
Nesbitt, Thomson & Co. Imperial Bank of Canada, and J. C. Mackintosh & Co.	99.03
McTaggart, Hannaford, Birks & Gordon Ltd. & Hanson Bros.	99.65
Royal Securities Corp. Ltd. & Midland Securities Ltd.	98.57
Royal Bank of Canada & Wood, Gundy & Co. & Eastern Securities	97.69
A. E. Ames & Co. Ltd. & T.M. Bell & Co. Ltd.	98.78
McLeod, Young, Weir & Co. & Irving, Brennan & Co. Ltd.	99.12
Cochran, Murray & Co. Ltd; R. A. Daly & Co. } Griffiths, Fairclough & Norworthy Ltd. } Matthews & Co. and Dymont, Anderson & Co. }	99.519
Bell, Goyinlock & Co. Ltd; Mead & Co. Ltd; } N.S. Bond Corp. and Mills, Spence & Co. }	97.57

BE IT THEREFORE RESOLVED that the Mayor and Council of the City of Halifax assembled in special meeting called for the said purpose, do accept the tender of The Dominion Securities Corporation Limited and the Bank of Nova Scotia at the price of 100.52, in accordance with the letter of the Dominion Securities Corporation Limited and the Bank of Nova Scotia dated the 24th day of March A. D. 1936.

March 30th, 1936.

Moved by Alderman McCarthy, seconded by Alderman MacDonald that the resolution as submitted covering the acceptance of the tender of the Dominion Securities Corporation Limited and The Bank of Nova Scotia be adopted. Motion passed.

WHEREAS on various occasions the Committee appointed by the City of Halifax to administer Direct Relief in the City of Halifax has expended as its share, a sum in excess of \$200,000.00 in the furnishing of Direct Relief in the City of Halifax under the provisions of Chapter 7 of the Acts of Nova Scotia 1932.

AND WHEREAS under the provisions of Section 8 of Chapter 7 of the Acts of 1932, the City of Halifax desires to borrow an amount to pay the said share of the City and desires to secure the approval of the Governor-in-Council so to do.

BE IT THEREFORE RESOLVED by the Mayor and Council of the City of Halifax that the City of Halifax do ask the Governor-in-Council for his approval of the borrowing by the City of Halifax of the sum of \$200,000.00 to be secured by the serial debentures of the City of Halifax redeemable as at the times and in the amounts following:-

February 1st, 1937	\$1,000.00
" " 1938	4,000.00
" " 1939	6,000.00
" " 1940	10,000.00
" " 1941	15,000.00
" " 1942	33,000.00
" " 1943	33,000.00
" " 1944	33,000.00
" " 1945	33,000.00
" " 1946	32,000.00
	<u>\$200,000.00</u>

The said debentures to bear a nominal rate of interest of three percent.

Moved by Alderman McCarthy, seconded by Alderman MacDonald that the resolution covering borrowing to repay cost of direct relief be adopted. Motion passed.

March 30th, 1936.

5.20 o'clock,

Moved by Alderman Smeltzer, seconded
by Alderman Mellanus that this meeting do now
adjourn. Motion passed.

Meeting adjourned.

H. J. Stech,
DEPUTY MAYOR.

W. P. Publicover
W. P. Publicover,
CITY CLERK.