

EVENING SESSION

8.05 o'clock,
Council Chamber,
City Hall,
October 15th, 1936.

A meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor, Chairman; and Alderman Gates, Stech, Curran, Freda, McCarthy, Hendry, McDonald, Keshen, O'Toole, Curtis, Power, Gough and Walker.

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 Stech, seconded by Alderman Walker that the minutes of the previous meeting be approved. Motion passed.

CIVIC ELECTION - CASUAL VACANCY, WARD NO. 3

Read return of the City Clerk of the election of Alderman for casual vacancy in Ward No. 3 covering the nominations of Catherine McLean Sullivan and Albert Patrick Calnen.

October 8th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen ;-

Agreeably to the provisions of the Halifax City Charter and acts and amendments thereof in respect to the election of Aldermen of the City of Halifax, I herewith submit the original nomination papers of Catherine McLean Sullivan and Albert Patrick Calnen for the office of Alderman for Ward No. 3 to fill the vacancy caused by the resignation of Alderman J. F. McManus together with the polling books containing the return of the presiding officers at the several polling places in the said ward for the election of alderman held on the 6th day of October 1936. The said returns showing as follows:-

October 15th, 1936.

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

FINAL PAYMENT TO T.M.VAUGHAN FOR UNIFORM SUITS

*Auditor
Chief Churchill.*

Read report of the Committee on Firewards recommending final payment to T. M. Vaughan on his contract for Fire Department uniform suits.

October 9th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Committee of Firewards held this day, the attached account of \$783.50 from T. M. Vaughan was considered. This being the final amount due on contract for Fire Department uniform suits.

Your committee recommends that the account be passed for payment.

Respectfully submitted,

Wm. A. Gates,
CHAIRMAN.

Moved by Alderman Gates, seconded by Alderman Walker that the report be adopted. Motion passed.

SUPERANNUATION - POLICE SERGT. JOHN KELLOCK

*Auditor
Treasurer*

Read report of the Finance Committee together with resolution to provide for the superannuation of Sergt. John Kellock.

Committee Room, City Hall,
October 13th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

The attached letter from the City Treasurer together with resolution respecting the superannuation of Police Sergeant John Kellock was considered at a meeting of the Finance Committee held on the above date.

October 15th, 1936.

Your committee recommends that Police Sergeant John Kellock be superannuated at an annual allowance of \$1,209.12 under the provisions of Section 271 of the City Charter.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

WHEREAS the City requires money for the purpose of meeting the obligation of the City in respect to the superannuation allowance to be paid Constable John Kellock during the balance of the present civic year.

THEREFORE BE IT RESOLVED that an amount of \$705.32 be appropriated for the aforesaid purpose, pursuant to the provisions of the City Charter, and that the said sum be borrowed from any bank or fund available and repaid when placed in the estimates for year 1937-38.

Moved by Alderman Stech, seconded by Alderman McCarthy that the report and resolution as submitted be adopted and Sergt. Kellock superannuated under the provisions of Section 271 of the City Charter. Motion passed.

VACANCY - CITY COLLECTOR'S OFFICE

Read report of the Finance Committee recommending that advertisements be inserted in the newspapers calling for applications to fill the vacancy in the Collector's Department caused by the death of Mr. J. M. Joyce, Sub-Collector.

Committee Room, City Hall,
October 13th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Finance Committee held on the above date, the attached letter from the City Collector reporting a vacancy in his department caused by the death of Mr. John M. Joyce, Sub-Collector was considered.

October 15th, 1936.

Your committee recommends that advertisements be inserted in the newspapers calling for applications to fill the said vacancy.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

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

Alderman Mough wishing to be recorded against.

*Auditor
Treasurer*

SUPERANNUATION CONTRIBUTIONS PAYABLE TO
MRS. ELIZABETH JOYCE

Read report of the Finance Committee and letter of the City Treasurer re superannuation contributions payable to Mrs. Elizabeth Joyce.

Committee Room, City Hall,
October 13th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Finance Committee held on the above date, the attached letter from the City Treasurer respecting the refund of contributions made to the officials superannuation fund by the late Mr. John M. Joyce was considered.

Your committee recommends that the sum of \$964.01 contributed to the superannuation fund by the late Mr. Joyce be paid to his widow, Mrs. Elizabeth Joyce as provided for by Section 150 of the City Charter.

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

October 10th, 1936.

Chairman,
and Members Finance Committee,
Halifax, N. S.

Gentlemen:-

Attached hereto is an application from Mrs. Elizabeth Joyce, widow of the late John M. Joyce, for refund of his contribution to the Officials Superannuation Fund. Mr. Joyce entered the service March 4th, 1920, and his contributions amounted to \$964.01.

October 15th, 1936.

Section 150 of the Halifax City Charter reads as follows:-

"If any official or employee, who has contributed to the fund, dies before being superannuated, leaving a wife or child who is a minor, or who is dependent upon him, such wife or child shall be entitled to receive from the fund in one payment an amount equal to his total contributions, without interest".

May I recommend that the above amount be returned to Mrs. Joyce.

Yours very truly,

George J. Allen,
CITY TREASURER.

Moved by Alderman Stech, seconded by Alderman Gough that report of the Finance Committee and letter of the City Treasurer be adopted. Motion passed.

TAG DAY - N. S. EX-SERVICE MENS PROTECTIVE ASSOCIATION.

Read report from the Laws and Privileges Committee recommending that permission be granted the N. S. Ex-Service Mens Protective Association to hold a tag day on October 24th.

Committee Room, City Hall,
October 13th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Laws and Privileges Committee held on the above date, the attached application from the Nova Scotia Ex Service Mens Protective Association for permission to hold a tag day on Saturday, October 24th was considered.

Your committee recommends that the application be granted.

Respectfully submitted,
H. J. Stech,
CHAIRMAN.

October 15th, 1936.

Read letters from the Secretary of the Poppy Day Committee, and The Canadian Legion of the British Empire Service League objecting to permission being granted the N. S. Ex-Service Mens Protective Association to hold a tag day.

526 Roy Building,
Halifax, N. S.
October 15th, 1936.

His Worship Mayor Cragg,
Halifax, N. S.

Dear Sir:-

From a press report we understand that some new war veterans organizations has applied for permission to hold a tag day on October 24th.

The various branches of the Canadian Legion feel that if permission were granted that this tag day would seriously affect our annual poppy campaign which the Legion has sponsored all over Canada since its inception.

We feel that you and your Council understand and appreciate what the Legion stands for and its efforts to help war veterans and we earnestly ask you to refuse permission for this requested tag day.

Yours very truly,

J. Stuart Roy,
Secty-Poppy Committee.

THE CANADIAN LEGION OF THE BRITISH EMPIRE
SERVICE LEAGUE.

Halifax, Nova Scotia,
October 15th, 1936.

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

Dear Mayor Cragg:-

We beg to forward herewith a letter received by us today from one of the branches of the Canadian Legion, in the City.

October 15th, 1936.

We strongly concur with the statements in the letter and feel that it undoubtedly expresses the views of all the organizations which have for years successfully carried on the Poppy Campaign, and who are making the usual application for this year. "Poppy Day" will be Saturday, November 7th.

The members of the City Council are probably all aware that the proceeds of the Poppy Campaign are wholly used for the benefit of needy ex-service men regardless of their affiliation with any organization. Consequently we feel that at this time the granting of a permit for a tag day would lead to confusion and be detrimental to the object for which we are all striving.

Yours very truly,

L. H. MacKenzie
J. G. Fogo
Zone representatives
Canadian Legion, B.E.S.L.

THE CANADIAN LEGION OF THE BRITISH EMPIRE
SERVICE LEAGUE.

Cornwallis Branch (No.13)
Halifax, Nova Scotia,
October 15th, 1936.

Colonel L. H. MacKenzie, D.S.O,
and Mr. J. G. Fogo,
Zone Representatives Canadian Legion,
Halifax City and County, Nova Scotia.

Gentlemen:-

We noticed in the press of last evening that an application has been made to the City Council for a tag day on Saturday, October 24th, on behalf of the "Nova Scotia Ex-Service Mens Protective Association". The newspaper article states that a strong plea was made for aid to unemployed veterans, members of this association.

The Canadian Legion for several years has, in Halifax, carried on a joint effort of three Halifax branches in the sale of Poppies before Remembrance Day, for the benefit of ex-service men and their families, and it is expected this year, as usual, to hold the annual sale of Poppies on Saturday, November 7th. From the proceeds of Poppy Sales, a joint relief committee representing the three city branches of the legion and consisting only of veterans, has received applications for assistance and attended to them, taking a tremendous amount of time for this work.

October 15th, 1936.

The money has been disbursed for groceries, fuel and clothing to the extent of about \$2,700. per year for the past four years. The records show that by far the greater part of this relief was given to ex-service men who do not belong to any branch of the Canadian Legion.

Should the City grant a tag day between now and November 7th, we wish to have our position stated, so that no confusion will arise in the minds of the public, as this would be detrimental to the best interests of ex-service men and would undoubtedly adversely affect the sale of Poppies.

Will you please bring this matter to the attention of His Worship the Mayor today, as there is a meeting of the Council this evening when the matter is to be dealt with.

Yours very truly,

Cornwallis Branch, Canadian Legion
B.E.S.L.

Moved by Alderman Stech, seconded by Alderman McDonald that the report of the Laws and Privileges Committee be adopted.

Alderman Stech stated that when the committee had made its report it did not have Poppy Day in mind. At that meeting, he said, there were only three members present and it was felt that, as the N. S. Ex-Service Mens Protective Association had been experiencing some hardship, the committee would assist this organization by granting its request.

Alderman Gough remarked that the City Solicitor had ruled, some time ago, that the City Council had no authority to grant tag days.

Alderman McCarthy asked the City Solicitor to give a ruling now on the matter of the Council granting tag days.

October 15th, 1936.

The City Solicitor informed Council that there was no section of the City Charter dealing with the subject, and the only jurisdiction the City had over tag selling was when it was considered an obstruction or an act of begging. Since they had no power in the matter, he said, members of Council would not vote, tag days could be held and there would be no action taken against obstruction or begging when applied to tag selling, unless a number of organizations tried to sell tags on the same day.

His Worship the Mayor stated that there was no necessity for any formal action by the Council on this or any other tag days, and that legislation must be obtained to regulate this matter.

LETTER, THE CANADIAN LEGION OF THE BRITISH
EMPIRE SERVICE LEAGUE RE POPPY DAY

Read letter from The Canadian Legion of the British Empire Service League re annual Poppy Day campaign.

Camp Hill Hospital,
Halifax, N. S.
October 14th, 1936.

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

My dear Mr. Mayor:-

The Canadian Legion and associated Veterans' Bodies are now actively engaged in formulating plans for their annual Poppy Day Campaign. Our joint Committee has already held its first meeting and at which I was instructed to write you requesting that the necessary authority be again given us to sell poppies.

October 15th, 1936.

As you are probably aware it has always been our policy to hold the sale on the Saturday immediately preceding Remembrance Day, consequently our Poppy Day for this year will be Saturday, November 7th, 1936.

I would greatly appreciate your placing this request before the Laws and Privileges Committee at the earliest opportunity so that our plans may proceed.

I am, Thanking you for past favours,

Yours very truly,

H. Collins,
Acting Secretary,
Halifax Poppy Committee.

As this matter had been covered by the ruling of the City Solicitor regarding the holding of tag days, no motion was necessary on the subject.

SECTION 119 OF THE CITY CHARTER

Council
Read report of the Laws and Privileges Committee recommending that legislation be obtained to amend Section 119, Sub-section 2 of the City Charter in order that the present two-thirds vote of Council which is required to dismiss certain civic officials be changed to read a majority vote of Council.

Committee Room, City Hall,
October 13th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Laws and Privileges Committee held on the above date, the attached extract from minutes of a meeting of the City Council held on September 17th, 1936 regarding amendment to Section 119 of the City Charter was considered.

October 15th, 1936.

Your committee recommends that the City Solicitor be instructed to prepare the necessary legislation to amend Section 119, Sub-section 2 of the City Charter as follows, by striking out the words "at least two-thirds of the Council" and substituting therefor "a majority of the Council".

Respectfully submitted,

H. J. Stech,
CHAIRMAN.

Moved by Alderman McDonald,
seconded by Alderman Walker that the report of the Laws and Privileges Committee be adopted.

Alderman Stech contended that if the changes were made in the section, it should also provide that an official could not be dismissed except for cause, and he would suggest that the words "for cause" be added to this section.

Alderman Walker advocated the change and said if the Council appointed by a majority it should have the right to dismiss by a majority.

Alderman Gates' contention was that dismissal should be by the same number as appointment.

Alderman McCarthy was not in favor of the change. He said the present law had been given most careful consideration at the time it was enacted and gave proper protection to both the City and the official. It was in the City's interest not to change it. He could foresee situations where cause would be difficult to establish, but because of generally known dissatisfaction with a permanent official it might be advisable, in the City's interest, to relieve him

October 15th, 1936.

and that if two-thirds of the Council felt that way about it, it could be done and the question of cause need not be a factor. He did not approve of any change and particularly did not approve of the introduction again of the words "for cause".

His Worship the Mayor called upon the Deputy Mayor to assume the chair while he addressed Council from the floor of the Chamber.

The Mayor stated that since his appearance in Council in 1928 this section of the Charter has been discussed numerous times. He said that it was necessary to give city officials some measure of protection, since, in the course of their duties, they would come in contact with taxpayers and perhaps make enemies. City officials, he said, should not be exposed to dismissal because some group of aldermen do not like them, and that without the "cause" protection, it might be possible to discharge every official in the City's employ for inadequate reason.

The Mayor recommended that if any change ^{WERE} ~~was~~ to be made the word "cause" be inserted in Section 119.

The Mayor also drew to the attention of Council the section dealing with temporary employees. This section, he said, does not allow the discharge of an employee who received his appointment at the beginning of a civic year until the year expires. He stated that when such a worker was hired, his tenure of office lasted for twelve months and, consequently, placed the annual appointee in a preferred position to the permanent appointee on whom full responsibility of office rested.

October 15th, 1936.

His Worship the Mayor then assumed the Mayor's chair.

The motion to amend Section 119, Sub-section 2 was then put and passed, 7 voting for the same and 6 against it as follows:-

FOR THE MOTION

Aldermen Curtis
Gates
Gough
McDonald
O'Toole
Power
Walker

-7-

AGAINST IT

Aldermen Curran
Freda
Hendry
McCarthy
Stech
Sullivan

-6-

Alderman McCarthy gives notice of reconsideration.

PURCHASE OF BLANKETS - CITY PRISON

Read report of the City Prison

Committee re purchase of blankets.

City Prison,
Halifax, N. S.
October 6th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the City Prison Committee held this day, prices for the purchase of blankets were submitted as follows:-

Wood Bros.

Sample #2		Sample #3
Size 58X76	\$2.80 per pair	58X76 \$3.50 per pair
" 60X80	3.25 "	60X80 4.25 "

T. Eaton & Co.

(6 lbs.) \$4.69 per pair

R. Simpson & Co.

(6 lbs.) 4.75 "

J & M. Murphy

(6 lbs.) 4.50 "

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Gov. Grant

October 15th, 1936.

Your committee recommends that the tender of Wood. Bros. for supplying fifty pairs of blankets at \$4.25 per pair be accepted.

Respectfully submitted,

H. E. Burgess,
CHAIRMAN.

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

Motion passed.

BORROWING - POINT PLEASANT PARK COMMITTEE

Council
Read report of the Point Pleasant Park Committee and letter of the City Solicitor re proposed borrowing.

Mayor's Office,
City Hall,
October 13th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Directors of Point Pleasant Park held this day, a resolution was approved to the effect that City Council be asked to appropriate \$400.00 to the Park Commission for the purpose of taking steps to remedy the damage now being committed to trees by insects.

The committee requested that a resolution be forwarded to Council providing for the borrowing of the sum of \$400.00 for the purpose of combating insects now destroying trees in the Park.

Respectfully submitted,

E. J. Cragg,
MAYOR AND CHAIRMAN.

Office of City Solicitor,
Halifax, N. S.
October 14th, 1936.

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

Gentlemen:-

At a meeting of the Point Pleasant Park Committee, the matter of taking steps towards remedying the damage now being committed to trees by insects was up for consideration.

October 15th, 1936.

In view of the fact that the situation is serious, and that prompt and effective measures should be taken, the committee has ascertained that the cost of remedying the situation will amount to approximately \$400.00. To be efficiently done the work must be done in the winter.

The committee has not sufficient funds in hand with which to pay for this work and has requested the City Council to provide this sum.

The only source from which, in my opinion, this money could be secured, is under Section 332A, but in view of the fact that the Council has already made a grant to the Park Committee and an appropriation thus provided, Section 332A cannot be invoked.

I would therefore suggest that the Directors of Point Pleasant Park arrange with their bankers for an advance of this sum on their own credit, and that the City seek legislation at the next session of the Legislature to enable it to place the Directors of Point Pleasant Park in funds sufficient to enable them to repay the advance made by their bankers.

If the City Council would approve of such legislation, I have no doubt that the Directors of the Park could obtain the money.

This is the only manner in which I can suggest that this money can be obtained.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

Moved by Alderman Curtis, seconded by Alderman Freda that this matter be deferred for one month. Motion passed.

Health Board APPOINTMENT OF MISS M. DONKIN TO POSITION OF STENOGRAPHER IN OFFICE OF CITY HEALTH BOARD.

Read report of the City Health Board recommending that Miss M. Donkin be appointed stenographer in office of the Health Board.

October 14th, 1936.

His Worship the Mayor,
and Members City Council.

Gentlemen:-

The City Health Board recommends that Miss Margery Donkin be appointed stenographer in the office of the Board, at the minimum salary.

October 15th, 1936.

Miss Donkin, who has been on probation during the past three months, has given entire satisfaction in her work.

Respectfully submitted,

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

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

Motion passed.

Health Board

TENDERS FOR LINEN, BLANKETS AND GENERAL DRYGOODS, CITY HEALTH BOARD.

Read report of the City Health Board re tenders for linen, blankets and general drygoods.

October 14th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

I beg to report that at a meeting of the City Health Board held on Tuesday, October 13th, tenders for supplying linens, blankets, and general drygoods to the Infectious Disease Hospital and the Tuberculosis Hospital were considered. It is recommended that tenders be accepted on estimated quantities of supplies from the following:

<u>J & M Murphy</u>	Price	Quantity	Total
Spreads (half)	\$1.50 ea.	3½ doz.	\$63.00
Pillow slips	.45 pr.	12 doz.	64.80
Face towels	.27 ea.	10 doz.	32.40
Dish towelling	.21 yd.	3 bolts(25)	15.75
Table linen	1.20 yd.	1 bolt(25)	30.00
Napkins	.14½ yd.	1 bolt(25)	3.62½
White flannelette	.19¼ yd.	1 bolt(60)	11.85
Flannelette sheets	.90 ea.	5 doz.	54.00
Striped flannelette	.21 yd.	1 bolt(60)	12.60
Blankets, red(half)	2.97 ea.	1½ doz.	53.46

Wood Bros.

Spreads (half)	1.48 ea.	3½ doz.	61.16
Barber towels	.09 1/6 ea.	10 doz.	10.00
Bath towels	.17½ ea.	6 doz.	12.60
Bath towels colored	.17½ ea.	10 doz.	21.00
Roller towelling	.16 yd.	2 bolts(25)	8.00
White cotton	.15 yd.	1 bolt (60)	9.00
Unbleached cotton	.12 yd.	1 bolt(60)	7.20
Matress covers	.17 yd.	3 bolts(50)	30.60
Blankets, red (half)	2.95 ea.	1½ doz.	53.10
Blankets, grey	1.60 "	3 doz.	57.60

October 15th, 1936.

<u>Eaton's</u>	Price	Quantity	Total
Sheeting	.42 yd.	10 bolts (60)	\$252.00
<u>Colwell Bros.</u>			
Pyjamas, Mens	1.03 pr.	2 dozen	24.72

Copies of all the tenders are herewith submitted for your information.

Respectfully yours,

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

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

BORROWING - DIRECT RELIEF

*Auditor
Treasurer*
Read report of the Direct Relief Committee submitting resolution covering the borrowing of \$100,000.00 for direct relief purposes and \$4,500.00 for administration thereof.

October 14th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

Attached hereto is a copy of a resolution passed at the meeting of the Halifax Direct Relief Committee on October 5th, 1936, requesting the approval of the City Council for an appropriation of One Hundred Thousand Dollars (\$100,000.00) for the cost of Direct Relief and Four Thousand Five Hundred Dollars (\$4,500.00) for administration thereof, for three months from the first day of November 1936 to the thirty-first day of January 1937.

Respectfully submitted,

S. M. Mitchell,
SECRETARY.

BE IT RESOLVED, that under the provisions of Chapter 7 of the Acts of 1932, and an agreement between the province and the City of Halifax in respect to disbursement of Direct Relief, the City do borrow from any bank or fund available the sum of One Hundred Thousand Dollars (\$100,000.00) to be expended between the first day of November 1936 and the thirty-first day of January 1937, on the order of the Direct Relief Committee, for the purpose of giving Direct Relief and Temporary Shelter, as approved by Council from time to time to bona fide residents of the City of Halifax or temporary direct relief to any other persons as the committee may deem advisable.

October 15th, 1936.

BE IT FURTHER RESOLVED, that the City under the authority of Chapter 7 of the Acts of 1932, authorize an appropriation of not exceeding Four Thousand Five Hundred Dollars (\$4,500.00) for the purpose of defraying the cost of administration of direct relief to be expended between the first day of November 1936 and the thirty-first day of January 1937.

This resolution is conditional upon the Government of the Province of Nova Scotia contributing during the period aforesaid such an amount as may be agreed upon between the Province and the City as representing the shares of the Provincial Government and the Dominion Government, the City contributing the balance of the cost.

The money so borrowed by the City as set forth in the first and second paragraphs of this resolution may be included in whole or in part in the civic estimates in the year ensuing that in which the money is borrowed, or may be repaid by means of a special loan to be issued on such terms as the Council, on the recommendation of the Finance Committee, later decides.

Moved by Alderman Gates, seconded by Alderman McCarthy that the report and resolution be adopted. Motion put and passed, 9 voting for the same and 4 against it as follows:-

FOR THE MOTION

Aldermen Curtis
Freda
Gates
Hendry
McCarthy
McDonald
O'Toole
Stech
Sullivan

-9-

AGAINST IT

Aldermen Curran
Gough
Power
Walker

-4-

APPROPRIATION - CANADIAN RED CROSS SOCIETY

Read report of the Direct Relief Committee and resolution re appropriation for the Canadian Red Cross Society.

October 14th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

Attached hereto is a copy of a resolution passed at the meeting of the Halifax Direct Relief Committee on October 5th, 1936, requesting the approval of the City Council, that Three Thousand Dollars (\$3,000.00) be granted to the Red Cross Society for the purpose of providing clothing and

*Auditor
Treasurer*

October 15th, 1936.

footwear for the needy and unemployed.

Respectfully submitted,

C. M. Mitchell,
SECRETARY.

BE IT RESOLVED that the City Council, at the request of the Halifax Direct Relief Committee, contribute to the Red Cross Society the sum of Three Thousand Dollars (\$3,000.00) to be used for providing clothing and footwear and administration expenses for the needy and unemployed, providing that the governments of the Province and the Dominion authorize the expenditure of a like amount for this purpose.

Moved by Alderman Gates, seconded by Alderman McCarthy that the report and resolution be adopted. Motion put and passed, 10 voting for the same and 3 against it as follows:-

FOR THE MOTION

Aldermen Curran
Curtis
Freda
Gates
Hendry
McCarthy
McDonald
O'Toole
Stech
Sullivan

-10-

AGAINST IT

Aldermen Gough
Power
Walker

-3-

NOTICE OF MOTION BY ALDERMAN WALKER RE SECTION 109 OF THE CITY CHARTER.

Council

The following notice of motion was submitted by Alderman Walker.

I hereby give notice that at the next regular meeting of the City Council I will move the following motion:

"RESOLVED that this Council submit legislation to the next session of the Legislature, amending Section 109 of the City Charter by providing that the Police Committee shall consist of the Mayor, who shall be chairman thereof, and one alderman from each ward, instead of consisting of the Mayor and two aldermen as at present.

AND BE IT FURTHER RESOLVED that the City Solicitor prepare the necessary legislation therefor and submit the same to this Council for approval".

October 15th, 1936.

APPOINTMENT OF EXHIBITION COMMISSIONER
AND SCHOOL COMMISSIONERS.

E. J. Luddy
A. J. Bezancon

Read letter from the City Clerk
re vacancies on Exhibition Commission and School
Board.

October 8th, 1936.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

I wish to inform the City Council
that it will be necessary to appoint two School
Commissioners to fill the vacancies caused by the
expiration of the term of office of Alderman A. J.
Smeltzer and J. F. McDonald.

It will also be necessary to
appoint one Exhibition Commissioner to fill the
vacancy caused by the expiration of the term of
office of Alderman Walter Mitchell.

Yours very truly,

W. P. Publicover,
CITY CLERK.

Moved by Alderman McCarthy, seconded
by Alderman Freda that Alderman Gates be appointed a
member of the Exhibition Commission.

Alderman Walker nominates Alderman
Curran.

There being no further nominations,
the vote was taken on the two names nominated.
There appeared for Alderman Gates 9, for Alderman
Curran 2.

FOR ALDERMAN GATES

Aldermen Curtis
Freda
Hondry
McCarthy
McDonald
O'Toole
Power
Stoch
Sullivan

-9-

FOR ALDERMAN CURRAN

Aldermen Gough
Walker

-2-

October 15th, 1936.

His Worship the Mayor declared Alderman Gates appointed to serve as a member of the Exhibition Commission for a period of four years.

Alderman McDonald nominates Alderman Curtis as a member of the Board of School Commissioners.

Alderman Gates nominates Alderman Curran as a member of the Board of School Commissioners.

Moved by Alderman Froda, seconded by Alderman Walker that nominations cease. Motion passed.

His Worship the Mayor declared Alderman Curtis and Alderman Curran appointed to the Board of School Commissioners for a period of three years ending October 1939.

NOTICE OF MOTION BY ALDERMAN CURTIS RE
LEGISLATION IN CONNECTION WITH OVERDUE
ACCOUNTS DUE THE CITY OF HALIFAX.

Council
Alderman Curtis submitted the following notice of motion.

"That the City Solicitor be requested by Council to draft proposed legislation, to be submitted to the Laws and Privileges Committee for consideration, making such addition to the City Charter in respect to the collection of certain civic tax accounts, as will permit of the Finance or Special Committee dealing with the adjustment, and final and satisfactory settlement, of overdue, disputed and discredited civic tax rate, water rate, and abutters charges, and overdue hospital accounts, as owing by ratepayers, estates and any individual to the City of Halifax."

WATER BILL REDUCTIONS

*Engineer
Clerk of Works*
Read report of the Committee on Works re water bill reductions.

October 15th, 1936.

The City Council.

Gentlemen:-

On motion of Alderman Gates and Alderman Freda, the Committee on Works recommends for adoption the following reductions in water bills as approved at meetings held September 22nd and September 23rd, and October 7th, 1936:-

171 Creighton St. Acct. 50497. Consumption for January, February, March and April 1936 to be reduced by a total of 50,000 gallons.

247 Brunswick St. Acct. 40231. Consumption for January, February and March 1936 to be reduced by 10,000 gallons per month.

248 Agricola St. Acct. 60167. Consumption for April 1936 to be reduced to 10,000 gallons.

263 Agricola St. Acct. 60079. Consumption for February 1936 to be reduced by 8,000 gallons.

3 Argyle St. Acct. 20014. Consumption for May, June, July, August and September 1935 to be reduced to 4,500 gallons for each month.

565-69 Barrington St. Acct. 30124. Consumption for April 1936 to be reduced to 9,000 gallons.

781-3 Barrington St. Acct. 40295. Consumption for January, February and March 1936 to be reduced by 10,000 gallons for each month.

964 Barrington St. Acct. 50314. Consumption for April 1936 to be reduced to 9,000 gallons.

R981 Barrington St. Acct. 50212. Consumption for March 1936 to be reduced by 30,000 gallons.

1028 Barrington St. Acct. 50335. Consumption for the period ending April 1936 to be reduced by 10,000 gallons.

18 Birmingham St. Acct. 20133. Consumption for February and March 1936 to be reduced to 7,000 gallons for each month.

222 Brunswick St. Acct. 50453. Consumption for January, February and March 1936 to be reduced by 10,000 gallons per month.

435 Brunswick St. Acct. 50392. Consumption for March 1936 to be reduced by 5,000 gallons.

1½ Charles St. Acct. 50693. Consumption for January 1936 to be reduced by 10,000 gallons.

114-114½ Chebucto Road. Acct. 40359. Consumption for February and March 1936 to be reduced by a total of 15,000 gallons.

October 15th, 1936.

209-11 Hobueto Road. Acct. 60629. Consumption for the six months ending April 1936 to be taken at 75,000 gallons.

35 Cogswell St. Acct. 40453. Consumption for February and March 1936 to be reduced by 10,000 gallons per month.

123 Cornwallis St. Acct. 50636. Consumption for May 1936 to be reduced to 15,000 gallons.

12 Creighton St. Acct. 40487. Consumption for February 1936 to be reduced by 10,000 gallons.

219 Creighton St. Acct. 50513. Consumption for March 1936 to be reduced by 10,000 gallons.

6 Dresden Row. Acct. 20556. Consumption for March 1936 to be reduced to 5,000 gallons.

8 Dresden Row. Acct. 20557. Consumption for February, March and April 1936 to be reduced by 5,000 gallons per month.

133 Edward St. Acct. 20649. Consumption for January 1936 to be reduced by 5,000 gallons.

46 North St. Rear Acct. 51392. Bill for the half year ending October 1935 to be reduced to \$20.00.

204 North St. Acct. 51453. Consumption for June 1935 to be reduced by 42,000 gallons.

23 Morris St. Acct. 21196. Consumption for January 1936 to be reduced to 9,400 gallons.

24 Bauer St. Acct. 40130. Consumption for February 1936 to be reduced by 10,000 gallons.

179-183 Gottingen St. Acct. 50902. Consumption for February 1936 to be reduced by 10,000 gallons.

183 Gottingen St. Acct. 50903. Consumption for March 1936 to be reduced by 10,000 gallons.

390 Gottingen St. Acct. 61020. Consumption for June, July, August and September 1935 to be reduced to 10,000 gallons per month.

85 Maitland St. Acct. 51300. Consumption for February and March 1936 to be reduced by 5,000 gallons for each month.

74 Market St. Acct. 30479. Consumption for July and August 1935 to be reduced to 10,000 gallons for each month.

9 Maynard St. Acct. 41051. Consumption for period ending April 1936 to be reduced by 40,000 gallons.

October 15th, 1936.

143-47 Maynard St. Acct. 51233. Consumption for December 1935, January and February 1936 to be reduced by 4,000 gallons for each month.

757 Robie St. Acct. 61918. Consumption for May 1935 to be reduced to 10,000 gallons.

3 Rottenburg St. Acct. 21438. Consumption for February and March 1936 to be reduced by 10,000 gallons for each month.

38 Stanley St. Acct. 62250. Consumption for July and August 1935 to be reduced to 4,500 gallons for each month.

25 Tobin St. Acct. 11092. Consumption for September 1935 to be reduced to 10,000 gallons.

74 Lr. Water St. Acct. 21929. Consumption for January and February 1936 to be reduced by 10,000 gallons for each month.

Franklyn St. Acct. 10277. Consumption for October and November 1935 to be reduced to 100,000 gallons for each month.

22 North St. Acct. 51381A. Consumption for March 1936 to be reduced by 10,000 gallons.

9 Cunard Court. Acct. 40530. Consumption for February and March 1936 to be reduced by 10,000 gallons per month.

121 Gottingen St. Acct. 50882. Consumption for February 1936 to be reduced by 3,000 gallons.

The Committee on Works October 14th, 1936, recommends to Council that the half yearly minimum water rates for property #97 Cunard Street, for the periods October 1929 to April 1936 inclusive be cancelled, as the water had been turned off in April 1929; provided that Mr. J. O'Connor, the assessed owner of the property pay the sum of \$1.00 to defray the cost of turning off the water as provided in the Water Department regulations.

E. J. Cragg,
MAYOR AND CHAIRMAN.

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

COMMITTEE APPOINTED AT FINANCE COMMITTEE
RE "SALARY SCHEDULES".

Alderman Gough informed Council that at a meeting of the Finance Committee he was instrumental in having a committee appointed to

October 15th, 1936.

investigate the matter of certain employees, now making no contribution to the revenue of the City and who are not on the salary schedule which provides for a minimum and maximum salary with automatic annual increases, being placed thereon and making such a contribution. This committee, he said, consisted of Alderman Stech, the Mayor and the City Auditor.

Alderman Gough suggested that the Mayor request the City Auditor to retire from this committee as he felt that a civic official, by sitting on a committee of this nature, would be placed in an unfair position.

The Mayor remarked that perhaps the City Auditor would retire without a formal request to do so.

SIDEWALK AROUND NEW PROVINCIAL GOVERNMENT BLDG.

*Engineer
S clerk of Works*

Read report of the Committee on Works and City Engineer re sidewalk around the new Provincial Government building.

October 7th, 1936.

His Worship the Mayor.

Sir:-

The contractors for the building of the new Provincial Office Building, Hollis Street, Cheapside and Bedford Row, are about to renew that portion of the sidewalk on these streets damaged by them during the course of construction. This work will be done of course at the expense of the contractors and to the satisfaction of the City Engineer.

On Hollis Street, that portion of the sidewalk which was apparently not damaged by the contractors is in such poor condition that it should be renewed. I have been in communication with Major Gates, Architect for the new building, in regard to the Provincial Government paying half the cost of such renewal of sidewalk, and I have received a reply in which Major Gates states, that he is authorized by the Hon. Minister of Public Works and Mines to say

October 15th, 1936.

that the Provincial Government will pay its share of the cost of a new section of pavement along the Hollis Street front, if the City is willing to have an entirely new pavement there. This agreement, I understand, to cover both Choppside and Bedford Row, as well as Hollis Street, in case it may be found necessary to renew any portion of undamaged sidewalks.

The estimated cost of such renewal work is approximately \$500.00 of which the Government's share will be one half. It is recommended that this work be done at the same time as the repairs are being made by the contractors to the damaged portions of the sidewalk on the three streets mentioned.

Respectfully submitted,

Wm. J. DeWolfe,
Asst. City Engineer,

October 15th, 1936.

The City Council.

Gentlemen:-

At a meeting of the Committee on Works October 7th, 1936, on motion of Alderman Freda and Alderman Gates, the attached report of the Assistant City Engineer re sidewalk around the new Provincial Government Office building was approved and recommended to Council for adoption.

E. J. Cragg,
MAYOR AND CHAIRMAN.

Moved by Alderman Gates, seconded by Alderman Freda that the reports be adopted.

Motion passed.

Alderman Stech asked if the south-east corner by the Federal Building which is on Prince Street is to be cut off and the hydrant taken away.

The Asst. Engineer in his reply said he would take the matter up with the City Engineer.

NEWTON AVENUE - GRADING AND ACCEPTANCE

Read report of the Committee on Works and City Engineer re Newton Avenue, grading and acceptance.

*Engineer
Clerk of Works*

October 15th, 1936.

October 14th, 1936.

His Worship the Mayor.

Sir:-

I beg to report on a petition from property owners on Newton Avenue, asking that the City take over the said street, that it is signed by the owners of over 56% of the frontage. The total length of the street is 1525 feet.

The estimated cost of grading the street from Quinpool Road to Chebucto Road is \$1200.00. There have been several houses built on the street and others are contemplated in the near future, and in my opinion it is desirable that the street be accepted by the City.

It is recommended that the street be graded at the expense of the property owners abutting thereon and when graded, that it be accepted as a City street, under the provisions of 559A of the City Charter.

Respectfully submitted,

H. W. Johnston,
CITY ENGINEER.

October 15th, 1936.

The City Council.

Gentlemen:-

At a meeting of the Committee on Works October 14th, 1936, on motion of Alderman Gough and Alderman Keshen, the attached report of the City Engineer re Newton Avenue grading and acceptance was approved and recommended to Council for adoption.

E. J. Cragg,
MAYOR AND CHAIRMAN.

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

Motion passed.

MCDONALD VERSUS CITY OF HALIFAX

Read report of the Committee on Works, letters from the City Solicitor and letter from Dalcy, Phinney, Outhit & Clarke re McDonald versus City of Halifax.

October 15th, 1936.

The City Council.

Gentlemen:-

At a meeting of the Committee on Works October 14th, 1936, the attached letter from the City Solicitor re McDonald versus City of Halifax was considered and in reference thereto the following resolution on motion of Alderman Gough and Alderman Keshen was approved and recommended to Council for adoption:

RESOLVED that this committee agree to a stated case being submitted to the full bench of the Supreme Court of Nova Scotia and that the question of costs be left to the same court.

E. J. Cragg,
MAYOR AND CHAIRMAN.

Office of City Solicitor,
Halifax, N. S.
October 13th, 1936.

His Worship the Mayor,
Chairman of Committee on Works,
City Hall,
Halifax, N. S.

Dear Sir:-

I am in receipt of a communication from Mr. W. C. McDonald, K. C., acting on behalf of Mr. D. H. McDonald, the owner of premises #56 Coburg Road, in respect to which a permit for alteration of the same into a shop was sought some months ago. Mr. McDonald is desirous of having the correctness of the opinion given by me to the Committee on Works referred to the Court. The point involved is whether the amendment to Ordinance #2, Rules of Order of Council, which provides for a second casting vote by the Chairman of the Committee, was properly passed by the City Council, in accordance with the provisions of the Charter. As I viewed the matter I advised the Committee on Works that the same was not properly passed, and that the amendment was not in effect.

Mr. McDonald suggests that the City and his client agree on a set of facts and refer the same to the Court, thus saving the expense and time of a trial.

It is assumed by Mr. McDonald that if the court decides that my opinion was in error, that the amendment was in fact validly passed, that a permit would be granted as a matter of course.

I would suggest that if the City should decide to agree with Mr. McDonald and submit the matter to the Court that an agreement should be entered into saving the City from paying any costs in the event of the Court deciding that the City was in error.

October 15th, 1936.

Would you kindly call this matter to the attention of your committee so that a report thereon can be made to the City Council and the City's course of action decided upon?

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

Office of City Solicitor,
Halifax, N. S.
October 15th, 1936.

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

Gentlemen:-

I attach hereto a copy of a letter received from Mr. G. McL. Daley, respecting the request of Mr. W. C. McDonald, K. C., for a stated case in the matter of D. H. McDonald versus The City of Halifax, respecting the permit for No. 56 Coburg Road.

As this letter is self-explanatory I am submitting the same to the City Council and would be pleased to receive its information.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

Halifax, N. S.
October 15th, 1936.

C. P. Bethune, Esq.,
City Solicitor,
City Hall,
Halifax, N. S.

Dear Sir:-

We notice by this morning's press that the City has been asked by Mr. W. C. McDonald, K. C., the solicitor for Mr. D. H. McDonald, owner of the above property, to state a case to the Supreme Court of Nova Scotia as to the validity of the resolution respecting the said property which was purported to be passed at a meeting of the Board of Works held on the 2nd day of April, 1936.

October 15th, 1936.

As you are aware we are solicitors for a large number of ratepayers who own property in the vicinity of Number 56 Coburg Road and who were and are opposed to the granting of this permit. As our clients are vitally interested in this matter, they are concerned that the questions submitted to the Court should be based only upon facts which are indisputable and which are a matter of record. They have, therefore, instructed us to advise you that they would greatly appreciate it if you would extend to us the courtesy, without obligation on the part of the City, of collaborating with you in the preparation and presentation of this case, should the City Council decide that such a case should be stated to the Supreme Court.

Yours very truly,

Daley, Phinney, Outhit & Clarke.

Per D.

Moved by Alderman Gates, seconded by Alderman Gough that the report of the Committee on Works be adopted.

Alderman McCarthy said he would like an explanation as to why the City was re-opening this case.

The City Solicitor informed the Council, that Mr. A. H. Minshull, who had been acting as agent for the McDonald interests, told the Committee on Works that a law-suit would be forthcoming. A communication, he said, had been received from Mr. W. C. McDonald, Solicitor for the agent, and he had submitted same to the Committee on Works for their information.

The City Solicitor further stated that the Committee on Works then recommended the City to present a stated case as this would be the cheaper method for the City to deal with the matter.

The motion was then put regarding the Committee on Works' recommendation, and was lost.

October 15th, 1936.

APPOINTMENT TO COMMITTEES

The Mayor then nominated Alderman Sullivan to the committees on which Alderman McManus served, with the exception of the Police Committee; this vacancy being already filled.

Moved by Alderman McCarthy, seconded by Alderman Walker that Alderman Sullivan serve on the committees to which she has been nominated by His Worship the Mayor. Motion passed.

LETTER, CLERK OF THE EXECUTIVE COUNCIL
RE EXTENSION OF LIEN.

City Collector
Read letter from the Clerk of the Executive Council enclosing certified copy of order in council re extension of lien.

Halifax, N. S.
13th October, 1936.

Dear Sir:-

I enclose herewith, two certified copies of Order-in-Council made the 7th instant, extending the lien of the City of Halifax in respect of business or household taxes for the year 1935-36 and taxes on real property for the year 1933-34, beyond the first day of November 1936 until the first day of February 1937.

Yours very truly,

A. Evelyn Horne
for Clerk of the Executive Council.

W. P. Publicover, Esq.,
City Clerk,
City Hall,
Halifax, N. S.

CERTIFIED COPY OF ORDERS IN COUNCIL.

The Governor in Council, at the request of the City of Halifax, and under the provisions of Section 16 of Chapter 55 of the Acts of 1936, is pleased to extend the lien on the personal property of any person assessed for a business tax or a household tax for the civic year 1935-36 beyond the 1st day of November, A. D. 1936, until the 1st day of February, A. D. 1937.

October 15th, 1936.

The Governor in Council, at the request of the City of Halifax, and under the provisions of Section 16 of Chapter 55 of the Acts of 1936, is pleased to extend the lien of the city upon real property for rates and taxes assessed for the civic year 1933-34 beyond the 1st day of November, A. D. 1936, until the 1st day of February, A. D. 1937.

I hereby certify that the foregoing is a true copy of Orders of His Honour the Lieutenant Governor of Nova Scotia in Council made the 7th day of October, A. D. 1936.

(Sgd) Arthur S. Barnstead,
Clerk of the Executive Council.

FILED

SUPT'S REPORT RE INMATES IN THE CITY HOME FOR THE MONTH OF SEPTEMBER, 1936.

Read report of the Charities Committee for the month of September, 1936 showing the number of inmates in the City Home to be 464.

FILED

DEPARTMENTAL APPROPRIATIONS AND EXPENDITURES

Read report of the City Auditor re departmental appropriations and expenditures.

FILED

TAX COLLECTIONS FOR THE MONTH OF SEPT., 1936.

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

Years Taxes

Civic Year	Reserve	Outstanding Balances August	New accounts and adjustments	September Collections	Outstanding Balances Sept.
32-33	\$53,101.92(a)	\$49,284.74		\$1,032.11	\$48,252.63
33-34	57,962.65(a)	128,670.24		6,486.93	122,183.31
34-35	53,457.08	273,027.79		5,449.15	267,578.64
35-36	57,559.49	458,563.50		10,154.97	448,408.53
		909,546.27		23,123.16	886,423.11

rent Taxes

36-37	48,073.21	804,901.91		56,377.90	748,524.01
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er Dept.

es, etc.

	70,055.59			5,546.10	64,509.49
	1,784,503.77			85,047.16	1,699,456.61

October 15th, 1936.

Poll Taxes 1932-33	\$3,311.31	\$36.00	\$3,275.31
Poll Taxes 1933-34	2,841.23	118.50	2,722.73
Poll Taxes 1934-35	4,248.91	149.50	4,099.41
Poll Taxes 1935-36	6,700.78	548.00	6,152.78
Poll Taxes 1936-37	19,865.50	916.50	18,949.00

Additional Collections

for years 1908-9 to 1924-25		\$38.87	
corresponding period last year			\$94.56
for years 1925-26 to 1931-32		377.49	
corresponding period last year			755.25
collections per above statement		85,047.16	
corresponding period last year			116,265.75
TOTAL		\$85,463.52	\$117,115.56

Collections of Poll Taxes

for year ending Sept. 30th, 1936	\$10,990.67	
corresponding period last year		\$10,917.50

(a) Includes special tax payments and unexpended balances. Any excess in this account above the outstanding tax balance 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

10.20 P.M.,

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

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

E. J. Chase
E. J. CHASE
MAYOR AND CHAIRMAN.