

EVENING SESSION

SPECIAL MEETING.

8.10 o'clock,  
Council Chamber,  
City Hall,  
February 25th, 1937.

A special meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor, Chairman; and Aldermen Gates, Mitchell, Stech, Donovan, Burgess, Curran, Sullivan, Freda, McCarthy, McDonald, Keshen, Curtis, Gough, Smeltzer and Walker.

The meeting was called specially to consider the estimates for the civic year 1937-38 and legislation.

His Worship the Mayor stated that he had received two letters from Mr. A. S. Pattillo, President of the Halifax Civic League and with the consent of Council, he would ask the City Clerk to read them.

There being no objections, the City Clerk then read the following letters.

35 Bedford Row,  
Halifax, N. S.  
23rd February, 1937.

Dear Mayor Cragg:-

You will recall that at the last meeting of the Council, you advised me that The Halifax Civic League could get any information which it desired at the City Hall.

We are anxious to have made available to us the Collector's rolls for the year 1936, in order that we can make a list of all people who can become qualified to vote in the forthcoming election. If we can have this list made available, we ourselves will do the work as expeditiously as possible in the Collector's Office.

The Collector says that the rolls are not public and that he cannot make them available

February 25th, 1937.

to us without written authority from you, despite the fact that he was present at the meeting the other night and heard you make the statement to which I have referred. I would appreciate you writing to Mr. Crosby immediately in order that we can have this information as quickly as possible.

Yours respectfully,

A. S. Pattillo Jr.  
-----

35 Bedford Row,  
Halifax, N. S.  
February 25th, 1937.

Dear Mayor Cragg:-

I have your letter of the 24th instant.

I regret that I did not make myself clear in my letter of the 23rd instant. I do not desire to put a staff in the City Collector's Office. I merely want to obtain a list of the persons on the Collector's rolls for the year 1936, in order that the League may be able to ascertain who can become qualified to vote in the forthcoming civic elections. My understanding is that no such list is available at the present time and I thought that I would be assisting your department if I had one person attend at the office and personally make a list from the rolls.

If it is impossible for us to have this information I should like to be advised of the real reason.

Respectfully yours,

A. S. Pattillo Jr.

8.25 P.M.

Alderman Power arrives and takes his seat in Council.

After considerable discussion, it was moved by Alderman McCarthy, seconded by Alderman Keshen that in the opinion of this Council the Collector's rolls cannot be made available to the general public and that the Mayor be requested to give all information within reason to Mr. Pattillo of the Halifax Civic League, through the Collector's Office. Motion put and passed, 12 voting for the same and 4 against it as follows:-

February 25th, 1937.

FOR THE MOTION

Aldermen Burgess  
Curtis  
Donovan  
Frede  
Gates  
Gough  
Keshen  
McCarthy  
McDonald  
Smeltzer  
Stech,  
Sullivan  
-12-

AGAINST IT

Aldermen Curran  
Mitchell  
Power  
Walker

-4-

CIVIC ESTIMATES, 1937-38

On the request of His Worship the Mayor, Alderman Stech, Chairman of the Finance Committee, submitted the estimates for the civic year 1937-38 as prepared by the Finance Committee.

It was agreed that the estimates be considered, schedule by schedule.

Alderman Power wished to be recorded against the consideration of the estimates at this time.

SCHEDULE "A" - JOINT ESTIMATES, MUNICIPALITY OF HALIFAX.

Moved by Alderman Mitchell, seconded by Alderman Stech that Schedule "A" be approved. Motion passed.

SCHEDULE "B" - PUBLIC SCHOOLS

Moved by Alderman Stech, seconded by Alderman Mitchell that Schedule "B" as submitted be approved. Motion passed.

Alderman Walker objected to the estimates being considered at this meeting as he contended they should have been submitted to the Council first and referred to the Finance Committee for consideration and report back to the Council.

February 25th, 1937.

SCHEDULE "C" - CITY HOME

Moved by Alderman Stech, seconded by Alderman McCarthy that Schedule "C" as submitted be approved.

Alderman Curtis objected to the Asst. Superintendent and Secretary being given an increase in salary.

Alderman McCarthy explained that formerly this official resided at the City Home, but that this is not the case now.

Motion put and passed.

Alderman Walker and Power wishing to be recorded against.

SCHEDULE "D" - SIR SANFORD FLEMING PARK

Moved by Alderman Donovan, seconded by Alderman Smeltzer that Schedule "D" as submitted be approved. Motion passed.

SCHEDULE "E" - PUBLIC GARDENS, PARKS AND COMMONS

Moved by Alderman Donovan, seconded by Alderman Smeltzer that Schedule "E" as submitted be approved. Motion passed.

Alderman Walker wishing to be recorded against.

SCHEDULE "F" - POINT PLEASANT PARK

Moved by Alderman Stech, seconded by Alderman Smeltzer that Schedule "F" as submitted be approved. Motion passed.

SCHEDULE "G" - CITIZENS FREE LIBRARY

Moved by Alderman McDonald, seconded by Alderman Mitchell that Schedule "G" as submitted be approved. Motion passed.

February 25th, 1937.

Alderman Walker wishing to be recorded  
against.

SCHEDULE "H" - CITY HEALTH BOARD

Moved by Alderman Keshen, seconded by  
Alderman Donovan that Schedule "H" as submitted  
be approved. Motion passed.

Alderman Walker wishing to be  
recorded against.

SCHEDULE "I" - SUPERANNUATIONS

Moved by Alderman Keshen, seconded by  
Alderman McDonald that Schedule "I" as submitted be  
approved. Motion passed.

SCHEDULE "J" - CITY GRANTS AND SUNDRIES

Moved by Alderman Stech, seconded by  
Alderman Mitchell that Schedule "J" as submitted be  
approved. Motion passed.

Alderman Walker wishing to be recorded  
against.

SCHEDULE "K" - SHORT TERM DEBENTURES AND  
INTEREST.

Moved by Alderman Stech, seconded by  
Alderman Mitchell that Schedule "K" as submitted  
be approved. Motion passed.

SCHEDULE "L" - INTEREST ON CONSOLIDATED FUND 1880.

Moved by Alderman Stech, seconded by  
Alderman Smoltzer that Schedule "L" as submitted  
be approved. Motion passed.

SCHEDULE "M" - INTEREST ON CONSOLIDATED FUND 1905.

Moved by Alderman Stech, seconded by  
Alderman Mitchell that Schedule "M" as submitted be  
approved. Motion passed.

February 25th, 1937.

SCHEDULE "N" - SINKING FUND REQUIREMENTS

Moved by Alderman Stech, seconded by Alderman Gough that Schedule "N" as submitted be approved. Motion passed.

SCHEDULE "O" - SALARIES

Moved by Alderman Stech, seconded by Alderman Donovan that Schedule "O" as submitted be approved.

Moved in amendment by Alderman Gough, seconded by Alderman Smeltzer that the salary of the Assistant to the City Solicitor be increased to \$1,500.00. Amendment put and passed.

Alderman Mitchell and Walker wishing to be recorded against.

ASSESSOR'S DEPARTMENT

Alderman Stech explained that the City Assessor had made certain recommendations to the Finance Committee re staff re-organization in his department.

The recommendations, Alderman Stech said, of the Assessor were that legislation be obtained to permit the appointment of a second assistant assessor and re-arrangement of the staff necessitating the appointment of a junior clerk.

The Assessor's recommendations were adopted, with Alderman Walker wishing to be recorded against.

Moved by Alderman Stech, seconded by Alderman Donovan that Schedule "O" as now amended be approved. Motion passed.

February 25th, 1937.

SCHEDULE "P" - POLICE

*Ald Curran  
against  
see Page 464*  
Moved by Alderman Stech, seconded  
by Alderman Donovan that Schedule "P" as submitted  
be approved. Motion passed.

Alderman Walker wishing to be  
recorded against.

SCHEDULE "Q" - CITY PRISON

Moved by Alderman Burgess, seconded  
by Alderman Smeltzer that Schedule "Q" as submitted  
be approved. Motion passed.

SCHEDULE "R" - CITY WORKS DEPT.

Moved by Alderman Gates, seconded  
by Alderman Freda that Schedule "R" as submitted  
be approved. Motion passed.

SCHEDULE "S" - FIRE DEPARTMENT

Moved by Alderman Gates, seconded  
by Alderman Smeltzer that Schedule "S" as submitted  
be approved. Motion passed.

Moved by Alderman Gates, seconded  
by Alderman Smeltzer that the supplement to  
Schedule "S", namely "Fire Alarm Telegraph System"  
be approved. Motion passed.

Alderman Walker objected to the  
amount of coal being used by the Fire Department.

SCHEDULE "T" - MISCELLANEOUS

Moved by Alderman Stech, seconded  
by Alderman Mitchell that Schedule "T" as submitted  
be approved. Motion passed.

SCHEDULE "U" - ESTIMATED INCOME

Moved by Alderman Stech, seconded  
by Alderman Freda that Schedule "U" as submitted be  
approved. Motion passed.



February 25th, 1937.

WATER DEPARTMENT ESTIMATES, 1937-38

Read report of the Committee on Works submitting estimates for the Water Department for the civic year 1937-38.

February 24th, 1937.

The City Council.

Gentlemen:-

At a meeting of the Committee on Works held this date, estimates for the Water Department for the civic year 1937-38 were submitted by the City Engineer.

The committee recommends to Council that said estimates as attached hereto be approved.

E. J. Cragg,  
MAYOR AND CHAIRMAN.

HALIFAX WATER WORKS  
ESTIMATES, 1937-38.

<u>REVENUE:</u>	<u>1937</u>	<u>1936</u>
Meter rates	\$128,000.00	\$128,682.56
Meter rentals	6,000.00	6,226.50
Special agreements	34,000.00	34,571.15
Fire protection	81,000.00	82,485.14
Bond rates	3,000.00	3,395.66
Interest	2,000.00	2,084.24
Miscellaneous	1,300.00	1,344.38
	<u>\$255,300.00</u>	<u>\$258,789.63</u>
Loss:-		
Discounts	4,500.00	4,887.75
Reductions	500.00	405.87
Short Collection	<u>2,000.00</u>	<u>2,000.00</u>
	<u>7,000.00</u>	<u>7,293.62</u>
Total Revenue	<u>\$248,300.00</u>	<u>\$251,496.01</u>
<u>EXPENDITURES:</u>		
Deputy City Engineer	3,600.00	3,600.00
Acting Superintendent	3,600.00	3,600.00
Clerk of Works	2,300.00	2,200.00
Asst. Clerk of Works (half)	910.00	880.00
Stenographer Clerk	1,300.00	1,300.00
Ledger Keepers (2 @ \$1700.)	3,400.00	3,400.00
Entry Clerk	1,220.00	1,160.00
Plumbing Inspector (half)	1,130.00	1,100.00
Meter Readers, 2 @ \$1500.	3,000.00	3,000.00
" " 1 @ \$1500.	1,040.00	1,500.00
" " 1 @ \$1300.	1,300.00	1,300.00
" " 1 @ \$1100.	1,160.00	1,100.00
" " 1 @ \$1420.	1,480.00	1,420.00
Cashier (Collector's Off)	600.00	600.00
Sub-Collector	1,600.00	1,600.00
Clerk	1,220.00	1,160.00
Audit Clerks (part)	<u>900.00</u>	<u>900.00</u>
	<u>29,760.00</u>	<u>29,820.00</u>



February 25th, 1937.

Wages	\$50,000.00	\$49,806.72	
Materials & Supplies	9,000.00	8,769.11	
General Expense	<u>7,000.00</u>	<u>6,600.00</u>	
	\$66,000.00		\$65,175.83
Interest consolidated fund 1880	19,516.00	19,516.00	
Interest consolidated fund 1905	81,561.09	82,662.99	
Instalment Debentures	3,033.72	--	
Int. & Premium U.S. Loan	1.00	1.00	
Sinking Fund	23,399.35	23,399.35	
Depreciation & renewals	<u>25,000.00</u>	<u>25,000.00</u>	
	<u>152,511.16</u>		<u>150,579.34</u>
	\$248,271.16		\$245,575.17

Moved by Alderman Gates, seconded by Alderman Koshon that the Water Department estimates as submitted be approved. Motion passed.

RESOLUTION RE 5% SALARY CONTRIBUTIONS

The following resolution re 5% salary contributions was submitted.

RESOLVED that legislation be secured at the next session of the Legislature to make effective the following directions;

That all persons whose salaries, wages or commissions over \$60.00 per month are paid by the City, including such persons in the employ of the Fire Department and the Police Department, unless otherwise exempted by legislative enactment or resolution of the Council adopted at this meeting, be required to contribute 5% of such salaries, wages or commissions for the purpose of the general revenue of the City, during the civic year 1937-38, and that the Treasurer be authorized to deduct the said amount of 5% from the salaries or wages of all such employees and retain the said sum for the purposes of the general revenue of the City.

This resolution does not apply to any employee receiving an hourly wage of .35¢ or less.

Moved by Alderman Stech, seconded by Alderman Mitchell that the resolution as submitted be approved. Motion passed.

February 25th, 1937.

GRANT - CHILDRENS AID SOCIETY

Moved by Alderman Gough, seconded by Alderman Donovan that the City Solicitor be requested to draft legislation necessary to enable the City to pay the sum of \$500.00 to the Childrens Aid Society for one year.

Moved in amendment by Alderman Gates, seconded by Alderman Stech that this matter be referred to the Finance Committee for its consideration and report. Amendment put and lost, 6 voting for the same and 10 against it as follows:-

FOR THE AMENDMENT

Aldermen Burgess  
Keshen  
Mitchell  
Stech  
Sullivan  
Gates

-6-

AGAINST IT

Aldermen Curran  
Curtis  
Donoyan  
Freda  
Gough  
McCarthy  
McDonald  
Power  
Smeltzer  
Walker

-10-

The original motion put and passed, 12 yoting for the same and 3 against it as follows:-

FOR THE MOTION

Aldermen Curran  
Curtis  
Donovan  
Freda  
Gough  
Keshen  
McCarthy  
McDonald  
Power  
Smeltzer  
Sulliyen  
Walker

-12-

AGAINST IT

Aldermen Burgess  
Gates  
Mitchell  
Stech

-4-

February 25th, 1937.

With the unanimous consent of Council, it was agreed to consider a resolution moved by Alderman Smeltzer and seconded by Alderman Walker as follows:-

BE IT RESOLVED that no employee of the City receiving an hourly wage of 40¢ or less shall be required to contribute 5% of such wage to the City.

Motion put and passed unanimously.

As such resolution would reduce the estimate of revenue in respect of the Contribution Account, it was moved by Alderman McCarthy, seconded by Alderman Smeltzer that -

WHEREAS for the civic year 1937-38 persons in the employ of the City and receiving a rate of wage, 40¢ or less per hour, will not be required to make any contribution to the revenue of the City, that a 5% contribution, required for the purposes of the "Contribution Fund", be made at the expense of the various departmental estimates approved at this meeting.

Motion put and passed unanimously.

The following resolution was then submitted.

RESOLVED that the General and Ordinary Assessment amounting to \$682,365.71 less probable income \$173,361.36 making a total of \$509,004.35 and the extra assessment amounting to \$1,658,983.25 as set out in the yearly estimates herewith submitted for 1937-38 making a total of \$2,167,987.60 plus 2¼% for short collections \$48,779.73 making \$2,216,767.33 less estimated poll tax \$25,000.00, and \$5,000.00, from unexpended balances making a total of \$2,186,767.33 be confirmed and do now pass and that the inhabitants and property within the City be assessed and rated for the said sum of \$2,186,767.33.

FURTHER RESOLVED that the City Clerk is hereby directed to transmit the said estimates together with a copy of this resolution to the City Assessor on or before the 1st day of March next, and to instruct him to fix the rate of taxation for the year ending April 30th, 1938, on the basis of the said amount of \$2,186,767.33.

Moved by Alderman Stech, seconded by Alderman Mitchell and passed unanimously.

February 25th, 1937.

CITY OF HALIFAX.  
ESTIMATES FOR CIVIC YEAR - 1937-38.

Estimates of Income and Expenditure  
for the Civic Year ending April 30th,  
1938 as passed by City Council,  
February 25th, 1937.

Extra Assessment	1937-38	Increase	Decrease	1936-37
A. - Joint estimates, Municipality of Halifax	\$59,598.82	\$1,915.91		\$57,682.91
B. - Public Schools	725,365.63	31,259.72		694,105.91
C. - City Home	41,008.00	5,290.00		35,718.00
D. - Fleming Park	3,000.00			3,000.00
E. - Public Gardens and Commons	13,217.53	630.00		12,587.53
F. - Pt. Pleasant Park	4,885.00	426.00		4,459.00
G. - Citizens Free Library	5,600.00	40.00		5,560.00
H. - City Health Board	70,746.00	2,700.00		68,046.00
I. - Superannuations	43,283.69	1,079.09		42,204.60
J. - City Grants and Sundries	204,272.44		\$10,598.83	214,871.27
K. - Short Term Debentures and Interest	20,102.47	2,018.51		18,083.96
L. - Interest on Consolidated Fund 1880.	49,394.00			49,394.00
M. - Interest on Consolidated Fund 1905	321,683.24	1,581.73		320,101.51
N. - Sinking Fund requirements	96,826.43			96,826.43
	<u>1,658,983.25</u>	<u>46,940.96</u>	<u>10,598.83</u>	<u>1,622,641.12</u>
<b>General Assessment:</b>				
O. - Salaries	\$97,603.33	\$4,663.33		\$92,940.00
P. - Police	129,507.00	3,185.00		126,322.00
Q. - Prison	14,321.15		1,729.00	16,050.15
R. - City Works Dept.	255,801.23	9,192.68		246,608.55
S. - Fire Department Fire Alarm Telegraph System	168,447.60	2,197.40		166,250.20
	6,785.40	679.60		6,105.80
T. - Miscellaneous	9,900.00			9,900.00
	<u>682,365.71</u>	<u>19,918.01</u>	<u>1,729.00</u>	<u>664,176.70</u>
U. - Less Estimated Income	173,361.36	32,030.59		205,391.95
Total General Assessment	509,004.35	51,948.60	1,729.00	458,784.75
Total Extra Assessment	1,658,983.25	46,940.96	10,598.83	1,622,641.12
	<u>2,167,987.60</u>	<u>98,889.56</u>	<u>12,327.83</u>	<u>2,081,425.87</u>
Add Provision Short Collection, 2%	48,779.73	1,947.65		46,832.08
	<u>2,216,767.33</u>	<u>100,837.21</u>	<u>12,327.83</u>	<u>2,128,257.95</u>
Less Unexpended Balance	5,000.00			5,000.00
Less Estimated Poll Tax	25,000.00			25,000.00
Civic Year 1937-38	<u>2,186,767.33</u>	<u>100,837.21</u>	<u>12,327.83</u>	<u>2,098,257.95</u>
Previous Year	2,098,257.95	12,327.83		
INCREASE	<u>\$88,509.38</u>	<u>\$88,509.38</u>		

February 25th, 1937.

10.55 P.M.,

Moved by Alderman Stech, seconded by Alderman Mitchell that this meeting do now adjourn. Motion put and lost, 6 voting for the same and 10 against it as follows:-

FOR THE MOTION

Aldermen Burgess  
Freda  
Mitchell  
Power  
Stech  
Walker

-6-

AGAINST IT

Aldermen Curran  
Curtis  
Donovan  
Gates  
Gough  
Keshen  
McCarthy  
McDonald  
Smeltzer  
Sullivan

-10-

Moved by Alderman Gates, seconded by Alderman McCarthy that this meeting adjourn until Friday, February 26th at 8 P.M. Motion passed. Meeting adjourned.

LIST OF HEADLINES

Letters, Halifax Civic League re Collector's rolls	418
Civic Estimates, 1937-38.	420
Water Department estimates, 1937-38	425
Resolution re 5% salary contributions	426
Grant - Childrens Aid Society	427

E. J. Cragg,  
MAYOR AND CHAIRMAN.

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

EVENING SESSION

8.10 o'clock,  
Council Chamber,  
City Hall,  
February 26th, 1937.

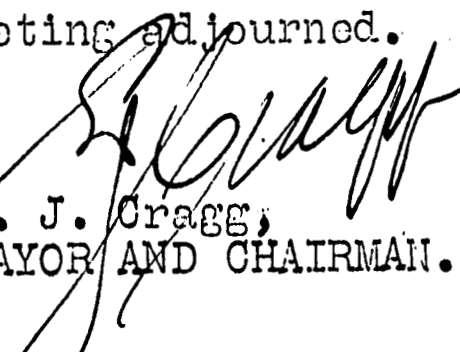
An adjourned meeting of the City Council was called for this evening. At the above named hour there were present His Worship the Mayor, Chairman; and Aldermen Gates, Mitchell, Donovan, Curran, Sullivan, Keshen, Curtis and Walker.


Moved by Alderman Donovan, seconded by Alderman Gates that this meeting adjourn for a period of ten minutes or until a quorum is present. Motion passed.

8.20 P.M.,

Moved by Alderman Mitchell, seconded by Alderman Keshen that Council adjourn until Tuesday, March 2nd at 4.30 P.M. Motion passed.

Meeting adjourned.

  
E. J. Cragg,  
MAYOR AND CHAIRMAN.

  
W. P. Publicover,  
CITY CLERK.

AFTERNOON SESSION

4.30 O'clock,  
Council Chamber,  
City Hall,  
March 2nd, 1937.

A special meeting of the City Council was held this day. At the above named hour there were present His Worship the Mayor, Chairman; and Aldermen Gates, Mitchell, Stech, Donovan, Burgess, Curran, Froda, McDonald, Keshen, Curtis, Gough, Smeltzer and Walker.

The meeting was called specially to consider legislation.

LEGISLATION

The City Solicitor submitted and explained the following legislation which was recommended to Council by the Laws and Privileges and Finance Committees.



The following legislation will be considered by the City Council at the Special Meeting Thursday night, February 5th, 1937:

Section 124 is amended by adding thereto the following subsection:

(2) In addition to the foregoing provisions, in any case, in which, in the opinion of the Committee on Finance, it is necessary in the best interests of the City and for its protection, that an officer or official be bonded, the Council may, upon receiving a resolution to this effect from such Committee, request such officer or official to forthwith furnish a bond, as hereinbefore described, and the premium upon such bond shall be paid by the City as provided in the preceding subsection hereof. If such officer or official fails to furnish such bond within thirty days from the date of the making of such request by the Council, the Council shall remove such officer or official and may appoint another in his place.

The Charter is amended by adding thereto immediately following Section 163 thereof, the following section:

163A. (1) The Clerk of the City Court and the Clerk of the Police Court, upon appointment or re-appointment and before entering upon his duties, shall within thirty days of such appointment or re-appointment furnish a bond of some recognized guaranty company approved by the Council, **conditioned upon the faithful performance** and execution of his duties as such Clerk, the payment over on demand to the person or persons entitled to demand the same all and every sum of money which comes into his hands by virtue of the said offices of Clerk, and his proper conduct as a faithful officer. Such bond shall name the City as beneficiary but the same shall

also enure to the benefit of the other persons herein named. Such bond or a renewal thereof shall be continued in effect during the entire period such Clerk shall hold such office.

(2) The amount of such bond shall be determined by the City Council, and unless such amount is so determined, such bond shall be for the sum of Five Thousand Dollars.

(3) Such bond shall be submitted to the City Council for approval within one month after appointment or re-appointment. If the City Council shall disapprove of the said bond, the Clerk shall within two weeks furnish to the satisfaction of the City Council another such bond in lieu of the bond so disapproved. Upon failure by such Clerk to furnish within such time a bond satisfactory to the City Council, the Council shall declare the offices vacant and may proceed to appoint a person to fill the same.

(4) The City Council may at any time require the Clerk to renew the said bond as to the Council appears expedient for the protection of the interests of the City or of parties to legal proceedings in the said Courts, and the Clerk shall submit such new bond to the City Council within one month after notice of the decision of the Council in that behalf. Such renewed or substituted bond shall be in the same form and executed and accompanied by the same formalities and filed in the same manner and subject to the same approval as the original bond. Upon failure by such Clerk to furnish within such time such renewed or substituted bond, satisfactory to the City Council, the Council shall declare the offices vacant and may proceed to appoint a person to fill the same.

(5) The Sureties upon the bond of such Clerk shall be liable to indemnify any person against any loss or damage sustained by such person in any legal proceedings to which such person was a party in consequence of any neglect, default, misconduct or misfeasance committed by such Clerk in his office.

(6) Any such person may maintain an action against such Surety in respect to such loss or damage in the name of the City of Halifax without any permission to do so being obtained therefor from the said City. In such case the City of Halifax shall not be liable for any costs, expenses or damages incurred by such person in maintaining such action.

(7) The premium upon such bond shall be paid by the City, and may either be included in the yearly estimates or borrowed from any bank or fund available and with the interest thereon included in the estimates for the next succeeding year.

3. Subsection (1) of Section 332 is amended by adding hereto, immediately following the last word thereof the following:

All or any part of the amount to be borrowed, may, by resolution of the Council, be borrowed for a fixed term not exceeding six months and the Treasurer shall issue in acknowledgment thereof a Treasurer's warrant or warrants to be signed by the Mayor, the Clerk and himself. Such warrant or warrants shall specify the time and place of repayment, the year on account of which the money is borrowed, the rate of interest, and shall be in such form as the Council shall approve.

The Charter is amended by inserting therein, immediately following Section 333 thereof, the following:

333A. The City may defray out of the interest account of the City the cost of any banking service charge or bank exchange, made against the City in respect of any trust fund, sinking fund or bank account of the City or under its control.

The Charter is amended by adding thereto, immediately following Section 340, the following sections:

340A. (1) Notwithstanding the provisions of the preceding section, in any case where the Council shall consider it to be in the best interests of the City, the City may borrow money and establish, for the repayment of that loan, a special sinking fund, the maturity of which such fund occurs after the maturity of the said loan.

(2) In any such case, the City may, upon the maturity of such loan, and upon the maturity of any loan, made to repay such original or subsequent loan, which matures prior to the completion of payments into the said sinking fund so established, issue a new loan, for the purpose of repaying such original or subsequent loan, from the proceeds of the same, and any such loan so issued, for the repayment of a prior loan, shall be issued in accordance with the provisions of the Halifax City Charter, relating to the City of Halifax Consolidated Fund and shall be in addition to the amounts previously authorized to be borrowed as part of that fund, provided however, that the total period of the original loan, so made, together with the total period of such subsequent loan or loans issued hereunder, shall not exceed the period in respect to which the sinking fund was established, but not in any case to exceed thirty years.

340B. The City may, at any time, by a resolution of the Council, borrow from any bank or fund available, such amounts of money as may be required to pay off any loan outstanding at such time and shall apply such money to the repayment of such loan, and the City may subsequently issue a new loan, secured by stock or debentures of the City, and such loan shall be issued in accordance with the provisions of the Halifax City Charter, relating to the City of Halifax Consolidated Fund and shall be in addition to the amounts previously authorized to be borrowed as part of that fund, and the City shall apply the proceeds thereof to the repayment of such amounts so borrowed.

6. Section 373 is amended by inserting therein immediately following the word "Scotia" in the sixth line thereof the words - "or the property of The City of Halifax".

(Explanatory Note: At present Section 373 provides that when any Crown property is occupied by any person for residential, recreational, commercial or industrial purpose; such person shall be liable to pay the City a tax assessed to the same amount as if he were himself the owner of such property. The effect of the amendment is merely to extend the same provisions to include City property.)

7. Section 396 is amended by adding thereto the following subsection:

(5) The owner of any real property, shall, at the request of the Assessor, furnish him with a statement containing the names of all occupants of such real property, the rents payable by each, and the services, if any, received by such occupant. Such statement shall be verified by the affidavit of said owner.

*Deleted  
see page  
# 452*

*Deleted  
see page  
# 452*

8. Section 425 is amended by adding thereto the following subsection:

(8) Any person who has been assessed for a household tax, business tax or other occupation tax, at any time after the general assessment has been made in respect of the civic year for which such tax has been assessed, shall be allowed a discount of two and one-half percent of the amount of such tax, if the same has been paid in full during the month of May in such civic year, or a discount of one and one-half percent if the same has been paid in full in any other month of such civic year, within thirty days of the date of delivery or mailing of such assessment notice, provided however that such person shall pay to the City, upon the unpaid amount of such taxes, interest at the rate then current in the City, from the first day of September in such civic year, or in the case where such assessment notice is delivered or mailed subsequent to the first day of August in such civic year, from thirty days subsequent to such date of delivery or mailing, provided however that nothing herein contained shall be construed to prevent the Collector, in any case in which he considers the City may suffer loss from requiring the whole tax to be paid forthwith or from taking immediate proceedings by warrant, writ or other legal proceedings for the immediate recovery of the said tax.

Section 434A. is amended by adding thereto the following subsection:

(2) The provisions of the preceding subsection shall apply to and be binding upon all persons whose salary or wages is or are paid, directly or indirectly out of the general revenue of the City, including the members of the Police Force and the Fire Department.



The Charter is amended by inserting therein immediate-  
following Section 440A, the following section:

440B. In any case where the owner of any personal property leases the same to any person for the purposes of any trade, profession or other calling carried on for the purposes of gain, and such person is assessed in respect thereto for a Business Tax, such personal property shall be deemed to be the property of such person and the lien of the City for such taxes shall apply to the same and it may be taken and sold under warrant for the amount of such taxes. Any balance at such sale, after payment of the said taxes and the expenses of advertising and selling shall be paid to such person or to such other person as proves to the satisfaction of the collector that he is entitled to the same.

*Deleted  
see page  
# 453*

1. Section 461 is amended by adding thereto the following subsection:

(4) Before delivering the said deed to the purchaser, the Collector shall submit the same to the Auditor who shall ascertain whether the amount of the purchase money due to the City in respect to the said deed has been paid to the City and if such amount has in fact been paid to the City, the Auditor shall place upon the said deed a certificate to this effect, and until such certificate is so placed upon the said Deed, no delivery of the same to any purchaser shall be binding upon the City.

2. Section 471 is amended by adding thereto the following subsection:

(2) Before delivering any deed of any property to any purchaser, such Committee shall first submit the same to the Auditor who shall ascertain whether the amount



of the purchase money due to the City in respect to the said deed has been paid to the City and if such amount has in fact been paid to the City, the Auditor shall place upon the said deed a certificate to this effect, and until such certificate is so placed upon the said Deed, no delivery of the same to any purchaser shall be binding upon the City.

3. The Charter is amended by adding thereto immediately following Section 614 thereof, the following section:

614A. Before any deed conveying any property by the City is delivered to the purchaser thereof, the same shall be submitted to the Auditor, by the official in charge thereof, and the Auditor shall ascertain whether the amount of the purchase money due to the City in respect to the said deed has been paid to the City and if such amount has in fact been paid to the City, the Auditor shall place upon the said deed a certificate to this effect, and until such certificate is so placed upon the said deed, no delivery of the same to any purchaser shall be binding upon the City.

4. Subsection (2) of Section 463 is amended by adding thereto immediately following the word "not" in the fourth line thereof, the following words:

"and from all claims for dower of the wife and courtesy of the husband of the previous owner thereof, as the case may be."

(Explanatory Note: It has been suggested that a sale of property for taxes does not operate to bar the dower of the wife or the courtesy of the husband of the owner of the property immediately prior to the sale. This amendment is intended to remove any doubts in this regard.)

5. Section 470 is repealed and the following is substituted therefor:

470. The Tax Property Sale Committee, consisting of the Mayor and one alderman from each ward, appointed thereto by the Council, shall be a committee to dispose of any or all properties so purchased by the City, and that committee may, with the approval of the Council first had and obtained therefor, sell, lease, or otherwise dispose of the same.

6. Subsection (3) of Section 559 is amended by adding thereto, immediately following the last word thereof, the words:

"but no such amendment shall be made to such plan or list after the expiration of Two years from the date of the filing of the same."

7. Subsection (4) of Section 561 is amended by adding thereto, immediately following the last word thereof, the words:

"but no such amendment shall be made to such plan or list after the expiration of two years from the date of the filing of the same."

8. Subsection (3) of Section 566 is amended by adding thereto immediately following the last word thereof, the words:

"but no such amendment shall be made to such plan or list after the expiration of two years from the date of the filing of the same."

9. Subsection (3) of Section 599 is amended by adding thereto, immediately following the last word thereof, the

ords:

"but no such amendment shall be made to such plan or list after the expiration of two years from the date of the filing of the same."

0. The Charter is amended by repealing Sections 572 to 77 inclusive, substituting therefor the following sections:

572. (1) Notwithstanding the provisions of Chapter 10 of the Revised Statutes "The Street Tree Act", the said chapter shall not apply to the City of Halifax.

(2) The Committee on Public Gardens, Parks and Commons, shall have the power, subject to the control of the Council as hereinafter set forth, to plant, set out, maintain and care for trees on any of the public streets within the city.

(3) Before proceeding to plant upon any street any trees in respect to which the cost of providing and planting the same is to be charged against the owners of the real property in front of which such trees are to be planted, the said Committee shall first secure the approval of the Council herefor.

(4) The said Committee shall, from time to time, formulate such plans of street tree planting as shall seem expedient, but before such plans are put into effect the same shall first be submitted to the Council for approval.

(5) Before any tree is planted in any street the location of such tree shall be first approved by the City Engineer.

573. (1) The total cost of providing, planting or transplanting trees, in any streets, during any season, and of suitable guards, curbing or grating for the protection hereof, when necessary and of the proper replacing of any

words:

"but no such amendment shall be made to such plan or list after the expiration of two years from the date of the filing of the same."

20. The Charter is amended by repealing Sections 572 to 577 inclusive, substituting therefor the following sections:

572. (1) Notwithstanding the provisions of Chapter 110 of the Revised Statutes "The Street Tree Act", the said chapter shall not apply to the City of Halifax.

(2) The Committee on Public Gardens, Parks and Commons, shall have the power, subject to the control of the Council as hereinafter set forth, to plant, set out, maintain and care for trees on any of the public streets within the City.

(3) Before proceeding to plant upon any street any trees in respect to which the cost of providing and planting the same is to be charged against the owners of the real property in front of which such trees are to be planted, the said Committee shall first secure the approval of the Council therefor.

(4) The said Committee shall, from time to time, formulate such plans of street tree planting as shall seem expedient, but before such plans are put into effect the same shall first be submitted to the Council for approval.

(5) Before any tree is planted in any street the location of such tree shall be first approved by the City Engineer.

573. (1) The total cost of providing, planting or transplanting trees, in any streets, during any season, and of suitable guards, curbing or grating for the protection thereof, when necessary and of the proper replacing of any

pavement or sidewalk necessarily disturbed in the doing of such work, and including a reasonable amount to cover the cost of uncollectible assessments and clerical expenses in respect of such trees, shall be jointly borne by the owners of the real property in front of which such trees were planted or set out, and such cost shall be divided into the same number of units as trees so planted and each owner shall be assessed for the same number of units of such cost as the number of trees so planted in front of the real property owned by him; and the said Committee shall inform the City Engineer of the location of each tree so planted, and the total cost of planting all such trees, as hereinbefore provided, and the Engineer shall make a list of the owners of the real property in front of which such trees were so planted and the share of the said cost of planting the trees to be borne by each such owner, and shall file such list in his office, and shall certify the said lists to the City Council and to the City Collector; and upon the filing of the said list and the certification of the same the amount due by such owner shall be collected in the same manner as the general rates and taxes of the City and, if not paid by the real property owner as hereinbefore provided, shall become a lien upon the said real property in front of which said trees were so planted or set out, which shall be enforced in the same manner as the lien upon real property for the real property tax.

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

(3) Any such plan or list may be amended by the Engineer from time to time within three years from the date

of the filing of the same, and any such amendment shall in like manner be conclusive evidence of the facts stated therein.

574. (1) The said Committee may authorize any person to plant trees on any street, but the location of such trees shall be approved by the City Engineer.

(2) Any owner of property wishing to have trees planted in the street in front of his property may, on obtaining the authorization of the said Committee to such planting, pay to the Treasurer such sum for each tree that he wishes planted, as the Superintendent of Halifax Common deems sufficient to defray the cost of purchasing and planting the same, and shall receive a receipt in duplicate therefor, one of which duplicates he may lodge with the Superintendent of Public Gardens and the Superintendent shall at the next appropriate season cause such planting to be done.

(3) The owner may specify the description of tree which he wishes to have planted, and the same shall be planted accordingly, but the said Superintendent shall not be required to plant any tree which in his opinion is not of a suitable description.

(4) If the cost of purchasing and planting such trees does not amount to the sum paid to the Treasurer, the balance shall be returned to the person who paid the same.

575. (1) No trees on any street shall be cut down, trimmed or removed except under the supervision and directions of the Superintendent of Public Gardens.

(2) No trees on any street shall be cut down, trimmed or removed by any person unless permission so to do has been first obtained from the said Committee, and then only under the supervision and directions of the said Superintendent.



(3) Every person who contravenes this section shall for each tree so cut down, trimmed or removed, be liable to a penalty not exceeding one hundred dollars, and in default of payment, to imprisonment for a period not exceeding sixty days.

(4) In addition to the remedies hereinbefore prescribed in this section, the owner of the property, in front of which any tree stands, may maintain an action in his own name to restrain any contravention of this section, or to recover any damage done to his property thereby.

576. If any part of a tree standing on private property interferes with the public use of any street, the engineer may request the Superintendent of Public Gardens to cut or trim the same in order to remove such interference, and the said Superintendent shall upon such request so cut or trim such tree and may, if necessary for that purpose, enter on such private property.

577. The Council may make an ordinance prescribing for the care of and the prevention of injuries to trees on the streets and such ordinance may provide suitable fines and penalties for violations of such ordinances.

21. The City may expend, during the civic year 1937-1938, a sum not exceeding Five Hundred Dollars (\$500.00) for the purpose of providing the Committee on Public Gardens, Parks and Commons with an appropriation to be used by such Committee for the purpose of trimming, pruning and caring for trees in the streets, and any sums so required for this purpose may be borrowed from any bank or fund available and, with the interest thereon, included in the estimates for the civic year 1938-1939.



22. Subsection (1) of Section 310 is amended by inserting therein, immediately following the second paragraph thereof, the following paragraph:

A sum not exceeding five hundred dollars for pruning, trimming and replacing trees in the streets by the Committee on Public Gardens, Parks and Commons.

23. Each owner of real property on Studley Avenue at the date of the coming into force of this Act, in front of which real property the Committee on Public Gardens, Parks & Commons, during the civic year 1935-1936, planted a tree or trees, shall be liable to pay and shall pay to the City in respect of each such tree so planted in front of the said real property so owned by such owner, as aforesaid, the sum of three dollars, and such sum due by each such owner shall be payable within thirty days of a demand made therefor by the City Collector, and the same shall be from the date of the coming into force of this Act, a lien upon the said real property of such owner, in front of which such trees were so planted, which lien shall be enforced in the same manner as the lien upon real property for a real property tax; if such sum is not paid within thirty days from the date of such demand, such sum shall bear interest from the date of the coming into force of this Act until payment thereof at the rate of six per centum per annum.

24. Subsection (6) of Section 815 is amended by striking out the words "Committee on Works" in the eighth and ninth

lines thereof and substituting therefor the words "City Council", *after receipt by the Council of a report thereon from the committee on works*

25. Subsection (1) of Section 938 is amended by adding

thereto after the last word thereof the following paragraph:

For preventing persons under 14 years of age from walking or being on any street of the City after nine o'clock

*see page # 455*  
*Deleted see page # 455*

at night, and may provide that such ordinance shall not apply to certain persons in certain cases.

26. (1) There shall be constituted a Board composed of a person to be appointed by the Chief Justice of the Province, and two aldermen to be annually appointed thereto by the Council, to deal with the arrears of rates, taxes and betterment charges outstanding and due or appearing to be due to the City previous to the first day of May, 1924, and in dispute. Such Board shall have power to adjust such dispute and to find and fix the amount due the City; to extend the time for payment of amounts found due, or to make any other proper or necessary arrangement in respect of such matters and to take in the name of the City any mortgage of real or personal property or other security, and any such adjustments, finding, fixing, extension or arrangements upon confirmation thereof by the Council shall be legal and binding on the City.

(2) The said Board may examine any witness and may, if it deems fit, require evidence to be given under oath, such oath to be administered by any member of the Board.

(3) Such Board shall continue until the 30th day of April, A.D., 1942.

27. Notwithstanding the provisions of the City Charter respecting the same, the amount charged against The Eastern Trust Company, as owner of certain real property, situated upon the eastern and western sides of that portion of Connaught Avenue lying between the north line of Bayers Road and the south line of Regent Street, being the share of the cost of laying a sewer in such portion of Connaught Avenue to be borne by the owner of real property on such portion, fronting on such sewer, is hereby declared to have been due and owing by

*Deleted  
see page  
# 456*

the said The Eastern Trust Company to the City from the date of the filing of the plan and list in respect to the same, and the City is hereby declared to have had a lien therefor upon such property from the date of the filing of such plan and list.

(2) Notwithstanding the provisions of Section 599 of the Charter, no payment of the said amount or any portion thereof shall be made by the said The Eastern Trust Company until the first day of May, A.D., 1942, and no interest upon such amount shall be charged against the said The Eastern Trust Company prior to the first day of May, A.D., 1942.

(3) The amount due by the said Company shall be divided into ten equal instalments, the first of which shall be payable on the said first day of May, A.D., 1942, and one, together with accrued interest, on each succeeding first day of May thereafter until the whole is paid.

(4) The Council may by resolution, at any time prior to the first day of May, A.D., 1942, at the request of The Eastern Trust Company, extend the provisions of this section beyond the said first day of May, A.D., 1942, for a period not exceeding five years therefrom.

28. In any case in which the City is at the time of the coming into force of this Act, the holder of a second mortgage or other charge against any real property, subsequent to a first mortgage or any other prior charge against such property, the City may acquire such first mortgage or prior charge, and any money required for the acquisition of such mortgage or charge may be borrowed from any bank or fund available, and repaid in such manner as the Council shall determine.

29. The assessment of the Lord Nelson Hotel Company Limited in respect to the Lord Nelson Hotel, for a period of five years from the first day of May 1938 shall be as follows:

(1) The value of the hotel and of the land on which it stands and is now used in connection therewith, shall be assessed at the sum of two hundred and sixty thousand dollars (\$260,000.00)

(2) The value of the property occupied for the purposes of the Lord Nelson Hotel shall, for the purposes of the assessment for business tax be assessed on fifty per cent of the balance of the said assessment of \$260,000.00 remaining after deduction therefrom, if any, of the value of that portion of the real property included in the said valuation of \$260,000.00, occupied for the purposes of any trade, profession or other calling carried on for purposes of gain by persons other than the Lord Nelson Hotel Company Limited; the value of such portion to be deducted, if any, shall be calculated upon the same proportionate basis to the actual value of such portion as the assessment of \$260,000.00 bears to the actual value of the Lord Nelson Hotel.

(3) The fire protection water rates shall be rated on the said valuation of \$260,000.00, ~~water consumption to be charged at the rates from time to time in force.~~ *see page 457*

(4) The Assessor shall make such assessment, as hereinbefore provided before the thirty-first day of December preceding the civic year in respect to which such assessment is made.

30. (1) For the purpose of assessment and taxation, the Dartmouth Ferry Commission in each year during the period of fifteen years, beginning on the 1st day of May, 1937, pay

*as part of the consideration for the agreement hereinafter referred to shall see page 457.*

Real Property tax to the City of Halifax in respect of the real property occupied by the Commission in the City of Halifax, at the rate current in the City upon an assessment of \$40,000.00, and a Business Tax in respect of the real property in the said City, occupied by the Commission for the purposes of the trade or other calling of the Commission, at the said rate, upon an assessment of \$20,000.00, together with such sum as may be assessed for the Highway Tax, upon an assessment of \$40,000.00.

(2) The Memorandum of Agreement entered into between The City of Halifax and The Dartmouth Ferry Commission and dated the 25<sup>th</sup> day of February, A.D., 1937, and set forth in Schedule "A" hereof, is hereby ratified and confirmed and declared to be binding upon both parties thereto.

March 2nd, 1937.

1. Section 124.

Moved by Alderman Mitchell, seconded by Alderman Freda that this item be approved. Motion put and passed, 9 voting for the same and 4 against it as follows:-

FOR THE MOTION

Aldermen Donovan  
Freda  
Gates  
Keshen  
McDonald  
Mitchell  
Smeltzer  
Stech  
Walker

-9-

AGAINST IT

Aldermen Burgess  
Curran  
Curtis  
Gough

-4-

2. Section 163A.

Moved by Alderman Gates, seconded by Alderman Smeltzer that this item be approved. Motion passed.

3. Section 332.

Moved by Alderman Donovan, seconded by Alderman Gates that this item be approved. Motion passed.

4. Section 333A.

Moved by Alderman Stech, seconded by Alderman Gates that this item be approved. Motion passed.

5. Section 340A.

Moved by Alderman Stech, seconded by Alderman Donovan that this item be approved. Motion passed.

4.45 P.M.

Aldermen Sullivan and McCarthy arrive and take their seats in Council.

Section 340B.

Moved by Alderman Stech, seconded by Alderman Donovan that this item be approved. Motion passed.

March 2nd, 1937.

6. Section 373.

Moved by Alderman McCarthy, seconded by Alderman Gough that this item be deleted from the legislation. Motion passed.

Alderman Stech wishing to be recorded against.

7. Section 396.

Moved by Alderman Gough, seconded by Alderman Gates that this item be expunged.

Moved in amendment by Alderman Curran, seconded by Alderman Burgess that the legislation, as submitted be amended to read as follows:-

Section 396 is amended by adding thereto the following subsection:

- (5) The owner of any real property, shall, furnish the Assessor with a statement containing the names of all occupants of such real property, the rents payable by each, and the services, if any, received by such occupant. Such statement shall be verified by the affidavit of said owner.

Amendment put and lost, 4, voting for the same and 11 against it as follows:-

FOR THE AMENDMENT

Aldermen Burgess  
Curran  
McCarthy  
McDonald

AGAINST IT

Aldermen Curtis  
Donovan  
Freda  
Gates  
Gough  
Keshen  
Mitchell  
Smeltzer  
Stech  
Sulliyen  
Walker

-11-

-4-

The motion to expunge the item was then put and passed, 12 voting for the same and 3 against it as follows:-



March 2nd, 1937,

FOR THE MOTION

Aldermen Burgess  
Curran  
Curtis  
Donovan  
Frede  
Gates  
Gough  
McCarthy  
McDonald  
Smeltzer  
Stoeh,  
Sullivan

AGAINST IT

Aldermen Keshon  
Mitchell  
Walker

-12-

-3-

8. Section 425.

Moved by Alderman Burgess, seconded by Alderman Gates that this item be approved. Motion passed.

9. Section 434A.

Moved by Alderman McCarthy, seconded by Alderman Donoyan that this item be approved. Motion passed.

10. Section 440B.

Moved by Alderman Mitchell, seconded by Alderman Curran that this item be deleted. Motion passed.

11. Section 461.

Moved by Alderman McCarthy, seconded by Alderman Gates that this item be approved. Motion passed.

12. Section 471.

Moved by Alderman McCarthy, seconded by Alderman Gates that this item be approved. Motion passed.

13. Section 614A.

Moved by Alderman McCarthy, seconded by Alderman Gates that this item be approved. Motion passed.

March 2nd, 1937.

14. Section 463.

Moved by Alderman McCarthy, seconded by Alderman Gates that this item be approved. Motion passed.

15. Section 470.

Moved by Alderman Gates, seconded by Alderman Stech that this item be approved. Motion passed.

16. Section 359.

Moved by Alderman Gates, seconded by Alderman McCarthy that this item be approved. Motion passed.

17. Section 561.

Moved by Alderman Gates, seconded by Alderman McCarthy that this item be approved. Motion passed.

18. Section 566.

Moved by Alderman Gates, seconded by Alderman McCarthy that this item be approved. Motion passed.

19. Section 599.

Moved by Alderman Gates, seconded by Alderman McCarthy that this item be approved. Motion passed.

20. Section 572 to 577 inclusive.

Moved by Alderman McCarthy, seconded by Alderman Gates that these items be approved. Motion passed.

21. Appropriation for Gardens Committee for the Purpose of trimming, pruning and caring for trees in the Streets.

Moved by Alderman McCarthy, seconded by Alderman Gates that this item be approved. Motion passed.

March 2nd, 1937.

22. Section 310.

Moved by Alderman Donovan, seconded by Alderman Freda that this item be approved. Motion passed.

23. Trees on Studley Avenue.

Moved by Alderman McCarthy, seconded by Alderman Gates that this item be approved. Motion passed.

24. Section 815.

Moved by Alderman McCarthy, seconded by Alderman Gates that the legislation as submitted be amended to read:-

"Subsection (6) of Section 815 is amended by striking out the words "Committee on Works" on the eighth and ninth lines thereof and substituting therefor the words "City Council, after receipt by the Council of a report thereon from the Committee on Works".

Motion passed.

25. Section 938.

Moved by Alderman McCarthy, seconded by Alderman Donovan that this item be deleted.

Motion put and passed, 8 voting for the same and 6 against it as follows:-

FOR THE MOTION

Aldermen Curtis  
Donovan  
Freda  
Gates  
Gough  
McCarthy  
Smeltzer  
Walker

-8-

AGAINST IT

Aldermen Burgess  
Curran  
Keshen  
McDonald  
Stech  
Sullivan

-6-

March 2nd, 1937.

26. Appointment of Board to deal with Tax Assessments.

Moved by Alderman Gough, seconded by Alderman Stech that this item be deleted. Motion passed.

27. Sewer charges - Connaught Avenue.

Moved by Alderman Donovan, seconded by Alderman Smeltzer that this item be approved. Motion passed.

28. Second Mortgage held by City.

Moved by Alderman Gates, seconded by Alderman Donovan that this item be approved.

Moved in amendment by Alderman Gough, seconded by Alderman Burgess that this item be deleted. Amendment put and lost, 5 voting for the same and 8 against it as follows:-

FOR THE AMENDMENT

Aldermen Burgess  
Curtis  
Gough  
Smeltzer  
Walker

AGAINST IT

Aldermen Curran  
Donovan  
Gates  
Keshen  
McCarthy  
McDonald  
Stech  
Sullivan

-5-

-8-

The motion was then put and passed, 8 voting for the same and 5 against it as follows:-

FOR THE MOTION

Aldermen Curran  
Donovan  
Gates  
Keshen  
McCarthy  
McDonald  
Stech  
Sullivan

AGAINST IT

Aldermen Burgess  
Curtis  
Gough  
Smeltzer  
Walker

-8-

-5-

March 2nd, 1937..

29. Assessment, Lord Nelson Hotel Co.Ltd.

Moved by Alderman Donovan, seconded by Alderman Curtis that this item be approved, after deleting part of Sub-section 3 and reading as follows:-

(3) The fire protection water rates shall be rated on the said valuation of \$260,000.00.

Motion passed.

30. Assessmant and taxation, Dartmouth Ferry Commission.

Moved by Alderman Stech, seconded by Aldermen Gates that this item be amended to include after the numbers 1937 in the third line thereof the following words "as part of the consideration for the agreement hereinafter referred to shall"

Motion passed.

#### SEWER CHARGES

The City Solicitor submitted and read the following item of legislation.

(1) Notwithstanding the provisions of the City Charter, respecting the same, the amounts charged against persons for sewer charges in respect to sewers laid by the City in the years 1933 and 1934, other than in respect to sewers laid in any street or highway, are hereby declared to have been due and owing by such persons to the City from the date of the filing of the plan and list in respect to the same, and the City is hereby declared to have had a lien therefor upon such property from the date of the filing of such plan and list.

(2) Notwithstanding the provisions of Section 599 of the Charter, no payments of the said amounts or any portions thereof shall be made by such persons until the first day of May, A.D.1942, and no interest upon such amounts shall accrue or be charged against such owners prior to the first day of May, A. D., 1942.

March 2nd, 1937.

(3) The amount due by the said persons shall be divided into ten equal instalments, the first of which shall be payable on the said first day of May, A. D. 1942, and one, together with accrued interest, on each succeeding first day of May thereafter until the whole is paid.

(4) The Council may by resolution, at any time prior to the first of May, A. D. 1942, extend the provisions of this section beyond the said first day of May, A. D. 1942, for a period not exceeding five years therefrom.

Moved by Alderman Gough, seconded by Alderman Gates that the draft legislation as submitted be approved. Motion passed.

The City Solicitor also submitted the following legislation.

(1) Notwithstanding that the provisions of Section 3 of Chapter 24 of the Acts of 1880 provides that the stock or shares issued by the City under the authority of the said Act shall be permanent, the City may cause the said stock or shares now issued to become due and payable upon any interest date by giving a notice to the registered holders of such stock or shares, at least three months prior to any interest date, that, upon the interest date next succeeding the giving of such notice, the par value of such stock or shares will be paid by the City to the registered holder of the same upon the surrender of such stock or shares by the registered holder, and the City shall be deemed to have given such notice if the same, enclosed in a prepaid registered letter, has been mailed to the said holder at the last address of such holder upon the share or stock register. Upon such notice being given, the City shall, from and after such next succeeding interest date, cease to be liable to pay interest on such stock or shares.

(2) Any money required by the City to pay off or redeem such stock or shares, may, by a resolution of the Council, be borrowed from any bank or fund available and the City may subsequently issue a new loan, secured by stock or debentures, and apply the proceeds to the repayment of the money so borrowed. The maturity of such loan shall not exceed twenty years, and may be renewed from time to time for further periods of not more than twenty years each, until the sinking fund provided therefor shall be sufficient to retire such loan. Such loan and any renewal thereof may by resolution of the City Council be called in and paid off on any interest date occurring after the expiration of ten years

March 2nd, 1937.

from the date of the issue thereof, upon notice being given to the holders of the stock or debentures issued to secure the same, and such notice shall be given by publishing a notice of such resolution in two newspapers published in the City of Halifax, one notice being inserted in each newspaper each week for four weeks, and by one insertion of such notice in one newspaper published in the City of Montreal and in the City of Toronto, the last insertion of such notice being at least three months prior to the interest date upon which such loan, or renewal thereof is to be called in and paid off, and upon such notices having been so given, the City shall, from and after such next succeeding interest date cease to be liable to pay interest on such stock or debentures. The sinking fund to be provided shall be calculated upon a basis of one-half of one per centum per annum of the amount required to pay or redeem such stock or shares.

Moved by Alderman Gates, seconded by Alderman McCarthy that the draft legislation as submitted be approved. Motion passed.

SUPPLEMENTARY ITEMS

1. The Charter is amended as follows:

Subsection (6) of Section 74 of the First Schedule to Part IX of the Charter, respecting Buildings, is repealed.

Moved by Alderman Stech, seconded by Alderman Gates that this item be approved. Motion passed.

2. Subsection (1) of Section 123 is amended by striking out the words "Assistant Assessor" in the seventh line thereof and substituting therefor the words "Assistant Assessors".

Moved by Alderman Stech, seconded by Alderman Gates that this item be approved. Motion put and passed, 10 voting for the same and 3

against it as follows:-

FOR THE MOTION

Aldermen Burgess  
Curran  
Donovan  
Gates  
Keshon  
McCarthy  
McDonald  
Smeltzer  
Stech  
Sullivan

AGAINST IT

Aldermen Curtis  
Gough  
Walker



March 2nd, 1937.

3. Clause (f) of Subsection (2) of Section 361 as the same is enacted by Section 4 of Chapter 55 of the Acts of 1936 is amended by striking out the word "mercantile" therein and substituting therefor the word "credit".

Moved by Alderman Gates, seconded by Alderman Stech that this item be approved. Motion passed.

5. The City may pay to the Children's Aid Society of Halifax, for the purposes of the said Society, a sum not exceeding Five Hundred Dollars (\$500.00), and such sum may be borrowed from any bank or fund available and, with the interest thereon, included in the estimates for the civic year 1938-1939.

Moved by Alderman Gates, seconded by Alderman Stech that this item be approved. Motion passed.

6. The City may charge against the general reserve fund of the City any portion of the taxes assessed against the Nova Scotia Cold Storage Company Limited in respect of the said civic year, which has not been paid to the City.

Moved by Alderman Gates, seconded by Alderman Stech that this item be approved. Motion passed.

7. The City may borrow from any bank or fund available a sum not exceeding Three Hundred Dollars, and expend the same for the purchase of "The Canadian Abridgment" for the Office of the City Solicitor, and such sum so borrowed shall be repaid, with interest thereon, in three equal annual instalments, to be included in the estimates and the first of which said instalments and interest shall be included in the estimates for the civic year immediately following that in which the said sum was borrowed, and the remaining instalments included in the estimates for each of the two years following such year.

Moved by Alderman Stech, seconded by Alderman Gates that this legislation be not approved and that the sum of \$300.00 be placed in the estimates for the civic year 1938-39 for the purpose of purchasing law books for the Solicitor's Office. Motion passed.

March 2nd, 1937.

The City may borrow the sums set out in Schedule "B" hereto and expend the same for the purposes set out opposite each item. The sums so borrowed shall be repaid with interest in such number of yearly instalments as the Council shall determine, not exceeding five such instalments, the first payment to be made in the year succeeding the year in which the money was borrowed, at such time in such year as the Council shall determine, and one instalment in each succeeding year at such time in such year as the Council shall determine, and the amount of each instalment with interest shall be **included** in the estimates for the year in which the same is payable.

March 2nd, 1937.

SCHEDULE "B"

Five Year Maximum Borrowing

To pay the cost of moving the fire alarm telegraph equipment from its present location in City Hall to such new location as may be selected, and reinstalling same, not exceeding \$2500.00

(Recommended by Committee on Finance

To pay for the cost of new fire alarm telegraph signal boxes, and installation of same and the rearrangement of Fire Alarm Signal Box numbers, not exceeding \$5000.00

To pay for any or all of the following:  
Painting fence around Public Gardens; repairing outlet of main pond therein; new drain for lavatory therein; new plant stages in green-houses; recovering with composition material and contingent repairs to the roof of Superintendent's residence; purpose of improving heating system for green house; and for the purchase of a motor truck, a sum not exceeding \$3570.00

To pay for the cost of recovering with composition material and contingent repairs to the roof of the City Home, a sum not exceeding \$1500.00

To pay for the purchase and installation in the City Collector's Office, of a Card System for Household and Business Taxes, a sum not exceeding \$1000.00

To pay for the cost of dredging at the outlets of the sewers, a sum not exceeding \$5000.00

Recommended by Committee on Works.

To pay for the cost of sterilizers and other equipment for the Tuberculosis Hospital, a sum not exceeding \$3000.00

Approved by Council Jan. 14/37.

This item approved; Aldermen Stech and Walker wishing to be recorded against borrowing the sum of \$5,000.00 for the purpose of dredging at the outlets of the sewers.

March 2nd, 1937.

DEATH OF MR. JAMES C. WILLIAMSON

At this time Alderman Smeltzer, referred to the untimely death of Mr. James C. Williamson, a valued employee of the City Collector's Department, and moved that the City Clerk be directed to forward a letter of condolence to his widow. The motion was seconded by Alderman Gates and passed unanimously.

7.35 P.M.

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

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

*E. J. Cragg*  
E. J. Cragg,  
MAYOR AND CHAIRMAN.