

CITY COUNCIL MEETING,  
THURSDAY,  
DECEMBER 16th, 1937.

Minutes.

1. Notice of motion by Alderman Curran re traffic control.
2. " " " Smeltzer re purchase of horse,  
City Prison.
3. Resolution re accounts.
4. Report Finance Committee re costs, City of Halifax vs. Garson.
5. Report Laws and Privileges Committee re amendment to Section,  
589 of the City Charter.
6. Report Firewards Committee re accident to Gregory Heinsworth.
7. " " " new fire station.
8. " " " revision in Captain's salary.
9. Report Special Committee re administration of City.
10. Report City Prison Committee re transfer of land.
11. Letter, City Clerk re bond, Clerk of the Courts.
12. Questions by Aldermen.
13. Report Comm. on Works and City Engineer re repairs to east wall,  
94 Cornwallis Street.
14. " " " " sewer and water  
extensions.
15. " " " " final certificate,  
Foundation Mar. Ltd.
16. " " " " final certificate,  
Bianco Bros.
17. " " " " acceptance of streets.
18. " " " " housing ordinance.
19. Report Charities Comm. covering Supt's report re inmates in the  
City Home.
20. Report City Auditor re tax collections for the month of  
November, 1937.
21. " " " departmental appropriations and  
expenditures.

EVENING SESSION

8.00 o'clock,  
Council Chamber,  
City Hall,  
December 16th, 1937.

A meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor, Chairman; and Aldermen Batson, MacKay, Stech, Donovan, Burgess, Curran, Sullivan, Freda, Adams, Lloyd, McDonald, Keshen, O'Toole, Power, Curtis, Gough, Walker and Smeltzer.

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 Smeltzer, seconded by Alderman Donovan that the minutes of the previous meeting be approved. Motion passed.

NOTICE OF MOTION BY ALDERMAN CURRAN RE  
TRAFFIC CONTROL

Read notice of motion by Alderman Curran re traffic control.

"Halifax, N. S.  
November 15th, 1937.

WHEREAS it would appear that the regulations governing traffic on the streets of the City are not in the best interests of the citizens;

BE IT THEREFORE RESOLVED that a committee, consisting of three members of Council and the Chief of Police, be appointed by the Mayor, to make a survey of the traffic situation and enact such rules and regulations as are best suited to all concerned."

*Adm Curran*  
*Adams*  
*Gough*

December 16th, 1937.

Moved by Alderman Curran, seconded by Alderman Gough that the notice of motion as submitted be approved.

Alderman Stech stated that he would like to see a person outside the City Council appointed on this committee instead of having the committee comprised solely of Aldermen.

Alderman Donovan suggested, if agreeable to the mover and seconder of this motion, that two citizens be appointed on this committee.

This being agreeable to the mover and seconder, the motion was then put and passed, 17 voting for the same and 1 against it as follows:-

FOR THE MOTION

Aldermen Batson  
Burgess  
Curran  
Curtis  
Donovan  
Freda  
Gough  
Keshen  
Lloyd  
MacKay  
McDonald  
O'Toole  
Power  
Smeltzer  
Stech  
Sullivan  
Walker

-17-

AGAINST IT

Alderman Adams

-1-

The Mayor then appointed the following Aldermen to this committee:-

Aldermen Curran  
Adams  
Gough.

The Committee to have the power of appointing two citizens to the committee.

December 16th, 1937.

NOTICE OF MOTION BY ALDERMAN SMELTZER RE  
PURCHASE OF HORSE, CITY PRISON.

Alderman Smeltzer withdraws notice  
of motion.

ACCOUNTS

The following resolution covering  
accounts of various committees was submitted.

RESOLVED that the Council approve  
for payment the bills and accounts of expenditures  
submitted to this meeting by the Committee on Finance  
amounting to \$11,708.55; Committee on Charities  
amounting to \$9,363.04; Gardens Committee amounting  
to \$528.11, Fleming Park amounting to \$140.72;  
Point Pleasant Park Committee amounting to  
\$579.21; City Prison Committee amounting to  
\$1,957.25; Library Committee amounting to \$496.19;  
Committee on Firewards amounting to \$14,580.32  
chargeable to Fire Department and \$615.62 chargeable  
to Fire Alarm; Committee on Works amounting to  
\$13,897.22; City Health Board amounting to  
\$6,967.19; Committee on Camp Hill Cemetery amounting  
to \$609.26; Police Committee amounting to \$10,329.46  
under the provisions of Section 315 of the City  
Charter.

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

NOTICE OF MOTION BY ALDERMAN SMELTZER

*Council*  
Alderman Smeltzer, at this time,  
submitted the following notice of motion re Police  
Force and Fire Department appointments.

TAKE NOTICE that at the next  
regular meeting of the City Council I will move  
the following motion:

RESOLVED that at the next session  
of the Legislature legislation be obtained to  
provide that appointments to the Police Force  
and the Fire Department will be made by the City  
Council in the same manner that annual appointments  
are now made, instead of appointments thereto being  
made by the Committee on Police and the Committee  
on Firewards and Fire Escapes as at present.

December 16th, 1937.

The Mayor suggested that item no. 13 re "Repairs to east wall, 94 Cornwallis Street" be now considered as Mr. Gerald Ternan, the solicitor interested in this matter, was present.

With the consent of Council, item no. 13 was then considered.

REPAIRS TO EAST WALL, 94 CORNWALLIS ST.

Read report of the Committee on Works, City Engineer and City Solicitor re repairs to east wall, 94 Cornwallis Street.

City Engineer's Office,  
Halifax, N. S.  
December 2nd, 1937.

His Worship the Mayor.

Sir:-

I have examined the east wall of the property No. 94 Cornwallis Street and while it is hard to state definitely its exact structural strength, yet it seems to me that it is quite safe.

There would appear to be two ways of making the building secure from the weather;

(1) To build a four inch brick wall tied into the present east wall of the building and flashed at the top using the present foundation wall and making good at front and back wall. The estimated cost of this work is \$550.00.

(2) To construct a wooden wall of studding with T. & G. sheathing and covered with shingles tied into the present brick wall using the present foundation of No. 92 and flashed at top. This would make the wall water-tight. The estimated cost would be \$300.00.

To clean down the brick wall and cement it would not make the wall water-tight.

The construction of either the brick or wooden wall would necessitate encroaching on the property #92 Cornwallis Street, to the extent of six inches.

Respectfully submitted,

H. W. Johnston,  
CITY ENGINEER.

*City Engineer  
Clerk of Works.*

December 16th, 1937.

Office of City Solicitor,  
Halifax, N. S.  
November 15th, 1937.

T. J. Moore, Esq.,  
Clerk of Works,  
City Hall,  
Halifax, N. S.

Dear Sir:-

At the meeting of the Committee on Works held on November 4th, I was requested to give my opinion as to the liability of the City of Halifax to Mrs. Franklyn, the owner of the property adjoining #92 Cornwallis Street.

In my opinion, from a personal examination of the premises involved, from the facts of the case and from a careful study of many authorities on this subject, I have come to the opinion that it is extremely unlikely that any decision could be obtained against the City for damages or for an injunction in respect to the pulling down of the building #92 Cornwallis Street. While it is quite true that the pulling down of this wall has no doubt caused inconvenience and possibly damage to the owner of the adjoining premises, I do not think that there is any liability on the City in this connection.

Yours very truly,

C. P. Bethune,  
CITY SOLICITOR.

December 16th, 1937.

The City Council.

At a meeting of the Committee on Works on the 9th instant, on motion of Alderman O'Toole, seconded by Alderman Walker, the Committee recommended to the City Council that the City of Halifax repair the east wall of the premises #94 Cornwallis Street in the manner described in the City Engineer's report, at an estimated cost of \$300.00; Alderman Stech and His Worship the Mayor voting against.

Attached hereto is a report of the City Engineer in reference to the wall referred to and an opinion of the City Solicitor as to the liability of the City of Halifax.

Walter Mitchell,  
MAYOR AND CHAIRMAN.

December 16th, 1937.

Moved by Alderman O'Toole, seconded by Alderman Walker that the report of the Committee on Works be adopted.

Mr. Ternan stated that in his opinion the City is liable in this case as it was on the City's order that the property #92 Cornwallis Street was ~~to~~n down, thus exposing the east wall of the property at #94 Cornwallis Street.

Motion put and passed, 17 voting for the same and 1 against it as follows:-

FOR THE MOTION

Aldermen Adams  
Batson  
Burgess  
Curran  
Curtis  
Donovan  
Frede  
Gough  
Keshon  
Lloyd  
McKay  
McDonald  
O'Toole  
Power  
Smoltzer  
Sullivan  
Walker  
-17-

AGAINST IT

Alderman Stech

-1-

COSTS - CITY OF HALIFAX VERSUS GARSON

Read report of the Finance Committee and letter of the City Solicitor re costs, City of Halifax versus Garson.

Committee Room, City Hall,  
December 13th, 1937.

His Worship the Mayor,  
and Members of City Council.

At a meeting of the Finance Committee held this day, the attached letter from the City Solicitor regarding costs in the case, City of Halifax versus J. M. Garson was considered.

December 16th, 1937.

Your committee recommends that the costs amounting in this case to \$52.50 be paid to Mr. R. A. Kanigsberg, Solicitor for the Defendant.

Respectfully submitted,

H. J. Stech,  
CHAIRMAN.

December 3rd, 1937.

A. M. Butler, Esq.,  
City Auditor,  
City Hall,  
Halifax, N. S.

Dear Sir:- Re: City of Halifax vs. J. M. Garson

I wish to advise that the costs in this action have been fixed at \$52.50 by His Lordship Mr. Justice Archibald, Trial Judge. Would you kindly arrange for the payment of these costs to R. A. Kanigsberg, the solicitor for the defendant in this action? Under the provisions of the Charter it will be necessary for this to go to the City Council for authorization, but I think it should go by way of the Finance Committee.

Yours very truly,

Carl P. Bothune,  
CITY SOLICITOR.

Moved by Alderman Stech, seconded by Alderman Donovan that the report of the Finance Committee be adopted. Motion passed.

AMENDMENT TO SECTION 589 OF THE CITY CHARTER

*Council*  
Moved by Alderman Keshon, seconded by Alderman Smeltzer that this item be deferred until the next regular meeting of the Council. Motion passed.

ACCIDENT TO GREGORY HEINSWORTH

Read report of the Committee on Firewards and letter of the City Solicitor re accident to Gregory Heinsworth.

December 16th, 1937.

Fire Department,  
Halifax, N. S.  
December 13th, 1937.

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

Gentlemen:-

At a meeting of the Committee of Firewards held this day, the attached letters from Lovett, MacDonald & McInnes and report from the City Solicitor were read regarding accident to Mr. Gregory Heinsworth and the following resolution passed;

BE IT RESOLVED that the City of Halifax settle the claim against it by Gregory Heinsworth by the payment to him of \$500.00 in full settlement of any and all claims which he may have against the City or any employee of the City in respect of a certain accident which occurred on November 10th, 1937, in which the said Gregory Heinsworth suffered injuries due to being struck on the head by an instrument falling from the top of a lamp-post, the said settlement being made under the authority of Section 315 (c) of the City Charter.

Respectfully submitted,

John Walker,  
CHAIRMAN.

December 13th, 1937.

Alderman John Walker,  
Chairman, Firewards Committee,  
City Hall,  
Halifax, N. S.

Dear Sir:-

I am enclosing a copy of a letter from Lovett, MacDonald & McInnes, solicitors for the above named man, who, as you will recall, was injured due to being struck on the top of the head by an instrument falling from a lamp-post, on which some City linemen were working. You will note that the amount claimed, which includes solicitors' fees and hospital bills, is \$500.00, and is stated to be Mr. Heinsworth's lowest offer and not made for the purpose of bargaining.

There is no doubt that the man was injured as intimated and that his skull was fractured in a minor manner. I am not competent to say whether or not \$500.00 is a reasonable settlement.

December 16th, 1937.

This man, as I am informed, has not been working steadily but has to support some dependents. It may be that if the matter is taken to court the City may be adjudged liable to pay a greater or a lesser amount. I think that it is probable that a decision would be given against the City, under the circumstances in this case, but this is not certain. If a settlement satisfactory to the City could be arrived at, I would advise the same.

This is a matter which should go to the City Council, and if no settlement is determined upon I should be instructed to accept service of a writ and to defend the action.

In connection with this matter may I suggest that it might be advisable to consider the taking of some public liability insurance to protect the City in matters of this kind, as this type of accident could easily occur again, and this might be the cheapest method of protecting the City against accidents of this kind.

Yours very truly,

Carl P. Bethune,  
CITY SOLICITOR.

Moved by Alderman Walker, seconded by Alderman MacKay that the report of the Firewards Committee be approved. Motion put and passed, 17 voting for the same and 1 against it as follows:-

FOR THE MOTION

Aldermen Adams  
Batson  
Burgess  
Curran  
Curtis  
Donovan  
Freda  
Gough  
Keshen  
Lloyd  
MacKay  
McDonald  
O'Toole  
Smeltzer  
Stech  
Sullivan  
Walker

-17-

AGAINST IT

Alderman Power

-1-

December 16th, 1937.

NEW FIRE STATION

Read report of the Committee on  
Firewards re new fire station.

December 13th, 1937.

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

Gentlemen:-

At a meeting of the Committee of  
Firewards held this day, the matter of the  
erection of the new Fire Station was discussed and  
the following resolution passed;

BE IT RESOLVED that the City of Halifax at the  
next session of the Legislature secure legislation  
to enable the City to borrow the sum of \$25,000.00  
to supplement the sum of \$53,000.00, authorized to  
be borrowed by Section 60 of Chapter 60 of the  
Acts of 1934, the said sum of \$25,000.00 when  
borrowed to be used for the purposes set out in  
Section 60. (The above resolution is required to  
be passed by a two-thirds vote).

BE IT FURTHER RESOLVED that the erection of a new  
Fire Station on the Brunswick Street site be  
proceeded with in accordance with the plans now  
prepared.

Respectfully submitted,

John Walker,  
CHAIRMAN.

Moved by Alderman Gough, seconded  
by Alderman Power that this report be referred back  
to the Firewards Committee for <sup>further</sup> consideration and  
report. Motion put and passed, 17 voting for the  
same and 1 against it as follows:-

FOR THE MOTION

Aldermen Adams  
Batson  
Burgess  
Curran  
Curtis  
Donovan  
Freda  
Gough  
Lloyd  
MacKay  
McDonald  
O'Toole  
Power  
Smeltzer  
Stech  
Sullivan  
Walker -17-

AGAINST IT

Alderman Keshen

*As  
Firewards Com*

December 16th, 1937.

REVISION IN CAPTAIN'S SALARY

*Firewards Com.*  
Read report of the Committee on  
Firewards re revision in Captain's salary.

December 13th, 1937.

His Worship the Mayor,  
and Members of City Council.

At a meeting of the Committee on Firewards held this day, the matter of the salary of Captain McGillivary was considered. Captain McGillivary was promoted from hoseman to Captain on November 17th. He had been receiving his maximum of \$1600.00 as a hoseman. Under the salary revision of 1931-32 a Captain's minimum amount is \$1,600.00 and the Police schedule shows a maximum of \$1,600.00 for constables and a minimum of \$1660.00 for sergeants.

Since additional responsibilities are carried with the promotion your committee recommends that Captain McGillivary's salary be increased at the rate of \$60.00 per annum from November 17th and that the minimum rate of Captains, hereafter, be set at \$1,660.00.

Respectfully submitted,

John Walker,  
CHAIRMAN.

Moved by Alderman Lloyd, seconded by Alderman Gough that this report be referred back further to the Firewards Committee for consideration and report. Motion passed.

ADMINISTRATION OF CITY

Read report of the Special Committee appointed to consider change in the form of administration of the business and government of the City.

December 13th, 1937.

Dear Alderman:-

Several meetings of your special committee to consider the resolution proposed by Alderman Lloyd at the meeting of the City Council on September 16th, 1937, respecting the change in the form of administration of the business and government of the City, were held, at which the suggestions of Alderman Lloyd were considered.

December 16th, 1937.

At the final meeting held in the office of the Mayor on Friday, December 10th, it was decided that instead of recommending to the Council any course of action in respect of suggestions of Alderman Lloyd, that in the alternative an effort be made to have a survey made of the administration and form of government of the City of Halifax by the Citizens' Research Institute of Canada, and the following resolution was moved and seconded and carried, with Alderman Gough wishing to be recorded against.

"Resolved that the City of Halifax engage the Citizens' Research Institute of Canada to conduct a survey of the administration and form of government of the City of Halifax, as outlined in its letter of December 3rd, 1937, to the City Solicitor, a copy of which letter is attached hereto, at a cost not to exceed \$4,500.00.

And be it further resolved that legislation be obtained at the next session of the Legislature to enable the City to secure the funds necessary therefor".

Pursuant to the decision of the committee, I am forwarding this report to the City Council for its consideration.

Yours very truly,

Walter Mitchell,  
M A Y O R.

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Citizens' Research Institute of Canada,  
Head Office: 805 New Wellington Bldg.  
137 Wellington Street West,  
Toronto, Canada.

Toronto, Dec. 3rd, 1937.

C. P. Bethune, B. A. L.L.B.,  
City Solicitor,  
Halifax, N. S.

Dear Sir:-

We are in receipt of your letter of the 29th ultimo, asking for your own information, some idea of the cost of an administrative survey of the City of Halifax by the Institute, and also the cost of revaluation of property for assessment purposes.

December 16th, 1937.

The cost of an administrative, and form of government survey would of course depend largely on its scope. We have estimated a cost on the basis of the following scope:

1. General Organization -
  - a. Legislative and policy forming - including methods of election, terms of office, committee system, etc.
  - b. Executive - including relation to elected bodies.
2. Departmental Organization, covering the following topics:
  - a. Treasury Organization - general.
  - b. Methods of Accounting Control.
  - c. Methods of budget control, current and capital.
  - d. Methods of revenue collection.
  - e. Methods of assessment.
  - f. Methods of works administration - including building inspection, electrical inspection and scavenging.
  - g. Personnel administration.
  - h. Purchasing administration.
  - i. Methods of interdepartmental co-operation.
  - j. Financial relations with County, School Board and local boards and commissions.
  - k. Organization of departments not mentioned above.

The cost of such a study and reporting on it would probably be about \$4,500. The work would not of course include an audit of accounts or an appraisal of the assets or a technical engineering inquiry into operations. It covers an appraisal of the administrative organization and form of government establishment of the City with recommendations.

The cost of a revaluation of real estate in your City for assessment purposes is difficult, in fact almost impossible, to estimate without a more intimate knowledge of present methods and conditions surrounding real estate in Halifax than we have at present. If, of course, the administrative survey were first made, we would obtain this intimate knowledge and would also, by a series of tests, be able to determine whether a revaluation were in fact required.

The writer has had considerable experience in the supervision of revaluations for assessment purposes in various Canadian municipalities, among which were Port Arthur, Walkerville, Windsor and Oshawa, Ontario; and the business district of Saint John, N. B. The writer also was a member of the Board of Valuers for the County of York, Ontario, and advisor to the Board of Valuers for the City and County of Saint John.

December 16th, 1937.

Work of revaluation by the Institute has always been done through and in co-operation with the City Assessment Department. The Institute has followed this plan for two reasons:

- (a) It gives an opportunity to train the assessment staff in the methods followed and thus leaves a permanent foundation for the City for the future. An outside independent valuation is frequently nullified in a few years if the Assessment Department is not convinced of the soundness of the work and instructed in the methods followed.
- (b) It makes the work much less expensive from the City's standpoint since it makes possible the use of local help when extra assistance is required.

Of these, the first reason is the important one.

As pointed out, to hazard an opinion as to the cost of revaluation work if supervised by the Institute without more intimate knowledge would be to make, in reality, only a rough guess. Possibly a better method would be to give you the experience in Saint John. In that City only a revaluation of the business district was made. Our charge for supervision and assistance in the revaluation was made on a per diem basis plus expenses, and the total cost to the City for our services was about \$3,000. I believe the total cost to the City was about \$5,000. This was due to the fact that most of the work other than our own was done by regular City employees.

We wish to thank you very much for this inquiry and if you require any further information please let us know.

Yours very truly,

(Sgd) Joseph E. Howes,  
Assistant Director.

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

Moved in amendment by Alderman Lloyd, seconded by Alderman Sullivan that the report be approved with the following clause added thereto "And be it further resolved that the sum so borrowed for this purpose be included in the civic estimates for the year next ensuing that in which the sum is so borrowed".

December 16th, 1937.

Moved in amendment by Alderman Smeltzer, seconded by Alderman Curran that the report be referred back to the Special Committee to be redrafted. Amendment put and resulted in a tie vote, as follows:-

FOR THE AMENDMENT

Aldermen Burgess  
Curran  
Curtis  
Frede  
Gough  
O'Toole  
Power  
Smeltzer  
Walker

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AGAINST IT

Aldermen Adams  
Batson  
Donovan  
Keshon  
Lloyd  
MacKay  
McDonald  
Stech  
Sullivan

-9-

The Mayor casts the deciding vote against the amendment and declares it lost.

Alderman Walker objected to an outside expert coming into Halifax to investigate affairs at City Hall. This, he said, would cost in the vicinity of \$35,000.00 and nothing would be determined that was not known now.

Alderman Gough stated that what he objected to was the importation of a man from Upper Canada to investigate affairs of the City of Halifax.

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

The Deputy Mayor assumed the chair.

The Mayor stated that there has been considerable efficiency in City Hall. The City Council, he said, is in a great many ways a very sound body, with a great deal of experience in dealing with conditions in the City of Halifax.

December 16th, 1937.

An investigation by an independent party, he stated, would probably be a very good thing, but, he asked, would Council be prepared to accept the recommendations made by this independent party.

The Mayor said that he would ask Council to seriously consider before voting for an independent investigation.

The Mayor then assumed the Chair.

Alderman Stech stated that from his experience in Council, he had arrived at the conclusion that the City of Halifax is well governed but poorly managed. There is no person, he said, at the head of the Corporation of the City. As far as the business is concerned, Alderman Stech stated, the departmental heads are capable.

Alderman Stech said that if he could see that by having an investigation of this nature the working conditions in the City would be improved to such an extent that the business would be done in a better manner, he would not hesitate to vote for the required expenditure.

Alderman O'Toole stated that the only remark he wished to make was that in past experiences with investigations, the Aldermen had turned down their recommendations.

Alderman MacKay stated that while he considered the heads of departments efficient, yet he felt that the system was inefficient.

December 16th, 1937.

If this Citizens' Research Institute of Canada, he stated, would do nothing more than recommend the installation of up to date business methods in this City, he would consider the sum of \$4,500.00 well spent.

Alderman Batson stated he was in favor of the proposed investigation as he felt the present system in this City was obsolete.

Alderman Lloyd informed Council that Dr. Brittain was head of the Citizens' Research Institute of Canada. Dr. Brittain, he said, is recognized in Canada as a leading authority on municipal affairs and finance, and has associated with him a group of men of ability.

Alderman Lloyd stated that the investigation which was conducted several years ago by Nightingale & Johnston was simply a verification of the accounting records. Since that time, he said, the City has spent \$8,000.00 in trying to verify tax accounts which have been outstanding for years, and has not remedied the circumstance under which those conditions arose.

The amendment was then put and resulted in a tie vote as follows:-

FOR THE AMENDMENT

Aldermen Adams  
Batson  
Donovan  
Keshen  
Lloyd  
MacKay  
McDonald  
Stech  
Sullivan

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AGAINST IT

Aldermen Burgess  
Curran  
Curtis  
Freda  
Gough  
O'Toole  
Power  
Smeltzer  
Walker

-9-

December 16th, 1937.

The Mayor casts the deciding vote in favor of the amendment and declares it passed.

The original motion not put.

TRANSFER OF LAND - CITY PRISON

Read report of the City Prison Committee re transfer of land at the Prison.

City Prison,  
Halifax, N. S.  
December 2nd, 1937.

His Worship the Mayor,  
and Members of City Council.

At a meeting of the City Prison Committee held this day, the committee was informed that a portion of Prison farm land was transferred to the Government by the Committee on Works.

The committee is strongly opposed to the action of the Committee on Works in permitting the Government to encroach on Prison property without first consulting the Prison Committee and without the permission of Council.

The Prison Committee now protests to Council against this action.

Respectfully submitted,

H. E. Burgess,  
CHAIRMAN.

The Mayor suggested that the report of the Prison Committee be filed, and that a report from the City Solicitor in this connection be incorporated in the minutes of this meeting, to which Council agreed.

Office of City Solicitor,  
December 4th, 1937.

Walter Mitchell, Esq.,  
Mayor of Halifax,  
City Hall,  
Halifax, N. S.

Dear Sir:- Re: Grant of land, Department of  
National Health (Rockhead).

At your request I have gone through the records of the City Council at the times at which this matter was brought up.

December 16th, 1937.

The matter first came up at the meeting on January 14th, 1937, at which a report of the Board of Health and Committee on Works recommended the grant of the land to the Federal Government. A motion to adopt the report was passed unanimously.

At the next regular meeting of the Council on February 11th, 1937, a report of the Prison Committee was considered, referring to a request of the Department of Pensions and National Health for the grant of an additional piece of land adjoining that granted on January 14th, 1937. This report of the Committee recommended against the granting of any additional land. Upon motion the report of the Prison Committee was unanimously approved.

The matter again came before the City Council at the meeting of May 13th, 1937, in a report of the Committee on Works and Board of Health, for the reason that the proposed agreement between the City and the Federal Government as originally made contemplated a building to accommodate 8 to 12 patients. The final agreement submitted, however, only contemplated a building to accommodate 6 to 10 patients. Due to this change the matter was referred by the Committee on Works and the Board of Health to the City Council with the recommendation of the Committee and Board that the final proposal of the Department, namely a building for the accommodation of 6 to 10 patients be approved. The motion was carried.

At this meeting a notice of reconsideration was given, which was considered at the next regular meeting of the Council, held on June 17th, 1937. The motion to reconsider was passed and subsequently a motion not to sell the land was also passed by the City Council. This final motion was futile, for the reason that the resolution of January 14th has been carried out in respect of the land agreed to be granted therein, and the resolution of May 13th, dealing only with the amount of accommodation available in the building to be erected, was the only matter in question, and there being no stay of proceedings, the resolution of the Council of May 13th approving the change in accommodation from 6 to 10 patients was carried into effect.

I trust this information is what you require.

Yours very truly,

Carl P. Bethune,  
CITY SOLICITOR.

December 16th, 1937.

BONDING -CLERK OF THE COURTS

Read letter from the City Clerk re bonding, Clerk of the Courts.

December 16th, 1937.

His Worship the Mayor,  
and Members of City Council.

At the last session of the Legislature legislation was obtained enabling the City to bond the Clerk of the City Court and Police Court. This bond has now been executed, and I would ask the City Council to approve of the bonding of F. C. Palmer, Clerk of the City Court and Police Court in the United States Fidelity and Guaranty Company in the amount of \$5,000.00.

In referring this matter to the City Solicitor, he suggests that perhaps it would be well for Council to also re-affirm the appointment of Mr. Palmer as Clerk of the City Court and Police Court.

Yours very truly,

W. P. Publicover,  
CITY CLERK.

Moved by Alderman Stech, seconded by Alderman Donovan that the letter of the City Clerk be approved and the appointment of Mr. F. C. Palmer as Clerk of the Courts re-affirmed by this Council. Motion passed.

QUESTIONS BY ALDERMEN

Alderman Walker objected to the report of the Fire Marshal regarding the fire on Gottingen Street on October 22nd, 1937; said report being incorporated in the minutes of Council of November 18th, 1937. Alderman Walker stated that the Fire Marshal said the Department was undermanned, and he wished to know how many men the Fire Marshal needed to extinguish a fire.

Alderman Walker also asked why there was a hole cut into the roof of the Dominion Stores when there was no fire in this building.

December 16th, 1937.

*City Sol.*  
Alderman Curran asked for an explanation of Section 313 of the City Charter and if the appropriation for maintenance could be used to pay salaries, etc.

The Mayor informed Alderman Curran that the City Solicitor would reply to this question, before the next regular meeting of Council.

*Ald. Stech  
Finance Com.*  
Alderman Smeltzer asked if a statement showing the position of the taxpayer's account could be enclosed when the tax bill is sent out.

The Mayor stated that this should be referred to the Chairman of the Finance Committee.

*Auditor*  
Alderman Walker stated that in the Auditor's annual report there is an item "over payments due to sewer abutters" and asked why the money has not been refunded. The over payments, he said, amount to \$717.40.

NOTICE OF MOTION BY ALDERMAN STECH

*Council*  
Alderman Stech submits the following notice of motion:

BE IT RESOLVED that, at the next session of the Legislature, legislation be secured -

1. Reducing the number of aldermen in the City Council from 18 to 12.
2. Providing that one alderman be elected in each ward and six aldermen from the City at large.
3. Providing that each alderman when elected, shall hold office for three years and shall be eligible for re-election.
4. Each Alderman be paid a nominal salary for his services.

December 16th, 1937.

5. Providing the term of all members of the Council shall cease at the same time.
6. Providing that the terms of all aldermen now sitting or elected to office at anytime prior to April 30th, 1939 shall determine on April 30th, 1939.
7. Providing that the election for aldermen to be held in April 1939 be held under the provisions of this new legislation.

WATER EXTENSION - MUMFORD ROAD

City Eng.  
Clerk of Works

Read report of the Committee on Works and City Engineer re water extension, Mumford Road.

December 15th, 1937.

His Worship the Mayor.

Sir:-

In July, the water was ordered extended on Mumford Road to supply new buildings which were then being erected on the east side of the street. This extension has been made.

I have an application for a further extension to supply the house #27 Mumford Road.

The length of the extension required is 24 feet. The estimated cost is \$84.00 and the estimated assessment \$48.00. It is recommended that the extension be ordered to be made.

Respectfully submitted,

H. W. Johnston,  
CITY ENGINEER.

December 16th, 1937.

The City Council.

At a meeting of the Committee on Works held on this date, the attached report of the City Engineer on an application for water extension on Mumford Road was on motion of Alderman Donovan and Alderman Freda, approved and recommended to Council for adoption.

Walter Mitchell,  
MAYOR AND CHAIRMAN.

December 16th, 1937.

Moved by Aldermen Donovan, seconded  
by Alderman Frede that the reports be adopted.  
Motion passed.

SEWER - LONDON STREET

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

November 1st, 1937.

His Worship the Mayor.

Sir:-

I beg to report on a letter from Mr. Leonard Collins, 20 London Street, again asking for the extension of the sewer on London Street, that the last report was made on October 4th in which it was recommended that the sewer be extended on London Street from Dublin Street eastwardly when a second house is under construction. This report was recommended to Council and was approved by it. Since then Mr. Collins has written again, asking for the sewerage for his house and stated that it will be some time before a second house is built on this street, as there are gardens on the lots near his and the owners do not intend to build.

The plan attached to the previous report shows the conditions. On the south side of London Street there is a corner house fronting on Dublin Street, a property with 100 feet frontage, then comes #20 Mr. Collins' house on a 33-foot lot. Then there is a vacant lot about the same width and another lot with an old mattress factory thereon. #12 is vacant.

There is a sewer on the portion of the street from Windsor Street to #12. This falls towards the first named street. The ground from #12 falls towards Dublin Street and any sewer to drain this part of the street would have to fall westwardly.

As stated in the previous report it has not been the policy to make a sewer extension to serve one house only. The length of the extension, if made, would be about 160 feet and the estimated cost \$1000., estimated assessment \$400.

Respectfully submitted,

H. W. Johnston,

CITY ENGINEER.

*City Eng  
Works*

December 16th, 1937.

The City Council.

At a meeting of the Committee on Works held on November 25th, 1937, on motion of Alderman MacDonald and Alderman Donovan, the committee rescinded its motion of October 7th, 1937, recommending to the City Council that sewer and water service be extended on London Street when a second house is under construction which recommendation has already been adopted by the City Council.

The Committee on Works on November 25th, 1937, on motion of Alderman McDonald and Alderman Donovan, recommended to Council that the sewer and water extension referred to in the original recommendation be installed immediately in view of the report from the City Health Board Inspector F.C. Craig, in reference to conditions in the vicinity of #20 London Street, due to lack of sewer facilities. A report of the City Engineer on the subsequent application for the extension, and a copy of the report of the Health Board Inspector, F. C. Craig, are attached hereto.

Walter Mitchell,  
MAYOR AND CHAIRMAN.

Moved by Alderman Donovan, seconded by Aldermen Freda that the reports be adopted.  
Motion passed.

SEWER AND WATER EXTENSION - LONDON STREET

*City Eng  
Clerk of Works*  
Read report of the Committee on Works and City Engineer re sewer and water extension, London Street.

December 14th, 1937.

His Worship the Mayor.

Sir:-

I beg to report on the application of the Home Building Co. Limited, for the extension of the sewer and water service on London Street, that at present there are six houses under construction by the Company on the north side of London Street between Oxford Street, and Dublin Street.

The length of the sewer required is 520 feet, the probable cost \$3,200. and the estimated assessment, \$2,200.

December 16th, 1937.

The estimated cost of extending the water from Oxford Street to Dublin Street is \$2,000.00 and the estimated assessment \$1,000.

It is recommended that the sewer be extended from Oxford Street to the lots at the corner of Dublin Street, and that the water be extended from Oxford Street to connect with the Dublin Street main.

Respectfully submitted,

H. W. Johnston,  
CITY ENGINEER.

December 16th, 1937.

The City Council,

At a meeting of the Committee on Works held on this date, the attached report of the City Engineer on an application for sewer and water extension on London Street, was on motion of Alderman Walker and Alderman Freda, approved and recommended to Council for adoption.

Walter Mitchell,  
MAYOR AND CHAIRMAN.

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

Motion passed.

FINAL CERTIFICATE - FOUNDATION MARITIME LTD.

*City Engineer  
Clerk of Works*  
Read report of the Committee on Works recommending final payment to the Foundation Maritime Limited for dredging at the Commercial Cable Company's wharf.

December 16th, 1937.

The City Council.

At a meeting of the Committee on Works November 25th, 1937, the attached final certificate of the City Engineer recommending payment of the sum of \$1,145.00 to the Foundation Maritime Limited, being the amount in full for dredging at the Commercial Cable Company's wharf was on motion of Alderman McDonald and Alderman Freda, approved and recommended to Council for payment.

Walter Mitchell,  
MAYOR AND CHAIRMAN.

December 16th, 1937.

Moved by Alderman McDonald, seconded  
by Alderman Freda that the report be adopted.  
Motion passed.

FINAL CERTIFICATE - BIANCO BROS.

*City Eng.  
Clerk of Works*

Read report of the Committee on  
Works recommending final payment to Bianco Bros.  
on their contract for concrete sidewalks, curbs  
and gutters.

December 16th, 1937.

The City Council.

At a meeting of the Committee on  
Works on the 9th instant, the attached final  
certificate of the City Engineer recommending  
payment to Bianco Bros., of the sum of \$9,022.80  
being the balance in full on their contract for  
the construction of concrete sidewalks, curbs and  
gutters, etc. for the year 1937, was on motion  
of Alderman Freda and Alderman Walker, approved  
and recommended to Council for payment.

Walter Mitchell,  
MAYOR AND CHAIRMAN.

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

HOUSING ORDINANCE

*Laws Div Com.*

Read report of the Committee on  
Works regarding housing ordinance.

December 16th, 1937.

The City Council.

At a meeting of the Committee on  
Works held this day, the City Engineer  
submitted a report together with a proposed  
ordinance in respect to a standard of houses in  
Halifax as well as a proposed amendment to the City  
Charter in reference thereto.

December 16th, 1937.

On motion of Alderman Donovan and Alderman Freda, the report of the City Engineer, together with the said proposals was approved and recommended to the City Council for adoption.

Walter Mitchell,  
MAYOR AND CHAIRMAN.

Referred to Laws and Privileges  
Committee.

REDUCTION IN INSURANCE RATES

*City Eng.  
Clerk of Works*

Read report of the Committee on Works and City Engineer re reduction in insurance rates.

December 15th, 1937.

His Worship the Mayor.

Sir:-

Referring to previous reports and correspondence in connection with the promised reduction in fire insurance rates by the Nova Scotia Board of Fire Underwriters when the new Fire Alarm Building was built, I have today received the attached letter from the Secretary of the Board.

It will be seen that the Board agrees to grant the promised reduction without our having to move the magazine, provided an assurance is given that the amount of dynamite in the magazine will not at any one time exceed 100 lbs. in weight.

With the amount of work now and in the near future likely to be undertaken, it will not be necessary for us to store more than this amount at one time, so that the assurance may be given. Should it develop that more work is done and a large quantity of dynamite required to be stored, then it will be necessary to proceed with the relocation and rebuilding of the magazine.

I am attaching an abstract from a letter from the N. S. Board of Fire Underwriters, of August 1st, 1933, which shows the proposed reduction.

Respectfully submitted,

H. W. Johnston,  
CITY ENGINEER.

December 16th, 1937.

Nova Scotia Board of Fire Underwriters,  
Halifax, N. S.

December 14th, 1937.

H. W. Johnston, Esq.,  
City Engineer,  
CITY.

Dear Sir:-

Again referring to recent correspondence with you regarding the new fire alarm building erected in the City Field, I now have to advise you that on receiving assurance from you that the amount of dynamite in the magazine does not at any one time exceed 100 lbs. that our Board will be prepared to grant the reduction in fire insurance rates as promised.

Yours very truly,

(Sgd) Edward J. Fehio,  
SECRETARY.

August 1st, 1933.

Recommendations in Engineer's report on Halifax with particular reference to certain items in connection with Fire Alarm System, with reductions promised in all schedule rated mercantile and manufacturing risks for completion of same.

NOTE:- These reductions do not apply to sprinklered or fire resistive constructed risks or to dwellings and other so called three year risks.

PROMISED  
REDUCTION

- a. - That fire alarm headquarters be removed to a detached fireproof building especially constructed and located so as to deduce as far as possible all liability of interruption of service; sand pails and chemical extinguishers to be provided in the operating and battery rooms, near the intersection of Bell Road and Summer Street or Quinpool Road and Robie Street are suggested as excellent locations.

.02¢

December 16th, 1937.

The City Council.

At a meeting of the Committee on Works held on this date, the attached report of the City Engineer in reference to reduction in insurance rates was considered and ordered to be forwarded to the City Council for its information.

Walter Mitchell,  
MAYOR AND CHAIRMAN.

FILED

SUPT'S REPORT RE INMATES IN THE CITY HOME FOR THE MONTH OF NOVEMBER, 1937.

Read report of the Charities Committee for the month of November 1937, showing the number of inmates in the City Home to be 456.

FILED

TAX COLLECTIONS FOR THE MONTH OF NOVEMBER, 1937

Read report of the City Auditor covering tax collections for the month of Nov, 1937.

TAX COLLECTIONS, NOVEMBER, 1937

Arrears Taxes

Civic Year	Reserve	Outstanding Balances October	New accounts adjustments	November Collections	Outstanding Balances November.
1933-34	\$59,689.63	\$49,606.68	\$ 73.00	\$809.63	\$48,800.05
1934-35	53,656.69	141,460.77	-180.83	10,985.76	130,655.84
1935-36	60,384.99	234,225.95	- 9.45	9,178.76	225,056.64
1936-37	54,954.81	390,243.13	- 28.18	15,177.50	375,093.81
		815,536.53	-221.46	36,151.65	779,606.34

Current Taxes

1937-38	58,445.18	726,195.82	- 73.51	24,269.83	701,999.50
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Water Dept. Rates, etc.

	71,371.60	-1,102.44	37,343.49	35,130.55
	1,613,103.95	-1,397.41	97,764.97	1,516,736.39

Poll Taxes 1933-34	1,995.41	-	1.95	67.50	1,929.86
Poll Taxes 1934-35	2,926.90	-	1.81	84.50	2,844.21
Poll Taxes 1935-36	3,213.98	-	9.23	144.50	3,078.71
Poll Taxes 1936-37	5,715.55	-	16.95	524.75	5,207.75
Poll Taxes 1937-38	17,841.56	-	43.61	1,480.00	16,405.17

Additional Collections

Tax years 1908-9 to 1924-25			85.36	
Corresponding period last year				139.26

December 16th, 1937.

Tax years 1925-26 to 1932-33	\$1,724.72	
Corresponding period last year		\$1,684.64
Collections per above statement	97,764.97	
Corresponding period last year		105,652.01
	<u>99,575.05</u>	<u>107,475.91</u>
<u>Collections of Poll Taxes</u>		
May 1st, 1937 to Nov. 30th, 1937	16,063.28	
Corresponding period last year		15,533.42

A. M. Butler,  
CITY AUDITOR.

FILED

DEPARTMENTAL APPROPRIATIONS AND EXPENDITURES

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

FILED

10.10 o'clock,

Moved by Alderman Gough, seconded by  
Alderman Smeltzer that this meeting do now adjourn.

Motion passed.

Meeting adjourned.

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*Walter Mitchell*

Walter Mitchell,  
MAYOR AND CHAIRMAN.

*W. P. Publicover*

W. P. Publicover,  
CITY CLERK.