

February 25th, 1938.

BORROWING RESOLUTION

Read resolution as follows:-

WHEREAS by the Acts of the Province of Nova Scotia, passed in the year 1932, Chapter 56, Section 1, the City of Halifax was authorized to borrow a sum not exceeding Thirty-five Thousand Dollars (\$35,000.00) for the purpose of the erection of a building or buildings, or the alteration of an existing building or buildings, for the accommodation of the Police Department, including the City Court and the Police Court, and/or the housing of the fire alarm telegraph system.

AND WHEREAS by the Acts of the Province of Nova Scotia, passed in the year 1932, Chapter 56, Section 1, the City of Halifax was authorized to borrow a sum not exceeding Two Hundred Thousand Dollars (\$200,000.00) to defray the cost of the construction of new pavements and the City did on the 2nd day of May, A. D. 1932 borrow under the said authority and for the said purpose the sum of Ninety-five Thousand Dollars (\$95,000.00) and on the 8th day of July, A. D. 1937 borrow under the said authority and for the said purpose the sum of Five Thousand Dollars (\$5,000.00) and there remains still to be borrowed thereunder a sum not exceeding One Hundred Thousand Dollars (\$100,000.00).

AND WHEREAS by the Acts of the Province of Nova Scotia passed in the year 1932, Chapter 56, Section 1, the City of Halifax was authorized to borrow a sum not exceeding Two Hundred Thousand Dollars (\$200,000.00) to defray the cost of the construction of new sidewalks, and the City has heretofore borrowed the total sum of One Hundred and Sixty-five Thousand Dollars (\$165,000.00) under the said authority and there remains still to be borrowed thereunder a sum not exceeding Thirty-five thousand dollars (\$35,000.00)

AND WHEREAS by the Acts of the province of Nova Scotia passed in the year 1914, Chapter 77, the City of Halifax was authorized amongst other things, to borrow a sum not exceeding in any year Five Thousand Dollars (\$5,000.00) to defray the cost of the acquisition of land required from time to time for the widening of streets.

AND WHEREAS by the Acts of the Province of Nova Scotia passed in the year 1917, Chapter 86, the City of Halifax was authorized to borrow a sum not exceeding One Hundred Thousand Dollars (\$100,000.00) for the extension and improvement of the water service and the City has heretofore borrowed the sum of Ninety Thousand Dollars (\$90,000.00) of the amount so authorized to be borrowed thereunder and there remains to be borrowed thereunder a sum not exceeding Ten Thousand Dollars (\$10,000.00).

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AND WHEREAS by the Acts of the Province of Nova Scotia passed in the year 1922, Chapter 52, the City of Halifax, was authorized to borrow a sum not exceeding One Hundred and Fifty Thousand Dollars (\$150,000.00) for the extension and improvement of the water service and the City has heretofore borrowed the sum of One Hundred and Twenty-five Thousand Dollars (\$125,000.00) and there still remains to be borrowed thereunder a sum not exceeding Twentyfive Thousand Dollars (\$25,000.00).

AND WHEREAS the City of Halifax is authorized by specific authority, in each of the aforementioned Statutes separately set forth, to borrow each and all of the sums separately above set out in accordance with the provisions of the Halifax City Charter relating to the Halifax City Consolidated Fund, the said borrowings to be in addition to the amounts previously authorized to be borrowed as part of that Fund and to form part of that fund and to be secured by stock or debentures or by both stock and debentures to be issued in conformity with the said provisions;

AND WHEREAS by the Acts of the Province of Nova Scotia passed in the year 1932, Chapter 7, Section 8, as the same is enacted by Section 4 of Chapter 45 of the Acts of 1935 and by resolution of the City Council passed the 17th day of February, A.D. 1938, and approved by His Honor The Lieutenant Governor-in-Council on the day of A.D. 1938, the City of Halifax was authorized to borrow the sum of One Hundred Thousand Dollars (\$100,000.00) for the purpose of financing the City's share of expenditures for direct relief amounting to a sum in excess of the sum authorized to be borrowed.

AND WHEREAS by the Acts of the Province of Nova Scotia for the year 1932, Chapter 7, Section 8, as that section is amended by the Acts of the said Province for the year 1936 Chapter 45, Section 1, subsection 1, the City of Halifax was authorized to borrow for the purposes of financing the City's share of Direct Relief as last above set forth, in the manner provided by Section 318 to 354 of the Halifax City Charter and such borrowing was not authorized to form a part of the City of Halifax Consolidated Fund 1905;

AND WHEREAS the said City has not heretofore borrowed, except as hereinafter set out, any of the sums so authorized to be borrowed as aforesaid and is now desirous of borrowing the same or part thereof;

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AND WHEREAS the amounts expended by the City in respect of the items for which the said borrowings are respectively authorized as aforesaid are as follows:-

<u>Firstly:</u>	Erection of a building to accommodate the fire alarm telegraph system	\$15,000.00
<u>Secondly:</u>	Permanent paving under the authority of Chapter 56 of the Acts of 1932	100,000.00
<u>Thirdly:</u>	Permanent sidewalks under the authority of Chapter 56 of the Acts of 1932	35,000.00
<u>Fourthly:</u>	Street widening	5,000.00
<u>Fifthly:</u>	Water extension	35,000.00
<u>Sixthly:</u>	Direct Relief	<u>100,000.00</u>
		\$290,000.00

AND WHEREAS tenders were called for the purchase of 3½ percent Serial Debentures of the principal amount of \$290,000.00, or such principal amount as will produce \$290,000.00 and the tender of Messrs. Hanson Bros. Inc. and McTaggart, Hannaford, Birks and Gordon Limited, of 100.39 percent of par for the same was accepted by the resolution of the City Council, dated the 17th day of February, 1938;

AND WHEREAS the said City has determined to issue Three and one-half percent serial debentures for a principal amount of \$290,000.00 and the said Messrs. Hanson Bros. Inc., and McTaggart, Hannaford, Birks & Gordon Limited have agreed to accept such amount in full performance of the contract represented by their tender and acceptance;

AND WHEREAS the total amount expended for the first five purposes set out above (namely the amount of \$190,000.00) was authorized to be borrowed as part of the City of Halifax Consolidated Fund 1905, and the amount expended for the purpose sixthly set out above (namely the amount of \$100,000.00) was not authorized by the Statute in force to form a part of the said Fund, and it is therefore necessary in order to borrow the sum of \$290,000.00 in the manner and for the purposes above set forth, to issue two separate types of debentures; one issue to be for the total principal amount of \$190,000.00 and to form a part of the City of Halifax Consolidated Fund and the other issue to be for the total principal amount of \$100,000.00;

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AND WHEREAS the City has power and authority to create and issue the said debentures in amount, manner and form as proposed;

NOW THEREFORE BE IT RESOLVED that for the purposes hereinbefore set forth and under the authority it therunto enabling, as aforesaid, the City of Halifax do borrow on the credit of the City of Halifax the sum of \$290,000.00 and do create and issue and sell debentures of the City of Halifax therefor to the principal amount of \$290,000.00, in manner and form as follows, that is to say:

One Hundred and Ninety (190) Debentures of the principal sum of \$1,000.00 each and numbered from 13964 to 14153 consecutively; all of which debentures shall bear date the 2nd day of January 1938, and which shall form part of the City of Halifax Consolidated Fund of 1905, and shall bear interest at the rate of three and one-half per centum per annum, payable half-yearly on the 2nd days of July and January in each year; the said debentures shall be payable as follows:-

6	debentures	numbered	13964	to	13969	payable	Jan. 2, 1939
7	"	"	13970	to	13976	"	Jan. 2, 1940
7	"	"	13977	to	13983	"	Jan. 2, 1941
7	"	"	13984	to	13990	"	Jan. 2, 1942
8	"	"	13991	to	13998	"	Jan. 2, 1943
8	"	"	13999	to	14006	"	Jan. 2, 1944
8	"	"	14007	to	14014	"	Jan. 2, 1945
9	"	"	14015	to	14023	"	Jan. 2, 1946
9	"	"	14024	to	14032	"	Jan. 2, 1947
9	"	"	14033	to	14041	"	Jan. 2, 1948
10	"	"	14042	to	14051	"	Jan. 2, 1949
10	"	"	14052	to	14061	"	Jan. 2, 1950
10	"	"	14062	to	14071	"	Jan. 2, 1951
10	"	"	14072	to	14081	"	Jan. 2, 1952
11	"	"	14082	to	14092	"	Jan. 2, 1953
11	"	"	14093	to	14103	"	Jan. 2, 1954
12	"	"	14104	to	14115	"	Jan. 2, 1955
12	"	"	14116	to	14127	"	Jan. 2, 1956
13	"	"	14128	to	14140	"	Jan. 2, 1957
13	"	"	14141	to	14153	"	Jan. 2, 1958

One Hundred (100) Debentures of the principal sum of \$1,000.00 each and numbered from 001 to 100 consecutively; all of which debentures shall bear date the 2nd day of January, A. D. 1938 and shall bear interest at the rate of three and one-half per centum per annum, payable half-yearly on the 2nd days of July and January in each year; the said debentures shall be payable as follows:-

1	Debentures	Numbered	001	payable	Jan. 2, 1939
2	"	"	002	"	Jan. 2, 1940
25	"	"	003 to	"	Jan. 2, 1941
8	"	"	027 to	"	Jan. 2, 1942
			035	"	Jan. 2, 1942

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10	debentures	numbered	036	to	045	payable	Jan.2,1943
15	"	"	046	to	060	"	Jan.2,1944
15	"	"	061	to	075	"	Jan.2,1945
25	"	"	076	to	100	"	Jan.2,1946

AND BE IT FURTHER RESOLVED that under the authority of subsection (4) of Section 326A of the City Charter, as the same is enacted by section 2 of Chapter 67 of the Acts of 1937, that no sinking fund shall be provided in respect of the said debentures, but that the sums payable yearly in respect of the principal and interest thereof shall be included in the estimates for the civic years in which the same are payable and rated and collected therewith;

AND BE IT FURTHER RESOLVED that all the said debentures be substantially in the form set out in Form "B" of the City Charter with such moderations or additions as may be approved by the City Solicitor and that there be attached to all such debentures interest coupons covering the interest payable in respect thereof;

AND BE IT FURTHER RESOLVED that the principal and interest payable in respect of all the said debentures shall be payable in lawful money of Canada at the office of the City Treasurer of the City of Halifax, at Halifax, Nova Scotia, Canada, or at the option of the holder at the principal office of The Royal Bank of Canada in any of the cities of Halifax, Nova Scotia; Montreal, Quebec; Toronto, Ontario; Winnipeg, Manitoba; Vancouver, British Columbia; or Saint John, New Brunswick;

AND BE IT FURTHER RESOLVED that all the said debentures shall be signed by the Mayor and Treasurer for the time being of the City of Halifax and sealed with the corporate seal of the said City and countersigned by the City Clerk and that the coupons attached shall be deemed to be duly executed by and on behalf of the City when bearing the written, stamped, lithographed or engraved signature of the Mayor and Treasurer;

AND BE IT FURTHER RESOLVED that the said debentures be issued and sold and delivered to Messrs. Hanson Bros. Inc., and McTaggart, Hannaford, Birks & Gordon Limited, in accordance with the tender of the said parties, accepted by resolution of the City Council, dated the 17th day of February, A.D. 1938;

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AND BE IT FURTHER RESOLVED by a two-thirds vote of all members of the Council and with the approval of the Mayor in accordance with the provisions of Section 314A. of the City Charter that the expenditure of all moneys hereinbefore set forth be and the same is hereby authorized;

AND BE IT FURTHER RESOLVED that the City of Halifax will not share in or be responsible for any expense that may be incurred by the purchasers in connection with the investigation by them of the validity of the issue of the debentures hereinbefore referred to.

Moved by Alderman Stech, seconded by Alderman Donovan that the resolution as submitted be approved. Motion put and passed unanimously.

The following voting therefor:-

Aldermen Adams
Donovan
Froda
Gough
Keshen
MacKay
McDonald
O'Toole
Power
Smeltzer
Stech
Sullivan
Walker
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LEGISLATION

The following legislation as submitted by the City Solicitor was approved.

1. Section 97 is amended by adding thereto the following subsection:

(2) If the day prescribed in Clause (a) of the first subsection of this section, for the holding of the regular monthly meeting of the Council shall fall on any of the days described as "Holidays" in Chapter 1 of the Revised Statutes of Canada 1927, or in Chapter 1 of the Revised Statutes of Nova Scotia 1923, such regular monthly meeting shall be held on the day immediately following such day.

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2. Section 178 is amended by adding thereto immediately following the word "defendant" in the fourth line thereof the following:

Provided however, that the plaintiff shall not be liable to pay any fee for any alias or pluries writ of summons issued within three months after the date of the issue of the original writ of summons, but the plaintiff shall include the proper fee in the amount of the judgment entered against the defendant, if any, and in any execution issued thereon, and upon satisfaction of the said judgment such fees shall be paid to the Clerk of the Court.

3. The Charter is amended by inserting therein immediately following Section 228 thereof the following section:

228A.(1) Any member of the Police Force of the City, to whom in the course of his duty is paid fines or other pecuniary penalties in the Police Court, shall before entering upon his duties, furnish a bond of some recognized guaranty company approved by the Council, conditioned upon the faithful performance and execution of his duties in such Police Court, 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 his duties in such Police Court, 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 entitled to receive such fines or other pecuniary penalties. Such bond or a renewal thereof shall be continued in effect during the entire period that such person holds the office.

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

(3) The Surety upon such bond shall be liable to indemnify any person entitled to receive such fines or other pecuniary penalties, against any loss or damage sustained by such person in consequence of any neglect, default, misconduct or misfeasance committed by such member of the Police Force in the carrying out of his duties in such Police Court.

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(4) Any such person may maintain an action against such Surety in respect of such loss or damage in the name of The City of Halifax without any permission to do so being obtained therefor from the 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.

(5) 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 civic year.

4. (1) Subsection (1) of Section 290 is amended by striking out the words "statements and" in the second and third lines thereof, and by striking out the words "statement or" in the seventh line thereof.

(2) Subsection (2) of said Section 290 is amended by striking out the words "statement or" in the first and second lines thereof.

(3) Subsection (3) of said Section 290 is amended by striking out the words and figures "for each statement.....25 cents" in the third line thereof.

5. The paragraph added to subsection (1) of Section 310 by Section 23 of Chapter 48 of the Acts of 1935 is repealed and the following substituted therefor:

A sum not exceeding five thousand dollars for the Dalhousie Health Clinic.

6. Section 318 is amended by adding thereto the following subsection:

(3) Notwithstanding the provisions of subsection (1) of this section, any moneys hereafter borrowed by the City, whether under the authority of this Act or under the authority of any other enactment in respect of which debentures are issued, shall, unless otherwise specifically declared in such enactment, be deemed to be borrowed and such debentures issued under the authority of and subject to the provisions respecting the City of Halifax Consolidated Fund of 1905, and to form part of the said Fund.

7. The Charter is amended by inserting therein, immediately following section 326A. thereof, the following sections:

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326B. Every debenture issued by the City, and bearing upon it the approval of the City Solicitor as to its form, shall be deemed to be in the form required by this Act.

326C.(1) Every debenture hereafter issued by the City, under the authority of any Act of the Legislature of the Province of Nova Scotia, shall have printed, lithographed or engraved thereon, a certificate in the following words and figures:

"This bond is one of an issue of..... dollars, authorized by..... and this certificate is endorsed hereon, pursuant to the provisions of The Halifax City Charter.

Dated at Halifax, N. S. this day
of A.D. 19..

.....
City Solicitor,
City of Halifax."

(2) Every debenture bearing the said certificate so signed by the City Solicitor shall be valid, and binding on The City of Halifax according to its terms, and the validity of any such debenture shall not be open to question in any court.

(3) The City Solicitor may grant the certificate above referred to, notwithstanding any irregularity in the proceedings prior to the issue of the debentures, if, in the opinion of the City Solicitor, the provisions of the enactment or enactments under which the debentures were assumed to be issued have been substantially complied with.

8. Clause (n) 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 words "otherwise taxed to the amount of" in the second and third lines thereof, and substituting therefor the words "assessed for business tax in respect of such business in such amount as requires such agent to pay a tax therefor of not less than".

9. Section 365 as the same is amended by Chapter 60 of the Acts of 1934 is further amended by adding thereto the following subsection:

(2) Any company, firm or individual who has been notified of its or his liability to pay a special tax under section 361, may, by notifying, in writing, on or before the 25th day of February immediately preceding the commencement of the civic year in respect of which such tax is imposed, the Assessor of its or his intention to discontinue the business carried on by such company, firm or individual, be relieved of the liability to pay such special tax if it or he actually discontinues such business not later than the 1st day of May next succeeding.

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10. (1) Subsection (4) of Section 396 is amended by inserting therein immediately following the word "furnish" in the first line thereof, the following words:

"within ten days after being requested therefor by the Assessor".

- (2) Said Section 396 is further amended by adding thereto the following subsection:

(5) The owner of any real property or his agent, 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 or agent.

11. The Charter is amended by inserting therein immediately following Section 418 the following section:

418A.(1) Notwithstanding any of the provisions of this Charter, the committee on Finance, on the recommendation of the Assessor, may at any time cancel or reduce any assessment made and the tax levied thereon, against any person in respect of the occupancy of any real property for business, household or other purposes, where it appears that prior to the completion of the assessment for the civic year for which such assessment has been made, the person so assessed has ceased to occupy such real property for the purposes in respect of which such person was assessed.

(2) For the purpose of enabling him to make such recommendation the Assessor may demand such documentary evidence to be supplied to him as he may deem necessary and may require statements under oath respecting such facts as may be alleged.

12. Subsection (8) of Section 425 as the same is enacted by Section 16 of Chapter 65 of the Acts of 1937 is repealed and the following substituted therefor:

(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 one and one-half percent of the amount of such tax, if the same has been paid in full within thirty days of the date of delivery or mailing of the notice of assessment of such tax, provided however, that such person shall pay to the City

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upon such tax, if the same is not paid within such period of thirty days, at the rate provided in this section from thirty days subsequent to such date of delivery or mailing until the date of payment thereof, 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.

13. Section 425 as the same is amended, is further amended by adding thereto the following subsection:

(9). (a) The Council on the recommendation of the Committee on Finance, on it appearing to its satisfaction that any person has received a notice to pay rates or taxes containing an incorrect amount, and for this reason has failed to pay the full amount actually due by him, may relieve such person of such portion of the interest due by him upon such unpaid rates or taxes prior to the date of the receipt by him of a notice or statement containing the correct amount due, upon such conditions as to payment as it may prescribe.

(b) The Assessor immediately upon becoming aware of the error in the said notice hereinbefore referred to, shall send by registered mail, to the person entitled to receive the same, a corrected bill, setting out the correct amount due.

14. (1) Subsection (6) of Section 495A. as the same is enacted by Section 21 of Chapter 65 of the Acts of 1937, is amended by inserting therein, immediately following the word "provisions" in the second line thereof, the words "of any ordinance made under the authority".

(2) This section shall be read and construed and shall be given effect as if it had been enacted on, from and after and not before the 17th day of April, A. D. 1937.

15. Subsection (3) of Section 559 as the same is amended by Section 23 of Chapter 65 of the Acts of 1937 is repealed and the following substituted, therefor:

(3) Any such plan or list may be amended by the Engineer, from time to time, within two 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, but any person who has been assessed, may be relieved of such assessment

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or such excess amount thereof by the correction of the same at the expense of the City at any time after the expiration of such period of two years and any money required to correct such error or to adjust such excess assessment may be charged to the appropriation provided by law for grading streets.

16. The Charter is amended by inserting therein, immediately following Section 560A thereof the following section:

560B. When the pavement on a street or portion of a street is in the opinion of the Engineer in such a condition as to require renewal, the Council may order that such pavement be renewed and all the other provisions of the Charter shall apply to any such renewal.

17. Subsection (4) of Section 561 as the same is amended by Section 24 of Chapter 65 of the Acts of 1937 is repealed and the following substituted therefor:

(4) Any such plan or list may be amended by the Engineer, from time to time, within two 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, but any person who has been assessed in error, or for a greater amount than should have been assessed, may be relieved of such assessment or such excess amount thereof by the correction of the same at the expense of the City at any time after the expiration of such period of two years or to adjust such excess assessment may be charged to the appropriation provided by law for paving streets.

18. Subsection (3) of Section 566 as the same is amended by Section 25 of Chapter 65 of the Acts of 1937 is repealed and the following substituted therefor:

(3) Any such plan or list may be amended by the Engineer, from time to time, within two 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, but any person who has been assessed in error or for a greater amount than should have been assessed, may be relieved of such assessment or such excess amount thereof by the correction of the same at the expense of the City at any time after the expiration of such period of two years and any money required to correct such error or to adjust such excess assessment may be charged to the appropriation provided by law for the construction of sidewalks.

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19. Subsection (3) of Section 573 as the same is enacted by Section 26 of Chapter 65 of the Acts of 1937 is repealed and the following substituted therefor:

(3) Any such plan or list may be amended by the Engineer, from time to time, within two 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, but any person who has been assessed in error, or for a greater amount than should have been assessed, may be relieved of such assessment or such excess amount thereof by the correction of the same at the expense of the City at any time after the expiration of such period of two years and any money required to correct such error or to adjust such excess assessment may be charged to the appropriation provided by law for the planting of trees in the streets.

20. Section 589 of the Charter is amended by adding thereto the following clause:

(j) The regulation or prevention of the walking or being on any street of the City after 9.30 o'clock at night of persons under fourteen years of age.

21. Subsection (3) of Section 599 as the same is amended by Section 29 of Chapter 65 of the Acts of 1937 is repealed and the following substituted therefor:

(3) Any such plan or list may be amended by the Engineer, from time to time, within two 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 but any person who has been assessed in error, or for a greater amount than should have been assessed, may be relieved of such assessment or such excess amount thereof by the correction of the same at the expense of the City at any time after the expiration of such period of two years and any money required to correct such error or to adjust such excess assessment may be charged to the appropriation provided by law for the construction of sewers.

22. The Charter is amended by inserting therein, immediately following Section 624 thereof, the following section:

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624A. In any case in which the City is authorized to acquire any real property in the City, the Council may, by resolution, resolve to purchase the same and pay therefor, as the purchase price thereof, a sum not exceeding the amount at which the same was assessed at the general assessment next preceding the date of such acquisition, together with such additional sum, not exceeding twenty percent of such assessment, as the Council may determine, and any sums required to effect such acquisition may be borrowed by the City, and such sums shall be in addition to the amount authorized to be borrowed by the Halifax City Consolidated Fund Act 1905, and amendments thereto, and shall form part of that fund and shall be secured by stock or debentures to be issued in conformity with the provisions respecting such fund, at such rate of interest and payable as to principal and interest at such times and places as the Council may determine.

23. Subsection (4) of Section 757 is amended by striking out the words "not less than" in the third line thereof.

24. The Charter is amended by inserting therein, immediately following Section 824 thereof, the following Section:

824A. Every building heretofore or hereafter erected within the boundaries of Norwood Subdivision as shown upon a plan prepared by R. W. MacKenzie, Provincial Land Surveyor, and filed in the Registry of Deeds at Halifax on September 13th, 1937, and numbered #399, shall comply with the following provisions:

(a) No building shall be erected except a residential dwelling and no residential dwelling shall be of the two-flat type or three-flat type, or other apartment house or building whatsoever; nor shall any building now or hereafter erected be used for other than residential or professional purposes; provided, however, that a garage or other necessary out-building may be erected for use in connection with a private residential building.

(b) No building shall be erected nearer than twenty feet from the street line of streets named and marked on said plan as Woodlawn and Parkwood Terrace, or nearer than thirty feet from the street named Quinpool Road.

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(c) No building shall be erected costing less than Five Thousand Dollars, except a garage or other necessary outbuilding.

(d) No building shall be erected and standing at any one time on any one parcel of land having a frontage of less than fifty feet on said street on which the said lots respectively front, and being composed of the whole or part or parts of one or more of the said lots immediately adjoining each other and of the full depth of said respective lots as shown on said plan.

25. (1) The lien on the personal property of any person for real property tax or business tax for the civic year 1937-38 conferred by section 438 of the Halifax City Charter is hereby extended from the expiry of that year up to and including the 1st day of November, 1938.

(2) The Governor-in-Council may, at the request of the City, made prior to the 21st day of September 1938, and filed with the Clerk of the Executive Council, prior to the 21st day of September 1938, extend the said lien for real property tax and business tax beyond the 1st day of November 1937, until such time as the City requests.

(3) The section shall be read and construed and shall be given effect as if it had been enacted on, from and after and not before the 29th day of April, A. D. 1938.

26. (1) Notwithstanding the provisions of Section 437, the lien of the City upon real property for rates and taxes assessed for the civic year 1935-36 is hereby extended from the expiry of the said lien up to and including the 1st day of November 1938.

(2) The Governor-in-Council may, at the request of the City, made prior to the 21st day of September 1937, and filed with the Clerk of the Executive Council, prior to the 21st day of September 1938, extend the said lien upon real property for the civic years 1935-36 beyond the 1st day of November 1938, until such times as the City requests.

(3) This section shall be read and construed and shall be given effect as if it had been enacted on, from and after and not before the 29th day of April, A. D. 1938.

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27.

(1) There shall be constituted a Board composed of the Collector, the Auditor and a person to be appointed by the Chief Justice of the Province, to deal with the arrears of rates, taxes and betterment charges outstanding, 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 accounts found due, or to make any other proper or necessary arrangement in respect of such matters and to make in the name of the City any mortgage of real or personal property or other security, and any such adjustment, finding, fixing, extension or arrangement 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 for five years from the passing of this Act.

28.

Notwithstanding the provisions of Section 957, the Trustees of The Halifax Officials Superannuation Fund shall pay to the City of Halifax the pension monies to which David Colquhoun, formerly an employee of the Water Department of the City, is entitled to receive under the provisions governing the said Fund, and such monies, whether now in the hands of the said Trustees or to become due to the said David Colquhoun, shall be applied by the City to defray the hospital expenses of the said David Colquhoun at the Nova Scotia Hospital during such time as he shall be a patient therein, and the payments of such monies shall be deemed to have been made to the said David Colquhoun when the same have been so paid to the City and applied by the City for the said purpose.

29.

Notwithstanding any provision of the Nova Scotia Housing Act 1919 and amendments thereto or of the City Charter, any of which said provisions may be deemed or construed to restrict the term of any agreement of sale between the Housing Commission of the City of Halifax and any purchaser therefrom, to twenty years, the Commission may in any case which it may deem expedient, extend the term of any such agreement or may make new agreements

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for a term not in either case extending beyond the 31st day of December, A.D. 1950. Provided however, that with the permission of the City Council first had and obtained, the Commission may in any case in which it considers the same to be necessary, make new agreements for a term extending beyond the said 31st day of December, A.D. 1950, to such time as the Council may approve. Any agreement or agreements, the terms of which have been already extended or which may be extended, or such new agreement or agreements already entered into or to be entered into shall be subject otherwise to the same terms and conditions provided for in the Nova Scotia Housing Act and amendments thereto.

30. The City may pay to Moirs Limited, the compensation to be paid by The Nova Scotia Power Commission in respect of the expropriation of certain lands at Pockwock Lake in the County of Halifax, which said lands were conveyed by the City to Moirs Limited.
31. The repayment to The Eastern Trust Company of the amount paid by it in respect of assessments for sewers laid on Connaught Avenue and Connolly Road, amounting to \$3,569.07, is hereby ratified and confirmed, and the said repayment is hereby declared not to affect the right of the City to receive the said money when the same shall become due to the City.
32. The purchase by the City of certain lands, covered with water and buildings, situated on the western side of Quinpool Road in the City of Halifax from Frank J. Stoneman and Nellie M. Stoneman, and all acts and proceedings in connection therewith are hereby ratified and confirmed and declared to have been within the authority and competency of the City, and any sums borrowed by the City to effect such purchase may be repaid by the City from the proceeds of a loan to be effected by the City which said loan shall be repaid at such time or times and in such manner as the Council shall determine.
33. The resolution of the City Council passed the 17th day of June, A. D. 1937, whereby it was resolved that the City of Halifax sell and convey to John W. Churchill certain lands belonging to said City, situate at the south eastern corner of Jubilee Road and Walnut Street in consideration of the payment of \$549.24, is hereby ratified and confirmed and said resolution declared to have been within the authority and competency of the City

February 25th, 1938.

Council and said sale and the conveyance of said property will vest in said John W. Churchill a good title to said property free from all encumbrances, and such purchase money when received by the City shall be applied towards payment of certain local improvement charges assessed against the said John W. Churchill in respect of property owned by him and adjoining the eastern side of the said lands, herein before referred to. Any additional sums required to pay the accrued interest on such local improvement charges may be taken from the appropriations for the construction of sidewalks, sewers, street oiling and street trees respectively.

34. The City shall pay to The Royal Bank of Canada at Halifax, Nova Scotia, the sum of \$600.00 paid by it to the late Mrs. Bessie Egan during the civic year 1936-37, pursuant to a resolution of the City Council passed the 11th day of June, A.D. 1936, together with interest upon such sum from the date of payment of the same or the respective instalments of the same to the date of repayment thereof, and any sums required by the City for such payments may be borrowed from any bank or fund available and with the interest thereon be included in the estimates for the civic year 1939-40.
35. The City may borrow from any bank or fund available a sum not exceeding \$5,300.00, and of such sum apply an amount not exceeding \$4,500.00 to supplement the appropriation provided for the Tuberculosis Hospital in the estimates for the civic year 1937-38, and apply an amount not exceeding \$800.00 to supplement the appropriation provided for the City Prison in the said estimates and such sums so borrowed may with interest thereon be included in the estimates for the civic year 1939-40 and repaid therefrom.
36. The City may borrow from any bank or fund available a sum not exceeding Four Thousand Five Hundred Dollars (\$4,500.00) and expend the same for the purpose of paying Citizens' Research Institute of Canada its charges for conducting a survey and making a report of the form of administration and government of the City as outlined in the minutes of the meeting of the City Council held on December 16th, 1937, and such sum so borrowed may with interest thereon, be included in the estimates for the year succeeding that, in which the same was borrowed and repaid therefrom.

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37. The City may borrow from any bank or fund available a sum not exceeding \$5,000.00 and expend the same for the purchasing of street name signs and the installation of the same. 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 such 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 it is payable.
38. The City may in each of the civic years 1938-39, 1939-40, 1940-41, 1941-42 and 1942-43 borrow from any bank or fund available a sum not exceeding Two Thousand Dollars (\$2,000.00) and expend the same in each such civic year for the improvement of the Common of Halifax, and the sums so borrowed in each such year shall with the interest thereon be included in the estimates for the civic year immediately succeeding that in which the same was borrowed.
39. The City may borrow from any bank or fund available a sum not exceeding Two Thousand Five Hundred Dollars (\$2500.00) and apply the same to supplementing the grant of Two Thousand Five Hundred Dollars for the Dalhousie Health Clinic included in the estimates for the civic year 1938-39. The sum so borrowed shall, with the interest thereon be included in the estimates for the civic year 1939-40.
40. The City may borrow a sum not exceeding \$6,500.00, for the purpose of purchasing and installing such equipment, circuits, cables, wires and other fixtures as may be necessary to convert the present fire alarm telegraph system now known as a "non-manual" system, into a "semi-manual" system. The said sum so borrowed, which may be borrowed from time to time and in such portions as the Council determines, shall be borrowed in accordance with the provisions of the Halifax City Charter relating to the Halifax City Consolidated Fund, and be in addition to the amounts previously authorized to be borrowed as part of that fund and shall form part of that fund.

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Such sum so borrowed shall be secured by stock or debentures to be issued in conformity with the said provisions at a rate of interest to be determined by the Council at the time of the making of a loan under the authority of this Act, and the dates on which the same are payable shall be determined by the said Council.

41. The City may borrow from any bank or fund available a sum not exceeding \$1500.00 and apply the same to supplement the estimates of the City for the maintenance of the fire alarm telegraph system for the first civic year in which the said fire alarm telegraph system shall be operated as a semi-manual system, and such sum, so borrowed, shall with the interest thereon be included in the estimates for the civic year next succeeding the year in which the same was borrowed.
42. The City in each of the civic years 1938-39, 1939-40, 1940-41, 1941-42 may borrow a sum not exceeding \$100,000.00 for the construction of new pavements. The sums so borrowed in any such year, which may be borrowed from time to time and in such amounts as the Council of the City determines, shall be borrowed in accordance with the provisions of the Halifax City Charter relating to the Halifax City Consolidated Fund, and be in addition to the amounts previously authorized to be borrowed as part of that fund, and shall form part of that fund. They shall be secured by stock or debentures to be issued in conformity with the said provisions at a rate of interest to be determined by the Council of the City at the time of the making of any loan under the authority of this Act, and the dates on which the same are payable shall be determined by the Council.
43. The City may borrow from any bank or fund available the sums set out in Schedule "A" 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 three 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.

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44.

The City may borrow the sums set out in Schedule "B" hereto for the purposes set opposite each item respectively. The sums so borrowed, which may be borrowed from time to time and in such amounts as the Council of the City determines, shall be borrowed in accordance with the provisions of the Halifax City Charter relating to the Halifax City Consolidated Fund, and be in addition to the amounts previously authorized to be borrowed as part of that fund, and shall form part of that fund. They shall be secured by stock or debentures to be issued in conformity with the said provisions at a rate of interest to be determined by the Council of the City at the time of the making of any loan under the authority of this Act, and the dates on which the same are payable shall be determined by the said Council.

The following short term authorizations as submitted by the City Solicitor were approved.

SCHEDULE "A"

To purchase a power-operated lawn-mower for the Public Gardens, not exceeding	\$600.00
To pay the cost of renewing the plumbing in the Tuberculosis Hospital, not exceeding	1,500.00

The following long term authorizations as submitted by the City Solicitor were also approved.

SCHEDULE "B"

For the construction of new sidewalks, not exceeding	100,000.00
For the extension or improvement of the water service, not exceeding	100,000.00

CITY COURT

Moved by Alderman Power, seconded by Alderman Smeltzer that the City Solicitor be authorized to prepare legislation for next year making alterations in the City Court which will assimilate it to the principle of the Supreme Court. Motion passed.

February 25th, 1938.

HALIFAX NATAL DAY

Alderman Donovan submitted and read the following resolution:-

"Unless in any year otherwise determined by resolution of the City Council, Halifax Natal Day shall be celebrated on the third Monday in August in each year".

Moved by Alderman Donovan, seconded by Alderman MacKay that the resolution be adopted. Motion put and lost, 4 voting for the same and 8 against it as follows:-

FOR THE MOTION

Aldermen Batson
MacKay
Donovan
Sullivan

AGAINST IT

Aldermen Adams
Freda
Gough
McDonald
Power
Smeltzer
Stech
Walker

-4-

-8-

11.20 P.M.,

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

Motion passed.

Meeting adjourned.

LIST OF HEADLINES

Water Estimates, 1938-39	468
Civic Estimates, 1938-39	469
Borrowing resolution	483
Legislation	488
City Court	503

W. P. Publicover

W. P. Publicover,
CITY CLERK.

Walter Mitchell

Walter Mitchell,
MAYOR AND CHAIRMAN.

CITY COUNCIL MEETING,
THURSDAY,
MARCH 17th, 1938.

A G E N D A

- Minutes.
Resolution re accounts.
Report Gardens Committee re refreshment privileges at Fleming Park.
Report Laws & Privileges Committee re amendments to Ordinance #17 relating to Junk Dealers.
" " " re tag day, Cornwallis Street Baptist Church.
" " " re legislation - coal weighers.
Report City Health Board re purchase of domestic refrigerator.
" " re contract with Provincial Department of Health re infectious cases.
Report Firewards Committee re account of Drs. Doull & Mathers.
Report Police Committee re superannuation of Officer Griffin.
0. Letter City Solicitor re legislation (overdraft Health Board and City Prison.)
1. Letter His Worship the Mayor re brief, National Harbors Board.
2. Letter Fire Marshal re fire prevention competition.
3. Letter Salvation Army re tag day.
4. Letter Board of Governors, Dalhousie University, re grant.
5. Letter Board of Trade re daylight saving time.
6. Letter A. Mathews re relief coal.
7. Questions by Aldermen.
8. Report Committee on Works re legislation.
9. Report Comm. on Works and City Engineer re concrete sidewalk construction.
0. " " " re shop in residential district.
1. Report Charities Committee covering Supt's report re inmates in the City Home.
2. Report City Auditor re tax collections for the month of February 1938.
3. " " re departmental appropriations and expenditures.

EVENING SESSION

8.00 o'clock,
Council Chamber,
City Hall,
March 17th, 1938.

A meeting of the City Council was held this evening. At the above named hour there were present His Worship the Deputy Mayor, Chairman; and Aldermen Batson, MacKay, Donovan, Sullivan, Freda, Adams, McDonald, Keshen, 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 Batson that the minutes of the previous meeting be approved. Motion passed.

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 \$12,492.43; Committee on Charities amounting to \$6,304.45; Gardens Committee amounting to \$527.35, Fleming Park amounting to \$108.32; City Prison Committee amounting to \$1,994.04; Library Committee amounting to \$470.53; Committee on Firewards amounting to \$13,767.04 chargeable to Fire Department and \$545.72 chargeable to Fire Alarm; Committee on Works amounting to \$8,335.07; City Health Board amounting to \$3,160.44; Committee on Camp Hill Cemetery amounting to \$550.27; Police Committee amounting to \$10,079.45 under the provisions of Section 315 of the City Charter.

March 17th, 1938.

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

Gardens Com.

REFRESHMENT PRIVILEGES - FLEMING PARK

Read report of the Gardens, Parks and Commons Committee re refreshment privileges at Fleming Park.

Committee Room, City Hall,
March 9th, 1938.

His Worship the Mayor,
and Members of City Council.

At a meeting of the Gardens, Parks and Commons Committee held on the above date, the attached letter from Mr. J. E. Reardon requesting to be released from the contract with the City covering refreshment privileges at Fleming Park was considered.

Your committee recommends that Mr. Reardon be released from the contract at the end of the present civic year, and that the committee be authorized to advertise for tenders for refreshment privileges for the remainder of Mr. Reardon's contract, viz: one year starting May 1st, 1938.

Respectfully submitted,

J. F. McDonald,
CHAIRMAN.

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

Laws & Priv. Com.

AMENDMENTS TO ORDINANCE #17 - JUNK DEALERS

Read report of the Laws and Privileges Committee submitting amendments to Ordinance #17 relating to Junk Dealers.

Committee Room, City Hall,
March 14th, 1938.

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

At a meeting of the Laws and Privileges Committee held on the above date, the attached amendments to Ordinance #17 respecting Junk Dealers were considered.

March 17th, 1938.

Your committee recommends that the amendments as prepared by the City Solicitor be read and passed a first time.

Respectfully submitted,

P. A. Gough,
VICE-CHAIRMAN.

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

Motion passed.

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

1. Section 2 of Ordinance #17, respecting Junk Dealers is repealed and the following substituted therefor:

2. The Mayor and Clerk may, without any resolution by the Council, upon the recommendation of the Chief of Police that such person is a fit and proper person to receive the same, issue a renewal of the license to any person to whom a license has been issued by the direction of the Council; but no such renewal shall be so issued to any person who has forfeited his license or in respect to whom the Council has directed that a renewal shall not be issued.

2. Section 9 of said Ordinance is amended by adding thereto the following:-

"whether such minor be the agent of an adult person or not".

3. Section 10 of said Ordinance is repealed and the following substituted therefor:

10. No junk dealer shall purchase in the way of his business any article whatever from any person whomsoever on any day between the hour of five o'clock in the afternoon and eight o'clock in the forenoon, not at any time on Sunday or any statutory holiday.

4. Section 13 of said Ordinance is amended by adding thereto the following:

"All entries in such book shall be in the English language".

March 17th, 1938.

Moved by Alderman Gough, seconded by Alderman Smeltzer that the amendments to Ordinance #17 as set out above be now read and passed a first time. Motion passed.

Council
Alderman Gough submitted and read the following notice of motion.

"TAKE NOTICE that at the next regular meeting of the City Council I will move a resolution that the resolution passed by the City Council on January 13th to the effect that on and after April 30th, 1938, the City of Halifax will cease to contribute towards any further Direct Relief under the authority of Chapter 7 of the Acts of 1932, and amendments thereto, be rescinded".

DIRECT RELIEF

Dir. Relief Com.
Moved by Alderman Gough, seconded by Alderman Smeltzer that the following resolution be adopted:-

"BE IT RESOLVED that the present agreement between the City of Halifax and the Province of Nova Scotia, under which Direct Relief is now being distributed and which terminates on the 31st day of March 1938, be extended until such time as the Government of the Province of Nova Scotia submits a new contract for execution by the City of Halifax, and that the Mayor and City Clerk be empowered to enter into an agreement with the Government of the Province of Nova Scotia to this effect".

Motion passed.

TAG DAY - CORNWALLIS STREET BAPTIST CHURCH

Read report of the Laws and Privileges Committee re tag day, Cornwallis Street Baptist Church.

Committee Room, City Hall,
March 14th, 1938.

His Worship the Mayor,
and Members of City Council.

At a meeting of the Laws and Privileges Committee held on the above date, the attached application from the Pastor of the Cornwallis Street Baptist Church requesting permission to hold a tag day on Saturday, June 11th was considered.

March 17th, 1938.

Your committee recommends that the application be granted.

Respectfully submitted,

P. A. Gough,
VICE-CHAIRMAN.

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

Motion passed.

LEGISLATION - COAL WEIGHERS

Read report of the Laws and Privileges Committee submitting legislation regarding coal weighers.

Committee Room, City Hall,
March 14th, 1938.

His Worship the Mayor,
and Members of City Council.

At a meeting of the Laws and Privileges Committee held on the above date, consideration was given to the matter of obtaining legislation enabling the Mayor or Council to cancel or suspend the license of any coal weigher.

Your committee recommends that the legislation as drafted by the City Solicitor be approved.

Respectfully submitted,

P. A. Gough,
VICE-CHAIRMAN.

Section 935 is amended by adding thereto the following words:

"And such Ordinance may contain provisions providing for the suspension or cancellation by the Council of licenses issued to coal weighers at any time during the term of such licenses".

Moved by Alderman Gough, seconded by Alderman Batson that the report and legislation as submitted be approved. Motion passed.

March 17th, 1938.

PURCHASE OF DOMESTIC REFRIGERATOR - HEALTH BOARD

Read report of the City Health Board
re purchase of a domestic refrigerator.

March 16th, 1938.

His Worship the Mayor,
and Members of City Council.

At a meeting of the City Health Board held on Tuesday, March 15th, it was decided to recommend to the City Council that permission be given to purchase a domestic refrigerator for the Tuberculosis Hospital at a cost not to exceed \$180.00, payable out of the special appropriation of \$3,000.00 provided for hospital equipment. Funds are available to cover the purchase.

Respectfully submitted,

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

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

CONTRACT WITH PROVINCIAL DEPT. OF HEALTH

Read report of the City Health Board
re contract with the Provincial Dept. of Health.

March 16th, 1938.

His Worship the Mayor,
and Members of City Council.

At a meeting of the City Health Board held on Tuesday, March 15th, a letter was read from Dr. F. R. Davis, Minister of Public Health, offering to enter into a contract to pay \$3.00 per day, per patient for each patient admitted from the Victoria General Hospital, to the Infectious Disease Hospital.

The City Health Board recommends that a contract be entered into as suggested by the Minister of Health for the Province of Nova Scotia.

Respectfully submitted,

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

Health Board

Health Board

March 17th, 1938.

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

Motion passed.

ACCOUNT - DRS. DOULL & MATHERS

Read report of the Committee on
Firewards re account with Drs. Doull & Mathers.

March 14th, 1938.

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

At a meeting of the Committee of
Firewards held this day, the attached account from
Doull & Mathers for treatment to Hosoman Shappard's
eye, due to injury at fire, was considered.

Your committee recommends that
this account amounting to \$19.00 be passed for
payment.

Respectfully submitted,

John Walker,
CHAIRMAN.

Moved by Alderman Walker, seconded
by Alderman MacKay that the report be adopted.

Motion passed.

SUPERANNUATION - J. A. SHANKS

Read letter of the City Solicitor
submitting legislation in connection with
superannuation of J. A. Shanks, a former employee
of the Fire Department.

March 17th, 1938.

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

Your Worship and Aldermen:-

At a meeting of the Committee on
Firewards held the 14th day of March, the matter
of the superannuation of James Arthur Shanks was
under consideration, and I was requested along with
the Chairman of the Firewards Committee, the Chief
of the Fire Department and the Rev. L. J. Donaldson,
to submit a report to the Finance Committee regarding
this matter.

*Fire Chief
Treas.*

Treas.

March 17th, 1938.

After a meeting with these gentlemen I prepared a draft of legislation to carry out their suggestions, but due to the fact that a meeting of the Finance Committee was not held, the report did not come to this committee. I am therefore taking the liberty of bringing this matter to the attention of the Council, as it will be necessary to obtain legislation and if the matter is deferred until next month it will be too late to have legislation dealing with this matter.

For the information of Council, Mr. Shanks is now a patient in the Nova Scotia Hospital. His pension amounts to \$394.68, while the cost of maintenance at the Hospital is at the rate of \$9.00 a week, or \$468.00 a year. Mr. Shanks has dependent on him his wife and two young children. It was felt by this committee that the amount of his pension money, amounting to \$394.68, should be payable to Mrs. Shanks for her support and the support of the children, and that the City should assume the Hospital bill at the Nova Scotia Hospital. In addition it was recommended that the sum of \$100.00 a year be paid to Mrs. Shanks for the support and maintenance of each of the children until such child becomes sixteen years of age.

If this matter is approved by Council a resolution should provide that the attached legislation be sought.

Yours very truly,

Carl P. Bothune,
CITY SOLICITOR.

(1) Notwithstanding the provisions of Section 957 of the Charter, the Trustees of the Superannuation Fund for the officials and employees of the Fire Department may, pay to Frances Shanks, wife of James Arthur Shanks, formerly a member of the Fire Department, the pension moneys payable to the said James Arthur Shanks, namely \$394.68, as the same shall become payable, until the first day of May, A. D. 1939 or until such time as the said James Arthur Shanks shall be discharged from The Nova Scotia Hospital or until the said Frances Shanks shall cease to be the wife of the said James Arthur Shanks, or until the death of the said Frances Shanks or James Arthur Shanks, which ever event shall first occur.

(2) In the event of the said Frances Shanks ceasing to be the wife of the said James Arthur Shanks, prior to the said first day of May, A.D. 1939, while the said James Arthur Shanks is a patient in the said hospital, the said Trustees shall pay the said pension moneys to the City Treasurer to be applied toward the payment of the account for the maintenance of the said James Arthur Shanks at the said Hospital, during such time as he shall be a patient therein, or until the first day of May, A.D. 1939, which ever event shall first occur.

March 17th, 1938.

(3) The City shall also pay to the said Frances Shanks, in quarterly instalments, one hundred dollars yearly, from the first day of January, A. D. 1938 until the first day of May, A. D. 1939, for each of her two children, while such child is living and under the age of sixteen years.

(4) The City shall also pay the account of The Nova Scotia Hospital for the maintenance of the said James Arthur Shanks as a patient therein, as the same is rendered until the first day of May, A. D. 1939.

(5) The amounts necessary to pay the said sums to the said children as hereinbefore provided, together with such sums required to pay the said Hospital expenses, shall be included in the estimates for the civic year in which the same are to be paid and any sums required therefor for the civic years 1937-1938 and 1938-1939 may be borrowed from any bank or fund available and with the interest thereon included in the estimates for the civic year 1939-1940.

Moved by Alderman Walker, seconded by Alderman Gough that the letter of the City Solicitor be approved and the legislation as submitted adopted. Motion passed.

SUPERANNUATION - POLICE OFFICER GRIFFIN

Read report of the Police Committee submitting legislation re superannuation of Police Officer Griffin.

March 11th, 1938.

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

At a meeting of the Police Committee held this date, it was recommended that legislation be sought to provide a retiring allowance of \$400.00 per year for the superannuation of Cst. Michael J. Griffin.

Moved by Alderman Adams, seconded by Alderman Walker, and carried. Alderman Curtis wished to be recorded ^{as} against the motion.

Respectfully submitted,

J. B. Carter,
SECRETARY, POLICE COMMITTEE.

March 17th, 1938.

The City shall pay to Michael J. Griffin, upon his retirement as a police officer, an annuity of \$400.00 yearly, for his life, to be paid in quarterly payments, provided that such payments shall cease upon the death of said Michael J. Griffin. Any sums required for the said payments shall be included in the estimates for the civic year in which the said payment is to be made, and any sums required to pay the said annuity during the civic year 1938-1939 may be borrowed from any bank or fund available and with the interest thereon included in the estimates for the civic year 1939-1940.

Moved by Alderman Adams, seconded by Alderman Walker that the report and legislation as submitted be adopted. Motion passed.

Alderman Curtis wishing to be recorded against.

LEGISLATION - OVERDRAFT OF HEALTH BOARD AND CITY PRISON.

Read letter of the City Solicitor re legislation in connection with the overdraft of the Health Board and City Prison.

March 10th, 1938.

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

Your Worship and Aldermen:-

At the meeting of the City Council on February 17th, the matter of over-expenditures in the appropriations for the Tuberculosis Hospital and the City Prison, amounting to \$4500.00 and \$800.00 respectively, was considered. It was decided that the matter "be deferred with the rest of the legislation". This matter was not again brought before the Council with the legislation, but in view of the necessity of taking care of the situation I have prepared enabling legislation, which appears as Section 36 of our City Bill, and which is as follows:-

36. The City may borrow from any bank or fund available a sum not exceeding \$5,300.00 and of such sum apply an amount not exceeding \$4,500.00 to supplement the appropriation provided for the Tuberculosis Hospital in the estimates for the civic year 1937-1938, and apply an amount not exceeding \$800.00 to supplement the appropriation

March 17th, 1938.

provided for the City Prison in the said estimates and such sums so borrowed may with interest thereon be included in the estimates for the civic year 1939-1940 and repaid therefrom.

This will enable the City to take care of this over-expenditure in the manner provided in this section if it wishes to do so.

I trust that my action in having this matter placed in the City's Bill will meet with the approval of the Council.

Yours very truly,

Carl P. Bothune,
CITY SOLICITOR.

Moved by Alderman Smeltzer, seconded by Alderman Gough that the letter of the City Solicitor be approved. Motion passed.

LETTER, HIS WORSHIP THE MAYOR RE BRIEF PRESENTED
TO NATIONAL HARBORS BOARD.

Read letter from His Worship the Mayor re brief presented to National Harbors Board.

March 10th, 1938.

Members of the City Council.

Dear Aldermen:-

On the 8th instant, I presented a Brief on behalf of the City of Halifax to the members of the National Harbours Board, re proposed increase in Port dues, dockage and wharfage for the City of Halifax.

Briefs were also presented by the Halifax Board of Trade, the Halifax Shipowners and Ship Agents, the Wholesale Grocers Association, the Longshoremen's Association, etc. The tenor of all of them being that an increase in port charges would tend to drive business away from this Port.

The members of the Board listened with interest, and I trust that their consideration of these Briefs will lead them to realize that any increase in charges will be detrimental to the Port of Halifax.

Yours very truly,

Walter Mitchell,
MAYOR.

FILED

March 17th, 1938.

FIRE PREVENTION COMPETITION

Read letter from the Fire Marshal
re fire prevention competition.

March 3th, 1938.

The City Clerk,
City of Halifax,
N. S.,

Sir:- Fire Prevention Competition 1937, Dominion of Canada,
The report of the International Committee
of the National Fire Protection Association on
Fire Prevention 1937 has now been issued and I have
the honour to inform you that the City of Halifax,
N. S. has been awarded 1st place, Class "B",
Province of Nova Scotia.

The Record of Merit is transmitted to
you herewith with the compliments of the National
Fire Protection Association and Nova Scotia Fire
Prevention Board.

Yours faithfully,

J. A. Rudland,
FIRE MARSHAL.

FILED

TAG DAY - SALVATION ARMY

Read letter from the Salvation Army
requesting permission to hold a tag day on April 14th.

March 15th, 1938.

Mayor W. Mitchell,
City Hall,
Halifax, N. S.

Dear Mr. Mayor:-

Owing to the proposed drive for the
Grace Maternity Hospital and Men's Hostel, which
will commence early in April, I am requested by
our Advisory Board Chairman, Mr. A. H. Whitman, to
got from the City Council permission to hold a
Grace Hospital Tag Day on Thursday, April 14th.

if
It is felt that/a Tag Day comes just
before Good Friday, it will be successful, and will
then take place during the actual campaign.

I know this is earlier than usual, and
as there is not a great deal of time, we would
appreciate special consideration and an early
decision in this matter.

Yours very sincerely,
Thos. H. Mundy,
Major.
Divisional Commander.

March 17th, 1938.

Moved by Alderman Keshon, seconded
by Alderman Froda that permission be granted the
Salvation Army to hold a tag day on April 14th.
Motion passed.

LETTER, BOARD OF GOVERNORS, DALHOUSIE UNIVERSITY
RE GRANT.

Read letter from the Board of
Governors, Dalhousie University as follows:-

March 5th, 1938.

Your Worship:-

At a meeting of the Board of Governors
of Dalhousie University on March 3rd, 1938, a
resolution was passed expressing the gratitude of
the Board to the City Council for increasing the
grant to the Public Health Clinic to \$5,000.00 per
annum. I am writing to you asking you to communicate
this to the members of the Council.

Yours faithfully,

John W. Roper,
Secretary, pro tem.
The Board of Governors,
Dalhousie University.

His Worship Mayor Mitchell,
The City Hall,
Halifax, N. S.

FILED

DAYLIGHT SAVING TIME

Read letter from the Board of Trade
re daylight saving time.

March 16th, 1938.

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

Gentlemen:-

I am directed to advise you that at
the annual meeting of this Board, the following
resolution was unanimously passed:-

March 17th, 1938.

"RESOLVED that this, the annual meeting of the Halifax Board of Trade, approves of the action of the Board in previous years in urging the adoption of Daylight Saving during the summer period;

THEREFORE BE IT RESOLVED that necessary steps be taken by the incoming Council to have Daylight Saving proclaimed the summer of 1938 from May 1st to September 25th, and that the City Council be asked to conform with these dates which are in keeping with the principal cities of Canada".

We trust that the matter as usual will meet with your approval and that early action will be taken so the citizens can govern themselves accordingly.

Yours very truly,

E. S. Saunders,
SECRETARY.

Moved by Alderman Donovan, seconded by Alderman MacKay that daylight saving time be observed in all civic departments from the first Sunday in May and continue until the last Sunday in September. Motion passed.

LETTER, A. MATHEWS RE RELIEF COAL

Moved by Alderman Smeltzer, seconded by Alderman Batson that the letter of Andrew Mathews be received and spread in the minutes of this meeting. Motion passed.

Halifax, N. S.
February 16th, 1938.

The Office of City Clerk,
City Hall,
CITY.

Dear Sir:-

Please permit me to bring to the attention of the Halifax City Council, through you, at their regular session on February 17th, 1938, certain very important facts which should be of interest to members of Council as representatives of the taxpayers of Halifax. Even though I am told that the committee once appointed by Council, the Council has no control over it's actions and in fact is not responsible to the Council for what

March 17th, 1938.

it does but, I am also informed that Council for cause, can request the resignation of all or any members of the Halifax Direct Relief Committee.

Members of Council will recall that the Chairman of the Halifax Direct Relief Committee, Alderman F. W. Curtis, in a report given out to the press some time ago said, relief was a racket, well it is indeed the truth accidentally spoken, in fact it may be termed a scandal, but unfortunately, the racket seems to be within the ranks of the committee administering relief, and not among the ranks of those whom fate has made it necessary for them to accept such assistance, nor with dealers as were asked to agree to what may be termed a one sided supply contract.

May I be permitted to point out to members of Council that up to December 1937, there were twelve local coal dealers supplying coal to the Halifax Direct Relief Committee, and in fact any dealer could secure his share of the business by simply applying for it and it was granted. On November 12th, 1937, however, the committee called for new tenders on the following coals; Springhill, Bras d'Or, Indian Cove, Greenwood and Port Hood, the last two named having been added to the list just prior to calling for tenders, knowing that there had been no reduction in the price of coal to the dealers, rather some producers found it necessary to advance the price of their coal, and did advance their prices twenty five cents per ton to dealers handling certain types of Nova Scotia coal. Out of the twelve dealers who at that time supplied the committee with coal on the old agreement at \$8.25 per ton delivered in three or six bags lot, ten quoted the old price of \$8.25 on the better grades of Nova Scotia coal and three quoted \$7.00, \$7.50 and \$7.75 respectively provided they got all the coal requirements of the committee. If their intentions were in the interest of economy why the lowest tenderer was not given the entire business?

Is it because the lowest tenderer was not the firm they hoped, or expected it from? In other words something went haywire and plans had to be changed, and changed quickly, so they did. As I have already pointed out, it would seem that not being satisfied with the results obtained in their first attempt, the committee dropped the tender method and under date of December 8th, 1937, the committee wrote to the dealers and made them the following offer: "After considering tenders, our committee decided to approve for relief purposes the following coals: Springhill, Port Hood,

March 17th, 1938.

Indian Cove and Greenwood at the price of \$7.50 per ton, to be distributed among the various approved dealers". All dealers willing to participate in the business at the above mentioned price will be required to sign a contract, a copy of which with specifications is enclosed herewith. You will notice that nothing was said about limiting the number of dealers at that time.

The specifications to all intents and purpose was of such a nature that it could not be carried out as read, and one would have to be very careful lest he got into plenty of trouble after signing it, that is if he intended living up to the conditions, with the results that only a portion of the former dealers accepted the offer with so many strings attached to it. The acceptance of this new offer to the dealers was returnable on Saturday, December 11th, 1937, not later than 12 o'clock noon, in other words treated as a tender, when it was an offer from the committee. I am given to understand that only eight out of the former twelve dealers replied, one refused outright, the other did not accept nor reject the offer, but made certain suggestions which the committee apparently resented, if their actions since that time against the company in question means anything, the fact is nevertheless that the dealer who later complied with their requirements by returning the signed agreement to the Chairman of the Committee and later appeared in person before the committee, the answer was plain no from the Chairman who refused to put the matter in the form of a question to the Committee on which they could vote,

The other six dealers accepted the Committee offer outright. It is quite obvious that there being no reduction in the price of coal to the dealers, the only way out was to cut down on the \$1.00 per ton rate paid to the truckman for delivering relief coal and the rate of 30¢ per ton for screening and bagging the coal out to 20¢ and the dealer absorbing the other 25¢ per ton which makes up the 75¢ per ton difference between the old and new prices paid for relief coal by the Committee, this can only be regarded as a very poor example on the part of the committee, and by adopting the same methods any other dealer could handle the relief coal.

The following is a part of the suggestions offered; In closing permit me to say that your committee could have obtained their objective by calling the local coal dealers interested together for a round table conference, and at said conference discuss ways and means by which your committee could secure a lower price on fuel, also a means of correcting any irregularities which may have crept into the system of delivering coal by the dealers for your account in the past, and of correcting the same.

March 17th, 1938.

May I also point out that in the past some dealers on your list have had cause to complain about what is called jumping of one dealers turn in favour of another dealer. Such practices are not in the best interest of all concerned and in the future should be discontinued, allowing every dealer to have his turn when it comes around without preference to any". The Committee's agreement was good reading but, to put it into practice was a horse of another colour, and because reference was made to the

Committee's now agreement, the Committee regarded that dealers letter as a refusal of their offer and only six dealers names were placed on their approved list.

The list in question being as follows: Arthur Cox, Indian Cove Coal, Halifax Fuel Company, Port Hood Coal, Home Heating Company, Port Hood Coal, J. F. MacDonald, Greenwood Coal, North End Coal Company, Greenwood Coal and C. H. Spriggs, Greenwood Coal. It will be noticed that Springhill and Bras d'Or coals no longer are included as obtained under the old contract or agreement as it may be termed. Under the present setup note, that of these six approved dealers three of them supplies Greenwood, Two, Port Hood and one Indian Cove Coal. I have checked up very carefully and find that these six companies or dealers pay taxes on a total assessment of only \$5,605.00 and three of the dealers who under the present set up secure 50% of the Relief coal business amounting to about 1,500 tons during the season at a cost of \$11,250. is assessed at only \$2,255 whereas the dealer whom the committee have refused to give a share of the business is assessed for business and residence a total of \$5,700, and to make matters worse one of the approved dealers is a sworn City Weigher employed with a local Coal company and does not handle the coal at all, but splits the small profit with another approved dealer. These three approved dealers I have referred to above as handling 50% of the relief coal, use the same warehouse, bags labour, etc. and the same trucks deliver their coal, and if you please have no trucking licenses for so doing.

Every clause of the new agreement is being violated and no questions are being raised. Can it be possible that the committee is being paid a ten cent per ton commission which was promised certain members of that committee? Is that the reason why they will not add to the number of approved dealers and will not admit that they are encouraging a racket of the worst type? I am informed that one of these approved dealers purchased the trade name under which he is operating from another approved dealer only after that company had been approved by the committee, and the Government records prove this to be true, in fact they use the same warehouse and have been doing so for some time.

March 17th, 1938,

That the game is beginning to be such a profitable one to this group a fourth dealer now on the list has been approached with a view to allowing this group in question to handle the relief coal on a 50-50 profit basis. It is no secret that someone on the committee must be offering this group protection, because, slips have been found signed by other than sworn city weighers, bags have been found to be short in weight, although each one is supposed to be weighed separately, but they get away with it because they are warned before hand not to leave their own bags which are supposed to be tagged, and so they make sure and dump every bag and destroy the evidence. It is no secret that the coal company whose delivery slips are being used by one of their employees could have had the coal from the Halifax Direct Relief Committee themselves if they wanted it, but here is the catch. If you owe the City of Halifax any business taxes, and sold the Relief Committee coal, the City Collector would hold your cheque until you paid your taxes which is only right. So the Relief Committee is going around corners to avoid payment to the City of Halifax of back taxes. "Believe it or not", members of the Committee are in a position to know and should not have allowed such practices for it is most unfair, especially when we find out that the so called approved dealer in question is operating on a special business tax assessment of only \$150.00.

Why should this be permitted, the answer can only be open to misconstruction, which unfortunately all members of the committee must shoulder, it is their duty therefor to unmask the guilty party or parties within their committee and that can best be done by a public inquiry under oath into the administration of the Halifax Direct Relief system as it obtains in this City. Again I say that the committee by their action in refusing to add the names of other dealers, some of whom owe taxes to the City of Halifax, to their approved list confirms the belief that a very clever piece of manipulation seems to have been carried out by the Relief Committee when they called for tenders for relief coal last November, knowing as they did that no reduction in the price of coal to the dealers had taken place. No further names have been added to the list this year so far, "Nor will be added", is the ruling of the Chairman, Aldorman F. W. Curtis,, and that's the man who said that "Relief was a Racket". The answer obviously is, if it is a racket, it is not to the poor unfortunates who depend on it as a means of holding body and soul together under conditions that are appalling, to say the least.

March 17th, 1938.

This matter is being brought to the attention of the Halifax City Council and the taxpayers, also the Provincial and Federal Governments who contribute to the fund in the hope that some change might be made such as issuing of orders for coal just as is done now for groceries giving the person who receives relief an opportunity of going wherever he or she pleases, which is the only satisfactory way to cure the practices obtaining under present conditions. Here I may say that this system has been advocated by those who receive relief, in order that they may go to any coal dealer they please, and if the coal and service is not satisfactory they can go elsewhere with their orders until they find a dealer whose coal and service will suit them.

In discussing the above matter I have done so from the angle of a taxpayer interested in justice and not politics or religion, and I have tried to avoid making any statements which might show any degree of malice, and in fact I have already conveyed my suggestions and intentions to the Relief Committee at their session of February 5th, 1938.

A. Mathews.

LEGISLATION RE LICENSE FEE

Read letter of the City Assessor in connection with license fees for certain companies doing business in the City.

Halifax, Nova Scotia,
March 17th, 1938.

His Worship the Mayor,
and Members City Council,
CITY HALL.

It has come to my notice that certain companies come to Halifax at this season of the year conducting certain types of business and from which companies the City received no revenue.

I have gone over certain legislation which is now in force in the City of Sydney and which compels persons, companies, firms or individuals, doing business in the City in this manner to pay a license fee of \$150.00.

I would, therefore, respectfully suggest that legislation be obtained to empower the City to place such license fee against such companies, persons, firms or individuals, at the present session of the Legislative Assembly.

Yours respectfully,

J. F. McManus,
CITY ASSESSOR.

March 17th, 1938.

Moved by Alderman Donovan, seconded by Alderman McDonald that the letter of the City Assessor be approved and the City Solicitor authorized to prepare the necessary legislation. Motion passed.

BUILDING, NORTH AND GOTTINGEN STREETS

*Comm. to Works
City Eng.* Road report of the Committee on Works submitting legislation re building, North and Gottingen Streets.

March 17th, 1938.

The City Council.

At a meeting of the Committee on Works held this day, the attached letter from Messrs. Dalcy, Phinney, Outhit and Clarko in which permission is requested to alter the church at the north-west corner of North and Gottingen Streets for use as a theatre was considered. On motion of Alderman Freda and Alderman Walker, the committee recommended to the City Council that legislation be sought in accordance with the attached proposed amendment as drafted by the City Solicitor.

Wm. J. O'Toole,
DEPUTY MAYOR AND CHAIRMAN.

Subsection (1) of Section 1 of the Third Schedule to Part IX of the Charter is amended by adding thereto immediately following the last word thereof the following clause:

"And every armoury or church not being a public building as defined in this part of this Act, hereafter altered for use as a theatre, shall be, or be converted into, a first-class building, provided however, that with the approval of the Building Inspector the roof thereof may be of other than first-class construction".

Moved by Alderman Freda, seconded by Alderman Walker that the report and legislation as submitted be adopted. Motion passed.

March 17th, 1938.

DWELLING, YOUNG AVENUE

*City Eng.
Clerk of Works*

Read report of the Committee on Works submitting legislation re dwelling, Young Ave.

March 17th, 1938.

The City Council.

At a meeting of the Committee on Works this day, the attached letter from Mr. B. E. Courtney on behalf of the heirs of the late Mary S. Courtney asking that legislation be obtained to permit of conversion of the premises #153 Young Avenue into apartments was considered. On motion of Alderman Donovan and Alderman Freda, the committee recommended to the City Council that legislation be sought to enact the attached proposed amendments as drafted by the City Solicitor.

Wm. J. O'Toole,
DEPUTY MAYOR AND CHAIRMAN.

Section §16 is amended by adding thereto immediately following the word "residence" in the fourth line thereof, the following words "or apartment house".

Section §20 is amended by inserting therein immediately following the word "house" in the fifth line thereof the words "or apartment house".

Moved by Alderman Donovan, seconded by Alderman Freda that the report and legislation as submitted be adopted. Motion passed.

HOUSING ORDINANCE

*City Eng.
Clerk of Works*

Read report of the Committee on Works, City Engineer and legislation re housing ordinance.

March 17th, 1938.

His Worship the Mayor.

Sir:-

The matter of legislation required for the making of an Ordinance regarding the standards of housing, which was referred to the Laws and Privileges Committee by the City Council, was before that committee at a meeting held on the 14th instant and the proposed legislation was ordered forwarded to the Committee on Works for consideration and then to be sent by the Works Department to the Council.