

S P E C I A L M E E T I N G

AFTERNOON SESSION.

5.00 o'clock,  
Council Chamber,  
City Hall,  
December 19th, 1938.

A meeting of the City Council was held this day. At the above named hour there were present His Worship the Mayor, Chairman; and Aldermen Batson, Breen, Donovan, Curran, Sullivan, Freda, Adams, Lloyd, O'Toole, Curtis, Gough, Walker and Daw.

The meeting was called specially to pass resolution re borrowing, \$409,000.00.

Before dealing with the business for which the meeting was called, the following items were presented:-

EMERGENT EXPENDITURES - CITY HOME

Read resolution re emergent expenditures at the City Home as follows:-

Halifax, N. S.,  
December 2nd, 1938.

We, the undersigned aldermen of the City of Halifax, hereby agree to the payment of the accounts of the City Home for the month of April, 1938, on condition that our action receive the unanimous assent of all other aldermen.

We also agree to ask for legislation to ratify the said payment and in such legislation to protect any official who, by virtue of the fact that the said accounts if and when paid, in the absence of an appropriation to pay them, is exposed to certain penalties as prescribed by law.

We further agree that our assent to the payment of the accounts and to the request for legislation is not to be revoked and that upon this agreement being tabled in Council that the officials may pay the said accounts forthwith.

December 19th, 1938.

Approval herein is given in recognition of the need for carrying on the services of the City Home in the month of April, 1938, notwithstanding the exhaustion of the appropriation in March 1938, due to the fact that it was not given proper control by the then superintendent of the institution.

E. B. Batson,	F. W. Curtis,
Catherine M. Sullivan,	Robert Daw,
Harold F. Curran,	John J. Power,
S. H. Keshen,	W. E. Donovan,
H. W. Freda,	A. M. MacKay,
John Walker,	J. H. Breen,
P. A. Gough,	G. S. Kinley,
James F. McDonald,	Wm. J. O'Toole,
Frank Adams,	J. E. Lloyd,
	Walter Mitchell, Mayor.

(This resolution signed by all the members of Council and the Mayor).

Moved by Alderman Gough, seconded by Alderman Batson that the resolution as read be tabled. Motion passed; the following voting therefor:

Aldermen Adams  
Batson  
Breen  
Curran  
Curtis  
Daw  
Donovan  
Freda  
Gough  
Lloyd  
O'Toole  
Sullivan  
Walker  
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REPAIRS TO TOWER - FLEMING PARK

*City Clerk*  
*City Clerk of Works*

Alderman Donovan submitted and read the following letter regarding the payment of the sum of \$900.00 on account of contract for repairs to Tower at Fleming Park.

December 19th, 1938.

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

The contractors repairing the Memorial Tower are anxious to have a payment on account of the

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contract made with them by the Board of Works, and in this connection I have received a certificate from the Engineer calling for a payment of \$900.00.

This contract has not been ratified by Council, but the Council deputized this authority to the Board to make a contract which was not to exceed \$1,000. in value. However, there is substantial doubt as to the right of Council to deputize an authority and by so doing give effect to enlarging the spending powers of a committee.

Could you arrange for approval of a payment on account of the \$1,000. contract of \$900.00, and at the next regular meeting of Council both the contract and this action will be again ratified.

Yours very truly,

A. M. Butler,  
CITY AUDITOR.

Moved by Alderman Donovan, seconded by Alderman Walker that the letter of the City Auditor be approved and the sum of \$900.00 paid on account of the contract for repairs to the Tower at Fleming Park. Motion passed; the following voting therefor:-

Aldermen Adams  
Batson  
Breen  
Curran  
Curtis  
Daw  
Donovan  
Freda  
Gough  
Lloyd  
O'Toole  
Sullivan  
Walker  
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RESOLUTION RE BORROWING - \$409,000.00

Read resolution re borrowing \$409,000.00  
as follows:-

WHEREAS by the Acts of the Province of Nova Scotia, passed in the year 1936, Chapter 56, the City of Halifax was required to pay to Frank J. Stoneman and Nellie M. Stoneman compensation for injurious affection to certain lands and lands covered with water, and buildings owned by the said Frank J. Stoneman and Nellie M. Stoneman, caused by the raising of the level of Quinpool Road in the City of Halifax and by certain other work executed by the said City;

AND WHEREAS the City of Halifax by resolution of the City Council passed the 17th day of June, A. D. 1937, resolved to purchase the said lands and lands covered with water and buildings owned by the said Frank J. Stoneman and Nellie M. Stoneman, and did purchase the same for the price or sum of \$7,433.07;

AND WHEREAS by the Acts of the Province of Nova Scotia passed in the year 1938, Chapter 58, Section 43, the said purchase of the said lands, lands covered with water and buildings, and all acts and proceedings in connection therewith were ratified and confirmed and declared to have been within the authority and competency of the City and the said enactment further provided that any sums borrowed by the City to effect such purchase might be repaid by the City from the proceeds of a loan to be effected by the City to be repaid at such time or times and in such manner as the Council shall determine;

AND WHEREAS by the Acts of the Province of Nova Scotia, passed in the year 1938, Chapter 58, Section 52, the City of Halifax was authorized to borrow a sum not exceeding Six Thousand Five Hundred Dollars (\$6,500.00) to defray the cost of purchasing equipment, circuits, cables, wires and other fixtures for the purpose of converting the Fire Alarm Telegraph system from a "non-manual" system into a "semi-manual" system;

AND WHEREAS by Order-in-Council of His Honor, The Lieutenant Governor-in-Council, made the 8th day of August, A. D. 1938, the City of Halifax was directed, under the authority of Section 921 of the Halifax City Charter, to issue debentures or stock to raise a sum not exceeding One Hundred Thousand Dollars (\$100,000.00) to be paid to the Board of School Commissioners for the City of Halifax for the purpose of erecting a school building upon the grounds of the Oxford Street School;

AND WHEREAS by the Acts of the Province of Nova Scotia, passed in the year 1938, Chapter 58, Section 54, the City of Halifax was authorized in each of the civic years 1938-1939, 1939-1940, 1940-1941, 1941-1942, to borrow a sum

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not exceeding One Hundred Thousand Dollars (\$100,000.00) to defray the cost of the construction of new pavements, and the City has not heretofore borrowed the amount authorized to be borrowed in the civic year 1938-1939, nor any portion of the same;

AND WHEREAS by the Acts of the Province of Nova Scotia, passed in the year 1938, Chapter 58, Section 56, the City of Halifax was authorized to borrow a sum not exceeding One Hundred Thousand Dollars (\$100,000.00) to defray the cost of the construction of new sidewalks;

AND WHEREAS by the Acts of the Province of Nova Scotia, passed in the year 1914, Chapter 77, the City of Halifax was authorized to borrow in any year a sum not exceeding Five Thousand Dollars (\$5,000.00) and expend the same for the acquisition of land required from time to time for the widening of streets and the City has not during the civic year 1938-1939 borrowed any sums whatever under the authority of the said enactment;

AND WHEREAS by the Acts of the Province of Nova Scotia, passed in the year 1938, Chapter 58, Section 23, enacting Section 624A. of the Halifax City Charter, the City of Halifax was authorized in any case in which the said City was authorized to acquire any real property, to pay for the purchase of the same a sum not exceeding the amount at which the said real property was assessed at the general assessment next preceding the date of such acquisition, together with an additional sum, to be approved by the City Council, such additional sum not to exceed twenty per cent of the amount at which the said real property was so assessed;

AND WHEREAS the said City has acquired several parcels of real property for the purposes of widening Morris Street in the said City, the same being for a purpose of which by Section 624 of the Halifax City Charter the City was authorized to acquire real property, and the City has paid for each such parcel an amount not exceeding the amount at which the same was assessed at the general assessment next preceding the acquisition thereof, together with a further sum not exceeding twenty per cent of such assessed amount;

AND WHEREAS by the Acts of the Province of Nova Scotia, passed in the year 1938, Chapter 58, Section 56, the City of Halifax was authorized to borrow a sum not exceeding One Hundred Thousand Dollars (\$100,000.00) for the extension of improvement of the water service;

December 19th, 1938.

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 15th day of December, A. D. 1938, and approved by His Honor, the Lieutenant Governor-in-Council made the 17th day of December, 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, passed in the year 1938, Chapter 58, Section 7, Section 318 of the Halifax City Charter was amended to provide that notwithstanding the provisions of Subsection (1) of Section 318 of the said Charter, any moneys borrowed by the City, whether under the authority of the said Charter or under any other enactment, unless otherwise specifically declared in such enactment, shall be deemed to be borrowed and the debentures therefor 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;

AND WHEREAS certain of the enactments hereinbefore referred to specifically declare that the moneys borrowed under the authority of the same shall be borrowed under the authority and subject to the provisions of the City of Halifax Consolidated Fund of 1905 and the remaining enactments do not indicate under what authority such moneys are to be borrowed;

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

Firstly:	Stoneman property	\$7,433.07
Secondly:	Fire Alarm Telegraph System	6,500.00
Thirdly:	Oxford Street School Building	100,000.00
Fourthly:	Permanent pavements	100,000.00
Fifthly:	Permanent sidewalks	25,000.00
Sixthly:	Street widening	5,000.00
Seventhly:	Street widening (Special appropriation)	40,000.00
Eighthly:	Extension and improvement of the Water service	25,000.00
Ninthly:	Direct Relief	100,000.00
		<u>\$408,933.07</u>

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AND WHEREAS tenders were called for the purchase of serial debentures of the principal amount of \$408,933.07 or such principal amount as will produce \$408,933.07, together with the amount of debenture discount, if any, and the expenses of issue, bearing interest at the rate of 2½%, 3% and 3½%, as shown in the Schedule of Maturities hereinafter set out, and the tender of Lawrence Smith & Co., Ltd., Harrison & Co. Ltd. and Nova Scotia Bond Corporation Ltd. of 99.80 per cent of par for the same was accepted by the resolution of the City Council, passed the 15th day of December, A. D . 1938;

AND WHEREAS the sale of the said debentures of the principal amount of \$408,933.07 at the price set out in the said tender of 99.80 per cent of par for the said debentures, fails to produce the sum of \$408,933.07, and the amount of the discount on the said debentures and the cost of advertising and preparing the same, and it is necessary in order to produce the principal sum of \$408,933.07 and to pay discount on the said debentures and the cost of advertising and preparing the same, to issue debentures to the total principal sum of \$410,000.00;

AND WHEREAS the said City has determined to issue serial debentures, bearing interest at the rates of 2½%, 3% and 3½% as shown in the said Schedule of Maturities hereinafter set out, for a principal amount of \$410,000.00, and the said Lawrence Smith & Co. Ltd., Harrison & Co. Ltd. and Nova Scotia Bond Corporation Ltd., have agreed to accept such amount in full performance of the contract represented by their tender and acceptance thereof;

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 thereunto enabling, as aforesaid, the City of Halifax do borrow, on the credit of the City of Halifax, the sum of \$410,000.00 and do create and issue and sell serial debentures of the City of Halifax therefor to the principal amount of \$410,000.00 in manner and form as follows, that is to say:

Four Hundred and ten (410) serial debentures of the principal sum of \$1,000.00 each and numbered from 14154 to 14563 consecutively, all of which debentures shall bear date the 2nd day of January 1939, and which shall form part of The City of Halifax Consolidated Fund of 1905, and shall bear interest at the respective rates as hereinafter set forth, payable half-yearly on the 2nd days of July and January in each year; the said debentures shall bear interest and be numbered and payable as follows:-

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19	-	2 $\frac{1}{2}$ %	Serial Debentures numbered	14154	to	14172	payable	Jan. 2, 1940
20	-	2 $\frac{1}{2}$ %	"	"	"	14173	to 14192	" Jan. 2, 1941
22	-	2 $\frac{1}{2}$ %	"	"	"	14193	to 14214	" Jan. 2, 1942
21	-	2 $\frac{1}{2}$ %	"	"	"	14215	to 14235	" Jan. 2, 1943
22	-	2 $\frac{1}{2}$ %	"	"	"	14236	to 14257	" Jan. 2, 1944
21	-	3%	"	"	"	14258	to 14278	" Jan. 2, 1945
21	-	3%	"	"	"	14279	to 14299	" Jan. 2, 1946
22	-	3%	"	"	"	14300	to 14321	" Jan. 2, 1947
24	-	3%	"	"	"	14322	to 14345	" Jan. 2, 1948
11	-	3%	"	"	"	14346	to 14356	" Jan. 2, 1949
11	-	3 $\frac{1}{2}$ %	"	"	"	14357	to 14367	" Jan. 2, 1950
11	-	3 $\frac{1}{2}$ %	"	"	"	14368	to 14378	" Jan. 2, 1951
11	-	3 $\frac{1}{2}$ %	"	"	"	14379	to 14389	" Jan. 2, 1952
11	-	3 $\frac{1}{2}$ %	"	"	"	14390	to 14400	" Jan. 2, 1953
12	-	3 $\frac{1}{2}$ %	"	"	"	14401	to 14412	" Jan. 2, 1954
12	-	3 $\frac{1}{2}$ %	"	"	"	14413	to 14424	" Jan. 2, 1955
13	-	3 $\frac{1}{2}$ %	"	"	"	14425	to 14437	" Jan. 2, 1956
13	-	3 $\frac{1}{2}$ %	"	"	"	14438	to 14450	" Jan. 2, 1957
13	-	3 $\frac{1}{2}$ %	"	"	"	14451	to 14463	" Jan. 2, 1958
100	-	3 $\frac{1}{2}$ %	"	"	"	14464	to 14563	" Jan. 2, 1959

AND BE IT FURTHER RESOLVED that under the authority of Subsection (4) of Section 326A of the Halifax 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 modifications 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, 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; Saint John, New Brunswick; Montreal, Quebec; Toronto, Ontario; Winnipeg, Manitoba; or Vancouver, British Columbia;

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



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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 Lawrence Smith & Co. Ltd. Harrison & Co., Ltd., and Nova Scotia Bond Corporation, Limited, in accordance with the tender of the said parties, accepted by resolution of the City Council, dated the 15th day of December, A. D. 1938;

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 Donovan, seconded by Alderman Curtis that the resolution as submitted be approved. Motion passed; the following voting therefor:-

Aldermen Adams  
Batson  
Breen  
Curran  
Curtis  
Daw  
Donovan  
Freda  
Gough  
Lloyd  
O'Toole  
Sullivan  
Walker  
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5.15 P.M.,

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

LIST OF HEADLINES

Emergent Expenditures, City Home	427
Repairs to Tower - Fleming Park	428
Resolution re borrowing - \$409,000.00	429

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

*Walter Mitchell*  
Walter Mitchell,  
MAYOR AND CHAIRMAN.

SPECIAL MEETING

NOON SESSION.

12 o'clock Noon,  
Council Chamber,  
City Hall,  
December 31st, 1938.

A special meeting of the City Council was held this day. At the above named hour there were present His Worship the Mayor, Chairman; and Aldermen Batson, MacKay, Donovan, Kinley, Curran, Sullivan, Freda, Lloyd, Keshen, O'Toole, Curtis, Gough, Walker and Daw.

The meeting was called specially to consider program of works for unemployed.

WORKS PROGRAM

Read report of the Committee on Works submitting Schedule A. regarding proposed unemployment relief work.

December 31st, 1938.

The City Council,

The Committee on Works at a meeting held on Wednesday, December 28th, 1938, concurred in a resolution as passed by the Halifax Direct Relief Committee held on Tuesday, December 27th, 1938, as follows:-

"Moved by Alderman Daw, seconded by Alderman Breen that this committee recommend to Board of Works the inauguration of a Works Project in amount of Two Hundred Thousand Dollars (\$200,000.) as discussed and outlined at meeting held in office of Deputy Minister of Labor on December 6th when conference was held between representatives of the General Workers Union, Alderman Gough, Curtis and Daw, representing this committee and Mr. R. H. MacKay, Deputy Minister of Labor, provided that 65% of labor cost, and in addition their share of workmen's compensation, of such project be borne jointly by the Provincial and Federal Governments and that the Provincial and

December 31st, 1939.

Federal Governments continue their contributions of Direct Relief payments to necessitous unemployed persons who cannot be absorbed by this project. Carried".

and recommended same to the City Council for approval.

The committee had under consideration a list of work projects estimated to cost \$162,000.00 as a preliminary program to be supplemented later by further projects to bring the total expenditure to the amount named in the resolution of the Direct Relief Committee, and recommends the same be adopted by the City Council and forwarded to the Deputy Minister of Labor for his approval.

Walter Mitchell,  
MAYOR AND CHAIRMAN.

Schedule A.

Proposed Unemployment Relief Work - Halifax, N.S.

Preliminary programme approved by Comm. on Works,  
Dec. 28th, 1938.

Project No.	Street	From	To	Type Work	Estimated Cost
1	Belmont	Hawthorne	Greenwood	S	\$2100.00
2	Greenwood	Belmont	Inglis	S & W	4500.00
3	Ogilvie	Young Ave.	Tower Rd.	S & W	9700.00
4	Miller	Young Ave.	Tower Rd.	S & W	8700.00
5	Lundy Lane	Wellington	Golf Links	S	2800.00
6	Connaught Avenue	Waegwoltic	Geldert	S & W	5800.00
7	Geldert	Connaught Ave.	Cambridge	S & W	3900.00
8	Beech	Geldert	Jubilee Rd.	S & W	4200.00
9	Swaine	Chebucto	Summit	S & W	2800.00
10	Summit	Swaine	Connolly	S & W	5500.00
11	Connolly	Summit	Clive	S & W	1900.00
12	Clive	Connolly	Oxford	S & W	5700.00
13	Connolly	S. of Clive	Berlin	S & W	8600.00
14	Berlin	Connolly	Swaine	S & W	6700.00
15	Edinburg	Dublin	Oxford	S	5000.00
16	Dublin	Cork	Liverpool	S & W	3100.00
17	Albert	Duffus	Rector	S & W	4200.00
18	Rector	Albert	Acadia	S & W	5500.00
19	Acadia	Rector	Vestry	S & W	3400.00
20	Vestry	Acadia	Gottingen	S & W	5200.00
21	Vestry	Lynch	Acadia	S & W	10600.00
22	Vienna	Swaine	Connolly	S & W	4600.00
23	Oxford	Coburg	Southwardly	W	4300.00
24	Agricola	Stairs	Duffus	D	12400.00
25	Agricola	Stairs	Duffus	W	3800.00
26	Gottingen	Young	Stanley	D	4100.00
27	Barrington	At. Bedford Basin		Widening	3000.00
28	Rockcliffe	St. of South	N. end of S & W.	S & W	4600.00
29	South	Railway	Westwardly	Grading	1000.00
30	Jubilee	At N.W. Arm		Wharf	500.00
31	Bayers Rd.	Windsor	W. of Duffus	W	3600.00
32	Bayers Rd.	Windsor	Oxford	S	3200.00
33	Bayers Rd.	C.N. Ry.	Brook	Grading	1200.00
34	Watermain Rd.	Quinn	W. Blink Bonnie	S	1600.00
35	Blink Bonnie	Watermain	Flynn	S & W	4700.00
					<u>\$162,500.00</u>

S - Sewer  
W - Water  
D - Tile drains

December 31st, 1938.

Moved by Alderman Donovan, seconded by Alderman MacKay that the report and schedule as submitted be approved.

His Worship the Mayor called upon Alderman Gough to assume the Chair while he addressed Council from the floor of the Chamber.

The Mayor stated that the Government was not prepared to do anything definite until a program had been submitted in detail.

He referred to the section in the Direct Relief Agreement which stipulates that where the Government participates in a relief works program there would be no aid given for direct relief and said if the Government insists on enforcing this clause, the City could not undertake the program of work and pay the total cost for direct relief to the several hundred cases who could not be put to work.

The Mayor assumed the Chair.

The motion was then put and passed;  
the following voting therefor:-

Aldermen Batson  
MacKay  
Donovan  
Kinley  
Curran  
Sullivan  
Freda  
Lloyd  
Keshen  
O'Hoole  
Curtis  
Gough  
Walker  
Daw

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12.15 P.M.,

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

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

*Walter Mitchell*  
Walter Mitchell,  
MAYOR AND CHAIRMAN.

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