

February 12, 1942.

and

renders such licensed owner or driver an unfit/improper person to hold such license, such Traffic Authority or Committee shall each have the authority to and may suspend such license for such period as may be determined, not to exceed the duration thereof, or may cancel the same. Nothing herein contained, however, shall prevent such Traffic Authority or Committee from removing such suspension and reinstating the license of such owner or driver which was suspended by such Traffic Authority or Committee.

Moved by Alderman Kinley, seconded by Alderman Coffin that the amendment to Ordinance #13 as set out above be read, passed and forwarded to the Minister of Highways for recommendation to the Governor in Council for approval.

Motion put and passed unanimously; the following Aldermen being present and voting therefor:-

Aldermen Stech  
MacKay  
Kinley  
Hosterman  
Coffin  
Adams  
Lloyd  
McDonald  
Walker  
Ahern

#### TENDERS FOR GROCERIES

Read report of the Public Health and Welfare Committee re tenders for groceries.

Halifax, N. S.,  
February 9th, 1942.

His Worship the Mayor  
and Members of the City Council.

Gentlemen:-

At a meeting of the Public Health and Welfare Committee held on the above date, tenders for the supply of groceries to civic institutions for a period of one month from February 20th, 1942 were considered as follows:-

#### Hospitals

Howards Ltd.	\$516.80
John Tobin & Co. Ltd.	480.68 incomplete

#### City Home and City Prison

Scotia Flour & Feed Co. Ltd.	2,061.44
Howards Ltd.	1,723.28
John Tobin & Co. Ltd.	1,566.90 "

February 12, 1942.

Your Committee recommends that the tender of John Tobin & Co., Ltd., for supplying groceries to the hospitals and that of Howards Ltd. for supplying groceries to the City Home and City Prison be accepted.

Respectfully submitted,

W. F. Publicover,  
CITY CLERK.

Moved by Alderman Coffin,  
seconded by Alderman Hosterman that the report be adopted.

Motion passed.

QUESTIONS

SALARY -- DEPUTY CITY COLLECTOR

Alderman Walker asked what salary the Deputy City Collector would now receive.

The City Solicitor stated that the salary is \$2,600.00 per year.

Moved by Alderman Walker, seconded by Alderman Ahern that the Deputy City Collector receive an increase of \$100.00 from May 1st, 1941. Motion put and passed, 7 voting for the same and 3 against it as follows:-

FOR THE MOTION

Aldermen Adams  
Ahern  
Coffin  
Hosterman  
Kinley  
McDonald  
Walker

AGAINST IT

Aldermen Lloyd  
MacKay  
Stech

Alderman Ahern asked if anything had been done with respect to the removal of snow.

The Mayor replied that this matter had been before the Committee on Works at its last meeting and the Commissioner of Works has a certain amount of new apparatus.

February 12, 1942.

RELEASE - DAMAGE TO HYDRANT

Read report of the Committee  
on Works re release, damage to hydrant.

February 12, 1942.

The City Council,

Gentlemen:-

Attached hereto is cheque  
No. N426796 - of the Travellers Insurance Company  
in favor of the City of Halifax for \$65.42,  
tendered in full payment of the charge for  
repairs on the 29th day of November 1941 to the  
hydrant on Prince Street at Argyle Street, broken  
by the motor car of Mr. Wm. F. W. Parks.

On Motion of Alderman Adams,  
seconded by Alderman Kinley, the Committee  
recommended to Council that the settlement and  
release of all claims and demands of the City of  
Halifax arising from the above stated accident,  
which would result from acceptance and endorsement  
of the said cheque, be authorized.

Respectfully submitted,

W. P. Publicover,  
City Clerk  
Per T.J. Moore

Moved by Alderman Lloyd, seconded  
by Alderman Ahern that the report be adopted.  
Motion passed.

BUILDING - #36 EDWARD STREET

Read report of the Committee on  
Works re building #36 Edward Street.

City Hall  
Halifax, N. S.  
February 10, 1942.

His Worship the Mayor  
and Members of the City Council.

Gentlemen:

At a meeting of the Committee on Works  
held this day an offer from Mr. John Gray for the  
purchase of #36 Edward Street was received. Mr.  
Gray offered \$200.00 for the building on this  
location. He also wished permission to retain the  
building in its present site and use the same until  
May 1st, 1942.

February 12, 1942.

Your Committee recommends that Mr. Gray's offer of \$200.00 for the purchase of the building be accepted and that the City permit Mr. Gray to retain the building at its present location until the building is removed prior to May 1st, 1942, paying to the City for this permission the sum of \$20.00 per month during such time as the building shall remain on the present site. Your Committee also recommends that it be a term of the agreement that in any event the building must be completely removed by May 1st, 1942, and that the City Solicitor be requested to prepare an agreement to this effect, to be executed by Mr. Gray.

Respectfully submitted,

W. P. Publicover,  
CITY CLERK  
Per T. J. Moore

Moved by Alderman Lloyd,

seconded by Alderman Ahern that the report be adopted.

Motion passed.

FIRE PROTECTION RATES  
C.N.R. WATERMAIN, FAIRVIEW

Read report of the Committee on Works and Commissioner of Works re fire protection rates, C.N.R. Watermain, Fairview.

February 12th  
1942.

The City Council,

Gentlemen:-

At a meeting of the Committee on Works held on January 28th, 1942, the attached report of the Commissioner of Works dated January 27 1942, concerning an application by the Department of Highways for permission to install a hydrant near their garage on Kempt Road, was considered.

On Motion of Alderman Adams, seconded by Alderman Walker, the said report entitled "Fire Protection Rates C. N. R. Watermain-Fairview", was approved and recommended to Council for adoption.

Respectfully submitted

W. P. Publicover,  
City Clerk

Per W. J. Moore

February 12, 1942.

January 27, 1942.

His Worship the Mayor.

Sir:-

On July 28th, 1941, an application was made by the Department of Highways for permission to install a hydrant near their garage on Kempt Road. This hydrant would be connected to a 5-inch pipe line which was constructed in 1941 by the Halifax Lighterage Facilities, which is a subsidiary of the C.N.R. It was thought at that time they should pay a fire protection rate for the privilege.

Taking the Assessor's value on this fire protection rate, the amount to be paid by the Department of Highways would be approximately \$300.00. Mr. McColough indicates in his letter, copy of which is attached, that this amount seems very high and is only prepared to offer \$100.00 per year. As this service is very inadequate for fire protection purposes and the payment of rates is optional in this instance, I would recommend the acceptance of the offer of \$100.00 per year by the Department of Highways.

Respectfully submitted,

R. M. MacKinnon  
Commissioner of Works.

Moved by Alderman Lloyd,

seconded by Alderman Ahern that the reports be adopted.

Motion passed.

APPLICATION, W. F. LYNCH FOR USE OF PORTION OF  
COMMONS

Read report of the Committee  
on Works re application, W. F. Lynch for use  
of portion of Commons.

February 12th  
1942.

The City Council,

Gentlemen:-

At a meeting of the Committee on Works held on February 10th 1942, the attached application from Mr. W. F. Lynch addressed to Mayor W. E. Donovan, under date of February 2nd, 1942, for the use of a portion of the Commons suitable for his Show, was considered.

February 12, 1942.

The Committee recommended to Council that the permission applied for in the said application be granted, subject to compliance with the provisions of the City Charter with reference thereto; provided also, that the consideration to be paid by the applicant for such permission would be \$50.00 per day excluding Sundays; plus payment for any water service furnished; plus a guarantee-deposit of \$50.00 relative to each schedule of dates, which would be refunded if the premises are in a satisfactory condition upon being vacated by the applicant.

Respectfully submitted

W. P. Publicover,  
City Clerk  
Per T. J. Moore

Moved by Alderman Lloyd,  
seconded by Alderman Ahern that the report be adopted.

Motion passed.

OVERHANGING SIGN - #35 GRAFTON STREET

Read report of the Committee on  
Works re overhanging sign, #35 Grafton Street.

February 12th  
1942

The City Council,

Gentlemen:-

At a meeting of the Committee on Works held on February 10th 1942, the attached report of the Commissioner of Works on an application from the Provincial Motors Limited, for permission to erect an overhanging sign at the premises #35 Grafton Street, was considered.

On Motion of Alderman Kinley, seconded by Alderman Stech, the Committee recommended to Council that the lease referred to in the said report be granted.

Respectfully submitted,

W. P. Publicover,  
City Clerk  
Per T. J. Moore.

Moved by Alderman Lloyd, seconded  
by Alderman Ahern that the report be adopted.

Motion passed.

February 12, 1942.

OVERHANGING SIGN - CORNER GRANVILLE AND  
GEORGE STREETS

Read report of the Committee on Works re overhanging sign, corner Granville and George Streets.

The City Council,

Gentlemen:-

The Committee on Works at a meeting held on February 10th 1942, considered the attached report of the Commissioner of Works dated February 7th 1942, on an application from the Canadian Pacific Telegraphs, for permission to erect an overhanging illuminated sign at their premises, corner Granville and George Streets,

On Motion of Alderman Stech, seconded by Alderman Kinley, the Committee recommended to Council that the lease referred to in the said report be granted.

Respectfully submitted

W. P. Publicover,  
City Clerk.

Per E. J. Moore

Moved by Alderman Lloyd,  
seconded by Alderman Ahern that the report be adopted.

Motion passed.

LEASE OF CITY PROPERTY - FOOT OF COBURG ROAD

Read report of the Committee on Works re lease of City property, foot of Coburg Road.

The City Council,

February 12th, 1942.

Gentlemen:-

The Committee on Works at a meeting held on February 10th, 1942, considered the attached report of the Commissioner of Works dated February 3rd 1942, on an application of Mr. A. J. Marr, for renewal of his lease of city property at the Foot of Coburg Road.

February 12, 1942.

On Motion of Alderman Stech, seconded by Alderman McDonald, the said report recommending that the lease be renewed for another year under the usual terms and conditions as approved by the City Solicitor, was approved and recommended to Council for adoption.

Respectfully submitted,

W. P. Publicover,  
City Clerk  
Per T. J. Moore

Moved by Alderman Lloyd, seconded by Alderman Ahern that the report be adopted.

Motion passed.

LEASE TO HALIFAX GUN CLUB

Read report of the Committee on Works re lease to Halifax Gun Club.

The City Council, February 12, 1942.

Gentlemen:-

The Committee on Works at a meeting held on February 10th 1942, considered the attached report of the Commissioner of Works on an application from the Halifax Gun Club, for a renewal of their lease of the piece of city property on the north side of St. Margaret's Bay Road, at Beech Hill, used for the purpose of a gun club.

On Motion of Alderman Stech, seconded by Alderman Adams, the said report was approved and the Committee recommended to Council that the lease be renewed for a further period of one year.

Respectfully submitted

W. P. Publicover,  
City Clerk

Per T. J. Moore

Moved by Alderman Lloyd, seconded by Alderman Ahern that the report be adopted.

Motion passed,

FINAL CERTIFICATE - W. G. FOLEY

Read report of the Committee on Works re final certificate, W.G. Foley.



February 12, 1942.

The City Council,

Gentlemen:-

The Committee on Works at a meeting held on February 10th 1942, considered the attached final certificates of the Commissioner of Works dated February 7th 1942, recommending payment to Mr. W. G. Foley as follows:-

\$366.44, being the balance in full on his contract for alterations and repairs to third floor City Hall (Finance and Accounting Department)

and

\$734.16, being the balance in full on his contract for alterations and repairs to the third floor City Hall (Department of Health and Welfare)

The said certificates were approved and recommended to the City Council for payment.

Respectfully submitted

W. P. Publicover,  
City Clerk

Per T. J. Moore

Moved by Alderman Lloyd, seconded

by Alderman Ehern that the report be adopted.

Motion passed.

LEGISLATION - BUILDING LAW

Read report of the Committee on Works and Commissioner of Works re legislation, building law.

February 12th  
1942.

The City Council,

Gentlemen:-

Attached hereto is a copy of a letter from the Trainor Auto Service Limited to the City Engineer, under date of January 24th 1942, concerning City Charter requirements for the erection of a fire-proof building. Attached also is a report of the Commissioner of Works dated January 28th 1942, entitled "Building Law - Modification", with reference to the subject of the said letter.

February 12, 1942.

The said documents were considered by the Committee on Works at a meeting held on January 28th 1942. At this meeting the Committee was addressed by Mr. R. McInnis, K.C., in support of the Trainor Auto Service Limited request.

The City Solicitor was present at the meeting.

On Motion of Alderman Kinley, seconded by Alderman O'Toole, the Committee recommended to the City Council that Legislation be sought in accordance with the said report of the Commissioner of Works.

Respectfully submitted

W. P. Publicover  
City Clerk  
Per T. J. Moore.

January 28, 1942.

His Worship the Mayor.

Sir:-

For some time Mr. Trainor of the Auto Service Ltd., has been endeavoring to obtain a permit to erect a garage which, according to the City Charter must be of first class construction, or fireproof throughout. Such types of construction of course require a great amount of steel, either for reinforcing concrete or steel beams, which at present is practically unobtainable.

I may say that certain materials called for in the Plumbing Ordinance are also impossible to secure at the present time, but the Ordinance gives the City Engineer power to substitute. I believe that such power should be granted the Building Inspector, either by a Charter amendment or the compiling of Building Ordinances. This is not a criticism of the present regulations, but the permitting of certain modifications to meet present conditions.

Quite recently in the case of tenements, an improvement in the construction of stairways was suggested by the Fire Marshal and Deputy Building Inspector. In this particular case, however, I could not endorse their recommendations as they were contrary to the City Charter and it is proposed that such changes in the City Charter as have been suggested would permit the Building Inspector to make the recommended changes.

I would like to have the opinion of the Committee on the matter.

Respectfully submitted,

R. M. MacKinnon  
Commissioner of Works.

February 12, 1942.

Moved by Alderman Walker, Seconded  
by Alderman Ahern that the reports be adopted.  
Motion passed.

ROCKCLIFFE ST. AND DALHOUSIE AVENUE ACCEPTANCE

Read report of the Committee on  
Works and Commissioner of Works re Rockcliffe  
Street and Dalhousie Avenue acceptance.

February 12th  
1942.

The City Council,

Gentlemen:-

The Committee on Works at a meeting held on February 10th 1942, considered the attached report of the Commissioner of works dated February 10th 1942, entitled "Rockcliffe Street and Dalhousie Avenue - Acceptance", advising that - "It would be well to have the required legislation in the event of a satisfactory scheme being prepared for the acceptance of these streets", both of which are less than the regulation width.

On Motion of Alderman Stech, seconded by Alderman Kinley, the Committee recommended to Council that legislation be sought in accordance with the said report of the Commissioner of Works.

Respectfully submitted

W. P. Publicover  
City Clerk  
Per T. J. Moore

February 10, 1942.

His Worship the Mayor.

Sir:-

Representation has been made to the Committee on Works on more than one occasion, for the construction of sidewalks and the grading of Rockcliffe Street and Dalhousie Avenue. Both of these streets, however, are less than the regulation width, Dalhousie Avenue being 50 feet wide and Rockcliffe Street 40 feet.

It is proposed that we seek Legislation granting us permission to accept these streets, if and when it is desirable to do so. The Western side of these streets is elevated very much above the adjoining lands and consequently it will be a costly proposition to put them in condition satisfactory for acceptance.

February 12, 1942.

It would be well to have the required legislation in the event of a satisfactory scheme being prepared for the acceptance of these streets.

Respectfully submitted,

R. M. MacKinnon  
Commissioner of Works

Moved by Alderman Lloyd,

seconded by Alderman Ahern that the reports be adopted.

Motion passed.

TAX COLLECTIONS FOR THE MONTH OF JANUARY, 1942

Read report of the Chief Accountant re tax collections for the month of January, 1942 as follows:-

Year Taxes

Year	Reserves	Outstanding Balances December	New Accounts and adjustments	January Collections	Outstanding Balances January
1941	\$49,746.99	\$68,489.75		\$7,544.51	\$ 60,945.24
1940	52,300.74	165,822.61		11,474.17	154,348.44
1939	59,215.20	278,359.39		11,638.82	266,720.57
1938	35,680.17	507,235.13	363.35	32,056.85	475,541.63
Dept.		53,506.03	80,000.00	47,699.65	85,806.38
Etc.		<u>1,073,412.91</u>	<u>80,363.35</u>	<u>110,414.00</u>	<u>1,043,362.26</u>

Taxes

	171.40	5.00	2.00	174.40
	1,140.94		2.50	1,138.44
	785.92	5.00	2.00	788.92
	574.60		8.00	566.60
	976.77		53.50	923.27
	1,935.30	Cr. 2.00	218.00	1,715.30
	4,744.32	Cr. 1.00	1,537.80	3,205.52

Additional Collections

years 1908-9 to 1924			<u>1941-42</u>	<u>1940-41</u>
corresponding period last year			21.81	17.60
years 1925-26 to 1937-38			3,035.68	
corresponding period last year				3,581.86
collections per above statement			110,414.00	
corresponding period last year			<u>113,471.49</u>	<u>107,608.04</u>
				<u>111,207.50</u>

Collections of Poll Taxes

Jan. 1st, 1941 to Jan. 31st, 1942			33,194.48	
corresponding period last year				27,204.18

M. L. Bellew,  
CHIEF ACCOUNTANT.

February 12, 1942.

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W. P. Publicover,  
CITY CLERK.

W. E. Donovan,  
MAYOR AND CHAIRMAN.

February 12, 1942.

APPROPRIATIONS

Read report of the Chief Accountant re appropriations.

THE CITY COUNCIL:

The following is the state of Civic Appropriations on the above date after deducting unpaid orders.

APPROPRIATION	FREE BALANCE
City Home Maintenance . . . . .	\$ 13,045.04
City Home Salaries . . . . .	8,819.46
West Pleasant Park . . . . .	735.63
Living Park . . . . .	681.67
Public Gardens . . . . .	1,588.13
Map Hill Cemetery . . . . .	12,656.61
Tuberculosis Hospital Maintenance . . . . .	4,581.14
Tuberculosis Hospital Salaries . . . . .	5,327.89
Measles Disease Hospital Maintenance . . . . .	1,771.02
Measles Disease Hospital Salaries . . . . .	4,797.52
Public Health & Welfare Maintenance . . . . .	4,933.96
Public Health & Welfare Salaries . . . . .	4,217.18
Police Dept. Maintenance . . . . .	1,052.91
Police Dept. Salaries . . . . .	31,304.32
City Prison Maintenance . . . . .	3,482.12
City Prison Salaries . . . . .	3,285.34
Fire Department . . . . .	39,625.08
Fire Department Maintenance . . . . .	1,894.28
Fire Department Salaries . . . . .	38,085.87
Fire Alarm Telegraph Service . . . . .	976.64
Fire Alarm Salaries . . . . .	1,434.12
Printing & Stationery . . . . .	2,260.60
Library Maintenance . . . . .	65.61
Library Salaries . . . . .	900.00

to be credited with a supplementary appropriation.

M. L. Bellew  
Chief Accountant.

SCHOOL BOARD ESTIMATES

Moved by Alderman Stech, seconded by Alderman MacKay that the estimates of the School Board be referred to the Finance and Executive Committee. Motion passed.

11.10 p.m. Moved by Alderman Walker, seconded by Alderman Ahern that this meeting do now adjourn. Motion passed. Meeting adjourned.

(1) Section 6 is amended by striking out in the paragraph thereof prescribing the boundaries of Ward Number Six the words "thence northerly and easterly by the centre line of the Dutch Village Road to the shore of Bedford Basin at low water mark at the intersection of a line drawn at right angles to the Bedford Road from its junction with the Dutch Village Road and extended into Bedford Basin at Three Mile House; thence easterly and southerly by the shores of Bedford Basin and the Harbour of Halifax at low water mark to the place of beginning" and substituting therefor the following: "thence northerly and easterly by the centre line of the Dutch Village Road to the beginning of a curve at Fairview; thence northwesterly and northerly along a curve to the right, said curve having a radius of eighty-one feet six inches (81' 6") for a distance of eighty-one feet nine inches (81' 9"); thence northerly along a line tangent to the said curve for a distance of one hundred and fifteen feet (115'); thence further northerly along a line whose astronomical bearing was north seven degrees and nineteen minutes east (N. 7° 19' E.) on August 27, 1917, to the shore of Bedford Basin at low water mark; thence easterly and southerly by the shores of Bedford Basin and the Harbour of Halifax at low water mark to the place of beginning.

(2) The plan marked X-7-39, now filed in the office of the Commissioner of Works, upon which the boundary line between the City and the County of Halifax is laid out, as hereinbefore described, is hereby ratified and confirmed.

(c) Clause (c) of subsection (1) of section 14 is amended by inserting therein between the words "rates" and "either" in the second line thereof the words "or interest thereon".

Subsection (3) of section 27, as that section is enacted by section 2 of Chapter 60 of the Acts of 1934, is amended by striking out the words "general revenue thereof" in the eighth and ninth lines thereof and substituting therefor the words "appropriation for civic election expenses".

Section 38 is amended by adding thereto the following subsection:

- (5) He shall on such list indicate by a symbol the name of each person named in such list who is assessed in more than one ward.

(Approved by Council Feb. 12/42.)

Section 56 is amended by adding thereto the following clause:

- (h) Every person who is assessed in more than one ward, as indicated on the Voters List, shall, before receiving a ballot paper from any presiding officer, take and subscribe his name to an oath in the following form:  
"I, (A.B.) do solemnly swear that I have not voted this day at this election in any other polling place for any candidate for a regular vacancy in the City Council".

(Approved by Council Feb. 12/42.)

49(a) Subsection (3) of section 52 is amended by inserting therein between the word "Forces" in line eleven thereof and the word "and" where the said word first occurs in line twelve thereof, the words "and for the benefit of the men of the armed forces of nations allied with Canada in the present war and the merchant seamen of such nations."

(Approved by Council, Jan. 15/42).

22) Clauses (13, (14) and (15) of subsection (1) of section 119, enacted by subsection (2) of section 3 of Chapter 56 of the Acts of 1941, are repealed.

(Approved by Council June 12/41)

22) Subsection (1) of section 123, as the same is enacted by section 19 of Chapter 56 of the Acts of 1940, is amended by inserting therein between the word "Works" in the ninth line thereof and the word "Secretary" in the tenth line thereof the following:

Superintendent of Health  
Superintendent of Public Charities and Welfare.  
(Approved by Council June 12/41)

3) Clause (a) of subsection (1) of Section 220, as the same is enacted by section 9 of Chapter 53 of the Acts of 1932, is amended by striking out the words and figures "Execution ..... .50" in the eighth line and substituting therefor the words "Issuing Execution for each defendant included ..... .50" and by striking out the words "For service thereunder" in the ninth line and substituting therefor the words "For service thereunder, for each defendant served..... .50".

21) Subsection (1) of section 247 is amended by adding thereto the following:

Provided however that a person may be appointed as a constable to act as secretary to the Police Department notwithstanding that such person does not comply with the requirements of clauses (b) and (c) but such person shall not be appointed to any other position on the Police Force.

(Committee on Safety)

65(a) Subsection (1) of Section 310 is amended by striking out the fifteenth paragraph thereof (being the eighth paragraph on page 102 of the City Charter, 1931) providing for the payment of a sum not exceeding three thousand five hundred dollars for the Children's Hospital, as the same is now enacted, and substituting therefor the following

"A sum not exceeding five thousand dollars for the Children's Hospital".

(Finance and Executive Committee).



Clause (c) of subsection (2) of section 354, as that clause is enacted by section 58 of Chapter 56 of the Acts of 1940, is repealed and the following substituted therefor:

- (c) Any money required to pay for the services of such accountant or accountants may be borrowed from any bank or fund available and with the interest thereon included in the estimates next to be prepared following the borrowing of such money or may be included in the estimates for the civic year in which the same is to be expended.

Section 365, as that section is enacted by section 11 of Chapter 57 of the Acts of 1940, is amended by adding thereto the following subsections:

(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 first day of May next succeeding.

(3) The Finance and Executive Committee on the recommendation of the Assessor may relieve any person of any household tax assessed against such person where such person dies prior to the first day of May of the year for which such person was assessed or where such person has been required by his employer in the course of his employment to leave the City of Halifax.

(Approved by Council Nov. 13/41).

The Charter is amended by inserting therein immediately following section 397 thereof the following section:

397A. (1) Notwithstanding the provisions of the preceding section, any person sought to be assessed or his agent, who has failed to furnish the Assessor with the written statement under oath, prescribed by such section, within fourteen days after the date of the service of the notice of such assessment, may, not later than the 10th day of January next following the date of such notice, file with the Assessor an application, in writing, to the Court of Tax Appeals, for leave to appeal from such assessment. The application shall be accompanied by an affidavit of or on behalf of such person or by such agent setting out fully the reason for the failure to furnish the Assessor with such written statement under oath, and shall also be accompanied by such statement.

(2) If the Court of Tax Appeals is of the opinion that, having regard to the circumstances set out in such affidavit and application, such person should be permitted to appeal such assessment, the Court may order that such appeal shall be heard, upon such terms and conditions as it may prescribe.

(#32(a))

(1) Subsection (1) of section 442 is amended by inserting therein between the words "charge" and "shall" in the third line thereof the words "together with the interest thereon."

(2) Subsection (2) of said section 442 is amended by striking out the words "and taxes" in the first line thereof and substituting therefor the words "taxes, betterment charges and interest thereon."

(3) Subsection (3) of said section 442 is amended by inserting between the words "rated" and "and" in the seventh line thereof the words "and interest as aforesaid."

(#3)

The Charter is amended by inserting therein, immediately following section 506 thereof, the following section:

507. ~~The~~ Council on the recommendation of the Committee on safety may by ordinance provide:

- (a) That the owner of every motor drawn vehicle used for transporting for hire passengers shall with his application for a license to transport for hire passengers in such vehicle deposit with such officer as may be designated in such ordinance a policy of insurance, with a company licensed to do business in the Province of Nova Scotia, insuring any passenger who may be conveyed in such vehicle against any accident which may happen to such passenger while being conveyed in such vehicle or while entering or leaving the same, and such ordinance may provide the minimum amount of such insurance.

(Approved by Council Oct. 16/41).

(#3)

The Charter is amended by inserting therein, immediately following section 517, the following section:

517A. The Commissioner of Works and any assistant or employee of the City employed in the Department of Works of the City, may, for the purpose of carrying out the duties of his office, enter upon any private property in the daytime.

(#3)

The Charter is amended by inserting therein, immediately following section 524A thereof, the following section:

524B. The City may respectively accept Rockcliffe Street and Dalhousie Avenue, as laid out on the Official City Plan, as streets, notwithstanding that they are each less than sixty feet in width.

(Approved by Council Feb. 12/42.)

Section 554, as that section is enacted by section 17 of Chapter 66 of the Acts of 1933, is amended by striking out the word "wholly" in the first line thereof.

(Approved Council Aug. 14/41)

Section 672, as that section is enacted by section 104 of Chapter 56 of the Acts of 1940, is amended by adding thereto the following subsection:

- (2) The Council may by ordinance or resolution regulate and control the Citizens' Free Library and prescribe rules and regulations in respect thereof and in respect of the persons using the same.

(Finance and Executive Committee).

Subsection (2) of section 875, as the same is enacted by section 26 of Chapter 56 of the Acts of 1941, is amended by striking out the word "Committee" in the eleventh line thereof and substituting therefor the words "Commissioner of Public Health and Welfare".

(Approved by Council June 12/41)

Subsection (1) of section 876, as that subsection is enacted by section 27 of Chapter 56 of the Acts of 1941, is repealed and the following substituted therefor:

- (1) The Committee on Public Health and Welfare may on the recommendation in writing of the Commissioner of Public Health and Welfare appoint officials to direct the various divisions of the Department of Public Health and Welfare under the general supervision and direction of the said Commissioner, and such officials shall have in their respective divisions the same right of recommendation and authority of suspension in respect of the other persons appointed to their respective divisions as is vested in the officials appointed by the Council under the authority of section 119 hereof.

(Approved by Council June 12/41)

Subsection (4) of section 888, as that subsection is enacted by subsection (2) of section 28 of the Acts of 1941, is amended by adding thereto the following:

All reports to the Committee on Public Health and Welfare in respect of the several divisions of the said Department shall be submitted to the Committee by the said Commissioner.

(Approved by Council June 12/41).

Section 897 is repealed and the following substituted therefor:

897. (1) Except as hereafter provided the commissioners appointed by the Council shall likewise hold office during the period of three years, the two senior commissioners retiring on the first day of November in each year; and the Council in October of each year shall appoint two persons to hold office for three years to fill the places of the two retiring commissioners.

(2) Any commissioner appointed by the Council shall cease to hold office as such commissioner upon ceasing to be a member of the Council, and the Council shall thereupon appoint a person to fill the vacancy caused by the retirement of such commissioner and such person shall hold office for the balance of the unexpired term of such retiring commissioner,

(3)(a) Any person appointed a commissioner under the authority of this section for a term of less than three years shall be eligible for reappointment to the Board for two additional successive terms of three years each, but not for a third additional term until the expiration of eleven months from the time of his going out of office.

(b) Any person appointed a commissioner under the authority of this section for a term of three years shall be eligible for reappointment to the Board for one additional successive term of three years but not for a second additional term until the expiration of eleven months from the time of his going out of office.

(Recommended by Mayor to Finance and Executive Committee. Feb. 25/41)

Section 926 is repealed and the following substituted therefor:

926. (1) The Board may make and from time to time amend, alter or repeal by-laws in respect of:

- (a) The duties of the Supervisor, Secretary Mechanical Superintendent, Attendance Officer, and Nurses.
- (b) The duties to be performed by the Principals, Vice-principals, and teachers, for the purpose of the maintaining of order and discipline in the schools, the general welfare of the pupils, the proper care and supervision of the school property under their control, and the proper execution of the duties imposed upon the Board by the Education Act or by any other statute or enactment.
- (c) The regulation of the conduct of business at meetings of the Board and of any committee thereof and the Rules of Order and Proceedings at such meetings.

(2)(a) When any by-law has been made by the Board it shall be signed by the Chairman and Secretary and a certified copy thereof sent to the Governor-in-Council for approval.

(b) Every new by-law and every amendment or repeal of an existing by-law shall only come into effect when the same has been approved by the Governor-in-Council.

(c) Nothing in the foregoing subsections shall be construed as to enable the Board by by-law to vary the terms of any contract with any teacher made under the authority of the Education Act, unless the right to do so is conferred by statute.

(3) In addition to the authority to make by-laws above set out, the Board may by resolution make rules or regulations governing the conduct and duties of employees of the Board other than those set out in the first subsection of this section, the conduct and duties of pupils and other persons using the property and equipment of the Board, the care and protection of such property and equipment and the hours during which the schools shall be open.

(Approved by Council Nov. 13/41)

(b) The city may during the civic year 1942-1943 pay to the Children's Hospital, in addition to any amount included in the estimates of that year for that purpose, a sum not exceeding Fifteen Hundred Dollars (\$1500.00), and such sum may be paid at such time or times as the Council may determine, and any sums required for this purpose may be borrowed from any bank or fund available and with the interest thereon included in the estimates for the civic year 1943-1944 and repaid therefrom,

(Finance and Executive Committee).

The contribution by the City in the civic year 1941-1942 of \$2500.00 to the Queen's Canadian Fund and the borrowing of the same is hereby ratified and confirmed and the City may include such sum together with the interest thereon to the date of repayment thereof in the estimates for the civic year 1943-1944 and repay the same therefrom.

(Approved by Council May 15/41)

(c) The Council, on the recommendation of the Trustees of the Halifax Officials Superannuation Fund, may authorize the said Trustees to pay certain of the accounts due at the time of his death by Chester G. Corbett, deceased, lately employed in the office of the City Assessor, including funeral and burial expenses, provided that the total sum so paid shall not exceed the sum of Three Hundred Dollars. Any sums so paid shall be charged to the amount standing to the credit of the contributions made by the said Chester G. Corbett to the said Fund.

(Approved by Council June 12/41)

(1)

The City shall pay to C. J. Leahy, retired mechanic of the Halifax Fire Department, for the remainder of his life, an annual allowance of Three Hundred and Seventy-three Dollars and Sixty-seven Cents (\$373.67), the said allowance to be in addition to the allowance which he is entitled to receive from the Superannuation Fund for the Officials and Employees of the Fire Department, and which sum shall be paid to him in quarterly instalments in advance and such instalments shall be paid at the same times as the instalments under the said Superannuation Fund are paid.

(2) The said allowance shall be paid as of the First day of July, A. D. 1941, and the sums required to pay the portion of the said allowance for the balance of the civic year 1941-1942 and for the civic year 1942-1943 may be borrowed by the City from any bank or fund available and with the interest thereon included in the estimates for the civic year 1943-1944, and all sums necessary to pay such allowance for the civic year 1943-1944 and for subsequent years shall be included in the estimates for the civic year in which such allowance is to be paid.

(Approved by Council June 12/41).

One Year Borrowing.

To pay deficit in appropriation for Police for year 1940-1941, not exceeding .....	940.00
To pay deficit in appropriation for Police for year 1941-1942, not exceeding .....	1000.00
To pay deficit in appropriation for The Citizens' Fire Library, not exceeding .....	100.00
To pay deficit in appropriation for Printing and Stationery, not exceeding .....	1000.00

(Council August 14/41 and  
Finance and Executive Committee Feb. 12/42)

The authority granted to the City by subsection (2) of section 52 of Chapter 56 of the Acts of 1941 to relieve from payment of taxes the Estate of Mary K. Odell or any other person as owner or against the Ajax Club or other person or organization occupying, for the purposes in said enactment set out, the property Number 34 Tobin Street in the City of Halifax, shall be deemed to have extended to the entire property including the portion of the same fronting on Kent Street in the said City, and the Council may by resolution direct that the proportion of taxes assessed as aforesaid for the civic year 1940-1941 against or in respect of the portion of the said entire property so occupied shall in respect of such portion, together with any interest thereon, be written off and cancelled.

(Approved Council Oct. 16/41.)

(1) The action of the City and of its officials in permitting the Navy League of Canada to construct a building of third class construction in the district described in section 741, for the purpose of providing suitable accommodation for Merchant Seamen, is hereby ratified and confirmed and declared to have been within the authority of the City and its officials.

(2) The Navy League of Canada, or the owners of the said building at that time, shall, within six months after the termination of the present war, immediately proceed to so alter such building in order to make the same conform to the requirements of the Charter respecting buildings erected in the district described in said section 741.

(3) If the said Navy League of Canada shall refuse or fail to alter the said building, as provided in subsection (2) hereof, within six months after receipt of a notice from the Inspector of Buildings requiring the same to be done, the said building shall on the expiration of the said period of six months, be deemed to be a dilapidated building within the meaning of section 757 and subject to all the provisions of the Charter respecting dilapidated buildings and their removal.

(Approved Council July 8/41).

(1) The payment by the City of a cost of living bonus to its officials and employees and to the members of the Police Force and Fire Department during the civic year 1941-1942 is hereby ratified and confirmed and declared to have been within the authority of the City.

(2) The City may in any year pay to its officials and employees and to the members of the Police Force and Fire Department on such basis as it may determine a cost of living bonus, and any sums required to pay the same, whether in the civic year 1941-1942 or in any subsequent year, may be borrowed from any bank or fund available and with the interest thereon included in the estimates for such civic year as the Council may determine or may be included in the estimates for the year in which it is proposed to pay the same.

(approved by Council Aug. 25/41).

The Board constituted by section 37 of Chapter 58 of the Acts of 1938 is hereby continued until the 30th day of April 1947.

(1) Section 35 of Chapter 57 of the Act of 1940 is amended by striking out the words "Fifteen Thousand Dollars" in the eighteenth line thereof, and the figures "\$15,000.00" in the nineteenth line thereof, and substituting therefor the words and figures "Twenty Thousand Dollars (\$20,000.00)."

(2) Nothing in said section 35 shall be construed to prevent the Council or the Committee named therein from expending any portion of the said sum of Twenty Thousand Dollars (\$20,000.00) for the purpose of paying salaries or wages in order to efficiently accomplish the purposes of the said section.

(City Council, Feb. 12/42)

(1) The schedule to Chapter 77 of the Acts of 1914, entitled "An Act to enable the City of Halifax to Borrow Money" is amended by inserting therein between the words "widening" and "of" in the ninth line thereof, the words "or extending".

(2) Any sums heretofore or hereafter unborrowed in any year under the authority of this enactment may from time to time be borrowed in any subsequent year and from time to time applied to the acquisition of land for the widening or extension of streets.

(Approved by City Council Oct 16/41).

The City may write off and cancel the real property taxes assessed in respect of the premises 565-570 Barrington Street against Jacob Withrow or Thomas P. McCartney in respect of the civic year 1926-1927.

(Approved by Council Octob. 16/41.)

The City may contribute to the Police Social and Athletic Club as and from October 1st, 1941, and ending April 30th, 1942, the sum of Forty Dollars per month for the purpose of assisting the Club to secure adequate quarters. From and after the 30th day of April 1942 the City may contribute to the said Club for such purpose such sum as the Council may from time to time determine. Any money required for this purpose may be borrowed from any bank or fund available and with the interest thereon included in the estimates of the City next to be prepared.

(Approved by Council Oct. 16/41)

(1) Notwithstanding the provisions of the City Charter respecting the same, the amounts assessed against St. Matthias Church, Halifax, for sewer charges in respect of sewers laid by the City in the year 1941 in St. Matthias Street and Charles Street, shall not be payable to the City until the property upon which the said charges constitute a lien is sold by the said Church and upon the sale of such property or portion



thereof the proportion of such charges attributable to the portion so sold shall thereupon become payable to the City in the same manner and to the same extent as if the plan and list in respect of the same had been filed on that date.

(2) The lien of the City upon such property so sold shall extend for twenty years from the date of such sale and may be enforced during such period in the manner provided by the Charter.

(3) Upon the sale of such property or portion thereof, the amount due in respect of such property or portion thereof for the said sewer charges shall be divided into ten equal instalments, the first one of which shall be payable on the date of such sale, and one, together with accrued interest, on each succeeding anniversary of such date, until the whole is paid.

(4) No interest shall accrue or be charged upon such sewer charges until the sale of such property or portion of the same and then only upon the proportion of such charges attributable to the portion so sold.

(Approved by City Council Dec. 11/41  
~~xxx~~ but referred to Board of Works  
by Council Feb. 12/42).

The City may enter into an agreement with His Majesty The King in the right of Canada represented by The Minister of Munitions and Supply, for the purpose of improving the water supply of the City and the acquisition of lands or interests in lands therefor and the building of the necessary works in connection therewith. Any money required by the City to carry out the said agreement or any part thereof may be borrowed by the City from His Majesty or from any person or corporation or from any bank or fund available, and with the interest thereon, repaid in such manner and on such terms and at such time or times as the City Council may determine.

(City Council).

Any money required by the City to give effect to any or all of the recommendations of the International Health Division of the Rockefeller Foundation respecting the improvement of Public Health conditions in the City may be borrowed by the City from any bank or fund available and with the interest thereon repaid in such manner as the Council directs.

(Committee on Public Health and Welfare.)

Section 58 of Chapter 56 of the Acts of 1941 is amended by inserting therein between the words "Fairview" and "including" in the seventh line thereof the words "and providing additional entrances and exits from the City".

The City shall pay to Zachary Bellefontaine the sum of \$154.50 in full compensation for the use by the City of the retaining wall erected upon his property. The said sum may be borrowed from any bank or fund available and with the interest thereon included in the estimates for the civic year 1942-1943.

(Approved by Council Dec. 11/41)

(1) Any sums required to defray the cost of revision or adjustments of salaries of employees of the City during the civic year 1941-1942 and of automatic increases of salary granted or paid to such employees during such civic year, may be obtained from the surplus revenue received by the City during the civic year 1940-1941 from unexpended balances or revenues received in excess of the estimates.

(2) Any sums required to pay the cost of living bonus to employees of the City during the civic year 1941-1942 may be obtained from the surplus revenue received by the City during the civic years 1937-1938, 1938-1939, 1939-1940, 1940-1941 and 1941-1942 from unexpended balances or revenues received in excess of the estimates.

(3) For the purpose of the foregoing subsections, so much of such surplus revenue as may be required for the purposes therein set out shall not be disposed of in the manner provided by the Charter for the disposal of surplus revenue.

The section of the official City Plan which was confirmed by the Council on April 13th, 1909, is hereby declared to be altered by removing therefrom the lines of the street designated as Zephyr Street and substituting therefor the lines of Zephyr Street as shown on a plan dated January 12th, 1942, and filed in the office of the Commissioner of Works as Plan Number KK-6-8955, and such lines as shown on said plan are hereby declared to be the official lines of Zephyr Street for the purposes of the Official City Plan.

(Town Planning Board)

Any person engaged in the armed services of Canada who has been in any civic year assessed for a Special Household Tax in respect of such civic year or part thereof, and who has been transferred from the City before the expiration of such civic year, may be relieved of the portion of such assessment in respect of the unexpired portion of such civic year following such transfer, and if the said tax has been paid, shall be entitled to receive a refund of the portion of the same as would be applicable to such unexpired portion of such civic year following such transfer.

(Approved by Council Jan. 15/42)

Not exceeding Five Year Borrowing

For the purchasing of a duplicating  
machine, not exceeding ..... \$750.00

The Committee on Works may, on such terms and  
conditions as it may see fit to provide, transfer  
to Stephen Hiseler, Executor of George J. Hisler,  
the following lots in Camp Hill Cemetery, viz:

Lots 63 and 64 in Division "S-S"  
Lot 28 in Division "M.M."

and such transfer when made shall be a valid transfer  
of the rights of the previous owners in and to the  
said lots.

(Committee on Works)