

CITY COUNCIL MEETING
THURSDAY
JULY 15, 1943.

A G E N D A

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|-----|---|--|--|---|--|
| | Minutes. | | | | |
| 1. | Notice of reconsideration of Alderman Hosterman | re Salary Tax | | | |
| 2. | Accounts. | | | | Collection Clerks. |
| 3. | Report Finance and Executive Committee | re Poppy Day. | | | |
| 4. | " | " | " | " | re Dartmouth Natal Day. |
| 5. | " | " | " | " | re Greek War Relief Fund. |
| 6. | " | " | " | " | re Superannuation of Constable McIsaac. |
| 7. | " | " | " | " | re Purchase of Ladder Truck. |
| 8. | " | " | " | " | re Convention Union of N. S. Municipalities. |
| 9. | " | " | " | " | re Salary Governor Grant. |
| 10. | " | " | " | " | re Boilers City Home. |
| 11. | " | " | " | " | re Applications for position Commissioner Finance etc. |
| 12. | " | " | " | " | re Flening Park. |
| 13. | " | " | " | " | re O'Flaherty vs City of Hfx. |
| 14. | " | " | " | " | re Water Survey. |
| 15. | " | " | " | " | re Red Certificate. |
| 16. | " | " | " | " | re Payment of Water Rates Keshen Estate. |
| 17. | " | " | " | " | re Construction of Sidewalks. |
| 18. | " | Public Health & Welfare Committee | re Purchase of Groceries. | | |
| 19. | " | " | re Account J. & M. Murphy Ltd. | | |
| 20. | " | Safety | re Repairs to car Police Dept. | | |
| 21. | " | " | re Assistant Deputy Chief of Police | | |
| 22. | " | " | re Amendment in Ordinance No. 13 (Taxi Fares). | | |
| 23. | Report of the Civic Defence Committee | re Accounts. | | | |
| 24. | Letter City Clerk | re Resignation Alderman Stech. | | | |
| 25. | Questions by Aldermen. | | | | |
| 26. | Report Committee on Works | re Lease of Land Dept. of National Defence | | | |
| 27. | " | " | re Contract Crushed Stone. | | |
| 28. | " | " | re Purchase of Trucks. | | |
| 29. | " | " | re Painting etc, City Hall. | | |
| 30. | " | " | re Salary of Shop Foreman. | | |
| 31. | " | " | re Claim of Mrs. Kinsman. | | |
| 32. | " | " | re Release to Halifax Ins. Co. | | |
| 33. | " | " | re Halifax Ins. Co. Payment of Court Award. | | |
| 34. | " | " | re Bianco Bros. Contract. | | |
| 35. | " | " | re Hangar at Airport. | | |
| 36. | Order in Council | re Borrowing School Board. | | | |
| 37. | Report Chief Accountant | re Tax Collections. | | | |

EVENING SESSION

8.10 P. M.
Council Chamber,
City Hall,
July 15, 1943.

A meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor Chairman; Aldermen Reardon, Hosterman, Breon, Coffin, Adams, McDonald, Doyle, Walker, Burgess and Ahern.

The meeting was called to proceed with business standing over and the transaction of other business.

PRESENTATION TO CONSTABLE H. D. MERRICK R.C.M.P.

His Worship the Mayor stated that he had been requested by Asst. Com. Eames of the R. C. M. P. to present a Royal Canadian Humane Association Award to Constable H. D. Merrick and asked for permission of Council to make the presentation at this time to which Council agreed. The City Clerk read the following citation:

Re: Harold Dominic Merrick

1. On December 3rd, 1942, the barge "Lake Allen" ran aground on a reef at Cape LaRonde, N. S. and broke in two. Two of the nine members of the crew were carried overboard by the heavy seas, and in the morning seven members of the crew were still on board. Members of the R. C. M. Police and local residents, who proceeded to the shore prepared to assist the men, were powerless as were two boats of the Royal Canadian Navy because of the rocky nature of the coast and the high breakers.

2. During the afternoon as it was evident that the fury of the sea was still increasing and that part of the barge still out of water might founder at any time

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the seven crew members plunged into the water and partly swimming, partly carried by the heavy seas were carried to the shore where they were given every assistance by those standing by prepared to help.

3. One of the crew, James J. MURPHY, A. B., on approaching the shore was carried back to deep water by the undertow apparently in a helpless condition. Constable H. D. Merrick of the R. C. M. Police sensed the man's predicament and in company with one Leo Alphonse MARTELL rushed into the surf and pulled the man to shore. MURPHY'S condition was obviously serious and Constable MERRICK cut off the rubber suit and life belt and began giving artificial respiration which he continued for fifteen to twenty minutes. On signs of returning life, Constable MERRICK wrapped his pea jacket on the man, and with assistance carried him to the nearby lighthouse and there removed the balance of the man's wet clothing, wrapped him in a blanket and massaged his limbs and body until natural circulation returned.

4. Constable MERRICK spent approximately two hours administering artificial respiration and other first aid treatment until the seaman appeared to be well on the way to recovery from his trying experience.

5. It has since been learned that MURPHY fully recovered and suffered no ill effects from the exposure.

6. The action taken by Constable Merrick apparently definitely saved the life of the man.

His Worship the Mayor with a few well chosen words then presented Constable Merrick with a Royal Canadian Humane Association parchment certificate.

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MINUTES

Moved by Alderman Hosterman, seconded by Alderman Doyle that the minutes of the previous meetings be approved. Motion passed.

NOTICE OF RECONSIDERATION OF ALDERMAN HOSTERMAN

MEMORANDUM re Notice of Reconsideration made by me at Council Meeting, July 14, 1943.

At the time I gave Notice of Reconsideration I regretted having to do so and was not, at the time, too sure of my ground, but, since having an opportunity of delving into the question of increases in the salaries of Tax Collection Clerks that would become effective on the adoption of the motion of Alderman Ahern, I personally feel that my action was justifiable. Apparently this whole question hinges on the recommendation for an increase in salary as suggested by the late Commissioner of Finance to Mr. Walker and on this information getting around, the other four clerks, impressed with their all-importance, decided, by the method of lobbying, to endeavour to be compensated on the same basis.

As far as our records show, I can find no recommendation whatever from the head of the Finance Branch that Messrs. Burbidge, Currie, Leitch and Slattery have been performing such duties as to merit any such increase. Surely the Council will agree that this is not good practise. I personally feel that, if any of those mentioned had been entitled to special consideration, they would have received it ere this.

For the information of Council, the following tabulation shows exactly the standing, as to length of service, increases, etc., since coming into the employ of the City, of Five Tax Collection Clerks:

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	<u>1935</u>	<u>1936</u>	<u>1937</u>	<u>1938</u>	<u>1939</u>
J. Leitch		\$720	\$810	\$900	\$990
T. Currie			720	810	900
R. Stoddard			720	810	900
J. Burbridge	\$720	810	1200	1260	1320
J. Slattery			135	780	780
	<u>1940</u>	<u>1941</u>	<u>1942</u>	<u>1943</u>	
J. Leitch	\$1080	\$1200	\$1380	\$1433.33	
T. Currie	990	1110	1243.33	1366.66	
R. Stoddard	990	1110	1243.33	1366.66	
J. Burbridge	1380	1440	1506.66	1573.33	
J. Slattery	946	1166	1263.00	1366.66	

The name of Mr. Stoddard is included here, although he is now performing work in the City Clerk's Office. From this list it will be noted that Mr. Burbridge entered the employ of the City as Junior Clerk in 1935, and in 1937 was promoted to Account Clerk. It will also be noted that so far all of those mentioned in the tabulation have been receiving their annual increases regularly and I personally see no reason why we should deviate from that custom.

I wonder if it is realized that, if the motion referred to passes Council, it will involve an additional yearly expenditure of some \$754.75, and that this unwarranted increase in spending is not being made on a recommendation of the head of the department or the Personnel Committee, but it will have been made to satisfy the wishes of these particular clerks, and in my estimation, if passed, can be termed "so much luck" as far as they are concerned — and you all know that the best substitute for luck is ambition and if there had been an ample display of it in the past, I am sure that these Clerks would have been recognized by the head of the branch long before this and that the action taken by them would not have

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transpired.

I would therefore move, seconded by Alderman Coffin that this whole matter be reconsidered.

The motion was put and lost 2 voting for the same and 8 against it as follows:

FOR THE MOTION

Alderman Hosterman
" Coffin

AGAINST THE MOTION

Alderman Beardon
" Breen
" Adams
" McDonald
" Doyle
" Walker
" Burgess
" Ahern

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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 Finance and Executive Committee amounting to \$9,691.86; the Committee on Safety amounting to \$835.77 chargeable to Fire Alarm; \$16,312.43 chargeable to Fire Department and \$14,462.42 chargeable to Police Department; the Committee on Public Health and Welfare amounting to \$15,736.99 chargeable to Health Department; \$7,906.99 chargeable to City Home and \$2,252.79 chargeable to City Prison; the Committee on Works amounting to \$15,034.53; Civic Defence Committee amounting to \$1,475.74; the Directors of Point Pleasant Park amounting to \$607.60 under the provisions of Section 315 of the City Charter.

Moved by Alderman Ahern, seconded by Alderman

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Adams that the resolution as submitted be approved.
Motion passed.

POPPY DAY

Read report from the Finance and Executive Committee
re Poppy Day.

Halifax, N. S.,
July 13, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive
Committee held on the above date a letter from the
Secretary of the Halifax Poppy Committee requesting
permission to hold their annual sale of poppies on the
streets of Halifax on Saturday November 6, 1943 was
considered.

Your committee recommends that this request
be granted.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Ahern, seconded by Alderman
Adams that the report be approved. Motion passed.

DARTMOUTH NATAL DAY

Read report of the Finance and Executive Committee
re Dartmouth Natal Day.

Halifax, N. S.,
July 13, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive
Committee held on the above date a letter from the
Town Clerk of Dartmouth regarding Dartmouth Natal Day
which will be celebrated this year on Wednesday August
4, 1943 and requesting that the City Council proclaim
a public half holiday on that day was considered.

Your committee recommends that the request
be granted.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

July 15, 1943.

Moved by Alderman Ahern, seconded by Alderman Adams that the report be approved. Motion passed.

GREEK WAR RELIEF FUND

Read report of the Finance and Executive Committee re Greek War Relief Fund.

Halifax, N. S.,
July 13, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date a letter from Mr. C. W. Stairs, Chairman for Halifax of the Greek War Relief Fund seeking a subscription from the City of Halifax was considered.

Your committee recommends that legislation be secured to enable the City to contribute the sum of \$500.00 to this Fund.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Ahern, seconded by Alderman Adams that the report be approved. The motion was put and passed, the following Aldermen being present and voting therefor:

FOR THE MOTION

Alderman Adams
" Ahern
" Breen
" Burgess
" Coffin
" Doyle
" Hosterman
" McDonald
" Reardon
" Walker

SUPERANNUATION OF CONSTABLE McISAAC

Read report of the Finance and Executive Committee re Superannuation of Constable McIsaac.

Halifax, N. S.,
July 13, 1943.

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

Gentlemen:-

July 15, 1943.

At a meeting of the Finance and Executive Committee held on the above date a report from the Safety Committee recommending that Constable McIsaac of the Police Department be superannuated as from August 1, 1943 at an annual allowance of \$1,213.88 under the provisions of Section 271 of the City Charter, was considered.

Your committee concurs in this recommendation.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Ahorn, seconded by Alderman Adams that the report be approved. Motion passed.

PURCHASE OF LADDER TRUCK

Read report of the Finance and Executive Committee re purchase of Ladder Truck.

Halifax, N. S.,
July 13, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date a report from the Safety Committee recommending that an 85 foot, Bus Front construction Ladder Truck at \$21,000.00 be purchased from the LaFrance Fire Engine and Foamite Limited, and that the sum required for same be borrowed in accordance with legislation secured at the last session of the legislature was considered.

Your committee concurs in this recommendation.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Adams, seconded by Alderman Hosterman that the report be approved.

Alderman Coffin stated that the City needed two ladder trucks and moved an amendment to the motion seconded by Alderman Hosterman that 1 85 foot Bickle Seagrave and 1 65 foot LaFrance be purchased and stay within the cost of \$40,000.00 as provided by legislation.

The amendment was put and lost on the following vote:

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FOR THE AMENDMENT

Alderman Ahern
" Breen
" Coffin
" Hosterman
" McDonald
" Reardon

AGAINST THE AMENDMENT

Alderman Adams
" Burgess
" Doyle
" Walker

A two thirds vote being required.

It was then moved in amendment by Alderman McDonald, seconded by Alderman Walker that one 85 foot Bickle Seagrave and one 65 foot Bickle Seagrave be purchased.

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

FOR THE AMENDMENT

Alderman McDonald
" Doyle
" Walker
" Burgess
" Ahern

AGAINST THE AMENDMENT

Alderman Reardon
" Breen
" Hosterman
" Coffin
" Adams

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His Worship the Mayor cast the deciding vote against the amendment and declared it lost.

The City Clerk at the request of Alderman Adams read the Chief's recommendation to the Safety Committee

It was then moved in amendment by Alderman Burgess, seconded by Alderman Ahern that the City purchase two ladder trucks within the price of \$40,000.00.

The Mayor ruled this amendment out because it was not in order.

The Mayor asked the Deputy Mayor to take the Chair and he remarked that the Chief of the Fire Department asked for two 85 foot ladder trucks, Cab over Engine type in his recommendation if the extra money was available but the extra sum of \$2,000.00 required could not be obtained.

The Mayor assumes the Chair.

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Alderman Reardon stated that he was satisfied that both machines could do the work and thought the City should purchase two machines as soon as possible and was very much in favor of buying one from each dealer.

It was then moved by Alderman McDonald, seconded by Alderman Reardon to suspend the rules of order and set aside all motions previously made.

Alderman McDonald stated that there had been a lot of trouble with the LaFrance machine and that the Bickle Seagrave was the originator of the ladder truck.

It was then moved in amendment by Alderman Walker that the City purchase 2 Bickle Seagrave 65 foot machines but there was no seconder to the amendment.

The amendment to suspend the rules of order was then put to a vote and resulted as follows:

FOR THE AMENDMENT

Alderman Ahern
" Breen
" Burgess
" Coffin
" Doyle
" Hosterman
" McDonald
" Reardon
" Walker

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AGAINST THE AMENDMENT

Alderman Adams

-1-

The amendment was lost as same required a unanimous vote of Council.

The Deputy Mayor assumed the Chair as the Mayor addressed the Council from the floor of the chamber. He remarked regarding the two salesmen of the different companies and said that some recommendations could have been questioned in the past but if Council could not make a ready decision it would reflect on the Council.

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The Mayor stated that he had contacted the representative of the LaFrance machine and asked him if he would be willing for each agent to receive a purchase and was assured that this would be satisfactory.

His Worship stated that we should uphold the recommendation of the head of the department.

The Mayor then resumed his chair.

It was then moved in amendment by Alderman McDonald, seconded by Alderman Ahern that the City purchase 1 LaFrance 65 foot ladder truck and 1 Bickle Seagrave 65 foot ladder truck but the amendment was withdrawn by the mover with the consent of the seconder.

It was moved in amendment by Alderman McDonald, seconded by Alderman Ahern that the matter be referred back to the Safety Committee. The amendment was put and passed on the following vote:

FOR THE AMENDMENT

Alderman Reardon
" Breen
" Hosterman
" Coffin
" McDonald
" Doyle
" Walker
" Burgess
" Ahern

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AGAINST THE AMENDMENT

Alderman Adams

-1-

CONVENTION UNION OF N.S. MUNICIPALITIES

Read report of the Finance and Executive Committee re Convention of Union of N. S. Municipalities.

Halifax, N. S.,
July 13, 1943.

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

Gentlemen:-

July 15, 1943.

At a meeting of the Finance and Executive Committee held on the above date the attached letter from the Secretary of the Union of N. S. Municipalities regarding the convention to be held in Kentville on August 31 - September 1 and 2 was read.

Your committee is forwarding same to Council with the suggestion that as many of the members of Council who can attend the convention will do so with the City Officials who have been attending the convention in the past.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

His Worship the Mayor stated that he would like to see as many of the members of Council as could do so attend the convention together with the City Clerk, City Assessor and City Solicitor.

Moved by Alderman Hosterman, seconded by Alderman Adams that the suggestion of the Mayor that the City Clerk, City Assessor, City Solicitor and as many of the Aldermen as could do so attend the convention be approved. Motion passed.

SALARY OF GOVERNOR GRANT

Read report of the Finance and Executive Committee re Salary of Governor Grant.

Halifax, N. S.,
July 13, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date the attached report from the Personnel Committee regarding the salary of Governor John Grant at the City Prison was considered.

Your committee concurs in the recommendation of the Personnel Committee viz; That the maximum salary for the position of Governor of the City Prison be set at \$2,500.00 including \$400.00 for housing and subsistence and that Governor Grant receive an automatic increase of \$100.00 for each of the Civic Years 1943-44 and 1944-45.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

July 15, 1943.

Moved by Alderman Ahern, seconded by Alderman Adams that the report be approved. Motion passed.

BOILERS AT THE CITY HOME

Read report of the Finance and Executive Committee re repairs to the boilers at the City Home.

Halifax, N. S.,
July 13, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date a report from the Public Health and Welfare Committee regarding repairs required to be made to the boilers at the City Home and recommending that the sum of \$3,000.00 required for same be borrowed under the provisions of Section 332 A of the City Charter and also recommending that a committee consisting of Alderman Breen and Reardon together with the Superintendent of the City Home be given authority to approve of the tenders and the supervision of the work.

Your committee approves of these recommendations.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

July 12, 1943.

The Chairman and Members of
Public Health and Welfare Committee.

Dear Sirs: Re: B O I L E R S

It has been recognized for many months that our boilers are in a dangerous state of repair.

I have given much study to this project and have had competent advice for same and feel that it would require \$3,000.00 to give us a permanent repair job. My suggestions are as follows:

1. Suspend the front ends of our boilers on steel supports of dimensions to conform to the Provincial Boiler Code.

2. Remove all brick work and engage a bricklayer to reset the entire battery of boilers.

May I stress the necessity of starting this work without delay, and I would suggest that it would be a waste of time to call for tenders for the part of this work outlined in paragraph 1.

July 15, 1943.

Respectfully yours,

A. E. Ettinger,
Superintendent.

RESOLVED that the report of the Finance and Executive Committee in reference to the payment of the sum of \$3,000.00 required for repairs to the boilers at the City Home be adopted and that the said sum be raised under authority of Section 332 A of the City Charter said money to be borrowed from any Bank or Fund available and to be included in and repaid out of the Civic Estimates for the year 1944-45.

Moved by Alderman Ahern, seconded by Alderman Adams that the report and resolution be approved. Motion put and passed the following Aldermen being present and voting therefor:

FOR THE MOTION

Alderman Reardon
" Breen
" Hosterman.
" Coffin
" Adams
" McDonald
" Doyle
" Walker
" Burgess
" Ahern

APPOINTMENT COMMISSIONER OF FINANCE AND ACCOUNTS

Read report of the Finance and Executive Committee re Appointment of Commissioner of Finance & Accounts.

Halifax, N. S.,
July 13, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date four applications for the position of Commissioner of Finance and Accounts (two from Civic Employees and two others) were read.

A resolution to the effect that consideration of the applications be confined to those of the two Civic Employees was adopted with Alderman Walker dissenting.

A further resolution that the applications from the two Civic Employees viz: M. L. Bellow and N. L. Sherman be forwarded to Council without

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recommmendation was also adopted with Alderman Walker again dissenting as he wished to reserve his decision for Council.

Respectfully submitted,

W. P. Publicover,
City Clerk.

The Deputy Mayor assumes the Chair while the Mayor addressed the Council.

His Worship remarked that the man who was appointed to the position of Commissioner of Finance & Accounts would have to be a man who would be at the back of the Mayor and City Council as the Audit Report would have to be reviewed and the recommendations looked into.

The Mayor resumes his Chair.

At the request of Alderman McDonald the four applications were read.

It was then moved by Alderman Adams, seconded by Alderman Walker that N. L. Sherman be appointed to the position.

An amendment to the motion was moved by Alderman Ahern, seconded by Alderman Reardon that Mr. M. L. Bellew be appointed to the position.

Alderman McDonald requested a recommendation from the Mayor if the movers and seconders of the motions were agreed.

The Deputy Mayor assumes the chair while the Mayor addressed the Council.

His Worship stated that he had given the matter a lot of consideration and thought and he favored Mr. Sherman because he was a Chartered Accountant and was well acquainted with all the work necessary for the position.

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He suggested that Mr. Bellew should be left at the post of Chief Accountant as he was well acquainted with the accounting procedure. He further stated that whoever was appointed to the position of Commissioner of Finance & Accounts would work from nine to five everyday and that he as Mayor would need the support of the Commissioner of Finance and Accounts at his back.

The Mayor resumes his Chair.

Alderman Breen questioned if the Chief Accountant came under the Commissioner of Finance and was answered in the affirmative.

Alderman Reardon stated that in view of the remarks made by His Worship the Mayor he would withdraw as seconder of the amendment.

The Deputy Mayor assumes the Chair while His Worship the Mayor again addressed the Council.

His Worship remarked that the Chief Accountant could not prepare the necessary papers for the Department of Municipal Affairs and it was necessary to bring in an outsider to do it.

The other man Mr. Sherman was given a job to do for His Worship and did it very satisfactorily.

The Mayor resumes his Chair.

It was agreed that a vote should be taken on the two names viz: Sherman and Bellew.

A vote was then taken which resulted as follows:

Mr. N. L. Sherman

Mr. M. L. Bellew

Alderman Adams
" Breen
" Burgess
" Coffin
" Doyle
" Hosterman
" McDonald
" Reardon
" Walker

Alderman Ahern

July 15, 1943.

Alderman Ahern withdrew his vote and voted in favor of Mr. Sherman making it unanimous.

The Mayor then declared Mr. N. L. Sherman duly appointed to the position of Commissioner of Finance and Accounts at an annual salary of \$4,000.00

FLEMING PARK

Read report of the Finance and Executive Committee re Fleming Park.

Halifax, N. S.,
July 13, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date the attached report from the Committee on Works regarding improvements to Fleming Park was approved and recommended to Council for adoption.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

July 13, 1943.

FINANCING FLEMING PARK
IMPROVEMENTS

Chairman and Members Finance
and Executive Committee.

Gentlemen:-

In accordance with the attached Extract from Minutes of a meeting of the City Council held on June 17, 1943, the Committee on Works at a meeting held on the 5th instant, considered the matter of erecting lavatories, check-rooms and road signs at Fleming Park.

A motion by Alderman Coffin that a sum not exceeding \$400.00 be obtained from the General appropriation of the Works Department to effect the improvements referred to in the said extract and that the said appropriation be reimbursed by City Council from the City Charter Section 332 A if necessary, was seconded by Alderman Ahern and carried unanimously.

Respectfully submitted,

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

July 15, 1943.

Moved by Alderman Ahern, seconded by Alderman Adams that the report be approved. Motion passed.

O'FLAHERTY VS CITY OF HALIFAX

Read report of the Finance and Executive Committee re the case of O'Flaherty vs City of Halifax.

Halifax, N. S.,
July 13, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date the attached report from the Committee on Works and letter from the City Solicitor regarding the case of O'Flaherty vs the City of Halifax was considered.

The Committee on Works recommends that the case be settled by the payment of the sum of \$1200.00 and the taxed costs.

This recommendation is concurred in by the Finance and Executive Committee.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

July 2, 1943.

J. E. Lloyd Esq;
Mayor and Chairman
Works Committee.

Dear Sir: Re: O'Flaherty vs City of Halifax

The above action was taken by the Plaintiff against the City of Halifax as a result of injuries suffered by the Plaintiff by falling into a ditch on the North Side of North Street, which ditch was open for the purpose of installing a new sewer at that point. The matter came on for trial before Mr. Justice Graham with a jury, and certain questions were put to the jury. The questions and answers are as follows:

1. Were the injuries suffered by the Plaintiff, J. Howard J. O'Flaherty, caused through the negligence of Defendant?

Answer. Yes.

2. If you answer "Yes" to the above question, in what did the negligence consist?

Answer. Not sufficient supervision on part of the night watchman. Also should have been a light on each end of bridge.

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3. Did negligence of Plaintiff contribute to the accident?

. Answer. Yes.

4. If you answer "Yes", what was his negligence?

Answer. Not sufficient precaution in walking in the dark.

5. If you find the defendant negligent, could the Plaintiff J. Howard J. O'Flaherty, notwithstanding the Defendant's negligence, by the use of reasonable precaution and care have avoided the accident?

. Answer. Yes.

6. At what sum do you assess the damages?

. Answer. \$2400.00.

7. If you find that the accident was caused by the fault of both parties, what was the degree of fault of each?

Answer. 50% to each party.

When the application was made for the order in this case the Trial Judge pointed out the fact that the jury's answers were somewhat inconclusive and were not definite and might result in a new trial being ordered on appeal. It will be noted that in answer to questions (1), (2), (3) and (4) the jury found that both the Plaintiff and the City were negligent, the City because there was "not sufficient supervision on the part of the night watchman. Also should have been a light on each end of bridge", and the Plaintiff because he did not exercise "sufficient precaution in walking in the dark".

The jury proceeded to answer the 5th question in the affirmative, thus indicating that regardless of the City's negligence it was the negligence of the Plaintiff which actually caused the accident, as he could have avoided the same by the exercise of reasonable care. If this stood alone, there would, in my opinion, be no question but that the Plaintiff would have failed in his action, but as you will note the jury proceeded to answer two more questions. The first assessed the damages suffered by the Plaintiff at \$2,400.00 and the second found that the accident was caused by a 50% degree of fault of each. This apparently is contradictory to the effect of the answer to question 5 and would seem to indicate the intention of the jury that in spite of the fact that the Plaintiff could have avoided the accident by the exercise of reasonable precaution and care, nevertheless the City was 50% contributory in fault and liable for 50% of the damages suffered.

On the hearing for the Order I argued that the City was not obliged to pay anything in view of the answer to question 5. However, it was suggested by His Lordship that in view of the doubt in interpreting the answers of the jury that some thought should be

July 15, 1943.

given to making a settlement and I am advised by the Solicitor for the Plaintiff that he is willing to accept the sum of \$1200.00 and the taxed costs and not proceed any further in the case. If this is not acceptable I understand that it is the intention of the Plaintiff to appeal for a new trial. If the appeal is allowed and a new trial granted the result, in my opinion, will be uncertain. I am submitting this to you for instructions. If the City feels that we should endeavour to insist upon no payment at all by the City in this case, I will endeavour to take an Order dismissing the action and defend any appeal that may be taken. I am not able to speculate on the outcome because it is impossible to predict the outcome of a jury trial. On the other hand if the City feels that it is advisable to make a settlement in this case I will take out an Order accordingly.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

Moved by Alderman Ahern, seconded by Alderman Adams that the report be approved. Motion passed.

WATER SURVEY

Read report of the Finance and Executive Committee re the Water Survey.

Halifax, N. S.,
July 13, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date, a report from the Committee on Works recommending for payment an account from the Engineering Service Co., Ltd., amounting to \$4,505.70 as a progress payment for services rendered in connection with the Water Survey was considered.

Your committee recommends that the account be passed for payment under the authority of Section 52, Chapter 46 of the Acts of 1943.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

July 13, 1943.

ENGINEERING SERVICE COMPANY LIMITED
PROGRESS PAYMENT

July 15, 1943.

Chairman and Members of the
Finance and Executive Committee.

Gentlemen:-

Attached hereto are:-

A bill from Engineering Service Company Limited for a progress payment of \$4,505.70 on their work in connection with the investigation of the water service of the City of Halifax.

A letter from the Chairman of the Board of Commissioners of Public Utilities to the Solicitor under date of July 10, 1943, in reference thereto.

A letter from the City Solicitor to the Mayor and Chairman of the Committee on Works under date of July 13, 1943, in regard thereto.

On motion of Alderman Doyle, seconded by Alderman MacDonald, the Committee recommended that the said bill be paid.

Respectfully submitted,

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

Moved by Alderman Ahern, seconded by Alderman Adams that the report be approved. Motion passed.
Alderman Hosterman retires from the meeting.

RED CERTIFICATE

Read report of the Finance and Executive Committee re form of Red Certificate.

City Hall
Halifax, N. S.,
July 13, 1943.

His Worship the Mayor and
Members of the City Council.

Gentlemen:- Re: Certificate of Taxes, etc.

At a meeting of the Finance and Executive Committee held this day the City Solicitor submitted a suggested new form of tax certificate. The Committee decided that the same be recommended to the Council for adoption upon the coming into force of an ordinance approving the form and fixing the fee to be paid for the same at \$1.00. The present fee is 50¢ but it is considered that the increase in the work of preparing the new form justifies some increase in that fee.

Your Committee also recommends that the attached ordinance approving such form and fixing such fee be read for a first time and referred to the Finance Committee for further study and report at the next meeting of the Council.

July 15, 1943.

It will be noted that the proposed form of certificate embodies a statement of outstanding lien charges against the property in question whereas the form now in use merely stated that all taxes, rates and charges were paid. In addition the new form states what betterments have been constructed or are in course of construction but for which no list has been filed as yet but the cost of which will ultimately constitute a lien on the property. This has been a matter of concern in the past.

Since the ordinance approving the form and fixing the fee at \$1.00 cannot come into effect without two readings and approval by the Governor-in-Council, the intervening time will permit an opportunity for further study. It will also be necessary to set up some system for the issuance of this new type of certificate.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Ahern, seconded by Alderman Adams that the report be approved. Motion passed.

Alderman Hosterman returns to the meeting.

Read ordinance as follows:

ORDINANCE #38

Respecting the form of Tax Certificates to be issued by the City Collector and the fee to be paid for same.

(Made under authority of Section 283 (6) (b) of the City Charter.

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

1. The Collector may issue certificates of the amounts due to the City for taxes, water rates and other charges on any property within the City when requested to furnish the same on behalf of a vendee, mortgagee or other person pecuniarily interested in such property other than the owner thereof.

2. Such Certificate shall be in the form following:

CITY COLLECTOR'S OFFICE

City of Halifax

Halifax, N. S.
Date 19...

In consideration of the payment to me of the sum of ONE DOLLAR by _____ being a vendee, mortgagee or a person other than the owner thereof, pecuniarily interested in the property situated at _____ street and assessed to _____

I hereby certify that the unliquidated tax liabilities and betterment charges and other rates and charges

July 15, 1943.

constituting a lien upon the said property as of _____
(date) are as set forth in

the following statement:

<u>Type of Charge</u>	<u>Year of Filing (or if not yet constructed to be marked "N.C")</u>	<u>Amount of Principal owing. (If paid. Mark "Paid")</u>	<u>Amount of Interest owing to _____ (date) If paid, mark "Paid")</u>
Sewer			
Grading			
Sidewalk			
Curb & Gutter			
Pavement			
Oiling			
Tree Planting			
Work under Health Regulations			
Water Extension			
Fire Protection Rates (Water Department)			
Water Rates or Service Charges			
Real Property Taxes			
Other charges:			
(a)			
(b)			
(c)			

I further certify that there is now under construction or has been recently constructed a

(name type or types of betterments laid or

(being laid)

the cost of which will constitute a lien upon the above property upon the filing of the official list as provided by the City Charter.

July 15, 1943.

NOTE. The above statement showing the amounts of (a) unpaid taxes and liens therefor is based upon the tax rolls filed up to and including the civic year 19...-19...; (b) water fire protection rates, water extension charges, water rates and liens therefor charged or filed up to and including _____ and (c) betterment charges filed up to and including _____
(date of certificate)

City Collector

3. The fee to be charged for each such certificate shall be \$1.00 which shall be paid before such certificate is issued.

Moved by Alderman Burgess, seconded by Alderman Coffin that the ordinance as set out as above be read and passed a first time and referred to the Finance and Executive Committee. Motion passed.

WATER RATES -- KESHEN ESTATE

Read report of the Finance and Executive Committee re Keshen Water Rates.

Halifax, N. S.,
City Hall,
July 13, 1943.

His Worship the Mayor and
Members of the City Council.

Gentlemen:-

At a meeting of the Finance and Executive Committee held today the City Solicitor reported on certain water rates outstanding and due by the Estate of Fanny Keshen, deceased, and by Mr. Louis Keshen.

Certain of these water rates are barred by the Statute of Limitations, being more than 6 years overdue, but the Estate of Mrs. Keshen and Mr. Keshen are prepared nevertheless to pay the principal amount of these water rates if the City will execute a Release of any liability on their part for the interest on these particular rates. The total amount to be received by the City is \$1599.63. In this amount the sum of \$592.03 represents water rates more than 6 years old which are technically barred by the Statute of Limitations. The interest on these rates would have amounted to \$358.39.

The City Solicitor recommended that the City accept the sum of \$1599.63 in full settlement of the water rates covered by the statements dated April 14, 1943, which in effect include those rates now more than six years old but without interest thereon.

July 15, 1943.

He also recommended that the City Council relieve the Collector of any responsibility for collecting the interest on these prescribed water rates and that the City execute the attached acknowledgement and release by the hand of the Mayor and City Clerk.

Yours very truly,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Ahern, seconded by Alderman Adams that the report be approved.

Alderman Breen wanted to know how this had happened to accumulate and full interest could not be collected.

He was told by the City Solicitor that the Statute of Limitations was the cause by the bills being outlawed in six years and now the Estate was ready to pay the principal amount.

Alderman McDonald remarked about a similar case that might develop into the same thing and the City would lose the interest charges if it went beyond six years.

The Commissioner of Works was then instructed to get information on the case.

The motion was put and passed.

CONSTRUCTION OF SIDEWALKS

Read report of the Finance and Executive Committee re construction of sidewalks.

Halifax, N. S.,
June 15, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date a report from the Committee on Works recommending the construction of concrete sidewalks etc., on Union St., West Side; Young Street to Fort Needham and Young Street, South Side, Devonshire Street to Gottingen St. was considered and concurred in.

July 15, 1943.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Ahorn, seconded by Alderman Adams that the report be approved. Motion passed.

PURCHASE OF GROCERIES

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

Halifax, N. S.,
July 12, 1943.

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

Gentlemen:-

At a meeting of the Public Health & Welfare Committee held on the above date the attached letter from the Superintendent of Health regarding tenders for grocery supplies to the Infectious Disease and Tuberculosis Hospitals was considered.

This committee approves of the recommendation of the Superintendent of Health viz: that purchases of grocery supplies be made in the open market due to the fact that local firms are finding it difficult to tender on certain classes of food stuffs for any period of time.

This arrangement also to apply to the City Home and City Prison.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

July 12, 1943.

Chairman and Members of
Committee on Public Health & Welfare.

Gentlemen:-

No response having been received to invitations for tenders for grocery supplies to the Infectious and the Tuberculosis Hospitals, it is recommended that purchases be made in the open market for the next month, from July 20 to August 20. It has been the practice for sometime to obtain tenders on the basis of a month's supply, as against three and six months supplies a year ago.

Local firms find it practically impossible to submit a tender to meet the requirements of our Hospitals for even a month, due to the scarcity of all classes of foodstuffs. During the past few months it has been impossible for any firm to submit prices on not more than half of the items contained in the specifications, with the result that purchasing under contract under such conditions has not been satisfactory.

July 15, 1943.

Purchase of supplies in the open market would, in my opinion, be far more satisfactory and it is recommended that authority be given that this plan be followed.

Respectfully submitted,

Arthur C. Pettipas.

Moved by Alderman Coffin, seconded by Alderman Walker that the report be approved. Motion passed.

ACCOUNT J. & M. MURPHY

Read report of the Public Health and Welfare Committee re an account of J. & M. Murphy.

Halifax, N. S.;
July 5, 1943.

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

Gentlemen:-

At a meeting of the Public Health & Welfare Committee held on the above date an account of J. & M. Murphy Limited amounting to \$457.54 for dry goods furnished to the City Home was approved and recommended for payment.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Coffin, seconded by Alderman Walker that the report be approved. Motion passed.

REPAIRS TO CAR -- POLICE DEPARTMENT

Read report of the Safety Committee re repairs to car of the Police Department.

Halifax, N. S.,
July 8, 1943.

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

Gentlemen:-

At a meeting of the Safety Committee held on the above date a letter from the Chief of Police submitting an estimate of the Universal Sales (N. S.) Limited amounting to \$230.00 for repairs required to the car used by the Detectives Department was considered.

Your committee recommends that the Chief of Police be authorized to have the repairs made as estimated for.

July 15, 1943.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Doyle, seconded by Alderman Adams that the report be approved. Motion passed.

ASSISTANT DEPUTY CHIEF OF POLICE

Read report of the Safety Committee re the Assistant Deputy Chief of Police.

Halifax, N. S.,
July 8, 1943.

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

Gentlemen:-

The Safety Committee at a meeting held on the above date had for consideration the attached letter from the Chief of Police making certain recommendations regarding the abolition of the office of Assistant Deputy Chief of Police and providing for the establishing of the office of Inspector etc.

Your committee recommends that the letter of the Chief of Police be approved and the City Solicitor requested to prepare the necessary legislation.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

July 8, 1943.

His Worship the Mayor and
Members of the Safety Committee.

Dear Sirs:-

Assistant Deputy Chief Tilbury's time expires on August 1, 1943 and I again make a recommendation to the Committee for their approval, for three Police Inspectors, one for each platoon. I would also recommend that the position of Assistant Deputy Chief of Police be abolished, and this office be filled with the three proposed inspectors.

Owing to the fact that no legislation authorizes the Council to make these appointments, I would suggest that three Sergeants be placed in this position until legislation for the coming year is sought to create these new officers.

I would also recommend that three Sergeants be appointed from the ranks to fill the vacancies of the three proposed inspectors temporarily designated as Senior Sergeants.

July 15, 1943.

I would further recommend that these three inspectors be paid a maximum salary of \$2,150.00 each per annum. This would be \$150.00 over and above the maximum salary now received by these men. Might I further suggest that the minimum salary for these positions be set at \$2,060.00.

This will necessarily mean that three men will be appointed from the ranks to the position of Sergeants which in turn will mean an additional \$180.00 increase for the present civic year.

Yours truly,

Judson J. Conrod,
Chief of Police.

Moved by Alderman Doyle, seconded by Alderman Burgess that the report and letter be approved;
Motion passed.

AMENDMENT TO ORDINANCE # 13 (TAXI FARES)

Read report of the Safety Committee re Amendment to Ordinance # 13 (Taxi Fares).

Halifax, N. S.,
July 15, 1943.

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

Gentlemen:-

At a meeting of the Safety Committee held today a report of the Cabs Committee submitting an amendment to Ordinance # 13 was considered.

Your committee recommends that the amendment to Ordinance # 13 as prepared by the City Solicitor be read, passed and forwarded to the Minister of Highways for his recommendation to the Governor in Council for approval.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

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

The second schedule to Ordinance # 13 respecting the regulation of vehicles transporting passengers for hire, as the same was amended by the City Council at a meeting thereof held the 11th. day of February A. D. 1943, and approved by the Lieutenant Governor of Nova Scotia in Council on the 26th. day of February. A. D. 1943, is further amended by striking out the words and figures "50 cents drop for 1 passenger up to 1 mile" in the first line thereof and substituting therefor the words and figures " 35 Cents

July 15, 1943.

drop for 1 passenger up to 1 mile".

Moved by Alderman Boyle, seconded by Alderman Adams that the report be approved. Motion passed.

Alderman Reardon stated that during the last Storm a taxi was called at 11,30 P. M. and the party making the call from St. Marys Boathouse was told that there would be one out in an hour's time. The person kept phoning and was told the same story till 4.00 A. M. and he was then informed that if he would be willing to pay the flat rate of \$2.00, a car would be sent.

Alderman Reardon cited other cases similar to the above and stated that he felt the whole matter should be thoroughly investigated.

His Worship the Mayor congratulated the Alderman on his fine description and presentation of the above case and stated that the matter would be taken up with the Transit Committee and an answer would be forthcoming at a later date.

ACCOUNTS - CIVIC DEFENCE

Read report of the Civic Defence Committee as follows:

Halifax, N. S.,
July 15, 1943.

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

Gentlemen:

At a meeting of the Civic Defence Committee held on the above date the following accounts were approved and recommended for payment:

Gutta Percha & Rubber Co. Ltd.	\$205.00
Dominion Rubber Co. Ltd.	1700.00
John Leckie Limited.	285.00
The Goodyear Tire & Rubber Co., of Canada Limited	1700.00
Wm. Robertson & Son Ltd.	1700.00
Gutta Percha & Rubber Ltd.	2546.60

July 15, 1943.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Hosterman, seconded by Alderman Adams that the report be approved and the accounts paid. Motion passed.

RESIGNATION OF ALDERMAN STECH

Read letter of the City Clerk re resignation of Alderman Stech.

Halifax, N. S.,
July 12, 1943.

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

Gentlemen:--

With reference to the attached letter from Alderman Stech resigning as Alderman for Ward One of the City of Halifax.

It will be necessary for Council to declare the seat vacant and fix a day for the election of a duly qualified person to fill the vacancy.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Hosterman, seconded by Alderman Ahern that Alderman Stech's resignation be accepted with regret and that the seat held by him be declared vacant. Motion passed.

Moved by Alderman McDonald, seconded by Alderman Doyle that August 4th. be set as the date for an election of a person to fill the vacancy caused by the resignation of Alderman Stech and that nomination day be July 27, 1943. Motion passed.

QUESTIONS

Alderman Ahern questioned if something could be done to prevent the breaking of glass on the City Streets. He stated that he knew of a couple of cases recently where automobile tires have been badly

July 15, 1943.

damaged due to broken glass on the streets. His Worship the Mayor stated that this matter should be referred to the Safety Committee.

Alderman Reardon referred to the ruins of the First Baptist Church on Spring Garden Road. He stated that boys gather there and throw bits of plaster and other matter at the pedestrians going by. He asked if the Police could be requested to keep an eye on the place.

His Worship the Mayor stated that a tender was about to be let to have the ruins torn down and it was his hope that they would be removed soon but, however, the Police would be requested to look into the matter in the meantime.

Alderman Reardon questioned the wisdom of continuing the present parking laws. He felt that the restrictions could be relaxed during the summer months at least. He said the merchants are being taxed heavily and that they should be given every consideration.

His Worship the Mayor replied that this should be taken before the Transit Committee.

His Worship the Mayor remarked that the matter of the sale of Gorsebrook Golf Club land had been considered at a meeting of the Committee on Works recently and Mr. Stevens of the Eastern Trust Co., stated that they would hold the matter up until they heard from the City Council.

His Worship the Mayor informed the Council that the street sweeper is nearly ready for use on the streets and will soon be on the job.

Alderman Breen asked what rental the City is receiving for the Airport and also how the sewers

July 15, 1943.

were laid there.

The City Solicitor was requested to write Alderman Breen regarding the former question and the Commissioner of Works in answering the question regarding the sewer stated that the sewer and water pipes were laid systematically according to the plan of the proposed streets.

Alderman Walker asked if the Committee had been appointed as yet in connection with the water bills.

His Worship the Mayor stated that if the Committee has not been appointed, he would attend to the matter at an early date.

LEASE OF LAND--DEPARTMENT NATIONAL DEFENCE

Read report of the Committee on Works re Lease of land Department of National Defence.

July 15, 1943.

LEASE OF LAND TO DEPARTMENT OF NATIONAL DEFENCE

The City Council.

Gentlemen:-

The Committee on Works at a meeting held on the 5th instant, on motion of Alderman Ahern, seconded by Alderman Coffin, approved and recommended to Council for adoption the attached report of the Commissioner of Works dated June 30, 1943, on an application from Lieut-Colonel S. E. Lyons, Real Estate Advisor, Department of National Defence, for the leasing of a lot of land owned by the City on the eastern side of Barrington Street, north of Flemings Foundry.

A copy of the application referred to is attached hereto.

Respectfully submitted,

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

June 30, 1943.

RE: LEASE OF CITY OF HALIFAX LANDS
TO DEPT. OF NATIONAL DEFENCE.

His Worship the Mayor.

Sir:-

An application has been received from Lt-Colonel S. E. Lyons, Real Estate Adviser, Dept. of National Defence, for the leasing of a lot of land owned by the City on the eastern side of Barrington Street north of Flemings Foundry.

This land is assessed to the City of Halifax and valued at, \$200.00.

July 15, 1943.

I would consider \$25.00 a year an adequate rental for the leasing of this land and would recommend that a lease be drawn up in accordance with the terms as outlined in the Department's letter.

Respectfully submitted,

R. M. MacKinnon,
Commissioner of Works.

Moved by Alderman Coffin, seconded by Alderman McDonald that the report be approved. Motion passed.

CONTRACT FOR CRUSHED STONE

Read report of the Committee on Works re Contract for crushed stone.

July 15, 1943.

CONTRACT-CRUSHED STONE

The City Council.

Gentlemen:-

The Committee on Works at a meeting held on the 5th instant considered the attached report of the Commissioner of Works dated June 25, 1943, on an application from the Fairview Crushed Stone Company Limited, for release from the penalty clause in the contract with reference to purchase of crushed stone by the City of Halifax.

On motion of Alderman Reardon, seconded by Alderman Ahern, the said report recommending that the Penalty Clause be waived for the duration, was approved and recommended to Council for adoption.

The Committee at a meeting held on the 13th instant, on motion of Alderman Coffin, seconded by Alderman Ahern, recommended that Council authorize an agreement between the City and the Company deleting the Penalty Clause referred to, subject to the Solicitor's approval.

The contract form containing the Penalty Clause which the Company objects to, and correspondence in connection therewith, between the Clerk of Works and the City Solicitor, dated July 9th and 12th 1943, are submitted herewith.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Per T. J. Moore.

Moved by Alderman Reardon, seconded by Alderman Coffin that the report be approved. Motion passed.

July 15, 1943.

PURCHASE OF TRUCKS

Read report of the Committee on Works re
purchase of trucks.

July 15, 1943.

PURCHASE OF TRUCKS - WATER DEPARTMENT

The City Council.

Gentlemen:-

At a meeting of the Committee on Works held on the 5th instant, the attached report of the Commissioner of Works dated June 23, 1943, entitled "Purchase of Trucks--Water Department" was on motion of Alderman Beardon, seconded by Alderman Ahern, approved and recommended to Council for adoption. The said report has reference to motor trucks and the Department horse.

The Committee at a meeting held on the 13th instant, on motion of Alderman Ahern, seconded by Alderman Doyle, rescinded its decision concerning that part of the said report advising that the Department horse should be destroyed and directed the Commissioner to pasture the animal unless a veterinary surgeon advise that it be humanely destroyed.

Respectfully submitted,

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

June 23, 1943.

PURCHASE OF TRUCKS -- WATER DEPARTMENT

His Worship the Mayor.

Sir:-

In speaking with Mr. Kaye of the Engineering Services Limited, he is anxious that a light delivery truck, preferably the closed-in type, be put at the disposal of the Meter Inspectors during the survey. With the amount of travelling that must be done in the repairs, installation of the new and old meters it would be advisable to purchase a new truck as soon as possible or a second-hand if a new one is not available.

It will also be necessary to have a heavier truck, 1½ tons for construction work and maintenance in general. The old horse used with the Department for the past 15 years, is not now capable to do heavy work and should be humanely destroyed.

I would recommend the above mentioned suggestions and also that the light delivery truck at present used should be retained as a general service truck in future.

Respectfully submitted,

R. H. MacKinnon,
Commissioner of Works.

July 15, 1943.

Moved by Alderman Reardon, seconded by Alderman Ahern that the report be approved. Motion passed.

PAINTING ETC. -- CITY HALL

Read report of the Committee on Works re painting etc., City Hall.

July 15, 1943.

PAINTING AND CLEANING CITY HALL

The City Council.

Gentlemen:-

In accordance with a resolution of the City Council passed on the 17th day of June 1943, that the Committee on Works further consider and submit another report concerning the painting etc., of the Police Station, the matter was considered by the Committee at meetings held on the 5th and 13th instant.

On the latter date the Committee considered the attached report from Alderman Reardon and the Commissioner of Works.

On motion of Alderman Reardon, seconded by Alderman Ahern, the Committee recommended to Council that linoleum be not installed on the floors of any of the corridors of City Hall this year, but that the tender of Cosgrove Bros., \$1447.00 for painting etc., of the Police Station be accepted. This amount is within the combined total estimates for painting and repairs Police Department \$750.00 and \$910.00 for linoleum for the first and second floor corridors.

Respectfully submitted,

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

Moved by Alderman Reardon, seconded by Alderman Ahern that the report be approved. Motion passed.

SALARY OF SHOP FOREMAN

Read report of the Committee on Works re the salary of the shop foreman.

July 15, 1943.

SALARY OF SHOP FOREMAN -- WATER DEPARTMENT

The City Council.

Gentlemen:-

July 15, 1943.

The Committee on Works at a meeting held on May 11, 1943, adopted the attached report of the Commissioner of Works dated May 8, 1943, recommending that Mr. Clyde Purcell be appointed to the position of Shop Foreman, Water Department, City Field, and that he be paid for the present a salary of \$1800.00 per year as from May 1, 1943.

Because of a misunderstanding the said report was not forwarded to Council previously for consideration of the salary involved, and approval is now sought for payment of the \$1800.00 salary as recommended by the Commissioner and as approved by the Committee on Works.

Respectfully submitted,

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

Moved by Alderman Reardon, seconded by Alderman Ahern that the report be approved. Motion passed.

CLAIM OF MRS. KINSMAN

Read report of the Committee on Works re Claim of Mrs. Kinsman.

July 15, 1943.

CLAIM OF MRS. KINSMAN 95 MAITLAND ST.

The City Council:

Gentlemen:--

The Committee on Works at a meeting held on the 13th instant, on Motion of Alderman Reardon, seconded by Alderman Coffin, approved and recommended to Council for adoption the attached report of the Commissioner of Works, dated July 12, 1943, recommending payment to Mrs. Kinsman of an amount not exceeding \$100.00 in full settlement of her claim against the City for damages and loss allegedly caused by the overflow of the sewer into her property #95 Maitland Street.

Attached hereto are copies of communications dated September 21, 1942 and January 7, 1943, from Mrs. Kinsman in connection with this claim.

Respectfully submitted,

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

Moved by Alderman Reardon, seconded by Alderman Coffin that the report be approved. Motion passed.

July 15, 1943.

RELEASE TO HALIFAX INS. CO.

Read report of the Committee on Works re release to the Halifax Insurance Company.

July 15, 1943.

RELEASE TO HALIFAX INSURANCE COMPANY

The City Council.

Gentlemen:-

The Committee on Works at a meeting held on the 13th instant, on motion of Alderman Coffin, seconded by Alderman MacDonald, recommended that Council grant the full release to the Halifax Insurance Company which endorsement of the attached cheque from that Company to the City of Halifax for \$550.15 in full payment of the City's claim for fire damage at the Incinerator, would constitute. (Cheque No. 27496, Claim No. 364-100-1)

Respectfully submitted,

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

Moved by Alderman Coffin, seconded by Alderman McDonald that the report be approved. Motion passed.

HALIFAX INSURANCE CO. - PAYMENT OF COURT AWARD

Read report of the Committee on Works re payment of court award.

July 15, 1943.

HALIFAX INSURANCE COMPANY-LETTER RE PAYMENT OF COURT AWARD

The City Council.

Gentlemen:-

The Committee on Works at a meeting held on the 13th instant, was advised by His Worship the Mayor of the contents of the attached letter dated June 30, 1943, from the Halifax Insurance Company re payment of Court Award.

The said letter is forwarded herewith for the information of City Council.

Respectfully submitted,

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

July 15, 1943.

June 30, 1943.

His Worship the Mayor,
City of Halifax,
City Hall.

Dear Sir:-

Re: Claim Policy No. 6A i-1202 City of
Halifax.

On November 20, 1942 we were notified by the Commissioner of Works that an accident had occurred in which one of the city trucks, driven by Joseph LaPierre, injured Mrs. John A. Smith. It subsequently developed that the accident occurred on August 31st, but that our company was not notified until November 20th.

As we had not received immediate notice of the accident, which is a condition of the policy because lack of such notice deprives us of an opportunity for adequate investigation, we wrote to the Mayor on November 23rd, asking that a waiver agreement be signed, releasing us of any liability in connection with this accident, but permitting us to proceed with our investigations and defense of the case if it was felt advisable. Our investigations led us to believe that the City was not liable in this instance, and we appointed Messrs. MacDonald, McInnes, MacQuarrie & Pattillo to defend the case, in view of the fact that the claimant would not listen to any reasonable settlement.

Mr. Pattillo acted in conjunction with Mr. Bethune, and the case went to trial before Mr. Justice Carroll, Judgment was delivered a few days ago against the City of Halifax in the amount of \$386.50, and \$127.90 costs. Although there is no liability on the part of our company, we have decided that we will not make use of the City's waiver, and that we will pay the judgment and costs. We are accordingly forwarding our cheque to our solicitors in settlement.

We would appreciate acknowledgment of this letter.

Yours very truly,

D. G. Peters.

Moved by Alderman Hosterman, seconded by Alderman Doyle that the report be approved. Motion passed.

BIANCO BROS.-CONTRACT

Read report of the Committee on Works re
Bianco Bros. Contract.

July 15, 1943.

BIANCO BROS-LETTER RE SIDEWALK CONTRACT

The City Council.

Gentlemen:-

Attached hereto is a letter from Bianco Bros., under date of July 12, 1943, which was considered by the Committee on Works at a meeting held on the 13th instant.

On motion of Alderman Ahern, seconded by Alderman Doyle, the Committee recommended to Council that because of the circumstances indicated in the said letter, Bianco Bros. be released from their obligation to the City in regard to their tender for the construction of concrete sidewalks etc., and that their deposit be returned to them.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Halifax, N. S.,
July 12, 1943.

Mayor J. E. Lloyd, Esq.,
Halifax, N. S.,

Dear Sir:

We regret that we are unable at the present time to start on the sidewalk contract.

We had arranged for laborers to do this work but they have nearly all been taken by the services. We have been unable to get any help through the Selective Service Department, and unless you could use your influence with the Selective Service to get some help we must only wait until we can obtain the men we require.

We are very anxious to get on with this work but you will understand that it is utterly impossible for us to do so without men.

Yours sincerely,

Bianco Bros.,
Per Emile Bianco.

Moved by Alderman Reardon, seconded by Alderman Doyle that the report be approved. Motion passed.

HANGAR AT AIRPORT

Read report of the Committee on Works re Hangar at Airport.

July 15, 1943.

July 15, 1943.

HANGAR AT AIRPORT

The City Council:

Gentlemen:-

The Committee on Works at a meeting held on the 13th instant, considered the attached report from the Commissioner of Works dated July 12, 1943, and entitled "Hangar at Airport".

The said report was not adopted by the Committee on motion of Alderman Reardon, seconded by Alderman Coffin, recommended that the Commissioner of Works advise the Department of National Defence to demolish the building and remove the materials to City Field.

Respectfully submitted,

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

July 12, 1943.

HANGAR AT AIRPORT

His Worship the Mayor,

Sir:-

Last November a letter was received from Lieut. Willet in regard to the demolition of the hangar at the airport. The matter was up before the Committee on Works and it was decided that we ask the Department of National Defence to move it to some point selected by the Commissioner of Works.

We are now advised that it will be impossible to move this building because of its method of construction and that it must be demolished.

I feel that if this building is to be demolished, some compensation should be made to the City. The City has not yet abandoned the field as an airport for future use and in the event of it being used again the Department should have the building replaced.

Respectfully submitted,

E. M. MacKinnon,
Commissioner of Works.

Moved by Alderman Reardon, seconded by Alderman Doyle that the report be approved. Motion passed.

July 15, 1943.

BORROWING SCHOOL BOARD

Letter from Clerk of the Executive Council
re Borrowing School Board.

Halifax, N. S.,
July 9, 1943.

Dear Sir:

I enclose herewith certified copy of Order in Council made the 8th instant ordering the City of Halifax to issue debentures or stock to raise the amount necessary for the purpose of purchasing a strip of land south of Tower Road School, the said land to cost approximately One Thousand Six Hundred Dollars (\$1,600.00).

A certified copy of this Order in Council is being forwarded to the Secretary of the Board of School Commissioners for the City of Halifax.

Yours very truly,

Arthur S. Barnstead,
Clerk of the Executive Council.

CERTIFIED COPY OF ORDER IN COUNCIL

I hereby certify that the following is a true copy of an Order of His Honour the Lieutenant Governor of Nova Scotia in Council made the 8th day of July, A. D. 1943:-

WHEREAS the Board of School Commissioners for the City of Halifax requires an amount necessary for the purpose of purchasing a strip of land south of Tower Road School, the said land to cost approximately One Thousand Six Hundred Dollars (\$1600.00):

AND WHEREAS the said Board has applied to the Governor in Council for an order directing the City of Halifax to issue its debentures or stock to the amount so required.

AND WHEREAS the Governor in Council appointed Thursday, the 8th day of July, A. D. 1943, at twelve o'clock noon, in the Executive Council Chamber, Province House, City of Halifax, as the time and place at which the matter of such application should be heard:

AND WHEREAS due notice of the amount so required and the purpose for which the same is required and of the time and place so appointed were given to the Mayor of the City:

AND WHEREAS the matter of said application was heard at the said time and place, the Council of the said City not appearing at the hearing:

Now therefore the Lieutenant Governor acting by and with the advice of the Executive Council, and under and by virtue of Section 921-1 (a) of the Halifax City Charter, is pleased to order and

July 15, 1943.

direct and hereby orders and directs the City of Halifax to issue debentures or stock to raise the amount so required.

Arthur S. Barnstead,

Clerk of the Executive Council.

FILED

APPROPRIATIONS

Read report of the Chief Accountant re Appropriations.

REPORT ON APPROPRIATIONS
AS AT JUNE 30, 1943.

TO THE CITY COUNCIL

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

<u>APPROPRIATION</u>	<u>FREE BALANCE</u>
City Home Maintenance	\$ 41,685.98
City Home Salaries	30,078.20
Fleming Park	3,268.05
Public Gardens	15,853.61
T. B. Hospital Maintenance	28,111.34
T. B. Hospital Salaries	19,971.38
I. D. Hospital Maintenance	13,413.54
I. D. Hospital Salaries	9,060.00
Public Health & Welfare Maintenance	3,426.72
Public Health & Welfare Salaries	15,288.10
Police Dept. Maintenance	12,384.38
Police Dept. Salaries	128,090.90
City Prison Maintenance	12,709.22
City Prison Salaries	14,817.14
Works Department	304,784.30
Fire Dept. Maintenance	27,668.18
Fire Dept. Salaries	172,198.03
Fire Alarm Telegraph Service	2,667.38
Fire Alarm Salaries	6,368.90
Printing and Stationery	10,515.20
Library Maintenance	2,743.20
Library Salaries	3,180.00
Co-operative Health Maintenance	17,396.55
Co-operative Health Salaries	27,496.22

M. L. Bellew,

Chief Accountant.

July 15, 1943.

TAX COLLECTIONS FOR THE MONTH OF JUNE

Read report of the Chief Accountant re Tax
Collections for the month of June as follows:

Arrears Taxes

Civic Year	Reserve	Outstanding Balances May 31/43.	New Accounts and adjustments	June Collections	Outstanding Balances June.
1940-41	\$87,019.17	\$92,673.06		\$ 6,819.98	\$85,853.08
1941-42	48,293.98	162,286.65		12,995.36	149,291.29
1942-43	21,837.58	326,375.65		27,417.58	298,958.07
Current 1943-44	39,858.00	1,596,964.11		871,903.25	725,060.86
Water Dept. Rates		73,175.56	\$4,717.65	15,753.48	62,139.73
		<u>2,251,475.03</u>	<u>4,717.65</u>	<u>\$934,889.65</u>	<u>1,321,303.03</u>

Poll Taxes

1934-35	596.94	33.00	563.94
1935-36	353.42	65.50	287.92
1936-37	159.10	84.50	74.60
1942-43	5,959.01	583.18	5,375.83
1943-44	72,063.45	2,727.70	69,335.75

Additional Collections	1943-44	1942-43
Tax Arrears 1908-9 to 1924-25	\$14.93	\$16.05
Corresponding period last year		
Tax Arrears 1925-26-1939-40	\$2,250.72	\$4,265.58
Corresponding period last year		
Collections as per statement above	934,889.65	641,469.66
Corresponding period last year	<u>937,155.30</u>	<u>645,751.29</u>
Collection of Poll Tax		
May 1, 1943 to June 30, 1943	\$9,471.56	\$6,520.98
Corresponding period last year		

Note:

Combined collections of May and June compared with same months of previous year are as follows:

	1943-44	1942-43
Tax Years 1908-9 to 1924-25	\$ 19.11	\$ 70.64
" 1925-26 to 1939-40	5,641.39	9,475.78
Collections per statement above	2,058,504.58	1,865,750.36
Poll taxes	9,471.56	6,520.99
	<u>\$2,073,636.64</u>	<u>\$1,881,817.77</u>

M. L. Bellew,

Chief Accountant.

FILED

July 15, 1943.

BOARD OF FIRE ESCAPES REPORT

July 14, 1943.

Re: Board of Fire Escapes Activities

His Worship the Mayor.

Sir:-

According to the decision of the Fire Escapes Committee to report on the activities of the Committee, we beg to submit herewith the following account of inspections made between January and July.

In January Mr. F. C. McGillivray of the Fire Department was appointed as Capt.-Inspector for this committee. In brief the following is a summary of inspections.

Isnor Bldg. - Agricola & Bloomfield Streets

Inspections made and recommendations carried out.

Orange Hall - Cogswell St.

Inspections made and recommendations have been carried out.

Labor Temple - North Park St.

Inspections made and recommendations carried out.

Jubilee Board Club

Recommendations carried out and completed.

Roseland Dancehall - Cogswell Street

This building has been closed.

Sliver Slipper

Nothing done, but inspections were made.

Y.M.C.A. - Barrington Street

An inspection was made of this bldg. by the Fire Marshall and the Fire Escapes Committee. The work recommended here is now underway.

Sacred Heart Convent - Spring Garden Road.

Inspections were made by Capt. McGillivray and the recommendations will be carried out as soon as possible.

City Prison

A report on the City Prison was sent to the Chairman of the Health & Welfare Committee and progress has been made in regard to improving existing conditions.

July 15, 1943.

K. of G. Hostel - Barrington St. & Almon St.

Recommendations made in regard to these two buildings have been carried out and completed.

Community Theatre

This theatre was inspected and the Board of Censors were advised that it was not fit to be licensed as a place of public amusement of any kind, in view of a verbal report from the Inspector. The Committee is now awaiting a complete report concerning further details before definite action can be taken.

Schools

Reports were received from Capt.-Inspector McGillicray and the Asst. Fire Marshall, concerning conditions of the various schools in the City of Halifax. This was the first written reports have been received and the members of the Committee have gone over these reports and will meet again on Friday, July 16th to take up further, the condition of the schools.

Canadian Legion Atlantic House - 165 Hollis St.

The dances at this building have been discontinued.

Merchant's Seamen's Manning Pool - N. Barrington St.

Recommendations made here are being carried out.

Staff Houses - Wartime Housing - N. Barrington St.

These buildings were inspected and everything is satisfactory.

CLAYTON & SONS

Inspected and recommendations made that two fire escapes will be erected - The Inspector is following up to see that this is being done.

St. Theresa's Retreat & Nurses Home - Morris St.

The Sisters have agreed to put fire escapes on these buildings, on recommendation of the Inspector.

St. Mary's College.

Inspection made of this building and the Inspector is to return again to go over the building with the Priest in charge, pointing out just what is necessary to carry out the improvements required.

Altogether there have been 113 inspections made to date and the following have been completed, in addition to those mentioned previously in this report.

Hillside Hall; 541 Barrington St; Brunswick Hotel; Canadian War Legion War Service Hostel; Salvation Army War Service Hostel; 73 Grafton St; Alexandra Apts; Glendale Hotel; St. Paul's Home for Girls; Allied Seaman's Club; Grosvenor Hotel Annex;

July 15, 1943.

Evangeline Hotel; Salvation Army Men's Hostel; Argyle St; Pine Hill Divinity Hall; 18 Rottenburg St; 361 Spring Garden Road; Moirs Box Factory; Halifax Arena; American Grill; and North End Service Men's Canteen.

Final notices are being sent to those who have not complied with or responded to our recommendations, giving them a stated period in which to start the work which has been ordered.

Respectfully submitted,

R. M. MacKinnon,
Chairman, Board of Fire Escapes.

FILED

REMARKS BY HIS WORSHIP THE MAYOR

His Worship the Mayor stated that there was a great deal of difficulty in securing men for carrying out the water survey and other projects in the City and that men were urgently needed by the N. S. Light and Power Co., Ltd.

His Worship suggested that the City endeavour to secure a gang of men and pay them at the regular rate of 45 cents an hour and pay \$2.50 per week on their board, the same being \$9.50 per week and that a staff house be secured if possible for the housing of the men. The City to pay transportation of the men into the City.

The men were to be brought into the City from the Province with the help and co-operation of the National Selective Service Board by giving the men a higher priority than usual for this purpose. These men would also be working for the Public Utilities Board in conjunction with the City.

It was then moved by Alderman Ahern, seconded by Alderman Reardon that the Committee on Works be authorized to make arrangements for such a plan. Motion passed.

Moved by Alderman Adams, seconded by Alderman Hosterman that this meeting do now adjourn. Motion passed.

Meeting adjourned.

11:00 P. M.

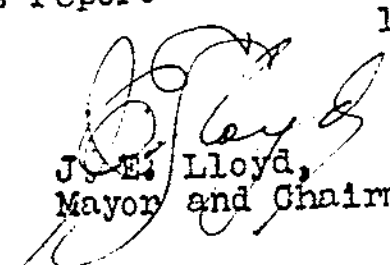
LIST OF HEADLINES

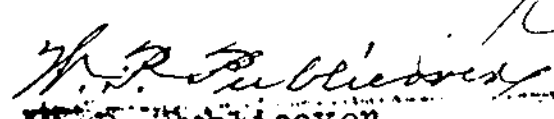
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J. E. Lloyd,
Mayor and Chairman


W. P. Publicover,
CITY CLERK.

A F T E R N O O N S E S S I O N
SPECIAL MEETING

5:00 o'clock,
Council Chamber
City Hall,
August 3, 1943

A meeting of the City Council was held this day. At the above named hour there were present, His Worship, the Mayor, Aldermen, Reardon, Hosterman, Breen Coffin, Adams, DeWolf, McDonald, Doyle, Walker, Burgess and Ahern.

The meeting was called specially to consider the following items:

1. Report of Safety Committee re Fire Boat.
2. Report of Safety Committee re Ladder Truck.

FIRE BOAT

Read report of the of the Safety Committee as follows:

Halifax, N.S.
Aug. 3, 1943.

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

Gentlemen:

At a meeting of the Safety Committee held on July 29, 1943, Mr. R.W. Hendry, Port Manager, reported that the Dominion Government is forwarding a second fire boat to Halifax for general protection on the waterfront. It is larger than the "Rouille" is modernly equipped and capable of pumping approximately 7000 gallons of water per minute.

Mr. Hendry stated that National Harbours Board would provide the boat and pay all the costs of maintaining the same including the wages of the crew and firemen assigned to the boat and uniforms and equipment for the same and that no expense in respect of the new fire boat would fall upon the City.

Mr. Hendry requested the City to supply six trained firemen for duty on the fire boat who would be paid by the City and the moneys so paid would be refunded to the City by the National Harbours Board.

The Chief of the Fire Department pointed out that this would mean that the City would have to employ six additional firemen to replace those assigned to the fire boat.

August 3, 1943

It was also pointed out that since the Charter of the new fire boat was for six months that the City should not employ the additional firemen for a longer period unless it intended to keep them on the strength of the force indefinitely. While it was probable that the new fire boat would remain in service for the duration of the war and some period thereafter there was no assurance that this would be so beyond the period of the original charter.

Apart from the provisions requiring the City to make monthly payments and the term of the agreement the manner of operation of the new fire boat could be covered by an agreement similar to that now in effect concerning the "Rouille".

Your Committee therefore recommends as follows:

1. That six trained members of the Fire Department be assigned for duty on the new fire boat.
2. That the number of men in the Fire Department be increased by appointing six additional firemen to hold office for a period of six months and thence from month to month and that upon the discontinuance of employment of such additional firemen the number of men in the department revert to the number at present in that department.
3. That the City execute an agreement with the National Harbours Board satisfactory in form to the City Solicitor for the purpose of carrying out the intention of the City, said agreement to be similar in form to that respecting the "Rouille", provided that no expense be borne by the City with respect to the said new fire boat.
4. That the transfer of the six trained firemen to the fire boat be conditional upon the City being able to secure six additional men to replace these men satisfactory to the Chief of the Fire Department.

Respectfully Submitted

W.P. Publicover,
CITY CLERK.

Moved by Alderman Adams, seconded by Alderman Hosterman, that the report be approved. Motion passed.

LADDER TRUCKS

Read report of the Safety Committee and letter of the Auto Sales Co. Ltd. as follows:

August 3, 1943.

Halifax, N.S.
August 3, 1943

His Worship the Mayor and
Members of the City Council.

Gentlemen:-

At a meeting of the Safety Committee held on the above date, the matter of purchase of Ladder Trucks for the Fire Department which was referred to this Committee by the City Council was considered.

A letter from Auto Sales Co. Ltd., advising that they will reduce the price of their LaFrance 85' Ladder Truck from \$21,000 to \$20,500 was read.

Your Committee recommends that this offer be accepted and the City purchase one 85' Bus Front Construction Ladder Truck at \$20,500 from the LaFrance Fire Engine and Foamite Ltd., and one 65' Ladder Truck without cab at \$19,500 from Bickle Seagrave Ltd.

Your Committee also recommends that the sum required for the purchase of these ladder trucks be borrowed in accordance with legislation secured at the last session of the legislature.

Respectfully submitted

W.P. Publicover,
CITY CLERK.

Halifax, N.S.
August 3rd, 1943.

Mayor John E. Lloyd,
City Hall,
Halifax, N.S.

Dear Sir:-

Owing to the fact that there is only \$40,000 available for the purchase of Aerial ladder trucks, I will reduce the price of our LaFrance 85ft. ladder from \$21,000 to \$20,500 in order that the City maybe able to purchase a LaFrance Bus front or Cab over Engine construction if they wish, and thus have the advantage of the increased horse power and shorter wheel base of this job.

If your council will favour our company with an order for one of the two aerial trucks which you are about to purchase it will be appreciated.

Yours very truly,

Sgd. AUTO SALES COMPANY LTD.
B.M. Blackadar.

August 3, 1943

Moved by Alderman Breen, seconded by Alderman Hosterman, that the report be approved.

Motion put and lost six voting for the same and five against as follows

<u>FOR THE MOTION</u>	<u>AGAINST THE MOTION</u>
Alderman Reardon	Alderman McDonald
" Breen	" Doyle
" Hosterman	" Walker
" Coffin	" Burgess
" Adams	" Ahern
" DeWolf	

-6-

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A two thirds vote being required.

Moved by Alderman Adams, seconded by Alderman Coffin, that this meeting do now adjourn.

Motion passed.

Meeting Adjourned - 5:25 PM

LIST OF HEADLINES

Fire Boat
Ladder Truck

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

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J.E. Lloyd
J.E. Lloyd,
MAYOR AND CHAIRMAN

CITY COUNCIL MEETING
THURSDAY
AUGUST 12, 1943.

A G E N D A

- Minutes.
Presentation Royal Humane Certificates.
1. Election Returns.
 2. Accounts.
 3. Report Finance and Executive Committee re Tag Day.
 4. " " " " re Sale of Lots.
 5. " " " " re Superannuation J. L. Power.
 6. " " " " re Purchase of Hose.
 7. " " " " re Borrowing Bd. School Commsrs.
 8. " " " " re Account Department of High-ways.
 9. " " " " re Saturday Afternoons.
 10. " " " " re Salaries.
 11. " " " " re Tenders for Book Wrappers.
 12. " " " " re Check-Off Civic Workers Ass.
 13. " " " " re Purchase of Land.
 14. " " " " re Poplar Street Sewer.
 15. " " " " re Survey Water System.
 16. " " " " re Account Water Survey.
 17. " " " " re Ordinance Red Certificate.
 18. " " " " re Garbage Collection.
 19. Memorandum His Worship the Mayor re Housing.
 20. Report Safety Committee re Sale of Obsolete Equipment.
 21. " " " re Tenders Radio Equipment.
 22. " " " re Fire Alarm Box City Prison.
 23. Report Public Health & Welfare Committee re Tenders for meats.
 24. " " " " re Account for Dry Goods.
 25. " " " " re Salary Truck Driver.
 26. Questions.
 27. Report Committee on Works re Addressograph Plates.
 28. " " " re Overhanging Sign.
 29. " " " re Wooden Addition in Building District.
 30. " " " re Gun at the City Field.
 31. " " " re Tenders for Sidewalks.
 32. " " " re Disposal of Equipment at City Field.
 33. " " " re Official City Plans.
 34. " " " re Application Liquid Air Co., Ltd. Sidewalk.
 35. " " " re Reduction in Water Accounts.
 36. Letter Clerk of the Executive Council re Approval of amendment to Ordinance Number 13.
 37. Report Chief Accountant re Appropriations.
 38. " " " re Tax Collections.
 39. Letter re Chinese War Relief Fund.

EVENING SESSION

8.06 o'clock,
Council Chamber,
City Hall,
August 12, 1943.

A meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor Chairman; Aldermen Reardon, DeWolf, McDonald, Doyle, Walker, Burgess and Ahern.

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 Walker, seconded by Alderman Ahern that the minutes of the previous meetings be approved. Motion passed.

PRESENTATION

Mr. H. W. Jubien on behalf of the Royal Canadian Humane Association introduced Mr. Everett Higgins and stated that he and Mr. Fred A. Baldwin had rescued Mrs. W. S. Havill and daughter from drowning in Chocolate Lake and for this heroic act, the Royal Canadian Humane Association had issued Parchment Certificates which he asked the Mayor to present.

His Worship the Mayor then presented a Parchment Certificate to Mr. Higgins and requested him to accept one for Mr. Baldwin which he consented to do.

CIVIC ELECTION - CASUAL VACANCY WARD #1.

Read return of the City Clerk of the election of Alderman for casual vacancy in Ward #1 covering the nomination of Edward Bertie Batson.

August 3, 1943.

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

Gentlemen:-

Agreeable to the provisions of the Halifax City Charter and Acts in amendment thereof in respect to the election of Aldermen for the City of Halifax, I herewith submit the original nomination papers of Edward Bertie Batson for the office of Alderman for Ward No. 1 of the City of Halifax to fill the

August 12, 1943.

vacancy caused by the resignation of Alderman Henry John Stech, he being the only candidate nominated for the said office at the election to be held on August 4, 1943.

Yours very truly,

W. P. Publicover,
CITY CLERK.

The City Clerk thereupon declared Edward Bertie Batson duly elected to the office of Alderman to fill the vacancy in Ward No. 1 caused by the resignation of Alderman Henry John Stech, term expiring April 30, 1946.

His Worship the Mayor then administered the oaths of Allegiance, of Office and of Justice of the Peace to Alderman Batson and after signing the Aldermanic Roll, he was escorted to his seat by His Worship the Mayor.

PRAYER

Alderman Batson submitted a copy of a Prayer which he suggested should be read at the opening of every Council meeting.

Moved by Alderman Ahern, seconded by Alderman Burgess that the Rules of Order of Council be suspended in order that the matter may be discussed. Motion passed.

His Worship the Mayor stated that the Council could approve of the principle and refer the matter to the Finance and Executive Committee for consideration of amending the Ordinance relating to the Rules of Order of Council.

The adoption of this suggestion was moved by Alderman Burgess, seconded by Alderman Ahern and on being put passed unanimously.

APPOINTMENT TO COMMITTEES

His Worship the Mayor nominated Alderman Batson

August 12, 1943.

to serve on the same committees as his predecessor.

Moved by Alderman McDonald, seconded by Alderman Doyle that the nomination of the Mayor be approved. Motion passed.

ACCOUNTS

The following resolution covering accounts of the various committees was submitted.

RESOLVED that the Council approve for payment the bills and accounts of expenditures submitted to this meeting by the Finance and Executive Committee amounting to \$8,522.05; the Committee on Safety amounting to \$917.51 chargeable to Fire Alarm; \$15,159.43 chargeable to Fire Department and \$14,555.08 chargeable to the Police Department; the Committee on Public Health and Welfare amounting to \$17,066.91 chargeable to Health Department; \$8,993.41 chargeable to City Home and \$3,002.59 chargeable to City Prison; the Committee on Works amounting to \$17,977.15; Civic Defence Committee amounting to \$918.85 under the provisions of Section 315 of the City Charter.

Moved by Alderman DeWolf, seconded by Alderman Walker that the resolution as submitted be approved. Motion passed.

TAG DAY

Read report of the Finance and Executive Committee as follows:

Halifax, N. S.,
August 10, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date a request from the Ladies Auxiliary of the P. L. F. for permission to hold a Tag Day was considered.

Your committee recommends that the application be granted for Saturday September 4, 1943.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Walker that the report be approved. Motion passed.

His Worship the Mayor stated that the I. O. D. E.

August 12, 1943.

had also applied for permission to hold a Tag Day on behalf of the Chinese War Relief Fund.

Moved by Alderman Walker, seconded by Alderman Burgess that permission be granted to this Organization to hold a Tag Day on Saturday September 11, 1943. Motion passed

SALE OF PROPERTIES

Read report of the Finance and Executive Committee as follows:

Halifax, N. S.,
August 10, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date tenders for the sale of lots owned by the City were considered.

Your committee recommends that the following tenders be accepted:

Harold Purcell \$105.00 for lot No. 12 S/S Cabot St.

Longley & Longley \$275.00 for lots 34 and 35 E/S Windsor Street.

Mrs. Muriel Chaffay \$70.00 for lot No. 20 E/S Rosemead Ave.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Walker that the report be approved. Motion passed.

SUPERANNUATION OF SERGEANT J. L. POWER

Read report of the Finance and Executive Committee as follows:

Halifax, N. S.,
August 10, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date a report from the Safety Committee recommending that Sgt. J. L. Power be granted one month's leave of absence from August

August 12, 1943.

15, 1943 and superannuated at the end of that period under the provisions of Section 270 of the City Charter at an annual allowance of \$1,428.56 was considered.

Your committee recommends that the report be approved.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Walker that the report be approved. Motion passed.

PURCHASE OF HOSE

Read report of the Finance and Executive Committee as follows:

Halifax, N. S.,
August 10, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date a report from the Public Health and Welfare Committee recommending that the sum of \$301.00 be borrowed under the provisions of Section 332 A of the City Charter for the purpose of purchasing 350 ft. of single jacket 2½ inch rubber lined hose at 86¢ per foot including couplings for use at the City Prison and also recommending that the hose be purchased from the Gutta Percha & Rubber Ltd., who have same in stock was considered.

Your committee recommends that the report be concurred in subject to the hose being guaranteed to the approval of the Chief of the Fire Department.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Walker that the report be approved. Motion put and passed, the following Aldermen being present and voting therefor:

Alderman Batson
" Reardon
" DeWolf
" McDonald
" Doyle
" Walker
" Burgess
" Ahern

August 12, 1943.

BORROWING SCHOOL BOARD

Read report of the Finance and Executive Committee as follows:

Halifax, N. S.,
August 10, 1943.

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

Gentlemen:--

At a meeting of the Finance and Executive Committee held on the above date a request from the Board of School Commissioners for authorization to purchase furniture at an amount not exceeding \$6,000.00 for the ten room school building which is to be erected at Ardmore Park was considered.

Your committee recommends that the Council do not oppose the application of the Board of School Commissioners to the Governor in Council for the authority sought to spend a sum not exceeding \$6,000.00.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman DeWolf, seconded by Alderman Walker that the report be approved. Motion passed unanimously.

ACCOUNT DEPARTMENT OF HIGHWAYS

Read report of the Finance and Executive Committee as follows:

Halifax, N. S.,
August 10, 1943.

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

Gentlemen:--

At a meeting of the Finance and Executive Committee held on the above date the attached letter from the City Solicitor in connection with an account of the Department of Highways amounting to \$1,364.36 for damage to Dutch Village Road September 21, 1942 was considered.

Your committee recommends that the account be approved for payment.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

August 12, 1943.

July 19, 1943.

W. P. Publicover, Esq.,
City Clerk.

Dear Sir:-

At the May meeting of the Council the matter of whether the City had authority to pay this account was referred to me.

I have given the matter some consideration and find that in view of the fact that the City owned half the Dutch Village Road at the point where the damage occurred it is reasonable that the City should pay half the expense.

The foregoing opinion, however, is based on the bare facts of the case. As to whether the actual flooding was caused by the Canadian National Railways development at the Round House or by some other cause which might give the City a claim against some other body I have not considered, as this should be involved in discussions of the Bottle Neck.

I am enclosing herewith the account of the Department of Highways with the City's vouchers attached hereto.

Yours very truly,

Carl P. Bethune,
City Solicitor.

Moved by Alderman DeWolf, seconded by Alderman Walker that the report be approved. Motion passed.

Alderman Burgess felt that the City was paying the Government's share of the expenses as well as their own and requested the Commissioner of Works to report on the matter.

SATURDAY AFTERNOONS OFF

Read report of the Finance and Executive Committee as follows:

Halifax, N. S.,
August 10, 1943.

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

Gentlemen:-

At a meeting of the Finance and Executive Committee held on the above date a report from the Committee on Works recommending that the approval given by City Council whereby Civic Employees receive Saturday afternoons off with pay for the months of May, June and July 1943 be extended for the months of August, September and October 1943, was considered and concurred in.