

BY-LAW NO. 2195

BEING A BY-LAW to ratify, approve and confirm the following:

- (a) Resolution No. 37 passed and adopted by the Council of the City of North Bay on the 21st day of March 1960.
- (b) Resolution No. 36 passed and adopted by the Council of the City of North Bay on the 4th day of June 1962.
- (c) The issue of the Writ of Summons in the Supreme Court of Ontario on the 29th day of November 1960 on behalf of the Corporation of the City of North Bay as Plaintiff and the Foundation Company of Canada Limited, et al as Defendants.
- (d) The retaining of Counsel to act on behalf of the Corporation of the City of North Bay in connection with the aforesaid Supreme Court action.
- (e) All pleadings filed by and all steps and legal proceedings taken by the Solicitors and Counsel acting for and on behalf of the Corporation of the City of North Bay as Plaintiff in the aforesaid Supreme Court action.

AND BEING A BY-LAW authorizing the City Solicitor and Counsel retained on behalf of the Corporation to take all necessary steps and legal proceedings as they may deem advisable to carry the aforesaid Supreme Court action to its final completion.

WHEREAS the Council of the Corporation of the City of North Bay by Resolution No. 37 duly passed and adopted on the 21st day of March 1960 authorized A. Thos. Smith, Esq., City Solicitor, to proceed with the necessary legal action in connection with the Corporation's claim in connection with the Community Memorial Building.

AND WHEREAS on the 29th day of November 1960 the said A. Thos. Smith, Esq. on behalf of the Corporation of the City of North Bay as Plaintiff did issue a Writ of Summons in the Supreme Court of Ontario against the Foundation Company of Canada Limited, et al as Defendants.

AND WHEREAS the Council of the Corporation of the City of North Bay by Resolution No. 36 duly passed and adopted on the 4th day of June 1962 authorized A. Thos. Smith, Esq., City Solicitor, to retain Gordon W. Ford, Q.C., Toronto, Ontario to act as Counsel in connection with the aforesaid Supreme Court action.

AND WHEREAS it is deemed advisable to ratify, approve and confirm by By-law of the Corporation the aforesaid resolutions, the issue of the aforesaid Writ of Summons, the retaining of Counsel as aforesaid, the pleadings filed by and steps and legal proceedings taken by the Solicitors and Counsel acting on behalf of the Corporation of the City of North Bay in connection with the aforesaid Supreme Court action.

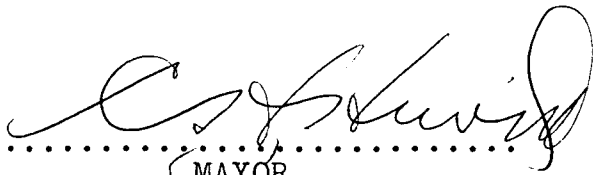
AND WHEREAS it is advisable to authorize the City Solicitor and Counsel aforesaid to take all necessary steps and legal proceedings as they may deem advisable to carry the aforesaid Supreme Court action to its completion.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. That Resolution No. 37 of the Council of the City of North Bay, dated March 21st 1960 and Resolution No. 36 of the Council of the City of North Bay, dated June 4th 1962 and any other Resolutions of the Council relating to the Supreme Court action or its claims as set forth in the Statement of Claim filed in the said action be and they are hereby ratified, approved and confirmed.

- 2. That the issue of the Writ of Summons hereinbefore referred to be and it is hereby ratified, approved and confirmed.
- 3. That the retaining of Gordon W. Ford, Q.C., as Counsel on behalf of the Corporation of the City of North Bay be and is hereby ratified, approved and confirmed.
- 4. That all pleadings filed and served and all steps and proceedings taken by the City Solicitors, A. Thos. Smith, Esq. and T. Rutherford Langdon, Esq., Q.C., and Counsel Gordon W. Ford, Esq., Q.C. to the date hereof be and they are hereby ratified, approved and confirmed.
- 5. That City Solicitor, T. Rutherford Langdon, Esq., Q.C., and Gordon W. Ford, Esq., Q.C., Counsel be and they are hereby authorized to take all such steps and legal proceedings as they may deem advisable to carry the aforesaid Supreme Court action to its final completion.
- 6. That the Mayor and Clerk be and they are hereby authorized and empowered to execute the within by-law on behalf of the Corporation of the City of North Bay and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 1ST DAY OF FEBRUARY 1965.  
 READ A SECOND TIME IN OPEN COUNCIL THIS 1ST DAY OF FEBRUARY 1965.  
 RULES OF ORDER WERE SUSPENDED AND BY-LAW READ A THIRD TIME AND  
 FINALLY PASSED THIS 1ST DAY OF FEBRUARY 1965.

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 MAYOR

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 CITY CLERK