

October 19th, 1892.

The Police Committee met this day. Present: Aldermen Boak, (Chairman); Outhit, Hubley, Wallace, and McFatrige.

Charges were read against Policeman James Nickerson, by the City Marshal for being drunk while on office duty; against Policeman James Brady, by Sergeant Caleb Nickerson, for being off his beat and being in a public house; also, against Policeman James Brady, by the Deputy Marshal, for being absent from duty and being under the influence of liquor. Upon hearing the evidence in the above cases the Committee were unanimous in recommending to the Council in the case of James Nickerson, his dismissal; in the case of James Brady on the charge made by Sergeant Caleb Nickerson, they recommend the dismissal of Officer Brady. Alderman McFatrige dissenting. The charge of the Deputy Marshal was laid over for future consideration.

The evidence in the above cases is attached herewith. Policeman Hughes handed in his resignation.

GEO. E. BOAK, *Chairman*.

Moved by Alderman Pickering, seconded by Alderman Lane, that said resolution be now reconsidered. Motion put and lost—eight voting for the same and ten against it. The names being called for appeared thus;

For Reconsideration.

Aldermen Hamilton, Duggan,
Pickering, Lane,
McFatrige, Eden,
Foster, Ryan.—8.

Against it.

Aldermen Boak, Morrow,
Allen, Dennis,
Wier, Wallace,
Hubley, Adams,
Mosher, Outhit.—10.

Alderman Hubley's notice of reconsideration of resolution passed at last meeting on 2nd clause of Report of Police Committee *re* dismissal of Policeman James Brady was now taken up. Moved by Alderman Hubley, seconded by Alderman Boak, that said resolution be now reconsidered. Motion put and passed by casting vote of the Mayor. The names being called for appeared thus;

For Reconsideration.

Aldermen Outhit, Mosher,
Adams, Hubley,
Wallace, Dennis,
Allen, Morrow,
Boak.—9.
The Mayor.

Against it.

Aldermen Foster, Eden,
McFatrige, Ryan,
Lane, Pickering,
Duggan, Hamilton,
Wier.—9.

Moved by Alderman Boak, seconded by Alderman Hubley, that the 2nd clause of the Report of the Police Committee recommending the dismissal of Policeman James Brady from the force be adopted.

Moved in amendment by Alderman Lane, seconded by Alderman McFatrige, that Policeman Brady be not dismissed from the force, but that a fine of five dollars be imposed on him; said amendment on being put is lost, seven voting for the same, and eleven against it. The names being called for appeared thus;

<p>For the Amendment.</p> <p>Aldermen Wier, Duggan, Pickering, Lane, Ryan, McFatrige, Eden.—7.</p>	<p>Against it.</p> <p>Aldermen Boak, Morrow, Allen, Dennis, Wallace, Hamilton, Hubley, Foster, Adams, Mosher, Outhit.—11.</p>
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The original resolution recommending the dismissal of Policeman Brady was then put and passed, eleven voting for the same, and seven against it. The names being called for appeared thus ;

<p>For the Resolution.</p> <p>Aldermen Mosher, Outhit, Adams, Foster, Hubley, Hamilton, Wallace, Dennis, Allen, Morrow, Boak.—11.</p>	<p>Against it.</p> <p>Aldermen Eden, McFatrige, Ryan, Lane, Pickering, Duggan, Wier.—7.</p>
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Read report of Board of City Works requesting the City Council to secure legislation to permit the City to spend \$100,000 a year, during the years 1893 and 1894 in pushing forward the construction of the sewers, now on the order book. Objected to and placed on Order Paper.

Moved by Alderman Pickering, seconded by Alderman McFatrige, that the Order of the Day be suspended, to read report of Board of City Works, requesting the council to provide \$3500 for the purposes of the internal health fund. Motion passed.

October 31st 1892.

The Board of Works beg to report that at a meeting held this day, the following resolution was adopted and ordered to be forwarded to the City Council. *Resolved*, that the City Council be respectfully requested to provide the sum of \$3500 for the purposes of the internal health fund, to meet the overdraw and continue the work as long as possible.

W. F. PICKERING, *Chairman*.

Said report was now read and the following resolution introduced.

Whereas, the fear of an epidemic from cholera, diphtheria, &c., during the spring and summer, has caused an unusual draft on the appropriation for internal health purposes. *And Whereas*, the whole of said appropriation has been expended necessitating an additional amount being placed to that service *Therefore Resolved*, and His Worship the Mayor, is hereby authorized to negotiate a loan with the bank, as set forth in the report of the Board of City Works, and place the same to the credit of internal health. *And further Resolved*, that His Honor the Recorder, is hereby instructed to draft an act, to be submitted to the legislature at its next session, to enable the city to assess the same to be included in its next years assessment.

Moved by Alderman Pickering, seconded by Alderman Boak, His Worship the Mayor rules that said resolution is of out order.

Moved by Alderman Dennis, seconded by Alderman Wier, that the Order of the Day be suspended, to allow Alderman Dennis to introduce a resolution. Motion passed. When it was moved by Alderman

Dennis, seconded by Alderman Boak, that Mr. Ronald, the Manufacturer of the Ronald Steam Engine, be allowed to address the council. Objected to by Alderman Duggan.

Moved by Alderman Wallace, seconded by Alderman Boak, that the Order of the Day be further suspended to allow Alderman Wallace to introduce a resolution. Motion passed. Alderman Wallace submits the following resolution by way of notice.

Resolved, That His Honor the Recorder be instructed to prepare a bill for presentation at the next session of the Local Legislature, with provisions, taking away the powers at present vested in the Police Committee and the City Council in regard to appointments to the police force of Halifax, and also taking away the power to fine and dismiss members of said force, and vesting all said powers and all necessary authority for the proper regulation of the police force in a committee to be composed of only three members, namely: the Mayor of the City, the Stipendiary Magistrate of the City, and an official to be appointed and called the Chief of Police, whose special duties shall be defined from time to time by regulations to be adopted by the City Council

Moved by Alderman Dennis, seconded by Alderman Boak, that No. 3 on Order Paper be now considered. Motion passed.

Read No. 3. Adjourned consideration of clause 4 of the report of committee on Laws and Privileges in re petition from Monastery of Good Shepherd with letter and petition from Revd. Dr. Lathern *et al.*, on the subject, report from Assistant City Clerk re number of girls under 18 years of age committed to Monastery of Good Shepherd, year 1891.

Read resolution of Alderman Dennis as set forth in Minutes of 14th September, 1892; also Alderman Pickering's amendment to the same. See printed minutes 14th September, 1892.

Alderman Pickering having leave of Council withdraws said amendment.

The following amendment is now introduced;—

Whereas, all denominations, with one exception, have expressed their desire and willingness to provide a home for and take proper care of all juvenile female offenders which may, in the discretion of the stipendiary magistrate, be sentenced from the police court.

And Whereas, experience of late in connection with the compulsory school act, has show the apparent necessity of the city in the near future, acquiring an institution wherein the juvenile offenders of all classes may be subject to such control and correction as may be in keeping with the spirit of the law bearing upon such offenders.

Therefore Resolved, that the prayer of the petitioners, Rev. Robt. Murray, and others be granted, and that no action be taken by this council in the preparation of a draft act, for the maintenance of female juvenile offenders in any denominational institution.

Moved by Alderman Wier, seconded by Alderman Adams, which amendment on being put is passed, ten voting for the same, and seven against it. The names being called for appeared thus:—

For the Amendment :

Aldermen Boak, Mosher,
 Allen, Wier,
 Hamilton, Pickering,
 Hubley, McFatridge,
 Adams, Outhit,—10

Against it :

Aldermen Dennis, Wallace,
 Duggan, Lane,
 Ryan, Eden,
 Mosher,—7.

The original resolution was now put and lost.

In accordance with the act relating thereto, the council now proceed to appoint two School Commissioners for the City of Halifax, in place of Alderman Wallace, and Ryan, whose terms have expired.

Moved by Alderman Ryan, seconded by Alderman Wallace, that Alderman Duggan, and Alderman Eden, be appointed School Commissioners, for the City of Halifax. Motion passed.

Moved by Alderman Hubley, seconded by Alderman McFatridge, that the Order of the Day be suspended, to allow Alderman Hubley, to introduce a resolution. Motion passed.

The following resolution is now introduced.

Resolved, That the License Inspector is hereby instructed to present a detailed report at the next meeting of the Council, showing :

1. A statement of all liquors seized by him during the past two years from unlicensed dealers in the City of Halifax, specifying the quality and kind of malt or spirituous liquors, the name of the person from whom seized, and the date of seizure.
2. The date of instructions from the Stipendiary for the destruction of the same, and the date of said destruction, if any.
3. A memo. of all undestroyed liquors in his possession.
4. A statement of what became of the other liquors seized, but not destroyed by him, in accordance with the law.
5. What liquors were delivered to any alderman or city officials, if any, and the date thereof, and the reasons for such delivery.

Moved by Alderman Hubley, seconded by Alderman Boak, and passed.

Moved by Alderman Wallace, seconded by Alderman Outhit, that the following items be struck from Order Paper, viz :

No. 17. Letter of William Murray, Governor City Prison, in explanation of evidence given by him before the Royal Commission of Liquor Traffic.

No. 19. Opinion of His Honor the Recorder in *re* claim of Henry Lethbridge for return of fines and costs in suit brought against him for a violation of the Building Act.

No. 21. Letter John T. Bulmer, preferring certain charges against Policeman Lewis Nickerson.

No. 23. Petition Policeman Hughes in *re* fine imposed on him for neglect of duty. Motion put and passed.

Alderman Duggan withdraws his objection to the motion that Mr. Ronald be heard.

Moved by Alderman Pickering, seconded by Alderman Adams, that the Council do now adjourn. Motion put and lost, six voting for the same, and nine against it. The names being called for appeared thus ;

For the Adjournment.

Aldermen Outhit, Adams,
McFatrige, Pickering,
Hamilton, Wier.—6.

Against it.

Aldermen Eden, Ryan,
Hubley, Duggan,
Wallace, Dennis,
Morrow, Boak,
Mosher.—9.

Moved by Alderman Dennis, seconded by Alderman Boak, that Mr. Ronald be heard for 15 minutes relative to the recent purchase of a Steam Fire Engine by the City. Motion passed.

Mr. Ronald accepts invitation of Council to appear within the rail, and addresses the Council from the floor of the Council Chamber on said matter.

Moved by Alderman Mosher, seconded by Alderman Adams, that the Council adjourn. Motion put and lost.

Moved by Alderman Boak, seconded by Alderman Wallace, that the Order of the Day be suspended to read letter from John D. Ronald, asking the City to take delivery of Steam Fire Engine. Motion passed, and said letter read. On motion said letter was referred to His Honor the Recorder for report.

Moved by Alderman Hubley, seconded by Alderman Outhit, that the Order of the Day be suspended, to allow Alderman Hubley to introduce a resolution. Motion passed, and the following introduced :

Whereas, J. B. Neily has publicly charged that E. W. Bremner attempted to obtain \$200 from him on the pretence that he could thereby obtain enough votes of the Council to ensure the purchase of the Ronald Steam Fire Engine.

Resolved, That the correspondence between the Mayor, J. B. Neily, and E. W. Bremner, be referred to the Committee on Laws and Privileges, with instructions to make a thorough investigation into all the facts of the alleged boodling, whether by private citizens or members of the City Council, to hold said investigation under oath, if they have such power, and report the facts elicited to the Council.

Moved by Alderman Hubley, seconded by Alderman Eden, and passed.

Alderman Dennis, by leave of Council, gives notice of motion of the following resolution :

Whereas, That the Council having voted against the principle of aiding in the support of juvenile female offenders sent to existing reformatories by the Stipendiary Magistrate ;

Resolved, That the Council will hereafter refuse to contribute to the support of male juvenile offenders sentenced to any Industrial School or Reformatory Institution in this city.

Moved by Alderman Boak, seconded by Alderman Hamilton, that the Council adjourn. Motion put and passed.

Council adjourns 11.55 o'clock.

NOVEMBER 16th, 1892

EVENING SESSION.

8.10 o'clock.

NOVEMBER 16th, 1892.

The City Council met this evening at the above hour. Present: His Worship the Mayor, Aldermen, Boak, Allen, Morrow, Dennis, Wier, Wallace, Pickering, Hamilton, Duggan, Lane, Ryan, Hubley, McFatrige, Foster, Eden, Adams, Outhit and Mosher.

The Council was summoned to proceed with business standing over and the transaction of other business.

The Minutes of last meeting were read and confirmed.

Alderman Wallace, *Chairman*, submits a report from the Committee on Laws and Privileges *re* petition of Dartmouth Ice Dealers, and enquiry into certain statements alleged to have been made in connection with purchase of Steam Fire Engine.

Alderman Hubley submits petition for sewer on Duncan Street.

Alderman Hamilton, *Chairman*, submits an extract from Minutes of meeting of City Health Board *re* piggeries.

Alderman Boak, *Chairman*, submits report from Police Committee *re* appointments to the force.

Alderman Pickering, *Chairman*, submits two reports from Board of City Works, viz., :—

Loan for sewerage construction.

Report Water extension, Cedar Street

His Worship the Mayor submits the following papers :

Opinion of His Honor the Recorder *re* Ronald Engine.

Letter from Lt. Col Lea, D. A. A. G. *re* taxation on personal property of officers renting furnished houses.

Letter from Lt. Col. Arthur Hill, R. E. C. R. E., *re* excavations made by the City near east side of Robie Street on Camp Hill.

Letter from John A. MacKasey, Inspector of License, in reply to resolution of last meeting *re* destruction of liquors, etc.

Account from St. Patrick's Home for maintenance of boys sentenced under Compulsory School Act.

Letter from His Honor the Recorder covering copy of judgment in the cause Morley vs. the City of Halifax.

Report of City Engineer *re* Estimate for paving Water Street from Ordinance to Morris Street.

Report of City Engineer *re* Agricola Street extension.

Letter from J. G. Bennett *re* cemetery site.

Report of Weighers and Measurers of Coal for October.

Copy of Assessment Roll for the year 1892-3 prepared by the City Assessor for the use of the Revisors of the City Electoral Lists.

Moved by Alderman Mosher, seconded by Alderman Foster, that the Order of the Day be suspended to read the papers handed in this day. Motion passed.

Read petition from William C. Hodgson, and other residents and property owners on Duncan Street, for a sewer to head of Compton Avenue. Moved by Alderman Pickering, seconded by Alderman Hubley that the same be referred to the Board of City Works to report on. Motion passed.

Read opinion of His Honor the Recorder on letter of Mr. Ronald requesting the City to take charge of his engine and make arrangements for paying for it.

IM RE RONALD ENGINE.

November 16th, 1892.

In obedience to the resolution of Council, referring to me, Mr. Ronald's letter of the 9th inst., requesting the city to take charge of his engine and make arrangements for paying for it, I beg leave to report that no contract was made with Mr. Ronald or any one in his behalf, to purchase said engine for the city, nor is the city in any way liable to purchase said engine. I would advise the Council to allow Mr. Ronald to take any action he may think proper without any interference on its behalf.

WILLIAM F. MACCOY, Recorder.

His Worship the Mayor.

Moved by Alderman Foster, seconded by Alderman Pickering, that said opinion be received and placed on file, and a copy of same be sent to the agent of Mr. Ronald in this city. Motion passed.

Read report of City Engineer *re* Extension of Agricola Street and recommending the appointment of appraisers therefore

AGRICOLA STREET EXTENSION.

November 15th, 1892.

To His Worship the Mayor :

SIR,—Some time ago the City Council adopted a report from the Board of City Works recommending that appraisers be appointed to value the land required for the proposed extension of Agricola Street, for the purpose of ascertaining if it would be advisable to make the extension.

The City Council appointed William Woodill to represent the City's interest.

I wrote to the Misses Hennessey asking them to appoint an appraiser. The other property owners agreed to take as their arbitrator the man named by the Misses Hennessey; but the latter have not even answered my letter.

As the land has not been expropriated, the ordinary legal course cannot be followed, and I would recommend that the Council appoint three appraisers so that we can get some idea of the cost of the proposed extension. We can then consider the advisability of carrying out the work.

F. W. W. DOANE, City Engineer.

Moved by Alderman Pickering, seconded by Alderman Eden, that said report be received and concurred in by Council, and that the Council now proceed to appoint two appraisers to act with William Woodill, (already appointed) and that said appraisers value the land proposed to be expropriated by the City. Motion passed.

Moved by Alderman Pickering, seconded by Alderman McFatrige, that James Shand and William Veith be appointed appraisers in con-

nection with William Woodill to value the land proposed to be expropriated by the City for the extension of Agricola Street. Motion passed.

Read extract from Minutes of City Health Board asking the City Council to enact an ordinance curtailing the limits within which swine may be kept in the City of Halifax.

November 16th, 1892.

I am instructed to submit the following extract from Minutes of meeting of this Board held last evening :

EXTRACT. Read a letter from the Secretary of the Lorne A. A. Club complaining that a piggery is kept in the vicinity of its house, claiming that it is at times so offensive as to become unbearable, and praying that it be removed. Also a report from the Assistant Sanitary Inspector for that district, in confirmation of the complaint.

The Board being unable to take action in the matter, decided to ask the City Council to empower them to do so by enacting an Ordinance curtailing the limits within which swine may be kept; and the following resolution was ordered to be submitted to the City Council for adoption :

Resolved, That on and after the 1st day of January, 1893, no swine shall be kept south of the following boundaries :—

Beginning from Campbell Road, at the foot of Duffus Street, and running westwardly along the line of said street to Longard Street; thence southwardly to the junction of Longard and Young Streets; thence westwardly on Young Street to McCollough Street; thence southwardly through said street and Oxford Street to the Coburg Road, and along the line of said road to the shore of the North West Arm.

J. T. HAMILTON, *Chairman.*

Moved by Alderman Foster, seconded by Alderman Hamilton, that the same be referred to His Honor the Recorder to frame an Ordinance in accordance with the views expressed in said extract. Motion passed.

Read report of Weighers and Measurers of Coal for the month of October, 1892. Filed.

Read letter from Lt. Col. S. J. Lea, D. A. A. G., on behalf of the officers on the lodging list, and others taxed for personal property at this station, asking that they be relieved from such taxation. Moved by Alderman Eden, seconded by Alderman Boak that said letter be referred to the committee on Assessment with His Honor the Recorder for report. Motion passed.

Read letter from Lieut. Col. Arthur Hill, R. E. C. R. E., relative to the excavation now being made near the east side of Robie Street on Camp Hill. Moved by Alderman Pickering, seconded by Alderman Boak that the same be referred to the Board of City Works with the City Engineer to report on. Motion passed.

Read letter from John A. MacKasey, Chief Inspector of License in reply to a resolution of Council passed at last meeting asking certain information *re* destruction of liquors, etc. Moved by Alderman Mosher, seconded by Alderman Boak, that the same be placed on Order Paper, awaiting further report from Inspector MacKasey. Motion passed.

Read account from St. Patrick's Home for support of children committed to said institution under the Compulsory School Act, (\$192.42). Moved by Alderman Boak, seconded by Alderman Morrow that the same be referred to the Committee on Public Accounts for report. Motion passed.

Read report of Committee on Laws and Privileges relative to petition from Ice Dealers of Dartmouth asking exemption from paying license fee for selling ice in the city, or that a fee be charged which shall entitle them to use as many horses as they may find necessary from time to time.

Also on resolution passed at last meeting of Council in relation to letters of Mr. Neily and Mr. Bremner to His Worship the Mayor in connection with the recent purchase of a Steam Fire Engine by the City.

November 15th, 1892.

The Committee on Laws and Privileges beg to report: That your committee met on Monday evening last, all the members being present. The petition from the Ice Dealers of Dartmouth, referred to your Committee, was fully considered, and your committee decided to recommend to the Council that a specific tax of forty dollars to be payable by each ice dealer be substituted for the existing regulations in relation to ice dealers, and that on payment of said tax the prosecutions be withdrawn.

Your Committee also had before them the resolution passed by the City Council at its last meeting, in relation to the letters of Mr. Neily and Mr. Bremner to His Worship the Mayor. Mr. Neily and Mr. Bremner attended the meeting of your committee. Mr. Neily was asked if he had any statement to make. He asked His Honor the Recorder whether the Committee had the power to compel witnesses to attend, and on being informed that the committee had no such power, Mr. Neily stated that as a witness had refused to attend unless subpoenaed, and as this witness was an important one, he (Mr. Neily) did not feel prepared to proceed with the matter, or make any charge against any alderman unless the committee could guarantee that this necessary witness could be compelled to attend.

After considerable discussion it was moved by Alderman Allen, seconded by Alderman Hamilton that the committee adjourn and report the facts to the Council. It was moved in amendment by Alderman Foster, seconded by Alderman Mosher, that the committee adjourn for a fortnight. The amendment was lost, Alderman Foster and Alderman Mosher voting for it, and Aldermen Allen, Lane and Hamilton against it. The resolution was carried by the same vote reversed.

W. B. WALLACE, *Chairman.*

On motion said report was placed on Order Paper, and the clerk instructed to write Mr. Neily that the City Council has given him fourteen days from date in which to make any charges he may have to prefer relative to the influencing of aldermen in connection with the recent purchase of a steam fire engine by the city.

Read letter from the City Recorder, informing the Council that a judgment in favor of the City had been given in the cause—Morley vs. The City of Halifax—and enclosing a copy of the judgment as delivered by His Honor Judge Ritchie.

MORLEY VS. THE CITY.

November 16th, 1892.

I have much pleasure in informing the Council that this cause was tried a few days ago, and yesterday Mr. Justice Ritchie gave a verdict in favor of the city.

I enclose herewith a copy of his judgment which is much fuller than that published in the press.

WILLIAM F. MACCOY, *Recorder.*

His Worship the Mayor.

MORLEY VS. CITY OF HALIFAX.

"This action was brought by Mrs. Morley to recover compensation for injury to her property by fire on 1st October, 1891, on the ground that the defendants wrongfully and negligently stored, or permitted to be stored, near plaintiff's premises, large quantities of petroleum, on account of which the fire which commenced at some distance away from plaintiff's house, spread rapidly and become unmanageable and consumed her premises, which but for the storage of the oil in question would have been saved from the fire.

"As I understand the matter, the storage of petroleum in the city of Halifax is a different operation altogether from the landing of it in the port of Halifax, and both are governed by different regulations.

"The petroleum inspection act of Canada authorizes the Governor-in-Council to make regulations for the storage of petroleum, and under those regulations, which apply to the city of Halifax, there being no municipal regulations or laws in force respecting the storage of petroleum and the products thereof, it is required to be stored only in isolated buildings or premises which are at least one hundred yards distant from the next nearest building not owned or in the occupation of the person to whom the petroleum belongs, and provided a license to store the same shall have been previously obtained from the inland revenue department, and these regulations seem to be made applicable only after the petroleum has been inspected under the act. While the storage of petroleum is thus regulated, the landing of it and other material considered dangerous at the port of Halifax is governed by the harbor regulations of the port, none being allowed to be landed except in such quantities as shall be stated in writing by the harbor master, the object being, in my opinion, to prevent the accumulation of too large a quantity, and to insure, so far as possible, that the petroleum shall be removed from the city or stored according to the regulations as soon as possible after it has been landed and inspected as required by the statute. It will be seen, therefore, that the corporation of the city of Halifax has nothing to do with either the landing or storage of petroleum, both which operations are controlled by the officials of the Dominion Government, but in this case it is contended that the corporation is made liable by a vote of the City Council passed on the 14th September, 1891, and it will be necessary to consider the circumstances which led to the passage of this resolution and its effect."

On the 14th September, Mr. V. F. Farrell wrote to the Mayor and City Council stating that he had a cargo of petroleum on board a vessel at Mulcahy's wharf, which the harbor master would not allow him to land without the sanction of the Council. After remarking on the course pursued as to other cargoes he writes: "now inasmuch as we wish to comply with all the laws pertaining to the storage of kerosene oil (petroleum), I must say that I think I have been dealt with very harshly owing to the fact that other oil merchants have been allowed to stock up their warehouses for future delivery, and I am not allowed to land even one barrel. I may say that most of this cargo is sold and will be shipped immediately after it is inspected by the custom house officers." He then states that he is prepared to build an oil warehouse on plans approved by the city and upon such place as the Council may designate, and he concludes by asking to have the privilege granted him of landing the cargo. On reading this letter and some other documents, which do not bear upon this case, the following resolution was passed by the City Council:

"That His Worship the Mayor and the Chairman of the Board of Firewards be authorized to confer with the Collector of Customs and the Harbor Master, with a view of obtaining permission for Mr. Farrell to land the oil referred to in his letter."

His Worship the Mayor and the Chairman of the Firewards then conferred with the Harbor Master and wrote him this letter under date of the 15th September, 1891.

Dear Sir,—We have arranged with the owner of the oil now on board the schooner Greta, now lying alongside of Mulcahy's wharf, in the City of Halifax, to place a watchman on the oil and stores, if landed, and to take any other precautions which he may think necessary. We think, under these circumstances, you should give a permit to land the cargo." The Harbor Master gave the required permission and the petroleum was landed on the 15th and 16th September, but instead of being re-shipped or stored according to the regulations, in an isolated building, it was stored on a wharf close to the plaintiff's premises and the greater part remained there until the fire which commenced on the evening of the 30th September.

"Assuming for the present, that the City Council had a right by resolution, to authorize the storage of the cargo, I do not think this resolution authorized it. The letter from Farrell stated that he wished to comply with all the laws pertaining to the storage of oil—that is to store it in an isolated place, 100 yards distant from any other person's property, and that most of the cargo was sold and would be shipped immediately after it was inspected; and the resolution must be held to be based on those representations and cannot be extended beyond a permission to land the cargo, or rather to try and obtain from the Harbor Master permission for Farrell to do so, and is not any authority whatever to store the cargo in any place contrary to the regulations and without authority from the Department of Inland Revenue.

But assuming that the resolution might possibly be construed into a permission to store the cargo, I do not think it is binding upon the corporation.

The powers of the City Council to bind the corporation are not unlimited, and although the members may make themselves personally liable, they cannot perform any act binding on the corporation which is contrary to law or not, strictly within the scope and authority of the charter, and in the way which is there provided and pointed out.

The storing of the petroleum in question being illegal to the Council, unless they could alter the law, could not by any resolution authorizing that storage bind the corporation.

It is, however, contended that the City Council had power to regulate the storage in the city of such articles, in pursuance of its power to regulate the good government and welfare of the city, and for protecting the property of the citizens from fire.

I think the Council has that power, but only in the way pointed out by the City Charter, and not by a mere resolution. Section 107 of the Charter provides that the Council may, from time to time, make, alter, etc., by-laws and ordinances for the good rule, peace, government and welfare of the City and for carrying into effect more fully all the powers, functions and offices vested in the Mayor, Council and Corporation, By-laws. There seems to be provision in the Charter for the removal of combustible material by any but firewards, if they should consider them dangerous, but at all events by section 381, the Council is authorized to make such rules and regulations for the prevention of fires, as the welfare of the City seems to them to require, but it must be done by way of bye-law.

A careful inspection of the Charter will shew that the regulations about almost every subject within the scope of the Charter and the authority of the City Council must be by bye-laws. There are more than twenty sections treating of different subjects and all requiring this mode of legislation to be pursued. No section of the Charter was cited, nor have I been able to find any authorizing the City Council to regulate the landing or storage of combustible matter except in the way I have pointed out—that is by bye-law or ordinance. Now when we turn to sections 110 and 111 the reason is plain, for every bye-law must be submitted to the Lieutenant-Governor-in-Council for approval, and does not go into force unless it has been approved or unless 30 days have elapsed from the time it has been submitted without its being disapproved, and according to the provisions of Ordinance II., which has by statute the same effect as an act of the

Legislature. Every ordinance, (which in my opinion includes bye-laws,) must be read three times before the City Council before it is submitted to the Lieutenant-Governor-in-Council, and not more than twice in one day. For these reasons I think the City Council cannot by a mere resolution legally alter or affect in any way the regulations passed by the Governor-in-Council for the storage of petroleum, and such resolution, if passed, is *ultra vires*, and not binding upon the corporation, and no liability is thereby incurred by the corporation for anything done under the authority of such a resolution. In the view I have taken I have not thought it necessary to consider whether the allegation that the plaintiff's house would not have been burnt except for the storage of the petroleum is substantiated by the evidence on this further question, which although not raised, seems to me might become important in some aspects of the case, viz :

Assuming the Council can legislate in respect to the storage of petroleum by a mere resolution, is the corporation liable, if the legislation is defective and does not answer the purpose for which it was intended and any one sustains injury in consequence? Judgment will be entered for the defendants, with costs."

(Sgd.) J. N. RITCHIE.

Moved by Alderman Pickering, seconded by Alderman Foster, that said judgment be printed in the Minutes of Council. Motion passed.

Read report of Board of City Works covering a report from the City Engineer *re* Water Extension, Cedar Street.

November 14th, 1892.

The Board of Works beg to report that at a meeting held this day they had under consideration an application for Water Extension on Cedar Street from Mr. Alexander Lockhart, with a report from the City Engineer upon the matter, when it was decided to forward the papers to the City Council with the recommendation that the extension be made, provided the petitioner furnishes satisfactory security for the shortage of interest on cost.

W. F. PICKERING, *Chairman*.

WATER EXTENSION, CEDAR STREET.

November 14th, 1892.

Chairman Board of City Works :

SIR,—The accompanying application of Archibald Lockhart for water extension on Cedar Street having been referred to me, I beg to report :—

To supply Mr. Lockhart's house, an extension of 100' on the high service would be necessary. Excavation would be all rock. Estimated cost \$253.00. Revenue would be only about \$6.00 less than half the interest on the cost of extension at 6 per cent.

Under the circumstances, it hardly seem advisable to make the extension.

F. W. W. DOANE, *City Engineer*.

Moved by Alderman Pickering, seconded by Alderman Boak, that the report be received and concurred in, on the petitioner giving security satisfactory to His Worship the Mayor and His Honor the Recorder for the payment of six per cent. interest on the expenditure. Motion passed.

Read report of Board of City Works asking the City Council to instruct the City Treasurer to advertise for a loan of \$30,000 in accordance with the act authorizing the expenditure of \$400,000 in construction of sewers.

November 14th, 1892.

The Board of Works beg to report that at a meeting held this day, the following resolution was adopted and ordered to be sent to the Council :

"*Resolved*, That in order to push forward the construction of sewers as early as possible in 1893, the City Council is requested to instruct the Treasurer to advertise for a loan of \$30,000, in accordance with the act authorizing the expenditure of \$400,000 in construction of sewers."

W. F. PICKERING, *Chairman*.

When the following resolution is introduced:—

Resolved, And the City Treasurer is hereby instructed to advertise for the loan of \$30,000 under the Sewerage Act, authorizing the city to borrow \$400,000 for the extension of the same.

Moved by Alderman Pickering, seconded by Alderman Boak, and on being put is passed.

Read report of City Engineer *re* paving Water Street from the Ordinance to Morris Street "placed on Order Paper to be considered at next meeting of Council."

Read letter from J. Gordon Bennett *re* Cemetery site.

Moved by Alderman Boak, seconded by Alderman Dennis, that the same be considered with No. 19 on Order Paper, viz.; Report of Cemetery Committee in *re* site for new Cemetery with minority report on the subject. Motion passed.

Read report of Police Committee recommending the appointment of Daniel A. Gillis, Thomas Watchorn, and Samuel J. McCawley to fill the vacancies in the force.

November 11th, 1892.

The Police Committee met this day. Present: Aldermen Boak, (Chairman), Hubley, Outhit, Duggan, Wallace, and McFatrige.

Your committee had before them 22 applications for the position of police, when on an unanimous vote of the committee it was decided to recommend to the Council the names of Daniel A. Gillis, Thomas Watchorn, and Samuel McCawley, to fill the vacancies.

GEO. E. BOAK, *Chairman*.

Moved by Alderman Boak, seconded by Alderman Wallace, that said report be received and adopted. Motion passed.

ORDER OF THE DAY.

Moved by Alderman Eden, seconded by Alderman Foster, that the Order of the Day be further suspended to allow Alderman Eden to introduce a resolution. Motion passed.

The following resolution is now introduced:

Resolved, That the Board of City Works be requested to submit to this Council at its next meeting, all tenders received by them for the crushing of stone by the city stone crusher, and the report of the City Engineer on the cost to the city of crushing stone for the present year, also to report the quantity of stone crushed from January 1st to date, with value of the same.

Further Resolved, That the said Board of City Works do not enter into contract with any party or parties for the crushing of stone by the city stone crusher, before submitting the same to the Council for its approval.

Moved by Alderman Eden, seconded by Alderman Mosher, and passed.

Moved by Alderman Allen, seconded by Alderman Wallace, that the

Order of the Day be further suspended to allow Alderman Allen to introduce a resolution. Motion passed, and the following introduced:

Whereas, The city of Halifax, instead of a small compact community, the leading citizens of which were well known to each other, has become a comparatively large city, with a population spread over a large territory, having fewer interests in common than when our present system of municipal government was adopted; and

Whereas, With these changes have come their natural consequences. Many institutions, public works and organizations have grown up or been established, such as the public exigencies require, and which have added largely to the duties of the public officers of the city, essentially changed their character and rendered their administration more difficult and complicated.

Among these may be named the supply of water, the maintenance of a larger police force, the care and preservation of the public health, the efficient management of a fire department, the great increase of public streets to be laid out, widened, and kept in repair. The care of the poor and destitute. These are but a portion of the duties now required of the servants of the city. All of them need constant care and supervision in order that efficient and faithful service may be exercised in the expenditure of the large amounts of money necessary to their support; and

Whereas, It would seem to be clear that duties so numerous and important cannot be properly superintended and managed by persons who render gratuitous services only, or who are chosen to office not for their experience in the duties which they may be called on to perform, or their peculiar fitness and skill in the work of the different departments which they have in charge; and

Whereas, The city is a corporation, upon which is devolved not an abstract duty only of providing for the public welfare, but the practical work of the city, in administering its various departments, and executing the public works committed to its care.

No prudent individual or well-conducted business corporation would intrust the management of important affairs to the care of inexperienced or inadequately paid agents.

Whereas, The great object in providing for the performance of officials' services in behalf of the City should be to centralize responsibility, to so regulate it that its servants should, as far as practicable, be trained by experience and practice and subject to proper control; and

Whereas, Our system of City government no longer fully meets these requirements;

Therefore resolved, That His Worship the Mayor be and is hereby requested to appoint a committee of this Council to consider and report back to this Council at as early a date as practical a system looking towards vesting the only legislative power of the City government in the Council, and the executive powers to be vested in the Mayor and paid heads of certain departments, or other such recommendations as said committee shall in their wisdom see fit.

Moved by Alderman Allen, seconded by Alderman Boak and passed.

Moved by Alderman Dennis, seconded by Alderman McFatridge, that No. 19 on Order Paper be now taken up. Motion passed.

Read No. 19, viz.:—Report Cemetery Committee in re site for New Cemetery with minority report on the subject, together with letter of J. G. Bennett, submitted this day.

November 8th, 1892.

To the Mayor and City Council:

Your committee instructed to examine and report upon a suitable site for a cemetery, beg to report that they have devoted a large amount of time to the onerous duty imposed upon them. They advertised for offers of sites and specified some of the necessary conditions. Many tenders were received both inside and outside the city limits. One of the first requisites in selecting a new cemetery, is to get the necessary depth of soil. There ought to be at least six

feet of soil. Citizens, when purchasing a lot, naturally expect to obtain a lot with enough earth in which to bury their dead in accordance with sanitary requirements, without being obliged to blast a grave out of rock, or to make it the requisite depth by filling in. But, after a careful search of the whole Peninsula of Halifax, we could find no available site with an average depth of six feet of soil.

Among the properties carefull examined by your committee, assisted by Superintendent McDougall, of Camp Hill Cemetery, were the following :—

W. J. Veith, on Kempt and Longard Roads.

That tract of land known as "the jib," lying between the Kempt Road and Bedford Basin, owned by various parties.

Property of William Hendry, on the old Windsor Road, leading down to near the Three Mile House Church.

Property of William Yeadon, on Geizer's Hill.

Property of William Murray, on the south side of Geizer's Hill.

Property of William Deal, on the west side of the Dutch Village Road.

Property of the estate of A. K. McKinlay, Dutch Village.

Property of John Doull, Dutch Village

Property of Dr. Bennett, on the Mumford and Kline Roads

Property offered by George Heisler and others, on the Mumford and Byers Roads.

Property on Oxford Street, offered by James Shand.

Property of Samuel Walker, on Longard Road.

None of these properties met the ideas of the committee, of what was required for a cemetery, but after careful deliberation the majority of the committee recommend the Council to obtain the property owned by W. J. Veith, *et al.*, bounded on the west by Kempt Road, on the east by Longard Road, and on the north by the railway track, as the most suitable of those examined, and having the greatest average depth of soil, covering an area of thirty acres. Nearly all of this land is cleared and is immediately available for the purpose of interments.

The minority of the committee dissented from the above, and recommend the Council to obtain the property, some 50 acres lying between the Mumford and Byers Roads, offered by George Heisler.

All the offers are hereto attached, together with sketches of two properties prepared by the City Engineerr.

Mr. Veith asks \$18,000 for the 30 acres offered by him, and Mr. Heisler \$8,000 for 50 acres.

Whatever lot is accepted by the Council should be obtained by expropriation.

WM. DENNIS, *Chairman.*

To His Worship the Mayor and City Council:

GENTLEMEN,—Your committee being unable to report unanimously on a Cemetery site, we beg respectfully to submit the following minority report:

We submit herewith tenders for four properties between the Mumford Road and Byers and Kline Roads aggregating about sixty (60) acres, which may be obtained in whole or in part.

The price of the whole is fourteen thousand seven hundred (14,700) dollars for about sixty acres.

About half of this is cleared land and ready for immediate use. The balance need not be broken up until actually required.

After viewing all the sites in the vicinity of the City we are of the opinion that this is the most suitable as regards situation and price, and respectfully urge upon the Council their careful consideration of these properties.

ANDREW HUBLEY.
GEOFFREY MORROW.

Alderman Lane has leave to lay on the table, the following resolution:

Resolved, That in any resolution to be adopted by this Council, providing for the borrowing of any money by the City for the purpose of a cemetery, it shall be stipulated that an equitable proportion of the amount so borrowed shall be

given to the Roman Catholics to procure a cemetery themselves, said proportion to be based on the return of the last census, as to population of the city, and in the event of said proportion being so given, provisions be made for compliance with all sanitary regulations and for paying into a sinking fund such portions of the price of all lots sold as may be determined upon in respect to the cemetery managed by the city.

Moved by Alderman Lane, seconded by Alderman Wallace.

The following resolution is now introduced :—

Resolved, That the report of the majority of the Cemetery Committee be adopted, and that His Honor the Recorder is hereby instructed to prepare a Draft Act for submission to the Legislature, making provisions for the expropriation of the lands offered by W. J. Veith et al, as a site for a cemetery and authorizing the issue of debentures or permanent stock for the payment of the appraised value thereof, and for the necessary fencings, etc., said sum not to exceed \$25,000.00

Moved by Alderman Dennis, seconded by Alderman McFatridge.
Alderman Boak, in amendment, moves as follows :

Resolved, That it is the opinion of this Council that no public money should be borrowed by the city for the purchase of a cemetery, but that the procuring of a cemetery or cemeteries be left to the judgment and enterprise of the Roman Catholic and Protestant denominations, as in other cities.

Alderman Lane, by leave of Council, withdraws the resolution tabled by him.

Alderman Dennis has permission of Council, to withdraw the resolution offered by him.

Alderman Dennis now seconds Alderman Boak's resolution, and said resolution on being put, is passed. Alderman Morrow dissenting.

Moved by Alderman Pickering, seconded by Alderman Foster, that No. 1 on Order Paper, viz ; Balance report Board Fire Wards in re storage of Oil, etc., with letters Secretary N. S. Fire Insurance Association, be struck therefrom. Motion passed.

Moved by Alderman Dennis, seconded by Alderman Mosher, that No. 21 on Order Paper be now considered. Motion passed.

Read No. 21, viz ; Report Board of City Works in re sewers, and legislation respecting the same.

November 7th, 1892.

The Board of Works beg to report that at a meeting held this day the following resolution was adopted :

Whereas, In order to improve the sanitary condition of the city, the Legislature authorized the expenditure of \$400,000 for the construction of sewers at a rate not to exceed \$60,000 per year ;

And Whereas, In view of the large number of cases of diphtheria and other contagious diseases existing during the past two years, the City Council has ordered the construction of some three miles of new sewers in various parts of the city, many of which the Board of Health have declared to be very urgently needed ;

Resolved, That the City Council be recommended, and is hereby asked to request the Legislature to so amend the act as to permit the city to spend \$100,000 during the year 1893 in pushing forward the construction of the sewers now on the order book.

W. F. PICKERING, *Chairman*.

Moved by Alderman Pickering, seconded by Alderman Dennis, that said report be amended by striking out the provision for expending the extra \$40,000 for the year 1894, that the report as amended be received and concurred in by Council, and His Honor the Recorder be and is hereby instructed to prepare a draft act in accordance with said amended report for presentation to the Legislature at its next session. Motion put and passed.

Moved by Alderman Foster, seconded by Alderman Pickering, that the Council adjourn. Motion passed.

Council adjourns 10.15 o'clock.

EVENING SESSION.

8.10 o'clock.

DECEMBER 7th, 1892.

A meeting of the City Council was held this evening. Present: His Worship the Mayor, Aldermen Boak, Allen, Morrow, Dennis, Wier, Wallace, Pickering, Hamilton, Duggan, Lane, Ryan, Hubley, McFatrige, Foster, Eden, Adams and Outhit.

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

Minutes of last meeting were read and confirmed.

Alderman Pickering, Chairman, submits five reports from the Board of City Works, viz.:-

1. On petition of W. H. Cleverdon asking exemption from sewerage rates, and permission to lay a crock drain up the sidewalk to Edward Street, with report of City Engineer on same.

2. On widening Quinpool Road, with report of City Engineer thereon.

3. On petition of William Nisbet and others for Sewer on South Street, with report of City Engineer.

4. On breaking stone at Merkelsfield, covering report of City Engineer, tenders, etc.

5. On tenders for Electric Lighting City Hall, with report of City Engineer.

Alderman Pickering, Chairman, submits a report from the Board of Fire Wards and Fire Commissioners *re* housing New Steam Fire Engine and accounts.

Alderman Wier, Chairman, submits a report from Committee on Tenders in *re* Tenders for Loan.

Alderman Allen, Chairman, submits a report from Charities Committee *re* accounts for November.

Alderman Hamilton, Chairman, submits a report from the City Health Board, covering a report from the City Engineer on Sewer construction.

Alderman McFatrige, Chairman, submits a report from the Committee on City Prison, covering accounts, etc., for November.

Alderman Foster submits a petition from J. Parsons and others for an Electric Light an Creighton Street.

Alderman Duggan submits a letter from M. J. Morley, plaintiff, in the suit Morley vs. the City of Halifax, proposing that litigation shall cease on the basis of each party paying their own costs.

His Worship the Mayor submits the following papers :-

Letter from Samuel Creed, Librarian, *re* amount due him for repairs to books.

Application of Daniel O'Leary for position Coal Measurer.

Report of Chief Inspector of License on amount of liquor seized and destroyed by him under the Liquor License Act, 1886.

Report of City Collector covering certified statement of amounts received by him on account of old sewerage rates, and for materials supplied by Board of Works, and by him paid over to said Board.

Report of Committee on assessment Law.

Report of City Clerk covering accounts.

Letter of J. B. Neily *re* statement in connection with purchase of new Steam Fire Engine.

Return of City Collector of amount collected during the month of November for Rates and Water Rates.

Report of the City Auditor on condition of the Clerical Department of the Board of City Works, with letter from His Worship the Mayor to the City Auditor on the subject.

Moved by Alderman Allen, seconded by Alderman Dennis, that the Order of the Day be suspended to read the papers handed in this day. Motion passed.

Read Report of Board of City Works on petition of W. H. Cleverdon for exemption from sewerage rates, and permission to lay a drain up the sidewalk to Edward Street, with report of the City Engineer on the same.

November 21st, 1892.

The Board of Works beg to report, that at a meeting held this day, they had under consideration the petition of W. H. Cleverdon, sent to them by the Council and a report upon it by the City Engineer, when it was decided to forward the papers to the Council for its information.

W. F. PICKERING, *Chairman.*

PETITION OF W. H. CLEVERDON.

November 21st, 1892.

Chairman Board of City Works:

SIR,—The accompanying petition from W. H. Cleverdon having been referred to me, I beg to submit the following report:

This matter has already been referred to me for report two or three times, and the petition contains nothing new.

When the sewer was ordered on Edward Street and Coburg Road, I think Mr. Cleverdon's house had not been erected, although I may be possibly mistaken on this point. In any case it was the only house below Edward Street.

The work asked for by Mr. Cleverdon, namely: building a sewer past his property, would not be a public work but a private improvement for the benefit of Mr. Cleverdon alone. In other words, Mr. Cleverdon asked the City to do what they compel other property owners to do at their own expense.

Mr. Cleverdon owns the corner property on Edward Street and Coburg Road, and has frontage along the sewer on Edward Street.

The same law that is enforced on other property owners, namely: to connect their houses with the sewer, should be enforced in Mr. Cleverdon's case.

The only claim he can have for permission to lay a crock drain on the sidewalk is that he proposes to sell the property between his house and Edward Street. If he does not propose to sell the small piece of land on the corner, he should be

compelled to lay a drain in a straight line from his house to the sewer without bends or curves. It is not in the power of Board to exempt any property owner from any sewerage rates taxed under the law.

F. W. W. DOANE, *City Engineer.*

Moved by Alderman Pickering, seconded by Alderman Morrow, that said reports be received and concurred in. Motion passed.

Read report of Board of City Works, covering a report of the City Engineer *re* widening Quinpool Road.

November 28th, 1892.

The Board of Works beg to report, that at a meeting held this day, they had under consideration the matter of widening Quinpool Road, together with a report from the City Engineer upon it, when the following resolution was adopted and ordered to be sent to the City Council with the Engineer's report :

Whereas, Quinpool Road is the principal thoroughfare leading from the City, westward ; and it is highly desirable that from Robie Street to the head of the North West Arm it should be at least as wide as the ordinary streets of the City ;

And whereas, The Engineer reports that the land can be obtained to make the road a uniform width of seventy feet, at an estimated cost of not over \$8,000, while if this necessary improvement is delayed for any length of time, until the road is built up, the cost will be four or five times that amount as witness the estimated cost of widening Lockman Street.

And whereas, If widened and improved the increased assessable value of property on both sides of the road would far more than repay the cost thereof.

Resolved, That the Board of Works recommend the Council to declare the widening of Quinpool Road to seventy feet to be a necessary public improvement and to authorize the appropriation of the land necessary to accomplish the same.

W. F. PICKERING, *Chairman.*

WIDENING QUINPOOL ROAD.

November 26th, 1892.

Chairman Board of City Works :

SIR,—In accordance with resolution of your Honorable Board, I have written to all the property owners on Quinpool Road, and beg to submit the following report on the proposed widening :

NAME.	REPLY.
Dr. Chas. Cogswell	Land held under trust. Cannot donate.
The Archbishop of Halifax	No reply to letter.
Monastery of the Good Shepherd.....	Sell for \$1,500.
Michael Kelly	No reply.
Geo. Guy	Want to be paid for land taken.
A. Doyle	" " " "
Jas. Wright	Cannot afford to give.
Jas. McLean, Jr.	No reply.
J. F. Kelly	Sell at cost.
W. Anderson	No reply.
Wm. Dennis	Sell at cost.
C. W. Outhit.....	Give or sell, depends on what others do.
W. H. Teas.....	No reply.
J. C. Dumaresq.....	Sell at cost or take appraised value.
Frank Walker.....	No reply.
J. W. Drysdale	Agree to terms majority make.
Le Wan	Sell at cost.
C. Stubbing.....	Sell at cost or make terms reduce taxes.
Geo. H. Richards.....	Sell at cost.
Beech St. Church	" "
Jas McCullogh	No reply.
P. O'Mullin	Free if others do likewise.

NAME.	REPLY.
Mrs. C. Hosterman	Free.
John G. Stanhouse	No reply.
Wm. Woodill.....	Sell.
Mrs. E. E. Mahon.....	Free.
Mrs. W. B. Spencer	No reply.
G. A. Woodill.....	Free.
Richard Magerill	No reply.
John Doull	Free.
McIntosh & McInnes	Sell reasonable figure.
John S. D. Thompson.....	No reply.
Mrs. Worrall.....	Free
Des. Miss Ann Yeoman	No reply.
Protestant Industrial School.....	Free.
John Dence	No reply.
Hon. Jas. McDonald	No reply.
Mrs. Flinn	No reply.
W. C. Moir	Free.
Mrs. Gumb	Free.
Alex. Phillips	Wants same quantity of land from City lot, Chebucto Road, and stone wall. Also enough money to build foundation of a house, and build fence along front. Also to move house and barn, (not at all affected by change, which gives Mr. Phillips, five time as much as it takes.)

S. Side

Sir Chas. Tupper	No reply.
R. Pickford.....	Free.
Dev. J. B. Cogswell.....	Cannot be donated.
Dr. W. J. Almon	Intended to give, but thinks assessors will increase his tax.
Mrs. E. Jennings	No reply.
N. Dauphiney	No reply.
Dev. Chas. Bemish.....	No reply.
Jeff Terrio	No reply.
John Dixon	Would give if could afford it, (line will pass through house.)
Mrs. Sarah Graham.....	No reply.
E. & F. Schwartz	Sell.
Mrs. M. Cruikshanks	Sell.
John Brunt.....	No reply.
Hornsby	No reply.
Albert Downey	Free.
Mrs. Isabella Cruikshanks.....	Sell (strip wanted 6 in. wide.)
Peter Pierce	" " " " " "
Peter Malcolm	No reply.
John Atwell	" "

The property owners generally seem disposed to give or sell as cheaply as possible. A few, however, want to sell what no assessor could place a value on. One owner who is asked for a long narrow strip, unfortunately seems to have been visited recently by the Assessors.

The City will, where land is given free, have to move fences and in some places houses also. Taking into consideration the improvement to be made, I estimate that the land necessary for widening the road can be acquired for less than \$8,000, including the moving of fences and buildings.

Before proceeding to provide funds it would be advisable to have an appraisal made.

F. W. W. DOANE, *City Engineer.*

Moved by Alderman Pickering, seconded by Alderman McFatrige, that the Council now proceed to appoint three appraisers, who shall value and report to this Council the probable cost of the land required to widen Quinpool Road as per plan and specification of the City Engineer. Motion passed.

Moved by Alderman Pickering, seconded by Alderman McFatrige, that James Shand, William Woodill and William Vieth be the appraisers to value the land proposed to be taken for the widening of Quinpool Road. Motion passed.

Read report of Board City Works *in re* petition for sewer on South Street, west of LeMerchant Street.

November 21st, 1892.

The Board of Works beg to report, that at a meeting held this day, they had before them the petition for sewer on South Street as far west as LeMarchant Street and report of Engineer thereupon, when it was decided to forward it to the Council with the recommendation that the sewer be built in its turn.

W. F. PICKERING, *Chairman*.

SOUTH STREET SEWER.

November 14th, 1892.

Chairman Board of City Works:

SIR,—In accordance with the accompanying Minute of Council, I beg to report on the petition for a sewer on South Street:

There are fifteen (15) houses to be drained. The sewer would have to be constructed from Wellington Street.

Estimated cost	\$11000 00
Estimated rates	3688 00

F. W. W. DOANE, *City Engineer*.

Moved by Alderman Pickering, seconded by Alderman Boak, that said report be received and concurred in by Council and that it be referred back to the Board of City Works to be carried into effect. Motion passed.

Read report of Board of City Works *re* crushing stone at Merklesfield, covering tenders for said work, and report from the City Engineer on cost of same when done by the City.

December 5th, 1892.

The Board of City Works, beg to report that at a meeting held this day, they had under consideration the enclosed reports, from the City Engineer, and other papers bearing upon the crushing of stone at Merklesfield, required by a minute council, which were ordered to be sent to the council for its information.

W. F. PICKERING, *Chairman*.

STONE CRUSHING AT MERKLESFIELD.

December 2nd, 1892.

His Worship the Mayor.

SIR,—In accordance with the accompanying resolution of council, I beg to submit the following report, respecting, the crushing of stone at Merklesfield:—

It has been a work of considerable difficulty to get at the exact cost. We do not keep any accounts in this office, and unfortunately there was no account made up, or no separate account to make an estimate from. We were obliged to go over the bills in the Board of Works Office, and pick out the items paid out for anything in connection with the crusher. The first statement shows all money paid out in connection with the crusher and engine, including the cost of machinery itself. Taking every item of expenditure up to date, the whole cost of the stone

is only $5\frac{1}{4}$ cents per bushel. The actual cost of crushing is much less because the cost of all permanent work, such as the crusher and engine, the shed to cover the engine, building of roads, and other expenses of that kind should not be charged wholly to the small amount of stone already broken, but should be distributed evenly over the whole amount of stone the machine is capable of breaking before it is worn out.

The second statement shows more correctly the costs to the City of breaking stone. The permanent works amounts to \$3,590.00. The actual cost of crushing stone, from the time the men begin to quarry until the stone is delivered broken on the pile, including 18 months interest, is less than 4 cents a bushel. The item of 18 months interest also includes an allowance for wear and tear. The cost of crushing in future should not exceed this amount; because the amount inserted in the statement for such work as building roads, etc., is, in my opinion, much below the actual cost; but I would prefer to be well within the mark in making out this report.

The total amount paid for labour is \$9449.71 and the cost of coal \$444.75. From these amounts must be deducted the wages of the engineer, tallyman, and Watchman, amounting to \$1,572.33; a bill paid on the labour pay roll for hauling the crusher and engine, amounting to \$30.00: the cost of the stone, which will of course, not be paid by the contractor; and the permanent work already done, amounting to \$400. This leaves a balance of \$7,492.13 as the cost of crushing stone on the same basis as the contract would be made upon. The total amount of stone broken since the crusher was started, about the first of July, 1891, is 260,000 bushels; and the cost of crushing calculated on the same basis as the contract to be let has been 2 88-100 per bushel; or, as I have already stated to the Board of Works 2 9-10 cents,

The lowest tender submitted for breaking the stone was $2\frac{3}{4}$ cents, but the man who put in the tender has not yet been discovered. The next lowest tender was 3 cents per bus. In making up the cost, a good many items of expenditure are included that could not be charged to the contractor; and any practical man would readily understand that there are contingencies arising daily which could not be included in the contract, but which the City would have to pay for. Consequently, when the cost of crushing stone is stated at 2 9-10 cents, the figures for City stone crushing are well within the mark for comparison with tenders. The statement is being continually made that the work done by the City is very expensive and that it could be done more economically by contract. Yet, in every instance during the last 15 months when I have been called upon to compare the cost of civic work with tenders, the work done under the Board of Works by day's work has been the cheapest. Facts are stubborn things to deal with, and the figures in this instance prove that the statements made respecting the cost of the stone are not in any way exaggerated. I do not wish to be considered as opposing the letting of City work by contract; for in this particular instance there has been a good deal of trouble in connection with the employment of men, and if it is the only work being done by the City this winter, the annoyance given to the department by men in search of work will be so great that we would much prefer to have the responsibility thrown on other shoulders. The following is a statement of the tenders received: J. P. Murray, 6 cents per bushel; Math. McGrath, $3\frac{1}{2}$ cents per bushel; James Nolan, 3 cents per bushel; Henry R. Bonn, 7 cents per bushel; John Sullivan, $2\frac{1}{4}$ cents per bushel; P. Washington, 7 cents per bushel. The last statement accompanying this report shows that the cost of crushing stone is about 1 1-5 cents per bushel. I attach hereto a tender just received for the supply of stone to the crusher at 2 cents per bushel. It would be advisable, however, to use the stone on Merklesfield before any stone is purchased outside of it, and in any case the stone can be delivered at the crusher for less money.

F. W. W. DOANE, *City Engineer.*

EXPENDITURE ON ACCOUNT OF STONE CRUSHER.

From Feb. 2nd, 1891 to Nov. 28th, 1892.

Feb. 23, for crusher.....	\$ 1142 00
“ 10, for stone and rent	200 00
“ 2, for duty and freight	466 20
June 15, for steam engine	1190 00
Brookfield's account for lumber	70 00
Davidson's “ “ “	48 67
Oastler's account for parts of crusher	194 73
Longard's account for crusher and engine.....	46 84
H. H. Fuller's account for oil, etc.....	180 89
Cunard's account for coal.....	444 75
Labour and hauling from 16th June, 1891 to 28th Nov., 1892	9449 71
Labour and hauling for repairs to road from crusher to Gottingen Street.....	64 42
Rent of Mercklesfield to Feb. 6, 1893.....	200 00
	<hr/>
	\$13692 41

The above is the total expenditure on the crusher up to the 28th November 1892. Supposing the total amount to be charged to the stone crusher to date (260,000 bushels), it would cost practically 5½ cents.

COST OF PERMANENT WORK AT THE CRUSHER.

For building shed, (material).....	\$ 150 17
Crusher duty and freight	1608 20
Steam engine	1190 00
Longard's account, work at crusher and engine	46 84
Oastler's account for parts of crusher	194 73
Estimated cost of necessary work, such as labour on shed, building foundation, etc	400 00
	<hr/>
	\$3589 94

COST TO CITY FOR CRUSHING STONE AT THE RATE THE CRUSHER RAN

Up to Nov. 28th, 1892.

18 months' interest	\$ 478 46
Fuller's account for oil, &c	153 59
Cost of stone used and rent	236 00
Cunard's account for coal.....	444 75
Total labour, \$9449.71 less \$400.00.....	9049 71
	<hr/>
	\$10362 51

The above shows the stone to have cost the City .0398 or 3 98-100 cents per bushel. Which would be less had the crusher been running full time, and a few items taken out that were used on steam roller but are charged to the crusher.

The following amount is the cost to the City for breaking stone, deducting the expenses the City will have to bear under Mr. Nolan's tender :

Total amount for labour	\$ 9449 71
Total amount for Coal	444 75
	<hr/>
	\$9894 46

Less :—	
Wages of engineer, tallyman, fireman watchman	1572 33
Morton, for hauling crusher and engine	30 00
For necessary permanent work	400 00
Cost of stone and rent	400 00
	\$2402 33
	\$7492 13

The above brings the cost to the City down to 2 9-10 cents per bushel.

The following figures are from actual measurement :

The stone crushed was a reserve kept near the crusher by the foreman of works, so that he could work the crusher when the hauling roads were bad.

Stone crushed from Saturday at 1 p. m. to Wednesday morning at 4 a. m., 4587 bushels.

Cost of labour, \$765.15, or about 1 1-5 cents per bushel.

BROKEN STONE CONTRACT.

November 7th, 1892.

Chairman of the Board of City Works :

SIR,—I received the accompanying letter this morning from John Sullivan, Creighton Street, (to whom it was decided at the last meeting of the Board to award the contract for breaking stone at Merksfield.)

There had been no notice sent to Mr. Sullivan, as we could not ascertain who the man was, or where he lived, or whether he lived at all or not. I would like to get further instructions in the matter before the City work at the crusher is completed.

F. W. W. DOANE, *City Engineer.*

Moved by Alderman Eden, seconded by Alderman Lane, that the report of the Engineer be received and concurred in. Motion passed.

The following resolution is now introduced :

Whereas, the tenders received by the Board of City Works for crushing stone by the City stone crusher are greatly in excess of the amount for which the city can do the work.

And whereas the accepting of the lowest tender before the Board would result in the loss to the rate payers of the city of a large amount of money.

And whereas the horses owned by the Board of Works can be used for hauling said stone to the crusher not being otherwise employed during the winter therefore.

Resolved, that the work be done by the Board of Works as in former years and not by contract. Moved by Alderman Eden seconded by Alderman Ryan.

Moved by Alderman Wier seconded by Alderman Allen that the City Engineer be invited within the rail to answer questions relative to the subject under debate. Motion passed.

The Engineer appearing before the council states that as his estimate and the tender of the contractor to whom it was proposed to give the work would bring the cost to the city of producing the stone about the same in either case. He would prefer the work being done by contract, thereby saving the department a large amount of trouble and time, which could be better devoted to more important services.

Alderman Eden's resolution was now put and passed, nine voting for the same and eight against it. The names being called for appeared thus :

<p>For the Resolution.</p> <p>Aldermen Outhit, Eden, Lane, Ryan, Hubley, Duggan, Hamilton, Wallace, Boak.—9.</p>	<p>Against it.</p> <p>Aldermen Adams, McFatrige, Foster, Pickering, Wier, Dennis, Allen, Morrow.—8.</p>
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Alderman Dennis gives notice of reconsideration.

Read report of Board of City Works on tenders for Lighting City Hall, covering a report from the City Engineer relative thereto.

December 5th, 1892.

The Board of Works beg to report that at a meeting, held this day, they had under consideration the enclosed reports from the City Engineer and correspondence upon the subject of lighting the City Hall, when it was decided to forward the papers to the City Council for its information.

W. F. PICKERING, *Chairman.*

ELECTRIC LIGHTING CITY HALL.

December 2nd, 1892.

His Worship the Mayor:

SIR,—I have been instructed by the Board of Works to amend the specification for electric lights required in the City Hall and report to the Council. I beg to submit the following:

In accordance with instructions I reduce the number of lights to 158, being 49 less than the original number as shown by the accompanying list.

I asked the two companies if they would reduce their tender pro rata according to their original figures. The Halifax Gas Co. declined to do so. The Halifax Illuminating & Motor Co. agreed to accept the proposition, and to pay for all gas used in the fixtures covered by the contract, in case of an accident or turning off the light for any cause. As I mentioned in a former report, the tender of the Halifax Illuminating & Motor Co. was \$114.94 for lamps, cords and sockets, that of the Gas Co. was \$125.00, a difference in favor of the former of \$10.06. Tenders for electric current \$888.88 and \$900.00, a difference in favor of the Illuminating & Motor Co. of \$11.12. The Illuminating & Motor Co.'s tender for new wiring, switches, testing, and making good any defects is \$111.62. The Gas Co. will make an extra charge on their tenders according to the work done. Neither company is in a position to give an insurance certificate on the old wiring, therefore in this item the two companies are on a par, as the work would be done at the actual cost. Comparing the actual price for lighting with the cost of gas the difference is very small. The tender of the Illuminating & Motor Co. is \$888.88, and the gas bill in 1891-2 was \$874.83. It is not likely, however, that if the whole building were lighted by electricity, gas would be entirely done away with. If only 158 electric lights were in use the cost for electric current would be \$678.46, leaving about \$200 to pay for the gas used in the other lights in the building. The 49 fixtures using gas are very seldom used. Consequently I should think the \$200 would more than pay for the gas used. The Gas Co. have submitted a letter stating that if high power regenerative burners were used instead of the present burners in the Council Room, Committee Room, Aldermen's Room, Library, Reading Room, Sergeants' and Police Assembly Rooms, the saving in the cost of gas could be made to the extent of \$250 per annum. At the same time the candle-power would be increased at least 40 per cent., and if the remainder of the burners in the building were replaced by Sugg's Governor Burners a further saving of 15 per cent. would be effected. The cost of the lamps would be about \$20 apiece. The cost of Sugg's Governor Burners about 45 cents each. The regenerative burners are in use in Whiston's Commercial School and Oddfellows' Hall.

F. W. W. DOANE, *City Engineer.*

TENDERS FOR ELECTRIC LIGHTING, CITY HALL.

November 11th, 1892.

Chairman Board of City Works:

SIR,—In accordance with accompanying extract from minutes of Council, I beg to report on the tenders submitted for lighting the City Hall with incandescent light for one year. Gas Company's tender for electric current for 207 lights for one year is nine hundred dollars (\$900.00). Owing to an omission in the copy of the specification sent to the Halifax Illuminating and Motor Co., their tender is for 204 lights, eight hundred and seventy-six dollars (\$876.00); 207 lights at the same rate would be eight hundred and eighty-eight dollars and eighty-eight cents (\$888.88). Making a difference in the two tenders for electric current of \$11.12. The Gas Company's tender for lamps, cords and sockets is one hundred and twenty-five dollars (\$125.00.) Tender of the Illuminating and Motor Co., one hundred and fourteen dollars and ninety-four cents (\$114.94)—a difference of \$10.06. The Gas Company's tender for new wiring switches, testing and making good any defects is to be an extra charge. The Illuminating and Motor Co.'s tender is \$111.62. The Illuminating & Motor Co. claim that the insurance certificate for the old wiring should be given by the parties who constructed the wiring, and if the wiring is found inefficient by the Underwriters' Inspector, all repairs and replacing will be made at the actual cost of labor and material.

I am unable to find the contract for the original wiring of the building. I submit, however, copy of a letter from the Board of Works accepting the tender for wiring. The contract was to be carried out in accordance with the rules of the Underwriters' Association, but I cannot find any contract or insurance certificate. Under the circumstances I do not like to take the responsibility of assuming that the wiring has been done according to the rules and regulations of the N S Fire Insurance Association.

The lighting of the building with gas cost in 1890-91 \$909.50. In 1891-92 \$874.83. We would not be able to do without gas entirely if the electric lights were adopted, but the amount used would probably be small.

F. W. W. DOANE, *City Engineer.*

March 26th.

The Halifax Gas Co., Limited:

GENTLEMEN,—I am directed to present to you a copy of the following resolution regarding your tender for wiring the new City Hall for incandescent lighting passed by the City Council at its last meeting:

Resolved, That the Board of City Works be instructed to accept the tender of the Halifax Gas Co. to wire the new City Hall, provided size and quality of the wire to be supplied and the work done be subject to the approval of the City Electrician, and the work done be subject to his inspection and in accordance with the rules of the Underwriters Association. Wiring to be for the Alternating system to include converters and necessary sockets of the number and kind approved of by the Electrician.

I am further to say that you will be notified when the contract is ready for signature.

By order of the Board,

(Sgd.) W. B. McNUTT, *Clerk of Works,*

SPECIFICATION FOR LIGHTING THE CITY HALL WITH INCANDESCENT LIGHTS.

October 25th, 1892.

The following lights will be required in the different rooms:

Room.	No. of lights.
Attic landing	1
" corridor	1
Bell tower	1
Janitor's hall	3

Room.	No. of Lights.
S. W. bedroom	1
Parlor	2
E. bedroom	1
Dining room	2
Kitchen	2
Janitor's landing	1
" 2nd landing	1
Council room W. C.	1
Ante room	1
Council room	16
Committee room	4
Aldermen's room	4
Hall	13
Recorder	2
Health office	1
License Inspector's office	3
M. O. office	3
Assessors' office	4
" private	1
Electrician's office	1
Library W. C.	1
Library, 18 in all	12 (6 hanging)
" Private room	1
" Reading "	4
Stairway	4
Lower hall	9
Entrance	2
2 Posts outside entrance	4
City Clerk's office	4
" private	1
Collector's office	5
" private office	3
Mayor's office	4
" private	2
" W. C.	1
Janitor's landing	1
Stipendiary's office	3
" private	1
Auditor's office	3
Treasurer's office	2
Foreman's office	2
Board of Works office	4
" private office	1
" meeting room	3
" W. C.	2
Engineer's office	4
Private	2
Basement landing	1
Police court	8
Barrington street entrance	1
Marshall's office	2
" Private	2
Council room	1
Witness room	1
Police assembly room	3
Hall	6
Women's Ward room	1
" " W. C.	1
Men's	3
" " W.C.	1

Room.	No. of Lights.
Sergeant's room	4
Corridor	1
Police W. C	2
Plumber's corridor	1
" room	2
Cells	2
Sub-basement	3

All lamps are to be 16 candle power, and must be supplied and put up by the contractor and at his expense.

Where fixtures are not already provided the contractor will have to put them up as directed by the City Engineer and to his approval. Six of the lights in the Library will have to be suspended with an extra length of flexible cord, so that they may be carried from one case to another.

The contractor must thoroughly test the present wiring, and before any lights are used must give a certificate to the City Engineer that all the old and new wiring is according to the requirements of the N. S. Fire Insurance Association. If any portion of the old wiring is not according to the said requirements it must be altered by the contractor. Any damage done in examining the old wiring or in putting in new work must be made good by the contractor and at his expense.

The tender is to state price for all work mentioned in this specification. Putting the old wiring in through order and putting in the new wiring and fixtures with lamps, switches and everything else necessary, and for lighting the building for one year with the lamps specified herein.

F. W. W. DOANE, *City Engineer.*

ELECTRIC LIGHTING OF CITY HALL.

October 25th, 1892.

His Worship the Mayor :

SIR,—The accompanying extract of Minute of Council was sent to the office some time ago but on account of the extra amount of work to be performed during the summer it has not received attention until now.

During the summer months there is very little artificial light required in the building and it is only the shortening of the days that brings the matter up at present.

I asked the Halifax Illuminating and Motor Co., and the Halifax Gas Light Co., Limited, for tenders on the accompanying specification. Tenders were received from both Companies yesterday. I beg to submit them unopened.

F. W. W. DOANE, *City Engineer.*

The following resolution is now introduced :

Resolved, That the City Hall be partially lighted by electricity and that the most favourable tender for the same, submitted by the Engineer be accepted.

Moved by Alderman Pickering, seconded by Alderman McFatrige, to which the following amendment is introduced :

Resolved, That the modern burners be placed in the gasoliers, thus saving the 15 per cent. mentioned in the report.

Moved by Alderman Ryan, seconded by Alderman Hubley.

Alderman Pickering, by leave of Council, withdraws his resolution.

Alderman Ryan's amendment now stands as the original resolution, and Alderman Morrow, seconded by Alderman Allen, moves the following amendment thereto :

Resolved, That the Gas Company be, and are hereby requested to put in one or more re-generative burners in the Council Chamber as a sample at their own expense and that in the meantime no further action be taken in the matter of lighting in the City Hall.

With the permission of the Council, Alderman Ryan withdraws the resolution moved by him.

Alderman Morrow's amendment now becomes the original resolution, and as an amendment thereto the following is moved by Alderman Pickering, seconded by Alderman Eden.

Resolved, That the electric circuits through the building be tested, and if necessary put in order with the view of lighting the building by electricity.

The amendment on being put is carried, ten voting for the same and seven against it. The names on being called for appeared thus :

For the Amendment :	Against it :
Aldermen Dennis, Wier,	Aldermen Boak, Morrow,
Hamilton, Duggan,	Allen, Wallace,
Pickering, Lane,	Hublely, Ryan.
Eden, McFatridge,	Foster.—7.
Adams, Outhit.—10.	

The original resolution is now put and lost, seven voting for the same and ten against it. The names being called for appeared thus :

For the Resolution.	Against it.
Aldermen Boak, Morrow,	Aldermen Dennis, Wier,
Allen, Wallace,	Hamilton, Duggan,
Hublely, Ryan,	Pickering, Lane,
Foster.—7.	Elen, McFatridge,
	Adams, Outhit.—10.

Read report of Board Fire Wards and Fire Commissioners *re* Housing No. 4 Steam Fire Engine, also covering accounts recommended for payment.

December 1st, 1892.

The Board of Fire Wards and Fire Commissioners, beg to report that at a meeting of the Board held this date the following resolution was adopted :

Whereas, The Market Building so called, where No. 4 steam fire engine is now stationed has been sold and the money capitalized.

And whereas, Said building through the danger of the water freezing in the engine and for other reasons is unsuitable for the purposes of an engine house.

Therefore resolved, That the City Council be asked to provide some suitable place where said engine may be properly housed and cared for after the 1st May next, at which date the agreement with the present owners of said building will expire.

Your board also report that they have examined the following accounts and recommend the same for payment :

Canadian General Electric Co., wire.....	\$12.75
Power & Co., repairs spanners, etc.....	11.00
R. Martin & Co., coupling straps.....	4.50
Illuminating & Motor Co., lighting No. 7 engine house.....	32.68
Cragg Bros. & Co.....	20.05
Murray & Larkin.....	10.00
	<hr/>
	\$90.98

W. F. PICKERING, *Chairman*.

Moved by Alderman Pickering, seconded by Alderman Wallace, that the first clause of said report to the Board of City Works for report. Motion passed.

Moved by Alderman Pickering, seconded by Alderman Foster that the second clause of said report recommending payment of accounts be adopted. Motion passed.

Read letter dated 17th October, 1892, from His Worship the Mayor to J. A. Bell, City Auditor, directing him to go into the office of the Board of City Works forthwith, and audit all books of said department and report thereon.

Read report from City Auditor J. A. Bell, in compliance with said letter from His Worship the Mayor.

His Worship the Mayor submits in writing a statement of the action taken by him upon receipt of City Auditor's report.

Read report of Alderman Pickering, Chairman Board of City Works to said board, relative to the financial affairs and method of keeping the accounts of the board, the same being submitted by leave of council.

MAYOR'S OFFICE, Halifax, N.S.,

October 17th, 1892.

DEAR SIR,—It having been intimated to me that the books and accounts in the Board of City Works Office are not in a satisfactory condition, and as it is desirable that there should be no question as to the efficiency of the same, I herewith request you to go into said office forthwith and audit all books of said department and report to me at your earliest convenience on the condition in which you find them.

M. E. KEEFE, Mayor.

J. A. BELL, City Auditor.

November 16th, 1892.

His Worship the Mayor :

SIR,—In accordance with your worships instructions, I have been engaged during the past four weeks in enquiries, relating to the clerical department of the Board of Works. I very much regret that unavoidable delays have prevented me from reporting sooner.

As your worship is aware the great bulk of the money expended by the Board of Works, is drawn by requisitions, signed by the chairman and the clerk of the Board. These requisitions are all charged to the several services, both by the City Treasurer and myself, and are required to agree with the clerks books before publication in the annual reports. So far then as the requisitions are concerned, there is not much chance of any great discrepancy. The money expended for work and maintenance in the Water Department is drawn on cheques on the City Treasurer, and the Treasurer is really the cashier of the Water Department.

There is however, and has been since the beginning of the civic year, a good deal of money paid into the office of Board of Works, for permits to construct drains, and money is sometimes received for materials sold or work done for outside parties. This money has been virtually under the control of the Clerk of Works, who has been in the habit of paying bills from this source to a considerable amount. This practise is undoubtedly most irregular, and to this source I attribute in a great measure, the trouble that has arisen. After careful inquiry I have satisfied myself that the moneys received in the office from time to time, can all be accounted for, and that there is no ground whatever for any suspicion of wrong doing. Still I am bound to say that the present system, or rather lack of system in the money department of the Board of Works, is deplorably loose and unsatisfactory. On the 27th, and 28th of October, when the clerk and I counted the cash in the safe, there was in notes, cheques and loose silver, over

\$3500, which is however no more than there should have been on hand according to the books, though why so large an amount should be kept in the office from month to month, does appear somewhat unaccountable.

To put the matter as briefly as possible I may say that the office should be reorganized and the work better divided than it is at present. Without attempting to evade my own responsibility in the matter I am quite sure that neither I or any one else can possibly audit the books and accounts of the office unless the books are kept promptly written up and the accounts presented in an orderly shape. My own impression is that the Clerk of Works has more to do than he can properly attend to, and he should have help. I am satisfied also from what I know of the assistant clerk that he is quite competent for a higher class of work than merely or chiefly the preparation of the pay sheets. Of course any change in the work of the office must emanate from the board and be approved by the City Council, but I cannot help expressing my belief that if everything relating to the custody of the accounts and the paying of them were entrusted to Mr. Reilly, the work would be well done, and there would be no reoccurrence of irregularity.

J. A. BELL, *City Auditor.*

His Worship the Mayor submits in writing a statement of the action taken by him upon receipt of the City Auditor's report.

Halifax, December 7th, 1892.

To the Members of the City Council :

GENTLEMEN,—On receipt of the Auditor's report I had a consultation with the Chairman of the Board, the City Engineer and City Treasurer. I instructed Mr. McNutt to hand the accumulation of cash in his hands over to the City Treasurer, instructing him to place it to the credit of the different services to which it belonged. This he promised me he would do, and in accordance therewith the sum of \$2,501.85 has been so placed. Of the other \$1,000 I have been informed that a large amount of it was returned to the parties to whom it belonged, during the time that elapsed between my getting the auditor's report and my instructions to the Treasurer. The balance will be handed over as soon as the statement is complete. So far it does not appear to me that anything was wrong.

Now a word about this accumulation of cash. No previous Board of Works or City Engineer had exacted this deposit from citizens requiring permits, nor had the previous Boards made any house connections and required the applicants to make those deposits in advance, so that it was a new departure and in that way a large amount of this money accumulated. There has been no wrong doing and all that in my opinion is required is to give the help called for in the office, by appointing Mr. Reilly book-keeper, and getting another assistant for the office as the council sees fit.

M. E. KEEFE, *Mayor.*

Read report of Alderman Pickering, Chairman Board of City Works to said board relative to the financial affairs and method of keeping the accounts of the Board, the same being submitted by leave of Council.

Halifax, December 1st, 1892.

To the Members of the City Board of Works :

GENTLEMEN,—It being my duty, as Chairman of your Board, to lay before you a brief statement of facts in connection with the financial affairs and method of keeping the accounts of the Board of Works Office, as found by your committee when assuming the duties of Commissioners of the Board and since. I beg respectfully to report as follows:

The facts are, the work of the office has never been done under a proper system, no regular set of books having been kept. There was a ledger in which were entered the amounts received from the Treasurer for the different services, and then were charged under the same headings; no account being kept to show from whom the material, etc., used on the works and for other purposes, had been

purchased. This book has not been written up for several years. In July the Board decided to employ Mr. Scott to inaugurate a system which would avoid a recurrence of this most deplorable state of affairs, when five books were found containing amounts due for work on sewerage, sidewalks, water and material; in some cases the bills had not been rendered; in others they had been paid but no credit given. One of these books was kept by Mr. McDonald, foreman of streets, and two by Mr. Morrison, of the water department. Bills amounting to \$6,444.73 have been made out and mailed. In several cases the parties have produced receipts showing that the amounts had been paid. The cash book had not been written up for over two years. When writing it up, in order to get a balance, it was found that Mr. Spelman's salary for the month of September, 1890, although paid, had not been drawn from the Treasurer; and on August 7, 1890, two amounts for horses and drivers, \$3 4.73 and \$181.87, in all \$436.60 were drawn, and on the 12th the same amount was again drawn. On enquiry it was found that the second amount was returned to the Treasurer, but there is no record in this office to show that it had been.

The bank account had not been checked previous to August 31. On comparing the cheque-book with the bank pass-book at that date, it was found, two deposits had been added on the cheque-book twice, which, with other errors, made it appear that there was \$1,229.87 at the credit of the Board more than the actual balance at the bank. Cheques amounting to \$346 38, drawn in May and June, were still in the office, the bills for which they were made out not having been paid. On June 1, H. H. Fuller & Co. were paid the balance of their account for the year ending April 30. Checking their statement, it was found that \$255.70 had not been drawn from the treasurer, but had been paid out of cash in office. A number of bills were also found, amounting to \$507.29, which had been paid in June, July and August, but no money was drawn for the same. Other bills have been paid in the same way. On May 23, 1892, \$117.96 were paid to C. C. Church, amount of bill for sand and gravel, and on June 22nd, the same bill was again paid, having been twice drawn from the Treasurer. Oct. 5, \$147.20 were drawn to pay for a horse purchased from John Horn, and again on another requisition two days later. At the present time, bills amounting to upwards of \$500 have been paid without the money having been drawn from the Treasurer. Some of them are last year's. A number of errors have been made in the time books. In the pay of January 12th, last, by an error in the addition of labor for Lorne Terrace sewer, \$100 were short drawn, and on February 9th, an error in extension of \$100 in labor for Coburg Road Sewer, made that account overdrawn, making the cost of Lorne Terrace sewer \$100 more and Coburg Road sewer \$100 less. Other smaller errors in time books show an amount a short drawn of \$12.18. Mr. Scott has opened a set of books starting from May 1st, 1892, in which accounts for the different services are kept. Also for each sewer constructed, streets paved, the different branches of the water service, and all persons from whom material has been purchased or bills contracted for work done, etc. Any errors found previous to the present civic year are not the result of search, but have come under notice while endeavoring to straighten out this year's business. I might include many other matters in this report, but I think sufficient has been stated to convince the board that the work of the office has been done in a very unbusinesslike and loose manner. When I assumed the position of chairman of the board in May last, I presumed the business of the office was conducted in a proper manner—inasmuch as three years ago, when I was a member of the then Board of Works, I called the attention of that body to the necessity of an audit of the books and the method of keeping the same, when the matter was taken to the Council and dealt with by them by resolution as follows:—

Resolved, That this Council instruct the City Auditor, John A. Bell, to assist Alderman Pickering and Hesslein to audit the books of the City Board of Works, from the time last audited to the end of the last civic year, and report the same to this Council.

Moved by Alderman Mosher, seconded by Alderman Mackintosh, to which the following amendment is introduced:

Whereas, it has been admitted by the Chairman of the Board of Works, at a meeting of that body, that the books, accounts and expenditures of the Board have not been audited for three years, during which period the Board has expended some \$450,000.

And whereas, this, if true, is a most unbusiness-like state of affairs, as well as a grave injustice to the commissioners and officers of the board of City Works, inasmuch as it is calculated to arouse the suspicions of the citizens in regard to the business methods of the board;

Resolved, That the City Auditor be requested to report to this Council the reason why he has not audited the accounts of the Board of Works for three years.

(2) That the auditor is hereby instructed to make a thorough examination of the books, accounts and expenditures of said Board from the time the last audit was made to the 1st November, 1889, and report the same to the Council at an early date, together with a detailed statement of all moneys owing to the Board of Works for sewerage, assessments, material loaned or sold, labor, sidewalks, improvements or for any other purpose, and of the liabilities of said Board;

(3) Also to report on the system of book-keeping followed in the office of the Board.

Further resolved, That the Auditor be and is hereby instructed to make an annual audit of and report to this Council upon the books, accounts, expenditures, liabilities and amounts owing said Board of City Works.

Moved by Alderman Dennis, seconded by Alderman Hamilton, which amendment on being put is passed, and the original resolution on being put is also passed.

This resolution and amendment were put and passed at a meeting of the Council, held on November 18th, 1889. At the time of the passing of that portion of the resolution referring to Alderman Hesslein and myself, I may say we declined to act in that capacity, and on the 20th January, 1890, the Auditor reported to the Council as follows:—

OFFICE OF CITY AUDITOR,

January 20th, 1890.

SIR,—I have the honor to acknowledge receipt of a resolution passed by the City Council, on 18th November, last, requiring certain information from me in reference to the financial affairs of the City Board of Works. I may say at the outset that my report has been delayed longer than I would wish on account of other matters requiring daily attention. The truth is that owing to some changes in the assessment act, of 1883, imposing additional audits upon upon, owing also to the great increase in the civic business, I have not been able of late to visit the office of the Board of Works very frequently.

It does not follow that the expenditure of civic funds by the Board of Works have not been subject to supervision. There appears to be considerable misapprehension with regard to the powers and responsibilities of the Board of Works. The Board of Works is merely a committee, or rather an amalgamation of several committees appointed by the Council. Is subject to its control in everything.

It is true, as stated in the resolution, that a very large amount of money passes annually through the office of the Board of Works, but it is also true that not a cent of that money can be drawn from the city treasury without a great deal of formality and scrutinizing oversight. Furthermore, the office of the Board of Works is not the only place where an account of its expenditures is kept. An account of these expenditures, as well as of expenditures for other branches of the civic service, is kept in both my office and in the treasurer's office; and as regards the Board of Works, I may add that the present clerk of works, ever since his appointment, has been in the habit of comparing his books with mine every few weeks.

I have examined the books of the board as directed and have not discovered any errors worth mention. These examinations include the expenditures for the Water Department.

The Water Department is, in some respects, different from other civic departments. The requirements for the Water Department are not included among the appropriations in the annual civic estimates; the current expenses and the interest for the Water Department are paid out of its own revenues. When the Board of Commissioners of water supply was abolished in 1872, the powers and duties of the commissioners were transferred to the newly formed Board of Works, with this difference, that the water rates which were formerly collected by the Commissioners of water supply, are now collected by the City Collector, and it is part of my duty to check the receipts for water rates as well as the other city taxes.

As a rule this is done by me about twice in every week. The warrants drawn on the City Treasurer for the requirements of the Water Department were formerly signed by the Chairman of Commissioners of water supply; they are now signed by the Chairman of the Board of Works and the Clerk of Works, and in the case of contracts are certified by the City Engineer. The whole of the accounts of civic expenditure are carefully compared by me with the Treasurer's cash book previous to publication in the annual report which is also a part of my duty to prepare.

The resolutions includes some other matters which require explanation. A book was recently discovered in the office of the Board of Works, containing a list of parties owing sums for work done in connection with sewerage amounting in all to over \$19,009, none of which amounts were marked paid.

The work alluded to was performed by the Board of Works in virtue of an act passed in 1873, by which act the city was empowered to construct sewers under certain conditions, one of which was the payment by the applicant of a specified proportion of the cost of such sewers to the City Treasurer. The act was not explicit with regard to the collection of the proportion mentioned (\$1.25 per foot frontage) and the Board of Works, being apparently desirous to rid itself of the responsibility of collection, sent a list of the parties indebted for sewerage to the City Council. This was in February, 1875, and the names and amounts may be found in a book in the Treasurer's office. I have gone over this list, amounting to \$19,267, and I find that a large proportion has been paid. There were other sewers constructed under the same act and other charges made to citizens for their proportions, all along as far as 1885, the whole of which charges as well as those first alluded to, are contained in the sewerage book in the Treasurer's office. The total amount charged by the Board of Works under the act of 1873 and its amendments is \$25,613, but this included a good deal of work for which payment was not expected. For instance there is over \$600 charged to the Public Gardens, nearly as much for the sewers running past the fields of the School for the Blind, other amounts charged to Imperial property, the R. C. cemetery and some city lots, making altogether \$2,983, which reduces the \$25,613 to \$22,630, of which \$14,579 was paid in cash, leaving a balance due for work under the act of 1873 of \$8,051. The greater part of this balance was placed in the hands of the City Collector for collection, but there were quite a number of persons presumably able to pay who claimed exemption on the ground that they did not require the sewers and had not connected with them. The claim appears to have been admitted so far, but whether it could be defended under the act I am not prepared to say. The return of moneys received for sewerage lately presented to the City Council by the acting treasurer, is considerably larger in amount than the figures I have given. The reason is, that the Treasurer's statement includes moneys received under the present sewerage act, and also a considerable amount from the admiralty department, neither of which comes within the scope of the present enquiry. It will be seen that the Board of Works is not responsible for the amounts due on sewerage account, but there is another class of transactions, which no doubt arising from the frequent reconstruction of the Board itself, appears to have grown into an abuse. The board has been in the habit occasionally of doing work for citizens upon sidewalks or of supplying material, such as stone or gravel, and sometimes also of doing small jobs, unavoidably in connection with the water service. The accumulated total of these debts running over six years is now \$1,575 as is shown by schedule annexed. It is clear that these amounts should have been collected by somebody or a list of