

Therefore resolved, that in the opinion of this Council the Police Commission should, in the interests of the Force, make a thorough investigation into the matter and take such action as the circumstances warrant ;

And Resolved, That the Commission be requested to make such an investigation at its earliest convenience and report, as far as necessary, to the Council.

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

The following resolution is next submitted :—

Resolved, That the Chief of Police report at the next meeting of the Council as to whether or not one or more slot machines are located within the City limits, and if so, to report the name of the occupant of the premises.

And he is specially requested with the above object in view to examine the properties within which liquors are licensed to be sold in the City.

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

Moved by Alderman Campbell, seconded by Alderman Taylor, that No. 20 on Order of the Day be now taken up. Motion passed.

Read No. 20, viz: Reports Committee on works and City Engineer covering draft Agreement for water supply to Intercolonial Railway.

Also read said Agreement.

Moved by Alderman Campbell, seconded by Alderman Cawsey, that said reports and Agreement be adopted and His Worship the Mayor authorized to execute the said Agreement. Motion passed.

Moved by Alderman Hawkins, seconded by Alderman Lamphier, that the Order of the Day be suspended to permit Alderman Hawkins to introduce a resolution. Motion passed.

The following resolution is submitted :

Resolved, The City Engineer report upon the construction of the proposed Windsor Street sewer at next meeting of City Council.

Moved by Alderman Hawkins, seconded by Alderman Cawsey and passed.

Moved by Alderman Johnson, seconded by Alderman Cawsey, that the Order of the Day be further suspended to permit Alderman Johnson to introduce a resolution. Motion passed.

The following resolution is now submitted :

Resolved, That the City Prison Committee, with the Recorder, report on the City's rights in the County Court House and Jail, and the feasibility of using this property instead of Rockhead, and thus do away with the necessity of keeping up the latter institution.

Said report to give all the particulars obtainable as to the accommodation at the County Court House, number of criminals usually at Rockhead, etc.

Moved by Alderman Johnson, seconded by Alderman Geldert and passed.

Moved by Alderman Taylor, seconded by Alderman Halliday, that No. 15 on Order of the Day be now taken up. Motion passed.

Read No. 15, viz. : Report of City Prison Committee *in re* water supply to City Prison.

At 10.30 o'clock, there being eleven Aldermen present, Alderman Cawsey, seconded by Alderman Hubley, moves a call of Council.

Moved by Alderman Taylor, seconded by Alderman Halliday, that the Council adjourn. Motion passed.

Council adjourns 10.31 p. m.

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, April 14th, 1904.

A meeting of the City Council was held this evening. At the above hour there were present His Worship the Mayor and Aldermen Taylor, Geldert, Campbell, Hubley, Lamphier, and Adams.

Moved by Alderman Taylor, seconded by Alderman Hubley, that the time for meeting be extended till 8.30 o'clock. Motion passed.

8.30 o'clock roll called. Present the above named together with Aldermen Barry, Johnson, Doyle, Cawsey, Rogers and Hawkins.

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

The following papers are submitted :

Report Board of Fire Wards, by Alderman Hubley, Chairman.

Report Public Accounts Committee, by Alderman Johnson, Acting-Chairman.

His Worship the Mayor submits the following named papers :

Recorder's opinion *in re* South Shore Railway, right-of-way.

Report City Engineer *re* Boat Landing at North West Arm, foot of Coburg Road.

Report Chief of Police *in re* Slot Machines.

Report Chief of Police *in re* violations of Liquor License Act on Sunday.

Report Coal Weighers for March.

Application of P. McTiernan for refund of \$10.00 deposited for Liquor License.

Letter Bar Society *in re* New Court House.

Moved by Alderman Campbell, seconded by Alderman Taylor, that the Order of the Day be suspended to permit the reading of the papers submitted. Motion passed.

Read report Chief of Police *in re* Slot Machines in the City.

SLOT MACHINES.

OFFICE OF CHIEF OF POLICE, April 13th, 1904.

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

GENTLEMEN,—In accordance with resolution of the City Council with reference to slot machines, I beg to report as follows :—

The machines described as under were found at the places named :

Joseph White, Aberdeen Hotel, Argyle St.—1 slot cigar machine (not in working order).

John Coleman, 33 Upper Water St.—1 slot lifting machine.

David Andrews, 140 Hollis St.—1 peanut and 1 weighing machine.

Edward Rolston, Albion Hotel, Sackville St.—1 peanut and 1 weighing machine.

T. W. Hardy, 102 Granville St.—1 lifting machine.

Peter Flemming, 156 Lower Water St.—1 punching machine.

George Waugh, 13 Granville St.—1 electric slot machine.

Frank Flemming, cor. Salter and Pleasant St.—1 weighing machine.

William Cyr, 122 Upper Water St.—3 slot picture machines, 2 lifting machines, 3 punching machines, 2 electric machines, 1 fortune teller machine, 1 weighing and lifting machine, 1 peanut machine, 1 grip machine.

William Gibbons, 116 Upper Water St.—1 punching machine, 1 muscle tester, 1 lifting machine, 2 lung tester machines, 2 electric machines, 1 peanut machine.

Edward Coleman, 184 Upper Water St.—1 punching machine.

T. W. Davis, 143 Upper Water St.—1 punching machine, 1 peanut machine, 1 candy machine, 1 weighing machine, 1 lung tester, and 2 perfume machines.

Joseph Ferguson, 202 Upper Water St.—1 peanut machine.

George James, 266 Upper Water St.—1 lifting machine.

Thomas Chalmers, 282 Upper Water St.—1 lifting machine, 1 electric machine, 1 grip machine.

Wm. Saunders, 346 Upper Water St.—1 cigar machine.

Charles Rogers, 500 Upper Water St.—1 punching machine, 1 peanut machine, 1 electric machine.

Richard J. Power, 8 North St.—1 peanut machine.

North St. Railway Station—1 lifting and weighing machine.

Dugald McDonald, 101 Gottingen St.—1 peanut machine.

John Handley, 91 Gerrish St.—1 lifting and weighing machine.

George Harris, 169 Gottingen St.—1 peanut machine, 1 electric machine, 1 picture machine.

Wm. Verdi, 106 Gottingen St.—1 peanut machine.

Wm. Quigley, 94 Upper Water St.—1 lifting and weighing machine.

John Monaghan, 1 Bell St.—1 peanut machine, 1 grip machine, 1 punching machine, 1 weighing machine, 1 lung testing machine.

Charles AuCoin, 46 Upper Water St.—1 fortune telling machine, 1 musical machine.

William Glawson, Granville St.—1 electric slot machine.

J. O'SULLIVAN, *Chief of Police.*

Moved by Alderman Hubley, seconded by Alderman Johnson, that the report be referred to His Honor the Recorder for report. Motion passed.

Read letter Nova Scotia Barristers' Association in *re* County Court House.

COUNTY COURT HOUSE.

HALIFAX, N. S., April 8th, 1904.

To the Worship the Mayor and the City Council, of the City of Halifax :

GENTLEMEN,—I am directed by the Council of the Nova Scotia Barristers' Society to forward to you a copy of a resolution which was adopted by the said Society at their last annual meeting, which was holden on the 27th day of February now last past, and to ask your earnest consideration of the same.

W. R. FOSTER,

Secretary-Treasurer of the Nova Scotia Barristers' Society.

Whereas, in the opinion of this meeting the Court House at Halifax, in its present condition is unsuitable for the purposes which it is intended to serve, the building being unsanitary, the Court rooms improperly lighted and insufficiently heated, the Law Library space inadequate, there being no proper jury rooms, no consulting rooms, no witnesses' waiting rooms, nor many of the usual conveniences to the Bench, Bar and Public, which are to be found in modern buildings devoted to the administration of justice ;

And Whereas, the offices occupied by the County and Court Officials within said building are as a rule too small and improperly furnished ;

And Whereas, the defects just referred to are strikingly apparent as respects the offices of the Prothonotary and Registrar of Deeds, which offices, many, and especially the members of the Bar, have frequently to visit ;

And Whereas, said offices are not only inadequate for the proper and convenient preservation of the valuable documents which by law must be filed or registered therein, but are, besides, so unsuitable for their proper purpose, and so devoid of furniture and appointments, that it is difficult to conveniently use them ;

Therefore Resolved. That the proper authorities should be urged to at once provide a modern and well appointed Court House at Halifax ;

Further Resolved, That copies of this resolution be sent to the Provincial Government, the City and County Councils and the Court House Commissioners, and that the Council of the Society use its best efforts to secure the desired end, and do report at the next meeting of the Society.

Moved by Alderman Doyle, seconded by Alderman Hubley, that the same be referred to the Committee on Laws and Privileges and His Honor the Recorder for report. Motion passed.

Read application of P. McTiernan for refund of \$10.00 deposited by him with application for Liquor License.

Moved by Alderman Doyle, seconded by Alderman Hubley, that the same be referred to the Committee on Laws and Privileges for report. Motion passed.

Read report Chief of Police *in re* violations of the Liquor License Act on Sunday.

VIOLATIONS LIQUOR LICENSE ACT.

OFFICE OF CHIEF OF POLICE, April 14th, 1904.

His Worship the Mayor and City Council:

GENTLEMEN,—In accordance with resolution of Council in *re* Violations of Liquor License Act on Sunday, I beg to report that there have been no violations reported to me since last meeting of Council.

JOHN O'SULLIVAN, *Chief of Police.*

Filed.

Read report of Coal Weighers for the month of March. Filed.

Read opinion of His Honor the Recorder in *re* right-of-way for South Shore Railway.

LIABILITY OF THE CITY FOR CONSEQUENTIAL DAMAGES IN *RE*
HALIFAX AND SOUTH WESTERN RAILWAY.

RECORDER'S OFFICE, CITY HALL, April 13th, 1904.

His Worship the Mayor and City Council:

GENTLEMEN.—Under the Halifax and South Western Railway Company's Charter the Company alone have the right to take lands for their track and station houses, and on their finding a plan of the route with the Governor-in-Council, approved of by them, the property in the land taken passes to the Company. By the nineteenth section of their Charter any city, town or municipality through which the line contemplated might run is authorized to grant any aid they think proper to assist said Company in their undertaking. The twenty-first section of the said Charter provides that any moneys payable for lands for track and station purposes for the line of railway shall form a charge on the several municipalities through which the line of railway passes, subject, however, to a resolution of the Municipal Councils respectively in which said lands lie authorizing the acquisition of said lands in which case the damages arising from the taking of the lands is a charge against the municipality. By the twenty-sixth section, in case the Company is not authorized to take said lands by the municipality the Company themselves, as I have pointed out, have the right to take them, in which case the Company would be responsible for all damages, whether consequential or otherwise, and in either case consequential damages would have to be paid; and in the latter case (that of the Company taking the land themselves without any authority from the Municipality) they would be responsible not only for the price of the land taken but for any consequential damages.

After this Council, on the representation of a citizen, agreed to take the responsibility for the price of the land to be taken for the building of the railway to the Lunenburg County line, an Act was prepared and approved of by the Council and that Act contains a clause that the lands taken for the right-of-way should be valued at their true market value and that no prospective or consequential loss or damage should be allowed and that the City was not to be responsible to the owners or persons interested in said lands so taken for said right-of-way.

It will be seen from these various Acts that the owners of property had only recourse for compensation for damages arising from the taking of lands against the Municipality, when the taking was authorized by it, but where the Company takes the land themselves then the Company are responsible for the damages, and there was no clause in the Act sent down by this Council relieving the Company of that responsibility. The Act as sent down by this Council will be found in the Minutes of April 6th, 1903, page 316.

When the Act was passed last session making the City responsible for consequential damages your Committee pointed out to the Legislature that the Company was respon-

sible for all consequential damages, and that as the City had never authorized the Company to take the lands, but only agreed to pay this sum by way of aid to the Company, that the City should not be now liable for consequential damages and thereby relieve the Company and throw this additional expense upon the City; but the Legislature called the attention of your Committee to the ninth section of Chapter 75 of 1903, which was an addition made by the Legislature itself to the Acts sent down by this Council. That section reads as follows:—"The owners of the lands taken by the said Halifax and "South Western Railway Company under the provisions of its Charter shall have no "action or claim for compensation, loss, damages or expenses arising therefrom against "the City of Halifax or said Company, but all such claims for compensation or damages "shall be payable out of the fund paid into the Prothonotary of the Supreme Court "hereunder." It was suggested that that clause of the Act had deprived the owners of their right against the Company for consequential loss; but it was pointed out by your Committee that that clause was inserted in the bill when going through the Legislature by the Legislature itself and was not put there by the Council, nor was it contained in the bill sent down and could be repealed and left as it was originally. The effect of the amendment of last session was to throw a very heavy burden upon the City, and in fact to make a new contract for it and relieve the Company of their liability.

The Legislature of this Province have full power to pass any Act within its legislative power, and I am of opinion that no matter how grievous this Act is it was within their power and that the City is liable not only under the terms of its original Act but for consequential damages under the Act passed this last session. That the Legislature should, notwithstanding the protest of your Committee and that of the Premier, the Attorney-General and the Hon. David McPherson, one of the members for the County, undertake to exercise such an arbitrary power and impose a new liability upon the City and change their agreement is, I must admit, an extreme exercise of their power; and I am satisfied that if such an Act had been sent down to the Legislature from any other municipality in this Province it would not have received the sanction of the Legislature unless consented to by both representatives of the County affected, which was not the case in this instance. In common justice the Act should have been submitted to the City Council for their approval or disapproval before it was finally passed.

W. F. MACCOY, *City Recorder.*

Alderman Cawsey verbally gives notice of motion of protest against the Act compelling the City to pay consequential damages in connection with the lands taken for right-of-way for the South Shore Railway.

Moved by Alderman Rogers, seconded by Alderman Doyle, that His Honor the Recorder be authorized to consult with Messrs. Borden, Ritchie and Chisholm in regard to the City's liability in the matter of the South Shore Railway right-of-way. Motion passed.

Read report City Engineer *in re* Adam Marr's petition for boat landing privileges at the North West Arm, foot of Coburg Road.

BOAT LANDING COBURG ROAD.

CITY ENGINEER'S OFFICE, April 14th, 1904.

His Worship the Mayor:

SIR,—In accordance with the accompanying extract from Minutes of Council, I beg to report on the petition of Adam Marr for permission to maintain and operate a boat landing at the west end of Coburg Road.

The petition is accompanied by a letter from Mr. Geoffrey Morrow, the adjoining property owner, who is favorable to the granting of the petition. I am informed that the Lieutenant-Governor who owns the property on the other side is also not unfavorable.

I would therefore recommend that a permit be granted for five years from the first of May, 1904, on the same conditions as those named in the permit to Mr. Wm. Robinson, with the further provision that Mr. Marr shall make and maintain the roadway to the water, in accordance with his application.

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

Moved by Alderman Rogers, seconded by Alderman Johnson, that the Engineer's report be adopted. Motion passed.

Read report Board of Fire Wards on various matters.

REPORT BOARD OF FIRE WARDS.

COMMITTEE ROOM, CITY HALL, April 11th, 1904

To His Worship the Mayor and City Council :

GENTLEMEN,—The Board of Fire Wards met this day and beg to submit the following report :—

Present : Alderman Hubley (Chairman), Taylor, Adams, Barry, and Cawsey.

1. That Wm. Howe, driver No. 1 Ladder Cart, has resigned, and it is recommended that Wm. Wells, supernumerary No. 4 Hose Co., be appointed driver of No. 1 Ladder Cart, vice Wm. Howe, resigned.

2. That the tender of John F. Kelly for supplying five snap collars at \$27.00 each be accepted.

3. That the tender of John Foley (\$109.00) for pointing the Brunswick Street front of Central Engine House, being the lowest, be accepted.

4. The following recommendations are submitted for the approval of the Council on the matter of the appointment of Supernumeraries :

(a) That six Supernumeraries be appointed to each of the Fire Department Companies ;

(b) That in making appointments to either the call or permanent force preference be given to the regularly appointed Supernumeraries ;

(c) That all appointments as Supernumeraries be made on the recommendation of the Chief ;

(d) That no person be appointed a Supernumerary who is not at least 5 ft. 6 in. in height, and 36 in. chest measurement, with 3 in. chest expansion ;

(e) That no person be appointed a Supernumerary who is under twenty-one years of age or over thirty ;

(f) That no person be appointed a Supernumerary unless he produces a certificate of physical fitness for the position of a Fireman from the City Medical Officer ;

(g) That no Supernumerary be appointed to the permanent or call force unless at the time of such appointment he produces a certificate from the City Medical Officer that he is then physically fit for a Fireman ;

(h) That a Supernumerary who was appointed as such before he was thirty years of age may, if then physically fit, be appointed to the permanent or call force on the recommendation of the Chief, notwithstanding he is over thirty years of age, but not exceeding thirty-five years of age ;

(i) That the roll book of attendance of the permanent and call men also show the attendance of the Supernumeraries, and that in recommending the appointment of Supernumeraries to the regular force the record of attendance, discipline and capabilities as Firemen be taken into consideration ;

(j) Except as to fines, the Supernumeraries are to be subject to all the Rules and Regulations of the Department ;

(k) That the Department Rules and Regulations be amended to meet the requirements of these recommendations.

5. The following accounts are recommended for payment :

Andrew Hubley, expenses to Prince Edward Island to purchase a horse for Fire Department.	\$12 00
T. C. Allen & Co., stationery, 1902-3.	5 70
	\$17 70

ANDREW HUBLEY, *Chairman.*

Moved by Alderman Hubley, seconded by Alderman Barry, that the report be adopted and the accounts paid. Motion passed.

Read report Public Accounts Committee *re* widening of Upper Water Street, foot of Duke Street.

WIDENING UPPER WATER STREET.

COMMITTEE ROOM, CITY HALL, April 12th, 1904.

To His Worship the Mayor and City Council:

GENTLEMEN,—Your committee on Public Accounts, to which the proposed widening of Upper Water Street was referred for consideration, beg to report as follows :—

Your Committee recommend to the Council that the owners or their representatives be notified that the City requires certain parts of their lots in accordance with the plan prepared by the City Engineer, and invite them to name a price to the City Engineer which they are willing to take for the parts of said lots required, and that if no agreement can be reached that they be notified that the City will expropriate the land required in accordance with law.

For the information of the City, your Committee recommend that Messrs. John MacInnes and W. G. Wiswell be requested to value the parts required of said lots in accordance with said plan, and furnish the same to the City Engineer.

J. A. JOHNSON, *Acting Chairman.*

Moved by Alderman Doyle, seconded by Alderman Johnson, that said report be adopted. Motion passed.

Moved by Alderman Rogers, seconded by Alderman Taylor, that the Council do now adjourn. Motion passed.

Council adjourns 9.40 o'clock.

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, April 28th, 1904.

A meeting of the City Council was held this evening. At the above hour there were present Aldermenn Lamphier, Hubley, Halliday, Adams, Rogers and Cawsey.

Moved by Alderman Rogers, seconded by Alderman Hubley, that the time for meeting be extended until 8.30 o'clock. Motion passed.

8.30 o'clock roll called. Present the above named together with His Worship the Mayor and Aldermen Doyle, Geldert, Barry, Campbell, Johnson, Taylor, Hayward and Hawkins.

The Council was summoned to receive the returns of the elections for Mayor and Aldermen, to proceed with business standing over and the transaction of other business.

The following named papers are submitted :

Report Tenders Committee, by Alderman Campbell, Chairman.

Report Common Commissioners, by Alderman Rogers, Chairman.

Report Board of Fire Wards, by Alderman Hubley, Chairman.

Report Laws and Privileges Committee, by Alderman Geldert, Chairman.

Report Charities Committee, by Alderman Cawsey, Chairman.

City Clerk's returns of election for Mayor and Aldermen.

His Worship the Mayor submits the following named papers :—

Seven reports Committee on Works, viz :

W. I. Hubley's claim for damages.

Water rates to certain institutions.

Chris. Connolly's claim.

Fred Parsons' claim.

Water Extension North George Street.

Tenders for supplies—also petition from truckmen *re* contract for street cleaning
Telephone Contract

Reports (2) City Engineer *re* widening Upper Water Street.

Letter His Honor the Recorder *re* transfer of Little Fuel Yard to the City.

Recorder's opinion *in re* slot machines.

Report Chief of Police *in re* Sunday violations of Liquor License Act.

Petition F. G. Parker for sewer Morris Street.

Moved by Aldermen Campbell, seconded by Alderman Hayward, that the order of the day be suspended to permit the reading of the papers submitted. Motion passed.

Read return of City Clerk covering the nomination papers of Adam B. Crosby for the office of Mayor of the City of Halifax, he being the only candidate nominated for said office for the election held April 27th inst.

The City Clerk declares Adam B. Crosby duly elected Mayor of the City of Halifax for the civic year 1904-05.

Read return of City Clerk covering the nomination papers of James Halliday for the office of Alderman for Ward No. 1, he being the only candidate nominated for said office for the election held April 27th inst.

The City Clerk declares James Halliday duly elected an Alderman of the City of Halifax for Ward No. 1.

Read return of City Clerk covering the nomination papers of Thomas J. Barry and George A. Wooten for the office of Alderman for Ward No. 2, together with the poll books containing the returns of the Presiding Officers at the several polling places in said ward at the election held on the 27th April, inst., said returns showing Thomas J. Barry to have received 398 votes and George A. Wooten 376 votes, giving Thomas J. Barry a majority of 22 votes.

The City Clerk declares Thomas J. Barry duly elected an Alderman of the City of Halifax for Ward No. 2.

Read return of City Clerk covering the nomination papers of Narcisse V. Gastonguay and William B. Mahoney for the office of Alderman for Ward No. 3, together with the poll books containing the returns of the Presiding Officers at the election held on the 27th April, inst., said returns showing Narcisse V. Gastonguay to have received 298 votes and William B. Mahoney 215 votes, giving Narcisse V. Gastonguay a majority of 83 votes.

The City Clerk declares Narcisse V. Gastonguay duly elected an Alderman of the City of Halifax for Ward No. 3.

Read return of City Clerk covering the nomination papers of Andrew Lamphier for the office of Alderman for Ward No. 4, he being the only candidate nominated for said office for the election held April 27th inst.

The City Clerk declares Andrew Lamphier duly elected an Alderman of the City of Halifax for Ward No. 4.

Read return of City Clerk covering the nomination papers of Peter F. Martin for the office of Alderman for Ward No. 5, he being the only candidate nominated for said office for the election held April 27th inst.

The City Clerk declares Peter F. Martin duly elected an Alderman of the City of Halifax for Ward No. 5.

Read return of City Clerk covering the nomination papers of George A. MacKenzie and Constant Upham for the office of Alderman for Ward No. 6, together with the poll books containing the returns of the Presiding Officers at the several polling places on said Ward at the election held on the 27th April, inst., said returns showing George A. MacKenzie to have received 455 votes and Constant Upham 287 votes, giving George A. MacKenzie a majority of 168 votes.

The City Clerk declares George A. MacKenzie duly elected an Alderman of the City of Halifax for Ward No. 6.

ELECTION RETURNS.

OFFICE OF CITY CLERK, April 28th, 1904.

To His Worship the Mayor and City Council:

GENTLEMEN,—Persuant to the provisions of the City Charter and the acts in amendment thereof in respect to the election of Mayor and Aldermen, I have the honor to submit the following returns of the elections for Mayor and Aldermen held on the 27th day of April inst.

I have made separate returns in respect to the election for Mayor and for the election of an Alderman for each Ward, attached to which returns are the original nomination papers of all the candidates:

ELECTION FOR MAYOR.

Adam B. Crosby—By acclamation.

ELECTION FOR ALDERMEN.

WARD NO. 1.

James Halliday—By acclamation.

WARD NO. 2.	SECTION A.	SECTION B.	TOTAL.
Thomas J. Barry.....	204	194	398
George A. Wooten.....	205	171	376
Majority for Thomas J. Barry.....			22

WARD NO. 3.	SECTION A.	SECTION B.	TOTAL.
Narcisse V. Gastonguay.....	159	139	298
William B. Mahoney.....	107	108	215
Majority for N. V. Gastonguay.....			83

WARD NO. 4.

Andrew Lamphier—By acclamation.

WARD NO. 5.

Peter F. Martin—By acclamation.

WARD No. 6.	SECTION A.	SECTION B.	TOTAL.
George A. MacKenzie.....	229	226	455
Contant Upham.	146	141	287
			168
Majority for G. A. MacKenzie.....			168

L. FRED MONAGHAN, *City Clerk.*

The following resolution is submitted:—

Resolved, That the City Clerk be and he is hereby directed to notify the Honorable the Provincial Secretary of the election of Adam B. Crosby, Esquire, to the office of Mayor of the City, and to request him to ascertain the time and place at which it may be convenient for His Honor the Lieutenant-Governor to administer the oaths of office to the Mayor elect.

Moved by Alderman Geldert, seconded by Aldermen Halliday, and passed.

Read report Laws and Privileges Committee on various matters.

REPORT LAWS AND PRIVILEGES COMMITTEE.

COMMITTEE ROOM, CITY HALL, April 18th, 1904.

His Worship the Mayor and City Council:

GENTLEMEN,—Your Committee on Laws and Privileges beg to report that at a meeting of the Committee held this day, at which there were present Alderman Geldert, Chairman, Johnson, Doyle and Hayward, they had under consideration a number of matters which had been referred to them by resolution of Council for report, as follows:

1. Application of J. V. Sullivan for refund of license deposit fee.
2. Application of Patrick McTiernan do.
3. Petition of Retail Shoe Dealers re Early Closing of Shops.
4. Petition of John Greenaway for Retiring Allowance.
5. Petition of G. W. Acklom for tax exemption Harrow House School.
6. Letter N. S. Barristers Society in re Court House.
7. Circular on Street Railways, &c.

RE REFUND OF LICENSE DEPOSITS.

1. Your Committee beg to recommend that Messrs. J. V. Sullivan and Patrick McTiernan be refunded the amounts deposited with their license petitions, less the cost of advertising, as their applications were not granted by the Council.

RE PETITION OF RETAIL SHOE DEALERS.

2. That the Chief of Police be instructed by the City Council to report, and prosecute all violations of Ordinance No. 87 relative to the Early Closing of Stores.

RE PETITION OF JOHN GREENAWAY FOR RETIRING ALLOWANCE.

3. Your Committee regret that they see no way in which the City can legally grant a retiring allowance to Mr. John Greenaway, as he has not been a City Official for many years, being appointed by the City Collector and paid by that official out of the allowance made to him for that purpose.

RE PETITION GEO. M. ACKLUM FOR TAX EXEMPTION.

4. Your Committee recommend that the property on Tower Road owned by Geo. M. Acklum and known as the Harrow House School, together with the furniture and appliances used for school purposes, be exempt from taxation for City rates, under the provisions of Sec. 336 of the City Charter, provided the Supervisor of Schools report favorably on the efficiency of said school.

RE LETTER OF N. S. BARRISTER SOCIETY.

5. Your Committee recommend that the Council acknowledge receipt of the letter of the N. S. Barrister's Society, and inform the Society that the City Council will oppose any large expenditure on the present building or any expenditure for the erection of a new building until the City is given proper representation on the Court House Commission.

RE STREET RAILWAY EARNINGS AND FRANCHISES.

6. Your Committee in view of the fact that the City of Halifax has the least favorable agreement with the Street Railway Company of any City in Canada, and as the receipts from the said Company for the past year amounted to only \$6,749, whereas the City of Hamilton, with a population of only one-quarter more, received the sum of \$22,491.00, recommend that a special meeting of the City Council be called to deal with Street Railway matters and compel the Company to comply with the terms of their Charter, especially with regard to the paving of streets, and further to see that the property of said Company is kept up to the proper standard and become a more valuable asset if the City should desire to take the property over on the expiration of the Charter, which will occur in the year 1916.

J. M. GELDERT, *Chairman.*

The same is on motion considered clause by clause.

Read Clause 1, re refund of deposits made with applications for Liquor Licenses.

Moved by Alderman Campbell, seconded by Alderman Geldert, that said clause be adopted. Motion passed.

Read Clause 2, re petition of Shoe Dealers for the early closing or retail shoe stores.

Moved by Alderman Campbell, seconded by Alderman Taylor, that said clause pass. Motion passed.

Read Clause 3, re petition of John Greenaway for a retiring allowance.

Moved by Alderman Campbell, seconded by Alderman Taylor, that this clause be referred to the Public Accounts Committee for report. Motion passed.

Read Clause 4, re petition of George M. Acklum for tax exemption Harrow House School.

Moved by Alderman Doyle, seconded by Alderman Johnson, that said clause be adopted.

Moved in amendment by Alderman Hubley, seconded by Alderman Halliday, that said clause be referred to His Honor the Recorder for his opinion. The amendment being put is passed.

Read Clause 5, re letter Nova Scotia Barrister's Society on County Court House.

Moved by Alderman Johnson, seconded by Alderman Campbell, that said clause be adopted. Motion passed.

Read Clause 6, re Street Railway Earnings and Franchises.

Moved by Alderman Geldert, seconded by Alderman Halliday, that this clause be adopted.

Moved in amendment by Alderman Hubley, seconded by Alderman Cawsey, that said clause be placed on the Order of the Day with the other matters therein relating to street railway, and that the same be considered at a special meeting of Council to be called for an early day following the second Wednesday of May.

The amendment being put is passed.

Moved by Alderman Geldert, seconded by Alderman Halliday, that the report as amended be adopted as a whole. Motion passed.

Read report on Tenders Committee on Tenders for Stationery, Printing, Blank Books, &c.

TENDERS FOR SUPPLIES.

His Worship the Mayor and City Council :

CITY HALL, April 28th 1904.

GENTLEMEN,—The Committee on Tenders beg to report that they have opened tenders for advertising, printing, stationery, &c, and recommend that the following tenders being the lowest be accepted :—

Advertising	Herald and Recorder
Printing Minutes, Order of the Day and Annual Report.....	Holloway Bros.
Printing Blank Forms and Stationary	T. C. Allen & Co.
Blank Books	A. & W. Mackinlay.

D. H. CAMPBELL, *Chairman.*

Moved by Alderman Campbell, seconded by Alderman Halliday, that said report be adopted. Motion passed.

Read report Board of Fire Wards on various matters.

REPORT BOARD OF FIRE WARDS.

COMMITTEE ROOM, CITY HALL, April 25th, 1904.

His Worship the Mayor and City Council :

GENTLEMEN,—The Board of Fire Wards beg to report as follows :

1. That arrangements have been made with Joseph Fultz, Jr., to lock the doors and put out the lights at the Grafton Street Chemical House at every alarm of fire to which all the apparatus at that station responds, for 50 cents for each such alarm ;
2. That for one dollar for each similar alarm, Mr. Claude Walsh will ring the alarm bell, put out the lights and lock the doors of, the West Street Engine House ;

3. That the balance of \$19.00 due Mr. James P. Walsh on contract for removing tower of Gerrish Street Engine House be settled by accepting Mr. Walsh's order to pay W. H. Isnor that amount, less \$3.03 to be deducted and paid Committee on Works for damage done by Mr. Walsh;

4. Agreeably to various resolutions of the City Council, your Board have at several meetings considered the matter of the occupancy of the Spring Garden Road Engine House. The Board also had two conferences with a Committee of the Veteran Firemen's Association, at one of which His Worship the Mayor was present. A majority of the Board deeming it in the interest of the Department that certain apparatus in active use should be stored in said building, adopted the following resolution at a meeting held on the 25th inst:—

“That Mr. Phelan be notified to remove the Hand Engine and reel from No. 5 Engine House on Spring Garden Road by twelve o'clock, April 26th, and if not removed, the Chairman be authorized to remove the said apparatus to one of the buildings at the Exhibition Grounds and to as safe and dry a place as possible.”

5. Your Board have decided to purchase, if funds are available, 5 doz. sou'wester caps for the firemen, and No. 1 portion of the Eastman nozzle, the cost of the latter being \$50.00.

6. The Board invited tenders for veterinary services and medicine for the Fire Department horses for 1904-05 and received two tenders. The bid of Howard MacFtridge for \$93.00, being the lowest, is recommended for acceptance.

ANDREW HUBLEY, *Chairman.*

On motion the same is considered clause by clause.

Read Clauses 1 and 2 re closing doors, &c., of Grafton Street Chemical Engine House and of West Street Engine House.

Moved by Alderman Hubley, seconded by Alderman Taylor, that said clauses be adopted. Motion passed.

Read Clause 3, re accounts of James P. Walsh and W. H. Isnor.

Moved by Alderman Hubley, seconded by Alderman Barry, that said clause be adopted. Motion passed.

Read Clause 4, *in re* occupancy of Spring Garden Road Engine House by the Veteran Firemen's Association.

Moved by Alderman Hubley, seconded by Alderman Adams, that said clause be adopted.

Moved in amendment by Alderman Cawsey, seconded by Alderman Halliday, that said clause be referred back to the Board of Fire Wards for further report. Amendment put and passed.

Read Clause 5, re purchase of certain supplies, and Clause 6, re Veterinary services.

Moved by Alderman Hubley, seconded by Alderman Taylor, that said clauses be adopted. Motion passed.

Moved by Alderman Hubley, seconded by Alderman Barry, that the report as amended be adopted as a whole. Motion passed.

Read report Committee on Works re contract for telephones.

TELEPHONE CONTRACT.

CITY WORKS OFFICE, HALIFAX, N. S., April 20th, 1904.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached Exchange Line Contract of the Nova Scotia Telephone Co., Ltd., with schedule of rates for City Telephones attached were submitted and referred to the Council with a recommendation that His Worship the Mayor be authorized to sign same on account of City.

A. B. CROSBY, *Mayor and Chairman.*

Moved by Alderman Campbell, seconded by Alderman Geldert, that said report be adopted. Motion passed.

Read reports Committee on Works and City Engineer re Water Extension North George Street.

WATER EXTENSION NORTH GEORGE STREET.

CITY WORKS OFFICE, April 20th, 1904.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached Minute of Council re petition of James Dempster for Water extension North George St., with City Engineer's report thereon was read and referred to Council with a recommendation that it be adopted.

A. B. CROSBY, *Mayor and Chairman.*

CITY ENGINEER'S OFFICE, April 12th, 1904.

His Worship the Mayor:

SIR,—In accordance with the accompanying extract from Minutes of Council, I beg to report on the petition of James Dempster, attached thereto, asking for water extension on North George St., to his residence, No. 25.

The district is high service. Distance 190 feet. Size of pipe 6". Estimated cost:

Pipe.....	\$114 00
Excavation and pipe laying.....	266 00
Total	\$380 00

This extension would not necessarily mean increased consumption, as Mr. Dempster has had the water in his house through a pipe laid at his own expense. The pipe was not laid low enough and has frozen during the winter. I would therefore recommend that the extension be made and at the same time that the pipe be connected with the Charles Street main so that there will be no dead end.

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

Moved by Alderman Rogers, seconded by Alderman Campbell, that said report be adopted. Motion passed.

Alderman Hawkins gives notice of reconsideration.

Read report Committee on Works re tenders for various services.

Read Clause 6, re Scrap Iron. Passed.

Read Clause 7, re Veterinary services. Passed.

Read Clause 8, re Special Castings. Passed.

Read Clause 9, re Lease of Old Exhibition Building.

The following resolution is submitted :—

Resolved,—That the tender of A. G. Cummings be accepted, provided he enters into a lease containing such conditions as shall be satisfactory to His Honor the Recorder, the same to be completed on or before the 10th day of May, 1904, otherwise that the next highest tender be accepted ; and also give security satisfactory to His Worship the Mayor.

Moved by Alderman Campbell, seconded by Alderman Johnson.

The following amendment is submitted :—

Resolved,—That in the event of Mr. Cummings not accepting contract of lease of Exhibition Building on Tower Road that the other tenders be referred back to this Council for consideration.

Moved by Alderman Cawsey, seconded by Alderman Hubley.

The amendment being put is passed, 9 voting for the same and 5 against it.

Names being called for, there appeared :—

<p>For the Amendment.</p> <p>Aldermen Barry, Lamphier, Doyle, Cawsey, Rogers, Adams, Hubley, Hayward, Hawkins.—9.</p>	<p>Against it.</p> <p>Aldermen Geldert, Halliday, Johnson, Campbell, Taylor.—5.</p>
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Read Clause 10, re Granite. Passed.

Read Clause 11, re Explosives. Passed.

Read Clause 12, re Drain Pipe. Passed.

Read Clause 13, re Cement. Passed.

Read Clause 14, re Lumber. Passed.

Read Clause 15, re Hardware. Passed.

Read Clause 16, re late tenders. Passed.

Moved by Alderman Campbell, seconded by Alderman Adams, that said report as amended be adopted as a whole. Motion passed.

Agreeably to resolution passed March 10th, His Worship the Mayor nominates as the Special Committee on Water Supply the following :

Aldermen Hayward, Cawsey, Doyle, Taylor, Campbell and Geldert, and Messrs. A. L. Wood and W. J. Clayton.

On motion the said nominations are confirmed.

Read report Commissioners of Common, covering Accounts.

REPORT COMMISSIONERS OF COMMON.

April 28th, 1904

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

GENTLEMEN.—A meeting of the Commissioners of Halifax Common was held this day at 5 p.m. Present Chairman Rogers, Commissioners Taylor, Lamphier, Hayward, Messervey, Duggan, Pickering and Superintendent. when the accompanying accounts were approved and passed for payment. (A summary of which follows) and the Secretary requested to forward same to your Council for its information and concurrence.

Tram Co., \$6.94. James Umlah, \$10.00. Steele & Bigg, \$15.75. Steele & Bigg, \$14.65. R. Power, \$8.65. N. S. Nursery, \$10.50. Cunard & Co., \$15.00. L. Burbank, \$3.00. E. Fenton, \$18.83. R. & J. Farquhar, \$26.30.—Total \$129.62.

W. F. PICKERING, *Secretary.*

The following resolution is submitted :

Resolved, That the report of the Gardens Commissioners be received and adopted and His Worship the Mayor authorized to sign warrants for payment of the accounts therein recommended.

Moved by Alderman Rogers, seconded by Alderman Barry and passed.

Read report Charities Committee, covering accounts, &c.

REPORT CHARITIES COMMITTEE.

HALIFAX, April 28th, 1904.

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

GENTLEMEN,—The Charities Committee met this day, and beg to submit the following report :

Members present, The Chairman, Alderman Halliday, Barry, Hubley and Hayward.

The Superintendent's report for April shows that from April 1st, to date, there were 26 persons admitted into the Poor's Asylum, 68 discharged and 3 died. Of the number admitted 10 were chargeable to the City and 15 to the Province. The total number of inmates at this date is 322, made up of 182 men, 138 women and 2 children.

The following accounts chargeable to Maintenance were examined, found correct and recommended to be paid, viz. :—

Dillon Bros., \$410.42. F. H. Longley & Co., \$276.35. J. & M. Murphy, \$143.32. P. T. Shea, \$105.03. W. A. Mailing & Co., \$45.23. G. Grigoire, \$27.50. Arthur Fordham & Co., \$24.47. Scotia Pure Milk Co., Ltd., \$67.50. Joseph S. Cashen, \$21.95. H. D. MacKenzie & Co., \$85.58. Victoria General Hospital, \$112.13; City Works Department, \$57.80. John F. Kelly, \$11.65; Halifax Electric Tram Co., Ltd., 40.78. Gerden & Keith, \$34.50. T. A. S. DeWolfe & Sons, \$13.50; Farquhar Bros., \$4.13. P. J. McMannus, \$32.04. James Hillis & Sons, \$6.15. Brookfield Bros., \$3.00. Frank Reardon, \$6.00. City of Halifax Water Rates, \$500.00. Pay Sheet, \$839.83. J. C. MacIntosh, Agent Edw. Hartnett, \$49.06. N. S. Furnishing Co., Ltd., \$70.55. Joseph McCleve, \$30.25. B. Mulcahy, \$132.51. Fleischmann & Co., \$4.00. Total \$3155.43.

W. H. CAWSEY, *Chairman.*

The following resolution is submitted :

Resolved, That the report of the Charities Committee be adopted and His Worship the Mayor authorized to sign warrants for the payment of the accounts mentioned therein.

Moved by Alderman Cawsey, seconded by Alderman Hayward and passed.

Read letter His Honor the Recorder covering special grant from the Dominion of Canada to the City of Halifax of "The Little Fuel Yard." Filed.

IN RE LITTLE FUEL YARD.

RECORDER'S OFFICE, CITY HALL, April 20th, 1904.

His Worship the Mayor and City Council:

GENTLEMEN.—I received the enclosed Grant of the Little Fuel Yard this morning, and would recommend that the City Clerk have the same recorded in the Registry of Deeds Office at Halifax. The City can now take possession of this property without further delay. I have asked the Assistant Engineer, Mr. Johnston, to verify the description contained in the Grant. This Grant should be also copied into our Grant Book for future reference.

I enclose a letter from the Acting-Deputy Minister of Militia to me on the subject.

W. F. MACCOY, *City Recorder.*

Read opinion of His Honor the Recorder in re slot machines.

IN RE SLOT MACHINES.

RECORDER'S OFFICE, CITY HALL, April 20th, 1904.

His Worship the Mayor and City Council:

GENTLEMEN.—I reported verbally to the City Council at its last meeting that I was not aware of any authority enabling the Police to destroy slot machines on sight. Since that time I have looked into the matter, and have also consulted the chief Prosecuting Officers, who informed me that they are not aware of any such authority. Mr. Morrison, one of the Prosecuting Officers, has prepared a form of information and handed it to the Chief of Police. An effort should be made by the Council and the Police Force to check the use of any of these machines in this City. These machines cause a very serious loss to many of our citizens in their use, and it is to be hoped that no efforts will be spared to bring the owners to justice.

W. F. MACCOY, *City Recorder.*

Moved by Alderman Rogers, seconded by Alderman Hubley, that the same be referred to the Police Commission. Motion passed.

Read reports Committee on Works and City Engineer and opinions of His Honor the Recorder in re claims of Chris Connolly and Fred Parsons for damages.

CHRIS CONNOLLY'S CLAIM FOR DAMAGES.

CITY WORKS OFFICE, April 20th, 1904.

To the City Council:

GENTLEMEN.—At a meeting of the Committee on Works held the day this attached

APRIL 25TH, 1904.

claim for damages of Mr. Chris Connolly with the City Engineer's and His Honor the Recorder's reports thereon were read and referred to the Council.

A. B. CROSBY, *Mayor and Chairman.*

CITY ENGINEER'S OFFICE, April 12th, 1904.

His Worship the Mayor:

SIR.—I beg to report on the accompanying claim of C. Connolly for damages alleged to have been sustained from bad condition of road on Lockman St. on the 18th March at half-past seven p. m.

I have interviewed the Chief of Police, the Foreman of Streets and the Foreman of the Water Dept., all of whom have some knowledge of the circumstances in connection with this matter. The Chief of Police states that he passed the place at about half-past six, at which time there was no indication of any defect in the street. Subsequently he received a report at the Station that there was a dangerous hole in the street and went there at once himself. He sent for a policeman and had the place lighted. He also summoned the Foreman of Streets, who put a watchman on the hole. The Foreman of the Water Dept. was at his office in the City Hall at the time and could not be reached by telephone. There was no delay, however, in taking proper precautions to prevent accident as soon as notice was received. Mr. Morrison states that a trench had been opened over a water pipe during the winter and filled in; that it had shown no signs of settlement previous to the 18th March and that the frost had apparently come out of the ground and the trench had settled leaving a crust on the surface. He is informed that a team driven over it broke through the crust and caused the hole to be opened to a considerable extent. Policeman Sullivan has informed Sub-Foreman McLean that Mr. Connolly's team was not damaged in the hole but that he shouted to him when approaching the hole and he drew across the car track and any damage that he sustained was in crossing the car track not by driving into the hole which he did not do.

Under the circumstances, I have asked the opinion of His Honor the Recorder as to the City's liability.

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

RECORDER'S OFFICE, April 18th, 1904.

His Worship the Mayor and City Council:

GENTLEMEN,—I have carefully read the report of the City Engineer in reference to Chris Connolly's claim for damages, and am of opinion that the City is not liable, under the facts stated therein.

W. F. MACCOY, *City Recorder.*

FRED PARSON'S CLAIM.

CITY WORKS OFFICE, April 28th, 1904.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached Report of His Honor the Recorder re Fred Parson's claim for damages to team through Lockman St. cave-in was read and referred to Council.

A. B. CROSBY, *Mayor and Chairman.*

CITY ENGINEER'S OFFICE, April 21st, 1904.

MR. W. W. MACCOY, *Recorder.*

DEAR SIR,—The accompanying bill is from Mr. Fred Parsons, who claims damages in consequence of a hole in Lockman Street, before reported upon. The facts are similar to those in connection with the Connolly claim, except that Mr. Parson's team went into the hole before the Chief of Police had reached the scene.

Please give me your opinion on this to accompany the report on the Connolly claim.

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

RECORDER'S OFFICE, April 28th, 1904.

His Worship the Mayor and City Council:

GENTLEMEN,—The opinion I have already given on the claim of Chris Connolly applies equally to this claim, and I am of opinion that the City is not responsible.

W. F. MACCOY, *Recorder.*

Moved by Alderman Hawkins, seconded by Alderman Cawsey, that the same be referred to the Committee on Laws and Privileges for report. Motion passed.

Read petition of F. G. Parker for sewer, Morris Street.

Moved by Alderman Campbell, seconded by Alderman Rogers, that the same be referred to the Committee on Works for report. Motion passed

Read report Chief of Police in re Violations of Liquor License Act on Sunday.

VIOLATION OF LIQUOR LICENSE ACT ON SUNDAY.

OFFICE OF CHIEF OF POLICE, April 26th, 1904.

To His Worship the Mayor and City Council:

GENTLEMEN,—In accordance with resolution of the City Council with reference to the enforcement of the Liquor License Act on Sundays, I beg to report that there have been no violations reported to me since last meeting of Council.

JOHN O'SULLIVAN, *Chief of Police.*

Filed.

Read reports Committee on Works and City Engineer and opinion of His Honor the Recorder in re W. I. Hubley's claim for damages for alleged loss through overflow of water.

W. J. HUBLEY'S CLAIM.

CITY WORKS OFFICE, HALIFAX, N. S., April 20th, 1904.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached claim for damages of W. I. Hubley & Co., with reports of the City Engineer and His Honor the Recorder thereon were read and referred to the Council.

A. B. CROSBY, *Mayor and Chairman.*

CITY ENGINEER'S OFFICE, HALIFAX April 12th 1904.

His Worship the Mayor:

SIR,—I beg to report on the accompanying claim from W. I. Hubley & Co.

They assert that in consequence of a break in the water pipe on Gottingen Street the cellar of their store at the corner of Kaye Street was flooded, causing damage to stock which they allege amounted to \$100. Mr. Morrison, Foreman of the Water Department, reports that when Mr. Hubley first called at the office of the Works Department and stated that water was coming into his cellar he (Mr. Morrison) was sick at home, and Mr. McLean, the Sub-Freman, sent Mr. Romans, a Turnkey, to examine the

pipes in front of the premises. Mr. Romans made no report to Mr. McLean, who was very busy at the time with other work. After Mr. Morrison came out of the house Mr. Romans told him that there was no leak in the pipe in front of Mr. Hubley's. Subsequently Mr. Hubley again called and informed Mr. Morrison that the water was still running and that during a heavy rainstorm a few days before it had flooded his cellar. Mr. Morrison went at once to examine the premises and found the water coming in at the North corner of the cellar. He sent men to trace the leak and found that it came from a fire hydrant at the corner of Young and Gottingen Streets. The water was running in the gutter to a point opposite the North corner of Messrs. Hubley's cellar. The frost had raised the sidewalk and the water got into the cellar. Mr. Morrison states that he was informed by Mr. Hubley that the water was coming into the cellar but not doing any damage until the rain storm came and that the water that went in during the rain storm caused the damage. Mr. Morrison also states that there was about 18 inches of ice and snow in the gutter in front of the property which prevented the water from going into the catchpit at the street corner. It is the duty of the property owner to keep the gutter clear, under the Snow Ordinance, and the evidence supplied to me seems to indicate that the neglect of Messrs. Hubley & Co to clear their gutter has been the cause of the damage, and that while some water was going into the cellar from the leak in the hydrant it had caused no damage, and that even that water would not have gone in if the gutter had been cleaned. Under these circumstances, I do not feel competent to give an opinion as to the City's liability, but on referring the matter to His Honor the Recorder with a request that he give an opinion to the Works Committee. Mr. Morrison had the cellar cleaned up by his men and floor covered with clean ashes.

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

W. J. HUBLEY & CO'S CLAIM FOR DAMAGES.

RECORDER'S OFFICE, CITY HALL, April 18th, 1904.

His Worship the Mayor and City Council:

GENTLEMEN,—It would appear that there was a slight leak in the hydrant 200 feet North of Messrs. Hubley & Co's premises which they claim came down towards their building and found its way to their cellar. It also appears that there was a heavy rain storm after which their cellar was flooded, and for which they now want the City to pay damages.

If Messrs. Hubley & Co. had complied with the laws and ordinances of the City of Halifax, even admitting that there was a considerable leak in the hydrant, it could not possibly have affected them—not having done so, they are the author of their own loss. I am of opinion that the City is not responsible.

W. F. MACCOY, *City Recorder.*

Moved by Alderman Hayward, seconded by Alderman Cawsey, that the same be referred to the Committee on Laws and Privileges for report. Motion passed.

Read reports Committee on Works and City Engineer re Water Rates, Charitable, Religious and Educational Institutions.

WATER RATES CHARITABLE, RELIGIOUS AND EDUCATIONAL INSTITUTIONS.

April 28th, 1904.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works held this day, the attached report of the City Engineer re Water rates for Charitable, Religious and Educational Institutions was read and referred to the Council with a recommendation that it be adopted.

A. B. CROSBY, *Mayor and Chairman.*

CITY ENGINEER'S OFFICE, April 27th, 1904.

His Worship the Mayor :

SIR,—There has been several requests from the Infants' Home and the Monastery of the Good Shepherd for a reduction in their water rates.

Both institutions are supplied through meter, and in that respect are in the same position as nearly all the other Charitable Institutions. I have gone over the books to ascertain the amount paid by each institution, and find that the rate generally is not oppressive. The largest consumers are the Infants' Home, Blind Asylum, Sacred Heart Convent, Catholic Orphanage, Old Ladies' Home, Monastery of the Good Shepherd and the Ladies' College. I am inclined to the opinion, judging from the consumption in the past, that the consumption at the Infants' Home could be reduced without affecting the work of the Institution or its sanitary condition. In any case, it is advisable to have a meter on such institutions where there is large consumption as a check against waste. At the same time, it is not desirable to make the rate oppressive. We have a sliding scale for ordinary consumers, and I would recommend that in future the rate charged for water supplied to buildings used for charitable, religious and educational purposes be seven cents per 1000 gallons where the quantity does not exceed 500,000 gallons per annum; for consumption exceeding 500,000, but not exceeding 1,000,000 gallons per annum, six cents; over 1,000,000 gallons per annum, five cents.

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

Moved by Alderman Campbell, seconded by Alderman Cawsey, that said reports be adopted.

Moved in amendment by Alderman Johnson, seconded by Alderman Hawkins, that said reports be referred to the Committee on Laws and Privileges for report. Amendment passed.

Read report City Engineer re Widening of Upper Water Street, covering schedule of values and draft resolution.

WIDENING UPPER WATER STREET.

CITY ENGINEER'S OFFICE, April 28th, 1904.

His Worship the Mayor :

SIR,—In accordance with the instructions of the Council, I have asked the owners of property on the west side of Upper Water Street South of Duke Street where it is proposed to widen the street to name the price for which they would give the City the property required.

I have also obtained from Mr. W. G. Wiswell and Mr. John MacInnes an appraisal of the several properties.

The following statement shows the prices asked and the value appraised by Messrs. Wiswell and MacInnes :—

<i>Property Owner.</i>	<i>Price asked.</i>	<i>Value appraisd.</i>
J. W. Allison,	\$1500 00	\$830 00
Trustees of Mrs. Fane,	750 00	464 00
Muir Estate,	750 00	387 00
Miss Catherine Ryan,	1100 00	560 00
Governors Acadia College,	1250 00	608 00
The Misses Kearney,	1500 00	424 00
		————\$3273 00

The accompanying resolution has been prepared, under the supervision of His

Honor the Recorder, authorizing F. W. W. Doane, City Engineer, to offer to the property owners the amounts fixed by the appraisers. If it meets with the approval of the Council, I would recommend that the resolution be passed so that the next step may be taken.

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

Said resolution, as follows, is now read :—

Whereas, in and by Chapter 58 of the Acts of 1891 of the Legislature of Nova Scotia and Acts in amendment thereof, the City Council of the City of Halifax is authorized to expropriate all land necessary for the purpose of widening any street in the City of Halifax ;

And whereas, In the opinion of this Council it is desirable, for the purpose of widening Water Street in the City of Halifax, to expropriate certain properties in the City of Halifax, viz :—

All that lot, piece or parcel of land situate, lying and being at the South West corner of Duke Street and Water Street, the said lot being more particularly described as follows :—Beginning at a point formed by the intersection of the South side line of Duke Street with the West side line of Water Street ; thence to run Southerly by the said west side line of Water Street for a distance of 24.17 feet, more or less ; or until it comes to the northern boundary line of property now or formerly owned by the Trustees of Mrs. Fane ; thence westerly along the said northern boundary line for a distance of 17.5 feet, more or less ; thence in a northerly direction for a distance of 25 feet, more or less, or until it strikes the south side line of Duke Street ; thence in an easterly direction by the said south side line of Duke Street for a distance of 19.9 feet, more or less to the place of beginning. The said lot being all that portion of the property said to belong to J. W. Allison lying to the eastward of the proposed new western side line of Water Street as shewn by the red line on plan entitled " Plan of properties corner of Duke and Water Streets shewing proposed new street line," dated April 19th 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

Also, all that lot, piece or parcel of land situate, lying and being on the west side of Water Street in the City and County of Halifax, the said lot being more particularly described as follows :—Beginning at a point on the west side line of Water Street distant 24.17 feet southerly from the south side line of Duke Street ; thence to run in a southerly direction by the said west side line of Water Street for a distance of 17.5 feet, or until it meets the north boundary line of the Muir Estate ; thence in a westerly direction by the said northern boundary line for a distance of 15.66 feet ; thence in a northerly direction for a distance of 18 feet, more or less, or until it meets the southern boundary line of property owned by J. W. Allison ; thence in an easterly direction by the said southern boundary line for a distance of 17.5 feet to the place of beginning. The said lot being all that portion of the property said to belong to the Trustees of Mrs. Fane lying to the eastward of the proposed new western side line of Water Street, as shewn by the red line on plan entitled, " Plan of properties corner of Duke and Water Streets shewing proposed new Street line," dated April 19th, 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

Also, all that lot, piece or parcel of land situate, lying and being on the west side of Water Street in the City and County of Halifax, the said lot being more particularly described as follows :—Beginning at a point on the west side line of Water Street distant 41.67 feet southerly from the south side line of Duke Street ; thence to run in a southerly direction by the said west side line of Water Street for a distance of 16.33 feet, more or less, or until it meets the northern boundary line of property owned by Miss Catherine Ryan ; thence in a westerly direction by the said north boundary line for a distance of 13.93 feet ; thence in an northerly direction for a distance of 17 feet, more or less, or until it meets the southern boundary line of property owned by the Trustees of Mrs. Fane ; thence in an easterly direction by the said southern boundary line for a distance of 15.66 feet to the place of beginning. The said lot being all that portion of the property said to belong to the Muir Estate lying to the eastward of the proposed new western side line of Water Street, as shewn by the red line on plan entitled, " Plan of properties cor-

ner of Duke and Water Streets shewing proposed new street line," dated April 19th, 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

Also, all that lot, piece or parcel of land situate, lying and being on the West side of Water Street in the City and County of Halifax, the said lot being more particularly described as follows:—Beginning at a point on the West side line of Water Street distant 58 feet, more or less, from the South side line of Duke Street; thence to run in a Southerly direction by the said West side line of Water Street for a distance of 25.5 feet, more or less, or until it comes to the Northern boundary line of property owned by the Governors of Acadia College; thence in a Westerly direction by the said Northern boundary line for a distance of 11.5 feet; thence in a Northerly direction for a distance of 26 feet, more or less, or until it comes to the Southern boundary line of property belonging to the Muir Estate; thence in an Easterly direction by the said Southern boundary line for a distance of 13.93 feet, to the place of beginning. The said lot being all that portion of the property said to belong to Miss Catherine Ryan lying to the Eastward of the proposed new Western side line of Water Street, as shewn by the red line on plan entitled, "Plan of properties corner of Duke and Water Streets shewing proposed new street line," dated April 19th, 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

Also, all that lot, piece or parcel of land situate, lying and being on the West side of Water Street in the City and County of Halifax, the said lot being more particularly described as follows:—Beginning at a point on the West side line of Water Street distant 83.5 feet Southerly from the South line of Duke Street; thence to run in a Southerly direction by the said West side line of Water Street for a distance of 18.34 feet, more or less; or until it comes to the Northern boundary line of property owned by the Misses Kearney; thence in a Westerly direction by the said Northern boundary line for a distance of 6 feet; thence in a Northerly direction for a distance of 18.5 feet, more or less, or until it strikes the Southern boundary line of property belonging to Miss Catherine Ryan; thence in an Easterly direction by the said Southern boundary line for a distance of 11.5 feet to the place of beginning. The said lot being all that portion of the property said to belong to the Governors of Acadia College lying to the Eastward of the proposed new Western side line of Water Street, as shewn by the red line on plan entitled, "Plan of properties corner of Duke and Water Streets shewing proposed new street line," dated April 19th, 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

Also, all that lot, piece or parcel of land situate, lying and being on the West side of Water Street in the City and County of Halifax, the said lot being more particularly described as follows:—Beginning at a point on the West side line of Water Street distant 101.84 feet, more or less, Southerly, from the South side line of Duke Street; thence to run in a Southerly direction by the said West side line of Water Street for a distance of 20.6 feet, more or less, or until it comes to the Southern boundary line of the said Kearney property; thence in a northerly direction for a distance of 20.6 feet, more or less, or until it comes to the Southern boundary line of property owned by the Governors of Acadia College; thence in an Easterly direction by the said Southern boundary line for a distance of 6 feet to the place of beginning. The said lot being all that portion of the property said to belong to the Misses Kearney lying to the Eastward of the proposed new western side line of Water Street, as shewn by the red line on plan, entitled, "Plan of properties corner of Duke and Water Streets shewing proposed new street line," dated April 19th, 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

Therefore Resolved, That F. W. W. Doane, the Engineer of the City of Halifax, be and is hereby authorized for this Council, and on its behalf, to enter into a contract or agreement with the above named parties, or whoever may be the owner or owners of the property hereinbefore described, for the purchase of all the estate, right, title, interest and possession of each of the above named parties or the proper owners in their respective lots particularly described and set forth in this resolution and shewn on a plan of the respective properties, signed by F. W. W. Doane, and filed in the City Engineer's office at Halifax on the 19th day of April, 1904.

Further Resolved, That the said F. W. W. Doane, offer the said parties, or whoever may be the owners of the said respective properties, the following sums respectively:—

For the property said to be owned by J. Walter Allison	\$830 00
For the property said to be owned by the Trustees of Mrs. Fane	464 00
For the property said to be owned by the Muir Estate	387 00
For the property said to be owned by Miss Catherine Ryan	560 00
For the property said to be owned by the Governors of Acadia College.	608 00
For the property said to be owned by the Misses Kearney	424 00

Further Resolved, That the said F. W. W. Doane report to the Council at an early day what agreement (if any) has been or can be made with the said respective parties, and if they are willing to accept the amount mentioned in this resolution.

Said resolution is moved by Alderman Campbell, seconded by Alderman Johason, and being put is passed.

By leave of Council, Alderman Hawkins submits the following resolution:—

Resolved, That His Honor the Recorder report (in writing) to next meeting of this Council the law governing the extension of water, and whether an extension of water on a petition can be carried out without exacting a special rate where such is demanded on account of cost of said extension without first rescinding a resolution of this Council governing same.

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

By leave of Council, Alderman Rogers submits the following resolution -

Whereas, It has been stated in the public press of this City that it is the intention of the Fire Insurance Companies to increase their rates for fire insurance in this City, notwithstanding the repeated assurance of such Companies that if the City would supply sufficient and up-to-date fire apparatus, which the City has done at a great cost, rates would not be increased;

Therefore Resolved, That this Council protests on behalf of the citizens against such increased rates as entirely unnecessary and a breach of faith on the part of said Companies.

Moved by Alderman Rogers, seconded by Alderman Taylor and passed.

His Worship the Mayor stated that a Committee of the Board of Trade and a Committee of this Council would wait upon the Board of Fire Underwriters on the subject to-morrow morning, and he nominated Aldermen Hubley and Taylor as such Committee to accompany himself at said conference. Nominations confirmed.

Read report City Engineer covering plan of proposed widening of Upper Water Street.

WIDENING UPPER WATER STREET.

CITY ENGINEER'S OFFICE, April 27th, 1904.

His Worship the Mayor:

SIR,—In accordance with the provisions of Chapter 58 of the Acts of 1891 and Acts in Amendment thereof, I beg to recommend for the approval of the Council the accom-

paning Plan, shewing land which it is proposed to take for the widening of Water Street to the proposed new street line on the West side South of Duke Street, the plan being signed by F. W. W. Doane, City Engineer, and filed in the City Engineer's office on the 19th day of April, 1904, as Plan Number 1527.

Also, in accordance with the law, I beg to recommend the approval of the Council to the following description of the property required in accordance with the said plan.

All that lot, piece or parcel of land situate, lying and being at the South West corner of Duke Street and Water Street, the said lot being more particularly described as follows:—Beginning at a point formed by the intersection of the South side line of Duke Street with the West side line of Water Street; thence to run Southerly by the said west side line of Water Street for a distance of 24.17 feet, more or less; or until it comes to the northern boundary line of property now or formerly owned by the Trustees of Mrs. Fane; thence westerly along the said northern boundary line for a distance of 17.5 feet, more or less; thence in a northerly direction for a distance of 25 feet, more or less, or until it strikes the south side line of Duke Street; thence in an easterly direction by the said south side line of Duke Street for a distance of 19.9 feet, more or less to the place of beginning. The said lot being all that portion of the property said to belong to J. W. Allison lying to the eastward of the proposed new western side line of Water Street as shewn by the red line on plan entitled "Plan of properties corner of Duke and Water Streets shewing proposed new street line," dated April 19th 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

Also, all that lot, piece or parcel of land situate, lying and being on the west side of Water Street in the City and County of Halifax, the said lot being more particularly described as follows:—Beginning at a point on the west side line of Water Street distant 24.17 feet southerly from the south side line of Duke Street; thence to run in a southerly direction by the said west side line of Water Street for a distance of 17.5 feet, or until it meets the north boundary line of the Muir Estate; thence in a westerly direction by the said northern boundary line for a distance of 15.66 feet; thence in a northerly direction for a distance of 18 feet, more or less, or until it meets the southern boundary line of property owned by J. W. Allison; thence in an easterly direction by the said southern boundary line for a distance of 17.5 feet to the place of beginning. The said lot being all that portion of the property said to belong to the Trustees of Mrs. Fane lying to the eastward of the proposed new western side line of Water Street, as shewn by the red line on plan entitled, "Plan of properties corner of Duke and Water Streets shewing proposed new street line," dated April 19th, 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

Also, all that lot, piece or parcel of land situate, lying and being on the west side of Water Street in the City and County of Halifax, the said lot being more particularly described as follows:—Beginning at a point on the west side line of Water Street distant 41.67 feet southerly from the south side line of Duke Street; thence to run in a southerly direction by the said west side line of Water Street for a distance of 16.33 feet, more or less, or until it meets the northern boundary line of property owned by Miss Catherine Ryan; thence in a westerly direction by the said north boundary line for a distance of 13.93 feet; thence in a northerly direction for a distance of 17 feet, more or less, or until it meets the southern boundary line of property owned by the Trustees of Mrs. Fane; thence in an easterly direction by the said southern boundary line for a distance of 15.66 feet to the place of beginning. The said lot being all that portion of the property said to belong to the Muir Estate lying to the eastward of the proposed new western side line of Water Street, as shewn by the red line on plan entitled, "Plan of properties corner of Duke and Water Streets shewing proposed new street line," dated April 19th, 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

Also, all that lot, piece or parcel of land situate, lying and being on the West side of Water Street in the City and County of Halifax, the said lot being more particularly described as follows:—Beginning at a point on the West side line of Water Street distant 58 feet, more or less, from the South side line of Duke Street; thence to run in a Southerly direction by the said West side line of Water Street for a distance of 25.5 feet, more or less, or until it comes to the Northern boundary line of property owned by the Governors of Acadia College; thence in a Westerly direction by the said Northern

boundary line for a distance of 11.5 feet ; thence in a Northerly direction for a distance of 26 feet, more or less, or until it comes to the Southern boundary line of property belonging to the Muir Estate ; thence in a Easterly direction by the said Southern boundary line for a distance of 13.93 feet, to the place of beginning. The said lot being all that portion of the property said to belong to Miss Catherine Ryan lying to the Eastward of the proposed new Western side line of Water Street, as shewn by the red line on plan entitled, " Plan of properties corner of Duke and Water Streets shewing proposed new street line," dated April 19th, 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

Also, all that lot, piece or parcel of land situate, lying and being on the West side of Water Street in the City and County of Halifax, the said lot being more particularly described as follows :—Beginning at a point on the West side line of Water Street distant 83.5 feet Southerly from the South line of Duke Street ; thence to run in a Southerly direction by the said West side line of Water Street for a distance of 18.34 feet, more or less ; or until it comes to the Northern boundary line of property owned by the Misses Kearney ; thence in a Westerly direction by the said Northern boundary line for a distance of 6 feet ; thence in a Northerly direction for a distance of 18.5 feet more or less, or until it strikes the Southern boundary line of property belonging to Miss Catherine Ryan ; thence in an Easterly direction by the said Southern boundary line for a distance of 11.5 feet to the place of beginning. The said lot being all that portion of the property said to belong to the Governors of Acadia College lying to the Eastward of the proposed new Western side line of Water Street, as shewn by the red line on plan entitled, " Plan of properties corner of Duke and Water Streets shewing proposed new street line," dated April 19th, 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

Also, all that lot, piece or parcel of land situate, lying and being on the West side of Water Street in the City and County of Halifax, the said lot being more particularly described as follows :—Beginning at a point on the West side line of Water Street distant 101.84 feet, more or less, Southerly, from the South side line of Duke Street ; thence to run in a Southerly direction by the said West side line of Water Street for a distance of 20.6 feet, more or less, or until it comes to the Southern boundary line of the said Kearney property ; thence in a northerly direction for a distance of 20.6 feet, more or less, or until it comes to the Southern boundary line of property owned by the Governors of Acadia College ; thence in an Easterly direction by the said Southern boundary line for a distance of 6 feet to the place of beginning. The said lot being all that portion of the property said to belong to the Misses Kearney lying to the Eastward of the proposed new western side line of Water Street, as shewn by the red line on plan, entitled, " Plan of properties corner of Duke and Water Streets shewing proposed new street line." dated April 19th, 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

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

Moved by Alderman Campbell, seconded by Alderman Johnson that said report be adopted and the plan approved of. Motion passed.

Moved by Alderman Cawsey, seconded by Alderman Halliday, that the Council adjourn. Motion passed.

Council adjourns 11.45 o'clock.