

MINUTES

INDEX

OF THE

CITY COUNCIL

OF THE

CITY OF HALIFAX,

NOVA SCOTIA,

FOR THE CIVIC YEAR

1904-5.

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Minutes of City Council.

CIVIC YEAR 1904-05.

ADAM B. CROSBY, Esquire, Mayor.

OFFICE OF CITY CLERK,

HALIFAX, N. S., May 5th, 1904.

Adam B. Crosby, Esquire, having been on the 28th day of April, 1904, by the City Clerk, in the presence of the City Council, declared duly elected Mayor of the City of Halifax for the civic year 1904-05, I do hereby certify that before entering upon the duties of the office of Mayor, he was on the 5th day of May, inst., duly sworn before His Honor the Lieutenant-Governor by taking and subscribing the oaths of allegiance and qualification and oath of office in the presence of Aldermen Campbell, Taylor and Cawsey and the City Clerk and His Honor the Recorder.

And that upon the same day His Worship was duly sworn as a Justice of the Peace before the City Clerk.

L. FRED MONAGHAN, *City Clerk.*

OFFICE OF CITY CLERK,

HALIFAX, N. S., May 5th, 1904.

James Halliday, for Ward No. One; Thomas J. Barry, for Ward No. Two; Narcisse V. Gastonguay, for Ward No. Three; Andrew Lamphier, for Ward No. Four; Peter F. Martin, for Ward No. Five; and George A. MacKenzie, for Ward No. Six, having been on the 28th day of April, A. D., 1904, by the City Clerk, in the presence of the City Council, declared duly elected Aldermen of the City of Halifax for three years, ending April 30th, 1907, I do hereby certify that before entering upon the duties of the office of Aldermen they were severally duly sworn before His Worship the Mayor on the 5th day of May, 1904, by taking and subscribing the oaths of allegiance and qualification and oaths of office of Alderman and Justice of the Peace for the City of Halifax and signed the Roll of Aldermen.

L. FRED MONAGHAN, *City Clerk.*

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, May 5th, 1904.

A meeting of the City Council was held this evening. At the above hour there were present Aldermen Johnson, Hubley, Doyle, Lamphier, Martin, Rogers, Mackenzie, Campbell and Cawsey.

Moved by Alderman Campbell, seconded by Alderman Rogers, 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 Gastonguay, Taylor, Halliday, Barry and Hayward.

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

The following named papers are submitted:

Report City Prison Committee, by Alderman Taylor (Chairman).

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

Annual Report City Prison Committee, by Alderman Taylor (Chairman).

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

His Worship the Mayor submits the following papers:—

Report Committee on Works re Accounts.

Report Committee on Works re Fuel Account.

Letter His Honor the Recorder in re South Shore Railway.

Letter His Honor the Recorder re County Court House.

Report City Engineer re Widening Upper Water Street.

Report Chief of Police re Violations of Liquor License Act on Sundays.

Annual Report Salt and Grain Measurers.

Petition H. J. Osborne for water extension Albert Street, off Roome Street.

Petition Willoughby Smith re Street Cleaning Contract.

Application of Charles Brinkman for position of Coal Weigher.

Letter Harbor Master re encroachment foot of Morris Street.

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

Read report Committee on Public Accounts covering accounts for payment.

REPORT PUBLIC ACCOUNTS COMMITTEE.

COMMITTEE ROOM, CITY HALL, May 5th, 1904.

To His Worship the Mayor and City Council:

GENTLEMEN,—Your Committee on Public Accounts beg to report that at a meeting of the Committee held this day, there being present Aldermen Johnson (Acting-Chairman), Doyle, Hubley and Rogers. The following accounts, amounting to \$1,475.22 were examined, found correct and recommended for payment:—

Dr. Finn, Medical Examiner's Certificates:—McDonald, \$4.00; Ryan, \$4 00; Scott, \$12.00; Martin, \$4.00; Burchell, \$4.00; White, \$12 00—\$40.00. T. C. Allen & Co., stationery—Police Department, \$3.20. Assessors' office, \$42.05. Auditor's office, \$7.09. Stipendiary Magistrate, \$3 50. License Inspector, \$37.22. Treasurer's department' \$6.90 Recorder, \$1.50. City Collector, \$18.45. City Clerk, \$24.80—\$144.71. A. & W Mackinlay, books, etc.—City Treasurer, \$13.00 City Auditor, \$5.75—\$18.75. Holloway Bros., printing Minutes, \$70.00. London Rubber Stamp Co., 50c. George H. Fielding, certificates, Naomi Jackson, \$5 00; W. G. Coombes, \$5 00 W. B. Dana Co., Finance Chronicle, \$10.00. Chas. Putman, bill posting, \$3 70. Chas. Putman, bill posting, \$9 50. Religious of Good Shepherd, \$135 61. Industrial School, Truant Account, \$89 67. Industrial School, Criminal Account, \$305.00. St. Patrick's Home, Truant Account, \$281.78. St. Patrick's Home, Criminal Account, \$359.00. Total \$1,475.22.

J. A. JOHNSON, *Acting Chairman.*

The following resolution is presented:—

Resolved, that the report of the Public Accounts Committee be received and adopted and His Worship the Mayor authorized to sign warrants for payment of accounts therein recommended.

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

Read petition Howard J. Osborne for water extension Albert street, off Roome street.

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

Read petition for sewer extension Veith street.

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

Read report City Prison Committee for April.

REPORT CITY PRISON COMMITTEE.

May 5th, 1904.

The City Prison Committee met this day at twelve, noon. Present, Aldermen Taylor (Chairman), Halliday, Lamphier and Cawsey. The following accounts are recommended for payment:—

M. Conroy, dry goods, \$18.20. J. A. Leaman & Co., ox heads, \$9.00. W. I. Hubley & Co., groceries, \$32.08. A. J. Grant & Co., hardware, \$16 83. John Davison & Son, lumber, \$13.14. William Roche, coal, \$20.00. E. J. Fenton, hay, \$30 00. Arthur Fordham & Co., shoe findings, \$11.04. T. C. Allen & Co., stationery, \$3.20. John F. Kelly, leather goods, \$5.40. Total \$153.89.

The returns of the Governor and Matron for the month of April are attached hereto.

G. A. TAYLOR, *Chairman.*

The following resolution is submitted :

Resolved, that the report of the City Prison Committee be received and adopted and His Worship the Mayor authorized to sign warrants for payment of accounts therein recommended.

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

Read annual report City Prison Committee for 1903-4. Filed.

Read letter Willoughby Smith in re contract for horses and drivers for street cleaning work.

Moved by Alderman Campbell, seconded by Alderman Rogers, that said letter be filed. Motion passed.

Read report Board of Fire Wards in re Accounts.

REPORT BOARD OF FIRE WARDS.

COMMITTEE ROOM, CITY HALL, May 3rd, 1904.

The Board of Fire Wards met this day at 2.30 o'clock. Present Aldermen Hubley, (Chairman), Taylor, Cawsey and Barry, and beg to recommend for payment the following accounts :—

George Thompson, brooms, \$8.50. Victoria Steam Laundry, laundry, \$4.93. J. S. Cashen, feed, \$149.94. O'Connell Bros., horseshoeing, \$6.96. Robt. Homer, horseshoeing, \$3.35. William Kline, horseshoeing, \$3.12. Thos. Robinson, horseshoeing, \$1.85. J. R. Purcell, horseshoeing, \$2.18. Peter Porrier, horseshoeing, \$4.63. David Power, horseshoeing, \$8.55. O'Brien, Mont & Co., carriage work, \$5.25. Robt. Merlin, lumber, 63c. Claude Walsh, ringing bell, \$1.00. Chas. W. Davies, lockwork, 50c. John Sherlock, attendance Chief's horse, \$27.00. P. J. Broderick, rent of barn, \$4.00. John F. Kelly, harness work, \$30.95. Niel Fox, Spanner belts, \$5.40. Knight & Munro, harness work, \$1.55. A. J. Grant & Co., hardware, \$1.60. A. M. Bell & Co., oil stoves, &c., \$13.20. Wm. Roche, coal, \$36.00. Wm. Jakeman & Son, veterinary services, \$81.00. Macdonald & Co., machine work, \$21.60. Estate T. A. & E. Hubley, rent to April 30th, 1904, \$112.50. Thos. L. Spelman, waggon hire, &c., \$30.00. Farquhar Bros., lugs and wire, \$3.69. W. S. Craig, plumbing, \$6.75. Austen Bros., spanners, &c., \$33.00. M. S. Brown & Co., badges, \$53.90. P. O. Regan, labor, \$2.50. J. A. Zwicker, picture framing, \$8.27. Wm. P. Brunt, drilling sill, 50c. T. C. Allen & Co., stationery, &c., \$9.98. John G. Colp, carpenter work, \$64.94. David Roche, varnish, &c., \$3.38. Farquhar Bros., fire alarm box, &c., \$104.99. N. S. Telephone Co., cross arms, 72c. London Rubber Stamp Co., stencils, \$1.05. Black Bros. & Co., sheet iron, 39c. Brown & Webb, acid, \$6.46. Day & Kinsman, plumbing, \$11.91. W. & A. Moir, machine work, \$25.34. Total \$903.96.

ANDREW HUBLEY, *Chairman*.

The following resolution is submitted :

Resolved, That the report of the Board of Fire Wards be adopted and that the Mayor be authorized to sign warrants for the accounts named therein.

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

Read Annual Report Salt and Grain Measurers for 1903-04. Filed.

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

VIOLATIONS OF LIQUOR LICENSE ACT.

OFFICE OF CHIEF OF POLICE, May 4th, 1904.

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 Sunday, I beg to report that no violations have been reported to me since last meeting of Council.

JOHN O'SULLIVAN, *Chief of Police.*

Read report City Engineer re Widening of Upper Water Street.

WIDENING OF UPPER WATER STREET.

CITY ENGINEER'S OFFICE, May 5th, 1904.

His Worship the Mayor:

SIR,—In accordance with the resolution of your Council passed April 28th, 1904, I personally made and served an offer in writing on J. W. Allison. He declined to accept said offer.

I also personally made and served an offer in writing on W. J. G. Thompson, Agent for the Muir Estate. He declined to accept said offer.

I also personally made and served an offer in writing on Drysdale & McInnes, Agents for Mrs. Fane. They declined to accept said offer.

I also personally made and served an offer in writing on Miss Catherine Ryan. She declined to accept said offer.

I also personally made and served an offer in writing on Miss Angela Kearney for the Misses Kearney. They declined to accept said offer.

I also personally made and served an offer in writing on Mr. Beckwith of the firm of Eaton & Beckwith, Agents for the Governors of Acadia College. He declined to accept said offer.

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

The following resolution is now introduced:—

Whereas, the City of Halifax requires the land hereinafter described for the purpose of widening Upper Water street, and the City Engineer duly prepared a plan of the land required, together with the description of the said land and submitted the said plan and description to the City Council for its approval, and the said plan and description were approved by the said Council on the 28th day of April, A. D. 1904, and a copy of the same has been filed in the City Engineer's office as required by law;

And whereas, no agreement can be made or come to with the property owners;

Therefore Resolved, that the City Engineer be and he is hereby instructed to give ten days' notice (in writing) to the owner or owners of the said property hereinafter described of the intention of this Council to expropriate the properties hereinafter described;

And Further, that the City Clerk be and he is hereby instructed to publish for ten days in two newspapers published in the City of Halifax this resolution of the intention of this Council to expropriate said land hereinafter described, and that on and after the expiration of said ten days this Council will proceed to expropriate said land for the purpose aforesaid.

Said land is described as follows :—

All that lot, piece or parcel of land situate, lying and being at the southwest 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 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 shown by the red line on Plan, entitled "Plan of properties, corner Duke and Water streets, showing proposed new street line," dated April 19th, 1904, and filed in the City Engineer's office, at Halifax, N. S., as Plan Number 1527.

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 17.5 feet or until it meets the northern 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 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 shown by the red line on plan entitled "Plan of properties corner of Duke and Water streets, showing proposed new street line," dated April 19th, 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

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 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 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 said southern boundary line for a distance 15.66 feet to 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 shown by the red line on Plan, entitled "Plan of properties corner of Duke and Water Streets, showing proposed new street line," dated April 19th, 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

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 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

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 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 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, more or less; 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 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.

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 shown by the red line on Plan entitled "Plan of properties corner of Duke and Water Streets, showing proposed new street line," dated April 19th, 1904, and filed in the City Engineer's office at Halifax, N. S., as Plan Number 1527.

Moved by Alderman Rogers, seconded by Alderman Johnson and passed unanimously, there being thirteen Aldermen present.

Read report Committee on Works, covering accounts.

CITY WORKS ACCOUNTS.

CITY WORKS OFFICE, HALIFAX, N. S., May 4th, 1904.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached bills for the several services of this department were submitted, examined, found correct and referred to the Council for payment.

Street Lighting, \$3443.80. Streets, \$274.31. Sewerage, \$155.75. Teams and Stables, \$121.89. Internal Health, \$104.51. Public Baths, \$18.81. City Hall Lighting, \$8.85. Official City Plan, \$2.25. City Property, \$1.00. Water Maintenance, \$303.24. Water Construction, \$50.59. Total, \$4485.00.

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

Moved by Alderman Campbell, seconded by Alderman Rogers, that said report be adopted and the accounts paid. Motion passed.

MAY 5TH, 1904.

Read letter His Honor the Recorder covering opinion of Borden, Ritchie & Chisholm in re liability of City for consequential damages South Shore Railway right-of-way.

HALIFAX AND SOUTH WESTERN RAILWAY DAMAGES.

May 5th, 1904.

His Worship the Mayor and City Council:

GENTLEMEN,—I enclose herewith a copy of a letter addressed by myself to Messrs. Borden, Ritchie & Chisholm, on the above subject, and now send herewith their opinion on the same.

W. F. MACCOY, *Recorder.*

RE RAILWAY DAMAGES.

2nd May, 1904.

W. F. MACCOY, Esq., K. C., *City Recorder.*

CITY :

DEAR SIR,—Yours of the 18th ult. duly to hand and we have also received from the City Clerk copy of report of the proceedings of the Council from time to time in relation to the matter of these land damages including copy of resolution of the City Council of the 14th ult. authorizing you to consult us "in regard to the City's liability in the matter of the South Shore Railway right-of-way."

By the provisions of Chapter 75 of the Acts of 1903, as amended by Chapter 55 of the Acts of 1904, the City is rendered liable to pay the awards to be made by the Arbitrators under these Acts subject only to the following conditions:—

1. That the line adopted by the Company shall be substantially that laid down on the plan submitted to the City Council on the 6th day of April, 1903.
2. That such line shall be approved by the Governor-in-Council.
3. That the construction work of the railway shall be commenced within the City of Halifax on or before the 1st day of July, 1903, and continue westward to the County line dividing the Counties of Halifax and Lunenburg.

As we understand from you these conditions have all been complied with and we are therefore of the opinion that the City is bound to pay such awards as may properly be made by the Arbitrators under these Acts and by virtue of the last named Act the Arbitrators in valuing the lands taken for the right of way may make reasonable allowance for consequential damages. The fact that the law as it now stands is in relation to these consequential damages directly in the face of the resolution of the City Council of July 31st. 1902, determining to grant aid to the Halifax and South Western Railway does not in our opinion in point of law effect the matter in any way.

We have not under the constitution of this Country to consider as they do in the United States whether Statutes are an interference with existing rights or a violation of existing contracts, but only whether the Dominion or Local Legislature was the authority having power to pass the Act in question. Here the subject clearly comes within the jurisdiction of the Local Legislature and the validity of the Statute is in no way affected by reason of the fact that it creates a liability which the City Council expressly stipulated against when granting aid to this railway or that it was passed against the protest of the City authorities. Notwithstanding the extraordinary character of this legislation, we are of the opinion that it would be useless to seek for redress by application to the Dominion Government to disallow the Act. As we understand the principles upon which such application are dealt with, the Dominion Government only interferes where legislation has been passed which goes beyond the power of the Local Legislature or in some way interferes with Dominion or Imperial interests.

This matter is one of a purely local character and we think that the only way in which the City can hope for redress is by application to the Local Legislature at its next

session. We understand from you that the Arbitrators intend by their report to show separately the amount allowed for land taken and for consequential damages, and we think that a strong appeal might be made to the Legislature for Legislation which would relieve the City from the burden of the consequential damages; but in the meantime we think that the City will be bound to borrow the money to pay awards that may be duly made by the Arbitrators both the amount fixed as the value of the land and the amount fixed for consequential damages.

BORDEN, RITCHIE & CHISHOLM.

The following resolution is submitted:

Whereas, this Council, acting in its best judgment in the interests of the City of Halifax, after hearing a representative delegation from the Board of Trade, as well as others, citizens and interested parties, by resolution decided that the City of Halifax agree to pay the cost of the purchase of a right-of-way through the County of Halifax for the Halifax and South Western Railway, less the sum of \$5,000.00, agreed to be paid by the County of Halifax toward the same purpose, the said City, however, to be in no way responsible for any loss, damages or expenses other than arbitration fees to any owner of the land for said right-of-way in the nature of prospective or consequential damages;

And whereas, an Act embodying said agreement and denoting and limiting the liability of said City with respect to said railway right-of-way was prepared and approved of by this Council during the year 1903, and introduced into and passed by the Nova Scotia Legislature;

And whereas, this Council has always regarded said agreement and said liability, the same being contractual, as immutable and secure from the interference of any parties even legislators excepting only the parties thereto and even then only by mutual assent;

And whereas, upon the introduction into said Legislature during the Session of 1903 and 1904 of an Act amending said Act and making said City liable for prospective and consequential damages, thus enormously increasing said City's liability, this Council by its proper Committee deemed it right to protest and did protest before said Legislature against the passage of said amending Act, and notwithstanding which protest said Act was nevertheless passed;

Therefore resolved, that this Council does hereby solemnly protest against said Legislature's unwarranted interference with matters of private contract and direct infringement of long standing convention that Acts affecting the City of Halifax should be approved by this Council before adoption in said Legislature;

Further resolved, that this Council repudiates responsibility to the citizens for this improper and burdensome addition to the City's debt;

Further resolved, that a copy of this resolution be forwarded to the Government of Nova Scotia with the suggestion from this Council that said amending Act be repealed at the next Session of the Legislature and that the Government of the Province settle for all such prospective and consequential damages and that the City of Halifax be relieved from said liability.

Moved by Alderman Cawsey, seconded by Alderman Doyle, and passed unanimously.

Moved by Alderman Cawsey, seconded by Alderman Doyle, that a copy of said resolution be forwarded to each member of the House of Assembly and of the Legislative Council. Motion passed.

Read letter His Honor the Recorder in re County Court House Commission.

COUNTY COURT HOUSE.

RECORDER'S OFFICE, April 30th, 1904.

His Worship the Mayor and City Council :

GENTLEMEN,—I have been informed that it is the intention of the Commissioners of the County Court House to make either some alterations or addition to the present building, the cost of which will involve a large expenditure of money. Under the present law the Mayor and one Alderman represent the City, but the Council, feeling the injustice of such representation, when the Government have two appointments, the County Council three and the Barristers (who pay nothing) one, have hitherto refused to appoint. I think it would be judicious to have the Mayor and one Alderman appointed at once so as to assist in checking this expenditure until the next meeting of the Legislature, when I have no doubt the Legislature will recognize the rights of the City and give them the proper number of representatives.

W. F. MACCOY, *City Recorder.*

Moved by Alderman Johnson, seconded by Alderman Cawsey, that the recommendation contained in said letter be adopted and that the Mayor nominate the Alderman to be appointed to the Court House Commission. Motion passed.

His Worship the Mayor nominates Alderman Johnson to serve with himself on the Court House Commission. On motion said nomination is confirmed.

Read application of Charles Brinkman for position of Coal Measurer. Filed.

Read report Committee on Works re Fuel Account City Hall.

FUEL ACCOUNT CITY HALL.

CITY WORKS OFFICE, May 4th, 1904.

To the City Council :

GENTLEMEN,—At a meeting of the Committee on Works, held this day, the attached bills for coal consumed in City Hall were submitted, and as the Fuel Account shows only a balance of \$8.76 to meet \$293.83, it was decided, on the verbal opinion of His Honor the Recorder, to ask the Council for authority to pay difference from balance on hand in Contingent Account 1903-4 and the Contingent Account 1904-5.

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

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

Read letter John E. Butler, Harbor Master, re encroachment foot of Morris Street.

Moved by Alderman Rogers, seconded by Alderman Campbell, that the same be placed on the Order of the Day with the other papers thereon on the same subject. Motion passed.

APPOINTMENT OF COMMITTEES.

Read list of Committees and Commissions as nominated by His Worship the Mayor.

COMMISSIONERS OF POINT PLEASANT PARK —Aldermen Johnson, Campbell, Taylor, Lamphier, Doyle and Hayward

Moved by Alderman Rogers, seconded by Alderman Cawsey, that said nominations be approved. Motion passed.

COMMISSIONERS OF HALIFAX COMMON.—Aldermen Rogers, Geldert, Barry, Taylor, Gastonguay and Hayward.

Moved by Alderman Cawsey, seconded by Alderman Doyle, that said nominations be approved. Motion passed.

BOARD OF FIRE WARDS.—Aldermen Hubley, Halliday, Barry, Taylor, Cawsey and Hayward.

Moved by Alderman Doyle, seconded by Alderman Cawsey, that said nominations be concurred in. Motion passed.

CITY HEALTH BOARD.—Aldermen Doyle, Hubley and Dr. Geo. M. Campbell.

Moved by Alderman Barry, seconded by Alderman Halliday, that said nominations be concurred in. Motion passed.

POLICE COMMISSION.—Alderman Lamphier.

Moved by Alderman Rogers, seconded by Alderman Doyle, that this nomination be concurred in. Motion passed.

COMMITTEE ON WORKS.—Aldermen Campbell and Rogers.

Moved by Alderman Barry, seconded by Alderman Doyle, that said nomination be approved. Motion passed.

COMMISSIONER OF CABS.—Alderman Lamphier.

Moved by Alderman Doyle, seconded by Alderman Hubley, that said nomination be approved. Motion passed.

BOARD OF FIRE ESCAPES.—Aldermen Barry, Halliday and Lamphier.

Moved by Alderman Hubley, seconded by Alderman Doyle, that the same be approved. Motion passed.

CHARITIES COMMITTEE.—Aldermen Cawsey, the Alderman to be elected for Ward No. One, Barry, Gastonguay, Hubley and Hayward.

Moved by Alderman Doyle, seconded by Alderman Cawsey, that said nominations be approved. Motion passed.

PUBLIC ACCOUNTS COMMITTEE.—Aldermen Gastonguay, the Alderman to be elected for Ward No. One, Johnson, Doyle, Rogers and MacKenzie.

Moved by Alderman Cawsey, seconded by Alderman Rogers, that said nominations be confirmed. Motion passed.

CITY PRISON COMMITTEE.—Aldermen Taylor, Halliday, Barry, Lamphier, Cawsey and MacKenzie.

Moved by Alderman Campbell, seconded by Alderman Martin, that said nominations be approved. Motion passed.

LAWS AND PRIVILEGES COMMITTEE.—Aldermen Geldert, Johnson, Gastonguay, Doyle, Rogers and MacKenzie.

Moved by Alderman Halliday, seconded by Alderman Cawsey, that said nominations be confirmed. Motion passed.

LIBRARY COMMITTEE.—Aldermen Geldert, Barry, Taylor, Martin, Cawsey and Hayward.

Moved by Alderman Doyle, seconded by Alderman Rogers, that said nominations be approved. Motion passed.

TENDERS COMMITTEE.—Aldermen Campbell, Halliday, Foster, Hubley, Martin and Hawkins.

Moved by Alderman Cawsey, seconded by Alderman Doyle, that said nominations be confirmed. Motion passed.

CEMETERY COMMITTEE.—Aldermen Campbell, Geldert, Taylor, Hubley, Cawsey and Hawkins.

Moved by Alderman Campbell, seconded by Alderman Halliday, that Alderman Johnson be substituted for Alderman Campbell on said Committee and that the nominations as amended be approved. Motion passed.

SHIPBUILDING COMMISSION.—Aldermen Johnson and Rogers and the Alderman to be elected for Ward No. One.

Moved by Alderman Hayward, seconded by Alderman Rogers, that the same be approved. Motion passed.

COMMERCIAL COMMITTEE (joint City Council and Board of Trade)—Aldermen Johnson, Gastonguay, Geldert and Mackenzie.

Moved by Alderman Cawsey, seconded by Alderman Hayward, that said nominations be confirmed. Motion passed.

ARBITRATION COMMITTEE.—(On matters of joint interest between the City and County) Aldermen Geldert, Johnson, Taylor, Hubley, Mackenzie.

Moved by Alderman Halliday, seconded by Alderman Cawsey, that the same be approved. Motion passed.

COMMITTEE ON WATER SUPPLY.—Aldermen Geldert, Campbell, Taylor, Doyle, Cawsey, Hayward, and Mr. A. L. Wood and Mr. W. J. Clayton.

Moved by Alderman Rogers, seconded by Alderman Cawsey, that said nominations be confirmed. Motion passed.

Moved by Alderman Cawsey, seconded by Alderman Hayward, that Alderman Rogers be Presiding Alderman and Deputy-Mayor for the civic year 1904-5. Motion passed unanimously.

The Council proceeds to appoint two citizen Commissioners of Halifax Common in place of W. E. Messervey and P. M. Duggan, terms expired.

The following are nominated :

W. E. Messervey and P. M. Duggan, by Alderman Rogers.

H. D. Holloway, by Alderman Campbell.

Frank Simson, by Alderman Doyle.

John A. Mackasey, by Alderman Barry.

On the first vote being taken, there appeared :

For Simson, 3; for Holloway, 2; and for Messervey, 9.

His Worsdip declares W. E. Messervey duly elected a Common Commissioner.

On the second vote, there appeared :

For Duggan, 9; for Mackasey, 2; for Simson, 2; and for Holloway, 1.

His Worship the Mayor declares P. M. Duggan duly elected a Common Commissioner.

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

The following resolution is submitted :—

Whereas, Alderman Lithgow has resigned his position in this Council as Alderman for Ward One, and said resignation was unanimously accepted by this Council ;

Therefore resolved, that this Council hereby declares the office created by such resignation and its acceptance vacant, and that an election be held in Ward One at an early day to fill such vacancy.

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

Moved by Alderman Halliday, seconded by Alderman Johnson, that the City Clerk be and is hereby directed to provide two polling

booths in Ward No. One for the accommodation of the voters at the election for Alderman to fill the vacancy in said Ward, which said booths may be designated respectively as Booth A and Booth B.

And further, that the City Clerk divide the register of voters for said Ward so that the voters whose surnames begin with the letters from A to K, both inclusive, may vote in Booth A and the voters whose surnames begin with the letters from L to Z, inclusive, may vote in Booth B. Motion being put is passed.

Moved by Alderman Johnson, seconded by Alderman Campbell, that Aldermen Halliday and Geldert be the Presiding Officers to conduct the election in Ward One. Motion passed.

By request of Council, His Worship the Mayor nominates the Special Committee on Harbor Championship Scull Race as follows:—Aldermen Taylor, Hayward and Mackenzie.

On motion said nominations are confirmed.

Moved by Alderman Rogers, seconded by Alderman Hubley, that the Council adjourn. Motion passed.

Council adjourns 9.35 o'clock.

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, May 11th, 1904.

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

Moved by Alderman Hubley, seconded by Alderman McKenzie, 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 men Rogers, Hawkins, Geldert, Halliday, Johnson and Doyle.

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

The following named papers are submitted by His Worship the Mayor:

Report City Engineer re Lease of Old Exhibition Building.

Opinion His Honor the Recorder re Petition for Tax Exemption Harrow House School.

Report Chief of Police re Violations of Liquor License Law on Sunday.

Resignation of Robert Theakston as Clerk of Licenses.

Report Coal Weighers for April.

Annual Report Coal Weighers for 1903-04.

Letter Rev. J. B. C. Murphy, Garrison Chaplain, in re Running of Motor Cars in Point Pleasant Park.

Cash Statements City Treasurer for March and April.

Cash Statements City Collector for April.

Applications of various City Officials for re-appointment.

Alderman Hawkins submits a petition for Water Extension West Young Street.

Moved by Alderman Halliday, seconded by Alderman Johnson, that the Order of the Day be suspended to permit the reading of the papers handed in. Motion passed.

Read report City Engineer re Tenders for Lease of Old Exhibition Building.

LEASE OF OLD EXHIBITION BUILDING.

CITY ENGINEER'S OFFICE, May 11th, 1904.

His Worship the Mayor :

SIR,—In accordance with instructions, I obtained from the Recorder a form of lease for the Old Exhibition Building. He has added a clause to the old form providing that the Lessee should not assign or transfer the lease unless the new Lessee meets with the approval of the City. I presented the lease to Mr. Cummings for signature and handed him a letter, of which a copy is attached. He declined to sign the lease, but has sent me no written refusal. He stated that his client, Mr F. W. Cunningham, for whom he was acting, had decided not to proceed further.

I attach also a letter from Mr. C. W. Blenkhorn, received this morning, naming as his sureties Messrs. A. W. Redden and T. F. Courtney.

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

Moved by Alderman Johnson, seconded by Alderman Taylor, that whereas the contract of lease of the Old Exhibition Building has been awarded to Mr. A. G. Cummings; and whereas, he has refused to accept or sign the same, that the Council award the lease to Mr. Charles Blenkhorn at \$1251.00.

Moved in amendment by Alderman Hawkins, seconded by Alderman Cawsey, that the tender of Mr. John Mullane be accepted, his being the highest tender made in a regular way.

The vote been taken on the amendment, there appeared :—

For the Amendment	Against it.
Aldermen Lamphier, Hubley Cawsey, Rogers, MacKenzie, Hawkins.—6.	Aldermen Geldert, Halliday, Johnson, Barry, Taylor, Doyle.—6.

His Worship the Mayor gives his casting vote against the amendment and declares the amendment lost.

Moved in amendment by Alderman Hawkins, seconded by Alderman Cawsey, that the whole matter of leasing the Old Exhibition Building be referred back to the Committee on Works and that tenderers be required to deposit ten per cent. of the amount of tender before tender will be considered.

The amendment being put is passed, seven voting for the same and 5 against it, as follows :—

For the Amendment.	Against it.
Aldermen Barry, Lamphier, Hubley, Cawsey, Rogers, MacKenzie, Hawkins.—7.	Aldermen Geldert, Halliday, Johnson, Taylor, Doyle.—5.

Read Cash Statements City Collector for April. Filed.

Read Cash Statements City Treasurer for March and April. Filed.

Read petition of Thomas Doyle and others for water extension West Young Street.

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

The Council proceeds to the appointment of the various City officials. Alderman Campbell here takes his seat in Council.

ASSISTANT CITY CLERK.

Read resignation of Robert Theakston as Clerk of Licenses.

Moved by Alderman Hubley, seconded by Alderman Cawsey, that H. S. Rhind be appointed Assistant City Clerk and Clerk of Licenses.

Alderman Hawkins asks for the opinion of the Recorder as to whether the Council could legally appoint any person to receive moneys other than the City Collector.

His Honor the Recorder stated as his opinion that except as to fines and fees in the Police and City Courts the City Collector is the only official authorized to collect money.

Moved in amendment by Alderman Campbell, seconded by Alderman Johnson, that H. S. Rhind be appointed Assistant City Clerk and that the duties of Clerk of Licenses be performed by him as at present in the City Clerk's office.

The amendment being put is passed, 8 voting for the same and 5 against it, as follows:—

For the Amendment.

Aldermen Geldert, Halliday,
Johnson, Campbell,
Barry, Taylor,
Mackenzie, Hawkins.—8.

Against.

Aldermen Lamphier, Doyle,
Hubley, Cawsey,
Rogers.—5.

CLERK OF LICENSES.

Moved by Alderman Hawkins, seconded by Alderman Johnson, that Robert Theakston be re-elected Clerk of Licenses.

Moved in amendment by Alderman Rogers, seconded by Alderman Hubley, that H. S. Rhind be appointed Clerk of Licenses.

The amendment being put is passed, 7 voting for the same and 5 against it, as follows:—

For the Amendment.	Against it.
Aldermen Barry, Lauphler, Doyle, Hubley, Cawsey, Rogers, Mackenzie—7.	Aldermen Halliday, Johnson, Campbell, Taylor, Hawkins—5.

CLERK OF WORKS.—James J. Hopewell, re-elected.

FOREMAN OF STREET WORKS.—John McDonald, re-elected.

FOREMAN OF WATER WORKS.—Ewan Morrison, “

ASSISTANT CITY ENGINEER.—H. W. Johnston, “

CLERKS WATER DEPARTMENT.— { James Laidlaw, re-elected.
 { Louis R. Kaye, “

CITY ELECTRICIAN —P. R. Colpitt, “

WATER INSPECTOR.—John E. Burns, “

CITY MEDICAL OFFICER.—Thomas Trenaman. “

STENOGRAPHER AND TYPEWRITER —Minnie Hunter. “

JANITOR CITY HALL.—John Spruin. “

REGISTRAR CAMP HILL CEMETERY.—Alex. McDougall, “

GOVERNOR CITY PRISON.—William Murray, “

MATRON “ Mrs. Murray.

UNDERKEEPERS CITY PRISON.— { D. E. Keating, “
 { Wm. Higlett, “
 { James M. Anderson, “
 { George Grant, “

MESSENGER CITY PRISON.—Daniel McDonald, “

 { Simon Cummins, *Supervisor*, “
 { D. Grant, “
 { A. J. Smith, “
 { Thos. Shields, “

COAL WEIGHERS.— { Andrew Doyle, “
 { James A. Harraher, “
 { William Hawley, “
 { John F. Selig, “
 { Mortimer Dwyer, “

SUPERINTENDENT POOR'S ASYLUM.—James H. Dow, “

MATRON POOR'S ASYLUM.—Mrs Annie F. Dow, “

SECRETARY POOR'S ASYLUM.—B. Mulcahy, “

ASST. ENGINEER POOR'S ASYLUM.—John H. Grant, “

LUMBER SURVEYER.—John C. Potts, “

SEALER OF LEATHER.—Jeremiah Barnstead, “

FENCE VIEWERS.— { Wm. T. Horton, “
 { John Grant, “

INSPECTOR'S OF PAINTERS' WORK.— { J. E. M. Taylor, “
 { David Roche, “

INSPECTOR'S OF MASONS' WORK.— { Samuel Marshall, “
 { John McCrow, “

MATRON POLICE STATION.—Mrs. Mary Spruin, “

POUND KEEPERS.—	{	Robie Street, John Punch, re-elected.	
		Provincial Exhibition Grounds,	
		Ronald McInnis, Elected.	
		Old Exhibition Grounds, James Jarrett, Re-elected	
		North West Arm, Edward Brunt, "	
WEIGHERS OF BUNDLE HAY.—	{	Chris. Connelly, "	
		John Punch, "	
		J. S. Hubley, "	
SUPERINTENDENT PUBLIC GARDENS.—		Richard Power, "	
FOREMAN BLACKSMITH.—		Daniel McLeod, "	
WEIGHERS OF LOOSE HAY.—	{	W. McC. Boak, "	
		Thos. Keating, "	
		Joseph Hubley, "	
		James McPhee, "	
		Robert Cook, "	
LIBRARIAN CITIZEN'S FREE LIBRARY.—		Josephine Warren, re-elected.	
ASST LIBRARIAN CITIZENS' FREE LIBRARY.—	{	Edith Wiswell, re-elected.	
		Lizzie Barnaby, "	

Read report Coal Weighers for April. Filed.

Read Annual Report Coal Weighers for 1903-04. Filed.

Read report Chief of Police on Violations of Liquor License Act on Sundays. Filed.

SUNDAY VIOLATIONS.

OFFICE OF CHIEF OF POLICE, May 11th, 1904.

His Worship the Mayor and City Council:

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

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

Read opinion of His Honor the Recorder on application of G. M. Acklom for exemption from taxation on Harrow House School.

TAXATION OF SCHOOL BUILDINGS.

RECORDER'S OFFICE, CITY HALL, May 11th, 1904.

His Worship the Mayor and City Council:

GENTLEMEN,—Mr. Acklom requests that the City Council exempt his property from taxation while it is used as a school or remit his taxes for a certain number of years, as he says is often done in the case of a new business being established in the City.

I am not aware of any new business being exempt from taxation except under some Act of Parliament, which does not apply to Mr. Acklom's case. If Mr. Acklom is exempt from taxation it can only be under Section 336 of the City Charter, and if that clause does not exempt him it is not in the power of the Council to exempt or to put a construction on an Act which is a question for the Courts. The Council has nothing whatever to do with either exempting or giving construction to an Act of Parliament relating to taxes. The section referred to says, 'Every building erected and used as a college, incorporated academy or other seminary of learning, every building for public worship, school house, court house, jail, etc., are exempt from taxation. It

will be noticed that every building in this section is a building of a public nature and incorporated or used for public purposes, which by law exempts them from taxation. The question here is, what does the word 'school house' mean? It must be remembered that as far back as 1845, by law, a superintendent of education and commissioners of schools were appointed, and trustees of schools were appointed at school meetings, and the ratepayers built school houses for the benefit of the public and received aid from the Provincial Treasury. These trustees were a corporate body and had the possession, disposal and control of the building, and we had such schools in the City of Halifax, both common and grammar schools; established by law and supported by the citizens and the grant from the Treasury.

The first mention of exempting school houses under this section was passed in 1848. To what school houses does the Act so exempting apply? The school houses that were exempt were the school houses established by law and built by the ratepayers for school purposes, as well known at that time and since, and the Act so exempting cannot be supposed to refer to any other than these school houses, or, in other words, public school houses established by law. It is evident it was intended to exempt only property used by the public for the purpose of education and controlled by school commissioners and trustees, which were a body corporate, or which belonged to a corporation created for the dissemination of learning and thereby devoted to educational purposes. It will be noticed in this section the words are 'every building erected and used as a college, incorporated academy or other seminary of learning'. The words 'other seminary of learning' are preceded by the words 'college' and 'incorporated academy,' and the position of the former in the sentence, I think, precludes the idea of any property being exempt except that of a corporation. As I have said, every one of the buildings exempt under section 336 is in its nature a public institution, and the word 'school house' must mean public school in the same way as the other words are used upon the principle of the rule governing Statutes Ejusdem Generis.

If private schools are exempt then any person building or leasing a building for school purposes and living in it with his family and servants and keeping a boarding school and using a portion of the building for school purposes or a kindergarten would be equally exempt; but even if private school houses are exempt, can a building a portion of which is used as a dwelling and another portion as school rooms be considered a school house. I take it even then it must be a building used solely and alone as a school house and not a combined dwelling and school. I am of opinion that 'school house' in the Act referred to relates solely and alone to public school houses, which were then well known to the law, and does not refer to private schools.

W. F. MACCOY, *City Recorder.*

Moved by Alderman Campbell, seconded by Alderman Halliday, that the same be received and concurred in. Motion passed.

Read letter from Rev. J. B. C. Murphy, Garrison Chaplain, protesting against automobiles being permitted to be operated in Point Pleasant Park. Placed on the Order of the Day with Ordinance relating to the use of Automobiles.

Moved by Alderman Hubley, seconded by Alderman Cawsey, that the Order of the Day be further suspended to permit Alderman Hubley to introduce a resolution. Motion passed, and the following is submitted:—

Resolved, that the Engineer be requested to report on the advisability of laying a curb on the west side of Gottingen, between Cornwallis and Falkland Streets, and laying an asphalt sidewalk on both sides between the above named streets.

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

Moved by Alderman Hawkins, seconded by Alderman Cawsey, that the Council adjourn. Motion put and lost, 5 voting for and 7 against, as follows:—

For the Motion.

Aldermen Campbell, Taylor,
Doyle, Cawsey,
Hawkins—5.

Against it.

Aldermen Halliday, Johnson,
Barry, Lamphier,
Hubley, Rogers,
Mackenzie—7.

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

Moved by Alderman Johnson, seconded by Alderman Doyle, that the City Engineer prepare an estimate of the cost of an asphalt walk from the entrance to the Grand Parade to the main entrance to the City Hall and report at next meeting. Motion passed.

Moved by Alderman Doyle, seconded by Alderman Campbell, that the Council adjourn. Motion passed.

Council adjourns 10.05 o'clock.

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, May 26th, 1904.

A meeting of the City Council was held this evening. At the above hour there were present Aldermen Hubley, Lamphier, Campbell, and Hayward.

Moved by Alderman Hubley, seconded by Alderman Campbell, 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 His Worship the Mayor and Aldermen Halliday, Johnson, Barry, Taylor, Gastonguay, Doyle, Cawsey, Rogers, Martin, Hawkins, and Mackenzie.

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

The following named papers are submitted :

Report Public Accounts Committee in re Superannuation of John Greenaway, by Alderman Johnson, (Chairman).

Report City Prison Committee re Merger of County Jail and City Prison, by Alderman Taylor, (Chairman).

Petition re Sewerage Longard Road, by Alderman MacKenzie.

His Worship the Mayor submits the following papers :—

Six reports Committee on Works, viz :

Sewer Extensions.

Fire Insurance City Property.

Water Extension for H. J. Osborne.

Lease Old Exhibition Building.

Street Lights.

Water Extension Marlboro' Wood.

Report Engineer re Asphalt Walk Grand Parade.

Report Chief of Police re Violations of Liquor License Act on Sunday.

Application of Board of Health for a special grant of \$184.09.

Report Board of Health re Appointment of Chairman.

Petition of Gents Furnishings and Clothing Dealers against "Early closing of shops" Ordinance

Letter Nova Scotia Board of Fire Underwriters re Insurance Rates.

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

Read report City Prison Committee in re proposed amalgamation of County Jail and City Prison.

COUNTY JAIL AND CITY PRISON.

COMMITTEE ROOM, CITY HALL, May 26th, 1904.

To the City Council :

GENTLEMEN,—Your Committee appointed to investigate the feasibility of uniting the County Jail and City Prison beg leave to report as follows :—

Your Committee have visited both institutions and find that the present accommodation at the City Prison would not be sufficient for the ordinary prisoners of the City and those from time to time confined in the County Jail. They have also visited the County Jail and find that the accommodation there is very limited and that it would be utterly impossible to transfer the prisoners from the City Prison to the Jail without the erection of a very large addition to the present building, and there is not sufficient land belonging thereto for that purpose.

There were confined in the County Jail in 1901, 313 persons, 209 of whom were sent from the Police Court. In 1902 there were 289 persons, 203 of whom were sent from the Police Court. In 1903 there were 298 persons, 219 of whom were sent from the Police Court. A few of these prisoners were debtors. The prisoners average sixteen a day, and there are only nineteen rooms for men and six for women besides a large room for debtors. The Jail would be crowded with thirty prisoners. There is no employment for the prisoners at the Jail other than picking oakum, which amounts to three or four tons a year. In the opinion of your Committee, there is no greater punishment that can be inflicted upon a prisoner than to be confined with nothing whatever to do, and it is most injurious to the disposition and character of the prisoner. If a prisoner is properly employed his mind is active, his health good and he is disposed to take a better view of life and when released is in a better position to lead a new life. There is an acre and a half of ground, including that on which the Jail buildings stand, and there are no workshops of any kind.

Your Committee are satisfied that the County authorities would never consent to the Jail being transferred from its present position to the City Prison, as it would be too far from the Courts of Justice.

Your Committee are of opinion that it is impossible in the present condition of affairs to unite these two institutions, and that it would, as already pointed out, be injurious to the prisoners confined therein.

G. A. TAYLOR, *Chairman.*

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

Read report Public Accounts Committee re petition of John Greenaway for a retiring allowance.

RETIRING ALLOWANCE JOHN GREENAWAY.

COMMITTEE ROOM, CITY HALL, May 26th, 1904.

To His Worship the Mayor and City Council :

GENTLEMEN,—Your Committee on Public Accounts beg to report that at a meeting of the Committee held this day, there being present Aldermen Johnson, (Chairman),

Gastonguay, Doyle, Rogers and MacKenzie, they had under consideration the report of the Laws and Privileges Committee in re petition of John Greenaway for retiring allowance.

Your Committee recommend that the report of the Laws and Privileges Committee submitted to the Council on the 28th April last dealing with this subject be adopted, a copy of which is attached hereto.

W. S. ROGERS, *Acting Chairman.*

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

Read petition of William Davies and other proprietors of Gents' Furnishings and other stores against the Ordinance in re Early Closing of Stores.

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

Read report Committee on Works re Tenders for Fire Insurance on City Property.

FIRE INSURANCE.

CITY WORKS OFFICE, May 25th, 1904.

To the City Council:

GENTLEMEN.—At a meeting of the Committee on Works held this day the tenders for City Fire Insurance were opened as follows:—

Royal Insurance Co., \$84,900.....	\$1184 25
Acadia " " " " " " " "	
Anglo-American Insurance Co.,	} \$84,900
Halifax " " " " " " " "	
Nova Scotia " " " " " " " "	
Ottawa " " " " " " " "	
	1.5 each at 1¼% = 1061 25

The Estimates for the year provide only \$800.00. As this amount will be further reduced by premium of say \$36.00 for risk on Public Baths and contents expiring October 1st, 1904, and as Committee deem it inadvisable to reduce the amount at risk it was decided to refer the matter for the consideration of the Council.

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

SCHEDULE.

<i>Name and situation of Building.</i>	<i>Amt. insured.</i>
City Hall, Barrington, Argyle and Duke Streets (stone).....	\$30,000
Furniture, fittings, fixtures and supplies therein, excluding Library, but to include electric bells and wires, gas and water fittings and fixtures, hot water heating apparatus, office furniture, safes and office supplies.....	10,000
City Prison, Gottingen Street (stone).....	5,000
On the following wooden outbuildings under one roof, used in connection with said Prison, occupied as follows:—	
(1) Horse stables. (2) Cow stables. (3) Coach house (4) Clothing room. (5) Store room. (6) Carpenter shop. (7) Cooper shop. (8) Coal shed. (9) Stone shed. (10) Cart shed. (11) Shoe shop and store....	\$2,200
On the following brick outbuildings, under one roof, also used in connection with said Prison, occupied as follows:—	
(1) Cook house. (2) Store room. (3) Blacksmith shop. (4) Meat shop..	800
	3,000

Infectious Disease Hospital, Gottingen street (wood)	\$ 5,000
Smallpox Hospital, Gottingen street (wood)	500
Exhibition Skating Rink, Tower Road (wood)	2,000
Machinery Hall, rear Exhibition Building, (wood)	1,500
Contents Machinery Hall, viz. :—	
Tools Street Department	\$2,000
Tools and Patterns in Carpenter's shop	100
Street Scrapers and Sweepers	400
Water and Tip Carts, Waggon, Sleighs and Sled	2,000
Water Pipe, Hydrants, Fittings and Tools of Water Department	2,600
	7,100
2 Steam Rollers in shed, \$750 on each, in separate shed	1,500
Stables, Exhibition Grounds (wood)	1,000
Horses (in case of loss no one horse to be valued at more than \$145.00)	\$2,000
Harness, Feed, Vehicles and Fittings	500
	2,500
West Street Engine House, West Street (wood)	4,000
Ladder House, Grafton Street (brick)	1,000
Central Engine House, Brunswick Street (brick)	2,000
Gerrish Street Engine House, Maynard Street (brick)	1,000
Queen Street Engine House, Queen Street (wood)	1,800
Islesville Engine House, Gottingen Street (wood)	1,000
Quinpool Road Engine House, Quinpool Road (wood)	2,500
Spring Garden Road Engine House, Spring Garden Road (wood)	1,000
Keeper's House, Spruce Hill Lakes, Co. Halifax (wood)	500
Keeper's House, Chain Lakes, Co. Halifax (wood)	500
Keeper's House, Long Lake, Co. Halifax (wood)	500
	\$84,900

The following resolution is submitted:

Resolved, that the five lowest tenders for insurance be accepted and the balance of money required to pay premiums be borrowed at present from Contingent Account until other arrangements are made.

Moved by Alderman Rogers, seconded by Alderman Cawsey.

The following amendment is submitted :

Resolved, that the City carry its own insurance for this year 1904-1905.

Moved by Alderman Doyle, seconded by Alderman Lamphier.

The amendment being put is lost, 3 voting for the same and 12 against it, as follows :—

For the Amendment.

Aldermen Lamphier, Doyle,
Hubley.—3.

Against it.

Aldermen Halliday, Johnson,
Campbell, Barry,
Taylor, Gastonguay,
Cawsey, Martin,
Rogers, Mackenzie,
Hayward, Hawkins.—12.

The original resolution is put and passed, 12 voting for and 3 against it, as below :

For the Resolution.

Aldermen Halliday, Johnson,
Campbell, Barry,
Taylor, Gastonguay,
Cawsey, Martin,
Rogers, Mackenzie,
Hayward, Hawkins.—12.

Against it.

Aldermen Lamphier, Doyle,
Hubley.—3.

Read petition of Charles Nickerson et al in re Sewerage Longard Road.

Moved by Alderman Hayward, seconded by Alderman MacKenzie, that said petition be referred to the Committee on Works for report. Motion passed.

Read reports Committee on Works and City Engineer re water extension to premises of Howard J. Osborne, Albert Street.

WATER EXTENSION ALBERT STREET.

CITY WORKS OFFICE, May 25th, 1904.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works held this date, the attached Minute of Council, with City Engineer's report thereon, in re water extension to Howard J. Osborne's premises, Albert Street, were read and referred to the Council for adoption.

A. B. CROSBY, Mayor and Chairman.

CITY ENGINEER'S OFFICE, May 20th, 1904.

His Worship the Mayor:

SIR,—In accordance with the accompanying resolution of Council, I beg to report on water extension on Albert Street to Howard J. Osborne.

The extension will be low service. Length of pipe 255 feet. Estimated cost:—

220 feet 4" pipe.....	\$ 88 00
1 4" valve.....	16 00
1 service pipe	16 00
Lead and paint	1 50
Excavation and pipe laying.....	154 00
35 feet 6" pipe	21 00
1 6" 4-way branch.....	5 74
Excavation and pipe laying	21 00

\$323 24

Interest on outlay at 5 per cent., \$16.16.

I would recommend that the extension be made, provided the petitioners will give a bond for the payment of the special rate of \$16.16.

F. W. W. DOANE, City Engineer.

Moved by Alderman Hawkins, seconded by Alderman MacKenzie, that said reports be adopted. Motion passed.

Read report Committee on Works in re Tenders for Lease of Old Exhibition Building, and covering letter Alfred G. Cummings.

LEASE OLD EXHIBITION BUILDING.

CITY WORKS OFFICE, May 18th, 1904.

To the City Council :

GENTLEMEN,—At a meeting of the Committee on Works held this day, the attached letter of Alfred G. Cummings re executing lease for Old Exhibition Rink and the new tenders of John Mullane, \$1,252.90, and H. B. Clarke, \$1,557.00, with certified cheques of People's Bank of Halifax were read and referred to Council.

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

Moved by Alderman Cawsey, seconded by Alderman Hawkins, that the tender of H. B. Clarke at \$1557.00, being the highest, be accepted. Motion passed unanimously.

Read reports Committee on Works and City Engineer re Water Extension to Marlboro' Woods to residence of Thomas Ritchie.

WATER EXTENSION MARLBORO WOOD.

CITY WORKS OFFICE, May 18th, 1904.

To the City Council :

GENTLEMEN,—At a meeting of the Committee on Works held this day, the attached Minute of Council re water extension Marlboro Wood to the residence of Thomas Ritchie, with City Engineer's report thereon, were read and referred to Council.

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

CITY ENGINEER'S OFFICE, May 17th, 1904.

His Worship the Mayor :

SIR,—The accompanying petition asks for an extension of water through Inglis Street to the residence of Thomas Ritchie, Marlboro Wood. The district is low service. Excavation (estimated) 800 feet earth, remainder, to Mr. Ritchie's gate, rock. Distance to Seymour Street 1,900 feet, thence to Mr. Ritchie's gate 654 feet, thence to Mr. Ritchie's house 685 feet. Estimated cost :—

2,554 feet 6" pipe.....	\$1,532 40
2 6" valves.....	40 00
800 feet earth excavation and pipe laying.....	320 00
1,754 feet rock excavation.....	2,104 80
4 6" 3-way branches.....	18 80
	<hr/>
	\$4,016 00
Interest at 5 per cent., \$200.80.	
685 feet 3" pipe.....	\$ 226 05
1 3" valve.....	15 00
Lead and paint.....	3 00
Excavation.....	685 00
	<hr/>
	\$929 05

There are no houses on the line of the proposed extension. The special rate will therefore be \$200.80.

I would recommend that the extension be made, provided a satisfactory bond is given to cover the special rate, the private pipe to be paid for by Mr. Ritchie.

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

Moved by Alderman Campbell, seconded by Alderman Hawkins, that the report of the City Engineer be adopted. Motion passed.

Read reports Committee on Works and City Engineer re Street Lights.

STREET LIGHTS.

CITY WORKS OFFICE, May 18th, 1904.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works held this day, the attached City Engineer's report as per Minute of Council on street lights, Creighton Street, near North Street, Oxford Street, Quinpool Road, between Louisburg and Preston Streets, and corner Queen and Fenwick Streets was read and referred to Council.

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

CITY ENGINEER'S OFFICE, May 17th, 1904.

His Worship the Mayor:

SIR,—In accordance with resolution of Council, I beg to report on street lights asked for, as follows:—

CREIGHTON STREET, NEAR NORTH STREET.

There is one light between Gerrish Street and North Street, but it is not sufficient to light this block, and it would be advisable to have an additional light.

OXFORD STREET.

The distance between lights on this street is considerable, and an additional light could be placed to advantage.

QUINPOOL ROAD, BETWEEN LOUISBURG AND PRESTON STREETS.

The light asked for here would be a decided improvement in the lighting.

The appropriation for this year is insufficient to provide any more lights, and I would therefore recommend that the consideration of the installation of these lights be postponed until the estimates are again being made up.

CORNER QUEEN AND FENWICK STREETS.

A report with reference to this light was asked for at last meeting of Council. It was suggested when the report was being considered before that the light at Kent Street should be raised and moved a little closer to Fenwick Street. This the Company are preparing to do, and I was informed to-day by their head lineman that it would be done without delay.

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

Moved by Alderman Rogers, seconded by Alderman Campbell, that the report of the City Engineer be adopted. Motion passed.

Read reports Committee on Works and City Engineer re certain sewers.