

CITY ENGINEER'S OFFICE, Dec. 27th, 1905.

*His Worship the Mayor:*

SIR.—The following tenders for 700,000 lbs. of cement were received by the Works Committee under invitation for tenders sent out from this office:—

FIRM.	BRAND.	PRICE PER 100 LBS.
Sydney Cement Co .....	Rampart .....	48c.
Stairs, Son & Morrow .....	White's, London .....	53.62c.
Eastern Cement Co .....	J. B. White & Bros .....	54c.
James Fraser .....	White Bros .....	54 4-10c.
A. M. Bell & Co. ....	J. B. White & Bros .....	55c.
H. H. Fuller & Co. ....	White Bros .....	57½c.
T. A. S. DeWolf & Son .....	White Bros .....	58c.

The tender of the Sydney Cement Company (48c. per 100 lbs.) for Rampart cement made in Sydney is the lowest. This cement is slow setting in cold weather and as our sewer blocks must be made and kept under cover until they are well set we should require a great deal more room to use the Sydney cement than a quicker setting cement. Blocks made with Sydney cement and put out in the weather during the winter as the space is required would go to pieces in the frost, and I have therefore to recommend that the next tender, Stairs, Son & Morrow, 53.62c. per 100 lbs. White's cement, be accepted.

The specification provides that about two-thirds of the cement shall be delivered in January, February and March and the balance, 250,000 lbs. in April. By the 1st of April we should be able to use the Sydney cement, but if the contract is to be awarded in one lot as advertised I have to recommend the tender of Stairs, Son & Morrow, as already stated.

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

Moved by Alderman Cawsey, seconded by Alderman Taylor, that two-thirds of the total amount be purchased from Stairs, Son & Morrow and the balance from the Sydney Cement Company.

Moved in amendment by Alderman Johnson, seconded by Alderman Hawkins, that the tender of Stairs, Son and Morrow for the whole amount be accepted. Amendment put and passed.

Read petition for bitulithic pavement on Prince Street from Hollis Street to Granville Street and on George Street, Cheapside and Bedford Row.

Moved by Alderman Cawsey, seconded by Alderman Martin, that the same be referred to the City Engineer for report. Motion passed.

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

## SUNDAY VIOLATIONS.

OFFICE OF CHIEF OF POLICE, Dec. 27th, 1905.

*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 the following violation has been reported to me since last meeting of Council:—

Louisa Mason, 185 Upper Water Street, unlicensed, Sunday, Dec. 17th.

JOHN O'SULLIVAN, *Chief of Police.*

Read report License Inspector re prosecutions for violations of Liquor License Act.

#### LICENSE LAW VIOLATIONS.

OFFICE OF LICENSE INSPECTOR, Dec. 27th, 1905.

*To His Worship the Mayor and City Council :*

In response to resolution of the City Council, dated December 13th, 1905, I beg leave to report :

(1) The total number of cases reported for violation of the liquor License Act since May 1st, 1905—117.

(2) Those reported by Inspector personally—20.

A large proportion was reported by the Police and the remainder by the Inspector and Police jointly.

The number reported by the Police and not dealt with—33.

The oldest of these does not go back of October last. They are now being proceeded with without delay.

Many convictions have been made since May last, some of which (four in number) are under appeal to the superior court.

One defendant has gone to city prison to pay his fine. Two others are being looked for under warrant.

W W. McLELLAN, *License Inspector.*

Moved by Alderman Hubley, seconded by Alderman Johnson, that the report be filed and that the City Clerk write to the License Inspector to-morrow morning notifying him to institute proceedings within fifteen days from this date against all persons reported to him for violations of the Act. Motion passed.

Read report City Engineer re removal of snow.

#### REMOVAL OF SNOW.

CITY ENGINEER'S OFFICE, December 27th, 1905.

*His Worship the Mayor :*

SIR,—When the address delivered by His Worship the Mayor was considered by the Council in May last the Engineer was instructed to report on the probable cost of removing snow from the sidewalks in the business portion of the City, the best method of performing the work and the names of the streets which he would suggest to be cleared by the City.

While in Western Cities in July special attention was given to this matter and the method of removing snow from the sidewalks in the cities visited was thoroughly investigated.

In Montreal the City does not do the work. They have, however, a complete outfit for handling snow.

In Toronto and Ottawa this work is done by the City—one hundred and twenty-seven miles of sidewalk being cleared in the latter city last year at a cost of \$129.00 per mile. In Toronto the work costs about \$18.50 to \$20.00 per mile per clearing.

In Winnipeg, to the surprise of eastern visitors, there is comparatively little snow to remove or to level.

At Westmount the City looks after all snow removal and begins work after a night of snow fall at about four o'clock in the morning. The Mayor and City Engineer gave us the fullest opportunity of examining their outfit in detail and gave us full information respecting the method of conducting the work. Their outfit includes ploughs, rollers, ice-cutters, planers, etc. One machine was designed especially for planing off the ridge which is sometimes formed by pedestrians along the sidewalk before the snow can be ploughed off.

The equipment in Ottawa includes :

28 double sidewalk ploughs. 7 single sidewalk ploughs. 10 walk away ploughs. 1 light road grader. 4 ice-cutting and levellers. 2 large snow rollers. 1 sidewalk roller or roughener.

The snow could be removed from the sidewalks on our business streets by the City, but it would be necessary to provide a complete outfit and to make arrangements for men and horses in advance as it is difficult to obtain either in any numbers immediately after a snow fall. The cost would depend on the quantity of snow falling during the winter, but would probably be about \$1000.00 per annum for the sidewalk mileage that we should be able to take care of at first. If the Council decides that the City shall remove snow from some of the sidewalks, I would recommend that legislation be obtained to authorize the necessary expenditure each winter and that the cost be assessed on and collected from the owners of property fronting on the sidewalks cleared by an equal frontage charge according to the amount expended. The cost should not exceed from two to three cents per foot frontage. I would recommend that the legislation be made to cover all streets in the City but that the exact boundaries within which snow shall be removed by the City be defined from time to time by the Works Committee or by ordinance, as the Council may deem best. I would suggest the following streets to begin with :—

- Argyle from Blowers to Jacob.
- Barrington from Bishop to Jacob.
- Granville from Salter to Water.
- Hollis from Salter to Water.
- Bedford Row from Sackville to Water.
- Salter from Water to Barrington.
- Sackville from Water to Argyle.
- Prince from Water to Argyle.
- Cheapside from Bedford Row to Hollis.
- George from Water to Argyle.
- Duke from Water to Argyle.
- Buckingham from Water to Argyle.
- Jacob from Water to Brunswick.
- Gottingen from Cogswell to Uniacke.
- Spring Garden Road from Pleasant to Park.

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

Moved by Alderman Hawkins, seconded by Alderman MacKenzie that the same be referred to the Committee on Laws and Privileges to draft the necessary legislation and report. Motion passed.

Read report Police Commission covering report Chief of Police in re superannuation of Sergeant Leahan.

SUPERANNUATION SERGEANT LEAHAN.

MAYOR'S OFFICE, DEC. 27th, 1905.

*Members City Council:*

GENTLEMEN,—Your Police Commission transmit herewith for your information report from the Chief of Police on Sergeant Leahan's fitness for Police duty.

R. T. MACILREITH, *Mayor and Chairman.*

OFFICE OF CHIEF OF POLICE, December 26th, 1905.

*Chairman and Members Police Commission.*

GENTLEMEN,—In answer to your request that I put in writing the verbal report which I made to the Commission in reference to Sergeant Leahan's ability to perform police duty, I have to say that I consider him unfit for street duty during the winter and if he is retained on the force it will be necessary to put him on office duty entirely. This would be unfair to the other men, but was the course followed last winter. I would recommend that he be superannuated on full pension. I may say that he has several times said to me that he would like to be retired as above suggested.

JOHN O'SULLIVAN, *Chief of Police.*

Filed.

Read opinion Acting-Recorder Bell in re petition of Salvation Army Rescue Home for exemption from taxation.

IN RE THE TAXES ON THE SALVATION ARMY RESCUE HOME, No. 71 WINDSOR STREET.

J. M. GELDERT,

*Chairman Committee on Laws and Privileges.*

SIR:—The exemption in question is claimed by the Salvation Army under Chap. 141, Acts of 1897, which purports to include the Rescue Home in the exemption granted by Sec. 336 of the City Charter.

The property is owned by the Rev. Mr. McMillan and has been assessed to him, and the taxes for the years 1902, 1903 and 1904, now outstanding, and in respect to which the exemption is claimed, are in his name. No assessment has ever been made to the Salvation Army, or are any taxes due by that body.

The property was leased by Mr. McMillan to the S. A. by lease, the term to begin on 1st May, 1901. The rent is expressed to be two hundred dollars a year, and in addition the lessee covenanted to pay the taxes and water rates imposed or levied on the premises during the term of the lease.

I do not attach much importance to the lessee's covenant to pay the taxes. If I did the only construction I could put upon it is that it is an express recognition on the part of the lessee that taxes were liable to be paid on the premises, and an undertaking to pay them. I am informed that it was inserted so as to enable the Army to obtain the benefit of the exemption if legally possible, that is, the lessor practically said to the lessee, if there are no taxes to pay on the building you get the benefit of the exemption, but if there are you must pay them to me, for I am the person the City looks to.

The only question is whether or not the act referred to has exempted the property from taxation because it has been occupied as the Rescue Home of the Army.

The question is a new one. So far as I am informed an exemption has never been allowed in the case of any property merely rented for any of the purposes in respect to which an exemption is granted. The use and ownership have always been combined, and it has been assumed that such must necessarily be the case.

The language of Chap. 141 read in connection with that of Sec. 336 is as follows: "Every Salvation Army Rescue Home and the real and personal estate of the same shall be wholly exempt from assessment." *Prima facie* this language might indicate use apart from ownership. But all of the other exemptions in the section—the property of His Majesty, the property of military or naval persons, buildings erected and used as colleges, &c., buildings for (that is, owned especially for) public worship, all point to ownership as well as use. The other properties specifically enumerated beginning with the Halifax Dispensary are all of them owned by the institutions controlling them and permanently adapted to charitable purposes.

The above would raise a strong presumption that in this instance also the legislature must be taken to have intended that the Salvation Army must be the owner of the property before being entitled to the exemption. The addition of the phrase, "and the real and personal estate of the same," appears to me to point in the same way. In itself the phrase is meaningless, the institution, that is the building, cannot own property. Unless the phrase is interpreted as equivalent to "the real and personal property belonging to the association or body managing these respective charitable institutions and used in connection with them" it has no meaning.

Other sections of the Act make the point still clearer. By 303 the assessment is to be rated on the "owners of real and personal property." Exemption implies liability in the absence of the exempting clause. If owners only are liable it surely follows that owners only can be exempt. And in one case in New Jersey, *The State vs. Duryea*, 40 N. J. L. 266, where an exemption was claimed on a statute very similar to our own, the fact of want of ownership was held conclusive against the exemption. And see other cases to the same effect, *Eng. & Am. Eucy. of Law*, Vol. 12, pp. 323, 324. The owner in this case is Mr. McMillan, and the only legal effect of the exemption would be to exempt him. The fact that he has framed his contract with the intention of giving the Army the benefit of the exemption if it exists cannot alter the law. If it had been in the usual form for a fixed rent the exemption if existing at all would have still applied. Only in that case the benefit would have been his and not that of the Army.

A consideration of the consequences that would result from a construction of a statute is not relevant when that construction is plain, but it is most material where the construction is doubtful. It is not to be presumed the legislature intended consequences that are mischievous. Such consequences would be inevitable if exemptions are allowed in respect to rented properties. The City's assessment is made in the autumn and must be completed by the 15th March. On that assessment the city rates are determined. Properties are rented or sold on the assumption that the rate so struck is a fixed charge. If that exemption is to be disturbed by a subsequent renting of the property for use as an exempted institution some strange consequences will ensue. A property not so used at the time of the assessment and therefore assessed will become exempt after May, and conversely one not assessed at the time of the assessment ought logically to become liable on ceasing to be so used in the following spring.

For these reasons I am of opinion that to entitle the Salvation Army to the benefit of the exemption it must be both the owner and occupier of the building used as a Rescue Home, and that Mr. McMillan is not entitled to the exemption on the ground that he rented his property to the Salvation Army to be used as a Rescue Home.

F. H. BELL, *Acting-Recorder.*

Moved by Alderman Cawsey, seconded by Alderman Johnson, that the opinion be filed and a copy sent to the petitioner. Motion passed.

Read report His Worship the Mayor nominating Alderman Murray,

Geldert, Taylor, Doyle, Martin, and Mackenzie as the special committee on superannuation of officials. Nominations confirmed.

SUPERANNUATION OF PERMANENT OFFICIALS.

MAYOR'S OFFICE, December 26th, 1905.

*To the Members City Council:*

GENTLEMEN,—In conformity to a resolution passed at a meeting of the City Council held on the 18th inst., I beg to nominate the following to constitute a committee to consider and report upon a plan for the superannuation of the permanent officials of the City, namely: Alderman Murray, Geldert, Taylor, Doyle, Martin and MacKenzie.

R. T. MACLEITH, *Mayor*.

Read acknowledgment by Halifax Electric Tramway Company of Minute of Council in re double tracking of Coburg Road and Oxford Street. Filed.

DOUBLE TRACKING COBURG ROAD AND OXFORD STREET.

MR. L. FRED MONAGHAN, *City Clerk*.

DEAR SIR,—I beg to acknowledge receipt of your favor of the 13th inst., containing extract from Minutes of a meeting of the City Council held on the 8th of December, 1905, re double tracking Coburg Road and Oxford Street.

JAS. W. CROSBY.

Read petition for Sewer Needham Street. Referred to the Committee on Works for report.

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

Read report City Engineer re curb on Brenton Street.

CURB AND GUTTER BRENTON STREET.

DECEMBER, 16th, 1905.

CITY ENGINEER'S OFFICE, Dec. 14th, 1905

*His Worship the Mayor:*

SIR,—In accordance with the accompanying resolution of Council, I beg to report on the petition attached hereto for the construction of a concrete curb and gutter in Brenton Street.

There is a cobble gutter on each side of Brenton Street between Spring Garden Road and Morris Street. No further effort has been made to improve the appearance of the street or sidewalks. It is in a condition similar to all other streets in that neighborhood.

The estimated cost of laying concrete curb and gutter and doing all other work necessary to carry out such a proposition is \$2677 95.

Wherever permanent curb and gutter is laid all rain conductors from houses should be connected with the drain. It injures and disfigures the curb to cut holes in it to let the water out. It also empties a stream of water at the curb which the frost follows down and by heaving destroys the work.

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

Moved by Alderman Johnson, seconded by Alderman Powell, that said report be referred to the Committee on Works to carry out. Motion passed.

Read report City Engineer re curbs Russell, Kaye and Young Streets.

CURBS RUSSELL, KAYE AND YOUNG STREETS.

CITY ENGINEER'S OFFICE, Dec. 14th, 1905.

*His Worship the Mayor:*

SIR,—In accordance with the accompanying resolution of Council, I beg to report on the construction and cost of concrete curb and gutter on Russell, Kaye and Young Streets

A cobble gutter is laid on the greater part of these streets, but otherwise no attempt has been made at improvement. It is very difficult to keep these streets in good order except when the frost is in the ground as the rain running down the hill cuts them up. When the City can afford it, it would be advisable to put a permanent curb and gutter on all such hills and make the roadway as narrow as possible, in any case not more than twenty-four feet, and all rain conductors from buildings erected on lots fronting on these streets should be connected with a drain. Where the surface water rushes from yards across the sidewalk pits should be put in to catch the water before it reaches the street.

The estimated cost of laying concrete curb and gutter on both sides of Russell' Kaye and Young Streets between Campbell Road and Gottingen Street is \$11,767.80.

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

Moved by Alderman Cawsey, seconded by Alderman Johnson, that the same be referred to the Committee on Works. Motion passed.

Read report City Engineer re curb and gutter Morris Street and Pleasant Street.

CURB AND GUTTER MORRIS AND PLEASANT STREETS.

CITY ENGINEER'S OFFICE, Dec 18th, 1905.

*His Worship the Mayor:*

SIR,—In accordance with the accompanying resolution of Council, I beg to report on the cost of concrete curb and gutter on Morris Street and Pleasant Street.

MORRIS STREET.

There is a cobble gutter on each side at present, but no further effort has been made to improve the appearance of the street or sidewalks. It is in the same condition as other streets in that neighborhood. The estimated cost of laying concrete curb and gutter on both sides of Morris Street between Queen Street and South Park Street, including all necessary work, is \$2,798.73.

PLEASANT STREET.

I cannot recommend the laying of a concrete curb and gutter on the west side of Pleasant Street between South Street and Green Street. With double track on this street, considering the traffic, the concrete would not be sufficiently permanent. There is a granite curb between Green Street and Kent Street and I would recommend that when curb is laid granite be used. The estimated cost of laying a granite curb and

gutter on the west side of Pleasant Street between South Street and Green Street is \$1,460 67.

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

Moved by Alderman Johnson, seconded by Alderman Halliday, that the same be referred to the Committee on Works. Motion passed.

Read petition for electric light on Duncan Street. Referred to Committee on Works for report.

Read report Laws and Privileges Committee on various matters and covering statement from His Worship the Mayor relating to his expenses as a delegate to Winnipeg Convention of the Union of Canadian Municipalities.

#### REPORT LAWS AND PRIVILEGES COMMITTEE.

COMMITTEE ROOM, CITY HALL, Dec. 21st, 1905.

*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, there being present Aldermen Geldert, (Chairman), Johnson, Martin and Hawkins, they had under consideration an application of Joseph Harris for an auctioneer's license.

Your Committee recommend that the application for license be not granted. Ald. Hawkins dissenting.

Your Committee further report that they had under consideration a petition of R. I. Hart for the use of the name and seal of the city in bringing an action against His Worship the Mayor.

Your Committee recommend that the petition of Mr. Hart be not granted and that the city do not join him in the proposed suit. Alderman Hubley dissenting.

In this connection we submit a letter of His Worship the Mayor in relation to Mr Hart's petition.

Your Committee make the same report in relation to a like application made by Mr. Hart in relation to the City Engineer.

Your Committee further report that they had under consideration a petition of Edward Deal in re expropriation of his land for the Halifax and South-Western Railway.

Also petition Halifax County Conservative Club preferring charges against the Registrar of Voters.

Your Committee beg to report progress in these two matters, as they are not yet prepared to make their final report.

J. M. GELDERT, *Chairman.*

#### WINNIPEG CONVENTION.

MAYOR'S OFFICE, December 21st, 1905.

*Chairman and Members Laws and Privileges Committee :*

GENTLEMEN,—In order that you may have the facts properly before you when considering the application of Mr. R. I. Hart for the use of the name and seal of the City in a proposed action against Mr. Doane and myself, I beg to submit herewith the following statement :—



Wherever any part of this statement mentions an act performed or neglected to be performed by any official I have had such official read over such part and certify at the end thereof that in so far as he is concerned the statement is a correct one.

In order that this statement may be as clear as possible I have divided it under three headings : (1) The steps which led up to my going to Winnipeg as a delegate of the City of Halifax : (2) The steps which led up to the sending of the City Engineer to Winnipeg : and (3) The financial side of the question.

(1) A meeting of the Council was held on June 8th 1905 at which meeting as shewn by the minutes the following members of Council were present : The Mayor, Alderman Halliday, Archibald, Johnson, Powell, Murray, Taylor, Lamphier, Hubley, Campbell, Martin, Cawsey, Hawkins, Mackenzie and Hayward. The following is an extract from the Minutes of the above meeting :—

“ Read letter Union of Canadian Municipalities re Conventions of 1905 and 1906 covering partial list of subjects for discussion at the 1905 Convention at Winnipeg.

Moved by Alderman Cawsey, seconded by Alderman Murray, that His Worship the Mayor be appointed as a delegate to represent, the City of Halifax at the Winnipeg Convention and that in the event of His Worship being unable to attend that he be authorized to appoint an Alderman to take his place.”

The motion was put by Deputy-Mayor Johnson and carried *nemine contra dicente*. The meetings of the Union began at Winnipeg on July 25th and in order to be present at the opening session it was necessary to leave Halifax on Friday the 21st. About two weeks before this I found that owing to professional engagements it was likely to be exceedingly inconvenient for me to attend the Convention without incurring personal loss and I called on Deputy-Mayor Johnson and asked him to go in my place. He stated it would be impossible for him to go. I then talked over the matter of the City being unrepresented at the Convention and the opinion seemed to be that as it was desirable in the interest of the City that the Union should meet in Halifax next year that Halifax should not go unrepresented at the Convention. I then made up my mind, though at very great inconvenience, to go to Winnipeg, and as you are already aware succeeded in one object of my going, namely : the holding of the meeting of the Union in Halifax in 1906.

(2) As to Mr. Doane—At a meeting of the Committee on Works held on the 13th July the matter of sending Mr. Doane to Winnipeg was discussed and the Committee reached the conclusion that such a trip would enable Mr. Doane to consult with men occupying the position of City Engineer in the different cities of Canada and that he would obtain much information of value regarding water systems principally and also information as to streets, sewers, etc. The Committee thereupon passed a resolution instructing Mr. Doane to proceed to Winnipeg, the City paying one-half of his expenses the other half to be paid by the Provincial Exhibition Commission. A meeting of the Nova Scotia Provincial Exhibition Commission was held at Halifax on July 18th at which the matter of the Dominion Exhibition of 1906 which is to be held at Halifax was considered. During the discussion the opinion was expressed that as the Dominion Exhibition of 1904 had been held in the City of Winnipeg it would be in the interest of the Exhibition if Mr. Doane should be enabled to go to Winnipeg with me. It was felt that he would obtain much information of value in the carrying on to a successful issue of next year's exhibition and this opinion was finally crystalized in the form of a resolution which the Commission passed unanimously, agreeing to reimburse one-half of Mr. Doane's expenses provided the City would let him go to Winnipeg, Toronto and other Canadian cities.

After the meeting of the Board of Works I instructed the City Clerk to summon a meeting of the City Council for Thursday evening, the 20th day of July. The Clerk made out the notices, as per copy annexed hereto, and sent the same to the Police Department in the usual way to be served on the members of the Council. The notices were received by the Deputy-Chief but he failed to have them served. The following morning on my asking him for an explanation as to why the notices had not been served he stated that the Policemen were on duty at a gardens concert and that he had no person to take the notices. The notices were served on the morning of the 18th ; but as the law requires

two clear days' notice of a meeting of Council the notice was illegal. The same day I was informed by the City Clerk that an Alderman had objected to the holding of the meeting on the ground of the notice being too short, the Clerk at the same time asking for instructions. The objection was perfectly legitimate and the meeting was thereupon cancelled.

As, if Mr Doane was to leave Halifax with me it would be impossible owing to lack of time to send out another notice calling a meeting of Council. I decided to see as many of the Aldermen as possible and obtain their views as to the action of the Committee on Works. Two Aldermen were out of the City at the time—Alderman Foster and Alderman Murray—and of the remaining sixteen I succeeded in talking to fourteen, the two members who were not consulted being Alderman Hubley and Alderman Lamphier. The reason that they were not consulted was owing to the fact that I did not succeed in catching them on the telephone. In view of the fourteen members of Council whom I had been able to consult in reference to this matter being unanimously in favor of Mr. Doane's making the trip, it was finally decided to have him go. That Mr. Doane obtained much valuable information and many valuable suggestions is certain and I feel satisfied that when he has had an opportunity of putting some of them into practice the members of Council will also be satisfied that the sending of Mr. Doane was a wise move.

The following is an extract from Minutes of meeting of Council held on November 10th, 1905:—

“Moved by Alderman Cawsey, seconded by Alderman Johnson, that this Council concur in the action of the Committee on Works in the matter of paying one-half the expenses of sending the City Engineer to Winnipeg.

Motion put and passed, 13 voting for the same and 2 against, as follows:—

For the Motion.	Against.
Aldermen Archibald, Haliday, Johnson, Murray, Powell, Taylor, Gastonguay, Doyle, Martin, Cawsey, MacKenzie, Hayward, Hawkins.—13.”	Aldermen, Lamphier, Hubley.—2.

(3) As to the expenses of the City Engineer and myself I found on enquiry from the City Treasurer that the practice in the past has been for the Mayor or others when going away to represent the City, either as delegates to the Union of Canadian Municipalities or as members of other delegations to obtain from the City Treasurer a lump sum for which the usual warrant was signed and on the return of such persons no account was ever given as to whether the amount obtained from the City Treasurer was in excess of the expenses actually incurred or whether it failed to cover the same. When the time came for me, in obedience to the resolution of Council, to start for Winnipeg I concluded that the better plan was to get the usual advance from the City Treasurer giving him an order or receipt for the same and on my return to sign a warrant for the exact amount of the expenses. The Treasurer agreed with me that this would be the better course and I accordingly received from him the sum of four hundred (\$400) dollars—\$200.00 to cover my own expenses and \$200.00 to cover Mr. Doane's expenses—and gave him a receipt for the \$400.00. Two days after my return to Halifax I notified the Treasurer that my exact expenses were \$231.00 and told him that Mr. Doane would furnish a memorandum of his expenses. I told the Treasurer at the same time that he could pay the balance due me \$31.00, when the matter was being finally adjusted. I also told him that as soon as Mr. Doane's account was passed by the Committee on Works and the Council and a cheque received from the Exhibition Commission for the other half of his expenses that I would sign the necessary warrant, all of which I did, as appears by the books of the City Treasurer.

It has been stated “That the Mayor did not repay his advance until two or three months after his return.” As a matter of fact the Mayor was not required to repay as instead of being indebted to the City the City was indebted to him in the sum of \$31.00 which was not paid to him until over two months after his return. It is correct that the sum of \$200.00 advanced for Mr. Doane's expenses appearing in the same account was not settled up at once owing to the fact that half his expenses had to be collected from

the Exhibition Commission and the other half had to be passed by the Committee on Works and City Council and transferred from the Works Department to the advance account. The impression sought to be created is that Mr. Doane and myself retained moneys in our possession belonging to the City for two months or more. As a matter of fact the City was indebted to me for over two months in the sum of \$31.00 as I have already said and Mr. Doane's advance was balanced as soon as his accounts were passed.

The Exhibition Commission's books show that Mr. Doane's expenses were paid by cheque on October 13th and the Treasurer's books shew receipt of this amount on the same day. The other half of Mr. Doane's expenses were passed by the Board of Works at a meeting held November 6th and at a meeting of the City Council on November 10th. As appears by the books of the Clerk of Works, Mr. Doane was paid the half of his expenses due by the Works Department on the above bill duly passed on November 13th and the Treasurer's books show that Mr. Doane paid the money into the Treasurer the same day, viz., November 13th.

I would submit that the course followed in this matter was a great deal better than signing a warrant at the beginning for a lump sum for the advance and thereafter not stating the exact sum expended.

As to the legal question involved, whether or not the City Council or the Committee on Works has power to send representatives to the Union of Canadian Municipalities or to send the City Engineer away from the City at the expense of the City, I am not called upon to express an opinion, but have only to point out that it has always been the practice in the past for the Council to act as the present Council acted. In fact, many examples of similar expenditures can be given, if necessary, during the time of my predecessors which were never laid before Council, but merely authorized by the Mayor.

R. T. MACILREITH, *Mayor*.

We have read over the above statement and certify that the same is correct in so far as it relates to us.

W. L. BROWN, *City Treasurer*.

CHAS. NICKERSON, *Deputy Chief of Police*.

Said report is considered clause by clause.

Read clause 1 re application of Joseph Harris for an auctioneer's license.

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

Read clause 2 re petition of R. I. Hart to use the name of the City in bringing an action against His Worship the Mayor.

Moved by Alderman Martin, seconded by Alderman Cawsey, that this clause be adopted. Motion passed, 11 voting for the same and 2 against it, as follows:—

For the Motion.

Aldermen Geldert, Halliday,  
Powell, Murray, Taylor,  
Gastonguay, Martin, Cawsey,  
MacKenzie, Hayward, Hawkins.—11.

Against it.

Aldermen Lamphier,  
Hubley—2.

The motion was put by Alderman Johnson, Deputy-Mayor.

Read clause 3 re petition of R. I. Hart to use the name of City in bringing an action against the City Engineer.

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

Read clause 4 on various matters. Passed.

Moved by Alderman Johnson, seconded by Alderman Martin, that the report as a whole be adopted. Motion passed.

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

The Council adjourns 5.20 o'clock.

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## NOON SESSION.

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12.10 o'clock.

COUNCIL CHAMBER, CITY HALL, December 30th, 1905.

A meeting of the City Council was called for to-day at noon. At the above named hour there were present His Worship the Mayor and Aldermen Martin, Powell, Hubley, Gastonguay and Doyle.

Moved by Alderman Hubley, seconded by Alderman Gastonguay that the time for meeting be extended until 12.30 o'clock. Motion passed.

12.30 o'clock. Roll called. Present the above named together with Alderman Lamphier.

There being no quorum to do business the Council stands adjourned

## EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, January 4th, 1906.

A meeting of the City Council was held this evening. At the above hour there were present Aldermen Martin, Hubley, Murray, Halliday, Johnson, Doyle, MacKenzie and Hawkins.

Moved by Alderman Halliday, seconded by Alderman Murray, 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 Powell, Gastonguay, Taylor, Lamphier, Campbell, Cawsey 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 Board of Fire Wards, by Alderman Cawsey, Chairman.

Report Charities Committee, by Alderman Gastonguay, Chairman.

Report City Prison Committee, by Alderman Hawkins, Chairman.

His Worship the Mayor submits the following named papers:—

Three Reports Committee on Works, viz:—

Superannuation of James Romans.

Monthly Accounts.

Bitulithic Paving.

Report Police Commission re appointment of City Marshal.

Report Police Commission re charges against Policeman Power.

Report City Assessors re valuation of certain properties Albemarle and Grafton Streets.

Report License Inspector re violations of Liquor License Act.

Notice of action by R. I. Hart against the City of Halifax and R. T. MacIlreith and F. W. W. Doane.

Letter Lord Bishop of Nova Scotia re Old Exhibition Grounds as a site for a new Church of England Cathedral.

Cash Statements of City Collector for October and December.

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

Read report Committee on Works re accounts.

#### CITY WORKS ACCOUNTS.

CITY WORKS OFFICE, Jan. 4th, 1906.

*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, approved and referred to Council for payment :—

Water Maintenance, \$3,747.96. Water Construction, \$120.85. Street Lighting, \$1,376.55. Teams and Stables, \$654.88. Sewerage Loan, \$630.05. Streets, \$329.19. Internal Health, \$335.44. City Hall Lighting, \$100.94. City Property, \$28.13. Parade Wall, \$22.49. Sewer Maintenance, \$4.87.—Total, \$7,351.35.

R. T. MACILREITH, *Mayor and Chairman.*

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

Read report City Prison Committee covering accounts for payment.

#### CITY PRISON ACCOUNTS, ETC.

COMMITTEE ROOM, CITY HALL, Jan. 4th, 1906.

*His Worship the Mayor and City Council:*

GENTLEMEN,—Your Committee on City Prison beg to report that at a meeting of Committee held this day, there being present Alderman Hawkins (Chairman), Hubley, Murray and Martin, the following accounts, amounting to \$137.94, were examined, found correct and are recommended for payment, viz :—

A. Fordham & Co., leather, etc., \$13.87. James Davidson, horseshoeing, \$4.40. Thos. Little & Son, dry goods, \$7.28. Hillis & Son, pipe, etc., \$16.90. Farquhar Bros., water hydrant, etc., \$14.84. Moir's, Limited, bread, etc., \$9.36. Wm. Robertson & Son, hardware, \$7.07. Mumford Bros., poultry and apples, \$14.22. J. A. Leaman & Co., ox heads, \$10.98. W. Chas. Anderson, groceries, \$36.62. Halifax Electric Tram. Co., electric light, \$2.40.—Total, \$137.94.

The monthly reports of Governor and Matron were submitted and adopted and are herewith submitted.

A. C. HAWKINS, *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 Hawkins, seconded by Alderman Hubley, and passed.

Read report Charities Committee for December.

CHARITIES COMMITTEE ACCOUNTS, ETC.

HALIFAX, N. S., January 3rd, 1906.

*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, Aldermen Halliday and Lamphier.

The Superintendent's report for December shows that during that month there were 72 persons admitted into the Poors' Asylum, 4 born, 52 discharged and 5 died. Of the number admitted and born 42 were chargeable to the Province, 31 to the City, 1 to the town of Lunenburg and 2 to Halifax County. The total number of inmates Dec. 31st, 1905, was 379, made up of 237 men, 136 women and 6 children.

The following accounts chargeable to Maintenance were examined, found correct and are recommended for payment, viz:—

H. W. Wentzell & Co., \$459.34. W. A. Maling & Co., \$354.80. J. & M. Murphy, \$135.23. J. S. Cashen, \$36.15. P. T. Shea, \$148.77. George Gregoire, \$33.40. A. Fordham & Co., \$12.22. Scotia Pure Milk Co., Ltd., \$74.40. H. D. Mackenzie & Co., \$438.21. Halifax Electric Tramway Co., Ltd., \$57.84. B. Mulcahy, \$178.68. James Lamb, \$14.40. Mumford Bros., \$8.64. Brookfield Bros., \$20.48. Baldwin & Co., \$15.10. Wm. Jakeman & Son, \$5.00. C. E. Puttner, \$37.50. Wm. McFatridge, \$35.75. Fleischman & Co., \$4.05. Pay Sheet, \$602.99.—Total, \$2,672.95.

N. V. GASTONGUAY, *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 Gastonguay, seconded by Alderman Halliday, and passed.

Read report Board of Fire Wards on various matters.

REPORT BOARD OF FIRE WARDS.

COMMITTEE ROOM, CITY HALL, Jan. 3rd, 1906.

*His Worship the Mayor and City Council:*

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

1. James Keefe, callman No 2 engine, John Quinn, callman No. 3 engine, A. P. Calnen, callman No. 4 engine, having missed a general alarm of fire, box 17, December 14th, and having been suspended since that time, are recommended for re-instatement, their offence having been sufficiently punished.
2. Michael Supple, callman No. 4 engine, having neglected to avail himself of the opportunity to resign, is recommended for dismissal from the department for continual absence from fires.
3. Edward Murphy, callman on No. 3 engine, having been injured at a chemical call, December 28th, it is recommended that he be paid at the usual rate during his disability.
4. Complaints having been made of scarcity of water at fires, it is recommended that the Works Department place tappers in the houses of the two turnkeys, and that

these men be required to attend all fires at the first alarm so that their services may be promptly availed of if required.

5. The cost of a new patent keyless door for fire alarm boxes having been ascertained to be only \$13.00 as against the patent formerly reported upon at \$40.00, it is recommended that the ten new boxes about being purchased be equipped with these doors, and that the five glass key protectors previously suggested be not installed.

6. The following accounts are recommended for payment :—

Halifax Electric Tramway Co., power, \$6.36 ; light, \$38.88—\$45.24. J. H. Mont & Co., carriage work, \$44.57. Victoria Laundry, work, \$5.37. Mrs D. Power, lard, 32c. A. J. Grant & Co., hardware, \$2.26. N. S. Telephone Co., pin arms, etc., \$2.36. Le Mont Buskins, sweeping chimneys, \$3.00. J. F. Crowe & Co., soda, \$4.40. Wm. Roche, coal, \$36.18. J. S. Cashen, feed, etc., \$206.00. R. B. Adams & Co., oil, \$1.25. J. C. Merlin, lumber, \$2.17. Neil Fox, strap, 35c. War Department, rent, 25c. James Myers, repairing coats, \$2.50. Melvin & Co., hardware, \$1.98. Stairs, Son & Morrow, nails, 20c. Farquhar Bros., supplies, \$20.73. Horseshoeing—Wm. Kline, \$4.38. Robt. Horner, \$9.05. Meagher & MacKenzie, \$12.01. P. Porrier, \$6.17. Wm. Turner, 96c. Thos. Robinson, \$3.75. O'Connell Bros., \$9.74.—Total, \$425.19.

W. H. CAWSEY, *Chairman.*

The following resolution is submitted :—

*Resolved*, that the report of the Board of Fire Wards be received and concurred in and His Worship the Mayor authorized to sign warrants for payment of the accounts therein recommended.

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

Read report Police Commission recommending dismissal of Policeman Power.

#### CHARGE AGAINST POLICEMAN POWER.

MAYOR'S OFFICE, Jan. 4th, 1906.

*To the Members of the City Council:*

GENTLEMEN,—Your Police Commission have had under investigation a charge against Policeman Edward Power for drunkenness, and have decided that he be dismissed from the force.

R. T. MACILREITH, *Mayor and Chairman.*

Moved by Alderman Doyle, seconded by Alderman Gastonguay, that the report be referred back to the Police Commission with the recommendation that Power be given another chance. Motion passed.

Read report Police Commission covering report Chief of Police recommending that the present Deputy-Chief, Charles Nickerson, be transferred to the office of City Marshal.

#### APPOINTMENT OF CITY MARSHAL.

MAYOR'S OFFICE, Jan. 4th, 1906.

*To the Members of the City Council:*

GENTLEMEN,—Your Police Commission have had under consideration a report from



the Chief of Police recommending that the office of City Marshal which has remained vacant for a number of years be filled by the transfer to that office of Chas. Nickerson, Deputy Chief of Police.

After thoroughly considering the recommendation of the Chief, and finding that the proposed transfer will not over-run the police estimates, they recommend that said appointment be made. The office is provided for by Chap. 54 of the Acts of 1893, sec. 4.

R. T. MACILREITH, *Mayor and Chairman.*

OFFICE OF CHIEF OF POLICE, Jan. 4th, 1906.

*To the Chairman and Members of Police Commission.*

GENTLEMEN,—I beg respectfully to recommend that the present Deputy-Chief, Charles Nickerson, be appointed to the office of City Marshal, and that he be required to perform all business in connection with the City Civil Court, executing all writs of summons, warrants and all process issued out of the City Court. At the present time this duty is performed by the Chief of Police, assisted by the sergeants and men of the force, and being in so many hands leads to much confusion and dissatisfaction.

N. POWER, *Chief of Police.*

Moved by Alderman Martin, seconded by Alderman Taylor, that the report be adopted and that Charles Nickerson be appointed City Marshal. Motion passed.

Read report City Assessors covering schedule of assessed valuations of properties on Albemarle and Grafton Streets.

ASSESSORS' OFFICE, Dec 30th, 1905.

*His Worship the Mayor and City Council:*

GENTLEMEN,—In accordance with a resolution of City Council, herewith find a list of properties on Albemarle Street and Grafton Street, beginning at Jacob Street, with names of owners and values.

S. R. PHELAN, *City Assessor.*

Moved by Alderman Johnson, seconded by Alderman Hawkins, that the same be referred to the Committee on Public Accounts for report. Motion passed.

Read report Committee on Works re superannuation of James Romans.

SUPERANNUATION OF JAMES ROMANS.

CITY WORKS OFFICE, Jan. 4th, 1906.

*To the City Council:*

GENTLEMEN,—At a meeting of the Committee on Works held this day, the attached Minute of Council re a superannuation allowance for James Romans was read. It having been brought to their notice that there are four or five old employees for whom a similar allowance could be requested, the Committee deem it inadvisable to recommend the grant but have appointed him as night watchman at the steam crusher. His duty being to keep the fire up to prevent the freezing of the water in boiler, and for which his pay would be ten dollars per week, extending well into March. Any other light employment is always open to him.

R. T. MACILREITH, *Mayor and Chairman.*

Moved by Alderman Hawkins, seconded by Cawsey, that the report be adopted. Motion passed.

Read notice of action of R. I. Hart against the City of Halifax and R. T. MacIlreith and F. W. W. Doane.

R. I. HART VERSUS CITY ET. AL.

*To the City of Halifax, Robert T. MacIlreith, Mayor, and F. W. W. Doane, Esquire, City Engineer, of the said City of Halifax :*

I, Reuben I Hart, of Halifax, in the County of Halifax, Merchant, according to the Statute in that behalf, made and provided, hereby give you notice that I, the said Reuben I Hart, one of the ratepayers of the said City of Halifax, as well on my own behalf as on behalf of all the ratepayers of the said City of Halifax other than you, Robert T. MacIlreith and Francis W. W. Doane will at or soon after the expiration of twenty days from the time of the service of this notice upon you the City of Halifax, Robert T. MacIlreith and Francis W. W. Doane cause a writ of summons to be sued out of the Supreme Court at Halifax against you, the City of Halifax, Robert T. MacIlreith and Francis W. W. Doane at the suit of me, the said Reuben I. Hart, suing as well on my own behalf as on behalf of all ratepayers of the City of Halifax other than Robert T. MacIlreith and Francis W. W. Doane for (1) a declaration that the payments to the said Robert T. MacIlreith and Francis W. W. Doane on the 18th day of October, 1905, and the 13th day of November, 1905, respectively, out of the funds of the City of Halifax for their personal expenses incurred in attending a Convention of the Union of Canadian Municipalities, held at the City of Winnipeg, in the month of July last were and are unlawful, illegal and void; and (2) payment by the said Robert T. MacIlreith and Francis W. W. Doane of the respective sums received by them as aforesaid and for such other and further relief as may be just, equitable and proper.

Dated at Halifax this 28th day of December, A. D. 1905.

REUBEN I. HART.

205 Pleasant Street, Halifax, N. S.

Moved by Alderman Hawkins, seconded by Alderman Cawsey, that the same be referred to the Acting-Recorder to report in writing as to whether the parties have a good defence. Motion passed.

The Acting-Recorder reports verbally that the parties proposed to be sued have on excellent defence.

Read reports Committee on Works and City Engineer re paving of Prince Street, George Street, Cheapside and Bedford Row.

STREET PAVING.

CITY WORKS OFFICE, Jan. 3rd, 1906.

*To the City Council :*

GENTLEMEN,—At a meeting of the Committee on Works held this day, the attached report of the City Engineer on Minute of Council re bitulithic pavement on Prince Street, from Hollis to Granville Streets, and on George Street, Cheapside and Bedford Row was read and referred to Council.

R. T. MACILREITH, Mayor and Chairman.

CITY ENGINEER'S OFFICE, Jan. 4th, 1906.

*His Worship the Mayor :*

SIR,—I beg to report on the accompanying petitions from owners of property asking for the construction of bitulithic pavement on Hollis Street, between Salter and Water Streets, Prince Street, between Hollis Street and Granville Street, George Street, between Barrington Street and Water Street, Cheapside, between Hollis and Bedford Row, and Bedford Row, between Cheapside and George Street.

The petitioners own more than two-thirds of the frontage on the above streets.

1. The total length of street to be paved :—

Hollis Street, about .....	2,007 feet.
Prince Street .....	124 "
George Street .....	506 "
Cheapside .....	127 "
Bedford Row .....	115 "

2nd. Nature of material most suitable in the judgment of the Engineer to be used for the pavement :

I have already reported to the Council with reference to this material and have nothing further to add.

3rd. Probable cost—The estimated cost, not including track allowance on streets where the Halifax Electric Tramway Co. have tracks, is :—

Hollis Street .....	\$17,945 00
Prince Street .....	1,719 00
George Street .....	7,337 00
Cheapside .....	1,810 00
Bedford Row .....	1,537 00

4th. The desirability of paving these streets :

The streets covered by the petitions are in the most important business section of the City and should be the first to receive permanent improvement. Those doing business on the streets included in the petitions are even more anxious than the property owners who have signed the petitions to have the streets paved, and as the latter are to pay one-half the cost, I would recommend that the streets included in the petitions as named above be paved.

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

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

Moved in amendment by Alderman Hawkins, seconded by Alderman Hayward, that the reports be placed on the Order of the Day.

Amendment put and lost on a show of hands, 5 voting for the same and 9 against it.

The original motion is put and passed.

Alderman Hawkins gives notice of reconsideration.

Read Cash Statements City Collector for October and December.  
Filed.

Read report License Inspector re violations of Liquor License Act.

## VIOLATIONS OF LICENSE ACT.

OFFICE OF LICENSE INSPECTOR, Halifax, N. S., Jan. 4th, 1906.

*To His Worship the Mayor and City Council of the City of Halifax :*

As to some of the police reports in my report book, I beg leave to report as follows :—

## PROHIBITED HOURS.

I have investigated the charges handed to me by the police against W. Glawson, E. Quirk, J. Mackasey, D. Fraser, William Neville and Annie Wilson, all for selling during prohibited hours. The latter charge was for opening before seven o'clock in the morning. The actual time was five minutes to seven. The licensee satisfactorily established that she thought it was after seven, the legal time for opening the bar. All the others were within a very few minutes of the legal closing hours, some of whom claimed to be really before the time, and they were then in the act of closing. No liquor was sold in any of these cases after the statutory hour. Generally licensees have honestly complied with these requirements of the hours of closing.

## NO SIGNS.

There are two charges for not having a legal sign over the door of their place of business ; one did not know it was necessary, and when notified immediately had the sign put in place ; the other was having his premises painted and the sign was taken down by the painter and taken to his shop to be repainted.

## SCREENS.

John McGrath, P. Calnen, Richard Cahill, J. R. Ryan. The latter has an hotel license and the screen clause does not apply. The others have remedied the evil by complying with the Act after having been notified in the same manner as other citizens offending the City Ordinances, such as obstructing sidewalks, etc. Hitherto they have always been in the habit of pulling down their screens at the closing hour.

## INTERNAL COMMUNICATION.

C. AuCoin, William Neville, Charles F. Romans, Michael P. Inglis, R. N. McDonald, P. Flemming, Mont Lannigan, A. Calnen. These licensees close their bars at the stipulated time and only use the doors for convenience during legal business hours. These violations were detected during day time, but, so far as I know, the licensees have not used their back doors in prohibited hours or for illegal purposes.

I respectfully request that the Council give me instructions as to whether any or all of the above offences should be prosecuted.

W. W. McLELLAN, *Chief License Inspector.*

Moved by Alderman Martin, seconded by Alderman Taylor, that the report be referred to the Committee on Laws and Privileges.

Moved in amendment by Alderman Cawsey, seconded by Alderman Johnson, that the report be filed.

Amendment put a lost.

Original motion put and passed, 13 voting for the same and 2 against it, as follows :—

For the Motion.

Aldermen Halliday, Johnson,  
Murray, Powell,  
Taylor, Gastonguay,  
Lamphier, Campbell,  
Martin, Cawsey,  
MacKenzie, Hayward,  
Hawkins.—13.

Against it.

Aldermen Doyle, Hubley.—2.

Moved by Alderman Cawsey, seconded by Alderman MacKenzie, that the Order of the Day be suspended to allow Alderman Martin to submit two resolutions. Motion passed.

The following resolution is submitted :—

*Resolved*, that the Engineer report to the Council at its next meeting the cost of laying a curb and permanent pavement on both sides of Cornwallis Street, from Brunswick to North Park Street.

Moved by Alderman Martin, seconded by Alderman Campbell, and passed.

The following resolution is next submitted :—

*Resolved*, that under the provisions of section 7 of chapter 58 of the Acts of 1899, the sum of \$3,379.58, the balance remaining from the sum borrowed for the widening of Lockman Street, be transferred to the widening of Quinpool Road.

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

Moved by Alderman Martin, seconded by Alderman Cawsey, that Alderman Campbell be permitted to submit a resolution. Motion passed.

The following resolution is now submitted :—

*Resolved*, that the Engineer report to its Council at the next meeting the cost of laying a curb and permanent pavement on both sides of Gerrish Street, from Lockman to Maynard Streets.

Moved by Alderman Campbell, seconded by Alderman Martin, and passed.

By leave of Council Alderman Cawsey submits the following resolution :—

*Resolved*, that the Board of Works report on the petition for and the advisability of placing a sewer in Hunter Street.

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

Read letter Lord Bishop of Nova Scotia re Old Exhibition property as a site for proposed new Church of England Cathedral.

SITE FOR CATHEDRAL.

HALIFAX, N. S., December 30th, 1905.

*To His Worship the Mayor of Halifax :*

DEAR SIR,—As chairman of a committee appointed to look after a site for a cathedral, I write to enquire whether the property known as the Exhibition grounds on Morris Street and Tower Road is in the market, and if so, what part of it can be obtained and what would be the most favorable terms.

I may add that the proposition is to erect a building which will be in every way an improvement and an ornament to the City. It will not be put up by St. Luke's congregation alone, but by the whole diocese of Nova Scotia, and while marking an epoch in the history of the Church of England will be something worthy of the Province.

*It cannot fail, therefore, to enhance the value of adjoining property and add to the general attractiveness of Halifax.*

Will you kindly let me have an answer at your earliest convenience.

CLARE L. NOVA SCOTIA.

Moved by Alderman Hubley, seconded by Alderman Cawsey, that this matter be referred to the Committee on Works and that said Committee, when reporting, lay on the table the plan of the suggested division of the Old Exhibition property. Motion passed.

ORDER OF THE DAY.

No. 1. Alderman Gastonguay's notice of reconsideration of vote on salary of Water Inspector and the several other notices of reconsideration necessary to make the first effective.

Alderman Gastonguay moves that this item be now taken up.

His Worship the Mayor rules the motion out of order, the estimates having been delivered over to the Assessors.

Moved by Alderman Powell, seconded by Alderman Taylor, that No. 18 on Order Paper be now taken up. Motion passed.

Read No. 18, viz: Alderman Powell's notice of motion to rescind resolution passed June 8th, 1905, to erect an engine house at the corner of Robie and Morris Streets (verbal) July 6th, 1905.

Moved by Alderman Powell, seconded by Alderman Taylor, that the matter of the site for this engine house be referred to the Board of Fire Wards for further report. Motion passed.

Moved by Alderman Hubley, seconded by Alderman Murray, that No. 21 on Order of the Day be now taken up. Motion passed.

Read No. 21, viz: An Ordinance relating to Camp Hill Cemetery (third reading) Dec. 8th, 1906.

Said Ordinance is now read and considered clause by clause.

ORDINANCE RELATING TO CAMP HILL CEMETERY.

1. In this Ordinance the expression "Commission" means the Commission for Camp Hill Cemetery; the expression "Chairman" means the Chairman of that Commission, and the expression "Keeper" means the Keeper of Camp Hill Cemetery.

2. The circular space in the centre of the Cemetery shall not be sold or used as a place of interment, but shall be retained as an open space.

3. The space of two and one half feet each reserved as alleys between the lots shall continue to be reserved for that purpose.

4. No lot shall be sold or transferred without the consent of the Commission.

5. The owner of any lot which has not been used for interment may, with the consent of the Commission, exchange the same for any other lot not so used.

6. No person shall enclose any lot or erect any monument thereon or cultivate the same or plant any tree, shrub or plant therein unless he becomes the owner thereof.

7. No dead body shall be interred in any lot until a permit for the burial has been obtained from the City Clerk, which permit shall be left with the keeper at or before the time of burial.

8. No graves shall be dug to a less depth than four feet.

9. No lot shall be used for any purpose other than the burial of the dead except that the owner thereof may, subject to section 17, erect thereon any monument or other sepulchral structure or plant trees, shrubs or plants.

10. (1) Every owner of a lot shall at his own expense set up suitable marks of stone or iron at the corners of the lot with the number of the lot (or if more lots than one are contained in the same enclosure the numbers of the lots so contained) marked thereon.

(2) If any such owner fails for thirty days after notice to set up such marks the Commission may cause the same to be done and the expense of so doing may be recovered from such owner by action in the name of the City.

11. (1) The owner of any lot may enclose the same with a wall, fence or railing of brick, stone, iron or other suitable material within the boundaries of his lot, but

(a) No such wall, fence or railing shall exceed three and one-half feet in height, and

(b) No such wall, fence or railing or any post, pillar or ornament shall encroach upon any of the main enclosures or any of the spaces reserved for alleys or extend beyond the boundaries of the lot.

(2) The keeper shall immediately report any violation of this section to the Commission, and the Commission may if they deem fit, remove any such encroachment.

12. No wall, fence or railing shall be placed around any lot unless the design and material of the same are first submitted to the Commission for their approval and such approval signified in writing to the Keeper of the Cemetery.

13. Every such wall, fence or railing shall be kept in good repair and condition and every such fence or railing shall be kept properly painted. Any such wall, fence or railing not so kept may be removed by the Commission if the owner of the lot on being notified in that behalf fails to comply with such notice for ten days and the materials sold to defray the expense of removal, the balance (if any) to be repaid to the owner of the lot.

14. No person shall deposit any grass, earth or other rubbish in any road, side path or alley.

15. If any branch, root or other part of any tree or shrub planted in any lot encroaches on any other lot or on any avenue or alley the Commission shall cause such encroachment to be removed.

16. Any dead tree, shrub or bush may be removed from any lot by the keeper.

17. Any person before beginning to erect any monument, tombstone or other sepulchral structure in any lot shall obtain a permit therefor in writing from the keeper specifying the work to be done and the conditions for doing the same.

18. Any person doing any such work as is specified in the next preceding paragraph shall comply with the conditions specified in the permit therefor and in particular shall cut stone, mix concrete or do any other work involving the deposit of any dirt or rubbish in such parts only of the cemetery as are designated for that purpose by the keeper, and shall without delay, on completion of the work, remove all dirt or rubbish occasioned by the doing of the work.

19. No monument requiring a base of a greater size than four square feet shall be erected, and no such monument previously erected shall be reset without a proper foundation being placed under the same to the satisfaction of the keeper, and such foundation shall not be covered up until the same has been inspected and approved by the keeper. Every such foundation shall be at least four feet in depth. A fee of fifty cents for each such inspection shall be paid to the keeper for his own use.

20. Every person applying for a permit to do any such work shall deposit with the City Treasurer the sum of five dollars to be expended by the keeper if need be in the removal of any dirt or rubbish deposited by the person applying for the permit and not removed by him. It shall not be necessary for a person who has so deposited five dollars to make a further deposit on the issue of a subsequent permit until some part of the money so deposited has been applied in such removal, but when any part has been so expended no further permit shall be issued to such person until the amount on deposit is again made five dollars.

21. Any money so deposited may, on application to the Treasurer and the production of a certificate from the keeper that all dirt or rubbish deposited by the applicant has been cleared up and all fees for inspection paid be returned to the person depositing the money, but no further permit shall be issued to the applicant until a sum of five dollars has been again deposited.

22. Between the first of December and the first of April the gates of the cemetery shall be kept closed from five o'clock in the afternoon until eight o'clock in the following morning. During the rest of the year they shall be kept closed between sundown and seven o'clock in the following morning.

23. Any person who defaces or injures any tomb, tombstone, monument, wall, railing or fence or injures or disturbs or climbs upon any tree, shrub or plant within the cemetery shall for each such offence be liable to a penalty not exceeding fifty dollars and in default of payment to imprisonment for a period not exceeding ninety days.

24. Every person who contravenes or fails to comply with any provision of this Ordinance other than that mentioned in the next preceding section shall for each such offence be liable to a penalty not exceeding five dollars, and in default of payment to imprisonment for a period not exceeding ten days.

#### CAMP HILL CEMETERY.

Permission is hereby given to \_\_\_\_\_ to  
 \_\_\_\_\_ in lot number \_\_\_\_\_ the property of \_\_\_\_\_  
 subject to conditions set out on the back hereof.

Clause 1 to 24 are severally passed.

Moved by Alderman Hubley, seconded by Alderman Murray, that said ordinance as a whole be now adopted and forwarded to the Governor in Council for concurrence. Motion passed.



Moved by Alderman Johnson, seconded by Alderman Hubley, that No. 19 on Order of the Day be now taken up. Motion passed.

Read No. 19, viz. : Ordinance regulating Billiard Rooms, &c., (third reading) Aug 15th, 1905.

Said ordinance is now considered clause by clause.

Read clause 1 re license. Passed.

Read clause 2 re term of license. Passed.

Read clause 3. No license where liquor is sold.

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

Moved in amendment by Alderman Martin, seconded by Alderman Cawsey, that said clause be struck out.

Amendment put and passed, 9 voting for the same and 4 against it as follows :—

For the Amendment.	Against it.
Aldermen Powell, Gastonguay, Lamphier, Doyle, Martin, Cawsey, MacKenzie, Hayward, Hawkins.—9	Aldermen Halliday, Johnson, Murray, Hubley.—4

Read clause 4 requiring premises to be closed at eleven o'clock at night and on Sundays.

Moved by Alderman Martin, seconded by Alderman Doyle, that this clause be amended by making the hour twelve o'clock at night instead of eleven o'clock.

Moved in amendment by Alderman Johnson, seconded by Alderman Hubley, that the clause be adopted.

Amendment put and lost, 6 voting for the same and 7 against it, as follows :—

For the Amendment.	Against it.
Aldermen Halliday, Johnson, Murray, Lamphier, Hubley, MacKenzie.—6	Aldermen Powell, Gastonguay, Doyle, Martin, Cawsey, Hayward, Hawkins.—7

Original motion put and passed, 8 voting for the same and 5 against it, as follows :—

For the Motion.	Against it.
Aldermen Halliday, Powell, Gastonguay, Lamphier, Doyle, Martin, Hayward, Hawkins.—8	Aldermen Johnson, Murray, Hubley, Cawsey, MacKenzie.—5

Read Clause 5 re Gambling devices, &c. Filed. Passed.

Read Clause 6 re Police supervision. Passed.

Read Clause 7 re boys under (16) sixteen years of age.

Moved by Alderman Hawkins, seconded by Alderman Hubley, that no person under 21 years of age be admitted to or employed in any billiard room or bowling alley.

Moved in amendment by Alderman Murray, seconded by Alderman Powell, that the age limit be fixed at 18 years. Amendment passed.

Read Clause 8 (a) re fees for 1 table —\$25.00.

Moved by Alderman Johnson, seconded by Alderman Hubley, that the clause be adopted.

Moved in amendmen by Alderman Martin, seconded by Alderman Halliday, that this fee be \$15.00.

Amendment put and lost on a show of hands 6 voting for the same and 7 against it.

Original motion put and passed.

Read Clause 8 (b) re license fee for each additional table \$10.00.

Moved by Alderman Johnson, seconded by Alderman Martin, that this fee be \$5.00. Motion passed.

Read Clauses 8 (c), 8 (d), 9, 10 and 11. Passed.

Moved by Alderman Johnson, seconded by Alderman Cawsey, that a clause be added to the Ordinance providing that the Ordinance shall not take effect until May 1st, 1906. Motion passed.

Moved by Alderman Martin, seconded by Alderman Cawsey, that the Ordinance as amended be adopted as a whole. Motion passed.

Alderman Hubley gives notice of reconsideration of all clauses excepting the clause re age limit of boys.

By leave of Council, Alderman Johnson submits the following resolution.

*Resolved*, That the Mayor hold an enquiry into the St. Luke's Cathedral fire having for its chief object an investigation as to the methods pursued at said fire and the general efficiency of the Fire Department

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

The Council now proceeds to the appointment of the Committee on Revision of the Juries Lists.

Aldermen Martin, Cawsey, Taylor, Doyle and Hawkins are severally nominated.

The vote being taken for one vacancy there appeared :

<p>For Alderman Martin.</p> <p>Aldermen Halliday, Johnson, Murray, Lowell, Gastonguay Cawsey, MacKenzie, Hawkins,—8</p>	<p>For Alderman Cawsey.</p> <p>Alderman Hayward—1.</p>	<p>For Alderman Doyle.</p> <p>Aldermen Lamphier, Hubley—2.</p>
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Alderman Martin was declared elected.

Alderman Cawsey, Doyle and Hawkins were severally nominated for the second vacancy.

The vote being taken there appeared :

<p>For Alderman Cawsey.</p> <p>Aldermen Johnson, Murray, Powell, Martin, MacKenzie Hayward—6</p>	<p>For Alderman Doyle.</p> <p>Aldermen Gastonguay, Lamphier, Hubley, Hawkins—4</p>	<p>For Alderman Hawkins.</p> <p>Alderman Halliday—1.</p>
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Alderman Cawsey was declared elected.

Alderman Hawkins and Taylor are nominated for the third vacancy.

The vote being taken, there appeared :

<p>For Alderman Hawkins.</p> <p>Aldermen Halliday, Johnson, Murray, Gastonguay, Lamphier, Doyle, Hubley, Hayward—8</p>	<p>For Alderman Taylor.</p> <p>Aldermen Powell, Martin, Cawsey, MacKenzie—4</p>
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Alderman Hawkins was declared elected.

Moved by Alderman Powell, seconded by Alderman Johnson, that Aldermen Martin, Cawsey and Hawkins be the Revisors of Juries Lists. Motion passed.

Moved by Alderman Cawsey, second by Alderman Martin, that No. 20 (a) viz. : Alderman Hubley's notice of motion to rescind resolutions passed September 7th, 1905, to double track Gottingen Street and Barrington Street,—so far as the same relates to Gottingen Street be struck from the Order of the Day. Motion passed.

Moved by Alderman Murray, seconded by Alderman Johnson, that No. 20 (a) so far as the same relates to Barrington Street be struck from the Order of the Day.

Moved in amendment by Alderman Hubley, seconded by Alderman Lamphier, that said matter be now taken up.

The vote on the amendment being taken there appeared :

For the amendment.

Aldermen Gastonguay, Lamphier,  
Doyle, Hubley,  
Martin, MacKenzie—6.

Against it.

Aldermen Halliday, Johnson,  
Murray, Powell,  
Cawsey, Hawkins—6.

His Worship the Mayor gives his casting vote in favor of the amendment and declares it carried.

Moved by Alderman Powell, seconded by Alderman Johnson, that the Council adjourn. Motion passed.

The Council adjouros 11.30 o'clock.

## EVENING SESSION.

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8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, February 8th, 1906.

A meeting of the City Council was held this evening. At the above hour there were present Aldermen Lamphier, Campbell, Powell, Cawsey, Hubley, Murray, Halliday and Martin.

Moved by Alderman Cawsey, 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 Geldert, Johnson, Gastonguay, Taylor, Doyle, MacKenzie 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 Laws and Privileges Committee, by Alderman Geldert, Chairman, covering Ordinance relating to snow, and also Ordinance relating to electric wiring.

Report Charities Committee, by Alderman Gastonguay, Chairman.

Report City Prison Committee, by Alderman Martin, Acting-Chairman.

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

Report Tenders Committee, by Alderman Halliday, Chairman.

Report Public Accounts Committee, by Alderman Johnson, Chairman.

His Worship the Mayor submits the following named papers:—

Message re proposed visit of Prince Arthur of Connaught.

Message re improvement of the Terminal Facilities of the Intercolonial Railway.

Six reports from the Committee on Works, viz:—

New sewers.

Bitulithic pavement Granville Street, from Prince to Granville.

Monthly accounts.

Permanent pavement.

Old Exhibition property.

Street lights.

Reports (2) City Engineer re sidewalks Gerrish Street and Cornwallis Street.

Petition for improvement of South Street.

Petition of Edward Phelan et al for permission to alter and operate cooerage.

Letter Canadian Association for the prevention of Tuberculosis re Convention.

Petition of James A. Gibbons for pecuniary assistance.

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

Resolution of public meeting against granting certain liquor licenses.

Report Coal Weighers for December.

Application of John T. Murphy for return of liquor license deposit.

Report Police Commission covering accounts.

Notice of Action and Writ of Summons in suit E. L. Fenerty et al versus City of Halifax.

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

Read application of Edward Phelan et al for permission to alter and operate a cooerage 114-116 Lower Water Street, covering plan.

Moved by Alderman Martin, seconded by Alderman Doyle, that the permission asked for be granted provided the premises are fitted to the satisfaction of the Board of Fire Wards and City Engineer.

Moved in amendment by Alderman Hubley, seconded by Alderman Cawsey, that this matter be referred to the Board of Fire Wards for report.

Amendment put and lost, 5 voting for the same and 9 against it, as follows:—

For the Amendment.

Aldermen Halliday, Johnson,  
Murray, Hubley,  
Cawsey.—5.

Against it.

Aldermen Powell, Taylor,  
Gastonguay, Lamphier,  
Doyle, Campbell,  
Martin, MacKenzie,  
Hayward.—9.

The original motion is put and passed, 11 voting for the same and 3 against it, as follows:—

For the Motion.

Aldermen Murray, Powell,  
Taylor, Gastonguay,  
Lamphier, Doyle,  
Campbell, Martin,  
Cawsey, MacKenzie,  
Hayward.—11.

Against it.

Aldermen Halliday, Johnson,  
Hubley.—3.

Read petition for improvements on South Street.

Referred to Committee on Works for report.

Read report Committee on Works re bitulithic pavement on Granville Street, between Sackville and Prince Streets.

#### GRANVILLE STREET PAVING.

CITY WORKS OFFICE, Feb. 8th, 1906.

*To the City Council:*

GENTLEMEN,—At a meeting of the Committee on Works held this day, the attached petition for a bitulithic pavement on Granville Street, from Sackville Street, south side, to Prince Street, south side, was read and recommended to the Council's favorable consideration.

R. T. MACILREITH, *Mayor and Chairman.*

Moved by Alderman Johnson, seconded by Alderman Halliday, that the same be referred to the City Engineer for report. Motion passed.

Read reports Committee on Works and City Engineer re sewers Henry, Needham and Hunter Streets.

#### SEWERS.

CITY WORKS OFFICE, Feb. 8th, 1906.

*To the City Council:*

GENTLEMEN,—At a meeting of the Committee on Works held this day, the attached report of the City Engineer re sewer construction on—

Henry Street.  
Needham Street.  
Hunter Street.

was read and its adoption recommended.

R. T. MACILREITH, *Mayor and Chairman.*

CITY ENGINEER'S OFFICE, Feb. 7th, 1906.

*His Worship the Mayor:*

SIR,—I have to report on the accompanying communication from the City Health Board and extracts from Minutes of Council with petitions for the following sewers:—

#### HENRY STREET.

The drainage of Henry Street, north of Coburg Road, is in a very unsatisfactory condition. The surface drainage is running down to the back of the houses facing on Edward Street, carrying with it the waste matter from cesspools and surface drains. A sewer should be constructed in this street with as little delay as possible. The estimated cost of constructing a sewer north on Henry Street and east on Binney Street to connect with the sewer in Edward Street is \$5,850 00. Estimated assessment \$2,200 00. I would recommend that this sewer be placed on the order book to be done as soon as possible.

#### NEEDHAM STREET.

There is no means of draining the houses fronting on this street except to the gutter and in the summer the condition of the neighborhood is very unsatisfactory. The estimated cost of constructing a sewer in Needham Street to drain the last house north

from Young Street is \$2,742.00. The estimated assessment \$1,117.50. I would recommend that this sewer be placed on the order book to be done in its turn.

HUNTER STREET.

This street is very flat and there is no natural drainage. The estimated cost of constructing a sewer is \$3,620. Estimated assessment \$1,450.00. I would recommend that this sewer be placed on the order book to be done in its turn.

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

Moved by Alderman Cawsey, seconded by Alderman Johnson, that said reports be adopted. Motion passed.

Alderman Doyle asked for information as to why Isaac McCollough had been dismissed from employment at the stone crusher by the Works Department to make room for James Romans.

The City Engineer stated that Mr. McCollough was not a permanent employee but was given work as a watchman when required and had recently been employed.

Moved by Alderman Martin, seconded by Alderman Gastonguay, that the Order of the Day be further suspended to permit Alderman Doyle to submit a resolution. Motion passed.

Moved by Alderman Doyle, seconded by Alderman Hubley, that Isaac McCollough be re-instated in his position at the stone crusher at the same remuneration he received previous to the appointment of Mr. Romans.

Moved in amendment by Alderman Cawsey, seconded by Alderman Murray, that the matter be referred to the Committee on Works.

Amendment put and lost, 6 voting for the same and 8 against it, as follows:—

For the Amendment.	Against it
Aldermen Halliday, Murray, Powell, Taylor, Cawsey, MacKenzie.—6.	Aldermen Johnson, Gastonguay, Lamphier, Doyle, Hubley, Campbell, Martin, Hayward.—8.

The original motion is put and passed on the following vote:—

For the Motion.	Against it.
Aldermen Johnson, Gastonguay, Lamphier, Doyle, Hubley, Campbell, Martin, Hayward.—8.	Aldermen Halliday, Murray, Powell, Taylor, Cawsey, MacKenzie.—6.

Read reports (2) City Engineer re sidewalks Cornwallis Street and Gerrish Street.



## CORNWALLIS STREET SIDEWALK.

CITY ENGINEER'S OFFICE, February 8th, 1906.

*His Worship the Mayor :*

SIR,—In accordance with the accompanying resolution of Council, I beg to report that the estimated cost of laying curb and gutter and permanent sidewalk on both sides of Cornwallis Street from Brunswick Street to North Park Street is \$11,407.55.

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

## GERRISH STREET SIDEWALK.

CITY ENGINEER'S OFFICE, February 8th, 1906.

*His Worship the Mayor :*

SIR,—In accordance with the accompanying resolution of Council, I beg to report that the estimated cost of laying curb and gutter and permanent sidewalk on both sides of Gerrish Street from Lockman to Maynard Street is \$13,809.40.

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

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

Read reports Committee on Works and City Engineer re street lights Argyle Street, Miller Street and Duncan Street.

## STREET LIGHTS.

CITY WORKS OFFICE, February 8th, 1906.

*To the City Council :*

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached report of the City Engineer re Street Lights—

Corner of Duke and Argyle Street.  
Miller Street at Corner of Tower Road.  
Duncan Street between Windsor and Chebucto Lane,

was read and its adoption is recommended.

R. T. MACILREITH, *Mayor and Chairman.*

CITY ENGINEER'S OFFICE, February 7th, 1905

*His Worship the Mayor :*

SIR,—I beg to report on the accompanying petitions asking for street lights, as follows :—

## CORNER OF DUKE AND ARGYLE STREETS.

This is a poorly lighted corner almost in the middle of the business district of the City and immediately at the City Hall and should be well lighted. I would therefore recommend that this light be installed.

## MILLER STREET AT CORNER OF TOWER ROAD.

The neighborhood of this corner is in total darkness on dark nights and a light should have been installed long ago, but no petition has been presented for it previously. I would recommend that this light be put in service.

## DUNCAN STREET BETWEEN WINDSOR STREET AND CHEBUCTO LANE.

There is a light at Chebucto Lane on Duncan Street, one at the head of Cunard Street and one near the head of Compton Avenue which might be moved a little farther west to light the neighborhood of the east end of Duncan Street. The distance between the circles within which these lights are effective is not great compared with many other places in the suburbs and although the placing of a light might be more favorably considered if we had plenty of money, under the circumstances I cannot recommend its installation, particularly as the lights already recommended exceed the appropriation by \$88.50 and that amount must be made up by fines from the Halifax Electric Tramway Company.

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

Moved by Alderman Johnson, seconded by Alderman Cawsey, that said reports be adopted with the amendment that the present Duncan Street light be moved half-way between Chebucto Lane and Windsor Street. Motion passed.

Read report Police Commission covering accounts for payment.

## POLICE ACCOUNTS.

FEBRUARY 8th, 1906.

To the City Council:

GENTLEMEN,—The Police Commission beg to recommend for payment the following accounts:—

Thos. D. Spike, rep. badges, &c., \$3.00. T. C. Allen & Co., stationery, \$5.00' \$9 30—\$14.30. T. Robinson, 2 removes, 32c. Cragg Bros. & Co., hand cuffs, \$36.00' John McFatrige, rep. stove in station, \$4.88. W. & C. Silver linoleum, &c., \$12.80' Frank Reardon, ventilators, \$15 71, H. H. Fuller & Co., hardware, \$2.77, \$2.73, \$1.80' 90c.—\$8.20 Colwell Bros., Deputy Chief's cap, \$3.00; gold wreath, do., \$4.00; 3 caps' \$8 37—\$15.37. John F. Kelly, changing buckles on belt, 16c. Chas. W. Davies, rep' hand cuffs, &c., \$2.00. W. F. Pickering & Co., altering clothing, \$52.25 Total \$164 98.

Your Commission also recommend that D. E. Keating be paid the sum of fifteen (\$15.00) dollars for care of dogs from 10th July, 1905, to November 17th, 1905.

R. T. MACILREITH, *Mayor and Chairman.*

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

Read report Committee on Works covering message from His Worship the Mayor in re permanent pavement of sidewalks and gutters and recommending the borrowing of \$150,000.00 for this purpose.

## \$150,000 FOR PERMANENT SIDEWALKS AND GUTTERS.

CITY WORKS OFFICE, Feb. 8th, 1906.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached message re permanent pavement was read and it was unanimously decided to recommend that authority to borrow \$150,000 be sought at the next session of the Legislature.

The loan to run for twenty-five years and the frontage assessment amounting to

one-half the sum proposed to be borrowed to be paid into the Sinking Fund to be established for the redemption of the bonds at maturity.

The payment by the abutters to extend over a period of five years.

R. T. MACILREITH, *Mayor and Chairman.*

MAYOR'S OFFICE, Feb. 8th, 1906.

*Committee on Works :*

GENTLEMEN,—As the time when the Local Legislature is to meet is at hand, I am directing this message to the Committee on Works instead of the City Council in the first instance, in order that as little delay as possible may take place in dealing with this important subject. For a great many years our sidewalks and gutters, as well as our streets, have been the cause of considerable chagrin as well as inconvenience to our citizens on account of their very dirty and muddy condition at certain seasons of the year. In cities and towns of much smaller population than Halifax during the past year or two a step forward has been taken in this matter and clay sidewalks have given away to sidewalks of permanent material. During the recent trip of the Engineer and myself to Winnipeg this improved condition of sidewalks and gutters, even in small towns, was very striking and in several places we took the opportunity of consulting with the Municipal authorities as to the policy followed. In these various places the City or Town council has authority to order the laying of permanent sidewalks and gutters whenever the same are deemed expedient, the cost being paid half by the corporation and the other half by the abutting property owner. Once the work is done the cost of cleaning gutters and the repairing of sidewalks and gutters is reduced to a minimum and the streets, of course, present a tidy and well kept appearance.

I would suggest that the Committee on Works should consider this matter and if it is decided to adopt the policy of permanent pavement of sidewalks and gutters to recommend the same to the Council, at the same time fixing the amount which in the opinion of the Board and the City Engineer should be borrowed, and further recommending to the Council that the necessary legislation should be obtained at the next session of the Legislature for authority to borrow the money required.

R. T. MACILREITH, *Mayor.*

Moved by Alderman Johnson, seconded by Alderman Cawsey, that the report be amended by changing the time for the redemption of the bonds from twenty-five (25) years to thirty-five (35) years. Motion passed.

Moved by Alderman Johnson, seconded by Alderman Cawsey, that the report as amended be adopted. Motion put and passed on the following vote :—

For the Motion.

Against it.

Aldermen Halliday, Johnson,

Aldermen Lamphier, Hubley.—2.

Murray, Powell,

Taylor, Gastongnay,

Doyie, Campbell,

Martin, Cawsey,

MacKenzie, Hayward.—12.

Read report Committee on Works covering accounts for payment.

## CITY WORKS ACCOUNTS.

CITY WORKS OFFICE, Feb. 8th, 1906.

*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, approved and recommended for payment:—

Sewerage Loan .....	\$3052 53
Water Maintenance .....	1636 49
Street Lighting .....	1496 55
Streets .....	520 08
Fuel, City Hall .....	348 90
Teams and Stables .....	131 14
City Hall Lighting .....	86 46
Water Construction .....	42 00
Internal Health .....	39 03
Agricola Street widening .....	7 70
City Property .....	7 39
Total .....	\$7368 27

R. T. MACLREITH, *Mayor and Chairman.*

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

Read reports Committee on Works and City Engineer re Old Exhibition property as a site for proposed New Church of England Cathedral.

## SALE OF OLD EXHIBITION GROUNDS.

FEBRUARY, 1st, 1906.

*To the City Council:*

GENTLEMEN,—At a meeting of the Committee on Works held this day the Minute of Council re old Exhibition property as a site for proposed new Church of England Cathedral, with City Engineer's report thereon, were read and it was decided to recommend that City Engineer's report be concurred in.

R. T. MACLREITH, *Mayor and Chairman.*

CITY ENGINEER'S OFFICE, Feb. 1st, 1906.

*His Worship the Mayor:*

SIR,—In accordance with the accompanying extract from Minutes of Council, I beg to report on the letter from the Bishop of Nova Scotia enquiring whether the Old Exhibition Grounds are for sale.

A plan of the proposed division of this property was submitted to the Council before. It has been approved by a Commission of citizens of which the late Mr. Michael Dwyer was Chairman and recommended to the Council. It was proposed to widen improve and extend Morris Street, as shown in section on the plan, with roadways and sidewalks flanked with green boulevards or lawns and ornamental trees. It was intended to make the street an object lesson to the citizens and the first of a series of public improvements which in other cities add so much to their attractiveness. Up to the present we have been very old-fashioned in this respect, and I would strongly urge that the design so far as it relates to the street be adopted and that a start be made

in this line of civic improvement and ornamentation to be carried out later on other streets such as Kobie St, the northern part of Agricola Street and other wide streets.

Taking the value of property in the neighborhood as a basis on which to estimate the selling value, the lot asked for by the Church (300 ft. square) is worth upwards of \$15,000, the exact value depending on the division that can be made of the remainder of the property. When the proposal for sale was before the Council the last time there was a good deal of opposition made through the press. It was urged that the land should be held until it is wanted for some public purpose. The Old Exhibition Building brings in a good income and affords pleasure to thousands of Haligonians. From July, 1st 1898, to May 1st, 1905, the building earned a rental of \$7793.56. During that time the City expended in repairs and insurance about \$1489.06, leaving a profit to the City of \$6304.50. The rental for the next five years is an average of \$1,114 a year or \$5,570 in all. To give the Church what is asked for, the old Exhibition Building must be removed, also the storage building occupied by the Works Dept. and the Fire Department to the south of the old building. It will also cut of a portion of the stable and the machinery and tool building. Under these circumstances it will be necessary for the City to provide for shops, stables and store houses, which will cost for a permanent building from \$20,000 to \$25,000. The sale of the lot asked for by the Church would not pay for the new building. I respectfully submit that the Council should first decide whether or not it is in the City's interest to sell this property now in building lots. If the Council should decide to sell I would strongly recommend that the property should not be sold to speculators, but that the proposed division of the property should be approved and a minimum price placed on each lot, and that building restrictions be fixed relating to the design and character of buildings, distance from the street, erection of fences, &c.

I would respectfully urge, however, that the property be held until provision is made for the removal of the Works Department and Fire Department to other permanent quarters. I am firmly of the opinion, however, that it would be in the City's interest to hold this property until it is required for some special public purpose or for some purpose more directly in the interest of the public generally especially while it is bringing the City a profit and as long as the present buildings do not require renewal

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

Moved by Alderman Cawsey, seconded by Alderman Taylor, that said reports be adopted. Motion passed.

Read read report Charities Committee for January, covering accounts.

#### CHARITIES COMMITTEE ACCOUNTS, &c.

FEBRUARY, 7th, 1906.

*His Worship the Mayor and City Council:*

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

Members present: The Chairman Aldermen Powell, Lamphier, Campbell and MacKenzie.

The Superintendent's report for January shows that during the month there were 54 persons admitted into the Poor's Asylum, 1 born, 40 discharged and 2 died. Of the number admitted 23 were chargeable to the City and 31 to the Province. The total number of inmates January 31st was 401 made up of 255 men, 142 women and 4 children.

The following accounts chargeable to maintenance were examined, found correct and are recommended for payment, viz:—

H. W. Wentzell & Co., \$503.48. W. A. Mailing & Co., 380.81. J. & M. Murphy, \$65.33. Scotia Pure Milk Co., Ltd., \$74.40. J. S. Cashen, \$41.56. Arthur Fordham &