

STONE FOR CRUSHER

CITY WORKS OFFICE, January 31st, 1907.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works held this day the City Engineer recommended the acceptance of the tender of George Harvey for stone supply to crusher, deferred in report on tenders April 5th, 1906. Agreed to and recommended to Council.

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

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

Read message from His Worship the Mayor re Central Power Station.

CENTRAL POWER STATION.

MAYOR'S OFFICE, February 12th, 1907.

Members City Council:

GENTLEMEN,—For some time past a matter which has been very prominently to the front in other cities seeking the establishment of industries in their midst has been engaging my attention. I refer to the matter of providing electric energy or power. In Halifax at the present time electric energy is supplied only by the Halifax Electric Tramway Company. In some cases local industries have installed small plants to provide power for their own needs. From what has taken place in other progressive cities, it seems to me desirable that we should at once give our serious consideration to the matter of supplying power from a central power station. By this means power could be supplied at much less cost and the more cheaply provided the electric current could be generated by water power. I would therefore ask you to consider the matter of obtaining legislation at the present session of the legislature by which the corporation would be empowered to investigate the possibilities of available water powers in the vicinity of Halifax and if deemed advisable to acquire the same by purchase or expropriation if necessary. At the same time it might be well to obtain legislation authorizing the City Council to construct if deemed advisable a central power station operated by steam, gas or other agency. This being a matter of considerable moment, I trust that you will give it your early and favorable consideration and I shall be glad to co-operate with you in any way in my power.

R. T. MACILREITH, *Mayor.*

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

Read Message from His Worship the Mayor re Fire Stations.

FIRE STATIONS,

MAYOR'S OFFICE, CITY HALL, Feb. 12th, 1907.

Members City Council:

GENTLEMEN,—Together with the Acting-Chairman of the Board of Fire Wards and Alderman Johnson, and accompanied by the Chief and Chief Engineer of the Fire Department, I visited several of the Fire Stations in the City of Halifax some nights ago. We found the Chemical House, Grafton Street, in a very bad condition and hardly fit for men to live in. The basement was partly flooded with water, the furnace in a very bad state and the house generally in a dilapidated condition. In order to renew the furnace, lay concrete floors and generally renovate this station would require the

expenditure of a considerable amount of money and then would not be satisfactory as a fire station. After fully discussing the matter with the Acting Chairman of the Board and others I have come to the conclusion that it is desirable in the interest of the City that a new fire station should be built in the vicinity of the present chemical house. At the present time the house in question contains the ladder truck and chemical engine. The Chief's horse and waggon are kept at Spring Garden Road. When the Queen Street Station is moved to the new building at the end of Morris Street it will be necessary to locate a hose waggon in the Spring Garden Road house (No. 5) in order to cover the section east of Queen Street and south of Spring Garden Road which on the removal of the Queen street house to the Morris Street location will otherwise be without adequate fire protection. I would therefore recommend, and I may say the Acting-Chairman of the Fire Wards heartily concurs in the recommendation, that the block of land commencing at a point distant 79 feet from the north-east corner of Blowers and Grafton Streets and running easterly through to Argyle Street, thence along Argyle Street southerly to the north side line of Blowers Street and thence westerly and northerly by Blowers and Grafton Streets to the place of beginning should be purchased and a suitable building erected thereon. This block would measure about 79 feet on Grafton Street by 120 feet deep to Argyle Street and would enable the building to be set back from the street line so as to permit of the ladder truck having a fair run out of the house. Accommodation would be provided for the ladder truck, chemical engine and hose waggon and the waggon of the Chief of the Department.

After consultation with the Acting-Chairman of the Fire Department, I instructed Melvin S. Clarke, auctioneer, to obtain options so far as he could on the various properties, which options are hereto annexed. From this it appears that he was successful in obtaining options from all the land owners with the exception of George M. Cullen who owns the property on the corner of Argyle and Blowers Street. Mr. Cullen declined to place a figure on his property. The total price of the remainder of the property as per Clarke's options would be \$7,620.00. On the completion of this station the present chemical station on Grafton Street could be sold and there would be no need of keeping No. 5 house up as a fire station.

I also desire to direct your attention to the matter of fire protection in the extreme north end. It would seem absolutely necessary after consultation with the Acting-Chairman of the Fire Wards and the Chief that a fire station should be erected at a point well north on Campbell Road. At the present time this district is served by Islesville and West Street houses which are altogether too far removed from the property which requires fire protection in this district. The Acting-Chairman and Chief report to me that there are several suitable lots of land for the erection of a fire station in the desired locality. If this house were erected the Islesville House could be closed and sold, it being too near the West Street House and also requiring a considerable expenditure to be made in repairs. The apparatus in that house together with the engine that is to be located in the extreme north end could be placed.

If any action is to be taken on these two matters it will be necessary for the Council to move quickly as legislation will be required and some of the options obtained by Mr. Clarke are only for a period of fifteen days.

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

Moved by Alderman Cawsey, seconded by Alderman Murray, that said Message be referred to the Board of Fire Wards for report. Motion passed.

Read letter Austen Bros., re Test of Shand, Mason & Co. steam fire engine.

Moved by Alderman MacKenzie, seconded by Alderman Johnson, that the Agent General for Nova Scotia in London be requested to arrange with the Chief of the London Fire Brigade for a suitable person

to witness and certify to the tests of this engine and to inform the City Clerk what it will cost the City for such services.

Moved in amendment by Alderman Hawkins, seconded by Alderman Lamphier, that the Chief Engineer, Mr. Condon, be sent over to London to witness the tests of the engine. Amendment lost.

Moved in amendment by Alderman Hawkins, seconded by Alderman Kelly, that the costs of the tests shall not exceed £5. Amendment lost.

Original motion put and passed.

Moved by Alderman Powell, seconded by Alderman Johnson, that this engine be called "Alexandria." Motion passed.

Read report November 20th, 1906 submitted at Council meeting December 7th, 1906 from J. P. Esdaile, James H. Dow and Edward Condon, covering various tests for a steam fire engine.

Moved by Alderman Johnson, seconded by Alderman Murray, that said tests be approved.

Moved in amendment by Alderman Hawkins, seconded by Alderman Kelly, that said tests be now read.

Amendment put and lost, 5 voting for the same and 8 against it, the division being as follows :—

For the Amendment.

Aldermen Kelly, Hubley,
Campbell, MacKenzie,
and Hawkins.—5.

Against it.*

Aldermen Shaffner, Halliday,
Johnson, Murray,
Powell, Lamphier,
Martin and Cawsey.—8.

Moved in amendment by Alderman Hawkins, seconded by Alderman Kelly, that said tests be referred to the Board of Fire Wards.

Amendment put and lost, 5 voting for the same 8 against it on a show of hands.

The original motion is put and passed, 9 voting for the same and 4 against it, as follows :—

For the motion.

Alderman Shaffner, Halliday,
Johnson, Murray,
Powell, Lamphier,
Martin, Cawsey,
MacKenzie—9.

Against it.

Aldermen Kelly, Hubley,
Campbell, Hawkins—4.

Read Message from His Worship the Mayor relating to the Dartmouth Ferry.

DARTMOUTH FERRY.

MAYOR'S OFFICE, Jan. 29th, 1907.

Members of the City Council:

GENTLEMEN,—The Committee on Works have had under consideration at several meetings a resolution of Council referring to the following paragraph contained in the Mayor's Address of May, 1906 :—

"The City property at the foot of George Street, partly occupied by the Dartmouth Ferry Commission, presents anything but a creditable appearance. This is largely due to the fact that Dartmouth and Halifax have not been "pulling together" as they should. I am not one of those inclined to place all the blame on Dartmouth; and I would suggest that this question be referred to a special committee, and that Dartmouth be invited to appoint a similar committee. If such a conference committee could be obtained considerable improvement might be made in the appearance of this property, and perhaps a better waiting room and increased dockage accommodation for the ferry boats provided.

Your Committee has held conferences with representatives from the Dartmouth Ferry Commission, and are now glad to be able to report that a solution of the matter acceptable to the town of Dartmouth has been arrived at, the terms of which they now submit herewith for the approval of the Council :—

1. The City of Halifax to purchase a portion of the Stayner property shown in red on the plan hereto annexed with right-of-way to Water Street for the sum of thirteen (\$13,000.00) dollars.
2. The City of Halifax to lease to the Dartmouth Ferry Commission the said Stayner property, the present Ferry Dock and the present City Wharf property immediately adjoining the Ferry Dock to the south for a term of twenty-five years or more.
3. The Dartmouth Ferry Commission to pay to the City in lieu of taxes and by way of rental the sum of eight hundred (\$800.00) dollars per year and a sum sufficient to cover the interest payable on the bonds issued for the purpose of purchasing the said Stayner property.
4. The Ferry Commission to erect and maintain waiting room accommodation on the Halifax side to the satisfaction of the Mayor and City Engineer.
5. The Ferry Commission to keep the docks and other property in good repair and not to allow any portion of the south side of the Ferry Dock to overhang or in any way encroach upon the water in front of the present City laning slip.

The whole question of suitable ferry facilities on the Halifax side of the harbor, rentals to be paid, etc., has been a subject of consideration for a great number of years, and until the present time no agreement or basis of settlement has ever been reached. As the terms of the proposed agreement above outlined have already been submitted to and approved by the Dartmouth Ferry Commission, and as your committee are of opinion that they afford a fair and equitable basis of settlement of a long-pending source of irritation, your Committee favorably recommend them to the Council with the suggestion that if agreed to by the Council His Honor the Recorder at once prepare the necessary legislation to enable the City to purchase the Stayner property on the terms suggested and empower the City Council to borrow the necessary money on bonds or debentures.

R. T. MACLEITH, Mayor.

Moved by Alderman Cassey, seconded by Alderman Murray, the said message be adopted and referred to the Laws and Privileges Committee, and that said Committee draft a clause providing that the Dartmouth Ferry Commission will indemnify the city from any damage on account of any encroachment or overhang in front of the present City Slip. Motion passed.

Read application of the Warren Bituminous Paving Co. for refund of penalty of \$2500.00 imposed for delay in completing street paving.

Moved by Alderman Johnson, seconded by Alderman Hubley, that Mr. W. G. McKendrick, General Manager of the Company, be permitted to address the Council on the matter. Motion passed.

Moved by Alderman Cawsey, seconded by Alderman Hubley, that this matter be referred to the Committee on Works, His Honor the Recorder and the City Engineer for report. Motion passed.

Moved by Alderman Martin, seconded by Alderman Campbell, that the report of the City Engineer submitted at Council meeting January 11th, 1907 and filed, relating to the widening of Cunard Street, be placed on the Order of the Day. Motion passed.

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

The following resolution is introduced :—

Whereas, it is reported that a factory for the manufacture of powder and other high explosives is about to be established in the vicinity of Dartmouth near the Eastern Passage ; .

And whereas, in the opinion of this Council this would hazard the property of this City ;

Therefore resolved, that His Honor the Recorder, if such a manufactory be started, interview the Attorney-General and secure an injunction preventing the completion of such works.

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

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

Council adjourns 11.50 o'clock.

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, February 27th, 1907.

A meeting of the City Council was held this evening at the above hour. There were present His Worship the Mayor and Aldermen Halliday, Archibald, Shaffner, Murray, Johnson, Gastonguay, Taylor, Douglas, Lamphier, Hubley, Kelly, Martin, MacKenzie, Hayward and Hawkins.

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 on various matters and covering draft Acts.

Report Commissioners of Common, by Alderman Taylor, Chairman.

His Worship the Mayor submits the following named papers :—

Letter Department of Marine and Fisheries re application of Walter Mitchell for a water lot.

Letter Nova Scotia Board of Fire Underwriters re reduction in Fire Insurance rates.

Petition for electric light Oakland Road, etc

Application of T. M. Foley for refund of liquor license deposit.

Report Coal Weighers for January.

Letter Austen Bros. re test of Shand, Mason & Co. steam fire engine.

Invitation to Annual Convention of Canadian Association for Prevention of Tuberculosis.

Letter Board of Trade re Commercial Committee.

Report License Inspector re certain licensed premises.

Moved by Alderman Archibald, seconded by Alderman Halliday, that the Order of the Day be suspended to permit the reading of the papers submitted at the last meeting and not dealt with, and also the papers submitted at this meeting. Motion passed.

Before proceeding with the business of the meeting, His Worship the Mayor laid on the table a copy of the Revised City Charter, and announced that the same had been proclaimed to come into effect on March 1st.

Read report City Clerk covering resolutions passed by various Municipal Councils in the Province relating to the landing of the English Mails at Halifax, &c.

LANDING OF MAILS AT HALIFAX.

OFFICE OF CITY CLERK, February 11th, 1907

To His Worship the Mayor and Members City Council :

GENTLEMEN,—I have the honor to submit herewith in addition to those formerly laid before the Council, replies received to extract from Minutes of meeting of Council held 7th December 1906, covering Message from Deputy-Mayor Johnson relating to the landing of the English Mails at the port of Halifax, &c.

The said replies being from the following named Municipalities :

East Hants,
Louisburg, C. B.
Lunenburg,
Kings Co.,
Yarmouth,

West Hants,
Digby Co.,
Halifax Co.,
Clare,

L. FRED. MONAGHAN, *City Clerk.*

Filed.

Read Cash Statements City Collector for January. Filed.

Read petition F. F. Mathers, et al re sewer at Esplanade, foot of Inglis Street.

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

Read offer of H. P. Burton to sell the City a lot of land on Wellington Street, for a site for City Works Shops.

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

Read Message from His Worship the Mayor, covering correspondence re Admiralty House property.

ADMIRALTY HOUSE PROPERTY.

MAYOR'S OFFICE, CITY HALL, Jan. 16th, 1907.

Members City Council :

GENTLEMEN,—I am to-day in receipt of a communication from the Secretary of the Lords Commissioners of the Admiralty stating that their Lordships regret, after due consideration, that they are unable to accede to our proposal to grant the use of the Admiralty House property at Halifax to the City authorities on certain terms and conditions for use as a public park and recreation ground.

B. T. MACLEITH, *Mayor.*

Filed.

Read report His Worship the Mayor covering correspondence re visit of Battleship "Dominion" to Halifax. Filed.

Read report Committee on Works covering reports from City Engineer and City Assessor re expropriation of land of Roderick MacDonald for a road leading to the North West Arm.

ROAD TO NORTH WEST ARM.

CITY WORKS OFFICE, Feb. 12th, 1907.

To the City Council :

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached reports of the City Engineer and City Assessor in re expropriating land belonging to Roderick MacDonald for the purpose of making a road to the North West Arm, were read and recommended to Council for acceptance.

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

CITY ENGINEER'S OFFICE, Feb. 12th, 1907.

His Worship the Mayor :

SIR,—In accordance with instructions of the Council, I wrote on December 24th, 1906 to Mr. Roderick MacDonald, who owns the land through which the proposed extension of the road to the North West Arm would be made, asking if he would dispose of the land to the City, and on what terms. Mr. MacDonald has not replied to my letter. I would recommend therefore, that the Assessors be asked to value the land which it is proposed to take for the extension and widening, and that the City Clerk be authorized to offer Mr. MacDonald the amount fixed by the Assessors for the land required.

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

CITY ASSESSORS' OFFICE, Feb. 12th, 1907.

His Worship the Mayor :

SIR,—In compliance with your command, the Board of Assessors have valued the land, North West Arm premises of Mr. Roderick MacDonald, as per measurement of City Engineer, at a value of eight hundred dollars.

S. R. PHELAN, C. A., *Pro Assessors*

Moved by Alderman Johnson, seconded by Alderman Murray, that said reports be adopted, and that the City Clerk be instructed to offer Mr. MacDonald the sum of \$800 for the land required. Motion passed.

Read report Committee on Works covering tender of Halifax Electric Tramway Company, Limited, for lighting the streets and City Buildings.

ELECTRIC LIGHTING CONTRACT.

CITY WORKS OFFICE, Jan. 31st, 1907.

To the City Council :

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached tender of the Halifax Electric Tramway Co., Ltd., was read and recommended to Council for acceptance. No other tender was received.

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

HALIFAX, N. S., January 31st, 1907.

His Worship the Mayor :

Halifax, N. S. :

SIR,—We hereby beg to make the following proposal for lighting the streets and public buildings of the City of Halifax, according to the specificatoons dated January 8th, 1907.

We will supply the arc service for a term of five years, beginning July 1st, 1907, for the sum of sixty five (\$65.00) dollars per lamp per year, and the 50 C. P. series lamps for the sum of twenty-one (\$21 00) dollars per lamp per year. We will furnish the incandescent service for ten cents (10c) net per kilowatt hour.

HALIFAX ELECTRIC TRAMWAY Co., LTD.,

JAS. W. CROSBY, *Manager.*

Moved by Alderman Hubley, seconded by Alderman Martin, that the report be filed. Motion passed.

Read petition for an electric light foot of Duffus Street.

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

Read application of N. A. Hamilton for position of Coal Weigher. Filed.

Read thanks of Local Council of Women for the Council's action in changing the name of the "Poors' Asylum" to the "City Home." Filed.

Read reports Coal Weighers for December, 1906, and January, 1907. Filed.

Read application of C. F. Longley for permission to operate a ferry on the North West Arm. Referred to Committee on Works for report.

Read offer of the Misses Bridget and Mary Hennessey to sell to the City property on Gottingen and West Young Streets for \$16,000.00.

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

Alderman Cawsey here takes his seat.

Read invitation to attend Annual Convention of Canadian Association for the Prevention of Consumption at Ottawa March 13th and 14th.

Moved by Alderman Johnson, seconded by Alderman Martin, that the representatives of the County of Halifax at Ottawa, Messrs Roche and Carney, be requested to accept this invitation on behalf of the City of Halifax. Motion passed.

Read letter Department of Marine and Fisheries re application of

Walter Mitchell for a water lot Halifax Harbor (covering plan and description, to be returned).

Moved by Alderman Johnson, seconded by Alderman Martin, that the City Clerk acknowledge receipt of the letter and that the matter be referred to the Laws and Privileges Committee and the City Engineer for report. Motion passed.

Read letter Austen Bros. re test of Shand, Mason & Co. steam fire engine.

SHAND, MASON & CO. FIRE ENGINE.

HALIFAX, N. S., February 19, 1907.

L. FRED. MONAGHAN, ESQ.,

City Clerk :

DEAR SIR,—We have your esteemed favor of the 16th in reference to tests of 800 gallon Shand, Mason & Co.'s engine, and also a list of tests, which of course are to be conducted in England under the inspection of your own expert.

We would call your attention to that portion of our contract which refers to reasonable tests that the City may require, and would say that we are forwarding your letter together with the memo of tests to the manufacturers, and if for any reason these are not considered reasonable tests, we will advise you as soon as we hear from them.

We note that you desire the engine to be named "Alexandra," and we are instructing the makers to this effect.

AUSTEN BROS.

Filed.

Alderman Campbell here takes his seat.

Read report Laws and Privileges Committee on various matters.

REPORT LAWS AND PRIVILEGES COMMITTEE.

COMMITTEE ROOM, CITY HALL, January 25th, 1907.

To His Worship the Mayor and City Council :

GENTLEMEN,—Your Committee on Laws and Privileges beg to report that a meeting of the Committee was held this day, there being present Alderman Johnson (Chairman) Archibald, Douglas, Hubley and Martin and His Honor the Recorder.

Your Committee had under consideration a number of matters referred to it for report as follows:—

1. Letter of C. J. Rhodes claiming damages against the City for injuries received by falling over a pile of earth on Lockman Street.

The City Engineer reported to the Committee that he had inquired into the matter and found that the accident was caused by Mr. Rhodes tripping over a plank in a pile of earth left on the street by workmen employed by Mr. H. McC. Hart from opening a trench for sewer connection; Mr. Hart's application for permission to open the street was filed in due form and that the City is not liable for any negligence on the part of Mr. Hart's employees.

The Recorder gave a verbal opinion that the City was not liable and was requested to put the same in writing.

Your Committee recommend that the opinion of His Honor the Recorder on the subject accompanying this report be concurred in.

2. Letter E. P. Allison, Solicitor Andrew Hubley, re issue of a certain Writ out of the City Civil Court.

Mr. Allison appeared before your Committee and stated that a Writ of execution to arrest one Coughlan had been issued out of the City Court. Coughlan was arrested and lodged in jail and was released under Habeas Corpus proceedings by Mr. Justice Wallace who held that the Writ was bad and that the fee of 55c., for the issue of the Writ in the City Court should not be added to the Writ.

The City Clerk was called and stated that the Writ was good and was issued in accordance with the Statute and that on it were endorsed the same fees as since 1894.

The Stipendiary Magistrate and His Honor the Recorder were also called and upheld the Writ and gave it as their opinion that the debt was not necessarily lost.

Your Committee have instructed His Honor the Recorder to put his opinion in writing, and recommend its concurrence by the Council.

Further, that in future any applicant for Writs of this nature be informed by the City Clerk of the decision of Judge Wallace, and that the Recorder be instructed to bring to the attention of the Attorney General the necessity of amending the Collection Act.

3. Opinion of His Honor the Recorder and plan prepared by City Engineer re property of H. McC. Hart on Lockman Street.

The Engineer reported that Mr. Hart had complied with the requirements of the Building Act and that the sanitary condition of the premises will be alright when completed.

Your Committee have referred this matter to a special Committee consisting of Alderman Johnson, the Recorder and the Engineer to consider the advisability of preparing an amendment to the Building Act to cover such cases and to prevent a repetition of the same in the future.

4. Report of City Treasurer re Tolls Halifax Electric Tramway Company.

This matter was referred to His Honor the Recorder with instructions to consult other legal advice on subject if he considers it necessary.

5. Application of Joseph Harris for an Auctioneer's license, covering cheque for license fee.

Your Committee recommend that this application be not granted and the cheque returned to Mr. Harris.

6. Petition against the establishment of Fertilizer Works near Fairview on Campbell Road.

Your Committee recommend that no action be taken in this matter and that the petition be filed.

7. Letter E. J. Dulhanty preferring a charge against Simon Cummins, Supervisor of Coal Weighers.

Your Committee recommend that as this charge had been withdrawn by Mr. Dulhanty before being considered by the committee, the papers be filed.

8. Report Camp Hill Cemetery Commission asking for an increase in the yearly grant to the Cemetery.

Your Committee recommend that His Honor the Recorder be instructed to prepare an Act to be submitted at the next session of the Legislature increasing the grant from \$500.00 to \$1000.00 per annum.

9. Report Library Committee recommending that Legislation be secured providing for the appointment by the Council of a Library Commission consisting of nine members.

Also recommending that Legislation be secured to permit the Council to increase the annual grant to a sum not exceeding \$3000.00.

(a) Your Commission recommend that His Honor the Recorder be instructed to prepare an Act to be submitted at the next session of the Legislature authorizing an increase in the annual grant to the Library to a sum not exceeding \$3000.00 ;

(b) And your committee further recommend that no change be made in the composition of the committee.

10. Letter John Vincent, Junk Dealer, re removal of his place of business.

Your Committee have referred this letter to the City Engineer to see that he has complied with the provisions of the Building Act.

J. A. JOHNSON, *Chairman.*

IN RE CLAIM OF C. J. RHODES.

RECORDER'S OFFICE, CITY HALL, Jan. 28th, 1907.

Chairman Committee on Laws and Privileges :

SIR,—From the City Engineer's statement given at the meeting it appears that the cause of Mr. Rhodes' accident was due to an obstruction placed on the street by Mr. H. McC. Hart, and if there was negligence in connection with the matter it was that of Mr. Hart. The City is not liable for the negligence of other persons, and is not an insurer of the persons using the streets against the negligence of other persons, consequently Mr. Rhodes has no legal claim against the City.

F. H. BELL, *City Recorder.*

IN RE CLAIM OF A. HUBLEY.

Chairman Committee on Laws and Privileges :

SIR,—As to whether or not the execution which was the cause of this claim was properly set aside by Judge Wallace or not, I am not called upon to give any opinion. I may only say, however, that the practice pursued by Mr. Monaghan has been that of the office for many years, and is also that of all the lawyers with whom I have spoken in reference to the matter, and in my opinion there is absolutely no blame to be attached to him in connection with the matter.

But assuming for the sake of this opinion that the execution was incorrect, I am unable to see that Alderman Hubley has any claim upon the City for a number of reasons.

1. It would be necessary before he could ask the City to pay the amount of his debt to show that he undoubtedly would have collected it if the execution had not been set aside. I do not understand that this was the case.

2. If the execution was bad and the arrest consequently no arrest, it seems clear to me that a further and proper execution can be issued on which the debtor can be again arrested.

3. I do not see in what way Alderman Hubley is liable for an action for false arrest, as the arrest was not in any way due to anything done by himself, but was entirely the action of the officer who issued the process.

4. Even if he is liable I do not see on what ground the City can indemnify him against the consequences of a mistake by a City official, assuming a mistake to have been made.

F. H. BELL, *City Recorder.*

Said report is considered clause by clause.

Read clause 1 re Claim of C. J. Rhodes for damages.

Moved by Alderman Johnson, seconded by Alderman Martin, that this clause be adopted, and that the Committee on Works take into consideration the advisability of securing legislation enabling the Works Department to make all excavations in streets required by citizens and to charge the cost thereof to the property owner. Motion passed.

Read clause 2 re Claim of Andrew Hubley, in connection with a certain suit in the City Court.

Moved by Alderman Martin, seconded by Alderman Cawsey, that said clause be referred back to the Committee. Motion passed.

Read clause 3 re property of H. McC. Hart, on Lockman Street.

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

Read clause 4 re tolls, Halifax Electric Tramway Company.

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

Read clause 5 re application of Joseph Harris for an Auctioneer's license.

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

Read clause 6 re petition against establishment of Fertilizer Works near Fairview.

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

Read clause 7 re E. J. Dulhanty's charge against the Supervisor of Coal Weighers.

Moved by Alderman Johnson, seconded by Alderman Martin, that the clause be adopted. Motion passed.

Read clause 8 re increasing annual appropriation for Camp Hill Cemetery.

Moved by Alderman Johnson, seconded by Alderman Murray, that the clause be adopted. Motion passed.

Read clause 9, sec. (a) re increasing annual grant for the Library.

Moved by Alderman Johnson, seconded by Alderman Martin, that the same be adopted. Motion passed.

Read clause 9, sec. (b) re changing the composition of the Library Committee.

Placed on the Order of the Day.

Read clause 10 re removal of Junk business of John Vincent.

Moved by Alderman Johnson, seconded by Alderman Martin, that the clause be adopted. Motion passed.

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

Read letter N. S. Board of Fire Underwriters re reduction in insurance rates.

REDUCTION IN INSURANCE RATES.

HALIFAX, N. S., Feb. 26th, 1907.

L. FRED MONAGHAN,
Secretary Board of Fire Wards,
City :

DEAR SIR,—I beg to acknowledge receipt of your favor of the 16th inst., which came duly to hand.

I placed your letter before our Board at its regular meeting to-day and have pleasure in advising you that as "all the tappers for the houses of Call Firemen, in connection with which we have exchanged considerable correspondence, have now been installed and are now in commission," that on and after the first day of March, 1907, a further reduction of five cents (5c.) per one hundred dollars (\$100) will be made on the rates in the City, where such item has previously been added as a deficiency charge.

EDWARD J. FABIE, Secretary.

Filed.

Read report Commissioners of Common covering accounts.

PUBLIC GARDENS ACCOUNTS.

COMMITTEE ROOM, CITY HALL, Feb. 26th, 1907.

His Worship the Mayor and City Council:

GENTLEMEN,—A meeting of the Commissioners of Halifax Common was held this day at 4.30 p. m. Present—Chairman Taylor, Commissioners Archibald, Kelly, McDonald and Power.

They had before them the accompanying bills, of which the following is a summary. The same were approved and passed for payment and the Secretary instructed to forward them to the City Council for their information and concurrence:—

The Chronicle Publishing Co., \$20.00. W. H. Donovan, \$1.80. Cragg Bros., \$14.35. H. H. Fuller & Co., \$1.00. James Donohue, \$1.80. Baldwin & Co., \$28.23. Alfred Carter, 55c. David Roche, \$14.60. S. Cunard & Co., \$193.88. G. E. Smith & Co., \$49.30. Total, \$325.51.

EDW. T. POWER, Secretary.

The following resolution is submitted:

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

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

Read petition for electric light, Oakland Road and Murray Place. Referred to Committee on Works for report.

Read application of T. M. Foley, for refund of liquor license deposit. Referred to Laws and Privileges Committee for report.

Read report Laws and Privileges Committee re Commutation of certain Common Lots ; Central Power Station ; Dartmouth Ferry ; loan for sewer extension and covering draft Acts re Silliker Car Works ; Amending Assessment Act ; general Act relating to the City of Halifax ; Borrowing money for various purposes ; Consolidated Fund.

REPORT LAWS AND PRIVILEGES COMMITTEE.

COMMITTEE ROOM, CITY HALL, FEB. 26th, 1907.

To His Worship the Mayor and City Council:

GENTLEMEN,—Your Committee on Laws and Privileges beg to report that a meeting of the Committee was held this day, there being present Alderman Johnson (Chairman) Archibald, Douglas, Hubley, Martin and Hawkins.

Your Committee had under consideration the following matters :

1. Applications of W. B. Taylor, and S. R. Heisler for Commutation of certain portions of Common Lots Nos. 28 and 29.

Your Committee recommend that these applications be granted, and the lots be commuted on payment of back rent due, and twenty-five years' rental in advance, as shewn in report of assistant City Clerk, which is hereto attached.

2. Message of His Worship the Mayor re Central Power Station :—

Your Committee have instructed His Honor the Recorder to draft an Act on the lines of said Message, and recommend that the same be adopted and sent to the Legislature for enactment. A copy of said draft Act is hereto attached.

3. Message from His Worship the Mayor re Lease of City Dock, for Dartmouth Ferry, and acquiring of Stayner property by City for this purpose :—

Your Committee have instructed His Honor the Recorder to draft an Act empowering the City to purchase the property known as "Stayner's Wharf" and lease same to the Dartmouth Ferry Commission for a term of twenty-five years on the terms agreed upon by the said Commission and Committee on Works, and recommend the same for adoption.

A copy of said Draft Act is hereto attached.

4. Read report Committee on Works re floating an additional loan for sewer extension :—

Your Committee have instructed His Honor the Recorder to add to the Schedule in the General Borrowing Bill a sum not to exceed \$100,000.00 for this purpose and recommend the adoption of said item.

5. The following draft Acts were submitted by His Honor the Recorder and are recommended for adoption by the Council :—

(a) An Act to authorize the City of Halifax to assist the Silliker Car Works Company, Limited.

(b) An Act to amend the City Charter re City Assessment.

(c) An Act to amend the law relating to the City of Halifax.

(d) An Act to enable the City of Halifax to borrow money.

(e) An Act to amend Chapter 51 of the Acts of 1905, entitled "An Act in respect to a Consolidated Fund for the City of Halifax."

J. A. JOHNSON, *Chairman.*

COMMUTATION COMMON LOTS.

OFFICE OF CITY CLERK, Feb 26th, 1907.

To ALDERMAN JOHNSON,

Chairman Laws and Privileges Committee :

DEAR SIR,—Application having been made by Messrs. W. B. Taylor and S. R. Heisler for commutation of the portion of Common Lots Nos. 28 and 29 occupied by them, I have prepared the following statement shewing the amount due by lessee of said lots.

I would recommend that the applications for commutation be granted on payment by applicants of the portions of rent due, viz :—

Common Lots, Nos. 28 and 29, annual rental	\$ 19 17	
Leased to Estate Charles Barnstead, total amount due	210 87	
W. B. Taylor, No. 125 Spring Garden Road—		
Lot 33 x 150, annual rent	2 18	
Amount rent due, 11 years @	2 18	23 98
Commutation, 25 years @	2 18	54 50
		78 48
S. R. Heisler, corner Spring Garden Road and Carleton Street—		
Lot 33 x 150, annual rent	2 18	
Amount rent due, 11 years @	2 18	23 98
Commutation, 25 years @	2 18	54 50
		\$ 78 48

H. S. RHIND, *Asst. City Clerk.*

Moved by Alderman Hawkins seconded by Alderman Johnson that said report be considered clause by clause. Motion passed.

Read clause 1 re Commutation of certain Common Lots.

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

Read clause 2 re Central Power Station, covering draft Act. Also read said draft Act.

Moved by Alderman Johnson, seconded by Alderman Martin, that said clause and said draft Act be adopted and the latter forwarded to the Legislature. Motion passed.

Read clause 3 re Dartmouth Ferry and purchasing of the Stayner property.

Also read draft Act entitled "An Act to amend the law relating to the City of Halifax :—

AN ACT TO AMEND THE LAW RELATING TO THE CITY OF HALIFAX.

Be it enacted by the Governor, Council and Assembly, as follows :

In this Act the expression "City" means the City of Halifax, the expression "Council" means the City Council of that City, and any committee or official herein mentioned by name means the committee or official of that name of the said Council or City, and the expression "the City Charter," means the Halifax City Charter brought into force by proclamation of the Governor-in-Council, dated the 20th day of February,

1907; and this Act shall relate exclusively to the City of Halifax and the said Charter thereof.

The Police Committee may from time to time appoint a member of the Police Force to be an Assistant Detective, who shall hold office during pleasure, and be paid such salary as the Committee determine, subject to the approval of the Council. Any such Assistant Detective shall perform the duties, and have the powers and privileges of the Detective, and any remuneration paid to him other than his salary shall be disposed of as in Section 237 is provided.

Section 247 of the City Charter is amended by making the amount to be deducted from the pay of the sergeants of the Police Force two dollars and thirty-five cents (\$2.35) per month in place of two dollars (\$2.00) as therein stated.

Sections 254 and 255 of the City Charter are hereby repealed.

Section 306 of the City Charter is amended—

(a) By increasing the amount therein provided for the maintenance of the Citizens' Free Library from two thousand five hundred dollars (\$2,500) to an amount not exceeding three thousand dollars (\$3,000).

(b) By increasing the amount therein provided for the maintenance and keeping in order of Camp Hill Cemetery from five hundred dollars (\$500) to one thousand dollars (\$1,000).

The Stipendiary Magistrate of the City shall be deemed an official of the City for the purposes of superannuation, and the provisions of the City Charter in that respect shall apply to him.

The Sub-Collectors at the time of the passing of this act in the employ of the City Collector, and any person hereafter employed by him in that capacity, may, at their option, be entitled to the benefits of the said provisions respecting superannuation, and to contribute to, and participate in, the Superannuation Fund, as therein provided.

Section 271 sub-section (2) of the City Charter, is amended by striking out the words of the last two lines thereof, commencing with the word "provided."

Sub-section (1) or Section 272 of the City Charter is amended by adding thereto the words following—"which the Council may increase to an amount not exceeding "eighteen hundred dollars."

Sub-section (2) of Section 361 of the City Charter is repealed, and the following substituted:—

"In the case of a Company or Association beginning business in the City after the first day of May in any year, the tax for the year ending on the first day of May next ensuing, shall be proportionate to the amount of such year unelapsed at the time of beginning business."

Section 363 of the City Charter is amended by striking out in the first and second lines thereof, the words "between the ages of twenty and sixty," and substituting therefor, the words "above the age of twenty-one;" also by striking out the words "five hundred" in the sixth line thereof, and substituting the words "four hundred," and by adding thereto, the sub-section following:—

The Assessors shall add to the list of names of persons liable to Poll tax on the 31st day of Dec. in each year, the name of every person so liable, who takes up his residence within the City between the 31st December and the 31st September next succeeding.

Section 490 of the City Charter is amended by striking out the word "forty," and substituting therefor, the words "one hundred."

Section 576 of the City Charter is repealed, and the following substituted therefor:

576. The amount specified in any such list as payable in any respect to any property shall from the date of the filing of the plan and list as aforesaid, constitute and be a lien on such property prior to any other lien or encumbrance thereon, except those

created by this Act in favor of the City, and the same, with interest thereon at the rate of six per cent. per annum from the date of such filing, may be enforced, and collected in the same manner, and with the same rights and remedies, as the rates and taxes upon real property.

The repeal of said section 576 shall not relieve from liability any person or property the liability of whom or which is already accrued or accruing under the section so repealed, and the section so substituted shall be read and construed as though it had been contained in Chapter 47 of the Acts of 1905 in place of section 3 of that Act.

(1) When any street is hereafter paved, whether under the provisions of the City Charter, section 574 to 576, or under the provisions of Chapter 60 of the Acts of 1906, the total amount for which any person is liable in respect to any property shall be divided into five equal instalments the first of which shall be due and payable on the 31st. day of May next succeeding the completion of the pavement, or the portion thereof opposite the property liable, and one on each succeeding 31st day of May until the whole is paid.

(2) To the first of such instalments shall be added the interest at six per cent. on the amount due in respect to the property from the date of the filing of the Engineer's plan and list and to each succeeding instalment shall be added the interest on the amount of principal then remaining unpaid at the rate of six per cent. per annum

(3) The amount of such instalment and interest shall be included in the notice of rates and taxes for the year given to the owner of the property, and may be collected with the like rights and remedies.

(4) If any property is sold by the City for failure to pay the rates and taxes thereon, or any other liability for which the same may be sold by the City, the City Collector shall retain from the proceeds of such sale the whole amount due in respect to such land for such paving, whether the same has become payable or not, or whether or not the plan and list have been filed by the City Engineer.

(5) If the owner of any land in respect to which he has become liable for the laying of any paving sells the same before all the instalments of such liability are paid, he shall not cease to be liable for any instalment overdue and payable at the time of such sale; but he shall not be liable for any instalment becoming payable after such sale, but the owner of the land, at the time such subsequent instalment becomes payable, shall be liable therefor.

(6) Nothing in this section shall be construed to affect the lien of the City upon the property, which shall continue and may be enforced notwithstanding any such sale.

The owner of any land liable for the laying of any pavement may at any time pay the full amount of such liability with interest actually accrued to the Collector, who shall give a receipt therefor, and upon the same being countersigned by the Mayor, the lien for the same shall be extinguished, and an entry to that effect shall be made in the books of the Collector.

The Collector shall keep a separate account of all moneys due for the laying of pavement, and shall annually report to the Council:

(a) The owners of properties liable therefor, and the street in respect to which the liability arose;

(b) The amount due in respect to each property; and

(c) The amount paid in respect to each property.

The Council may direct that any street or any portion of any street may be paved, either under the provisions of the City Charter, Sections 574 to 576, or under the provisions of Chapter 60 of the Acts of 1906, notwithstanding that no petition has been presented to the Council praying that such paving may be done, and all the other provisions of the said Acts respectively shall apply to any paving so done.

The officers and men of the Fire Department of the City, when going to any fire with the engines or other apparatus, shall have the right-of-way on any street, and any

person who wilfully or negligently obstructs or retards the passage of any such engine or apparatus shall, for every such offence, be liable to a penalty not exceeding fifty dollars, and in default of payment, to imprisonment for a period not exceeding three months.

Upon the presentation to the Council of a petition, signed by the persons owning not less than two-thirds of the property fronting on any street, which though opened and in use, has not been accepted by the Council,—praying that such street may be accepted as a street by the Council, and that the same may be graded by the City at the cost of the owners of the properties fronting thereon, the Council may refer the matter of the petition to the Engineer for report thereon.

The Engineer shall report to the Council—

(a) Whether, in his opinion, it is desirable that such street should be accepted by the City; and

(b) The cost of grading the same.

The Council on consideration of such report shall decide whether or not to accept the street or any part thereof, and to grade the same at the cost of the owners of property fronting thereon.

If the Council decides to accept the street or any part thereof, and to grade the same at the cost of such owners, the said street or part thereof shall thereupon vest in the City in fee simple, without further conveyance or dedication, and the Committee on Works shall thereupon execute the work of grading the same.

The money requisite to defray the cost of any such grading may be borrowed by the Treasurer from a bank on the request of the Committee on Works, and the amount so spent shall be repaid to the City by the owners of properties fronting on the street or portion so graded in proportion to their respective frontages thereon.

Upon the completion of the work of grading, the City Engineer shall make a plan of the street or part thereof so graded, shewing the frontage thereon of each property, and the name of the owner of each property. He shall also make a list of the owners of such properties, with the frontage of each property, and the amount due in respect to each property, and shall file such plan and list in his office.

Upon such plan and list being completed and filed, the same shall in any action or proceeding, be conclusive evidence of the liability to the City of every person named therein, in respect to each property, of which he is stated to be the owner for the amount stated in respect to each such property.

Any such plan or list may be amended from time to time, by the City Engineer, and any such amendment shall in like manner, be conclusive evidence of the facts stated therein.

The Engineer shall furnish the City Collector, and the City Assessors with copies of every such list or amendment thereof, with the date of filing in the office of the City Engineer endorsed thereon.

The amount specified in any such list as payable in respect to any property, shall from the date of the filing of the plan and list, constitute, and be a lien on such property prior to any lien or encumbrance thereon, except those by law created in favor of the City, and the same shall become due and payable at the expiry of one month from the date of such filing, and, together with interest thereon, at the rate of six per centum per annum, may be enforced and collected in the same manner, and with the same rights and remedies, as the rates and taxes upon real property.

If the amount paid by the City for any such grading was borrowed for that purpose, the interest paid by the City thereon, shall be added to the amounts payable by the owners in their respective proportions, and be collected along therewith.

Section 816 of the City Charter is amended by adding thereto the following subsection :—

The amount so specified by the Board shall not include any expenditure :

- (a) For repairs or improvements of an unusual or extraordinary nature ; or
- (b) For the construction of any new building ; or
- (c) For the purchase of any land.

Section 812 of the City Charter is hereby amended by striking out the first subsection thereof, and substituting therefor the following :—

812. (1) The Board may from time to time—

- (a) Select and purchase sites for school buildings ;
- (b) Erect, purchase, or repair, and improve school buildings, and improve school grounds ;
- (c) Purchase suitable furniture and apparatus for the schools ;

and the money for any of such purposes, shall be furnished by the City as hereinafter provided.

Sections 820, 821 and 822 of the City Charter are hereby repealed :

Whenever the Board of School Commissioners of the City requires money—

- (a) For the purchase of a site for a school building ;
- (b) The erection of a school building ;
- (c) The execution of repairs to any school building of an unusual or extraordinary character ;
- (d) The improvement of any school ground of an unusual or extraordinary character ; or

(e) The purchase of furniture or apparatus of such an amount as cannot be properly or conveniently included in the yearly expenditure,

the Board shall request the Council to furnish the money required for such purposes, accompanying such request with a statement of the purposes for which the same is required, and any other information in respect thereto which the Board deems proper or which the Council requires.

If the Council deems fit to grant the money so required, it shall by resolution, direct the Treasurer to issue the bonds or debentures of the City to an amount sufficient to realize the same, and the proceeds thereof, shall be transferred by the Treasurer to the proper officer of the Board, to be expended by the Board, for the purpose for which the same was so required, and no other.

Any sinking funds heretofore established for the redemption of any bonds or debentures, at any time issued by the Board of School Commissioners, and which at the passing of this Act are held by, or controlled by the Board, or any trustees on their behalf, shall be forthwith transferred by the Board, or the trustees, in whose names they are held to the trustees of the General Sinking Fund for the City to be by them held and invested as a part of that Fund.

Sections 766, 767 and 768 of the City Charter are hereby repealed, and the following section substituted :—

There shall be a Board of Health for the City of Halifax, to consist of five members, who shall be appointed annually by the City Council, and shall be a body corporate under the name of the "City Health Board."

If questions of fact arise in matters before the Council, or any of its Committees, which the interests of the City require to be investigated by the examination of witnesses on oath or otherwise, and it also becomes necessary in the like interest to institute inquiries into the truth of any representation which has been made to the Council respecting any matter within its jurisdiction in any such case the Committee before which any such question arises, or any Committee appointed by the Council to investigate the same, or to make such inquiry, may issue a summons signed by its chairman

requiring any person to appear before such committee for the purpose of giving evidence touching such questions or inquiry, and, if judged expedient, to produce any papers or document in his possession or under his control bearing upon such question or inquiry, or described in such summons.

If any person so summoned fails to appear at the time and place appointed by such summons, or if appearing he refuses to be examined on oath touching the said inquiry, or to obey any order to produce any paper or document mentioned in such summons in so far as he is able so to do, a return of the issue and service of summons and of such default or refusal may be made to the Mayor, who may thereupon compel the attendance of such person, and compel him to answer all lawful questions, by the like means as are used for such purposes in the Supreme Court of Nova Scotia.

Every person so neglecting or refusing to appear, or refusing to produce papers, or to be examined as aforesaid, shall be liable to a penalty not exceeding forty dollars (\$40.00), and in default of payment to imprisonment for a period not exceeding one month.

The Council may expend a sum not to exceed five hundred (\$500.00) dollars a year in diffusing information respecting the advantages of the City as a manufacturing, industrial, educational and residential centre, and the amount proposed to be so expended shall be included in the amount rated upon the inhabitants and collected therewith.

The building and property heretofore known and designated as the "City Poor's Asylum" shall hereafter be known and designated as the "City Home," and any enactment, ordinance, or regulation made in respect to the said building and property by the name of the "City Poor's Asylum" shall continue to apply thereto under the name of the "City Home."

The Treasurer may pay out of any funds available the sum of one hundred (\$100) dollars to Edward Brennan in full compensation and discharge for the loss and damage sustained by him by reason of the overflow of a sewer into the cellar of his property on Birmingham Street, and the said amount with any interest paid thereon by the City shall be included in the amount rated upon the inhabitants in the ensuing fiscal year, and collected therewith.

The City may purchase or expropriate in the manner provided in the City Charter the property situated on Bedford Basin, and described as follows:—Bounded on the northeast by Gottingen Street, on the southeast and southwest by property of the City, and on the northwest by Bedford Basin, excepting therefrom so much thereof as is occupied by Campbell Road, the Intercolonial Railway, and the Halifax and South-Western Railway.

When the City has obtained the said property it may close up so much of the Campbell Road as passes through the same, and divert the said road to pass to the south of the track of the Intercolonial Railway; and, if need be, expropriate any land required for such diversion.

The City may purchase the property on Bedford Basin known as the "Tully property."

The City may purchase the property known as "Stayner's Wharf," and may thereafter lease the same, together with the dock and slip at present occupied by the Dartmouth Ferry Commission, and the wharf property to the south thereof, to the Dartmouth Ferry Commission for such period and for such rent and on such other terms and conditions as the Council determines.

The City may sell the property known as the Islesville Engine House and apply the proceeds thereof to the improvement of the Fire Department.

The City may apply any moneys realized by the sale of the lands and building on Tower Road known as the Old Exhibition Building to the purchase of lands for the construction of workshops and stables for the use of the City and the construction of such workshops and stables thereon.

The City may purchase the triangular piece of land the property of the estate of

W. H Longard, situate at the junction of Longard Street and Lady Hammond Road, for a price not exceeding three hundred and fifty (\$350 00) dollars, and may borrow the amount requisite therefore from a bank, and the sum so paid, with interest, shall be included in the amount rated upon the inhabitants in the ensuing civic year.

Said Act is considered clause by clause.

Clause 1, interpretation. Clause 2, appointment of an Assistant Detective. Clause 3, Police Superannuation, and Clause 4, are severally read and passed.

Moved by Alderman Kelly, seconded by Alderman Lamphier, that the further consideration of these Acts be deferred to a future meeting of Council. Motion lost.

Read clause 5, re Superannuation of officials of Works Department. Passed.

Read clause 6, increasing salary of City Treasurer from \$1500.00 to \$1800.00.

Moved by Alderman Martin, seconded by Alderman Johnson, that this clause be amended to make the said increase optional with the City Council. Motion passed.

Clauses 7, Company Tax; 8, Poll Tax; 9, Junk Dealers' Licenses; 10 and 11, Paving; 12, Right of way on streets for Fire Department; and 13, Grading streets, are severally read and adopted. His Honor the Recorder being instructed to amend clause 13 so as to provide for the cost of street grading to be borrowed from a bank until the same is collected from the property owners.

Read clause 14 relating to Public Schools.

Moved by Alderman Johnson, seconded by Alderman Hawkins, that the same be adopted.

Motion put and passed, 10 voting for the same and 6 against it, as follows:—

For the motion.	Against it.
Aldermen Shaffner, Archibald,	Aldermen Halliday, Murray,
Johnson, Taylor,	Gastonguay, Kelly,
Douglas, Lamphier,	Hubleby, MacKenzie—6
Campbell, Martin,	
Hayward, Hawkins—10	

Read clause 15 re Board of Health.

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

Read clause 16 re Investigations.

Moved by Alderman Johnson seconded by Alderman Douglas that said clause be adopted. Motion passed unanimously.

Clauses 17, re advertising the City; 18, changing name of Poor's Asylum; 19, Brennan Claim; 20, Africville; 21, Tully property and 22, Dartmouth Ferry are Stayner property are severally read and adopted.

Moved by Alderman Johnson, seconded by Alderman Taylor, that said Draft Act as amended be adopted as a whole and forwarded to the Legislature for enactment. Motion passed.

Read Draft Act re Consolidated Fund.

AN ACT TO AMEND CHAPTER 51 OF THE ACTS OF 1905, ENTITLED
 "AN ACT IN RESPECT TO A CONSOLIDATED FUND
 FOR THE CITY OF HALIFAX."

Be it enacted by the Governor, Council and Assembly, as follows :—

Whenever by any Act of the Legislature, the City of Halifax is authorized to borrow money, and to issue the stock or debentures of the City therefor, and the amount of such stock or debentures at the par or nominal value thereof, fails to produce when sold by the City the amount so authorized to be borrowed, the Treasurer of the City may without further authority from the Legislature, issue such additional amount of such stock or bonds as will, when sold by the City, produce such further amount as is required to make up the sum so authorized to be borrowed, and any stock or debentures so issued, shall be valid and binding on the City, as though they had been expressly authorized by an Act of the Legislature, and the provisions of the Halifax City Consolidated Fund Act 1905, shall apply thereto.

Moved by Alderman Johnson, seconded by Alderman Martin, that said Act be adopted. Motion passed.

Read draft Act to enable the City of Halifax to borrow money.

Moved by Alderman Martin, seconded by Alderman Johnson, that said Act be amended by striking out the individual sums for each of the properties proposed to be expropriated, and inserting in lieu thereof, a total sum for all the properties required. Motion passed.

Moved by Alderman Johnson, seconded by Alderman Martin, that said Act as amended be adopted. Motion passed.

Read draft Act entitled "An Act to amend the law in relation to Assessment and Taxation in the City of Halifax."

AN ACT TO AMEND THE LAW IN RELATION TO ASSESSMENT AND
 TAXATION IN THE CITY OF HALIFAX.

Be it enacted by the Governor, Council and Assembly, as follows :—

In this Act the expression "City" means the City of Halifax and any official mentioned by name means the official of that name of the said City.

For the purpose of assessment and taxation in the City of Halifax any person having his house or domicile or carrying on business or having any office or place of business or any occupation, employment or profession within that City shall be deemed and taken to be and is hereby declared to be an inhabitant and resident of the City, any law to the contrary notwithstanding, and any person assessed as such inhabitant and resident shall

be deemed and taken so to be unless upon appeal to the Court of Tax Appeals such person is found to have been within the City for a temporary purpose, unconnected with business, and has proved to the satisfaction of that court that he possesses or has acquired a home or domicile at some other place designated by him, and that he has not during the year for which such assessment was made had any office or place of business or any occupation, employment or profession within the City or carried on any business therein; provided also that any person temporarily employed in the City as a laborer or journeyman mechanic whose home or domicile is out of the City shall not be assessed as a resident.

Section 342, sub-section (1), of the City Charter is hereby repealed, and the following substituted:—

(1) The proportion of the required sum which is to be raised by rates, shall be rated on the owners of real and personal property in the City, and on the residents of the City, in receipt of income as hereinafter defined by an equal dollar rate upon the value of such real and personal property, and on such incomes, whether such real or personal property is possessed, occupied or owned by an individual or individuals, or by any joint stock company or corporation, and whether such individual is resident or abroad, or such company or corporation is domestic or foreign, all according to the best knowledge and discretion of the Assessors.

For the purpose of assessment and rating "income" shall be taken to be the gross income of every person resident in the City, as hereinbefore defined from any source whatsoever in excess of the yearly sum of six hundred (\$600.00) dollars, but shall not include the income derived by any person from shares in any mercantile joint stock company or partnership which is itself assessed.

No person shall be assessed or rated in respect to both personal property and income, but shall be assessed and rated only in respect to whichever of the two is the larger.

(1) That the Assessors shall on or before the first day of September in each year cause public notices to be posted up in at least three places in each ward of the City, and also published in two or more of the City newspapers, in the following form, or to this effect:—

The Board of Assessors for the City of Halifax hereby require all persons liable to be rated for the year 19..... forthwith to furnish to the Assessors true statements of all their property which is assessable under the Halifax City Charter, and hereby give notice that blank forms on which statements may be furnished can be obtained at the office of the Assessors and such statements must be perfected under oath and filed in the office of the Assessors within thirty days from the date of this notice.

Dated this..... day of..... A. D. 19.....

A. B.,
C. D.,
E. F.,
Assessors.

(3) The form mentioned in this section shall be furnished by the Assessors to any person on application therefor at their office, and may be in the form following or to the like effect:—

Halifax City Assessment.

REAL ESTATE.

Particulars of real estate are to be filled in by the owner, agent, trustee or other person in a representative capacity.

A separate form to be filed for each parcel of land owned or represented.

1. Street and number.

2. Detailed description of Real Estate.
3. What is the true and real value of the
 - (a) Land? \$.....
 - (b) Building thereon? \$.....
4. State how occupied and rental.

NAME OF OCCUPANTS.	KIND OF SHOP.	DWELLING.	YEARLY RENT OF EACH TENANT.
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NOTE.—In filling in the above, if any part is occupied by the owner, write "Owner" in the column describing the nature of occupants, and estimate the fair rent which another person would pay for such part. In case any part of the property is vacant, write "Vacant" in the "Names" column and fill in the amount for which the part was last rented for by the year.

PERSONAL PROPERTY.

1. What is the estimated average value of the stock in trade to be held by you during the year \$
2. What was the average value of the stock in trade held by you during last calendar year \$
3. What is the value of your movable machinery. \$
4. What is your actual income from personal property other than stocks in trade and movable machinery \$
5. What is the actual income from personal property held by or for your wife or minor children \$
6. What is the actual income from personal property held in trust for you. \$
7. By whom is it held in trust?
8. If you fill in this form in a representative capacity, who do you represent?

INCOME.

1. What is the amount of your gross yearly income?
 - (a) From personal earnings..... \$
 - (b) Received in any other way than from real or personal estate actually assessed or returned for assessment in this year..... \$
2. What was the total amount of your income from the sources specified in 1 a and b during the year ending 31st December last?
 - 1 (a)..... \$.....
 - 1 (b)..... \$.....

.....(Signature).

The above named(if filled in by some person acting in a representative capacity, state that fact) personally appeared before me at the City of Halifax on the day of A. D. 190. and made oath that the foregoing is a just, full and true statement of all the real estate, personal property

and income of (himself, or as the case may be) assessable under the Halifax City Assessment Act, 1907.

Assessor or J. P.

If more than one schedule is used for real estate, the person administering the oath will sign the jurat on the last sheet only, and initial the other sheets, which must be numbered consecutively and attached before signing.

Every person liable to be rated or taxed in the City, or the agent of any such person, shall within thirty days after the publication of the notice mentioned in the next preceding section furnish the Assessors with a written detailed statement according to the said form, under oath, made before an Assessor, a Justice of the Peace or, a Commissioner for Oaths, of his real estate within the City liable to be assessed, and of his personal estate and income, filling up truly and specifically the several blanks in the said form, and furnishing all information requisite to enable him to be fully assessed under the provisions of this Act.

If any person makes the foregoing statement according to the said form under oath, and answers under oath any further questions that the assessors think necessary as to the nature or amount of his property or income, such statements and answers shall be conclusive upon the Assessors as to all matters of fact sworn to, except as to the value of any real estate or specific personal property which is described; and such value shall be fixed by the Assessors according to their best judgment, subject to appeal to the Court of Tax Appeals.

(1) If any person fails to answer on oath all necessary inquiries of the Assessors relating to any statement filed, or as to the nature or amount of his property and income, the Assessors may proceed to assess such person according to their best judgment and there shall be no appeal from such assessment.

(2) The filing of a statement shall not oblige the Assessors to assess the person making the same, but they may omit his name on any property or income which he claims to own or be in receipt of if they believe that he is not entitled to be placed on the Assessment List, to be assessed for such property or income.

Said Act is considered clause by clause.

Read clause 1., Interpretation.

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

Read clause 2 defining Inhabitant, etc.

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

Read clause 3 re Income Tax.

Moved by Alderman Johnson, seconded by Alderman Martin, that said clause be adopted. Motion put and passed, 9 voting for the same and 8 against it, the division being as follows:—

For the Motion.

Aldermen Archibald, Halliday,
Johnson, Taylor,
Douglas, Kelly,
Campbell, Martin,
Hawkins—9.

Against it.

Aldermen Shaffner, Murray,
Gastonguay, Lamphier,
Hubley, Cawsey,
MacKinzie Hayward—8.

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

Council adjourns 12 o'clock.

MARCH 7th 1907

608

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, March 7th, 1907.

The regular monthly meeting of the City Council was held this evening at the above named hour. There were present His Worship the Mayor and Aldermen Halliday, Archibald, Shaffner, Murray, Johnson, Taylor, Gastonguay, Douglas, Lamphier, Hubley, Kelly, Martin, Cawsey, Campbell, MacKenzie, Hayward and Hawkins.

PRESENTATION OF PAPERS.

The following named papers are submitted:—

Report Board of Fire Wards, covering draft Act for Superannuation of Firemen, by Alderman Cawsey, Chairman.

Draft Act relating to the Citizens' Free Library, by Alderman Murray, Chairman.

Report City Prison Committee, by Alderman Hawkins, Chairman.

Report Charities Committee, by Alderman Halliday, Chairman.

Petition for sewer extension Allan Street, by Alderman Hubley.

Petition for sewer Yukon and Yale Streets, by Alderman Hubley.

His Worship the Mayor submits the following named papers:—

Message from His Worship the Mayor re Royal Canadian Regiment Band playing on Saturday mornings on the Grand Parade.

Report His Worship the Mayor re extension of Brunswick Street.

Report J. H. Dow re heating Infectious Diseases and Small-Pox Hospitals.

Report Committee on Works re property of the Misses Hennessey, Young and Gottingen Streets.

City Works Accounts.

Report Committee on Works re application of C. F. Longley for permission to operate a ferry on the North-West Arm.

Draft Act to enable the City of Halifax to establish a power Station.

Letter Board of Trade re proposed amendments to Assessment Law.

Letter Board of Trade re Commercial Committee.

Letter City Engineer re improvement of certain streets and the Esplanade.

Report City Engineer re "City Home."

Letter John J. Power offering to sell to the City the Morrison Wharf property.
 An Act to exempt the Sailors' Home from Taxation.
 An Act relating to the taxation of the Academy of Music.
 An Act to enable an experimental assessment to be made by the City of Halifax.
 Letter City Auditor re License Inspector's Bond.
 Cash Statements City Collector for February.
 Letter Navy League re Canadian Merchant Marine.
 Letter Board of Fire Underwriters re Act respecting investigations into fires.
 Application of Timothy Mullane for refund of liquor license deposit.
 Letter Canada's Manufacturers, Business and Professional Record re advertising.
 Letter Halifax Electric Tramway Co., Ltd., re contract for lighting.
 Application of Powell Paving Company for certain information.
 Letter Davis & Fraser re Manufacturers' Tax Exemptions.

REFERENCE OF PAPERS.

Petition for sewer extension, Allen Street. Referred to Committee on Works for report.
 Petition for sewer Yale and Yukon Streets. Referred to Committee on Works for report.
 Cash Statements City Collector for February. Filed.
 Application of Timothy Mullane for refund of liquor license deposit. Referred to Committee on Laws and Privileges for report.
 Report Board of Trade re Commercial Committee. Filed.
 Report License Inspector in re certain licensed premises. Filed.
 Read letter Canada's Manufacturers, Business and Professional Record re advertising. Referred to Public Accounts Committee for report.
 Read application of Powell Paving Company for certain information. Referred to Committee on Works.

CONSIDERATION OF PAPERS SUBMITTED.

Read an Act to enable an experimental assessment to be made by the City of Halifax.

AN ACT TO ENABLE AN EXPERIMENTAL ASSESSMENT TO BE MADE BY THE CITY OF HALIFAX.

Whereas, it is desirable to ascertain the effect of the exactment for the City of Halifax of a system of assessment and rating similar to that in force in Ontario, Quebec and other provinces of the Dominion, and for that purpose to make an experimental assessment and rating.

Be it enacted by the Governor, Council and Assembly, as follows :

The Assessors of the City shall prepare an experimental assessment and rating of the property and inhabitants of the City of Halifax as hereinafter provided :—

Such assessment shall be made by the Assessors along with the regular assessment of the City for the civic year 1908, and shall be completed and delivered to the Council of the City on or before the 31st day of December, 1907.

Such experimental assessment shall be made upon the plan or system following :

- (1) All real property to be assessed and rated as in the general assessment and rating for the civic year 1908 ;
- (2) No personal property shall be included in the assessment ;
- (3) A business tax of one per cent. shall be rated upon every occupant of any premises occupied for the purpose of business, or any profession or other occupation or means of livelihood ;
- (4) A habitation tax of one quarter of one per cent. as hereinafter defined, shall be rated upon every occupier of any house or premises occupied for residential purposes.

For the purposes of such business tax the following provisions shall apply :—

(a) If the whole premises are occupied by one person, firm or company for business purposes the tax shall be one per cent. of the assessed value of the premises on the occupant.

(b) If a part only of any premises are occupied by any person, firm or company the business tax of the occupant for that portion shall be rated only in respect to the part so occupied, and for the purposes of assessment, the same shall be valued at ten times the rental or fair annual value.

(c) No business tax shall be rated in respect to any premises of which the yearly rental or fair annual value is less than fifty (\$50.00) dollars.

(d) No business shall be rated in respect to any premises occupied by a bank or any company or business enumerated in section 357 of the City Charter, but every such bank, company or business shall be rated and taxed as at present.

For the purpose of such habitation tax, the following provisions shall apply :

(a) If the whole premises are occupied by one person for residential purposes, the tax shall be one-fourth of one per cent. of the assessed value of the premises, on the occupant.

(b) If a part only of any premises are occupied by any person, the tax shall be rated only in respect to the part so occupied, and for the purpose of assessment the same shall be valued at ten times the rental or fair annual value.

(c) No tax shall be rated in respect to any premises of which the rental or fair annual value is less than sixty (60.00) dollars.

The assessed value in the next two preceding clauses shall be the value fixed by the Assessors at the general assessment for the year 1908.

For the purposes of such experimental assessment every person on request by the Assessors shall furnish such information as the Assessors require, and particularly the names of every person, firm or company occupying as tenants any property or portion of any property, and the rentals paid therefore, and any person who fails on request to furnish such information shall be liable to a penalty not exceeding fifty (\$50.00) dollars and in default of payment to imprisonment for a term not exceeding one month.

The City may defray the expenses of such experimental assessment, including such reasonable compensation to the Assessors as the Council determines, and for such purpose may borrow the amount required from any bank, and include the same in the amount rated upon the inhabitants for the civic year 1908.

Nothing in such experimental assessment shall create any liability in respect to any person or property, or shall affect in any way the regular assessment and rating of the City of Halifax.

Moved by Alderman Johnson, seconded by Alderman Murray, that the same be considered clause by clause.

Moved by Alderman Hubley, seconded by Alderman Lamphier, in amendment that said draft Act be placed on the Order of the Day and His Worship the Mayor requested to call a special meeting at an early day to consider the same.

Amendment put and lost, 8 voting for the same and 9 against it, the division being as follows:—

For the Amendment.	Against it.
Aldermen Shaffner, Lamphier, Kelly, Hubley, Martin, Cawsey, MacKenzie, Hayward—8	Aldermen Archibald, Halliday, Johnson, Murray, Taylor Gastonguay, Douglas, Campbell, Martin—9

The original motion is put and passed on the following vote.

For the motion.	Against it.
Aldermen Shaffner, Archibald, Halliday, Johnson, Murray, Taylor, Gastonguay, Douglas, Campbell, Cawsey, MacKenzie, Hayward, Hawkins.—13	Aldermen Lamphier, Kelly, Hubley, Martin—4

Read preamble. No action taken.

Read Clause 1 re Assessors preparing an experimental assessment. Deferred.

Read clause 2 re making of experimental assessment by Assessors.

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

The vote being taken, there appeared for the motion 11, against it 6, as follows:—

For the motion.	Against it.
Aldermen Shaffner, Archibald, Halliday, Johnson, Murray, Taylor, Gastonguay, Douglas, Campbell, Cawsey, Hawkins.—11	Aldermen Lamphier, Kelly, Hubley, Martin, MacKenzie, Hayward—6

His Worship the Mayor declared the motion lost, the same not having received a two-third vote of the Council.

Read clause 3 re plan of proposed assessment.

Moved by Alderman Halliday, seconded by Alderman Cawsey, that the balance of said draft Act be placed on the Order of the Day. Motion passed.

Read letter His Worship covering a tender by the Lieutenant-Colonel and Officers of the Royal Canadian Regiment of the services of the Regimental Band to play on Saturday mornings from 11 a. m. to 12 o'clock, noon, on the Grand Parade.

R. C. R. BAND TO PLAY ON GRAND PARADE.

MAYOR'S OFFICE, March 7th, 1907.

Members City Council:

GENTLEMEN,—I beg to transmit herewith for your information and consideration a communication from the President of the Band Committee of the Royal Canadian Regiment, being a tender by the Lieut-Colonel and Officers of that Regiment of the services of the Regimental Band to play on Saturday mornings from 11 a. m. to 12 o'clock noon on the City Hall square, weather and duties permitting.

I have acknowledged the receipt of the letter conveying the thoughtful offer and have stated that the communication would be laid before the Council this evening.

R. T. MACILREITH, *Mayor.*

Moved by Alderman Johnson, seconded by Aldermrn Martin, that said offer be accepted and the thanks of this Council be tendered Lieutenant-Colonel Wadmore and Officers of the Royal Canadian Regiment. Motion passed unanimously.

Read report Board of Fire Wards on various matters and covering draft Act for superannuation of Fire Department Officials.

REPORT BOARD OF FIRE WARDS.

COMMITTEE ROOM, CITY HALL, March 7th, 1907.

His Worship the Mayor and City Council:

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

1. Messrs Furness Withy Co., Ltd., having applied for permission to attach an auxilliary pull box to box 42 foot of Jacob Street, and the City Electrician having reported favorably on the matter, it is recommended that the request be complied with at their expense and under the supervision of the City Electrician.

2. The following accounts are recommended for payment :—

Halifax Electric Tram. Co., light \$35.37. power \$4.13—\$39.50. Farquhar Bros., iron pans, etc., \$63.48. Geo. Thompson, brooms, \$2.75. J. S. Cashen, forage, \$287.83. Neil Fox, harness, \$9.50. A. Allison, harness repairs, \$1.85. J. H. Mont & Co., carriage work, \$11.73. W. & A. Moir, machine work, \$12.04. J. W. Churchill, carpenter work, \$17.35. Canadian Rubber Co., washers, \$12.50. J. F. Crowe & Co., soda, &c., \$4.45. Brander Morris, & Co., hooks, &c., 65c. T. C. Allen & Co., paper, \$1.00. G. M. Cullen & Co., glazing, 50c. National Drug Co., chemicals, \$4.63. J. C. Merlin, lumber, \$5.14. Robt. Meriin., lumber, \$6.70. Melvin & Co., hardware, \$2.88. Horseshoeing. T. Robinson, \$4.05, Robt. Horner, \$5.96. John Meagher, \$8.31,

O Connell Bros., \$2.35. P. Porrier, \$3.95. P. Dowd, carriage, repairing, \$8.50. Total, \$517.60. Improvement loan. F. Reardon, glass, \$8 00. Farquhar Bros., tappers, &c. \$73.92. H. Cameron & Co., combination truck, \$2,800.00. To be paid when certified by the Chief, \$2,921.42. Loan for hose. Austen Bros., 200 ft. hose, \$220.00.—Total \$3,141.42.

3 The Board has carefully considered the Message of His Worship the Mayor, relating to fire stations and concur in his recommendation for the erection of a new engine house in the north end of the City, in place of the present Islesville house.

It is therefore recommended that authority be obtained to borrow sufficient money to procure the necessary land on Campbell Road for this purpose. The Board recommends as a suitable site for this building the property at the north-west corner of Hanover St. and Campbell Road, and that the City Clerk be authorized to offer Mr. John Guess, or whoever may be the proper owner, the sum of seven hundred (\$700.00) dollars as the value of said land.

4. The recommendation of His Worship the Mayor, in respect to improvements in connection with the Grafton St. chemical engine house, is still under consideration by the Board.

5. It is recommended that the City secure authority to borrow \$3,200.00 for the purchase of the Evens property and O'Donnell property at the corner of Albemarle and George Streets for the extension and improvement of Central engine house.

6. It is also recommended that authority be secured for borrowing a sum not exceeding \$40,000.00 for the purchase of land and the erection and furnishing of the proposed Morris St. and Campbell Road Engine houses.

7. The Chief Engineer having reported to the Board certain slight defects in the cylinders of the new Combination Truck, it is recommended that the Contractor be notified to this effect.

8. Attached hereto is a draft Act for the superannuation of the permanent officials and employees of the Fire Department, which is unanimously recommended for the approval of the Council.

W. H. CAWSEY, *Chairman.*

The same is considered clause by clause.

Read Clause 1 re fire alarm box attachment applied for by Furness Withy Co., Ltd. Passed.

Read clause 2 re accounts. Passed.

Read Clause 3 re site for a new engine house on Campbell Road.

Moved by Alderman Cawsey, seconded by Alderman Hubley, that this clause be adopted.

Moved in amendment by Alderman Hawkins, seconded by Alderman Johnson, that this clause be amended so as to provide for the borrowing of a sum not to exceed \$1600.00 for the acquiring of a site on Campbell road for an engine house.

Amendment put and passed on a show of hands, 12 voting for and 5 against it.

Read clause 4 re Grafton Street chemical house. Filed.

Read clause 5 re purchase of O'Donnell and Evens properties. Passed—Alderman Hubley dissenting.

Read clause 6 re borrowing \$40,000.00 for Morris Street and Campbell Road houses.

Moved by Alderman Martin, seconded by Alderman Cawsey that this clause be amended so as to provide for the borrowing of a sum not to exceed \$20,000.00 for the erection and furnishing of the proposed Morris Street and Campbell Road houses. Motion passed.

Read clause 7 re new Combination Chemical and Ladder Truck. Passed.

Read clause 8 covering draft Act for the Superannuation of Firemen.

Also said draft Act.

AN ACT TO PROVIDE A SUPERANNUATION FUND FOR THE OFFICIALS AND EMPLOYEES OF THE FIRE DEPARTMENT OF THE CITY OF HALIFAX.

Be it enacted by the Governor, Council and Assembly, as follows:—

1 (1) There shall be established a fund for the superannuation of the permanent officials and employees of the Fire Department of the City of Halifax, to be constituted and employes as specified in this Act, and to be known and designated as the "Halifax Firemen's Superannuation Fund."

(2) The provisions of this Act shall not apply to the Call-men and Supernumeraries.

2 The Mayor, the Auditor, the Treasurer and the Chairman of the Committee on Finance of the City shall be the Trustees of the Fund, and the Treasurer shall be the Treasurer thereof. The Fund and all accounts in connection therewith shall be kept separate from the other moneys and accounts of the City, but shall be audited by the Auditor of the City in like manner as the other accounts of the City, and shall be managed by the Trustees subject to the control of the Council. The Fund may be invested in any investment authorized by the Trustees' Act.

3 (1) The moneys of the Fund shall not be drawn out except on the cheque or order of the Trustees or any two of them, one being the Treasurer.

(2) Such cheque or order shall not be made except upon the authority of a resolution of the Council passed upon a report of the Firewards recommending the payment.

4 The Trustees shall make an annual report to the Council respecting the amount and state of the Fund, showing how the same is invested and the name of every person receiving payments from the same, with the amount of the payment.

If the Fund in any year is not sufficient to meet all the claims against it, the sum required to meet any deficiency shall be paid out of the revenues of the City, and shall be provided for specially in the Estimates and raised with the other rates.

Every official or employee of the Fire Department at the passing of this Act who is appointed for life or on good behaviour, or who is annually appointed, and who is at the passing of this Act under the age of fifty-five years, and every official or employee who is hereafter appointed to any office in the Fire Department, held for good behaviour or which is annually filled by appointment, shall contribute to the Fund an amount equal to four per cent. of his salary, such amount to be deducted monthly from his salary.

Every such official or employee of the City who at the passing of this Act is over the age of fifty-five years, may, at his option, contribute such amount of four per cent. on his salary to the Fund, and in such case shall be entitled to receive an allowance from the Fund as hereinafter provided.