

judgment of Mr. Justice Meagher was delivered by the court in bane on the 16th inst. dismissing the appeal as to the defendant Mr. Doane and allowing it as to the defendant Mr. MacIlreith. Mr. Justice Longley dissented from the latter part of this judgment and was in favor of dismissing the appeal against both defendants. In the result Mr. MacIlreith is required to pay back to the City the amount paid him for his expenses and Mr. Doane is not; but as the City by the legislation of last year is authorized to defray Mr. MacIlreith's expenses and the costs of the successful defendant will probably balance those taxable against the unsuccessful one the financial result to the defendants and the City is practically immaterial.

From a legal point of view, however, the judgment may be most embarrassing particularly the declaration by the Court on Appeal in opposition to the opinion of Mr. Justice Meagher that any ratepayer has the right to begin in his own name an action to compel the return to the City of any money which he fancies has been improperly expended. My contention was that no person was entitled to do so other than the Attorney-General as the representative of the public. This contention was upheld by Mr. Justice Meagher, but over-ruled by the Court. The same contention has been recently sustained by Mr. Justice Hodgson in Prince Edward Island in an action against the City of Charlottetown. The latter case I am informed is at present under consideration by the Supreme Court of Prince Edward Island. I beg, with all respect to our own Court, to say that in my opinion the law is correctly laid down by Mr. Justice Meagher and Mr. Justice Hodgson, viz: that for the redress of a wrong of a public character no one but the Attorney-General has the right to begin an action. The contrary doctrine may entail the most inconvenient consequences as it will authorize any individual no matter how financially irresponsible either at his own instigation or that of any one else to institute actions to test the right of the City to transact any item of its business. I understand the Charlottetown case is almost certain to be appealed in any event to the Supreme Court of Canada and if it is so appealed I would suggest to the Council the wisdom of our also appealing or assisting in the Charlottetown appeal so as to aid in setting right what I believe an erroneous statement of the law which may have extremely unfortunate and inconvenient consequences for the City.

F. H. BELL, *City Solicitor.*

Also read letter F. L. Hazard, Recorder of the City of Charlottetown, P. E. I., on a similar matter.

Referred to Committee on Laws and Privileges for report.

Read report City Solicitor re Waiting Room at north end of street railway line on Campbell Road.

IN THE MATTER OF A WAITING HOUSE BY THE TRAMWAY COMPANY.

RECORDER'S OFFICE, March 12, 1907.

His Worship the Mayor :

SIR.—There is nothing in the Charter or by-laws of the Halifax Electric Tramway, Company, requiring them to erect a waiting room, on the direction of the City, unless Rule 13 of the Schedule in the Act of Incorporation can be construed to cover it. Rule 13 reads as follows:—

“Rule 13. The City shall have power to make such other rules and regulations as may in its judgment be necessary for the safety and comfort of its citizens and to impose such penalty for a breach thereof as it may deem proper.”

It is always very difficult to determine whether any specific power is contained in a vague, general provision such as this. All I can say is that whether or not the power to compel the Company to erect a waiting house would be covered by this clause would depend entirely upon the opinion of the Court as to whether or not that power was included under the general phrase “other rules and regulations.” I should be extremely doubtful if such would be held to be the case. “Other” would be construed

to be of a similar kind to the other rules and regulations mentioned in the schedule. These appear to relate entirely to the construction of the track and the operation of the cars and did not include any regulation similar in any way to that in question. I would suggest, however, that the City request the Tramway Company to furnish the waiting house, but I should be very doubtful of its power to enforce the request.

F. H. BELL, *City Solicitor.*

Moved by Alderman Johnson, seconded by Alderman Hawkins, that this Council call the attention of the Halifax Electric Tramway Co. to the necessity for a suitable waiting room at the terminus of their line on Campbell Road and request said Company to erect the same.

Also that the said Company be requested to install at their power station a controller or other suitable apparatus to prevent the excessive fluctuation of voltage being sent through their wires to the detriment of the lamps used by the citizens. Motion passed,

Read petition against the opening of a diagonal new street from the City Hall to the corner of Jacob and Brunswick Streets.

Referred to Committee on Works for report.

Read report Board of Health in re Prevention of Consumption.

PREVENTION OF CONSUMPTION.

OFFICE OF CITY HEALTH BOARD, March 20th, 1907.

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

GENTLEMEN,—I am instructed by resolution of the City Health Board to forward for the information and action of the City Council the enclosed report of the Chairman of the City Health Board, the same having been read, approved and adopted at a meeting of the Board held on Wednesday last.

JOHN A. WATTERS, *Secretary.*

Filed.

Read letter Commissioners of Public Schools covering an Act to amend the law relating to public schools.

PUBLIC SCHOOLS.

BOARD OF SCHOOL COMMISSIONERS,

SECRETARY'S OFFICE, 16th March, 1907.

L. FRED. MONAGHAN, Esq., *City Clerk:*

DEAR SIR,—I am instructed to forward you a copy of a Bill in amendment of the law relating to education in the City of Halifax, which the School Commissioners propose having enacted at the current session of the legislature.

R. J. WILSON, *Secretary B. S. C.*

A BILL ENTITLED "AN ACT TO AMEND THE LAW RELATING TO
EDUCATION IN THE CITY OF HALIFAX."

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

Part XI. of the Halifax City Charter, brought into force by proclamation by the Governor-in-Council, dated the 20th day of February, 1907, relating to education in the City of Halifax, is amended as follows :—

PUBLIC SCHOOLS.

1. Section 798 of the said Charter is amended by inserting after the word "City," at the end of the second line, the words "who shall be resident school ratepayers."

2. Section 803 of the said Charter is amended by inserting after the word "Act," at the end of the second line, the words "insolvency, the appointment to any civic office of emolument other than a member of the City Health Board or Reviser of Jury Lists."

3. The following sub-sections are added to section 803 of the said Charter :

(a) Any person who directly or indirectly, by himself or by or with any other person as co-partner, or otherwise enters into or is directly or indirectly interested in any contract, expressed or implied, for the supply of goods or materials, or for the performance of any work or labor to or for the Board, shall be ineligible to act as Commissioner.

Provided that no person shall be disqualified under this provision by reason of his being a member of a joint stock company having a contract with or employment from the Board, unless such person is president, or director, or manager of such company.

(b) Any Commissioner who becomes disqualified under any of the provisions of this section shall vacate his seat, and the Board shall, by resolution, declare such to be vacant.

4. Section 806 of the said Charter is amended by adding thereto the following words :—

"And at such or any meeting the Board may elect such standing and special committees as the Board from time to time deems necessary, and delegate to such committees such powers and duties as the Board may deem necessary."

5. Section 808 of the said Charter is repealed, and the following substituted therefor :—

808. The title to all public school property, real and personal, within the City, shall be vested in the Board, and the Board may, with the approval of the Governor-in-Council first obtained, sell and dispose of the same, or any part thereof, and may, subject to the provisions of this part of the Act, place the proceeds in the Sinking Fund, or apply them for any of the purposes mentioned in section 812 of the City Charter and its amendments, as the Board deems expedient.

6. Sub-section one of section 812 of the said Charter is amended by adding the following sub-section after sub-section (c) :

(d) Effect any repairs and improvements of an extraordinary nature in the school buildings.

7. Sub-section two of said section 812 is repealed and the following substituted :—

(2) The Board shall not enter into any contract or borrow money to make any expenditure for any of the purposes mentioned in sub-section (1) of this section

and its amendments, until such contract or such proposed expenditure has been submitted to and obtained the approval of the Governor-in-Council. The Governor-in-Council before approving such contract or the borrowing of such money shall notify the Mayor of the time and place at which the contract or expenditure will be considered, and the City Council may appear and oppose the proposed expenditure.

8. Sub-section one of Section 817 of the said Charter is amended by adding the following words at the end thereof:—

The Governor-in-Council shall, after consideration of such estimate, approve the same, or require the Board to submit an amended estimate before signifying such approval.

9. Section 819 of the said Charter is amended by inserting the following sub-sections between sub-sections (i) and (j):—

(ii) The cost of medical and dental examination of the officers, teachers, janitors and pupils of the schools.

(iii) The cost of providing pensions for officials and teachers of the Board.

10. Sub-section two of section 822 of the said Charter is repealed and the following substituted therefor:—

(2) The Board shall invest such sum, when paid to the Board, and the income therefrom in

(a) Bonds or debentures of the Dominion of Canada, or

(b) Bonds or debentures of the Province of Nova Scotia, or

(c) Debentures or stock of the City of Halifax, or

(d) Deposit the same on interest in some chartered bank in the City to the credit of an account to be called "The Halifax School Board Sinking Fund Account."

And may, from time to time, in its judgment, change any such investment.

Such sum, and the income therefrom, shall be used for payment of debentures heretofore issued, or hereafter to be issued by the Board, and for no other purpose.

11. The Board shall have power to borrow the sum of \$12,338.72 to pay for repairs and improvements of an extraordinary nature made to Morris Street School, and to issue debentures therefor as authorized by sections 820 and 821 of the City Charter.

COMPULSORY ATTENDANCE AT SCHOOL.

12. Section 826 of the said Charter is amended by inserting after the words "father is," in the seventh line, the words "in insolvent circumstances."

13. Section 829 of the said Charter is amended by striking out "August," in the first line of sub-section one (1), and substituting therefor the word "September."

14. Section 830 of the said Charter is amended by adding after sub-section (b) the following sub-section:—

"Or (c) wilfully gives any false information in regard to any matter about which information is required by this Part."

15. Section 838 of the said Charter is repealed and the following substituted therefor:—

838. Any child—

(a) registered as attending any of the public schools, and reported by the

teacher to be absent for five or more days, not necessarily consecutive, during any school term, without excuse and without the consent of the parent, or person in charge, or

(b) known to the police, truant officer, or any officer of the Board, to be begging or wandering in the streets, and found not to be attending any school or engaged in any proper employment during the regular school hours, or

(c) whose parents, or person in charge, having been notified to appear before the board or some committee thereof, for the failure to send a child to school as hereinbefore required, and who thereafter fails to send the child to school as required by this part for five or more days, not necessarily consecutive during any school term, shall be deemed to be an habitual truant and dealt with as such. 1889, c. 56, s. 16; 1905, c. 50, 54.

16. Section 845 of the said Charter is amended by inserting after the word "streets" in the second line the words "or other places of resort."

17. Section 858 of the said Charter is amended by adding thereto the following words

"Where any penalty is adjudged, the same shall be with costs."

Referred to the Special Committee on Legislation.

Read report Police Committee in re Police Superannuation Act and covering accounts.

POLICE SUPERANNUATION, &c.

MAYOR'S OFFICE, April 4th, 1907.

Members City Council:

GENTLEMEN,—The Police Commission have had under consideration the annexed application from the Police Force in reference to an amendment to the Act constituting the Police Superannuation Fund whereby when a retired police officer dies while in the enjoyment and receipt of superannuation allowance the widow of said deceased policeman may continue to receive the same pension or allowance for the following five years.

The application also asks that the sum of \$300.00 should be paid to the widows of William Collins and Thomas Condon on certain conditions and limitations.

The Commission have carefully considered the request of the police and after discussing the matter with the City Treasurer as to the present state of the fund have decided to recommend to the Council that the Act should be so amended as to enable the widow or children of an officer dying while in the receipt of pension or superannuation to receive the difference (without interest) between the amount paid into the fund by said deceased officer and the amount drawn out by him previous to death.

In the case of the widows of the late William Collins and Thomas Condon, that they should be entitled to receive from the fund (without interest) the amount paid into the fund by their late husbands less any amount paid out of the fund to them or their late husbands.

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

T. C. Allen & Co., stationery, \$12.20. W. Chas. Anderson, soap, lime, &c., \$1.75. C. W. Davies, repairing hand cuffs, &c., \$2.00. G. A. Burbidge, drugs, 75c. Total, \$16.70.

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

Moved by Alderman Johnson, seconded by Alderman Hawkins, that the report be adopted and the accounts paid and that the name of the widow of Policeman William Mont be added to the proposed Act

if the recommendation contained in the report would apply in his case. Motion passed.

Read report Police Committee re investigation into charges made by Rev. John Aikens against certain licensed liquor dealers.

INVESTIGATION INTO CHARGES MADE BY REV. JOHN AIKENS.

MAYOR'S OFFICE, April 4th, 1907.

Members City Council:

GENTLEMEN,—The Police Commission have investigated the following charges made by the Rev. John Aikens, Pastor of Brunswick Street Methodist Church :—

First—That a man lying on the floor in a liquor saloon kept by Thomas Pearson on the corner of Gottingen and Almon Streets was lifted from the floor, liquor poured down his throat and money to pay for same taken from his pocket.

Second—that a man went into a liquor saloon on Water Street in which there were a number of men present ; that while he was taking a drink someone in the crowd called for drinks for the house and that an attempt was made to compel said man to pay for these drinks ; that on his refusal to pay he was ill-used by the crowd in the saloon and while held by the crowd that the bar tender rifled his pockets, taking thirty cents therefrom ; that he was driven into the street and compelled to take refuge in a dry goods shop to escape violence.

The man who gave the information on which the Rev. Mr. Aikens based his statement was Charles Turner alias Charles Lee who is at present resident in England.

In support of the charges the Rev. Mr. Aikens laid before the Commission a letter signed by Charles Turner accompanied by a declaration sworn before a Justice of the Peace that the statements contained in the letter were true. Charles Turner states in the letter that the saloon on Gottingen Street referred to in the first charge was kept by Thomas Pearson ; that the man who was lifted from the floor and had liquor poured down his throat was James Edmondson ; that the name of the bar tender was George — that Edmondson was assisted to his boarding house from Pearson's saloon with his face much cut and bruised by William Wilson ; that Mrs. Hargreaves, the keeper of the boarding house, could tell of this incident and that Wm. Wilson previously referred to was present when Edmondson was lifted off the floor, liquor poured down his throat and money taken from his pocket to pay for the same.

In connection with this charge George Young, bar tender for Mr. Pearson, James Edmondson, William Wilson and Mrs. Hargreaves were called and examined.

Young testified that no such occurrence as charged had ever taken place in the saloon ; that his instructions from Mr. Pearson were that he was not to serve any liquor to men under the influence and that he had faithfully carried out said instructions and had repeatedly refused liquor to intoxicated persons.

Edmondson swore that he had not been lifted from the floor of Pearson's saloon ; that liquor had not been poured down his throat and no money had been taken from his pockets in Pearson's saloon.

William Wilson, alleged to have been present at the time of this occurrence, swore that he never saw Edmondson lying on the floor in Pearson's saloon nor had he seen liquor poured down Edmondson's throat or money taken from his pocket.

Mrs. Hargreaves denied that Edmondson had been brought to her boarding house by Wilson with his face cut and bruised, nor had he been brought there by Wilson at all.

As to the second charge, Charles Turner in his letter states that this occurrence took place in the "Portsmouth House"—a saloon kept by one Gooley and that the bar tender present at the time mentioned was called "Bun"—a pugilist. Turner in support of the charge states that he went into the saloon in question under the influence of drink and ordered a glass of beer ; there was a crowd of men present ; that while he

was drinking someone ordered drinks around ; that when the drinks had been supplied he was asked by the bar tender to pay for them ; that he refused, as he had not ordered them ; that he was then surrounded by a crowd, and the bar tender rifled his pockets taking therefrom thirty cents ; that he was badly knocked about by the crowd and the bar tender, his hat broken, and that he ran across the street pursued by two of the crowd to a dry goods shop opposite ; that he asked the proprietor of the shop to allow him to remain for a little while as he feared injury ; and that he had related this incident to Mr. and Mrs. Hargreaves, the keepers of the boarding house at which he lived.

The bar tender at the " Portsmouth House " Robert Foley (known as " Bun ") on being examined swore that no such occurrence as alleged had ever taken place in the " Portsmouth House " in his presence ; that he had never rifled or taken money from the pockets of Turner or any other man, and that no such disturbance as alleged was ever allowed to take place in the bar while he was there.

Mrs. Hargreaves testified that to the best of her knowledge Turner had never mentioned this matter to her.

Mr. G. E. M. Stevens, who carries on business as a clothier on the side of the street opposite to the Portsmouth House but a short distance south, testified that in 1906 a man under the influence of liquor and bleeding about the head had come into his shop to get a cap and had no money to pay for it. The description of this man given by Mr. Stevens corresponded to description of Turner. Mr. Stevens did not remember his saying that he was afraid of anybody or being chased by anybody and in answer to Mr. Knight stated that he did not know that the man was followed by anyone nor did he see anyone outside waiting for him.

The Chief of Police said that he had written a letter to the Chief of Police at Rochdale, England, where Turner is now living, making enquiry as to his character, etc., and that he had received a letter in reply, which correspondence is annexed hereto.

The Rev. Mr. Aikens detailed his acquaintance and knowledge of Turner, during which he said that Turner had said to him that he had done wrong, offered to make amends for the past, even going so far as to offer to place himself in the hands of the police ; that after talking with Turner and observing him for some time Mr. Aikens was satisfied of his sincerity and desire to mend his ways ; that he went to work and sent money home to his wife and family and also to the firm from whom he had stolen ; that Mr. Aikens gave him \$20.00, which was also sent to England.

Mr. Roderick Macdonald stated that Turner (or Lee) had been employed by him and that he had always found him honest and had no reason to doubt his sincerity ; and Mr. M. O. Crowell also gave evidence as to the sincerity and honesty of the man during the time that he worked for him.

In reference to the charges, the Commission find as to the first that Turner's statement is flatly contradicted by all the persons whose names he gave ; and as to the second charge, the statement of Turner is in part corroborated by the statement of Mr. Stevens ; but in neither case does the Commission feel that there is sufficient evidence to warrant them in finding the charges made by Turner are well founded.

The Commission has also enquired as to the holder of the present license for the " Portsmouth House," and finds that the license for this premises is now held by Charles Foley.

The evidence taken in the investigation is annexed hereto for the information of the Council.

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

TOWN HALL, ROCHDALE, 22nd March, 1907.

ANTECEDENTS—CHARLES TURNER.

DEAR SIR.—In reply to your letter of the 9th inst., the above named deserted his wife and family in this Borough in 1904 and emigrated to America.

They became chargeable to the Guardians to the extent of £40, and the latter issued a warrant for his arrest.

When he absconded he also stole £13, the money of his brother-in-law, with which he had been entrusted to deposit in the bank.

He was not heard of again until last Easter, when he remitted from Canada £7 on account of his brother-in-law.

He returned to Rochdale in October last, surrendered to the police and for the larceny was bound over in his own recognizance of £5 and one surety for a like amount for six months. In the desertion case, he made a plausible promise to repay the Guardians at the rate of 5/- per week and on this undertaking, supplemented by protestations of religious fervour a commitment for one was held in abeyance.

This will, it would now appear, have to be enforced after all, as Turner had not paid anything.

In his younger days he joined the Army, but after three months' service purchased his discharge, and has since been the subject of Bastardy proceedings.

The statutory declaration mentioned in your letter has been verified; and Turner informs me that he is the person referred to as the victim of saloon outrages.]

Judging, however, from his general conduct in my presence and elsewhere, and the fact that there is insanity in the family, I am of opinion that any statement made by him is unworthy of credence.

Yours faithfully,

LEONARD BARRY,
Chief Constable.

NICHOLAS POWER, ESQ.,
CHIEF OF POLICE.
HALIFAX, NOVA SCOTIA.

Moved by Alderman Hawkins, seconded by Alderman Johnson, that the report be filed and a copy of the finding of the Committee forwarded to Rev. Mr. Aikens. Motion passed.

QUESTIONS BY MEMBERS.

Alderman Hawkins quoted from an article published in the *Morning Chronicle* of March 27th, referring to a finding of the Grand Jury respecting "Plague Spots" in the centre of the City and asked that the Police Committee take cognizance of the matter and report to the Council.

Alderman Hubley asked His Worship the Mayor if he had read all the City Bills sent to the Legislature this year, and particularly a Bill relating to the Superannuation of two of the City Assessors.

Alderman Johnson answered Alderman Hubley that the resolution of Council just read by him (Alderman Hubley) as passed at last meeting was a full answer to his question.

Alderman Hubley asked His Worship the Mayor if a Bill had been introduced to increase the salary of the Stipendiary Magistrate.

His Worship the Mayor replied that he had no knowledge of it.

MOTIONS BY MEMBERS.

Moved by Alderman Gastonguay, seconded by Alderman Hayward, that the reconsideration of William Conway's application for license to sell liquors be restored to the Order of the Day.

Motion put and passed on a show of hands, 11 voting for the same and 3 against it.

The same is replaced on the Order of the Day as the first item thereon, as follows :—

"(a) Alderman Powell's of reconsideration of application of William Conway for a liquor license, February 12th, 1907; April 4th, 1907."

Moved by Alderman Johnson that whereas it has come to the notice of this Council that a sad affliction has visited the home of our brother Alderman Dr. Campbell in the death of his son;

Resolved, That the Mayor and Council send a wreath and a letter of condolence expressing to Alderman and Mrs. Campbell and the members of their family the sympathy of this Council in their bereavement.

The motion was seconded by Alderman Hayward and passed unanimously by a standing vote of the members.

Alderman Murray submits the following resolution :

Resolved, That the City Engineer be instructed to report upon the qualities and kinds of coal required for the various branches of the City service and the best method of calling for tenders for the same.

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

Moved by Alderman Johnson that whereas a bill is about to be introduced in the Legislature whereby the number of liquor licenses would be limited or curtailed and thereby probably affect the revenue of the City;

Resolved, That authority be given the special Committee on legislation to protect the City's interest as far as possible when the matter is brought up in the house.

Seconded by Alderman Murray.

Moved in amendment by Alderman Hubley, seconded by Alderman Archibald, that the legislature be requested to give this Council power to take a plebiscite in 1908 on the question as to whether or not the City should grant liquor licenses.

Amendment put and lost, 5 voting for the same and 10 against it, as follows :—

For the Amendment.

Aldermen Archibald, Murray,
Hubley, Martin,
Hawkins—5.

Against it.

Aldermen Shaffner, Halliday,
Johnson, Taylor, Douglas,
Gastonguay, Lamphier,
Kelly, Mackenzie,
Hayward—10.

Original motion put and passed, 11 voting for and 4 against it on a show of hands.

Alderman Johnson lays on the table a list of the rooms in the Queen Hotel and asks for the opinion of the City Solicitor as to whether said hotel pays a sufficient license fee under the Liquor License Act.

Moved by Alderman Johnson, seconded by Alderman Hayward, that the City Solicitor prepare an Act for submission to the Legislature whereby the City may impose a tax on agents engaging in the liquor business in the City but who are not licensed. Motion passed.

Alderman Murray submits the following resolution :

Resolved, That His Worship the Mayor be requested to appoint a Committee for the purpose of collecting information concerning the present system of assessment and making what recommendations they may deem advisable for the consideration of the Council.

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

The Council now proceeds to the appointment of Presiding Officers for the ensuing election for Mayor and Aldermen.

Moved by Alderman Johnson, seconded by Alderman Halliday, that Aldermen Archibald and Shaffner be the presiding officers in Ward No. One. Motion passed.

Moved by Alderman Halliday, seconded by Alderman Taylor, that Aldermen Johnson and Murray be the Presiding Officers for Ward No. Two. Motion passed.

Moved by Alderman Gastonguay, seconded by Alderman Murray, that Aldermen Taylor and Douglas be the Presiding Officers in Ward No. Three. Motion passed.

Moved by Alderman Martin, seconded by Alderman Taylor, that Aldermen Kelly and Hubley be the Presiding Officers in Ward No. Four. Motion passed.

Moved by Alderman Martin, seconded by Alderman Johnson, that Alderman Campbell and Mr. John Ead be the Presiding Officers in Ward No. Five. Motion passed.

Moved by Alderman Hawkins, seconded by Alderman McKenzie, that Alderman Hayward and Mr. C. A. Mumford be the Pre-siding Officers in Ward No. Six. Motion passed.

ORDER OF THE DAY

Moved by Alderman Johnson, seconded by Alderman Murray, that No. 1 on Order of the Day, viz. :

No. 1.—Alderman Johnson's notice of motion in re names and salaries of officials appearing in salary list (verbal) May 10th, 1905, and

No. 9 (a) Clauses 4 to 10. inclusive, of "An Act to amend the Law in relation to Assessment and Taxation in the City of Halifax." February 27th, 1903.

(b) An Act to enable an experimental assessment to be made in the City of Halifax, March 7th, 1907.

Be struck from the Order of the Day. Motion passed.

Moved by Alderman Martin, seconded by Alderman Taylor, that No. 7, viz. : Report Police Commission re tenders for rubber coats, Sept. 6th, 1906, be struck from the Order of the Day. Motion passed.

Moved by Alderman Murray, seconded by Alderman Archibald that the Council adjourn.

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

For Adjournment.	Against.
Aldermen Archibald, Halliday, Murray, Hubley, Martin, Mackenzie—6.	Aldermen Shaffner, Taylor, Gastonguay, Douglas, Lamphier, Kelly, Hayward, Hawkins—8.

Moved by Alderman Gastonguay, seconded by Alderman Hayward, that No. (a) on Order of the Day, viz.—Alderman Powell's notice of consideration of application of William Conway for liquor license, February 12th, 1907, April 4th, 1907, be now taken up. Motion passed, 11 voting for and 4 against it, on a show of hands.

Moved by Alderman Gastonguay, seconded by Alderman Hayward, that the said application of William Conway be now reconsidered.

Alderman Hubley rising to a point of order, asked if a member other than the member who gave the notice of reconsideration could move for the reconsideration of a matter.

The City Solicitor gave as his opinion that any Alderman acting for, and in the absence of any other Alderman who gave notice of motion, could move for the consideration of such motion.

His Worship the Mayor ruled in line with the City Solicitor's opinion.

Moved by Alderman Hubley, seconded by Alderman Murray, that the Council adjourn. Motion lost.

The motion for reconsideration of Conway's application is put and passed.

Moved by Alderman Gastonguay, seconded by Alderman Hayward, that the application of William Conway for a liquor license be granted.

Motion put and passed. 11 voting for the same and 4 against it, as follows:—

For the Motion.

Aldermen Shaffner, Halliday, Johnson,
Taylor, Gastonguay, Douglas,
Lamphier, Kelly, Martin,
Mackenzie, Hayward—11.

Against it.

Aldermen Archibald,
Murray, Hubley,
Hawkins—4.

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

Council adjourns 12.10 o'clock.