

the same is required and of the time and place so appointed are directed by the said section to be given to the Mayor of the City, and the City may appear at the hearing, and after hearing the matter of such application, the Governor-in-Council may direct the City to issue debentures to raise the amount so required or any part thereof as the Governor-in-Council determines, and if the direction is for a less amount than the amount originally required, the direction shall specify the purposes for which the amount to be borrowed shall be applied. Such section 820 concludes with the following paragraph:—"Upon any such direction being given, the Treasurer of the City shall forthwith issue the debentures of the City to raise the amount so directed and shall pay the proceeds thereof on demand to the proper officer of the Board to be expended for the purposes for which the amount is raised."

Provisions are then inserted in the same amending Act, Chapter 67, providing for the form of and terms and conditions upon which the City shall issue such debentures and for sinking funds in connection therewith, and concludes by inserting amended section 822 A, reading as follows:—"If the Council or Treasurer fails to issue any debenture directed by the Governor-in-Council to be issued, or to pay to the Board the amount so directed to be raised for sixty days after the date of such direction, the Board may borrow such sum or so much as is required from any bank or person, and the amount so borrowed may be recovered by the lender from the City; or the Board may issue its debentures for such amount payable with interest not exceeding five per cent., in twenty-five years from the date of issue, and every debenture so issued shall be a charge upon the City in like manner as though it had been issued by the City, and the interest thereon shall be included in the amount yearly rated on the inhabitants and property."

I have thought it best to quote at length the terms and provisions, and in some particulars the exact words of the amending sections of Chapter 67 of 1907, because as above stated the answers to the question which you have submitted to me depends almost wholly upon the construction of these sections.

The Board made the necessary application to the Governor-in-Council under the amended section 820, all notices were given and other conditions performed and complied with which are set forth in such section, and after due hearing of the Board's application the Governor-in-Council directed the City, under the provisions of such section, to issue debentures to raise the full amount required and set forth in your application, viz: the sum of \$105,514.00. On these facts, I am clearly of the opinion that under the provisions of the said amending sections of the City Charter, above quoted and referred to, it was the duty of the Treasurer of the City to forthwith issue the debentures of the City to raise the amount so directed, and that it was, and is the duty of the Treasurer to pay the proceeds of such debentures to the amount so directed on demand to the proper officer of your Board to be expended for the purposes set forth in your application to the Governor-in-Council, and in the direction of such Governor-in-Council for the issue of such debentures.

By sections 812 and 820 of the original City Charter the Board was itself empowered to borrow money for the special purposes therein set forth and to issue its own debentures to secure the repayment of such money, which debentures, it was declared, should be a charge on the City of Halifax, and the only material change (with the exception of a slight extension and enlargement of the purpose for which such money might be borrowed) made by the repeal of these two sections of the Charter and the substitution thereof by Chapter 67 of the Acts of 1907, of the new sections, the provisions of which are set forth in the first portion of this letter, is to provide that the money instead of being borrowed by the Board itself and the debentures being issued by the Board shall be furnished to the Board by the City, and that the City shall raise such moneys by itself issuing its own debentures.

Under the original sections, as they stood in the City Charter, the total amount of the moneys required were borrowed by, and came into the possession of,

the Board, and if any change in this respect had been intended by the Legislature, or if the Legislature had desired and intended by these amending sections, to direct that the moneys should only be paid to the Board in small amounts or portions as directed and approved by the City Auditor or other City official, it would be expected that the Legislature would have embodied such direction in the amending sections. Not only is this not done, but it is set forth in such amending sections in what seems to me as clear language as can be expected in such legislation, that the proceeds of the debentures must be paid on demand to the proper officer of the Board, and that if the Council or Treasurer "fails to pay to the Board the amount so directed to be raised for sixty days after the date of such direction" the Board may borrow such sum itself, and the amount so borrowed by the Board may be recovered by the lender from the City, or the Board may issue its debentures itself in the same manner as provided by the original section of the City Charter.

The method and means by which the amount required for the ordinary and usual expenses for the yearly support and maintenance of the schools under the charge of the Board as obtained by such Board, are set forth in sections 816, 817 and 818 of the City Charter, with their amendment, and under the provisions of the last mentioned section, the City Treasurer is required on the first day of each month, excepting the months of May and November, to pay to the Board an instalment of one-tenth of the total amount specified by the Board as set forth in said sections, as required for the year's expenditure for the support and maintenance of the public schools. The Board is not required, under these provisions, to submit to the City Auditor or any other City official any statement showing in detail or otherwise how any of such ten instalments of such total yearly amount is intended to be expended, or the items or purposes for which it is required, and I understand that such instalments are, and have always been paid over to the Board by the City Treasurer without question and without any demand for any such account or detailed statement; and yet the City Auditor's argument and the position he takes as detailed in the opinion of the City Solicitor which you have sent me, would quite as well apply to the payment of the moneys required to be raised and paid to the Board under section 820.

Under section 818, the direction to the City Treasurer is to pay one-tenth of the whole amount. Under section 820, the direction to the same official is to pay "the proceeds of the debentures" with a further and additional safeguard and remedy for the Board under section 822, A., providing that if the amount so directed to be raised is not paid to the Board by the Council or the Treasurer within the sixty days therein mentioned, the Board can itself proceed and borrow the money. Comparison of these different sections makes it clear that the Legislature intended that "the proceeds of the debentures" are to be paid to the Board.

I am unable to give the effect to the ordinance referred to by the City Solicitor that he does. It is true that according to section 1, it is the duty of such auditor to audit, inspect, check and correct the books, accounts, receipts and expenditures of the Board of School Commissioners. Section 4 of such Ordinance, however, is in my opinion clearly inapplicable to your Board. Such section provides that every account authorized by any Committee, Board or Official shall be submitted to such Committee, Board or Official to be passed, and if passed, shall be certified as correct by the Chairman and submitted to the Council for approval of payment; that the amount thereof so passed and approved and certified by the Clerk shall be paid by means of a warrant to the Treasurer to be drawn by the City Clerk, and signed by him and the Mayor, and that no warrant shall be signed by the Mayor or City Clerk unless the Auditor first certifies as to the correctness of the account for which it is drawn, and that there are funds out of which it may be properly paid.

In my opinion, the very language and terms of section 4 of this Ordinance show clearly that the same is not intended for or applicable to the accounts of the Board. If it is so applicable, then every such account of the Board must be submitted to the City Council for approval of payment, must be certified by the

City Clerk, and paid by means of a warrant to the Treasurer to be signed by the City Clerk and the Mayor, and such warrant cannot be so signed by the Mayor or City Clerk until the City Auditor first certifies as to the correctness of the account for which it is drawn, and that there are funds out of which it may be properly paid.

The omission from section 4 of such Ordinance of the words " Board of School Commissioners ", which words are specifically inserted in section 1 of the Ordinance also shows that your Board was not intended to be subject to the provisions of this section.

Moreover, even if section 4 of this Ordinance could be held applicable to the accounts of your Board, I would still be of the opinion that the amending sections 820 and 822 A, of the City Charter mean just what they say, as I have above stated, and on the general rule for the construction of Statutes, namely, that a Statute passed with respect to a particular subject matter, if it contains terms inconsistent in any way to the former Statute embracing within its provisions a general and wider subject matter overrides the provisions of the general Statute. This consideration applies still more strongly than in the case of an Ordinance.

I regret that I differ from the City Solicitor on the construction of the Statute and Ordinance, but, for the reasons I have given I can come to no other conclusion than I have expressed.

HECTOR MCINNES, *Solicitor to the Board.*

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

#### QUESTIONS BY MEMBERS.

Alderman Martin asked the City Engineer why there was no water at Willow Park to-day.

The City Engineer replied that he could not now give any reason except that a driver of one of the contract watering carts was unable to turn off one of the fire hydrants on that service from which the water was left running and that he was investigating the matter.

Alderman McManus asked why the sewer on Brussels Street has been left open since January last and how much it cost for a watchman at the opening.

The City Engineer replied he had been waiting for pipes and funds.

Alderman MacKenzie asked if the Committee on Works had inspected the new concrete sidewalk on the east side of Gottingen Street and that the City Engineer look into the matter.

Alderman Kelly asked if it is the intention of the City to require the abutters on Cogswell Street to pay for the concrete sidewalk laid there and that the Committee on Works make a report on the same.

Alderman Whitman asks for the following information :—

" Give a list of the persons or corporations and also of the properties in the City of

Halifax other than those enumerated on pages 25-28 of the City Annual Report 1905-6 exempted in whole or in part from taxation and the authority under which such exemption is given. Also state the amount of the exemption on each property."

RESOLUTIONS BY MEMBERS.

Alderman Martin submits the following resolution :

*Resolved*, That the Halifax Electric Tramway Company, the Nova Scotia Telephone Company, and the C. P. R., and Western Union Telegraph Companies be requested to paint their poles within the City before the first day of July next.

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

Alderman Hebb submits the following resolution :

*Resolved*. That in the opinion of this Council it is very necessary that for the best interest of the citizens a Railway Committee be appointed for the coming civic year ;

*And further resolved*, That the following gentlemen comprise this Committee :—  
Aldermen Hoben, Kelly, Martin, MacKenzie, Douglas, McManus.

Moved by Alderman Hebb, seconded by Alderman Wilson.

Alderman Martin declines to serve on the proposed committee.

His Worship the Mayor rules the resolution out of order, the Mayor having the nomination of all committees.

Moved by Alderman Rankine, seconded by Alderman Corston, that the Council adjourn. Motion lost.

Moved by Alderman Hebb, seconded by Alderman Whitman, that His Worship the Mayor nominate a special Railway Committee.

Motion passed 7 voting for the same and 5 against it as follows :

For the Motion.

Against it.

Aldermen Shaffner, Wilson,

Aldermen McManus, Hoben,

Whitman, Hebb,

Kelly, Martin,

Smith, Corston, Rankine.—7.

MacKenzie.—5.

Moved by Alderman Hebb, seconded by Alderman Whitman, that the Council adjourn. Motion passed.

Council adjourns 12 o'clock.

OFFICE OF CITY CLERK, Halifax, N. S., June 10th, 1909.

James J. O'Brien, Esquire, for Ward No. Two, and Andrew Hubley, Esquire, for Ward No. Four, having been on the 3rd day of June, A. D., 1909, by the City Clerk in the presence of the City Council declared duly elected Aldermen of the City of Halifax, the said James J. O'Brien for the term ending April 30th, 1910, and the said Andrew Hubley for the term ending April 30th, 1911, I do hereby certify that before entering upon the duties of the office of Aldermen they were severally sworn before His Worship the Mayor by subscribing and taking the oaths of allegiance and qualification and oaths of office of Alderman and Justice of the Peace for the City of Halifax and signed the Roll of Aldermen, the said James J. O'Brien on the 9th day of June, A. D., 1909, and the said Andrew Hubley on the 7th day of June, A. D., 1909.

L. FRED MONAGHAN, *City Clerk*.

## EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, June 11th, 1909.

A meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor and Aldermen Bligh, Martin and McManus.

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

8.30 o'clock. Roll called. Present, the above named together with Aldermen Wilson, Shaffner, O'Brien, Hebb, Douglas, Hoben, Kelly, Corston and MacKenzie.

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

### PRESENTATION OF PAPERS.

The following named papers are submitted :—

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

Report Committee of Fire Wards, by Alderman Wilson for Chairman.

Report City Prison Committee by Alderman Wilson, Chairman.

His Worship the Mayor submits the following named papers :—

Letter Provincial Secretary re salary of the Registrar of Births and Deaths.

Report His Worship the Mayor and the City Auditor re bonds of City Officials.

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

Annual Report Coal Weighers for 1908-9.

Monthly Report Coal Weighers for May.

Letter Acker's Theatre re benefit performance for the late James Tynan's family.

Letters Board of Trade and Nova Scotia Board of Fire Underwriters re investigation into Fuller's fire.

Letter R. F. Westhaver re widening Preston Street.

Reports (4) Committee on Works, viz :—

City Yard, Kempt Road.

Accounts.

Concrete Sidewalk Robie Street.

May Street sewer.

By unanimous consent of Council Alderman Bligh submits the following resolution :—

*Whereas*, it is considered advisable for the purpose of defraying expenditures for which the taxes of the current year would, if now collected, be applied, that the City of Halifax do borrow under Section 310 of the City Charter from the Royal Bank of Canada an amount not exceeding thirty per cent. of the taxes for the current year ;

*And Whereas*, the taxes for the current year amount to a sum over \$530,000 ;

*Be it Resolved*, that the City of Halifax do forthwith borrow from the Royal Bank of Canada the sum of \$159,000.00 to be applied for defraying expenditures for which the taxes of the current year would if now collected be applied, to be repaid to the said Bank out of the said taxes when collected and that the City Treasurer be authorized on behalf of the City of Halifax to negotiate the said loan and to pledge the credit of the City of Halifax therefor.

Moved by Alderman Bligh, seconded by Alderman Douglas and being put is passed unanimously, there being twelve Aldermen present.

Read report Committee on Laws and Privileges on various matters.

#### REPORT LAWS AND PRIVILEGES COMMITTEE.

COMMITTEE ROOM, CITY HALL, June 10th, 1909.

*To His Worship the Mayor and City Council :*

GENTLEMEN,—Your Committee on Laws and Privileges beg to report that at a meeting held this day, there being present Aldermen Bligh (Chairman), Wilson and Whitman, they had under consideration the following matters, and report as follows :—

1st. Re application R. O'N. Duggan for an auctioneer's license. It is recommended that the license be granted.

2nd. Re application L. R. Acker for a bill poster's licence. It is recommended that the license be granted.

3rd. Re section 17 Official City Plan, consideration of which was deferred by resolution of Council on 13th April, 1909, until the first regular meeting of the City Council in June, and in the meantime referred back to this Committee, it is recommended that the consideration of this matter be further deferred until the first regular meeting in August.

4th. In re letter City Treasurer covering letter School Board and opinion Hector McInnes in re payment over of funds to School Board, the City Solicitor submits an opinion on the matter approving the action of the City Auditor. Your Committee recommend that the Council concur in the opinion of the City Solicitor on this matter.

5th. In re petition G. E. Faulkner et al asking for certain civic concessions for the Anderson Manufacturing Company, the Chairman submitted another letter dated June 9th, 1909, from the promoters of the Anderson Company on same subject. The Committee was addressed by Messrs. Geo. E. Faulkner, A. M. Bell and A. A. Hayward on behalf of the promoters of the said company.

It is recommended that subject to the Anderson Company complying with conditions contained in the letter of the 9th inst.

(a) The said Company be granted exemption from taxation for a period of ten years ;

(b) The said Company be granted a minimum water rate for manufacturing purposes ;

(c) That so much of land asked for as is not required for City purposes be sold to said Company at a price not less than the City paid therefor.

F. P. BLIGH, *Chairman.*

The same is considered clause by clause.

Clause 1, 2 and 3 are severally, read and on motion of Alderman Bligh, seconded by Alderman Wilson adopted.

Read Clause 4 in re payment over of certain funds to the School Board covering opinions of Mr. Hector McInnes and the City Solicitor.

[For copies of same see printed minutes June 3rd, 1909.]

Moved by Alderman Bligh, seconded by Alderman Wilson, that the clause be adopted and the opinions of the Solicitors read.

Moved in amendment by Alderman Douglas, seconded by Alderman McManus, that said clause be placed on the Order of the Day and that each Alderman be furnished with a copy of the opinions of the Solicitors. Amendment put and passed.

Read clause 5 in re civic concessions for Anderson Manufacturing Company.

#### ANDERSON CHAIR CO.

HALIFAX, N. S., May 12th, 1909.

*To His Worship the Mayor and City Council :*

GENTLEMEN,—The proposed agreement between the City of Halifax and the Anderson Manufacturing Company having failed of legislative approval, the undersigned are still disposed to promote the establishment of the industry in Halifax, and to that end respectfully ask the co-operation and assistance of the City Council. We believe the City Council has legislative authority which will enable it to grant a manufacturing site and exemption from taxation for ten years to a new industry, and we now make formal application for these concessions.

Members of the Council are already familiar with the character of the proposed industry, and no material variation is contemplated except enforced changes in the method of financing the enterprise. It is proposed to raise and employ capital to the extent of \$80,000 to \$100,000, and it is suggested that a guarantee be given to the City that the factory premises (building and machinery) shall not be less than thirty thousand dollars in value to entitle the company to the benefits asked. It is fully expected that double this amount will be so invested.

The land situated on Kempt Road, Young Street and Longard Road (estimated to be between three and four acres) would be a suitable site, and if the Council will agree to grant this land to the company, and also give exemption from taxation and minimum water rates for a period of ten years, we are prepared to continue our efforts to secure the industry for the City.

We may say that there has been great loss of time over the negotiations for this industry—resulting from the necessity for legislative sanction to the original proposals—and if the matter is to be prosecuted further it is essential that prompt action be taken in connection with this application.

Commending the matter to your favorable consideration, we are,

G. E. FAULKNER,  
A. M. BELL,  
A. A. HAYWARD.  
O. E. SMITH.  
C. H. MITCHELL.

HALIFAX, N. S., June 9th, 1909.

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

DEAR SIRS,—In further reference to our application to the City Council for a grant of land to be used as a manufacturing site for The Anderson Manufacturing Co., Ltd., we beg to say that what is desired is:—

1st. That the City agree with The Anderson Manufacturing Co., Ltd., to convey by deed to the Company the block of land estimated to contain between 3 and 4 acres, bounded by Kempt Road, Young St., and Longard Road, the Company agreeing to erect factory buildings on said land and instal machinery therein—the whole investment in such buildings and machinery to be not less than \$30,000 in value.

2nd. The City to allow the Company exemption from taxation for a period of ten years and minimum water rates.

3rd. The Company on its part to agree not to open or conduct any shop in the City of Halifax for the of goods at retail or engage in the business of retailing lumber or building materials.

4th. The Company to agree to protect the interests of the working men of this City by paying fair wages to its employees.

If the organizing of the Company is to proceed and the industry is to be established in the City, it is imperative that the matter be dealt with at once.

G. E. FAULKNER.  
A. M. BELL.  
O. E. SMITH.  
A. A. HAYWARD.  
C. H. MITCHELL.

Also read reports Committee on Works and City Engineer re City Yard, Kempt Road (relating to the same subject).

CITY YARD KEMPT ROAD.

CITY WORKS OFFICE, June 11th, 1909.

*To the City Council:*

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached report of the City Engineer in re City Yard Kempt Road was read and recommended to Council for adoption.

J. A. CHISHOLM, *Mayor and Chairman.*

CITY ENGINEER'S OFFICE, June 8th, 1909.

*His Worship the Mayor:*

SIR,—As I understand that it has been proposed that the City should give the Anderson Chair Company the City Yard between Kempt Road and Longard Road north of Young Street as a site for their proposed factory, I feel that it is my duty to point out as



strongly as I can the necessity for the City retaining the land in the interest of the Works Department. I do not do so with any desire to hamper the Anderson Chair Company, as I would do anything in my power to increase the number of such industries in the City. It does not, however, need the sacrifice of City interests or City property to give them a site. The Hennessey property lying east of the City Yard is vacant, except for two old houses on the extreme east end of it, and it is a most desirable site for manufacturing purposes. It might be argued that the City could acquire this property when it needs it for its own purposes. If, however, it were not secured at once, it might be built upon, as there is a sewer and water pipe on two sides of it, and after building lots are sold and houses erected it would be very expensive to acquire it. If the City desires to give the Anderson Co. a site, there is nothing to prevent the purchase of a portion of the Hennessey property or some other property that may be suitable; but I must urgently protest against parting with any portion of the only piece of property in the north end of any value which the Works Department owns. If it is necessary a right-of-way for a railway siding could be given across the property to reach the Hennessey property or any other property in the neighborhood. Every argument that can be used in favor of handing the site over to the Anderson Chair Factory is equally strong in favour of the City holding it. Several years ago the land was purchased by the then board of Works believing that it would be absolutely necessary to own such a property in the future. It is the only property owned by the City into which a railway siding is run or can be run. In the future, by proper cheap storage buildings, bricks, cement, drain pipe, water pipe, coal, lumber, flag stones and similar material can be delivered by rail in the City yard, thus saving one truckage. At present we have to truck to the yard on Bell Road and make a second truckage when the material is used. When plans were made for the proposed City electric light plant this ground was selected as one suitable for the location because coal could be delivered by rail. The buildings, coal sheds, trestles, etc., will take up considerable area. If a pumping station is ever installed on the water system it should be located where the 27" main crosses this property at Kempt Road, as any supply coming in from the North, for instance, from Birch Cove or Pockwock Lake, will come in Kempt Road. A pumping station with coal sheds, trestles, etc., will require considerable area. The storage of material and use of the property as a City yard will also require a considerable area. The number of places of deposit for garbage have been decreasing until at present the Exhibition grounds are the only location in which the City Health Board and householders will permit garbage to be dumped. The hollow at the Exhibition grounds will be filled in a comparatively short time and it is probable that within two years steps must be taken to construct an incinerator for the disposal of garbage and night soil. In fact, the disposal of the latter material should be by burning at present. The present method of disposal is very objectionable. This piece of land would provide accommodation for an incinerator and the necessary adjuncts. If the City should build an abattoir it is also a possibility that this site would be a very desirable location as beef can be brought in by rail, and the water supply is there, and owing to the difficulty of finding a water site location that would be suitable it is almost certain that it would have to be located on this land. In addition to the purposes mentioned, the yard will no doubt continue to be used for breaking stone during the winter. It will thereby be evident that this piece of land will be absolutely necessary for the City in the near future, and in any case it will be required for an incinerator within three years.

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

Moved by Alderman Bligh, seconded by Alderman Wilson, that the said clause 5 of the report of the Laws and Privileges Committee be adopted.

Moved by Alderman Douglas, seconded by Alderman Bligh, that Mr. Oliver G. Anderson being present be heard. Motion passed.

Alderman Hubley here takes his seat in Council.

Mr. Anderson addresses the Council.

After discussion the following is submitted in substitution for subsection (c) of clause 5 of the report :—

(c) That the land asked for be sold to said Company for \$1050.00 reserving nevertheless to said City the strip of land through which the City water pipe line runs, extending 8 feet on each side of such pipe line, said Company to have, however, the right-of-way over said strip of land reserved as aforesaid.

Also reserving the right of railway siding now upon said land.

The same is moved by Alderman Bligh, seconded by Alderman Douglas, and being put is passed, Alderman Hubley dissenting.

The motion for the adoption of the clause as now amended is put and passed.

Moved by Alderman Douglas, seconded by Alderman Hoben, that the reports of the Committee on Works and City Engineer be filed. Motion passed.

Moved by Alderman Bligh, seconded by Alderman Wilson, that the report of the Committee on Laws and Privileges as amended be adopted as a whole. Motion passed.

Read petition R. F. Westhaver re widening Preston Street.

Referred to Committee on Works for report.

Read report His Worship the Mayor and City Auditor re bonds of City Officials.

BONDS OF OFFICIALS.

OFFICE OF CITY AUDITOR, Halifax, N. S., June 5th, 1909.

To His Worship the Mayor and City Council:

GENTLEMEN,—Accompanying this we send renewal receipts for bonds of officials for one year from date, as required by the City Charter under section 124, with schedule attached.

The City Collector .....	\$10,000	London Guarantee & Accident Co.
The City Treasurer .....	8,000	“ “ “
License Inspector .....	1,000	American Security Co.
Clerk of Works .....	2,000	United States Fidelity and Guarantee Co.
Chief of Police .....	2,000	“ “ “
Chief of Fire Department .....	1,500	“ “ “
City Clerk .....	1,000	“ “ “
Assissant City Clerk .....	1,000	“ “ “
City Marshal .....	1,000	“ “ “
Superintendent City Home.....	1,000	“ “ “

J. A. CHISHOLM, *Mayor*.

W. W. FOSTER, *City Auditor*.

Filed.

Read report Chief of Police reporting no violations of Liquor License Act on Sunday since his last report. Filed.

Read annual report coal weighers for 1908-9. Filed.

Read monthly report coal weighers for May. Filed.

Read letter Provincial Secretary re salary of Registrar of Births and Deaths.

SALARY OF REGISTRAR OF BIRTHS AND DEATHS.

OFFICE PROVINCIAL SECRETARY, June 11th, 1909.

*The City Clerk, Halifax :*

SIR,—I am directed by the Provincial Secretary and Registrar General to inform you that under the provisions of Sec. 34 of the Registration of Births and Deaths Act, he as Registrar General has fixed the maximum compensation to be allowed to the District Registrar of the City of Halifax at five hundred dollars.

FRED F. MATHERS, *Deputy-Provincial Secretary.*

Moved by Alderman Bligh, seconded by Alderman Hoben, that the District Registrar be paid \$250.00 for one-half year's salary. Motion passed.

Read report Committee of Fire Wards on various matters.

REPORT BOARD OF FIRE WARDS.

COMMITTEE ROOM, CITY HALL, June 11th, 1909.

*His Worship the Mayor and City Council :*

GENTLEMEN,—The Committee of Fire Wards beg to report and recommend as follows :—

1. The Chief reported to the Board the death of James Tynan, callman No. 4 hose division, killed at the N. S. Furnishing Co's fire, Argyle Street, on June 9th, 1909.

2. The Chief also reported the following men injured at the same fire :—

Lieut. Quirk. Burt Brunt, John O'Brien, Wm. Irons, Edward Murphy, Edward Coy, No. 5 engine.

Loraine T. Hiseler, John Brooks, Wm. Broderick, No. 4. engine.

John Zong, Hugh Morrow, James Lannigan, No. 5 engine.

P. J. Lynch, No. 2 hose.

Capt. Keefe, Lieut Clarke, John Brommitt, No. 4 hose.

Charles Yetman, Blacksmith, Permanent force.

3. The Chief reported No. 5 steamer out of commission on account of spira springs being damaged. She will be repaired and placed in commission.

4. It is recommended that Patrick Harris, callman on No. 4 hose, be asked for his resignation.

The following resolution was unanimously passed by the Board and recommended for the concurrence of the Council :—

*Whereas, James Tynan, callman on No. 4 Hose Division met his death while in the discharge of his duty at a fire which occurred in this City on June 9th, 1909. ;*

*Therefore be it resolved, That this Board place on record its sincere regrets on account of the untimely and violent death of a brave man and a good fireman ;*

*And be it further resolved, That this Board extend to the widow and family of the*

deceased fireman its sincere and heartfelt sympathy in the great and irreparable loss they have sustained ;

*And further resolved ;* That this resolution be spread on the minutes of this Board and a copy of the resolution forwarded to the widow of the deceased.

6. Your Board beg to recommend the adoption of the following resolution which was passed unanimously :—

*Resolved,* That the thanks of this Board be extended to the officers and men of the Dartmouth Engine Company, the Dartmouth Protection Company, the Dartmouth Axe and Ladder Co., Acadia Sugar Refining Co., G. S. Campbell & Co., to the officers and men of the steamers "Togo" and "Mikado", and the officers and men of the Garrison for valuable assistance rendered the Halifax Fire Department at the Fuller fire on May 5th, last.

7. The Board received tenders for repairs to the Alexandra engine from Macdonald & Co., W. & A. Moir, W. W. Howell & Co. and N. Evans, and recommend that the tender of Macdonald & Co., Ltd., (\$190.00), being the lowest, be accepted, provided Messrs. Macdonald & Co. will undertake to do the work within three weeks from receipt of materials.

The following accounts are recommended for payment :—

Melvin & Co., hardware, \$13.07 ; Halifax Electric Tram Co., light, \$6.74 ; power, \$16.64—\$23.38. A. M. Bell & Co., hardware, \$9.80, \$3.83—\$13.63. W. C. Knight, distemper cure, \$3.90. Globe Laundry, work, \$5.09. Rhodes, Curry & Co., lumber, \$3.60, \$2.98, \$1.00—\$7.58. F. A. Shaw, feed, \$311.39. Stairs, Son & Morrow, hardware, \$24.23. Imperial Oil Co., gasoline, \$16.00. J. C. Merlin, spruce, \$7.14. J. H. Mont & Co., repairs, \$2.00. Dr. E. V. Hogan, professional services Luke Flinn, \$10.00. Wentzell's, Limited, soda, \$5.70. Farquhar Bros., repairing torches, etc., \$2.08. T. A. S. DeWolfe & Son, wood, 85c. Wm. Meehan, truckage, \$1.00. John Davison & Son, lumber, 24c. N. S. Telephone Co., Chairman's residence, 38c. S. Cunard & Co., coal, \$50.45. W. & A. Moir, repairs to steam gauge, etc., \$3.25. Pitner Lighting System, mantles, etc., \$1.75. Total, \$503.11.

J. S. EDWARDS, *Chairman.*

The same is considered clause by clause.

Clauses 1 to 8 are severally read and adopted on motion of Alderman Wilson, seconded by Alderman Hebb.

The following resolution is submitted :—

*Resolved,* That the report of the Committee of Fire Wards be received and adopted and His Worship the Mayor authorized to sign warrants for payment of the accounts therein recommended.

Moved by Alderman Wilson, seconded by Alderman Hebb, and passed.

Read letter Board of Trade again asking for an investigation into the Fuller fire, May 5th last, before the County Court Judge.

#### FULLER FIRE INVESTIGATION.

OFFICE BOARD OF TRADE, June 11th, 1909.

*To His Worship the Mayor and City Council :*

GENTLEMEN,—At a meeting of the Council of the Halifax Board of Trade, held on Tuesday last, the following resolution, which speaks for itself, carried unanimously :—

*Whereas*, the Council of the Halifax Board of Trade regret their request to the City Council for an inquiry before a Judge of the County Court, regarding the fire of May 5th on Upper Water Street, was refused ; and

*Whereas*, a petition has been received by this Council, signed by several of the leading merchants having large stocks of merchandise in the vicinity of that fire, which petition was received subsequent to our last appeal to the City Council ; be it

*Therefore resolved*, that the Council of this Board earnestly requests the City Council to reconsider the matter and accede to the request of the petition, the Nova Scotia Fire Underwriters and Halifax Board of Trade, for a judicial inquiry.

Trusting that you will give this matter your favourable consideration.

E. A. SAUNDERS, *Secretary*.

Also read a similar letter from the N. S. Board of Fire Underwriters.

OFFICE NOVA SCOTIA BOARD OF FIRE UNDERWRITERS, June 11th, 1909.

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

DEAR SIR,—Referring to our letter to you of the 3rd inst., enclosing copy of resolution adopted by our Board that day requesting that the City Council provide for a judicial investigation into the cause or origin of the so called "Fuller" fire, the management of the Fire Department thereat and the condition of the Water Supply, I am again directed to respectfully request that your Council will kindly reconsider their decision not to have same held at present, and that on reconsidering the matter, your Honourable Body will at once unanimously decide to order such an investigation held before a Judge of the County Court at the earliest opportunity.

Trusting that your Honourable Body will accede to the request of the Board of Trade as well as the earnest wish of the ratepayers and this Board.

E. J. FAHIE, *Secretary*.

The following resolution is submitted :

*Whereas*, Serious charges have been publicly made in connection with the recent fire on the premises occupied by Messrs. H. H. Fuller, G. Cook and others, in respect to the water supply of the City for fire protection, as to the efficiency and ability of the Fire Department of the City and as to the cause and origin of the said fire ;

*And whereas*, All such charges are matters relating to the duties of the members of this Council and of the officials of the fire and water departments of the City, and are also matters intimately connected with the good government of the City and the conduct of its public business ;

*And whereas*, It is expedient that all of such matters should be investigated ;

*Therefore resolved*, That this Council do hereby request His Honor the County Judge of the County Court for District No. 1 to hold an investigation under sections 135-138 of the City Charter into

- (a) The cause and origin of the said fire ;
- (b) The sufficiency of the supply of water available for the prevention and extinction of the same ; and
- (c) The efficiency of the Fire Department and the Water Department of the City both in respect to apparatus and to the officials and members of the said departments.

Moved by Alderman McManus, seconded by Alderman Douglas. The motion being put and the vote taken there appeared :

<p>For the Resolution.</p> <p>Aldermen Shaffner, O'Brien, Bligh, McManus, Douglas, Hoben, Kelly, Martin, Corston and MacKenzie—10.</p>	<p>Against it.</p> <p>Aldermen Wilson, Hebb, Hubley—3.</p>
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His Worship the Mayor declares the resolution lost not having received two-thirds vote of the Council.

Alderman Hoben gives notice of reconsideration.

Alderman Hubley gives notice of reconsideration in the matter of the Anderson Manufacturing Company.

Read report City Prison Committee re accounts, &c.

REPORT CITY PRISON COMMITTEE.

COMMITTEE ROOM, CITY HALL, June 7th, 1909.

To His Worship the Mayor and City Council :

GENTLEMEN—Your Committee on City Prison beg to report that at a meeting held this day, there being present Aldermen Wilson (Chairman), Corston and Rankine, the following accounts, amounting to \$60.55, were passed as correct, and recommended for payment, viz. :—

1908 account :—Wm. Robertson & Son, hardware, \$1.35. John Davison & Son, lumber, \$2.36. Jordan & Mann, horseshoeing, \$1.13. M. J. McCaffrey, drugs, \$8.35. Total, \$13.19.

1909 account :—Wentzell's, Ltd., groceries, \$20.72. J. H. Sutherland, dry goods, \$6.51. Jordan & Mann, horseshoeing, \$2.00. James Nolan, hack hire, \$3.50. W. A. Maling & Co., ox heads, \$14.00. Halifax Tram Co., light, 43c. M. J. McCaffrey, drugs, 20c. Total \$47.36.

S. Y. WILSON, *Chairman.*

The following resolution is submitted :—

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

Moved by Alderman Wilson, seconded by Alderman Corston and passed.

Read letter Acker's Theatre offering to give a benefit performance on Sunday evening for the family of James Tynan.

Moved by Alderman Bligh, seconded by Alderman Hebb, that the same be acknowledged with thanks and Mr. Acker notified that this Council regret that they cannot accept his proposal to give an entertainment on Sunday evening. Motion passed.

Read report Committee on Works covering accounts for payment.

## CITY WORKS ACCOUNTS.

CITY WORKS OFFICE, June 11th, 1909.

*To the City Council :*

GENTLEMEN.—At a meeting of the Committee on Works held this day the attached bills for the several services were submitted, approved and recommended to Council for payment.

Streets .....	\$2960 47
Street Lighting .....	1732 28
New Workshops.....	164C 93
Vieth Street Wall.....	1242 20
Insurance .....	750 75
Teams and Stables.....	472 14
City Hall Fuel.....	73 00
Internal Health.....	67 55
Sewerage .....	66 75
Permanent Sidewalks.....	65 96
City Hall Lighting .....	65 84
City Property.....	47 05
Electric Wiring Inspection, 1908-9.....	45 86
Internal Health 1908-9.....	30 00
Cleaning Paved Streets .....	5 65
Water Maintenance .....	667 87
“ Construction .....	50 43
Total.....	\$9984 73

J. A. CHISHOLM, *Mayor and Chairman.*

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

Read reports Committee on Works and City Engineer re sewer May Street.

## MAY STREET SEWER.

CITY WORKS OFFICE, June 11th, 1909.

*To the City Council :*

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached report of the City Engineer on petition of Eli Evans in re extension of May Street sewer was read and recommended to Council for adoption.

J. A. CHISHOLM, *Mayor and Chairman.*

CITY ENGINEER'S OFFICE, May 15th, 1909.

*His Worship the Mayor :*

SIR,—I beg to report on the accompanying petition from Eli Evans asking for the extension of the sewer on May street eastwardly 50 ft.

The sewer on May Street is constructed between Kempt Road and Fern Street. Mr. Mr. Evans owns a property 73 feet front further east on the north side of May Street, and it is to drain a building on this property that he asks to have the sewer extended. There is no other building on the north side except a stable which belongs to the owner of the property on the corner of Agricola Street (fronting on Agricola Street) and which is not supplied with water. They have drainage from the house on this property to Agricola Street, and the owner, Mrs. McGrath, does not want any additional sewer extension which would entail assessment. On the south side there is a house on the

corner of Fern Street near the end of the sewer which is drained to Fern Street. The next house east (which is about opposite Mr. Evans' building) is also drained to Fern Street through a lot in rear which the owner informs me was purchased principally for the purpose of drainage. There is one house farther east which is not drained. The extension of the sewer 50 ft. would mean an assessment of \$46.25 for Mrs. McGrath and an assessment of \$62.50 for the owners on the south side of the Street. The house on the south side which is not drained is on a lot which runs through to Agricola Street. As Mr. Evans is the only owner asking for the extension of the sewer, and as a crock pipe would drain both the undrained properties, the extension of the sewer would not be required. In fact, it would be about as cheap for Mr. Evans to carry a drain to the end of the sewer at Fern Street as it would to pay the assessment for putting a drain out to the middle of the street. As the owner of the house opposite has already done that it would seem to me to be the fairest way to treat the problem. The other owners would then save the sewer assessment which must be charged against them if the sewer is extended.

I should be glad to make a recommendation to accommodate Mr. Evans who owns a good deal of property in this neighborhood, but do not feel justified in doing so for the reasons stated. If the Works Committee and the Council do not agree with me there is nothing to prevent the construction of the sewer being ordered.

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

Moved by Alderman Hubley, seconded by Alderman Corston, that said reports be placed on the Order of the Day. Motion passed.

Read reports Committee on Works and City Engineer re concrete sidewalk Robie Street.

#### ROBIE STREET SIDEWALK.

CITY WORKS OFFICE, June 11th, 1909.

*To the City Council :*

GENTLEMEN,—At a meeting of the Committee on Works held this day, the attached report of the City Engineer on petition for concrete sidewalk Robie Street was read and recommended to Council for adoption.

J. A. CHISHOLM, *Mayor and Chairman.*

CITY ENGINEER'S OFFICE, June 8th, 1909.

*His Worship the Mayor :*

SIR—I beg to report on the accompanying petition asking for the construction of a sidewalk on the west side of Robie Street between Quinpool Road and Cunard Street. This district is one of the best residential locations in the City and the construction of the sidewalk asked for would not only improve the conditions during the bad weather, but would make a great improvement in the street facing the Common.

The estimated cost of laying a 6 ft. concrete sidewalk with the remainder sodded is \$3994.00. I would recommend that the work be put on the order book to be done in turn.

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

Moved by Alderman Wilson, seconded by Alderman O'Brien that the same be adopted. Motion passed.

#### QUESTIONS BY MEMBERS.

Alderman Hoben asked what the Committee on Works is doing



about the Yale Street sewer, what progress is being made in the expropriation proceedings.

The City Engineer reported the matter is under consideration by the Committee on Works.

Alderman Hoben asked for information relating to the curb and gutter Williams Street.

The City Engineer stated that this work was ordered to be done out of street appropriation and that he had not received instructions from the Committee on Works to do this permanent work.

Alderman Wilson asked when the water pipe would be here for Brussels Street.

The City Engineer stated he had word that the pipe was shipped last Saturday.

Alderman O'Brien asked when the Committee on Works intend to fix up the Park at the head of Spring Garden Road.

#### MOTIONS BY MEMBERS.

Moved by Alderman Hubley, seconded by Alderman Hoben, that the committee on Works proceed with the laying of curb and gutter on William Street at once.

Moved in amendment by Alderman Wilson, seconded by Alderman Bligh, that this work be done in its turn as regards other work ordered.

Amendment put and passed.

Alderman MacKenzie submits the following resolution:—

*Resolved*, That the City of Halifax contribute the sum of \$1000.00 to any fund raised for the benefit of the widow of James Tynan who recently lost his life in the discharge of his duty as a member of the Fire Department, and that legislation be obtained at the next session of the legislature authorizing such contribution and that in the meantime if necessary the money be borrowed from any bank or taken from any funds available.

Moved by Alderman MacKenzie, seconded by Alderman Bligh.

Moved by Alderman Wilson, seconded by Alderman Hebb, that said resolution be referred to the Finance Committee for report. Motion passed.

Moved by Alderman Wilson, seconded by Alderman Bligh, that the Council do now adjourn. Motion passed.

Council adjourns 11:20 o'clock.

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EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, July 2nd, 1909.

A special meeting of the City Council was held this evening.

At the above named hour there were present His Worship the Mayor and Aldermen Hoben, Smith, McManus, Hubley and Whitman.

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

8.30 o'clock. Roll called. Present the above named together with Aldermen Wilson, O'Brien, Bligh, Douglas, Martin, Thompson, Corstcn, MacKenzie, Edwards and Rankine.

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

NOTICES OF RECONSIDERATION.

Read No. 1 on Order of the Day, viz., Alderman Hubley's notice of reconsideration in re site for factory of Anderson Manufacturing Company. June 11th, 1909.

Read Minutes of Council of last meeting on the matter.

Moved by Alderman Hubley, seconded by Alderman Edwards, that this matter be now reconsidered.

Motion put and lost, 7 voting for the same and 8 against it, as follows:—

For reconsideration.	Against.
Aldermen Wilson, Whitman, Smith, Hubley, Thompson, Edwards, Rankine.—7.	Aldermen O'Brien, Bligh, McManus, Douglas, Hoben, Martin, Corstcn MacKenzie.—8.

Read No. 2 on Order of the Day, viz., Alderman Hoben's notice of reconsideration of resolution for investigation into fire May 5th, 1909, at premises of H. H. Fuller & Co. June 11th, 1909.

Alderman Hoben declines to move for the reconsideration of said matter and the item is dropped from the Order Paper.

PRESENTATION OF PAPERS.

The following named papers are submitted :—

Report Tenders Committee, by Alderman Rankine for Chairman.

Report Cemetery Commission by Alderman Corston for Chairman.

Report Charities Committee by Alderman McManus.

His Worship the Mayor submits the following named papers :—

Report Commissioners of Halifax Common.

Petition His Lordship the Bishop in re certain lots on old exhibition property.

Petition John Simon for permission to change his place of business under the junk ordinance.

Cash statements City Collector for March and April.

Annual Report of Chief of Police for 1908-9.

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

Letter Board of Trade re citizens displaying bunting during convention of Canadian Freight Association.

Letter Trade and Labor Council re circus on Labor Day.

Letter School Board re funds to meet certain contracts.

Letter Board of Health re Plumbing Inspector.

Letter Union Canadian Municipalities re Convention at Medicine Hat, July 26-28, 1909.

Reports (5) Committee on Works, viz :—

Cancellation of contract for valves.

Water extension Parker Street.

Concrete sidewalk Queen Street.

Water meter rates Acadia Sugar Refinery.

Fire hydrants North Street.

Report City Assessor re properties exempt from taxation.

Petition G. G. Handley re sidewalk Blowers Street.

REFERENCE OF PAPERS.

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

Read petition John Simon for permission to change his place of business under the Junk Ordinance. Referred to Laws and Privileges Committee for report.

Read letter George G. Handley re sidewalk Blowers Street. Referred to Committee on Works for report.

Read report Chief of Police reporting no violations of Liquor License Act on Sunday since his last report. Filed.

Read Annual Report Chief of Police for 1908-9. Filed.

CONSIDERATION OF PAPERS SUBMITTED.

Read report Commissioners of Halifax Common covering accounts.

PUBLIC GARDENS ACCOUNTS.

COMMITTEE ROOM, CITY HALL, July 2nd, 1909.

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

GENTLEMEN,—At a meeting of the Commissioners of Halifax Common held this day the attached bills were submitted, examined, found correct and referred to the City Council for payment:—

Walsh Bros., \$270.00; \$19 80; \$239.80. Austen Bros., \$2.00. R. B. Adams \$9.20. Stairs, Son & Morrow, \$36.00. Moriarity & Jarrett, \$18.00. N. S. Fertilizer Co., \$3.30. H. E. Tram. Co., \$3.37. Wm. Robertson & Son, \$23.13. National Drug Co., \$14.10. Farquhar Bros., \$13 90. Burns & Kelleher, \$15.45. Blackadar Bros., \$4.00. Herald Pub. Co., \$5 85. Total, \$438.10.

EDW. T. POWER, *Secretary.*

Moved by Alderman Rankine, seconded by Alderman Bligh, that said report is adopted and the accounts paid. Motion passed.

Read letter Board of Trade re citizens displaying bunting during Convention of Canadian Freight Association.

FREIGHT AGENTS CONVENTION.

JULY 2nd, 1909.

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

GENTLEMEN,—The Halifax Board of Trade recognizing the advertising advantages the holding of a Convention such as the Canadian Freight Association in the City of Halifax, have been working for some months to make their visit one of pleasure. The Committee having the matter in charge have desired me to write your honorable body and ask that you use every endeavor to have the citizens display as much bunting as possible so as to give the City a holiday appearance during the days of their meeting here, the 14th and 15th of the present month.

Thanking you in advance for what consideration you may give this matter.

E. A. SAUNDERS, *Secretary.*

Moved by Alderman Hubley, seconded by Alderman Smith, that His Worship the Mayor advertise in the newspapers requesting the citizens to comply with the request of the Board of Trade. Motion passed.

Read report Cemetery Commission covering accounts.

## REPORT CEMETERY COMMISSION.

June 18th, 1909.

*To His Worship the Mayor and City Council:*

GENTLEMEN,—The Cemetery Commission met this day. Present, Aldermen Corston, Rankine and Hebb. Alderman Hebb was appointed Chairman.

The following named accounts were found correct and are recommended for payment:—

N. S. Nursery, seeds and plants, \$25.00. D. A. McDonald, cartage, \$41.30. F. W. Bissett & Co., wharfage, \$2.93. Total, \$69.23.

J. R. CORSTON, *for the Chairman.*

The following resolution is submitted :

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

Moved by Alderman Corston, seconded by Alderman Rankine, and passed.

Read petition Trades and Labor Council against the granting of a license for a circus for Labor Day.

## CIRCUS ON LABOR DAY.

HALIFAX DISTRICT TRADES AND LABOR COUNCIL,

HALIFAX, N. S., June 22nd, 1909.

MR. J. A. CHISHOLM, *Mayor of Halifax :*

SIR,—At the last meeting of the Council the matter of a circus or some other outside attraction being granted a license to show here on Labor Day was discussed.

I was instructed to ask you to use your influence to prevent the granting of one if any application should be received.

Thanking you for your attention to this matter.

H. C. Low, *Secretary.*

Moved by Alderman Martin, seconded by Alderman O'Brien, that a license for a circus or other outside attraction be not granted for Labor Day. Motion passed.

Read letter School Board re funds to meet certain contracts.

## FUNDS FOR SCHOOL BOARD.

JULY 2nd, 1909.

*His Worship the Mayor :*

SIR,—I have the honor to inform you that in accordance with section 812 of the City Charter, as amended by section 7, chap. 67, Acts of 1907, application has been made by the Board of School Commissioners for the City of Halifax for the approval by the Governor-in-Council of a contract with Mr. John Foley for an outside lavatory at the Halifax Academy, for the sum of \$890.00.

And also, in accordance with section 12 of said Act, for an order directing the City

of Halifax to issue its debentures for an amount sufficient to produce the sum of \$985 00, viz :—

Amount of Mr. Foley's contract.....	\$890 00
Estimated cost of carpenter work to be done by our own men....	95 00
	\$985 00

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

Moved by Alderman Whitman, seconded by Alderman Hubley, that His Worship the Mayor nominate a committee of three to appear before the Governor-in-Council and to do what they deem to be in the interest of the City in this matter.

Motion put and lost, 7 voting for the same and 8 against it, as follows :—

For the Motion.	Against it.
Aldermen Wilson, Whitman, O'Brien, Hubley, Thompson, Coiston and Edwards—7.	Aldermen Bligh, McManus, Douglas, Smith, Martin, Mackenzie and Rankine—8.

The matter is referred to the Finance Committee.

Read report City Health Board re Plumbing Inspector.

**PLUMBING INSPECTOR.**

OFFICE OF CITY HEALTH BOARD, July 2nd, 1909.

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

GENTLEMEN,—I beg to inform you that the City Engineer's report re the City Health Board, nominating Mr. Arthur Meagher to the office of Plumbing Inspector, was adopted at a meeting of the Board held on Wednesday last.

In accordance with section 43 of by-law 2 the salary for said office is to be determined by the City Council.

JOHN C. WATTERS, *Secretary*

Moved by Alderman Whitman, seconded by Alderman Rankine, that the salary of Mr. Meagher as Plumbing Inspector be fixed at \$800.00. Motion passed, Alderman Bligh and Smith dissenting from the mode of examination and appointment.

Read report Tenders Committee re tenders for coal.

**TENDERS FOR COAL.**

COMMITTEE ROOM, CITY HALL, July 2nd, 1909.

*His Worship the Mayor and City Council:*

GENTLEMEN,—Your Committee on Tenders beg to report that at a meeting held this day, there being present Aldermen Shaffner, (Chairman), Hebb and Rankine, tenders for supplying coal for the different civic services were received from Messrs. S. Cunard & Co., Wm. Roche and H. D. MacKenzie, Ltd. Your Committee recommend the

acceptance of the tender of H. D. MacKenzie & Co. for 400 tons of Drummond Coal at \$4.20 per ton for the City Home, and that of S. Cunard & Co. for the balance of coal required for all other services. It is further recommended that the kind of soft coal for the various civic departments be that recommended by the City Engineer in his report on coal supply of May 16th, 1907.

J. RANKINE, *for the Chairman.*

Moved by Alderman Rankine, seconded by Alderman Edwards, that the report be adopted. Motion passed.

Read letter Union of Canadian Municipalities re Annual Convention at Medicine Hat, July 26-28, 1909.

#### U. C. M. ANNUAL CONVENTION.

MONTREAL, June 21st, 1909.

*His Worship Mayor Chisholm and Council :*

DEAR SIRS.—The preparations are far advanced for the Annual Convention of the Union of Canadian Municipalities in Western Canada. Parts of a day each will be devoted to a stop-over view of Fort William, Winnipeg, Regina and Calgary; the principal business being done during two days at Medicine Hat. Opportunities will also be arranged to visit Edmonton, Vancouver, Victoria and Seattle, with the object of learning all there is to be learned municipally from the progressive cities of the West, and to see the country with which all our principal cities have intimate business connection; consequently notwithstanding the distance of the convention this year we trust that the important City of Halifax will not allow the fact that it is the distant eastern city to prevent it from sending one or more delegates and taking the prominent position which belongs to it. We are sure that the experienced gained and connections made will be of great benefit to the City.

Please notify this office as soon as possible of names of your delegates, and believe me, gentlemen,

W. D. LIGHTHALL, *Hon. Secretary-Treasurer.*

P. S.—The loyalty of the western delegates in attending the convention when it was held in Halifax would naturally lead to a return of the compliment on your part.

Moved by Alderman Whitman, seconded by Alderman Thompson, that the communication be filed.

Moved in amendment by Alderman Douglas, seconded by Alderman Hubley, that His Worship the Mayor be the delegate to attend the Convention of the Union of Canadian Municipalities to represent the City of Halifax and in the event of His Worship being unable to attend that he be authorized to appoint a substitute. Amendment put and passed, 8 voting for the same and 6 against it, as follows:—

For the Amendment.

Aldermen Wilson, Douglas, Smith,  
Hoben, Hubley, Martin,  
MacKenzie and Rankine—8,

Against it.

Aldermen Whitman, O'Brien,  
Bligh, McManus  
Thompson, Corston—6

Read letter His Lordship the Bishop in re purchase of certain lots on Old Exhibition property.

## OLD EXHIBITION LOTS.

HALIFAX, N. S., June 18th, 1909.

To His Worship the Mayor and City Council of Halifax :

GENTLEMEN,—On behalf of the Executive Committee of All Saints' Cathedral, I hereby apply to you for the following lots, being part of what is known as the old Exhibition grounds, namely, the four (4) remaining lots on College Street, for which the Committee is prepared to pay, what I understand is the value fixed by the City Council, one thousand dollars (\$1,000.00) per lot. I also make application for the two (2) lots on Morris Street, directly back of the lots on which the Cathedral is being built. On these two (2) lots I think the Cathedral authorities should have your favorable consideration as to price. It was, I think, conceded on all sides that the price of three thousand dollars (\$3,000.00) per lot paid for the six (6) lots on which the Cathedral is being built was, to say the least, a very high valuation, and in consideration of this high price, my Committee feels that it is only asking justice at your hands, in requesting that the price on the two (2) Morris Street lots now applied for be put at one thousand, five hundred dollars (\$1,500.00) each. I would point out that these last mentioned lots are required for the erection of residences for the Bishop and Dean, and same will, of course, be subject to taxation. The dwellings to be erected will naturally be in keeping with the surroundings, tending to further beautify that section of the City.

In regard to the College Street lots, I beg leave to say that the members of the Cathedral Committee, as well as myself, are being constantly reproached by the citizens in general, in not securing the whole of the College Street property, which has resulted, as you know, in others having bought two (2) lots facing on Tower Road adjacent to the Cathedral, and the erection thereon of three (3) dwellings, which have cut off what would have been a really beautiful view of the Cathedral when approaching from the north. It must be readily seen now that if the City had only considered the matter from a broad standpoint and made the land referred to a public square, it would have accomplished the making of one of the most beautiful spots in Canada. I refer to this as I trust that the proposition I now put before you will be looked upon in such a way that a further error will not be made, such as I have referred to above. I wish specially to draw to your attention the fact that the four (4) lots on College Street are directly in front of one of the most beautiful parts of the Cathedral, where eventually the tower will be erected, and in addition there is also situated here the northern entrance. Outside of the consideration I think due to the Cathedral Committee, I put this matter before you from the standpoint of the beautifying of the City. Visitors in particular will naturally be attracted by what I think I am safe in saying will be one of the most imposing buildings of its kind in Canada. The keeping of the balance of the College Street lots open will add materially to the attractiveness of the whole surroundings, whereas, to have a line of dwellings on College Street, with their back yards adjacent to the Cathedral, and garbage and ashes probably put out for removal on the 20 ft. right-of-way that separates the backs of these lots from the Cathedral property, would be a lasting reflection, not only to those directly interested in the erection of the Cathedral, but the City authorities themselves.

Asking your kind and favorable consideration.

CLARE L. NOVA SCOTIA.

Moved by Alderman Whitman, seconded by Alderman Smith, that the four lots on College Street asked for be sold to the Cathedral Committee for \$1000.00 each, said property to be liable to taxation. Motion passed.

Moved by Alderman Hubleby, seconded by Alderman Wilson, that the application of the Cathedral Committee for the purchase of the Morris Street lots be referred to the Special Committee on sale of Old Exhibition Lots. Motion passed.



## Read report re Charities Committee accounts 1908-9.

## CHARITIES COMMITTEE ACCOUNTS, 1908-9.

HALIFAX, N. S., July 2nd, 1909.

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

GENTLEMEN,—The following accounts for goods purchased and work ordered to be performed by the Charities Committee at their meeting held April 29th, 1909 are recommended for payment, viz:—

Wm. McFatridge .....	\$179 64
T. H. & W. T. Francis .....	123 75
	\$303 39

P. J. McMANUS, *Chairman.*

The following resolution is submitted:—

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

Moved by Alderman McManus seconded by Alderman MacKenzie.

Alderman Whitman asked for the opinion of the City Solicitor as to the legality of paying the accounts referred to in the report.

The City Solicitor stated as his opinion that the Council could not now pay the bills out of last year's appropriation as the council had not previous to the end of the last civic year ordered the expenditure out of last year's funds.

His Worship the Mayor rules the resolution out of order.

Moved by Alderman Whitman, seconded by Alderman Hoben, that the accounts be paid out of the appropriation for the current year.

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

For the Motion.  
Aldermen Whitman, Douglas,  
Hoben, Martin,—4.

Against it.  
Aldermen Wilson, O'Brien,  
Bligh, MacManus,  
Smith, Hubley,  
Thompson, Corston,  
MacKenzie, Edwards,  
Rankine.—11.

Moved by Alderman Whitman, seconded by Alderman Rankine, that the matter be referred to the City Solicitor for report. Motion passed.

Read report Committee on Works re contract for valves covering report City Engineer.

## CONTRACT FOR VALVES.

CITY WORKS OFFICE, June 23rd, 1909.

*To the City Council:*

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached report of the City Engineer on letter from Canada Foundry Co., Ltd., in re cancellation of its contract for valves was read and recommended to Council for adoption.

J. A. CHISHOLM, *Mayor and Chairman.*

CITY ENGINEER'S OFFICE, June 17th, 1909.

*His Worship the Mayor:*

SIR,—In accordance with instructions of the Committee I have consulted the City Solicitor in connection with the contract with the Canada Foundry Co. for valves. Mr. Bell is of the opinion that it would be advisable under the circumstances to allow the Canada Foundry Co. to withdraw and award the contract to the next tenderer. He states that as the Canada Foundry Co. have made a mistake in tendering and would not have tendered on the City's specification at all if they had understood it, he would not think it wise to enter into a law suit with them. There would also be delay in getting the valves which we require for water extensions ordered, many of which are urgent. I therefore join with him in recommending that the Canada Foundry Co. be released and the contract awarded to Stairs, Son & Morrow, who have notified me that they will accept the contract.

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

Moved by Alderman Whitman, seconded by Alderman Martin, that said reports be adopted. Motion passed.

## QUESTIONS BY MEMBERS.

Alderman Hoben asked how much money was expended blasting rock on Young Avenue, also what appropriation same was paid out of.

Alderman Hoben asked how many men are now engaged as Water Inspectors.

## MOTIONS BY MEMBERS.

Alderman Martin submits the following resolution:—

*Resolved*, that granite crossings be placed at Cunard, Willow, Charles and North Streets on Windsor Street.

Moved by Alderman Martin, seconded by Alderman Corston and referred to the Committee on Works for report.

Alderman Hoben submits the following resolution:

*Resolved*, that in the opinion of this Council the land on Kempt Road which the City has by resolution agreed to sell to the Anderson Manufacturing Company is not required for water extension purposes.

Moved by Alderman Hoben, seconded by Alderman Bligh, and being put is passed, 10 voting for the same and 5 against it, as follows:

For the Resolution.	Against it.
Aldermen Wilson, O'Brien, McManus, Douglas, Smith, Hoben, Martin, Coston, Bligh, MacKenzie.—10.	Alderman Whitman, Hubley, Thompson, Edwards, Rankine.—5.

Alderman Whitman gives notice of reconsideration

Alderman MacKenzie submits the following resolution :

*Resolved*, That the City Engineer prepare a plan and estimate of cost of grading and improving the plot of ground at the junction of Coburg Road and Robie Street and report at the next meeting of this Council.

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

Alderman Wilson submits the following resolution :—

*Resolved*, That this Council recommend that the Health Board amend their by-laws so that all future written examinations for plumbing inspector take place in the City.

Moved by Alderman Wilson, seconded by Alderman Corston and passed.

Moved by Alderman Edwards, seconded by Alderman Whitman, that the Council do now adjourn.

Alderman Edwards by leave of the seconder and the Council withdraws the motion for adjournment.

#### ORDER OF THE DAY.

Moved by Alderman Hoben, seconded by Alderman McManus, that No. 13 on the Order of the Day be now taken up. Motion passed.

Read No. 13, viz. : Message His Worship the Mayor in re veto of resolution relating to Public Market site. November 2nd, 1908, deferred to meeting November 5th, 1908. At meeting November 5th, 1908, further deferred until special committee reports. Report Commercial Committee re proposed new market Building, May 27th, 1909. Petition for erection of Public Market Building, June 3rd, 1909.

Moved by Alderman Wilson, seconded by Alderman Hoben, that the further consideration of this matter be deferred until next meeting and that the same be placed at the commencement of the Order of the Day for said meeting. Motion passed.

Moved by Alderman Martin, seconded by Alderman McManus, that the Council do now adjourn. Motion put and lost 3 voting for the same and 9 against as follows :—

## For Adjournment.

Aldermen O'Brien, Hoben,  
Martin.—3.

## Against.

Aldermen Wilson, Whitman,  
MacManus, Hubley,  
Thompson, Corston,  
MacKenzie, Edwards,  
Rankine.—9.

## MOTIONS BY MEMBERS.

Moved by Alderman Whitman, seconded by Alderman Wilson, that Alderman Hubley be appointed a member of the Finance Committee. Motion passed.

Moved by Alderman Whitman, seconded by Alderman Wilson, that Alderman Hubley be appointed a member of the Laws and Privileges Committee. Motion passed.

Moved by Alderman Wilson, seconded by Alderman Whitman, that Alderman Hubley and O'Brien be members of the City Prison Committee. Motion passed.

Moved by Alderman Edwards, seconded by Alderman Thompson, that Aldermen Hubley and O'Brien be appointed members of the Committee of Fire Wards. Motion passed.

Moved by Alderman Wilson, seconded by Alderman Whitman, that Alderman O'Brien be appointed a member of the Charities Committee. Motion passed.

Moved by Aldermen Wilson, seconded by Alderman Whitman, that Aldermen Hubley and O'Brien be appointed members of the Library Commission. Motion passed.

Moved by Alderman Wilson, seconded by Alderman Whitman, that Alderman O'Brien be a member of the Board of Fire Escapes. Motion passed.

Moved by Alderman Wilson, seconded by Alderman Edwards, that Alderman Hubley be a member of the County Court House Commission. Motion passed.

Moved by Alderman Wilson, seconded by Alderman Whitman, that Aldermen O'Brien and Hubley be members of the Special Committee on Assessment. Motion passed.

Moved by Alderman Wilson, seconded by Alderman Hubley, that Alderman Whitman be a member of the Commercial Committee. Motion passed.

Moved by Alderman Wilson, seconded by Alderman Whitman, that Alderman Hubley be a member of the Arbitration Committee. Motion passed.

Moved by Alderman Wilson, seconded by Alderman Whitman, that Aldermen O'Brien and Hubley be members of the Halifax Common Commission. Motion passed.

Moved by Alderman Wilson, seconded by Alderman Whitman, that Alderman Hubley be a member of the City Health Board.

Moved in amendment by Alderman Martin, seconded by Alderman Rankine, that Alderman O'Brien be a member of the City Health Board.

Amendment put and passed.

Moved by Alderman Wilson, seconded by Alderman Whitman, that Alderman O'Brien and Hubley be members of the Point Pleasant Park Commission. Motion passed.

Moved by Alderman Wilson, seconded by Alderman Martin, that the Council do now adjourn. Motion passed.

Council adjourns 11.50.

## EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, July 8th, 1909.

A meeting of the City Council was held this evening at the above named hour. Present: His Worship the Mayor and Aldermen Whitman, Wilson, Shaffner, O'Brien, Hebb, Bligh, McManus, Hoben, Hubley, Kelly, Martin, Thompson and MacKenzie.

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

### NOTICES OF RECONSIDERATION.

Moved Alderman Whitman, seconded by Alderman Wilson, that the minutes of meeting of Council, July 2nd, 1909, be amended by inserting that Alderman Whitman gave notice of reconsideration in the matter of the motion to pay certain accounts of the Charities Committee out of the current year's appropriation.

Motion put and lost 4 voting for the same and 8 against it as follows:—

For the Motion.	Against it.
Aldermen Wilson, Whitman, Bligh, Thompson.—4.	Aldermen Shaffner, O'Brien, Hebb, McManus, Hoben, Hubley, Martin, MacKenzie.—8.

Read No. 1 on Order of the Day, viz.:—Alderman Whitman's notice of reconsideration in re site for factory of Anderson Manufacturing Company, July 2nd, 1909.

Alderman Whitman declines to move for the reconsideration of this matter.

### PRESENTATION OF PAPERS.

The following named papers are submitted:—

- Report City Prison Committee by Alderman Wilson, Chairman.
- Report Charities Committee by Alderman Hebb, Chairman.
- Report Finance Committee, by Alderman Whitman, Chairman.
- Reports (2) Laws and Privileges Committee, by Alderman Bligh, Chairman.

Report Special Committee on site for Public Market, by Alderman Wilson, Chairman.

Report Juries Committee 1908 by Alderman Hubley, Chairman.

Report Committee of Fire Wards by Alderman Wilson for Chairman.

Report Committee of Fire Wards on Fuller fire investigation, by Alderman Wilson for Chairman.

His Worship the Mayor submits the following named papers :—

Letter John J. Power in re William G. Naylor's taxes.

Letter Provincial Secretary re application of School Commissioners re funds for school purposes.

Petition for improvement Richmond Street.

Opinion City Solicitor re Anderson Chair Co.

Opinion City Solicitor re sale of market produce on the streets.

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

Report Police Committee covering accounts.

Reports (10) Committee on Works, viz :—

Sale of City Yard, Kempt Road.

Contract for valves.

Accounts.

Water Extension Chebucto Road and North Street.

Water lot Bedford Basin for Imperial Oil Co.

Reduction in mater rates W. & J. A. Scriven, and Shatford Bros.

Cogswell Street sidewalk.

Yale Street sewer.

Young Avenue rock excavation.

Water extension Oxford Street.

#### REFERENCE OF PAPERS SUBMITTED.

Read petition for improvement Richmond Street.

Referred to Committee on Works for report.

Read letter John J. Power, K. C., re taxes William G. Naylor.

Referred to Laws and Privileges Committee for report.

Read letter Provincial Secretary re application School Commissioners for funds for certain school purposes.

#### FUNDS FOR SCHOOL BOARD.

OFFICE PROVINCIAL SECRETARY, Halifax, 5th July, 1909.

*His Worship the Mayor :*

SIR,—I am directed by the Provincial Secretary to inform you that the Board of School Commissioners for the City of Halifax has applied under section 812 of the Halifax City Charter as amended by section 7, Chapter 67, Acts of 1907, to approve of a proposed contract with John Foley for the construction of an outside lavatory at the Halifax Academy for the sum of \$890 according to specification prepared by John

Morris, the Board's carpenter, and, contingent on this contract being approved by the Governor-in-Council the said Board has applied under section 820 of the City Charter added thereto by Chapter 67 of the Acts of 1907 for an order directing the City of Halifax to issue its debentures to raise the sum of \$985., that being the amount required to carry out the contract, as follows :—

Amount of Foley's contract. ....	\$890.
Estimated cost of carpenter work .....	95.
<b>Total.....</b>	<b>\$985.</b>

I am also to notify you that the Governor-in-Council has appointed Wednesday the 7th July, 1909, at 11 o'clock in the forenoon in the Executive Council Room, Province Building, as the time and place at which the matter of such application shall be heard and that the City may appear at the hearing.

FRED. F. MATHERS, *Deputy-Provincial Secretary.*

Filed.

Read report City Assessor re properties exempt from taxation.

PROPERTIES EXEMPT FROM TAXATION.

HALIFAX, N. S., June 28th, 1909.

*His Worship the Mayor and City Council :*

GENTLEMEN,—In reply to a letter from the City Clerk of date June 16th, 1909 asking for a return of persons, corporations, &c., exempted, not embraced in the City Annual Report of 1905-6, I would say that said list has been gone over and the following changes, additions, &c., are to be added thereto :—

S. R. PHELAN, *City Assessor.*

Salvation Army Home, Tower Road.....	\$9,000.00	Chap. 177, 1905.
“ “ Barracks, Brunswick St. ....	6,000.00	Place of Worship.
“ “ “ Gerrish St. ....	3,000.00	“
Christian Science Church, South Park.....	3,000.00	“
Trinity Church, Exempt 1905-6.....	Now assessed	“
W. C. T. Union, “ “ .....	“	“
Technological School, Spring Garden Road, formerly Dominion now Provincial.....	\$125,000.00	
St. Mary's Y. M. T. A. & B. Society, exempt 1905-6 on	19,000.00	
“ “ “ “ now reduced to...	10,000.00	
Dominion Government Round House Kempt Road,...	200,000.00	
“ “ Cunard's Wharf... ..	200,000.00	
N. & M. Smith (Allowed by Court of Appeal, under Acts, 1902.....	11,000.00	in part.
Clayton & Sons (Allowed by Manufacturers' Act 1902.)	30,000.00	“
Hillis & Sons “ “ “ “	6,000.00	“
C. R. Hoben & Co “ “ “ “	2,500.00	“
Silliker Car Co., (Special Act, 1907.).....	225,000.00	

Filed.

Read report Finance Committee re tenders for loan and other matters.



## REPORT FINANCE COMMITTEE.

COMMITTEE ROOM, CITY HALL, July 6th, 1909.

*To His Worship the Mayor and City Council:*

GENTLEMEN,—Your Committee on Finance beg to report that at a meeting of the Committee held this day, there being present, Aldermen Whitman, Chairman, Bligh, Smith, Hubley. Tenders were opened for loan of \$120,400.00, authorized by resolution of Council, May 27th, 1909.

Aemilius Jarves & Co	\$120,400.00	@ 93.03 per cent.
Hanson Bros.	\$120,400.00	@ 96.60 per cent.
Ontario Securities Company	\$120,400.00	@ 93.485 per cent.
W. C. Brent	\$120,400.00	@ 95.074 per cent.
Royal Securities Corporation	\$120,400.00	@ 98.17 per cent.
F. B. McCurdy & Co. and J. C. Mackintosh & Co.	\$40,000.00	@ 98.966 per cent.
“ “ “ “	20,000.00	@ 98.376 per cent.
“ “ “ “	60,400.00	@ 98.17 per cent.

Your Committee recommend the acceptance of the joint tender of Messrs. F. B. McCurdy & Co. and J. C. Mackintosh & Co. for the whole amount, \$120,400.00.

Read letter John W. Brush, covering account, \$54.00, amount paid by him into the Officials' Superannuation Fund. It is recommended same be referred to the City Solicitor for his opinion whether the trustees can refund this amount.

Read account Hester Thornton for refund of \$17.28, amount paid by her into Officials' Superannuation Fund.

It is recommended that the trustees of the Officials' Superannuation Fund be authorized to refund the amount to Miss Thornton.

Read account Halifax School for the Blind for tuition of pupils for school year ending June 30th, 1909, \$1,305.00. It is recommended the same be paid on City Auditor certifying to attendance of pupils charged for.

The following other accounts, amounting to \$738.41, were examined, found correct and are recommended for payment:—T. C. Allen & Co., stationery, etc., City Collector, \$17.02; City Treasurer, \$5.00; City Auditor, \$4.25; City Clerk, \$27.95, \$4.60, \$32.55; City License Inspector, \$7.90; City Assessors, \$53.50; City Mayor's office, \$5.50—\$123.72. A. & W. Mackinlay, Ltd., books, City Collector, \$8.00; do, \$30.25; do, \$10.50—\$48.75. Holloway Brothers, printing minutes, \$221.29. Halifax Bill Posting Co., posting bills, \$6.00. Herald Publishing Co., advertising, \$5.85, \$16.59, \$11.70—\$34.14. Blackadar Bros., advertising, \$21.30, \$15.75, 19.95, \$7.35, \$20.30—\$84.65. Imperial Pub. Co., circular, \$5.00. Canada Law Book Co., Beven on Negligence, \$10.55. Royal Gazette, ad election aldermen, \$2.00. London Rubber Stamp Co., stamps, 90c., \$1.75—\$2.65; do., pedlar's badges, \$33.00. John H. Barnstead, District Registrar, to April 30th, 1909, births and deaths, \$41.66. Religious of the Good Shepherd, maintenance of girls to May 1st, 1909, \$25.00. Union Nova Scotia Municipalities, membership fee, 1908-09, \$50.00. Wm. Barrett, removing body, Deep Water Terminus, \$5.00. Dr. Finn, Medical Examiner, certificates of deaths of Jas. Tynan, \$4.00; Geo. L. Way, \$4.00; male, unknown, \$4.00; John T. Dunn, \$4.00; Jas. B. Anderson, \$4.00; Adam Marr, \$4.00; Jas. Funston, \$4.00; Johanna Harrison, \$17.00—\$45.00. Total, \$738.41.

ALFRED WHITMAN, *Chairman.*

The same is considered clause by clause.

Read clause 1 re tenders for loan.

Moved by Alderman Whitman, seconded by Alderman Bligh, that said clause be adopted. Motion passed.

The following resolution is submitted:—

Whereas, The City Council by resolution duly passed at a meeting held on the 27th day of May, 1909, resolved to borrow the sum of one hundred and twenty thousand and four hundred dollars (\$120,400.00) for the following purposes, viz:—

For Sewerage.....	\$ 30,000
“ Water purposes, including Umlah property.....	70,000
“ New sidewalks.....	15,000
“ City's share of pavements laid in City.....	2,400
“ City's share Capital Account Provincial Exhibition.....	3,000
	\$120,400

And whereas, F. B. McCurdy & Co. and J. C. Mackintosh & Co. have offered jointly to take the said sum of one hundred and twenty thousand four hundred dollars (\$120,400.00) at various rates, namely:—

- Forty thousand dollars @ \$98.966 of par.
- Twenty thousand dollars @ \$98.516 of par.
- Sixty thousand four hundred dollars @ \$98.17 of par.

Therefore resolved, That the joint offer of F. B. McCurdy & Co. and J. C. Mackintosh & Co. be accepted and the City Treasurer be and he is hereby authorized and directed to issue and deliver to F. B. McCurdy & Co. and J. C. Mackintosh & Co. debentures or stock or both of the par value of one hundred and twenty thousand and four hundred dollars, all of said debentures or stock to be issued in like manner and upon the same terms and conditions as is provided by the Halifax City Consolidated Fund Act, 1905, and with the like provisions as to a sinking Fund therefor, and to bear interest at the rate of four per centum per annum, and to be redeemable on the first day of July, 1940.

Moved by Alderman Whitman, seconded by Alderman Bligh.

Moved in amendment by Alderman Hoben, seconded by Aldermen MacKenzie, that the sum to be borrowed be placed at \$100,400. instead of \$120,400.00.

Alderman Rankine here takes his seat in Council.

The amendment is put and lost.

The original resolution is put and passed, Alderman Whitman, Wilson, Shaffner, O'Brien, Hebb, Bligh, Hubley, Kelly, Martin, Thompson, McManus and Rankine voting for it and Aldermen Hoben and Mackenzie against it.

Read Clause 2 re claim of John W. Brush for refund from Superannuation Fund.

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

Clauses 3, 4 and 5 are severally read and on motion of Alderman Whitman, seconded by Alderman Bligh, adopted.

The following resolution is submitted:—

Resolved, That the report of the Finance Committee be received and adopted and His Worship the Mayor authorized to sign warrant for payment of accounts therein recommended.

Moved by Alderman Whitman, seconded by Alderman Bligh and passed.

Read report Committee of Fire Wards re their investigation into the Fuller Fire, May 5th, 1909.

#### FULLER FIRE INVESTIGATION.

COMMITTEE ROOM, CITY HALL, July 8th, 1909.

*To His Worship the Mayor and City Council:*

GENTLEMEN,—In re the investigation into matters relating to the Fuller fire which occurred on the 5th May, 1909, the Committee of Fire Wards beg leave to report and recommend as follows:—

The Board held several sessions in the City Council Chamber, and in dealing with matters relating to the Fuller fire a large number of witnesses, all of whom gave evidence under statutory declaration, were examined.

The investigation was taken up under three heads, namely:—

The disabling of the Alexandra engine;

The alleged shortage of water, and

The alleged bad management of the fire as per statements made by Insurance Adjuster Jarvis in his official reports.

In the matter of

#### THE DISABLING OF THE ALEXANDRA ENGINE,

we find that the damage consisted of the burning out of the entire set of tubes, except the two bottom rows. Practically the entire set of tubes were destroyed, all of them, with the exception named above, being badly burned, and in a number of cases the tubing was fused, which fusion could only have occurred through very intense heat.

The conditions under which the Alexandra engine was working at the Fuller fire were that it was stationed on the south side of Pickford & Black's wharf, the object being to have the steamer pump salt water. The evidence shows that the steamer was in position on Pickford & Black's wharf within fifteen minutes from the time the alarm for the fire went in, and in another fifteen minutes the suction was fitted and placed in the dock, the feeds connected and the engine in action throwing water.

The steamer had to be fed with fresh water, and this was done through a line of hose 100 feet long attached to a hydrant on Pickford & Black's wharf.

From the evidence we learn that for a short time after the steamer got into action everything went well, and then it was noticed that the fresh water feed had been shut off. It appears that this condition of affairs was discovered by Engineer Sheehan stepping on the feed line of hose, which flattened out at contact with his foot. He ran up to the hydrant and found that the water had been turned off, and he also found the wrench still on the hydrant. Shortly afterwards Mr. Squires, the stoker of the engine, discovered that the fresh water feed had again ceased coming. This time he went to the hydrant, where he found the wrench still in position, and on trying the hydrant found it turned hard off. He turned on the water and removed the wrench, taking it back with him and putting it in the tool box of the engine. From the evidence of the men working

on the steamer it appears that for a short time after this second turning on of the water everything went all right until for the third time the fresh water disappeared, the result this time being that the tubes burned out and the steamer was put out of commission.

Martin, the oiler of the steamer, ran up to the hydrant and again it was found turned hard off. The fact of the water having been turned off the third time, and after the wrench had been removed by Stoker Squires, would indicate that the fact of the wrench not having been removed from the hydrant at the time the water was first turned on, and allowed to remain there by Engineer Sheehan, when he personally turned on the water after the first shutting off, would not necessarily be the means by which the fresh water feed to the Alexandra had been tampered with. There is, however, a standing order that the wrench must be removed from the hydrant as soon as the water has been turned on. The evidence also shows that the Engineer of any steamer is directly responsible for the removal of the wrench used to turn on fresh feed to an engine. Patrick Sheehan, Engineer of the steamer Alexandra, knew his responsibility in this matter, and in neglecting to either personally or through a responsible man remove the wrench from the hydrant from which his engine was receiving fresh water was guilty of neglect to carry out an important order of the Department, and thereby placing a valuable piece of City property in grave danger of serious damage. We are also of the opinion that the stoppage of fresh water feed on two occasions within a short time of each other, the hydrant having been found turned off on both occasions, should have caused Engineer Sheehan to have been doubly watchful for a re-occurrence of the same thing. The evidence, however, shows that notwithstanding the two warnings, Engineer Sheehan for the third time allowed the fresh water feed to be shut off, and this time before noticing the disappearance of the water the supply in the boilers had run so low that even had he acted promptly he had not time to draw his fire before his tubes burnt out and his engine was disabled.

Taking all the circumstances into consideration and making due allowance for the fact that the fresh water feed was turned off by some person after Stoker Squires had removed the wrench, we find Engineer Sheehan guilty of disobeying orders issued by the Chief of the Fire Department, and also guilty of either gross carelessness or incompetence, and responsible for the disabling of the Alexandra engine at the Fuller fire.

Our recommendation is that Engineer Patrick Sheehan be dismissed from the Department.

The evidence shows that the water at this hydrant was turned off three different times, either accidentally or wilfully, and that the turning off of the fresh water feed was the direct cause of the disabling of the engine.

We are of the opinion that the distance of the source of the fresh water feed from the engine was contributory to the steamer's disabling, and as the Alexandra or other engines may at any time be called upon to work under similar conditions and thus lead to a recurrence of the disaster of May 5th last we are convinced that some other system of furnishing fresh water feed to engines pumping salt water ought to be provided.

With regard to the matter of

#### SCARCITY OF WATER

during the progress of the fire, in connection with which the Chief of the Fire Department claimed that little, if any, volume could be secured, and the City Engineer claimed there was ample, we find the weight of evidence in favor of the Chief's contention.

The firemen engaged in putting the first streams of water on the fire are unanimous in declaring that effective streams could not be secured. The rules of the Fire Department call for the apparatus arriving first in response to an alarm to take the hydrants nearest to the seat of the fire. In compliance with these rules the hose waggon from Bedford Row engine house which was first to arrive at the fire took the hydrant at the corner of Duke and Water and ran out two lines. The next hose waggon to arrive was No. 2 from Central Engine House, and it took the next nearest hydrant, corner of Duke and Hollis, and ran out one line. In both these cases the men in charge of the hose waggons obeyed the rules by coupling to hydrants on the Duke St. main because these hydrants were nearest to the fire, but the evidence goes to show that for some reason the streams from these hydrants were not effective.

The next stream was from the hydrant on the Ferry Wharf. Here also the stream was weak and not an effective fire fighter, but it was much better than the three streams from the corners of Duke and Hollis and Duke and Water.

The evidence taken at the investigation all goes to show a lack of volume of water in these four streams, notwithstanding the fact that the City Engineer and Mr. Morrison claim that there was always a good pressure at these three hydrants from which the first four lines were laid.

In order to secure all possible evidence to enable us to reach a correct conclusion with regard to the disputed point of "no water" charged by the Chief of the Fire Department and "good pressure" claimed by the Water Department officials, your Board made a practical test at the three hydrants named above on the night of June 15th. No notice was given either the Fire Department or the Water Department that this test would be made, and the time selected for the test was nearly midnight. The reason for not giving the heads of the departments notice until within a few minutes of the test being to prevent any person from changing or tampering with the water system by either department. The reason for selecting midnight as the hour for the test was to get as nearly as possible the same conditions that prevailed at the start of the Fuller fire.

The officials present at this test were Alderman Edwards, (Chairman of the Committee of Fire Wards,) Alderman Wilson, Alderman Thompson, City Engineer Doan, Ewen Morrison, (Foreman of the Water Department,) Chief Broderick, Chief Engineer Condon, and a sufficient number of firemen to handle the hose, also Mr. W. E. Thompson, (Chairman of the Board of Fire Underwriters). The result of this test was that at the hydrant corner Duke and Hollis Streets we found  $61\frac{1}{2}$  lbs. pressure; corner Duke and Water Streets 63 lbs., and on the Ferry Wharf  $61\frac{1}{2}$  lbs. After getting the pressure, lines of hose equal in number and of the same length as the first four laid at the Fuller fire, and also in the same order were stretched and the water turned on. The first spurt from all four lines threw the water a considerable distance from the nozzles, but in a minute or two the streams weakened, the one from the Ferry Wharf being, and continuing throughout the test, the best one; but the actual force of the four streams after being on only a minute or two was as follows:

From the Market Wharf hydrant the stream just touched the eave of the Pickford and Black building. The two streams from the corner of Duke and Water Street each just touched the top of the second story window, and the stream from the corner of Duke and Hollis Street reached the same height.

As a further test the stream from the corner of Duke and Hollis was turned off. This increased the two streams from Duke and Water Street so that both reached about half-way between the top of the second story and the base of the third story windows. Then one of the streams from Duke and Water Street was turned off, and the result was to increase the force of the remaining stream so that it reached the bottom of the third story window.

Here we have the anomaly of having pressure at the hydrants with no effective streams from the nozzles at distances of 400 and 500 feet. But following up the test we find that when closed the hydrant at the corner of Duke and Water Streets showed a pressure of 63 lbs., but with that and the other hydrants in use at the Fuller fire opened the pressure rapidly fell off, as will be shown by the following figures:—

Starting with 63 lbs. pressure and two lines of hose from it, and one line from corner of Duke and Hollis Street, on the same main, in ten minutes the pressure had dropped from 63 lbs. to 21 lbs. In three minutes more, or thirteen minutes from the time of turning on the water, the pressure went down to 15 lbs., and almost immediately jumped to 20 lbs. Then with these three hydrants serving their four lines of hose as at the start of the Fuller fire, the hydrants at Scott's corner and the Ordnance, which were not in use at the Fuller fire, were opened, and then the pressure at the corner of Duke and Water Streets immediately dropped and hovered around 11 lbs., at which point it held during the remainder of the test, and at the same time the two streams from that hydrant and the one from the corner of Duke and Hollis Streets shrank to not more than 15 ft., whilst the streams from the Market Wharf hydrant was hitting the ground at a distance of ten paces from the nozzle.

The result of this test corroborates the testimony of the men of the Fire Department that effective fire fighting streams could not be secured in the early stages of the Fuller fire, and it also supports the contention of the City Engineer as to good pressure.

This brings us up to the further contention of the Fire Department that throughout the entire progress of the fire effective streams could not be secured even from the engines working at the corner of Duke and Hollis Streets and the corner of Duke and Water Streets.

In dealing with this phase of the matter we have conclusive evidence that there was ample water at and very effective streams from the engines stationed at Scott's corner and at the hydrant on Water Street near the Ordnance. Also that when finally an engine was stationed at the hydrant at the corner of George Street and Bedford Row ample water was secured there. This evidence proves that at all points except two there was an ample supply of water with which to fight the Fuller fire, the weak points being the hydrants at the corner of Duke and Hollis Streets and the corner of Duke and Water Streets, and unfortunately these two hydrants were nearest to the seat of the fire, and, therefore, in compliance with the rules of the Fire Department, they had to go into action first, thereby seriously handicapping the Department in getting control of the fire in its earlier stages.

From the above it will be seen that the scope of our enquiry now narrows down to the two hydrants first in use.

The evidence of the men of the Water Department shows that the main on which these two hydrants are located is a six-inch pipe laid down more than fifty years ago, and that during that entire time this small pipe has never been cleaned or examined to see if its bore is seriously affected by corrosion or accumulation of blocking matter. We are of the opinion that the Water Department of the City is very much to blame for neglecting to either clean or examine this six-inch main right in the heart of the business district, even if it were granted that a six-inch main if kept in first-class condition is large enough for that section of the City, and more particularly in view of the fact that trouble at this point has been reported at previous fires. We are, however, of the opinion that a six-inch main is too small for the business district of the City. The City Engineer in his evidence states that this main is large enough to supply one fire engine with ample water, but that it will not supply two under conditions exist-