

At request of Alderman Whitman the amendment is divided into four parts and so put to the Council.

Clause (a) is now put and passed, 9 voting for the same and 7 against, as follows:—

<p>For the Clause.</p> <p>Aldermen Shaffner, O'Brien, McManus, Douglas, Smith, Hoben, Kelly, Martin, MacKenzie—9.</p>	<p>Against it.</p> <p>Aldermen Wilson, Whitman, Hubley, Thompson, Corston, Edwards, Rankine—7.</p>
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Alderman Whitman gives notice of reconsideration.

Clause (b) is now put and passed, Aldermen Edwards, Whitman and Hubley desiring to be recorded as voting against it.

Alderman Whitman gives notice of reconsideration.

Clause (c) is put and passed, Aldermen Whitman and Edwards voting against it.

Clause (d) is put and passed, 11 voting for the same and 5 against it, as follows:—

<p>For the Clause.</p> <p>Aldermen Shaffner, Wilson, O'Brien, McManus, Douglas, Smith, Hoben, Kelly, Martin, Corston, MacKenzie—11.</p>	<p>Against it.</p> <p>Aldermen Whitman, Hubley, Thompson, Edwards, Ranking—5.</p>
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His Worship the Mayor declares that the passing of the rider carries with it and disposes of the original resolution and that the resolution as originally submitted need not be now put.

Alderman Whitman gives notice of reconsideration.

PRESENTATION OF PAPERS.

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

Letter J. L. Anderson covering his accounts for refreshments New Year's reception.

Letter F. C. Durant re building site for manufacturing plant.

Letter Mrs. E. M. Parsons re site for public slaughter house.

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

Letter Charles W. Johnson re appointment of Plumbing Inspector.

Report Coal Weighers for June.

Application Thomas Foley for refund of liquor license deposit.

JULY 16TH, 1909.

Letter John P. Cairns, Assistant City Assessor, re his superannuation.

Offer Trustees of City Sinking Funds to loan the City \$1242.20.

Reports (4) Committee on Works, viz :—

Blowers Street concrete sidewalk.

House Young Avenue for J. A. MacInnes.

Park Street grading.

Building lines Coburg Road and Oxford Street.

Letter Engineer P. J. Sheehan re Fuller fire investigation and his dismissal from Fire Department.

REFERENCE OF PAPERS SUBMITTED.

Read letter J. L. Alexander covering his accounts for refreshments at last New Year's reception. Referred to Finance Committee for report.

Read letter F. C. Durant re building site for manufacturing plant.

PROPOSED MANUFACTURING PLANT FOR HALIFAX.

HALIFAX, July 7th, 1909.

HIS WORSHIP JOSEPH CHISHOLM,

Mayor of Halifax :

DEAR SIR,—Referring to our conversation of this date, and your request that I furnish you with a memoranda of details regarding the manufacturing plant for which I am endeavoring to find a building site.

I herewith submit the following :—

Size of property required, ten acres. Water front of 700 feet or more.

We propose erecting a manufacturing plant in the locality which presents the best advantages viewed from every point.

You saw the blue print which showed six buildings, three of which were over 100 feet in height.

We will employ upwards of 300 men, and possibly 20 boys.

The class of labor will be what would be termed good ordinarily intelligent labor.

We will import upwards of 500 tons raw material for daily consumption.

The manufactured products (about 500 tons) will be for consumption throughout the Dominion.

We will use upwards of 175 tons coal per day.

Our plant will cost from \$2,000,000 to \$2,500,000.

It is very manifest what an advantage it would be to any community to have a manufacturing plant of this magnitude located in its vicinity.

I will be pleased to hear from you as to what inducements and advantages your City can offer to secure the locating of the plant here. In this connection it will be necessary for me to have as full information as possible upon the following points :

What are the fees or taxes for obtaining a charter ?

A copy of the laws on the incorporating of stock companies would be convenient for me to have.

Harbor or wharf charges?

Provincial vs. Dominion charters. Any limit as to scope of charters?

Map of any property you may have to offer with dimensions marked thereon.

Character of ground, whether loam, sand, clay or rock.

Depth of water.

I believe the foregoing covers about all the information I require.

Trusting I may hear from you soon, I remain,

Yours respectfully,

F. C. DURANT.

Address:

Windsor Hotel,
Montreal.

Referred to Committee on Laws and Privileges for report.

Read letter Mrs. E. M. Parsons re site for public slaughter house.

Referred to Special Committee re Public Abattoir.

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

Read letter Charles W. Johnson re appointment Plumbing Inspector.

Referred to Committee on Works for report.

Read report Coal Weighers for June. Filed.

Read application Thomas Foley for refund of liquor license deposit.

Referred to Committee of Laws and Privileges for report.

Read letter John P. Cairns, Assistant City Assessor, re his superannuation.

J. P. CAIRNS' SUPERANNUATION.

CITY ASSESSOR'S OFFICE, July 16th, 1909.

His Worship the Mayor and Members of the City Council:

GENTLEMEN,—I would respectfully bring to the notice of the City Council the Acts of 1907, Chapter 69, Section 41, amended by the Acts of 1909, Chapter 84, Section 12.

J. P. CAIRNS, *Assistant City Assessor.*

Referred to Finance Committee for report.

Read letter Engineer P. J. Sheehan re Fuller fire investigation and his dismissal from the Fire Department. Placed on Order of the Day, with No. 15 thereon, viz: Report Committee of Firewards re their investigation into Fuller fire. July 8th, 1909.

CONSIDERATION OF PAPERS SUBMITTED.

Read offer of Trustees of City Sinking Funds to loan the City \$1,242.20.

LOAN FROM SINKING FUND.

OFFICE OF CITY TREASURER, July 16th, 1909.

To His Worship the Mayor and City Council :

GENTLEMEN,—I am instructed by the Trustees of the Sinking Funds to offer to loan the City the sum of twelve hundred and forty-two 20/100 dollars on the terms and conditions laid down in Chapter 84, Section 9 of the Acts of 1909.

W. L. BROWN, *City Treasurer.*

The following resolution is submitted :

Resolved, that the offer of the Trustees of Sinking Funds be accepted and that the City Treasurer be authorized to issue three debentures to aggregate the sum of twelve hundred and forty-two 20/100 dollars, to be paid in three annual instalments and to bear interest at the rate of four per centum per annum.

Moved by Alderman Whitman, seconded by Alderman Wilson, and passed unanimously.

Read nominations by His Worship the Mayor of Special Railway Committee, as follows, Aldermen Wilson, Hebb, Smith, Hubley, Corston and Rankine.

Moved by Alderman Edwards, seconded by Alderman Shaffner, that said nominations be approved. Motion passed.

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

BLOWERS STREET SIDEWALK.

CITY WORKS OFFICE, July 17th, 1909.

To the City Council :

GENTLEMEN,—At meeting of the Committee on Works held this day the attached report of the City Engineer on Minute of Council in re concrete sidewalk on South side Blowers Street between Granville and Barrington Streets was read and recommended to Council for adoption.

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

CITY ENGINEER'S OFFICE, July 14th, 1909.

His Worship the Mayor :

SIR,—I beg to report on the accompanying letter respecting the condition of Blowers Street sidewalk south side between Granville and Barrington Streets.

It is an old brick sidewalk adjoining Barrington Street which is in bad condition being pretty well worn out. As it adjoins the principal business street and is close to the centre of the business district, I would recommend that a concrete sidewalk be laid under the Halifax Permanent sidewalk Act, 1906. The estimated cost is \$644.00.

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

Moved by Alderman Whitman, seconded by Alderman O'Brien, that said reports be adopted. Motion passed.

Read reports Committee on Works and City Engineer re J. A. MacInnes' new house Young Avenue.

HOUSE YOUNG AVENUE.

CITY WORKS OFFICE, July 14th, 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 the plans and specification of a building to be erected on Young Avenue by J. A. McInnes was read and recommended to Council for adoption.

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

CITY ENGINEER'S OFFICE, July 14th, 1909.

His Worship the Mayor:

SIR,—I beg to submit the plans and specification sent for approval by J. A. McInnes who proposes to erect a building on lot No. 85 Young Avenue.

Mr. McInnes proposes to comply with the law in every respect and I would recommend that the Council approve of the plans and specifications submitted.

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

Moved by Alderman Whitman, seconded by Alderman Smith, that the plans be approved and the report adopted. Motion passed.

Read report Committee on Works re building lines Coburg Road and Oxford Street.

BUILDING LINES COBURG ROAD AND OXFORD STREET.

CITY WORKS OFFICE, July 14th, 1909.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works held this day, it was resolved to again recommend to Council the adoption of the City Engineer's report in re building lines on Coburg Road, west of Oxford Street. Your Committee in re Minute-of-Council notified the owners of property concerned to attend a meeting held on July 7th, and heard Messrs. Francis, King and President Regan, Waegwoltic Club, thereon. It was also resolved to again recommend to Council the adoption of the City Engineer's report in re building line on east side of Oxford Street, referred for further report to the Committee by Council.

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

Moved by Alderman Whitman, seconded by Alderman Smith, that said report be adopted. Motion passed.

The following resolution is submitted:—

Whereas, it is expedient that the building lines should be established by the City under the provisions of Section 547 of the City Charter, in respect to certain portions of Oxford Street and Coburg Road;

Therefore resolved, that the Council hereby establishes the building lines following, that is to say:—

On Oxford Street, between Quinpool Road and Oakland Street, on the east side, a building line, distant fifteen feet eastwardly from the eastern line of the street.

On Coburg Road, between Oxford Street and the North West Arm, on each side of the street, a building line on the north side, distant fifteen feet, northerly from the north line of the street, and on the south side, distant fifteen feet southerly from the south line of the street.

After the passing of this resolution no person shall build or place any building or structure or any portion of any building or structure on any property fronting on the portions of Oxford Street or Coburg Road above mentioned or any part of such property between the street lines and the building lines established by this resolution.

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

Read reports Committee on Works and City Engineer re cost of grading park at head of Spring Garden Road.

WIDENING COBURG ROAD.

CITY WORKS OFFICE, July 14th, 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 Minutes of Council in re widening Coburg Road at the head of Spring Garden Road was read and referred to Council for its information and action.

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

CITY ENGINEER'S OFFICE, July 14th, 1909.

His Worship the Mayor:

SIR,—In compliance with the accompanying resolution of the Council, I beg to submit herewith a plan of boulevarding and improving the junction of Coburg Road and Robie Street.

In the plan, the location of the street railway track between Edward Street and Spring Garden Road is altered to correspond with the proposed boulevard or parkway.

The estimated cost of laying curb and gutters, concrete sidewalk and sodding, as shown on the plan, is \$2,666.00, \$2,258.00 of which would be chargeable to the Permanent Sidewalk Fund and \$408.00 to Street Appropriation.

I would recommend that the sidewalks be laid between Edward Street and Spring Garden Road, and the south line of Coburg Road and the north side of Spring Garden Road, including curb and gutters on the north side of Coburg Road between Edward and Robie Streets, under the Permanent Sidewalk Act, 1906, and that the remainder of the work be done under the Street Appropriation, the cost of the latter not to exceed \$408.00.

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

Moved by Alderman Whitman, seconded by Alderman Wilson, that the same be referred back to the Committee on Works for further report.

Moved in amendment by Alderman MacKenzie, seconded by Alderman Hoben, that the same be referred to the Committee on Works to have the work carried out this year.

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

For the Amendment.

Aldermen O'Brien, McManus,
Hoben, Martin,
MacKenzie.—5.

Against it.

Aldermen Shaffner, Wilson,
Whitman, Smith,
Hubley, Corston,
Edwards, Rankine.—8

Original motion put and passed.

QUESTIONS BY MEMBERS.

MOTIONS BY MEMBERS.

Moved by Alderman Wilson, seconded by Alderman Shaffner, that the following Aldermen be appointed to the Committees named :

City Prison Committee—Alderman Smith.

Special Committee on Lighting—Aldermen O'Brien and Hubley.

Common Commission--Aldermen Corston and Smith.

Tenders Committee—Alderman Hubley.

Motion put and passed.

ORDER OF THE DAY.

Moved by Alderman Whitman, seconded by Alderman Wilson, that No. 17 on the Order of the Day be now taken up. Motion passed.

Read No. 17, viz., Alderman Whitman's notice of motion to rescind resolution passed August 9th, 1906, to pay for construction of permanent sidewalk Queen Street out of street appropriation. July 8th, 1909. (Verbal).

Moved by Alderman Whitman, seconded by Alderman Wilson, that the resolution passed City Council August 9th, 1906, to pay cost of cement sidewalk, curb and gutter on Queen Street between Rottenburg Street and Morris Street out of street appropriation be now rescinded. Motion passed.

Read reports Committee on Works and City Engineer re permanent sidewalk Queen Street, submitted at Council meeting July 2nd, 1909, and read and adopted at Council meeting July 8th, 1909.

Moved by Alderman Whitman, seconded by Alderman Douglas, that said reports be now adopted and the sidewalk constructed under the Permanent Sidewalk Act. Motion passed.

Moved by Alderman Hoben, seconded by Alderman Hubley, that No. 16 on Order of the Day be now taken up. Motion passed.

Read No. 16, viz., Alderman Hubley's notice of motion to rescind resolution passed July 2nd, 1909, declaring that the City Yard Kempt Road is not required. July 8th, 1909. (Verbal).

Read Minutes-of-Council July 2nd, 1909, in re Alderman Hoben's resolution declaring that the City Yard, Kempt Road, is not required for water extension.

Moved by Alderman Hubley, seconded by Alderman Whitman, that said resolution of July 2nd, 1909, be now rescinded.

Motion put and lost, 3 voting for the same and 11 against it, as follows :—

<p>For the Motion to Rescind. Aldermen Whitman, Hubley, Edwards—3.</p>	<p>Against it. Aldermen Shaffner, Wilson, O'Brien, McManus, Douglas, Hoben, Kelly, Martin, Corston, MacKenzie, Rankine—11.</p>
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Moved by Alderman Martin, seconded by Alderman Hubley, that the Council do now adjourn.

The motion being put there appeared :—

<p>For Adjournment. Aldermen Shaffner, O'Brien, Hoben, Kelly, Hubley, Martin, Corston—7.</p>	<p>Against. Aldermen Wilson, Whitman, McManus, Douglas, MacKenzie, Edwards, Rankine—7.</p>
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His Worship the Mayor gives his casting vote against adjournment and declares the motion lost.

Moved by Alderman Hoben, seconded by Alderman Douglas, that No. 3 on the Order of the Day be now taken up. Motion passed.

Read No. 3, viz : Alderman Edwards' notice of motion that all Committee meetings be open to the public. June 4th, 1908.

The following resolution is submitted :

Whereas, the interests of this City will be best served by the meetings of all Civic Committees being open to the public ;

Therefore be it resolved, that all resolutions of the City Council giving Committees authority to exclude the public from their meetings be rescinded.

Moved by Alderman, Edwards, seconded by Alderman Hoben.

Moved by Alderman Whitman, seconded by Alderman Wilson, that the further consideration of this matter be deferred until the next meeting of the City Council.

Motion put and lost, 5 voting for the same and 7 against it, as follows :—

<p>For the Motion to defer. Aldermen Shaffner, Wilson, Whitman, Hubley, Rankine—5.</p>	<p>Against it. Aldermen O'Brien, McManus, Douglas, Hoben, Kelly, Martin, MacKenzie.—7.</p>
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At 12 o'clock there being four or more members of the Council absent Alderman Hubley, seconded by Alderman Whitman demanded that a call of Council be made.

His Worship the Mayor directed the Chief of Police to send for the absent Aldermen.

During the half hour allowed for call of Council it was decided to proceed with other business.

Moved by Alderman MacKenzie, seconded by Alderman Douglas, that No. 2 on Order of the Day be now taken up. Motion passed.

Read No. 2, viz. : Report Commercial Committee re proposed new Market Building. May 27th, 1909. Petition for erection of Public Market Building. June 3rd, 1909. Report Special Committee re site for Public Market. Opinion City Solicitor re sale of market produce on Public streets. July 8th, 1909.

Moved by Alderman Hoben, seconded by Alderman Douglas, that the City offer the War Department \$12,000.00 for the Fuel Yard property Bedford Row for a site for a public market.

Moved by Alderman Wilson, seconded by Alderman Whitman, that the Council adjourn.

Motion to adjourn put and lost, 5 voting for the same and 6 against, as follows :—

For adjournment.

Aldermen Wilson, Whitman,
O'Brien, Hubley,
Rankine.—5.

Against.

Aldermen McManus, Douglas,
Hoben, Kelly,
Martin, MacKenzie.—6.

The papers in re market site are now read.

At 12.30 o'clock the Chief of Police reported that he had been unable to secure the attendance of the Aldermen who were absent at the time of the order for the Call of Council.

The Council resumes consideration of the resolution in re "open" committee meetings.

Moved by Alderman Hoben, seconded by Alderman McManus, that the question be now put. Motion passed.

The original resolution is put and passed, 7 voting for the same and 4 against it, as follows :—

For the Resolution.

Aldermen O'Brien, McManus,
Douglas, Hoben,
Kelly, Martin,
MacKenzie.—7.

Against it.

Aldermen Wilson, Whitman,
Hubley, Rankine—4.

Alderman Hubley gives notice of reconsideration.

The market site matter is resumed.

Moved by Alderman Wilson, seconded by Alderman Hubley, in amendment to Alderman Hoben's motion that a Special Committee consisting of Aldermen Hoben, Douglas, MacKenzie, McManus, Kelly and Martin be appointed to report on ways and means to acquire the Fuel Yard for a market site.

The amendment put and lost.

Alderman Hoben's motion that the City offer the War Department \$12,000.00 for the Fuel Yard is put and passed unanimously. Names being demanded there appeared :—

For the Motion.	Against it.
Aldermen Wilson, Whitman, O'Brien, McManus, Douglas, Hoben, Kelly, Hubley, Martin, MacKenzie, Rankine—11.	None.

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

Council adjourns 12.45 o'clock.

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, July 22nd, 1909.

A special meeting of the City Council was held this evening. At the above named hour there were present, Alderman Bligh, (Deputy Mayor), and Aldermen Wilson, Hubley, Martin, Thompson, Hoben, Smith, Whitman and Kelly.

Moved by Alderman Martin, seconded by Alderman Kelly, 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 O'Brien, Hebb, McManus, Douglas, Corston and Rankine.

The Council met pursuant to the following notice:—

"You are requested to attend a special meeting of the City Council on Thursday evening next, at 8 o'clock, in response to the following requisition:

'HIS WORSHIP THE MAYOR:

SIR,—The undersigned members of the City Council respectfully request Your Worship to call a special meeting of the City Council for 8 o'clock on Thursday evening next for the purpose of considering the report of the Committee of Fire Wards in re investigation into the Fuller fire.

JAMES S. EDWARDS,
NELSON B. SMITH,
S. Y. WILSON,
P. J. MCMANUS,
I. B. SHAFFNER,
WILLIS E. HEBB,
JOHN RANKINE,
A. WHITMAN.'

To proceed with business standing over and the transaction of other business.

By order of the Mayor,

L. FRED MONAGHAN, *City Clerk.*"

NOTICES OF RECONSIDERATION.

Alderman Whitman declines to move for the reconsideration of the Anderson Chair Co. matter, the items on the Order of the Day relating thereto being:—

1. Alderman Whitman's notice of reconsideration of clause (a) of

resolution, "That the agreement and bond be executed concurrently with the deed." July 16th, 1909.

2. Alderman Whitman's notice of reconsideration of clause (b) of resolution "That the amount of bond be \$5000.00." July 16th, 1909.

3. Alderman Whitman's notice of reconsideration in re site for factory of Anderson Manufacturing Co. July 16th, 1909.

The said items are dropped from the Order Paper.

Read No. 4, viz: Alderman Hubley's notice of reconsideration of resolution that all committee meetings be open to the public. July 16th, 1909.

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

Motion put and passed, 9 voting for the same and 5 against it, as follows:—

For reconsideration.	Against.
Aldermen Wilson, Whitman, O'Brien, Hebb, Smith, Hubley, Thompson, Corston, Rankine—9.	Aldermen McManus, Douglas, Hoben, Kelly, Martin—5.

The Deputy Mayor declares the resolution passed at the last meeting to be now before the Council for consideration.

Aldermen MacKenzie, Edwards and Shaffner here arrive and take their seats.

The resolution (see Minutes of last meeting) is now put and lost, 7 voting for the same and 10 against it, as follows:—

For the resolution.	Against it.
Aldermen McManus, Douglas, Hoben, Kelly, Martin, MacKenzie, Edwards—7.	Aldermen Shaffner, Wilson, Whitman, O'Brien, Hebb, Smith, Hubley, Thompson, Corston, Rankine—10.

Alderman Hoben gives notice of motion that the meetings of the Committee on Works be open to the public.

Alderman Wilson stated that he had given notice at the last meeting for the reconsideration of his resolution (which was lost) for the appointment of a Special Committee in re market site and that the same did not appear on the Order of the Day.

The Deputy-Mayor asked Alderman Wilson, if he desired to move that the minutes of Council be amended in respect to the same.

Alderman Wilson replied in the negative.

PRESENTATION OF PAPERS.

Moved by Alderman Wilson, seconded by Alderman Whitman, that Rule 2 be suspended and that No. 16 on Order of the Day be now taken up viz:—

Report Committee of Fire Wards re their investigation into Fuller fire. July 8th, 1909. Letter Engineer P. J. Sheehan re his dismissal from the Fire Department. July 16th, 1909.

Objected to under Rule 40.

After discussion, moved by Alderman Hubley, seconded by Alderman Martin, that the Order of business under Rule 2 be proceeded with.

Moved in amendment by Alderman Douglas, seconded by Alderman McManus, that the presentation, reference and consideration of papers be suspended and that No. 16 on the Order of the Day be now taken up.

Amendment put and lost 7 voting for the same and 10 against it as follows:—

For the Amendment.

Aldermen McManus, Douglas,
Hoben, Kelly,
MacKenzie, Edwards,
Rankine,—7.

Against it.

Aldermen Shaffner, Wilson,
Whitman, O'Brien,
Hebb, Smith,
Hubley, Thompson,
Martin, Corston.—10.

The original motion is put and passed, 10 voting for the same and 7 against it, as follows:—

For the motion.

Aldermen Shaffner, Wilson,
Whitman, O'Brien,
Hebb, Smith, Hubley,
Thompson, Martin,
Corston.—10.

Against it.

Aldermen McManus, Douglas,
Hoben, Kelly,
McKenzie, Edwards,
Rankine.—7.

The Deputy Mayor submits the following named papers:—

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

Petition against concrete sidewalk Robie St.

Invitation to convention of League of American Municipalities.

Letter T. F. Tobin re City Plan.

Letter Provincial Secretary re funds for School Board.

Petition for concrete sidewalk Victoria Road.

Letter City Engineer re report Committee of Fire Wards on investigation into Fuller Fire.

REFERENCE OF PAPERS SUBMITTED.

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

Read petition against concrete sidewalk Robie Street.

Referred to Committee on Works for report.

Read letter T. F. Tobin re Official City Plan so far as the same affects property of W. E. Hebb, Coburg Road. Referred to Committee on Works for report.

Read invitation to City Council to send delegates to Annual Convention of League of American Municipalities at Montreal, August 25-27. Ordered to be acknowledged and filed.

Read petition for concrete sidewalk Victoria Road. Referred to Committee on Works for report.

Read letter Provincial Secretary covering order in Council re funds (\$985.00) for School Board to cover certain contracts.

FUNDS FOR SCHOOL BOARD.

HALIFAX, N. S., 21st July, 1909.

SIR.—I am directed by the Provincial Secretary to transmit herewith a certified copy of an Order of His Honour the Lieutenant Governor in Council, dated 14th inst. approving of a proposed contract between the Board of School Commissioners for the City and John Foley for the construction of an outside Lavatory at the Halifax Academy Building, and ordering and directing the City of Halifax to issue Debentures to raise the sum of \$985, that amount being required for the purpose of constructing the Lavatory.

FRED. F. MATHERS,

Deputy Provincial Secretary.

The City Clerk, Halifax.

CERTIFIED COPY OF AN ORDER OF HIS HONOR THE LIEUTENANT-GOVERNOR OF NOVA SCOTIA IN COUNCIL, DATED 14TH JULY, 1909.

Whereas, the Board of School Commissioners for the City of Halifax has submitted to the Governor-in-Council a proposed contract with John Foley for the construction of an outside Lavatory at the Halifax Academy building, for the sum of eight hundred and ninety dollars, according to specification prepared by John Morris, the Board's carpenter ;

And whereas, the said Board requires said sum of eight hundred and ninety dollars to carry out said contract, and the further sum of ninety-five dollars, being the estimated cost of carpenter work in connection with said Lavatory, making together the sum of nine hundred and eighty-five dollars, and has applied to the Governor-in-Council for an order directing the City of Halifax to issue its Debentures to raise the said last mentioned sum required as aforesaid ;

And whereas, due notice of the amount so required and of the purposes for which the same is required and of the time and place appointed to wit, Wednesday, the 7th July, 1909, at 11 a. m., in the Executive Council Room, at which the matter of such application would be heard was given to the Mayor of said City ;

And whereas, the matter of such application was heard at such time and place ;

Now, therefore, the Governor-in-Council, under and by virtue of Section 812, of the Halifax City Charter, is pleased to approve of the said proposed contract and under and by virtue of Section 820 of said Halifax City Charter, added thereto by Chapter 67 of the Acts of 1907, is pleased to order and direct, and doth hereby order and direct the City of Halifax to issue Debentures to raise the amount so required.

FRED F. MATHERS,
Clerk of the Executive Council

Filed.

Read letter City Engineer re report of Committee of Fire Wards on Fuller fire investigation.

FULLER FIRE.

CITY ENGINEER'S OFFICE, July 16th, 1909.

His Worship the Mayor:

SIR.— The report of the Fire Board on the Fuller Fire investigation states among other things that they "censure the City Engineer and Foreman Morrison for their failure to offer advice and assistance to the Fire Department so that engines could be more effectively placed."

Before passing judgment on this finding, I would respectfully ask the Council to permit me to state briefly the reasons why advice was not offered. In the first place, such advice was offered three years ago but was not accepted by the chief. At the time I offered to meet his officers with Foreman Morrison at one of the fire stations on any night or number of nights and explain to them to the best of our ability how the water service should be used. He has ignored that offer and has not only shown resentment at our criticism, but declined to accept advice. This can be shown not only from his action but from the evidence taken in the investigation.

The Chief says "we have been told by the Engineer and Mr. Morrison that my men do not know how to turn on a hydrant." The evidence of Edward Murphy called by the Chief showed that although he had been taught to open a hydrant full before it would be turned on properly, he now used his own judgment because a tap does not have to be opened full to get plenty of water. When we have offered advice or criticism in such cases, it is resented by the Fire Department and our men have reached the conviction that if they do not stand aloof they may expect the same treatment that Mr. Smith of the Water Department was threatened with by the Chief for answering Mr. Morrison questions viz: "I will make it hot for you some night when I come alongside of you at a fire."

Mr. Morrison offered advice in regard to the placing of engines at the Crump & Perrier fire with which I agree, yet his efforts were resented and his advice rejected. The Chief says Mr. Morrison said at Crump & Perrier's fire that we had lots of water and I did not know how to use it. My men would not go to those hydrants again."

It seems to be the popular charge in the Fire Department to blame the water service when engines and hose lines do not give satisfactory results, and they ignore and disbelieve Mr. Morrison's advice. In fact, the Chief stated that he did not think that he had any reason to ask Mr. Morrison for advice and information when he had asked the proper authorities.

It is equally useless for me to advise. The Chief in his evidence stated his reason for not moving engines; among others, he could not move any engine but the one as Duke St. and Water St., and that it would take half an hour to do it; also that the two lines of hose on her would be disconnected and left to lie right there as they were the first two lines down and could not be taken up. He says putting on a smaller nozzle would have been wasting time, and shutting off one or more streams to improve the remainder would do no good, and he did not do any of these things because "there was too much fire to fool with streams". He also considers it advisable to lay extra lengths of hose at first, rather than break couplings later, when necessary to increase

the length of a line, being apparently unaware of the reduction in the efficiency of the stream by his method.

In all these points my opinion is the reverse of the Chief's, and he prefers his own. I have no desire to interfere with the fire management and no authority to force either my opinion or Mr. Morrison's on the Chief, and in consequence of the attitude of hostility to our advice and criticism and failure to agree with it or accept it, we have refrained from further annoying and antagonizing the Fire Department by offering it.

Mr. Morrison and myself have always been ready to do our best for the City in any capacity, and to carry out to the best of our ability, any instructions which the Council may give us.

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

Placed on Order of the Day until No. 16 thereon relating to the same subject.

Moved by Alderman Wilson, seconded by Alderman Edwards, that No. 16 on Order of the Day be now taken up. Motion passed.

Read No. 16, the same being the various letters and report of Fire Wards relating to Fuller fire investigation.

The said papers are now received.

Moved by Alderman Edwards, seconded by Alderman Wilson, that the report of the Committee of Fire Wards (see printed minutes of Council, July 8th, 1909), be considered under its four sub-divisions, viz. :—

1. The disabling of the "Alexandra" engine.
2. The alleged shortage of water.
3. The alleged bad management of the fire.
4. Recommendations.

Motion passed.

Read Section I re disabling of the "Alexandra" engine.

Moved by Alderman Edwards, seconded by Alderman Wilson, that the same be adopted.

The following amendment is submitted :—

Resolved, That the Council accede to the request of Sheehan that he be examined before two engineers before he is dismissed.

Moved by Alderman Hoben, seconded by Alderman O'Brien.

Alderman Douglas, rising to a point of order, claimed that Alderman Hubley was addressing the Council a second time on an amendment, and asked for the opinion of the City Solicitor.

Alderman Hubley claimed he was speaking to both the original resolution and the amendment, that he was entitled to three speeches—two to the original motion and one to the amendment.

The City Solicitor stated that the amendment is now before the

Council and that until it is disposed of members are limited to one speech—that they cannot address the Council on the resolution until the amendment is disposed of.

His Worship the Mayor ruled in accordance with the opinion of the City Solicitor.

Alderman Hoben's amendment is put and passed, 11 voting for the same and 5 against it, as follows :—

For the amendment.

Aldermen Shaffner, O'Brien,
McManus, Smith, Hoben,
Kelly, Hubley, Martin,
Corston, MacKenzie,
Rankine.—11.

Against it.

Aldermen Wilson, Whitman,
Hebb, Thompson,
Edwards.—5.

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

The Council adjourns 11.15 o'clock.

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, August 4th, 1909.

A meeting of the City Council was held this evening. At the above named hour there were present Deputy Mayor Alderman Bligh, and Aldermen Hobn, Wilson, MacKenzie, Hubley, Whitman, McManus and O'Brien.

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

8.30 o'clock. Roll called. Present: the above named together with Aldermen Shaffner, Smith, Douglas, Kelly, Thompson, and Corston.

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

PRESENTATION OF PAPERS.

The following named papers are submitted:

Report Library Commission, by Alderman Wilson, for Chairman.

Report City Prison Committee, by Alderman Wilson, Chairman.

Report Charities Committee, by Alderman O'Brien, for Chairman.

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

Report Finance Committee, by Alderman Whitman, Chairman.

His Worship the Mayor submits the following named papers:—

Petition for water extension Phillips Street.

Application of J. L. Barnhill for position of Assistant City Assessor.

Application James Halliday for position of Assistant City Assessor.

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

Letter Civic Improvement League re building line west side Pleasant Street.

Letter N. S. Board of Fire Underwriters re improvements Fire Department.

Letter Chief Fire Department re Fuller fire investigation.

Petition in re Queen Street dump.

Petition for a public well Africville.

Letter Union of Nova Scotia Municipalities re Annual Convention September 1st and 2nd at Yarmouth.

Restraining order and writ of summons Joseph S. Hubley vs. the City of Halifax.

Letter City Solicitor re Anderson Chair Company.

Copy of order by the Honorable Commissioner of Public Works and Mines in re Strong.

Letter Board of Trade re Public Market Building.

Report Police Committee covering accounts.

Reports (4) Committee on Works, viz. :—

Accounts.

Sidewalk Victoria Road.

Sidewalk Victoria Lane.

In re appointment of Plumbing Inspector.

REFERENCE OF PAPERS SUBMITTED.

Read applications of J. L. Barnhill and James Haliday for position of Assistant City Assessor. Filed.

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

Read petition for a public well Africville. Referred to Committee on Works for report.

Read petition for water extension Phillips Street. Referred to Committee on Works for report.

Read letter N. S. Board of Fire Underwriters in re improvement in Fire Department.

IMPROVEMENTS FIRE DEPARTMENT.

Copy of resolution passed by the Nova Scotia Board of Fire Underwriters July 27th, 1909 :—

Whereas, the investigation recently ordered by the Halifax City Council into the fire known as the Fuller Fire has been concluded and a report thereon with recommendations has been laid before the City Council.

And Whereas, in the opinion of this Board certain of the recommendations in the said report would if carried into effect by the City Council materially improve the fire fighting ability of the City, which recommendations in short are as below :—

1. That the present 6-inch main on Duke Street be examined, cleaned and tested, and if necessary be replaced by a new 9-inch main.
2. That regulations be made and enforced to assure the working in harmony of the Water and Fire Departments at all fires.
3. That a system be devised and carried out so that the inexhaustible supply of water from the harbor can be made available for all water front fires.
4. That all engineers be made permanent men.
5. That Fire Department horses should not be used for other than fire purposes.

Therefore resolved, that this Board respectfully suggest to the City Council the advisability and necessity of seriously considering these recommendations without prejudice and without delay, and insofar as the City's finances will permit to order the improvements embraced in these recommendations and such other improvements as the City Council may deem necessary at as early a date as possible.

Further resolved, that a copy of this resolution be forwarded to the City Clerk and to the Secretary of the Board of Trade.

EDWARD J. FAHIE, *Secretary*.

Placed on Order of the Day.

Read letter Chief of Fire Department in re Fuller fire investigation.

FULLER FIRE INVESTIGATION.

OFFICE OF CHIEF FIRE DEPARTMENT, Aug. 4th, 1909.

To His Worship the Mayor and City Council :

GENTLEMEN,—I feel that in justice to myself and other members of the Fire Department, I cannot allow the letter of City Engineer Doane, written to your honorable body July 16th, to pass without comment.

With regard to the report of the Fire Board in reference to the Fuller Fire Investigation, I have nothing to say at this time. I do not presume to dictate to the Council what it should do ; I merely hold myself at the disposal of the Council should it decide to enquire more fully into matters concerning the management of that fire, and other matters in connection with that fire.

The letter of Mr. Doane, with its entirely incorrect and misleading statements, compels me to place the actual facts before your honorable body. In doing so I shall answer the various points raised by the City Engineer.

In regard to Mr. Doane's statement that he did not offer advice to me at the Fuller fire because such advice "was offered three years ago but was not accepted by the Chief," I wish to say:—

I never received any advice from Mr. Doane, nor was any offered me before, or at any fire by that official or any other member of the Water Department since I took charge of the Fire Department. His statements, to use mild language, are positively incorrect and not in accordance with the facts or the truth. The details about the offer are only a part of the misstatements made by Mr. Doane in his letter. I positively state that advice was never offered me by the City Engineer, and this I wish to emphasize.

In regard to Mr. Doane's statement that "Edward Murphy stated that he did not turn the water on full," I have to say that Mr. Murphy, according to the official copy of the evidence in the investigation, when asked the question, "Are you sure the water was on full?" said, "I turned it on till it stopped." If a hydrant is in good working order it does not stop till the water is on full.

Mr Doane goes on to say as follows:—"When we have offered advice or criticism in such cases, it is resented by the Fire Department, and our men have reached the conviction that if they do not stand aloof they may expect the same treatment that Mr. Smith of the Water Department was threatened with by the Chief for answering Mr. Morrison's questions." In this particular I wish to state that I spoke to Smith as a fireman in order to discipline him. He is not a Water Department official ; he is merely a meter reader. I spoke to him nine days after the Fuller fire. I would ask the City Engineer to state with particularity and dates the cases where friction has occurred. I never heard of it if it did occur. I will expect to receive from the Engineer full information on this alleged "friction."

The Engineer says Mr. Morrison offered advice "in regard to the placing of engines at the Crump & Perrier fire" with which he agreed, yet his efforts were resented and his advice rejected. In this connection I wish to say that I did not see Mr. Morrison at the Crump & Perrier fire till it was under control. When I did see him, after the fire, he made no suggestions about changing the position of the engines, nor did he at any other time make any suggestions in that respect. The engines were changed but not on the advice of any Water Department official.

I did all in my power to get a better knowledge of the water service from the person who should be best able to give it, the head of the Water Department. I several times requested this information, but was unable to get it from the City Engineer, and I have not got it yet. I have asked Mr. Morrison for advice on two occasions, if not more. I asked for advice from him at St. Luke's fire and at Snow's fire. I asked about the Sackville Street main being let into Brunswick Street main after the Willis fire on Brunswick Street.

In regard to the moving of the engines, in which respect Mr. Doane says his opinion differs from mine, I have to say that had I moved the engine at all it would not have been to another hydrant, but to either the King's Wharf or the Ordnance Wharf. My experience with the hydrants would have caused me to do this.

I say again that the first hose laid, which was under all the other hose afterwards laid, would necessarily have been left had a change been made. It is only natural that it should. I did shut off one stream but it was of little avail. The improvement was not noticeable enough to be of consequence.

In regard to hydrants I have to say that during the investigation it was several times proven that hydrants could not be turned on.

The Engineer says that he and other water officials have refrained from offering further advice on account of the annoyance and antagonism it causes the Fire Department. I have only to say that I and the Chief Engineer, and indeed the whole department, are exceedingly anxious to learn more about the water system.

As a result of the investigation I have issued orders that henceforth only one engine is to be placed on Blowers and Duke Streets. Mr. Morrison, in this connection, says that a six inch pipe will feed two engines while Mr. Doane says it will feed only one. Two authorities apparently differ very widely.

I myself, and my officers and men, have all along courted the fullest investigation into matters relating to the Department. In justice to all of us I ask your honorable body to weigh the evidence which was given on the investigation by Mr. Doane and Mr. Morrison; Mr. Morrison at page 314, and Mr. Doane at pages 303 to 313. The many misstatements of the City Engineer compel me to write this in my own and the men's defence.

I may state that my business as I understand it, is to fight fires; the Engineer's duty as I conceive it, is to give me all information as to the supply of water. I have been unable to get that information from him.

P. J. BRODERICK,
Chief Fire Department.

Placed on Order of the Day.

Read petition in re Queen Street Dump. Referred to Committee on Works for report.

Read letter C vic Improvement League re building line west side Pleasant Street. Referred to Committee on Works for report.

Read report City Prison Committee re tenders, accounts, &c.

REPORT CITY PRISON COMMITTEE.

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

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), O'Brien and Corston, tenders were received for the supply of groceries required for the Prison from now until April 30th, 1910, from Wentzell's, Ltd., Share & Campbell, W. J. Hopgood & Son and W. I. Hubley.

It is recommended that the tender of Wentzell's, Ltd., be accepted, it being the owest tender.

The following accounts, amounting to \$505.35, were examined, found correct, and recommended for payment:—

Halifax Tram Co., light, 20c. J. E. Myers, tap, \$2.50. Longard Bros., brass com. cock, \$4.30. Wm. Robertson & Son, brushes, 4fc. S. Cunard & Co., coal, \$445.50. Wm. Robertson & Son, farming tools, \$1.09. Wentzell's, Ltd., groceries, \$16.36. W. A. Maling & Co., ox heads, \$15.75. A. M. Bell & Co., bug poison, &c., \$7.20. J. J. Carnell, wheel, \$14.00. Total, \$505.35.

The monthly reports of Governor and Matron were submitted and are hereto attached

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 O'Brien and passed.

Read report Charities Committee for July.

REPORT CHARITIES COMMITTEE.

HALIFAX, N S., August 4th, 1909.

His Worship the Mayor and Members of the City Council:

GENTLEMEN,—The Charities Committee met this day and beg to submit the following report. Members present Alderman O'Brien, Alderman Corston, and Alderman Wilson.

The Superintendent's report for July shows that during the month there were 34 persons admitted into the City Home, 1 born, 39 discharged and 2 died. Of the number admitted 8 were chargeable to the Province and 26 to the City. The total number of inmates at this date is 339 made up of 202 men, 133 women and 4 children. On the same date last year there were 180 men, 135 women and 2 children, a total of 317.

The following accounts are recommended for payment viz:—Wentzell, Ltd, \$503 71. W. A. Mailing & Co., \$361.17. Scotia Pure Milk Co., \$226 61. Geo. Gregoire, \$29.28. Fleischman & Co., \$4.20. Smith Bros. \$54.93. Henry Lovett \$13.74. Halifax Tram Co., \$12.09. F. A. Shaw, \$30.75. H. D. MacKenzie Co., Ltd. \$36 71. S. Cunard & Co., \$173.75. T. C. Allen & Co., \$3.30. Black & Flinn, \$71.86. Farquhar Bros., \$2.60. Wm. Taylor, Ltd., \$29.70. W. C. Knight, \$1.30. J. McD. Taylor, \$2.50. Brookfield, Bros., \$14.53. A. M. Banks, \$2.00. Baldwin & Co., \$1.00. R. J. White, \$4.65. J. F. O'Connell, \$2.40. J. F. Outhit, \$31.45. Wm. Stairs Son & Morrow, 70c. B. J.

Mulcahy, \$211.26. Salaries for July, \$826.23. Nova Scotia Hospital \$848.80. W. N. Brown, \$6.10.—Total, \$3507.26.

JAMES J. O'BRIEN, *Acting-Chairman*.

The following resolution is submitted:—

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

Moved by Alderman O'Brien, seconded by Alderman Wilson and passed.

Read report Police Committee re accounts.

POLICE ACCOUNTS.

MAYOR'S OFFICE, August 3rd, 1909.

To the City Council:

GENTLEMEN,—The Police Committee met this day at 12.15 p. m.

The following accounts were passed and recommended for payment, viz. :—

Clayton & Sons, \$10.00. MacAlpine Publishing Co., \$7.00. Lane's (Hatters), -136.75. W. N. Brown, \$1.50. Board of Fire Commissioners—for term ending July 31st, 1909, \$37.50; for term ending April 30th, 1909, \$37.50. Total, \$230.25.

F. P. BLIGH, *Deputy-Mayor*.

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

Read report Library Commission covering accounts.

LIBRARY ACCOUNTS.

COMMITTEE ROOM, CITY HALL, July 26th, 1909.

To His Worship the Mayor and City Council:

GENTLEMEN,—The Citizens' Free Library Commission met this day at 4 p. m. Present—Aldermen Hebb (Chairman), Wilson, Corston and Rankine.

The following accounts, amounting to \$13.91, were passed as correct and recommended for payment :—

Mutual Subscription Agency, \$4.06. MacAlpine Publishing Co., directory, 1909-10, \$3.50. C. D. Cazenove, ls. 8d—40c. Library Bureau, \$3.75. Total, \$13.91.

S. Y. WILSON, *for the Chairman*.

The following resolution is submitted:—

Resolved, That the report of the Library Commission be 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 report Committee on Works covering accounts for payment.

CITY WORKS ACCOUNTS.

CITY WORKS OFFICE, August 4th, 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 :—

Water Maintenance	\$414 71
Water Construction	468 45
Street Lighting	1725 78
Streets	1115 69
Sewerage	312 14
City Property	267 74
City Hall Lighting	66 69
Internal Health	61 25
Permanent Sidewalks	56 81
New Workshops	17 36
Cleaning Paved Streets	26 65
Teams and Stables	9 76
Electric Wiring Inspection	3 50
Public Baths	75
Total	\$4537 28

F. P. BLIGH, *Deputy-Mayor and Chairman.*

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

Read report Committee of Fire Wards on various matters.

REPORT COMMITTEE OF FIRE WARDS.

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

His Worship the Mayor and City Council:

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

1. The Board has received from the City Clerk an extract from the Minutes of Council meeting held July 22nd, with reference to a petition of Engineer Sheehan for examination before two engineers in connection with the Fuller fire. Your Board is not aware that there was any authorization for the sending of this communication to the Fire Wards and the same is returned herewith for action by the Council.

2. Benjamin Johnson, Call-man No. 2 hose, has resigned, recommended for acceptance.

3. The fire engine Alexandra was put in commission July 27th, after being repaired at a cost of \$451.39.

4. The suction hose on No. 3 Engine Chebucto, over thirty years in service, is worn out. It will cost about \$32.50 to replace a 10 ft. length. The Chief was instructed to obtain tenders for same.

5. It is recommended that George Gibson, supernumerary, be appointed callman vice Benjamin Johnson, resigned, and that John Duggan, William Cook, Thomas Hencher, and William Parsons be appointed supernumeraries.

6. It is recommended that Henry Jeans and Duncan Jones, supernumeraries, be asked to resign.

7. After receiving tenders for supply of uniform clothing for the permanent force, your Board consider it inadvisable from a financial standpoint to incur this expense. Tenders were then called for and received for supplying such garments or portions of suits as are recommended for the men requiring the same by the Chief. These tenders have been received and it is recommended that the Chairman and Chief be authorized to accept the lowest tender, not to exceed a total of \$300.00.

8. It is recommended that the stalls in Central Engine House be repaired at a cost not to exceed \$300.00. the labour to be performed by the Department's men.

9. It is recommended that repairs not to exceed \$20.00 be done at Islesville House by the Department's men and that the tender of W. Horton & Son for painting the inside of said house, \$27.00, and \$3.00 for the new work, be accepted.

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

W. C. Knight, saddlery, \$22.15. Canadian Oil Co., gasoline, \$7.90. T. C. Allen & Co., stationary, \$1.65. Hillis & Sons, Ltd., stall pars, \$98.00. Halifax Tram Co., light, \$12.19; power \$9.94, \$22.13. F. A. Shaw, feed, \$279.63. A. & W. MacKinlay, book, 95c. Macdonald & Co., repairs Alexandra, \$190.00. Jas. Roue, D. water, \$1.50. John MacInnes & Son, lumber, \$6.44. A. J. Grant & Co., hardware, \$3.10. Longard Bros., oil, 50c. Moriarity & Jarrett painting Grafton Street House, \$105.00. Jas. Dempster & Co., lumber, \$2.12. J. A. Dunn, Ltd., nickelplating, \$1.70. J. H. Mont & Co., carriage work, \$6.05. David Roche, glazing, \$1.75. Recorder advertising, \$4.35. S. Cunard & Co., coal, \$21.75. Austen Bros. tubes for Alexandra, \$232.89. Austen Bros., coat, \$5.20. John Davison & Son, lumber, \$7.10. Total—\$1021 86.

S. Y. WILSON, for Chairman.

The same is considered clause by clause.

Clause 1 to 7, are severally read and adopted.

Read clause 8 re improvement Central engine house.

Moved by Alderman Wilson, seconded by Alderman O'Brien, that said clause be adopted.

Moved in amendment by Alderman Hubley, seconded by Alderman McManus, that said clause be referred back to the Committee for further consideration.

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

For the amendment.	Against it.
Aldermen McManus, Douglas, Hoben, Kelly, Hubley, Corstor, MacKenzie—7.	Aldermen Shaffner, Wilson, Whitman, O'Brien. Smith, Thompson—6.

Clause 9 and 10 are severally read and adopted.

The following resolution is submitted :

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

Moved by Alderman Wilson, seconded by Alderman O'Brien and passed.

Read report Finance Committee on various matters.

REPORT FINANCE COMMITTEE.

COMMITTEE ROOM, CITY HALL, August 3rd, 1909.

His Worship the Mayor and City Council:

GENTLEMEN,—Your Committee on Finance beg to report that at a meeting held this day there were present Aldermen Whitman (Chairman), Bligh, Smith and Hubley. The following matters were under consideration :

1. Letter J. L. Alexander covering account \$50.00 for refreshments at New Year's Civic reception. On motion of Alderman Bligh, seconded by Alderman Smith, the Committee decided to recommend that this account be paid out of Contingent Account, as has been the custom heretofore.

2. Letter John P. Cairns, Assistant Assessor, in re his superannuation.

Your Committee recommend that the City Council protest against the legislation superannuating Mr. Cairns in view of the fact that the Council had by resolution opposed such superannuation allowance, and that notice of such protest be forwarded to the Provincial Secretary requesting that no similar legislation be passed in future without first having the approval of the citizens of Halifax as represented by the City Council.

Your Committee further recommend that the Council advertise for applications for the position of Assistant Assessor, applications to be filed at the office of City Clerk by noon on Thursday, August 19th, inst. Applicants to state their special qualifications for the position.

It is further recommended that His Worship the Mayor be requested to call a special meeting of Council on above date to deal with applications.

3. Letter Juries Committee in re revising jury lists.

It is recommended that the Council fix an allowance for revising the said lists.

4. Letter City Treasurer informing Committee that the agreement between the City and the Royal Bank of Canada re City's bank account will expire on September 1st next.

Your Committee report that from inquiries made they are of the opinion that the City cannot obtain better banking terms than the City now has from the Royal Bank of Canada, and unless the City Council deem it advisable to ask for tenders, they would recommend the adoption of the following resolution :—

Whereas, the agreement existing between the City and the Royal Bank of Canada in respect to the City's Bank Account will expire on September 1st, 1909; and

Whereas, the said agreement has been satisfactory to the City, and the Royal Bank of Canada is willing to extend the same;

Be it resolved, that the agreement be extended for the term of three years from 1st of September, 1909, the terms to be as at present, viz., the Bank to charge interest on advances at the rate of five per cent., and to allow interest on credit balances and deposits quarterly at the rate of four per cent. per annum.

The following accounts amounting to \$1,680.64 were examined, found correct, and recommended for payment, viz :—

John H. Barnstead, District Registrar Births and Deaths, salary, one quarter to August 1st, 1909, \$125.00. St. Patrick's Home—Truants, for quarter ending August 1st, 1909, \$248.82; Reg. commitments, \$224.17—\$472.99. Halifax Industrial School—Truants, \$175.00; Reg. commitments, \$220.00—\$395.00. Monastery of Good Shepherd, \$15.00. Board of Trade, for entertaining Can. Freight Association, \$150.00. Monetary Times, advertising loan, \$30.00. Canadian Journal of Commerce, advertising loan,

\$26.00, Holloway Bros., printing Minutes, etc., \$119.49. Dr. W. D. Finn—certificates of death of Paul E. Murphy, \$4.00; Wm. Ingram, \$4.00—\$8.00. Halifax Herald, advertising liquor license applications, \$37.05. R. G. Dunn & Co., Comm and Legal Record to June, 1909, \$10.00. McAlpine Pub. Co., directories—City Clerk, \$3 50; Collector, \$10.50; License Inspector, \$3.50—\$17.50. Chronicle Pub. Co., advertising, \$43.60, \$44.45, \$5.85, \$5.85, \$9.34—\$108.75. Blackadar Bras., advertising Recorder, \$4.35, \$9.60, \$35.56, \$4.35—\$54 86. A. & W. Mackinlay, books City Assessors, \$111.00. Total, \$1680.64-

ALFRED WHITMAN, *Chairman.*

The same is considered clause by clause.

Read clause 1 re account of J. L. Alexander.

Moved by Alderman MacKenzie, seconded by Alderman Wilson, that said clause be adopted.

Alderman Hoben asked the City Solicitor if is legal to put this motion to the Council.

The City Solicitor stated that the motion is in order.

The motion is put and passed 10 voting for the same and 3 against it, as follows:—

For the Motion.	Against it.
Aldermen Shaffner, Wilson, O'Brien, McManus, Douglas, Smith, Kelly, Thompson, Corston, MacKenzie.—10.	Aldermen Whitman, Hoben, Hubley.—3.

Read clause 2 re superannuation of Assistant City Assessor John P. Cairns.

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

The following amendment is submitted:—

Resolved, That the Local Legislature be requested to repeal the Legislation superannuating Assistant City Assessor Cairns.

Moved by Alderman Wilson, seconded by Alderman Thompson.

Alderman Whitman asked that the question be decided.

The Chair divides the question (clause 2 of the report) into sub-clauses A., B., and C.

The question is stated by the Chair to be :

1st. the original motion for the adoption of sub-clause A of the report, and

2nd. the amendment requesting the repeal of the legislation.

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

For the Amendment.

Against it.

Aldermen Shaffner, Wilson, Whitman, Aldermen O'Brien, McManus,
Smith, Hoben, Hubley, Douglas, Kelly,
Thompson, Corston.—8. MacKenzie.—5.

The Chair rules that the amendment now stands passed as a rider to sub-clause A.

The motion for the adoption of sub-clause A as amended by the rider is put and passed.

Read sub-clause B re advertising for applicants for Assistant Assessor.

Moved by Alderman Whitman, seconded by Alderman Smith, that said sub-clause be adopted. Motion passed.

Read sub-clause C re special meeting of the City Council.

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

Moved in amendment by Alderman Wilson, seconded by Alderman Whitman, that said clause be amended by making the date of the special meeting August 26th instead of August 19th.

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

For the Amendment.

Against it.

Aldermen Shaffner, Wilson, Aldermen McManus, Douglas,
Whitman, O'Brien, Hoben, Hubley—4.
Smith, Kelly, Thompson,
Corston, MacKenzie—9.

The sub-clause as amended is now adopted.

Clause 2 as amended is now adopted as a whole.

Read clause 3 re Juries Lists.

Moved by Alderman Whitman, seconded by Alderman Wilson, that this year's Juries Committee be paid \$200.00 out of Contingent Fund and that in future the sum of \$200.00 be placed in the estimates for this service. Motion passed. Alderman Thompson dissenting.

Read clause 4 re the City's bank account.

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

Read clause 5 re accounts.

The following resolution is submitted:

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

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

Read restraining order and writ of summons in suit Joseph S. Hubley vs. the City of Halifax in re sale of land by the City to the Anderson Manufacturing Company.

HUBLEY vs. CITY OF HALIFAX—INJUNCTION.

1909. A. No. 16980.

IN THE SUPREME COURT.

BETWEEN.

Joseph S. Hubley.

and

Plaintiff.

The City of Halifax, Joseph A. Chisholm, L. Frederick Monaghan and the Attorney General of Nova Scotia. *Defendants.*

Before His Lordship Mr. Justice Meagher in Chambers.

Upon reading the writ of summons in this action and the affidavit of Joseph S. Hubley, sworn herein this day and the exhibits therewith produced, and upon hearing Mr. Edmund P. Allison of counsel with the plaintiff, the plaintiff by his counsel undertaking to pay any damages that may hereafter be ordered by the Court or a Judge to be paid by the plaintiff in case the court or a judge shall be of opinion that the defendants or either of them shall have suffered any damages by the restraining order hereinafter granted which the plaintiff ought to pay.

It is ordered, That the defendants Joseph A. Chisholm and L. Frederick Monaghan, the Mayor and City Clerk, respectively, of the defendant City of Halifax, be and they and each of them are hereby restrained and enjoined until after the summons hereinafter contained is disposed of from signing or executing any deed or conveyance from the defendant City of Halifax to the Anderson Manufacturing Company, Limited, or otherwise of that lot of land, or any portion thereof, belonging to the defendant City of Halifax and situate, lying and being in the north-western part of the City of Halifax. The said land being more particularly described as follows:—beginning at the north-west corner of Longard Street and Young Street; thence running westerly along the north side line of Young Street to the north east corner of Kempt Road and Young Street; thence northerly along the east side line of Kempt Road, a distance of 600 feet; thence easterly to the west side line of Longard Street a distance of 376 feet more or less; thence southerly by the west side line of Longard Street a distance of 575 feet to the place of beginning. The whole lot being numbered 11 on the Plan entitled "Right of Way and Land Plan," signed by F. W. W. Doane, City Engineer, dated April 2nd, 1892 and on file in the the City Engineer's Office at Halifax, the same being the lot of land referred to in four certain resolutions of the City Council of the said defendant City of Halifax passed on June 11th, July 2nd, 8th and 16th, 1909, respectively.

And it is further ordered, That this order may be served with the writ of summons herein and before appearance herein by the defendants or any or either of them.

And let all Parties Concerned, attend the Judge at Chambers at the County Court House at Halifax, in the County of Halifax on the twenty-seventh day of August, A. D. 1909, at eleven o'clock in the the forenoon upon the hearing of the application on behalf of the plaintiff for an Order to continue the restraining order hereinbefore granted until the trial of this Action.

In support of said application will be read said affidavit of Joseph S. Hubley and the exhibits therewith produced, the same being filed with the Prothonotary of this Court at Halifax, and all the other papers on file herein in said office at Halifax aforesaid.

Dated at Halifax this 26th day of July. A. D., 1909.

S. H. HOLMES, Prothonotary.

STATEMENT OF CLAIM.

The plaintiff's claim is as well on his own behalf as on behalf of all the inhabitants and ratepayers of the defendant corporation, the City of Halifax, other than the defendants Joseph A. Chisholm and L. Frederick Monaghan, for a declaration that four certain resolutions of the City Council of the City of Halifax, one passed June 11th, 1909, whereby it was resolved to sell for the sum of \$1050.00 upon and with certain conditions and reservations in said resolution contained, certain lands in the City of Halifax being the property of the said City of Halifax, to the Anderson Manufacturing Company, Limited, one passed July 2nd, 1909, whereby it was resolved that in the opinion of the City Council of the said City of Halifax the land on Kempt Road which the said City of Halifax had by resolution agreed to sell to the Anderson Manufacturing Company, Limited, was not required for water extension purposes; one passed July 8th, 1909, whereby it was resolved that the City Solicitor prepare at once a deed of the land authorized to be sold to the Anderson Manufacturing Company, Limited, by the City of Halifax, under resolution of Council of June 11th, and July 2nd, 1909, and that the Mayor and City Clerk execute same forthwith; and that the City Solicitor draw up an agreement between the Anderson Manufacturing Company, Limited, and the City of Halifax in accordance with the proposals made to the City in said Company's letters of May 12th, 1909, June 9th, 1909, and one passed July 16th, 1909, where it was resolved that the agreement and bond prepared by the City Solicitor be executed concurrently with the deed; that the amount of the bond be \$5,000.00; that the City be allowed to remove the broken stone at present on the property at any time within one year, and that clause 2 in the agreement be so amended so that the concession given by the City shall only apply to the property under question, and that the conveyance be executed by the Mayor and City Clerk forthwith, are and each of them is illegal and void. And for an injunction to restrain and adjoin the defendants Joseph A. Chisholm and L. Frederick Monaghan, the Mayor and City Clerk respectively of the said City of Halifax, from executing any conveyance of the said lands referred to in said resolutions or any part or parts thereto to the said Anderson Manufacturing Company, Limited, or otherwise.

The Attorney-General of Nova Scotia is joined as defendant by reason of the inability of the plaintiff to obtain leave to bring action in the name of the said Attorney-General of Nova Scotia.

This writ was issued by Edmund P. Allison, of 80 Granville Street, Halifax, N. S., solicitor for the said plaintiff, who resides at 145 North Street, Halifax, N. S.

Also read letter City Solicitor in re costs of above suit.

RE ANDERSON CHAIR FACTORY INJUNCTION.

OFFICE OF CITY SOLICITOR, Aug 4th, 1909.

His Worship the Mayor :

DEAR SIR,—After consultation with your Worship I communicated with Messrs. McInnes, Mellish & Company, the Solicitors for the Anderson Company, to ascertain the intention of the Company as to defending the action, and in particular to obtain if possible from them a guarantee of the City against costs; but up to the present time have not been able to obtain it. Mr. Mellish informed me that he had received no definite instructions from the Company.

F. H. BELL, *City Solicitor.*

The following resolution is submitted :

Resolved, that the City Solicitor be instructed to defend the action brought by Joseph Hubley to restrain the City from disposing of certain lands to the Anderson Chair Company, and that he be directed to secure the assistance of Humphrey Mellish, K. C., in such defence.

Moved by Alderman Douglas, seconded by Alderman McManus.

The following amendment is submitted :—

Whereas, on June 26th, 1909, one Joseph S. Hubley instituted an action on behalf of himself and other ratepayers and inhabitants of the City of Halifax against the City, His Worship the Mayor, the City Clerk and the Attorney-General of Nova Scotia for a declaration that certain resolutions of the City Council relative to the conveyance of certain lands on Kempt Road, the property of the City, to the Anderson Manufacturing Company, Limited, are illegal and void, and obtained therein an interim restraining order enjoining the Mayor and City Clerk from executing any conveyance of said lands to the Anderson Manufacturing Company, Limited, or otherwise.

And whereas, the said Anderson Manufacturing Company, Limited, being the only party substantially affected by said action is desirous of contesting the same in order to protect its own interests affected thereby.

And whereas, such contestation must be carried on in the name of the City of Halifax.

Be it therefore resolved, that the City of Halifax do not contest said action on its own behalf, and only consents that said action be contested in its name by the Anderson Manufacturing Company, Limited, on the condition that said Anderson Manufacturing Company, Limited, do immediately and before any further steps are taken in said action deliver to the City of Halifax security indemnifying said City from and against all costs of such proceedings, said security to be subject to the approval of His Worship the Mayor and the City Solicitor.

Moved by Alderman Whitman, seconded by Alderman Hubley.

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

For the Amendment.	Against it.
Aldermen Shaffner, Wilson, Whitman, Hubley, Thompson, Corston.—6.	Aldermen O'Brien, McManus, Douglas, Smith, Hoben, Kelly, MacKenzie.—7.

Alderman Whitman gives notice of reconsideration.

Moved in amendment by Alderman Wilson, seconded by Alderman Smith, that the City defend the action if the Anderson Company give bonds to pay half the costs.

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

For the Amendment.	Against it.
Aldermen Shaffner, Wilson, Whitman, Smith, Hubley, Thompson, Corston.—7.	Aldermen O'Brien, McManus, Douglas, Hoben, Kelly, MacKenzie.—6.

Alderman Douglas gives notice of reconsideration.

The original motion as amended is now put and passed.

Alderman Whitman gives notice of reconsideration.

Read invitation to the Council to send delegates to the Annual Convention of the Union of Nova Scotia Municipalities at Yarmouth, September 1st and 2nd.

CONVENTION N. S. MUNICIPALITIES.

HALIFAX, N. S., July 14th, 1909.

His Worship the Mayor and City Council :

GENTLEMEN,—The fourth annual convention of the Union of N. S. Municipalities will be held in the town of Yarmouth on September 1st and 2nd next. The Executive invite you to send delegates to represent the City of Halifax at the Convention.

F. W. W. DOANE, *Hon. Secretary-Treasurer.*

Moved by Alderman Hubley, seconded by Alderman Shaffner, that the City Engineer be a delegate to represent the City. Motion passed.

Moved by Alderman Hoben, seconded by Alderman Whitman, that Alderman Hubley be a delegate. Motion passed.

Moved by Alderman Wilson, seconded by Alderman O'Brien, that His Worship the Mayor be a delegate, and that if His Worship be unable to attend, that he appoint a substitute. Motion passed.

Read letter Board of Trade in re Public Market Building.

PUBLIC MARKET BUILDING.

August 4th, 1909.

His Worship the Mayor and Members of the City Council :

GENTLEMEN,—Having been notified to vacate the premises now occupied by us on expiration of our lease, October 31st next, the Council of the Board has instructed me to write your honorable body and ascertain the present position and feeling regarding the proposed new Market Building to be erected on the site of the Army Coal Shed.

We have already asked your favorable consideration regarding a suitable flat in the proposed building for the offices of the Board, also an auditorium, for which we would be willing to pay a reasonable rental—say \$500.00 per annum, which amount would be good interest on the outlay.

In making this offer we would respectfully call your attention to the fact that at the present time, and for some time past, there is not a Hall in the centre of the City that can be obtained for addresses, &c., a state of affairs that should not exist in a city the size of Halifax.

We would also ask you to consider the work of the Board, its objects being to protect and promote the commercial and civic interests of the City, and we therefore respectfully solicit your assistance in obtaining for us a permanent home.

We would appreciate an early reply as we are obliged to look for new quarters, temporary or permanent.

E. A. SAUNDERS, *Secretary.*

Placed on Order of the Day.

The City Clerk is instructed to write the Board of Trade informing that body how the matter stands.

Read reports Committee on Works and City Engineer re sidewalk Victoria Road.

SIDEWALK VICTORIA ROAD.

CITY WORKS OFFICE, August 4th, 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 Minute of Council in re concrete sidewalk Victoria Road was read and recommended to Council for adoption, the work to be done when funds are available.

F. P. BLIGH, *Chairman.*

CITY ENGINEER'S OFFICE, July 29th, 1909.

His Worship the Mayor :

SIR,—I beg to report on the accompanying petition asking for the construction of a concrete sidewalk on the north side of Victoria Road from Park Street eastwardly.

The petitioners own property in the block between Park and Lucknow Streets. It is an earth sidewalk and muddy in the spring and fall. The estimated cost of constructing a concrete sidewalk with concrete curb and gutter is \$873.40.

I would recommend that the work be done under the Halifax Permanent Sidewalk Act, 1906.

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

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

Alderman Hubley asked for a report from the City Engineer re sidewalks Granville Street, Blowers Street and Argyle Street.

Read reports Committee on Works and City Engineer re concrete sidewalk Victoria Lane.

SIDEWALK VICTORIA LANE.

CITY WORKS OFFICE, August 4th, 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 A. Wilson for a concrete sidewalk on Victoria Lane was read and recommended to Council for adoption.

F. P. BLIGH, *Deputy-Mayor and Chairman.*

CITY ENGINEER'S OFFICE, July 20th., 1909.

His Worship the Mayor :

SIR,—I beg to report on the accompanying petition from A. Wilson, asking for the construction of a concrete sidewalk on the south side of Victoria Lane between Pleasant and South Hollis Streets.

Mr. Wilson owns all the property on the south side of Victoria Lane except one house which fronts on South Hollis Street. The construction of the curb and gutter in this street was ordered by the Council some time ago and is now under way. It would be paid for from Street Appropriation. If the sidewalk were laid on the south side, however, that portion of the work done on the south side of Victoria Lane could be paid for from Sidewalk Appropriation.

As it immediately joins the principal street of the City, it would improve appearances, and following the policy which I have followed in the past, I would recommend that a cement concrete sidewalk be constructed on the south side of Victoria Lane under

the Halifax Permanent Sidewalk Act of 1906, and that the curb and gutter on that side of the street be also charged to Sidewalk Appropriation. Estimated cost of sidewalk only \$332.00.

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

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

Read reports Committee on Works and City Engineer on letter Charles W. Johnson re appointment of Plumbing Inspector.

APPOINTMENT OF PLUMBING INSPECTOR.

CITY WORKS OFFICE, August 4th, 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 of Chas. W. Johnson in re "Plumbing Inspector's" appointment was read and referred to Council for its information.

F. P. BLIGH, *Deputy-Mayor and Chairman.*

CHARLES W. JOHNSTON'S LETTER.

CITY ENGINEER'S OFFICE, July 29th, 1909.

His Worship the Mayor:

SIR,—Mr. Charles W. Johnston asked in the accompanying letter, that he be permitted to examine the papers of the applicants for the position of Plumbing Inspector

I have notified Mr. Johnston that I could not show him the papers without instructions, until Mr. Meagher was sworn in. Since that time, however, I have notified Mr. Johnston that he can see the papers on application at this office.

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

Filed.

Read decision of Hon. C. P. Chisholm, Commissioner of Public Works and Mines, in re Frank Strong.

RE FRANK STRONG.

Under the provisions of Chapter 44 Revised Statutes, 1900, an investigation was, some weeks ago, demanded by the Town of Dartmouth to have the legal settlement of one Frank B. Strong, a patient confined in the Nova Scotia Hospital, determined by the Commissioner of Public Works and Mines.

An appointment was made for that purpose, fixing the 15th day of July, instant, for the investigation, of which reasonable notice was given to the City of Halifax, the Town of Dartmouth and the Municipality of the County of Annapolis, and a hearing of the matter was held at the Commissioner's office at the time appointed, at which the City of Halifax was represented by the Recorder of the City, the Town of Dartmouth by W. R. Foster, Esq., K. C., and the Municipality of Annapolis by Mr. J. J. Ritchie, K. C.

After a conference between Counsel it was suggested that the hearing be adjourned until July 23rd, instant, to enable counsel to obtain evidence.

On the resumption of the hearing, the same Counsel being present, the facts set out in the deposition of one Charles H. Strong, a brother of Frank B. Strong, dated March 1st, 1902, were admitted as also the fact that Samuel S. Strong, the father of Frank B. Strong, was assessed for property, and a ratepayer in the Town of Dartmouth during the years from 1874 to 1892.

From Mr. Strong's deposition it appears that his brother Frank was born in the City of Halifax in the month of August, 1866, his parents being Samuel S. Strong and Henrietta Strong, his wife, and that for about fifteen years the father and mother resided at Dartmouth, removing thence to Middleton, in the County of Annapolis, about 1891, and was thereafter supported and maintained by the deponent. At the time of his removal from Dartmouth, the father apparently had no property or income. It also appears that Frank B. Strong did nothing whereby he would gain a settlement for himself under Section 17, of Chapter 50, Revised Statutes, 1900, in the County of Annapolis.

The brother's deposition also makes it clear that Frank B. Strong always resided with his parents at Dartmouth until he removed to Western Canada in May, 1887, and that his father resided continuously in Dartmouth for the fifteen years preceding 1891, that is to say from 1876 to 1891.

On these facts and the admission above stated I reach the conclusion that the father Samuel S. Strong under the Statute gained a settlement in the Town of Dartmouth as a resident ratepayer which the law by the doctrine of derivative settlement extends to and confers upon his children until a subsequent one is by them otherwise acquired.

It seems unnecessary to enquire whether Frank B. Strong ever had a settlement in the City of Halifax, his birthplace, as the acquiring of a new one elsewhere would effect its termination if any such existed.

There does not appear to be any evidence that would entail any liability upon the County of Annapolis. The authority cited by the learned Recorder of Halifax from 22 Am. & En. Edeye, page 984, and the case of Connor vs. Milton, T., 2 An., cited in Burns, Justice of the Peace, Vol. 4, page 222 (22nd Edition), seem conclusive in such a case as the present.

In the latter case when removed to King's Bench by certiorari, Holt, C. J., says :

"The place where a bastard is born is the place of his settlement, unless there is some trick to charge the parish ; but the place where legitimate children are born is not the place of their settlement, for let that be where it will, the children are settled where their parents are settled as for instance, if the father is settled in the parish of H, but goes to work in the parish of B, and before he gains any settlement there has a son born in the parish of B, and then dies ; this child may be sent to the parish of H, for it is not the birth, but the settlement of the father that makes the settlement of his child, and if the father have gained a new settlement for himself he hath likewise gained a new settlement for his children, who do not go with him to his new settlement as nurse children but as part of his family." 2 Salk., 528.

Adopting the view that Samuel S. Strong acquired a settlement in the town of Dartmouth I conclude that Frank B. Strong obtained one in that place through his father. This settlement continues until the acquisition of another within this Province.

Under the provisions of Chapter 44, Revised Statutes, 1900, I have therefore to determine and adjudge that the legal settlement of the said Frank B. Strong has, since his admission to the Nova Scotia Hospital, been, and still is, in the town of Dartmouth, and that the town of Dartmouth is legally liable for, and chargeable with, the expenses incurred for his treatment and maintenance in that institution.

Halifax, N. S., July 24th, 1909.

C. P. CHISHOLM,

Commissioner of Public Works and Mines.

Filed.

QUESTIONS BY MEMBERS.

Alderman Smith asked the City Engineer if he (Alderman Smith) was present at the meeting of the Committee on Works, July 7th, when the matter of water extension, Oxford Street was under consideration.

The City Engineer replied that the matter was brought up after Alderman Smith had left the meeting and that the Clerk of Works had been instructed to add to his Minutes the action taken by the Board.

Alderman Kelly asked in reference to the City's garbage carts allowing paper, etc., to be scattered about the streets.

The City Engineer replied that covers are provided for all the garbage carts.

Alderman Hoben asked when the curb and gutter are to be laid on William Street.

The City Engineer replied that the same appears next on the Order Book.

Alderman Hoben asked what progress is being made with the Yale Street sewer matter.

The City Engineer replied that the required notice have been served on Messrs. Anderson and Duffus the owners of the property and that the statutory time for further action had not yet expired.

MOTIONS BY MEMBERS.

Moved by Alderman Hubley, seconded by Alderman O'Brien, that the City Engineer be instructed to extend the water Parker Street. Motion passed.

Moved by Alderman Hoben, seconded by Alderman MacKenzie, that in future all meetings of the Committee on Works be open to the public.

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

Council adjourns 11.45 o'clock.

INFORMAL MEETING.

NOON SESSION.

MAYOR'S OFFICE, CITY HALL, August 10th, 1909.

At an informal meeting of the City Council was held this day at the Mayor's office, City Hall. Present Aldermen MacKenzie, Kelly, Martin, McManus, O'Brien, Hoben, Douglas, Corston.

The Council met pursuant to the following notice:—

OFFICE OF CITY CLERK, Halifax, N. S., August 9th, 1909.

SIR,—In the absence of His Worship the Mayor and the Deputy-Mayor and at the request of five members of the City Council, I hereby take the liberty of requesting the members of the Council to assemble at the Mayor's Office at noon to-morrow to consider suggestions relating to a proposed reception of John W. O'Neil who on Saturday last won the amateur single scull championship of America. It is understood Mr. O'Neil will arrive home on Wednesday evening.

L. FRED MONAGHAN, *City Clerk.*

Moved by Alderman Kelly, seconded by Alderman Douglas, that Alderman MacKenzie be Chairman of the meeting. Motion passed.

Moved by Alderman Douglas, seconded by Alderman Hoben, that the members of the City Council be a committee on this matter and that the Deputy-Mayor and Chairman MacKenzie and Aldermen Martin, Kelly and Corston be a sub-committee to arrange with the Aquatic and other Athletic Clubs for the collection of funds to make a substantial presentation to Mr. O'Neil, the sub-committee to meet the general committee at the Mayor's office at noon on Thursday. Motion passed.

Moved by Alderman McManus, seconded by Alderman Martin, that the members of the City Council attend at North Street Railway Station to-morrow evening to meet Mr. O'Neil. The City Clerk to ascertain how many Aldermen will attend and to engage hacks for them to be paid for by the Aldermen signifying their willingness to attend. The Aldermen to meet at the City Hall at 8.30 p. m. Motion passed.

Moved by Alderman Martin, seconded by Alderman Hoben, that Alderman MacKenzie and the City Clerk and His Worsnip the Mayor if he arrives home in time be a committee to draw up an address to be