

presented to Mr. O'Neil from the corporation of the City of Halifax, the address to be presented from the City Hall steps to-morrow evening. Motion passed.

The Council adjourned.

AUGUST 11th, 1909.

Deputy-Mayor Alderman Bligh and the members of the City Council and the City Clerk drove to North Street Railway Station and received Mr. O'Neill upon his arrival at 9.05 p. m.

Upon arrival at the City Hall the following address was read by the City Clerk from the Grand Parade entrance and presented to Mr. O'Neil by the Deputy-Mayor.

TO JOHN WILLIAM O'NEIL OF ST. MARY'S AMATEUR AQUATIC CLUB, HALIFAX, NOVA SCOTIA, CHAMPION AMATURE SINGLE SCULL ORSMAN OF AMERICA.

SIR,—The Corporation of the City of Halifax bids you a most hearty welcome home from the scene of your latest triumph.

Your success at the American Amateur Aquatic Championships at Detroit on Saturday August 7th, 1909, in winning the title of "Champion Amateur Single Scull Oarsman of America," the first time it has been won by a representative of Canada, is rightly the occasion of much congratulation.

It is a notable event in the Aquatic life of our City and serves to show that the prowess of Halifax oarsmen must always be reckoned with.

Your rowing career has ever been marked by hard work, honest, persevering effort, gentlemanly deportment and modesty in the hour of victory and should serve as an example to all aspirants in the field of sport as well as in the every day affairs of life and the sympathetic interest and outspoken appreciation which our people have on all occasions exhibited in you demonstrates how fully such a line of conduct as yours commends itself to the community at large.

Dated at Halifax, this 11th day of August, 1909.

Signed on behalf of the Corporation of the City of Halifax.

[SEAL.]

JOSEPH A. CHISHOLM, *Mayor.*

L. FRED. MONAGHAN, *City Clerk.*

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, August 26th, 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 Whitman, Wilson, Shaffner, O'Brien, Hebb, Bligh, McManus, Smith, Douglas, Hoben, Hubley, Kelly, Martin, Thompson, Corston, MacKenzie, Edwards, Rankine.

The Council was summoned "To appoint an Assistant Assessor, 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 Whitman's notice of reconsideration of amendment in re costs Hubley vs. City of Halifax. August 4th, 1909.

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

Read No. 2 on Order of the Day, viz: Alderman Douglas' notice of reconsideration of amendment in re half the costs Hubley vs. City of Halifax. August 4th, 1909.

Alderman Hoben claimed that it had recently be ruled that in the absence of the alderman giving the notice of reconsideration another alderman could move for the reconsideration of the matter. As Alderman Douglas had not yet arrived he desired to make the motion in his stead.

His Worship the Mayor ruled in favor of Alderman Hoben's contention.

Moved by Alderman Hoben, seconded by Alderman McManus, that said matter be now reconsidered. Motion put and lost 4 voting for the same and 11 against it, as follows:—

For Reconsideration.

Aldermen McManus, Hoben,
Martin, MacKenzie—4.

Against.

Aldermen Shaffner, Wilson,
Whitman, O'Brien,
Hebb, Bligh,
Smith, Hubley,
Thompson, Corston,
Rankine—11.

Read No. 3 on Order of the Day, viz: Alderman Whitman's notice of reconsideration of resolution and rider thereto in re suit Hubley vs. City. August 4th, 1909.

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

PRESENTATION OF PAPERS.

The following named papers are submitted:—

Report Camp Hill Cemetery Commission, by Alderman Hebb, Chairman.

Report Commissioners of Common, by Alderman Shaffner, Chairman.

His Worship the Mayor submits the following named papers:—

Applications for position of Assistant City Assessor.

Report Police Committee covering accounts.

Annual Report City Auditor, 1908-9.

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

Letter City Health Board re public sewers in certain streets.

Letter H. Mellish, K. C., re costs Hubley vs. City (Anderson Manufacturing Co).

Resolution citizens' meeting re Sunday tram cars.

Letter Solicitor of School Board re debentures.

Thanks of Canadian Freight Association for courtesies extended.

Report Coal Weighers for July.

Letter W. R. King re compensation for damages—overflow of sewage.

Letter T. S. Pattillo & Co. re water in Peart building, Duke Street.

Reports (10) Committee on Works, viz:—

Robie Street sidewalk.

Tenders for cement.

Tobin Street sidewalk.

Morris Street 12-inch water pipe.

William Street and Tower Road curb and gutter.

Linden Street water extension.

Duke Street widening.

Coburg Road widening.

In re removal of J. W. Umlah's buildings.

South Street sidewalk.

REFERENCE OF PAPERS SUBMITTED.

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

Read letter W. R. King claiming compensation for damages for overflow of sewage premises corner of Water and Morris Streets.

Referred to Committee on Works for report.

Read letter T. S. Pattillo & Co. re turning off water in Peart building, Duke Street.

Referred to Committee on Works for report.

Read report Coal Weighers for July. Filed.

Read letter City Health Board re public sewers Maitland Street and Gerrish Street.

MAITLAND AND GERRISH STREET SEWERS.

OFFICE OF CITY HEALTH BOARD, Halifax, N. S., August 18th, 1909.

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

GENTLEMEN,—At a meeting of the City Health Board held yesterday the following resolution was introduced and passed and I am directed to transmit the same to you for your consideration ;—

Resolved, "That as public sewers are urgently needed in Maitland Street, between Maitland Terrace and Cornwallis Street, and in Gerrish Street, between Brunswick and Lockman Streets, the City Council be recommended, in the interest of public health to order the construction of same as soon as possible.

JOHN A. WATERS, *Secretary*.

Referred to Committee on Works for report.

Read letter of thanks from Canadian Freight Association for courtesies extended.

CANADIAN FREIGHT ASSOCIATION.

TORONTO, Ont , July 27th, 1909.

MAYOR CHISHOLM, Halifax, N. S.,

DEAR SIR,—I am instructed by the members of the Association to convey to you their sincere thanks for the many courtesies extended them and their families and friends during our short visit to Halifax, and to say that the arrangements so kindly made for our comfort and pleasure were thoroughly appreciated by all.

Our stay in your beautiful City was greatly enjoyed, and, I am sure, will be remembered as one of the most pleasant and profitable meetings ever held by this Association.

T. MARSHALL, *Secretary*.

Filed.

Read Annual Report City Auditor 1908-9. Filed.

Read letter Solicitor Commissioners of Schools re School debentures.

SCHOOL BOARD DEBENTURES.

HALIFAX, N. S., Aug. 16th, 1909.

F. H. BELL, Esq., K. C.,
Halifax.

DEAR SIR,—I am instructed by the School Board of the City to take steps to have a judicial termination of the point of difference between the City and the Board as to

who has the right to the proceeds of the sale of debentures issued for building purposes. My instructions are to open negotiations with the City as to whether it will agree that a case be stated for the opinion of the court.

As I apprehend that there are no facts in dispute, and that we could state the point of difference in a short memorandum, we could get the question settled in a short and expeditious way by means of a case submitted to a judge in court. Could you get authority from the City to adopt such a course?

HECTOR MACINNES, *Solicitor to the School Board.*

Moved by Alderman Wilson, seconded by Alderman Whitman, that the same be referred to the Finance Committee for report.

Moved in amendment by Alderman Douglas, seconded by Alderman Hoben, that the same be referred to the Committee on Laws and Privileges for report.

The amendment is withdrawn.

The original motion is put and passed.

Read applications for position of Assessor, as follows :—

Assessor—W. G. Naylor.

Vacancy in Assessor's Department—William J. Kane, George A. MacDonald.

Assistant City Assessor—Franz Schaefer, E. F. Doyle, J. H. DeWolfe, W. J. Johns, David C. Gillis, Arthur Cox, B. M. Davidson, J. L. Barnhill, James Halliday, Edward J. Griffin, Thomas Little, W. G. Bayers.

The City Clerk stated that the application of Philip McGuire for position of Chief Assessor had been withdrawn.

The applications are deferred for consideration under clause 2 (6) of the Order of Business.

CONSIDERATION OF PAPERS SUBMITTED.

Read report Camp Hill Cemetery Commission re accounts.

CEMETERY ACCOUNTS.

COMMITTEE ROOM, CITY HALL, August 25th, 1909.

To His Worship the Mayor and City Council :

GENTLEMEN,—The Camp Hill Cemetery Commission beg to recommend for payment the following accounts, the same having been duly certified as correct :—

Wm. Robertson & Son, paint, &c., \$39.35. A. M. Bell & Co., hardware, \$3.42. John G. Colp, contract repairing fence, \$71.14. Total, \$113.91.

W. E. HEBB, *Chairman.*

Moved by Alderman Hebb, seconded by Alderman O'Brien, that said report be adopted and the accounts paid. Motion passed.

Read report Common Commissioners re accounts.

PUBLIC GARDENS ACCOUNTS.

COMMITTEE ROOM, CITY HALL, Aug. 16th, 1909.

His Worship the Mayor and Members of the City Council:

GENTLEMEN,—At a meeting of the Commissioners of Halifax Common held this day the following bills were passed for payment and the Secretary instructed to submit same to the City Council for their concurrence and approval.

James E. Haverstock, \$9.00. T. C. Allen, \$6.10. Burns & Kelleher, \$45.24. S. Cunard & Co., \$97.20. A. E. Donovan, \$31.35. F. A. Shaw, \$14.35. W. Robertson, \$3.00. Chronicle Pub. Co., \$5.85. Halifax Electric Tram Co., \$1.14. Austen Bros., \$2.00. John McInnis & Co., \$155.72. Total—\$370.85.

EDW. T. POWER, *Secretary.*

Moved by Alderman Shaffner, seconded by Alderman O'Brien, that the report be adopted and the accounts paid. Motion passed.

Read report Police Committee re accounts.

POLICE ACCOUNTS.

August 24th, 1909.

To the City Council:

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

W. F. Pickering & Co., time service stripes, altering clothing, etc., \$48.30. Blackadar Bros., advertising, \$4.35. MacAlpine Publishing Co., directory, \$3.50. Alex. Frizzell, batons, \$4.80. Total, \$60.95.

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

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

Read letter Humphrey Mellish, K. C., re costs in suit Hubley vs. City of Halifax in re Anderson Chair Co.

ANDERSON MANUFACTURING CO.

HALIFAX, N. S., Aug. 24th, 1908.

HUBLEY VS. THE CITY OF HALIFAX.

F. H. BELL, ESQ., K. C., *City Solicitor,*

DEAR MR. BELL,—Yours of 29th received. On behalf of the Anderson Manufacturing Company, I undertake to pay half the costs for which the City may be liable in this action. If a more formal security is required please advise.

H. MELLISH.

Filed.

Read resolution Citizens' Committee re noise made by street cars.

NOISE BY TRAM CARS.

HALIFAX, N S., August 24th, 1909.

To His Worship the Mayor :

DEAR MR. MAYOR,—At the request of an influential meeting of citizens held in the Council Chamber on Monday, 23rd August, we beg to forward to Your Worship the enclosed resolution, which it is desired to place before the City Council for their kind consideration and action.

We shall be glad if Your Worship will fix a time to receive the delegation at the next meeting of the Council.

W. J. ARMITAGE, *Chairman.*
ANDREW ALLAN, *Secretary.*

HALIFAX, Aug. 23rd, 1909.

His Worship the Mayor and City Council :

GENTLEMEN,—At a meeting of citizens connected with the churches adjacent to the tracks of the Halifax Tram Cars, held this day at four o'clock in the City Hall, the Venerable Archdeacon Armitage presiding, the following resolution was moved, seconded and adopted unanimously :—

The street cars conducted through the City on Sundays pass many of our Churches during the hours of Divine service, and in so passing seriously disturb the peace and comfort of the Congregations, and we on behalf of these congregations respectfully request that Your Worship and the Council associated with you will order that the cars be so driven in the vicinity of the Churches during the hours of Worship as to prevent all needless noises by gongs or otherwise.

The meeting appointed the Ven. Archdeacon Armitage, President of this meeting and Mr. Andrew Allan, Secretary and Mr. W. E. Schwartz to present the foregoing resolution to His Worship the Mayor and the Council and to give any further information that may be desired.

W. J. ARMITAGE, *Chairman.*
ANDREW ALLAN, *Secretary.*
W. E. SCHWARTZ.

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

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

ROBIE STREET SEWER.

CITY WORKS OFFICE, Aug. 26th, 1909.

To the City Council :

GENTLEMEN,—At a meeting of the Committee on Works, held this day, the attached supplementary reports of the City Engineer in re Robie Street concrete sidewalk between Quinpool Road and Cunard Street was read and referred to Council for its information.

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

CITY ENGINEER'S OFFICE, July 30th, 1909.

His Worship the Mayor :

SIR,—I beg to report on the accompanying petition from property owners on the west side of Robie Street, between Quinpool Road and Cunard Street, against the construction of the concrete sidewalk.

The construction of this sidewalk was ordered on petition from the property owners. I was informed when reporting on this previously, that the majority of the property owners were favorable to the construction. The petitioners represent only 338 ft. 9 in. of frontage, as shown on the attached sheet, and the total frontage is about 1,075 ft. The petitioners therefore represent only one-third of the total frontage.

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

PROPERTY OWNERS ROBIE STREET

No.	Owner.	Frontage in feet.
268.	Henry A. Holder	43.00
264.	Wm. Davies	35.25
236-8.	Freeman Haverstock	78.50
272.	Dr E. Douglas	24.10
270.	M. W. Power	30.30
248-50.	Mrs. B. Vaughan	50.90
242.	Thos. G. Power.....	36.30
256.	John Punch	40.40

338.75

T. W. J. L.

July 29, 1909.

CITY ENGINEER'S OFFICE, Aug. 19th, 1909.

His Worship the Mayor :

SIR,—I beg to report, in compliance with the request of the Board, the frontage of the property owners favorable to the construction of a sidewalk on Robie Street, west side, between Quinpool Road and Cunard Street. The following signed the petition for the sidewalk :—

No. of Street.	Owner.	Frontage.
244.	George S. Wright	33.83
218-220.	E. A. Thompson	41.67
224½	M. A. MacKinnon	49.17
246.	E. A. Corbin	32.04
252.	A. M. Bell	27.00
232.	John F. Kelly	49.25
262.	Allen O'Flaherty	40.75
254.	William T. Francis	24.08
224.	George McKerron.....	27.67
222.	M. J. Keating	25.00
	R. Carter (tenant at No. 220)	
216.	C. E. Power.....	46.33

Total frontage..... 396.79

I have received a letter signed by I. A. Hopkins favorable to the construction of the sidewalk, whose property has a frontage of 33.17 feet. I am also informed that the Crowe estate are favorable, with a frontage of 23 feet, which would make an additional frontage in favor of 56.17 feet. I have reported that the petition against is signed by representatives of 338.95 feet. This does not account for the total of the frontage, and I have no information as to the stand the rest of the property owners take. It therefore seems apparent that a considerable majority of the property owners are favorable.

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

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

further information and report before any work is done on the sidewalk.

Motion put and lost, 5 voting for the same and 13 against it, as follows:—

For the Motion.	Against it
Aldermen Wilson, Whitman, Hebb, Hubley, Edwards.—5.	Aldermen Shaffner, O'Brien, Bligh, McManus, Douglas, Smith, Hoben, Kelly, Thompson, Martin, Corston, MacKenzie, Rankine.—13.

The said reports are filed.

Read reports Committee on Works and City Engineer re curb and gutter Williams Street and Tower Road, covering opinion of City Solicitor.

WILLIAMS STREET AND TOWER ROAD CURB AND GUTTER.

CITY WORKS OFFICE, Aug. 26th, 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 Williams Street and Tower Road curb and gutter was read. It was decided to recommend the adoption of said report and that the legislation required be obtained at the next session of the Legislature.

J. A. CHISHOLM, Mayor and Chairman.

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

His Worship the Mayor:

SIR,—Attached hereto I beg to submit a copy of an opinion given by the City Solicitor at my request.

About a week or ten days ago, Alderman Hoben, in a conversation, gave me the impression that I was not authorized to assess property owners for one-half the cost of laying curb and gutter where no permanent sidewalk covering was laid at the same time. I immediately asked the City Solicitor for an opinion as to whether I was proceeding correctly or not.

Mr. Bell was away at the time and I have just received his opinion. I find that in his judgment I have no authority to assess half the cost on the property owners unless the sidewalk is constructed at the same time.

This construction of the Act is exactly contrary to the intention when the Act was made law two years ago. I have filed an assessment for all such work done under the Street Appropriation to date, and there is only one case in which the sidewalk was not laid at the same time as the curb and gutter. I have filed the assessment list for this also.

We have at present in hand, however, the construction of a curb and gutter on the north side of Victoria Lane, and there are two works on the order paper, namely, Williams Street and Tower Road, at an estimated cost of \$2,285.

The intention of the Act was to assess one-half the cost of the curb and gutter on

the property owners, and it would be manifestly unfair to permit property owners to petition for the construction of a curb and gutter to be paid for out of Street Appropriation and thus escape one-half the cost, and as soon as that work is completed, to be able to petition for the construction of a sidewalk and pay one-half the cost of the construction of the sidewalk only, while their less fortunate and more ignorant neighbors who petition for the construction of a sidewalk and curb and gutter at the same time, have to pay half the cost of the whole work.

I would recommend, therefore, that the construction of the Williams Street and Tower Road curb and gutter be deferred until the law is amended to read as was originally intended when it was revised. While this will delay the construction of this work until next year, it will leave the sum of \$2,285 in Street Appropriation, for repair work this year.

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

RE CURBS AND GUTTERS.

OFFICE OF CITY SOLICITOR, Aug. 20th. 1909.

The City Engineer:

SIR.—In reply to your enquiry in the above matter, I beg to say that I am of opinion that the curb and gutter referred to in section 561 of the Charter are plainly a curb and gutter forming part of the work of covering a sidewalk under sec. 559, and therefore unless they do form part of such work there is no authority to assess one-half of their cost on the adjoining property owner.

This opinion covers the Windsor Street and Quinpool Road case mentioned by you

F. H. BELL, *City Solicitor.*

Moved by Alderman Whitman, seconded by Alderman Smith, that the same be adopted.

Moved in amendment by Alderman Hubley, seconded by Alderman Kelly, that the Council do now reaffirm their previous action in reference to Williams Street curb and gutter and that the Committee on Works be instructed to proceed with the work immediately.

Amendment put and passed, 16 voting for the same and 2 against it, as follows:—

For the Amendment.

Aldermen Shaffner, Wilson,
O'Brien, Hebb,
Bligh, McManus,
Douglas, Hoben,
Kelly, Hubley,
Thompson, Martin,
Corston, MacKenzie,
Edwards, Rankine—16.

Against it.

Aldermen Whitman, Smith—2.

Moved in amendment by Alderman Wilson, seconded by Alderman Edwards, that the Council do now reaffirm their previous action in reference to Tower Road curb and gutter and that the Committee on Works be instructed to proceed with the work immediately. Amendment passed.

Read report Committee on Works re tenders for cement.

TENDERS FOR CEMENT.

CITY WORKS OFFICE, August 26th, 1909.

To the City Council :

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached tenders for 500,000 pounds cement were opened, as follows :—

Sydney Cement Co.—Bags, 40c. ; barrels, 47½c. per 100 lbs net.
Brookfield Bros. “ 41c. ; “ 52c. “
E. F. Stevens, “ 45c. per 100 lbs. net = \$2250 00.

The Sydney Cement Co.'s tender was not considered.

E. F. Stevens' tender amounted to \$2250 00.

Brookfield Bros'. “ “ \$2215.00.

It was decided to recommend the acceptance of Brookfield Bros' tender, it being the lowest.

J. A. CHISHOLM, Mayor and Chairman.

Moved by Alderman Whitman, seconded by Alderman Smith, that the report be adopted.

Moved in amendment by Alderman McManus, seconded by Alderman Hoben, that the report be referred back to the Committee on Works for further information and report as to the services for which the cement is to be used.

Amendment put and passed, 10 voting for the same and 8 against it, as follows :—

For the Amendment.	Against it.
Aldermen O'Brien, Hebb,	Aldermen Shaffner, Wilson,
Bligh, McManus,	Whitman, Douglas,
Hoben, Kelly,	Smith, MacKenzie,
Hubley, Thompson,	Edwards, Rankine—8.
Martin, Corston.—10.	

Read report Committee on Works re request of John W. Umlah for permission to leave buildings for three months after purchase upon property at Chain Lakes.

PURITY OF WATER SUPPLY—UMLAH PROPERTY.

CITY WORKS OFFICE, Aug. 26th, 1909.

To the City Council :

GENTLEMEN,—At a meeting of the Committee on Works held this day, J. W. Umlah appeared and requested that he be given three (3) months time from date of payment of the purchase of his land by the City in which to remove his buildings thereon at the Chain Lakes, in connection with the purity of the City water supply. It was decided to recommend that his request be granted, the payment to be made when the deed is approved by the City Solicitor.

J. A. CHISHOLM, Mayor and Chairman.

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

Read reports Committee on Works and City Engineer re objections of the Misses Odell to construction of portion of Tobin Street sidewalk.

TOBIN STREET SIDEWALK.

CITY WORKS OFFICE, Aug. 26th, 1909.

To the City Council :

GENTLEMEN.—At a meeting of the Committee on Works held this day, the attached letter from the Misses Odell, with City Engineer's report thereon in re Tobin Street sidewalk were read. It was decided to recommend the adoption of the City Engineer's report.

J. A. CHISHOLM, Mayor and Chairman.

34 TOBIN STREET, August 23rd, 1909.

To His Worship the Mayor and Members of the Board of Works and City Council of the City of Halifax :

GENTLEMEN.—Having received a notification from the City Engineer for the City of Halifax of a proposition to lay a concrete gutter and foot path along the south side of Tobin Street, we desire to call your attention to what will be of serious disadvantage and detriment to our property, situate on the south side of Tobin Street aforesaid if this paving and gutter be carried past the dwelling house, stable yard and stable.

There has never been a gutter laid off in front of the aforesaid property nor is there as the street is at present graded any need for one. Should a gutter and foot path be laid off it must either be considerably higher than the street or the side be cut down, thus either exposing the foundations of stable and fences or else making the approaches to coal cellar, stable yard and stable extremely difficult. We shall offer no objection to having the paving past that portion of the property where the gutter has been already laid off, i. e., from S. W. corner of the property No. 24 Tobin Street, at present owned and occupied by G. E. Francklyn, Esq., to the S. E. corner of the dwelling No. 34, at present owned by ourselves. We contend, however, that to have it carried any further would be a very serious inconvenience to us, and as our property terminates the street it cannot affect other property holders.

May we ask for your favorable consideration of the matter and request that instructions be given to extend the gutter and foot path no further than as at present laid off.

E. W. ODELL.
F. E. ODELL.
M. K. ODELL.

CITY ENGINEER'S OFFICE, August 24th, 1909.

His Worship the Mayor :

SIR,—I beg to submit the following report on the accompanying letter from the Misses Odell, protesting against the laying of curb and gutter and concrete sidewalk in front of a portion of their premises on the south side of Tobin Street.

The sidewalk was ordered on January 11, 1907. A petition against the laying of the same was received by the City Council on April 30, 1907 and ordered filed. The Misses Odell property extends 237 feet easterly from Queen Street, the stable having a frontage of 34 feet, the stable-yard 51 feet, the house 56 feet, and the garden, east of the house, 95 feet.

In the petition submitted, they do not object to the construction of the sidewalk and curb and gutter to the east line of the dwelling. The laying of the sidewalk and curb and gutter will not affect the entrance to the dwelling or stable-yard to any great extent. The street in front of these portions of the property slopes from the south side line across the street to the north gutter and there is no gutter at all on the south

side of the street. The descent at Queen Street is very abrupt from the stable and practically prevents the use of the south sidewalk by the citizens generally.

In laying a curb and gutter and sidewalk in front of the stable the grade will necessarily be lowered somewhat from the existing level, but there will still be a passable entrance to the stable, and the use of it will not be cut off. The north side of the street will be completed, and it would not be advisable to leave this short portion of the south side in an incomplete condition, and as I do not think that there will be any hardship entailed on this property owner, I would recommend that the work be completed in accordance with the original resolution of the Council.

H. W. JOHNSTON, *Assistant City Engineer.*

Moved by Alderman Wiison, seconded by Alderman Shaffner, that the prayer of the petition be granted.

Moved in amendment by Alderman Hubley, seconded by Alderman Whitman, that the reports be placed on the Order of the Day. Amendment passed.

Alderman Hubley gives notice that he will move to rescind the resolution of Council passed January 11th, 1907, authorizing the construction of Tobin Street sidewalk insofar as the same is objected to in the petition of the Misses Odell.

Read reports Committee on Works and City Engineer re 12-inch water pipe Morris Street.

MORRIS STREET WATER PIPE.

CITY WORKS OFFICE, Aug. 26th, 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 laying 12 inch pipe on Morris Street from Pleasant Street to Park Street was read and recommended to Council for adoption.

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

CITY ENGINEER'S OFFICE, Aug. 19th, 1909.

His Worship the Mayor :

SIR,—In carrying out some of Mr. Chipman's recommendations four hundred feet of 12 inch pipe was laid in Morris Street from Pleasant Street to Hollis Street with the intention of extending it later from Pleasant Street to Park Street. We have the pipe in stock and we have now sufficient surplus in Water Maintenance account to lay the remainder of the pipe from Pleasant Street to Park Street. The estimated cost for excavation and pipe laying is \$3,500.00. Cost of material \$3,070.00. Total \$6,570.00.

I would recommend that this work be carried out.

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

Moved by Alderman Whitman, seconded by Alderman Smith, that the same be adopted.

Moved by Alderman Hoben, seconded by Alderman Kelly in amendment that the reports be deferred and that more important work of relaying pipes in the centre of the City be first proceeded with.

Amen/ment put and lost.

Original motion put and passed.

Read reports Committee on Works and City Engineer re Linden Street Water extension.

LINDEN STREET WATER EXTENSION.

CITY WORKS OFFICE, August 26th, 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 water extension Linden St. was read and recommended to Council for adoption.

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

CITY ENGINEER'S OFFICE, August 19th, 1909.

His Worship the Mayor :

SIR,—I beg to report on the accompanying petition from W. J. Bowie asking for water extension to a new house which he is building on Linden Street.

The district is high service ; size of pipe, 4 in. ; distance 27 feet.

Estimated cost :—

Pipe	\$11 34
Excavation and pipe laying.....	20 25
Service pipe	25 00
	<hr/>
	\$56 59

I would recommend that the extension be made.

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

Moved by Alderman Whitman, seconded by Alderman Hoben, that the same be adopted. Motion passed.

Read reports Committee on Works and City Engineer re Widening Duke Street.

WIDENING DUKE STREET

CITY WORKS OFFICE, August 26th, 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 J. Walter Allison in re land at foot of Duke St. was read. The said report was recommended for adoption the amount \$115.00 to be paid out of street account.

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

CITY ENGINEER'S OFFICE, Aug. 13th, 1909.

His Worship the Mayor :

SIR,—I beg to report, supplementing my former report, with reference to the new Duke Street line and the way in which it affects Mr. J. Walter Allison's property.

Mr. Allison has signified his acceptance of the suggestion that the land is worth one hundred and fifteen dollars (\$115.00), the price fixed at the time of the widening of Water Street, and also states that he will convey the land included between the old street line and the new to the City for that amount.

I would recommend approval, as Mr. Allison is constructing his building on the new street line, and it would not be fair to him to delay settlement of the matter.

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

Moved by Alderman Whitman, seconded by Alderman Smith that the same be adopted. Motion passed.

Read report Committee on Works and reports (2) City Engineer re widening Coburg Road.

COBURG ROAD WIDENING.

CITY WORKS OFFICE, August 26th, 1909.

To the City Council:

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

J. A. CRISHOLM, 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 park way.

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.

CITY ENGINEER'S OFFICE, Aug. 25th, 1909

His Worship the Mayor:

SIR,—In compliance with the request of the Committee on Works, I beg to report that the estimated cost of constructing that portion of the work included in the City Engineer's report of July 14th, 1909, consisting of laying a curb and gutter and concrete sidewalk on the north side of Coburg Road between Robie Street and Edward Street, is seven hundred and ninety (\$790) dollars.

H. W. JOHNSTON, Assistant City Engineer.

Moved by Alderman Smith, seconded by Alderman Hubley, that the Committee on Works be instructed to construct the concrete sidewalk, curb and gutter on the north side of Coburg Road between Edward Street and Robie Street at a cost of \$790.00 in accordance with the City Engineer's supplementary report.

Moved in amendment by Alderman MacKenzie, seconded by Alderman O'Brien, that the recommendation in the City Engineer's report of July 14th, be carried out.

Amendment put and lost, 3 voting for and 14 against it, as below:

For the Amendment.

Aldermen O'Brien, Hebb,
MacKenzie—3.

Against it.

Aldermen Shaffner, Wilson,
Whitman, Bligh,
McManus, Douglas,
Smith, Hoben,
Kelly, Thompson,
Martin, Corston,
Edwards, Rankine—14.

Alderman Hubley excused from voting, not being in Council when the motion was made.

The original motion is put and passed.

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

SOUTH STREET SIDEWALK.

CITY WORKS OFFICE, Aug. 26th, 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 north side of South Street, between Queen and Church Streets, was read and recommended to Council for adoption, the work to be done when funds are available.

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

CITY ENGINEER'S OFFICE, Aug. 13th, 1909.

His Worship the Mayor :

SIR,—I beg to report on the accompanying petition from residents and owners of property on the north side of South Street, between Church Street and Queen Street.

There is a concrete sidewalk laid in South Street from Pleasant Street to Church Street and one just finished on Queen Street, from Morris to South Street. The soil in this neighborhood is clay and the sidewalks are in very bad condition in the spring and fall. The estimated cost of constructing a sidewalk is six hundred and nineteen dollars (\$619.00).

I would recommend that this block be placed in the sidewalk schedule and that the work be done as petitioned for under the Halifax Permanent Sidewalk Act, 1906, when funds are available.

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

Moved by Alderman Whitman, seconded by Alderman Shaffner, that the reports be adopted. Motion passed.

QUESTIONS BY MEMBERS.

Alderman Hoben asked how far north of the Payzant property the Committee on Works intend laying the 12 inch pipe on Oxford Street.

Alderman Hoben asked where the water meters are stored at present, and why not at the new City storehouse.

Alderman McManus asked for a report from the City Solicitor on outstanding accounts of last year's Charities Committee.

Alderman Martin asked if the offer of \$12,000.00 for the large Fuel Yard for a public market site had been made to the Dominion Government.

His Worship the Mayor replied that it had.

Alderman Hebb asked why tenders had not been called for stationery and blank books for the present year.

Alderman Kelly asked when the Committee on Works intend purchasing receptacles for refuse on the streets.

Alderman Wilson asked if it is the intention of the Council to give Engineer Sheehan of the Fire Department the trial he has asked for.

MOTIONS BY MEMBER.

Alderman Hoben submits the following resolution :—

Whereas, it has been the general policy of the City that when householders living in the outlying portions of the City desire the water service extended to their premises they shall be required to execute a bond agreeing to pay annually their proportion of an assessment that will yield a sum equal to 5 per cent. of the entire cost of the necessary extension based on a 6-inch main.

Therefore resolved, that this same policy of equality and fairness be insisted upon in the case of Alderman Smith, and that the Works Department be instructed not to connect the water with the new houses of Alderman Smith and other parties on Oxford Street until they give bonds to pay the usual 5 per cent. on the cost of the extension as in the case of small householders, workingmen and people of limited means living in the suburbs.

Further resolved, that the construction of Oxford Street main do not be extended north beyond Alderman Smith's house without a further resolution of Council.

Moved by Alderman Hoben.

Objected to by Aldermen Hubley, Edwards and Hebb and placed on the Order of the Day.

CONSIDERATION OF BUSINESS FOR WHICH MEETING WAS SPECIALLY CALLED.

Appointment of Assistant City Assessor.

Read applications from the following :—W. G. Naylor, William J. Kane, George A. MacDonald, Franz Schaefer, E. F. Doyle, J. H. DeWolfe, W. J. Johns, David C. Gillis, Arthur Cox, B. M. Davidson, J. L. Barnhill, James Halliday, Edward J. Griffin, Thomas Little, W. G. Bayers.

Moved by Alderman Wilson, seconded by Alderman Edwards, that all the applicants be considered as nominated. Motion passed.

The first vote being taken there appeared :—

- For Davidson—Aldermen Shaffner—1.
- For Barnhill—Aldermen Wilson, Whitman, Bligh—3.
- For Little—Aldermen O'Brien, Hebb—2.
- For Halliday—Aldermen McManus, Douglas, Hoben, Martin—4.
- For MacDonald—Aldermen Smith, Hubley, Corston, Edwards—4.
- For Griffin—Aldermen Kelly, MacKenzie, Rankine—3.
- For Cox—Alderman Thompson.—1.

Second Vote.

- For Little—Aldermen Shaffner, Thompson—2.
- For Barnhill—Aldermen Wilson, Whitman, O'Brien, Bligh—4.
- For MacDonald—Aldermen Hebb, Smith, Corston, Edwards and Hubley—5.
- For Halliday—Aldermen McManus, Douglas, Hoben, Martin—4.
- For Griffin—Aldermen Kelly, MacKenzie, Rankine—3.

Third Vote.

- For Little—Aldermen Shaffner, Hebb, Thompson—3.
- For Barnhill—Aldermen Wilson, Whitman, O'Brien, Bligh—4.
- For Halliday—Aldermen McManus, Douglas, Hoben, Martin—4.
- For MacDonald—Aldermen Smith, Hubley, Corston, Edwards—4.
- For Griffin—Aldermen Kelly, MacKenzie, Rankine—3.

Fourth Vote.

- For MacDonald—Aldermen Shaffner, Hebb, Smith, Hubley, Corston, Edwards—6.
- For Barnhill—Aldermen Wilson, Whitman, O'Brien, Bligh—4.
- For Halliday—Aldermen McManus, Douglas, Hoben—3.
- For Griffin—Aldermen Kelly, Martin, MacKenzie, Rankine—4.
- For Little—Alderman Thompson—1.

Fifth Vote.

- For MacDonald—Aldermen Shaffner, Hebb, Smith, Hubley, Thompson, Corston, Edwards.—7.
- For Barnhill—Aldermen Wilson, Whitman, O'Brien, Bligh.—4.
- For Halliday—Aldermen McManus, Douglas, Hoben.—3.
- For Griffin—Aldermen Kelly, Martin, MacKenzie, Rankine.—4.

Sixth Vote.

For Barnhill—Aldermen Shaffner, Wilson, Whitman, Bligh.—4.

For Griffin—Aldermen O'Brien, McManus, Kelly, Martin, MacKenzie, Rankine.—6.

For MacDonald—Aldermen Hebb, Douglas Smith, Hoben, Hubley, Thompson, Corston, Edwards.—8.

Seventh Vote.

For MacDonald--Aldermen, Shaffner, Whitman, Wilson, Hebb, Bligh, Smith, Hoben, Hubley, Thompson, Corston, Edwards.—11.

For Griffin—Aldermen, O'Brien, McManus, Douglas, Kelly, Martin, MacKenzie, Rankine.—7.

His Worship the Mayor declares George A. MacDonald duly elected an Assistant City Assessor.

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

Council adjourns 11.45 o'clock.

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, September 9th, 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 Whitman, Hubley, Martin and Wilson.

Moved by Alderman Martin, seconded by Alderman Wilson, 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, O'Brien, Hebb, Smith, Hoben, Corston, Edwards, Rankine.

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 Laws and Privileges Committee, by Alderman Whitman, Acting Chairman.

Report Committee of Frewards, by Alderman Edwards, Chairman.

Report City Prison Committee, by Alderman Wilson, Chairman.

Report Commissioners of Halifax Common, by Alderman Shaffner, Chairman.

Report Charities Committee, by Alderman Hebb, Chairman.

Report Finance Committee, by Alderman Whitman, Chairman.

His Worship the Mayor submits the following named papers :—

Cash Statements, City Solicitor, water rates, May, 1909, and taxes for May and June.

Opinion City Solicitor re Charities Committee accounts.

Opinion City Solicitor re City Health Board accounts.

Report City Clerk re tenders for stationery, blank books and printing.

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

Report Coal Weighers for August

Report Commercial Committee re party politics in City Council.

Acknowledgment by Militia Council of offer of \$12,000.00 for Large Fuel Yard as site for Public Market.

Letter Provincial Secretary re funds for School Board.

Petition Waegwoltic Club that the North West Arm be placed under jurisdiction of the City of Halifax.

Petition for water extension Agricola Street.

Petition for sewer extension Clifton Street.

Petition against sewer extension Clifton Street.

Petition for building line Quinpool Road.

Circular letter re tree protectors.

Report City Engineer re Yale Street sewer.

Reports (3) Committee on Works, viz :—

Accounts.

In re rebate water rates, estate Mrs. Kearney.

Tenders for cement and storage of water meters.

REFERENCE OF PAPERS SUBMITTED.

Read petition for and counter petition against sewer extension Clifton Street.

Referred to Committee on Works for report.

Read letter International Gully Co., Montreal, quoting prices for tree protectors on streets.

Referred to Committee on Works.

Read petition for water extension Agricola Street.

Referred to Committee on Works for report.

Read report Coal Weighers for August. Filed.

Read letter Provincial Secretary re funds (\$7,596.00) for furnishing, heating and ventilating Chebucto School.

CHEBUCTO SCHOOL.

HALIFAX, N. S., Aug. 30th, 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 Messrs. Longard Bros. for furnishing and installing a system of heating and ventilation in the Chebucto School for the sum of \$7,596.00, according to plans and specifications prepared by W. J. Busch, Architect, and, contingent on this contract being approved by the Governor-in-Council, the said Board has applied under section 820 of the Halifax 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 \$7,596.00, that being the amount required to carry out the said contract. I am also to notify you that the Governor-in-Council has appointed Thursday, the 2nd Sept., 1909, at 11 o'clock a. m., in the Executive Council Room, Provincial Building, City of Halifax, as the time and place at which the matter of such application will be heard and that the City may appear at the hearing.

FRED F. MATHERS, *Deputy Provincial Secretary.*

Filed.

Read letter Acting Deputy-Minister of Militia and Defence acknowledging receipt of offer of \$12,000.00 for Large Fuel Yard as a site for Public Market building.

PUBLIC MARKET SITE.

OTTAWA, September 2nd, 1909.

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

SIR,—I have the honor to acknowledge the receipt of your letter of the 25th ultimo advising that you have been instructed by the City Council of Halifax to offer \$12,000 for the property known as "the Large Fuel Yard" upon certain conditions as agreed upon between Brigadier General Drury and a committee of the City Council.

In reply I beg to say that, owing to the absence in England of the Honorable the Minister, no action in regard to this offer can at the present moment be taken by the Department, but that the matter will be laid before Sir Frederick Borden for his consideration immediately upon his return next month.

E. T. JARVIS, *Acting Deputy Minister*

Filed.

Read petition Waegwoltic Club that the western shore and waters of the North West Arm be placed under the jurisdiction of the City of Halifax.

JURISDICTION NORTH WEST ARM.

BLOOMINGDALE, LIMITED.

THE WAEGWOLTIC,

NORTH WEST ARM, HALIFAX, N. S., September 9th, 1909

To the City Council:

GENTLEMEN,—The Board of Directors of the Waegwoltic beg to recommend that the City Council take into consideration the advisability of taking steps to have the western shore and the waters of the North West Arm placed under the jurisdiction of the City of Halifax.

J. H. TREFRY, *Secretary*.

Referred to the Committee on Laws and Privileges for report.

Read report Chief of Police stating no violations of the Liquor License Act on Sunday had been reported to him since last meeting of Council. Filed.

Read Cash Statements City Collector, water rates for May and taxes for May and June. Filed.

Read petition for building lines Quinpool Road from Oxford Street west. Referred to Committee on Works for report.

CONSIDERATION OF PAPERS SUBMITTED.

Read report Committee on Works recommending accounts for payment.

CITY WORKS ACCOUNTS.

CITY WORKS OFFICE, Sept. 8th, 1909.

To the City Council :

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

Water Maintenance	\$ 226 71
Water Construction	616 42
Street Lighting	1732 78
Streets	552 45
Sewerage	284 76
New Workshops	201 31
City Property	111 14
Cleaning Paved Streets	108 00
City Hall Lighting	66 01
Internal Health	49 78
Permanent Sidewalks	26 39
Teams and Stables	18 60

\$3994 35

J. A. CHISHOLM, *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 on Works and reports (2) City Engineer re storage of water meters and tenders for cement.

CITY WORKS OFFICE, Sept. 8th, 1909.

To the City Council :

GENTLEMEN,—Attached hereto, will be found reports of the City Engineer in re tenders for cement and where the water meters are stored in answer to Minutes of Council of recent date.

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

STORAGE OF WATER METERS.

CITY ENGINEER'S OFFICE, Sept. 9th, 1909.

His Worship the Mayor :

SIR,—I beg to report in answer to the question asked by Alderman Hoben as to where the water meters are stored at present and why not at the City Store House.

I presume the Alderman refers to the water meters covered in the dispute between the City and the Neptune Meter Company. Those meters are at the Plant Wharf and have not been removed because they had not been paid for as the money had not been in until a short time ago.

The meters will be removed to the City Hall to be tested, as the Neptune Meter Company has offered to send a man free of cost to the City, to put any meters in order which have been injured by heat or otherwise since they have been stored on the Plant Wharf.

There has been a delay of a few days owing to the absence of the City Engineer, as the Clerk of Works required an invoice which he had given to the City Engineer before he left the City.

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

CEMENT.

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

His Worship the Mayor :

SIR,—I beg to report on the accompanying extract from Minutes of Council respecting the tenders for cement.

When the contract was made in the Spring, I had not any means of determining the quantity that would be needed during the season, as no money has been borrowed for sidewalks or sewers and although there was considerable work ordered, I did not know whether it would be constructed or not during the year.

Some time ago, after taking stock and estimating the amount required to carry out the work ordered, tenders were asked for and reported up. The cement was to be used in the construction of sidewalks and sewers.

As the Council has declined to award the contract, we will have to stop the sidewalk and sewer work next week as by that time we will have exhausted the supply on hand. If the contract had been awarded at the last meeting of Council, we would by this time have had a new supply.

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

Filed.

Read reports Committee on Works, City Engineer and City Solicitor in re rebate of water rates Estate of Mrs. Kearney.

WATER BILL 20-22 UPPER WATER ST, KEARNEY ESTATE.

CITY WORKS OFFICE, Sept. 8th, 1909.

To the City Council :

GENTLEMEN.—At a meeting of the Committee on Works held this day the attached report of the City Engineer and opinion of the City Solicitor in re rebate of water rates to Kearney Estate were read. It was decided to recommend the adoption of the City Engineers report thereon.

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

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

His Worship the Mayor :

SIR,—I beg to report on the accompanying letter from Mr. W. F. O'Connor, writing on behalf of the estate of Mrs. Kearney.

A meter was put in on the 28th March, 1908. It was read in April and on May 29th, 1908. In June the Inspector could not get in as the cellar door was nailed down and he was unable to obtain access to the meter until March 4th, 1908. The bill which Mr. O'Connor states is for six months from September, 1908 to March, 1909 is for the whole year from May 1st, 1908 to March, 1909. The reading on March 4th, 1909 was 74,338 c. ft., April 6th, 82,894 c. ft., May 6th, 92,038 c. ft., June 2nd, 1909, 100,812 c. ft. The consumption for March would be 54,000 gallons, for April 56,600 and for May 54,800. The Inspector reports that the water closet is wasting badly at these premises. This waste would account for the consumption which is twice as large in one month as the quantity used legitimately by any average house in one year.

In reply to Mr. O'Connor's query, there is a meter inspector employed by the City of Halifax, but not under the Dominion Legislation to which he refers. I have read the Dominion legislation respecting water meters, but do not think that the Act is in force. According to my recollection of the Act, it does not go into operation until it has been proclaimed by the Governor-in-Council and I have not heard of that being done.

The meter was new and was put in in good order, being tested before it was installed. I have no desire to punish any property owner as severely as this bill would

punish the Kearney Estate, but it is most important that the waste of water should be stopped.

The Inspector says that he reported the closet at this property wasting before the meter was put in. He also states that he notified the tenant several times of the waste. He was unable to locate the landlady for some time, and she did not get notice of the waste till May, 1909.

The water tax before the meter was put on was \$10.90. It would be unwise to approve of any claim that the owner is entitled to notice of waste, but each case should be dealt with on its merits. I do not think that due care has been exercised in this case to prevent waste, but if your committee think the circumstances justify a reduction, I would recommend that the bill be reduced to \$20.00 on condition that the waste in the closet is stopped in one week from receipt of notice from the Committee on Works, and on condition that the owners of the property leave the cellar open so that the Inspector can get at the meter, or if the building is vacant have the water turned off.

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

METER RATE REDUCTION CLAIMS—ESTATE OF MRS. KEARNEY.

OFFICE OF CITY SOLICITOR, CITY HALL, August 30th, 1909.

Chairman Committee on Works:

SIR,—The legal point in this claim depends upon the meaning to be attached to the phrase "owner or occupant of the premises" in the Act of last session authorizing reductions to be made in meter rates. Mrs. Kearney, the owner, was not the occupant and the default was that of the tenant, committed at first without the owner's knowledge and ultimately apparently in defiance of her endeavor to rectify the trouble. If the section is to be construed literally no reduction could be made. Such a construction, however, would largely defeat the intention of the Act, which was obviously to relieve against claims for excessive consumption of water where no default was attributable to the person having control of the supply. Such a construction would render the owner liable for the wilful waste of a tenant committed maliciously and in defiance of the owner's desire to rectify matters. I am of opinion that such is not the true construction of the Act. In the absence of such control there could, properly speaking, be neither negligence, default or failure to use proper precaution. So construing the statute, I am of opinion that the claim can legally be allowed.

F. H. BELL, *City Solicitor.*

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

Reed report Charities Committee re accounts, &c.

CHARITIES COMMITTEE ACCOUNTS.

HALIFAX, N. S., Sept. 1st, 1909.

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

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

The Superintendent's report for August shows that during the month there were 32 persons admitted into the City Home, 6 born, 27 discharged, and 3 died. Of the number admitted, 9 were chargeable to the Province, 1 to the district of Cheticamp, C. B. and 22 to the City. The total number of inmates Aug. 31st 1909 was 345 made up of 206 men, 131 women and 8 children. On the same date last year there were 184 men, 124 women and 2 children, a total of 320.

The following accounts are recommended for payment, Wentzell's Ltd., \$468 53. W. A. Mailing & Co., \$381.01. Scotia Pure Milk Co. Ltd., \$225 55. Geo. Gregoire, \$34.28. Smith Bros., \$31.12. F. A. Shaw, \$39.98. H. D. MacKenzie & Co. Ltd., \$4.31. Victoria General Hospital, \$120.91. Fleischman & Co., \$3.90. Halifax Elect. Tram Co., \$16.25. Henry Lovett, \$11.94. Black & Flinn, \$7 57. City Prison, \$31.20. W. C. Knight, \$1 85. William McFatridge, \$49.50. B. J. Mulcahy, \$330.70. Salaries for August, \$653 94. Total—\$2412.54.

W. E. HEBB, *Chairman.*

The following resolution is submitted :

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

Moved by Alderman Hebb seconded by Alderman O'Brien and passed.

Read report Commissioners of Halifax Common covering accounts for payment.

PUBLIC GARDENS ACCOUNTS.

September 8th, 1909.

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

RESOLUTIONS.—At a meeting of the Commissioners of Halifax Common, held this day, at four o'clock p. m., the following bills were passed for payment and the Secretary instructed to forward same to the City Council for their approval:—

Halifax Electric Tram Co., \$1.66. Cragg Bros. & Co., \$4 50. B. B. Adams & Co., \$3.90. Brandram-Henderson, \$10.11. S. Cunard & Co., \$92.27.—Total, \$112.44.

EDWARD T. POWER, *Secretary.*

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

Read opinion of City Solicitor that Board of Health accounts need not be passed by City Council.

BOARD OF HEALTH ACCOUNTS.

OFFICE OF CITY SOLICITOR, HALIFAX, N. S., Aug. 30th, 1909.

His Worship the Mayor:

SIR,—I am of the opinion that the accounts of the Board of Health do not require to be passed by the City Council. Section 790 of the Charter expressly provides that they shall be paid on the certificate of the Chairman and this provision plainly qualifies the general language of section 306.

F. H. BELL, *City Solicitor.*

Filed.

Read report Committee of Firewards on various matters.

REPORT COMMITTEE OF FIRE WARDS.

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

His Worship the Mayor and City Council :

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

1. Agreeably to the desire of the Council the Board has given further consideration to the matter of rearranging the horse stalls in Central Engine House and again recommend that this work be done.
2. This City has participated in the general movement that has been in progress for years for the elimination of poles from the streets and considerable progress has been made. A feature in this connection which has, however, been neglected seriously affects the Fire Department. Arrangements exist by which the City has the right to use the top and the top cross arm of each pole in the streets for stringing its wires and the fire alarm wires are strung on the poles of the different companies under this arrangement. When underground conduits for wires were begun to be laid here no stipulation was made by which any space was reserved for the use of the City. It now appears that there are a number of poles carrying no wires except those of the City and all concerned desire their removal. Unless some other mode is settled upon these poles will have to remain in the streets solely for the use of the Fire Department. Attached hereto are letters from the City Engineer and the Telephone Company and a report from the Electrician re the cost of putting the fire alarm wires underground. The matter is of considerable importance and your Committee recommend that in order to have a proper arrangement made the City Solicitor upon consultation with the City Engineer and City Electrician prepare an Act giving the City the right to use the ducts placed underground by private corporations. If this is done at once ample time will be given to have the matter fully considered before the legislature meets next winter.
3. P. J. Lynch, callman No. 2 Hose Co., has resigned. Resignation recommended for acceptance.
4. Captain Burns, previously reported ill, reported for duty September 1st.
5. The two first alarm fire engines No. 1 and No. 2, and No. 4 hose waggon, were late in responding to an alarm of fire from box 84, on August 3rd, caused by being out on their watering routes, No. 5, second alarm engine, from Quinpool Road station, arriving and working before the first alarm engines.
6. The Maltese Cross hose, that uncoupled while in service at the fire on August 21st, has been sent to the factory.
7. It is recommended that the widow of the late Driver John Banfield be paid \$47.48, the amount she is entitled to receive out of the superannuation fund.
8. It is recommended that Walter Oakley and George Hatchett be appointed supernumeraries.
9. It is recommended that 1,200 feet of 2½ inch rubber hose capable of standing a pressure of from 40 to 60 lbs., and 700 feet of condemned or junk hose be advertised for sale. Also that 800 feet of old hose, in lengths of from 5 to 30 feet, be split and used as matting in the department.
10. It is recommended that the Foreman of the Water Department be requested to report on the hydrants respectively at the foot of Duke Street and Bell's Lane, with which some trouble was found at fire August 26th last.
11. The following accounts are recommended for payment :—

Halifax Electric Tramway Company, light, \$12.47; power, \$10.18—\$22.57. Chronicle, advertising, \$5.85. Jas. Dempster & Co., lumber, \$5.59. J. E. Myers, plumbing, 50c. Melvin & Co., hardware, \$10.78. J. C. Merlin & Co., lumber, \$7.99.

J. H. Mont & Co., carriage work, \$53.30. Globe Laundry, work, \$15.64. V. Coy, horseshoeing, \$1.78. Can. Rubber Co., oilclothing, &c., \$36.75. MacDonald & Co., charcoal, &c., \$3.80. Imperial Oil Co., oil, \$25.50. W. C. Knight, harness work, \$30.35. S. Cunard & Co., coal, \$43.20. F. A. Shaw, feed, \$311.77. Farquhar Bros., supplies, &c., \$41.45. Pitner Lights, supplies, \$9.40. Wentzell's, Ltd., soda, &c., \$4.45. W. & A. Moir, machine work, \$27.19. Guildford & Son, 100 ft. chemical hose, \$50.00. J. R. Gaunt & Son, buttons, \$22.95. Evans & Co., hardware, \$1.70. J. Sturr, Son & Co., electric supplies, \$11.55. Muldowney & Godwin, tinsmithing, \$6.40. A. M. Bell & Co., hardware, \$52.45. John Davison & Son, lumber, 78c. Jas. Donhue, bending iron, 50c. T. A. S. DeWolfe & Son, wood, 85c. Stairs, Son & Morrow, tubing, \$6.00. D. Roche, glazing, \$1.75. A. J. Grant & Co., tools, \$3.25. G. E. Smith & Co., bolts, \$3.00. Total, \$818.95.

J. S. EDWARDS, *Chairman.*

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

Chairman Board of Fire Wards :

DEAR SIR,—There are a number of telephone poles on different streets which could be removed if the fire alarm wires were taken off them. There are four poles especially on the east side of Barrington Street, south of Duke Street which can be removed at once having only fire alarm wires on them. There are also some poles on Bedford Row. Will you please arrange for the removal of these wires so that we can complete the improvement which the Telephone Company have been getting ready for, by removing the poles.

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

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

MR. PARKER COLPITT, *City Electrician, Halifax, N. S. :*

DEAR SIR,—In reply to your inquiry. I think we are in good shape to give the City the use of one duct in our conduit system to any point to which the system now extends as we have several spare ducts in most places. Of course the conduit system was only intended for our own use originally, but should we get crowded anywhere I think we can arrange to use a larger cable, in order to still reserve the one duct for the City's use. I understand that in the City of Baltimore, the City of Baltimore owns its own conduit system and rents its ducts out at eight cents per duct foot. We are willing to let the City this duct at 6 cents per duct foot on mains, and 8 cents per duct foot on laterals. This includes the use of the manhole and the use of a spare duct any time, should same be required for renewing cable. We would undertake to pull in the cable, if required, at the actual cost of time and material, which would not exceed 1½c. per foot installed. Any further information required, I shall be pleased to give you.

J. H. WINFIELD, *General Manager.*

CITY ELECTRICIAN'S OFFICE, Sept. 7th, 1909.

To the Chairman and Members of the Board of Fire Wards :

GENTLEMEN,—In compliance with your request, I beg herewith to submit an estimate of cost for placing fire alarm Circuit No. 3 under ground. The circuit extends from City Hall to Inglis Street, and the present location is Barrington and Pleasant Streets. The underground location would be Argyle to Granville on Duke Street, Duke to Salter on Granville Street, Granville to Barrington on Salter Street, Salter to Spring Garden Road on Barrington Street, Spring Garden Road to Inglis on Pleasant Street.

The estimated cost includes taking all the circuits out of the building under ground to a man-hole on Argyle Street. This is necessary in order to provide against disturbance of cable when further underground work is done ; so that the proper laying out of the work depends on a main conduit system being installed on Duke Street from Argyle to Granville. This, I understand, the Telephone Company plans to do, if permission can be secured to cut the pavement on the lower block from Granville to Barrington Street.

The cost for installing the cable for this circuit I estimate as follows:—

6000 ft. No. 12 twin wire lead covered cable at 6½c. per foot	\$ 390 00
150 ft. 16 wire cable to first man-hole	75 00
400 ft. 4 wire cable to Granville Street	60 00
Trenching and piping to first man-hole	59 00
Terminals to five boxes	50 00
Hauling in cable	98 25
	\$ 732 25
Rental of duct, 5653 feet at 6c.....	339 18
Rental of laterals, 300 feet at 8c	24 00
	\$ 363 18

With reference to the circuit on Bedford Row, I would recommend the removal of the line on this street, as it serves but one tapper, and a call bell from the engine house could be installed as a substitute, if considered satisfactory. This would relieve the system somewhat and make room for an additional tapper at some other point.

P. R. COLPITT, *City Electrician.*

The same is considered clause by clause.

Read clause 1 re Horse Stalls Central Engine House.

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

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

The vote being taken there appeared:—

For the Amendment.	Against it.
Aldermen Shaffner, Hebb, Hoben, Hubley, Martin, Corston—6.	Aldermen Wilson, Whitman, O'Brien, Smith, Edwards, Rankine—6.

His Worship the Mayor gives his casting vote for the amendment and declares it carried.

Read clause 2 re fire alarm wires.

Moved by Alderman Edwards, seconded by Alderman Smith, that the clause be adopted. Motion passed.

Clauses 3 to 11 are severally read and adopted.

The following resolution is submitted:—

Resolved, that the report of the Committee of Firewards, as amended, be adopted as a whole, and His Worship the Mayor authorized to sign warrants for the payment of the accounts.

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

Read report Commercial Committee re party politics in the City Council.

POLITICS IN CITY COUNCIL.

OFFICE BOARD OF TRADE, Sept. 1st, 1909.

To His Worship the Mayor and City Council :

GENTLEMEN,—At a meeting of the Commercial Committee, composed of members of the Board of Trade and City Council, which was also attended by a member of the press, a committee representing some of the citizens of the City, spoke of the desirability of eliminating politics from civic administration, and after all present had debated the question, the following resolution was unanimously passed :—

“ Resolved, that in the opinion of this committee party politics should be eliminated from all matters relating to the government of the City.”

The committee wish me to state that their protest is not altogether against the present City Council, as it was generally agreed that the same trouble has existed for a great number of years, and while the divorcing of politics was regarded a difficult question, it was considered a possible one. The committee ask that copies of the resolution be sent to the proprietors or editors of each of the newspapers, they having agreed to the principle set forth in the resolution, and to give it their hearty support, and in this way begin an educative campaign.

E. A. SAUNDERS, *Secretary.*

Moved by Alderman Whitman, seconded by Alderman Hebb, that the report be filed.

Moved in amendment by Alderman Hoben, seconded by Alderman Rankin, that in the opinion of this Council the sentiments expressed in the report just read should be endorsed by this Council.

The amendment being put is passed unanimously, the names being recorded thus :—

For the Amendment.	Against it.
Aldermen Shaffner, Wilson, Whitman, O'Brien, Hebb, Smith, Hoben, Hubley, Martin, Corston, Edwards, Rankine—12.	None.

Read report Finance Committee on various matters.

REPORT FINANCE COMMITTEE.

COMMITTEE ROOM, CITY HALL, Sept. 9th, 1909.

His Worship the Mayor and City Council :

GENTLEMEN.—The Finance Committee beg to report that at a meeting held this day, there being present Alderman Whitman (Chairman), Hubley, Smith and Edwards, the following accounts amounting to \$387.77 were examined, found correct and recommended for payment, viz :—

1. Dr. W. D. Finn, Medical Examiner, certificates of death of Chas. S. Ward, \$4.00; Michael Pender, \$4.00; Male, unknown infant, \$12.00; George H. Bowser, \$4.00—\$24.00. Holloway Bros., printing Minutes, etc., \$88.77. Blackadar Bros., advertising in Recorder, \$15.00, \$2.25, \$4.35, \$3.30—\$24.90. Chronicle Publishing Co., advertising, \$3.75, \$9.00, \$5.85, \$4.05, \$9.00—\$31.65. McAlpine Publishing Co., two directories, Assessors, \$7.00. A. & W. Mackinlay, Ltd., books, City Treasurer, \$8.00; City Collector, \$42.50—\$50.50. T. C. Allen & Co., stationery, etc., City Collector, \$21.50; City

Police Department, \$2 55; City Clerk, \$7 00--\$31.05. British American Bank Note Co., altering bond plates and printing 115 bonds, \$130.00.—Total, \$387.87.

2. Your Committee further report that they had under consideration the matter of contributing \$1000.00 to a fund for the benefit of the family of the late James Tynan, killed at the fire at Nova Scotia Furnishing Company's warehouse.

It is recommended that the \$1000.00 proposed to be given by the City for the benefit of the family of the late James Tynan, a fireman killed at the recent fire on Argyle Street, be invested in the names of the Mayor of the City, the Chairman of the Finance Committee and the City Auditor, for the time being, in City of Halifax bonds or on bank deposit receipt at four per cent. the principal and interest to be expended by the said trustees for the education and support of Daisy, 11 years old; Emma, 9 years; Leo, 4 years and Rose Tynan, 2 years old, till they respectively reach the age of twenty years.

3. In re account of John P. Cairns, \$55 55, for one month's superannuation allowance, it is recommended that the account be paid out of Contingent Account if funds are available, and if there is not sufficient in this fund a sum be placed in the estimates for 1910-11 to meet the allowance for the nine months to May 1910 and for the full amount for 1910-11.

4. With reference to the controversy between the Secretary of the School Board and the City Auditor as to the payment of the amounts borrowed by the City to be expended in the construction of new school houses by the School Commissioners upon which the City Solicitor and the Solicitor for the Board have given opinions at variance with one another, and the Solicitor of the Board has requested that a case be prepared for submission to the Supreme Court, your Committee beg to report as follows:—

By the Act of 1907 the money needed for capital expenditures by the Board must be borrowed by the City and furnished to the Board for the particular purpose for which it was borrowed. The interest on these debentures is of course to be paid by the City. The Auditor raises no objection to payment of this amount when he is satisfied that the money is required for the purpose for which the borrowing is made, but he has demurred to paying it in a lump sum a long time in advance of its being actually required. The only effect of paying it in a lump sum would be to enable the Board to deposit it in a bank and to earn interest which the Board could apply to its own purpose, thus increasing in what your Committee consider an irregular manner the appropriation made under the authority of the Governor-in-Council and leaving the City to pay interest on the money for a period before it was actually required. By not acceding to the demand of the Board the citizens of Halifax have in the present year been saved no less a sum than fourteen hundred dollars (\$1400.) The Ordinance defining the Auditor's duties expressly requires that the accounts and expenditures of the School Board are to be subject to audit in the same manner as other accounts of the City and the School Board has itself requested the services of the Auditor to audit its accounts. It is manifest that if the audit is to be confined to a mere checking of accounts after the expenditures have been incurred it will be necessarily very imperfect and absolutely no check upon an improper expenditure supposing such to have taken place. Your Committee feel satisfied that in declining to furnish money until it is actually required the Auditor is only carrying out the spirit and intention with which the legislation of 1907 was passed and that it would be contrary to that which was then intended to borrow money merely to enable the School Board to earn an additional appropriation by placing the sum at interest. If the School Board is furnished with funds to meet its expenditures on capital accounts as soon as the same are required it does not seem to your Committee that they have any cause whatever for complaint. Under these circumstances your Committee consider that manifest business reasons require them to endorse the action of the Auditor. As to the opinions of the City Solicitor and the Solicitor of the Board, your Committee consider that that of the City Solicitor is at any rate in accordance with what they believe to be the proper business interpretation of the statute and they see no good object to be gained by submitting the case to the decision of the Court, because if a decision were obtained from the Court to the effect that the statute could be interpreted in the manner contended for by the Solicitor of the Board it would in the opinion of your Committee be the immediate duty of the Council to apply for legislation making it plain that the Act should be interpreted in what your Committee conceive to be the only proper business method.

ALFRED WHITMAN, *Chairman.*

The same is considered clause by clause.

Read clause 1 re accounts.

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

Read clause 2 re grant of \$1000.00 to family of the late James Tynan.

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

Moved in amendment by Alderman Smith, seconded by Alderman Hoben, that the \$1000.00 be handed over to the trustees named in the report and that they be authorized to distribute it for the benefit of the children of the late James Tynan as they see fit.

With the consent of the seconder and the Council Alderman Smith withdraws the amendment.

The original motion is put and passed.

Read clause 3 re superannuation of Assistant Assessor John P. Cairns.

Moved by Alderman Whitman, seconded by Alderman O'Brien, that the clause be adopted with the following added as an amendment: "That in case the Council has power to borrow the amount required to pay Mr. Cairns' superannuation allowance, the amount be borrowed from the Royal Bank of Canada and provided for in next year's estimates."

Motion put and lost, 3 voting for the same and 9 against it, as follows:—

<p>For the Motion.</p> <p>Aldermen Whitman, O'Brien, Martin.—3.</p>	<p>Against it</p> <p>Aldermen Shaffner, Wilson, Hebb, Smith, Hoben, Hubley, Corston, Edwards, Rankine.—9.</p>
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Read clause 4 re School Board finances.

The following resolution is submitted:

Whereas, the intention of the Legislation of 1907, Chap. 67, Secs 1 to 13, was manifestly that the City should place the School Board in funds for the purpose of meeting its expenditures on capital account whenever and as soon as the same was required and not for the purpose of enabling the School Board to earn money by the depositing of the same in a bank;

And Whereas, the action of the Auditor in refusing to authorize payment in advance of such requirements and insisting upon proper assurance being given him that the money was actually required for such purpose and in accordance with the spirit of the Act;

Therefore Resolved, that the action of the Auditor be sustained by this Council;

And Further Resolved, that in the opinion of this Council to accede to the request of the School Board to submit a case for the opinion of the Supreme Court would not be advisable.

Moved by Alderman Whitman, seconded by Alderman Hubley.

Resolution put and passed, 10 voting for the same and 2 against it, as follows :—

<i>For the resolution.</i>	<i>Against it.</i>
Aldermen Shaffner, Wilson, Whitman, O'Brien, Hebb, Smith, Hubley, Corston, Edwards, Rankine—10.	Aldermen Hoben, Martin—2.

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 the payment of accounts therein recommended.

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

Read report City Prison Committee re tenders for clothing, accounts, etc.

CITY PRISON ACCOUNTS, ETC.

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

To His Worship the Mayor and City Council:

GENTLEMEN,—The City Prison Committee beg to report that at a meeting held this day, there being present Aldermen Wilson, (Chairman,) O'Brien, Smith and Coston, the following accounts, amounting to \$90.08 were examined, found correct and recommended for payment :—

Jordan & Mann, horseshoeing, \$6.00. Black & Flinn, bran, \$2.90 A. L. Melvin, mower, \$2.90. Wm. Robertson & Son, scale, \$4.75. A. S. Austen, hardware, \$1.64. Frank W. Fraser, oats, \$31.50. W. A. Maling & Co., ox heads, \$14.75 Wentzell's, Ltd., groceries, \$20.05. Halifax Elec. Tram. Co., light, 71c. Total \$85.20. 1908 acct. Halifax Herald, advertising, \$4.88. Total \$90.08.

The Chairman was instructed to purchase four suits of uniform clothing for unker-keepers at Clayton & Sons at \$13.50 each, the same price as furnished last year.

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 Laws and Privileges Committee on various matters.

REPORT LAWS AND PRIVILEGES COMMITTEE.

COMMITTEE ROOM, CITY HALL, Sept. 18th, 1909.

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 Alderman Whitman, Wilson and Hubley, Alderman Whitman was appointed acting-chairman, in the absence of Alderman Bligh.

The following matters were before the Committee and dealt with :—

1 Resolution passed at a meeting of citizens asking that some steps be taken by the Council to prevent the noise made by tram cars passing churches during the hours of Divine service on Sundays. The Committee have been informed that the Tramway Company will endeavor to stop any unnecessary noise.

It was decided to appoint a sub-committee consisting of Aldermen Whitman and Wilson, the Venerable Archdeacon Armitage, Messrs. W. E. Schwartz and Andrew Allen to confer with the manager of the Tramway Company with a view to making such rules or amicable arrangements which would eliminate the unnecessary noise.

2. Re application of Thomas Foley for a refund of amount deposited with his application for a liquor license, it is recommended that the amount deposited be refunded less the usual expenses of advertising.

Several other matters were before the Committee but were laid over until there is a full meeting.

ALFRED WHITMAN, *Chairman.*

Moved by Alderman Whitman, seconded by Alderman Hebb, that the report be adopted. Motion passed.

Read report City Clerk in answer to Alderman Hebb's question in re tenders for stationery, blank books and printing.

CONTRACT FOR STATIONERY, PRINTING AND BLANK BOOKS.

August 27th, 1909.

His Worship the Mayor :

SIR,—In answer to Alderman Hebb's question in re tenders for stationery 1909-10, I beg to state the position to Your Worship.

It has been customary for the City Clerk's department to prepare the specifications for printing, stationery, blank books, etc., for his own and all other departments of the City, and as a rule this has been an annual practice.

It is commonly known that the cost of advertising, paper and other materials and labor chargeable to printing and stationery have advanced in cost very greatly during the last few years, while the annual estimate for paying for this service remained until a year and a half ago at the same figure for fifteen years. It is claimed that the cost of printing alone has advanced between 25 and 30 per cent. during the past few years.

In the exercise of a personal supervision over the printing and stationery service for many years I think I may say that I have saved to the City many hundreds of dollars, which, except for some knowledge which I claim to have of the business, would have been expended.

Amongst the most costly items in the stationery account are the supplies for the City Engineer's department. About the time for calling for tenders for the current year Mr. Johnson, Assistant City Engineer, informed me that they required some special materials in connection with the City Official Plan. He suggested that if this and his

usual supplies were called for in the general contract for stationery we might not get as good figures as if separate tenders were asked for his department. I agreed with Mr. Johnston, and understood that the matter was disposed of in that way. I have since been informed that the matter was brought up in the Board of Works, who disagreed with the proposition. I knew nothing of this until after Alderman Hebb's question was asked.

As to the remaining items, I was unable to obtain the typewritten copies of the specification, which are lengthy, at the usual time, and arranged with the existing contractors to supply the services on the basis of the current contracts until new ones were made. I may inform Your Worship that I was surprised at the contractors agreeing to do this, as I believed there would be an advance all around if new tenders were called for. I am fully convinced that I have acted in the best interests of the City from a monetary standpoint, but will call for new tenders immediately if you will so advise.

L. FRED MONAGHAN, *City Clerk.*

Moved by Alderman Hebb seconded by Alderman Whitman that the same be filed. Motion passed.

Read opinion City Solicitor re certain accounts of the Charities Committee.

CHARITIES COMMITTEE ACCOUNTS.

OFFICE OF CITY SOLICITOR. CITY HALL, Sept. 1st, 1909.

His Worship the Mayor:

SIR,—If the law is strictly applied in this matter there can be no doubt that the Council cannot properly direct payment of these accounts out of last year's appropriation. It is true that the Committee recommended them before the close of the fiscal year, but under section 306 of the charter the recommendation of the committee was of no effect until adopted by the Council. Sections 294 and 295 direct the affairs of the several departments to be closed on 31st April and the income and expenditure of each year to be kept separate, and section 316 automatically transfers the unexpended balance to the Reserve account.

At the same time I trust I may be permitted to say that I do not think any harm will be done in the present case by a not too rigid insistence on the strict letter of the law. The Auditor informs me that the practice has not been unusual. The requirements were urgent and the recommendations of the Committee made in good faith and under the belief that they were in conformity with the law. The point itself I understand is now raised for the first time and to enforce it would be a hardship either on the City creditors or on the present Committee. The case is not one of an illegal expenditure for some purpose for which the City could not spend money, but rather of an irregularity in the mode of doing business. Undoubtedly if the practice were to prevail to any great extent it would seriously impair our reserve and sinking funds, but in the present case it was not intentional but the result of inadvertence and now that the point has been raised and decided it ought not occur again.

F. H. BELL, *City Solicitor.*

Moved by Alderman Hebb, seconded by Alderman Rankine, that the said accounts (see printed Minutes of Council July 2nd, 1909, page 90) be paid out of last year's unexpended balance. Motion put and passed. Aldermen Whitman and Hoben dissenting.

By consent of Council Alderman Whitman re-submits the report of the Committee on Works re tenders for 500,000 lbs. cement sub-

mitted to Council August 26th, 1909, and referred back to the Committee for further report.

The same is now read.

Moved by Alderman Whitman, seconded by Alderman Rankine that the said report dated August 26th, 1909, be now adopted.

Moved in amendment by Alderman Hoben, seconded by Alderman Martin, that the Sydney Cement Co. per J. C. Calder be awarded a contract for one third of the amount of cement required at their tender price.

Alderman Rankine asked for the opinion of the City Engineer on Sydney cement.

The City Engineer stated he would not recommend the City to purchase Sydney cement and would not assume any responsibility for work turned out from it if any is purchased.

The amendment being put there appeared :

For the Amendment.

Against it.

Aldermen Shaffner, O'Brien,
Hebb, Hoben,
Hubley, Martin.—6.

Aldermen Wilson, Whitman,
Smith, Corston,
Edwards, Rankine.—6.

His Worship the Mayor gives his casting vote against the amendment and declares it lost.

The original motion is put and passed.

Alderman Hoben gives notice of reconsideration.

Read report City Engineer on Yale Street sewer covering plan and description of property required to be expropriated for right-of-way.

YALE STREET SEWER.

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

His Worship the Mayor :

SIR,—In accordance with the resolution of the Council, passed at the meeting held on July 8th, 1909, an offer was made and served on Messrs. William Duffus and C. W. Anderson for the purchase of the rights to construct a sewer in the lane leading from Yale Street to Quinpool Road.

The notice was served on Mr. Duffus on the 22nd of July and on Mr. Anderson on the 23rd of July. I have heard nothing from either of these gentlemen, so assume that they decline to accept the offer of the City. The rights are required for the purpose of an outlet for a sewer on Yale Street.

Under the circumstances, it will be necessary to expropriate the property, and I therefore submit for the approval of the Council the accompanying plan and description of the rights which it is proposed to acquire.

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

The right to construct a sewer of such material and such size and shape and at such level and with such manhole, eschtopits and other appurtenances as the City Engineer

of the City of Halifax shall approve of in, under and upon all that lot of land between Yale Street and Quinpool Road, in the City of Halifax, described as follows:—

All that lot, piece or parcel of land situate, lying and being between Quinpool Road and Yale Street, in the City and County of Halifax, the said lot being more particularly described as follows:—Beginning at a point on the north side of Quinpool Road, the said point being the southwest corner of property belonging to the Home of the Good Shepherd, thence in a westerly direction by the said north line of Quinpool Road, for a distance of seventeen feet (17), more or less, or until it meets the southeast corner of lot Number 135 of the Riding Ground Division; thence in a northerly direction by the eastern boundary of lot No. 135 and lot No. 136 of the said Division for a distance of one hundred and seventy feet (170 ft.), more or less, or until it meets the south line of Yale Street; thence in an easterly direction for a distance of seventeen feet (17 ft.), more or less, or until it meets the western boundary of property belonging to the Home of the Good Shepherd; thence southerly by the said western boundary line for a distance of one hundred and seventy feet (170 ft.), more or less, to the place of beginning, which said lot of land is shown on a plan entitled, "Plan showing right of drainage required through the lane, between Quinpool Road and Yale Street, signed by F. W. W. Doane, City Engineer, and filed in the City Engineer's office, at Halifax, as Plan No. 2037

Also the right to enter on the said lane with carts, horses, workmen and servants at any time by night or by day and to dig up and excavate said lot and remove the earth therefrom and do all things necessary for the construction of a sewer in said lane, and also where required, to fill in and raise the said lot of land with earth, stones and other suitable materials for the covering and protection of the said sewer and its appurtenances in such a way and to such a height as the City Engineer shall deem advisable.

Also the right from time to time and at any and all times hereafter, whenever the City Engineer or other City official acting in his stead shall consider it requisite to enter upon such lands with workmen and servants, horses and carts to inspect, clean up or repair such sewer and its appurtenances, and for that purpose to dig up, excavate and open such lot and do thereon whatever may be necessary for inspecting, cleaning and repairing such sewer and its appurtenances.

Moved by Alderman Whitman, seconded by Alderman Edwards, that the said report, the plan and description be approved by this Council. Motion passed.

QUESTIONS BY MEMBERS.

Alderman Hoben asked how far north it was proposed to lay water pipe in Oxford Street.

Alderman Whitman answered that it is the intention to lay the same only as far as Alderman Smith's new house.

Alderman Hoben asked what the work would cost.

Alderman Whitman stated that the distance is 375 feet and the cost \$1100.00.

Alderman Martin asked as to loose stones on Quinpool Road and Windsor Streets scattered over the rails of the tram cars, causing unnecessary noise.

The Engineer stated that on account of the dry season the steam rollers could not do their work as quickly as when the roadbeds are soft, and therefore as much ground as usual could not be covered by them.