

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, October 7th, 1909.

A meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor and Aldermen Bligh, Martin, Hubley, Whitman, MacKenzie, Hebb, Thompson, and Shaffner.

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

8.20 roll called. Present the above named together with Aldermen Wilson, O'Brien, Smith, Douglas, Kelly, Corston, Edwards, and Rankine.

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

NOTICE OF RECONSIDERATION.

Read No. 1 on Order of the Day, viz.—Alderman Whitman's notice of reconsideration that an Act be prepared giving the Council power to fix building lines. September 23rd, 1909.

Moved by Alderman Whitman, seconded by Alderman Wilson, that this matter be now reconsidered. Motion passed.

Moved by Alderman Whitman, seconded by Alderman Wilson, that said matter together with No. 19 on the Order of the Day, viz.—Reports Committee on Works and City Engineer re building lines Quinpool Road west of Oxford Street (September 23rd, 1909,) be referred to the Committee on Laws and Privileges for report. Motion passed.

PRESENTATION OF PAPERS.

The following named papers are submitted:—

Report Committee of Fire Wards, by Alderman Edwards, Chairman.

Report Charities Committee, by Alderman Hebb, Chairman.

- Letter Juries Committee, by Alderman Hubley, Chairman.
 Report City Prison Committee, by Alderman Wilson, Chairman.
 Report Laws and Privileges Committee, by Alderman Bligh, Chairman.
 Report Finance Committee, by Alderman Whitwan, Chairman
 His Worship the Mayor submits the following named papers :—
 Report Chief of Police re Sunday violations of Liquor License Act.
 Report City Engineer re South Park Street sewer.
 Petition for concrete sidewalk Williams Street.
 Letter Acadia Cold Storage Co. in re certain civic concessions.
 Petition Victorian Order of Nurses for civic grant.
 Petition of property owners re Clifton Street sewer.
 Letter S. J. Harivel re duplicate tax receipt.
 Reports (5) Committee on Works, viz :
 Property of W. E. Hebb, Coburg Road.
 Duke Street sidewalk.
 Accounts.
 Tower Road sidewalk.
 South Street sidewalk.

REFERENCE OF PAPERS SUBMITTED.

Read petition property owners Williams Street for concrete sidewalk. Referred to Committee on Works for report.

Read petition re Clifton Street sewer. Deferred for consideration with report Committee on Laws and Privileges.

Read letter Acadia Cold Storage Co. in re civic concessions. Referred to Laws and Privileges Committee for report.

Read petition Victorian Order of Nurses for civic grant sufficient for maintenance of one nurse. Referred to Finance Committee for report.

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

Read application Juries Lists Committees 1908 for compensation.

JURIES LISTS.

HALIFAX, N. S., October 7th, 1909.

His Worship the Mayor and City Council :

GENTLEMEN,—The Juries Committee of last year wrote the City Council relating certain facts in connection with the revision of the Juries Lists and asking for compensation for their services according to law.

When this matter was reported upon by the Finance Committee on August 4th last.

the Council by an inadvertence or misunderstanding fixed the compensation for the present year's committee at \$200.00, and determined to make a similar appropriation for the future.

The Juries Committee of last year therefore respectfully request the Council to correct the omission made at that time by adding to the resolution passed at the meeting referred to provision for the payment, as required by statute, of the services of last year's committee at the usual rate.

ANDREW HUBLEY, *Chairman.*
I. B. SHAFFNER,
JOHN F. KELLY.

Referred to Finance Committee for report.

Read letter S. J. Harival in re duplicate tax receipt. Deferred for consideration with report Laws and Privileges Committee.

CONSIDERATION OF PAPERS SUBMITTED.

Read report City Engineer re South Park Street Sewer.

SOUTH PARK STREET SEWER.

CITY ENGINEER'S OFFICE, Oct. 7th, 1909.

His Worship the Mayor:

SIR,—At the request of Alderman Bligh, Chairman of the Laws and Privileges Committee, I beg to report on the accompanying letter from Frank C. Simson, protesting against assessment for the construction of the sewer in South Park Street in 1905.

There is a small sewer near the east gutter in South Park Street to which the houses south of Sackville Street drain. It empties into the main sewer at Spring Garden Road. The main sewer from a point near the Gardens Pavilion northwardly was too small to carry the drainage which had accumulated as new sewers were built west of the Common, and in 1905 a new sewer was laid from the Gardens northwardly on Park Street. Under the law Mr Simson's property was assessed, being opposite the sewer. If it can be shown that his property and others adjoining have paid sewer assessment before they would not be liable for an assessment on the new sewer. I am informed, however, that there is no record of any assessment having been made before on these properties for sewer purposes.

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

Moved by Alderman Whitman, seconded by Alderman O'Brien, that the same be referred to the Committee on Works for report. Motion passed.

Read report Charities Committee for September.

REPORT CHARITIES COMMITTEE.

HALIFAX, N. S., Oct. 6th, 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, Aldermen Wilson and O'Brien.

The Superintendent's report for September shows that during the month there were 29 persons admitted into the City Home, 2 born, 33 discharged and 2 died. Of the number admitted 23 were chargeable to the City, 1 to West Quoddy and 5 to the Province. The total number of inmates Sept. 30th, was 342, made up of 207 men, 131 women and 4

children. On the same date last year there were 193 men, 139 women and 3 children, a total of 335.

The following accounts are recommended for payment, viz: Wentzell's, Ltd., \$526.51. W. A. Mailing & Co., \$354.78. Smith Bros., \$40.86. Geo. Grigoire, \$29.07. F. A. Shaw, \$30.75. Scotia Pure Milk Co., Ltd., \$234.81. The Fleischman, Co., Ltd., \$3.90. Henry Lovett, \$12.94. C. E. Puttner, \$50.00. Halifax Electric Tramway Co., Ltd., \$23.79. Farquhar Bros., \$3.76. John F. Outhit, \$25.50. R. J. Whitten, \$21.25. Silliker Car Co., Ltd., \$12.00. Baldwin & Co., \$3.75. John MacInnes & Son, \$48.00. W. N. Brown, \$8.45. Brookfield Bros., \$2.00. Clayton & Sons, \$11.75. H. McFatrige, \$2.00. Snow & Co., Ltd., \$3.40. Wm. Stairs, Son & Morrow, Ltd., \$6.40. B. J. Mulcahy, \$138.63. Pay Sheet, \$653.33. Nova Scotia Hospital, \$723.97.—Total, \$2,976.55.

W. E. HEBB, *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 the accounts mentioned therein.

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

Read report City Prison Committee for September.

CITY PRISON ACCOUNTS.

COMMITTEE ROOM, CITY HALL, Oct. 6th, 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, the following accounts, amounting to \$154.47, were examined, found correct and recommended for payment, viz:—

Jordan & Mann, horseshoeing, \$3.26. A. S. Austen, hardware, \$3.97. Holland & Kuhn, blinds, \$6.50. Wentzells, Ltd., groceries, \$54.29. W. A. Maling & Co., ox heads, \$17.75. Wm. Robertson & Son, hardware, \$2.15. Clayton & Sons, uniforms, \$54.00. David Roche, wall paper, \$5.70. W. J. Regan, harness repairs, \$5.55. Halifax Tramway Co., light, \$1.30. Total, \$154.47.

The monthly reports of the 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 Committee on Works covering accounts.

CITY WORKS ACCOUNTS.

CITY WORKS OFFICE, Oct. 6th, 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 the Department were submitted, approved and recommended to Council for payment :—

| | |
|----------------------------------|-----------|
| Street Lighting | \$1729 78 |
| Permanent Sidewalks | 876 93 |
| Sewerage | 1039 29 |
| Fuel | 405 50 |
| Streets | 364 50 |
| New Workshops | 109 64 |
| Internal Health | 70 70 |
| City Hall Lighting | 67 20 |
| Teams and Stables | 42 46 |
| Insurance | 30 00 |
| City Property | 18 82 |
| Electric Wiring Inspection | 16 25 |
| Water Maintenance | 241 20 |
| Water Construction | 356 01 |

\$5368 28

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 Laws and Privileges on various matters.

REPORT LAWS AND PRIVILEGES COMMITTEE.

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

To His Worship the Mayor and City Council :

GENTLEMEN,—The Committee on Laws Privileges met this evening. Present Aldermen Bligh (Chairman) Whitman, Wilson, Hubley and Edwards.

The Committee beg to report :—

1. In re report Committee on Works and City Engineer on petition for the construction of a sewer in Clifton Street, also a counter petition against the same, an opportunity was given the petitioners to appear before and address the Committee for or against the construction of the sewer.

It is recommended that the report of the City Engineer be adopted and that the Committee on Works be instructed to construct a sewer in Clifton Street from North Street to St. Alban's Street.

2. In re letter J. J. Power, K. C., re taxes and sewerage rates William G. Naylor, also letter William G. Naylor to City Solicitor on same subject, the City Solicitor has given his opinion that Mr. Naylor is not entitled to the exemption claimed.

It is recommended that the opinion of the City Solicitor be concurred in.

3. In re letter R. S. Rosborough in re account for sewerage rates on Duncan Street, the Committee cannot recommend any exemption to Mr. Rosborough for Sewer rates.

4. In re letter S. J. Harivel asking that the City Collector furnish him with duplicate tax receipts, your Committee are of the opinion that Mr. Harivel is not entitled on

demand to duplicate receipts, but have been informed by the City Collector that he is perfectly willing to give a duplicate receipt to any citizen entitled to receive one when the same is properly asked for.

5. In re letter McInnis, Mellish, Fulton and Kenny, Solicitors, in re superannuation of J. P. Cairns, ex-Assistant Assessor, the following resolution moved by Alderman Edwards, seconded by Alderman Wilson was adopted:—

Whereas, at the session of the Legislature held in 1907, there was passed an enactment (chapter 69 section 4) providing that the Council of the City of Halifax may superannuate Stephen R. Phalen and John P. Cairns;

And Whereas, on February 1st, 1908, John P. Cairns, by letter dated December 31st, 1907, applied to the Council for superannuation under the provisions of above legislation;

And Whereas, on March 26th, 1908, a motion moved by Alderman Johnson and seconded by Alderman McManus that John P. Cairns' request for superannuation be granted and that he be retired on May 1st, 1908, was defeated, and the said application on motion of Aldermen Chisholm and Whitman, was placed on the Order of the day;

And Whereas, on June 9th, 1908, said item (No. 13) re superannuation of John P. Cairns was on motion of Aldermen Hubley and Kelly struck from the Order of the Day;

And Whereas, on August 25th, 1908, John P. Cairns again petitioned the City Council for superannuation under the provisions of Chapter 69 section 4 of the Acts of 1907, and his petition was referred to the Finance Committee for report;

And Whereas, on September 11th, 1908, the Finance Committee reported to the Council that the consideration of the matter of John P. Cairns' application for superannuation had been deferred for one week;

And Whereas, on October 8th, the finance Committee reported to the Council that as Mr. Cairns has refused to agree to the proposition of the City Council to divide the salary of his office, allowing him \$500.00 and apportioning \$600.00 as the salary of a permanent clerk;

Be it Resolved, that Mr. John P. Cairns be relieved of his duties as Assistant Assessor and a new Assistant Assessor appointed in his place;

And Whereas, the above report and recommendation from the Finance Committee were confirmed and adopted by the City Council;

And Whereas, by its action of June 9th, 1908, in striking from the Order of the Day John P. Cairns' application for superannuation, and its action of Oct. 8th, in confirming the Finance Committee's report that Mr. Cairns be relieved of his duties and a new Assistant Assessor appointed in his place; and that by its adoption of a further report from the Finance Committee (Sept. 18th, 1908), that "Your Committee cannot recommend the granting of Mr. Cairns' request that he be retired on a superannuation allowance" was ample evidence that the City would not pension John P. Cairns and did not seek or want further legislation in that direction;

And Whereas, on a previous occasion the Premier of this Province had given the City Council his assurance that in the absence of a request from the Council for legislation, no legislation affecting the City would be introduced or considered without due notice being given the City Council;

And Whereas, notwithstanding the City's repeated refusals to grant John P. Cairns a retiring allowance under the provisions of chapter 69 section 4 of the Acts of 1907, and notwithstanding the Premier's assurance to the contrary, the Provincial Legislature without giving the City any notice of its intention to do so, and contrary to the expressed policy of the City Council, did, in the closing hours of its session of 1909, amend sub-section 1 of section 41, of chapter 69 of the Acts of 1907, by striking out the word "may" in the third line of said sub-section and inserting in its place the word "shall," and by inserting after the words "Assistant Assessor," in the fourth line of said sub-section, the words "on or before the first day of August, 1909."

And Whereas, this surreptitious amendment of the above named Act was contrary to the expressed will and wishes of the citizens of Halifax, as expressed through their representatives in the City Council, and was also a violation of the assurance given the City by the Premier of the Province ;

And Whereas, we do not see where John P. Cairns has any moral claim on the City for superannuation ;

And Whereas, the City Solicitor has submitted his opinion in writing to the Council wherein he states it is doubtful if John P. Cairns can recover at law in an action against the City ;

Therefore Resolved, that we cannot recommend the granting of Mr. John P. Cairns' request for superannuation ;

And be it Further Resolved, that we recommend that the City Solicitor be instructed to defend the City in any action that may be taken by John P. Cairns in this matter.

6. In re letter Waegwoltic Club, asking that the City take steps to have the waters and western shore of the North West Arm placed under the jurisdiction of the City, it is recommended that petitioners be referred to section 220 of the City Charter, which gives the City's Police jurisdiction over said waters.

7. In re resolution of the Citizens' Committee in re noise by tram cars on Sunday, your Committee further report that at a meeting of the Committee held on the 8th September instant, a delegation composed of the Rev Archdeacon Armitage, Mr. Schwartz and Mr. Allen were present and discussed the subject of the complaint. The Committee, owing to the absence of the Manager of the Halifax Electric Tramway Company, Limited, referred the consideration of the matter to a sub-committee composed of Alderman Wilson and Alderman Whitman. This sub-committee have reported that they and the Rev. Archdeacon Armitage, Mr. Schwartz, Mr. Allen and Mr. Crosby, Manager of the Halifax Electric Tramway Company, Limited, have met and have discussed the matter. The delegation was satisfied with the following order issued by the Halifax Electric Tramway Company, if the same was carried out, namely :

"On Sundays the cars are to be run as quietly as possible and on passing all places of Divine Worship, Motormen will run their cars at half speed and refrain from ringing the gong except when it is absolutely necessary.

Owing to numerous complaints the above order must be strictly obeyed."

Your Committee would recommend that the Police Committee be requested to furnish each Policeman with a copy of the above order, and to instruct them to notify the Tram Company of any neglect on the part of Motormen to observe the same. The Tram Company promised to do their best to have the above order carried out. The Manager of the Tram Company has notified your Committee that the Car House Foremen has been instructed to send out the best running cars on Sunday, and the trackman has orders to see that all curves near the churches are well greased every Sunday morning.

8. In re letter of F. C. Durant, in reference to City giving a building site for a manufacturing plant, your Committee having been informed that Mr. Durant has left the City, and are unable to get any information on the subject, recommend that the letter be filed.

F. P. BLYTH, *Chairman*.

The same is considered clause by clause.

Read clause 1 re Clifton Street sewer.

Also read petition submitted this evening on the subject.

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

Read clause 2 re William G. Naylor's taxes.

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

Read clause 3 re R. S. Rosborough's sewerage rates.

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

Read clause 4 re S. J. Harivel's application for duplicate tax receipt.

Also read letter S. J. Harival on the subject submitted this evening.

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

Read clause 5 in re superannuation of Ex-Assistant City Assessor John P. Cairns.

Moved by Alderman Edwards seconded by Alderman Wilson that the clause be adopted.

Also read opinion of the City Solicitor on the matter.

RE CAIRNS.

OFFICE OF CITY SOLICITOR, Sept. 22nd, 1909.

His Worship the Mayor :

SIR, —The question of the liability of the City in this matter depends on the legislation of 1907 (Cap. 69, sec. 41) as amended by the Act of the present year (Cap. 85, sec. 12).

By the former Act so far as relates to Mr. Cairns it was provided that "The Council * * * may superannuate John P. Cairns, Assistant Assessor, at a yearly allowance of \$666.66, such allowance to be paid monthly, and the amount thereof to be included in the amount rated upon the inhabitants and property. If the Council exercises the power to make such superannuation before the next assessment and rating of the City the amounts payable on such allowance may be borrowed from a bank, and together with the interest thereon included in the amount rated for the ensuing civic year."

By the Act of last session this was amended by substituting "shall" for "may" and adding after the words "Assistant Assessor" the words "on or before the 1st day of August, 1909."

There can be no doubt that it was the intention of the Legislature to make the superannuation compulsory and so that the allowance shall begin from the 1st of August. The only question is whether the language used is sufficient to entitle Mr. Cairns to enforce his demand for the monthly instalments

The City has no means of paying any claim except out of the civic revenues as provided by law, and for that reason any enactment fixing a liability on the City without at the same time providing funds to meet it must of necessity be ineffective. The framers of the amendment may have been under the impression that the language of the last sentence of the clause authorizing the money required to be borrowed was sufficient. It is, however, very doubtful if it is. The words "before the next assessment and rating of the City" originally referred to the assessment and rating for the civic year 1907-8, and although an Act is to be construed as always speaking, it would, it appears to me, be straining this principle very hard to change their reference by implication to the assessment and rating made after the amendment, namely, that for 1909-10. Moreover, the right to borrow was optional with the City and dependent on the Council exercising the permissive power of superannuation. I do not see how the language could be construed to make it compulsory on the City to borrow when the superannuation has been made not by the Council but by the Legislature.

If it had not been for the opinion of the majority of the court in the recent case of *Rex vs. Mackasey* holding that the resolution of the Council to grant a license was equivalent to a grant of the license I should have thought that Mr. Cairns' only remedy would be by a mandamus to compel the City to include the amount of his superannuation in the next assessment and rating.

The situation has also been much complicated by the action of the Council in appointing a successor to Mr. Cairns, thus in effect acquiescing, so far as it is possible to acquiesce in such a matter, in the action of the Legislature.

The questions involved are extremely obscure and difficult, as they generally are when legislative short cuts are attempted. The answer would also largely depend on the form in which Mr. Cairns' claim was presented in the event of an action being brought.

I can only say that in my opinion it is altogether doubtful if Mr. Cairns could at present compel the City to pay him the monthly allowance claimed. If it is desired to contest the matter I would suggest a case stated for a judge in chambers as the quickest and least expensive way.

F. H. BELL, *City Solicitor*.

The following amendment is submitted:—

In re account of John P. Cairns (\$55.00) for one month's superannuation allowance.

Be it resolved, and it is hereby recommended that 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 yearly amount for 1910-11, and in the meantime (if the Council has power to borrow the amount now due or which shall become due for the nine months to May, 1910,) the amount be borrowed from the Royal Bank of Canada; and that if the Council has not the power to borrow such amount it is recommended that the same be paid out of the Contingent Account if funds are available.

Moved by Alderman Bligh, seconded Alderman MacKenzie.

Alderman Hubley asked if the amendment could legally be put to the Council.

His Worship the Mayor stated that in the opinion of the City Solicitor it is doubtful.

His Worship the Mayor decided to put the amendment.

The amendment is put and lost, 6 voting for the same and 10 against it, as follows:—

| | |
|--------------------------|----------------------------|
| For the Amendment. | Against it. |
| Aldermen O'Brien, Bligh, | Aldermen Shaffner, Wilson, |
| Douglas, Kelly, | Whitman, Hebb, |
| Martin, MacKenzie.—6. | Smith, Hubley, |
| | Thompson, Corston, |
| | Edwards, Rankine—10 |

The original motion is put and passed, 10 voting for the same and 6 against it, as follows:—

| | |
|---|---|
| For the Motion. Aldermen Shaffner, Wilson, Whitman, Hebb, Smith, Hubley, Thompson, Corston, Edwards, Rankine—10. | Against it Aldermen O'Brien, Bligh, Douglas, Kelly, Martin MacKenzie—6 |
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Clauses 6, 7 and 8 are severally read and adopted.

Moved by Alderman Bligh, seconded by Alderman Whitman, that the report be adopted as a whole. Motion passed.

Read report Committee of Fire Wards on various matters.

REPORT COMMITTEE OF FIRE WARDS.

COMMITTEE ROOM, CITY HALL, Oct. 4th, 1909

His Worship the Mayor and City Council:

GENTLEMEN.—The Committee of Fire Wards met this evening. Present Aldermen Edwards (Chairman), Hubley, Wilson and O'Brien.

The Committee beg to report and recommend as follows :—

1. The Committee advertised for tenders for sale of about 2000 feet of old rubber hose, and three bids were received. The prices offered were so far below what the Committee believe to be the value that none of them were accepted.

2. At the fire in the Nova Scotia Furnishing Company's packing department on June 9th, 1909, several firemen were injured more or less seriously and one killed. Subsequently the Committee received the following accounts from physicians for professional attendance upon the firemen named at the time of the accident and also later at their homes, viz :—

| | |
|---|---------|
| Dr. A. C. Hawkins, attendance on Alex. Clarke | \$15 00 |
| Dr. E. V. Hogan, " Barnaby and O'Brien..... | 10 00 |
| Dr. E. D. Farrell, " John Zong | 15 00 |

In addition to the bill rendered the Board, Zong paid Dr. Farrell \$10.00, making the total amount for professional services \$50.00.

The Committee held an investigation into this matter this evening, when the City Medical Officer, the injured firemen and the Chief of the Fire Department were heard.

Section 793 (b) of the City Charter provides that the City Medical Officer shall attend gratuitously any firemen suffering from any injury sustained while in the performance of his duty.

As the result of the investigation your Committee can come to no other conclusion than that the City Medical Officer, who was present at the time of the accident, saw the injured men and was afterwards given their names by the Chief of the Fire Department, failed to attend the men. It is therefore recommended that the accounts be referred to the City Medical Officer to adjust, and that the physicians be notified that in the opinion of the Committee the City is not liable.

3. It is recommended that permission be given No. 4 Steamer Division to attend the firemen's sports at Truro, October 28th, inst.

4. In compliance with the resolution of the Council, the Committee has again considered the re-arrangement of the horse stalls at Central Engine House, and again adheres to the recommendation that the work be done—Alderman Hubley dissenting.

5. The National Drug Co. intend installing in their building, Sackville Street, an

automatic sprinkler system and wish in connection therewith to place a gong in the Bedford Row engine house connecting by an electric circuit with one in their building. It is recommended that the Chairman be authorized to grant the request provided that the City Electrician reports in favor of it and that there is no expense on the City for installation or electric power.

6. Burt Duggan, callman on No. 2 Hose, having left the City without resigning, it is recommended that he be dismissed from the department so that his place may be filled.

7. One 50-ft. length of $\frac{3}{4}$ inch Dreadnaught hose, two years in service, burst at fire box 84 September 19th. It will be replaced by the Canadian Rubber Company.

8. The tire on one of the wheels of the Waterous fire engine was broken while responding to an alarm from box 84 Sept. 19th. It has been replaced by a new one at a cost of \$10.00.

9. Thomas Powell is acting spare driver, on approbation.

APPOINTMENTS RECOMMENDED.

10. That Captain John Whalen, No. 4 Engine, be assistant operator on No. 1 Chemical, vice Thomas Martin, resigned.

11. That George Melvin, callman on No. 2 Engine, be assistant operator on No. 3 Chemical.

12. That William Parsons, Supernumerary, be Blacksmith's helper, vice Leo Turple, resigned.

13. That Lieut. Thomas Strachan be Captain, vice John Whalen appointed to the permanent force.

14. That James Lynch, callman, be Lieutenant, vice Lieutenant Strachan promoted to Captain.

15. That Thomas Hencher, John Duggan, George Hatchett, George Gibson, Supernumeraries, be appointed to the Call Force.

16. That Charles McGuire, Henry Bailey, James Bayers, William Tomlin, William Knapman and James Doherty be supernumeraries.

17. Some time ago 600 feet of Maltese Cross hose was returned to their factory on account of defects and not yet replaced. It is recommended that the agents be requested to immediately replace the said hose.

18. The Annual Reports of the Chief and Chief Engineer for 1908-9 are attached hereto.

In his report the Chief gives 8900 feet as the total amount of servicable $2\frac{1}{2}$ " hose in the Department and recommends that the City purchase at once the following hose:—

| | |
|----------|---------------------------|
| 3000 ft. | $2\frac{1}{2}$ " |
| 300 ft. | 1" Chemical. |
| 10 ft. | 4" Suction |
| 20 ft. | $2\frac{1}{2}$ " Suction. |

Your Committee approve of the recommendation of the Chief and ask for authority to advertise for tenders for the amount recommended.

19. It is recommended that the steam fire engine at West Street house be supplied with a three horse hitch. This necessitates the purchase of suitable poles and one horse and alterations to harness.

20. The Committee have arranged with the present contractor to continue his contract for forage until the regular meeting of Council in November by which time new tenders for next year's supply will have been received.

21. The Chief reported that no Water Department official reported to him at the Cunard Coal Shed fire Barrington Street October 3rd inst.

It is recommended that in future it shall be the duty of the water Department officials to attend as quickly as possible at all fires and to at once report to the Chief of the Fire Department and take orders from him as to whether the water shall be concentrated or otherwise.

22. It is recommended that all companies having wiries or poles in the City be instructed to have an official attend each alarm and report to the Chief for orders.

23. The following named accounts are recommended for payment :—

Halifax Tram. Co., light \$17.35; power \$11.44—\$28.79. F. A. Shaw, feed, \$337.10. W. N. Brown, wheelwright work, \$20.00. W. Horton & Son, painting, \$30.00. Globe Laundry, work, \$4.83. Robert Merlin, lumber, 3.19. Melvin and Co., hardware, \$3.17. John Davison & Son, lumber, \$19.57. Cragg Bros., chamois, \$3.50. Robert Merlin, lumber, \$11.58. J. A. Dunn, Ltd., nickel plating, 80c. Freeman's, blind, 75c. Farquhar Bros., supplies, \$7.96. J. F. Topp, shoeing, \$1.00. Wentzell's, Ltd., soap, \$2.25. Pitner Lights, supplies, \$2.00. Clayton & Son, clothing \$243.50. Can. Oil Co., gasoline, \$2.30. John Foley, mason work, \$5.50. Canadian Rubber Co., suction hose, \$55.00. A. M. Bell & Co., hardware, \$3.00. Henry Lovett, leather, \$15.40. Total—\$801.23.

J. S. EDWARDS, *Chairman.*

The same is considered clause by clause.

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

Read clause 4 re horse stalls, etc., Central Engine House.

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

Moved in amendment by Alderman Hubley, seconded by Alderman Corston, that the clause be placed on the Order of the Day until the Plumbing Inspector reports upon the sanitary condition of the house.

Amendment put and lost, 5 voting for the same and 9 against it as follows :—

| | |
|--|--|
| For the Amendment. | Against it. |
| Aldermen Smith, Hubley, Martin, Corston and Martin—5. | Aldermen Shaffner, Wilson, Whitman, O'Brien, Bligh, Douglas, Kelly, Thompson, Edwards—9. |

The original motion is put and passed.

Alderman Hubley gives notice of reconsideration.

Moved by Alderman Hubley, seconded by Alderman Martin, that proceedings in this matter be stayed until the notice of reconsideration is disposed of. Motion lost.

Clauses No. 5 to 20 are severally read, and on motion adopted.

Read clause clause 21 re Water Department Officials reporting to the Chief of the Fire Department at fires.

Moved by Alderman Edwards, seconded by Alderman Wilson, that this clause be adopted.

Moved in amendment by Alderman Douglas, seconded by Alderman Bligh, that this clause be referred to the Committee on Works for report and that in the meantime the Committee on Works and the Committee of Fire Wards confer together on the subject.

Amendment put and passed.

Clause 22 is read and adopted.

Read clause 23 re accounts.

The following resolution is submitted :

Resolved, that clause 23 of the report of the Committee of Fire Wards be received and adopted and His Worship the Mayor authorized to sign warrants for payment of accounts therein recommended.

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

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

Read report Finance Committee on various matters

REPORT FINANCE COMMITTEE.

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

To 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, Hubley and Edwards.

The Committee had under consideration the application of John W. and George Brush for refund of the amounts paid by them into the Officials' Superannuation Fund. The City Solicitor has given his opinion that the applicants are both entitled under the Acts of 1909, to a refund of one-half of the amount paid in.

It is recommended that the City Treasurer be authorized to refund to John W. Brush \$27.00, and to George Brush \$35 36, these amounts being respectively one-half of the sum paid into the fund by petitioners.

Re letter Canadian Club of this City asking the Council to seek legislation to assess upon the citizens the sum of ten thousand dollars (\$10,000) towards the erection of a monument commemorating the 150th anniversary of the establishment of representative government in the British Dominions on property on western side of the North West Arm, proposed to be dedicated to the City by Sir Sandford Flemming, and the same having been referred to the Finance Committee who have had the matter under consideration, and it being desirable that a fuller expression of public opinion should be obtained before finally considering this matter, your Committee therefore recommend that the City Clerk be instructed to advertise in the public press of this City in at least one issue of the three evening papers a notice of a meeting of the said Committee to be held in the Council Chamber, on Friday, the 29th day of October, instant, at which all citizens will be heard, whether favorable or otherwise to the voting of said sum of \$10,000.00 or any sum towards the erection of said proposed monument.

The following accounts, amounting to \$140.37, were examined, found correct and recommended for payment, viz:—

Joseph D. Spencer, removal of bodies, \$6.00. Holloway Bros., printing Minutes, \$59.51. A. & W. Mackinlay & Co., City Auditor, \$1 20; City Treasurer, \$5.25—\$6.45. Dr. Finn, Medical Examiner's fees, Edw. McLellan, \$4 00; Edw. Charles Clancey, \$4.00. Annie M. McIntosh, \$4.00; Elizabeth Mahoney, \$4.00; Wm Wrayton, \$4.00—\$20.00. T. C. Allen & Co., stationery and printing, City Assessor, \$18 00; City Collector, \$10.25; City Clerk, \$15.16—\$43.41. Daniel E. Conrod, finding body of Mr. Pender, \$5.00—Total, \$140.37.

ALFRED WHITMAN, *Chairman.*

The same is considered clause by clause.

Read clause 1 re amounts due John W. and George Brush from Officials' Superannuation Fund.

IN RE SUPERANNUATION FUND—JOHN BRUSH AND GEORGE BRUSH.

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

W. L. BROWN, Esq.,

Treasurer Officials' Superannuation Fund.

SIR,—In order to be entitled to a return of the total amount contributed by the applicants to the fund they must bring themselves within the language of Sec. 271 M as amended by Sec. 47, Cap. 84, of last session's Acts, to do either—

- (a) Their offices must have been abolished; or
- (b) They must have voluntarily retired; or
- (c) They must have failed to be re-appointed.

Manifestly neither (a) nor (b) is applicable, and on consideration I am of opinion that (c) also does not apply. Both of the applicants were dismissed, one formally, the other practically. Failure to be re-appointed properly applies only when the period of appointment has expired by lapse of time as in the case of an official appointed from year to year. Dismissal is another thing.

The applicants are however, clearly entitled to a return of one-half of their contribution without interest under the first clause of Sec. 271 M as amended by striking out the words "who is permanently appointed."

F. H. BELL, *City Solicitor.*

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

Read clause 2 re accounts.

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

Read clause 3 re proposed grant of \$10,000.00 towards proposed public park and memorial tower North-West Arm.

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

On motion of Alderman Bligh seconded by Alderman Whitman the report is adopted as a whole.

Read reports Committee on Works and City Engineer re location of Larch Street at property of W. E. Hebb, Coburg Road,

PROPERTY W. E. HEBB.

CITY WORKS OFFICE, Oct. 6th, 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 T. F. Tobin in re official City Plan so far as the same affects property of W. E. Hebb, Coburg Road, was read. It was decided to recommend to Council that expropriation proceedings be commenced with a view of remedying the trouble.

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

LARCH STREET LOCATION.

CITY ENGINEER'S OFFICE, Oct. 6th, 1909.

His Worship the Mayor:

SIR,—I beg to report on the accompanying letter from Mr. T. F. Tobin, respecting the location of Larch Street on the Official City Plan.

This street will run from Coburg Road to Jubilee Road and will be the first street east of Oxford Street and parallel thereto. On the original division of the properties, the street was laid out with a jog or offset in it, probably to suit the convenience of the property owners. In laying down this street on the Official Plan, it was of course necessary to make the line straight and take out the offset. In doing so, the location of the street was altered about 30 feet on Coburg Road. No objection or protest was lodged and the plan was approved.

It now transpires that a lot on the north side of Coburg Road has been sold which includes about 30 feet of Larch Street. The owner is ready to build upon it and cannot do so under the Act. Mr. Tobin asks that the City Council will either alter the City Plan to correspond with the original division or run the street through from Coburg Road, commencing 30 feet farther to the westward than it is located on the Official Plan. The Council has not legal power to comply with this request as the location is now fixed by the City Charter and could not be altered without legislation. Legislation altering the Official Plan would be dangerous and objectionable for many reasons. There is no question, however, that the owner of the property will suffer loss, and no doubt considerable inconvenience besides the disappointment of not being able to build upon the lot for which his plans were made.

The easiest way out of the difficulty and perhaps the most satisfactory for all concerned would be for the City to take over the lot referred to. I am informed that the City has no legal authority to do this. The only other alternative that I can suggest is to take that portion of the lot between the official street line and pay the owner of the property the amount that may be awarded by an impartial tribunal. The actual cost to the City should not be large, if any, as the City owns the 30 feet which will remain west of Larch Street and which was included in the original division. The sale of this property would probably re-imburse the City for any outlay they make in compensating the owner of the property which Mr. Tobin represents.

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

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

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

DEAR SIR,—I wish to ask you to be good enough to call the attention of the City Council to the following facts in connection with the proposed street called "Larch Street" running from the north side of Coburg Road through the Jennings Field to the south side of Jubilee Road.

Mr. W. E. Hebb purchased from Mr. Roy Lea on the 15th February last two lots of land on the north side of Coburg Road having a frontage on said road of sixty-six feet, and commencing at a point 237 feet from the northeast corner of Oxford Street

and Coburg Road, and according to a plan of the Jennings Field on file in the Crown Lands Office dated the 21st December, 1896, and made by Mr. James H. Austen. This plan shows the proposed new street as commencing 237 feet from the corner already mentioned.

Mr. Hebb has entered into negotiations for the sale of his own house No. 43 Edward Street, and also has plans and specifications made by Mr. Jost, architect, for the erection of a house upon the lots purchased from Lea.

It now transpires that according to the new official plan approved by the City Council on the 13th April last that the proposed new street is to be opened up 267 feet from the northeast corner of Oxford and Coburg Road, and not 237 feet as shewn by the old plan already referred to, with the result that one-half of the lot purchased by Mr. Hebb from Lea would be taken for the purpose, and Mr. Hebb's proposed new plans for the building would be completely destroyed.

This places my client in a very serious position, and one that he feels keenly owing to the plans which he has had prepared for the new house referred to, rendering it impossible for him to proceed with the building and totally destroying the value of Mr. Hebb's lots.

The old plan filed in the Crown Lands Office shewed a jog in the proposed new street on the Jubilee Road end, but in the present plan it runs straight through. The latter object could be accomplished by commencing the new street at a point on the south side of Jubilee Road 30 feet nearer to the southeast corner of Jubilee Road and Oxford Street. The street would then run through to Coburg Road as shewn on the old plan, and according to which the lots on Coburg Road were laid off, purchased and the titles based.

My client has paid a good price for the lots, and building operations on the north side of Coburg Road have recently become active, with the result of enhancing the value of the land in that vicinity, in addition to which Mr. Hebb is now ready to build his proposed new house.

I would ask you, therefore, to kindly read this statement of facts to the City Council, trusting that this honorable body will take the whole question into consideration and either alter the new plan to correspond with the Austen plan or run Larch Street through from Coburg Road to Jubilee Road commencing at a point thirty feet to the westward of its present location.

T. F. TOBIN.

Moved by Alderman Whitman, seconded by Alderman Wilson, that this matter be referred back to the Committee on Works. Motion passed. Alderman Hebb excused from voting.

Moved by Alderman Martin, seconded by Alderman Whitman, that Mr. W. George Wiswell be appointed to appraise the value of Mr. Hebb's property. Motion passed. Alderman Hebb excused from voting.

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

DUKE STREET SIDEWALK.

CITY WORKS OFFICE, October 6th, 1909.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works held this day the City Engineer was instructed to report to Council the estimated cost of a concrete sidewalk, curb, and gutter on Duke Street, north side, between Argyle and Grafton Streets. Report attached.

J. A. CHISHOLM, Mayor and Chairman.

CITY ENGINEER'S OFFICE, Oct. 6th, 1909.

His Worship the Mayor :

SIR,—At the request of Alderman Smith, I beg to report on the cost of constructing a concrete sidewalk on the north side of Duke Street between Argyle Street and Grafton Street.

There is a granite curb in this block and cobble stone gutter. The wash down the hill frequently causes damage to the sidewalk, and being constructed practically of earth the material dries in the summer and blows off. It is not a suitable sidewalk for the business district.

The estimated cost of constructing a concrete sidewalk is \$873.00.

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

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

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

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

SOUTH STREET SIDEWALK.

CITY WORKS OFFICE, Oct. 6th, 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 a concrete sidewalk on the south side of South Street, between South Park Street and Tower Road, was read and recommended to Council for adoption.

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

CITY ENGINEER'S OFFICE, Oct. 5th, 1909.

His Worship the Mayor :

The accompanying petition asks for the construction of a concrete sidewalk on the south side of South Street, between South Park Street and Tower Road.

The sidewalk in this block has not been satisfactory, as it is an earth sidewalk and is muddy in the spring and fall. Some of the property owners have been talking for some time of asking for a permanent walk. It adjoins South Park Street, and the construction of a concrete sidewalk would make an improvement in the appearance as well as being a convenience to the property owners and the public using this street.

The estimated cost of a concrete sidewalk, curb and gutter, is \$949 00

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

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

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

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

TOWER ROAD SIDEWALK.

CITY WORKS OFFICE, Oct. 6th, 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 a concrete sidewalk on Tower Road between Victoria Road and Inglis Street was read and recommended to Council for adoption.

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

CITY ENGINEER'S OFFICE, Sept. 28th, 1909.

His Worship the Mayor:

SIR,—I beg to report on the accompanying petition asking for the construction of a sidewalk on the east side of Tower Road, from Victoria Road to Inglis Street.

A curb and gutter had been ordered for this block and it had been decided by the Council that bonds should be given by the property owners before the work should be carried out. In the meantime the property owners have sent in the accompanying petition asking for the construction of a sidewalk as well.

The estimated cost of laying a 6-foot concrete sidewalk and concrete curb and gutter is \$1,767.00.

There will be a concrete sidewalk in the block north of the one covered by the petition, the work on which will be undertaken very soon, and I would recommend that the block on the east side of Tower Road, between Victoria Road and Inglis Street, be placed in the Sidewalk Schedule, and the sidewalk constructed under the Halifax Permanent Sidewalk Act 1906.

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

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

QUESTIONS BY MEMBERS.

Alderman Wilson asked if the Council intends giving Engineer Sheehen of the Fire Department the investigation decided upon. If not he would move to rescind the resolution.

Alderman Smith asked what the Council intends to do about Mr. J. L. Alexander's bill for catering at the last New Year's reception.

MOTIONS BY MEMBERS.

Alderman Hebb submits the following resolution:

Whereas, The Works Department are about commencing a new sidewalk on Robie Street on the east side between Spring Garden Road and the Cemetery by resolution of this Council.

And Whereas, by resolution of this Council, August 26th, 1909, the Works Department was instructed to concrete a sidewalk, curb and gutter on the north side of Coburg Road between Robie and Edwards Streets, at a cost of \$790.00, on recommendation of the City Engineer;

Therefore be it Resolved, That the Works Department do immediately after the construction of the sidewalk first above referred to construct the sidewalk curb and gutter referred to in said resolution of August 26th, 1909.

Moved by Alderman Hebb, seconded by Alderman Bligh. Motion put and lost.

Alderman Martin submits the following resolution :

Resolved, That a granite crossing be laid on Robie Street on the south side of North Street.

Moved by Alderman Martin, seconded by Alderman Thompson. Referred to the Committee on Works for report.

By consent of Council Alderman Edwards is permitted to ask a question.

Alderman Edwards asked how much money has been paid Dr. W. Finn, Medical Examiner, since his appointment to the office.

Alderman Wilson submits the following notice of motion.

I hereby give notice that I will at the next meeting of Council move to rescind the motion of 22nd July to give Engineer Sheehan a second trial.

Moved by Alderman O'Brien, seconded by Alderman Martin, that Mr. James H. Dow and Mr. Norman A. Currie be appointed a board to investigate the charges against Engineer Sheehan, as per resolution of Council, 22nd July.

Motion put and passed. 10 voting for the same and 4 against it, as follows :—

For the Motion.

Aldermen O'Brien, Hebb,
Bligh, Douglas,
Smith, Hubley,
Martin, Corston,
MacKenzie, Rankine—10.

Against it.

Aldermen Shaffner, Wilson,
Whitman, Edwards—4.

Moved by Alderman Hubley, seconded by Alderman O'Brien, that any expenses in connection with the Sheehan investigation be paid out of Fire Department appropriation.

Moved in amendment by Alderman Edwards, seconded by Alderman Wilson, that the making of provision for the payment of a Board of Engineers for the Sheehan investigation be deferred until the City Solicitor files an opinion as to the power of the Council to incur such expenditure. Amendment passed.

Moved by Alderman Smith, seconded by Alderman Hebb, that in the opinion of this Council the Board of Health should not give permission to any person to convert the old shed at 87 Oxford Street into a dwelling house. Motion put and passed, 9 voting for the same and 5 against it, as follows :—

For the motion.
Aldermen Shaffner, Whitman,
Hebb, Smith,
Hubley, Martin,
MacKenzie, Edwards,
Rankine.—9.

Against it.
Aldermen Wilson, O'Brien,
Douglas, Thompson,
Corston.—5.

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

Council adjourns 11.30 o'clock.

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, November 4th, 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 Hubley, Martin, Wilson, Douglas, Bligh, Edwards and Whitman.

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

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

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

NOTICE OF RECONSIDERATION.

Read No. 1, viz., Alderman Hubley's notice of reconsideration of resolution re horse stalls Central Engine House. October 7th, 1909.

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

PRESENTATION OF PAPERS.

The following named papers are submitted:—

Report Charities Committee re tenders for supplies, by Alderman Hebb, Chairman.

Report Charities Committee for October, by Alderman Hebb, Chairman.

Report Fire Wards, by Alderman Edwards, Chairman.

Report Common Commissioners, by Alderman Shaffner, Chairman.

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

Report City Prison Committee, by Alderman Wilson, Chairman.

Report Finance Committee, by Alderman Whitman, Chairman.

His Worship the Mayor submits the following named papers:—

Report Police Committee covering accounts.

Report Board of Health re unsanitary condition of certain premises.

Report Coal Weighers for September.
 Report of Delegates to Convention of Nova Scotia Municipalities at Yarmouth.
 Annual Report City Clerk 1908-9.
 Report City Engineer re Agricola Street sewer.
 Report City Auditor re fees Medical Examiner.
 Letter Provincial Secretary re Chebucto School
 Opinion City Solicitor re Sheehan investigation.
 Letter City Solicitor re suit Hubley vs. City of Halifax (Anderson Chair Co. case).
 Letter Union of Canadian Municipalities re cement merger.
 Appraisalment by W. G. Wiswell of value of property of W. E. Hebb, Coburg
 Road.
 Report Chief of Police re Sunday violations of Liquor License Act.
 Petition Salvation Army Rescue Home for a civic grant.
 Letter W. G. Naylor re his sewerage rates.
 Letter Alfred Shortt re accident insurance of firemen.
 Letter Alfred Shortt re accident insurance of policemen.
 Petition for a light on Creighton Street.
 Reports (4) Committee on Works, viz. :—
 Tenders for forage.
 Accounts.
 Williams Street sidewalk.
 Water extensions Clifton Street and Longard Road.

REFERENCE OF PAPERS SUBMITTED.

Read report Chief of Police re Sunday violations of Liquor License Act.

VIOLATIONS LIQUOR LICENSE ACT.

OFFICE OF CHIEF OF POLICE, Nov. 4th, 1909.

To His Worship the Mayor and City Council :

GENTLEMEN.—In accordance with resolution of Council I beg to report that John Reid, 185 Upper Water Street, (unlicensed), was reported to me for a violation of the Liquor License Act on Sunday, the 31st October, was convicted in Police Court and fined \$50.00 and costs this day.

JOHN A. RUDLAND, *Chief of Police.*

Filed.

Read petition Salvation Army Rescue Home for a civic grant.
 Referred to Finance Committee for report.

Read appraisalment by W. G. Wiswell of value of property of W. E. Hebb, Coburg Road.

VALUATION OF PROPERTY, COBURG ROAD.

HALIFAX, N. S., Oct 26th, 1909.

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

GENTLEMEN,—Having been appointed by you to appraise a piece of property fronting on Coburg Road, owned by W. E. Hebb, Esq., consisting of two building lots measuring 66 feet by 105 feet deep in all, I beg leave to report that I have examined the grounds and also the plan of the same, and consider that the two lots are worth, at a fair value, the sum of twelve hundred dollars (\$1,200.00).

W. GEO WISWELL.

The following resolution is submitted:—

Whereas, the City requires the property situate at the northeast corner of Larch Street and Coburg Road, and described as follows:—

All those two certain lots, pieces or parcels of land situate in the Jennings Field, so-called at the intersection of the eastern line of Oxford Street with the northern line of Coburg Road, in the said City of Halifax, shown on a plan of the said Jennings Field, on file in the Crown Lands office, at Halifax, and more particularly described as follows:—Beginning at the corner formed by the intersection of the northern side of Coburg Road with the eastern side of a proposed street shown on said plan; thence along the eastern side of said street northerly, one hundred and five feet six inches, more or less, to the southwestern corner of lot number thirty-two; thence along the southern side of lot number twenty-nine easterly, sixty-six feet, more or less, to the northwesterly corner of lot number twenty-nine; thence along the western side of lot number twenty-nine southerly one hundred and five feet six inches, more or less, to the northern side of Coburg Road; thence by the northern side of Coburg Road, westerly sixty-six feet, more or less, to the place of beginning, being lots numbered thirty and thirty-one on the said plan of the said Jennings Field, on file in the Crown Lands office, at Halifax, for the purpose of widening and extending Larch Street and Coburg Road.

Therefore Resolved, that the City Engineer be instructed and authorized to offer the owner of that property a sum not exceeding twelve hundred dollars for the same.

Moved by Alderman Whitman, seconded by Alderman Hubley.

Moved in amendment by Alderman Hoben, seconded by Alderman Kelly, that the City obtain an appraisement of the value of the 30-foot lot required by the City for the straightening of the street.

The amendment being put is lost, 3 voting for the same and 14 against it, as follows:—

For the Amendment.

Aldermen Douglas, Hoben,
Kelly—3

Against it.

Aldermen Shaffner, Whitman,
Wilson, O'Brien,
Bligh, McManus,
Smith, Hubley,
Thompson, Martin,
Corston, MacKenzie,
Edwards, Rankine—14.

Alderman Hebb excused from voting.

The original resolution is put and passed, Alderman Hebb excused from voting.

At the suggestion of His Worship the Mayor the Council proceeds to the appointment of an Exhibition Commissioner and two Commissioners of Schools.

SCHOOL COMMISSIONERS.

For the office of School Commissioners made vacant by the expiration of the terms of Commissioners MacKenzie and Hebb the following are nominated :

Alderman Hebb, by Alderman Hubley, seconded by Alderman Wilson.

Alderman Bligh, by Alderman Douglas, seconded by Alderman Martin.

Alderman Rankine, by Alderman Bligh, seconded by Alderman Edwards.

Alderman MacKenzie, by Alderman Bligh, seconded by Alderman Hebb.

Alderman MacKenzie declines to serve.

To fill the place of Alderman MacKenzie it is agreed to vote upon the names now in nomination.

The vote being taken there appeared —

| For Alderman Hebb. | For Alderman Bligh. | For Alderman Rankine. |
|--------------------|---------------------|-----------------------|
| Aldermen Shaffner, | Aldermen O'Brien, | Aldermen Bligh, |
| Wilson, | McManus, | Thompson—2. |
| Whitman, | Douglas, | |
| Smith, | Martin, | |
| Hoben, | MacKenzie—5. | |
| Kelly, | | |
| Hubley, | | |
| Corston, | | |
| Edwards, | | |
| Rankine—10. | | |

Alderman Hebb excused from voting.

His Worship the Mayor declares Alderman Hebb duly appointed a Commissioner of Schools.

To fill the place of Alderman Hebb, Alderman MacKenzie is nominated by Alderman Douglas, seconded by Alderman O'Brien.

Alderman MacKenzie declines to serve.

Moved by Alderman Thompson, seconded by Alderman Corston that Alderman Rankine be appointed a School Commissioner. Motion passed unanimously.

EXHIBITION COMMISSIONER.

Moved by Alderman McManus, seconded by Alderman Kelly, that Alderman Martin be appointed a member of the Provincial Exhibition Commission.

Alderman MacKenzie is nominated by Alderman Wilson, seconded by Alderman Edwards.

Alderman MacKenzie declines to serve.

The motion is put and passed unanimously, and His Worship the Mayor declares Alderman Martin duly elected an Exhibition Commissioner.

By leave of Council Alderman Bligh submits the following resolution:—

Resolved, that His Worship the Mayor attend the conference to be held between the representatives of the Board of Trade and the Executive of the Canadian Pacific Railway Co., looking to the extension of the Canadian Pacific Railway to the City of Halifax.

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

Read letter W. G. Naylor re his sewerage rates.

Referred to Committee on Laws and Privileges for report.

Read letter Union of Canadian Municipalities re cement merger.

The following resolution is submitted:

Resolved, that this Council entirely concurs in the contemplated action of the Union of Canadian Municipalities in protesting against the increase in the price of cement by the recently created cement trust and authorize the Council of the Executive to use the name of this City in any measures taken by it in that behalf, and that the Mayor be authorized to send a telegram in line with this resolution.

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

Read letter Alfred Shortt re accident insurance of policemen.

Referred to Police Committee for report.

Read letter Alfred Shortt re accident insurance of firemen.

Referred to Committee of Fire Wards for report.

Read letter Provincial Secretary re Chebucto School.

CHEBUCTO SCHOOL.

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

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

SIR,—Referring to the proposed contract between the Board of School Commissioners of the City of Halifax and Messrs. Longard Brothers for furnishing and installing a system of heating and ventilation in the Chebucto School, which was approved by the Governor-in-Council on the 21st September, 1909, under Section 812 of Halifax City Charter, as amended by Section 7, Chapter 67, Acts 1907, I am directed by the Provincial Secretary to inform you that the Board of School Commissioners for the City of Halifax has now applied to the Governor-in-Council for the approval of a proposed amended agreement with Messrs. Longard Brothers and their bond for furnishing and installing a system of heating and ventilating in the Chebucto School for the sum of seven thousand five hundred and ninety-six dollars, according to plans and specifications prepared by W. J. Busch, Architect. In submitting the amended contract and bond the Secretary of the School Board states the following changes from the original contract, viz :—

Definite time set for installing temporary heating.

Test of heating apparatus.

Bond accepted instead of deposit cheque

I am also to inform you that the Governor-in-Council will hear this application on Wednesday next the 20th inst. at 11 o'clock a. m., in the Executive Council Room, and that the City may appear at the hearing.

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

Filed.

Read report City Auditor re fees Medical Examiner.

FEES MEDICAL EXAMINER.

OFFICE OF CITY AUDITOR, Halifax, N. S., October 11th, 1909.

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

SIR,—In answer to Alderman Edwards' enquiry as to amounts paid Medical Examiner since his appointment, I find the sums paid as follows :—

| | |
|-----------|----------|
| 1900-1901 | \$352 00 |
| 1901-1902 | 413 00 |
| 1902-1903 | 352 00 |
| 1903-1904 | 312 00 |
| 1904-1905 | 280 00 |
| 1905-1906 | 277 00 |
| 1906-1907 | 243 00 |
| 1907-1908 | 204 00 |
| 1908-1909 | 208 00 |
| 1909-1910 | 77 00 |

W. W. FOSTER, *City Auditor*.

Filed.

Read petition for a light on Creighton Street.

Referred to Committee on Works for report.

Read report Coal Weighers for September. Filed.

Read report of Delegates to Convention of Union of Nova Scotia Municipalities at Yarmouth September 1st and 2nd.

UNION N. S. MUNICIPALITIES.

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

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

GENTLEMEN.—Your delegates, appointed to attend the Fourth Annual Convention of the Union of Nova Scotia Municipalities, held at Yarmouth, on Sept. 1st and 2nd, 1909, beg to submit the following report: The complete report of the proceedings will be published in the Canadian Municipal Journal for November. In the meantime we beg to place before you the special features of the work of the Convention which more particularly concern the Municipality of the City of Halifax, as all the work of the Convention would require too large a report to submit in compact form.

There were 31 delegates registered at the Convention, the number of the municipalities on the membership roll on that date being 32

The Union took a strong stand in reference to the introduction and passage of legislation, and especially of amendments to bills introduced affecting municipalities without any notice to the several municipalities affected. After a spirited discussion the following resolution was passed:—

“Resolved, that the Government be requested to insist that the rule relating to the sending of copies of bills introduced in the Legislature to the several municipalities affected thereby be strictly complied with. And further, that such steps as may be deemed expedient be taken by the Government to advise such municipalities of any amendments or alteration made in said bills, so that the municipality may be heard in relation thereto if they so desire.”

The Executive Committee will make every effort to carry into effect the desire of the Union. This is in line with the frequently expressed desire of the City Council.

Another matter in which action was taken, which is of particular interest to the City, is covered by the following resolution:—

“Resolved, that in the opinion of this Union all bills introduced into the Legislature relating to the placing of poles, conduits and wires for light, heat and power, telegraph, telephone or other purposes, should contain a clause requiring the consent of the Council of any municipality affected thereby, and that an Act should be passed making existing charters subject to the same provisions as to any future work. Any such legislation, however, to provide that in case of the refusal of a municipality to allow such work to proceed within its limits, or to agree to terms on which service may be permitted, the matter may be referred to the Public Utilities Commission for final settlement.”

A strong effort will be made to have an Act passed incorporating the wishes of the Union as expressed in the foregoing resolution. In this matter it is necessary for all municipalities to act together as the influence of corporations operating public franchises is very powerful.

City Solicitor Bell sent an address to the Convention which raised a question that has been and will be of special importance to Halifax, namely, the compensation that should be allowed in addition to the structural value of plant, etc., in expropriating any public franchise or utility. In the Old Country the law covers this question, but in Nova Scotia we have no law dealing with it and it is most important that some standard should be adopted. The Union will endeavor to induce the Government to pass legislation dealing with this question in such a way that it will meet with the approval of the Municipalities of the Province.

The Union has been for some time considering a proposal for establishing a standard for a uniform system of municipal accounting, so that all statistical returns and municipal accounting will be published in such a way that comparisons could be made with the work, costs and other data of the different cities, towns and municipalities. Sufficient progress has not been made in this matter to enable the Convention to deal with it finally, but the draft report will be sent to the different municipalities of the Province so that definite conclusions may be arrived at by the date of the next Convention. It

is possible that after the work of the Canadian Union and the Nova Scotia Union on the draft system is finished, it will be advisable to take up the preparation of a draft system for Nova Scotia alone.

The Union will also deal during the coming year with the investment of Municipal Sinking Funds a matter which was brought before the Convention by the Mayor of Liverpool, so that municipalities shall have the right to invest their sinking funds in securities. This matter may or may not interest the City of Halifax especially. If it is not of special interest, it will be of general interest, as the discussion of this matter may take a wide range.

A copy of the proceedings of the Union of Nova Scotia Municipalities from the date of its organization to the end of the Third Annual Convention is being printed and will be distributed to each Mayor, Clerk, Alderman and Councillor in the Province.

In the election of the officers for the ensuing year, three representatives from the City of Halifax were included, His Worship the Mayor, City Engineer Deane and City Solicitor Bell.

ANDREW HUBLEY.
P. F. MARTIN.
F. W. W. DOANE.

Filed.

Read Annual Report City Clerk 1908-9. Filed.

Read opinion City Solicitor re expenses of proposed investigation into the case of Engineer Sheehan of the Fire Department.

RE SHEEHAN INVESTIGATION.

OFFICE OF CITY SOLICITOR, Nov. 4th, 1909.

His Worship the Mayor:

SIR,—I am of opinion that the City can legally defray the costs, including the expenses of expert witnesses, in the matter of this investigation, as it is a matter properly incident under the administration of the Fire Department.

F. H. BELL, *City Solicitor.*

Filed.

Read report City Solicitor covering letters H. Mellish and E. P. Allison in re suit of J. S. Hubley vs. City of Halifax (Anderson Manufacturing Co. case).

HUBLEY VS. CITY OF HALIFAX.

OFFICE OF CITY SOLICITOR, Nov. 3rd, 1909.

His Worship the Mayor:

SIR,—I beg to hand you letters which I yesterday received from Mr. Mellish and Mr. Allison, and would like instructions as to the Council's wishes in respect to this matter.

F. H. BELL, *City Solicitor.*

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

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

DEAR SIR,—During your absence from the City I was notified by Mr. Mellish, K. C., counsel with the defendants and the promoters of the Anderson Manufacturing Company, Limited, of the abandonment by them of the appeal entered in their behalf from the decision of Mr. Justice Meagher, continuing the restraining order to trial.

The plaintiff's costs were thereupon taxed and were allowed at \$108.72. Kindly let me have cheque at your convenience

E. P. ALLISON.

F. H. BELL, ESQ., K. C

DEAR SIR,—The Anderson Manufacturing Company has advised me that they do not intend to proceed further with this litigation. I am therefore advising Mr. Allison to that effect and propose now to drop the proceedings

H. MELLISH.

Moved by Alderman Whitman, seconded by Alderman Smith, that further proceedings in this suit be discontinued and that the City Solicitor be authorized to notify Mr. Allison to this effect. Motion passed.

Read report City Engineer re Agricola Street sewer.

AGRICOLA STREET SEWER

CITY ENGINEER'S OFFICE, Nov. 4th, 1909.

His Worship the Mayor :

SIR,—The accompanying petition has been left in my office this morning by one of the property owners on Agricola Street between Sullivan Street and Macara Street.

The petitioners ask for the continuation of the sewer now under construction past their properties. The sewer under construction on Agricola Street is ordered from Young Street to Sullivan Street, and in the two blocks south there are several houses erected and more contemplated. While the plant is on the ground and the work is under way it would be better if the sewer is to be extended to continue it now. The estimated cost of continuing it is \$2,040. Estimated assessment \$700. I would recommend that the work in hand be continued now far enough to drain the lots on Agricola Street north of Macara Street.

I am reporting this matter direct to the Council, as our work on Agricola Street might be finished before there is another meeting.

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

Moved by Alderman Edwards, seconded by Alderman Rankine, that the Engineer's report be carried out. Motion passed unanimously.

Read monthly report City Prison Committee.

CITY PRISON ACCOUNTS.

COMMITTEE ROOM, CITY PRISON, November 3rd, 1909.

To His Worship the Mayor and City Council:

GENTLEMEN,—Your Committee on City Prison beg to report that at a meeting held this day, there being present Aldermen Wilson (Chairman) O'Brien and Corston, the Committee inspected the Prison and found the cells and keepers' quarters scrupulously clean. There are only eight male and two female prisoners in custody.

The following accounts, amounting to \$95.39, were examined, found correct and recommended for payment, viz:—

Halifax Tram Co., light, \$2.09. N. S. Telephone Co., 3 month rent telephone Co., Dec. 1909, \$13.50. John H. Sutherland, dry goods, \$19.03. T. C. Allen & Co., stationery \$1.20. Farquhar Bros., electrical fittings, \$5.57. Gunn & Co., Ltd., oats, \$27.30.

Jordan & Mann, horseshoeing, \$2.00 Evans & Co., hardware, \$2.23. W. A. Mailing & Co., ox heads, \$2.25. Wentzell's Limited, groceries, \$20.22. Total—\$95.39.

The monthly report 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 Commissioners of Public Gardens covering accounts.

PUBLIC GARDENS ACCOUNTS.

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

His Worship the Mayor and City Council:

GENTLEMEN.—A meeting of the Commissioners of Halifax Common was held this day at five o'clock p. m., the following being present: Chairman Shaffner, Commissioners O'Brien, Corston, McDonald, Powell, Power and the Superintendent.

The following bills were passed for payment:—Chronicle Pub. Co., \$40.70. Blackadar Bros., \$23.00. Halifax Herald \$53.75. W. D. Mabee, \$52.00. T. W. Hand Co., \$99.63. R. B. Adams, \$5.40. John MacInnes & Son, \$29.50. Bentley & Flemming, \$11.50. J. M. McGrath, \$5.37. Brandram & Henderson, \$12.40. H. E. T. Co., \$7.42. N. S. Nursery, \$5.90. Wm. Stairs, Son & Morrow, \$16.74. W. N. Brown, \$21.05. Total, \$354.56.

EDWARD 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, covering accounts for payment.

POLICE ACCOUNTS.

NOVEMBER 3, 1909.

To the City Council:

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

N. S. Telephone Co., telephone, \$26.75. Farquhar Bros., supplies, \$16.92. Thos. D. Spike, rep. badges, 60c. Chronicle Pub Co., advertising, \$5.85. Fire Department, 3 months' care of patrol waggon—3 months' feed at \$10.00—\$30.00; 3 months' shoeing, \$1.25—\$3.75; 3 months' cleaning material, \$1.25—\$3.75—\$37.50. Total, \$87.62.

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

Moved by Alderman Shaffner, 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, NOV. 3RD, 1909.

His Worship the Mayor and City Council:

GENTLEMEN,—The Committee of Fire Wards met last evening. Present, Aldermen Edwards (Chairman), Hubley, Thompson O'Brien, Hebb and Wilson, and beg to report and recommend as follows:—

1. That Callmen Loraine T. Hiseler and William Bishop have resigned. Resignations recommended for acceptance
2. That William Ryan be appointed a supernumerary.
3. That the Committee on Works be requested to replace as soon as possible from time to time, within the limits of the brick building district, all the existing two-way fire hydrants with three-way hydrants
4. That the Water Department be requested to pay particular attention to the valves of fire hydrants on the streets of the water front and on the wharves.
5. In response to advertisement in the newspapers the following tenders for forage were received:—

| | Hay | Oats. | Bran | Straw. |
|---------------------|---------|--------|---------|---------|
| F. W. Fraser | \$14 00 | \$0 55 | \$25 00 | \$ 9 00 |
| J. S. Cashen & Sons | 14 50 | 0 57 | 25 00 | 9 50 |
| Gunn & Co., Ltd | 15 00 | 0 62 | 25 00 | 10 00 |
| F. W. Shaw | 13 50 | 0 54 | 25 00 | 9 00 |

It is recommended that the tender of F. A. Shaw, being the lowest, be accepted.

6. Your Committee have received a number of tenders for supply of fire hose. The same have been laid over for one week for further consideration of certain conditions in the tenders relating to the "time" guarantee.

7. The Chairman and Chief have been authorized to purchase bed clothing etc. required, and one horse for the West Street engine house steamer three-horse hitch.

8. It is recommended that from and after December 1st, 1909, every person appointed to the Fire Department shall deposit with the City Clerk \$1.00 for his Department badge. This fee to be returned to him upon his severing his connection with the Department and upon his returning the badge.

9. The following named accounts are recommended for payment:—Halifax Elec Tram. Co., light, \$24.23; power, \$6.12—\$30.35. Patrick Dowd, carriage work, \$14.40. F. A. Shaw, feed, \$307.11. W. C. Knight, harness work, \$22.10. Wentzell's, Ltd., soda, \$6.30. Wm. McFtridge, lead, 88c. Rhodes, Curry & Co., lumber, \$4.10. Stairs, Son & Morrow, hardware, \$25.60. John Davison & Son, lumber, \$7.84. Melvin & Co., hardware, \$10.38. Robt. Merlin, lumber, \$14.97. J. H. Mont & Co., carriage work, \$30.00. Globe Laundry, work, \$7.83. Can. Rubber Co., Eastman outfit, \$54.00. Muldowney & Goodwin, plumbing, \$6.55. Halifax Printing Co., printing, \$1.00. David Roche, painting, \$6.30. City Home, one-half cost of fence, \$24.00. T. C. Johnson & Sons, badges, \$5.00. Rudolf Co., Ltd., brooms, \$4.50. T. Hogan & Co., boiler work, \$2.50. T. C. Allen & Co., stationery, \$3.97. J. C. Merlin & Son, lumber, \$26.85. J. F. Topp, horseshoeing, \$2.15. W. H. Isnor & Sons, carriage hire, \$6.00. Recorder, advertising, \$8.70. Can. Oil Co., gasoline, \$17.70. National Drug Co., soap, etc., \$7.35. N. S. Telephone Co., phones, \$81.00. S. Cunard & Co., coal, \$303.38. T. A. S. DeWolf & Son, wood, \$1.70. Farquhar Bros., supplies, \$20.50—Total, \$1,050.01.

J. S. EDWARDS, *Chairman.*

The following resolution is submitted:—

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

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

Read report Committee on Laws and Privileges on various matters.

REPORT LAWS AND PRIVILEGES COMMITTEE.

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

To His Worship the Mayor and City Council:

GENTLEMEN.—Your Committee on Laws and Privileges beg to report that at a meeting held this day, there being present Aldermen Bligh (Chairman), Whitman, Wilson, Hubley and Edwards, the following matters were considered:—

1. Letter of Acadia Cold Storage Company in re certain civic concessions

Your Committee report that under the City Charter the Council has no power to grant the concessions asked for.

2. Letter H. D. Brunt, Secretary of the Citizens' Temperance Committee, covering resolutions passed by that body on 23rd March last.

Your Committee deferred consideration of this matter until next meeting.

F. P. BLIGH, *Chairman.*

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

Read report Charities Committee re tenders for supplies.

CITY HOME SUPPLIES.

HALIFAX, N. S., October 27th, 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: the Chairman, Alderman Rankine and Alderman Corston.

The meeting was called to open tenders for supplies to the City Home for one year from Nov. 1st, 1909 and the following tenders are recommended for acceptance.

Fresh Fish—George Gregoir.
Milk—J. M. Currie.
Butter—Scotia Pure Milk Co., Ltd.
Forage—F. W. Fraser.
Leather—Henry Lovett.
Meats—W. A. Mailing & Co.
Pork—Wentzell's, Ltd.
Flour—Wentzell's, Ltd.
Groceries—Wentzell's, Ltd.
Dry Goods—J. & M. Murphy.

W. E. HEBB, *Chairman.*

The following resolution is submitted:—

Resolved, That the report of the Charities Committee be adopted.

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

Read report Charities Committee re accounts, etc.

REPORT CHARITIES COMMITTEE.

HALIFAX, N. S., Nov. 3rd, 1909.

To His Worship the Mayor and City Council.

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

The Superintendent's report for October shows that during the month there were 45 persons admitted into the City Home. 1 born, 30 discharged and 15 died. Of the number admitted, 15 were chargeable to the Province and 30 to the City. The total number of inmates October 31st was 350, made up of 218 men, 130 women, and 2 children. On the same date last year there were 201 men, 134 women, and 3 children, a total of 338.

The following accounts are recommended for payment, viz:—Wentzell's, Ltd., \$534.64. W. A. Maling & Co., \$371.49. Smith Bros., \$62.31. Scotia Pure Milk Co., Ltd., \$233.79. F. A. Shaw, \$43.73. Geo. Gregoire, \$29.63. Herry Lovett, \$18.75. H. D. MacKenzie & Co., Ltd., \$74.77. The Halifax Electric Tramway Co., Ltd., \$32.11. Blackadar Bros., \$5.35. The Fleischman Co., Ltd., \$3.90. T. C. Allen & Co., \$2.27. Wm. Stairs Son & Morrow, Ltd., \$5.18. Black & Fliun, \$29.97. R. J. Whitten & Co., \$9.90. W. C. Knight, \$3.75. Deal Bros., \$23.00. Nova Scotia Telephone Co., Ltd., \$11.25. Dr. F. A. R. Gow, \$5.00. Geo. A. Perier, \$8.35. B. J. Mulcahy, \$34.76. Pay sheet, \$28.33. Total, \$2422.23.

W. E. HEBB, *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 Hebb, seconded by Alderman O'Brien, and passed.

Read report Finance Committee on various matters and accounts.

REPORT FINANCE COMMITTEE.

COMMITTEE ROOM, CITY HALL, Nov. 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 being present Aldermen Whitman (Chairman), Bligh, Smith, Hubley and Edwards, the Committee had under consideration the following matters, viz:—

1. Application of the Canadian Club asking for a civic grant of \$10,000.00 towards building fund of Memorial Tower at the public park N. W. Arm, also letter Council Board of Trade endorsing this proposition.

The Chairman reported that he had some correspondence with Sir Sandford Fleming in reference to the proposed right-of-way to the park from the public highway.

Your Committee are not in a position to submit a final report until further information is obtained, and recommend that the City Engineer be requested to report on the probable cost of building a road over the proposed right-of-way from the main road to the proposed park.

2. In re application of Juries Lists Committee 1908 for compensation for services rendered, it is recommended that in view of the fact that the Council has fixed the remuneration for this service at \$200.00, the Juries Committee 1908 be paid the sum of \$200.00 for their services, and that the said amount be placed in the estimates 1910-11 and paid out of general assessment of that year.

3. In re application Victorian Order of Nurses for a City grant sufficient for the maintenance of one nurse, your Committee are not yet in a position to report on this matter

4. The following accounts, amounting to \$1448 30, were examined, found correct, and recommended for payment:—

W. G. Wiswell, appraising land W. E. Hebb, \$10.00. Holloway Bros., printing Minutes, &c., \$55.05. Blackadar Bros., advertising, \$6.60. Institution Deaf & Dumb, maintenance five pupils for one year to August 31, 1910, \$450.00. T. C. Allen & Co., stationery Mayor's office, \$2.00; Police Department, \$1.40; City Collector, \$9.00; City Collector, \$46.95; City Clerk, \$12.68—\$72.03. Robison's, Ltd., horse hire Assessor, \$18.00. Industrial School, maintenance of boys, 3 months to November 1st, 1909—Truants, \$167.50; Court commitments, \$227.50—\$395.00. St. Patrick's Home—Truants, \$254.11; Court commitments, \$172.51—\$426.62. Monastery of Good Shepherd, one girl, \$15.00. Total, \$1448 30.

ALFRED WHITMAN, *Chairman.*

The same is considered clause by clause.

Read clause 1 in re Memorial Tower North West Arm.

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

Read clause 2 re compensation for Juries Lists Committee.

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

Read clause 3 re petition for a grant to the Victorian Order of Nurses. Filed.

Read clause 4 re accounts.

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

Read report Board of Health re unsanitary condition of certain premises.

UNSANITARY PROPERTIES.

OFFICE OF CITY HEALTH BOARD, November 4th, 1909.

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

GENTLEMEN,—I am directed by the City Health Board to forward for your information the inclosed copies of reports relating to the unsanitary condition of a number of premises on Gottingen Street, and to request that steps be taken by your Council to provide some remedy whereby said premises can be properly drained.

JOHN A. WATERS, *Secretary.*

HALIFAX, N. S., October 20th, 1909.

The Chairman and Members of City Health Board:

GENTLEMEN,—I beg leave to report on condition of premises No. 33 Gottingen St., owned by the Eden estate, the yard is in a very dirty condition, cellar and W. C. in a beastly state, no water to flush tank.

This property as well as nearly all the properties from Military Hospital to Cornwallis Street have practically no drainage as they are cut off from Maitland St., Corn-

wallis and Brunswick Lane by property owners who will not allow them to cross nor will they be allowed to connect with Gottingen Street sewer, consequently all drainage from these houses is lodged in old drains in rear and will eventually cause an epidemic as the odor in several of the houses is now becoming very pronounced.

J. R. BOURKE, *Inspector.*

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

MR. J. A. WATERS, *Secretary City Board of Health.*

DEAR SIR,—As requested, I beg leave to submit the following report on the condition of properties on the east side of Gottingen Street, from the Military Hospital to Cornwallis Street:—

Dwellings Nos. 3 and 5, one sink each.

No. 7, two sinks, catchbasin in yard.

The above work is defective and is supposed to be connected to the sewer in Brunswick Lane.

No. 9, shop and dwelling, two sinks, bath, basin and w. c. connected to the sewer in Brunswick Lane. Work O. K.

Nos 11 and 13, two shops and dwelling, one sink and one w. c. connected to sewer in Brunswick Lane. Work O. K. Two sinks, connected by separate drain, in bad condition.

Nos. 13½ and 15, two shops and dwelling, two w. c.'s connected to Gottingen Street sewer, work O. K. Four sinks draining to rear of building in bad condition, supposed to be connected with sewer in Brunswick Lane.

No. 17, shop and dwelling, one sink, defective, supposed to be connected to Maitland Street sewer.

No. 19, shop and dwelling, one w. c., bath, two sinks, work O. K.

No. 21, shop and dwelling, one w. c., bath, basin and two sinks, work O. K.

These two places, Nos. 19 and 21, are connected to one drain, which connects to sewer in Maitland Street

No. 23, three sinks, defective, drainage going to rear.

No. 25, one sink, defective, draining to rear.

No. 27, one w. c., one sink, connected to Gottingen Street sewer, work O. M.

At No. 27, one sink is defective, drainage of same going to rear.

No. 29, two sinks, defective, drainage going to rear

No. 31, shop and dwelling, one w. c. and sink, work O. K.

No. 33, shop and dwelling, one w. c. and one sink, work O. K.

These two places, 31 and 33, are supposed to be connected in rear to cesspit.

Nos. 35 and 35½, three sinks, defective, drainage to rear.

Nos. 37 to 41, three shops and dwelling, two w. c.'s and seven sinks, work O. K. Drainage going to rear, don't know if it connects to Maitland or Cornwallis Streets sewer.

Nos 43, 45, 45½ and 47, three shops and dwelling, all properly connected to Cornwallis Street sewer.

It is just questionable if a lot of these sinks are properly connected to any sewer.

A. T. MEAGHER, *Plumbing Inspector.*

Referred to the Committee on Works for report.
Read report Committee on Works covering October accounts.

CITY WORKS ACCOUNTS.

CITY WORKS OFFICE, Nov. 3rd, 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 for payment, viz :

| | |
|-----------------------------|-----------|
| Street Lighting | \$1733 78 |
| Sewerage..... | 1563 83 |
| Streets..... | 1241 65 |
| Teams and Stables..... | 239 96 |
| Permanent Sidewalks..... | 116 97 |
| Telephones..... | 84 56 |
| City Hall Lighting..... | 67 54 |
| City Property..... | 44 55 |
| Fuel..... | 44 40 |
| Public Baths..... | 43 59 |
| Cleaning Paved Streets..... | 42 00 |
| New Workshops..... | 13 57 |
| Internal Health..... | 4 75 |
| Water Construction..... | 1407 60 |
| Water Maintenance..... | 230 93 |
| Total | \$6939 68 |

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 reports Committee on Works and City Engineer re concrete sidewalk, curb and gutter Williams Street.

WILLIAMS STREET SIDEWALKS.

CITY WORKS OFFICE, Nov. 3rd, 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, curb and gutter Williams Street was read and recommended to Council for adoption

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

CITY ENGINEER'S OFFICE, Nov. 2nd, 1909.

His Worship the Mayor :

SIR,—I beg to report on the accompanying petitions from property owners on Williams Street, asking for the construction of a concrete sidewalk, curb and gutter on both sides of William Street between Robie and Windsor Streets.

The property owners decline to sign a bond agreeing to pay one-half the cost of curb and gutter on this street, but instead have petitioned for the construction of a concrete sidewalk as well as the curb and gutter.

The estimated cost of the work is \$3464.00.

We are laying a concrete sidewalk on Robie Street which this sidewalk would connect with, and I would recommend that the work be done under the Permanent Sidewalk Act.

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

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

Read reports Committee on Works and City Engineer re water extensions Clifton Street and Longard Road.

CITY WORKS OFFICE, Nov. 3rd, 1909.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works, held this day, the attached reports of the City Engineer in re water extensions Clifton Street and Longard Road were read and recommended for adoption.

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

WATER EXTENSION, CLIFTON STREET.

CITY ENGINEER'S OFFICE, Nov. 2nd, 1909

His Worship the Mayor:

SIR,—I beg to report on the accompanying petition from N. Jackson, asking for the extension of the water pipe on Clifton Street.

The district is high service. excavation earth, distance 140 feet, size of pipe required 6 inch, estimated cost:—

| | |
|------------------------|----------|
| Pipe | \$84 00 |
| Excavation | 77 00 |
| One service pipe | 15 00 |
| Lead | 1 00 |
| | \$177 00 |

I would recommend that the extension be made at a special rate of \$8 85.

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

WATER EXTENSION LONGARD ROAD.

CITY ENGINEER'S OFFICE, November 2nd, 1909.

His Worship the Mayor:

SIR,—I beg to report on the accompanying resolution of Council, asking for a report on the advisability and cost of extending the water service up Longard Road far enough to accommodate No. 72.

The distance is 84', size of pipe 6", estimated cost \$133.00.

There would be two houses to supply and the property owners are satisfied to pay the special rate paid on the rest of the street. There can be no damage to the service by extending the water as the houses on the highest point cannot affect those below them if they waste water. At the same time it should be understood that we are not in a position to guarantee a supply.

With this explanation I would recommend that the extension be made.

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

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

Read report Committee on Works re tenders for forage.

TENDERS FOR FORAGE.

CITY WORKS OFFICE, Nov. 3rd, 1909.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works held this day the following tenders were considered for the feed required by the horses of this department:—

| | Gunn & Co. | F. W. Fraser. | F. A. Shaw. | J. S. Cashen |
|--|------------------|------------------|------------------|------------------|
| 50 tons hay, immediate delivery.... | \$650 00 | \$625 00 | \$625 00 | \$637 50 |
| 7 " straw, " " " " " " " " " " | 66 50 | 63 00 | 63 00 | 61 25 |
| 600 pounds bran, future " " " " " " " " " " | 8 10 | 7 50 | 7 50 | 7 80 |
| 15 tons cracked feed, future " " " " " " " " " " | 555 00 | 525 00 | 555 00 | 495 00 |
| 1600 bush. oats, immediate " " " " " " " " " " | 800 00 | 800 00 | 768 00 | 784 00 |
| | <u>\$2079 60</u> | <u>\$2020 50</u> | <u>\$2018 50</u> | <u>\$1985 55</u> |

The tender of J. S. Cashen, \$1985 55, being the lowest, is recommended for acceptance.

J. A. CHISHOLM, Mayor and Chairman.

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

QUESTIONS BY MEMBERS.

Alderman Kelly asked when there would be a report from the Committee on Slaughter Houses.

Alderman McManus asked why the two bills of the Charities Committee, 1908-9, referred to in a recent resolution of Council, were not paid.

His Worship the Mayor stated that he intends carrying out the resolution of Council as well as he can.

Alderman McManus asked if any action is being taken in regard to giving Engineer Sheehan an investigation.

Moved by Alderman Hubley, seconded by Alderman Hoben, that the funds necessary to pay for an investigation for Engineer Sheehan be taken out of Fire Department appropriation.

Moved in amendment by Alderman Edwards, seconded by Alderman Rankine, that the expenses of the proposed Sheehan investigation be placed in next year's estimates and assessed for in the the general assessment, 1910-1911.

Amendment put and lost 6 voting for the same and 12 against it, as follows:—