

SEWER AND WATER EXTENSION CHEBUCTO ROAD.

CITY WORKS OFFICE, Oct. 30th, 1906.

To the City Council :

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached report of the City Engineer re water and sewer extension Chebucto Road to premises of estate of Wm. E. Hall was read and recommended to Council for adoption.

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

CITY ENGINEER'S OFFICE, Oct. 27th, 1906.

His Worship the Mayor :

SIR,—I beg to report on the accompanying petition from the estate of William E. Hall asking for extension of the water and sewer on Chebucto Road to a double dwelling house No. 52-54.

WATER EXTENSION.

The district is high service. Size of pipe required, 6 inches. Length, 36 feet. Excavation, rock. Estimated cost :

Pipe	\$21 60
Excavation and pipe laying	46 80
1 service pipe	30 00
	\$98 40

I would recommend that the extension be made on the usual conditions in the high service. The estimated revenue will pay the estimated interest on the outlay.

SEWER EXTENSION.

As the distance is so short, I cannot recommend the extension of the main sewer for the purpose of draining the house. The existing sewer is within reach of this property, and the connection should be made by private drain.

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

Moved by Alderman Taylor, seconded by Alderman Douglas, that said reports be adopted. Motion passed.

Read report City Engineer re extension of Charles Street through to Gottingen Street, covering plan.

CHARLES STREET EXTENSION.

CITY ENGINEER'S OFFICE, Oct. 29th, 1906.

His Worship the Mayor :

SIR,—In accordance with the accompanying resolution of Council, I beg to submit the accompanying plan No. 842 showing proposed extension of Charles Street from Maynard Street to Gottingen Street. This matter was reported on in October, 1900, and on other occasions. The estimated cost of opening the street is \$9,500.00.

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

Moved by Alderman Martin, seconded by Alderman Johnson, that the report be adopted and His Honor the Recorder instructed to prepare an Act to borrow money to meet the expenditure. Motion passed unanimously.

Read reports Committee on Works and City Engineer re Lending of City Flags.

LENDING CITY FLAGS.

CITY WORKS OFFICE, August 23rd, 1906.

To the City Council :

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached report of the City Engineer re the loan of the city's flags was read and it was unanimously decided to recommend its adoption.

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

CITY ENGINEER'S OFFICE, Oct 10th, 1906.

His Worship the Mayor :

SIR,—It has been the custom to loan the flags owned by the City to any person who asked for them for decorating purposes. The City has invested considerable money in flags and bunting, and the property purchased has been almost destroyed by loaning. The flags loaned are so dirty that most of them are not fit for use, and in nearly every instance flags loaned are returned torn. This carelessness with City property is costing the City a lot of money, and the last time that we took stock of the flags for the purpose of decorating the City Hall fifty-three of the small flags were missing.

I would respectfully recommend that all flags which are fit to fly be reserved in future solely for City purposes, and that only those flags which have been torn and are dirty be loaned as long as they last. If this course is not adopted we will soon not have sufficient flags for our own decorations. On such occasions as exhibitions we have several times not been able to decorate the City Hall, as the flags have been loaned.

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

Moved by Alderman Johnson, seconded by Alderman Halliday, that said reports be adopted. Motion passed.

Read reports Committee on Works and City Engineer re dedication of Summit Street.

DEDICATION OF SUMMIT STREET.

CITY WORKS OFFICE, Oct. 30th 1906

To the City Council :

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

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

CITY ENGINEER'S OFFICE, Oct. 29th, 1906.

His Worship the Mayor :

SIR,—I beg to report on the accompanying petition from property owners on Summit Street asking that the City take over the street.

This street, as will appear by the petition, has not been accepted by the City. Under the law with reference to taking over such streets, no street can be "accepted by the City Council unless the same shall be throughout graded to the satisfaction of the City Engineer, to be shown by his written certificate filed in the City Clerk's office and at his own office." Under the circumstances this street cannot be accepted as a City street, as it has not been graded. In this connection it would seem advisable to consider the necessity for some law under which the property owners or those especially interested in the taking over of the street could jointly carry out the work. I would

recommend that the matter be referred to His Honor the Recorder to prepare an Act providing that on a petition of two-thirds of the owners of the property by frontage the grading could be done by the City and the cost assessed on the property owners abutting on the street or that portion of it graded in proportion to their frontage. If we do not get some such law it will be almost impossible to get these old streets taken over. We can help a great deal with ashes collected in the ward where the demand for them is not too great, but in Ward Six the quantity collected is small and the demand great. We have also had to use the street sweepings collected in this ward for grading streets already taken over by the City before the Act was in force, and it would take a long time to grade the street with such material as we could deposit there without extra cost. The Act suggested would not impose a cash outlay upon the property owners until the majority of them were anxious for it.

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

Moved by Alderman Taylor, seconded by Alderman Johnson, that said reports be adopted and referred to His Honor the Recorder to prepare the legislation recommended in the reports. Motion passed.

Read report Laws and Privileges Committee on various matters covering opinion of His Honor the Recorder re commutation of a Common Lot.

REPORT LAWS AND PRIVILEGES COMMITTEE.

COMMITTEE ROOM, CITY HALL, October 26th, 1906.

To His Worship the Mayor and City Council.

GENTLEMEN,—Your Committee on Laws and Privileges beg to report that a meeting of the Committee was held this day, there being present Aldermen Johnson, (Chairman) Archibald, Douglas, Martin and H. bley.

Your Committee had before them a number of matters referred to them for consideration and report as follows:—

(1) Application of Messrs F. M. Switzer & Co., for exemption from taxation on new photo engraving plant.

Your Committee report that they had requested Mr. Switzer to appear before the Committee on three different occasions so that some information might be obtained on the subject. Mr. Switzer, however, did not respond to the invitation and your Committee are not in a position to make any report on the matter.

(2) Report Cab Commission on amendments to Hack ordinance respecting fares.

Your Committee recommend that the report of the Commissioners of Cabs be adopted as amended and that the Schedule of Fares in Ordinance No. 58 be amended to read as follows:—

To or from any steamer or passenger vessel, to or from any railway station, or to or from any hotel or dwelling-house or other place to any wharf, stage office, railway station, dwelling-house or other place with $\frac{1}{2}$ cwt. of luggage, for each person for any distance up to one mile.....	\$0 25
For any distance over one mile and not exceeding two and one-half miles	50
For one person, and for each additional person going to the same place.....	25

(3) In re Application of trustees of McEwan Estate for Commutation of a Common Lot—

Your Committee recommend that this application be granted subject to the approval of His Honor the Recorder and if he so approves of it he be instructed to prepare the necessary papers.

(4) In re applications of H. Webber, H. Silverman and H. Komarsky for junk licenses—

Your Committee recommend that these applications be not granted and further that no more junk licenses be granted for this year.

(5) In re Letter Department Marine and Fisheries re grant of water lot North West Arm.

Your Committee recommend that the City Clerk communicate with the Department of Marine and Fisheries at once and inform them that the City of Halifax very strongly objects to the granting of the foreshore of the North West Arm of the Harbor of Halifax to the Saraguay or any other private corporation, as they consider said grant would interfere with the rights of the citizens of the City of Halifax.

J. A. JOHNSON, *Chairman*.

RE McEWAN LOT, SOUTH COMMON.

RECORDER'S OFFICE, October 29th, 1906.

MR. H. S. REIND,

Clerk Laws and Privileges Committee :

SIR,—I know of no reason why the deed of this property should not be given by the City. I am informed that the amount of rent due upon the lot has been paid in full and that the price is in conformity with the resolution of Council in respect to commutation of these lots and the statute authorizes a deed to be given. I know of no reason why the party is not entitled to it.

F. H. BELL, *City Recorder*.

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

Read reports Committee on Works and City Engineer re application of N. S. Fertilizer Co. for purchase of water lot from the City and for permission to operate factory.

APPLICATION OF N. S. FERTELIZER CO.

CITY WORKS OFFICE, Oct. 30th, 1906.

To the City Council :

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached report of the City Engineer on petition of N. S. Fertilizer Co. was read and recommended to Council for adoption.

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

WATER LOT BEDFORD BASIN.

CITY ENGINEER'S OFFICE, Oct. 29th, 1906.

His Worship the Mayor :

SIR,—In accordance with the accompanying resolution of Council, I beg to report on the petition of the N. S. Fertilizer Co. asking for the water lot owned by the City on Bedford Basin adjoining the foot of Gottingen Street.

The company state that the City has no access to this lot except from the water side. As the City owns Gottingen Street to the Harbor, this lot is accessible from Gottingen Street, and may in the future be very valuable, as we have very few such lots available for bathing purposes or any other public purpose for which the City may require such property in future. The Intercolonial Railway abandoned their plans for the erection of a round house in this vicinity, so that there would be no new obstacle in the way of future probable terminal improvements, and the City should not do anything to obstruct future improvements in this direction.

In my opinion it would not be in the interest of the City to dispose of this lot.

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

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

His Worship the Mayor submits a letter just received by him from the N. S. Fertilizer Co. asking permission to operate a factory on a site farther west on the shore of Bedford Basin.

The same is now read.

Moved by Alderman Johnson, seconded by Alderman Lamphier, that the permission sought be granted. Motion passed.

Read report Board of Fire Wards in re steam fire engine "Alexandra" and tenders for forage covering reports of the judges on the tests of the engines "Alexandra" and "King Edward."

REPORT BOARD OF FIRE WARDS.

COMMITTEE ROOM, CITY HALL, Oct. 30th, 1906.

His Worship the Mayor and City Council:

GENTLEMEN,—The Board of Fire Wards beg to report as follows:—

1. In compliance with a resolution of Council passed on the 11th instant, the Board met on the 15th instant and prepared a schedule of tests to be applied to the Canadian Fire Engine Company's steam fire engine "Alexandra" now in the City. The Board was unanimously of opinion that the tests should be conducted under the supervision of experts and appointed Messrs. John P. Esdaile, James H. Dow and William A. Moir, together with the Department's Chief Engineer, to conduct the same. The tests were made up from the tests contained in a contract which the City recently had with the Canadian Fire Engine Company for the construction of an engine under which contract the Company built the engine "Alexandra." Mr. Moir was unable to act as a judge.

The tests were conducted on the King's Wharf on October 16th and 19th and at the Dockyard on the 23rd. On the 29th, at the request of representatives of the Company, the judges and the Board witnessed another test of the engine on the King's Wharf.

Attached hereto are copies of the official tests and the reports of the judges.

In addition to the tests in the schedule the judges recommended the following;—

"With two 700 ft. lines of 2½ inch hose to throw through 1½ inch nozzle over Post Office or other building."

This test was applied at the Dockyard using a 70 ft. ladder instead of a building.

The Board unanimously adopted the reports of the judges.

It is recommended that the engine "Alexandra" be not purchased, as she did not comply with the tests.

2. On the 12th inst., agreeably to resolution of Council, the Canadian Fire Engine Company paid to the City Treasurer the sum of \$700.00, whereupon the engine known as No. 111 of the company then in the City was handed over to the company.

3. The Board received tenders for forage, as follows:—

	E. J. Fenton.	Gunn & Co.	F. W. Fraser.	J. S. Cashen.
Hay	\$14.65	\$15.00	\$14.75	\$14.50
Oats	55	56½	55	55
Bran	26 00	26.00	25.00	25.00
Straw	12.00	12.00	12.00	12.00

It is recommended that the tender of J. S. Cashen, being the lowest, be accepted.

W. H. CAWSEY, *Chairman.*

Moved by Alderman Johnson, seconded by Alderman Lamphier, that the reports of the exports on the tests of the fire engine "Alexandra" be not read nor published in the printed Minutes, but that they be filed for the information of the Council. Motion passed.

Moved by Alderman Hubley, seconded by Alderman Kelly, that the report of the Board of Fire Wards be adopted. Motion passed.

Moved by Alderman Martin, seconded by Alderman Taylor, that the Order of the Day be further suspended to permit Alderman Johnson to make a motion. Motion passed.

Moved by Alderman Johnson, seconded by Alderman Lamphier, that whereas the City has not accepted the engine "Alexandra" of the Canadian Fire Engine Company that the sum of \$700.00 deposited by the said company with the City Treasurer be refunded to said company on application. Motion passed.

Moved by Alderman Taylor, seconded by Alderman Murray, that the Order of the Day be further suspended to permit Alderman Powell to submit a resolution. Motion passed.

The following resolution is introduced :

Whereas, Alderman Martin stated in open Council that the steam fire engine "Alexandra" was not accorded a fair and impartial test ;

And whereas, It was further stated that said engine was tampered with ;

Be it therefore resolved, That His Worship the Mayor appoint a special committee to investigate said charge.

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

His Worship the Mayor nominates as such Committee Aldermen Shaffner, Murray, Douglas, Kelly, Campbell, and MacKenzie. Approved.

Moved by Alderman Kelly, seconded by Alderman Hubley that the Order of the Day be further suspended to permit Alderman Hubley to submit a resolution. Motion passed.

The following resolution is submitted :—

Resolved, That the Police Commission be and is hereby requested to report at the

next meeting of this Council giving the present number of sergeants and men on the Police Force and the present annual cost for salaries, etc.

Also the additional number of sergeants and men required to change from two to three shifts of eight hours each and the probable annual cost of the same.

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

Moved by Alderman Johnson, seconded by Alderman Powell, that the Order of the Day be further suspended to permit Alderman Johnson to introduce a resolution. Motion passed.

The following resolution is submitted :—

Resolved, That the offer of John Starr, Son & Company, dated August 7th, 1906, to supply the City of Halifax with a "Merryweather" steam fire engine, Greenwich pattern, capable of delivering 700 Imperial gallons per minute as per specification F figure 645 enclosed therewith, for the sum of \$4580.00, be accepted, provided John Starr, Son & Co. execute contract on or before November 8th next and deposit with the City Treasurer certified cheque for \$450.00 payable to the order of the City Treasurer, to be forfeited to the City if the terms of said contract so to be executed are not complied with.

Moved by Alderman Johnson, seconded by Alderman Taylor.

Read letter Clarke & McDonald re Merryweather fire engine.

Read letter L. J. Hesslein in re Waterous fire engine.

The resolution is put and passed, Alderman Hubley and Powell recorded as voting against the same.

The names on the division being demanded there appeared :

For the Resolution.

Aldermen Shaffner, Archibald, Halliday,
Johnson, Taylor, Gastonguay,
Douglas, Lamphier, Kelly,
Martin, MacKenzie, Hayward—12.

Against it.

Aldermen Murray, Powell,
Hubley—3.

ORDER OF THE DAY.

Read No. 1.—Alderman Hubley's notice of reconsideration of resolution to publish list of ratepayers (October 11th, 1906).

Moved by Alderman Hubley, seconded by Alderman Powell, that said matter be now reconsidered. Motion put and passed, 8 voting for the same and 7 against it, as follows :—

For reconsideration.

Aldermen Shaffner, Powell,
Gastonguay, Lamphier,
Kelly, Hubley,
Martin, Hayward—8.

Against.

Aldermen Archibald, Halliday,
Johnson, Murray,
Taylor, Douglas,
MacKenzie—7.

The original motion to publish list of ratepayers moved by Alderman Johnson at Council meeting October 11th is now put and passed, 8 voting for the same and 7 against it, as follows :—

For the Motion.

Aldermen Shaffner, Archibald,
Halliday, Johnson,
Murray, Taylor,
Douglas, MacKenzie—8.

Against it.

Aldermen Powell, Gastonguay,
Lamphier, Kelly,
Hubley, Martin,
Hayward—7.

Moved by Alderman Hayward, seconded by Alderman Martin, that the Council adjourn. Motion passed.

Council adjourns 11 o'clock.

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, November 8th, 1906.

A meeting of the City Council was held this evening. Present at the above hour His Worship the Mayor and Aldermen Powell, Hubley, Lamphier, Kelly, Campbell, Murray, Taylor, Johnson, Douglas, Shaffner, Martin, Archibald, Halliday and MacKenzie.

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

The following named papers are submitted:—

Report Board of Fire Wards by Alderman Powell, Chairman pro tem.

Report City Prison Committee, by Alderman Shaffner, Acting Chairman.

Annual Report Library Committee, for 1905-6, by Alderman Murray, Chairman.

Report Investigation Committee in re steam fire engine "Alexandra" by Alderman Murray, Chairman.

Report Public Accounts Committee, by Alderman Johnson, Chairman.

Report Commissioners of Commons, by Alderman Taylor, Chairman.

Report Charities Committee, by Alderman Halliday, Chairman.

His Worship the Mayor submits the following papers:—

Report City Clerk in re O'Donnell property.

Report Police Commission re accounts.

Report Committee on Works re accounts.

Report Committee on Works re Quinpool Road sewer.

Letter His Worship the Mayor re Annual Report.

Letter E. J. Dulhanty preferring certain charges against Simon Cummins, Supervisor of Coal Weighers.

Report His Worship the Mayor that the Provincial Government will undertake to pass an Act authorizing a loan for water extension.

Petition against establishment of Fertilizer Works at Fairview.

Letter L. J. Hesslein re Horton Ladder.

Moved by Alderman Halliday, seconded by Alderman Martin, that the Order of the Day be suspended to permit the reading of the papers submitted. Motion passed.

Read report Commissioners of Common covering accounts.

PUBLIC GARDENS ACCOUNTS.

OFFICE OF COMMISSIONERS OF PUBLIC GARDENS, Nov. 5th, 1906.

His Worship the Mayor and City Council.

GENTLEMEN,—A meeting of the Commissioners of Halifax Common was held this day at 5 p. m. Present Chairman Taylor, Commissioners Powell, Kelly, Rawley, Power and the Superintendent.

They had before them the accompanying bills, of which the following is a summary : The same were approved and passed for payment and the Secretary instructed to forward them to the City Council for their information and concurrence :—

R. & J. Farquhar, \$17.00. J. A. Simmers, \$6.30. A. A. Brown, \$16.35. James Umlah, \$10.50. H. E. Tram Co., \$3.44. Farquhar Bros., 40c. R. Power, freight, \$1.19. Total, \$55.18.

EDW. T. POWER, *Secretary.*

The following resolution is submitted :—

Resolved, That the report of the Commissioners of Halifax Common be received and adopted and His Worship the Mayor authorized to sign warrants for payment of accounts therein recommended.

Moved by Alderman Taylor, seconded by Alderman Powell and passed.

Read report Public Accounts Committee on various matters.

REPORT PUBLIC ACCOUNTS COMMITTEE.

COMMITTEE ROOM, CITY HALL, Nov. 7th, 1906.

To His Worship the Mayor and City Council:

GENTLEMEN,—Your Committee on Public Accounts beg to report that at a meeting of the Committee held this day, present Aldermen Johnson (Chairman), Archibald, Douglas and Kelly, the following accounts, amounting to \$1075.50, were examined found correct and are recommended for payment :—

Holloway Bros., printing minutes, &c. \$46.40. Dr. Ross, Acting-Medical Examiner Certificates of death of Nelson Payzant, \$4.00; Louisa Dean, \$4.00; Patrick J. O'Connell, \$4.00; unknown infant, \$4.00—16.00. T. C. Allen & Co., stationery, City Clerk's Dept., \$16.35; City Collector's Dept., \$7.15—23.50. N. P. Leahy, typewriting, \$2.80. Herald, advertising, 3.06, \$9.18, \$4.59—\$16.83. A. & W. MacKinlay, books, police dept., \$12.00; City Treasurer, \$5.00; City Clerk, \$10.00—\$27.00. Religious of the Good Shepherd, maintenance of girls 1 qr. to Nov. 1st, \$102.69. Halifax Industrial School, maintenance of boys 1 qr. to Nov. 1st, truants, \$198.66; reg. com. \$267.50—464.16. St. Patrick's Home, maintenance of boys 1 qr. to Nov. 1st truants, \$184.45; reg. com, \$181.67—\$376.12

Your Committee further report that His Worship the Mayor has purchased from the Carswell Company, Ltd., of Toronto, thirty-three volumes of books, formerly the property of W. F. MacCoy, at a cost of \$50.00, and recommend the account for payment; and in this connection your Committee recommend that His Honor the Recorder be requested to prepare a catalogue of all books in the Law Library the property of the City and that the same when completed be kept on file in the City Clerk's office and that any books purchased from time to time by the City be first entered in this catalogue before being put in the Library.

Your Committee further report that they had under consideration the matter of maintenance of truants at the Halifax Industrial School and St. Patrick's Home, particularly

cases where the Magistrate adjudges that the parents of children committed to these institutions shall pay a certain sum per month towards the maintenance of children when so committed.

Your Committee recommend that the City Clerk furnish the City Collector, whose duty it is to collect these payments, with a list of all persons liable to the City for truants and that the Collector report to the City Council the amounts collected in this behalf and the amounts overdue.

J. A. JOHNSON, *Chairman.*

The following resolution is submitted :—

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

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

Read report City Prison Committee re accounts, &c.

CITY PRISON ACCOUNTS.

COMMITTEE ROOM, CITY HALL, November 6th, 1906.

To His Worship the Mayor and City Council:

GENTLEMEN,—Your Committee on City Prison beg to report that a meeting of the Committee was held this day. There were present Aldermen Shaffner (Acting-Chairman) Douglas, Hubley and Martin.

The following accounts were examined, found correct and are recommended for payment, viz :

Farquhar Bros., switch, \$1.50. Black & Flinn lime, \$3.70. Jas. Davidson, shoeing, \$11.25. John Foley, repairs chimney, \$35.68. Melvin & Co., nails and brushes \$1.45. Jas A. Leaman & Co., ox heads, \$7.20. L. W. Dixon, groceries, \$17.65. D. J. McIntosh, shoeing, \$22.61. Neil Fox, reps. harness, \$2.60. N. S. Telephone Co., 6 mos. to May 1907, \$27.00. Halifax Electric Tram. Co., light \$1.14. Total, \$131.67.

Your Committee further report that they had under consideration an application from Underkeepers and Messenger for an increase to their salaries, and recommend that the salary of the Underkeepers and Messenger be increased \$30.00 per annum, to go into effect from the 1st day of May next, and further, that the Committee on Public Accounts make provision for said increase when making up the estimates in December next.

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

I. B. SHAFFNER, *Acting-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 Shaffner, seconded by Alderman Douglas and passed unanimously.

Read report special committee appointed to investigate certain state-

ments relating to the steam fire engine "Alexandra" of the Canadian Fire Engine Company.

INVESTIGATION IN RE FIRE ENGINE "ALEXANDRA."

COMMITTEE ROOM, CITY HALL, November 3rd, 1906.

His Worship the Mayor and City Council :

GENTLEMEN,—The special committee appointed at a meeting of Council held October 30th inst. to investigate Alderman Martin's statement that there were rumors in circulation in the City that the engine "Alexandra" of the Canadian Fire Engine Company did not receive fair and impartial treatment at her various tests and that the said engine had been tampered with, beg to report as follows :—

The following extract from Minutes of Council of October 30th relates to the appointment of the Committee :—

"The following resolution is introduced :—

"Whereas, Alderman Martin stated in open Council that the steam fire engine "Alexandra" was not accorded a fair and impartial test ;

"And Whereas it was further stated that said engine was tampered with ;

"Be it Therefore Resolved, That His Worship the Mayor appoint a special committee to investigate said charge.

"Moved by Alderman Powell, seconded by Alderman Martin and passed.

"His Worship the Mayor nominated as such Committee :

"Aldermen Shaffner, Murray, Douglas, Kelly, Compbell, and McKenzie.
"Approved."

Believing it important to proceed at once in the matter, the Committee met on the evening following that of their appointment, when Alderman Murray was appointed Chairman and L. F. Monaghan Secretary.

Alderman Martin stated that on November 29th inst. William Tite, Assistant to Robert Watt, Engineer of the fire engine "Alexandra," and John T. Murphy of Halifax had stated to him that between October 23rd and 29th the "Alexandra" had been tampered with and that he had asked for an investigation so that these statements would not go abroad unchallenged if it turned out that there was no foundation for them.

At this meeting the evidence was taken of Mr. Watt, Mr. Tite, Mr. Murphy and Robert Warner of Halifax, at present Engineer of fire engine "King Edward."

On the following afternoon, November 1st, the Committee met at Bedford Row Engine House and there, in the present of Mr. Watt and Mr. Tite and Messrs Esdaile, Dow, Condon and Chief Broderick, examined the engine "Alexandra" so far as relates to the parts mentioned in the evidence as having been tampered with and afterwards took further evidence from Mr. Watt and heard the statements of Messrs. Esdaile, Dow Condon and Chief Broderick.

The statements made during the investigation impressed upon the committee the wisdom of holding a public enquiry in order that foundationless rumors should not be permitted to be made to the prejudice of the reputation of the City of Halifax and the members of the Fire Department for fair dealing.

Mr. Watt repeatedly assured the Committee that he had no charges whatever to make against any members of the Fire Department, but that on the other hand he had received very kind treatment and every assistance required. His complaint was, in his own language that "we had met with some queer accidents, some our own trouble and some we could not understand."

Summarized, these last were : The loosening of a washout plug at the bottom of boiler, the priming of the boiler at King's Wharf test, the long delay in smoke issuing from the stack at Dockyard test, the loosening of a gland on the cylinder, lack of Acadia coal, and 2½" hose instead of 3" hose for the testing of a 1000 gallon engine. In addition to these, Mr. Tite stated that Engineer Robert Warner had in conversation with him spoken of some telegrams from Western Ontario.

Though the committee does not deem it necessary to deal at length with these various items, it is considered advisable to make brief mention of their findings on each of them as deduced from the evidence.

The washout plug may have been loosened naturally or otherwise anywhere between the time the engine left London, Ont., and the first test, but that it was a matter of little consequence.

The priming of the boiler was in all probability due to a leaky valve.

The long delay in smoke issuing from the smoke stack at the Dockyard test may have been due to dirty tubes or to the manner of placing shavings and wood in the fire box. It did not appear that any obstruction had been wilfully placed in the boiler by any person.

The spring of the catch preventing the loosening of the gland on the cylinder was weak. A slight jerk of the waste in cleaning could easily release the catch. This catch was found open by Mr. Esdaille on another occasion. With the catch released the vibration of the engine either when on the street or under steam might cause the loosening of the gland.

With regard to the name of the coal used for starting the fire, Mr. Watt was under a misapprehension. It was not stated to be Acadia coal, but to be as good as Acadia coal for starting a fire. It was the same coal as was used in all the City's engines. The Department has had no Acadia coal for several months.

The Department officials made every effort to obtain Acadia coal for Mr. Watt when he asked for it, but were unable to do so. Mr. Watt, however, obtained a small but insufficient quantity from a part carload lying at the Deep Water Terminus.

The tests scheduled for the engine were made by the Board of Fire Wards and the experts, and agreed to by Mr. Watt prior to the first test. The City has no 3" hose and Mr. Watt did not until after the tests complain of the omission of a test with 3" hose.

As to the telegrams, the Committee find first, a flat contradiction between Mr. Tite and Mr. Warner; second, that no statement as to the contents of these alleged telegrams was ever made to Mr. Tite; and third, that if the word "telegrams" was ever used in conversation with Mr. Tite it was merely idle talk without any foundation so far as your committee could ascertain.

Your Committee is unanimously of the opinion that the tests were fair and impartial and that there is nothing to show that the engine was in any way tampered with; and further, that neither the loosening of the washout plug nor the loosening of the gland nor the delay in the issuing of the smoke from the stack materially interfered with the success of the engine when tested.

Further, your Committee wish to place on record that Mr. Watt, the Engineer of the engine "Alexandra" not only expressly stated that he had no charge to bring against any official of the Fire Department, but that all the officials had treated him courteously and had given him every assistance.

The evidence taken by the Secretary is on file for the information of the Council.

WALTER C. MURRAY, *Chairman.*

Moved by Alderman Murray, seconded by Alderman MacKenzie, that said report be adopted. Motion passed.

Read letter E. J. Dulhanty preferring a charge against Simon Cummins, Supervisor of Coal Weighers.

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

Read report Committee on Works re accounts.

CITY WORKS ACCOUNTS.

CITY WORKS OFFICE, Nov. 8th, 1906.

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:—

Water Construction	\$ 1,722 81
“ Maintenance	465 92
Sewer Loan	1,641 63
Street Lighting	1,567 58
Fuel	419 84
City Property	271 25
Streets	253 05
Permanent Pavement	10,899 41
Telephones	132 00
Teams & Stables	124 72
Public Baths	83 93
City Hall Lighting	72 39
Internal Health	10 63
Permanent Sidewalks	5 25
	\$17,670 41

R. T. MACILREITH, Mayor and Chairman.

Moved by Alderman Taylor, seconded by Alderman Johnson, that said report be adopted and the accounts paid. Motion passed.

Read reports Committee on Works and City Engineer re Quinpool Road sewer.

QUINPOOL ROAD SEWER.

CITY WORKS OFFICE, Nov. 8th, 1906.

To the City Council:

GENTLEMEN,—At a meeting of the Committee on Works held this day the attached Minute of Council with City Engineer's report thereon re sewer on Quinpool Road from Preston Street to Pepperell Street was read and recommended to Council for adoption, the work to be done at once.

R. T. MACILREITH, Mayor and Chairman.

CITY ENGINEER'S OFFICE, Nov. 8th, 1906.

His Worship the Mayor:

SIR,—I beg to report on the accompanying petition for a sewer on Quinpool Road from Preston Street to Pepperell Street.

That portion of Quinpool Road between the end of the existing sewer and Preston Street can be drained from Preston Street to the Pepperell Street sewer, although the depth will not be great. The estimated cost is \$5,250. Estimated assessment \$1,550.

I would recommend that this work be ordered to be constructed.

F. W. W. DOANE, City Engineer.

Moved by Alderman Taylor, seconded by Alderman Douglas, that said reports be adopted. Motion passed.

Read report Police Commission covering accounts for payment.

POLICE ACCOUNTS.

MAYOR'S OFFICE, Nov. 8th, 1906.

The City Council:

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

Holland & Kuhn, shades, etc., \$12.75. N. S. Telephone Co., rent of telephones for 6 months ending May 1st, 1907, \$38.50. R. R. Kennedy, oiled coat, \$2.45. T. C. Allen & Co., pay envelopes, \$1.25. Neil Fox, repairing frogs and belt, \$1.50. O'Connell Bros., horseshoeing, \$1.25. Total, \$57.70.

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

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

Read letter His Worship the Mayor re Annual Civic Report.

RE ANNUAL REPORT.

MAYOR'S OFFICE, Nov. 8th, 1906.

Members City Council:

GENTLEMEN,—Owing to the very great pressure of work in the City Engineer's office during the past summer, it has been impossible up to the present time to prepare the report from that Department, and as it is desirable that the Annual Report (especially the financial portion of it) should be issued as soon after the close of the civic year as possible, it would seem desirable that the practice followed in very many other cities should be adopted here and the Engineer's report published separately from the Annual Civic Report. By this means the Annual Report could be issued very shortly after the close of the civic year. The City Auditor has communicated as to the cost with the contractor who has the printing of the Annual Report, and the above suggestion can be given effect to and the Engineer's report published separately from the Civic Report at an increased expenditure of \$25.00. It may be pointed out that a number of copies of the Engineer's report have been published separately for several years past.

R. T. MACILREITH, *Mayor.*

Moved by Alderman Murray, seconded by Alderman Martin, that said report be adopted. Motion passed.

Read report City Clerk in re property of E. W. O'Donnell.

O'DONNELL PROPERTY.

OFFICE OF CITY CLERK, Nov. 8th, 1906.

His Worship the Mayor and City Council:

GENTLEMEN,—In accordance with the resolution of the City Council passed October 11th, 1906, I did personally on the 19th October, 1906, make and serve an offer in writing on E. W. O'Donnell in the sum of five hundred (\$500.00) dollars respecting the property described in said resolution. On the said 19th day of October, and again on

the first day of November, inst., Mr. O'Donnell declined to accept said offer, and I was unable to make any agreement with him relating to the said property.

L. FRED, MONAGHAN, *City Clerk.*

The following resolution is submitted :—

Whereas, the City of Halifax requires the land hereinafter described for City purposes, and the City Engineer duly prepared a plan of the land required, together with the description of the said land, and submitted said plan and description to the City Council for its approval, and the said plan and description were approved by the City Council on the 11th day of October, A. D., 1906, and a copy of the same has been filed in the City Engineer's office as required by law ;

And Whereas, no agreement can be made or come to with the property owner ;

Therefore Resolved, that the City Clerk be and he is hereby instructed to give ten days notice (in writing) to the owner or owners of the said property hereinafter described of the intention of this Council to expropriate the property hereinafter described ;

And Further, That the City Clerk be and is hereby instructed to publish for ten days in two newspapers published in the City of Halifax this resolution of the intention of this Council to expropriate said land hereinafter described, and that on and after the expiration of said ten days this Council will proceed to expropriate said land for the purpose aforesaid ;

Said land is described as follows—

All that certain lot, piece or parcel of land on south side of George, Street more particularly described as follows :—Beginning at a point on the south line of George Street, distant 60 feet 5 inches from the southeast corner of Brunswick and George Streets, being the northwest corner of a property belonging to the City of Halifax, thence easterly along said south line of George Street a distance of 20 feet 8 inches more or less, thence southerly 22 feet 8 inches more or less, or until it meets the southern boundary line of property of said E. W. O'Donnell, thence westerly along said south boundary line a distance of 20 feet 8 inches, or until it meets the eastern boundary of property belonging to City of Halifax, thence northerly by said eastern boundary 22 feet 8 inches to the place of beginning.

The above described lot is shewn in hatched lines on a plan entitled "Plan of property on George Street to be expropriated for Fire Department purposes," signed by F. W. W. Doane, City Engineer, dated February, 5th, 1906, and filed in the City Engineer's office at Halifax, N. S., as Plan No. 1657.

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

Alderman Hubley asked that the Committee on Works enquire and report on the amount at which the City can purchase about nine feet of the Evans estate property adjoining to the south of the O'Donnell property.

Read report Charities Committee for October.

CHARITIES COMMITTEE ACCOUNTS, ETC.

OCTOBER 26th, 1906.

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 Powell, Gastonguay, Lamphier and MacKenzie.

The Superintendent's report shows that between October 1st and this date there were 41 persons admitted into the Poores' Asylum and 14 discharged. Of the number admitted 7 were chargeable to the Province and 34 to the City. The total number of inmates at this date is 335, made up of 204 men, 127 women and 4 children.

Tenders for supplies for one year from November 1st were received and contracts awarded as follows, the lowest tender in every case being accepted :—

Groceries	H. W. Wentzell & Co.
Fish	Geo. Grigoire.
Milk	Scotia Pure Milk Co.
Butter	P. T. Shea
Straw, hay, oats and bran.....	J. S. Cashen.
Meats	W. A. Mailing & Co.
Dry Goods	Smith Bros.
Mess pork	W. A. Mailing & Co. and W. H. Wentzell & Co.'s

price was the same, and the contract was divided between them.

The following accounts are recommended for payment, viz. :—

H. W. Wentzell & Co., \$452.30. J. & M. Murphy, \$71.95. W. A. Maling & Co., \$325.69. Scotia Pure Milk Co., Ltd., \$74.80. George Grigoire, \$33.55. P. T. Shea, \$119.70. J. S. Cashen, \$16.56. Henry Lovett, \$8.99. Black & Flinn, \$43.01. Wm. McFatrige, \$36.00. John F. Outhit, \$35.25. Baldwin & Co., \$3.60. Wm. Stairs, Son & Morrow, Ltd., \$4.20. Dillon Bros., \$3.75. B. Mulcahy, \$451.48. P. J. McManus, \$16.00. Fleischman & Co., \$3.90. Halifax Electric Tramway Co., Ltd., \$31.01. Pay Sheet October, \$776.83. W. N. Brown, \$32.35. Nova Scotia Hospital, \$761.46. Total, \$3302.38.

JAMES HALLIDAY, *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 Halliday, seconded by Alderman Powell, and passed.

Read petition against the establishment of fertilizer works near Fairview on Campbell Road.

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

Read report His Worship the Mayor that the Provincial Government will undertake to pass an Act authorizing the City to borrow \$25,000 for water extension.

LOAN FOR WATER EXTENSION.

November 2nd, 1906.

Members of the City Council:

GENTLEMEN,—In conformity with resolution of Council, I have now to inform you that I waited upon the Provincial Government and obtained a guarantee that the bill

authorizing a loan of \$25,000.00 for the purpose of water extension would be passed at the next session of the Legislature if introduced by the City of Halifax.

R. T. MACILRITH, *Mayor*.

Filed.

Read Annual Report Citizens' Free Library Committee for 1905-6.
Filed.

Read report Board of Fire Wards on various matters and accounts and covering letters L. J. Hesslein, Agent for Waterous fire engines, and H. H. Fuller & Co., Agents Amoskeag steam fire engines.

FIRE WARDS ACCOUNTS, &c.

COMMITTEE ROOM, CITY HALL, Nov. 8th, 1906.

To His Worship the Mayor and City Council :

GENTLEMEN,—1. Alderman Powell has been appointed Acting-Chairman during the contemplated absence for a few weeks of Chairman Cawsey.

2. The Board opened tenders for repairs to Grafton Street engine house and recommend that the tender of James Taylor for \$95.00, being the lowest, be accepted, the work to be completed on or before November 20th and to the approval of the City Engineer.

3. The following appointments are recommended.—

(a) That Henry Quirk, Hoseman on No. 3 Steamer, be appointed Lieutenant, vice Thomas Sunderland, appointed Janitor of Number 4 Engine House.

(b) That William Robinson, Hoseman on No. 4 Hose Co., be appointed Lieutenant, vice John Woods, left the City.

(c) That the following be appointed Supernumeraries :—

Thomas Hogan	No. 2 Steamer.
Arthur Murphy	“
Frank Hennessey	No. 5 Steamer.
Louis Flinn	No. 4 Hose.
Edward Pearson	No. 1 Steamer.

4. Tenders for harness having been received, it is recommended that the tender of W. C. Knight for \$160.00 and extra snap collars \$29.00 each, being the lowest, be accepted.

5. Two letters from H. H. Fuller & Co., one to the Chairman and one handed to the Board by His Worship the Mayor, relating to Amoskeag fire engines, and offering a 600 gallon engine for \$5,900.00 and an 800 gallon engine for \$6,225.00, are herewith submitted to the Council for consideration, as is also a letter from L. J. Hesslein covering tenders for Waterous engines.

6. The City Council having passed a resolution to purchase a Merryweather steam fire engine, it is recommended that a committee be appointed to prepare a schedule of tests to be applied to said engine and to be included in the contract and that such contract be not signed until such tests are incorporated in the same.

7. The following accounts are recommended for payment :—

Halifax Electric Tram. Co., light, \$29.36, power \$7.56—\$37.12. Cragg Bros. & Co., hardware, \$3.10. Macdonald & Co., machine work, \$14.05. John Davidson & Son, lumber, \$2.05. James Roue, distilled water, \$1.50. Phillips Electrical Works, wire,

\$171.00. Austen Bros., 1500 ft. hose, \$1,650.00 W. & A. Moir, machine work, \$1.94 J. H. Mont & Co., carriage work, \$27.07. Robert Merlin, lumber, \$10.00. Melvin & Co., nails, 20c. J. C. Merlin, lumber, \$4.07. J. P. Esdaile & J. H. Dow, judging steamer tests, \$50.00. Firemen, working after tests, \$35.00 Can. Gen. Electric Co., supplies, \$82.00. Lanes, caps, etc., \$11.25. Lotta Redman, copying, \$6.00. LeMont Buskins, sweeping chimneys, \$11.25. Freeman's, furniture, \$261.84. A. J. Grant & Co., hardware, \$3.94. Joseph Fultz, snaps, \$5.00. T. Holloway & Son, blocks, \$3.00. Globe Laundry, work, \$2.99. E. A. Skinner, files, &c., \$2.30. Neil Fox, harness, \$17.00. N. S. Telephone Co., phones, \$159.00. Farquhar Bros., pipe, &c., \$13.10. Stairs Son & Morrow, hardware, \$6.20. J. S. Cashen, forage, \$274.38. Canadian Rubber Co., siameses, \$27.00. J. M. McGrath & Co., truckage, \$4.00. S. Cunard & Co., coal, \$215.16. Mabou & Gulf Coal Co., coal, 30.45. Horseshoeing—P. Porrier, \$8.63. T. Robertson, \$4.83. Meagher & Mackenzie, \$11.12. O'Connell Bros., \$1.87. Robt. Horner, \$6.20. Total, \$3,138.11.

WM. R. POWELL *Chairman pro tem.*

On motion said report is taken up clause by clause.

Read Clause 1 re appointment of Alderman Powell as Chairman pro tem. Approved.

Read Clause 2 re tenders for repairs to Grafton Street house. Approved.

Read clause 3 re appointments. Approved.

Read clause 4 re tenders for harness. Approved.

Read clause 5 re tenders H. H. Fuller & Co. for Amoskeag Fire Engines and L. J. Hesslein for Waterous Fire Engines.

Also read letters Clarke and MacDonald re tenders for Merryweather Fire Engines and Austen Bros. re Shand, Mason & Co. Fire Engines.

Moved by Alderman Hubley, seconded by Alderman Campbell, that John P. Longard, John P. Esdaile, James H. Dow and Edward Condon be appointed to conduct an endurance test of eight hours of the Waterous steam fire engine "King Edward" now owned by the City and report if in their opinion said engine is a suitable engine for the City of Halifax, and if it would be advisable for the City to purchase another engine of that build.

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

For the Motion.	Against it.
Aldermen Shaffner, Halliday, Powell, Kelly, Hubley, Campbell—6.	Aldermen Archibald, Johnson, Murray, Taylor, Douglas, Lamphier, Martin, Mackenzie—8.

Alderman Hubley gives notice of reconsideration.

Moved by Alderman Johnson, seconded by Alderman Martin, that

the further consideration of the purchasing of a steam fire engine be deferred for a period not exceeding two weeks. Motion passed.

Read clause 6 re tests for Merryweather engine.

Moved by Alderman Johnson, seconded by Alderman Martin, that said Clause 6 be amended to provide that Messrs. John P. Longard, John P. Esdaile, James H. Dow and Chief Engineer Condon be requested to prepare a schedule of tests to be applied to a new engine to be purchased by the City. Motion passed.

Read clause 7 re accounts. Passed.

The following resolution is submitted :—

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

Moved by Alderman Powell, seconded by Alderman Archibald, and passed.

Read letter L. J. Hesslein re specification for Horton Ladder.

Moved by Alderman Hubley, seconded by Alderman Powell, that the City Clerk reply to Mr. Hesslein's letter that the specification for the Horton Ladder was received from Macdonald & Co. to-day by the Board of Fire Wards and is now under consideration by the said Board. Motion passed.

Moved by Alderman Halliday, seconded by Alderman Archibald, that the Order of the Day be further suspended to permit Alderman Johnson to submit three resolutions.

Motion passed and the following is introduced :—

Whereas, The Legislature of Nova Scotia during its last session passed certain legislation whereby certain companies and others were required to pay larger licenses, fees, &c., than they paid in the past ;

And Whereas, The bills were sent out under the old law ;

And Whereas, It involves a comparatively large sum ;

Resolved, That the Assessors, Collector and His Honor the Recorder take the necessary steps without delay to collect the fees, &c., under the new Act, and if necessary to test the legality of this matter in the courts.

Moved by Alderman Johnson, seconded by Alderman Murray.

Moved in amendment by Alderman Hubley, seconded by Alderman Powell, that this matter be referred to His Honor the Recorder for report.

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

For the Amendment.

Against it.

Aldermen Shaffner, Archibald,
Halliday, Powell,
Lamphier, Kelly,
Hubley, Campbell,
Martin, MacKenzie—10.

Aldermen Johnson, Murray,
Taylor, Douglas—4.

The following resolution is next submitted :—

Whereas, The Legislature of Nova Scotia, during its last session, enacted that a Poll Tax of five dollars shall be paid by every person not otherwise assessed provided he resided in the City prior to December 31st of any year ;

And whereas, We have three Assessors who are appointed to look after such matters ;

Resolved, That the Assessors be requested to report to the Council the number of persons so assessed since the passing of the said Act.

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

The following resolution is also introduced :

Resolved, That the Chief Assessor, Mr. Phelan, be instructed to see that the Assessors' office is kept open during office hours by either himself or one of the Assessors, as directed by him, remaining in the office during such hours.

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

The Council now proceeds to appoint two Commissioners of Public Schools and one Exhibition Commissioner.

Moved by Alderman Martin, seconded by Alderman Johnson, that the vacancies on the School Board caused by the expiration of the terms, of Ex-Alderman Campbell and Alderman Cawsey be filled by the appointment of Alderman Murray and MacKenzie. Motion passed unanimously.

Moved by Alderman Martin, seconded by Alderman Johnson, that William J. Clayton be appointed a member of the Nova Scotia Provincial Exhibition Commission to succeed himself. Motion passed unanimously.

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

Resolved, That the City Engineer furnish this Council with a plan of the lot of land on the eastern side of Lockman Street between Lockman Street and Upper Water Street owned by H. McC. Hart showing the number of buildings and tenements thereon and that His Honor the Recorder report as to whether there are any means of preventing the owner from proceeding any further in this matter.

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

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

Council adjourns 9.50 o'clock.

EVENING SESSION.

8.10 o'clock.

COUNCIL CHAMBER, CITY HALL, December 7th, 1906.

A meeting of the City Council was held this evening. At the above hour there were present Deputy-Mayor Johnson, Aldermen Lamphier, Powell, Archibald, Hubley, Taylor, Martin, Kelly and Douglas.

Moved by Alderman Hubley, seconded by Alderman Powell, 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, Gastonguay and MacKenzie.

The following named papers are submitted:—

Report Library Committee, by Alderman Gastonguay, Acting-Chairman.

Report of Board of Fire Wards, by Alderman Powell, Chairman pro tem.

Report Public Accounts Committee, by Alderman Johnson, Chairman.

Report Charities Committee, by Alderman Powell, Acting-Chairman.

Report Tenders Committee, by Alderman Gastonguay, Acting-Chairman.

Report City Prison Committee, by Alderman Johnson, Acting-Chairman.

The Deputy-Mayor submits the following named papers:—

Report Police Commission covering accounts.

Message respecting the manner of the landing of the English mails at Halifax by the Canadian Pacific Railway steamships.

Police Commission re three shifts.

Report City Clerk re O'Donnell property.

Report City Collector re Truants.

City Engineer's plan of H. McC. Hart's property, Lockman Street.

Five reports Committee on Works, viz.:

Water Rates Military Authorities.

Accounts.

Water Extension Oakland Road.

Prince Street sidewalk.

Street lighting contract.

Report Coal Weighers for October.

Three reports from His Honor the Recorder, viz.:

Hart property, Lockman Street.

Company taxes and license fees.

Hart vs, His Worship the Mayor et al.

Letter Andrew Hubley re a certain suit in the City Court.

Cash statement City Collector for October.

Letter A. M. Payne re advertising Halifax.

Report W. G. Wiswell re appraisement of Hennessey property for extension of Young Street.

Letter Department of Marine and Fisheries re grant of foreshore at North-West Arm.

Letter John P. Longard re fire engine tests.

Moved by Alderman Powell, seconded by Alderman Archibald, that the Order of the Day be suspended to permit the reading of the papers submitted. Motion passed.

Read cash statements City Collector for October. Filed.

Read report City Prison Committee covering accounts, etc.

CITY PRISON ACCOUNTS.

COMMITTEE ROOM, CITY HALL, December 4th, 1906.

To His Worship the Mayor and City Council:

GENTLEMEN,—Your Committee on City Prison beg to report that at a meeting of the Committee held this day, there being present Aldermen Johnson (Acting-Chairman), Douglas and Martin, the following accounts, amounting to \$221.82, were examined, found correct and recommended for payment :—

A. B. Boak & Co., dry goods, \$1.43. Colwell Bros, dry goods, \$11.75. R. A. Croucher, oats and bran, \$134.50. Hillis & Sons, Ltd., stove pipe, \$1.25. Geo. S. Yates & Sons, boots, \$21.50. A. J. Grant & Co, hardware, \$1.73. James A. Leman & Co., ox heads, \$7.20. James J. Skerry, groceries, \$40.60. Halifax Electric Tram Co., light, \$1.86. Total, \$221.82.

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

J. A. JOHNSON, *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 Douglas seconded by Alderman Martin, and passed.

Read report Police Commission covering accounts.

POLICE ACCOUNTS.

MAYOR'S OFFICE, CITY HALL, Dec. 4th, 1906.

The City Council:

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

W. F. Pickering & Co., uniform trousers, repairing clothing, &c., \$431.75. Colwell Bros., gloves and cap, \$83.25. David Roche, glazing, \$1.50. Total, \$516.50.

J. A. JOHNSON, *Acting-Chairman.*

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

Read letter E. P. Allison, Solicitor for Andrew Hubley, re a certain suit in the City Court.

Moved by Alderman Powell, seconded by Alderman Archibald, that the same be referred to the Committee on Laws and Privileges and His Honor the Recorder for report. Motion passed.

Read report City Clerk in re O'Donnell property.

IN RE O'DONNELL PROPERTY.

OFFICE OF CITY CLERK, HALIFAX, N. S., Nov. 23rd, 1906.

His Worship the Mayor and City Council.

GENTLEMEN,—I have the honor to report that agreeably to a resolution passed by the City Council at a meeting held on the 8th inst., I did personally on the 14th day of November, inst., serve a notice in writing upon E. W. O'Donnell of the intention of the City Council to expropriate the property owned by the said E. W. O'Donnell described in the said resolution.

L. FRED. MONAGHAN, *City Clerk.*

The following resolution is submitted :—

Whereas, The City of Halifax requires the land hereinafter described for the purpose of extending and enlarging a fire engine house, being a purpose connected with the works and property of the City of Halifax, and the City Engineer has duly prepared a plan of the land required, together with the description of the said land, and submitted the said plan and description to the City Council for its approval, and the said plan and description were approved by the City Council on the 11th day of November, A. D., 1906, and a copy of the same has been filed in the City Engineer's office, as required by law ;

And whereas, No agreement can be made or come to with the property owner ;

And whereas, On the 14th day of November, A. D., 1906, a notice containing a description of the land or rights required by the said City of Halifax for said purpose and a notice of the intention of the City Council to expropriate said land after the expiration of the time required by law from the date of service of such notice was duly served by the City Clerk upon E. W. O'Donnell, the owner of the said land ;

Therefore resolved, That the said land be and the same is expropriated for the purposes aforesaid, which said land is described as follows :—

All that certain lot, piece or parcel of land on south side of George Street, more particularly described as follows :—Beginning at a point on the south line of George Street, distant 60 feet 5 inches from the southeast corner of Brunswick and George Streets, being the northwest corner of a property belonging to the City of Halifax ; thence easterly along said south line of George Street a distance of 20 feet 8 inches more or less ; thence southerly 22 feet 8 inches more or less, or until it meets the southern boundary line of property of said E. W. O'Donnell ; thence westerly along said south boundary line a distance of 20 feet 8 inches or until it meets the eastern boundary of

property belonging to the City of Halifax ; thence northerly by said eastern boundary 22 feet 8 inches to the place of beginning.

The above described lot is shown in hatched lines on a plan entitled "Plan of property on George Street to be expropriated for Fire Department purposes," signed by F. W. W. Doane, City Engineer, dated February 5th, 1906, and filed in the City Engineer's office at Halifax, N. S., as Plan No. 1657.

Be it further resolved, That the City Clerk be and is hereby authorized and instructed by and on behalf of the City of Halifax to pay into the Supreme Court at Halifax the sum of five hundred (\$500.00) dollars for the lot of land above described, the said sum being in the judgment of this Council a reasonable value of said land, and that the said City Clerk notify the said E. W. O'Donnell of said payment, and that in case the said E. W. O'Donnell shall within one month from the date of service upon him of such notice notify the Mayor of said City that the amount paid into court is not sufficient, that the said owner shall be at liberty to name an arbitrator within one month from the date of service of such notice on him to act with other arbitrators as by law provided to make an award.

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

Moved by Alderman Martin, seconded by Alderman Hubley, that W. G. Wiswell be appointed Arbitrator on behalf of the City to appraise the value of the O'Donnell property. Motion passed.

Read opinion His Honor the Recorder in re Company Taxes and License Fees.

LICENSE FEES, &c.

OFFICE OF CITY RECORDER, CITY HALL, July 14th, 1906.

R. T. MACLREITH, ESQ.,
Mayor of Halifax.

SIR—I am in receipt of your letter of the inst. enclosing a letter of Mr. A. E. Silver, Solicitor of the Eastern Canada Savings and Loan Company and requesting my opinion as to whether or not the taxes imposed by Chapter 68 of the Acts of the present year are to be collected as part of the taxation for the current year.

In reply I beg to say as follows :--

The Act in question imposes taxes in the form of license fees on persons or companies engaged in certain lines of business in Halifax and these taxes are to be "in addition to any rate or tax payable in respect to real or personal property." For the other details of the tax, the time of imposition, the officials by whom it is to be imposed and collected and the machinery for collection one has to look at the other provisions of the City Charter. Obviously, the Act must be read and considered together with these and as a part of the taxing law of the City.

The civic year begins on the 1st day of May and ends on the 30th day of April. It is for this year that the taxes are imposed and the accounts for each year are to be kept distinct from those of every other year. The work of determining the amount to be collected from the taxpayers has necessarily to be begun some time in advance—in the month of September when the Assessors begin their valuation of property. The estimates for the year are prepared on or before the 31st day of December and from these the rate of taxation is determined by the Assessors. This has to be done by the 15th of March, and by Sec. 331 they are required to make up one general book of assessment on which there shall be shown the amount of the rate upon each individual, firm, estate or company. In this book the amount payable by individuals and companies for licenses fees are included and it is after the amount derivable from these and other

sources of income have been determined that the general rate of percentage on real and personal property is determined. The book so made up is sworn to and delivered by the Assessors to the Collector as the taxes to be collected by him for the ensuing civic year.

I do not see how the taxation for the year when so determined can be disturbed by any Act of the Legislature subsequently passed unless by express language giving the Act an *ex-post facto* operation. No Act is to be given such an effect without very clear language and there seem to me to be special reasons here why such an effect should not be given. It has recently been held in the Supreme Court in the City of Halifax vs. Wallace that the liability of a person who has been assessed as the owner of real or personal property to pay the taxes on the same for the ensuing civic year is not affected by the fact that he subsequently before the beginning of the civic year sells the property. In the case of the license fees imposed on a company the same principle would seem to apply when the fees have been imposed by the Assessors, taken into account in striking the rate and returned to the Collector as part of the general book of assessment. The liability to pay has been determined by the action of the Assessors and all that remains is to collect the taxes so imposed. It is true that the Act in question came into force three days before the commencement of the civic year, but it was some time after the taxes had been imposed and it might easily have been as many days after the commencement. In that case it would be plain that the taxes imposed by it could not apply to the year which had already begun, but it would be a strange condition of things if the City's revenue for the year was to be affected by the fact that the date when the Act became law fell a day or two before the 1st of May or a day or two after. Suppose that in place of the Act having been one originating with the City and increasing the taxes payable by the companies over those formerly imposed it had been one originating with the companies and relieving them in whole or in part of those taxes or that it had been an Act relieving personal property of taxation, would it be contended in either case that such an Act passed after the taxes for the incoming year had been made up and imposed could have the effect of striking a large part of them off and leaving the City with a heavy deficit for the year? If an Act amending the taxing law of the City would not be given a retroactive effect in cases such as those I have supposed I do not see how such an effect can be given to the one under consideration.

If the money was collected under the Act it could not be expended as all the appropriations have been made and it could not be added to any one of them and it is not easy to see what use could be made of it. It might in the event of some source of income estimated upon proving deficient be used to supplement the general revenue of the City to the extent of such deficiency, but apart from any such unanticipated use the only thing that could be done with it would be to attempt to treat it as an "Unexpended Balance" under Sec. 264 and add it to the Reserve Fund or Sinking Fund under Chap. 51, 1902. But to do so would be an extremely free interpretation of that phrase which as used in the section and as heretofore understood has only covered money left in the City Treasurer as the result either of economy in expenditure or from an estimated source of income proving larger than was anticipated. It has never so far as I can ascertain been attempted to make it cover moneys avowedly collected in excess of the appropriation and for the sole purpose of placing them in the Sinking Fund. There is no authority that I am aware of for collecting money for such a purpose without a special Act for the purpose and the attempt to do so might involve the City in serious difficulties.

For these special reasons quite apart from the general principle that no statute is to be given an *ex-post facto* effect unless by express words, I am of opinion that the Act in question is not to be construed as having a retroactive effect so as to disturb the scheme of taxation for the current year as determined by the Assessors, the Committee on Public Accounts and the Council, and that the only taxes which can be collected are those included in that scheme and given for collection to the Collector.

F. H. BELL, *City Recorder.*

The foregoing is the opinion given by me to His Worship the Mayor in July last. I have carefully considered the matter since and can only say that I am still of the

same opinion. I would only like to add the following observations on two points which I think may possibly cause some confusion :—

1st—The fact that the civic year begins on the first of May and the taxes are not payable until the 31st of that month may occasion the impression that the alteration of the law before the first of May altered the amount of the tax ; but in my opinion the taxes of the City in this respect present only the common case of a debt due at present but payable at a future date of which an ordinary promissory note or a bill of goods sold with a fixed period of credit are the most familiar illustrations. The liability of the person or company is determined by the action of the assessors and is complete when the rate book is made up. The period of payment only is postponed.

2nd—Some confusion may also be occasioned by the fact that the amounts payable by the companies are called license fees and the assumption that they are therefore to be treated in the same way as the moneys realized from liquor licenses or other licenses properly so called. I think it is clear that although the Statute calls them license fees they are not really such, for some of the reasons given by the Privy Council in dealing with the so called Quebec License Act in the case of Anger vs. The Queen Insurance Company, namely, that any License Act properly so called must contain or imply a power to refuse a license and a penalty for doing business without a license.

Our Act, like the Quebec Act, contains neither of these things, and I think it therefore clear that it must be held, as the Quebec Act was, simply to impose a direct tax upon the companies, which must be treated in the same way as the other taxes imposed upon persons and property.

If, therefore, I am correct in my opinion that these company taxes are a part of the general taxation of the City and that the liability of the companies to pay them was determined in the same way and at the same time as that of the other taxpayers, it seems conclusively to follow that the liability so created cannot be disturbed by a subsequent Act without clear language making it apply to existing liabilities.

F. H. BELL, *Acting-Recorder*

Halifax, N. S., November 28th, 1906.

Filed.

Read report Library Committee covering accounts.

LIBRARY ACCOUNTS.

COMMITTEE ROOM, CITY HALL, Dec. 4th, 1906.

To His Worship the Mayor and City Council:

GENTLEMEN,—The Library Committee recommend the following accounts for payment :—

H. W. Wilson, \$6.00. American Lumberman, \$3.50. School for the Blind, \$1.80. J. R. Finlay, \$6.00. C. Tyler, \$1.20. M. E. Jamieson, \$1.00. Mrs. Black, \$26.00. Mutual Subscription Agency, \$209.25. Tabard Inn Library, \$27.27. Cazenove & Son, £67 16s. 1d.—\$329.98. Total, \$662.00.

WALTER C. MURRAY, *Chairman.*

The following resolution is submitted :—

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

Moved by Alderman Gastonguay, seconded by Alderman Kelley, and passed.

Read report Coal Weighers for October. Filed.

Read report W. G. Wiswell re value of Hennessey property required for straightening of Young Street.

STRAIGHTENING YOUNG STREET.

Halifax, N. S., Dec. 3rd, 1906.

His Worship the Mayor and City Council:

GENTLEMEN,—Having received notice that you appointed me to appraise the value of a certain piece of property you propose to acquire from property belonging to the Misses Hennessey at the junction of West Young and Gottingen Streets, and an accompanying plan from the City Engineer explaining the same, I have to report that after an inspection of the property and buildings to be removed, &c., &c., I do estimate the value of the property to be taken and buildings to be removed and made good to be two thousand one hundred and twenty-five dollars (\$2,125 00).

W. GEO. WISWELL.

Moved by Alderman Martin, seconded by Alderman Hubley, that said report be received and referred to the City Engineer to prepare a plan and report. Motion passed.

Read letter Department of Marine and Fisheries re grant of foreshore at North-West Arm.

GRANT OF FORESHORE AT NORTH-WEST ARM.

OTTAWA, 7th Nov., 1906.

The City Clerk:

SIR,—I beg to acknowledge receipt of your letter addressed to the Minister of Marine and Fisheries, dated the 1st instant, with plan, transmitting an extract from the minutes of a meeting of the City Council of the City of Halifax held on the 30th October, 1906, objecting to the granting of the foreshore in the North-West Arm of the Harbor of Halifax to the Saraguay Club or any other private corporation.

In reply I beg to say that the objection of the Council has been noted.

C. STANTON,

For Deputy-Minister of Marine and Fisheries.

Filed.

Read letter John P. Longard declining to accept appointment to prepare tests for new steam fire engine. Filed.

Read report His Honor the Recorder re suit Hart vs. MacIlreith et al.

HART vs. MACILREITH.

NOVEMBER 28th, 1906.

His Worship the Mayor:

SIR,—I beg to report that in this action which I was instructed to defend Mr. Justice Meagher has given a judgment in favor of the defendants on the ground that such an action as the present for the recovery of an alleged improper expenditure of public money cannot be maintained by a private citizen, but only by the Attorney-General as representing the public. The point if sustained is I think of importance to the City as otherwise the City would be liable to vexatious suits brought to test any item of expenditure, whereas the Attorney-General can exercise a discretion as to what

actions he will lend his name to. The learned judge in the course of his judgment expressed the opinion that the expenditure in question in this action was unauthorized and illegal. This was not necessary for the determination of the action which was completely disposed of by the other ground, and I need only say that I do not accede to it and am prepared to dispute its correctness in the event of an appeal which Mr. Hart's solicitor informs me his client intends to take.

F. H. BELL, *City Recorder.*

Filed.

Read letter A. M. Payne re Advertising Halifax.

Moved by Alderman Powell, seconded by Alderman Kelly, that the same be referred to the Committee on Public Accounts for report. Motion passed.

Read report Public Accounts Committee re accounts.

PUBLIC ACCOUNTS.

COMMITTEE ROOM, CITY HALL, Dec. 7th, 1906.

To His Worship the Mayor and City Council :

GENTLEMEN,—Your Committee on Public Accounts beg to recommend the following accounts for payment :

Holloway Bros., printing Annual Report, \$339.50 ; Printing Minutes, &c., \$24.60.
W. G. Wiswell, valuing land for extension Young Street, \$10.00. Total, \$374.10.

J. A. JOHNSON,
JOHN J. KELLY,
LEWIS ARCHIBALD.

The following resolution is submitted :—

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

Moved by Alderman Archibald, seconded by Alderman Kelly, and passed.

Read Message from the Deputy-Mayor relating to the landing of the English mails at the Port of Halifax and certain matters appertaining to the general welfare of the Province of Nova Scotia.

MESSAGE FROM DEPUTY-MAYOR JOHNSON.

CITY HALL, Halifax, December 7th, 1906.

To the Council of the City of Halifax :

GENTLEMEN,—According to the Charter, the Mayor (and in his absence the Acting Mayor), is expected to lay before the Council from time to time any matter which comes to his attention materially affecting the City—hence this message.

About forty years ago there was a co-partnership formed between four provinces, viz., Ontario, Quebec, New Brunswick and Nova Scotia. This co-partnership was known as the Dominion of Canada. The understanding was that it was for the general good of the various provinces. Nova Scotia in those days was prosperous, and it was to the great advantage of the other partners that this province, with its great resources, should become a partner with them. At one time it was strenuously opposed by many

of the people, but now I doubt if there is a stronger Canadian sentiment in any part of Canada than there is in this province to-day, notwithstanding the fact that it has not been fairly treated in the partnership that took place forty years ago.

The party feeling is so strong in this province on both sides of politics that the leaders of the various governments in the past forty years have taken advantage of it, and this has resulted in Nova Scotia not getting a fair deal in some of the great undertakings which have transpired in Canadian history.

When the four provinces were comparatively young they purchased the great North West Territory, out of which a number of provinces have been created, which may be likened unto children of the four original provinces. In many instances these children have proven their naturalness by showing their ingratitude to their parents.

The confederation undertook a momentous task for their then condition when they decided to build a railway from ocean to ocean; also to spend about \$100,000,000 on canals, and almost a like amount in improving the St. Lawrence River.

The members of Parliament from Nova Scotia heartily supported each one of these great undertakings, with the understanding that they would have a fair deal as time went on.

The Intercolonial Railway was also built, and for about a quarter of a century had its headquarters in a hamlet near Quebec. This was a great benefit to the merchants of Ontario and Quebec, as it enabled them to flood the markets of the Maritime Provinces with their goods. It may be a benefit to some individuals in Nova Scotia to have this railroad a government railroad, as they thereby have a few cents less to pay in freight than if it belonged to a company.

The way Nova Scotia was deceived in connection with the Canadian Pacific Road going through the State of Maine is well known to any intelligent Nova Scotian. The whole interest of Nova Scotia was sacrificed for one individual who was interested in a certain piece of railroad.

We will give the gentlemen who were representatives from Nova Scotia, and who supported the government at that time, credit for believing that the solemn undertakings of the then Minister would be carried out. It was left to that august assembly known as the Senate of Canada to kill Nova Scotia's hopes. If, however, both sides had sunk politics and stood as one man to demand their rights, it is believed that the Harvey-Salisbury Line would have been built.

Notwithstanding the fact that the Dominion of Canada taxed her resources to the utmost to build the Canadian Pacific Railroad, which was supposed to be for the benefit of the whole of Canada, still Nova Scotia has never been benefited to any extent from the building of this road; and recently, when they were asked to land their mails at this port, they had the bad grace after sailing into our magnificent harbor, instead of going to a wharf, to anchor their ships and transfer the mails to a lighter; and in connection therewith misrepresentations have been made to the public which have seriously affected this port.

The Dominion Government pays a large subsidy (I understand £2500) for the round trip in order that the Canadian mails may be delivered in the least possible time, yet by deliberately anchoring in the harbor they lost from two to four hours in delivering these mails. It is a well known fact that the mails landed from the "Empress of Ireland" reached Montreal about ten hours sooner than the mails which were taken to St. John, to which add about two hours lost by not going to the wharf. Although these mails were landed in Montreal ten hours in advance of what they would like to call the "Over-seas" mail, they carried these mails in a much faster train than the Halifax mails. If they had put them on a freight train they thereby would probably have served their purpose better, as they would not have arrived out West for several days after they did. Then the news is spread throughout the country by some agency that the delay in receiving the English mails was on account of their being landed in Halifax. This is a reflection on Halifax, and whatever hurts the capital of Nova Scotia hurts the whole province.

Canada which has grown from four provinces to nine, has recently undertaken to

build another great transcontinental line, and assistance has been given to a third line (the Canadian Northern) It happens that all the representatives from Nova Scotia are on one side of politics and supporting the government. It is up to them to see that Nova Scotia's interests are not again sacrificed. A great many Nova Scotians feel considerable alarm from the fact that the contract for the Quebec and Moncton line has not yet been let. The eighteen members from Nova Scotia should see to it at once that this contract is let and that work be started simultaneously with the other contracts.

Nova Scotia has had returned to it a little of its own money, which may be compared to a *mess of pottage*, in the shape of some wharves and breakwaters, but which count to no great extent in materially affecting the general prosperity of the country.

It is a well understood fact that the prosperity of any country depends in a large measure on its transportation facilities. We have but one line of railway out of the province of Nova Scotia, and as it does not communicate with any great system it is practically of no value except to transport local freight from one point to another.

It would be absurd to think that the Grand Trunk Pacific should be put in the same position that the Intercolonial was formerly in, when it stopped at the hamlet in Quebec, viz : that this great system should stop at the town of Moncton. It must have an outlet : It must come to Halifax : It should have a line of its own. The eighteen members for Nova Scotia should demand that it be extended to Truro and on to Halifax. If they do not do so it is to be hoped that Nova Scotia will take the first opportunity to teach them that they have betrayed their province.

Some members of parliament would probably prefer Nova Scotia to be handicapped in the way it is, as this is the paying end of the Intercolonial. The money made in Nova Scotia by the Intercolonial is used in the loss brought about by running it through the northern part of New Brunswick and Quebec. It would probably be to the advantage of Nova Scotia if the Intercolonial were turned over to some great transcontinental line, the Grand Trunk Pacific, the Canadian Northern or the Canadian Pacific, provided the government maintained the existing rates, that the terminal facilities at Halifax should be common to all, and that the contracting line should pay say 4% on the gross cost of the road, this income to be devoted especially to Nova Scotia and New Brunswick. Ontario could not object ; they have their canals that cost this province a tremendous amount of money. Quebec could not protest, when they consider the vast amount of money that is expended on the St. Lawrence. The western provinces should applaud this, when they consider the hundreds of millions of money which were spent in creating them.

The seventeen members should back up the member for Cumberland in demanding that the preference on British goods should only apply to goods coming through Canadian ports. Until there is a sentiment from the Atlantic to the Pacific that the hopes, aspirations and just desires of all the provinces should mutually receive fair consideration, Canadian confederation will not be the success that it should be.

We call upon those interested in Nova Scotia to demand that the Canadian Pacific boats which carry the mails should land at the wharf in Halifax and that they should take passengers from Halifax.

A resident of this city who wished to take the "Empress of Ireland" was compelled to take the train to St. John at considerable inconvenience and expense, as this ungrateful corporation, although a common carrier, demanded that he should do this.

The average Nova Scotians are good natured, long forbearing individuals, and they have been suffering the disadvantages mentioned above for many years. It is nothing but right that the capital of the province should utter a protest, not only on its own behalf but for the whole province, and we should call upon our sister cities and towns to agitate and insist that the gentlemen who happen to represent this province in Canadian politics must do better in the future on its behalf than they have in the past.

I feel it my duty to present this matter to the Council and trust that some action may be taken in connection with the same.

J. A. JOHNSON, Acting Mayor.

The following resolution is submitted :—

Resolved, That this Council approves of the Message of the Acting-Mayor in reference to the landing at the port of Halifax of the English mails by the Canadian Pacific Railway steamers and of the other matters referred to in said message :

And further resolved, That copies of the said Message and of this resolution be transmitted to the members for this county at Ottawa, to the Minister of Railways and the Postmaster General

And that copies be also forwarded to each municipal body in the province, and that they be requested to forward to the City Clerk an expression of their approval or disapproval of the sentiments expressed in the Message of the Deputy-Mayor.

Move i by Alderman Hubley, seconded by Alderman Shaffner.

Moved by Alderman Taylor, seconded by Alderman Powell, that Alderman MacKenzie take the chair in order to give the Deputy-Mayor an opportunity to speak to the resolution. Motion passed.

Alderman MacKenzie takes the chair.

Deputy-Mayor Johnson addresses the Council.

The Deputy-Mayor resumes the chair.

Alderman Douglas moves in amendment to the resolution that all reference in the Deputy-Mayor's Message to the disposal of the Intercolonial Railway be referred to the Committee on Laws and Privileges and that the balance of the Message be adopted.

Amendment put and lost, 5 voting for the same and 6 against it, as follows :—

For the Amendment.

Aldermen Archibald, Powell,
Douglas, Lamphier,
MacKenzie—5.

Against it.

Aldermen Shaffner, Taylor,
Gastonguay, Kelly,
Hubley, Martin—6.

The original resolution is put and passed unanimously.

Read report Board of Fire Wards on various matters and covering an opinion from His Honor the Recorder re action against the Halifax Electric Tramway Co. for damages to a chemical engine in October, 1904.

IN THE MATTER OF THE INJURY TO THE CHEMICAL ENGINE BY THE
HALIFAX ELECTRIC TRAMWAY COMPANY.

RECORDER'S OFFICE, December 3rd, 1906.

Chairman Board of Fire Wards :

SIRS.—In this matter, which I was directed to attend to by the Council, I have, with the assistance of the Chief of the Fire Department, made careful inquiries. It is obvious that the City could only recover for the injury done to the chemical engine by the car of the Tramway Company, by proof of negligence on the part of the Company

or its driver, and that this claim would be vigorously contested by the Company. The Tramway Company have undoubtedly the right to use the streets with their cars, and it would only be upon clear proof of negligence in the operation of the cars that a recovery for any injury of this description could be had. Two of the principal witnesses on this point, was a woman who beckoned to the car to stop, and who was able to see at that time the engine approaching and that the risk of a collision was imminent, and another witness, a painter, who says that at the time the car passed him, immediately before the collision, the motorman was not ringing his gong. Both of these witnesses are absent from the City. Apart from these, the only witnesses are the driver and engineer of the engine and their evidence, although very material, would naturally be subject to the criticism that they are most materially interested. In the absence of these disinterested witnesses, I am of opinion that the chance of recovery so long after the accident, is very doubtful, and I would not recommend the City to begin an action.

F. H. BELL, *City Recorder.*

FIRE DEPARTMENT ACCOUNTS, ETC.

COMMITTEE ROOM, CITY HALL, December, 7th, 1906.

His Worship the Mayor and City Council :

GENTLEMEN,—The Board of Fire Wards beg to report as follows :—

1. On the first instant, the Board notified the N. S. Board of Fire Underwriters, in reply to their communication of November, 1904, that paragraph 3 of their memo of charges, requiring the installation of more fire alarm boxes and the placing of tappers in houses of call-men, had been complied with and requested the promised reduction of five cents.

2. Attached hereto is an opinion from His Honor, the Recorder, respecting the damage sustained by chemical engine No. 2, in October, 1904, through an electric car running into it, advising that no action be brought against the Tramway Company.

3. The following accounts are recommended for payment :

Halifax Electric Tramway Co., light \$35.08 ; power \$5 75—\$40.83. Farquhar Bros., plumbing, etc., \$150.52. Hillis & Sons, Ltd., pipe, etc., \$2.50. Starr, Son & Co., electric supplies, \$2.30. Thomas Forhan & Co., rope &c., \$4.28. T. C. Allen & Co., file, \$1.00. J. C. Calder, polish, \$11.40. J. F. Crowe & Co., soda, \$4 40. Melvin & Co., hardware, \$6.50. Freeman's, furniture, etc., \$32.46—\$4.88—\$37.34. Stairs, Son & Morrow, hardware, \$18 11. Canadian Rubber Co., hose, etc., \$14.50. \$500.00, \$12 00—526.50. Canadian General Electric Co., electric supplies, \$82 00. John Davison & Son, lumber, \$5.75. W. S. Craig, plumbing, \$1.00. Globe Laundry, work, \$3.08. G. M. Cullen & Co., glazing, \$11.90. James Taylor, mason work, \$95.00. Neil Fox, harness work, 75 cents. A. Allison, harness work, \$3.70. Wm. McFtridge, roofing, \$103.00. Mabou & Gulf Coal Co., coal, \$73.95. J. S. Cashen, forage, \$261.40. W. C. Knight, harness work, \$7.65. J. H. Mont & Co., carriage work, \$15.99.—J. W. Churchill, carpenter work, Grafton St. engine house, \$90.00. Horseshoeing.—P. Poirier, \$4.25. Robert Horner, \$5 60. T. Robinson, \$6.81. John Meagher, \$14.07. O'Connell Bros., \$10.15. Total, \$1601.73.

WM. R. POWELL, *Chairman pro tem.*

The following resolution is submitted :—

Resolved, That the report of the Board 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 Powell, seconded by Alderman Archibald, and passed.

Read opinion of His Honor the Recorder and plan prepared by the City Engineer re property of H. McC. Hart on Lockman Street.

IN RE PROPERTY OF H. McC. HART.

RECORDER'S OFFICE, Halifax, Dec. 7th, 1906.

His Worship the Mayor :

SIR,—Pursuant to resolution of Council passed at last meeting, I have had several consultations with the City Engineer on this matter and given it my careful consideration.

The only laws which Mr. Hart could possibly have infringed would be :

First—Those in reference to the sanitary condition of the building.

Second—The requirements of the Building Act.

Third—The possibility of fire risk.

Whether Mr. Hart has violated any of these would be rather a question of fact to be determined upon an inspection of the buildings and the ascertainment of the actual facts with reference to them. I have consulted with the persons who would have knowledge of the condition of the buildings, and I do not know of any law which has been violated by him. The trouble with the property appears to be rather of the sort that could be met only by enactments relating to the housing of the people such as have been passed in England. We have no Acts of that description in this province, and for that reason the existing Acts do not appear to deal with such a condition of things as is presented by Mr. Hart's property.

F. H. BELL, *City Recorder,*

Moved by Alderman MacKenzie, seconded by Alderman Shaffner, that His Honor the Recorder be requested to look further into this matter and that the Committee on Laws and Privileges and the Recorder and City Engineer prepare an act for submission to the Legislature at its next session prohibiting the establishing of buildings to the detriment of adjoining property. Motion passed.

Read report Tenders Committee re tenders for printing list of voters.

PRINTING LIST OF VOTERS.

COMMITTEE ROOM, CITY HALL, Dec. 6th, 1906.

His Worship the Mayor and City Council :

GENTLEMEN,—The Committee on Tenders beg to report that at a meeting held this day they had before them tenders for printing the List of Voters for 1907, as follows :—

MacAlpine Publishing Co., per name 2 $\frac{3}{4}$ c.

Herald Publishing Co., per name..... 2 $\frac{1}{2}$ c.

It is recommended that the tender of MacAlpine Publishing Company, being the lowest, be accepted

N. V. GASTONGUAY,

A. LAMPHIER,

JAMES HALLIDAY.

Moved by Alderman Gastonguay, seconded by Alderman Lamphier, that the report be adopted. Motion passed.