

SEMI-ANNUAL MEETING
OF THE
EIGHTH MUNICIPAL COUNCIL.

FIRST DAY.

HALIFAX, WEDNESDAY, APRIL 11TH, 1894.

In pursuance of adjournment and special notices, the members of the County Council met at the Court House on Wednesday, April 11th, at 11 o'clock. In consequence of late snowstorms several were unable to reach Halifax in time. The Warden and 24 Councillors were present, and the County Clerk.

The Warden took the chair and delivered the following address:—

WARDEN'S ADDRESS.

Gentlemen of the Municipal Council:

Again I am pleased to meet you for the discharge of your municipal duties.

The most important business we have to transact this session will be the apportionment of the road grant for the present year, and to decide upon the mode of expenditure. I trust the Committee charged with that duty will give the subject their earnest attention. The best and most economical way of expending the road grant is a question that has puzzled Legislators, and might well perplex County Councillors. The Councillors are not unmindful of the importance of adopting the best system possible, for getting the most work on the roads for the money expended. I think that experience has taught us that while the commission system

is best in some districts the expenditure of the money by supervisors is more economical in others; therefore, if we adopt the system of commissions, it will not prevent the Councillor of any district expending his money through a supervisor, as only commissions on the amount expended are paid in either case.

Since our last meeting the judgment of the Supreme Court has been given in *Casey vs. Smith*, declaring Dennis Smith the rightful Councillor for District No. 36. I may also inform you, that since the Annual Meeting in January, I was served with a writ of injunction restraining me from signing Wm. Wilson's license. The Supreme Court has granted the injunction and I have therefore obeyed it, and endeavored to put the County to the least possible expense in the matter.

At this meeting the measurements of the Roads and Bridges are to be submitted to you, under a resolution of Council passed last January. I trust this will be of assistance to the Road and Bridge Committee in apportioning the road grant. Respecting our conference with the Government in reference to the question of Coroner's Inquests, they have enacted some legislation in the right direction, but at present I cannot inform you as to the exact nature of the change in the law.

The Legislature has also passed an Act empowering this Council to appoint a Deputy Stipendiary, to act in case of illness or absence of the Stipendiary.

There was some unfinished work left over from the January session, to which I beg to call your attention.

You have at this meeting to appoint Electoral Revisors, which I hope you will do with a view to the best interests of the Municipality, irrespective of political or other considerations.

And now let me ask you to transact all matters coming before you with promptness and dispatch, consistent with a due regard to the welfare of the ratepayers whom you represent.

Read the Minutes of the last day of January Session, which, on motion, were confirmed.

Read a petition from Geo. DeYoung, J. W. Stairs and 100 other inhabitants of District 33, (Eastern Passage) asking for a section of road, according to plan, to be laid out from Soward Road to New Cole Harbor Road.

Read in connection a similar petition and precept, which had been issued thereon and suspended last year.

Read also a counter petition from John Himelman and others, which was submitted and laid on the table at Jan. 4th Session. The Statute provided the course to pursue in such case.

On motion of Councillors Bartlett and Madill.

Resolved, That a precept be issued for opening a road to certain parties in District 33, and a Committee be appointed to lay out the road. Passed.

The Committee appointed to fulfil the precept were B. J. Newcomb, Wm. Moser and Joseph Osborne.

Read a letter from D. W. B. Reid, Inspector of Licenses for this County, referring to an accident causing injury to himself, the loss of his horse and damage to his waggon, while in discharge of his official duties; and requesting to be reimbursed in part or in whole by the Council in consideration of the loss.

After some discussion it was decided that the letter lie on the table.

On motion the Council adjourned to 2.30 p. m.

Afternoon Session.

WEDNESDAY, APRIL 11TH, 1894.

The Council met at 2.30 o'clock. Present the Warden and 25 Councillors. The minutes of morning meeting were adopted.

Read a letter from J. M. Reid, Manager of the Oxford Mines, District 36, giving a list of 12 persons qualified to vote and entered on former Revised List, who were disfranchised by being struck off by the Revisor in the List of 1893. He desires that the matter be enquired into, and advocates the necessity for the appointment of competent and reliable men as Revisors, etc. The consideration of the letter was deferred.

On motion moved by Councillors of the respective Districts and seconded and passed, the following persons were appointed Revisors of Electoral Lists for 1895, viz:

- For District No. 7—Chas. P. Roach.
 “ “ “ 8—Moses Brooks.
 “ “ “ 9—John E. Tough.
 “ “ “ 10—Jas. A. Coolen.
 “ “ “ 11—Wesley Crooks.
 “ “ “ 12—Alfred Worger.
 “ “ “ 13—Geo. W. Marriott.
 “ “ “ 16—Albert Haverstock.
 “ “ “ 17—Thomas Hamilton.
 “ “ “ 18—John E. McDonald.
 “ “ “ 19, 20—Isaac Logan, Robt. Killough.
 “ “ “ 21—Hugh G. Reid.
 “ “ “ 22—Thos. A. Parker.
 “ “ “ 23—John Jollimore.
 “ “ “ 27—Henry Guild.
 “ “ “ 28—John F. McLaren.
 “ “ “ 29—John McDonald.
 “ “ “ 30—Joseph Evans.
 “ “ “ 31—Jas. Farquharson, John Lapierre.
 “ “ “ 32—John P. Webber.
 “ “ “ 33—George Bowes.
 “ “ “ 35—Edward Cruickshank.
 “ “ “ 36—Samuel Gaetz.
 “ “ “ 38—David Dugan.

Those for Districts 14, 15, 20, 24, 25, 26, and 34 were deferred until Councillors should arrive.

Councillor Thompson referred to a Statute Labor Section on the Kearney Road, extending to the Chapel, and being in Councillor Donaldson's District, whose Overseer has charge of it.

He moved, seconded by Councillor Fagan—

That the Statute Labor Sections on the several roads in the County, as handed over to the Municipality by the old Sessions, remain in force as then apportioned, unless in cases where such have been revised by this Council, or as they may hereafter be changed by authority of a vote of this Council.

On motion, decided that the resolution lie on the table.
 Frank Thompson was appointed to make up the Statute Labor Schedules for 1894 in District 16.

Moved by Councillors Donaldson and Burreis—

That Statute Labor Section, No. 3, extend to the Catholic Church in District 15, the same being within that Electoral District.

In amendment, Councillors Thompson and Fagan moved—

That the Statute Labor of Section 3 be performed under the direction of the Overseer appointed from District 16.

The amendment was lost and the resolution carried.

The several Councillors for the undermentioned Districts nominated and moved the following appointments, which were seconded and passed :—

District 12, Samuel Boutilier to be Constable, instead of Angus Boutilier.

District 30, George Biggs to be Presiding Officer. The Board of Health to be Richard Kemp, Peter Clayton, John Nelson, Sr., and Joseph Smith.

Overseer Statute Labor, George Crawley, instead of William Carvery, deceased.

District 11, Robert Munroe to be Presiding Officer in place of George Allan, deceased.

District 33, Edward Trider, Overseer Statute Labor, instead of Henry Archibald, removed from District.

District 22, J. P. Dean, Overseer Statute Labor, vice Jas. Dean, over age.

District 21, Edward Jennings to be Overseer of Statute Labor for Section 22, vice Thomas Reynolds, over age.

District 38, Isaac Publicover to be a Constable.

District 28, Joseph Mayette to be Overseer Statute Labor vice Oliver Mayette, gone away.

The Council adjourned to Thursday at 10.30 a. m.

SECOND DAY.

THURSDAY, APRIL 12TH, 1894.

The Council met at 10.30 A. M. Present, the Warden and 27 Councillors, including Messrs. D. Smith, Henley and Fraser, who had arrived. The Minutes of previous meeting were adopted.

Read a petition from Wm. White (Overseer) and 23 others of Purcell's Cove, District 7, stating that the persons liable for Statute Labor had all shovelled snow to the extent of requirements for the year, which would deprive the Section of road work this year, and asking special grant for the road, and for building about 100 feet of fencing at a

place called the Quarry Gardens, where the side of the road had a fall of 15 feet, &c.

The Clerk read Section 23 of Highway Labor Act (Chap. 47), which requires snow to be cleared so as to render the roads passable, without relieving the people of a section from their usual Statute Labor at the usual prescribed time.

On motion the petition was ordered to lie on the table.

Read a petition from P. W. Maskell, Seth Dooks and 19 others in Jeddore District, asking for a road of about 1½ miles to be laid out from the main Coach Road to the head of Salmon River for local advantage and that of the public generally, etc.

On motion referred to Road and Bridge Committee.

Moved by Councillors Taylor and Madill—

That on account of the absence of David T. Pearson, Overseer of Road Section 10, District 21, said Section No. 10 for the present year be joined to and form part of Section No. 11, Samuel P. White to be Overseer of the united Sections. Passed.

On motion the following officers were appointed:—

In District 7—James Lynch, Overseer of Statute Labor, in place of Wm. Henrion.

District 30, Joseph Evans, Revisor of Electoral Lists.

District 13, Alex. Drysdale, Overseer Statute Labor in place of George Carmichael, left the District.

District 36, George J. Kenty, Overseer Statute Labor from the main road to Oxford Mines, Section 20.

District 31, Samuel Cribby, Road Overseer, in place of Reuben Ernst, now resident elsewhere; and Henry Lethbridge, Overseer of Poor, vice Herbert Tufts.

District 27, to be Constables—John W. Webber, Wm. H. Mitchell, and Gideon Blakeny. Albert Warnell to be Custodian of Salmon River Draw Bridge. To be Overseers of Roads, Charles H. Webber, instead of Wilson Webber (going away.) Joseph Debay, Sr., in place of Thos. Day (going away.) Walter Siteman, in place of Jacob Siteman (over age.) To be Revisor, Henry Guild.

Moved by Councillors Fagan and Wilson—

That the Committee on Public Property visit the Poor Farm before we adjourn. Passed.

Councillor Thompson called attention to some unfinished business of last session. In this connection the discrepancy between the Stipendiary's and Inspector Reid's reports of Fines was shown to be that the fines in three cases amount-

ing to \$150 were not paid to Mr. Griffin, as these cases were not tried in his court.

The Warden said the other matters would come up in due time.

Read, a Petition from Wm. Shaw and 48 others in District 29, stating, that owing to the closing up of the outlet to Lake Porter by the action of the sea, the water had done great damage to the roads round the foot of the Lake, and asking for a special grant to restore them, the allotment of the County Road grant being entirely insufficient to do the work. Referred to the Road and Bridge Committee.

Read a petition from David A. Power, D. McLean and a number of other rate-payers of District 36, residing in Statute Labor Section No. 1, protesting against the division of the Section obtained by the Councillor in the January Session, as being unequal and an injustice to the greater and more highly assessed portion of the District, placing the burden of clearing heavy snow falls and repairing the road on the smaller number of people, and asking that the Section remain as formerly bounded. Referred to Road and Bridge Committee.

Read the Report of Committee on Jury Lists Revision, submitted by the Chairman. On motion the Report was received and adopted.

Councillor Thompson referred to the work of the Committee on Public Property as being important, arduous and responsible, requiring frequent attendance of its members. He then moved, seconded by Councillor Donaldson, a resolution that the members of the Committee on Public Property be paid at the rate of \$1.50 per day for every day's actual service when called together by the Chairman. The measure was discussed for some time, but on being put was lost.

Read a letter from F. T. Congdon, stating that he had been instructed by ratepayers in Districts 13, 14 and 15 to bring to the notice of the Council the fact that the Revision in these Districts has not been legally done. The List for District 15 had never been properly posted or submitted to the Revisors. He was instructed to ask for an investigation into the matter. Councillors Madill, McMullan and Fraser were appointed as the Committee to investigate and report on the complaint later in this Session.

Hon. Provincial Secretary was present during this Session.

The Council adjourned to 2.30 p. m.

Afternoon Session.

THURSDAY, APRIL 12TH, 1894.

The Council met at 2.30. Present the Warden and 28 Councillors. Minutes of Morning Session were confirmed.

Moved by Councillors Madill and Taylor—

That Rock Bridge in District 19 be placed under the Bridge Act and amendments thereto. Passed.

Read a petition from G. H. O. Parker, J. H. Keys and a large number of ratepayers of Gay's River (District 19), laid over from January Session, asking for a shorter road to be laid out from Milford to Gay's River, leaving the road at foot of Archibald McPhee's Hill running through the Mill Road, thence nearly straight through to Gay's River Road, avoiding some bad hills and generally accommodating the public better.

On motion a precept was ordered to be issued to a Committee composed of W. J. Tays, R. H. Killough and W. Wilson, in District 19, to lay out and report on said road.

The Clerk submitted the amount of the Road Grant for Halifax County for 1894 as follows, per official statement.

Amount of Grant in full.....	\$12,433 00
Less interest on Bridges, etc.....	2,634 16

Nett sum to be disbursed to Districts.....	\$9,798 84
--	------------

Councillor Taylor referred to the failure of a number of Councillors to comply with the resolution in January as to measurements of Roads and Bridges in their Districts. The result intended being incomplete he, as Chairman of the Road and Bridge Committee, desired instructions or some suggestions as to the mode of allotting the Grant for 1894. After some discussion the Council adjourned to Friday, 13th inst., at 10.30.

THIRD DAY.

FRIDAY, 13TH APRIL, 1894.

The Council met at 10.30. Present, the Warden and 27

Councillors. The Minutes of the previous meeting were confirmed.

Messrs. Cole and Kirker arrived and took their seats.

On motion of Councillors Sellars and Bissett—

Resolved, That \$20 be assessed for support of Poor, District 29, for 1894.
Passed.

Councillor Thompson enquired as to the position of the claim for damages made by Mr. Young, laid over from January.

The Warden stated he had heard nothing of it since, and Mr. Bulmer, Young's Attorney, seemed to have abandoned the matter after hearing about the result of the Pictou suit. The demand on the County for \$100 was probably a game of bluff.

Councillor Thompson enquired whether there was any limit fixed for the time within which the Revision of Jury lists should be completed. The pay for the Committee, \$1.50 per day, and the time taken made the cost extravagant for the work.

The Clerk said the Statute was indefinite, but the Council might control the matter.

Moved by Councillors Sellars and Bissett—

That the Bridge known as Little Mineville Bridge, on the road leading from Mineville to Harvey Road, be placed under the Government Bridge Act. Passed.

On motion, the following Revisors of Electoral Lists for 1895 were appointed:—

District 25—Edward Quillman.

“ 26—James E. Conrod.

“ 20—John McMullen.

On motion of Councillors Thomas and Smith, Stuart Innes was appointed Overseer of Statute Labor in District 30, from Salmon River Bridge East, to Lake Porter.

Read, a letter from Warden Thompson, East Hants, to Councillor Wilson, in reference to the renovation or reconstruction of Enfield Bridge, which he considers to be in a bad state and requiring to be placed under the Bridge Act; and that it should be built of concrete and iron if the Engineer decided to rebuild instead. If Halifax Council would put it under the Bridge Act he would recommend East Hants to do the same for their proportion at their meeting on 1st May.

Councillor Wilson reported that he had personally in-

spected the Bridge and found it as others had stated, not only defective but dangerous and needing to be rebuilt rather than repaired.

He moved, seconded by Councillor Fagan, as follows:—

Whereas, The Enfield Bridge over the Shubenacadie River is a combined charge to Halifax and Hants Counties, the river being the dividing line between the Counties.

And Whereas, Said Bridge is 157 feet span and reported in a very unsafe condition and needs renewing,

Therefore Resolved, That this bridge be placed under the Bridge Act and amendments thereto, provided the same be concurred in by the Municipality of East Hants County. Passed.

Hon. Provincial Secretary addressed the Council with reference to the employment of Road Machines, which had been found useful in Pictou and Cumberland and had been provided by the Government, who had made a special appropriation for the purpose of encouraging the use of such machines generally in the Province. If the Council concurred and it would be used, a machine would be provided for Halifax County. These machines might not suit the Shore Districts, but might be used with advantage in the inland sections. In several Counties experience had shown after a trial that these machines were giving satisfaction and were desirable as efficient and labor-saving.

A general discussion followed.

Councillor Burris said that while he believed the machine was not so well adapted to the Shore Districts, he thought that in the districts of the Musquodoboit Valley and Gay's River there were 400 miles of roads on which the machine could be effectively used. He was very glad indeed to find the Government introducing these machines, and hoped that arrangements would be made to place one within the reach of the Councillors in Halifax whose districts were adapted to them.

Several other Councillors, representing the same part of the County, indorsed the views of Councillor Burris. Others, however, expressed the opinion that stone-crushing machinery would be more useful for the County generally than the proposed road machine.

Mr. Fielding said he was glad to find Councillors approving the use of stone crushers, and thought arrangements could be made at an early day for introducing them, but at present funds were not available. Such machines would be much more expensive than the kind offered by the Government.

The Warden said he had seen the road machines and their effect on the roads in P. E. Island, where the soil admitted of their use, but Halifax County granite, etc., would offer insuperable obstacles to their use here. The rock crushers were much more suitable and desirable.

Several Councillors from the Shore Districts expressed their approval of a road machine for the benefit of the sections which could use it, and would also have the question of rock crushers considered another time.

It was moved by Councillors Bissett and Burris—

That the Council approve of and accept the offer of the Road Machine as proposed by the Government.

Moved in amendment by Councillors Thompson and Donaldson—

That the amount which the Road Machine would cost—between \$200 and \$300—be applied to the purchase of a Stone Crusher.

Mr. Fielding stated that the amendment made no provision as to whence the balance of the cost of the Crusher was to come. If the Council desired a Stone Crusher instead of a Road Machine and were prepared to provide the balance, which would be very considerable, from the County Road Fund, he thought the Government would offer no objection.

Councillor Thompson stated this was the intention of the amendment, which was altered accordingly.

The amendment was put and lost. The original motion was then put and passed by a large majority.

(W. A. Black, Esq., M. P. P., was present and given a seat next the Warden during the discussion.)

The Council then adjourned to 2.30 p. m.

THIRD DAY.

AFTERNOON SESSION, APRIL 13TH.

The Council met at 2.30. The Warden and 29 Councillors present. The minutes of Morning Session were adopted.

On motion Solomon Fancy was appointed Revisor for District 24, and Edward Balcom, Jr., Revisor for District 34.

Stephen Keddy was appointed Overseer of Roads for District No. 30.

Councillor Bissett said that he would arrange for the conveyance of Committee on Public Property to visit the Poor Farm when desired.

Moved by Councillor Donaldson, seconded by Councillor Bartlett—

That the following officers be appointed in District No. 15, in lieu of those appointed at the last January Session, viz.:

Andrew Archibald, Road Overseer for Section 2, in place of Charles Boutilier.

William Wilson, Board of Health, in place of John Croucher.

Chas. Fitzmaurice, Sanitary Inspector, in place of James Currie.

Willard Richardson, Surveyor of Lumber, in place of Richard Richardson.

George VanBuskirk, Tax Collector, in place of Edward Boutilier (deceased.)

W. W. McLellan to be Revisor. Approved.

GEO. H. MADILL, } Councillors.
GEORGE BURRIS, }

JOHN E. SHATFORD, *Warden.*

Read clause by clause, and passed as a whole.

Councillor Morash (District 38) submitted the following memorandum:—

"That Wm. McGrath, of McGrath's Cove, East Dover, was duly appointed Road Overseer for Section No. 2, District 38, and duly notified to attend at my house on a certain day, to be sworn, and he has refused to be sworn into office; and I kindly ask the advice of the Warden and Council the steps to be taken in case of damage to persons or personal property in or on that section of road."

The Clerk read Sections 50 and 73 of the County Incorporation Act, showing that in such cases the appointee can be punished by fine and stating the course to be taken to effect that penalty.

The Councillor also asked that the name of Rate Collector appointed in January be made Irving Fader, instead of "Urban Fader," as printed. Passed.

The Clerk reported on the result of sending back the Rolls, and asking explanations from the Assessors of those Districts which showed large decreases in valuations for 1894, as instructed in January Session. A number made no response, others had supplied omissions, and a few made changes, which increased their totals a few hundred dollars. The large increase in District 33 proved to be an error in the summation, and which with that of District 21, required a change in the Assessment Committee's Report for 1894.

Councillor Thomas was requested to deliver his explanatory address promised in January, and did so. He said that

he endeavored to have all the affairs of his District performed the best way possible; and it would be found that the different returns from there were handed in within right time, and would compare favorably with other Districts. As for the Assessors he had noticed and objected to the large decrease and requested a remedy. They were sworn in and responsible for right execution of duty, but had refused to make a new return. He was surprised to see the remarks of the Committee on the Statute Labor returns. While several Districts (which he pointed out) were short in their returns, and those sent in gave a great many days of work as not done, the remark made about his District was, "Returns all in, work all done, but unsatisfactory." This assertion was not comprehensible, and he wished to know why the returns were unsatisfactory, but had not been informed why.

The Clerk said the suggestion made in his report on decrease of assessments—to increase the rate proportionally—might be adopted in District 30 if the Councillor approved. This was agreed to by Councillor Thomas and endorsed by the Council.

Read, letter from Thomas A. Baker, Assessor of District 25 (Sheet Harbour), giving as reasons for decrease in this and former year, the closing of the Halifax Fibre Co.'s Mill and of work at Mr. Chisholm's Mills, and the action of the Board of Revisors in adding ten per cent in 1892 without just ground and against the assurance of one of their number. He also considers the way in which some Districts are assessed a fraud, and gives an instance where a ratepayer in Musquodoboit with house, barns, 200 acres of land, and horses, cattle, sheep, &c., was assessed lower than he with a small house, $\frac{1}{2}$ acre of rocks and a farrow cow.

Considerable discussion followed on the subject, and Councillors Burns and Taylor desired that Mr. Baker be asked to give the name of the party assessed as stated by him.

The Council adjourned to Saturday at 2.30, to give time for Committees to make up their Reports.

FOURTH DAY.

SATURDAY AFTERNOON, APRIL 14TH.

The Council met at 2.30. Present, the Warden and 26 Councillors. Minutes of yesterday read and passed.

Submitted a Bill from Committee on Precept for Rourke's Road, District 35, charging \$6.00 for their work.

Councillor McMullin explained the work and considered the charge entirely too large for the work done.

On motion, referred to the Finance Committee.

Moved by Councillors Thompson and Fagan—

That the charge made by Mr. Baker, of Sheet Harbour, against the Assessment of Districts be investigated. Passed.

Councillor Burris was named to be on the Committee on Revisal List, District 15, in place of Councillor Fraser, who had leave of absence.

The Clerk read Circular from Provincial Secretary, stating amount of Road Grant, \$9,798.94, and calling attention of the Council to the Law requiring a vote as to the mode of expending the Road and Bridge Grant, and the prices to be paid for day's work, teams, etc., and the Bond to be given by the Treasurer.

Read, Sections 2 and 3 of Chapter 46 R. S., and also Sections 17 and 10, relating to those matters.

Moved by Councillors Burris and Bartlett—

That the Government Road Grant for Halifax County for the year 1894 be expended by Commissioners. Passed.

Moved by Councillors Henley and McCallum—

That the amount of wages for man is not to exceed \$1.25 per day, and for horse, team and driver not to exceed \$2.00 per day, when working under Commissioners."

In amendment, by Councillors McMullen and Bissett—

That the price of labor be \$1.00, horse, cart and man \$1.75.

The Warden and several Councillors favored the lower rate.

After much debate, the amendment was lost—11 for, 13 against.

It was understood that in any case the labor was to be had at the lowest rate obtainable for good men.

The Report of the Special Committee on the Road Commission of D. McCabe, of District 17, in 1892, was read as follows:—

To the Worshipful Warden and Councillors of the Municipality of Halifax.

GENTLEMEN,—You will doubtless remember that at our meeting of

January last there was a complaint made at that meeting against one Daniel McCabe, of District 17, the tenor of the complaint being that the said Daniel McCabe, being a Commissioner in the year 1892 for said District, did present a false return to the County Clerk, and that certain persons whose names did appear on said Commission were out of the County altogether, and also that parties in the District are represented as working who did not perform any work at all, whereupon this Council passed a resolution at that meeting that the case in question be investigated at the April meeting (the present one) and Councillors Donaldson, Thompson and Hubley be appointed a special Committee for that purpose.

Your Committee beg to report that they did notify the said Daniel McCabe to appear before your Committee to-day (April 14), at 11 o'clock, to show cause why such charge was made, and to furnish your Committee with such information as might cause your Committee to make a correct report. Mr. McCabe has failed to appear before your Committee, but produced instead an account purporting to show who were the parties who received the amounts of said Commission, and account in connection therewith. This account produced differs greatly with the account set forth on the Commission itself, and therefore your Committee recommend that the Clerk be instructed to notify the said Daniel McCabe to appear before your Committee on Monday, at 11 o'clock, to show reasons why those inaccuracies occur, and in default of such appearance, to furnish said information, legal proceedings to be at once instituted against him for malfeasance in connection with the duties of his office as Commissioner.

All of which your Committee humbly submit.

THOS. DONALDSON,
ALVIN HUBLEY,
SAM'L. THOMPSON.

On motion of Councillors Grono and Madill the Report was adopted, the Clerk to notify McCabe to attend the Committee on Monday at 11 A. M.

Submitted Report of Committee on precept granted for a Section of Road to Indian Point, District 12, with a well defined plan and account of expenses of survey, &c.

On motion of Councillors Grono and Burris it was transferred to Road and Bridge Committee.

The Council adjourned to Monday at 10.30 a. m.

FIFTH DAY.

MONDAY, APRIL 16TH, 1894.

The Council met at 10.30. Present the Warden and 29 Councillors. Saturday's minutes were confirmed.

Moved by Councillors Burris and Thompson—

That ten hours be the legal day in expending the Public Road Grant. Passed.

By Councillors Madill and Bartlett—

That \$220 be placed in the Estimates for 1894, for building a barn at the Poor Farm. Passed.

Read an application from Chief Constable Burbridge for leave of absence for two weeks this summer to visit his parents in Boston.

Leave granted—the time to be arranged with County Stipendiary.

Read, applications from Drs. Cunningham and M. A. B. Smith for position of Physician to the Poor's Farm at the usual terms.

On motion of Councillors Bissett and McMullen—

Resolved, That Dr. Cunningham be appointed Physician to the Poor Farm till January meeting of Council at the rate of former salary. Passed.

Moved by Councillors Cole and Burris—

That the Bridge known as Crawford's Bridge, belonging to District 20 and 36, be placed under the Bridge Act and amendments thereto. Passed.

The Clerk submitted a claim of Coroner Somers for extra expenses, \$83.00, in connection with an Inquest at Three Fathom Harbour last August on bodies from the wreck of the *Dorcas* and *Etta Stuart*. He had withdrawn the claim for \$200.00 referred to in January Session. The whole matter had been presented and explained by the Clerk to the Grand Jury for their decision, as provided in chapt. 128, R. S. As these records would show, that body had decided that Dr. Somers be paid \$11.50 for the Inquest and mileage. The concurrence or approval of the Council was also required.

It was moved by Councillors Bartlett and Burris—

That the decision of the Grand Jury relative to Dr. Somers' accounts for Inquest, etc., be confirmed by this Council. Passed.

Submitted an Account of Gordon & Keith, \$145.00, for certain furniture and cabinet work for the County Court and Judge's room, alleged to be ordered by Judge Johnston.

The Treasurer said that he had refused payment of this account, as the Judge had not certified it, and the prices seemed to be excessive; and he had been informed that some of the articles had been returned or exchanged and not credited back. None of the Commissioners had authorized the purchases.

After some remarks by the Warden, it was decided that

he be empowered to investigate and settle the account when properly adjusted.

The Council adjourned to 2.30 p.m.

Afternoon Session.

MONDAY, APRIL 16TH, 1894.

The Council met at 2.30. Present, the Warden and 29 Councillors. The Minutes of Morning Session were confirmed.

Read, a letter from J. F. Wildman, agent of the "Office Specialty Manfg. Co." of Toronto; accompanied by a specimen of the Shelving, Fyles, &c., offering to place in the vault of the Registry of Deeds, as desired by A. J. White, Esq., and approved by him—5 sections of steel shelving in cases containing roller book shelves to accommodate 208 Registry Books, adjustable to suit them, for \$450.00, and one tier of 52 long steel document fyles \$115.00, and as no provision is made by assessment this year for payment, to wait till this is done next year.

The plan and vault were inspected by a number of Councillors previously, and Mr. White consulted. He did not at present want so many fyles, but all the shelving. The Registers were so badly used that a number must be rebound. The agent explained the nature and uses of the Specialties.

It was moved by Councillors Bartlett and Burris, and

Resolved, That the offer of Mr. Wildman, agent of the Office Specialty Manfg. Company, to supply Book Roller Shelves for the Registrar's Office for Four Hundred and Fifty Dollars, to be paid for out of the Estimate for 1895, when collected be accepted. No extras to be paid in any case over and above the \$450 and no interest. Also, one dozen Bill of Sale Files at \$2.15 each. The work to be done to the satisfaction of the Registrar of Deeds. Passed.

Read, Report of Board of Health, District 13. There were several cases of la grippe of a malignant nature. Several colored families in destitute circumstances were attacked, and it was deemed necessary to supply them with suitable medicine and not employ a Doctor. The bill of J. A. Rawley for medicines was \$3.80, enclosed with Report.

On motion the Report and bill was referred to the Finance Committee.

Read, Report of Special Committee on Revisors' Lists, returned from District 15, for 1894.

To the Warden and Councillors of the Municipality of the County of Halifax.

Your Committee appointed to investigate the complaint laid by rate-payers of District 15, in regard to the revision of the lists in the Revisal District, including Districts 13, 14 and 15, beg leave to report as follows:— Your Committee had several meetings, at which the Revisors for District 14 and the Revisor for District 15 and other witnesses were present. As far as we could ascertain, the lists for Districts 13 and 14 were legally and properly revised. As to District 15 we find on the admission of the Revisor for that District himself, as well as on other indisputable evidence, that the list for District 15 was never submitted to the Board of Revisors at all. Complaint was made that the list in the District had never been posted. Contradictory statements in regard to this were made before us, and we find it difficult, in fact impossible, to determine definitely whether they were posted or not, but if they were posted this was about the only regular thing done in connection with them. Proper notice of the meeting of the Board of Revisors at the usual place of meeting was given. At that meeting the Revisors for Districts 13 and 14 were present, and concluded their revision for these two Districts. The Revisor for District 15, Paw, did not attend at that meeting, nor did he submit his list. In fact he never attended any meeting of the Board and never submitted any of his papers or work of revision to the Board. Your Committee recognized from the first that a revision of the list was not within their province. We, however, examined the lists, assessment rolls, applications, etc., in connection with District 15 to see if the list bore evidence of any proper attempt at revision. We find upon this examination very full evidence of the absence of all revision. The Revisor of District 15 gave no valid excuse whatever for his neglect in the premises. He was most independent in the tone he adopted before your Committee, and practically told us that he did not care whether he had done his work regularly or not, or whether his methods of revision were proper or not. The list for 15 appears to be signed by Mr. Paw and by the Revisor for District 13. Neither of them had any right to sign it; first, because it was never submitted to the Board, and secondly, because the time for signing had passed when the Revisor for 13 signed the list. The case in regard to District 15 is one of so flagrant a character that your Committee are of opinion that the Revisor should be prosecuted for his omission and neglect of duty, otherwise the Council will not, in your Committee's opinion, express their proper reprobation of such conduct as that of the Revisor in question.

Halifax, April 16th, 1894.

G. H. MADILL.
A. McMULLIN.
Geo. BURRIS.

On motion of Councillors Hubley and Christian—

Resolved, That the report respecting the irregularity of the Revisal List of District 15 be received and adopted. Passed.

On motion of Councillors McCallum and Conrod—

Resolved, That this Council grant permission to provide a pound for cattle and horses in District 14; the cost to be assessed on the District, and that Wm. Yeason be appointed pound-keeper for said District. Passed.

The following appointments were duly made, viz:—

In District 26—Henry McKenzie, Overseer Statute Labor Section No. 7; Geo. H. Conrod, Overseer of Poor.

In District 30—John Davidson, Overseer of Poor, vice Benj. Gordon, deceased; Jos. Turner and John Nelson, Jr., to be Constables.

In District 8—Hugh Munro, Overseer Statute Labor, 1893.

In District 13—Chas. Raine to be Presiding Officer in place of Richard Roach, over age.

In District 34—Alex. Gammon, to be a Constable.

In District 28—John F. McLaren to be added to the Board of Health.

Read the Supplementary Report of the Finance Committee.

On motion of Councillors Bartlett and Burris the Report was received and adopted.

The Clerk read from Royal Gazettes the Statutes so far published relating to Municipal affairs, as follows:

An Act to amend Chapter 16 of the Acts of 1888, entitled, "An Act to amend Chapter 56, Revised Statutes, 'Of County Incorporations,' and an Act in amendment thereof." (Passed the 12th day of February, A. D. 1894.)

"Be it enacted by the Governor, Council, and Assembly, as follows:

"1.—Section 2 of Chapter 16 of the Acts of 1888 is hereby repealed and expunged, and the following is hereby substituted for Sub-Section 39 of Section 96 of Chapter 56, Revised Statutes:

"(39)—The licensing of auctioneers, pedlars and hawkers of goods, who may not be rate-payers within the County. Providing such by-law shall not affect the sale of products of the farm, the forest, or the sea."

"2.—Section 3 of Chapter 40 of the Acts of 1892 is hereby repealed and expunged."

"An Act to amend the County Incorporations Act so far as relates to the Office of Stipendiary Magistrate. (Passed the 12th day of February, A. D. 1894.)

"Be it enacted by the Governor, Council, and Assembly
as follows :

"1.—During the illness or temporary absence of the
"Stipendiary Magistrate for the County of Halifax, a Deputy
"Stipendiary Magistrate, to be appointed by the Municipal
"Council of Halifax, shall have and exercise all the powers
"and functions of the Stipendiary Magistrate during said
"illness or temporary absence. All the powers of such
"Deputy shall cease and determine upon the recovery or
"return of the Stipendiary Magistrate, except as to any
"causes remaining undetermined at the date of such recovery
"or return.

"2.—Such appointment can be made by the Municipal
"Council of Halifax at the Annual or any other meeting of
"that body ; or by the Warden and three Councillors, if the
"occasion should arise when the Council is not in session."

The Clerk said the Bye-Law relating to Pedlers' Licenses had been delivered to the Hon. Attorney-General for assent of Government and no objection made. The Clerk had it printed as instructed and copies sent to each Councillor with Schedule for Measurement of Roads and Bridges.

The Legislature had also passed Acts relating to Coroners, limiting their powers; amendments to the Statute Labor, Assessment, and County Court Acts, but they had not yet been published.

The Act relating to Measurement of Roads passed in 1892 (chap. 46) expired that year, so that there was no legal provision to pay for such service.

It was decided, that when necessary, a Deputy Stipendiary could be appointed under Section 2 of the Act relating thereto as above.

Moved by Councillors Umlah and Burris—

That Four Dollars be assessed on District 13 for Support of Poor in present year. Passed.

Read, letter from Councillor A. W. Smith, District 24, stating his inability to attend this Session, and reporting having fined a number of persons refusing to clear the mail routes of snow.

Moved by Councillors Burris and Madill—

That Councillor A. W. Smith, of Moer's River, being absent during this Session be exonerated and relieved from liability of a fine being imposed. Passed.

At the suggestion of the Clerk, Councillor Fraser (obliged to leave Saturday) and Councillor Kerr, sick since Saturday, were also exempted from fines.

Moved by Councillors Wilson and Fagan—

That this Council instruct the Treasurer of the County to pay the several Councillors Two Dollars per day while in attendance at this Session of Council; also, travelling fees as heretofore. Passed.

The Council adjourned to Tuesday.

SIXTH DAY.

TUESDAY, APRIL 17TH, 1894.

The Council met at 10.30. Present, the Warden and 27 Councillors. The Minutes of previous meeting were read and approved.

Councillor Christian wished information as to payment of a road expenditure since last fall.

The Warden said he could make out a commission and returns as usual and be paid out of present year's grant.

On motion of Councillors Hubley and Morash, the Committee on disputed commission of D. McCabe, District 17, were authorized to proceed with the investigation and report at January meeting.

Read, the Report of Committee on Roads and Bridges clause by clause. Objection was made to clause 1, respecting subdivision of Statute Labor, Section No. 1, in District 36, and an amendment moved to allow the division made in January Session to stand.

The amendment was lost and the clause passed, as did all the others.

The allotment of the Road and Bridge Grant was then read slowly and accepted.

Moved by Councillors Burriss and Madill—

That the Report of the Road and Bridge Committee be received and adopted as a whole. Passed.

Moved by Councillors Myers and Cole—

That Joseph Dooks, William Myers and James Day be appointed the Committee to survey and lay out the Road in District 27 referred to in Road and Bridge Committee's Report, clause 2. Passed.

Read, Report of Committee on Insane Paupers with Statistics for 1893.

On motion of Councillors Burriss and Bartlett, the Report was received and adopted.

The Clerk submitted and read the Rule and decision of the Supreme Court in the Appeal in Controverted Election, District 37, Casey vs. Smith, giving the position of Councillor for said District to Dennis Smith.

Moved by Councillors McMullin and Madill, and

Resolved, That all Councillors who left home in due time to attend the meeting of Council, but who were prevented from getting here at the opening thereof, owing to the condition of the roads, do receive their full Sessional indemnity. Passed.

Moved by Councillors Burriss and Bartlett—

That the usual number of copies of the Minutes be printed and distributed to Councillors. Passed.

Moved by Councillors Grono and Bartlett—

That there being no further business, this Council do now adjourn.

The motion was deferred until a hearty vote of thanks was unanimously passed to His Honor the Warden for the efficient way he had fulfilled the duties of Chairman, etc., to which he made a cordial response with thanks.

The Council then adjourned *sine die*.

GOD SAVE THE QUEEN.

REPORTS.

REPORT OF REVISING COMMITTEE ON JURY LISTS.

The Committee for Revising Jury Lists beg to Report as follows:—

The Committee revised the Grand, Petit and Special Jurors' Lists, and met March 31st, agreeably to notice posted, finding no objection to lists as prepared by Committee. They were accordingly signed and deposited with the Prothonotary and Clerk as required by Statute.

J. H. BARTLETT.
H. H. McCALLUM.
THOS. S. DONALDSON.

Received and adopted.

REPORT OF COMMITTEE ON INSANE PAUPERS.

To His Honor the Warden and the Municipal Council.

GENTLEMEN,—We beg to report the following details in regard to Insane Paupers chargeable to this Municipality by the Provincial Government.

1st.—The Special Committee on Insane having obtained an amicable and otherwise satisfactory settlement of the accounts so many years in dispute between the Government and the County, covering items up to Oct. 1st, 1892.

There was due for the succeeding quarter, ended Dec. 31st, 1892.....	\$ 432 12
" " " " March, 1893	414 62
" " " " June, "	474 79
" " " " Sept., "	449 20
" " " " Dec., "	406 23

Total due for Patients at Hospital for Insane.....\$2,176 96

The Estimate for 1893 only provided for this account, \$1600, which made a shortage of\$ 576 96

The Treasurer paid on account in Nov..... 1,400.00

Leaving a balance due the Government ... \$ 576.96

with which the account for 1894 begins.

The Finance Committee's Estimate for 1895 (\$2,000) will therefore again fall short of paying up at the end of the year.

As the Committee on Public Property take cognizance of the harmless insane under their charge, your Committee merely mention incidentally that there are of that class at the Poor Farm 20; and that during the year no transfers were made from either Institution to the other.

The County Clerk gives the following statistics, which have been compared with and verified by the records at the Hospital for the Insane:—

ADMISSIONS DURING 1893.

James Petipas
 Bej. J. Purcell
 James M. Young
 Simeon Hubley—4

Gertrude Farrell
 Julia McCarty
 Susan S. Conrod
 Lizzie Johnston
 Phoebe Williams—5

DISCHARGED.

Andrew Bowers
 James Pettipas
 Susan S. Conrod (out on trial)
 Catherine Coolen—4.

RE-ADMISSIONS.

None.

TRANSFERS TO POOR FARM.

None.

DEATHS.

None.

There are now at Mount Hope, chargeable to County—

Nicholas Power
 D. W. Stoddard
 Chas. Robinson
 Jas. M. Young
 Simeon Hubley—5.

Mary Gaul
 Ella Noble
 Julia Kiddy
 Emily McKinlay
 Elizabeth R. Myers
 Gertrude B. Farrell
 Julia McCarthy
 Susan Conrod
 Libbie Johnston
 Phoebe Williams—12.

FEMALES.

Susan McKenzie
 Rebecca Tough

All of which is respectfully submitted.

H. M. McCALLUM.
 B. C. WILSON.
 J. E. GIBSON.
 A. McMULLIN.
 D. SMITH.

Received and adopted.

REPORT OF THE ROAD AND BRIDGE COMMITTEE.

The Road and Bridge Committee beg to report as follows:—

1st.—In reference to the Petition from District 36 asking to have a certain Road Section restored to the same bounds as it was previous to the resolution of this Council in 1893. After due consideration your Committee recommend that the prayer of the Petition be granted.

2nd.—That a precept be granted for laying out a new road of one and a quarter miles in District 27, in accordance with the prayer of the Petition presented.

3rd.—The Petition from District No. 29 has been duly considered, and the sum of sixty dollars extra granted and added to the amount of the District allotment.

4th.—The return of the precept granted to A. A. Brine, Isaac Connolly and Neil McDonald, to lay out a road at a place called Indian Point, in District No 12, accompanied by a plan in which three routes are represented by different colored lines. Your Committee recommend the route indicated by the red line, (being the line most favored by the Committee who laid out the same) and that the Clerk of this Municipality assess the amount of the bill presented by that Committee upon said District No. 12.

5th.—The Road and Bridge measurements are not complete, Districts 8, 10, 15, 19, 22, 24, 30 and 34 having failed so far to hand them in, and several of those handed in are, to our view, rather objectionable as they only give the Bridge measurements in a lump sum, and do not give the number and span of each Bridge. We recommend that the Council insist upon all measurements being handed in, and at our next meeting such measurements be placed in the hands of a Committee to examine and report upon the same.

6th.—The allotments of Road and Bridge money will be found in the accompanying table.

(Signed.)

J. H. TAYLOR,
W. CHARLES HENLEY,
JAMES H. SELLARS,
JOHN KIRKER,
ALVAN HUBLEY,
CHARLES E. SMITH.

Received and adopted.

ALLOTMENT OF ROAD AND BRIDGE GRANT FOR 1894.

District.			
7	\$ 95 46		
8	128 08	Including special of \$30 00	For removal of stone walls at Bear Cove along with the special amount granted last year.
9	168 39	" "	15 00 For building half of the Division Bridge adjoining Dist 13.
10	146 28		
11	135 87		
12	321 98	" "	30 00 For building N. E. River Bridge.
13	399 02	" "	35 00 For building half of Division Bridge adjoining Dist. 9.
14	125 03	" "	26 00 For building new bridge.
15	86 22		
16	266 16		
17	322 34	" "	6 00
18	375 16	" "	25 00 To aid in replanking Bridges.
19	423 00		
20	507 58		
21	677 96		

District.			
22	720 00		
23	70 00	Including special of \$14 00	
24	253 26	" "	30 00 Rebuilding Bridge.
25	468 52		
26	647 82	" "	40 00 Repairs of Impassible Road from Mooseland to Camp Hill.
27	607 80	" "	30 00 Repair of Bridges.
28	243 37		
29	363 13	" "	60 00 Repair of washout at Porter's Lake.
30	344 38		
31	435 54	" "	60 00 Repair of railing at Red Bridge, so called.
32	228 24	" "	30 00 Repair of Bridge North-East River.
33	238 98	" "	60 00 Repair of breakwater partly built last year.
34	265 24	" "	50 00 Repair of Bridge leading to Sober Island.
35	2 7 96		
36	361 25	" "	50 00 Repair of approach to and Iron Bridge Innis, at Lake Porter, between 30 and 36.
38	155 82		
	<u>\$9,798 84</u>		

The above received and adopted.

SUPPLEMENTARY REPORT OF THE FINANCE COMMITTEE.

The Finance Committee find it necessary to provide means for the payment of several services which have arisen since the January meeting, and recommend the following, and ask that the same be assessed for, viz:—

For building a new fence on south side of jail yard, the sum of three hundred dollars.

For renovating and painting room in Court House heretofore omitted, fifty dollars.

For the payment of certain outstanding bills contracted for the Court House in 1893, the sum of one hundred dollars.

All of these are for joint account County, City and Dartmouth, making a total of \$450.00.

It having passed this Council that \$320.00 be provided to furnish a barn at Poors' Farm, we also ask that this amount be added to the assessment on the County alone for the current year.

In regard to bill presented by the Board of Health for District 13, your Committee are of the opinion this case should have been attended to by the Overseers of Poor, and are further of the opinion that the sickness named LaGrippe does not come under the head of contagious or infectious diseases.

We recommend that the bill on precept for District 35 be reduced to \$3.00.

Received and adopted.

B. C. WILSON,
Chairman.

A. No. 5827.

IN THE SUPREME COURT.

AN APPEAL FROM

THE COUNTY COURT FOR DISTRICT No. 1, 1892.

The "Act of Controverted Elections of Municipal and Town Councillors and of Corrupt Practices," Chapter 57, Revised Statutes.

Election of Municipal Councillors for polling District Number 36, East Chezzetcook, in the Municipality of Halifax, holden on the 15th day of November, A. D. 1892.

Province of Nova Scotia, County of Halifax; to wit:

BETWEEN—DANIEL CASEY, Petitioner,

AND

DENNIS SMITH AND JAMES KAISER, Defendants.

This cause having come on for argument on the 14th and 15th days of November, A. D. 1893, before the Court in banco under notice of appeal dated the 11th day of April, A. D. 1893, from so much of the decision of His Honor Judge Johnston, delivered herein on the 6th day of April, 1893, in said County Court, as does not relate to corrupt practices, and from the order herein, dated on or about the 7th day of April instant, taken on said decision in said County Court, and upon reading the printed case on said appeal, and after hearing Mr. Congdon for the respondent Dennis Smith in support of said appeal, and Mr. Drysdale for the petitioner contra, and judgment having been reserved to this day and then declared in open Court allowing said appeal,

It is ordered that the said decision, except the portion thereof relating to corrupt practices, and the said order be, and the same are and each of them is hereby reversed and set aside and said petition dismissed.

It is further ordered that the petitioner Daniel Casey do pay to the respondent Dennis Smith aforesaid the costs of said petition in the said County Court and the costs on this appeal, and that execution issue for said costs when taxed.

Dated at Halifax this 17th day of February, A. D. 1884.

By the Court.

S. H. HOLMES,
Prothy.

