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april 2 > 1912.

MINUTES

OF THE

CITY COUNCIL

OF THE

CITY OF HALIFAX,

NOVA SCOTIA,

FOR THE CIVIC YEAR

1901-02.

[For all references to Electric Lights, Permanent Pavement, Sewer, Street or Water Extension, etc., look under the heading "Streets."]

ABOLITION of Health Board, 60, 283. ACCOUNTS, (See Public Accounts) Arbitration 4, 77, 99, 171, 172. Auditing (See Auditing) Canadian Contingents 6. Chain, Mayor's 100, 285. Charities Committee, (See Charities Committee). City Prison (See Prison, City). Davies, Wm. 4, 77, 99, 171. Deaf and Dumb Institute, 108. Fire Department (See Fire Dept.) Gardens 270, 280. Godfrey, James M. 5, 28. Graham, Sarah 107, 172. Hart vs City, 298 Johnston, R. M. 4, 77. 99, 171, King's Printer 253. Library (See Library). Power, J. J. 124, 135. Public Accounts (See Public Accts) Reilly, Mrs. Wm. F. 179, 299. Shand, James 4, 77, 99, 171. Smith vs City 254. ADDRESSES before Council. Archibald, Alderman 315. Chisholm, Alderman 315. Creighton, Alderman 315. Halifax and Bedford Power Co., 41. Holloway, Thos. R. 136. MacIlreith, Deputy Mayor, 138, 195, 294. Mayor Hamilton, 7, 281. O'Donnell, Alderman 315. ALDERMEN. Constitution of Council, 57, 183, 185, 189, 209, 211, 226, 231, 248, 254. Elections 1, 6, 19, 137, 166, 183, 185, 211, 226, 236, 248, 254 (2) 275, ,295, 308. Mosher, Saul, death of 137, 138.

Resignations, 6, 132, 133, 137. Retiring, 315 Sworn into ()ffice, 1, 166. Vacancies, 6, 19, 132, 133, 137, 308.

ANNUAL Reports. Charities Committee, 97, 302. Chief of Police, 35.

ANNUAL REPORTS-Continued. City Clerk, 61. City Prison, 4, 287. Coal Weighers, 19. Fire Department, 55. Library, 30. Publication of 78, 289. Salt and Grain Measurers, 6. APPLICATIONS for Positions. Assessor, 83, 108, 117, 132. Auditor, 30, 36, 48, 113. Caretaker City Property, 126. Christie, F. W. 19. Coal Weighers 6, 47, 112, 126. Hay Weigher, 170. License Inspector, 6, 19, 20, 137, 177. Water Inspector, 12, 19, 20, 59, 60, 74, 80. APPOINTMENTS. Assessor, 83, 108, 117, 132, 136, 285. Auditor, 9, 29, 30, 36, 37, 47, 52, 62 73, 78, 79, 83, 84, 101, 105, 113, 283 Board of Health, 107. Caretaker City Property, 123, 124, 126, 148, 276, 286. Coal Weighers, 6. 47, 112, 269. Committees and Commissions, 9, 10, 11, 19, 36, 166, 184, 199. Deputy Mayor, 11, 19. Exhibition Commissioners, 114. Fire Department (See Fire Dept.) Hay Weigher, 170. Inspector of Buildings 220. Librarians, 95. License Inspoctor, 6, 19, 20, 30, 177, 184, 202. Officials, 11, 12, 13. Ordinance, in re 35, 103. Plumbing Inspector, 46. Pound Keepers, 30. Presiding Officers, 6, 137. Purcell, Dr. 103, 126. School Commissioners, 114. Water Inspector, 12, 20, 74, 80, 84. ARCHIBALD, Alderman.

Presides at Council Meetings, 138, 293 Retiring from Council, 315.

ART School, 50.

[For all references to Electric Light. Permanent Pavement, Sewer, Street or Water Extension, etc., look under the heading "Streets."] BOARD OF WORKS--(Continued) ASSESSMENT, (See estimates, also Taxa-Wages of Truckmen, 29. tion). Watering Streets, 37. Amount of, 7, 139, 230: BONDS and Debentures, (See Loans). County of Halifax, 251, 269, 301. Deputy Mayor's Address on, 138. Hart vs City, 182, 213, 229, 235, 243, 250, 298 Dry Dock, 185, 228, 307. Errors in, 230. Debt Limit, 245. Estimates, 138, 230. Bonns of Officials. Manufacturing Industries, 251. Clerk of Works, 104. Objects of, 8, 9, 138. Personal Property, 146. Treasurer, 6, 29. Boys' Club Assessment, 74, 284. Schools, 8, 9, 138. BRICK Building District, 192, 199, 253, 313 AUDITING City Accounts, 9, 29, 30, 36, 37, BROKEN Stone, 174, 181. 47, 52, 62, 73, 78, 79, 83, 84, 101, BUILDING Act. Brick District, 192, 199, 253. 105, 113, 148. Deputy Mayor's Address, re, 313. BANKRUPT Stocks, 193, 232. Lowrie's House, Brunswick St, 4, 16. BASTARD Children, 228, 233. BURNS, John E. 12, 19, 20, 59, 63, 74, 80, 84 BATHS, Public, 37, 235. BAULD Bros. & Co., 121, 179, 197, 212. CABLES, Telephone Company's, 61, 69. BEAUTIFYING the City, 314. BELL, John A., late City Auditor, 107, CANADIAN Contingents for South African War. 124. Monument to, 88. BETTERMENT of City, 314. Songs in re, 180. BLIND Asylum, 120. CANADIAN Municipalities, Union of, 61, BOARD of Health. 302. Abolition of, 60, 283. CARETAKER of City Property, 124, 126, Appointment of Members, 107. 148, 276, 286. Appropriation, 125, 150, 200, 209, CARNEGIE, Andrew, gift of Library Build-217, 293. ing, 50, 230, 275. Health Inspectors, 8. CATTLE Pounds, 30, 46. Henry, Geo. P., 46, 60, 75, 76, 83, 107, 194, 228, 268. Show, 45. CENSUS of Canada, 179, 298. Insurance of Property, 26. CHAIN, Mayor's official, 73, 100, 110, 150, Plumbing Inspector, 46. 285. Powers of, 143. CHAMPIONSHIP of Halifax Harbor, 56. 77. Remunera ion of, 8. CHARGES against Mayor, Aldermen and Slaughter Houses, 191. Officials. Small Pox, 103, 126, 167, 200, 209, 216, 235, 254, 261, 271, 292, 293. Assessors, 185, 307. Burns, John E. (see Burns, J. E.) Trenaman, Dr., C. M. O., 103, 126, 146, 167, 216, 235, 254, 261. Collector, 100, 111, 173, 181, 187, 219, 250. BOARD of Trade. Court of Appeal, 185, 307. Engineer, 101, 102, 111, 172, 285. Cold Storage Railway Siding, 83, 85. Commercial Committee, 228. Firemen (see Fire Dept.) Market, Public, 126, 285. Henry, Geo. P. (see Henry, G. P.) Taxation, 83. License Inspector (see officials.) Vehicles, noise made by, 126, 172. Mayor (see Mayor) 37, 79, 104, 194, BOARD of Works. 284. Baths, Public, 37. O'Donnell, Alderman, 29. Clerk of Works, 79, 85, 104, 284, 299. Recorder, 185, 307. Employes, Suspension and dismissal CHARITIES Committee. Accounts, 2, 33, 66, 81, 97, 101, 122, 162, 170, 187, 240, 272. of, 44, 194. Gardens Accounts, 270, 280. Horses and Vehicles, hiring of 189, Annual Reports, 93, 303. 213. Appropriation, 115, 133. Bastard Children, 228, 233. Johnston, Hugh 213, 250. McNeil, Frank 44. Financial Statement, 2. Reconstruction of, 188, 232. Hospital for Incurables, 97, 115, 133 Wages of Laborers, 6, 16. 136, 173, 286.

vi

[For all references to Electric Lights, Permanent Pavement, Sewer, Street or Water Extension, etc., look under the heading "Streets."]] SPECIAL COMMITTEE-Continued Shipbuilding, 4, 5, 48, 70, 71, 264,

296, 297. Taxation, 48, 57, 170, 183, 189, 203, 212, 255, 299.

COMMON Commission (See Gardens). Lodge for Superintendent, 98. 230.

COMMON Lots, 301. CONDON, Matthew, Ex-Capt. U. E. C., 213,

222, 254.

CONTRACTS, (See Tenders).

CORPORATION of City, No. of Aldermen. (See Election Law) 57.

COUNTY of Halifax, 251, 269, 301, 311.

CREIGHTON, Alderman 315. CUNARD, S. & Co.

Sheds on City Property, 121, 179, 197, 212. Coal Scales, 194, 299.

CURFEW Bell, 64, 68, 283.

DALHOUSIE College, 88, 120. DANCING, 4, 16, 46, 194. DAVIES, William, 99, 171. DEAF and Dumb Institution, 108. DEBT, City, 7, 28, 139, 195, 222. " Limit, 141, 148, 195, 222, 245. DEPUTY Mayor (see Mayor, Deputy). DISMISSAL of Employes, 44, 194. DOMINION Day, 44. DRUHAN, Thomas, 29, 42, 125. DRUNKENNESS, French Sailor fined for, 5, 27. DRY Dock, 185, 228, 234, 270, 307. DUKE of York Reception, 7 (2), 20 (2), 73, 85, 87, 100, 110, 116, 150, 285. ELECTIONS (see appointments); Aldermen, 1, 6, 19, 137, 166, 183, 226, 231, 248, 254, 275, 295, 308 Bailots, form of, &c, 185, 211, 229, 236, 254 Constitution of City Council, 183, 184, 185, 189, 209, 211, 226, 231 Deputy Mayor, 11, 19 Law in re Elections, 185, 209, 211, 229, 231, 236, 254 (2)

Mayor, 1, 275, 295, 297, 298

Vacancies, 6, 19, 132, 133, 137, 308

ELECTRIC Lighting. City doing its own, 32, 36 Engineer's opinion, 58

Tenders for, 40, 57, 63

ENGINEER. Electric Lighting, 58 Inspector of Buildings, 220 Poles and Wires, 269 Water Supply, 102, 127, 283.

Insurance, 43, 133. Physician, 168. Salaries of Officials, 97. Supplies, 97, 133. Water Rates, 133. CHISHOLM, Alderman, 315. CITADEL, Paths across, 192. CITY Charter, (See Legislation) Acts amending 228, 229. Election of Mayor and Aldermen, (See elections). Mayor's Address, 8, 312. Wards, No. of, 57. CITY Civil Court, 8. CITY, Division of Wards of 57. CITY Works Commission (See Board of Works). CLAYTON & Sons, tunnel Poplar Grove, 4. CLERK of Works, 79, 85, 104, 284. COAL Weighers. Annual Report, 19. Applications for position of 6, 47, 112, 126, 269. Grono, Geo. death of 269. Monthly Reports, 19, 44, 60, 77, 97, 132, 167, 202, 254, 281. Scales for Coal Weighing, 194, 299. Cocswell prize for rowing, 56, 77. COLD Storage Railway Crossing, 60, 68, 83, 85, 107, 173, 180, 184, 235. COLLECTOR, City, Monthly Statements, 19, 180, 228, 269, 272. COMMITTEES and Commissions. Cabs and Trucks, 35, 126, 172. Cemetery, Camp Hill, hedge 37. Gardens (See Common Commission). Open to public, 57. COMMITTEES, Special. Auditing City Accounts, 9, 29, 30, 36, 37, 47, 52, 62, 283. Bills before Legislature, 261. Brick District, 199. Cattle Show, 45. Commercial Committee, 228. Duke of York Reception, 7 (2), 20 (2), 73, 85, 87, 100, 110, 116, 150, 285. Fire Insurance Rates, 32, 44. Firemen's Tournament, 46. Harbor Championship, 56, 77. Juries Lists, 184. Liquor License Act, 212. Maitland Street Extension, 5, 74. Marine and Fisheries Dept. 271. Market, Public, 63, 77, 115, 121, 126, 285, 286. Poor's Asylum Hospital, 136. Queen Street Extension, 6.

CHARITIES COMMITTEE-Continued

Insane, keep of, 75, 81.

INDEX. [For all references to Electric Lights, Permanent Pavement, Sewer, Street or Water Extension. etc., look under the heading "Streets."]

ESPLANADE, foot of Inglis Street, (See HALIFAX Electric Tram Co, 4, 57, 63, 75. 90, 102. 103, 112, 194, 228, 234, Hart, R. I.) 276, 284, 285, 313 HALLIDAY, Alderman, resigns, 132, 133, Sewer 274. ESTIMATES, Civic, 138, 230 137. EXHIBITIONS HAMILTON, Mayor J J, (see Mayor) Accounts, 201 Address by, 7, 281 Cattle Show, fat, 44 Sworn into office, 1 Commissioners, 114 HARBUR, Championship, 56, 77 HART, R I, 52, 182, 212, 213, 229, 235, 243, Deficits, 146, 150, 201, 230, 286 Fire Protection, 120 250, 293 Insurance, 26 HEALTH Board, (see Board of Health) HEDGE around Camp Hill Cemetery, 37 HENRY, George P, 46, 60, 75, 83, 194, 228, Sewer Rates, 93 FINANCES of City, 138, 222, 245 268 FIRE Department Accounts, 3, 34, 67, 96, 123, 162, 170 HOBRECKER, A, house Young Avenue, 53. HOLIDAY, Dominion Day, 44. HOPEWELL, J J, duties of, 79, 85, 104. HORSES and Vehicles, hiring of 189, 213, Annual Report, 55 Appointments, 34, 54, 67, 123 Brick District, 4, 16, 192, 199, 253 Chief, duties of 123 277, 286 Coal, 54 HOSPITALS Condon, Matthew 213, 222, 254 City Hospital, 8 Incurables at Poor's Asylum, 97, 115, Cost of, 8, 262, 286 133, 136, 173, 286. Dismissals, 54, 123 Druhan, Thomas 29, 42, 125 Victoria General, 120, 222 Expenditures, 124 INCREASE of Pay (See estimates) Fire Pretection, 34, 98, 108, 120, 121, 235, 261 Laborers, 6, 16 Hydrant, Longard Road, 108 Police (See Police) Insurance, 26 Truckmen, 29 Officials holding more than one INCURABLES, hospital for, 97, 115, 133, 136, office, 192 173, 286 Supplies, 54, 95 Tournament, U. E. C, 46, 60 INDEBTEDNESS of City, 7, 138 INFANTS Home, 61 INSANE, Keep of 75, 81 FIRE I. surance Rates, 32, 43, 44, 121 FIREMEN'S Tournament, 46, 60 FITCH, Dr, claim, 167, 201, 267 INSPECTOR of Buildings, 124, 148, 220 INSPECTOR of Licenses, 6, 19, 20, 137, 148, FRANCKLYN, Geo E. re fine on French 177, 184, 202 INSURANCE City Property, 26, 43, 121, 133 Sailor, 5, 27 INSURANCE Rates, 32, 44 FRENCH Sailor, fine on, 5, 27 INTEREST (See Estimates and Loans) Library, 230 GARDENS, Public, (See common) Loans, 96, 97, 282 Accounts, 270, 280. Sewerage, 107, 120, 173, 187, 219, 250 Sinking Fund, 230 Gas, Price of, 190, 221, 229, 233 Taxes, 100, 110, 187 GODFREY, James M, 5, 28. JENKINS, T K 100, 110 GODWIN, James, 107, 120. JOHNSTON, Hugh 213, 250 GOVERNMENTS Contributing City to Jost, Geo Hy, Common Lot, 301 JURIES Lists, 184 Taxes, 170, 189, 299 GRAHAM, Sarah, 107, 172 GRAIN Elevator, 140 GEEEN, Market (See market) KEATING, E H, on Water Supply, 102, 128, 285 Permission to sell Produce on streets, 19, 28. KELLY, J F, claim, 61, 126, 200, 272 KING Edward VII, landing of in Hlfx, 20 GUARANTEE Bo d, City Treasurer, 6, 29 Gun, Citadel Time, 51 LABOR HALIFAX Coal Co, 77, 82, 121, 179, 197, Winter Work, 176, 180, 181 212, 300 Foreign Labor, 177, 232

viii

[For all references to Electric Lights, Permanent Pavement, Sewer, Street or Water Ex'ension, etc., look under the heading "Streets."] LIBRARY, Citizens Free LABOREBS, Pay of, 6, 16 Accounts, 30, 44, 51, 95, 188, 271 LADIES' College, 302 Annual Report 30 LANDING at City Wharf, 79, 284 Carnegie, Andrew, gift, 50, 230, 275 LEGISLATION Maintenance, 230 Accounts for Printing Bills, 126, 253, Officials, 30, 95 289 Salaries, 95 LICENSING, Temperate 4, 16, 46, 194 Alderman, No. of &c, 57, 183, 184, 185, Drinks, Shops 189, 209, 2I1, 226 Bankrupt Stocks, 193, 232 LICENSE Inspector Bastard Children, 228, 233 Applications for position, 6, 19, 20 Baths, Public 235 Appointment 6, 19, 20, 30, 177, 184, 202 Board of Works, reconstruction of LITIGATION 188, 232 Fitch, Dr. claim, 167, 201, 267 Bonds and Debentures, 225, 243, 245, Hart vs City, 52, 213, 229, 235, 243, 293 250, 298 Building Act, 4, 16 192, 199, 253 Kelly, John F, claim, 61, 126, 200, 272 Charter, City, Amendments to 228, 229 Leydon, Thos, claim, 100, 109, 126, City Medical Officer, 235, 261 220 City Seal, 235 McDonald, R. N. claim, 101, 110, 172 Committee on Bills, 261 Smith vs City, 221, 251, 254, 299 Condon, Matthew, 222, 254 LIQUOR License Act Debt Limit, 223, 245 Amendments, 202, 211, 212, 286 Dry Dock, 228, 234 Committee in re, 212 Elections 183, 185, 209, 211, 226, 231, Licenses, 202, 214, 225 236, 248, 254 (2) LOANS, 28, 45, 77, 96, 97 Exhibition deficits, 230 Baths, Public 235 Foreign Labor, 177, 232 Board of Health, 126 Gas, Price of 190. 221 Dry Dock, 234, 270, 282 Library Grant, 51, 230 Hart vs City, 182, 229, 235, 243, 250 Liquor Licence Act, 202, 286 Legislation in re 228 Loans, 228 Lodge for Supt. Public Gardens, 230 Lodge for Supt Public Gardens, 98, Overdrafts, 126, 147, 245 Steam Roller, 172, 229, 270, 282 230 Street Funds, 174, 220. 229, 270, 282 Manufacturing Industries, 251, 252 Overdrafts, 245 LORNE Club. 54, 62, 91 People's Heat and Light Co, Ltd, LOWRIE, Peter, house Brunswick St, 4. 16 190, 221, 233 Police pay of, 185, 216 MANUFACTURING Industries, 251, 252 MAP of Port and City of Halifax, 29 Superannuation, 235 Railway Crossings, 69, 173, 180, 184, MARINE and Fisheries Department, 77, 82, 271, 284, 300 235 MARKET Reserve Fund, 223, 247 Petition to sell on street at Post Schools, 228, 233 Office, 19, 28 Shipbuilding, 264, 265, 315 Public Market, 19, 28, 63, 77, 115, 121, Sidewalks, 219, 236 126, 285, 286 Sinking Funds, 223, 230, 244, 245 Steam Roller, 175, 229 MAYOR Addresses to Council, 7, 281 Street Funds, 174, 220, 229, 236 Street Railway Roadbed, 194, 228, As Police Magistrate, 8 234 Canadian Municipalities, Union of 61, 302 Taxation, 83, 244, 245, 251, 252, 255 Casting Votes, 194, 208 Water Assessment, 235, 261 Chain, Mayor's Official, 73, 100, 116, 66 Department Funds, 182, 235, 150, 285 288 Debt of City, 140 " Meters, 194, 235, 286 Duties of Officials, 79, 104, 284 Wool Factory Property, 42 Election of 1, 275, 295, 297, 298 Illness of 276, 281, 293 LEYDON, Thos, claim, 100, 109, 126, 220 Robes for Mayor, 73

ix

[For all references to Electric Lights, Permanent Pavement, Sewer, Street or Water Extension etc., look under the heading "Streets."] Mayor.-Continued Pulines of Chair 94, 106, 114, 136 Repeat corporations, 61, 202

great corporations, 61, 302 Rulings of Chair, 84, 106, 114, 136, MUSIC 4, 16, 46, 180, 194 McDonald, R N claim, 101, 110, 172 137, 210, 225, 226 Sworn into Office, 1 Vetces by 50, 63. 76, 210, 225, 251 MACILREITH, Deputy Mayor, (See Mayor MAYOR, Deputy Deputy) Addresses to City Council, 138, 195, Thanked by Council, 162, 293 294, 309 MCNEIL, Frank 44 Addresses on Financial affairs, 138 NOBLE, Mary, Common Lot, 301 195 Appointment of 11, 19 Assessment 140, 195, 309 O'DONNELL, Alderman, 29, 315 Beautifying City, 314 OFFICIALS holding more than one office, Building Act, 313 192 Canadian Municipalties, Union of OFFICIALS, Mayors address re 8 302 OFFICIALS Duties, Salaries, &c Casting Vote, 299 Assessor, 31, 83 117, 132, 136, 154 Chain and Robes for Mayor, 73 Auditor, 30, 36, 37, 47, 52, 63, 73, 74, City Charter, 312 78, 79, 83, 84, 101, 105, 107, 113, County Assessment, 311 124, 151, 283 Bell, John A 107, 124 Debt Limit, 141, 148, 195, 223, 245 Debt of City, 139, 195, 223 Caretaker City Property, 124, 126, Duke of York Reception, 85 148, 276, 286 Duties of Officials, 312 Chief Fire Department, 124, 276 Estimates, 138, 148 City Clerk 85, 184, 221 City Medical Officer, 103, 154, 167, 168, 216, 261, 292 Exhibition Deficits, 146 Finances of City, 138, 195, 223, 244, 309 Clerk of Works, 79, 85, 104, 155, Medical Examiner, 146 284, 299 Officials duties of, 312 Coal Weighers (See Coal Weighers) Ordinances, 312 Overdrafts, 245 Permanent Pavement, 142, 147, 195 Collector 152, 250, 251 Engineer, 37, 101, 151, 220 Personal Property, 146 Engineer Assistant, 152 Firemen, 123, 124, 125, 192 Presides at Council Meetings, 65, 81, General 8, 9, 103, 104, 113, 116, 192, 312 Henry, Geo P, 46, 47, 60, 83, 107, 194, 135, 157, 227. 249, 263, 267, 287 Reserve Fund, 144, 147, 195, 224, 247 Rulings of, 84, 106, 136, 137, 157, 272 228, 268 Inspector of Buildings, 220 Schools, 145 Sewerage, 142, 147, 195, 245 Shipbuild ng, 315 Johnston Hugh, 213, 250 Kaye, L R. 153 Laidlaw, James 153 Sinking Funds, 143, 147, 195, 223, 244 Librarians, 30, 95 Streets, 143, 313, 314 License Inspector, 19, 137, 155, 177, Supplies, 313 184, 202 McNeil, Frank, 44 Thanked by Council, 162, 293 Tramway Ťracks, 313 Vacates Chair, 138, 293 Medic I Examiner, 146 Water Department, 314 Plumber, City, 79, 80, 94 MEDICAL Examiner, 146 Plumbing Inspector, 46 Police, 31, 75, 78, 85, 216 Pound Keepers, 30 MILITARY Authorities, 5, 6, 44, 50, 51, 74, 192, 221, 276 Purcel!, Dr J M, 103, 168, 216, 261, MITCHELL, Alderman, 315 292 MOBILIZATION of ity Garrison, 44 MONUMENT to Nova Scotians killed in Registrar of Votes, 154, 167 Rhind, H S, 153 South Africa, 88 Scriven, Joseph B, 308 MOSNER, Alderman, death of, 137, 138 Stipendiary Magistrate, 124 Morr, Charles E, taxes, 173, 181, 187, 219, Treasurer, 6, 29, 31, 52, 78, 151 250 Water Inspector, 12, 19, 20, 59, 60, 74, MUNICIPAL Government, cost of, 7, 138 80, 84

x

[For all references to Electric Lights, Permanent Pavement, Sewer, Street or Water Extension, etc., look under the heading "Streets."] ORDINANCES. PURCELL, Dr J M, Physician Small Pox Auditing City Accounts, 73, 113, 284 Hospital 103, 126, 167, 216, 235, Deputy Mayor address on, 312 261, 271, 292 Duties of Officials, 73, 79, 116, 284. 312 RAILWAY Crossings 60, 68, 83, 85, 107, 173. Election of Officials, 35, 103 180, 184, 235 Licensing Temperate Drinks Shops, &c, 4, 16, 46, 194 Vehicles, 126, 172 Washing Windows, 293 RATEPAYERS Association, 271 RECEPTION H R H Duke of York, 7 (2), 20 (2), 73, 85, 87, 100, 110, 116, 150, 285 OTHER Fellows Boys' Club, 74, 284 RECORDER, Opinions, Reports &c. (See Legislation) Accounts overdue, payment of 271 PAY of Laborers, 6, 16 Assessor 133, 136 Truckmen, 29 Auditor, 30, 105 PEOPLE's Heat & Light Co, Ltd, 190, 221, Bonds and Debentures 182 229, 233 PERMANENT Pavement, 142, 147, 220, 236, Building Act 220 Chain, Mayor's Official 100, 110 Chebucto Road Water 226 246 PLANS of City and Port, 19, 29 City Medical Officer, 167 PLUMBER, Pay of, 79, 80, 94 PLUMBING Inspector, 46 Clerk of Works 85 104 PoLES and Wires on Streets, 61, 69, 77, Condon, Matthew 254 Duties of Officials 85, 104, 167, 284 269 Election of Officials 35 POLICE Court, 5, 8, 27, 37 (2) 45 POLICE Department. Fitch, Dr claim 267 Annual report, 35 Gardens accounts 271 Gas, price of 221 Appropriation, 148 Hart vs City 52, 182, 251 Clothing money, 51, 61, 62, 78 Health Board appropriation 272 Henry, Geo P 75 Insane, harmless, keep of, 75, 81 Market people, 31 Meehan, David, 54 Pay of Police, 62, 85, 115, 157, 185, 216 Jenkins, T K 111 Legislation 252, 255 (See Legislation) Leyden vs City 109. 220 Superannuation Fund, 54, 235 License Inspector 20, 177 McDonald, R N 111 POOR'S Asylum (see Charities Committee) Overdue accounts, payment of 271 PORT of Halifax, Plan of, 29 Payment of old accounts 271 Pounds for Cattle, &c, 30, 46 People's Heat & Light Co, Ltd, 221 Power, J J, 124, 135 Purcell, Dr account 272 PRESIDING Officers, 6, 137, 275, 308 Reconsiderations 85, 104, 110, 167, PRISON, City 284 Accounts, 3, 34, 56, 66, 82, 96, 111, 122, 172, 188, 227, 269, 287 Rescinding Resolutions (See reconsiderations) Annual Reports, 4, 287 Rules of Cou cil 84, 100, 110, 136, 226 Coal, 56 Salaries of Officials 133 Insurance, 26 Sew rage 268 Juvenile Offenders, 31 Smith vs City 221, 251, 254 Surgeon, 168 Street Crossings 109, 220 PROVINCIAL Government, 51, 70, 170, 189, Taxation 221, 251, 254 299 Vetoes by Mayor 42, 76, 226 PUBLIC Accounts (See Accounts) 26, 67, Water Lot foot of Morris Street 121 99, 124, 171, 269, 288, 300 Water Pipes, leaks from 111 Wool Factory, purchase of 42, 76, 202, 251, 252 St. Patrick's Home 31, 45 Arbitration 4, 77, 99, 171, 172 PUBL'C Holiday, 44 RECOUNT of Votes for Mayor 295, 298 PUBLIC Market (See Market) REGISTRAR of Voteps 154, 167 PUBLIC Meetings REILLY, Mrs W F, 61, 70, 179, 299 Carnegie Gift for Library Building, 50 **RENUMBERING Barrington Street**, 55 Commissions and Committees, 57 RESERVE Fund 144, 147, 195, 224, 247

xì

RESOLUTIONS Vetoed by Mayor, 50, 63, 76, | SLAUGHTER Houses, 191 210, 225, 251 SMALL Pox, 103, 125, 167, 200, 209, 216, 217, 235, 254, 261, 292, 298 RoBES, Mayor's Official 73, 100 RULES of Council. SMITH, Quarter-Master vs. City, 221, 251, License Inspector, 20 254, 299 Money Votes, 110 Songs, 180 Officials, Election of, 35 STEAM Roller, 175, 229, 270, 282. STIPENDIARY Magistrate, 5, 8, 27, 31 (2), Reconsiderations, 84, 105, 114, 136 Vetoes, 50, 63, 76 45 RULINGS of Chair, 84, 106, 114, 136, 137, STOCK Breeders Fat Cattle Show, 44, 45 157 STREET Crossings, 100, 109, 110, 126, 220 Mileage, 143 SALARIES of Officials, Official lan of, 19 Assessor, 132, 136, 285 ST. PATRICK'S Home, 31, 45, 148 Auditor, 9, 29, 30, 36, 37, 47, 52, 62, 73, 78, 79, 84, 101, 106, 113, 148 STREET Railway, 4, 63, 75, 90, 103, 112, 284, 285 Bell, John A, 107, 124 Open Cars, 102, 112 Burns, John E, 59, 80, 84 Roadbed up, Keep of, 194, 228, 234, Estimates for, 148 313 Henry, Geo P, 46, 60, 75, 194, 228, 268 STREETS. Increases of, 148 Acadia St, 279 Inspector of Buildings, 124, 148, 220 Agricola St, 192, 198 (2), 226, 264, Librarians, 95 283, 285 License Inspector, 148, 177, 184 Albemarle St. 29, 122 Plumber, 79, 80, 94 Albert St, 72 Police, 62, 78, 85, 115, 157, 185, 216 Reilly, W F, 61, 70, 299 Almon St, 51, 75, 93, 189, 284 Artz Lane, 69, 83, 85, 107, 173, 180, Treasurer, 31, 78 184, 235 Trenaman, Dr. C M O, 103, 126, 146, Atlantic St, 198 216, 235, 254, 261 Barrington St, 40, 55, 198 Water, Inspector (see Burns above) Bedford Row, 63 SALT and Grain Measurers, 6 Beech St, 176, 180, 200 SCHOOLS, Public Belle Aire Terrace, 264 Assessment for, &c, 8, 9, 145, 149 Bell Road, 198, 274 Legislation in re, 228, 233 Bells Lane, 40 SCRIVEN, Joseph B, death of, 308 Birmingham St, 77 S.: AL of City, 235 Bishop St, 25 Sewerage, 8, 77, 78, 82, 92, 94, 120, 142, 167, 173, 176, 180, 181, 187, 200, 201, 212, 210, 250, 267, 284, 300 Black Street, 135, 198 Bland St, 198 Blowers St, 198 SEWERS. Bower Road, 282. Trunk Sewer, north end, 78, 94, 284 Brehm's Lane, 276 Common Sewer, 78, 94, 177, 181, 200, Brenton Place, 198 272Brockley's Lane, 18 Funds, 92, 93, 94, 98, 143, 147, 190, Brunswick Lane, 276 Brunswick St, 5, 16, 32, 122, 199, 276 Buckingham St, 32, 122, 199 195, 200, 236 246 SHAND, James, 4, 77 Campbell Road, 4, 5, 28, 44, 54, 62, 72, SHIPBUILDING, 4, 5, 48, 70, 296, 297, 315 Plebiscite on, 4, 264, 265 90, 91, 112, 128, 283 Carleton St, 267 Commission, 4, 5, 48, 70, 265 Charles St, 192, 199, 283 Proclamation in re, 5 Chebucto Road, 17, 80, 92, 181, 190, 199, 210, 225, 281 Government Aid, for, 70 Prospectus, 71 Legislation, 264 Chestnut St, 198 Citadel paths, 192 SHOPS, Licensing of, 4, 16, 46 Coburg Road, 179, 180, 198 (2) Cogswell St, 100, 109, 126, 220, 273, SIDEWALK Law, 220, 236 SINKING Funds. 143, 147, 195, 223, 230, 244, 245, 246, 254, 271, 282 276 College St, 18, 53, 120, 198

[For all references to Electric Lights. Permanent Pavement, Sewer, Street or Water Extension, etc., look under the heading "Streets,"]

xii

[For all references to Electric Lights, Permanent Pavement, Sewer, Street or Water Extension, etc., look under the heading "Streets."]

Cornwallis St, 5, 132 Creighton St, 127 Cunard St, 103, 112, 190, 192, 283 (2), 285. Duke St, 122, 199 Duncan St, 17 Edinburgh St, 44, 198 Edward St, 179, 198 Falkland St, 276 Fawson St, 27 Fénwick St, 4, 29, 42, 50, 63, 76, 77, 99, 171, 189, 202, 251 Gottingen St, 5, 74, 127, 191, 199, 276, (2) Hanover St, 5, 28, 198, 264 Harvard St, 17, 35, 43, 80, 92 Harvey St, 302 Holiis St, 19, 25, 28, 90 Do. South, 253 Hunter St, 199 Inglis St, 61, 198, 282 Jacob St. 32, 40, 199 Jubilee Road, 30 Kaye St, 127 Kempt Road, 78, 93, 94 King St, 190, 198 Kline St, 200 LaMarchant St, 62, 180, 198 Law rence St, 51, 98, 284 Livingstone St, 198 Lockman St, 5 Lorne Terrace, 199 Louisburg St, 213, 250 Macara St, 64 McCullough St, 75 McCully St, 198 Maitland St, 126 Maitland Terrace, 5, 74. Maynard St, 185, 198 Merkle St, 78, 94 Morris St, 77. 82, 120, 121, 179, 197, 212, 284, 300 Mumford Road, 101, 198 Neal St, 18 North St, 72, 189, 198 Ontario St, 264 Oxford St, 75, 80, 92 Park St, North, 100, 109, 126, 220 Park St, South, 84, 198, 273 Pleasant Avenue, 198 Pleasant St, 228 Poplar Grove, 4 Prince William St, 199 Queen St, 6, 198 Quinpool Road, 30, 75 (2), 107, 108, 127, 172, 180, 274, 284 Renforth St, 91 Richmond .t, 185 Robie St, 18, 61, 126, 136, 173, 190, 200, 273

Roome St, 91, 276 Russell St, 107, 120 Sackville St, 6 Salter St, 25, 90 Shirley St, 98, 198 Spring Garden Boad, 6, 127, 167, 201, 267 South St, 180 Starr St, 264 Street Sprinkling, 37, 64, 69, 72 Sullivan St, 94 Summer St, 18, 120 Tower Road. 18, 127, 198, 282 Veith St, 74, 185, 198, 264 Vernon St. 181 Victoria Lane, 253 Water St, L wer, 77, 82, 121, 179, 197, 212, 284, 300 Water St, Upper, 60, 68, 83, 85, 107, 173, 180, 184, 235 173, 180, 184, West St, 192, 283 Williams St, 273 Willow St. 226 Windsor St, 75, 93, 103, 189, 194, 285. Yale St, 35, 43, 176, 180, 181, 286 Young Avenue, 53, 102, 108, 225, 228, 246, 285 Young Street, 264. 299 Young Street, West, 78, 94, 191 STREET Sprinkling, 37, 64, 69 SUGAR Refinery, 54, 72, 91, 128, 283 SUNDAY Watering Carts, 64, 69 SUPPLIES (See tenders and Contracts) SUSPENSION of Employes 44

TAXATION (See Assessment) Board of Trade, re 83 Committee on 48, 56, 57, 170, 183, 189, 203, 212, 255 Deputy Mayor's Address, 138 Exemptions, &c, 74, 82, 284 Governments contributing to, 170, 189, 299 Jenkins, T K, 100, 110 Manufactu ing industries 251, 252 Mayor's Address, 8 Smith vs City, 221, 251, 254, 299 Water Estimates 31 TELEPHONE COMPANY. Poles and wires, 61, 69, 77, 269 Service, 117 TEMPERATE DRINKS, 4, 16, 46 TENDERS & CONTRACTS. Advertising, 288 Blank Books, 288 Coal and Coke, 54, 55, 56

Electric Lighting, 37, 40, 57, 63

[For all references to Electric Lights, Permanent Pavement, Sewer, Street or Water Extension. etc., look under the heading "Streets."]

Horses and Vehicles, 189, 213, 277,	
286 Loans (see Loans) 28, 45, 77, 96 Minutes of Council, 288	
Printing, 166, 288	
Stationery, 288 Supplies, 13, 95, 97, 261, 276, 289, 313.	
TIME GUN, CITADEL, 51.	
TRADES AND LABOR COUNCIL, 213, 277, 286	
TRAMWAY SERVICE, 4, 57, 63, 75, 90, 102, 112, 228, 234, 276, 284, 285, 313	
TREASURER	
Acting as Auditor, 29, 31, 52 Annual Civic Reports to be Published by, 78 Bond of, 6, 29	
Cash Statements, 19, 48, 61, 77, 108, 112, 132, 180, 228, 255, 281 Salary of, 31, 78	
TRUCKMEN.	
Stands of, 35 Wages of, 29	
TRUNK Sewers 78, 94, 177, 181, 200, 272, 284	
TUNNEL Poplar Grove 4	
U E C Tournament 46, 60 UNDERGROUND Wires, 61, 69, 269	
UNION of Canadian Municipalities, 61, 302	
VACANCIES in City Council, 6, 19, 132, 133, 137, 308	
VANBUSKIRK, Geo E	
Sheds on City Property 121, 179, 197, 212	

EHICLES, noise made by on streets, 126. 172 ETOES by Mayor, 50, 63, 76, 219, 225, 251 G. Hospital 120, 222 AGES (See Salaries or Pay) ARDS of City, No. of 57, 184, 185 (See Legislation) ASHING Windows 293 ATERING Streets 37, 64, 69, 72 ATER Inspector (See Burns) ATER Lot (See Halifax Coal Co.) ATER SERVICE. Appropriation, 108, 235 Assessment for Fire Protection, 235, 261Estimates, 31, 279 Funds, 182, 288 High Service, 93, 94, 98, 127, 194, 210, 283, 314 Insufficiency of, 8, 127 Insurance, 26 Low Service, 127, 283 Meters, 127-132, 194,235, 286 Report on, 102, 127, 285 Well, Africville, 43 EALTH OF CITY, 8 HARF, City, foot of George Street, 79, 284 INTER WORK for Laborers, 176, 180, 181 RES UNDERGROUND (See underground wires)

Water Lot 77, 82, 284, 300

WRIGHT, E. R., Campbell Road, 54

xiv

Minutes of Gity Council,

CIVIC YEAR 1901-1902, JAMES T. HAMILTON, Esquire, Mayor.

OFFICE OF CITY CLERK,

HALIFAX, N. S., May 6th, 1901.

James T. Hamilton, Esq., having been duly elected Mayor of the City of Halifax, for the civic year 1901-1902 was on the first day of May, A. D. 1901, sworn into office by His Honor the Lieutenant Governor at Government House in the presence of Aldermen MacIlreith, Martin and Geldert and the City Clerk.

H. TRENAMAN, City Clerk.

William G. Robertson, Esq., for Ward No. 1; Thomas J. Barry, Esq., for Ward No. 2; Adam B. Crosby, Esq., for Ward No. 3; Andrew Lamphier, Esq., for Ward No. 4; Peter F. Martin, Esq., for Ward No. 5; and Saul Mosher, Esq., for Ward No. 6, having been declared duly elected Aldermen for the City of Halifax for three years ending the 30th day of April, 1904, and Peter F. Martin, Esq., having on the first day of May, A. D. 1901, and William G. Robertson, Esq.; Thomas J. Barry, Esq.; Adam B. Crosby, Esq.; Andrew Lamphier, Esq.; and Saul Mosher, Esq.; having on the 6th day of May, 1901, severally taken and subscribed the Oath of Allegiance, the oath of office of Aldermen as well as that of Justice of the Peace for the City of Halifax, signed the roll of Aldermen of the City of Halifax in the presence of His Worship the Mayor.

H. TRENAMAN, City Clerk.

EVENING SESSION.

8.10 o'clock.

MAY, 8th, 1901.

A meeting of the City Council was held this evening at the above honr. Present His Worship the Mayor, Aldermen Geldert, Robertson, Campbell, MacIlreith, Barry, Mitchell, Halliday, Crosby, O'Donnell, Ryan, Lamphier, Chisholm, Rogers, Martin, Creighton, Hawkins and Mosher.

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

Alderman MacIlreith, Chairman, submits a report from the Committee on Laws and Privileges.

Alderman Campbell, Chairman, submits a report from the Board of Fire Commissioners.

Alderman Mosher, Chairman, submits the report of the City Prison Committee for the month of April. Also the Annual Report of said Committee for the civic year 1900-1901.

Alderman Creighton submits a report from the Charities Committee for the month of April.

His Worship the Mayor submits the following papers :

Annual Report of the Salt and Grain Measurers for the civic year 1900-1901.

Application of C. W. Romans for the position of Inspector of Licenses.

Applications of John J. Hennessey and Michael Connors for the position of Coal Weigher.

Account from James Shand for services as Arbitrator in re Fenwick Street. Letter from the City Clerk in re Shipbuilding Act.

Letter from George E. Francklyn asking for the return of a part of the fine imposed in the Police Court on a French sailor named Cotty.

Letter and account from James M. Godfrey in re property on Hanover Street and Campbell Road.

Letter from the City Engineer re Cornwallis Street sidewalk.

Letter from James K. Munnis re opening Maitland Terrace.

Petitions (2) from the employees of the City in the water work service and from the laborers employed by the City on Young Avenue Sewer, asking for an increase of pay. Letter from the City Treasurer in re Guarantee Bond.

Letter from George E. Faulkner re unpaid bills incurred in connection with the return of the Canadian Contingent.

Letter from John Walsh, asking for an extension of the tram service on Campbell Road.

Application of various city officials for re-appointment to office.

List of Standing Committees for civic year 1901-1902.

Moved by Alderman Campbell, seconded by Alderman MacIlreith, that the Order of the Day be suspended to read the papers submitted. Motion passed.

Read report of the Charities Committee for the month of April.

REPORT CHARITIES COMMITTEE.

HALIFAX, April 26th, 1901.

His Worship the Mayor and City Council:

The Charities Committee met this day and beg to submit the following report :

Accounts chargeable to Maintenance to the amount of \$3,324.42 were examined. found correct and recommended for payment.

The Superintendent's report for the month shows that there were 23 persons admitted to the Poor's Asylum from April 1st to date, 1 born, 42 discharged and 7 died. Total number of inmates at this date is 331 made up of 190 men, 131 women and 10 children.

The financial statement submitted by the Secretary shows that with the above accounts paid, the expenditure from May 1st, 1900, to date is \$35,275.88, and the receipts (including the appropriation of \$23,500 00) to be \$35,286.47, which leaves an unexpended balance of \$11.09. A detailed statement of the receipts and expenditure for the year will be submitted in the Annual Report.

Respectfully submitted,

ISAAC CREIGHTON, Chairman.

The following resolution is now introduced :

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

MAY 8th, 1901.

Moved by Alderman Creighton, seconded by Alderman MacIlreith, and passed.

Read report of the Board of Fire Wards and Fire Commissioners recommending sundry accounts for payment.

FIRE DEPARTMENT ACCOUNTS.

CITY HALL, May 6th, 1901.

To His Worship the Mayor and City Council :

GENTLEMEN, -- The Board of Fire Commissioners beg to recommend the following accounts for payment, viz:

lowing accounts for payment, viz: P. J. Broderick, for supplies, &c., \$9.60; Thos. S. Syelman, balance due on ice wheel, \$82.21; G. M. Cullen & Co., painting, papering and glazing, \$57.95; John Tobin & Co., soap, \$2 25, oil, \$9.40, \$11.65; Farquhar Bros., plumbing work, &c. to 30th April, \$57.44; W. H. Brush, carpenter's work, \$22.25; Halifax Electric Tram Co., April account, No. 7, \$9.33, West Street, \$6.49, \$15.82; Daniel McLeod, horseshoeing for April, \$10.78; David Power, horseshoeing for April, \$1.25; Neil Fox, harnesswork in April, \$7.81; Longard Bros., figure plates, &c., \$6.07; Chas. Putman, rent to 30th April, \$12.00; Black Bros. & Co., Hardware, 2 accts, \$1.25; S. Cunard & Co., coal, \$5.00; John MacInnes & Son, Lumber, \$8.04; Black & Flinn, \$1.00; John O'Connell, horseshoeing, January, \$11.15, February \$6 38, March. \$6.87, April \$6.80, \$31.20; T. W. Bateman, for work to April 23rd, 1901, \$10.50; J. E. M. Taylor, painting, &c., at West St. (contract) \$79.00; W. N. Browm, irons for engine house floor, \$1.75; Simson Bros. & Co., cask blue vitriol, \$42.30; Cragg Bros. & Co., flags, buckets, &c., \$5.10; Wm. Robertson & Son, Hardware, April account, \$3.70. Total \$433.66.

Respectfully submitted,

D. H. CAMPBELL, Chairman.

The following resolution is now introduced :

Resolved, That the report of the Board of Fire Commissioners be adopted and that His Worship the Mayor be authorized to sign warrants for the payment of the several accounts therein mentioned.

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

Read report of the City Prison Committee for the month of April.

CITY PRISON ACCOUNTS.

COMMITTEE ROOM, CITY PRISON, April 30th, 1901.

His Worship the Mayor and City Council :

GENTLEMEN, — The Committee on City Prison beg to recommend for payment the following named accounts :

C. W. Davies, bell hanging, \$2.50; James Davidson, horse shoeing \$11.00; Connolly & Davidson, stationery, 10c.; Black & Flinn, lime, \$1.60; Barnstead & Sutherland, dry goods, \$11.56; J. F. Kelly, harness, \$29.45; J. A. Leaman & Co., ox heads, \$9.36; A. M. Bell & Co., hardware, \$5.37; John McCrow, mason work, \$13.05; Arthur Fordham, shoe findings, \$10.11; E. R. Wright, groceries, \$75.64. Total \$169.74.

Respectfully submitted,

S. MOSHER, Chairman.

The following resolution is introduced :

Resolved, That the report of the City Prison Committee be received and concurred in and His Worship the Mayor authorized to sign warrants for the payment of the several accounts therein referred to. Moved by Alderman Mosher, seconded by Alderman Martin, and passed.

Read Annual Report of the City Prison Committee for the civic year 1900-1901.

Moved by Alderman Campbell, seconded by Alderman Mosher, that the same be referred to the Committee on publication of Annual Report. Motion passed.

Read report from the Committee on Laws and Privileges on various matters.

REPORT LAWS AND PRIVILEGES COMMITTEE.

COMMITTEE ROOM, CITY HALL, HALIFAX, N. S., May 2, 1901.

His Worship the Mayor and City Council:

GENTLEMEN, -The Committee on Laws and Privileges beg to report :

IN RE PETER LOWRIE'S HOUSE.

Your Committee think there is no objection to the re-modelling of Mr. Lowrie's house, as outlined in J. C. Dumaresq & Son's letter; but as regards the fourth clause of said letter, which proposes adding two extra storeys of wood to a wing at the back of the house. your committee find that the law prohibits this being done. It is recommended that the letter be referred to the Inspector of Buildings for report.

IN RE ALDERMAN O'DONNELL'S RESOLUTION TO PREVENT MUSIC IN PLACES WHERE TEMPERATE DRINKS ARE SOLD :

Your Committee is of opinion that existing laws will punish all nuisances or breaches of the peace, and deem it inadvisable to seek any further legislation to meet this particular matter.

IN RE CLAYTON & SONS' TUNNEL :

Messrs. Clayton & Sons have withdrawn their application for the present.

All of which is respectfully submitted.

R. T. MACILBEITH, Chairman.

Objected to and placed on the Order Paper.

Read account from James Shand for services rendered as arbitrator in the matter of widening and grading Fenwick Street.

Moved by Alderman Geldert, seconded by Alderman Campbell, that said account be paid. Motion passed.

Read letter from John Walsh asking that the tram service be extended on Campbell Road to the head of the lane in line with the Round House.

Moved by Alderman Mosher, seconded by Alderman Hawkins, that the same be referred to the City Works Commission for report. Motion passed.

Read letter from the City Clerk in re Shipbuilding Act.

PLEBISCITE ON SHIPBUILDING.

May 2nd, 1901.

His Worship the Mayor and City Council:

GENTLEMEN, —I have the honor to inform you that the Act entitled "An Act to encourage the building of steel and iron ships in the City of Halifax," passed

by the Legislature of Nova Scotia on the 4th day of April, 1901, was, in the "Royal Gazette" of May 1st, 1901, duly proclaimed to be in force. I enclose a copy of the proclamation.

copy of the proclamation. Under Section 4 of the Act it is necessary for the City Council to appoint three members, together with His Worship the Mayor on the Shipbuilding Commission.

Respectfully submitted,

H. TRENAMAN, City Clerk.

Moved by Alderman Rogers, seconded by Alderman Martin, that said letter be filed and that His Worship the Mayor appoint the Committee referred to in said Act. Motion passed.

Read leter from George E. Franklyn asking that a portion of the fine imposed in the police court on a French sailor for drunkenness and carrying a sheath knife, be remitted.

Moved by Alderman Campbell, seconded by Alderman Hawkins, that the matter be referred to the Committee on Laws and Privileges for report. Motion passed.

Read letter from James M. Godfrey in re certain lands on Campbell Road and Hanover Street and used as a sidewalk which he claims belongs to the estate of the late Arthur Godfrey, also an account for rent of same from May, 1894, to May, 1901.

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

Read letter from the City Engineer relative to asphalt sidewalks on Cornwallis Street between Brunswick Street and Lockman Street.

CORNWALLIS STREET SIDEWALKS.

CITY ENGINEER'S OFFICE, May 8th, 1901.

His Worship the Mayor :

SIR,—The Works Department last year began the construction of an asphalt sidewalk on both sides of Cornwallis Street between Brunswick Street and Lockman Street, to be paid for from the Street appropriation. Nearly half the work was laid and is in good condition. The remainder could not be completed, as the law which enables the City to compel property owners to connect their down spouts applies to permanent pavement sidewalks only. As it is advisable to have this work completed, I would recommend that the sidewalks mentioned be constructed under the Permanent Pavement Act.

Respectfully submitted.

F. W. W. DOANE, City Engineer.

Moved by Alderman O'Donnell, seconded by Alderman Chisholm, that the recommendation contained in said letter be adopted. Motion passed.

Read letter from James K. Munnis relative to opening the street called Maitland Terrace through to Gottingen Street.

Moved by Alderman O'Donnell, seconded by Alderman Martin, that a delegation consisting of the Mayor and three Alderman wait upon the Military authorities with the view of the city acquiring such Imperial property as may be necessary to carry out said proposed extension. Motion passed.

MAY 8th, 1901.

6

Read petition from the laborers on the Wster Works service and also from the men employed on Young Avenue sewer asking for an increase of pay.

Moved by Alderman O'Donnell, seconded by Alderman Martin, that said petitions be referred to the City Works Commission for report. Motion passed.

Read Annual Report of the Salt and Grain Measurers for the civic year 1900-1901. Filed.

Read application of C. W. Romans for the position of Inspector of Licenses.

On motion the same is placed on the Order Paper for consideration with No. 23, Sec. 2 thereon, viz: Appointment of License Inspector.

Read applications from Michael Connors and John J. Hennessey, for the position of Coal Weigher. Filed.

Read letter from the City Treasurer, offering as his security the Bond of the London Guarantee and Accident Company.

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

Read letter from George E. Faulkner relative to bills incurred in connection with the return of the Canadian Soldiers from South Africa remaining unpaid.

Moved by Alderman Mosher, seconded by Alderman Mitchell, that said bills be paid out of the Contingent account. Motion passed.

The following resolution is now introduced by leave of council:

Whereas, A vacancy has taken place in the representation of Ward One in this Council by one of the Aldermen for said ward accepting the nomination for the Mayoralty at the recent civic election, and it is desirable that said office should be filled by an election.

Therefore resolved, That said office of Alderman be and is hereby declared vacant, and that an election to fill said vacancy for the unexpired time be held according to law.

Moved by Alderman Geldert, seconded by Alderman Rogers, and passed.

Moved by Alderman Geldert, seconded by Alderman Mitchell, that Michael Brown be a Presiding Officer for the ensuing election in Ward No. One. Passed.

Moved by Alderman Mitchell, seconded by Alderman Campbell, that Alderman Geldert be a Presiding Officer for the ensuing election in Ward No. One. Passed.

Alderman Campbell by leave of Council now introduces the following resolution:

Resolved, That the Works Department interview the Military Authorities in reference to the straightening of Queen Street from Sackville Street to Spring Garden Road, and that a report on the same be made by the Board at the next meeting of the Council. Moved by Alderman Campbell, seconded by Alderman Barry and passed.

Alderman MacIlreith, by leave of Council now introduces the following resolution :

Resolved, That His Worship the Mayor do nominate a committee at this meeting of Council consisting of six Aldermen to make arrangements for the civic reception of Their Royal Highnesses, the Duke and Duchess of Cornwall and York, and to carry said arrangements when made into effect, and with power if they see fit to join with any committee or committees the Dominion or Local Government may appoint for the same purpose.

Moved by Alderman MacIlreith, seconded by Alderman Robertson and passed.

A'derman MacIlreith, with leave of Council, now introduces the following resolution :

Whereas, It is reported that an effort is being made to so change the programme of the trip of the Duke and Duchess of Cornwall and Yorke as to make their landing in Canada at some other port than Halifax,

Therefore Resolved, That His Worship the Mayor communicate to the representatives of Nova Scotia in the Dominion Cabinet and to the representatives of Halifax in the House of Commons the wish of the citizens of Halifax that said landing should take place at Halifax.

Moved by Alderman MacIlreith, seconded by Alderman Campbell, and passed.

Read the Inaugural Address of His Worship the Mayor :

ADDRESS BY HIS WORSHIP THE MAYOR.

CITY HALL, HALIFAX, N. S., May 6, 1901.

To the City Council :

GENTLEMEN,—In assuming for the third time the duties of Mayor, the thought has occurred to me that the time is opportune to take a retrospective glance at the history of our civic government and incidentally to recall a few facts that might be more or less interesting and instructive.

I shall not go back as far as the period of Incorporation, but rather confine my remarks to a comparison between the state of affairs in 1857, when the first report of the several departments of the Corporation was made, and the present time when the control of the services are in our hands.

I have a two-fold object in taking this course—First, I desire to show at what a cheap rate, from a cash point of view, a population of thirty thousand enjoyed the benefits of Municipal government as compared to what it costs a population of forty-five thousand at the present time; and, secondly, in the light of the present to make a few suggestions for your serious consideration.

My worthy predecessor—the occupant of the Mayor's chair in 1858, pleaded that it could not be a matter of surprise that the sum of \$20,000 per annum, which had been deemed sufficient by the Legislature for the ordinary limit of the annual assessment in 1841, for city purposes, had proved inadequate to meet the growing demands on the Municipality, and, somewhat timidly, he urged that the sum of \$48,000 was as much required in 1858 for the ordinary purposes as \$20,060 was in 1841.

The whole debt of the City in 1858 amounted to \$95,426, and to offset this indebtedness there was the property of the Corporation, which has not materially increased since. The general assessment amounted to \$41,352, and the sum collected was \$40,285.75. The revenue from all other sources was \$10,049.75.

To suppose that all the essential features of Municipal Government were, as late as 1858, kept up for less than \$50,000, would, of course, be a mistake. When the Charter was granted it was designed that the citizens themselves should put

their own shoulders to the wheel. The law obliged them to do so. The valuation of the property within the City for assessment purposes was performed by assessors chosen at the polls, who were required to fulfil this duty under a heavy penalty for refusal. The Fire Department cost nothing except for the engines and for hose. The Board of Health got no remuneration. The duty of Health Inspector was performed by Health Wardens—chiefly the leading business men of the City. No item of assessment for schools appeared on the tax bill. There was no public Hospital. There was no Stipendiary Magistrate's Court. The Mayor presided daily at the police court and held a Court twice a month for the trial of small debtors. There was a very inefficient water supply from the lakes, and no domestic service of any account. This was the condition of affairs about forty years ago when less than \$50,000 was assessed for civic purposes. Halifax was wealthy then, notably so for its size, and could well afford to have provided itself with a sewerage system, and all the modern features that were being adopted by the growing cities of the Upper Provinces and of the New England States for utility and adornment. Halifax was then blind to its opportunities, and too many of its wealthy men took their departure without leaving behind anything to show, so far as the interests of the Corporation were concerned, for the weaith accumulated at a time when all the trade of the Province

Now what of the present? With only a population of forty-five thousand enjoying a free school system, ample sewerage facilities, an abundant water supply, (when not wasted) free library, a home for the destitute furnished with all arrangements for comfort, and other philanthropic institutions generously aided from the civic chest, there appears to be little chance for a very material reduction of the existing rate of assessment.

To what end should our efforts be directed under the circumstances?

Let me impress upon you, as I myself am deeply influenced by the importance of this matter, that, first of all, it is the duty of the Council to apply itself to the serious consideration of the question of taxatian. While perhaps it is not possible to effect a material reduction in the rate, the burden might be borne more equitably, and while ratepayers are not now called upon to perform other services which would seriously encroach upon the time that should be devoted to their private concerns no citizen should escape from contributing, according to his ability, towards the maintenance of the services which are supported from the public treasury. Many attempts have been made in recent years to bring about a reform in this matter, but they have, through various causes all failed. It must not be supposed, however, that an equitable assessment is unobtainable. I do hope, notwithstanding the repeated failures, for a satisfactory solution of this vexed problem; but the question will have to be dealt with by you, Gentlemen, with a devoted earnestness; and, with the aid of the Board of Trade, which is at your service, I indulge the hope that my last year in this office will not end without seeing a workable assessment law, of general acceptance, placed upon the Statute book."

Another important duty that should engage close attention is the distribution of the revenue that is derived from the assessment—as well as from all the other sources.

As a result of Acts passed by the Legislature and the many changes and additions made from time to time by that body affecting the city and its government, the official staff of the city has grown out of all proportion to the needs of the community, and its ability to pay. The creation of the offices of License Inspector, Truant Officer, Revisor of Jury Lists, Registrar of Voters and Coroner, has called for the appointment and payment of new officials where we already had a staff capable of efficiently performing all these duties. It must be quite plain to any observer that the City staff has outgrown our requirements and could stand considerable pruning. What is required, in my judgment, is a new City Charter giving the Council general powers to govern by by-laws, that could be altered from time to time as in the opinion of the Council would be in the best interest of the citizens. Now all these details are provided for by Acts of the Legislature, and we are powerless to even change the duties of some of the officials, or to remove others who could well be dispensed with.

The sum of \$397,289 was the amount imposed for the year ending 30th April, 1901. Of this amount only \$126,118—exclusive of the interest on bonds was directly expended by the Council. The various items in the extra assessment which, under the different Acts of the Legislature, this Council is authorized to collect serve to show in what manner and by whose hands these amounts were expended. Not only should the Council scan with the greatest scrutiny every item of expenditure for which it is directly responsible, but there should be, at the same time, a watchful eye kept on the expenditure of the moneys which are handed over to other departments to distribute. The annual expenditure for the schools, for example, forms a large item or assessment. When the ratepayer learns that the rate of taxation has increased his words of exasperation are usually thrown at the heads of the Mayor and Aldermen. He does not stop to reflect that over one-third of the amount asked for is to be devoted to the public schools.

The question of audit is one, too, that demands attention. The present auditing is not sufficiently all-embracing. Besides, so far as it goes, it lacks thoroughness. In my opinion, all branches of the civic administration should be subjected to a systematic audit at the hands of a regularly appointed and independent official, and this audit should embrace the accounts of the School Board, the County of Halifax, the Provincial Exhibition and all like services so largely supported by the City.

The auditing as now performed is not part of a regular audit system. I need not labor this question. The importance of it must appeal to all who have any knowledge of how financial affairs—in which the public is concerned —should be conducted. It is only just to those who have the collecting and disbursing of public moneys that a strict supervision should be held over the manner in which that work is perfermed, and it is certainly only fair to the ratepayer that he should have the assurance, from a reliable and independent source, that every dollar he has been obliged to contribute for public purposes has been wisely and honestly appropriated.

has been wisely and honestly appropriated. I have somewhat hastily, Gentlemen, thrown together these suggestions. There are other matters of detail that occur to me to dwell upon, but I shall not now refer to them. I shall be pleased to co-operate with you, with all the zeal that I am possessed of, to the end that, with our united efforts, the year upon which we are now entering—the first of the century—may be one reflecting high credit upon the civic government.

J. T. HAMILTON, Mayor.

Moved by Alderman MacIlreith, seconded by Alderman Hawkins, that said address be printed in the Minutes of Council and also in the Annual Report. Motion passed.

His Worship the Mayor now proceeds to nominate the several standing Committees for the civic year 1901-1902, as follows:

Commissioners of Point Pleasant Park.—Aldermen Robertson, Campbell. Mitchell, O'Donnell, Martin, Creighton.

Moved by Alderman O'Donnell, seconded by Alderman Hawkins, that Alderman Lamphier be substituted for Alderman O'Donnell, and that Alderman Mosher be substituted for Alderman Creighton on said Commission, and that said nomination as amended be confirmed. Motion passed.

Commissioners of Public Gardens and Common.—Aldermen Robertson, Barry, Mitchell, Rogers and Hawkins. On motion Alderman Creighton is substituted for Alderman Hawkins on said Committee, and the nomination as amended confirmed.

Board of Firewards.— Aldermen Geldert, MacIlreith, Crosby, Ryan, Martin and Hawkins. On motion Alderman Campbell is sub-

stituted for Alderman MacIlreith on said Board and the nominations as amended are confirmed.

City Health Board. — Aldermen MacIlreith, Ryan, Chisholm. Moved by Alderman Mitchell, seconded by Alderman Campbell, that Alderman Geldert be a member of said Board in place of Alderman MacIlreith. Motion passed. Moved by Alderman Martin, seconded by Alderman O'Donnell, that Alderman Crosby be substituted for Alderman Ryan on said Board. Motion passed. On motion said nominations as amended are confirmed.

Police Commissioners. The Mayor, Alderman Martin, His Honor the Recorder. On motion said nominations are confirmed.

Board of City Works.—The Mayor, Aldermen Geldert and Mosher. Moved by Alderman Hawkins, seconded by Alderman Creighton, that Alderman O'Donnell be a member of the Board of Works in place of Alderman Geldert. Motion passed, and said nominations as amended are confirmed.

Commissioners of Cabs. The Mayor, Alderman Ryan and the Recorder. On motion said nominations are confirmed.

Fire Escapes.—Aldermen Mitchell, Martin and Hawkins. Moved by Alderman Mosher, seconded by Alderman Campbell, that Alderman Barry be substituted for Alderman Martin, that Alderman Robertson be substituted for Alderman Mitchell, that Alderman Lamphier be substituted for Alderman Hawkins, and that the nominations as amended be confirmed. Motion passed.

Board of Charities.—Aldermen Robertson Barry, Crosby, O'Donnell, Chisholm and Hawkins. On motion said nominations are confirmed.

Public Accounts. — Aldermen Robertson, Campbell, Halliday, Lamphier, Rogers, Mosher. Moved by Alderman Campbell, seconded by Alderman O'Donnell, that Alderman MacIlreith be substituted for Alderman Campbell on said Committee. Motion passed and the nominations passed as amended.

City Prison.—Aldermen Campbell, Crosby, Lamphier, Rogers and Mosher (the vacancy for Ward One to be tilled). On motion said nominations are confirmed.

Laws and Privileges.—Aldermen Geldert MacIlreith, Halliday, Lamphier, Rogers, Mosher. Moved by Alderman Hawkins, seconded by Alderman Chisholm, that Alderman O'Donnell take the place of Alderman Lamphier on said Committee. Motion passed, and the nominations as amended are confirmed.

Library.—Aldermen Geldert, Barry, Halliday, Mitchell, Rogers, Creighton On motien said nominations are confirmed.

Tenders.—Aldermen Campbell, Halliday, O'Donnell, Martin, Hawkins, (vacancy for Ward One to be filled).

On motion Alderman Chisholm takes the place of Alderman Martin, and the nominations as amended are confirmed. Cemetery.—Aldermen Barry, Mitchell, O'Donnell, Chisholm, Creighton (vacancy for Ward No. One to be filled).

Moved by Alderman Martin, seconded by Alderman O'Donnell, that Alderman Campbell be substituted for Alderman Barry on said Committee and that the nominations as amended be confirmed. Motion passed.

Deputy Mayor.— Moved by Alderman Rogers, seconded by Alderman Martin, that Alderman MacIlreith be Deputy Mayor.

Moved by Alderman Hawkins, seconded by Alderman Mitchell, that Alderman Campbell be Deputy Mayor.

On the vote being taken there appeared :

For Alderman Campbell.

For Alderman MacIlreith.

Aldermen Geldert, Mitchell, O'Donnell, Ryan, Creighton, Hawkins—6. Aldermen Robertson, Chisholm, Barry, Martin, Halliday, Rogers, Crosby, Mosher, Lamphier—9.

His Worship the Mayor declares Alderman MacIlreith duly elected Deputy Mayor of the City of Halifax.

Alderman O'Donnell gives notice of reconsideration.

Commissioners of Common.—The Council now proceed to appoint two Commissions of Halifax Common and decide to elect them separately.

William F. Pickering, William Bishop, H. D. Holloway, John F. Kelly and John Nolen are severally nominated for the position.

On the first vote being taken there appeared :--For W. F. Pickering, 9; H. D. Holloway, 1; William Bishop, 7.

His Worship the Mayor declares W. F. Pickering duly elected a Commissioner of Halifax Common.

On the vote being taken to fill the second vacancy there appeared: For William Bishop, 4; John F. Kelly, 9; John Nolen, 2; H. D. Holloway, 2.

His Worship the Mayor declares John F. Kelly duly elected a Commissioner of Halifax Common.

Alderman O'Connell gives notice of reconsideration.

APPOINTMENT OF CITY OFFICIALS.

The Council now proceed to elect the various civic officers for the year 1901-1902 as follows:

Assistant City Clerk	L. Fred Monaghan	-elected
Clerk of License	Robert Theakston	"
Clerk of Works	James J. Hopewell	""
Foreman Street Works	John McDonald	
Foreman Water Works	Ewan Morrison	"
Assistant City Engineer	H. W. Johnston, Jr.	**
Stenographer and Typewriter	Minnie Hunter	**
Clerk Water Department	James Laidlaw	"
11 11 11 II	Louis R. Kaye	"

MAY 8th, 1901.

City Electrician P. R. Colpittre	-elected
City Electrician P. R. Colpitt	"
Caretaker City Property Thomas Spelman	44
Water InspectorJohn E. Burns	. "

Moved by Alderman Mosher, seconded by Alderman O'Donnell, that the appointment of a Water Inspector be for the present deferred. Motion passed.

City Medical	Officer		homas Trenamanr	
Janitor City Measurers of	Salt and Gr	ainI	onn Spruhan Richard D'Arcy, Thomas Wood,	"
			James Mahar, George C.	
			Hawes, Thos. Forbes and	
			Thomas W. Arthur	u
Weighers of	Coal		Simon Cummins, D. Grant, A.	
			J.Smith, G. Grono, Thomas	
			Shields, Andrew Doyle,	
			James A. Harraher, Wil-	"
Dogistran of	Comotory		liam Hawley	"
Governor Cit	v Prison		William Murray	"
Matron City	Prison		Mrs. Murray	"
			D. E. Keating, Wm. Higlett,	
- native pri			James M. Anderson, George	
			Grant	"
Messenger C	ity Prison .	I	Daniel McDonald	**
Superintende	ent Poor's As	ylumJ	lames H. Dow	"
Matron Poor	's Asylum .	M	Irs. Annie F. Dow	"
Asst. Engine	er Poor's As	ylumJ	ohn H. Grant	"
Secretary	· · · · · · · · · · · · · · ·	···· ···· · ···· · ···· · ··· · ·	3. Mulcahy	
Lumber Surv	eyors		John C. Potts	"
Soular of Lo.			James Jackson	"
			Wm. T. Horton	**
Inspector Pa	inter's Work		E. M. Taylor	**
1100000114	"		David Roche	**
Inspector Ma	son's Work		Samuel Marshall	"
""	"	J	lames Taylor	
**	**		Henry Saunders	
	111 IN 111	117 - 117 - 118 - 118 - 118 - 118 - 118 - 118 - 118 - 118 - 118 - 118 - 118 - 118 - 118 - 118 - 118 - 118 - 118		

On the vote being taken to fill the position for which James Taylor and Henry Saunders were nominated, names were called for and there appeared :

For Henry Saunders.	For James Taylor.		
Aldermen Lamphier, O'Donnell,	Aldermen Geldert, MacIlreith		
Rogers, Creighton,	Campbell, Barry,		
Mosher, Halliday-6.	Halliday, Crosby,		
850 (S R	Ryan, Chisholm,		
	Martin, Robertson-10.		

His Worship the Mayor declares James Taylor duly elected an Inspector of Mason's work for the City of Halifax.

Alderman Lamphier gives notice of reconsideration.

Weighers of Bundle Hay John Punch, J. S. Hubley elected Weighers of Loose Hay W. McC. Boak, Thos. Keating, Joseph S. Hubley, James McPheere-elected

Forema	n City Wor	k Shops	Joseph B. Scrivenre	-elected
			Foods, &c.George P. Henry	"
			John North	"
			Mrs. North	"
Libraria	n Citizens	' Free Libra	ryJosephine Warren	
Asst.	"	"	Mattie Barnaby	
Asst.	•6	"		"
Plumbin	ng Inspecto	or	Claude Donovan	"
			nsRichard Power	**

Moved by Alderman Chisholm, seconded by Alderman Martin, that No. 21 on Order Paper be now taken up. Motion passed.

Read No. 21, viz: Report City Works Commission re Tenders for Sand, Gravel and Bricks.

Moved by Alderman Chisholm, seconded by Alderman Mosher, that said report be adopted. Motion passed.

Moved by Alderman Rogers, seconded by Alderman MacIlreith, that the council adjourn. Motion passed.

Council adjourns 10.30 o'clock.

EVENING SESSION.

8.10 o'clock.

MAY, 16th, 1901.

The City Council met this evening. At the above hour there were present His Worship the Mayor, Aldermen Creighton, Robertson, Rogers, Mitchell, Lamphier, O'Donnell, Crosov.

Moved by Alderman Rogers, seconded by Alderman Robertson, that the time for meeting be extended till 8.30 o'clock. Motion passed.

8.30 Roll called. Present the above named together with Aldermen Geldert, Campbell, MacIlreith, Barry, Halliday, Ryan, Chisholm and Martin.

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

Alderman MacIlreith, Chairman, submits a report from the Committee on Laws and Privileges.

His Worship the Mayor submits the following papers :

Report City Works Commission re Laborers' Wages. Report City Works Commission re Harvard Street hydrant. Report City Works Commission re College Street opening.

Application of Thomas J. Healy for position of Water Inspector.

Letter from F. W. Christie, C.E., re Plan of the City of Halifax. Letter from Mrs. Cleary and other residents of South East Passage and vicinity, asking permission to stand and sell their produce on West side of Post Office.

Report of Weighers of Coal and Coke for the month of April.

Annual report of Weighers of Coal and Coke for civic year 1900-1901.

Application of E. J. Ross for position of Chief Inspector of License.

Return of City Clerk covering Nomination Paper of Charles Archibald for office of Alderman for Ward No. One.

City Collector's returns of Rates and Water Rates collected during the month of April.

City Treasurer's Cash Statements "General" and "Water" for the month of April.

Moved by Alderman O'Donnell, seconded by Alderman Martin, that the Order of the Day be suspended to read the papers submitted. Motion passed.

Read report of Committee on Laws and Privileges in re Peter Lowrie's house on South Brunswick Street, and also on Alderman O'Donnell's resolution to prevent music in places where temperate drinks are sold.

REPORT LAWS AND PRIVILEGES COMMITTEE.

COMMITTEE ROOM, CITY HALL, May 15th, 1901.

His Worship the Mayor and City Council:

GENTLEMEN,-The Committee on Laws and Privileges beg to report :--

IN RE PETER LOWRIE'S HOUSE.

This is a matter for the Recorder and Inspector of Buildings under the Act and Your Committee would recommend that the question be referred to them with the recommendation that the request be granted if possible.

IN RE ALDERMAN O'DONNELL'S RESOLUTION TO PREVENT MUSIC IN PLACES WHERE TEMPERATE DRINKS ARE SOLD :

Your Committee recommend, Alderman MacIlreith dissenting, that all houses or shops where temperate drinks are sold should be required to pay a licence fee of twenty-five cents per year and that painted windows in such shops or houses should be prohibited and that His Honor the Recorder should be instructed to draft an Ordinance to carry the above recommendation into effect.

All of which is respectfully submitted,

R. T. MACILBEITH, Chairman.

Moved by Alderman O'Donnell, seconded by Alderman Rogers, that said report be adopted.

Moved in amendment by Alderman Crosby, seconded by Alderman MacIlreith, that said report be considered clause by clause. Amendment passed.

Read Clause 1 in re Peter Lowrie's house.

Moved by Alderman Crosby, seconded by Alderman Barry, that said clause be adopted. Motion passed.

Read Clause 2 in re Alderman O'Donnell's resolution to prevent music in places where temperate drinks are sold.

Moved by Alderman O'Donnell, seconded by Alderman Rogers, that this clause be adopted. Motion put and passed, 9 voting for the same and 4 against it. Names being called for there appeared :

For the Motion. Aldermen Geldert, Mitchell, Halliday, Lamphier, O'Donnell, Chisholm,

> Martin, Rogers, Creighton-9.

Against it. Aldermen Robertson, MacIlreith, Barry, Crosby-4.

Read report of City Works Commission re Laborers' Wages.

LABORERS' WAGES.

CITY WORKS OFFICE, May 13th, 1901.

The City Council :

GENTLEMEN,—The City Works Commission at a meeting held above date, considered the report (attached hereto) from the City Engineer re Laborers' wages, and decided to recommend the same to the City Council for approval.

> J. T. HAMILTON, Mayor, Chairman City Works Commission.

CITY ENGINEER'S OFFICE, May 13th, 1901.

His Worship the Mayor :

Sin, —I beg to report on the accompanying petitions from City Laborers asking for an increase of pay: When the length of day's work was reduced to nine hours the rate of wages

When the length of day's work was reduced to nine hours the rate of wages for ordinary labor was \$1.10 for ten hours, or eleven cents an hour. The pay was not reduced, and in no case within my knowledge was the hour's wages cut off. The pay, however, is very small, and I believe, is less than is paid by any other City of the size of Halifax in Canada. All the builders and employers of labor in the City pay at least \$1.25 per day of nine hours, and I think no able-bodied laborer should be asked to work for the City for less than that amount, or say fourteen cents (14c.) an hour, which would be \$1.26 for nine hours. The increase in the rate of wages may mean an increase in the cost of the work; but that should be no argument against it if the present rate of wages is too small. The minimum rate of pay for an ordinary able-bodied man should be fixed by the Works Commission or the Council, and I would respectfully suggest that the Works Department be allowed to employ men who are partially disabled or who are not able to do a full day's work at a smaller rate of pay, as at present; otherwise these men must go to the Poor House. They are quite as capable of doing watchmen's work, tieing up brush, carrying tools, and similar work as a much stronger man would be, and instead of costing the City more money a saving is effected by employing them.

The men working on the sewers ask for fifteen cents (15c) an hour on the ground that other men are getting the same rate of pay. If these men are given the same rate as the other men they mention are now getting the latter should have their pay increased, as they are more skilled, being men who lay concrete and who are more expert in blasting work, and I think their additional skill should be encouraged by giving them a higher rate of wages than the ordinary laborer. If the men who are now getting thirteen (13c.) and thirteen and a half (13½c.) cents an hour do not get more pay we shall soon have none but the poorest laborers to employ, as those who are able to do a fair day's work are going where wages are higher.

Respectfully submitted.

F. W. W. DOANE, City Engineer.

Moved by Alderman O'Donnell, seconded by Alderman Chisholm, that said report be adopted. Motion passed.

Read report City Works Commission re Harvard Street Hydrant.

HARVARD STREET HYDRANT.

CITY WORKS OFFICE, May 13th, 1901.

To the City Council :

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GENTLEMEN,—At a meeting of the City Works Commission, held above date, it was decided to forward to the City Council the accompanying report of the City Engineer re Harvard Street Hydrant, with a recommendation that the same be adopted.

J. T. HAMILTON, Mayor,

Chairman City Works Commission.

CITY ENGINEER'S OFFICE, May 13th, 1901.

His Worship the Mayor:

SIR,—In accordance with the accompanying extract from Minutes of Council, I beg to report on the petition attached hereto asking for a hydrant at the corner of Harvard Street and Duncan Street or Chebucto Road.

The water service has not been extended on Chebucto Road, while the pipe has been laid along Duncan Street to Harvard Street. I would recommend that the hydrant be placed at the corner of Duncan Street and Harvard Street, provided those who will use the water will sign the usual bond and pay the usual rate of one dollar (\$1.00) per annum. Respectfully submitted,

submitted,

F. W. W. DOANE, City Engineer.

Moved by Alderman O'Donnell, seconded by Alderman Halliday, that said report be adopted. Motion passed.

Read report of the City Works Commission re College Street Opening.

COLLEGE STREET OPENING.

CITY WORKS OFFICE, May 13th, 1901.

To the City Council:

GENTLEMEN,—At a meeting of the City Works Commission, held above datethe accompanying report of the City Engineer re Opening College Street was con, sidered and ordered to be sent to the City Council for its information.

> J. T. HAMILTON, Mayor, Chairman City Works Commission.

CITY ENGINEER'S OFFICE May 13th, 1901.

His Worship the Mayor :

SIR,—In accordance with the accompanying resolution of Council, I beg to report on the petition for the opening of College Street between Summer Street and Tower Road:

College Street, formerly Neal Street, was laid out from Tower Road to Robie Street. Under the authority of Chapter 61 of the Acts of 1886, the ladies of the Sacred Heart took possession of that portion from Summer Street to the end of Brockley's Lane. The right was reserved, however, to the City to open the street when required. It may be that the transfer has become void by the placing of a building on the street. However, I have had an interview with the Sclicitor representing the Ladies of the Sacred Heart who informs me that the old barn at the West end of a portion of the street sometime known as Brockley's Lane will be removed at the City's request, and that the Ladies of the Sacred Heart will make no opposition to opening the street.

An expenditure of \$50 to \$100 will make the street as good as the rest of the block. If required to macadamize roadway a larger expenditure will be necessary; but this work has not been performed on the rest of the block. There will be one or two small trees to move; but this work can be done at small expense and with little trouble.

Respectfully submitted,

F. W. W. DOANE, City Engineer.

Moved by Alderman O'Donnell, seconded by Alderman Geldert' that the said street be opened and the report of the City Engineer thereon adopted. Motion passed, 12 voting for the same and 2 against it.

Names being called for there appeared :

For the motion. Aldermen Geldert, Mitchell, Robertson, MacIlreith, Campbell, Barry, Halliday, Lamphier, O'Donnell, Chisholm, Rogers, Creighton-12.

Against it. Aldermen Crosby, Martin-2. Read petition from Mrs. A. Cleary and other residents of South East Passage and adjoining districts for permission to stand and sell their produce on the west side of the Post Office.

Moved by Alderman Campbell, seconded by Alderman O'Donnell, that said petition be referred to the Committee on Laws and Privileges for report. Motion passed.

Read letter from F. W. Christie, C. E., applying for appointment on street survey.

Moved by Alderman Mitchell, seconded by Alderman Chisholm, that the same be referred to the City Works Commission for report Motion passed.

Read application of Thomas J. Healy for position of water inspector. Filed.

Read return of the City Clerk covering the nomination papers of Charles Archibald for the office of Alderman for Ward No. One "to fill the vacancy caused by the retirement of Alderman Faulkner," he being the only candidate for said office.

His Worship the Mayor declares Charles Archibald duly elected an Alderman of the City of Halifax for the balance of ex-Alderman Faulkner's term.

Read report of the Weighers of Coal and Coke for the month of April. Filed.

Read Annual Report of the Weighers of Coal and Coke for the civic year 1900-1901. Filed.

Read City Treasurer's Cash Statements "General" and "Water" for the month of April. Filed.

Read City Collector's returns of Rates and Water Rates collected during the month of April. Filed.

Read application of E. J. Ross for the position of License Inspector.

Moved by Alderman Rogers, seconded by Alderman Campbell, that the same be laid over for consideration with the other applications for the position. Passed.

ORDER OF THE DAY.

No. 1.—Alderman O'Donnell's notice of reconsideration of appointment of Alderman MacIlreith as Deputy Mayor.

Moved by Alderman O'Donnell, that said appointment be now reconsidered. Said motion not receiving a seconder, the item is struck from the Order Paper.

No. 2.—Alderman O'Donnell's notice of reconsideration of appointment of John F. Kelly as a Commissioner of Halifax Common.

Moved by Alderman O'Donnell, seconded by Alderman Lamphier, that said appointment be now reconsidered. Motion put and lost, 3 voting for the same and 11 against it. Names being called for there appeared:

For reconsideration.

Aldermen Crosby, Lamphier, O'Donnell—3.

Against it. Aldermen Geldert, Mitchell, Robertson, MacIlreith, Campbell, Barry, Halliday, Chisholm, Martin, Rogers, Creighton-11.

Moved by Alderman Rogers, seconded by Alderman MacIlreith, that the Order of the Day be suspended to allow Alderman Rogers to introduce a resolution. Motion passed.

The following resolution is now introduced :

Whereas, It is rumored that an effort is being made to substitute Quebec for Halifax as a landing place for the Duke of Cornwall and York and party in Canada.

Therefore Resolved, That His Worship the Mayor cable proper authorities in either England or Canada asking them to adhere to original programme and land at the same place in Halifax as did King Edward the Seventh on his visit to Canada.

Moved by Alderman Rogers, seconded by Alderman MacIlreith, and passed.

Moved by Alderman Campbell, seconded by Alderman Barry, that No. 27 on Order Paper, viz: Application of John E. Burns for reappointment as Water Inspector be now taken up.

Moved in amendment by Alderman Rogers, seconded by Alderman Martin, that No. 25, Section 2, viz: Applications for position of License Inspector. be now considered. Said amendment on being put is passed.

His Worship the Mayor nominates Aldermen Geldert, Campbell, Mitchell, Lamphier, Rogers and Mosher as the Committee on Reception to the Duke and Duchess of Cornwall and York.

On motion said nominations are confirmed.

IN RE BANKS' REMOVAL FROM OFFICE.

RECORDER'S OFFICE, February 28th, 1901.

His Worship the Mayor and City Council :

By the 4th section of the Liquor License Act of 1895 the Inspectors of Licence for the Province were nominated by the several Councils, and the name of the person so nominated had to be submitted to the Governor-in-Council, who had the right to veto or confirm such nomination, and by sub-section (4) they held office during good behaviour and could only be removed for cause shown by a majority vote of the members present at a meeting of the Council called for that purpose, and such removal was subject to the approval of the Governor-in-Council.

By the latter part of the 4th section the Inspectors for the City of Halifax were to be appointed annually at the first meeting of the Council in February in each and every year. It is unnecessary now to enquire whether this last provision had any effect in view of the sub-section above quoted.

By Section 4 of Chapter 21 of the Acts of 1898 that portion of Section 4 of the Liquor Licence Act requiring the Inspectors for the City to be appointed annually was repealed, placing them in the same position as the other Inspectors or the Province, and they held their office upon the same terms, namely: during good behaviour, and could not be removed except for cause shown. The City Inspector, after the passing of that Act, made application and was

The City Inspector, after the passing of that Act, made application and was appointed by the Council, and he held his office under the terms of the Liquor Licence Act of 1895.

Then came Section 11 of Chapter 28 of the Acts of 1900, which repealed Section 4 above referred to and enacted "He shall hold office for one year only, unless reappointed or until his successor is appointed."

It will be observed that this clause applies to all Inspectors and alters the tenure of their office, and the question is is this last Act retrospective and does it apply to Inspectors then in office or only to future Inspectors to be appointed under the provisions of this Act.

To determine this question we must first ascertain what was the tenure of office of the II spectors under the Liquor Licence Act of 1895. Under this Act they held office during good behaviour, as I have stated, and could not be dismissed, except for cause, and then only subject to the approval of the Governorin-Council. "Cause" means reasonable cause in connection with the duties of his office. I am of opinion that the Inspectors under that Act had a vested interest in their office, or as the Courts put it, they had an office of freehold, and the Act of 1900 is not retrospective.

As a rule every Act speaks only from the time of its passing, and only operates on cases or facts which come into operation after the passing of the statute. When the statute said "Where a debtor is adjudged bankrupt he shall, subject to the provisions of this Act be disqualified from being elected a member of the School Board" and a person who previous to the passing of the Act had been declared a bankrupt the Court held it was not retrospective and did not affect him or prevent him from being elected.

The Act of 1900, in my judgment, should be read, "He shall hold office for one year only under this Act unless re-appointed or until his successor is appointed."

It is a well recognized principle in the construction of statutes that they operate only on cases and facts which come into existence after the statutes were passed, unless a retrospective effect was clearly intended. This principle of construction is especially applicable when the enactment to which retrospective effect is sought to be given would prejudicially affect vested rights of a legal character of past transactions, Every statute, it has been said, which takes away or impairs vested rights acquired or existing laws or creates a new obligation or imposes a new duty or attaches a new disability in respect of transactions already past must be presumed to be intended not to have a retrospective effect. Those whose duty it is to administer the law very properly guard against giving to an Act of Parliament a retrospective operation unless the intention of the Legislature that it should be so construed is expressed in clear, plain and unambiguous language. Where the words admit of two constructions you are not to construe them so as to produce a retrospective effect or impose disabilities not existing at the passing of the Act. If it is possible to construe the Act so as to maintain vested rights the Act is to be so construed. The Courts say it manifestly shocks one's sense of justice that an Act legal at the time of its passing should be made unlawful by some new enactment. Modern legislation has almost entirely removed that blemish from the law and wherever it is possible to put upon an Act of Parliament a construction not retrospective the Courts will always adopt that construction.

It is a singular fact that the 8th section of the same Act of 1900 is expressly made retrospective and applies and is made to apply to Inspectors in office appointed by the Councils for the enforcement of the Canada Temperance Act. The words are "All Inspectors hitherto or hereafter appointed," while there are no such words found in the section applying to the appoint ment of Inspectors for the enforcement of the Liquor Licence Act, clearly showing that it was the intention of the Legislature to make one clause apply to Inspectors then in office; by using appropriate words while in the latter section it was intended not to apply to inspectors appointed under the Liquor Licence Act then in office. The words "hitherto or hereafter" used in the 8th section and which makes that section retrospective being omitted from the 11th section of the same Act, or any words giving a retrospective effect, is most significant and is strong evidence to prove that no retrospective effect was intended.

I am of opinion that the Act of 1900 does not affect or apply to Mr. Banks, but that he holds his office under the provisions of the Liquor Licence Act of 1895 and that the office is not vacant, and that he cannot be removed except upon a charge, a proper investigation and a vote of the Council on such charge. I am of opinion, under the circumstances, that the proceedings which have been taken before the Committee of the Council and the report to the Council are correct, and that it was not necessary, although usual, to have the evidence taken before the whole Council. If it is the desire of the Council to pursue the matter further it will be necessary that a special meeting be called for the purpose, that a notice be served on Mr. Banks to appear at that meeting and to show cause why he should not be dismissed, and if he wishes he can produce further evidence or appear by counsel if he so desires.

It must be remembered that in removing an officer placed as Mr. Banks is that it must be for some dereliction of duty in connection with his office.

Respectfully submitted,

W. F. MACCOY, Recorder.

The Council now proceed to the election of an Inspector of Licensed Premises—the applicants being H. H. Banks, W. D. Cameron, George Wood, W. E. Messervey, C. W. Romans and E. J. Ross.

On the vote being taken there appeared as follows:

1st vote—For H. H. Banks 4, W. D. Cameron 4, George Wood 4, W. E. Messervey 2, C. W. Romans 1.

2nd vote—For H. H. Banks 5, W. D. Cameron 4, George Wood 4, W. E. Messervey 2.

3rd vote—For H. H. Banks 6, W. D. Cameron 3, George Wood 4, W. E. Messervey 2.

4th vote—For H. H. Banks 7, W. D. Cameron 2, George Wood 4, W. E. Messervey 2.

5th vote—For H. H. Banks 3, W. D. Cameron 3, George Wood 5, W. E. Messervey 3, E. J. Ross 1

6th vote—For H. H. Banks 5, W. D. Cameron 3, George Wood 4, W. E. Messervey 3.

7th vote—For H. H. Banks 3, W. D. Cameron 5, George Wood 5, W. E. Messervey 2.

8th vote--For H. H. Banks 5, W. D. Cameron 4, George Wood 4, W. E. Messervey 2.

9th vote—For H. H. Banks 4, W. D. Cameron 5, George Wood 4, W. E. Messervey 2.

10th vote—For H. H. Banks 4, W. D. Cameron 2, George Wood 5, W. E. Messervey 3, E. J. Ross 1.

11th vote—For H. H. Banks 3, W. D. Cameron 6, George Wood 4, W. E. Messervey 2.

12th vote—For H. H. Banks 2, W. D. Cameron 3, George Wood 5, W. E. Messervey 4.

13th vote-For H. H. Banks 5, W. D. Cam	eron 4, George Wood 4,
W. E. Messervey 2.	
14th vote-For H. H. Banks 2, W. D. Can	ieron 4, George Wood 5,
W. E. Messervey 4.	
15th vote-For H. H. Banks 6, W. D. Cam	teron 3, George wood 4,
W. E. Messervey 2.	E Orenne Wood E
16th vote—For H. H. Banks 3, W. D. Cam	leron 5, George wood 5,
W. E. Messervey 2.	14 million where work 2 and
A motion was now made to adjourn, which	
17th vote-For H. H. Banks 5, W. D. Cam	eron 3, George Wood 4,
W. E. Messervey 3.	
18th vote-For H. H. Banks 6, W D. Cam	ieron 2, George Wood 5,
W. E. Messervey 2.	
19th vote-For H. H. Banks 5, W. D. Can	neron 4, George Wood 4,
W. E. Messervey 2.	- C . W 14
20th vote-For H. H. Banks 4, W. D. Can	ieron 5, George Wood 4,
W. E. Messervey 2.	was A Groups Wood 5
21st vote-For H. H. Banks 2, W. D. Cam	eron 4, George wood 5,
W. E. Messervey 4.	Waad
22nd vote-For H. H. Banks 5, W. D. Ca	ineron 3, George wood
5, W. E. Messervey 2. 23rd vote—For H. H. Banks 3, W. D. Cam	anon 9 Goorge Wood 5
	leron 3, George wood 5,
W. E. Messervey 4. 24th vote—For H. H. Banks 2, W. D Cam	aron 4 George Wood 5
W. E. Messervey 4.	eron 4, deorge wood 5,
25th vote—For H. H. Banks 0, W. D. Cam	eron 6 George Wood 4
W. E. Messervey 5.	leron o, deorge wood P,
26th vote-For H. H. Banks 3, W. D. Cam	eron 5. George Wood 5.
W. E. Messervey 2.	in the state of th
27th vote-For H. H Banks 3, W. D. Cam	neron 5. George Wood 5.
W. E. Messervey 2.	
28th vote-dor H. H. Banks 2, W. D. Cam	neron 6, George Wood 5,
W. E. Messervey 2.	
29th vote-For H. H. Banks 1, W. D. Can	neron 3, George Wood 5,
W. E. Messervey 6.	
30th vote-For H. H. Banks 2, W. D. Can	neron 6, George Wood 5,
W. E. Messervey 2.	
Moved by Alderman Creighton, seconded	by Alderman Chisholm,
that the Council adjourn. Motion put and los	st, 7 voting for the same
and 8 against it.	
Names being called for there appeared as f	follows:
For adjournment.	Against it.
	en Rogers, O'Donnell,
Chisholm, Ryan, Barry,	Lamphier, Crosby,
Robertson, Mitchell-7.	Halliday, Campbell.

MacIlreith, Geldert-8.

31st vote—For D. H. Banks 5, W. D. Cameron 3, George Wood 4, W. E. Messervey 2.

Moved by Alderman Chisholm, seconded by Alderman Creighton, that the Council adjourn. Motion put and lost, 6 voting for the same and 9 against it.

32nd vote—For H, H. Banks 4, W. D. Cameron 4, George Wood 4, W. E. Messervey 3.

33rd vote—For H. H. Banks 2, W. D. Cameron 5, George Wood 2, W. E. Messervey 6.

34th vote—For H. H. Banks 7, W. D. Cameron 4, George Wood 2, W. E. Messervey 2.

35th vote—For H. H. Banks 9, W. D. Cameron 1, Gtorge Wood 3, W. E. Messervey 2.

His Worship the Mayor declares H. H. Banks duly elected Inspector of Licensed Premises for the City of Halifax.

Moved by Alderman Mitchell, seconded by Alderman Campbell, that the Council adjourn. Motion passed.

Council adjourns 10.30 o'clock.

EVENING SESSION.

8.10 o'clock.

JUNE 3rd, 1901.

A meeting of the City Council was held this evening. At the above hour there were present: His Worship the Mayor, Aldermen Lamphier, Mosher, Rogers, MacIlreith, Robertson, Crosby, Gelderi, and Martin.

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

8.30 Roll called. Present the above named together with Aldermen Archibald, Campbell, Barry, Halliday, O'Donnell, Creighton, and Hawkins.

The Council was summoned to consider propositions for loan of \$90,000, to proceed with business standing over, and the transaction of other business.

Alderman MacIlreith, Chairman, submits a report from the Committee of Laws and Privileges re Treasurer's Bond.

Alderman Mosher, Chairman, submits a report from the Committee on Public Accounts.

Alderman MacIlreith, Chairman, submits a report from the Committee on Laws and Privileges on various matters

Alderman Geldert submits a report from the Library Committe.

His Worship the Mayor submits the following papers: Report City Works Commission re Granite Gutters on Hollis Street. Report City Works Commission re Insurance of City Property. Report City Works Commission re Fawson Street Sewer. Petition of Truckmen employed on the City Works asking for an increase of pay.

Petition from the residents of Fenwick Street and vicinity in re Wool pulling establishment on said street.

Letter from sub-committee of the City Council and Board of Trade in re Map of the Port and City of Halifax.

Letter from John A. MacKinnon, solicitor for Vincent De Stephen, complaining of a nuisance caused by defective drainage from a house on Albemarle St.

Petition from S. R. Cossey in re cattle at large near the North West Arm.

Governor-in Council's confirmation of appointment of H. Havelock Banks as Inspector of Licenses.

Application of Thomas Druhan for pecuniary assistance.

Applications of J. J. Hopewell, R. T. Braine and S. S. Scott for the position of City Auditor.

Moved by Alderman Mosher, seconded by Alderman Campbell, that the Order of the Day be suspended to read the papers submitted. Motion passed.

Read report from the City Works Commission recommending that a granite gutter be laid on Hollis Street, between Bishop and Salter Streets.

GRANITE GUTTERS HOLLIS STREET.

CITY WORKS OFFICE, May 30th, 1901.

To the City Council :

GENTLEMEN,—At a meeting of the City Works Commission held above date, it was decided to recommend to the City Council that a granite gutter be laid on Hollis Street; between Bishop and Salter Streets—the material to be paid for from the Permanent Pavement Fund. The estimated cost is \$435.00.

J. T. HAMILTON, Mayor,

Chairman City Works Commission.

Moved by Alderman Mosher, seconded by Alderman Barry, that said report be adopted. Motion passed.

Read report from City Works Commission re insurance on City Property.

INSURANCE OF CITY PROPERTY.

CITY WORKS OFFICE, May 31st, 1901.

The City Council:

GENTLEMEN, — The City Properties to be insured for the civic year 1901-1902 are as follows :

City Hall.		30,000
" " F		10,000
" Prison	· · · · · · · · · · · · · · · · · · ·	5,000
16 61	Outbuildings	3,000
Infectious	Diseases Hospital	5,000
Small Pox	Hospital	500
Exhibition	n Skating Rink, Tower Road	2,000
Machinery	Hall, rear Exhibition Building	1,500
Contents o	of Machinery Hall	8,600
Stable, Ex	hibition Grounds	1,000
Horses, Ha	arness, Feed, Vehicles and fittings in Stable	2,500
West St. F	Engine House	4,000
Ladder Ho	ouse, Grafton Street	1,000
Central En	ngine House, Brunswick St	2,000
Gerrish St	reet Engine House, Maynard St	1,000
Queen Stre	eet Engine House, Queen St	1,800
Islesville H	Engine House, Gottingen St	1.000
	Road Engine House, Quinpool Road	2,500
Spring Gar	den Road Engine House, Spring Garden Road	1,000
Keeper's F	House, Spruce Hill Lakes	500
"	" Chain Lakes	500
	" Long Lake	500

Total...... \$84,900

At a meeting of the Works Commission held May 30th, 1901, the following tenders were received :

	Amount.	Premium on \$84,900.
Ottawa Fire Insurance Co.		
Acadia Fire Insurance Co. $\frac{1}{3}$ each	\$84,900	\$741.45
Halifax Fire Insurance Co.	•	
Anglo-American Fire Insurance Co., 1 of	84,900	741.45
Connecticut Fire Insurance Co		823.25
Phœnix Fire Insurance Co		823.25
Western Assurance Co. and Manchester As-		
surance Company	84,900	823.25
Queen Insurance Co		823.25
Union Assurance Co		823.25
Law, Union and Crown Insurance Co		805.75
Scottish, Union and National Insurance Co		823,25
Alfred J. Bell		323.25

JUNE 3rd, 1901.

It was decided to recommend to the Council that the Insurance be divided into four equal portions, between the "Anglo-American," "Ottawa" "Acadia" and "Halifax" Fire Insurance Companies.

Your Commission also recommend that authority be obtained at the next Session of the Legislature to enable the City to carry its own insurance.

J. T. HAMILTON, Mayor, Chairman City Works Commission.

Moved by Alderman Rogers, seconded by Alderman Mosher, that said report be adopted. Motion passed.

Read report from the City Works Commission recommending that the report of the City Engineer in re Fawson Street Sewer be adopted.

FAWSON STREET SEWER.

CITY WORKS OFFICE, May 30th, 1901.

To the City Council :

GENTLEMEN,—The City Works Commission, at a meeting held above date, decided to recommend to the Council that the accompanying report of the City Engineer re Fawson Street sewer be adopted.

J. T. HAMILTON, Mayor, Chairman City Works Commission.

CITY ENGINEER'S OFFICE May 30th, 1901.

His Worship the Mayor :

SIR,—In accordance with the accompanying resolution of Council, I beg to report on the petition for sewer in Fawson Street attached hereto.

The length required is about one hundred and fifty (150) feet, and the properties owned by the petitioners can be drained by crock pipe. The cost should not exceed one hundred and fifty (\$150.00) dollars, while the sewer assessment would amount to about twice that sum. I would therefore recommend that the sewer be ordered.

Respectfully submitted,

F. W. W. DOANE, City Engineer.

Moved by Alderman Mosher, seconded by Alderman O'Donnell, that said report he adopted. Motion passed.

Read report of Committee on Laws and Privileges in re George E. Francklyn's letter asking for return of part of the fine imposed on a French sailor named Cotty, in re Green Market, and in re Mr. Godfrey's letter relative to his claim to certain lots of land on Hanover Street.

REPORT LAWS AND PRIVILEGES COMMITTEE.

COMMITTEE ROOM, CITY HALL, May 28th, 1901.

His Worship the Mayor and City Council:

GENTLEMEN, -The Committee on Laws and Privileges beg to report as follows:

IN RE MR. GEORGE E. FRANCKLYN'S LETTER.

Mr. Francklyn, as French Consul, wrote the Council on behalf of a French sailor named Cotty who was fined in the City Police Court \$2.00 for drunkenness and \$30.00 for resisting the Police and using a sheath knife. Mr. Francklyn petitions that half the fine be remitted. Your Committee caunot recommend the granting of this request, it being a matter over which the Council has no jurisdiction.

IN RE GREEN MARKET.

Your Committee have given the petition of the residents of Eastern Passage for a renewal of the liberty to dispose of their produce on the sidewalk on the Hollis Street end of the Post Office very careful consideration. This is a subject which again brings to the attention of the Council the urgent need of a Market Building, and until adequate accommodation is provided various phases of the question must appear before the Council from time to time. The portion of Hollis Street sought to be again used by the petitioners is so situated that it would be inadvisable to again allow it to be blocked on Saturdays by the Green Market Venders and purchasers to the almost entire exclusion of the general public; and on the general ground that it is unwise for the City Council to give countenance to the operation of what is legally styled a nuisance, your Committee recommend against the granting of the prayer of the petition.

J. M. GODFREY'S LETTER.

Mr. Godfrey's letter sets up a claim to certain lots of land on Hanover Street, portions of which he says have been appropriated by the City and used as a side-walk, and he bills the City for \$336.00 for rent of same from May 1st, 1894, to May 1st, 1901.

On this subject your Committee after enquiring into the matter are of opinion that there is no liability whatever on the part of the City.

Respectfully submitted,

R. T. MACILBEITH, Chairman.

Moved by Alderman MacIlreith, seconded by Alderman Rogers, that said report be adopted. Motion passed.

Read report of Committee on Public Accounts in re loan of \$90,000, and also recommending sundry accounts for payment.

REPORT PUBLIC ACCOUNTS COMMITTEE.

COMMITTEE ROOM, CITY HALL, June 3rd, 1901.

His Worship the Mayor and City Council:

GENTLEMEN, — The Committee on Public Accounts beg to recommend for payment the following named accounts, all of which have been examined and found correct.

Blackadar Bros., advertising, Feb. and March, \$9.46; April, \$58.31. \$67.77.

Herald—Advertising, Reception Committee, January, \$3.75; Mayor, January March, April, \$27.12; City Clerk, February and April, \$92.62; City Collector, April, \$13.00; Laws and Privileges Committee, January and March, \$6.09; Registrar of Voters, January and February, \$15.00; Court of Appeal, January, \$5.25. \$162.74.

Chronicle-Advertising from January 1900, to April 1901, \$52.73 and \$39.00. \$91.73.

T. C. Allan & Co., Printing and Stationery—City Assessor, April, \$2.46; City Treasurer, April, \$10.00; City Recorder, April, \$2.25; City Collector, April, \$56.34; City Clerk, April, \$46.77. \$117.82.

L. F. Monaghan indexing Minutes of Council, 2 years, \$50.00. Total \$490.06.

Your Committee had before them the propositions for floating the loan of \$90,000 to retire old debentures, &c. It is the opining of your Committee that the interests of the city would be conserved by not accepting either of the tenders at the present time. And it is recommended that the floating of the loan be left open for two months, and that thirty days before the expiration of the two months that the Treasurer advertise for a loan of \$120,000, which includes \$30,000 for various purposes authorized by the last session of the Legislature.

JUNE 3rd, 1901.

It is further recommended that the action of the City Treasurer in paying accounts since the illness and death of the City Auditor without the signature of the Auditor be confirmed, and that until action is taken in the matter of audit by the Council, that he be authorized to continue to pay accounts properly certified out of all appropriations which are not overdrawn.

Respectfully submitted.

S. MOSHER, Chairman

Moved by Alderman Mosher, seconded by Alderman Halliday, that said report be adopted. Motion passed.

Read letter from Thomas Druhan asking for pecuniary assistance. Moved by Alderman O'Donnell, seconded by Alderman Campbell,

that the same be referred to the Committee on Laws and Privileges for report. Motion passed.

Read report of the Committee on Laws and Privileges in re Treasurer's Bond.

CITY TREASURER'S BOND.

CITY HALL, June 3rd, 1901.

To His Worship the Mayor and City Council :

GENTLEMEN,-Your Committee on Laws and Privileges have had under consideration the matter of security offered by the City Treasurer in the shape of a Bond of the London Guarantee and Accident Co., Lt'd., and would recommend that the same be accepted.

R. T. MACILREITH, Chairman.

Moved by Alderman MacIlreith, seconded by Alderman Campbell, that said report be adopted. Motion passed.

Read petition from the Truckmen employed by the City Works Department asking for an increase of pay.

Moved by Alderman O'Donnell, seconded by Alderman Campbell, that the same be referred to the Department of City Works to deal with. Motion passed.

Read petition of D. Cummings and other residents of Fenwick Street and vicinity praying that the proprietors of the Wool Pulling establishment on said street be not allowed to resume business on said street.

Moved by Alderman Mosher, seconded by Alderman Hawkins, that said petition be referred to the City Health Board for report.

Moved in amendment by Alderman Rogers, seconded by Alderman Martin, that the same be referred to the Committee on Laws and Privileges for report. Said amendment being put is passed; 9 voting for the same, and 6 against it.

Read letter from the Sub-Committee of the City Council and Board of Trade in re Map of the Port and City of Halifax.

Moved by Alderman Campbell, seconded by Alderman Rogers, that the same be referred to the Department of City Works for report. Motion passed.

Read letter from J. A. MacKinnon, solicitor for V. De Stephen, complaining of a nuisance on his property, caused by defective drainage from a house in rear of his property, and fronting on Albemarle Street. Moved by Alderman Mosher, seconded by Alderman Geldert, that the same be referred to the City Health Board. Motion passed.

Read letter S. R. Cossey, complaining that cattle and horses are allowed to go at large in the western sections of the city, in the neighbourhood of Jubilee and Quinpool Roads, and extending along the borders of the North-West Arm, and asking that a pound be established in that vicinity, and a keeper appointed.

Moved by Alderman Halliday, seconded by Alderman Crosby, that said pound be established, and that Edward Brunt be appointed pound-keeper. Motion passed.

Read letter from the Deputy Provincial Secretary announcing the approval by the Governor-in-Council of the appointment of H. Havelock Banks as Inspector of Licenses for the City of Halifax. Filed.

Read report of Committee on Citizens' Free Library re accounts, and also covering the Annual Report of the Librarian for the civic year 1900-1901.

REPORT LIBRARY COMMITTEE.

CITY HALL, June 3rd, 1901.

The Library Committee met this day at 4 p. m., pursuant to notice. Present the Chairman and Aldermen Halliday and Barry.

The following accounts were presented, and being found correct are recommended for payment:

Publishers Weekly, Books, \$3.67; J. R. Findlay, Printing, \$3.00; Mutual Subscription Agency, periodicals, \$4.50; MeAlpin Co., Printing, \$18.75. Total \$29.92.

The report of the Librarian for the year was presented and read, and is herewith submitted.

In connection with the report and especially the last paragraph, a table is submitted showing the hours of attendance from which it appears that the average daily attendance not allowing for holidays or absence from other causes is seven hours and twenty minutes, and not eleven hours as stated in the report. The largest attendance of any official on any day is nine hours, but on two days of each week each official is only required to be present four hours.

J. M. GELDERT, Chairman.

The following resolution was now introduced :-

Resolved, That the Report of the Library Committee presented this day be adopted, and that the accounts therein mentioned be paid.

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

Read applications from S. S. Scott, R. T. Braine, and J. J. Hopewell, for the position of City Auditor.

Moved by Alderman Rogers, seconded by Alderman O'Donnell, that W. W. Foster be appointed Auditor pro tem.

Alderman Martin asks for the opinion of His Honor the Recorder as to whether or not it is necessary that a permanent auditor should be appointed.

His Honor the Recorder says that there cannot be any objection to appointing an Auditor pro tem while the permanent filling of the office is pending, provided however that the person elected to fill said