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City of Halifax  
Council Minutes

May 13, 1841

to

October 5, 1844

Minutes and Records  
of the City Council

City of Halifax, May 13<sup>th</sup> 1841.

At a Meeting of the City Council held this day in the Grand Jury Room, County Court House:-

Present. Honorable John Lander Starr, Honorable Hugh Bell, James Fumain, Edward Allison, W. G. Anderson, Thomas Williamson, Alexander Keith, William Gray Junia, Stephen Binney, Edward Kerney, William Caldwell, John Duffus, Andrew MacKintay, William J. Starr, Conrad West, John Steele, Sepian Clarke, and John Winters Esquires.

The City Council were notified by the High Sheriff to attend this day at the County Court House at 12 O'clock to take into consideration certain objections made by Alexander G. Fraser, a voter of Ward Number 6 to the qualification of Mr. John Steele, one of the candidates for the office of Common Councilman for said Ward, and a demand made by him for a scrutiny on the votes upon his qualification. Also a demand made by the said Alexander G. Fraser for a scrutiny on the votes given to Mr. John Winters which have been objected to. Also a Protest made by Mr. Thomas Ring a candidate for Ward Number 3, against Mr. Binney's qualification for the office of Common Councilman for said Ward.

The Sheriff having communicated the object of the meeting, retired.

Whereupon on Motion of Mr. Keith, seconded by Mr. Allison the Honorable John Lander Starr was appointed Chairman of the City Council, agreeably to the Act of Incorporation.

The Council then adjourned from the Grand Jury Room to the Court Room, and proceeded to business.

James S. Clarke Esquire was then requested by the Council to take minutes of the proceedings.

Mr. Samuel Gray appears on behalf of Mr. Thomas Ring a Candidate for Ward Number 3, and requests a day to be appointed for hearing an objection made by Thomas Ring to the qualification of Mr. Binney, City Councillor for said Ward. The Council requested from the Sheriff that the poll Book for said Ward may be produced. The same was accordingly done, and on being examined was found marked thus "Mr. Ring protests against Mr. Binney's qualification for the office of Common Councilman, and requests his objections to be entered on the poll Book."

The Honorable Solicitor General appears as Counsel for Mr. Binney and claims the right of Mr. Binney to take his Seat as a Common Councilman.

Councilman, he having been marked on the Poll Book of Ward Number 3 as having a Majority of Votes, and that it is not in the power of the Council to go into such a question, that Mr. Binney's election is not disputed within the meaning of the Act. The Council, having considered the matter of Mr. Binney's right (as also Mr. Steele's, whose case is similar) to vote on the scrutinees now under investigation, are of opinion that the Council have not the power to decide as to the qualifications of any of the Candidates, but as these Gentlemen's elections are disputed the Council are also of opinion that Mr. Binney and Mr. Steele cannot at present vote on the subject under investigation.

When Mr. Binney insists upon his right to take his seat at the Council Board, there being no scrutiny demanded in his case, and it not being in the power of the Council to decide as to his right.

Mr. Binney accordingly takes his seat at the Council Board, as does also Mr. Steele.

The case relative to the objections made to Mr. Winter's election is then proceeded with. Arguments are then heard on both sides. The Council having consulted decide that they will commence tomorrow at 12 o'clock the investigation of the objections made to Mr. Winter's vote, and that this day be considered as one of the days for investigating the objections made to Mr. Steele's qualification as noted on the Poll Book.

— May 12<sup>th</sup> 1841. —

At a Meeting of the City Council held this day

Present. Honorable J. L. Starr, Chairman, Hon. Hugh Bell, Edward Allison, Edward Kenny, William J. Starr, Andrew MacTulay, Thomas Williamson, John Duffie, Alexander Keith, John Steele, Stephen Clarke, William Caldwell, Stephen Binney, James Ferman, and William Hoy Junior, Esquires.

The Minutes of yesterday's proceedings were read and approved of, and signed by the Chairman.

Mr. Binney moves that the following course be adopted in the scrutiny about to be proceeded in, in the cases of Mr. Winters. That Mr. Winters have a right to scrutinize the votes given for Mr. Starr and marked "sworn" on the Poll Book, which is seconded by Mr. Williamson, and passed unanimously. The City Council adjourn to the Court Room when the foregoing resolution is read by the Clerk.

The Chairman offers a suggestion to the parties interested, and states the benefit and advantage that would arise by allowing the scrutiny to be conducted by five of the City Council to be chosen by ballot, stating also the intention of himself and of his brother Mr. W. J. Starr, in consequence of their connexion with one of the parties, and also of Mr. John Steele and Mr. Stephen Clarke two of the City Council for the ward out of which the scrutiny arises, to withdraw previous to the Balloting, to which proposition the parties concerned acquiesce. These Gentlemen accordingly withdraw.—

The Honorable Hugh Bell is then appointed Chairman by the City Council, and the Ballot proceeded with, and the following Gentlemen drawn as a Committee to conduct said scrutiny— Alexander Keith, John Duffie, Edward Allison, William Caldwell and Edward Kenny, Esquires.

All the City Council then withdrew, with the exception of the Committee.—

Edward Allison Esquire is then appointed Chairman of the Committee, when both parties being ready, and the Committee all present they proceeded to the investigation of the votes given in favor of Mr. Winters and objected to by Mr. John Edward Starr (a Candidate for Ward No. 6, on whose behalf said scrutiny was demanded by Mr. Alexander G. Fraser on the day of the Election) and which votes were marked "sworn" on the Poll Book of said Ward.

Mr. Starr having closed his part

part of the case, the Committee withdrew to the Grand Jury room, and after having duly considered the evidence given, and the various arguments of the Counsel on both sides, come to the following decision, which is directed to be read in open Court:—

"The Committee having taken into consideration the various votes this day scrutinized, report, that they find five of the said votes are bad, and must therefore be expunged from the Poll Book; that the remaining three are good. The Committee therefore are of opinion, and decide that John Edward Starr Esquire has at present a Majority of one vote; and that they will proceed in the scrutiny of votes given in favor of Mr. Starr marked 'sworn' tomorrow at 12 O'clock." Committee adjourned till tomorrow at 12 O'clock.—

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— May 15<sup>th</sup> 1841. —

The Committee met this day agreeably to adjournment: Present, Edward Allison Chairman, Alexander Keith, John Duffus, William Caldwell, and Edward Steeny Esquires.

The Committee proceeded this day to scrutinize the votes given for Mr John Edward Starr and marked "sworn" on the Poll Book.— Mr. Winters having closed his part of the case, relative to the objections taken by him to the votes given in favor of Mr. John Edward Starr, and marked "sworn" as before stated, and the whole matter having been now gone through, the Committee withdrew to the Grand Jury room and after having duly considered the evidence given, and the arguments of the Counsel on both sides, come to the following decision which is directed to be read in open Court:—

The Committee having taken into consideration the five votes this day scrutinized, determine that the said five votes are good, and that John Edward Starr Esquire is duly elected one of the City Council for Ward No. 6, in place of Mr. John Winters, and that the Sheriff make his return to the Secretary's office accordingly.—

Edw Allison

County Court House  
— Halifax May 20<sup>th</sup> 1841. —

The City Council met this day at the Grand Jury Room. Present. James Tremain, Edward Allison, William G. Anderson, Thomas Williamson, Alexander Keith, William Story Junior, Stephen Binney, William Caldwell, Edward Henry, John Duffus, Honorable John Leander Starr, Honorable Hugh Bell, Andrew MacKinlay, William J. Starr, Conrad West, John Steele, Stephen Clarke and John Edward Starr Esquires.

The return of the City Councillors having been published in yesterday's "Royal Gazette" the notice requiring the councillors to assemble and elect a Mayor for the City was read. John Edward Starr Esquire is chosen Chairman. The City Council then unanimously decide that the Mayor should be elected by Ballot, and have a Majority of the whole Council with the understanding that the Gentleman having the least number of votes should retire. The Ballot was then taken for the three candidates viz: Hon. John Leander Starr, Hon. Hugh Bell, and Stephen Binney Esquire, and the numbers stood as follows: For Stephen Binney Esquire, Eight, (8)  
" Hon. J. L. Starr, Five, (5)  
" Hon. Hugh Bell, Five (5).

The two latter Gentlemen having an equal number of votes were again Balloted for, when, Mr. Binney declining to vote, there appeared for Hon. Mr. Starr, eight votes, for Hon. Mr. Bell, seven votes. The Ballot was then proceeded in between Mr. Binney and Hon. Mr. Starr, when the votes were as follows:

For Stephen Binney Esquire, Eleven, (11)  
For Hon. J. L. Starr, Five, (5)

Mr. Binney

was then declared duly elected and was requested to take the Oath.

James Tremain

The following letter, signed by all the City Councillors, was transmitted to the Secretary of the Province:

Halifax 20<sup>th</sup> May 1841.

Sir,

We have the Honor to acquaint you for the information of his Excellency the Lieutenant Governor that at a meeting of the City Council, held this day, Stephen Binney Esquire was duly  
(elected.)

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elect Mayor of the City of Halifax, and we have to request that His  
Excellency will be pleased to approve of said appointment, and  
name a day that the City Council may have the Honor of waiting  
on his Lordship for the purpose of presenting Mr. Binney, and  
having him sworn into office."

(Signed)

James Truman	J. L. Starr
Edward Allison	Hugh Bell
William G. Anderson	Andrew MacKintley
Thos. Williamson	William J. Starr
Alex. Keith	Conrad West
William Hoy Junior	John Steele
Edward Henry	Kepeau Clarke
Wm. Caldwell	Jr. Edw. Starr
John Puffus -	



County Court House, Halifax, May 21<sup>st</sup> 1871

The City Council met this day in the Grand Jury Room. Present, Stephen Binney, Honorable J. L. Starr, James Secmain, Edward Miller, William G. Anderson, Thomas Williamson, Alexander Keith, Wm. Gray, Jr., Edward Keany, William Caldwell, John Duffus, Andrew MacMillan, Conrad West, John Steele, and John Edward Starr, Esquires.

It having been communicated to the City Council that His Excellency would receive them at one O'clock this day, the City Council proceeded in a body to Government House and through James Secmain Esquire, presented Stephen Binney Esquire as Mayor elect, when His Excellency having been pleased to approve of their choice, the oath of office was immediately administered to him in the presence of Her Majesty's Executive Council.

Stephen Binney  
Mayor

May 21<sup>st</sup> 1871. 2 O'clock P.M.

The City Council having been convened at the request of His Worship, the Mayor.

He calls their attention to the Ninth Section of the Act, requiring notice to be given, and the appointment of two City Councillors to hold an Election for one fit person duly qualified to serve in the City Council for Ward Number Three, vacant by the appointment of His Worship the Mayor.

Thomas Williamson and John Duffus are appointed to hold said Election on Wednesday the second day of June next.

Stephen Binney  
Mayor

At a Meeting of the City Council held this day, called at the request of His Worship the Mayor, for the purpose of being sworn into office, also for the election of Aldermen, Recorder, City Clerk, and the transaction of other business agreeably to the act of Incorporation: Present. The Mayor, James Freeman, Edward Allison, William G. Anderson, Thomas Williamson, Alexander Keith, William Story junior, Edward Henry, William Caldwell, Andrew M. Uniacke, John Duffus, Hon. J. L. Starr, Hon. Hugh Bell, Andrew MacSturley, William J. Starr, Conrad West, John Steele, Stephen Clarke, and John Edward Starr, Esquires.

His Worship the Mayor calls the attention of the Council to the Tenth Section of the act to incorporate the Town of Halifax, relative to the election of Aldermen; when the City Council unanimously agree that an Alderman should be selected from each Ward, and a Ballot taken for each Ward. The Ballot is then proceeded in for Ward Number 1, when there appeared for Mr. Freeman nine, for Mr. Allison six, for Mr. Anderson - Mr. Freeman is accordingly declared duly elected Alderman for that Ward.

For Ward Number 2 -

For Mr. Williamson, 8,

Mr. Keith 7

Mr. Story -

Mr. Williamson is also declared duly elected Alderman for that Ward.

For Ward Number 3 -

For Mr. Henry 11,

Mr. Uniacke 4,

Mr. Caldwell -

Mr. Henry is also declared duly elected Alderman for that Ward.

For Ward Number 4 -

For Mr. Duffus 11,

Hon. Mr. Starr 1,

Mr. Bell 3.

Mr. Duffus is also declared duly elected Alderman for Ward No 4.

For Ward Number 5 -

Mr. MacSturley, 7,

Mr. Wm. J. Starr, 8,

Mr. West -

Mr. William J. Starr is also declared duly elected Alderman for that Ward.

— June 14<sup>th</sup> —

For Ward Number Six

Mr. John Edward Starr 13.

Mr. John Steele 2

Mr. Stephen Clarke -

Mr. John Edward Starr

is also declared duly elected Alderman for that Ward.

The Eleventh Section of the Act is then read requiring a numerical list of the Aldermen to be formed by the City Council in the order the City Council shall see fit to appoint, when it is unanimously adopted that the names of the six Gentlemen just elected be put into a Hat and as drawn out by the Mayor, so should a list be formed, when the names stood as follows:-

Edward Keeny Esquire No 1.

James Freeman Esquire " 2

John Duffus Esquire " 3

Thomas Williams Esquire " 4

William J. Starr Esquire " 5

John Edward Starr Esquire 6, - which list is

confirmed.

The Twelfth Section is then read requiring that immediately after the election of Aldermen the City Council shall form a list of the Common Councilmen by placing in numerical succession the six Wards and under each the names of the Common Councilmen elected by such Ward in the order the City Council may direct and distinguished in the case of each several Ward as the first second and third, if so many; - when it is unanimously agreed that the Gentleman elected to the office of Alderman should stand Number one in his respective Ward and that the names of the other two Gentlemen for each Ward should respectively be balloted for by the Mayor, and the Gentlemen's names first drawn should be considered as being those standing as the first for each Ward on the list of Common Councilmen to go out of office agreeably to the provision of the 13<sup>th</sup> Section of the Act: - which course having been adopted, the respective Wards stood as follows:-

Ward Number One.

James Freeman Esquire No 1

William G. Anderson " 2

Edward Allen " 3.

(Ward)

— June 24<sup>th</sup> —  
Ward Number Two.

Thomas Williamson Esquire, No 1.  
Alexander Keith " " 2.  
William Hoy junior " " 3.

Ward Number Three.

Edward Henry Esquire No 1.  
William Caldwell " " 2.  
Andrew M. Uniacke " " 3.

Ward Number Four.

John Duffus Esquire No 1.  
Honorable Hugh Bell " 2.  
Hon J. Leander Starr " 3.

Ward Number Five.

William J. Starr Esquire No 1.  
Andrew MacKintlay " " 2.  
Conrad West " " 3.

Ward Number Six.

John Edward Starr Esquire No 1.  
Nephan Clarke " " 2.  
John Steele " " 3.

The Mayor then proceeded to swear the Aldermen and Councilmen into office, when the six Gentlemen elected to the office of Aldermen having taken and subscribed the Oath of Allegiance, and the Oath of Office prescribed by the 18<sup>th</sup> Section of the Act, are accordingly sworn into office as Aldermen for the City of Halifax. The other Twelve Gentlemen having taken and subscribed the Oath of Allegiance, and the Oath of Office prescribed by the 10<sup>th</sup> Section of the Act are accordingly sworn into office as Common Councilmen for the City of Halifax.

The Six Gentlemen elected to the Office of Aldermen having taken and subscribed the Oaths by Law required for Justices of the Peace, are sworn into office as Justices of the Peace for the City of Halifax.

The Council then proceeded to the Election of Recorder when it is decided that the Election be by Ballot, and the same course adopted as for the election of Mayor, and that the Gen-  
(Gentlemen)

— June 4<sup>th</sup> —

Persons who shall be elected to that office be informed by the Mayor that his attendance will be required in the Police Office daily from ten o'clock A.M. till four o'clock P.M. and further when required.

The Ballot was then taken for the several candidates, when the votes stood as follows:

W. D. Sawers Esquire, Seven  
 Bramish Murdock Esq: Eight  
 Peter Lynch Junr. Esq: One  
 Hugh Hartshorn Esq: Two  
 Scott Truman Esq: -  
 Benj<sup>r</sup>. Dickson -  
 Charles Swining -

The Ballot was then proceeded in between W. D. Sawers Esquire and Bramish Murdock Esquire, when the votes were

For W. D. Sawers Esquire, Nine,  
 For Bramish Murdock Esq: Nine.

There being an equal number of votes for these Gentlemen the Worship the Mayor gives the casting vote in favor of W. D. Sawers Esquire who is accordingly declared duly elected Recorder of said City.

The City Council next proceeded to the election of City Clerk when James S. Clarke Esquire was unanimously elected to that office.

The Election of Assistant Clerk is then taken up when Mr Edward Young having received a Majority of votes is accordingly elected.

The City Council then proceeded to the Election of City Marshall when John James Sawyer Esquire is unanimously elected.

The Election of City Treasurer and City Clerk of Licences is next proceeded with, when Lawrence Hartshorn Esquire is unanimously elected.

The City Council decide that the three Police Constables be for the present, continued in office as City Constables, that the Mayor be requested to advertise for eight Constables, one from each Ward and two for the centre of the City. Salaries of said Constables not to exceed Sixty pounds per Annum.

The following Resolutions and proceedings were then adopted.

Resolved, That the Board of Health, Firewardens, Commissioners of Streets, Commissioners of the Common, Commissioners of the Public Coney, and all other public officers within the jurisdiction of the said City

(continue)

continue to exercise the functions of their respective offices until other arrangements are made of which due notice will be given.

Resolved, That Mr. Alderman Fecmain, Wm. G. Anderson, Alexander Keith, William Caldwell, Hon. Hugh Bell, Andrew MacSturley and Stephen Clarke Esquires, be a Committee to examine and report upon the state of the streets of the City, and what alterations or improvements are most required.

Resolved, That Mr. Alderman Williamson, Edward Allison, William Hoy Junior, Andrew M. Uniacke, Hon. J. L. Starr, Conrad West, and John Steele Esquires be a committee to examine and report upon the state of the Town Property, its rents, funds and liabilities, and the repairs or improvements most expedient.

Resolved, That Mr. Alderman Fecmain, Edward Allison and Andrew M. Uniacke Esquires be a Committee to examine and report the condition of the Common, and what improvements can be made.

Resolved, That a letter signed by three of the Aldermen be addressed to the Secretary of the Province transmitting the names of Stephen Binney Esquire as having been duly elected Mayor at a meeting of the City Council held on the 20th day of May last, requesting the confirmation of His Excellency's approval of said choice.

Resolved, That a letter be addressed by His Worship the Mayor to the Secretary of the Province, acquainting him for the information of His Excellency the Lieutenant Governor, that at a meeting of the City Council held this day W. D. Sawers Esquire was duly elected Recorder, and requesting his Excellency's approval of said appointment.

Stephen Binney  
Mayor

Halifax June 4<sup>th</sup> 1841.

The following Letters were this day forwarded to the Provincial Secretary's Office:

Halifax 4<sup>th</sup> June 1841.

Sir,

In conformity with the 17<sup>th</sup> Section of an Act to incorporate the Town of Halifax, we have the honor to transmit the name of Stephen Binney Esquire, as having been duly elected Mayor at a Meeting of the City Council held on the 30<sup>th</sup> day of May last, and have to request the Confirmation of His Excellency's approval of said choice.

We have the Honor to be

Sir,

Your most Obedient Servants

To

The Honble

Sir August S. George Bart.  
Provincial Secretary  
se se se

(Signed)

James Freeman  
Thomas Williamson  
Edward Henry

Aldermen  
for the City  
of Halifax.

Mayor's Office, Halifax June 4<sup>th</sup> 1841.

Sir,

I have the honor to acquaint you for the information of His Excellency the Lieutenant Governor, that at a Meeting of the City Council held this day W. D. Sowers Esquire was duly elected Recorder, and have to request his Excellency's approval of said appointment.

I have the honor to be,

Sir,

Your most Obedient Servant

To the Hon.

Sir A. S. George Bart. (Signed)  
Provincial Secretary  
se se se

Stephen Binney  
Mayor

15  
— Halifax June 5<sup>th</sup> 1811. —

The following Letter was this day received from the Provincial Secretary's Office:—

"Provincial Secretary's Office"  
Halifax 5<sup>th</sup> June 1811.

Gentlemen,

I have laid before the Lieutenant Governor the letter which I had the honor to receive from you this morning, transmitting the name of Stephen Binney, Esquire, as having been duly elected Mayor at a Meeting of the City Council held on the 30<sup>th</sup> of last month; and I have it in command to signify to you His Excellency's approval of the election of Mr. Binney to the said Office.

I have the honor to be,

Gentlemen,

Your Most Obedient

Humble Servant

(Signed) Rupert D. George

James Freeman

Mr. Williamson

Edw. Henry

Members for the  
City of Halifax.



June 7<sup>th</sup> 1841.

Lawrence Hartshorn Esquire, appointed to the office of City Treasurer and City Clerk of Licences, attends this day agreeably to Notice and having taken and subscribed the Oath prescribed by Law is sworn into office in presence of His Worship the Mayor and Mr. Alderman Kenny.

John James Sawyer Esquire, appointed to the office of City Marshall, attends this day agreeably to Notice and took the Oath prescribed by Law in presence of His Worship the Mayor and Mr. Alderman Kenny.

Stephen Binney  
Mayor

June 10<sup>th</sup> 1841.

At a Meeting held this day Present, His Worship the Mayor, and Aldermen, Thomas Williamson and John Duffus Esquires;

The following A size of Bread was set and ordered to be in force on Friday the 11<sup>th</sup> day of June Instant:

1 <sup>st</sup> Loaf of wheaten Flour is to weigh	4	3	4
2 <sup>nd</sup> Loaf of fine wheaten Flour is to weigh	1	5	6
3 <sup>rd</sup> Loaf of fine wheaten Flour is to weigh	2	10	12
4 <sup>th</sup> Loaf of fine wheaten Flour is to weigh	3	5	8

Stephen Binney  
Mayor

Halifax June 14<sup>th</sup> 1841.

At a Meeting of the City Council held this day in the Mayor's Office, Present, His Worship the Mayor, the Recorder, Aldermen Edward Henry, James Scouman, John Duffus, Thomas Williams, William J. Starr & John Edward Starr, Esquires, Common Councilors, Edward Allison, William G. Anderson, Alexander Keith, William Story Junior, William Caldwell, Andrew M. Quincke, Hon J. S. Starr, Hon. Hugh Bell, Andrew McStinley, Conrad West, John Steele and Stephen Clarke, Esquires.

The City Council were convened for the purpose of taking into consideration the business standing over from Monday last.

On considering the Salary of the City Clerk it is unanimously Resolved, That the Salary of the City Clerk be Two Hundred and Fifty pounds per annum. — and further it is unanimously Resolved That in consideration of the past and satisfactory services of James S. Clarke Esq<sup>r</sup> appointed to that office, and as a compensation for his former salary ~~and~~ expenses and emoluments diminished, he be paid from out of the City funds the sum of Fifty pounds per annum, so long as he fills that situation.

The Salary of Assistant Clerk is next taken into consideration, when on Motion it is

Resolved, That the Salary of the Assistant Clerk be One Hundred and Twenty five pounds per annum, who is required to give his attendance not only during office hours but whenever required.

The appointment of City Constables having been next considered, it is unanimously

Resolved, That the three Police Constables now in office shall be appointed at the salary of Eighty pounds per annum

That one Constable be appointed for each Ward at the salary of Fifty pounds per annum;

and That one Constable from each Ward be appointed to be paid at the rate of five Shillings per day when called upon.

Having been explained to the numerous applicants that the Constable appointed number one for each Ward shall be constant in his attendance at the Police Office every day, and that one shall be required to stop with one of the Police Constables at the Police Office all night, in rotation, and that the Constable appointed number 2 shall receive five shillings per day when employed, and that they must respectively reside in the Ward to which they are appointed, and that they shall wear a distinguishing Badge (The)

The following appointments were then made.

For Ward Number One.

Andrew Kim Constable Number 1. deposed  
Thomas Brodick " " 2.

Ward No 2

Garret Feller Constable Number 1.  
Thomas Angus, " " 2.

Ward No 3

Philip Parsons Constable No 1.  
Patrick Newland, do " 2. deposed  
William Matthews

Ward No 4

James Auld, Constable No 1  
Francis Bacon do " 2.  
removed by order of the Mayor

Ward No 5

Michael Milligan Constable No 1.  
John Buck do " 2. resigned

Ward No 6

William Rodrick Constable No 1.  
Alexander McDonald do " 2.

The City Council then adjourn to the City Hall where His Worship the Mayor communicates to the Citizens the proceedings of the day.

The persons appointed to the office of Constables are directed to attend at the Police Office tomorrow at Ten o'clock for the purpose of being sworn into office.

The following Report of the several Committees appointed on the 11<sup>th</sup> Instant are then read in open Court:

1<sup>st</sup> Report of the Committee relative to the state of the Streets.

"The Committee of the City Council, appointed to examine the State of the Streets and Roads within the limits of the City of Halifax, have to Report:-

That the Committee have carefully inspected them and noted various improvements to be made " " " and nuisances and encroachments to be removed, which (they)

They deem unnecessary to introduce at length into their Report, from a desire to fix the attention of the Council to those which they consider of the most importance as they are aware that the funds arising from the Licences and other sources are quite inadequate to the amount required for the more general and extensive alterations which might be made.

They submit to the Council the necessity of erecting a Parapet wall about three feet high on each side of the Fresh Water Bridge. The Commissioners of Streets inform your Committee that they have had a wooden fence replaced two or three times since the erection of the Bridge, but during the inclement season of the Year it has been repeatedly destroyed and left in its present dangerous state. The Auction License funds having been withdrawn by the House of Assembly and appropriated towards the improvements on the Campbell Road, the Commissioners of Streets had not sufficient funds at their disposal to build a wall. The Committee therefore trust that it will receive the attention of the Council.

In the Centre of the City their notice has been called to the State of the Pavement on upper Water Street which was laid in 1813. it is now become so uneven as to be unsafe for Carts conveying Goods liable to breakage, and also having been placed much too low the drains have not a fall sufficient to clear the Streets and cellars of water. They recommend its being removed and raised by Mr Adamson, if an arrangement can be entered into with the Proprietors of property adjacent to it. The Pavement from the Market Wharf to Prince Street has also from the same reason nearly become useless.

In the Northern part of the City, the Committee have to notice the state of Göttingen Street, from Cornwallis Street to North Street, and also of Brunswick Street from the North Barrack to the Methodist Meeting House, and from the head of St. John's Lane North. These Streets being the entrances to the City require repairs particularly, and they would here mention the Kempt Road from the North West corner of the common to the Summit of the Hill leading to the Ropewalk, some parts of this road in the Spring of the Year are thrown up by the frosts and almost rendered impassable. The Campbell Road being another principal entrance requires some repairs, especially near the three mile House, as also a portion of Cock Yard Street leading thereto.

In the City, the Committee would call your earnest attention

June 14th

to the dangerous condition of very many of the cellar doors, which obstruct the side paths, and render travelling unsafe even in the day time, and your Committee cannot too strongly bring this before you, as also, the still ruinous state of many of the side paths, and hope that some Ordinance may at once be issued, which will remedy these serious evils.

Your Committee also would bring under your notice, that the Grand Jury last year upon the application of the Commissioners of the Streets appropriated a sum not exceeding One Hundred Pounds for surveying and opening all the roads which are yet closed upon the Peninsula; the survey was commenced, and they trust you will give such instructions that it may be completed, and the public be early put into full possession of their just rights to the enclosed roads.

Many of the gutters above the Parade, and in other parts of the City are yet unpaved, and some of the streets also require widening; the Committee however consider it unnecessary to enumerate, being well aware that the Council cannot yet complete them, - but that the funds as they hereafter arise from Licences and other sources may be applied to such objects as are most necessary, your Committee have taken notes of such places as require more immediate attention.

The public being much incommoded by the continued exposure of goods for sale upon the streets and side paths your Committee therefore call the attention of the Council to it. They would also submit for your consideration the necessity of adopting a more summary method of recovering fines for encumbering the streets, and other offences against the street regulations as the present mode of prosecuting gives too much time after notice for the removal of nuisances and obstructions.

Although not immediately connected with the express duty of your Committee they feel bound to bring to your notice the many complaints against the great increase of Dogs which infest the streets, and suggest the propriety of a tax being immediately levied, which would in some degree clear the streets of them, if no other benefit was to be derived.

Halifax 14th June 1841. (Signed) James Freeman  
W. G. Anderson  
A. Keith  
W. Caldwell  
H. Bell  
Andrew Mackinlay  
Nephan Clarke

Report of the Committee on the State of the Common.

The undersigned being a Committee appointed to report upon the present state of the Common, beg to recommend to the consideration of His Worship the Mayor and the City Council the following suggestions:-

First, That the Common should be thoroughly cleaned up and all rubbish removed from the surface thereof, and applied to the filling up and levelling of the Roads as may be pointed out by the Commissioners of Streets.

Secondly, That a portion of the said Common to the extent of Four Hundred feet square, or as shall be hereafter agreed upon, be excavated as a receptacle for all filth and manure, and that the same should be deposited therein under the directions of the Superintendent, and that the earth removed, as also the sweepings of the Streets should be used to cover it, and thereby prevent any unpleasant effluvia, and as a fit place the committee beg to say that they think a part of the eastern front of Hamp Hill, would make the most suitable, as being further removed from any of the roads, and more central to all parts of the Peninsula, thereby rendering it more salubrious.

Thirdly, That no individual whatever be allowed to form, make, deposit or retain any manure or compost heap of any sort or kind whatsoever on any part of the Common, and that all persons now having compost or manure heaps thereon be notified to remove the same, otherwise they will be sold and the funds applied to the improvement of the Common.

Fourthly, That as some of the original Lots, the leases of which have been given up, or have become forfeited by the non-payment of the rents, are now lying waste, the Committee strongly recommend that they should be immediately sold, feeling satisfied that they will yield a good rent; and they also further recommend that that portion situated between the Stone Bridge and Morris Street should be divided into Lots of not less than one acre each, and let at Public Auction for a term not less than five years: And that the road from Military Park to the Southward leading past Mr. Allison's, should be extended on until it meets Morris Street, and should be of the same width as the present road, now is, viz: One Hundred feet. That all the persons now holding Lots, as well as the individuals who may lease the new lots, be compelled, and it be a stipulation as part of their agreement, to plant a belt of trees within their fences, and that the trees be not less than Ten feet (high)

— June 4<sup>th</sup> —

high when put out.

Respectfully, That a Superintendent be immediately appointed, who shall receive a Salary, not to exceed Twenty Pounds a Year, whose duty it shall be to see the Rules and Regulations made for the Government of the Common, carried into full effect, and who shall be responsible for any breach thereof to the Commissioners, and the Committee feel sensible, that without a person of this description, the Common cannot be made beneficial for the Citizens, or in any respect ornamented, and they deem it advisable to recommend, that the Office of Superintendent of Roads, as that of the Common, should be united and given to one Person, as they think a saving in the Salary might thereby be made, and both duties faithfully performed by the same individual. And the Committee have great gratification in stating that the Funds of the Common are increasing, and that it is now entirely free from debt, and that by a judicious expenditure it may be rendered more useful and ornamental. But they have to regret that no apparent Steps have yet been taken by the Horticultural Society, to carry into effect their original intentions. And the Committee recommend that the rules framed by the late Commissioners of Common should be revived and put into immediate force, a Copy of which, with some alterations, are hereto annexed.

The Committee beg particularly to call the attention of His Worship the Mayor and the City Council to that portion of public Property formerly known as the Mill dam, and now in possession of the Messrs. Smiths. On examination of the Grant they find a distinct and positive reservation of all that Land and Pond together with a free, open and uninterrupted right of way thereto at all times, as also the use of the Water, to and for the benefit of the City, and the Cattle pasturing on the common, which lot has been enclosed in direct violation of the Grant whereby the public have been deprived of a very valuable part of their property, and they strongly recommend that instructions should be given to Her Majesty's Attorney General to take such Steps as will place the Corporation in possession thereof.

The Committee in Conclusion beg to state that they conceive it to be their duty to bring these matters under the Notice of the City Council, feeling satisfied that they will take such a course as will tend to increase the value of the Common, and at the same time protect the interests of the Citizens.

(Signed)

James Freeman

Edward Allison

A. M. Urwick.

— June 11<sup>th</sup> —

3<sup>d</sup> — Report of the Committee on the State of Town Property —

At a Meeting of the City Council held on the fourth instant. We the subscribers having been appointed a Committee to examine and report upon the state of the Town property, its rents, funds and liabilities, beg leave to state that we have discharged the duty assigned us, and submit for the consideration of the City Council the following Report:

As respects the Exchange, the Committee cannot report any immediate alteration. The Shops and Stalls under it require sundry repairs; the Leases expired on the first of May last, but the Tenants still continue to hold under the same tenure.

The Buildings situated on the Market Slip require also repairing, and the Committee recommend that a range of Shops or Stalls should be erected, which they think can be done by an expenditure of about Seven Hundred and Fifty Pounds, and which would yield an income of from Two Hundred to Three Hundred Pounds a Year, this includes the space now enclosed as a Straw Yard.

On examination the Committee find that the Lease of the Steam Boat Wharf expires on the first of September next, and they recommend a renewal of it.

The Dock on the North of Mr. Pepler's Wharf, they recommend should be sold, as the City have no right of way there, and deem it, in its present state, perfectly useless.

The Committee on investigation find that the Fish Market is in a very bad state; towards the repairs of which the Grand Jury in December Term last, voted the sum of Two Hundred and Fifty Pounds which is now collecting, and they further recommend that application be made to Government for a Grant or lease of the water extending out into the Harbour, as far as the end of Beamish's Wharf, that the said Market should be projected out into the Harbour, and that a range of Shops should be erected on the site of the present Fish Market, reserving a sufficient passage and entrance to the width of Ten feet.

The Building erected as a Fish Market in the North end of the City is very much out of repair, and at present is leased for Six Pounds five Shillings. The Committee do not recommend any expenditure on it at present.

The Weighing Machine is now under lease for Fifty Pounds per annum, and the Committee are of opinion that the Clerk of the Market should examine the Scales at least once a Month, and see that they are just and true.



The Committee have investigated the Claims existing against the Buildings erected opposite the weigh scales, the Interest upon which far exceeds the amount of Rents received. Up to the end of October last there was due Messrs. Tobins One Thousand four Hundred and thirty five Pounds, two Shillings and five Pence; and to the heirs of Samuel Black, Eight Hundred and Twenty One Pounds, seventeen Shillings and eight Pence, making in the whole Two Thousand two Hundred and fifty Seven Pounds, and one Penny; And as the debt is increasing every year, they strongly recommend that the Building should be sold and the different claims adjusted as early as possible.

The Meat Market including the Shop and Cellar the Committee find at present produces a Rent of Two Hundred and forty six Pounds fifteen Shillings, but stands in need of repairs. The stalls, with the exception of one, are all Leased for three years from May 1840, with a reservation that they can be taken possession of or given up by a Notice of Six Months on either side. The loft was given as a public Store, from which no Rent is derived. They recommend that the Market should be thoroughly cleaned and whitewashed. Towards the repairs of Town Property they find the Grand Jury have also voted the sum of Two Hundred Pounds which is likewise collecting.

The Powder Magazine they find is free from Debt, and produces an average of about One Hundred and Seventy Pounds a Year, that it is now in a good state of repair, and they strongly recommend that a right of way should be purchased from the Magazine to the Campbell Road, which could at present be done at a trifling expence.

They perceive that the public Dock reserved for the use of the City, situated between the property of John Stachan and William Story, extending into the Harbour Three Hundred and Eighty three feet, as will be seen by reference to the Plans of Public Property, has been obstructed and closed up, and the Committee recommend that Steps should be taken to have the same opened.

The Committee also find on reference to the Plans of the Town Property, that there is a Strip of Land in Upper Water Street of Ten feet in front reserved to the public. Also a Water Lot at the foot of Salters Street extending Three Hundred feet into the Harbour and measuring on Water Street Sixteen feet. Also another Water Lot lying at the Foot of Morris Street in the South end of the City, measuring on Morris Street Twenty feet extending into the Harbour

aforesaid Three Hundred feet, which several Lots are at present unpro-  
ductive, but the Committee conceive it to be their duty to bring the sit-  
uation of these properties to the notice of the City Council.

All which is respectfully submitted.

(Signed) Thomas Williamson  
Edward Allison  
A. M. Uniacke  
William Floyd junr  
J. L. Starr

Mr. Alderman Freeman as Secretary of the Commissioners of  
Streets submits the following account current of the Commissioners of Streets  
(which is also read in open Court) and requests directions of the City Council  
on the subject:-

*D<sup>r</sup>—The City of Halifax in ac<sup>t</sup> Court with Com<sup>rs</sup> of Streets. C<sup>rs</sup>—*

1840	June 11	To Amount expended from 4 <sup>th</sup> Dec <sup>r</sup> 1840 to Date	175 16 4	1840	Dec <sup>r</sup> 4	By Balance on Hand	183 10 11
		Balance on Hand	193 1 -			Am <sup>t</sup> rec <sup>d</sup> from Mills	100 - -
			<u>£ 668 17 4</u>			Am <sup>t</sup> rec <sup>d</sup> from City of Boston	385 6 5
							<u>£ 668 17 4</u>
1841	June 30	The Commissioners will owe for Interest	225 - -	1841	June 12	By Balance	193 1 -
						Am <sup>t</sup> on the hands of Scribbs & Merkle sub <sup>ts</sup> of man <sup>g</sup>	21 14 8
							<u>£ 214 15 8</u>

June 14<sup>th</sup> 1841  
(Signed)  
J. Freeman  
Secy.

When it is  
Resolved, That the Commissioners of Streets continue their present work  
by expenditures until further orders.

Mr. Alderman Freeman also submits  
for consideration of the City Council the following petition which is like-  
wise read in open Court:-

To the Worshipful, the Mayor, Aldermen and Common  
Council of the City of Halifax  
The petition of the undersigned, inhabitants of the North Suburbs  
Respectfully Sheweth  
That the annexed petition addressed to his Excellency the Lieut. Governor  
(was)

was prepared and signed previous to the passing of the Bill for incorporating the Town, but not presented, owing to the introduction of that Act last Session of the Legislature.

You petitioners therefore, hoping your Worship will dispense with the form of procuring the signatures to a new Petition  
Humbly pray,

That you will take the prayers of  
their Petition into Consideration;

And they will ever pray &c

To His Excellency

Lord Viscount Falkland, G.C.B.

Lieutenant Governor and Commander in Chief  
in and over this Her Majesty's Province of  
Nova Scotia and its Dependancies &c &c &c.

The Petition of the Undersigned, Inhabitants of the Town of Halifax  
Respectfully Sheweth,

That your petitioners are owners and occupiers of  
Landed Property in and near to Hurdis Lane, or Featherbed Lane, so  
called, leading from Brunswick Street to Water Street, which for the last  
Sixty Years has been in an impassable state, and is now a receptacle for  
filth and a nuisance to the North Suburbs.

That applications have been repeatedly made to  
the local authorities on the subject without effect; But your petitioners  
having understood that the want of funds was the main difficulty  
have caused a subscription to be made in aid of this Street hoping that  
public attention would be thereby called to its improvement.

Your petitioners therefore earnestly pray that your  
Excellency would cause this matter to be investi-  
gated and direct a small sum of public mone-  
y to be appropriated to the improvement of  
this Street, which, in addition to the sum raised  
by subscription, would be sufficient to make  
it passable for wheel Carriages.

and your petitioners will ever pray &c

(Signed)

Peter Walsh	Simon Donovan	W. Brown	John Dal
Robt. Jones	James Findlay	J. W. Clarke	Peter Manson
Jacob Hurd	John Willem	Tho. M. Bramish	Matthew Towns
Gasper Roast	Joseph York	Samuel Marshall	William Cullip
Tho. B. Atkins	Samuel King	Robert A. Skimming	W. J. Ward