

Halifax July 18th 1841.

The City Council met this day agreeably to adjournment. Present, His Worship the Mayor, Aldermen Henry, Tremain, Duffin, Williamson, W. J. Starr. — W. S. Anderson, Wm. Gray Junr, A. M. Uniacke, Hon. J. L. Starr, Hon. H. Bell, Conrad West, and John Steele Esquires.

Absent, to be fined.

Alderman J. C. Starr	Hon. J. L. Starr	1/3
Edward Allison Esq.	Andrew McKinlay Esq.	
Alex. Keith	Stephen Clarke	
William Caldwell.		

William Lannigan is approved of as member of the Engine Company in place of Mr. John Watson.

The following Resolutions are this day passed.

Resolved, That the City Clerk be directed to call on the persons now in arrears for rent for common Lots, and on default of payment to call on the parties to deliver up their leases.

Resolved, That the Superintendent of Common be directed to collect the rents, and pay them over to the City Treasurer.

Resolved, That the City Clerk be directed to advertise the vacant lots to be let at Public Auction, after Ten Days Notice.

The report of the Committee on the subject of the cemetery is again taken up and read, and a Plan of the ground recommended as a site laid before the Council when it is

Resolved, That the Committee take such measures as may be deemed necessary to obtain said ground for a cemetery, as also an estimate for enclosing the same, and report thereon.

Resolved, That the Committee of Five Wards in charge of pumps and wells be requested to make particular enquiry into the right of way to the well on ground the property of the late Lewis DeMolitor Esq. situate in the rear of Mason Hall, and that they proceed to open up the said passage that the public may have access to the same in cases of Fire.

The petition of J. M. Clarke and others on the subject of repairs of Water Street from the Ordnance to the Dock Yard is read, when on motion the same is referred to the Overseers of Highways to report upon.

Resolved, That the Commissioners of Town Property be requested to cause the repairs to be done the Meat and Green Market agreeably to estimate this day submitted to the City Council amounting to Twenty pounds.

The Council then adjourned till Friday next at 2 O'clock.

The following are the names of the persons who have been appointed to the City Council for the year 1841. The names of the persons who have been appointed to the City Council for the year 1841. The names of the persons who have been appointed to the City Council for the year 1841.

Halifax July 16th 1841

At a Meeting of the City Council held this day pursuant to adjournment Present His Worship the Mayor Aldermen Williamson, W. J. Starr, J. C. Starr, Will Uniacke, Hon. H. Bell, A. M. Hinckley, John Steele and Stephen Clarke Esquires.

Absent to be fined,

- Alderman Henry 1/3
- Alderman Freeman 3/9
- Alderman Duffus 3/9
- Conrad West Esquire 3/9
- William Story Esq. 1/3
- Hon. J. L. Starr (Excused)
- W. G. Anderson Esq. (excused)
- Edward Allison Esq. (out of Town)
- Albion Esq. (out of Town)
- W. Caldwell Esquire

On Motion it is

Resolved That the foregoing fines be collected by the City Clerk

Read a petition from the inhabitants and others interested in the North suburbs of the City for a continuation of a line of road from Lockman Street to Jacob Street, when on motion the same is laid over for future consideration.

The following Ordinances or Bye Laws for the Government of the City having been read over were passed:

- An Ordinance relative to the form of Writs in the City or Mayor's Court.
- An Ordinance imposing a duty on Goods sold at Auctions.
- An Ordinance regulating the Market Step and the use of the water there.
- An Ordinance relative to a Tax upon Dogs.
- An Ordinance to prevent nuisances and to regulate the Streets.
- An Ordinance to regulate the Side paths.
- An Ordinance for the regulation of the Country Markets and exposing for sale country produce &c.

The following Protest on the subject of Fines is handed in and requested to be entered on the Records.

The undersigned members of the City Council protest against the rule enforcing fines against members for non-attendance or for late attendance at the meetings of said Council on the following Grounds to wit:-

First Because the Act of Incorporation gives no power or authority to impose such fines or to enforce any rules or Ordinances to be made by them till the same be sanctioned by the Lieut. Governor & Council.

Second Because the establishment of such fines is unnecessary and annoying to the feelings of members, and cannot have any beneficial tendency, as members will attend the meet- (ings)

ings to protect the interests of their respective Wards and to under
 their services to promote the general interests of the City as often
 and as punctually as may be consistent with their own
 private engagements, or attendance upon other public duties.

City Council

Halifax 16th July 1841.

(Signed)

J. D. Starr

C. West

J. Steele.

The following Petition of Richard Meagher is this day
 read:-

Halifax July 16th 1841.

To the Worshipful Mayor, Alderman and Common
 Council of the City of Halifax.

Gentlemen

I take the liberty of calling
 to your recollection a representation of my case, and a
 Report of a Committee of the House of Assembly thereon.

Your honorable Court may recollect that I suffered
 severely by an accident connected with the Public Property
 of the City, that I petitioned the House of Assembly for some
 compensation, and that that Body appointed a Committee
 of enquiry, who reported favorably as regarded my claims
 but referred the matter to the City Authorities. That
 report was laid before your honorable Court and its consid-
 eration was deferred.

My presuming to renew the subject at this
 particular time, may require explanation. I do so for the
 following reasons:- Owing to frequent overexertion, or other
 causes, the remedy which was applied on the lops of my leg
 has not proved efficient, I cannot walk without uneasiness
 and increasing weakness, and a new surgical operation
 may become necessary if the injured limb is allowed
 to remain in its present state. Persons make a profession
 of these matters in the U. States, and if I had the requisite
 means I would go there to seek a remedy for the evil
 which I continually experience. Every days delay in ma-
 king the application may be of serious consequence, and
 if application be long postponed it may be unavailing.

Under these considerations, Gentlemen, I beg leave hum-
 bly to call your attention to my case, and to request

(that)

that you will give it that answer which in your liberality
may seem fit.

Your Honours' most humble & obedient servant
Richard Meagher.

when the following resolution is adopted.

Whereas, Richard Meagher a poor Boy who has no means of sup-
porting himself but by his labour has in the course of some
repairs to the public market House, received an injury by which
he has lost his leg, and is now unable to labor at his trade as
efficiently as before that misfortune.

Resolved, as the opinion of the City Council, That he has a claim
for some aid towards his support while endeavoring to ob-
tain the most perfect cure his case will admit and there-
fore that the sum of Twenty five Pounds be paid to him
for that purpose.

The City Council then adjourned till Wednes-
day next at 2 O'clock P.M.

Stephen Binney
Mayor

— Halifax July 21st 1841. —

At a Meeting of the City Council held this day Present His Worship the Mayor, Aldermen Henry Tremain, Duffus & J. C. Starr. Edward Allison, W. Story Jr. A. M. Uniacke, Hon. H. Bell, A. MacKintay, C. West, J. Steele and A. Clarke Esquires.

The following Ordinances and Bye Laws for the Government of the City having been read are passed.

- An Ordinance to regulate the Truckmen
- An Ordinance respecting posting Bills Placards &c
- An Ordinance regulating the Common.

It was then Resolved, That the Commissioners of Public Property be authorised to purchase a sufficient extent of Ground for a road to the Powder Magazine from the Campbell Road.

Resolved, That the Commissioners making repairs on the Court House be directed to raise the Heads of the Windows in the South front, in order to give more light to the City, Marshalls and to the Recorder's Offices.

Whereas a part of the public road leading from the Cock Yard to the Campbell Road is now enclosed and encroached upon by Houses, Fences and Walls, It is therefore Resolved, That the Commissioners of Streets be directed to cause all encroachments by Fences and Walls upon the Streets and Side paths above mentioned, to be removed by the proprietors without delay.

Resolved That the Commissioners of Town Property take immediate measures to put the pound in perfect order.

Whereas Göttingen Street is now being repaired and it is necessary that the line on each side should be uniform, and whereas there is an encroachment of 8 or 10 feet on the street in front of some fields in that Street

Resolved That the Commissioners of Streets be directed to take the necessary steps for the removal of the same, and of any other encroachments of a similar nature that may appear.

The City Council then adjourned till Monday next at 2 O'Clock P.M.

Stephen Quincy
Mayor

Halifax July 26th 1841.

At a Meeting of the City Council held this day pursuant to adjournment.

Present

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|----------------------|------------------------|
| Alderman Henry | Edward Allison Esquire |
| " Fremain | Wm. Story Jr " |
| " Duffus | Wm. Caldwell " |
| " Williamson | A. M. Uniacke " |
| " J. O. Starr | Hon Hugh Bell |
| A. M. Hinday Esquire | Conrad West Esquire |
| John Steele " | A. Clarke " |

Absent to be fined.

- | | |
|-------------------------|---------------------|
| Alderman W. J. Starr of | A. Keith Esquire of |
| W. G. Anderson Esq. of | Hon. J. L. Starr of |

Read the following petition of Coal Measurers
 To the Worshipful the Mayor, Aldermen and City Council
 The Petition of the undersigned Coal
 Measurers for the City of Halifax.
 Respectfully Sheweth

That your Petitioners are desirous of bringing under your notice that the coals supplied to the Dock Yard, to the Messrs. Curwens, and the Halifax Steamboat Company, have been delivered without having been duly admeasured by either of your Petitioners, whereby they are deprived of a large of a large portion of their emoluments.

That humbly conceiving they as coal measurers, regularly appointed and sworn are justly entitled to the admeasurement of all coal delivered in the City, they respectfully would urge the matter upon your consideration.

Humbly praying that if your worshipful Body should be of the same opinion with your petitioners you would adopt such measures as in your judgment may seem right to prevent your petitioners being longer subject to this injustice

And as in duty bound &c

(Signed) John Robt. Supervisor John O'Connell Patrick O'Connor
 Godfrey M. Shwarts John Stirling Dennis Curran
 William Holland Malcolm Douglas Joseph Hindlay.

When the City Council, on referring to the Law decline entering into any discussion on the subject.

The report of the Committee of the City Council on the subject of the City Marshal's Salary is read when on motion it is

Resolved, That the sum of Eighty Pounds be paid to the City Marshal for his services as contemplated by the Act of Incorporation in addition to the Fees and emoluments formerly received or by law payable to the Constable of the Commissioners Court.

Resolved, That the sum of Nine Pounds be paid George Jones & Co. being the amount of their account for labour and materials in whitewashing the Great Market.

Resolved, That the following Gentlemen be a Committee to confer with the Fire Wardens as to the new regulations and the appointment of Special Constables from the different Fire Companies:

Alderman Freeman William Hoag Esq.
 William Caldwell Esq. Hon. H. Bell
 Andrew MacKulay Esquire

The City Council then adjourned till Monday next at Two O'clock.

Richard Quincy
 Mayor

Halifax August 2nd 1841.

At a Meeting of the City Council held this Day
Present, His Worship The Mayor, Aldermen, Fiermain, Duffus
Williamson and W. J. Starr. H. Caldwell, A. M. Uniacke
Hon. N. Bell, G. West, J. Steele & A. Clarke Esquires.

Absent to be Fined.

Alderman Kenny	Esq.	Alexander Keith Esquires.
Alderman J. C. Starr	Esq.	William Gray
H. G. Anderson Esquires.	Esq.	Hon. J. L. Starr
Edward Allison	Esq.	A. MacKinlay Esq.

The following letter from George G. Gilbert Esquire of Saint John N.B. to His Worship The Mayor was read, when on Motion it is Resolved Unanimously, That a vote of thanks from the City Council be transmitted to George G. Gilbert Esquire for his handsome Donation.

Halifax Hotel
Saturday Morning
31st July 1841

Dear Sir,

Having won her most gracious Majesty's Maiden Plate of Fifty Sovereigns, from the Halifax Turf Club, will your Worship (as the organ of the City) allow me to place the same in your Worship's hands, to be appropriated to any charitable institution of the City of Halifax?

I have the honor to be
with great regard

To
His Worship (signed) Geo. G. Gilbert.
The Mayor
of the City of Halifax.

To which His Worship returned the following reply:-

Halifax 5th Aug. 1841.

Dear Sir,

On behalf of the Citizens of Halifax, I beg to return you my best acknowledgments for the very handsome donation you have been pleased to make to them, by placing in my hands the Queen's Plate of Fifty Sovereigns (won)

won by you at the recent meeting of the Turf Club, to be appropriated to any charitable institution of the City.

This magnificent act of liberality coming as it does from a stranger, reflects the highest honor upon you, and I may venture to assure you, will ever be held in grateful remembrance by this community.

I have to add that at a Meeting of the City Council held this day upon your communication to me being read, a unanimous vote of thanks for your generosity was directed to be conveyed to you.

I have the honor to remain

Dear Sir,

Your very Obedt. Servt.

(Signed)

Stephen Binney

Mayor.

To
George G. Gilbert Esq.
of Saint John, New Brunswick.

William Matthews is appointed No 2 Constable of Ward Number three in place of Patrick Howland, deceased.

Read a letter from James N. Tidmarsh Esquire on the subject of Guaging Oil when on motion it is Resolved, That Aldermen Williamson & W. P. Starr and Conrad West Esquire be appointed a Committee to look into the acts relative to the Guaging of Oil, call the Recorder to their assistance and report upon the same.

Read the following report of the Committee on the subject of a site for May Market, which is referred back to the Committee for further information.

"The Committee appointed to select a site for a May market beg to report, that they are of opinion, that the piece of ground on the western side of the road leading past the property of the late Noble Joseph Allison, is the best suited for the purpose that can be obtained, without going to an expence which the Committee are not prepared to recommend. If this site be adopted, it will be necessary to erect sufficient Stabling for the accommodation of persons frequenting the market these Stables might be built at the expence of the City, or if not the Committee have no doubt that persons might be found, who would erect Stables upon securing a lease of a sufficient quantity of ground for a term of years, and the building might be so

placed, as to form a shelter from the north west winds

(Signed) John Peffer
Chairman

Resolved, That His Worship The Mayor, Hon. J. L. Starr and A. M. Uniacke Esquire be a Committee to draw up an address and make the necessary arrangements for the reception of the Prince de Joinville expected here in a few days.

Adjourned until Wednesday the 11th Instant at Two O'clock.

Stephen Quincy
Mayor

Halifax August 5th 1841

William Matthews having taken the oath prescribed by Law is this day sworn into office as Constable No 2 of Ward No 3. (Residence Bedford Row next door to Charnan's Warehouse)

Stephen Quincy
Mayor

— Halifax August 11th 1841. —

At a Meeting of the City Council held this day Present, His Worship the Mayor, Aldermen Henry Siemans, Duffus, Williamson, W. J. Starr and J. C. Hare, W. G. Anderson, Alex. Keith, Wm. Hoyle, Wm. Caldwell, Hon. H. Bell, Hon. J. L. Starr, A. MacKintay, C. West and A. Clarke Esquires.

Absent, to be fined

Alderman Duffus 2/6 A. Keith Esq. 1/3 A. M. Uniacke Esq. 5/4
Hon. J. L. Starr 5/4 John Steele Esq. 5/4

His Worship the Mayor lays before the City Council the following Letter from the Deputy Secretary of the Province as also a Memorandum of the reasons for disallowance of several Ordinances or Bye Laws transmitted to His Excellency the Lord Governor and the Executive Council for their approval, which are read:

Provincial Secretary's Office,
Halifax 11th August 1841

Sir,

I have it in command from His Excellency the Lieutenant Governor to signify to you, in reference to the several Ordinances or Bye laws of the City of Halifax copies of which have been transmitted to His Excellency pursuant to the provisions of 51st Clause or Section of the Act 4. vic. ch. 51 and are numbered from 3 to 16 both inclusive:

That His Excellency by and with the advice of the Executive Council has approved of and allowed three of said Ordinances and Bye Laws numbered 11. 12. 13 and entitled as follows:

"An Ordinance or Bye Law to license tax & regulate all dramatic and other exhibitions, Shows and amusements."

"An Ordinance or Bye Law to regulate the using and pasturing of the Common of Halifax:"

"An Ordinance or Bye Law respecting pasting Bills, Placards, or Advertisements."

That His Excellency by and with the advice of the Executive Council has disallowed of said Ordinances or Bye Laws, those numbered 3. 4. 5. 7. 8. 9. 10. 14. 15. 16, entitled as follows:

"An Ordinance or Bye Law to establish the City Seal:"

"An Ordinance or Bye Law for imposing a Duty on Goods and Chattels sold at Public Auction."

"An Ordinance or Bye Law imposing a Tax on Dogs and for other purposes."

"An Ordinance or Bye Law to prevent nuisances in, and to regulate the Streets of the City of Halifax."

"An Ordinance or Bye Law to regulate the Side paths, Steps, Cellar windows &c, within the City of Halifax."

"An Ordinance or Bye Law to regulate the inspection and exportation of Red or Smoked Herrings from the City of Halifax."

"An Ordinance or Bye Law for the regulation of the Country Markets &c."

"An Ordinance or Bye Law to regulate the Truckmen."

"An Ordinance or Bye Law to regulate Public Bathing."

"An Ordinance or Bye Law for the Sale of certain property in the City of Halifax."

I have also been commanded by His Excellency to communicate to you certain reasons which have principally induced the disallowance of those Ordinances, and which are contained in the Memorandum I have the honor to send herewith.

And I have it further in Command to state that the Ordinance numbered 5, entitled "An Ordinance or Bye Law to regulate the Market Step, and the use of the waters thereto adjoining, belonging to the City of Halifax" stands over for further consideration, the delay in allowing it proceeding from information having been received that private rights may be thereby affected.

I have the honor to be
 Sir,

Your most Obedient

Humble Servant

(Signed) John Whidden.

His Worship

The Mayor of the City of Halifax.

(Memorandum)

Memorandum, containing the principal reasons for disallowance of several Ordinances or Bye Laws of the City of Halifax—

No & Subject of Bye Law.	Reasons for Disallowance.
No 3. <u>City Seal</u>	Incomplete.— In the 1 st clause the device or motto for the City Seal being in blank. In the 2 ^d clause the Provincial Statute is misquoted as to the Chap. which should be 36 instead of 46—
4 <u>Auction Duty</u>	The object cannot be attained without an Act of the Legislature for the purpose.
6 <u>Dog Tax</u>	Part of the objects of this Ordinance can only be attained by Legislative enactment.
7 <u>Wharves & Streets</u>	The term "Public Wharf" in several parts of this Ordinance is of doubtful meaning and should be explained or expunged, for if applied to the Mercantile wharves in general some of the provisions would be unwarranted.
8 <u>Sidepaths</u>	The introduction of the word "Owner" in the commencement of the last clause is objectionable.
8	The 1 st clause objectionable so far as it assumes that every ward has an Alderman in it.
	The 8 th and 9 th clauses are ambiguous in relation to the person chargeable with the duty therein enjoined, as they do not point out whether it is to fall upon the <u>Owner</u> or <u>Occupier</u> , and the 8 th clause imposes a penalty of £10 which is beyond the scope of the powers of the Corporation. And it is worthy of consideration how far the imposing a fine of 20 ^s for each days continuance of disobedience to an order or otherwise which might eventually amount to more than £5 would be legal without at least taking the precaution to have each days offence made a distinct one indictable and the amount recoverable by itself. But besides these technical objections it is deemed inexpedient that the <u>owners</u> or <u>occupiers</u> should severally be compelled to make the side walks &c in front of their property it being considered preferable that the object should be attained by a public general charge.

No 4 Subject of Bye Law.

Reasons for Disallowance

9
Inspection of Smoked Herrings

The Corporation has power to make Bye Laws for the good rule, peace, welfare and government of the City but it is thought that the object of this Ordinance does not fall within the scope of the City Councils authority, and that it had better be left for Legislative enactment, if any amendment in the existing Law is found necessary. The Corporation have power without this Ordinance to appoint Inspectors of Smoked Herrings -

10
Country Markets

The proviso to the 50th Section of the Act of the Incorporation prohibits any Bye Law for the limitation of the place or manner of Sale of Country produce. This Ordinance is therefore of questionable authority, and as the Law sufficiently guards against the obstruction of the streets, the Ordinance in that respect is not necessary.

14
Truckmen

Chiefly objectionable on account of the strict law as to the number of Trucks to be kept by any one person. The not allowing the Truckman to ride on his Truck, Sled, &c under certain circumstances. The compelling him to keep the different descriptions of carriages, and to perform public duty without specifying in what particulars, or whether he is to be remunerated therefor.

15
Battering

At the end of the 1st Clause the term of imprisonment is left blank, and it is thought that the operations of this Ordinance should not extend to the whole Shore whether secluded or otherwise.

16
Sale of Real Estate

This Ordinance disallowed solely because it would be inoperative, the day appointed for the sale having gone by.

Additional Memorandum

It is remarked that the Titles indorsed upon most of the Copies of the Ordinances are different from those on the inside heading the Ordinance. This leads to inconvenience and mistakes, in referring to the Ordinances it has been taken for granted that the title preceding (the)

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The body of the Ordinance is the correct one.

Whereupon on Motion it is
Resolved, That the foregoing documents be referred to His Honor
the Recorder to report upon at the meeting of the City
Council on Thursday week next.

The following Ordinances or Bye Laws were ap-
proved of and allowed by His Excellency the Lieu: Governor
and the Executive Council:-

- An Ordinance or Bye Law to
Licence Tax and Regulate, all Dramatic and
other Exhibitions, Shows and Amusements.

Whereas, by the LXXIII Section of the Act to incorporate the
Town of Halifax, it is enacted, That the Mayor shall have
power to Licence all Theatrical Exhibitions, and all Public
Shows of whatever name or nature to which admission is
obtained on the payment of Money, on such terms and
conditions as to him may seem just and reasonable,
and to regulate the same, from time to time, in such man-
ner as may appear to him necessary to preserve order
and decorum, and to prevent the interruption of peace
and quiet; and any person or persons who shall set forth,
establish or promote any such exhibition or Show, or
publish or advertise the same, or otherwise aid or
assist therein, without a Licence so obtained as afore-
said or contrary to the terms or conditions of such Licence,
or whilst the same is suspended, or after the same is
revoked by the said Mayor, or shall be liable to such
forfeiture as the City Council may, by any Bye Law
made for that purpose, prescribe.

Provided, That the person or persons obtaining such Licence shall
pay therefor such fee or sum of money as shall be pre-
scribed by any Bye Law or Ordinances of the said
City; and that it shall be at all times optional
with the said Mayor either to grant or refuse such
Licence.

Be it therefore Ordained, by the Mayor Aldermen and Common Council-
men of the City of Halifax, in City Council assembled,
That from and after the passing of this Ordinance, every
person or persons who shall desire to exhibit, for gain or
Money, within this City, any Theatrical Exhibition, Public

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Show or Amusement, and every other Exhibition of what name or nature soever, shall first apply to the Mayor of the said City for a Licence to exhibit such Exhibition, Show or Amusement, before he or they publish or advertise the same; and shall clearly set forth and describe the nature and tendency of the said Exhibition to the Mayor, when such Exhibition is made.

And be it Ordained, &c. That every such person or persons shall pay for such Licence such sum of Money as His Worship the Mayor shall direct; and such further sum for each and every days exhibition in the said City; and shall also, if thereof required, enter into such Bond as the Mayor shall direct, to keep good order and decour at such Exhibition, and to preserve peace and quiet thereon.

And be it Ordained, &c. That any person or persons who shall exhibit, for gain or money any Theatrical Exhibition, Public Show or Amusement, of whatever name or nature, or who shall set forth, establish or promote, or publish or advertise, or otherwise aid or assist in or at any such Exhibition or Show, without a Licence so obtained as aforesaid, or contrary to the terms or condition of such Licence, or whilst the same is suspended, or after the same is revoked by the Mayor, shall forfeit and pay the sum of Five pounds for each and every offence.

And be it Ordained, &c. That the Mayor shall take such steps, and issue such directions for the regulation of all such Shows, Exhibitions or Amusements, as to him shall seem necessary; and the nature of the respective Shows, Exhibitions or Amusements may demand.

And be it Ordained, &c. That the Fees for each and every such Licence shall be as follows viz:

For each Licence to exhibit any Theatrical Exhibition, Show or Amusement, of what nature or kind soever, a sum not exceeding Forty Shillings.

For each and every days Exhibition a sum not exceeding Five pounds.

68
— An Ordinance —
— Bye Law —

To regulate the using and pasturing of the Common of Halifax.

— Whereas by the **LXVIII** Section of the Act for Incorporating the Town of Halifax, it is enacted, That the City Council should, for the future, have the sole control and management of the Common belonging to the said Town— Subject nevertheless to the rights and privileges of Her Majesty the Queen retained therein, and to the estate, right, title, interest and property, legally acquired by any other person or persons therein, or in any part thereof; and that the said City Council shall have, use, possess and enjoy, in and over the same, and every part thereof, all powers and authority now possessed and enjoyed by the present Commissioners thereof, for the due regulation, management and control, of the same, or vested in them for any purpose whatsoever. And Whereas, by the **XLIX** Section of the said Act, it is enacted, That it should be lawful for the said Council to appoint, from and out of the Members composing such Council, such and so many Committees, consisting of such number of persons as they may think fit for the better transaction of the business before such Council, and for the discharge of such duties within the scope of their powers as might by the said Council be prescribed, but subject in all things to the approval, authority and control of the said Council.

Be it therefore Ordained by the Mayor, Aldermen and Common Councilmen of the City of Halifax, in City Council Assembled, That from and after the passing of this Ordinance, the Common of Halifax shall be under the control of Alderman Thomas Williamson Esquire, Edward Allison and Andrew Mitchell Uniacke Esquires and Common Councilmen, but subject nevertheless to the Rules, Orders and Regulations, hereinafter set forth, or which shall at any time or times hereafter be set forth by the said City Council of and concerning the same.

And be it Ordained, That no Horses or Pigs shall be allowed to depasture on said Common; and all Horses or Pigs, depasturing thereon, shall be impounded, and not

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released without the payment of Five Shillings for each one so impounded.

And be it Ordained *¶* That all persons depositing Manure, Rubbish, the Carcasses of dead Animals, Offal or Filthy Substances of any description on said Common, except in the places to be appointed by the said Committee, or removing Earth, Soil, Stones, Peat, Mould or Sods, on or from the said Common, or erecting any Building, Booth, Tent, Shed, Post or Pickets, except by permission, in writing from the said Committee, shall be deemed guilty of a trespass, and shall forfeit and pay a penalty not exceeding Forty Shillings, nor less than Five Shillings, for each offence; and on non-payment thereof shall be Committed to the House of Correction for a period not exceeding Thirty Days.

And be it Ordained *¶* That no persons except Householders in the City of Halifax, shall be allowed to place Cows, Sheep or Oxen on said Common, to depasture thereon, and no Householder to place more than one Cow or Ox, or three Sheep, at any one time, unless by permission of the said Committee in writing; and every other Cow, Ox and Sheep, shall be impounded, and not released until a fine or sum not exceeding Ten Shillings and Costs of prosecution be paid.

And be it Ordained *¶* That all Animals found at large on, or depasturing on said Common, without permission in writing, or from the said Committee, or being authorised by these regulations, shall be impounded, and shall be released only on payment of a sum not exceeding Ten Shillings and Costs, for each offence; but this regulation shall not extend to, or be in force, between the first days of December and April in each and every Year.

And be it Ordained *¶* That all persons authorised to place Cows, Oxen or Sheep, on the said Common, shall cause them to be marked and designated by an Iron or Metal Collar on the necks of such Cows or Oxen, with the owners name thereon, and by a brand on each Sheep, with the initials of the owner's name; and each Cow, Ox or Sheep, not designated as aforesaid shall be impounded and not released except on payment of a fine not exceeding Ten Shillings and Costs, for each offence.

And be it Ordained *¶* That all persons prostrating, destroying, defacing or injuring any fences, Inclosures, Reservoirs, Bridges, Drains, Trees, or Plantations, on said Common,

shall forfeit and pay a fine of not less than Five Shillings, and not exceeding Forty Shillings and on non-payment thereof, be imprisoned in the Gaol or House of Correction for a period not exceeding Thirty Days.

And be it Ordained &c. That any person or persons who shall wash clothing, bedding or articles of any description upon any part of the Common except in the places appointed by the said Committee, shall forfeit the sum of Five Shillings for each offence; and the Superintendent of the Common shall, and he is hereby authorised to seize and detain any such clothing, or other articles lying or being on such part of said Common and to retain the same until the person to whom they shall belong, or the person washing the same, shall pay to him the said sum of Five Shillings, and all costs incurred, when he shall release and deliver up the same.

And be it Ordained &c. That any person or persons who shall enter the waters or the Reservoir on the North side of the Spring Garden lots, or any Reservoir on said Common, for the purpose of washing, swimming or bathing, shall forfeit and pay the sum of Five Shillings for each offence, or in default thereof be confined in the House of Correction for a period not exceeding Forty Eight Hours.

And be it Ordained &c. That all Manure and Compost Heaps found on said Common, except in the places to be appointed by the said Committee, shall be forfeited, and the said Committee may apply the same to the use of the Common.

And be it Ordained &c. That the said Committee shall have authority to increase the number of Cows, Oxen or Sheep to depasture on the said Common, on such terms as they may deem judicious and beneficial, * * * but not to exceed Ten Shillings per annum for any such Cow, Ox or Three Sheep.

And be it Ordained &c. That, if any Cows, Oxen, Sheep or other Animals, shall be impounded, or any persons proceeded against for infringing the foregoing regulations, or if any dispute shall arise respecting the ownership of such Cows, Oxen, Sheep or other Animals, or respecting the liability of said persons to the fines or penalties above imposed, the onus probandi or proof shall lie on the party seeking to exculpate himself or herself, and not on the said Committee.

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An Ordinance or Bye Law, respecting Bills,
Placards, or Advertisements.

Be it enacted by the Mayor, Aldermen and Common Councilmen of the City of Halifax, in City Council assembled: That from and after the passing of this Bye Law, no person or persons whatsoever shall put, place, paste, stick or otherwise affix, or cause or procure to be put, placed, pasted, stuck or otherwise affixed, any Handbill, Bill, Placard or Advertisement whatsoever, against any place whatsoever within this City, unless by consent of the owner thereof, except on such places as shall be hereafter appointed.

And be it Ordained &c. That in case of any breach of this regulation it shall and may be lawful, to and for the Mayor, or any one of the Aldermen or Common Council, to direct the Constables to take into custody, any person or persons, who shall affix any Advertisements as aforesaid, except in such places as shall be appointed for that purpose, and every such person shall forfeit and pay the sum of Five Shillings for each and every offence, or shall be imprisoned for a period not exceeding Forty Eight Hours in the Common Jail or House of Correction, at the discretion of the Mayor or presiding Alderman.

Read the following Petition of Commissioners of Poor:-

To the Honorable the City Council.

The Petition of the Commissioners of Poor for the City of Halifax - Respectfully sheweth.

That your petitioners under the authority and with the approbation of the late Commissioners of Common have enclosed and improved about three acres of the Common and have expended a large sum in erecting a good and substantial fence around and making improvements upon the said Lot. That your petitioners were induced to make such expenditure with the understanding that they were to receive a long lease of the said Lot free of rent. But the Commissioners went out of office without executing any lease to them of the said Lot. And your petitioners are now

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desirous of obtaining from Your Honorable Body a confirmation of the then title to the said lot, and also a lease of a further lot in addition thereto during the continuance of the present Charter of Incorporation. And your petitioners further state that their only object in procuring the said Lots of Land is to give employment to the inmates and thereby to decrease the expenses of the Poor House

Your Petitioners therefore beg the favorable consideration of Your Honorable Board to their present application.

Halifax July 1841.

(Signed) The Williamson
Chairman

When on Motion it is

Resolved, That the same be referred to Aldermen Kenny, Tremaine and Duffus to report upon.

On Motion it is

Resolved, That the present assessment upon the Citizens agreeably to Resolution of 30th June last be made upon Real and personal Property.

On Motion it is

Resolved, That the accounts of Philip Holden against the Commissioners of the Common, as also the amount due by the Bridwell Establishment this day submitted, be referred to Messrs. McMenlay and Clarke to report upon.

On Motion it is

Resolved, That the subject of the Water Lots near Fresh Water be referred to the Commissioners of the Streets

On Motion it is

Resolved, That His Worship the Mayor communicate with His Excellency the Lieutenant Governor on the subject of the property in Upper Water Street, known and called by the name of "The Butler Property," as also on the subject of all other vacant Water Lots.

The City Council then adjourned till Thursday the 19th of August instant at Five O'clock

Stephen Guinness

Mayor

August 18th 1841.

The following a size of Bread was set this day and ordered to be in force on Friday next the 20th Instant:

One penny halfpenny	Loaf of Fine Wheaten Flour	to weigh	10	11
Three penny	Loaf of Fine Wheaten Flour	do	1	4
Six penny	delle	delle	2	9
One Shilling	delle	delle	5	2

Stephen Binney
Mayor

Halifax August 17th 1841

William H. Macfurdy having taken the Oath required by Law is this day sworn into office as Clerk of the Market for the City of Halifax.

Stephen Binney
Mayor

Halifax August 12th 1841

At a Meeting of the Aldermen of the City held this day for the purpose of appointing three Assessors to make up the Assessment Books of the City from the returns of the assessors of the different wards Present, Aldermen Henry Duffus, Williamson, W. J. Starr and J. C. Starr. when Messrs John Hayter, James H. Reynolds and Robert Noble were appointed to that office.

Stephen Binney
Mayor

Halifax August 20th 1841.

At a Meeting of the City Council held this day
Present, His Worship the Mayor, Aldermen Kenny, Fremain,
Duffie, Williamson, W. J. Starr and John Edward Starr.
W. G. Anderson, Edward Allison, Alexander Kirk, William
Caldwell, Andrew M. Uniacke, Hon. J. Starr, Hon. Hugh Bell,
J. M. Kenney Esquires, Conrad West, John Steele and
Nephan Clarke Esquires.

— Absent to be Fined. —

William Story Esq. of Alderman W. J. Starr 1/3
Alexander Keith Esq. of Conrad West Esq. 4/3
Hon. Hugh Bell 2/6

The City Council were
summoned on the subject of the rejected Ordinances,
also relative to the Assessment.

The Commissioners of Streets
to whom was referred the subject of the water Lots near
Fresh Water, submitted the following report which is copied:
"The Commissioners of Streets, to whom was referred the
subject of the vacant water Lots south of the Fresh Water
Bridge Report

That they find by reference to the plan
accompanying this report that from the said Bridge to the
Government property there are four Lots recorded as public
Docks, beside which there are five ungranted lots, also one
recorded as granted to John Fremain, which the Commission-
ers of Streets purchased the right of for the use of the
public. One of the five Lots referred to is occupied by
John Fidler, on which a wharf has been erected.

Your Committee finding that the City of Halifax
has so few landing places, would recommend the Council
to apply to His Excellency the Lieut. Governor for a Grant
to the City of such Lots as are now unoccupied, for it may
hereafter occur (as has heretofore been the case) that individuals
may procure Grants of the same to the great prejudice of
the City.

The Commissioners also recommend that the wall in front
of the Lot purchased from John Fremain, and also
the Lot south of Bazalgetts Lot be raised of sufficient
height to protect the Road from encroachment of the sea.
All of which is respectfully submitted

(Signed) James Fremain
Chairman of Com^{rs} of Streets

When on motion the following Resolution was adopted:

Resolved, That His Worship the Mayor be requested to apply to His Excellency the Lieut. Governor for a Grant of the vacant water Lots extending from the Mouth of the Hospital around the Campbell Road in addition to the Lots south of Fresh water Bridge, also that His Worship be authorized to procure plans of the same.

The City Council proceeded to take into Consideration the subject of the assessments handed in to the City Council when the following Resolution was adopted

Whereas errors and irregularities have been discovered in the assessments lately returned to this Council which the assessors themselves are anxious to rectify, Be it therefore Resolved, That the said Assessments be not received, being insufficient for the purposes contemplated, and that the said Assessors be required to make a new assessment, and that they be recommended to adopt an uniformity in their future proceedings.

The City Council next proceeded to the subject of the rejected Ordinances. His Honor the Recorder lay before the City Council a communication prepared by him on the subject, and the following proceedings on the subject are adopted.

On motion it is Resolved That the Blank in 1st clause of Ordinance No 3, relative to the device or Motto for the City Seal, be filled up and sent back to His Excellency and the Executive Council, for their approval.

As to the Ordinance No 4 for imposing a duty on Goods and Chattels sold at Public Auction, it is Resolved that the same stand over.

As to Ordinance No 6 for imposing a Tax on Dogs and for other purposes, it is Resolved That the same be altered and amended.

As to Ordinance No 7 relative to the prevention of nuisances in, and to regulate the streets of the City of Halifax, it is Resolved That the same be altered and amended.

As to Ordinance No 8 regulating the side paths Steps, Cellar windows &c, it is Resolved that the same be altered and amended.

As to Ordinance No 9, to regulate the exportation of Red or Smoked Herring from the City of Halifax it is Resolved that the same be altered and amended. (15)