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is Resolved, That the same be sent back.

As to Ordinance No 10, for the regulation of the Country Markets &c. it is Resolved, That the same be sent back.

As to Ordinance No 11, to regulate the Truckmen, it is Resolved, that the same be sent back.

As to Ordinance No 15, to regulate Public Bathing it is Resolved, That the same be altered and amended.

As to Ordinance No 16, for the Sale of certain property in the City of Halifax, it is Resolved, that the same be altered and amended.

The Council then adjourned until tomorrow at 2 O'clock P.M.

Stephen Conroy

August 21st 1844

The following letter was sent to the Assessors of the different wards this day:

Office of City Clerk, Halifax, Aug.
Gentlemen,

At a Meeting of the City Council held yesterday, it having been determined that, in consequence of many errors and irregularities in the assessments lately returned to the Council, and the same not having been made within the time prescribed by law which rendered them insufficient for the purposes contemplated, the said assessments be not received, and that the assessors be required to make a new assessment, and be recommended to adopt an uniformity in their future proceedings.

I have it therefore in Command from His Worship the Mayor to require you to make an assessment upon the Owners or occupiers of the value of the Real and personal property which they own or occupy in Ward No - and that you will return said assessment to the Board of Aldermen at this Office within Thirty Days after the receipt of this requisition, agreeably to the Act of Incorporation.

I am, Gentlemen,

To

Esquires
Assessors of Ward No

Your Obedt Servant
(Signed) James S. Clarke
City Clerk.

P.S. His Worship the Mayor will be ready at any time to meet the Assessors and afford them any information relative to the new Assessment.

Halifax August 21st 1811. 17

At an adjourned Meeting of the City Council held this day. Present, His Worship the Mayor, Aldermen Kenny, Tremaine, Duffin, Williamson, & William J. Starr. W. G. Anderson, Edward Allison, Alexander Keith, William Caldwell, A. M. Uniacke, A. M. Mulay, Conrad West, S. Clarke and John Steele Esqrs.

— Absent to be fined. —

Alderman J. G. Starr 5/	Hon. J. L. Starr 5/
Hon. R. Bell 5/	Hon. 5/

The several Ordinances lately transmitted to the Lieut. Governor, and the reasons for the disallowance thereof are this day read over, and the draft of various Ordinances prepared agreeably to the proceedings of yesterday are passed and directed to be engrossed.

The following address to be presented to the Prince de Joinville on his arrival in this City is submitted and passed.

To His Royal Highness the Prince de Joinville, Commander of His Most Christian Majesty's Ship of War Belle-Poule.

We the Mayor, Aldermen and Common Councilmen of the City of Halifax hail with pleasure the arrival of Your Royal Highness on these shores, and feel animated with a just pride in bidding welcome to our City a Prince of the Illustrious House of France, which has for the last quarter of a century faithfully cherished those relations of Amity and good feeling so happily subsisting between the Courts of Paris and of London.

Though a remote dependency of the British Empire distance does not diminish the ties of affectionate and loyal attachment to the person and Throne of our Sovereign, The Queen, and a Monarch, who, as Your Most Christian Father has done, so earnestly cultivates and preserves the peaceful and friendly connexion to which we have adverted, cannot fail to command our best feelings of respect.

Trusting that the sojourn of Your Royal Highness among us may be attended with pleasure, we

— August 21st —

offer our congratulations on your visit, and hope that your Royal Highness will be pleased to accept the sentiments of our highest consideration.

We have the Honor to be

Your Royal Highness

Most Obedient Humble Servants.

(Signed in name, and by authority of City Council)

Stephen Binney

Mayor

Halifax N.S. September 8th 1841.

The following Report of a Committee on the subject of the various accounts due by the Bridewell Establishment, as also the amount due Philip Holden for work done on the Common are read and approved, and the various accounts ordered to be paid by checks on the City Treasurer.

Stephen Binney

Mayor

The Committee to whom the Bridewell accounts were referred have to

— Report —

That they have examined the accounts handed to them, and they find accounts annexed to the general monthly accounts current from 1st March to 31st July 1841, agreeing in the charges therein made, and leaving a balance due for Bridewell expenses of £74-1-7 (including £4-6-6 due for February). The Committee however suggest the propriety of the supplies in future being furnished by contract whereby a saving would be made both as to expense and trouble, they would also notice the credit of the accounts wherein certain sums are stated to be allowed for labor, the Committee think that the accounts ought to show more particularly from whom the money was received for such labor, whereby a check could be had upon these credits.

(The)

— August 21st —

The following is an Abstract of Expenditure &c.

Date	No. of Publications expenditure including Receipts			Balance due by Bridgman			Remarks	
1841								
March	27	22	11	*	11	9 2	8 1 10	* £9.7.8 of this amount received from Commissions.
April	25	17	19	1	5	15 4	11 2 9	
May	24	23	16	4 $\frac{1}{2}$	9	5	14 15 11 $\frac{1}{2}$	
June	27	26	5	4	10	12 1 $\frac{1}{2}$	15 13 2 $\frac{1}{2}$	
July	30	28	11	11	5	10 7	23 1 4	
Add Chambers of	4 6 6						4 5 6	Omitted in February
Balance Due				77	1	7	77 1 7	
	£ 123 10 2 $\frac{1}{2}$			193 10 2 $\frac{1}{2}$				

(Signed) Nathan Clarke } Committee
 (Signed) Andrew MacKenlay } Clerk

— Halifax August 26th 1841 —

At an Adjourned Meeting of the City Council held this day Present, His Worship the Mayor, Aldermen Henry, Rufus Williamson, W. J. Starr, J. C. Starr, W. S. Anderson, Edward Allison, Wm. Story, J. Williams, Caldwell, A. M. Usniacke, Hon. H. Bell, A. M. Kinlay, C. West, A. Clarke and J. Steele Esquires

— Absent to be fined. —

Alderman Tremain 5/ A. Keith Esq: 2/6
Hon. J. L. Starr 5/ C. West Esq: 2/6

The following Ordinances or Bye Laws for the Government of the City having been read are passed, and directed to be transmitted for the approval of His Excellency the Lieutenant Governor and the Executive Council:

An Ordinance to prevent obstructions in the Streets and to establish a Public Weighing Scales or Machine and the rates for weighing in the City: An Ordinance or Bye Law to prevent Indecencies and to regulate Public Pathways. An Ordinance or Bye Law to prevent nuisances and to regulate the Streets of the City of Halifax: An Ordinance or Bye Law to regulate the Inspection and Exportation of Med or Smoked Herrings from the City of Halifax: An Ordinance or Bye Law respecting Dogs: An Ordinance or Bye Law for the sale of certain property in 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 Truckmen in the City of Halifax: An Ordinance or Bye Law to establish the City Seal and forms of Process in the City or Mayor's Court.

The following Remarks to accompany the several Bye Laws or Ordinances are unanimously adopted.

The following are the Remarks of the City Council on the reasons for the disallowance by the Lieut. Governor, with the advice of the Executive Council, of several Ordinances or Bye Laws made for the good rule of the City.

Subject of Bye Law	Reasons of the City Council.
City Seal	Completed and herewith sent for approval.

Subject of Prop Law

Reasons of the City Council

Auction Duty

The legal adviser of the City Council submitted his opinion of the difficulties in the way of this Ordinance, but the Council could not think that an authority in the Corporation Act, prepared by the Executive Council for this City, recommended and debated by all those Gentlemen in their capacity as Legislators, could be permitted to remain in the statute if only to be construed into a mere form of unmeaning and useless words.

Dog Tax

Legal difficulties were also suggested at the passing of this Ordinance, from the effect of these therefore it now regulates only the keeping and care of unruly and vicious Dogs, as authorized by former Acts of the Legislature, merely commencing the Tax upon the animal into a penalty upon the owner.

Nuisances in the Streets &c

The term 'Public Wharf' is, the Council conceive, applicable as descriptive of the wide public passage way leading from Water Street to the Gate at the Steam Boat Landing place in this City, including the public communication between the Market Slip, and what is ordinarily termed 'Kramish's Wharf' as also the Wharf projecting from the Fish Market at the upper end of the City and the public landing at the eastern extremity of Salter Street, and was intended to apply to any other property which may hereafter be converted into, and be used as a Public Wharf, and they cannot see how the term can be confounded with private or mercantile Wharves, as the known and ordinary acceptance of the word protects from ambiguity. - The last clause of this Ordinance in reference to the word 'Owner' is altered with a view, if possible, to escape objection from the Executive advisers.

Side paths

As regards the objections to this Ordinance the City Council cannot perceive it to be an assumption that every word has an Alderman in it, when such is actually the fact. As respects the expense of making side paths the City Council see no reason to impose

August 26th

Reason of the City Council

on the public the burden of a duty in its results more immediately beneficial to the Owner of the adjoining property, but they have conceded their opinion so far as to omit the word "or occupier" in order to meet the suggestions of the Executive Body.

Inspection
of
Smoked
Meat

Some technical objections were advanced by the Recorder at the framing of this Ordinance also, but he did not in reference to the laws, nor have the City Council since been able to discover any statute which vests the Civic Body with the power of appointing the Officers to which the Executive Council refers. Such an Ordinance is very necessary. Daily and innumerable frauds both in Inspection, repackage and subdivision of the Boxes require some instant and effectual remedies.

Truckmen

The Executive Council do not state the particulars of their opinion on the restricted number of Trucks to be kept by any one person, and seem to misconceive the effect of the Ordinance, inasmuch as it leaves it discretionary with the Mayor (the proper depository as the Council conceive of such authority) to License additionally upon any extra application, but this clause of the Ordinance is predicated upon a petition from a majority of the Truckmen themselves, and is in conformity with an order of sessions now in force. And as it may reasonably be supposed that the members of the City Council possess more opportunities than the Executive of discovering what most conduces as well to the interests of the Individual as to the regularity and good order of the Truckmen generally, and in the absence of any information from the Executive, the Civic Body can find no sufficient ground for a change of opinion in this particular. In reference to the description of carriages to be kept by each licensed individual, they are none other than those always heretofore and now constantly in use by the Truckmen of this City. As respects the Truckmen riding, no prohibition is contained in the Ordinance, the City Council only conceived that he should stand and not sit. And as respects commanding their gratuitous services for City duties, the illegality of such an exaction would be too apparent to require any further explanation.

Bathing

With due respect to the suggestions of the Executive, this Ordinance has now been confined to the unsecluded parts of the Shaw.

Sale
of
Real
Estate.

The lapse of time adverted to by the Executive Council is not altogether imputable to the City Council as the period of transmitting this Ordinance left several days antecedent to that of the appointed sale, in which the City Council had some hope it might be considered. There appearing however to be no substantive objection to this Ordinance another is herewith submitted.

The City Council having thus fully considered and discussed the several reasons assigned by the Executive Council for the disallowance of the Ordinances formerly transmitted, and having adopted the preceding answers thereto, have the honor to submit the same together with the amended Ordinances for the decision of His Excellency the Lieut. Governor and the Executive Council thereupon.

The absence of any efficient system for the good rule and government which the City Council contemplated is a matter of much inconvenience and every day felt. Anxious as the Civic Body must be to secure to the Citizens the full benefit of the Corporation Act they have carefully prepared and digested those now sent, and feeling animated by a determination to discharge the obligations of an office rendered difficult and discouraging by an ambiguous and defective law, they shall in future devote themselves the more actively to the several duties incumbent upon them, so that the Public may at least be made sensible that any inefficiency in the Corporation does not result from the Officers of their choice. The City Council would not have occupied the time of the Executive Advisors of the Government with some of the Ordinances or rather regulations already submitted, as strictly they do not fall within the definitions of Ordinances, but they entertained the hope of being enabled to arrange and reduce for the information of the Public, into an orderly and compact form, the whole system of Bye-Laws necessary for the peace,

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— August 26th —

welfare and good Government of the City.

— Additional Memorandum —

As regards the alleged variations between the enacted titles of the Bye Laws and the internal captions, the City Council did not very searchingly repeat these word for word, not conceiving that their present form would so greatly embarrass the Executive Council.

They have however now adopted the suggestions contained in their additional Memoranda, and omitted the use of No^s. So that no break may be made in the anticipated order by any unforeseen objection by the Executive Council.

On Motion it is Resolved, That whatever balance remains in the hands of the Provincial Treasurer arising from the Auction License Duty be expended on the line of road from the foot of Philip's Hill to the Three Mile House, and that the Alderman and Common Councilmen of Ward No. 10 be a Committee to expend the same.

The City Council then adjourned till 27th September next.

Stephen Collins
Mayor

- August 30th 1841 -

The following Assize of Bread was set this day and ordered to be in force on Friday next the 3rd day of September

One Penny half Penny	Loaf of fine wheaten Flour	is to weigh	9	14
Three Penny	do	ditto	1	3 13
Six Penny	do	ditto	2	7 11
One Shilling	do	ditto	4	15 6

At Wm. Binney - Mayor
- Halifax Sept. 14th -

The following Assize of Bread was set this day and ordered to be in force on Friday next the 17th Instant

One Penny half Penny	Loaf of fine wheaten Flour	is to weigh	9	14
Three Penny	do	ditto	1	2 8
Six Penny	do	ditto	2	5 1
One Shilling	do	ditto	4	10 2

Halifax Sept. 23rd 1841

The following Letter was this day sent

Office of City Clerk
Halifax 23rd Sept 1841

Gentlemen

At a Meeting of the Aldermen held agreeably to the Act to appoint three of the Assessors of the City to make up the Assessment Books for the City from the returns of the Assessors of the different Wards I am directed to inform you that you were appointed to that office, and to require you forthwith to proceed in such service in the manner now required by Law to be done.

To Messrs

Sam. Gentlemen,

John Hayler
James H. Reynolds
& Robert Noble

your obedt servt
(Signed) J. S. Clarke
City Clerk

Extract from the Records of City Council June 30th 1841.
Resolved, That the sum of Seventeen Hundred and Fifty Pounds be assessed on the Inhabitants of the City agreeably to Resolution passed this day.

At Wm. Binney
Mayor

And for each and every Certificate the sum of Three Shillings }
and Ninety pence. } 3/9

The said Fees to be and form part of the Funds of the said City.
And be it Ordained, That a Substantial Seal of Brass, or other Metal,
shall forthwith be provided for the City or Mayor's Court, having
engraven thereon -

Encircled by the words: Mayor's Court,
City of Halifax, Nova-Scotia, - which Seal shall also remain in
the custody and keeping of the City Clerk for the time being,
and be used in the process of said Court, agreeably to the Fifty
fourth Section of the Act to Incorporate the Town of Halifax,
passed the tenth day of April, One Thousand Eight Hundred
and Forty-One; and for which Process and Seal, no other Fees
shall be taken than are provided in and by the said Section,
for such Process alone.

And be it Ordained, That the Forms of Process to be used in the City or
Mayor's Court, shall be as follows: -

First - Summons.

City or Mayor's Court.

To the City Marshal, or his Deputy:

Halifax, SS.

You are hereby commanded to summon _____ of the
City of Halifax, _____ to be and appear before the City or Mayor's
Court, at the City Court House in Halifax aforesaid, on the
Tuesday of _____ at eleven o'clock in the forenoon, to answer to
the Suit of _____ in the sum of
Hereof fail not, and make due return. -

Witness, William Pringle Esquire, Mayor, at Halifax, this _____ day
of _____ in the _____ year of Her Majesty's Reign, A.D. 184____

City Clerk.

Issued

184____

Secondly - Capias.

City or Mayor's Court.

To the City Marshal, or his Deputy:

Halifax, SS.

You are hereby commanded to take the body of
_____ of the City of Halifax, _____ and him safely keep,
so that you have him before the City or Mayor's Court, on the
Tuesday of _____ to answer to the Suit of _____
in the sum of _____
Hereof fail not, and have you then and there this writ,

with your doings thereon. Witness Stephen Binney Esquire, Mayor, at Halifax this day of in the Year of Her Majesty's Reign, A. D. 184

City Clerk.

Issued 184

Thirdly - Execution.

City or Mayor's Court.

To the City Marshal, or his Deputy.

Whereas judgment has been awarded by the City or Mayor's Court against of the City of Halifax, at the suit of for the sum of and more for costs: there are to command and require you to levy from off the Goods and Chattels of the said the said sums, making together and for want thereof you are hereby commanded to take the body of the said and commit to Her Majesty's jail, in the City aforesaid, there to remain until he pay the sum above mentioned, with your fees, or that he be discharged by the said or otherwise by due course of Law.

Herein fail not, and make return of this writ, with your doings thereupon, on the Tuesday of Witness Stephen Binney Esquire, Mayor, this day of 184

City Clerk.

Issued 184

And be it Ordained, That the City Clerk or Assistant Clerk of the said City shall, agreeably to the Provincial Statute 445 Geo4, Cap. 36, and the said Section of the Act of Incorporation, issue the Mesne Process, under the said seal of the said Court, to those who shall produce the Instrument or Memorandum in writing, on which such Process is required, and who shall pay for the same the Fees established by the said Statute.

And be it Ordained, That the said City Clerk or Assistant Clerk, or one of them, shall faithfully record all the proceedings of the said Court, and after the judgments are signed, issue, under seal, the final process of the said Court, whenever thereto required, on the Fees as aforesaid being paid.

Provided, no appeal or other legal stay of proceedings shall intervene.

— An Ordinance —

Or Bye Law respecting Dogs.

Whereas, in and by the 3^d Wm. 4, chapter 71, 2^d Victoria, chapter 39, and 4th Victoria, chap. 15, power is vested in the Courts of Sessions in the different Counties throughout the Province to make such rules, orders and regulations, as may be necessary to prevent damages arising from unruly, malicious or rabid dogs, prevent dogs going at large, when it shall be necessary, and to affix a penalty for the breach of any such rules, orders or regulations, not exceeding the sum of Forty Shillings to be recovered as therein mentioned. And Whereas, in and by the Act to Incorporate the Town of Halifax, passed the Tenth day of April, One Thousand Eight Hundred and Forty One, all the powers vested in the Court of Sessions are transferred and granted to the City Council:

Be it therefore Ordained, by the Mayor, Aldermen and Common Councilmen, of the City of Halifax, in City Council assembled, That in future no unruly, malicious, or rabid dog, particularly of the Bull breed, shall be allowed to go at large, without being sufficiently muzzled, so as to prevent its being able to lay hold of or bite any other animal whatever, under the penalty of Forty Shillings.

And be it Ordained, That if the owner or keeper of any Dog or Dogs against which complaint has been made, and which shall have done any damage from his or their malicious or rabid habits, shall not properly muzzle or confine the same within one hour after notice so to do, from the Mayor, if such owner or keeper is known and may be found, or posted on any three public places within the City, the said Dog or Dogs shall be immediately destroyed, and the owner or keeper thereof if known and may be found, who shall neglect or refuse to confine or muzzle any such dog or Dogs, shall, on proof of such his owning or keeping the same, forfeit and pay the sum of Forty Shillings.

And be it Ordained, That on complaint being made to the Mayor or presiding Alderman at the Police or Public City Office, against any unruly, vicious, or rabid dog or Dogs within the City, which shall, by barking, biting or howling, or in any other manner disturb the quiet of any person or persons whomsoever, the Mayor, or the presiding Alderman shall issue notice thereof to the person keeping or owning

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Such Dog; and in case such person shall, for the space of one day after such notice and due proof thereof, and of the said complaint, neglect to cause such dog to be removed and kept beyond the limits of the City, or to be destroyed, he shall forfeit and pay a sum not exceeding Twenty five Shillings for every day which shall elapse, until such dog or dogs be removed or destroyed as aforesaid - the offence of each and every day to be considered as separate and distinct, and punishable accordingly.

— An Ordinance —
— or Bye Law —

To prevent Nuisances in, and to regulate the Streets of the City of Halifax.

Whereas, the custom or practice of Stacking Limes on the Public Streets, and of lowering Goods from, or raising them into, any Loft in the said City, are inconvenient and dangerous - for remedy whereof, and for the better regulating the Streets in and about this said City:

Be it Ordained, by the Mayor, Aldermen, and Common Councilmen, of the City of Halifax in City Council Convened, That, from and after the passing of this Ordinance, no person or persons shall hereafter Stack, riddle, or mix with sand, or otherwise prepare any Lime in or upon any of the Public Streets, Lanes, Squares or Alleys, of this City, nor in or upon any Yard, Garden or Wharf, in this City, without permission from the Commissioners of Streets, in writing, for that purpose first had and obtained, under the penalty of Five Pounds for each and every offence.

And be it Ordained, That no person or persons shall raise from any Public Street, Lane, Square, Alley, or Public Wharf, or any Cart, Hed or vehicle, or such Lane, Square, Alley, or Public Wharf, into any Loft or Upper Story, of any Store or Building, or lower, hand, or throw from any such Loft or Upper Story, into or upon any Public Street, Lane, Square, Alley, or Public Wharf, or any Cart, Hed or vehicle, on such Street or Wharf, any Cask, Crate, Box, Barrel, Pencheon, Hoophead, Goods, Wares or Merchandise, or any article or thing whatsoever, under the penalty of a sum not exceeding Forty Shillings for each and every offence, to be paid by the person or persons occupying or in

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possession of such Loft or Upper Story.

And be it Ordained, That no Auctioneer or other person shall sell at Auction, or put or expose for sale, open, unpack or discharge or put or place any Cask, Crate or Hogshead, Box, Bale or Parcel, Goods, Wares or Merchandise, Household Furniture, or other article, in or upon any Street or Sidewalk, Lane, Square, Alley, or Public Wharf, in this City, under a penalty not exceeding Two Pounds for each and every offence.

And be it Ordained, That the occupier, or in case of vacancy the owner of each and every House or other Building, and the occupier, or in case as aforesaid, the owner of any Lot or Lots of Ground fronting on any Street, Lane or Square in this City, between North Street and South Street, shall, after every fall of Snow cause the side walks and Gutters, or such parts thereof as shall be in front of such Lot or Lots of Ground, to be opened in front of their respective Premises as aforesaid, by shovelling the Snow to the outside of the said Gutters, and levelling the same towards the centre of the streets, Lanes, or Squares of the said City, and removing the ice from the said Side walks and Gutters, and having the same swept clean, so as to render them safe for passengers, within two hours after it shall cease snowing, if it shall cease before the hour of three o'clock in the afternoon, and if not, on or before the hour of eleven o'clock on the following morning, under the penalty of Twenty Shillings for each and every neglect.

An Ordinance or Bye Law

to regulate the side paths, Steps, cellar windows, &c within the City of Halifax.

Whereas, by the sixty-seventh Section of the Act to Incorporate the Town of Halifax, it is enacted, That the City Council should have the exclusive power to regulate, repair, amend and clear, the streets and alleys of the said City, and of putting drains and sewers therein, and to prevent the encumbering the same in any manner, and to protect the same from encroachment and injury by such Bye Laws and Ordinances as they may from time to time pass; And Whereas, there is at present not only great danger, from the irregular and imperfect state of the side paths and walks in this City to the foot passengers, but there is great want of uniformity in the construction thereof; and the present

State of the cellar doors on such side paths and walks is also extremely inconvenient and dangerous:

Be it therefore Ordained by the Mayor, Aldermen and Common Councilmen of the City of Halifax, in City Council convened, That from and immediately after the passing of this Ordinance, if any person or persons who may have already any steps or stairway or may have the same adjoining his or their, extending or projecting over or upon any Street, square or alley, other than shall be allowed by the Commissioners of Streets, shall neglect or refuse to remove the same, or so much thereof, as extends beyond the space allowed therefor within ten days after being notified so to do by the Mayor of the said City, or in his absence by one of the Aldermen, he or they shall forfeit and pay a sum not exceeding Five pounds, and also, a sum not exceeding Twenty five shillings per diem for each and every days offence so long as the same shall be suffered to remain, after the expiration of the said Ten Days.

And be it Ordained, That if any person or persons shall hereafter make set or place, or caused to be made, set or placed, any steps or stairway projecting or extending over or upon any of the Streets, squares and alleys, of the said City, he or they shall severally forfeit and pay the sum of Five pounds, and also the further sum of Twenty five shillings for each and every days offence, so long as he or they shall suffer the same to remain, after being notified in manner aforesaid to remove the same.

And be it Ordained, That no steps or stairway to any building hereafter to be erected in the said City, shall extend or be suffered to project in, over or upon any part of any Street, lane, alley or square, in the said City, except by a Licence from the Commissioners of Streets; and provided, that the said steps or stairway do not encroach more than eighteen inches on said Street, Lane, alley or square.

And be it Ordained, That no fixed or permanent porch or platform shall hereafter be erected or placed, in whole or part, in any square, Street, lane or alley of this City, except such porches as shall be deemed necessary to be placed at the entrance of houses between the first day of November and the first day of May, in each year, provided such porches do not project more than the space allowed for steps; and if any person or persons shall hereafter erect or set up any permanent porch or platform, extending upon any of the said Streets

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Lanes, Squares or alleys, he or they shall severally forfeit and pay a sum not exceeding Five pounds for each and every offence, and also the further sum of Twenty five Shillings for each and every days offence, so long as the same shall be allowed to remain, after such notice as aforesaid, to take down and remove the same.

62 And be it Ordained, That henceforth no excavation shall be made on the said Streets, Lanes, Squares or alleys, for the purpose of having open Steps to descend into the cellar of any building within the said City; and if any person shall place such open Steps for the purposes aforesaid, he shall forfeit and pay the sum of Five pounds; and any person who already may have placed, or shall hereafter place, any such open Steps as aforesaid, and shall refuse or neglect to close up the same when notified so to do as aforesaid, shall forfeit and pay a sum not exceeding Five pounds for each and every offence.

And be it Ordained That no platform already erected and placed, shall be suffered to remain in front of any building in any of the said Streets, Lanes, alleys or Squares, unless the same be made or brought to the proper level of the side path; and if any person, having made any platform or other sidewalk shall neglect or refuse to remove or alter the same, so as to be in conformity with the aforesaid Regulation upon being notified so to do in manner aforesaid, he shall forfeit and pay a sum not exceeding Twenty five Shillings per day for each and every days offence, so long as such platform or sidewalk shall be allowed to remain, after such notification.

63 And be it Ordained, That no person or persons within this City shall make or use any cellar, or other underground room with an entrance or hatchway encroaching upon the foot path more than the space of two feet; and that every cellar entrance or hatchway made agreeably to the directions of this Ordinance, shall be securely covered for the protection of the passers by in such manner as shall be approved of by the Commissioners of Streets for the said City; and every person using any cellar or underground entrance, extending beyond the limits aforesaid, or neglecting or refusing to secure the same as aforesaid, shall forfeit and pay a sum not exceeding Five pounds, and the further sum of Twenty five Shillings for each and every days offence, so long as the same

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shall remain in such state of insecurity, after notice being given as aforesaid.

9 And be it Ordained, That the Commissioners of Streets do and they are hereby authorised, to compel the owner or owners of property, or in case of their absence, their legal agent or other representative of such owner or owners, having possession or control of said property, to make a good and perfect platform or sidewalk either of wood, stone or gravel, at the option of the owner and in such manner as the Commissioners of Streets shall direct, in front of the several houses, buildings and lots, which they shall respectively own, and shall compel the said owner or owners, or their agent or representatives as aforesaid, to uphold, maintain, repair and amend the same when and so often as they shall be required by the said Commissioners so to do, under a penalty not exceeding the sum of Five pounds, and a further sum not exceeding Twenty five shillings for each days offence, so long as the same shall remain imperfect or unrepaid, after notice as aforesaid.

10th And be it Ordained, That if any person or persons owning any houses, buildings or lots of land, within the City neglect or refuse to make such proper and perfect platforms as they shall be directed to make or repair as aforesaid, it shall be lawful for the said Commissioners to cause the same to be made or repaired, as the case may require, and to demand the costs thereof from the owner or owners, or if absent from his or their agent or representatives, having possession or control of such premises; and if the same be not immediately paid, to sue such owner or owners, or his or their agent or representatives as aforesaid, for the costs and expenses thereof, in the same manner as any other sum of money of equal amount may be sued for and recovered.

11 And be it Ordained, That the each and every days continuance of any offence contrary to any of the above regulations, shall be considered as a separate and distinct offence and be punishable accordingly; and the several fines and penalties hereby imposed, be exacted and recovered separately.

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An Ordinance
or Bye Law.

To prevent Indecencies, and to regulate Public Bathing
Whereas, the practice of Bathing in public places within
the limits of this City, during the daytime, is highly in-
decorous:

Be it 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
no person or persons shall be permitted to strip or expose
his, her, or her naked person or persons, upon or near any of
the public or exposed Shores or Wharves, within this City,
or to bathe or swim in the waters on or near any of the said
public or exposed Shores or Wharves, between the hours of nine
o'clock in the morning and nine o'clock in the evening under
a penalty not exceeding the sum of Forty Shillings for
each and every offence; and in default of payment, each
and every person so offending, shall be committed to the
Common Gaol of Halifax, for a period not exceeding
seventy four hours.

And be it Ordained, That the Constables, or any of them, shall, and
they are hereby directed, to arrest and detain any person
or persons offending against this Ordinance, whenever they
shall discover such offender or offenders, so that they may
be proceeded against and punished as aforesaid.

And be it Ordained, That, on complaint being made to the Mayor
or presiding Alderman for the time being, against any person
or persons, infringing this Ordinance, it shall be lawful
for the Mayor or presiding Alderman, to issue a Warrant
or Summons, directed to such person or persons, to be
executed in the usual and customary manner.

An Ordinance
or Bye Law.

For the Sale of certain Property in the City of Halifax.

Whereas, upon due and diligent enquiry into the present state
and condition of the Property in the rear of the weighing
Scales, and fronting the Ordnance wall, in the City of Halifax
at present in the possession of the Authorities thereof, it has been found to be
valueless, as a source of Income to the City; and of late years
rather a drawback upon the public resources, which could
otherwise be more usefully applied; and it is considered that
it would be beneficial to the Public that the same should

be sold, except such part thereof as is herein reserved.

And whereas, the legal title to the said Property remains vested in the Honorable Michael Tobin, and the Heirs of the late James Tobin deceased and it is necessary to procure their assent to the sale of the same:

Be it therefore Ordained by the Mayor, Aldermen and Common Councilmen of the City of Halifax, in City Council assembled, That the Mayor shall cause such application as shall be necessary to be forthwith made to the said Michael Tobin, and the Heirs of the said James Tobin, to procure their concurrence and assent, in and towards the sale of the same, and that from and after such concurrence and assent in writing, the same Premises, and every privilege thereto appertaining, and customarily enjoyed therewith, as fully as the same are now held and claimed by the said legal owners, (save and except the Weighing Scales, and that part of the said premises used therewith, or in any wise necessary thereto) be put up and exposed for sale at Vendue or Public Auction, on or before Tuesday the Thirtieth day of November next ensuing, in such manner as the Mayor shall direct, and shall be sold and disposed of to the highest bidder or bidders therefor, and the same shall be duly conveyed to such purchaser or purchasers.

Provided always, That nothing herein shall extend or be considered to extend to the Public Weighing or Hay Scales, which are hereby expressly reserved for the use and benefit of the said City.

On Motion it is Resolved, That Aldermen W. J. Starr, Andrew M. Umiacke and Stephen Clarke Esquires be a Committee to adopt the substance of the intended Ordinance to regulate the Truckmen of this City; in a Resolution to take immediate effect, and to advertise the granting of Licence to the number therein set forth.

Resolved, That the account of Peter Driery amounting to £34.15.0 for livery coats and jackets to the Police and first class Constables of this City be paid out of the City funds and that hereafter the said Police Officers and Constables do provide themselves, at their own expence, with such uniforms.

Resolved, That Stephen Clarke, William Caldwell and Edward Allison Esquires be a Committee to draw up a code of Rules and Regulations for the Government of the City Marshal and Constables.

— September 27th —

Resolved, That Comad West Esquire, Commissioner of Streets for Ward No 5 be a Committee to erect a railing on the vacant Lot in Upper Water Street, near Rocks Wharf.

The Council then adjourned until tomorrow at 2 O'clock

Stephen Binney
Mayor

Halifax September 28th 1841.

At a meeting of the City Council held this day
Present, His Worship the Mayor, Aldermen Williamson, & J. C. Starr;
W. G. Anderson, Edward Allison, Alex. Keith, William Story junior, William
Caldwell, A. MacKintay, C. West, Stephen Clarke and John
Steele Esquires

Absent to be fined.

- | | | | |
|-------------------------|----|---------------------|----|
| Alderman Kenny | 5/ | Mr. Umiacke Esquire | 5/ |
| Alderman Freeman | 5/ | Hon. J. L. Starr | 5/ |
| Alderman Duffus | 5/ | Hon. H. Bell | 5/ |
| Alderman W. J. Starr 5/ | | | |

The Mayor lays before the City Council the following Letter
from the deputy Secretary of the Province which is read:

Provincial Secretary's Office
Halifax 27th September 1841.

Sir,

I have it in command from His Excellency the
Lieutenant Governor to acquaint you for the information of the
City Council that having ascertained that there will be at
his disposal under the act of 1839 about \$100 of the Auction
Licence fund, His Excellency will appoint the Commissioners of
Streets to expend that sum upon the Campbell Road if
they will undertake the Trust.

By the terms of the Act the Auction duties are placed at
the disposal of His Excellency to be applied for the Fresh water
river road or the Campbell Road.

I have the honor to be,

Sir, Your most obedient humble servant
James Stewart Clarke Esq. (Signed) John Whidden
City Clerk.

When on Motion it is
Resolved, That the Commissioners of Streets having undertaken the
Trust, the whole of said amount be expended on the Campbell
Road.

The Mayor also lays before the City Council the following
Letter from the Union Fire Engine Company which is read:

To His Worship the Mayor Aldermen, and Common Council
of the City of Halifax:

Gentlemen,

The following Resolution passed at the last
meeting of the Union Engine Company. (Resolved)

September 28th 1841

Resolved, That His Worship the Mayor, Aldermen, and Common Council be humbly requested to make the Captain (ex officio) of this Company a Firewarden, and the Lieutenants Firewardens during the time of Fire; and that a Committee be appointed in accordance with this Resolution.

The Engine Company, in requesting compliance with the above Resolution, are entirely actuated by a desire to see the duty entrusted to them more fully carried out, as there are many suggestions which would essentially benefit the Public by their Captain having the power, and being at all times ready to cooperate with the Firewardens.

The utility of allowing the Lieutenants power to press men to assist in going to, at the time of, and returning from a Fire, as also their co-operation with their Captain and the Firewardens at that time, will add much to the facility by which Fires may be got under, and prevent an uncalled for delay, which very often occurs.

Wm. Gulliver, in behalf of the Union Engine Company.

Your humble and most obedient servants

Halifax Sept. 27th 1841

(Signed)

John Wells
John McLean
Amos Pedlar
Robert S. Bigby
John Robertson.

When on Motion it is Resolved, That the Captain of the Union Engine Company shall (ex officio) be one of the Firewardens of the City, and to render more efficient, and carry into effect the views of the Company as far as is in the power of the Council, that the Lieutenants of each Engine shall be Fire Constables.

The Council next passed to the Election of Firewardens for the City, when the following appointments were made.

Ward No 1. John Howe, J. Sawyer and Joshua Lee.

Ward No 2. William Story, Andrew Richardson and Charles W. Hill.

" No 3. William Caldwell, A. M. Urniacke and W. H. Milward.

" No 4. Robert Romano, Thomas S. Tobin and John O'ron.

" No 5. George P. Lawson, Conrad West and Adam Kemmeon.

" No 6. John Longard, Alex. S. Fraser and William A. Silver.

On motion it is unanimously Resolved, That the thanks of the City Council are justly due and be given to Andrew Richardson and Robert Romano Esquires.