

Halifax 10<sup>th</sup> December 1841.

At a Meeting of the City Council held this evening Present, His Worship The Mayor, Aldermen Henry Deffus, Williamson and MacKinlay.

W. G. Anderson, Alex. Keith, W. Caldwell, Hon. H. Bell, Jr. Jennings and Adam Hensman Esquires.

The City Council was summoned to take into consideration the proceedings of the Meeting of the Citizens held this day on the subject of celebrating the birth of the Duke of Cornwall.

The following Resolutions of the Citizens at the Meeting on the 10<sup>th</sup> Instant are read.

Resolved, That a Subscription List be opened to raise a sufficient fund for a day of general enjoyment and festivity on honor of the Birth of the Duke of Cornwall.

Resolved further, That His Worship the Mayor and the City Council be requested to carry the above Resolution into effect, in such way as may appear to them most advisable.

When on Motion it is

Resolved, That the Assessors of the different Wards be a Committee, with the Aldermen and City Council, to obtain subscriptions, and that they be requested to procure the assistance of any other Gentlemen, and that returns be furnished by Tuesday next at ten O'clock.

The City Council adjourned till Tuesday at Two O'clock

(42) Henry

127  
Halifax December 14<sup>th</sup> 1841

At a Meeting of the City Council held this day  
Present, His Worship the Mayor, Aldermen Kenny, Tremain,  
Duffus, Williamson and MacKintay, W. G. Anderson, Alex.  
Keith, W. Story, W. Caldwell, W. Uniacke, Hon. H. Bell,  
Joseph Jennings and Adam Kemmion Esquires.

The following Petition of the Indians is  
this day read.

On Motion it is unanimously,

Resolved, That the Birth of His Royal Highness The Duke of  
Cornwall and Prince of Wales be celebrated on Thursday the 23<sup>rd</sup>  
Instant.

The following Resolution is introduced

Resolved, That the Address of congratulation to Her Most Gracious  
Majesty and Prince Albert on the birth of His Royal  
Highness The Prince of Wales, be carried to England by  
His Worship the Mayor, and that he be requested to lay  
the same at the Foot of the Throne

Mr. Jennings moved an amendment that the  
consideration of the above Resolution be deferred for future  
consideration, which on being put is lost, and the  
question being taken on the original Resolution there  
appeared for the same Nine against it Four

For the Resolution

Alderman Kenny  
Alderman Tremain  
Alderman Duffus  
Alderman Williamson  
Alderman MacKintay  
Mr. Anderson  
Mr. Keith  
Mr. Caldwell  
Mr. Uniacke 9

Against the Resolution

Mr. Jennings  
Hon. Mr. Bell  
Mr. Kemmion  
Mr. Story 4

Mr. Allison, who came in just as the question was  
being put, on hearing of the same, requests his name to  
be recorded in favor of the Resolution

The following Resolutions were then passed.

Resolved, That this Council when in procession on Thursday  
the 23<sup>rd</sup> Instant present His Excellency the Lieutenant Governor  
with an Address informing him that they have Resolved to  
forward by His Worship the Mayor their Address of congratulation

December 1841

to Her Most Gracious Majesty and Prince Albert on the birth of His Royal Highness the Prince of Wales, and request his cooperation on this auspicious occasion.

Resolved, That Messrs. Aldermen Ferman and MacKenlay and Edward Allison Esquire be a Committee to draw up the address.

Resolved, That a sum not exceeding Fifty pounds be expended in procuring a good and substantial dinner for the inmates of the Poor's Asylum, the Gaol and Bridewell establishment on the 23<sup>d</sup> Instant; and that Aldermen Williamson and MacKenlay and the Hon. Mr. Bell be a committee for the above purpose.

Resolved, That a sum not exceeding Fifty pounds be expended in procuring a Good and substantial dinner for the Poor in the Hall of the Province Building on the 23<sup>d</sup> instant; and that Messrs. Jennings West and Story be a Committee to provide the said Dinner.

Resolved, That the sum of Fifty pounds be expended in providing meat and Bread to be distributed to poor families by Ticket on application to the Committee; and that Messrs. Anderson Story Caldwell Jennings West and Clarke be a Committee for the purpose.

Resolved, That the Mayor and Aldermen be authorised to borrow the sum of Twelve Hundred pounds for six months, for the purpose of paying the debts due on 31<sup>st</sup> December 1841 the same to be repaid out of first assessment; the City Councilmen incurring the same responsibility as the Aldermen.

Resolved, That His Worship the Mayor, Aldermen Duffus and Williamson, Messrs Keith Uniacke and Allison be a Committee for managing the Bull.

The Council then adjourned.

(Signed) Story

129

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

At a Meeting of the City Council held this day Present, His Worship the Mayor, Aldermen Henry Freeman, Duffus, Williamson, MacMillan & Starr. Messrs Anderson, Mason, Stoy, Caldwell, Umacke, Hon. Mr. Bell, Jennings, West, Hemmeon & Clarke.

Resolved, That Aldermen Henry & Starr, Messrs Anderson, Stoy, Caldwell, Jennings, West, Hemmeon and Clarke be the Committee for feeding the Poor in the Hall of the Province Building and for providing Meat and Bread to be distributed to Poor families by Ticket.

On Motion it is

Resolved, That the Address to His Excellency Lord Viscount Falkland, now read be passed.

which is as follows:

To His Excellency the Right Honorable  
Lucius Bute, Viscount Falkland,  
Knight Grand Cross of the Guelphic  
Order, and Member of Her Majesty's  
Most Honorable Privy Council,  
Lieutenant Governor and Commander  
in Chief in and over Her Majesty's  
Province of Nova Scotia, and its  
dependencies;

&c      &c      &c

We the Mayor, Aldermen and Common Council of the City of Halifax, cordially unite with our fellow Citizens who have the honor to surround you on the present occasion, in assuring your Excellency, as the Representative of our beloved Sovereign, that they participate in the heartfelt joy and exultation which so universally prevails in the hearts of all Her Majesty's subjects, produced by the welcome intelligence of the birth of a Prince, who they ardently hope, will inherit and perpetuate the virtues of his illustrious Ancestors.

Whilst, in common with all Her Majesty's subjects throughout Her vast dominions, we hail this auspicious event, the birth of our young Prince is particularly interesting to the Citizens of Halifax, from the feelings of respect and attachment they have ever

130  
December 20<sup>th</sup>

entertained for the memory of his Royal Grandure, who during his residence among them, was unceasing in his endeavours to advance and promote their prosperity and happiness.

We the City Council, have passed an humble Address to Her Majesty, conveying the sentiments of loyalty and affection for her person and Government, and also our congratulations on the birth of his Royal Highness the Duke of Cornwall, which we have committed to our Chief Magistrate the Mayor with a request that he would be the bearer of it to the Court of our Sovereign, for the purpose of laying it at the feet of the Throne.

In name and by authority of the City Council  
(Signed) Stephen Birney  
Mayor.  
Halifax December 23<sup>rd</sup> 1741.

Resolved, That Messrs. Umiacke, Keith and Allison be a Committee to wait on His Excellency Lord Falkland tomorrow with a copy of the said Address.

Resolved, That Aldermen Kenny & Williamson and Mr. Umiacke be a Committee to carry out the Resolution of 14<sup>th</sup> December for borrowing the Twelve Hundred pounds, as then agreed upon.

The Council then Adjourned.

(Signed) Birney

Halifax December 27<sup>th</sup> 1841

At a Quarterly Meeting of the City Council held this day Present, His Worship the Mayor, Aldermen Kenny, Freeman, Duffin, Williamson, Messrs Anderson, Allison, Story, Caldwell, Umacke, Hon. Mr. Bell, Jennings, Hemmison, West and Steele

There being nothing particular for the City Council to day, they adjourn until tomorrow at Twelve O'clock.

Halifax December 28<sup>th</sup> 1841

The City Council met this day agreeably to adjournment Present, His Worship the Mayor, Aldermen Kenny, Freeman, Duffin, Williamson, Starr, Messrs Anderson, Allison, Keith, Story, Caldwell, Umacke, Hon. Mr. Bell, Jennings, Hemmison, West, Clarke and Steele.

— Absent to be fined. —

Alderman MacKinlay of  
Messrs Keith Esquire of

Edward Allison Esq. of

Alderman Williamson lays before the City Council an estimate of the amount required for the support of the Poor for the ensuing year, amounting to Twelve Hundred pounds, which estimate stands over for future meeting. He also submits a statement of the expenditure of the Establishment for the past year.

The following communication from the Foreman of the Grand Jury for 1841 is read:

In the opinion of Members of this Grand Jury it will be necessary to provide employment for the industrious poor during the winter months, and they also think that stonebreaking on the principle of a former year will be a most effective mode of doing so, as combining improvement of the Streets with employment for the destitute, it is therefore Resolved, That the Mayor, Aldermen and Common Council be respectfully requested to make a collection in the different Wards of the City for this purpose, and they hereby direct that £24.18.12 being the amount received for fines from members of the Grand Jury during the past year be paid over to His Worship as the commencement of

a fund for this purpose.

Resolved, That the Foreman and Secretary be a Committee to communicate the above resolution to His Worship the Mayor and City Council.

Grand Jury Room

Halifax 21<sup>st</sup> December 1834.

When on Motion the following Resolution is adopted unanimously:

Resolved, That the thanks of the Mayor and City Council be presented to the Foreman and Gentlemen of the Grand Jury for the judicious and generous manner in which they have expended the fines paid by themselves (£34-10-4) and that the corporation will endeavour to carry out the intentions of the Grand Jury.

The following Resolutions were also unanimously adopted:

Resolved, That His Worship the Mayor be requested to address a Letter to the City Treasurer authorizing and directing him to retain in his hands a sufficient sum to repay the sum of Twelve Hundred pounds with Interest advanced by him, from the first monies to be raised by assessment in preference to the payment of other debts.

Resolved, That Aldermen Duffus, Williamson and the Hon. Mr. Bell be a Committee to examine all the Public Accounts and vouchers relative to City affairs.

Resolved, That all Accounts against the City be rendered on or before 31<sup>st</sup> December instant, and that the Treasurer be directed to make up his accounts to that date, and submit them for inspection without delay.

The following Address to Her Most Gracious Majesty relative to the Birth of His Royal Highness the Duke of Cornwall, is unanimously passed:

To the Queen's Most Excellent Majesty.

The dutiful and loyal address of the Mayor, Aldermen and Common Council of the City of Halifax, in the Province of Nova Scotia:

We your Majesty's dutiful and loyal subjects the Mayor, Aldermen and Common Council of the City of Halifax, beg leave most humbly and respectfully to approach Your Majesty's Throne with sentiments of devout and affectionate

December 28<sup>th</sup>

attachment to your Royal person and of veneration for the principles of the British Constitution.

We reflect with infinite pleasure, that the year which has witnessed the commencement of our Corporate existence has been distinguished by the auspicious event of the birth of a Royal Prince an event which has filled the hearts of all our fellow subjects throughout your Majesty's Empire with joy and gratitude, but which has evoked in no part of its widely extended circle more heartfelt satisfaction and delight than in this dependency of the British Crown.

That your Majesty in blissful union with your Royal Consort may long very long rule the willing hearts of an united, prosperous and happy people, that at the very distant close of a glorious reign your Majesty may transmit your sceptre to the hands of your Royal son, and that by Princes of your August line it may be swayed over our most remote posterity is our fervent prayer to the Sovereign Ruler of Kings and people.

In name and by authority of  
the City Council.

(Signed) Stephen Binney

Mayor

Halifax December 28<sup>th</sup> 1841.

Resolved, That the opinion of His Honor the Recorder be requested to be given on the 3<sup>rd</sup> Clause of the Act of Incorporation whether the City Council have power to grant the leave of three months absence requested by His Worship the Mayor.

Resolved, That a Committee be appointed to confer with the Recorder as to the suggestions and alterations required to the Act of Incorporation.

Resolved, That Aldermen Kerney, Williamson and MacKinnlay be that Committee.

Resolved, That as His Worship the Mayor is about proceeding to England during his absence Alderman Kerney be Chairman of the City Council.

Resolved, That the City Clerk call upon the Secretary of the Province and request through him from His Excellency the Lieutenant Governor a Certificate under the seal of the Province that Stephen Binney Esquire is the Mayor of the City of Halifax in the Province of Nova Scotia.



Resolved That Aldermen Kenny Duffus and Ferman be a Committee to prepare a Letter to His Worship the Mayor, on the eve of his departure for England.

The Council adjourned until tomorrow at Two O'clock.

(Sgd) Story

Halifax December 29<sup>th</sup> 1854.

At an adjourned Meeting of the City Council held this day, Present His Worship the Mayor, Aldermen Kenny, Ferman, Duffus, Williamson, MacKendry & Starr, Messrs Anderson, Allison, Keith, Story, Caldwell, Kniacke, Hon. Mr. Bell, Jennings, MacKinnon, Clarke and Steele.

— Absent to be fined —

Mr. Allison 2/6      Mr. Story 2/6  
Mr. Keith 2/6      Mr. Kniacke 2/6

The following opinion of His Honor the Recorder on the subject of the question submitted for his opinion is read:

"The 3<sup>rd</sup> Section of the Corporation Act, so far as it regards the Mayor's absence from the City, must be read as follows: That if any person holding the office of Mayor, shall be absent from the City for more than two Calendar Months (unless in case of Illness) then such person shall thereupon immediately become disqualified, and shall cease to hold such office of Mayor, and in case of such absence shall be liable to the same fine as if he had refused to accept such office, unless such absence be by leave first obtained from the City Council." The intention of this enactment might seem to be that of enabling the City Council to extend the periods of absence therein limited, but its language inevitably leads to the following construction, "that the Mayor being absent from the City more than two calendar months, either with or without leave, shall, (unless in case of illness) be disqualified and cease to hold the office; besides which unless he have first obtained leave of absence from the City Council, he shall

be liable to the same fine as if he had refused to accept office:  
The imperfect and faulty structure of the clause, implies a  
power of leave in the City Council for a longer period than  
the two months, and such leave would obviate the pecuniary  
penalty but not the disqualification as there is nothing in  
such a case to prevent the incapacity from attaching.

I am therefore of opinion that the two calendar months is the  
maximum of time limited by Law for the absence of the  
Mayor. If exceeded, disqualification (except in case of illness)  
must ensue.

28<sup>th</sup> December 1841.

(Signed) W. D. Shawes  
Recorder.

His Worship the Mayor having intimated to the City  
Council his intention of proceeding to England, it is  
Resolved, That the Mayor have leave of absence from the City of  
Halifax, for such length of time, as they have power to grant under  
the Act of Incorporation, and in case of his absence for more  
than two calendar months that he be released from the Fine or  
Penalty imposed by the 37<sup>th</sup> section of the Incorporation.

The following Address to his Worship  
the Mayor on the eve of his departure to England having been  
adopted is read and passed; - there appearing for it Twelve  
against it Five.

To His Honor

Stephen Binney Esquire.

We the Aldermen and  
Common Councilmen of the City of Halifax, cannot permit  
your Honor to leave the Province on your contemplated visit  
to the Parent Country, without presenting to your Honor this  
public testimony of the high esteem and consideration we  
we entertain for your Honor, and more particularly since your  
elevation to the important and responsible trust of our  
Chief Civic Officer.

The frequent and official intercourse which  
the dependant relations between your Honor (as the first  
Mayor of your native City of Halifax), and ourselves as members  
of the City Council, have necessarily produced, prompt us to  
assure your Honor that in the exercise of your functions as  
principal City Magistrate, we have every reason to feel satisfied  
that a Gentleman, whom the suffrages of the Central and  
most populous Ward in the City had returned to the Council,

December 29

Should from us have acquired the yet more conspicuous distinction of being selected for its presidency.

That your Honor may experience a short and pleasant voyage - enjoy in that country which we proudly hail as the home of our Fathers a happy and gratifying relaxation from the arduous fatigues of official care, and return to your native city in health and spirits to resume the active duties of your Station - constitute our earnest and anxious prayer.

With considerations of the highest respect and esteem,

We have the honor to remain

to to to

(Signed) Edward Kenny  
James Freeman

Wm. ...

Wm. ...

Wm. ...

Wm. ...

H. G. Anderson

Edward Allison

Alva Keith

Aldermen

Prof. ...

Wm. ...

Wm. ...

Wm. ...

The following Resolutions relative to the liberation of Poor debtors - confined in Gaol, were this day passed, the amounts to be taken from the funds collected to celebrate the birth of His Royal Highness The Duke of Cornwall.

Resolved, That the sum of Five pounds be paid William Barron in full of his demand against Shaw.

Resolved, That the sum of Ten pounds be offered Messrs Doyle & Twining in full of their demand against Paul L. Kane

Resolved, That James Hogan be offered one half of his debt against Williams, being £2.18.10.

On Motion of Mr. Clarke it is

Resolved, That a Committee of the City Council be appointed to wait upon his Excellency Lord Falkland and other authorities and respectfully request their sanction and direction, as an Act of clemency for the discharge of the criminals now confined in the Bridewell and jail; and that Aldermen Kenny, Freeman, Messrs. Amacke, Clarke and West be that Committee.

At the suggestion of Alderman Kenny the Council agree to meet on Monday next at 12 o'clock and accompany His Worship the Mayor to the Steamer.

137

— Halifax January 15<sup>th</sup> 1842 —

At a Meeting of the City Council held this day,  
Present Alderman Henry (Chairman), Aldermen Ferman, Duffus,  
Williamson & McKeulay, Messrs Anderson, Allison, Keith, Gray,  
Caldwell, Uniacke, Hon. Mr. Bell, Jennings, Kemmison, West,  
Clarke and Steele.

— Fined for Absence —

Alderman Starr	5/-	Mr. West	2/-
Mr. Keith	2/-	Mr. Steele	1/-

The City Council were summoned to take into consideration the disposal of the surplus funds collected for the poor, and the transaction of other business.

Read the Minutes of the proceedings of last meeting.

Alderman Ferman lays before the City Council a Statement of the Amount received and expended of the funds collected for the relief of the Poor, in Honor of the birth of His Royal Highness The Duke of Cornwall, showing a balance in hands amounting to £

When on motion it is

Resolved, That the sum of Fifty Nine Pounds be placed at the disposal of the Charitable Societies connected with the respective Churches in the City to be divided as follows and that the residue of the funds be appropriated to the employment of the Poor in breaking Stones for the Streets in the City.

That the following be the manner of distribution

For St Paul's Church	£ 7
.. St George's	7
.. St Mary's	7
.. St Matthews	7
.. St Andrews	7
.. the Baptist	7
.. Wesleyan Methodist	7
.. P. Association do	2.10.0
.. Universalist	2.10.0
.. Sandemian	2.10.0
.. African	2.10.0
	<u>£ 59.0.0</u>

(Resolved)

— January 15<sup>th</sup> —

Resolved, That it be immediately communicated to His Excellency the Lieutenant Governor, that the City Council have granted leave of absence to His Worship the Mayor who has taken his departure for England, and that they have appointed Mr. Alderman Kenny to be their Chairman in the absence of the Mayor, and that His Excellency will be pleased to acknowledge Mr. Kenny as such Chairman in all communications which may be necessary to be made to His Excellency from the City Council.

Resolved, That notice be given to the Tenants of the City property to quit and deliver up possession of the same on the first day of May next.

Resolved, That Aldermen Duffus & MacKulay and Mr. Clarke be a Committee to advertize for tenders for doing the City advertisements for one year.

Read the proceedings of this day when the City Council adjourned.

Edw Kenny  
Chairman

Halifax January 20<sup>th</sup> 1842

The following communication from the Deputy Secretary of the Province was received this day:

Provincial Secretary's Office  
Halifax 18<sup>th</sup> January 1842.

Sir,

I have it in command from His Excellency the Lieutenant Governor to acknowledge the receipt of your letter of the 17<sup>th</sup> Inst. accompanied by a copy of a resolution of the City Council of the 15<sup>th</sup> Inst.; and in reference thereto I am directed by His Excellency to state for the information of the City Council, that he will be at all times ready to receive from Mr. Alderman Kenny as Chairman of the City Council any communication which it may be necessary to make to His Excellency from the City Council.

I have the honor to be

Yr

Your most obedient

humble servant

John Whidden

James S. Clarke Esquire  
City Clerk & &  
Halifax

139

Halifax January 24<sup>th</sup> 1842.

At a Meeting of the City Council held this day — Present —  
Alderman Kenny (Chairman), Aldermen Fremant, Duffus, Williamson,  
MacKintay & Starr; Messrs Anderson, Story, Caldwell, Umacke,  
Jennings, Hemmea, West, Clark and Steel.

— Fined for Absence —

Mr. Allison s/ Mr. Keith s/ Hon. Mr. Bell s/

The City Council were summoned to take into consideration  
the report of the Committee on Accounts and the transaction  
of other business.

Read the minutes of proceedings of last meeting  
Read the following communication from A. Elliot Esquire  
Naval Storekeeper.

Halifax Yard

24<sup>th</sup> January 1842

Sir,

With reference to my letter of the 11<sup>th</sup> November 1841  
addressed to His Worship the Mayor, relative to a nuisance  
created by the refuse & from the distillers & in the occupation  
of Mr. Rugg being carried off by the drain in which the  
water is conveyed to the Tank in H.M. Dockyard:

I have the honor to request you will be pleased  
to acquaint me for the information of the Vice Admiral  
the Commander in Chief, whether any, and what steps have  
been taken to remedy the inconvenience complained of.

I am aware that the work could not be actually  
commenced on at the present season, but it would be  
highly desirable that some definite arrangement should  
be come to now, in order that it may be set about as early  
as the weather will permit, so that the persons employed  
and residing in the Dock Yard, as well as the neighbour-  
hood in general, may not be exposed during the ensuing  
summer, to the pestilential effluvia arising from the Tank  
in its present state.

I beg also to express my decided opinion that the  
best, and in fact the only efficient means of abating the  
above nuisance, will be to conduct the whole drainage  
from Mr. Rugg's premises, as well as from the houses to  
the Northward, along the upper side of the high road  
by deepening the ditch which exists there at present,

January 21<sup>th</sup>

until it shall meet the great drain which crosses the road and the Dock yard to the southward of the Tank

I have the honor to be

Yours

Your obedient  
humble Servant

The Presiding Alderman (Signed) A. Elliott  
Halifax Naval Storekeeper.

When on Motion the following Resolution is adopted:

Resolved, That the letter of Mr. Elliott relative to the Drain leading from Mr. Hugg's Brewery into the Dock Yard be referred to the Commissioners of Streets who will ascertain the level and the best mode which can be adopted to remedy the inconvenience complained of at the smallest expence and report thereon.

Read the following Report of the Committee appointed to examine the public Accounts relative to City affairs.

When on Motion it is

Resolved, That the said Report and the Accounts lie over until next meeting.

The following Tenders for Advertisizing were submitted to the Council

Richard Nugent	£15.
John Munro	£10
English & Blackadar	£10
Goslip & Coade	£6
John Howe	

When it is agreed that the advertizing be done in two of the newspapers and that the tenders of Goslip Coade and English & Blackadar be accepted, and that all City Advertisements be published in the "Times" and "Acadian Recorder".

The Chairman brings to the notice of the City Council the subject of employing the Poor in the breaking of Stone, when the following Resolutions are adopted:

Resolved, That the Commissioners of Streets be a Committee for the expenditure of the money appropriated for the employment of the Poor in breaking Stones during the winter.

Resolved, That the foregoing Gentlemen be a Committee to wait on the Gentlemen in charge of the Grand Parade for permission to erect a temporary Shed for the employment of the Poor in breaking Stones.

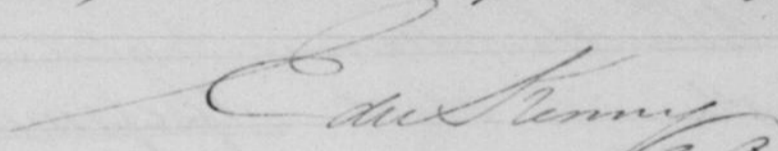
141

The Chairman also brings to the Notice of the Council the State of the Powder Magazine, when the following Resolution is adopted:

Resolved, That a Committee be appointed to ascertain the expense of Slating, or covering with zinc, the Powder Magazine, and also what sum will be required to purchase the House and Lot near the Magazine and that Alderman Starr, Messrs West and Clarke be that Committee.

The City Council direct that an order be drawn in favor of the Commissioners of Streets for the sum of Twenty three Pounds Eleven Shillings, being the amount of expenditure up to 22<sup>d</sup> January instant.

Resolved, That the Commissioners of Streets be allowed to spend a sum not exceeding Six Pounds per week up to the 1<sup>st</sup> day of April next in cleaning the Streets, the same to be paid weekly.

  
Chairman.



Halifax January 27<sup>th</sup> 1842

At a Meeting of the City Council held this day  
 Present, Alderman Kenny, Chairman, Alderman Fremantle, Duffin,  
 Williamson, MacKislay & Starr; Messrs. Anderson, Allison,  
 Keith, Stov, Caldwell, Uniacke, Jennings, Hemmison, West,  
 Clarke and Steele.

Read the proceedings of last day's meeting.

The City Council were summoned to take  
 into consideration the suggestions in amendment to the  
 Act of Incorporation, and also the transaction of other  
 business.

On motion it is Resolved That the suggestions to  
 alter and amend the Act of Incorporation prepared and  
 laid before the Council by His Honor the Recorder be now  
 taken up and read over clause by clause.

When the following Resolutions are adopted:

1<sup>st</sup> As to Assessments

Resolved, That two Assessors having the qualification required  
 by the Act of Incorporation shall forthwith be elected  
 by the City Council to be City Assessors who shall be paid  
 a sum not exceeding fifteen pounds each per annum. One  
 of the said assessors, being at the head of the list, shall go out  
 of office at the end of the second year, the other to continue in  
 office for three years from his first appointment. The said Assessors  
 to act in conjunction with a Ward Assessor in Assessing each  
 Ward respectively, - the Ward Assessor to be elected as at present  
 is provided by the Act of Incorporation. The Ward Assessors  
 for the present year to be the person standing No one on the  
 list of Assessors already returned, and in case of his absence  
 or refusal the person standing No Two shall serve.

2<sup>nd</sup> Resolved, That the time of Election and appointment of Assessors,  
 Assessment, Notices, Appeals, Collections, and returns be fixed and  
 regulated by the City Council.

3<sup>rd</sup> Resolved, That the City Treasurer be empowered to issue his  
 Warrant as under the Act 5. William 4. Chap. 13. Section 24.  
 for percentage &c against delinquents.

4<sup>th</sup> Resolved, That the real and personal Estate as well as the  
 person be rendered liable for City rates and Assessments, and  
 that proper remedies be provided for the same.

Elections

Whereas several voters at the late Elections were rejected because having been absent in Great Britain or elsewhere out of the City, perhaps for months, they could not swear that they actually resided in Halifax for One Year and upwards (then) next preceding. Resolved, That the intention of the Act in this respect be made more explicit, and the apparent difficulty removed.

And Whereas under the 19<sup>th</sup> Section of the Act of Incorporation "no person shall be capable of being elected Mayor or Alderman unless at the time of his election he shall be in his own right the bona fide tenant and occupier under some tenure not less than for One Year of an entire and separate dwelling House &c; and the Oath in the preceding section (10) obliges him to swear that he is duly qualified as required by Law &c

Resolved, That as this does not seem to be the intendment of the Act, the same be explained, particularly as the Oath is even more strict than the enacting clause.

And Whereas by the first part of the 50<sup>th</sup> Section of the Act of Incorporation a rate or Assessment upon Goods and Goods sold at Auction is evidently contemplated, but is by its conclusion rendered inoperative. Resolved, That a power to make such a rate is very desirable as it would lessen the general assessment by making the indirect importer, and perhaps nonresident, pay in proportion to the benefit he receives in the City.

Resolved, That an Act to lay a Tax upon Dogs is required.

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

Edw. Henry  
Chairman

Halifax January 28<sup>th</sup> 1842.

At a Meeting of the City Council held this day Present,  
Aldermen Kenny (Chairman), Alderman Tremain, Duffus,  
Williamson, MacKintay, & Starr; Messrs Anderson, Allison,  
Keith, Story Jr, Caldwell, Uniacke, Jennings, West, Hemmeon,  
Clarke and Steele.

— Fined —

Alderman Duffus 2/6 Mr. Story 2/6 Mr. Steele 2/6

The City Council met this day agreeably to adjournment  
and take up the remainder of His Honor the Recorder's  
suggestions as to amend the Act of Incorporation; when  
the following Resolutions are adopted:

Resolved, That the City Council be authorized to lay a moderate  
Tax on Equipages, and that no person shall be taxed for  
more than two vehicles.

Resolved, That the City Council be empowered to fix a rate  
on the granting of each Truck Licence.

Resolved, That the 16<sup>th</sup> Section be amended by inserting after  
the words "Mayor" <sup>before</sup> the words "by reason" the following "whether  
previous to the third day of October 1842. or at any time thereafter"

Resolved, That the City or Mayor's Court, in case of unliquidated  
damages, such as breach of Contract, non-delivery of Goods =  
bargained for and earnest given, and personal actions of  
trespass, &c &c damages to the amount of Five pounds and  
costs, and that all actions and causes thereof shall be =  
confin'd to the limits of the City.

Resolved, That the City Council be empowered to contract with  
the Agents of the Gas Company to Light the City.

Resolved, That the 54<sup>th</sup> Section of the Act of Incorporation, empowering  
the Mayor and Aldermen to impose Costs in all cases of  
Fines.

The following Resolution is also submitted:

Resolved, That the City Council do not deem it expedient to  
recommend any alteration in the Franchise.

to which the following Amendment is introduced:

Resolved, That the House of Assembly be requested to reduce  
the Franchise to Fifteen pounds.

which amendment being put is lost there being

For the Amendment, Five  
Against it Ten

The names having

113  
been requested to be taken, they stood as follows:

— For the Amendment —

Alderman MacIntyre  
Mr. Jennings  
Mr. Hemmison  
Mr. West  
Mr. Steele

— Against the Amendment —

Alderman Tremain  
" Duffus  
" Williamson  
" Starr  
Mr. Anderson  
Mr. Allison  
Mr. Keith  
Mr. Caldwell  
Mr. Uniacke  
Mr. Clarke

Resolved, That appeals be granted in cases of Spirit Licences.

Resolved, That the 55<sup>th</sup> section of the Act of Incorporation be amended, and that the City Council be authorised to impose Fines on Fire Wards or Fire Constables and all other Officers nominated to any office who refuse to qualify themselves therefor.

Resolved, That the 34<sup>th</sup> section of the Act of Incorporation be amended and the mode of Election of Auditors be made more clear, and that their duties be defined.

Resolved, That an Act relative to the Inspection of Pick Herrings in the City is required, and that the City Council be empowered to define their duties fees &c.

Resolved, That the City Council be empowered to establish Hay Markets, without any Tax upon the vendors of that Article.

Resolved, That it is the opinion of this Body the City Council should be exempted from jury Services.

Resolved, That it be recommended that the City Council have a right to open certain roads that are laid off in the plan of the Town but at present shut up, whereby the public are in many instances in danger of being precluded by the Statute of Limitations.

Whereas, The practice of sending substitutes to perform Statute labour is found injurious to the Interests of the City, Be it therefore Resolved, That it be recommended to the Legislature that in future the labor shall either be performed by the individual warned, or his or her hired servant, to be approved of by the overseer, or the amount required by law be paid to the collector of Road Tax within Thirty days after the date of warning in each year.

January 28<sup>th</sup>

The following resolution is also introduced.

Whereas The City Council, considering it expedient and just that the City of Halifax, which contains a large, wealthy and commercial population and contribute a great portion of the revenue, is entitled to be represented in the General Assembly of the Province. Be it therefore Resolved, That an application be made to the Legislature to grant an Act empowering the freeholders resident within the limits of the City as prescribed by the present Act of Incorporation to elect and choose two members to represent the City of Halifax in the General Assembly, and that the Executive be respectfully requested to lay the same, as a Government measure, before the House.

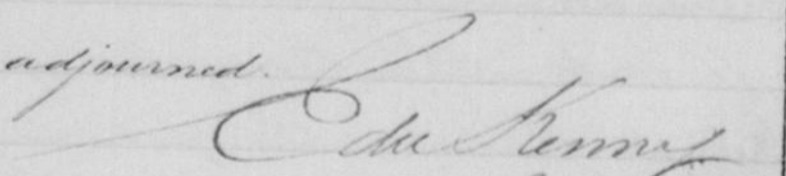
Which on being put is lost.

Resolved, That the alterations and amendments to the Act of Incorporation required by the City Council, be forwarded to His Excellency the Lieutenant Governor, and that His Excellency be respectfully requested to lay the same before the Legislature, with the view of having the same carried into effect, and that a Committee of six of this Council (to include the Chairman) be appointed to confer with the Legislature, in order to afford any necessary information.

That the Chairman, Aldermen Williamson & MacKenzie, Messrs Uniacke, Jennings and West, be that Committee.

Read over proceedings of 27<sup>th</sup> Instant and of today.

The Council then adjourned.

  
 Chairman

Halifax February 4<sup>th</sup> 1842

At a Meeting of the City Council held this day  
Present Alderman Finny (Chairman) Aldermen Fremelin, Duffin,  
Williamson, MacKinlay, & Starr. Messrs. Anderson, Allison,  
Keith, Hoy, Caldwell, Uniacke, Jennings, Hemmison, West,  
Clarke and Steele.

The City Council were summoned to take  
into consideration the report of the Committee of Public Accounts  
and the transaction of other business.

The following Resolutions were introduced and passed.

Resolved, That a Committee of three be appointed to ascertain what  
Measures, Weights and Brands are required for the use of the City.  
That the Chairman, Messrs. Hemmison and Jennings be that  
Committee

Resolved, That all written Resolutions introduced before the City  
Council, upon which a discussion arises, and upon which a  
division is taken, shall be entered on the Records kept by the City  
Clerk, although the subject introduced thereby, may be finally  
negatived.

Resolved, That a Committee of six be appointed to draw up  
a Code of Rules for governing the deliberations of the City  
Council

That the Chairman, Aldermen Williamson and  
MacKinlay, Messrs. Uniacke, Jennings & West, be that Com-  
mittee.

Read the report of the Committee on Public Accounts.  
When the following Resolution is proposed.

Resolved, That the Report of the Committee on Public  
Accounts now read be received, adopted, and entered on  
the minutes of the City Council.

To which Resolution the following Amendment is  
introduced.

Resolved, That the Committee of Public Accounts have leave to  
amend their Report.

When on Motion there appeared  
For the Amendment Nine  
Against it Five

The original resolution is therefore lost.

The following Resolutions were also passed.

Resolved, That the Committee of Public Accounts, whose report  
has been referred back for amendment, examine the accounts  
handed in by the Firewardens and report thereon.

February 21<sup>st</sup>

Resolved, That the Recorder be requested to give his opinion in writing whether the Keepers of Licences under the present Law, are bound to take out Licence for the retail of Spirituous Liquors.

Resolved, That the Chairman draw an order on the City Treasurer for the sum of Forty Shillings to defray the expence of Thomas W. B. Nichols's passage to England.

Resolved, That the Resolution relative to the election of two Members to represent the City, introduced on the 28<sup>th</sup> January be entered on the proceedings of that day.

Resolved, That Messrs. Allison & West be appointed Commissioners of the Cemetery in the room of W. J. Starr and J. L. Starr Esquires who have left the Council.

Resolved, That an order be drawn in favor of William Mac Donald for the Balance of Bridewell account for the month of January last amounting to £11-17-1 be paid by an order on the City Treasurer.

The following suggestions and amendments to the Act of Incorporation are also passed.

That the Committee ask leave to grant Licences for the keeping of Sundry Stables, to regulate the rates of fares, and to levy a tax upon the granting such Licences, to be renewed yearly.

That when the County Assessment is voted, the assessment notices, appeals and collections thereof shall be made at the same time and by the same parties employed in such service for the City Assessments.

That Ciel be gauged as other Casks are that is to say by Callipers.

That the Council authorise the Committee to communicate with the Members of the Assembly for the purpose of preventing any further delay in establishing a Cemetery as formerly proposed in the Legislature for the use of the City.

That explanation is necessary in that part of the Act which provides for the election of Aldermen, as to whether one shall be for and reside in, each Ward.

Resolved, That the late Act of 5 William 4. Chap 6. to amend the Act to regulate the Assize of Bread be submitted to the Legislature, with a request that the same be again brought into operation.

Resolved, That for the future Salt, Coals, Grain of all kinds, Potatoes and Furnish be sold by weight.

Resolved, That the Commissioners of Streets be authorised, without delay, to erect a shed, and carry into effect the resolution of the City Council for employing the Poor in breaking of Stones.

Edw. Henry  
Chairman

Halifax February 11<sup>th</sup> 1842

At a Meeting of the City Council held this day Present  
Aldermen Kenny (Chairman) Fremain, Duffie, Williamson, & Stirling  
and Stan. Messrs. Anderson, Allison, Keith, Stoy, Caldwell, -  
Seniacke Jennings, Kemmeon, West, Clarke & Steele.

The Council were summoned to receive the amended Report  
of the Committee on Public Accounts, to take into consideration a  
communication from the Commissioners of Streets, as also the Rules  
for governing the deliberations of the City Council.

Read the minutes of the proceedings of last day.

The following Report of the Committee appointed to ascertain  
what measures, weights, and Brands, are required for the use of  
the City, is read. Whereupon a motion is made that the same  
be received and entered on the Records.

The Committee  
appointed to take into consideration the application of the  
Clerks of the Market for new measures &c

Report

That they have carefully  
examined the Weights and Measures now in use. That  
the liquid measures were found unfit for use, and the large  
scales and beam out of order. That they have ordered a  
complete new set of liquid measures, new brands for Coal, Salt,  
and grain measures, new Stumps for small weights, a pair of  
small Copper scales for weighing Bread and adjusting weights,  
and directed the necessary repairs to be done to the large  
Beam and scales. That they have also ordered a new  
copper half peck measure to complete a set of such measures  
now in use and that they have given directions for the  
better keeping of the weights and Measures for the future -  
all which is submitted.

Halifax 10<sup>th</sup> Feby 1842

(Signed) Joseph Jennings

(Signed) Adam Kemmeon.

The following Rules for governing the deliberations  
of the City Council are passed.

(See next page)