

February 11<sup>th</sup>

— Rules and Regulations —  
 — of the Council of —  
 — The City of Halifax —  
 — Rule 1<sup>st</sup> —

As soon after the hour of Meeting, as there shall be a quorum present, agreeably to the Act of Incorporation, the Mayor of the said City, if present, or, in his absence such Alderman, or in the absence of all the Aldermen, such Councillor, as the members of the Council, so assembled, shall choose to be Chairman of any such Meetings, shall take the Chair, and call the members to order.

— 2<sup>nd</sup> —

In case the Mayor shall not be in attendance, or if in attendance, should wish to leave the Chair, the senior member present, shall, from his place, call the meeting to order.

— 3<sup>d</sup> —

The Mayor or other presiding Member, shall preserve order and decorum, he may speak to points of order in preference to other members, and shall decide all questions of order subject to an appeal to the (City) Council, on motion of any member, regularly seconded.

— 4<sup>th</sup> —

The Mayor, or other Presiding Member, shall not take part in debate, or vote, unless the Council shall be equally divided in which case he may give his reasons for so voting. He may however state facts and give his opinion on questions of order.

— 5<sup>th</sup> —

When the Mayor, or Presiding Member, is called upon to decide a point of order or practice, he shall state the Law and Rule applicable to the case.

— 6<sup>th</sup> —

Immediately after the Mayor, or presiding Member, shall have taken his seat, the Minutes of the preceding Meeting shall be read by the Clerk, in order that any mistake therein may be corrected by the Council.

— 7<sup>th</sup> —

The Mayor and members of the Council, shall rise when they address the Council, or to put a question, but may read sitting.

— 8<sup>th</sup> —

After a motion is seconded, and submitted by the Mayor or

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presiding Member, it shall be deemed to be in possession of the Council, but may be withdrawn at any time, before decision or amendment, with permission of the Council.

— 9<sup>th</sup> —

The Mayor, or Presiding Member, shall consider a motion to adjourn as always in order unless a member has possession of the floor, or any question has been put and not decided, and it shall be decided by the Council without debate.

— 10<sup>th</sup> —

No question on a motion shall be debated or put, unless the same be seconded. When a motion is seconded, it shall be stated by the Mayor, or presiding Member, before debate, and every such motion shall be reduced to writing.

— 11<sup>th</sup> —

When a question is under debate, no motion shall be received unless

- |                        |                           |
|------------------------|---------------------------|
| 1. To amend it;        | 4. To postpone it;        |
| 2. To commit;          | 5. For previous question; |
| 3. To lay on the table | 6. To adjourn.            |

— 12<sup>th</sup> —

When two or more members happen to rise at the same time, the Mayor, or Presiding Member, shall name the member who is first to speak.

— 13<sup>th</sup> —

When any member is about to speak in debate, or deliver any matter in the Council, he shall rise in his place, and respectfully address the Mayor, or presiding Member, shall confine himself to the question under debate, and avoid all personality, and shall sit down as soon as he has done speaking.

— 14<sup>th</sup> —

Every member who shall be present when a question is put, shall vote thereon, unless the Council shall excuse him, or unless he be personally interested in the question.

— 15<sup>th</sup> —

When the Mayor, or presiding Member, is putting a question, no member shall walk out of the room, nor when a member is speaking shall any other member hold discourse which may interrupt him, but if any member is speaking, or otherwise transgressing the Rules of the Council, the Mayor or Presiding Member shall, or any Member may, call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain, and the Council if appealed to

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shall decide on the case, but without debate.

16<sup>th</sup>

Any Member may of right require the question or motion in discussion to be read for his information, at any time during the debate, but not so as to interrupt a member speaking.

17<sup>th</sup>

No Member shall speak more than twice to the same question, except the mover, who will have the right of replying, when all other members choosing to speak shall have spoken, unless the member wishes to explain a material part of his speech, which may have been misconceived or misunderstood, but then he is not to introduce any new matter.

18<sup>th</sup>

When a motion has once been made and carried in the affirmative or negative, it shall be in order for any member at the same meeting to give notice that he will move for a reconsideration of the subject on the next day of meeting.

19<sup>th</sup>

Whenever it shall be moved and carried that the Council shall go into Committee of the whole, the Mayor shall leave the Chair, and the Council in Committee shall appoint a Chairman of the Committee of the whole, who shall report the proceedings of the Committee. The Rules of proceeding in Council shall be observed in Committee of the whole, except the taking of the ayes and noes, but no member shall speak more than once to any question until every other member choosing to speak shall have spoken.

20<sup>th</sup>

On motion in Committee, to rise and report, the question shall be decided without debate.

21<sup>st</sup>

Of the number of members appointed to compose a select Committee, such number thereof as shall be equal to a majority of the whole number chosen shall be a quorum competent to proceed to business.

22<sup>nd</sup>

Every Member who shall introduce an Ordinance, Petition, or Motion, upon any subject which may be referred to a Committee, shall be one of the Committee, without being named by the Council.

23<sup>rd</sup>

Every Ordinance or By Law shall be read twice before it

is committed and engrossed, and read a third time before it is signed by the Mayor.

— 24<sup>th</sup> —

No Ordinance brought into the Council shall have more than one reading on the same day.

— 25<sup>th</sup> —

The Mayor shall cause the Clerk to make a List of all Ordinances, Resolutions or Reports on the Table, which shall be considered "The general order of the day" - Original communications and petitions shall be first taken up; then any unfinished subject, then the special orders of the day, unless the Council shall decide differently.

— 26<sup>th</sup> —

Committees shall be appointed on motion of a member by consent of a majority of the Council. Committees appointed to report on any subject referred to them by the Council, shall report a statement of facts and also their opinion thereon, in writing, and no report shall be received unless the same shall be signed by a Majority of the Committee.

— 27<sup>th</sup> —

Every Petition, Remonstrance or other written application intended to be presented to the City Council, may be delivered to the Council, or any Member thereof, as soon as the Minutes are read, on the day on which the City Council convene, and the Member to whom it shall be given shall examine the same, and endorse thereon the name of the applicant, and the substance of such application, and sign his name thereto, which endorsement shall be read by the Mayor or other Presiding Member, unless a Member shall require the reading of the paper, in which case the whole shall be read.

— 28<sup>th</sup> —

All Committees of this Council shall consist of three members unless a different number be especially ordered, and no report shall be received from any Committee, unless agreed to in Committee actually assembled.

— 29<sup>th</sup> —

Every Member of Council or of Committee, who shall be absent for fifteen minutes after the appointed hour, shall pay a fine of one shilling and three pence, and if he shall be absent a whole day, a fine of two shillings and six pence, unless a reasonable excuse be offered.

— February 11<sup>th</sup> —  
— 30<sup>th</sup> —

Members of the Council may attend Meetings of any of its Committees, but shall not exercise the privilege of voting.

— 31<sup>st</sup> —

No Committee shall enter into any Contract with or authorize the purchase of any article from any of its members.

— 29<sup>nd</sup> —

No Chairman of any Committee shall audit or approve any bill or account against the City for any supplies or services which shall not have been ordered or authorized by the City Council.

— 33<sup>d</sup> —

No Standing Rule or order of the Council shall be suspended unless three fourths of the Members present shall consent thereto; nor shall any Rule or order be repealed or amended without three days notice being given of the motion therefor: nor unless a Majority of the whole Council shall concur therein.

— 34<sup>th</sup> —

No Member shall leave his place without permission from the Mayor or Presiding Member.

The following Resolution is also passed.

Resolved, That all fines entered on the City Books up to the present date against members of the City Council for late coming, be remitted.

Resolved, That 100 Copies of the Rules just passed be published.

Read the following Letter from Messrs. Richardson and Romms, Committee of Fire Wardens in charge of pumps and Wells.  
"Halifax 24<sup>th</sup> January 1842.

Sir

Enclosed you have the Accounts of the persons employed in repairing & pumps and Wells in the Year 1841, which we beg you will be pleased to lay before <sup>His Worship</sup> the Administrator of the City Government, and the City Council.

The demands against the City for work done to pumps and Wells is large, but when His Worship and the City Council are informed, that Fifteen Wells have, (since June last) been brought into use, some of them of great capacity and value and that the whole (34 in number) are closed in for the winter and with the Great Tanks in the best possible order, we humbly conceive that considering their great usefulness and value

\* and 5 in 1840, making 20 Wells more than in 1839.

The expence will not be thought too great.

The expence of the pumps and wells the present year will be much reduced, as the Pumps are generally new, and the work on them, on an improved principle, lessening the wear and tear, and reducing the expence. Much is still required before a sufficiency of water is obtained for the use of the Citizens, but the exertions of the undersigned to supply the deficiency must depend entirely upon the amount of Funds placed at their disposal by the City Council.

The Committee cannot close their Report without bringing to the notice of His Worship and the City Council the fact, that Her Majesty's Troops in Garrison have not a sufficiency of Water for their use, and that the consequence is, the Troops are obliged to seek Water in the City, draining the Wells - depriving the Inhabitants of Water - increasing the expence of repairs - and what is still worse, creating a feeling between the Soldiers and Citizens, that ought if possible to be avoided. Having brought the subject twice under the notice of the Commandant would (with all deference and respect) recommend that nothing be done until after the departure from this Garrison of the Commanding Engineer.

The Committee will be happy to give any information or explanation, the Accounts enclosed may appear to require.

We have the honor to be

Yours

To  
James Stewart Clarke Esq  
City Clerk  
to to

Your Obedt Humble Servants  
(signed) Robert Romans  
(signed) Andrew Richardson  
*Committee on the Waterworks in Garrison  
Pumps & Wells*

The following Report of the Committee on Public Accounts is read:

"The Committee of the City Council appointed us Auditors of the City Accounts, beg leave to  
**Report**

That the Books of the Treasurer, the City Clerk, and the Chairman of Commissioners of Streets, are correctly and really kept, and correspond with the respective vouchers. They deem it incumbent on them, however, in the discharge of their duty, to remark, that in the expenditure generally, a due regard to economy, especially considering the very deficient state of the City funds, has not been exercised.

— January 11<sup>th</sup> —

The expenditure in the alterations of the Building seems very large and the Committee think that the City Council, when they authorised the alterations acted incautiously in not limiting the amount to be expended.

It must be admitted however, that the alterations are improvements, and that a farther outlay on the property will be unnecessary for a length of time, excepting on the roof which will require repairing in the course of the ensuing summer.

They recommend that, in future, tenders should be received for all work, and for the supplying all articles (excepting such as are of trifling value,) as in their judgment several of the charges are extravagantly high. They submit also whether a saving might not be made in the charges for advertizing, by contracting with two or three of the Printers, — during the short term of the existence of the Corporation, no less a sum than about seventy pounds has been incurred, which if continued in the same ratio, will entail a heavy annual expence.

The expenditure on the Streets, though very inadequate to what is required for that service, is yet, they perceive, considerably beyond the resources furnished in that department. A more efficient and satisfactory system, the Committee think might be adopted, whereby each Commissioner might have the Control of the means within his own Ward, and the Surveyor or Overseer of Streets, have a general supervision unconnected with any other duty.

The Committee have had before them the Accounts submitted by the Gentlemen in charge of the Fire Department, and though the amount expended may appear large, when they take into consideration the great number of Wells which have been opened during the past year, and are now in full operation, they do not consider that any branch of the Public expenditure will give more general satisfaction: and though an increase in the number of Wells is certainly desirable, they regret that the state of the City funds is not such as to warrant them in recommending an addition to the number, during the present year: — They also think that the thanks of their fellow Citizens are justly due to those Gentlemen who have gratuitously superintended this important duty.

The Committee are of opinion that unless some other mode of supplying water, be adopted, a large portion of the City funds, must annually be expended in this department.

The satisfactory working of the present system, in the judgment of the Committee, very much depends in avoiding as much as possible the imposing additional burdens upon the citizens, and with strict economy, the Committee believe that this desirable purpose might be effected.

The Committee are aware that in the introduction of any new system, experience is necessary to direct its working in the best and most efficient manner, and that therefore a liberal construction should be given to any seeming errors, or undue exercise of authority, arising as they would hope rather from inadvertency than from any design to assume a power which the law does not recognize, and in this view recommend that all claims against the City to the present period, should be liquidated, or provided for as soon as practicable, but expressly on the condition that in future the terms of the forty first section of the Act of Incorporation shall be strictly complied with, and that for all liabilities otherwise hereafter incurred those directing them shall be held personally responsible.

To meet the claims now against the City, and to provide for the services of the current year, the sum of Five thousand three hundred and thirteen pounds, thirteen shillings and fourpence will be required as exhibited in the Schedule hereto annexed, which with the foregoing Report, and also an Abstract of the Receipts and expenditures up to the present period the Committee respectfully submit to the consideration of the City Council.

(Signed) Hugh Bell  
(Signed) Tho Williamson  
(Signed) Jno Duffus

When the following Resolution is introduced

Resolved, That the Report now read, as amended, be received, adopted and published. Which Resolution is passed there appearing 12 for the same, and 4 against it, and the names being called they stood as follows:

For the Resolution		Against it
Alderman Duffus	Hon Mr Bell	Alderman Fernain
Williamson	Mr Jennings	Mr Caldwell
McKintay	Hemmen	Allison
Starr	West	Uniacke
Mr Anderson	Clarke	
Keith	Steele	
Stony		



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The following Resolution is also introduced.

Resolved, That as His Worship the Mayor has drawn on the City funds for part of his Salary without the sanction of this Council, and in ignorance of the law, therefore

Resolved, That it is highly expedient to fix on a sum for the Mayor's Salary, and further Resolved, That that sum be Two Hundred Pounds Currency per annum.

which Resolution lays over for consideration at the next meeting

Read a letter from Jacob Currie addressed to the Aldermen and Common Councilmen relative to his being charged with doing other Individuals Statute Labor, as also an affidavit of George Cook, both of which lay over for consideration at the next meeting

The Council then adjourned.

Edw. Henry  
Chairman

Halifax February 15<sup>th</sup> 1842

At a meeting of the City Council held this day Present,  
Alderman Kenny, Chairman, Aldermen Fenwick, Duffus  
Williamson & MacKenlay, Messrs. Anderson, Allison, Keith  
Stoy Caldwell, Penicake, Jennings, Hemmeson, West, Clarke  
and Steele.

The City Council were summoned to take into con-  
sideration the business standing over from the last day.

Read the minutes of proceedings of last day's meeting.

The following Resolution is introduced and passed.

Resolved, That a vote of thanks be presented to those Gentlemen  
who formed the Committee for public accounts, not only for  
the ability and style of the Report, but likewise for the trouble  
they have taken, the patience they endured and also for the  
open manly and generous disposition they have shown, to meet  
the views of every Gentleman belonging to the Council.

The City Council next proceed to take into  
consideration the following Resolution of Mr. West, introduced  
at last meeting.

Resolved, That as His Worship the Mayor has drawn on the City  
funds for part of his Salary without the sanction of the  
Council, and in ignorance of the law, therefore Resolved, That  
it is highly expedient to fix on a sum for the Mayor's  
Salary, and further Resolved, That that sum be Two Hundred  
Pounds Currency per annum.

Whereupon the following Resolution is adopted.

Resolved, That the consideration of the resolution respecting  
the Mayor's Salary, be deferred till the next day of meeting.

The following opinion of the Recorder on subject of the  
keepers of Canteens being obliged to take out License, is  
read.

per

I see no reason why the keepers of the Garrison Canteens  
for the sale of Spirituous Liquors in this City, should not pay  
the License duties mentioned in the Provincial Statutes,  
and would therefore recommend that they should be  
exactd. If any military arrangement amounting to a  
legal objection exists, the parties will of course produce it as  
a defence, should such be found necessary

I am

February 16<sup>th</sup> 1842.

per, Your Obedt. Servant

W. D. Sawers  
Recorder.

February 15<sup>th</sup> 1842

The following Resolution having been introduced is lost  
Resolved, That the sittings of this Council shall not extend beyond the hour of five O'clock

The following Resolutions are passed.

Resolved, That the Wood now deposited in the Bridewell for the use of the Poor, be distributed at Sixteen Shillings per Cord. No person to receive more than two feet at one and the same time.

Resolved, That on recommendation of one of the City Council, the presiding Alderman shall give an order on the Bridewell Keeper for two feet of Wood.

Read a Letter of Mr. Jacob Currie, Overseer of Streets for the City.

Read a letter from Hon. Mr. Bell in explanation whereupon the following Resolution is introduced:

Resolved, That the Council having \* \* \* considered the Letter of Mr. Currie, and also that of Mr. Bell in explanation, are of opinion that the said Letters should be withdrawn.

To which the following amendment is introduced.

Resolved, That the assertion charging Mr. Currie with having performed the Statute Labor of Individuals (being a public Officer of this Body) has not been substantiated by facts. Therefore that the Letters relative thereto be dismissed from the Council.

and the question being taken there appeared

For the amendment, Six.

Against it, Eight.

the amendment is therefore lost and the original motion carried.

Resolved, That a Committee of three be appointed to recommend the immediate payment of such amounts as have been handed in against the City and reported upon.

That the Chairman, Messrs. Stoy and Jennings be that Committee.

The following Gentlemen are fined as follows

Alderman McKinlay	1/3	Mr. Stoy	1/3
" Starr	2/6 paid	Hon. Mr. Bell	2/6
Mr. Anderson	1/3 paid	Mr. Steele	1/3
" Keith	1/3		

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

J. M. Stoy  
Chairman

— Halifax February 16<sup>th</sup> 1842 —

At a meeting of the City Council held this day Present  
Alderman Kenny, (Chairman) Aldermen Duffus, Williamson,  
MacKintay, Messrs Anderson, Allison, Keith, Story, Caldwell,  
Amiacke, Jennings, Hemmeon, West and Clarke.

The Council met to take up the proceedings standing over  
from yesterday.

Read the minutes of yesterday's proceedings.

The following Gentlemen are fined as follows:

Alderman Freeman	9/6	Mr. Bell	9/6
" Starr	9/6	Mr. Steele	9/6
Mr. Keith	4/3 paid		

The Council proceeded to take into consideration the  
Resolution relative to the Mayor's Salary, as introduced and  
entered on the proceedings of 11<sup>th</sup> and 15<sup>th</sup> Instant.

Whereupon the following amendment to that resolution is  
introduced

The City Council having been under the impression  
that the Act of Incorporation had fixed the Mayor's Salary  
at £300, and the Mayor having already drawn and been  
paid at that rate up to the 31<sup>st</sup> December 1841, Be it therefore  
Resolved, That the Salary of the Mayor of the City for the  
first Year be Three Hundred Pounds. This resolution not  
to be considered as a precedent for the next years Salary.

and there appearing for the amendment, Eight,  
against it Five,

the amendment is therefore carried, and the original  
resolution lost. The names being called for they stood  
as follows

— For the amendment —		— Against it —	
Alderman Duffus		Alderman MacKintay	
" Williamson		Mr. Story	
Mr. Anderson		" Jennings	
" Allison		" Hemmeon	
" Keith		" West	5
" Caldwell			
" Amiacke			
" Clarke	8		

Resolved, That the Chairman is hereby authorised to pay such  
accounts as the Committee appointed yesterday recommend

to be paid.

The following resolution is also introduced:

Resolved, That Mr. Umacke be requested to lay on the table a copy of the opinion of the minority of this Council handed in by them to the Executive Council relative to the suggestions and amendments to the Act of Incorporation.

To which the following amendment is introduced.

Resolved, That Mr. Jennings have leave to withdraw the foregoing resolution. which amendment being put is carried. The original Resolution is therefore lost.

The Council then adjourned.

Edw. Perry  
Chairman

Halifax February 18<sup>th</sup> 1842

The following Report of the Committee appointed on the 15<sup>th</sup> instant to recommend what Accounts should be paid is this day handed in.—

We recommend the payment of the following Accounts, amounting together to £340.11.3—

Sundry Expenses	George Lane	- 2 6	
	John Johnston	9 - 8	
	Robert Downs	22 17	
	Sinclair & McLean	29 4 10	
	Henry Spike	2 9 5	
	Benjamin Smithers	4 5 6	
	James & John Smithers	3 3 9	
	Stephen Studley	1 14 7	1/2 18 5
	John McKay	5 19	
	W. & C. Marwin	1 15	
Elections	Richard Nugent	2 19 11	
	W. & C. Marwin	4 8 9	
	W. Lawson jun	1	
Carried Forward		16 12 8	1/2 18 5

		Amount Brought Forward		16	12	8	72	18	5
Elections	A & W. MacKenlay		7	6					
	J. H. Croftill		17	6					
	William Horne		11	2	2				
	J. Howe and son		9						
	Joseph Whidden		1	3	4				
	J. C. Tobin		2	6	8		25	18	10
	William Merrick & son on acct						50		
James Ives on acct						50			
Thomas Brodnick			10						
Thomas Angus			5						
Black & Brothers		1	19	6					
Richard Tremaine junr			5						
James Wallace & Co			16						
John Baxter			9						
Patrick Mahony		1	10						
John D. Nash		1	12	6					
Richard B. Hare		1	7	2					
William A. Heam		2	2	6					
Doctor Savers		2	15						
Joseph Harris		1	3	2					
John Longard		4	17	9					
Messinger Office		6	7	6					
Baldwell & son		7	1	9					
Alex. McLeod		11	14	4					
John Munro		3	10						
John Hayter		6	16	6					
A & W. MacKenlay		36	7	0					
Richard Nugent		5	15	7					
F. LeBlance		8	15						
Dechyau How		5	2	5					
William Cunnatell		1	7	6					
English & Blackadar		7	14						
William Cunnatell		5	1	8					
Walsh & Whelan		2	3	9					
Joseph & Coade		11	4	3					
C. H. Belcher		6	19	6		141	14		
						<u>340</u>	<u>11</u>	<u>3</u>	

Halifax N.S. February 18<sup>th</sup> 1842.

(Signed) William How junr  
(Signed) Joseph Jennings

— Halifax March 2<sup>d</sup> 1842 —

At a Meeting of the City Council held this day  
Present Alderman Kenny, (Chairman), Aldermen Freeman, Williamson,  
MacKinnlay & Starr. Messrs Anderson, Allison, Keith, Story,  
Caldwell, Uniacke, Jennings, Kemmear, West, Clarke and Steele.

— Fined —

Alderman Duffus 4/3  
Mr. Keith 4/3

Hon. Mr. Bell 2/6  
Mr. Steele 4/3

The City Council were summoned to take up proceedings  
standing over from last meeting, - a communication from  
the Sessions - as also a letter from the Chairman of the  
Commissioners of Streets respecting a publication in the  
"Acadian Recorder" of 19<sup>th</sup> Instant signed "Commissioner of Ward  
No 6".

Read the proceedings of last days meeting.

Read the following communication from the Sessions.

Office of Clerk of the Peace  
Halifax 23<sup>d</sup> February 1842

Sir,

At a special Sessions held yesterday, I was directed  
to transmit you the accompanying Resolution, and to  
request that you will be pleased to lay the same before  
the City Council as early as you conveniently can

I have the honor to be,

Sir,

Edward Kenny Esquire  
Chairman of  
City Council

Your most Obedt Servant  
(Signed) James S. Clarke  
Clerk of the Peace

Extract from Records of Sessions. 23<sup>d</sup> February 1842.

Resolved That a Committee of three be appointed to communicate  
with the City Council upon the subject of the Sessions  
occupying any part of the County Court House, and other matters  
connected therewith. That the Custos, Henry J. Moll and  
John Tempest Esquires be that Committee

A True Copy  
(Signed) James S. Clarke  
Clerk of the Peace

When the following Resolution is adopted

Resolved, That a Committee of three be appointed, to communi-  
(cont)

cate with the Sessions on the subject of the Resolution this day read. That Alderman Fremain, Alderman McHenry and Nepean Clarke Esquires, be that Committee.

The Council next proceeded to take up the proceedings standing over from last meeting, when the following Resolution is introduced.

Resolved, That whatever Resolutions may be passed by a Majority of the City Council, shall no time be counteracted by any private document signed by one or all of the minority under any circumstances without previous notice being given, and that notice recorded in the City Books.

To which the following Amendment is introduced.

Resolved, That whatever Resolutions may be passed by a majority of the City Council, shall at no time be counteracted by any private document signed by one or all of the minority under any circumstances, but that the minority or any member in the minority may be at liberty to enter his reasons for dissenting on the City Records. And in case of any Resolutions or Amendments being at any time submitted to the Legislature, that the reasons of the members so dissenting or any one of them, so entered on the Records shall accompany such Resolutions or Amendments, and the Resolution shall be one of the Standing Rules and Regulations of the City Council.

On the question being put the amendment is lost.

The original Resolution is then put and carried.

The Council then proceed to take up the following Letter from James Fremain Esquire, Alderman of Ward No 1, and Chairman of Commissioners of Streets.

" 24<sup>th</sup> Feby 1842

" Edward Kenny Esquire  
Chairman of City Council,

Sir,

In compliance with the wishes of the City Council expressed in their Resolution of 19<sup>th</sup> November last that differences arising among the members of that Body should be submitted to them

I respectfully request you will call their attention to a publication in the *Scadian Recorder* of Saturday last, directed not only against myself but reflecting upon



~~March 18<sup>th</sup>~~

all the members of the City Council. The Resolutions are termed malicious and libellous; and having been passed unanimously, the censure is general.

The Charges made against me for altering the Resolutions after they were passed I wish him to be called upon to substantiate by stronger evidence than his assertion, as it is derogatory to the Council to submit to such a course being pursued by any individual holding a seat among them. I also request that he may be called to shew how he affixes on me the charge of sending them to the press.

The Resolutions of the 19<sup>th</sup> November last were passed by the unanimous vote of the Council in order to correct misstatements in Scadian Recorder of the 13<sup>th</sup> November, under the signature of Commissioner of Ward No 6.

I am Sir Yours respectfully

(Signed) James Fennell

Alderman for No 1 Ward.

When the following Resolution is introduced.

Resolved, That the Council deem it unnecessary to entertain the Subject of dispute between Commissioner of Ward No 6, and Commissioner of Ward No 1.

To which the following amendment is introduced

Resolved, That the opinion of the Recorder be requested in writing whether this Council have the power of Investigating the Conduct of any one of its members for libellous publications against the body.

And on this question being put the amendment is carried, the original resolution is therefore lost, and the amendment passed.

Read the following Report of Committee of the Cemetery.

The Committee of the Cemetery feeling an anxious desire to discharge the trust confided to them, have recently had under their consideration the place which had been selected by the former Commissioners, and are still unanimously of the opinion before expressed in their Report to the City Council, as to its ineligibility.

The Committee, impressed with the propriety of satisfying, if possible, the wishes of the several congregations, have very great difficulty in obtaining a desirable piece of Land suitable for a cemetery, altho' they have traversed the

greater part of the peninsula.

The Committee formerly recommended to the Council, that the spot immediately opposite the present site, to the westward (which has been surveyed) was preferable to the one at present enclosed; in this opinion the greater part of the present Committee still concur. Some objection has been raised by reason of a part of the Western site being rocky, but the same objection may be made to the present eastern site, and it is thought by the majority of the Committee, that there is sufficient ground for a number of years, and that in time, the small portion of Rock might be covered at leisure without much expence, - there is also less difficulty in improving the Western site and rendering it a desirable spot.

The Committee find that a difficulty exists in changing the present Eastern site without the sanction of the Legislature, and therefore seek the instruction of the City Council as to whether a Bill should be sent to the Legislature giving authority to the City Council to select such place for a Cemetery as they may think suitable, provided it meets with the sanction and approbation of His Excellency the Lieutenant Governor and Executive Council.

Halifax 1<sup>st</sup> March 1842

(Signed) Edw Henry

Chairman of the  
Committee of Cemetery.

When the following Resolution is passed.

Resolved, That the Committee of the Cemetery be authorised to apply to the Legislature for a Bill giving the City Council authority to change the present site for a Cemetery, provided that the place to be selected by the Council meet the sanction and approbation of His Excellency the Lieutenant Governor and Council.

The following Resolutions are also passed

Resolved, That the Committee appointed to select a site for placing the Engine House at present standing near St George's Church, have permission to place the same at the head of Albert Lane.

Resolved, That Thomas Maher be allowed the sum of One pound seventeen Shillings and six pence for Five weeks board of a wretched sailor Boy, to be paid from the funds now on hand from the poor fund.

Read over the proceedings of the day.

City Council adjourned

Edw Henry  
Chairman

— Halifax March 9<sup>th</sup> 1872 —

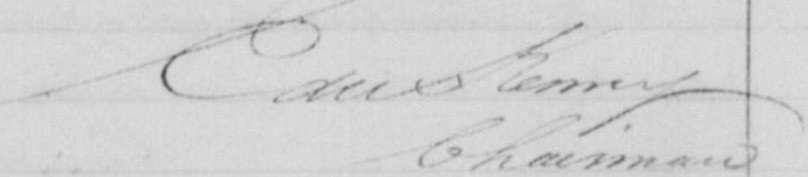
At a meeting of the City Council held this day  
 Present, Alderman Kenny (Chairman), Aldermen Tremaine,  
 Williamson and MacKendry. Messrs. Anderson, Allison,  
 Keith, Caldwell, Uniacke, Kemmison, West, Clarke and  
 Steele.

— Fined —

Alderman Duffus 2/6	Alderman Starr 2/6
Mr. Keith 1/3	Mr. Stuy 2/6
Hon. Mr. Bell 2/6	Mr. Jennings 2/6

The City Council were summoned to take into consideration subjects relative to the Mayor's leave of absence and for the transaction of such other business as may be found necessary consequent thereupon.

When on motion the following Resolution is unanimously passed:  
 Resolved, That this Council adjourn until tomorrow at two o'clock to proceed with and take into consideration the business for which the Council were summoned this day.

  
 Chairman

Halifax March 9<sup>th</sup> 1812

At an adjourned meeting of the City Council held this day Present, Alderman Henry (Chairman), Aldermen Fremant, Duffus, Williamson, MacKilgus, and Starr. Messrs Anderson, Allison, Keith, Caldwell, Uniacke, Hon. Mr. Bell, Jennings, Hemmison, West, Clarke and Steele.

Fined

Alderman Duffus	1/0	Alderman Starr	1/3
Mr. Keith	1/3	Mr. Story	2/6
Hon. Mr. Bell	1/3		

The City Council met this day, agreeably to adjournment to take into consideration subjects relative to the Mayor's leave of absence, and for the transaction of such other business as may be found necessary consequent thereupon.

Read over the proceedings of yesterday.

The following proceedings were adopted

Resolved, That the sum of Fifty Pounds be expended in Breaking Stones, and that the Chairman be authorised to draw on the Treasurer for this amount, to be replaced when the Stones are sold.

The following Resolution relative to the business for which this Council were summoned, is introduced.

Whereas His Worship Stephen Binney Esquire Mayor of the City of Halifax, on a former day obtained leave of absence from the City Council, and sailed for England on the third day of January last past; and that according to the 37<sup>th</sup> Section of the Act of Incorporation the said Stephen Binney Esquire is disqualified, having been absent from the City more than two calendar months,

Resolved, That the City Council shall proceed forthwith and elect a Mayor to fill up the vacancy agreeably to the Act of Incorporation.

To which the following Amendment is introduced

His Worship the Mayor having now been absent from the City of Halifax for more than two calendar months:

Resolved, That under the 37<sup>th</sup> Section of the Act of Incorporation, His Worship Stephen Binney Esquire has become disqualified, and ceases to hold such office of Mayor.

Which amendment being put is unanimously passed, the original is therefore lost.

— March 9<sup>th</sup> —

The following Resolution is also introduced.

Resolved, That it is expedient that the City Council should proceed to the election of a Mayor for the City of Halifax for the remainder of the period for which the Mayor, whose place is to be supplied, was to serve.

Upon which a motion for adjournment until Friday next at two o'clock is made, which motion is carried.

The Council is adjourned.

Halifax March 9<sup>th</sup> 1842

The whole of the City Council being present and before they leave the Court they are reassembled and the following Resolution introduced.

Resolved, That the Council do now proceed to business, which on motion is carried.

The following Resolution is then introduced.

Resolved, That the proceedings of this day be rescinded, and the City Council adjourn until Friday next at two o'clock, and that the Council will then declare the office of Mayor to be vacated, and proceed at once to the election of Mayor, which Resolution on being put, is carried.

The Council is therefore adjourned until Friday next at two o'clock.

Edw. Kenny  
Chairman

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— Halifax March 11<sup>th</sup> 1842 —

At a Meeting of the City Council held this day. Present  
Alderman Pinney, (Chairman), Alderman Freeman, Duffie,  
Williamson, MacKintay and Starr. Messrs. Anderson, Allison,  
Keith, Gray, Caldwell, Uniacke, Hon. Mr. Bell, Jennings, Kemmion,  
West, Clarke and Steele.

The City Council met this day for the  
purpose of declaring the Office of Mayor vacated, and proceeding  
to the Election of Mayor.

— Signed —

Alderman Starr  $\frac{1}{3}$  Mr. Keith  $\frac{1}{3}$

Hon. Mr. Bell  $\frac{1}{3}$  Mr. Jennings  $\frac{1}{3}$

Read over the whole of the proceedings of last day.  
Read the 16<sup>th</sup> and 17<sup>th</sup> sections of the Act of Incorporation

The following Resolution is introduced.

His Worship the Mayor having now been absent from the City  
of Halifax for more than two calendar months, whereby under the  
37<sup>th</sup> Section of the Act of Incorporation, His Worship Stephen  
Pinney Esquire, has thereupon become disqualified, and ceases  
to hold such office of Mayor.

Resolved, That it is expedient the City Council should proceed  
to the Election of a Mayor for the City of Halifax, for the  
remainder of the period for which the Mayor whose place  
is to be supplied, was to serve.

which Resolution on being put is carried

Read the following Resolution and opinion on the  
subject whether it is necessary for the Council to proceed  
at once to the Election of Mayor in order to legalize their  
acts.

The City Council having declared the Office of Mayor  
to be vacant by reason of the absence of the Mayor for more  
than two calendar months

Resolved, That the opinion of the Recorder be requested  
whether it is necessary for the Council to proceed at once to  
the Election of Mayor in order to legalize their Acts.

My answer to the preceding question so hastily  
asked is, that (the Mayor being an integral part of the  
Corporation, and the vacancy of the office declared, to prevent  
the danger of dissolution or other confusion) it is in my  
opinion far safer, if not absolutely necessary, to supply the  
vacancy immediately. Evil may arise from delay, but I at  
present apprehend none from at once supplying that Office.

March 15<sup>th</sup>

without which the body cannot exist.

(Signed) W. D. Sawers

Recorder

Alderman Kenny leaves the Chair—

Edw Kenny  
Chairman.Alderman Tremain having been called to the Chair  
the following Resolution is introduced

Resolved Unanimously, That Edward Kenny Esquire, who has been acting as Chairman in the absence of the Mayor, be now declared Elected by the City Council, as Mayor of the City of Halifax, for the remainder of the period for which the Mayor, whose place is to be supplied, was to serve  
which Resolution on being put is unanimously passed.

James Tremain  
ChairmanAlderman Tremain then leaves the Chair, and Alderman  
Kenny (Mayor elect) having resumed the same,

The following Resolutions are also introduced:—

Resolved, That the City Clerk forthwith transmit to the Secretary of the Province the name of the Mayor elect of the City of Halifax, respectfully requesting His Excellency the Lieutenant Governor's approval thereof, as required by the Act of Incorporation.

Which Resolution on being put is passed unanimously.

Resolved, That the Committee of the City Council appointed to confer with the Legislature, be directed to take such immediate steps as they may deem necessary and expedient, in order more fully to legalize, and confirm the present Election of Mayor, but reserving to Mr. Binney every legal right which he may now have to the office.

Which Resolution on being put is passed.

Resolved, That the Committee appointed to remove the Engine House near St. George's Church, be authorised to expend the sum of Five pounds for that purpose.

The City Council then adjourned

Edw Kenny  
Mayor