

July 29th

assessments of such official individuals respectively. The Appellant has heard it argued as an absurdity that a gentleman who had made £10,000 and was living upon his income derived from investments as hereinbefore stated should not be assessed higher than a young Merchant carrying on business near him with a stock of £10,000 worth of goods obtained upon credit. This argument is a mere sophism. Property be it stock in trade, other personal estate or real estate, is liable to be rated but once be it in the hands of rich or poor. The assessors should look to the property where it is visible and productive within their jurisdiction, and pay no respect to the person in the ownership or occupation. The Statute under which they act requires the assessment to be made upon the owner or occupier in respect of his property, not his person. If the foregoing principles be correct that property should pay for its protection, the merchant should pay much more than the retired capitalist. Besides the tax does not fall upon himself, but the consumer, and the only legitimate ground of complaint he could have would be not against the capitalist, but against foreign merchants who are allowed to enter into competition with him without being subject to taxes. In respect to the term ability or capacity this has reference to and must be governed by a reference to ability or capacity within the jurisdiction and protected by the authorities who impose the tax, and not subjecting property to a second or a third tax on an income payable to the owner or Mortgagee, after the same property has been taxed upon the occupant. The term ability can surely not refer to the power of discharging the tax under penalty of Bankruptcy, but must be understood as governed by the foregoing principles. The Appellant therefore objects to the tax 1st because he derives no income whatever within the City or County from any source whatever which has not been subject to a tax. 2nd Because the only income which he derives from any source within the City or County not subject to a tax in the hands of some other person; in his stock and interest in the Halifax Bank, or some other institution, which has already been taxed separately.

19 July 1843

(Signed) Henry H. Copwell.

Halifax 18th July 1843

The undersigned, Agent of the Assurance Company of Halifax, respectfully appeals against the assessment made on said Company for the following reasons, viz:—

That the Company is assessed to nearly ten times the

amount of any possible profits on the business of the Year, the Company only having commenced business about the middle of the Year 1842, and the nett proceeds of its business was but £170.12.1 and that with a loss unsettled of £200 now in course of adjustment - so if the Company has to pay this loss, the balance will be against it. The amount assessed is £6.8.4 while the Halifax and Protection companies who have been doing business for many years, and a business already made is only assessed to the same amount of £5.5.4 each, and the Alliance Company of London, doing a far greater business is assessed but £4.4.2 - Under these circumstances the agent fully relies upon the City Council in relieving the Company from assessment for the Year. It is his desire, and is in accordance with his instructions to submit to all regulations and assessments made on the Fire Insurance Company under the Law, But he conceives it no less his duty to state the facts under which the Company is now assessed. But it may not be compelled to pay more than what is justice they ought to.

Respectfully Submitted
 (Signed) Arch^d Scott
 Agent M^{rs} Lush & Co.

Halifax 11th July 1843

Gentlemen,

Having received a notice from the City Treasurer dated the 21st of June, assessing me £4.11.6 for Poor and County rates for the present year, which sum so far exceeding that of the last £4.9.3 and previous years, I am led to conclude there must be some error or misconception on the part of the assessor in fixing this amount. I am told that exclusive of the assessment upon the hired premises I occupy, I am taxed additional according to my supposed ability; now this principle is no doubt most just and proper as regards Civilian permanent residents in this City, deriving their incomes from local sources, but as I am altogether differently situated, being a Military Officer serving with the troops at this Station, a resident only for the time being, and my ability being assessed by Her Majesty's Government at Home in the shape of "Income tax," I do not understand how I can with any justice be called upon to pay a second tax thereon to the City of Halifax, - Under this impression and viewing the increased demand with reference to previous years now made upon me without any assigned cause, I am led to appeal therefrom to the Committee of the City Council observing that I am quite ready to pay what is just and proper, but am naturally unwilling to be taxed twice over for "ability".

I am, Gentlemen, your very obedient servant. (Signed) W. Newton
 Dep. Com. Genl.

July 29th

Gentlemen,
 Being notified by the City Treasurer that I am assessed
 the sum of 8/5 for Poor, City and County Rates, I beg to state that
 I am living in Lodgings and moreover being an Officer of the
 Army, and not a resident, do not consider myself called upon
 to meet such demands.

I am, Gentlemen, Your very Obedient Servant
 (Signed) J. D. Williams
 Dep Comd Genl.
 Halifax 11th July 1843.

	Page	City	County	Total	Am't received	Am't Shd Paid
Mitchell Daniel	87			2 10 6 . 8 5	2 2 1	
"	90			12 7/2	12 7/2	
"	91			4 2 1/2	4 2 1/2	
"	92			1 1 1/2	1 1 1/2	
Brown George	60			12 7/2 . 4 2 1/2	8 5	
Kavanaugh William	50			1 13 0 . 8 5	1 5 3	
Bliss Lewis	3			16 16 0	16 16 0	
Deann John	20			1 1 1/2	1 1 1/2	
Murphy William	29			1 1 1/2	1 1 1/2	
"	34			1 1 1/2 . 8 5	12 7/2	
Miller James	42			1 5 3 . 4 3	1 1	
Hann James	19			1 1 1/2 . 4 2 1/2	16 10	
Skinner William	25			2 10 6	2 10 6	
Almon Mr	38			2 10 6	2 10 6	
Hill Mrs J.	3			27 17 1	27 17 1	
Snooks Robert	83			. 8 5	. 8 5	
Brahms Miss	53			1 5 3 . 8 5	16 10	
Weldon Thomas	72			. 12 7/2 . 12 7/2		
St Andrews Hunter	7			2 2 1 . 8 5	1 13 8	
Ston Colonel	5			14 14 7 8 8 4	6 6 3	
Hamilton James	31			16 16 8	16 16 8	
Umacke Mr Justice	5			23 2 11	23 2 11	
"	5			1 5 3	1 5 3	
"	5			2 2 1	2 2 1	
Almon Dr	15			2 18 11	2 18 11	
Punch John	65			1 1 1/2	1 1 1/2	
Lippincott Mrs & Miss	82			. 6 4	. 6 4	
Bark David	26			12 7/2 . 12 7/2		

	Page	City	County	Total	Amount received	Amount to be paid
Lord Bishop of Nova Scotia	5			21.10		21.10
Melgrave Mrs	82			16.10	0.5	8.5
Ruttidge Mrs	54			4.2 1/2		4.2 1/2
Phelan Cornelius	86			12.7 1/2	4.2 1/2	8.5
Alma Insurance Company	27			0.84		0.84
Jennings John	29			12.7 1/2		12.7 1/2
Cogswell Hon. A.H.	21			1.53		1.53
"	23			1.53		1.53
"	24			1.53		1.53
"	38			38.14.4		38.14.4
"	"			1.53		1.53
"	84			2.21		2.21
"	91			12.7 1/2		12.7 1/2
Cogswell Rev. Mr.	31			1.53		1.53
Masher Margaret	66			16.10	0.5	0.5
Pryor Henry	7			16.10		16.10
"	"			3.3 1/2		3.3 1/2
"	93			16.10		16.10
"	"			16.10		16.10
"	24			1.1 1/2		1.1 1/2
"	32			4.8 1/2		4.8 1/2
Albion Insurance Office	32			21.10		21.10
Gentles Thomas	18			2.21	4.2	1.7.11
Roxby Mrs	10			16.10	6.10	10.
Oell Mrs	62			12.7 1/2		12.7 1/2
Muir Andrew	83			12.7 1/2		12.7 1/2
Lovett James Sr.	93			0.12.6	3.3.12	5.9.4 1/2
" from C. W. Hill	84					1.9.5 1/2
Hickey John	22			12.7 1/2	4.2 1/2	8.5
Forrester James	21			2.21		2.21
"	23			16.10		16.10
Wilson William	64			3.7.4		3.7.4
Reynolds William	31			1.1 1/2	4.2 1/2	16.10
Hoskins George M.	24			5.5.2 1/2		5.5.2 1/2
"	90			2.21		2.21
"	92			2.21	0.5	1.13.0
Robb Mrs	12			16.10	0.5	0.5
Story Samuel	4			12.4.1	2.2.1	10.2.
"	12			3.3.2		3.3.2
"	"			2.21		2.21
"	9 1/2			16.10		16.10

— July 29th —

Blowers Mrs	18	2992		2992
Blowers Estate of	24	663	221	442
Blif Judge	3	2771		2771
"	5	153		153
Thompson John S.	18	2106	153	153
"	36	153		153
McDonald Mrs	2	130	1610	1610
"		42	42	
Mechanics Library	31	1610	1610	
O'Brien Mrs	40	05		05
Murphy Mr	12	05	05	

The City Council next proceed to take into consideration the Building of the Wall on the Ordnance property, Campbell road, - when the following resolution is introduced:-

The embankment on the Ordnance property at the entrance of the Campbell Road, being in progress of removal and it having been decided that a good and sufficient retaining wall should be erected thereon, under the supervision of Commissioners of Streets; Resolved, in order to the accomplishment of the above object; that the Commissioner of Streets be requested to ascertain the extent of work to be performed, to receive tenders for the same, and report thereon, as early as possible to the City Council.

Which on being put is passed.

The City Council authorize the payment of the following accounts by checks on the City Treasurer.

Gas Company \$4.19-0

Andrew Betcher 10-0-0

Charles Lippencott . 15-0

The Council then adjourned.

Chs Williamson

Mayor

August 4th. John Sargent having taken the oath prescribed by Law, is this day sworn into office as Inspector of Pickled Fish and Quags of Oil for the City, in presence of His Worship

Halifax 7th August 1843.

At a Special Meeting of the City Council held this day Present,
His Worship the Mayor, Aldermen Tremain, Duffus, Keith, McHale,
and Starr. Messrs. Allison, Sinclair, Caldwell, Jennings, Small, Bell,
West, Hummer and Winters.

The City Council were summoned to take into consideration,
the amount voted for the Campbell and Keupt roads, the
apportioning the Broken Stone on the Parade and Artillery
Park; - Petition from the Butchers on subject of Meat being sold
in front of Market, and to lighting the Market with Gas; Petition
from Thomas Wilson injured by one of the Fire Engines, the payment
of accounts against the City; and the transaction of other business.

Read over proceedings of 28th and 29th July.

Read Resolution of City Council of 19th May and 25 June relative
to vote to Keupt and Campbell Roads

Read letter from John Steele in answer to application for Broken
Stone (See file of August.)

Read following Letter from the Honorable the Attorney & Solicitor
Generals, on subject of repairs to streets near Dock Yard Wall:

"Halifax 5th August 1843.

Dear Sir,

The Attorney General had the honor some days since to
mention to you the subject of the Walls of the Dock Yard and
Admiral's residence, as affected by the ^{earth} thrown against them by the
Commissioners of Streets.

By desire of the Admiral, the Naval Storekeeper having
taken our opinion, we thought that by law the Commissioners of
Streets were not authorized by throwing earth against the Walls
in repairing the streets to induce injury either from pressure, or
the introduction of Water consequent upon such embankment.

The opinion of Captain Hewitworth of the Royal Engineers
also has been taken, on the question whether the filling in of earth
against these Walls is calculated to damage them, or prejudice the
property, who after a careful examination has reported that great injury
will be the result from the water penetrating the crevices of the walls, and
the winter frosts, independently of the pressure.

Mr. Elliott under the direction of the Admiral has applied
to us, and we have in consequence the honor to request you will
bring the subject under the notice of the City Authorities, in the hope
that some remedy may be adopted, against the evil complained
of before the next winter shall have induced consequences more serious

— August 7th —

to Her Majesty's property than at present.

We have the honor to be,

To His Worship
The Mayor

in,
Your Most Obedt Servants
(Signed) J. W. Johnston
(Signed) James Blunnie
" M. Gent "

The City Council proceeds to take into consideration the subject of the money to be expended on Keupt and Campbell roads - when the following resolution is introduced.

Resolved, That the sum of sixty pounds voted for the repairing the Keupt and Campbell roads be appropriated by the Commissioners as follows - viz. £20 for improving Keupt road and £40 for improving Campbell road and making Drains and improving Street from entrance of Campbell road towards Her Majesty's Dock Yard.

The Subject of the apportioning the Broken Stone is next convened, - when the following resolution is introduced:

On taking into consideration the subject of the funds arising from the Broken Stone, - and whereas it appears that the sum of One Hundred and fifty pounds is now due by the Commissioners of Streets for said Broken Stone, and it having been deemed unnecessary to keep up said Broken Stone fund, Be it therefore Resolved, That the Commissioners be empowered to apportion and expend the amount arising from said Stone in equal proportions among the different Wards

which on being put is passed, - and the names being entered they stood as follows.

— For the Resolution —

Mr West
" Winters
" Allison
Alderman Duffus
" Ferriar
" McKilay
Hon Mr Bell
Ald. Keith
Mr Sinclair
" Caldwell
Ald. Starr

— against it —

Mr Jennings
" Newman

(The)

The following Resolution is next introduced.

The very filthy State of the Streets of which complaints are repeatedly made, being contrary to the tenor of the contracts, and implicating the Contractors and their Sureties, therefore Resolved, That payment be withheld from the Contractors until the duty be satisfactorily performed and that notice to that effect be given to the Contractors.

which on being put is passed.

Read Petition from Murphy and others, Butchers, on subject of meat being sold in Market Square by persons coming from Dartmouth when the Council are of opinion that the Act of Incorporation prevents the Council interfering on the subject.

Read following Memorial from Thomas Wilson, injured by one of the Fire Engines:-

To the Worshipful the Mayor, Aldermen, and Common Councilmen of the City of Halifax:

The Memorial of Thomas Wilson of Halifax Shoemaker
Humbly Sheweth.

That your Memorialist is a Native of this Town and has for more than eighteen years past been a member of the Halifax Engine Company during all which time he has to the utmost of his power aided his fellow Citizens when their properties have been endangered by Fire - that upwards of nine months ago in conducting an Engine to a Fire in going down a Hill the Engine unfortunately crushed him against a Wall and dislocated both of his hips and left knee and otherwise dreadfully injured him so that ever since he has been suffering great pain, is a cripple (being obliged to use two crutches) and is afraid that he will continue so for life, which has prevented him from doing anything for his Support - In consequence of the injury he has sustained he has been compelled to employ Medical Men who are now wanting the amount of their Bills, which your Memorialist has not in his power to discharge - and your Memorialist humbly conceives that as his unfortunate situation was caused in the discharge of his duty as a Foreman he has some small claim on the humanity of his fellow Citizens, and would humbly request that your worshipful Board would take his case into your favorable consideration and that you would be pleased to order that the Bills of his Medical men be paid as your Memorialist has it not in his power to discharge them, - and your Memorialist as in duty bound will ever pray -

(Signed) Thomas Wilson.

(When)

August 1st 1843.

When the following Resolution is introduced:

Resolved, That the sum of Twenty five Pounds be presented to Mr. Wilson to enable him to liquidate the Doctor's Bills against him in consequence of a severe injury sustained by him while attending as a Foreman.

which on being put is passed.

Read Petition from the Butchers of Meat Market relative to lighting the Market with Gas:

To His Worship Thomas Williamson Esq. Mayor of the City of Halifax, of the Province of Nova Scotia, and City Council of the same.

The Petition of the undersigned of the City of Halifax humbly sheweth,

That your Petitioners occupy as tenants, the public City Meat Market at Halifax, as such having observed that public as well as private Buildings are receiving the benefit of light afforded by the Gas Company Association. Your petitioners humbly solicit that as a public Building and for public benefit, that your worship in Council will take it into your favorable consideration in directing and causing the said Market to be lighted with gas in such manner as your worship and Council may think fit and proper, and your petitioners will ever be grateful for the same.

Halifax N.S. Aug^r 3rd 1843.

Signed John Murphy Junior

" Patrick Heum

" Timothy Deen

" John Maun "

When the following Resolution is introduced:

Resolved, That the Commissioners of Public Property make inquiry and Report to the Council what sum will be required to fit up the Public Meat Market with Gas fittings, and two Gas Lamps to be placed in front of said Market, which on being put is passed.

The following resolution is next introduced:

Resolved, That His Worship the Mayor be authorized to draw Checks upon the City Treasurer for the various demands against the City as passed by the Committee of Public Accounts on 27th December last and assented for, with the exception of J. N. Croftskill's which is to be referred back to the Committee to report upon, which on being put is passed.

The Council then adjourned.

Tho Williamson
Mayor

August 8th Thomas Shea having taken the oath prescribed by Law is this day sworn into office as Inspector of Pickled Fish and Gauger of Oil, in presence of Alderman Keith.

August 9th Edward Sturmy as above as Gauger of Oil in presence of Alderman Keith.

August 9th Daniel Starr Esqr (as above) as Firewarden for Ward No 5, in presence of His Worship the Mayor.

August 11th Timothy Connor as above as Gauger of Oil in presence of His Worship the Mayor.

Halifax August 29th 1843

At a Special Meeting of the City Council held this day, Present, His Worship the Mayor, Alderman Tremain, Duffus, & Keith. Messrs Allison, Anderson, Hoy, Fairbanks, Sinclair, Jennings, Hon. M. Bell, Hemmeon.

The City Council were summoned to take into consideration the report of Commissioners of Streets relative to expence of Building the Wall on Ordnance property, the report of Committee as to expence of lighting Meat Market with Gas, The payment of several demands, and the transaction of other business.

Read over proceedings of 7th August, 1843.

The City Council proceed to take into consideration the following report of the Committee relative to lighting Meat Market with Gas:

"Gas Works, Halifax 28th August 1843.

" Mr. McKimlay

Dear Sir, The expence for fitting the Market and the two houses that I rendered to you formerly is as follows:-

viz	Market	£ 12. 10. 3
	McKil Fox house	3. 12. 4
	Mumphy's	2. 18. 4
		£ 19. 0. 11

Yours truly
(Signed) Philip Peebles.

When the following Resolution is introduced

Resolved, That the Commissioners of City Property be authorized to have erected two Salub parts on the Western front of the Meat Market in such places as they may think most advisable.

Which on being put is passed.

The Commissioners of Streets hand in the following Report relative to building of Stone Wall on Ordnance Property:

The Com^r of Streets report that they advertised for Tenders for Building the Wall near the Hospital, agreeable to the directors of City Council; when the following Tenders were received:

Will McDonald £117-15-0

James Reed 133-15-0

John Northrup £2-5-0 prod
Deal or 3/4 p perch

Rich^d Daley 1/8 p perch

Will Hasford 1/2 do

Sam^l Carten 1/2 do

W^m Forsyth & Doyle 1/10 do

Patrick Brennan £2-5-0 prod
or 3/4 p perch

Joseph Quinn 3/5 p perch

W^m Winters £2-8-6 prod.

The Tenders of Richard Deal and Patrick Brennan being equal, the Com^r requested Letters to be addressed them, requiring them to Tender again, when Patrick Brennan having tendered at same price and Richard Deal having neglected to Tender again, the Com^r accepted his Tender and called for Security, when he offered Mr. Richard Deal and Mr. George Washington - all which the Com^r beg leave to submit to the consideration of the City Council.

(Sign) James Freeman, Chairman

111 Rods £2-5-0 £92-5-0

When the following Resolution is introduced:

Resolved, That Patrick Brennan's Tender be accepted, and that the Commissioners of Streets be authorized to have said work completed.

Which on being put is passed

The Cemetery Committee having laid before the City Council the Plan of Protestant Cemetery grounds, the following Resolution is introduced:

Resolved, That the Cemetery Committee having laid before the City

Council, the Plan of the allotment of the Protestant Cemetery Ground that the same be now confirmed.

Which on being put is passed

The following Resolution is next introduced:

Resolved, That the Church Wardens and Vestry of St. Pauls and St. George's Congregations be requested to dispose of the lots as laid out on the Plan of their allotments in the new Cemetery in such manner as they deem most advisable, the upset price of each lot not being less than forty Shillings - the proceeds to be paid over to the Cemetery Committee

Which on being put is passed.

Resolved, That the Cemetery Committee be requested to dispose of, on the ground after giving fourteen days notice in the Newspapers and by Handbills, the various lots as laid out in the Plan of the new Cemetery, and received for general purposes, the upset price for each lot not being less than forty Shillings.

Which on being put is passed.

Resolved, That application be again made to His Excellency the Lieutenant Governor, and that he be respectfully requested to give the City a Grant of the ungranted Water Lots around the shores of the City, from the Government property on the south, to the Three Mile House.

Which on being put is passed

The City Council authorize the payment of the following accounts by Checks on City Treasurer.

Mr James Kemp	£125.0.0
Governors of King's College	25.0.0
Albion Fire Insurance Co	37.10.0
Stephen Boggs	12.10.0
Hon. Charles Collins	12.10.0
John Spry Adams	12.10.0
The Halifax Gas Light Co	3.0.0
Hayter & Adams	15.0.0
John Hayter	7.10.0

Thos Williamson
Mayor

Halifax September 11th 1843.

At a Special Meeting of the City Council held this day
Present, His Worship the Mayor, Aldermen Newman, McRulay,
Messrs. Allison, Sudson, May, Fairbanks, Sinclair, Caldwell, Jennings,
West, Neumeon and Winters.

The City Council were summoned to take into consideration
suggestions of Cemetery Committee relative to the preparation of the
Ground - Also a Communication from the Commissioners of Streets
relative to the line of Hollis Street, and the transaction of other business.

Read over proceedings of 29th August.

Read following Report from Commissioners of Streets relative to line of
Barrington Street.

The Commissioners of Streets do Report, That David
Stevens and son, intending to erect a Building on their premises,
applied to the Surveyor General for the Western Line of Barrington
Street, which upon survey appears to be 5 feet 6 inches in advance
of the present Building at the corner. When Mr. Stevens applied to
the Commissioners for permission to occupy the street they considered
it to be their duty to notice the line given by the Surveyor General
and addressed a letter to him for information to enable them
to lay the subject before the City Council. The Commissioners
being of opinion that as the new line will include part of the sidewalk
in the occupation of the public they have not the power to sanction the
erection on the line given by the Surveyor General, but for the reasons given
by him that the street will be more uniform in its width and the
square will not contain more land than granted. The Commissioners
would recommend that the City Council authorize the said David
Stevens and son to place the Building upon the line as laid off by
the Surveyor General.

(Signed) James Newman, Chairman.

Read the following Letter from Surveyor General on the same subject:

Halifax 4th Septe 1843.

Sir,

In reply to your communication of 19th Pro. I beg to inform
you that I have caused a survey to be made of Barrington Street, in order
to determine the proper boundaries thereof, but in the absence of any
positive evidence, I have been obliged to assume certain points to be
correct. I find that the Gault to Dalhousie College measures one
hundred and forty two feet on Goye Street, that the Block on Prince
Street measures one hundred and forty two feet four inches, and the
Block opposite to the late Chief Justice Blowers House is the same. I have

therefore caused the line to be run straight or as nearly so as it could be done for the sake of uniformity although I think originally it was intended that Barrington Street should measure fifty five feet in breadth. The enclosed sketch will show the line as it stands at present.

I am, Sir, Yours Obedt^{ly}

(Sd) John Gray Morris ..

James Freeman Esq
Chairman Comrs of Streets.

When the following Resolution is introduced:

Resolved, That the Report of the Commissioners of Streets just read be adopted, and that the western line of Barrington Street be laid out and confirmed as returned by the Surveyor General in his letter of 24th of September instant

Which on being put is passed.

The following Resolution is next introduced.

Resolved, That the Cemetery Committee be authorized to expend the sum of Twenty five pounds to enable them to carry on the necessary improvements of the Ground.

Which on being put is passed

The City Council authorize the payment of following account by order on City Treasurer
Henry Bateman. £6. 5. 0

The Council then adjourned

Thos Williamson
Major

Halifax September 25th 1843.

At a Quarterly Meeting of the City Council held this day
 Present, His Worship the Mayor, Aldermen Duffus, Keith, M. Kenney
 and Starr. Messrs. Anderson, Fairbank, Sinclair, Caldwell,
 Jennings, Kent, W. Bell, Keenan and Waters.

Read over proceedings of 11th September.

Read Letter from Vice Admiral Sir Charles Adam relinquishing
 the right to the obstruction to the entrance of the Campbell Road,
 at the foot of Naval Hospital Burying Ground.

Illustrations, Halifax

15th September 1843.

Sir,

With reference to your letter of the 4th July last in which you
 call to my notice the projection of the Walls of the Admiralty
 field, which remain as an obstruction to the completion of
 the works for the improvement of the entrance to the Campbell
 road. I find that the projection in question is part of the
 Burial Ground attached to the Naval Hospital, and I have
 desired the Officer in charge of those Premises to allow the
 obstruction in question to be removed.

I am, Sir,

Your very Obedient Servant

(signed) Chas. Adam

Vice Admiral and

Commander in Chief.

James Freeman Esq.
 Chairman of the
 Commissioners of Streets.

Read also Statement from Overseer of Roads, as to extent of work.

Halifax 23rd Sept. 1843.

Sir, Agreeable to your order I have measured the bank opposite the
 Hospital Gate and finds it to be as follows, - 27^{ft} feet long 15 feet
 wide, and averaging about 3 feet 9 in deep which will be about
 538 cubic yds.

Your obt. Servants

James Freeman Esq. (S^r) Jacob Purrie.

When the following Resolutions are introduced:-

Resolved, That Alderman Starr at his own expense be permitted
 to remove as much as he pleases of the obstruction near Campbell
 Road relinquished by Admiral Sir Charles Adam, which on being
 put is passed.

Resolved, That the Commissioners of Streets advertise for Tenders for
 removing the remainder of the obstruction to the entrance of the

Campbell Road, being part of the Burial Ground attached to the Naval Hospital, Vice Admiral Sir Charles Adam having consented to its removal, and report thereon to the City Council.

which on being put is passed.

Read the following Letter from the Attorney and Solicitor General, relative to injuries likely to arise to Dock Yard wall.

Halifax 25th September 1843

for

We have been requested by desire of the Vice Admiral Sir Charles Adam to state to you that as he is advised the proposed precautions mentioned in your letter to us of the 8th ult. may not be sufficient to prevent the damage likely to result from the additional pressure brought upon the Walls of the Naval premises by the quantity of materials used to raise the road he deems it requisite that you should receive notice that recourse will be had upon those who authorised the alterations in question if any damage should accrue to the property of the Crown. Sir Charles Adam is however very desirous it should be understood that while he is anxious to prevent any deterioration of the property of Her Majesty in the Naval Department he should be sorry to stand in the way of the manifest improvements which are making to the road in question.

We have the honor to be

Yours

Your most obed^t servants

(signed) J. W. Johnston

(signed) Robert B. Uniacke

Sol. Genl.

His Worship
The Mayor

Read following Report from the Commissioners of Streets:

"The Commissioners of Streets Report, That agreeably to the instructions received from the Council by Resolution of the 11th of the month of May last the Commissioner of Ward No 6 has now completed that part of the improvements near the Wall of N. M. Naval Yard, referred to in their former report. The surface of the street has been raised, the necks of the drains enlarged and raised to meet the level, and a surface drain has been made to prevent the water running against the Wall. The Commissioners entertain the opinion that the Wall of N. M. Naval Yard is less liable to injury now than previous to the improvements, as for many years the space which has been raised was the subject of frequent complaints from the Officers in charge of N. M. Naval Hospital. The road being so far below the level of North Street and the surrounding country being much elevated, a reservoir of water was formed extending from North Street toward the Gates of N. M. Naval Hospital, which

Sometimes in the Winter Season became impassable except by walking on the top of the Wall on the Western side of the Street. This accumulation of Water finding its way through the foundation rendered it extremely injurious to the Wall inconvenient to those residing in the Hospital and to the inhabitants beyond it. To remedy these evils the present improvements were commenced. The Commissioners have received the accompanying Letter from the Commanding Officer of the Naval Station, Sir Charles Adam which they beg leave to lay before you for your consideration, requesting you will give the Commissioners further instructions for their guidance, whether you will authorize an additional expenditure, and what alteration or improvements you require to be done previous to the closing of the Season.

All which they respectfully submit.

Halifax 23rd Seph 1843.

Read the following Letter of 9th August addressed by His Worship the Mayor to His Honor the Recorder, on Subject of duties of Committees.

Mayor's Office 9th August 1843

Dear Sir,

Doubts having arisen as to the powers possessed by the various Committees appointed by and out of the City Council, viz: Commissioners of Street, Common, Sewerages and Town Property, as to whether they can act independently, or to what extent?

Would you favor me with your opinion on this matter if possible on Monday anytime before 2 P.M. as the City Council then meet.

Yours very Obedt Servt

His Honor

The Recorder:

(Signed)

Thos Williamson

Mayor:

Read following Letter in reply from His Honor the Recorder:-

Dear Sir In answer to your questions relative to the powers possessed by the various Committees appointed by and out of the City Council, I am of opinion that all their authority is derived from, and may be prescribed by that Body. All the powers formerly vested in and exercised by various Commissioners and Trustees are now transferred to the City Council, and the business which its committees respectively transact, is subjected to the approval and control of the said Council. There is however an apparent intention in the general scope of the Statute to give more extended powers to the Street Commissioners than to other Committees; and the Spirit of the Act seems to contemplate more independence to a Body whose authority comprises duties and

Liabilities to the Public generally as well as to the City Authorities.
I am, Dear Sir

To His Worship
The Mayor
to to to

Yours obt^d Serv^t
(S^r) W. P. Lawrence
Recorder.

Read the following Letter from Hon. W. Bell Chairman of Cemetery
Committee, addressed to His Honor the Recorder relative to fees arising from
Catholic Cemeteries:-

Halifax 13th September 1843.

Sir, The period being near when the provisions of the Cemetery Act
will go into operation, and therefore that the Commissioners should understand
clearly what the law requires, I beg leave in behalf of the Commissioners
to ask your opinion respecting the 6th and 8th Sections of the Act. The design
of the Legislature seems to have been to establish a Public Record to which
in all cases access may be had for proof of claims to Estates or otherwise.
The Query is, as the Catholics have a separate Ground, under their control
and supported by themselves as to fencing and ornamenting, are they
or are they not subject to the provisions of the Act respecting the keeper
or Registrar, and are they or are they not liable to the fee appropriated
in the law for that purpose. You will perceive that these are questions
that should be fully understood and defined, so as to prevent any
difficulty or any unpleasant collision of feeling with our
Catholic fellow citizens. You will therefore oblige me by giving
you careful consideration to the subject.

His Honor
The Recorder.

I am, Sir, Yours &c
(S^r) W. Bell
Chairman.

Read following answer from His Honor the Recorder, addressed to Hon
W. Bell:-

Recorder's Office, 21st Sept. 1843.

Sir,
In relation to the questions you submit for my opinion on
the Act concerning Cemeteries, my reply is, that, Originally
there was but one cemetery contemplated for Halifax, and it was
intended that there should be a general Registry kept under
both of the names, ages, and causes of death of the persons interred.
Now although the Catholics have a separate burying ground which
they are to fence and ornament at their own expense, their Cemetery
is nevertheless to be under the same general supervision to which
the Cemetery intended for other denominations is subject, and to such

Rules and Regulations as the City Council may from time to time make concerning the same, so long as they shall not interfere with any Religious Rites or the burial of the Dead.

There is nothing in the law that exempts the Catholics from the liabilities that attach to other Religious denominations, and of course the intention of the Legislature as respects such Public Record applies as much to them as to the rest of their fellow Citizens. If it did not they would be improperly excluded from a very great benefit that must result from such Record, in respect to legality of descent and title to property.

In witness whereof
I the Honorable
Hugh Bell
Chairman of said Committee
Yours truly
W D Conway
Recorder

The following Rules and Regulations relative to the Sale of the new Protestant Cemetery are submitted by the Hon. H. Bell the Chairman, to the Council, which being read are passed.

The price of a lot of nine feet square is forty Shillings, and at the same rate for any number of lots. The purchaser to have his name and number recorded within twenty days from the date of his purchase.

The lots in each division will be offered at Auction at the above upset price. Any lots remaining unsold may be selected at the upset price, and registered in the name of the person first making the selection.

Any Proprietor may exchange his lot and select from those unappropriated on payment of 1 Shilling for such privilege
Conditions, Limitations &c. -

1. The proprietor of the lot shall have a right to enclose the same with a Wall or fence within the boundaries of his own lot.
2. The said lot shall not be used for any other purpose than as a place of burial for the Dead.
3. The proprietor of the lot shall have the right to erect monuments, or Sepulchral Structures, and to cultivate trees, Shrubs and plants in the same.
4. The proprietor of the said lot shall erect, at his or her own expense suitable landmarks of Stone or iron, at the corners thereof, and shall also cause the number thereof to be legibly and permanently marked on the premises, and if the proprietor shall omit for days after notice to erect such landmarks, and mark the number, the Commissioners shall have authority to

Cause the same to be done at the expense of said proprietor.

- 3^d. If the land marks and boundaries of the said lot shall be effaced so that the said lot cannot with reasonable diligence be found and identified, the said Commissioners shall set off to the said grantee, his or her heirs or assigns, a lot in lieu thereof in such part of the Cemetery as they see fit, and the lot hereby granted shall in such case revert to the Corporation.
- 4th. If any trees or shrubs, situated in said lot shall by means of their roots, branches or otherwise, become detrimental to the adjacent lots or avenues, or dangerous or inconvenient to passengers, it shall be the duty of the Commissioners for the time being, and they shall have the right to enter into the said lot and remove the same, as such parts thereof as are thus detrimental dangerous or inconvenient.
- 5th. If any monument or effigy, or any structure whatever, or any inscription be placed in or upon the said lot, which shall be determined by the major part of the Commissioners for the time being, to be offensive or improper, the said Commissioners, or the major part of them, shall have the right, and it shall be their duty, to enter upon said lot and remove the said offensive or improper object or objects.
- 6th. No fence shall at any time be placed or erected in or around any lot, the materials or design of which shall not have been approved by the Commissioners or a Committee of them.
- 7th. The lot or lots shall be holden subject to the provisions contained in the Act for the Regulation of Cemeteries.
- 10th. No proprietor shall transfer or sell any lot without the consent of the Committee of Cemeteries.

The following Resolutions are next introduced.

Resolved, That the Commissioner of Ward No 6 be authorised to have the Rock on the Campbell road on the line of the intended wall to be removed, when the City Council will provide for the payment thereof.
Which on being put is passed.

Whereas the necessity of procuring a New Engine in the place of No 3 disposed of, is of great importance, Resolved, That the Surveyors be requested to ascertain the description of such an Engine, as may be most serviceable and report on the same to the City Council as early as possible.
Which on being put is passed.

The Council then adjourned.

Thos Williams
Mayor

Halifax October 3 1843

At a meeting of the City Council held this day, Present, His Worship the Mayor; Aldermen Keith, McKinlay and Starr. Messrs. Judson, Fairbanks, Caldwell, Donald McBell, Keenan and Hunter.

The City Council were summoned to receive the returns for the Elections of the different Wards, to Elect a Mayor for ensuing Year, also two Aldermen of the said City.

The returns of the Election of City Councillors and assessors for the ensuing Year held on Monday last agreeably to a Proclamation of His Worship the Mayor for Wards No 1, 2, 3, 4, 5 and 6 having been read

and the following Gentlemen having been returned:-

- Edward Allison and Henry Poyer Esquires for Ward No 1
- William Hoy Junr Esquire " " 2
- Archibald Sinclair and Benj: C. Black Esquires " " 3
- Joseph Jennings and Charles D. Hunter " " 4
- John Rhind Esquire " " 5
- and David Rugg Esquire " " 6.

and those Gentlemen being in attendance and having taken and subscribed the Oaths of Allegiance and the Oath of Office prescribed by Law take their seats accordingly

There being two Gentlemen returned as Common Councilmen for Wards No 1, 3, 4 and 5, the City Council decide that these Gentlemen's names should be respectively ballotted for by the Mayor and the name first drawn should be considered as standing as first for each of these Wards on the list of Common Councilmen to go out of Office agreeably to the Act, which course being adopted, they stood as follows

- Ward No 1 } Mr Allison
- } Mr Poyer
- Ward No 3 } Mr Sinclair
- } Mr Black
- Ward No 4 } Mr Jennings
- } Mr Hunter

when these Gentlemen sign the Roll accordingly.

The City Council next proceed to Elect an Alderman for Wards No 1, 4 and 5 when it is agreed that the Ballot should be taken for Wards separately, when the Ballot is taken for Alderman for Ward No one when there appeared for Mr Allison, 17- for Mr Poyer 1

Mr Allison is therefore unanimously elected Alderman for Ward No one.

The Ballot is next taken for Alderman for Ward No Three when there appeared for Mr Caldwell, 16- one Blank, Mr Caldwell is therefore unanimously elected Alderman for Ward No 3.

The Ballot is then proceeded with for an Alderman for Ward No Four,