

Resolved, That His Honor the Recorder be requested to furnish the Council at its next Meeting with a Statement of the cases now pending before Her Majesty's Supreme Court for unpaid Taxes - the situation of said Causes - the amount of Costs already incurred - and such other information as may put the Council in possession how they stand with said Causes.

✓

which on being put is passed

Thomas Keating having submitted a Draft of the Lease of his property intended for a Weighing Machine & Hay Market.

The following Resolution is introduced:

Resolved, That the Lease now submitted by Mr. Keating be referred to His Honor the Recorder for his opinion whether the same is legally drawn - is in accordance with the Tender of Mr. Keating and the Resolution of the Council on the subject - that any alterations deemed necessary be submitted to Mr. Keating and upon the Draft being agreed upon by both parties the same be submitted to the Council

which on being put is passed.

The following Resolution is next introduced:

Resolved, That the application of Colonel Calder relative to payment of one shilling per year for the use of each of the lights looking into the Yard of the Queen's Wharf from the Fish Market be complied with

which on being put is passed.

The following Resolution is next introduced:

Resolved, That from circumstances brought to the notice of the Council of the improper manner Joseph Hamilton one of the Sealers of Leather conducts the duties of said Office that he forthwith be discharged from the same.

which on being put is passed.

The City Council next proceed to appoint a Surgeon in the place of Dr. Stirling deceased, when the following Resolution is introduced:

Resolved, That Dr. James C. Hume be appointed Surgeon to the Bridewell Establishment in place of Dr. Stirling deceased.

which on being put is passed.

The following Resolutions are next introduced:

Resolved That Messrs Sinclair, Caldwell, Mignowitz, Cleary, Richardson, Creamer, & Billing be a Committee for Building and completing the Tanks.

which on being put is passed.

Resolved, That Robert Richardson Esquire, Fireward in charge of Pumps and Wells for Ward No 2 be requested, with Col. Calder

(who)

March 24<sup>th</sup>

who has kindly tendered his services to make a reservoir in rear  
of the well opposite Mr. Alderman Fairbanks' premises  
which on being put is passed.  
The Council then adjourned

Halifax April 1<sup>st</sup> 1845

William Russell and Thomas McMurray sworn  
into office as Searchers and Sealers of Leather agreeably  
to Law, in presence of His Worship the Mayor.

Halifax April 21<sup>st</sup> 1846

James Pollock having taken the oath required by  
Law is this day sworn into office as Superintendent of  
Streets for the City in presence of Alderman Pynn.

Halifax April 27th 1846

At a Meeting of the City Council held this day Present His Worship the Mayor & Aldermen Pryor, Caldwell, Jennings, Hemmerson, Fairbanks & Whiting. Messrs

Read over proceedings of 24th March

The City Council were summoned to take into consideration the claims of Halifax Fire Insurance Company and the Hon W. H. Cogswell for repayment of Taxes for 1842 with Costs - a Resolution of Commissioners of Streets for Thirty pounds towards finishing a Sewer North Side of Cornwallis Street - the payment of several accounts and the transaction of other business

Read the following Resolution of Commissioners of Streets for £30 towards Drain north side of Cornwallis Street:

Extract from the Minutes of the Commissioners of Streets  
Halifax 11th April 1846

Resolved, That it be recommended to the Council to grant Thirty pounds to the Commissioner of Ward Number 5. in aid of excavating and finishing a Sewer on the North Side of Cornwallis Street from Brunswick Street to Gottingen Street, no part of said money to be drawn until the work is completed to the satisfaction of Commissioners of Streets and certified to that effect by them.

A true Copy.

When the following Resolution is introduced:

Resolved, That the Council will pay to Alderman Hemmerson Commissioner of Streets for Ward No 5 the third of the amount of the Contract to be entered into by him for the completion of the Drain from Brunswick to Gottingen Street on Cornwallis Street, agreeably to the Specification given by Mr. Currie which on being put is passed.

The City Council next proceeds to take into consideration the subject of claim made by Halifax Fire Insurance Company and Hon. W. H. Cogswell for repayment of Assessments for 1842 with Costs when

The following Opinion of His Honor the Recorder is read:

27th March 1846

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In reference to the Resolution of the City Council of the 24th inst. now submitted to me, requesting a statement of the Causes in the Supreme Court for unpaid Taxes, their situation, the amount of Costs and such other information as may put the Council in possession of their present position with regard to these Causes, I have to answer that there are six suits now pending namely - Two with the Halifax

(Fire)

— April 27<sup>th</sup> —

Fire Insurance Company, one of which was decided last Michaelmas Term and a Discharge granted against the City this present Easter Term. The amount of the sum thereunder to be refunded by the City, to the Insurance Company, and the Costs as taxed, amounting in all to £38-15-2 are now before the Council. The other cause stands upon the Docket, and may be brought to trial next Michaelmas term, the probable Costs of this cause for they as yet undefined may be about £25. Two suits against the Union Marine Insurance Company which may also be brought to trial next Michaelmas, the probable Costs of both causes, to this time, I should say about £15 £16 or £17. One with the Honorable Mr. Cogswell, decided this Term against the City by setting aside the whole rate so far as he is concerned the amount he therefore demands is £26-17-6 and the Costs £20 in all £46-17-6. And one against the Honorable Mr. Collins in which the same questions are involved. The sum he seeks to have returned is I believe the whole he paid for ability, and the Costs, which I suppose will also amount to about £20.

This it will be seen that should all the Causes be decided against the City £ will have to be refunded or allowed in future Assessments and to the Costs I should say not short of £100 paid making together about £

The Council are aware that I have always been against litigating any of these suits, and as some of them have now been decided, and no certainty that the others may not terminate like them. I would again suggest, that the Council might authorize me to make such Compromises as best I may, with a view of doing the best we can for the City to bring them to a close even if the whole should have to be settled against the City.

I have the honor to be

To His Worship

The Mayor.

Your obt<sup>d</sup> S<sup>t</sup>

(signed)

W. D. Sawers

Recorder.

When the following Resolution is introduced:

Resolved, That the Bill submitted in the Honor Mr. Cogswell's suit be taxed, and that all other suits pending relative to Assessments be left with The Recorder to stop proceedings and make the most advantageous settlements that may be in his power.

which on being put is passed.

Read the following Extract from the Minutes of the Commissioners of Streets relative to Tenders:

(Extract)

Extract from the Minutes of the Commissioners of Streets

Halifax April 11<sup>th</sup> 1846

The Tenders for cleaning the Streets of the City for one year from the 10<sup>th</sup> April instant, were opened and are as follows:

Ward No 1	William Bates	£17.5.0
No 2	Edward Harey	21.0.0
	William Nevills	22.0.0
No 3	Michael Devaney	27.0.0
No 4	J. Kline	28.0.0
	John Murphy	20.0.0
No 5	John Bayers	16.10.0
No 6	Wm Kline	12.0.0
	Thomas Bayers	7.10.0

when it is

Resolved, That the lowest Tenders be accepted, the parties giving ample Security.

A true Copy

when the following Resolution is introduced

Resolved, That the Tenders of William Bates for Ward No 1, Edward Harey for Ward No 2, Patrick Devaney for Ward No 3, John Murphy for Ward No 4, John Bayers for Ward No 5, and Thomas Bayers for Ward No 6, for the cleaning of the Streets for one year from the 10<sup>th</sup> April instant, be accepted, they giving security for the diligent and faithful performance of said duty.

which on being put is passed.

The following Accounts are ordered to be paid by Checks on City Treasurer:

James Ham	5	Alex: Oysten	1	7	6
M Fitzpatrick	7	James F. Avery	1	10	
Dennis Murphy	1	Gas Company	3	1	10
William McDonald	16	Ditto	1	9	5

The following Resolution is next introduced.

Resolved, That a Committee be appointed for the purpose of making enquiries respecting the replacing the loss and injury done to Soldiers Clothing at Fries

which on being put is not passed.

His Worship the Mayor informs the Council that Mr. Steele who was present wished to make some proposition relative to the Broken Stone at the Three Mile House, when a Motion is made that Mr. Steele be heard relative to the same, to which motion the following Resolution is introduced:-

Resolved

— April 2<sup>d</sup> —

Resolved, That Mr. Steele's Proposal respecting the broken Stone be submitted to the Commissioners of Streets which on being put is passed, - the original Motion is therefore lost.

The following Resolution is next introduced:

Resolved, That His Worship the Mayor be requested to draw a check on the City Treasurer for the sum of Fifty pounds being the amount of Reward offered for the apprehension of John Donohoe and paid over to those parties who apprehended him.

which on being put is passed.

The City Council next proceed to appoint Weighers of Hay for the ensuing Year

George L. Johnson and Thomas Keating are appointed to that Office and directed to be sworn.

The following Report of His Worship the Mayor and Alderman Hemmeon relative to Complaint against Patrick Connors is read:

28<sup>th</sup> March 1846

The Mayor and Alderman Hemmeon according to a Resolution of the City Council, notified Patrick Connors, and Graham to appear before them respecting the Apperment of said P. Connors, on enquiry it was found that no blame could be attached to Connors, as it appeared the only notice which he received has promptly paid and that the other notice had never been presented to him at any time or place by Graham and it appears that the amount which Connors paid as specified in his notice ought to have been paid not by him but by one Dunn occupying a House in Albemarle Street and likewise a yearly tenant, and it further appears that the whole blame rests with Graham who serves the notice, and Connors most positively denies ever having influenced any person to take advantage of withholding their taxes from being notified under a wrong name.

(Sgd) A. MacKilay

A. Hemmeon "

When on Motion the same is received and adopted.

The following Extract relative to the title of Mrs. Peebles Property in Upper Water Street as prepared by His Honor the Recorder, is read:

"1749 Lot No. 10 Rods by 70, containing 20 acres of Land beyond the Sweep Settlement assigned to John Gorham Esq.

28<sup>th</sup> June 1760. Joseph Gorham as Administrator of John Gorham

(Sgd)

Esquire deceased sold to Joseph Fairbanks 3/4 15 acres of the above. The remaining 5 acres to Admiral Boscawen.

2<sup>d</sup> June 1786. So<sup>r</sup>. Fairbanks to George Khan the remaining portion of Lot No 1, without describing either the Quantity of land or metes or bounds. Khan sold a portion to different Persons and the residue to his sons.

13<sup>th</sup> Oct 1844- The Honorable Breton Halliburton as Master in Chancery sold to Jacob Shaffrath the Mortgage, all that certain Lot piece or parcel of land situate in the Township of Halifax, being part of the 20 acre lot No 1 beyond the Swiss Settlement fronting on the street leading to the Naval Hospital beginning at the North East angle of a part of said lot conveyed by George Khan and Elizabeth Khan to Frederick Khan and thence to run Northwesterly to the wall belonging to the said Naval Hospital, and measuring on the front 70 1/2 feet thence to run westerly 40 rods to the back wall thence along said wall southerly 77 1/2 feet to the north line of the said Fred. Khans land thence along the said line easterly 40 rods to the place of beginning.

Mr. Peoples is in possession of the above as one of the heirs of Jacob Shaffrath.

24<sup>th</sup> April 1846

per

I have at great trouble and some expence obtained the foregoing Abstract of the Title of the land now in the possession of Mr. Peoples referred to in the Resolution of the City Council of 24<sup>th</sup> Uctimo - And in answer to the question therein contained beg to state that whenever a new road or highway within any Town, Township or place or from town to town, or place to place in any County or District in this Province or an alteration of an old one is wanted, the same may be obtained agreeably to the Provisions of certain acts of the Province relating to Highways Roads and Bridges, but this must of course be understood to be where the property through which the new Road is to run, or the alteration be made is admitted to be private Property not claimed by the Public.

I have the honor to be &c  
(sgn) W. D. Sawers  
Recorder

To His Worship  
The Mayor.

When the following Resolution is introduced:

Resolved, That the documents as submitted by the Recorder respecting Mr. Peoples property lie on the table, and that the Members of the City Council as a Body visit the property in question. which on being fit is passed.

(Albeman)

— April 27<sup>th</sup> —

Alderman Winters submits to the Council the following Notice received from Inglis Halliburton relative to an action to be brought against him by Thomas Monaghan for false imprisonment &c when the following Resolution is introduced:

Resolved, That the Notice of Action served upon Mr. Alderman Winters by Inglis Halliburton Esqr. be submitted to His Honor the Recorder with the different papers relating to the same for his opinion.

which on being put is passed.

Petition of Thomas Smith for the situation of Sealer of Leather is read, which on motion stands over for next Meeting.

Petition of Joseph Findlay one of the Measurers of Wood residing at Dartmouth, is read

which on motion stands over.

The following Resolution is next introduced:

Resolved, That the attention of Commissioners of Streets be called to the State of Queen Street leading to Fort Maffey and that they be requested to report to the Council at their next Meeting the manner in which they intend to have the same completed and by what means.

which on being put is passed.

The Council then adjourned.

May 1<sup>st</sup> 1846

James Thomson and Edward Billing appointed by His Worship the Mayor agreeably to Act of Incorporation, to Act with the City Auditors in examining the Accounts of City Treasurers.

May 6<sup>th</sup> 1846

George L. Johnson and Thomas Keating having taken the Oath prescribed by Law are this day sworn into Office as Surveyors and Weighers of Hay for the City of Halifax.



Halifax May 8<sup>th</sup> 1846

At a Special Meeting of the City Council held this day Present His Worship the Mayor, Alderman Caldwell, Jennings, Newman, Fairbanks, Minter, Messrs Henry Thomson, Richardson, Black, Sinclair, Mignault, Hunter, Creamer, Clarke, Billing and Rugg.

The City Council were Summoned to take into consideration the Report of the Committee relative to Tanks, - the Petition of Barbara Thomson for remuneration for injury done her property at the fire on Sunday the 26<sup>th</sup> ultimo - the payment of several accounts, and the transaction of other business.

Read over proceedings of 27<sup>th</sup> April

The following Report of Committee on the Subject of Tanks is read.

Halifax May 2<sup>d</sup> 1846

The Committee on Tanks met this day, Present, Alderman Caldwell, Messrs Richardson, Henry Billing, Sinclair, Mignault, & Creamer.

The Tenders for excavating and Building three Tanks agreeable to Specifications were opened and are as follows:

Tenders for Excavating

	Ward No 3	Ward No 4	Ward No 5
John Tobin	45 9 7 <sup>1</sup> / <sub>2</sub>		
Patrick McGrath	29 17 6	38 12 6	
Patrick Power	39 19		
John for Tools & the Reumhan	39	41	40
Dennis Sweeney	20	29 10	34 10
Alex Ogden	40 10		54
Thomas Heuna	37 11 0	51 6 0	51 6 0
Tenders for Carpenter Work			
Matthew Lound	42	42	42
George Patterson	52 10	52 10	52 10
Thomas McKie	47	47	47

"The Committee on opening the Tenders finding that the Tenders of Dennis Sweeney and Matthew Lound for their respective Departments of the Work were the lowest, recommend that their Tenders be adopted.

The Committee then adjourned until Tuesday at ten O'clock, then to meet for the purpose of examining the Sites.

"The Adjourned Meeting of the Committee took place on Tuesday the 5<sup>th</sup> Instant, and proceeded to examine the Sites formerly agreed upon, and respectfully recommend that the Site in Ward No 3 as formerly agreed upon be adopted.

But that the Sites in Wards No 4 and No 5, be at the corners of Buckingham and Argyle Streets in No 4 Ward, and in No 5 Ward.

May 8<sup>th</sup>

Ward at the corner of Jacob Street and Harris Lane upon receiving the Tenders the Committee find that the expense of completing the three Tanks will considerably exceed the amount assessed for that service this year, yet considering the very great importance of those Reservoirs for the protection of the City. The Committee would recommend such measures may be adopted as will enable the Committee to complete three Tanks at the sites agreed upon with the least possible delay.

(Signed) A. Sinclair Chairman

Oden Billing

William Caldwell

Henry Mignowitz

Robert Richardson

Chas McLeary

Daniel Creana

Malifax A. S.

May 5<sup>th</sup> 1846

When the following Resolution is introduced:

Resolved, That the report just read be received adopted and acted upon, that the Committee of Tanks be requested to have said Tanks completed, and that the Council will provide for the amount requisite, the Committee be also authorized in case they find it advisable to adopt sites more suitable than those named in the Report

which on being put is passed.

The following Resolution is next introduced:

Resolved, That the Repairs of the Pound be referred to the Commissioners of Public Property in order that they may put such repairs as may be deemed necessary.

which on being put is passed.

The Petition of Thomas Smith for the Situation of Sealer of Leather is next taken up, and those Situations being filled up there is no vacancy

The Petition of Joseph Findlay, Measurer of Coal residing at Dartmouth is next considered, to which the following Resolution is introduced:

Resolved, That the prayer of Mr. Findlay's Petition cannot be complied with

to which the following amendment is introduced:

Resolved, That the Resolution of Council of 23 December last respecting the Measurers now residing in Dartmouth be suspended for the present year

which amendment being put is passed, the original Resolution is therefore lost.

(Read)

Read the following Letter from Peanish Murdock Esquire:

Halifax 4<sup>th</sup> May 1846

"To His Worship the Mayor and the Aldermen and Councillors of the City of Halifax

Gentlemen, Understanding it is intended to put a wall across the Market Slip Dock which would interfere with the vessels now resorting to the North side of the Market Wharf; I beg permission on behalf of myself and my co-proprietors in the latter property, to state that we cannot submit to this being done.

The property in question, we and those under whom we derive our title, have held since 1751, in which year our first License from the Crown is dated, and this Wharf has ever since had the undoubted privilege of the waters all round it; the parties resorting thereto paying wharfage and dockages to the Proprietors or their Agents, and to none else.

In 1841 the first year of the City Charter an Ordinance passed to Collect Wharfage for the use of the City from "all vessels or Boats lying at the Market Slip or in the waters to the Northward of the Market Wharf." This Ordinance was disallowed on the 26<sup>th</sup> October 1841 by His Excellency Lord Falkland in Council; but yet an attempt was made to enforce it on the grounds of the disallowance being too late. I applied to the Supreme Court, and after argument obtained in December 1841, a Rule absolute in my favor for a certiorari: when this affair terminated.

The grant of the Market Slip in 1794 under which alone the City can claim title in that direction, is, in several points vague and indefinite, gives no courses or measurements and the bounds are not clearly defined; but if it were ever so extensive it could not take away rights vested in previous possession for a long period of time.

Our title is forty years previous to any grant of the Market Slip, and our constant occupation and exclusive possession of these waters, and deriving the emoluments from them is now of 95 years standing unquestioned and undisturbed (as regards at least to the extent of two tiers of vessels on the North side of the Wharf) until the attempt above referred to made in 1841 to seize the wharfage and Dockages.

As it can hardly be imagined we should have been allowed to receive the wharfages &c. for near a Century without just right, I should look upon any such interference with these waters as a trespass, not in any way to be justified. I therefore trust this remonstrance will prevent any hasty Act that would bring a litigation.

I remain most respectfully your obedient servant  
for myself and the other proprietors of the Market Wharf.  
(signed) Peanish Murdock

— May 8<sup>th</sup> —

When the following Resolution is introduced:

Resolved, That the Letter of Peamish Murdoch Esquire respecting the retaining Wall about to be built to the North of the Market Wharf be referred to His Honor the Recorder for his opinion on the same.

Read the following Letter from John Munro:

Hatfield N. S. May 8<sup>th</sup> 1846

"Sir,

I shall feel much obliged by your bringing under the notice of the City Council the following facts with respect to the situation in which I stand with regard to the premises now occupied by me in the Exchange Building and which I have already verbally communicated to your Worship. They are briefly these: previously to the last letting an application was made to me to know whether if I hired them again I would let a Room or two for a Billiard Room. I immediately asked at the City Clerks Office for information on the subject and was informed no part of the premises could be let for that purpose it being contrary to Law. At the letting however a person bid them up upon me to the extravagant sum of £90 per annum for the purpose as I have since ascertained, of appropriating them to that use. I therefore consider it a case of extreme hardship and I trust your Worship and the Members of the City Council will take the case into your favorable consideration, and make such reduction as you may consider reasonable and just.

The highest rent I believe at which the premises I occupy have ever been rented in the best of times has been £65. This sum, or even a few pounds more should you so decide, I would be willing to pay rather than be put to the inconvenience and expense of removing after so short an occupancy.

I am, Sir, yours respectfully  
 To His Worship the Mayor. (signed) J. Munro.

When the following Resolution is introduced:

Resolved, That the premises now occupied by Mr. Munro be the annual Rent of Seventy five pounds which on being put is passed, and the names being called for they stood thus:

For the Resolution. Messrs. Hemmison, Richardson, Rugg, Thomson, Hunter, Mignard,  
 Jennings, Clarke, Cleary, Sinclair, and Black 11.

Against it. Messrs. Creamer, Billing and Winters. 3.

The following Resolution is next introduced:

(Whereas)

Whereas the City Council have by a Resolution of \_\_\_\_\_ at the time of selling the property opposite the Ordnance undertaken that the Weighing Machine near the same should be removed within a given time, and whereas the Council have made an agreement for a Public Hay Market and Weighing Machine and parties appointed and sworn into office to perform said duty, and whereas it has become necessary that said Weighing Machine should be removed

Be it therefore Resolved, That the Committee of City Property be requested on the completion of the Lease to cause the Weigh Scales opposite the property purchased by John Duffin Esq. to be immediately removed and that notice thereof be given through the papers and by Handbills that the Weigh Scales have been removed and all persons required to take their loads to the Weighing Machine.

which on being put is passed.

Read the following Petition of Barbara Thomson for injury done her property by the Fire on 26<sup>th</sup> Inst. as also Certificate of Four Fire Wardens:

To His Worship the Mayor the Aldermen Common Council of the City of Halifax.

The Petition of Barbara Thomson

Respectfully Sheweth

That at the late Fire on the 26<sup>th</sup> Inst. a House belonging to her was by the direction of the Fire Wards, torn and cut down for the purpose of preventing the flames extending to the adjacent Buildings. As the Law has provided that in such case the loss that is sustained by any individual for the protection of others shall be refunded by the Community for whose safety the property was destroyed. Your Petitioner humbly prays that the necessary process for that purpose may be instituted as speedily as convenient as your Petitioner in consequence of the rents of said premises having ceased is subjected to great loss and inconvenience

And your Petitioner as in duty bound will ever pray  
Halifax 28<sup>th</sup> April 1846. (Signed) Barbara Thomson

" We hereby Certify that the Statements in the foregoing petition are correct, and that the said property was cut down by our direction for the purpose of preventing the spread of the Fire, and for the safety of the adjacent Buildings

(Signed) Robert Richardson }  
" Robert Romans } Fire Wards  
" J. J. Sawyer }  
" Jos Lee }

(We)

— May 8<sup>th</sup> —

We the Subscribers, four of the Fire Wardens of the City do hereby Certify that we gave directions in our Capacity for the pulling down of the Property belonging to Petitioner at the Fire on the 26<sup>th</sup> ultimo, and that any injury done the same was done by our orders that said Building was not at Fire at the time said orders was given for pulling down the same or did the same take fire during the time of carrying such orders into execution.

Given under our hands this 30<sup>th</sup> April 1846.

(sgd) Robert Richardson

Robert Roman

J. J. Sawyer

So<sup>l</sup> Sec.

When the following Resolution is introduced:

Resolved, That Messrs Patrick Mahony, James Findlay and Robert Malcom be appointed to appraise the damage of Mr Thompson's property at the Fire on the 26<sup>th</sup> of April last, and make return of their proceedings within ten days which on being put is passed.

The following Accounts are ordered to be paid by Checks on City Treasurer:

Gas Company	2. 11. 0
ditto	" 10. 10
Bruce McDonald	7. 10. 0
English & Mackadar	" 15. 0
Mich Beals & Co	" 12. 6
Jacob Currie	30. 0. 0

The Council then adjourned.

Halifax 13<sup>th</sup> May 1846

Patrick Mahony, William Finslay, and Robert Malcom  
sworn to appraise the damage done Mrs B. Thompson's property  
agreeably to Resolution of Council of 8<sup>th</sup> May.

City of Halifax

13<sup>th</sup> May 1846

Gentleman,

Robert Richardson, Robert Romans, J. J. Sawyer and  
Joshua Lee Esquires, four of the Firewards of the City, having duly  
certified that they gave directions for the pulling down of the property  
of Barbara Thomson situated on Lower Water Street, at the Fire  
on the 26<sup>th</sup> April last, and that the said House was not on fire when  
they gave said order, nor did the said Building take fire during the  
carrying of such orders into execution, and that said order was  
given by them to stop and prevent the further spreading of the Fire.

You are hereby required to procure and make a valuation  
of the damages sustained by said Barbara Thomson arising  
from such orders, and that you make returns of your proceedings  
upon oath to the City Council on or before the eighteenth day  
of May instant.

I am, Gentleman, Your Obed Servant

Messrs

Patrick Mahony  
William Finslay  
& Robert Malcom

James McHenry

Mayor

Halifax May 10<sup>th</sup> 1846

At a Special Meeting of the City Council held this day  
Present, His Worship the Mayor, Alderman Pryor, Caldwell,  
Sennings, Heumson, Fairbanks & Winters. Messrs Cleary,  
Thomson, Richardson, Sinclair, Mignoury, Hunter, Creamer,  
Clarke, and Rugg.

Read over proceedings of 8<sup>th</sup> May 1847.

The following Lease between Messrs Keating and  
Johnston and the City of Halifax for the Hay Market and  
Weighing Machine is read, when the following Resolution  
is introduced:

Resolved, That the Lease now submitted  
and duly executed be approved of  
which on being put is passed.

Read the following Letter from Mr. John W. Parfs  
respecting the Weigh Scales when following Resolution  
is introduced.

Resolved, That the letter of Mr. Parfs respecting  
the weigh Scales lie upon the Table  
which on being put is passed.

Halifax May 13. 1846

4 O' P.M.

To His Honor the Mayor &c

✓ Sir, Whereas Mr. Charles Cleary did  
this day enter the premises occupied by me and against  
express orders from my Clerk, took away a portion of a  
weighing Machine to my injury and loss. I hereby notify  
you that unless the article thus taken is replaced by ten  
of tomorrow morning I shall hold the City authorities  
liable for all damages that may accrue to me by detention  
of the same.

Your Obed. Serv<sup>t</sup>

(sgn<sup>d</sup>) J. W. Parfs.

The following Resolutions are next introduced:

Resolved, That the Commissioners of Public Property  
cause the weigh Scales to be removed to the Bidwell for  
the present, and that the same be examined by them as to  
their fitness

which on being put is passed.

Resolved, That the Commissioner of Ward No 4 be  
requested to fill up the vacancies which may arise by the  
removal of the weigh Scales and that the Council will  
provide funds for the payment of the same.

which on being put is passed



Read the following Letter from Charles Twining Esq. on behalf of Commissioners of Poor relative to Bridewell ground.

My Dear Sir,

At the recent monthly meeting of the Comrs of the Poor their attention was again called by the crowded state of the Asylum to the necessity of obtaining the Bridewell Buildings for the accommodation of the inmates of the Poor House. May I therefore request you to bring the matter again before the City Council. We consider that the title to the land in question is in the Commissioners - The Records of the Sessions show how it ever came under the control of the Sessions. But to obviate all difficulty on this point we have offered to pay a sum equal in value to the fee simple of the property in that situation. We shall feel obliged if you will obtain from the Council a final answer on the subject, in order that we may determine what course to adopt relative to the property.

I remain, Dear Sir,

(Signed) Charles Twining  
acting Comr for May

Halifax May 8<sup>th</sup> 1846.

When the following Resolution is introduced:

Whereas the City Council are not at present prepared to make any arrangements with the Commissioners of Poor for the Bridewell Ground in consequence of their not being a place to put the City Criminals in, but so soon as a proper place is provided the City Council will be happy to confer with the Commissioners of Poor, and in the mean time a Committee be appointed to hold communications on the subject with Commissioners of Poor, and report their proceedings to the Council

which on being put is passed.

Resolved, That His Worship the Mayor and the Aldermen be a Committee to carry out said Resolution

which on being put is passed.

Read following Report of Committee appointed to appraise the injury done Mr. W. Thomson's property at the fire on the 26<sup>th</sup> April last:

"We, the undersigned, having been appointed to value the damage done the House belonging to Barbara Thompson in Water Street on the 26<sup>th</sup> April last by order of the fire wards. After examining said property we consider the sum of Sixty six Pounds five Shillings a fair remuneration for the said damage.

Done at Halifax this 15<sup>th</sup> May

1846. Before me

(Signed) Andrew MacSkimlay  
Mayor

(Signed) Patrick Mahony

Robert Malcom

William Finlay

(When)

May 18<sup>th</sup>

When the following Resolution is introduced:

Resolved, That His Worship the Mayor, on the Assessment being returned, and the monies collected, and as the amount is too small to order an Assessment for, but not to be a precedent for future proceedings, be authorised to draw a Check on the City Treasurer for the sum of Sixty six pounds five Shillings, in favor of Mrs Thompson, being amount awarded her for injury done her property at the late fire on the 26<sup>th</sup> ultimo, and for the further sum of Three pounds ten Shillings, amount of expenses, said amounts to be taken from out of Contingent fund.

which on being put is passed.

Read Suggestions of Hon. H. H. Cogswell relative to Mutual Fire Insurance Company, when the following Resolutions are introduced:

Resolved, That the suggestions of the Hon. H. H. Cogswell relative to the establishing a Mutual Fire Insurance Company under the control and management of the Mayor and Corporation be taken up by a Committee to report to the City Council previous to the revival of the Corporation Act about to be submitted at next Meeting of the Legislature which on being put is passed.

Resolved, That the Mayor, Messrs Fairbanks, Pryor, Creamer & Billing be a Committee to carry out the same. which on being put is passed.

Resolved, That five hundred Copies of the suggestions respecting the Mutual Fire Insurance, be printed for general circulation.

which on being put is passed.

Read following Report of Committee relative to repairs to City Property:

Halifax May 11<sup>th</sup> 1846

The Committee of Public Property met this day for the purpose of opening Tenders for repairs to City property, buildings a wall across the Dock &c.

The following Tenders were received:

For Building a wall across Market Dock

Patrick Maher \$175-0-0

For repairs to Public Buildings (Carpenter's work)

William H. Wisdom \$50-12-6

George Patterson 57-10-0

The Mason work not being in accordance with the Specification, the Committee deem it necessary to

(submit)

Submit the above Tenders to the City Council at its next Meeting and will await their opinion as to the carrying the same into effect. When the following Resolution is introduced:

Resolved, That George Patterson's tender be accepted, and that the Committee of City Property have said work and repairs completed. The Council then adjourned.

Halifax June 23<sup>d</sup> 1846

At a Quarterly Meeting of the City Council held this day Present His Worship the Mayor, Aldermen Caldwell Jennings, Newman, Fairbanks, and Waiters. Messrs Anderson Cleary, Richardson, Thomson, Sinclair, Mignault, Hunter Clarke Creamer, Billing and Rugg.

Read over proceedings of 18<sup>th</sup> May

Mr. J. B. Uniacke's claim against the Cemetery fund is read; which on motion is submitted to the Cemetery Committee

Read Mr. Gray's letter addressed to Mr. Forman Cashier of the Bank on same subject, when the following Resolution is introduced:

Resolved, That the account of J. B. Uniacke Esq<sup>r</sup> be referred back to the Cemetery Committee for their approval.

which on being put is passed.

The following Report of the Cemetery Committee on subject of J. B. Uniacke Esq<sup>r</sup>'s demand is read:

The Cemetery Committee beg leave to Report to the Council that there is due to James B. Uniacke Esq<sup>r</sup> former Commissioner of Cemetery, the sum of One hundred and three pounds and sixpence per account herewith, and recommend to the Council to provide payment of same.

Halifax 23<sup>d</sup> June 1846

By order of the Committee

(Signed) Wm. B. Fairbanks

A. Newman

Chairman

J. Jennings

W. G. Anderson

David Rugg

James Thomson

When the following Resolutions are introduced:

Resolved, That the report just read be received adopted and acted upon

Resolved, That the Account as submitted by the Committee of Cemetery showing a Balance of One Hundred and three pounds and sixpence due James B. Uniacke Esq<sup>r</sup> as overpaid by him be refunded by a cheque drawn by the Mayor upon the City Treasurer from the Cemetery funds

which on being put are passed.

On taking into consideration the appointment of the time and of the Committee for hearing appeals relative to City and County

(Signed)

Assessments the following Resolutions are introduced:

Resolved, That a Committee of the City Council consisting of an Alderman and two Common Councilmen shall form a Court of Appeals, and that the said Committee for the Year 1846 meet at the Court House from Wednesday the 15<sup>th</sup> July to Saturday 25<sup>th</sup> July next from 12 to 2 O'clock each day, Sunday excepted.

Resolved, That the City Treasurer shall deliver a Notice stating the amount of any persons tax to him, her or them, or leave at his her or their place of abode, or place of business - Notifying that the City Council will meet at the City Court House from Wednesday the 15<sup>th</sup> to Saturday the 25<sup>th</sup> day of July to hear appeals from 12 O'clock to 2 O'clock each day, and requiring every person to pay the amount of his her or their Assessments to the Treasurer at his Office in the City of Halifax on or before 1<sup>st</sup> August, and if any person or persons shall refuse or neglect to pay the amount of his her or their Assessment at that time, the Treasurer shall issue his summons to such person or persons, requiring him her or them to pay the same with two pounds ten Shillings per Cent addition thereto on or before 1<sup>st</sup> day of September, and if the same shall not then be paid the Treasurer shall issue his Warrant of distress with five per Cent addition to the original Assessment and cause the same to be executed and in case no property can be found whereon to levy the same, the City Treasurer take such other means as the Law points out for enforcing the payment thereof which on being put is passed.

Messrs Sanders and Brown's Tender for Slating roof of Powder Magazine is laid before the Council, when on motion the same is referred back to the Committee to report upon and ascertain if zinc or Galvanised cannot be obtained, if it will answer, and the Costs.

Read the following Letter from Charles Twining Esquire relative to his claim to Upper Fish Market Property:

Halifax May 19<sup>th</sup> 1846.

Dear Sir,

I have been requested by William Gray Esq: late Her Majesty's Consul at Norfolk in the United States of America to investigate his claim and title to certain water lots in the North Suburbs of the City a part of which is in the occupation of the City and on which the Buildings called the Upper Fish Market now stands. It appears that the several lots including the property in question were granted to Joseph Gray Esq: the father of W. W. Gray in the year 1783 and was afterward conveyed to his son W. W. Gray who occupied and made improvements on a part of them.

(Dwight)

— June 23<sup>d</sup> —

During Mr. Gray's absence in the United States in the year 1815 the lot now held by the City was regranted to Trustees for public purposes without any breach or repeal of the previous Grant in 1783 the record of which was at that time mislaid in the Secretary's Office.

Mr. Gray is advised that the Grant of 1815 under which the City holds the property was and is void, the previous Grant in 1783 not having been repealed and being now on the spot he is desirous of taking some steps to vindicate his claim to the property in question.

Mr. Gray is however unwilling to enter into a litigation with the City which probably be both tedious and expensive and is willing to accept any reasonable compromise that the City authorities might be disposed to make, if upon investigation they should find his present claim to be well founded. The facts to which I have referred can all be easily and readily ascertained by the reference to the public Records. I shall feel obliged by your early consideration of this subject and an early answer.

I remain

To A. M. Hurlay Esq.

Mayor

Your Obedt Servt

(Signed) Charles Swining

When the following Resolution is introduced

Resolved, That the letter of C. Swining Esq. relative to alleged claims of Mr. Gray on the ground upon which the Upper Fish Market stands be referred to His Honor the Recorder for his opinion on the same.

which on being put is passed

The following Petition of James Foreman and others relative to a Road from the Water to the Power Road:

The following Extract from Minutes of Commissioners of Streets relative to said Petition is read:

"Halifax 13<sup>th</sup> June 1846

"Read a letter from James Foreman and Samuel Story Esq. praying the favorable recommendation of the Commissioners to the Council of the prayer of a Memorial signed by themselves and others for the laying off a new road between the lands of the late Gault Miller and lands now owned by John Kider extending from the Harbour of Halifax to the road leading to the town near the Power Gate as on reference to plans will appear.

On Motion it is Resolved, That the request of Messrs Foreman and Story be complied with."

When the following Resolution is introduced:

(Resolved)

Resolved, That the Petition of Mr. Foreman and others be complied with and that the Surveyor General be requested to lay off said line of Road - which on being put is passed.

The following Extract from Minutes of Commissioners of Streets relative to Drain in North Street and Pleasant Street is read:

Halifax 20 June 1846.

"On Motion it is Resolved, That this Board will recommend to the Council to grant to the Commissioner of Ward No 6 one third the amount of the Cost of making and covering a portion of the Drain in North Street opposite the residence of Mr. Sutherland - the same to be paid upon the Superintendants Certificate of the work having been faithfully performed.

"Resolved, That this Board will recommend to the Council to grant to the Commissioner of Ward No 1, one third the amount of Cost of constructing a Drain in Pleasant Street opposite the Lord Bishops property, to be paid upon the Superintendants Certificate being produced that the work has been faithfully performed.

When the following Resolutions are introduced:

Resolved, That the sum of Four pounds be granted to Commissioners of Streets of Ward No 6, towards completing the Drain opposite Mr. Sutherlands premises in North Street upon condition that a sufficient amount be obtained by the Commissioner of the Ward fully to complete and finish the same One Hundred and forty feet said work to be approved by Superintendant of Streets to be plankd on the bottom, to be built of Stone of sufficient height and breadth, and covered with flags of proper dimensions which on being put is passed.

Resolved, That a sum of one third not exceeding Ten Pounds be granted to the Commissioners of Streets of Ward No One, towards completing the Drain near the Lord Bishops in Pleasant Street, upon condition that a sufficient amount be obtained by the Commissioner of the Ward fully to complete and finish the same - said work to be approved by Superintendant of Streets, - to be plankd at the bottom, to be built of Stone of sufficient height and breadth and covered with Flags of proper dimensions which on being put is passed.

The following Resolution is next introduced:

Resolved, That Commissioners of Streets for Ward No 5 in completing the Drain leading down Cornwallis Street be requested to have the Conductor filling the Water Tank in said Ward so placed as to lead the Water into said Tank, and the Council will provide for the same

(which)