

1849

August 2

The sixth Year of the Reign of Her present Majesty by
entitled An Act in further Addition to and in Amendment of
of the various Acts now in force concerning Cemeteries or
Burial Grounds in the Town of Halifax to be made by the
respective officers of Her Majesty's Ordinance Department at
Halifax to Convey to the City of Halifax a Certain piece of
land bounded on the east by Fort Masey extending West-
wardly across the Brook running from the Common to Fresh
Water Bridge. — Has never been executed by such Officers —

Resolved to a
Deed of land
Fort Masey
for a Cemetery

Resolved that His Worship the Mayor apply to the Officers
of Her Majesty's Ordinance Department at Halifax for a Deed
or Conveyance of the said Land near Fort Masey to the City
of Halifax in Accordance with the said Acts. —

Resolved that so soon as such Deed or Conveyance of
the said Land near Fort Masey shall have been executed
the Recorder be requested to draw up a Deed to Convey to
the Principal Officer of Her Majesty's Ordinance Department
the Military Burial Ground according to the Act passed in
the sixth Year of Her Majesty's Reign. —

Whereas by an Act passed in the twelfth year of
the reign of Her present Majesty. Entitled an Act relating
to the Roman Catholic Cemetery at Halifax, the Corporation of
the City of Halifax was Authorized to convey to Certain
Trustees on behalf of the Roman Catholic Population of the
City of Halifax a small Lot of Common at the south and
west Corner of the Roman Catholic Cemetery —

And whereas doubts exists whether any deed Has been
executed by the said Corporation of the said Lot would be
valid in law. in consequence of the aforesaid Act setting
forth that a Conveyance was executed of the Lot now used
as the Roman Catholic Cemetery. when in fact such Con-
veyance Has never been executed

Resolved that the Roman Catholic Bishop in Halifax
have permission and is hereby Authorized to ^{take} possession of said
piece of land for the exclusive purpose of a Cemetery.

the Lot of land of which the Conveyance was Contemplated
by the aforesaid Act. And the City Council will concur in an
Application to the Legislature for an Act to Authorize the City of
Halifax to execute a deed or Conveyance in fee simple to the
Roman

1849

August 2 — Roman Catholic Episcopal corporation of the City and County of Halifax of the said Lots now used as the Roman Catholic Cemetery which said the City Council will cause to be executed so soon as they are legally empowered so to do. —
— which is being put to paper —

August 6 — Robert Graham having taken and subscribed the oath prescribed by Law is this day sworn into office as Surveyor of Lumber for the City in presence of His Worship the Mayor —

August 15 — At a Special Meeting of the City Council held this day present His Worship the Mayor Aldermen Anderson, Laidlaw, Miss Richardson, Craim, Bennett, Cabot, Watt, Maylor, King, McNaughton, Coleman, Mother, Rugg, King and Jennings. —

The City Council was summoned to receive the the returns of the Election of Ward Number One. to appoint an Assistant City Clerk. to take into consideration the report of the Committee of Gas Posts and the transaction of Other Business

— Read over Proceedings of second of August. —

— The Following resolution is next introduced —

Whereas at a Meeting of the City Council held on the Twelfth day of April 1849. John Mills late Collector of Road Taxes for the City of Halifax by unanimous Resolution was dismissed from his said office. because it had been already established to the satisfaction of the City Council. that various sums of Money had been received by the said John Mills while Collector of Road Taxes. which had not been included in the Account Book exhibited by him to the Commissioners of Streets and which sums of Money had not been paid over into the City Fund, or otherwise accounted for by him. and for the recovery of which a suit has been instituted against him in the Supreme Court. And whereas by the 21st Section of the Act. 12th Victoria Chap 14 entitled an Act to consolidate an Act respecting the Incorporation of the City of Halifax. it is enacted. —

— That no Person Accountable for the City Revenues. shall be capable of being elected an Alderman. for the said City. and whereas. a Resolution passed on the 12th day of May instant it was determined. unanimously. that the said John Mills

Recd. rel. John
Willis road
Collector

1844

August 15 — That the said John Willis who had on the previous day received a Majority of Votes at the Election held in Ward Number One for an Alderman of the said Ward, was not eligible to be Elected an Alderman under the Provisions of the Act above referred to. And Whereas by a Resolution of the City Council passed on the 25th June 1843. — His Worship the Mayor is Authorized to issue a Proclamation for holding an Election for Ward Number One to fill up the Vacancy then existing. And such Election was held on the 17th of July. And Notwithstanding the said Resolution of the City Council, declaring the said John Willis not duly qualified: the said John Willis has again received a Majority of Votes. And whereas the City Council by a Resolution passed on the 18th day of July again declared the said John Willis to be ineligible. And Authorized His Worship the Mayor to issue Notices for holding another Election in Ward No 1 for filling the Vacancy then Existing. — Which Election was held yesterday before Alderman Jennings, Presiding Officer and Messrs Peter Lynch, Josiah Mier and Philip Nelson, Inspectors.

And the said John Willis, did again receive a Majority of Votes and was declared as elected as of the Aldermen of the said Ward. — Notwithstanding the Resolution of the City Council as aforesaid. And Whereas the said John Willis then was and still is Accountable for a Portion of the City Revenues not accounted for or paid over as before stated —

Resolved that the said John Willis being so Accountable was not capable of being elected an Alderman for the City of Halifax. And that Alderman Jennings the presiding Officer be requested and Authorized not to return the said John Willis as duly elected, which on being put is passed Unanimously. —

The City Council next proceeded to elect an Assistant City Clerk, when the following Resolutions are introduced —

Resolved re to
duties of Asst
City Clerk

Whereas it is absolutely necessary that a more rigid and correct System of keeping an Account of the Cash received in the Police Office should be adopted. that has heretofore been the Case and further that all Officers who handle City Funds, or who may be intrusted with Property for which the City is liable, should without distinction be required to give security for the faithful performance of their duties —

Resolved. First. that His Worship the Mayor be requested to direct that a duly register be kept of all money received. — specifying —

1849

August 15 — on which amount, each payment has been made, and the amount of each days receipts be added up before the closing the Office. And that each days Books be checked and touched by the signature of the Mayor, or the presiding Alderman. — which on being put is passed —

— Secondly — That all City Officers, through whose hands City moneys pass or them intrusted with Property, and from whom security may not have been heretofore demanded, be required to furnish such security as may by his Worship and the Presiding Alderman be deemed satisfactory. — which on being put is passed —

Thirdly. — That the Names of Parties who have been already taken as security for any City Officer be examined, by His Worship the Mayor and the Presiding Alderman, with a view to — ascertain whether such Securitys continued to be responsible Characters or not. And if the Responsibility of any such Parties be doubted that the Officer or Officers be called upon to provide himself or themselves with other Approv'd Names instead of those that may be considered to be insufficient. — which on being put is passed —

Resolved to Amend — Resolved that the Assistant City Clerk before entering upon the duties of his Office give security in the sum of Five hundred Pounds, to which the following Amendment is introduced

Security required
From Asst City
Clerk

— Resolved that the Assistant City Clerk before entering upon the duties of his Office give security in the sum of Two hundred and Fifty Pounds, which Amendment, being put is carried. — Twelve Voting for it and Four Against it. the Original is therefore lost. —

The Names of the Applicants for the Office of Assistant City Clerk is then read over by direction of of Council and the Ballot proceeded with. When there appeared for Mr Alexander Jennings 3 Mr John L Craig 1 Mr Christopher Bolton 11 Mr Richard Shales 1 and Mr Bolton having received a clear Majority of Votes of the Council is accordingly elected to the situation of Assistant City Clerk

— Read the following Report of the Committee on Gas. Posts. —

Report

1849

August 15

The Committee appointed by the City Council on the 18th April to make arrangements respecting sites, and to ascertain from the Directors of the Gas Company, the Number of Lamps they are willing to provide for £400 — by leave to report.

That they have attended to this duty and after an extended correspondence with the Directors of the Gas Company these gentlemen on behalf of the Company are willing to provide Eighty Lamps, and place them in the different locations referred to in the Annexed scale of sites — subject to the following conditions —

1st That if the Corporation adopts the Twenty Six Lamp Posts now designated, at Five Pounds each per Annum the Company will erect Fifty Four Additional Lamps and Posts for Five Pounds each Lamp, Payable on the first of October in each Year. The Company to own and repair such Lamps —

2nd In case of the Corporation being in Arrear after ten days notice, the Gas Company to turn off the Gas, remove the Lamps and adopt the usual course for recovery of Arrearages.

3rd The Company to have the privilege of discontinuing lights six full nights every year.

4th The contract to be for three Years or more.

If these terms are agreed to the work will be undertaken immediately and all be lighted by the first of November ensuing.

The Company have under this Contract between 60 and seventy Lamp Posts which can be erected at Once, the remainder will be put up as soon as they can be imported. For which an Order has already been sent to the Company's Agents —

The Committee recommend that these terms be agreed to, and that His Honor the Recorder be requested to prepare an Ordinance to be laid before the Council in Conformity thereto.

Signed
Geo Haylor Chairman
Thomas Laidlaw
Elias Fabot
Joseph Jennings
Robert Richardson
W J Coleman

Committee Room 3
July 31 1849

Report of the
Committee re.
Gas Lamps —

1849
Aug 15

Street Lamps

Street Lamps

adopted Lamps Pills to be erected	Sites	adopted Lamps Pills to be erected	Sites
	On Water Streets	1 2/3	On Banack Street
1	Antley Corner	1	Buckingham
1	Bishop Street Opposite Adams	1	Sackville
1	New North Quay		On Abermarle Street
1	Gilbey Street	1	Buckingham
1	New Brown Wharf	1	George
1	Nobles Wharf	1	Sackville
1	New W. Fair W. North end of Building		On Grafton Street
1	Buckingham Corner	1	Jacobs
1	Clarks Wharf	1	Duke
1	Duffus Corner	1	Prince
1	Jacob Street		On Argyll Street
1	New Lane Wharf	1	Northrup's Corner
1	Hardy Lane	1	Dukes
1	Between do & Proctors	1	Blowers
1	Proctors Lane		On Banington Street
1	North of Cornards	1	Duke
1	Jornwallis Street	1	George
1	New W. Hammer	1	Prince
1	Perish Street	1	Baileys Corner
1	Artz Lane		On Pleasant Street
1	North Street	1	Morris
1	New W. Ruggs	1	South Street at W. May's Corner
	Bothingham Street		On Tranviler Street
1	W. W. Kilmays Corner	1	Opposite Naylor
1	Perish Street	1	Duffus & Co's
1	Jornwallis Street	1	Opposite Mayhale
1	Racket Court	1	Sackville Street
	Brunswick Street	1	Salter - do -
1	North Street		On Hollis Street
1	Perish Street	1	Wallace & Co's Corner
1	Jornwallis Street	1	Sackville
1	At the foot of Land North of Lanion Chapel	1	Between Sackville & Salter
1	Stamps Corner	1	Salter
	Lockman Street	1	Between Bishop & Morris
1	Artz Lane	1	William Bryers Corner
1	Perish Street	1	John Wallace's Corner
1	Between Perish Street and Fish Market Lane	1	On Bedford Row
	Maitland Street	1	Black & Brothers
1	Jornwallis Street	1	Sackville
			On Quin Street
		1	Murdoch's Corner
		1	Mitchell's Corner
6 2/3	Carried Forward	19 1/3	Carried Forward

1849
Aug 15

Street Lamps

erected Lamps	not to be erected	Notes
19	49	— On Morris Street —
1		Near the Chapel of Ease
		— On Spring Garden Road —
1		Saint Marys Corner
1		Dresden Row
1		Birmingham
1		Pykes Bridge
		— On Sackville Street —
1		All Unmarked Corners
		Also
1		Corner of Prince & Aungye
1		Corner of George & Aungye
1		Corner of Dublin Street & Barrington
1		Corner of Cornwallis & Lockman
1		Corner Corner Sackville Street
1		Corner of Sackville & Barrington
26	54	80 Total.

— when the following Resolutions are introduced —
 Resolved that the Report just read be received and adopted which on being put is passed

Resolved that the Committee be requested to with the Directors of Gas Company and enter into the necessary arrangements for carrying into effect the foregoing report

The following Resolution is next introduced —
 whereas the City Valuers have intimated that the entries in the assessment and Valuation Book have been completed and whereas it is deemed advisable, that previous to the Assessment for the respective Wards are returned that the same should be examined.

— therefore —
 Resolved that the same be referred to a Committee consisting of the senior Alderman from each Ward together with the Recorder, for examination and that they be as follows Alderman Landlaw, Richardson, Bennett, Waylor, Ansell and Rugg.
 which on being put is passed

1849
September 3

Halifax 3^d September 1849

At a Special Meeting of the City Council held this day. Present His Worship the Mayor Aldermen Anderson, Lawlaw, , Richardsons, , Cabot, Wm. Naylor, King, , Wm. Mat-
Coleman, Northrup King and Jennings.

The City Council were summoned to Appoint an Alderman and two Inspectors for holding an Election in Ward Number Four, to receive the Return of Ward Appointments, to Appoint Aldermen and Inspectors for holding the election for the ensuing Year, agreeably to the Act, to consider the Bye Law relative to Gas Poles and the transaction of Other Business

The Mayor brings to the Notice of City Council the absence of Alderman Mignowitz from the City for more than two Months Proven Following Resolutions are introduced

As Alderman Mignowitz having now been absent from the City of Halifax for more than two Months

Resolved to absence
of Alderman
Mignowitz.

Resolved that under the 25th section of the Act to consolidate the Acts respecting the Incorporation of the City of Halifax, Mr Mignowitz has become disqualified and cease to hold the Office of an Alderman.

to which an Amendment is introduced
Resolved that the consideration of the Vacancy in Ward Number Four, be postponed until next Meeting of the Council which amendment being put is lost - 6 Voting for it, and seven against it, and the Names being called for they stood thus

For the amendment.		Against it	
Sup. King	Rugg	Wm. Naylor	Lawlaw
Jennings	Richardson	King	Anderson
Northrup	Coleman	Wm. Mat-	cabot

The original motion is then put and carried 7 Voting for it and 6 against it

Presiding Alder-
for Ward Four

The City Council next proceed to Appoint the Presiding Officer and Inspectors for holding the election for the Vacancy now existing in Ward Number Four

When the following Resolutions are introduced
Resolved

1849

September 3

Resolved that Alderman Coleman be the Presiding Officer for holding the Election for the vacancy now existing in Ward Number Four. — which on being put is passed.

Resolved that Timothy Conners, John Robinson, and William Valentini be the Inspectors for holding the Election for the vacancy now existing in Ward No Four — which on being put is passed

Presiding Officer and Inspector of Elections

The City Council next proceed to appoint Presiding Officers for holding the Elections in the respective Wards at the ensuing Election. And to appoint Inspectors for holding Elections in the respective Wards for ensuing Year. — When the following Resolutions are introduced

Resolved that Alderman Ring be the Presiding Officer for holding the Election for Ward Number One for Next General Election — which on being put is passed

Resolved that Messrs George Poyor, James Tremaine and William J. Davis be Inspectors for holding Elections in Ward Number One for ensuing Year. Agreeably to the Act which on being put is passed

Resolved that Alderman Watt be the Presiding Officer for holding the Election for Ward No Two for next general election. — which on being put is passed

Resolved that Messrs Thomas Adams, John Gibson, and James M. Fenerty, be Inspectors for holding elections in Ward No Two for ensuing Year agreeably to the Act, which on being put is passed

Resolved that Alderman Laidlaw be the Presiding Officer for holding the Election for Ward No 3 for Next General Election, which on being put is passed

Resolved that Messrs John Metzke, Benjamin Crow and Alexander Primrose be Inspectors for holding elections in Ward Number Three for the ensuing Year agreeably to the Act — which on being put is passed

Resolved that Alderman Cabot be the Presiding Officer for holding the Election for Ward Number 4 for Next General Election. — which on being put is passed

1849

September 3

Resolved that Messrs John P Bessonet Peter Nordbeck and Jeremiah Northup be Inspectors for holding Elections in Ward Number four the ensuing Year agreeably to the Act —
 which on being put is passed —

Resolved that Alderman Praine be the Presiding Officer for holding the Election for Ward Number five for next general election — which on being put is passed —

Resolved that Messrs B C Brehm William Waples senior and Thomas Donovan be Inspectors for holding Elections in Ward No 5 for the ensuing Year agreeably to the Act — which on being put is passed —

Resolved that Alderman Anderson be the Presiding Officer for holding the Election for Ward Number six for next General Election which on being put is passed —

Resolved that Messrs Foster Snelling Joseph Bell and Alexander G Fraser be Inspectors for holding Elections in Ward Number six for ensuing Year agreeably to the Act —
 which on being put is passed —

The Bye Law relative to gas Posts having been read 1st and 2nd times — the following Resolution is introduced —

Resolved that the Bye Law just Read, do now pass be fairly engrossed and submitted at next Meeting of Council —
 which on being put is passed —

Read the following Petition from Mr Joseph Fairbanks relative to erection of Weighing Machines. —

Halifax 24th August 1849
 Gentlemen —

Having imported and erected at the Head of my Wharf for the Accommodation of the Public One of "Fairbanks" Patent Six Ton Hay Scales, which has been tested by the Clerks of the Market and found very correct as will appear by the Accompanying Certificate. I think it would be advisable to have a Weigher connected with it, and if the City Council is of the same Opinion, I should have no objection to be sworn in myself — I am

Gentlemen

Your Mo: O^b Serv^t

Joseph Fairbanks

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

1849

September 3

We the undersigned Clerks of the Market, having examined a large Patent Platform Scale belonging to Joseph Fairbanks Esquire situate at the Head of Fairbanks Wharf so called, do find the same correct and just as far as we had means in our Hands to prove the same. which was to the extent of 94 1/2 lb.

Halifax 23rd Aug^r 1849

Lebina Hall
William H. Saxton
Clerks of Market

When on Motion the same stands over until To Morrow

The following Resolution is next introduced

Resolved that Alderman Richardson be a Committee to possess eleven Ballot Boxes for the City which is being put is Papered

A Communication from the Supervisor and Measurers of Lumber is submitted. When on Motion the same is ordered to lie on the Table until To Morrow

The following Resolution is next introduced

Whereas at the Election held on the 17th day of May 1849 in Ward Number One before Alderman Price as Presiding Officer for the Election of an Alderman for the said Ward. And at the Election held on the 17th day of July and the 14th day of August 1849 respectively before Alderman Jennings as Presiding Officer for the Election of an Alderman for the same Ward

Resolved to the Election of Mr John Willis as Alderman

John Willis did receive a Majority of Votes at each of these Elections and whereas the City Council by a Resolution passed on the 18th day May 1849 directed Alderman Price not to Return the said John Willis as Alderman elect

and Likewise by Resolution passed on the 18th day of July 1849 and the 15th day of August 1849 respectively directed Alderman Jennings not to return the said John Willis as Alderman elect because the Act of Incorporation incapacitated the said John Willis from being elected as an Alderman for the City of Halifax, he being at that time and still continuing to be a person accountable for a portion of the City Revenue. — And whereas Notice of a suit at Law for damages has been served upon the said Alderman Price by the Attorney of the said John Willis, and a similar course

may be

1849

September 3

May be pursued respect to Alderman Jennings.
It is therefore Resolved.

Resolved to
suits against
Ald. Mier and
others

That this Council, believing the action
commenced against Alderman Mier to be frivolous and
vexatious, and instituted only with a view to obstruct the
City Council in the discharge of their duties, and thereby
to gratify private pique and Malice, will on behalf of the
Citizens of Halifax sustain Alderman Mier in every possible
way, in defending the said suit, and they hereby pledge
the Funds of the City to indemnify him from any expense that
he may incur in this matter. — which on being put is passed —

And it is further Resolved that Alderman Jennings be
sustained and indemnified in a similar manner in
case of any action or actions being commenced against him
relative to his conduct, as presiding Officer, at the Election held
on the 15th day of July 1849 and on the 15th day of August
1849 respectively held in Ward Number One. —
— which on being put is passed —

Resolved that in case of any action or actions being
brought against His Worship the Mayor or the City Marshal
as intimated at the suit of John Miles in any matter
connected with Ward Number One Election that this Council
will also sustain and indemnify them in a similar manner
— which on being put is passed —

The Following Bond of City Clerk.

City of Halifax 3
Province of Nova Scotia 3

Bond of
City Clerk

Know all Men by these Presents that
I James Stewart Clarke of the City of Halifax in the Province
aforesaid City Clerk as Principal and Benjamin E Black
and Nepean Clarke as sureties are held and ^{firmly} bound to
the said City of Halifax in the sum of Five Hundred Pounds
of Lawful Money of the Province aforesaid, to be paid to the
said City of Halifax, for which payment well and truly to
be made we bind ourselves, our heirs executors and Adminis-
trators firmly by these Presents sealed with our seals and
dated the eighteenth day of August in the year of Our Lord
one thousand eight hundred and forty nine —

Whereas His Worship the Mayor and the Council of
the said City have been pleased to Appoint the Aforesaid
James S Clarke to be the City Clerk. — Now the Condition

1849

September 3

of this obligation is such that if the said James Clarke shall well and faithfully execute and discharge all the duties of the said Office according to the Provisions and true intent and meaning of the Act passed by the General Assembly of this Province, entitled an Act to Consolidate the Acts respecting the Incorporation of the City of Halifax and any other Act or Acts of the Legislature, or Ordinance of the said City Council, or any Rules or Regulations of the City that may be made relating thereto, then this obligation to remain void otherwise to be and remain in full force and virtue

Signed Sealed and
delivered in the
Presence of _____
Signed _____
Mayor

Signed _____
James S Clarke (S)
B G Black (S)
Stephen Clarke (S)

_____ having been submitted to the Council the same is approved of _____

_____ The following Bond of Assistant City Clerk _____

Bond of
Asst City Clerk.

City of Halifax
Province of Nova Scotia

Know all Men by these Presents that I Christopher Bolton of Halifax and Province of Nova Scotia, Assistant City Clerk as principal and Joseph Robinson and George S Bolton as Sureties, are held and firmly bound to the said City of Halifax in the sum of Two Hundred and Fifty Pounds of lawful Money of the Province aforesaid to be paid to the said City of Halifax, for which Payment well and truly to be made, we bind ourselves our heirs executors and Administrators firmly by these presents, sealed with our seals and dated this sixteenth day of August in the Year of our Lord One thousand eight Hundred and Forty Nine

Whereas His Worship the Mayor and the City Council have been pleased to Appoint the aforesaid Christopher Bolton to be Assistant City Clerk

170
1849
September 3

City Clerk. _____

Now the condition of this obligation is such that if the said Christopher Bolton shall read and faithfully discharge the duties of the said Office according to the true intent and meaning of the Act passed by the General Assembly of this Province entitled an Act to Consolidate the Acts respecting the Incorporation of the City of Halifax. And any other Act or Acts of the said City Council or any Rules or Regulations of the City Council that may be made relating thereto. Then this Obligation to be void. Otherwise to remain in full force and effect. _____

Signed sealed and
Delivered in presence of _____

Wm. S. Richardson Junior _____

Christopher Bolton
Joseph Robinson
George J. Bolton

On Motion the same are approved of, _____
The Mayor informs the Council. that he and
Alderman Jennings having examined the Bonds of all the
other Officers found them all correct. _____
Council then adjourned until to morrow. _____

1849
September 4

At an adjourned Meeting of the City Council held this
day present His Worship the Mayor Alderman _____, Laidlaw
Richardson. Cabot. Matt. King. Maylor. Wm. Naby
Coleman Northup Rugg + Jennings. _____
On Motion adjourned until to morrow at two o'clock

September 5

At an adjourned Meeting of the City Council held this
day present His Worship the Mayor Aldermen Anderson
Laidlaw _____, Richardson. Braime. Bennett Cabot
Matt. Maylor. King Wm. Naby. Coleman. Northup. Rugg. King
and Jennings _____

Read over the proceeding of 31st & 1st September _____
The following resolution is introduced _____
Whereas Mr John Robinson appointed one of the Inspectors
for holding the Election now existing in Ward No 4 having
left the City. Resolves that Mr John Richardson be appointed
Inspector instead of Mr John Robinson. which on being put is
passed. _____

The City Assessors having submitted the Assessment
Books for the various Wards for the present Year the following
Report of _____

Report of the
Committee to
examine City
Assessors -
Books -

The Committee appointed by the City Council on the 15th Instant. to examine the Books of the City Assessors. beg leave to report. That they have held several Meetings. attended by the City Assessors. and have inspected their Books. together with the Affidavits handed in under the Law by various Persons who have sought to reduce their Assessments. Many of these Affidavits are not strictly in accordance with letter of the Law - but as difficulty occurs in some instances. when unintentional informalities seem to exist in distinguishing between those which should be received. and those which should be rejected and as the spirit of the Law appears pretty generally to have been complied with the Assessors think it proper to receive them all without distinction and to make deduction from the Assessment accordingly. with their view the Committee unanimously concur. This course will have the effect of reducing the whole Assessment for the present year to \$41,220.00 (Assessing the rate originally fixed by the Assessors and specified in the Notices required by Law) to be served upon the Persons assessed. as the Committee are of opinion that this sum will in the meantime. be sufficient to carry on the business of the provided the Assessment for 1850 be ordered early in ~~the~~ that Year. They do not think it advisable to create discontent among those who have made no objection to the Amounts they have been assessed. and to throw difficulties in the way of collection. by increasing the Rate. They have therefore recommended the City Assessors to continue the same rate. A similar course might be avoided in subsequent Years by an improvement in the Act of Incorporation rendering it unnecessary to specify the Rate in the Notices to be served. or. indeed to determine its Amount till the Assessment Book shall be otherwise completed. and also by causing a Printed form of Affidavit, to be served along with the Notice, containing suitable blanks to be filled up by those who object to the Amounts fixed by the Assessors. the latter suggestion. if carried out would secure uniformity. in the Affidavits and effectually prevent evasion or unintentional irregularities.

Difficulties necessarily occur in acting for the first time under a new Law. which the experience of the present Year will tend entirely to remove

— also which is respectfully submitted —

— Signed Rob^t Richardson Joseph Bennett
John M^r Hat Thomas Lardner
David Rugg John Maylor
Haleface August 30 1849. when.

1849

Sept 5

When on Motion the same is received.

The following resolution is then introduced

Resolved that the City and Ward Assessors have returned the Ward Assessment Books for the respective Wards. Resolved that the same be approved of by the City Council as being made agreeably to the Act of Incorporation of 12th Victoria Chapter 14. And that the City Assessors proceed to make up the Assessment Book and return the same agreeably to law — which on being put is passed

Resolved that the City Treasurer be required to give notice to Persons, Companies or Corporate Bodies assessed or their Agents of the Amount of their respective Assessments for Poor City and County rates for the present Year, and that they are required to pay the Amount of said Rates at this Office on or before the 26th day of September instant, and that if the same be not then paid, an additional of 2 1/2 per Cent will be added thereto, but if the increased amount remain unpaid on the 30th day of September instant, a further addition of 10 per Cent will be added thereto, agreeably to law, and process issued to compel the Payment without notice — which being put is passed

Read Petition of Mr Joseph Fairbanks relative to erection of weighing Machine — as entered (folio 167)

Read following Petition of Thomas Keating.

To His Worship the Mayor, and the Members of the City Council at Halifax.

Respectfully sheweth

The Petition of Thomas Keating of Halifax Grocer
Respectfully sheweth.

That on the removal of the Hay Scales, and weighing Machines, upwards of Two Years since a Committee of the City Council was appointed to inspect and report upon the the most suitable and convenient site for the same

When the Premises of the Petitioner was selected and approved as the most eligible upon the Condition that two Houses thereon should be removed, and that certain conveniences should be afforded and a tax or Payment of Twenty Pounds Per Annum to be paid by the Petitioner to the City for two Years — That

Resol. rel. City
Treasurer giving
Notice to parties
of their Road
Tax

Petition of Tho.
Keating rel. to
Hay Scales

1849

Sept 5

That in compliance with these conclusions one House was removed and another then yielding an Annual Rent of Twenty Pounds was destroyed. The Tax above mentioned was and various other heavy expences incidental to the undertaking were incurred by the Petitioner in the Prospect that after the site had been thus deliberately selected the Petitioner would be remunerated by the continuance of the Arrangement. Under such modification as might be deemed reasonable and just. And new scales and Weighing Machine were provided by and at the expence of the Petitioner, in the place of the Old scales and Machine which had been condemned.

That the Premises of the Petitioner are in every respect suitable for the purpose having in the rear ample Yard Room for Hay Carts, sufficient stabling and water

That the expensiture and outlay of the Petitioner in adapting his Property to the Public convenience as a Hay Market and weighing place amounts to several hundred Pounds

That after the expiration of the two years, your Petitioner in consequence of the other heavy expences prayed to be relieved from the payment of the said Annual Tax of Twenty Pounds which was granted.

That your Petitioner understands that Application has been or is about to be made for changing the present site or establishing another for the weighing of Hay

That by establishing the scales and Hay Market on the premises of the Petitioner as before mentioned they have been rendered in a great measure unfit for any other service without very considerable alterations entailing on the Petitioner further heavy expences which he cannot afford.

The Petitioner therefore humbly Prays that no change may be made in reference to the site of the scales and weighing machine, without due consideration being given by your Honors to the just rights and Interests of your Petitioner — And your Petitioner — as in duty, will ever Pray —

— Signed —

Halifax September 1849. Thomas Weaving

Resolved that Mr Fairbanks Petition stand over for consideration at next meeting of the Council — which on being put is passed.

174

1849

Sept 5

Read following communication from surveyor
of lumber

To His Worship the Mayor and City
Council

The Supervisors and other
surveyors of Lumber to for the City of Halifax beg leave
respectfully to your Worship and the City Council that
they have taken a legal opinion on the Acts of the Province
now in force for the survey of Lumber &c and find that
although the Eighth Clause of the Act passed at the last
session of the Legislature to continue and amend the law
regulating the survey of Timber Lumber and Shingles
enacts — "That no Lumber Lumber or Shingles shall
be exposed for sale within the City of Halifax
either for Homeconsumption or exportation
unless the same shall be surveyed and
marked by a ^{Survey} Surveyor without reference
to the Supervisor of Lumber. Provided that
entire cargoes of Lumber sea Borne may
be disposed of ~~wholesale~~ wholesale without the
intervention a surveyor. between the first
seller and Buyer of the same"

Communication
from Surveyors
of Lumber Rel.
to Province in Law

There is no forfeiture or penalty imposed by which
the same can be enforced. consequently the only
remuneration the Surveyor now receives is when called
upon by a Party to make a survey. Having no power
reserved to him of enforcing a survey when required by
the Act. cargoes of Timber Lumber and Shingles. not
within the exception to the eighth Clause are daily
arriving and exposed for sale and sold without being
surveyed. and one of your body Mr Alderman Jennings
is in the habit of selling the above articles for his Lumber
wharf without any distinction mark being put thereon as
required by Law — If your Worship and the City Council
cannot devise some means to meet the exigency of the Case
the duties and remuneration of Surveyors of Lumber &c
will become merely nominal and the law itself a
nullity. great fraud is now practised on the Public
both in the articles of Shingles and of Lumber. — every
survey of shingles lately made it has nearly taken five
Bundles to make a thousand, being from three to
five inches narrower than the law requires and from two

1849
Sept. 5

and from two to four courses than less than they ought
to be.
We are Gentlemen
with respect

Your Obedient Servants
Liquor
Henry Speke Supervisor
William Lovitt St
William Henderson St
John W. Pherson St
James Sutton St

When on Motion it is resolved that said lie on
the Table for future consideration.

Read Bye Law relative to lighting the City of
Halifax a third time when following resolution is
introduced

Resolved that the Bye Law just read do now
finally pass and be transmitted for the approval of His
Excellency the Lieutenant Governor & Council. which
on being put is passed. 9 Voting for it and 4 Against it

Sept. 6

Timothy Connors John Richardson and William
Valentin took the Oath of Office as require by Law as
Inspectors for holding Election in Ward No Five

Septemb. 11

Alexander Primavesi Esquire having taken the Oath
prescribed by Law that he is duly qualified ^{as required} by the
Act is this day sworn into Office as Inspector for
holding the elections in Ward No 3 for Ensuing Year
in presence of the Mayor

Septemb. 12

Deaf George Pryor James Freeman and William
I. Stairs having taken the Oath prescribed by Law that
they are duly qualified as required by Act the Act
are this day sworn into Office as Inspectors for holding
the Elections in Ward No One for ensuing ^{Year} in presence of
the Mayor.

September 12th

Thomas Adams and John Gibson having taken the Oath
prescribed by Law that they are duly qualified as required by
the Act. are this day sworn into Office as Inspectors for holding
the Election in Ward No 2 in presence of the Mayor. for ensuing
Year

September 12th

John Metzler and Benjamin Brown having taken the Oath
prescribed by Law that they are duly qualified as required by the
Act. are this day sworn into Office as Inspectors for holding the
Elections

176

1849

September 12 — Elections in Ward No Three the ensuing Year in presence of the Mayor. —

September 12 — Jeremiah Worthup; Peter Wardbuck and John I Belmonte having taken the Oath prescribed by Law that they are duly qualified as required by the Act. on this day sworn into Office as Inspectors for holding the Elections in Ward No 4 for the ensuing year in presence of the Mayor. —

September 12 — J C Beckw. William Mifswete Senior and Thomas Donovan having taken the Oath prescribed by Law that they are duly qualified as required by the Act. on this day sworn into Office as Inspectors for holding the Elections in Ward No 5 for Ensuing Year in presence of the Mayor. —

September 12 — Alexander G Frazer. Joseph Belle. and Foster Greeting having taken the Oath prescribed by Law that they are duly qualified as required by the Act. on this day sworn into Office as Inspectors for holding the Elections in Ward No Six for ensuing year in presence of the Mayor. —

Septemb. 13 — James M Tenerty having taken the Oath prescribed by Law that he is duly qualified as required by the Act. is this day sworn into Office as Inspector for holding the Elections in Ward No two for ensuing Year in presence of the Mayor. —

1849

177

September 24

At a quarterly Meeting of of City Council held this day present. His Worship the Mayor, Aldermen Anderson Laidlaw, Richardson, Bennett, Cabot, Pratt, Weyler King, McEab, Northup, Rugg and King.

Read over proceedings of 5th September.

Read Memorial of Francis B. Le Cain for further remuneration as one of the City Assessors. when on Motion said Petition is received and ordered to lie on the Table to be taken up at the next meeting of Council

On taking into consideration Mr Fairbanks Application relative to his weighing Machine the following resolution is introduced

Resolved that Mr Fairbanks Petition relative to his weighing Machine stand over for future consideration which on being put is passed.

Read contract between the City of Halifax and the Gas Light Company for lighting the City. when the following Resolution is introduced.

whereas by the Agreement entered into between the City and the Directors of the Gas Company. a Lamp Post is to be erected at the corner of Blowers and Argyle Streets; and another in Lockman Street between Cornwallis and Genish Streets and as the Corner of Blowers and Grafton Streets is considered to be a more eligible site for the former and a site equidistant between Cornwallis and Genish Streets in Brunswick Street. for the latter,

Resolved that the Directors of the Gas Company be requested to alter the sites of the said Lamp Posts in correspondence with the above named Arrangement. which on being put is passed

Read draft of Agreement between Halifax Water Company and the City of Halifax. when following resolution is introduced

Resolved that the Agreement just read be adopted and upon it being certified to the Mayor that the Number of Hydrants and Fire Plugs set forth in said Agreement. have erected. and that the same have been placed and set down in the various sites in the different Wards as pointed out. That His Worship the Mayor execute the same on behalf of the City — which on being put is passed.

The following Resolution is next introduced

Resolved that His Worship the Mayor draw Checks on City Treasurer for the various Accounts passed in April last and — passed

Resolved to removal of Gas Post corner of Blowers Street

1849

Apr 24

Assessed on the City which on being put is passed.

Letter J. W. Johnston re: to Assessment on Admiralty House

Read Letter from J. W. Johnston Esquire on behalf of Messrs Monkup addressed to the City of London relative to Assessment made on the Admiralty House and Dock Land Property

Read Letter from J. W. Johnston Esquire addressed to the Mayor & Council on same subject

When following Resolution is introduced Resolved that the City Treasurer be directed not to enforce the collection of the amount of Assessment made on the foregoing properties. This Council being of opinion that the same cannot legally enforced which on being put is passed.

M^r Alderman Coleman. Having made return of the Election held this day in Ward No 11 and having returned William Murdock Esquire as duly elected and Alderman for said Ward

The City Council direct that Mr Murdock be summoned to attend a Meeting of the Council to morrow at Ten O'clock to be sworn into Office.

The following Resolution is next introduced

Resolved to a fine imposed on Alderman Mignowitz

Whereas Henry Mignowitz Esquire late an Alderman of the City has become liable to the Fine of Twenty Pounds. he while holding the situation of an Alderman of the City having been absent from the City for more than months at one and the same time without leave of the City Council first had.

Resolved that the Treasurer be requested to call on Mr Mignowitz for amount of said fine and furnish the Council with Mr Mignowitz answer thereto. which on being put is passed.

8 Voting for it and 11 against it. and the names being called for they stood thus.

For the Resolution

Against it

Asson Dayle — Lardlaw
Northup — Matt
Cabot — Bennetts
King — M^r Wats 8

M^r King
Anderson
Richardson
Coleman 11

Read the following return of Interments in the Protestant Cemetery for the Year commencing 14th August 1848 and ending 13th August 1849.

Abstract