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City of Halifax
Council Minutes

June 18, 1851

to

November 8, 1853

RECORDS
OF
THE CITY COUNCIL
OF
HALIFAX N.S.

VOL. 4

1851

RECORDS

OF

THE CITY COUNCIL

OF

THE CITY OF

MEMPHIS

1891

rel
rel

In Council

1851
June 18

An adjourned meeting of the City Council held
this day Present His Worship the Mayor Aldermen
Mitchell, Noble, Watt, More,
Morrisey, Murdock, Taylor, Egan, Rich,
King, M'Andrew and Knight

Mr Alderman Roche gives notice of
reconsidering the resolution of the City Council passed on the
16th instant relative to the amount of valuation of Messrs
Shea and Wallis damages as reported by Messrs Calder and
Lounds.

Read over proceedings of 16th and 17th Instant.

The following resolution is introduced

Resolved that the valuation of the City
Council of 16th inst relative to the amount of valuation of Messrs
Shea and Wallis damages, as reported by Messrs Calder and
Lounds, and other matters connected therewith as passed on
that day be reconsidered which on being put is lost 1 voting for
it and 11 against it and the names being called for
they stood thus

Resolution
rel: to reconsidering
res: Shea & Wallis'
damages

For the Resolution	Against it
Alderman Roche	Aldermen Taylor, M'Andrew
	Noble, Watt
	Mitchell, Morrisey
	King, More
	Egan, Knight
	Murdock
<u>1</u>	<u>11</u>

Read following Memorial of Mrs C Campbell
relative to her Apartment

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

The Petitioner humbly requests your
favourable consideration under the following circumstances
Being

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Being busily engaged removing from one house to another at the time the Assessors came round the papers left by them were mislaid and the time allowed by your worship for appeal had elapsed before the neglect was discovered. The begs now to be permitted to submit a statement of Property liable to be taxed amounting to Eight Hundred pounds and to appeal against the levying of a tax on £5,400 while only liable as shown in the accompanying certificate to be taxed on £800. And your petitioners will ever

Memorial and
Affidavit of
C Campbell
rel to Apement

Malpas 17 June 1851. By Christian Campbell
Real Estate, Value House in which sit is left. £400.0.0
Goods Chattel Vares & Merchandise 400.0.0
£ 800.0.0

I Christian Campbell of the City of Malpas make oath and swear that the above statement is in all respects just and true and that the sum of Eight Hundred pounds is the full value to the best of Deponent's judgment and belief of the Real and Personal Estate for which the said Christian Campbell is liable to be taxed within the Ward 2102 in the said City

sworn to the 17th day of June 1851
before M. Murdoch By Christian Campbell
On Motion the Same is received

Motion made that consideration of said Petition stand over until information is received from Assessors on the subject

Amendment moved that Mr Campbell affidavit be received and handed to the Assessors, which amendment being put is passed & voting for it and 4 against it, and the names being called for they stood thus

For the Amendment: Alderman Knight, Sturrock, Morriway, King, Watt, Mitchell, More, J. Anderson & 8
Against it: Alderman Roche, Taylor, Egan, Noble 4

Read following letter from Messrs McKay and Stevens on subject of amount voted for services as Assessors for Fire Tax

Malpas 18 June 1851

The Honorable the Mayor
and City Council

The undersigned having been notified by the City Clerk that we have been appointed by the

Resolutions
rel to Mr Campbell's
Apement

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Memorial of
Wm Mackay
Francis Stevens

The City Council to assess the owners of Property that is houses in Halifax for the payment of houses pulled down at the fire at the north Barracks and having been also informed that the sum of Eleven pounds fifteen Shillings is the sum named as remuneration for each assessor, we therefore respectfully inform the Council that this sum is altogether inadequate to the proper performance of this duty, we conceive that twenty pounds would be a proper sum at least not less than eighteen pounds, and we have every confidence in the Council that they will take this our request into their most favourable consideration, And we are Gentlemen

Respectfully etc
Wm Mackay
Francis Stevens

When following resolution is introduced

Resolution
Additional pay
to Assessors of
Fire Tax

Resolved that the further sum of Twelve pounds ten Shillings be granted Wm Mackay & Stevens as Assessors of Fire Tax as passed on 16 June instant, and that an order be given said assessors to assess the Citizens in the sum of Six hundred and twelve pounds ten Shillings instead of Six Hundred pounds as passed on 16 instant

Alderman Egan in the Chair. Alderman
Laidlaw comes in

The City Council next proceed with the
Bye Laws

Took up Section 107 relative to "Furious
Driving and riding" passed

Took up Section 108 relative to "Watch"
passed

Bye Laws
passed

His Worship the Mayor resumes the Chair

On Considering the section 107 relative to the Markets and on considering the 1st Clause relative to Keeping open Fish Market, on the Sabbath day, a Motion is made that the Market be closed on Sunday, and the Question been taken & voted for it and C against, and their being an equality of votes the Mayor gives the casting vote in favour of present regulation of allowing the Market to be kept open until 9 O'clock and the names being called for they stood thus

For

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For the Motion
 Alderman Knight
 Watt
 J. Anderson
 Murdoch
 Mitchell
 Roche 6

Against it
 Alderman Taylor
 Felle
 King
 Egan
 Murray
 Lairdlaw 6

Alderman J. Anderson gives notice for
 recording the above at next Meeting
 The other clauses relative to Fish Market
 are now papered

Council adjourned until tomorrow
 at Four o'clock

W. Calverce Mayor
 W.C.

1857.
June 19

An adjourned meeting of the City Council held this day Present Aldermen Laudlaw, Mitchell, Noble, Watt, More, Morrissey, Murchoch, Naylor, Egan, Johns, Roche, King, JH Anderson, and Knight

His Worship the Mayor being absent on Motion, Alderman Egan is called to the Chair

Read over proceedings of yesterday

On recinding the 1st Clause of Section No 19 relative to the Fish Market. the following resolution is introduced

Resolved that the Fish Market be closed on Sunday, but that the same be kept open until nine o'clock on Saturday night

Paper of voting for it and 6 voting against it, and the names being called for they stood thus

For the resolution		Against it	
Alderman Knight		Alderman Laudlaw	
More		Morrissey	
Watt		King	
JH Anderson		Johns	
Murchoch		Noble	
Roche		Naylor	<u>6</u>
Mitchell	<u>7</u>		

Bye Laws
Paper

The City Council then proceed with the other sections, and pass sections

- No 19 relative to Markets
- 20 Do " Distilleries
- 21 Do " Exhibitions
- 22 Do " Bathing
- 23 Do " Dogs
- 24 Do " Chimneys
- 25 Do " Bridewell

On Motion City Council adjourn until tomorrow at 10 o'clock to finish the Bye Laws.

1851.
June 20

At an adjourned meeting of the City Council held this day present His Worship the Mayor. Alderman Sawdlow, Mitchell, W. G. Anderson, Noble, Watt, More, Morrissey, Naylor, Egan, Johns, Roche, Stimmings, J. H. Anderson and Knight

Read over proceedings of yesterday

Bye Laws
passed ✓

The City Council next proceed with the remaining sections of the Bye Laws.
Read Section 26 relative to Common
Do 27 Do " Cemetery
Do 28 Do " Prosecutions

The following resolution is then introduced

Resolution
to Engrave
Bye Laws ✓

Resolved that His Honor the Recorder be requested to have the foregoing Bye Laws or Ordinances faithfully engraved, which on being put is passed

On considering the Petition of the Citizens relative to a Steam Boat Ferry north end of the City. Read the resolution as entered of 16 June, is follows. The City Council having received a Petition numerously signed &c &c as entered of 16 June instant. which on Motion said resolution is passed

Resolution
rel to Petition
Steam Boat
Ferry North End ✓

The following resolution is next introduced

Resolved that the City Clerk be requested to transmit the Hon Mr Bell the Custos Rotulorum, said Petition with a copy of the Resolution passed in connection therewith, which on being put is passed

On Motion the Council rise

W. Caldwell Mayor

1851
June 23

A Quarterly Meeting of the City Council
Held this day Present His Worship the Mayor. Aldermen
Laidlaw, Mitchell, W. G. Anderson, Ingham, Able,
Hart, More, Morrissey, Taylor, Egan, Selous, Roche,
Sturming, King, J. M. Anderson, and Knight

Read over proceedings of 20 June 1851.

Petition for
Hydrant Ward ✓

Alderman W. G. Anderson present a Petition
of Citizens of Ward No. 1 for a Hydrant which on Motion
is received

Petition to
remove remains of
Mr Woodill & others ✓

Alderman Egan present a Petition of
M. J. Woodill for permission to remove the remains of his
father and others to the Cemetery, which on Motion is
received

Petition of
John Willis
Withdrawn ✓

The City Council next take up Petition
of John Willis as entered of 13 May, when on Motion
Alderman King has leave to withdraw the Petition

Resolution
rel: to Petition
Meas: of Lumber ✓

Took up Petition of the Overseers of Lumber
as entered of 13 May when following resolution is introduced
Resolved that the Measurers of Lumber
have permission to substitute the figure 3 instead of the Broad
Arrow agreeably to Prayer of Petition, which on being
put is passed

Resolution
rel: to Pound
North End ✓

Took up Petition of Inhabitant of Ward
No. 6 for a Pound as entered 16 June, when following
resolution is introduced
Resolved that the Prayer of the Petition
be complied with, and that so soon as the Petitioners have
erected a Pound a Keeper will be appointed, which on being
put is passed

Resolution
rel: to Alex: Sengahon
& others Letter ✓

Took up Letter of Alexander Sengahon
and others relative to new line of proposed Road East side of
North West Arm as entered of 16 June when following resolution
is introduced
Resolved that in answering the questions
submitted to the Council it is the opinion of the Council that
the

1851
June 23

The appraisers in valuing the damages to be paid the several proprietors through whose lands said proposed line of Road is intended to run

1st The appraisers must allow such sum as will compensate the parties for fences similar to those around their premises

2nd The width of the Road is to be sixty feet.

3rd That the appraisers have not power to state off the road, but are recommended to put such marks as may be necessary to identify the exact location of the sides of the road. passed

Resolution
rel. to Sale of
Engine House

The Committee of City Property, having submitted that only one Tender had been received for the Sale of the Engine House and requesting directions, when on Motion the Committee of City Property are requested to advertise the same for sale in the City Papers

Road Petition of Right Rev. D. Walsh
as entered 16 June

Alderman Egan in the Chair, the following resolution is introduced

Resolutions
rel. to Bishop Walsh's
Petition for Lease of
Spring Garden Lots

Resolved that that part of the field to the South of the Lot on the Common at Spring Gardens at present held under lease by the Right Rev. Bishop Walsh, bounded West by a Public road, East by the lot now occupied by the Commissioners of the Poor Asylum, be leased for the Term of _____ years to the Right Rev. Bishop Walsh as Roman Catholic Bishop at the annual rent of _____ Pounds, Provided that the consent of the Commissioners of the Poor the present tenants of the City is obtained to relinquish their possession of the same, and also Provided that all Fences Trees and other improvements made or erected thereon shall at the option of the City Council be either removed from or left on the Premises at the expiration of said lease. To which following amendment is introduced

Resolved that a Committee be appointed to inspect the premises, and report their proceedings, and that Aldermen Anderson, Morrissey, Watt, Roche, and ~~Watt~~ More, be that Committee, which amendment being put is passed
Read

1857
June 23

Read following Petition of Mr. Wm. Hendry
relative to road in Ward No. 6.

To His Worship the Mayor of the City of
Halifax

Showeth

The Petition of W. A. Hendry Humbly

That he is the proprietor of Lot No. 1 letter 1
of the North division of 5 Acre lots on the Peninsula of Halifax

That between said block and block
letter D a street runs on which petitioners lot fronts. That
petitioner intends making improvements on the front of his
lot during the present summer, and has no other mode
of access to his lot except by aforesaid street

Petitioner therefore prays that a surveyor
may be sent with instructions from your Worship and the
Street Commissioners to mark out the position of said street
at petitioners expense, so that he may have easy access to his
lot. And as in duty bound will ever pray

Halifax 20 June 1857.

W. A. Hendry

When on Motion the Prayer of Petition
is granted

James Irons bond as Overseer of Roads
and Superintendent of Common is read and approved

James Irons
Bond
Overseer of Streets
Sup. of Common

Know all men by these presents that
We James Irons of the City of Halifax and Province of Nova
Scotia Gentleman as principal and Archibald Sinclair
of the same place Saddler and George Epon of the same place
Cabinet maker, are held and firmly bound to the City of
Halifax in the sum of Two Hundred pounds of lawful
money of Nova Scotia, that is to say the said James Irons
as principal in the sum of one hundred pounds, and
the said Archibald Sinclair and George Epon as sureties
for the said James Irons in the sum of Fifty pounds each
to be paid to the said City of Halifax, for which payment
well and truly to be made, We bind ourselves and each of
us our Heirs, Executors and Administrators, jointly and
severally, firmly by these presents, sealed with our seals and
dated this Eighteenth day of June in the year of our Lord
one

1857
June 23

one thousand Eight Hundred and fifty one
Whereas at a Meeting of the City Council held on the sixteenth day of June one thousand Eight hundred and fifty one the said James Hens was duly elected and appointed to the Office of Overseer of Streets and Superintendent of Common for the said City

Now the condition of this obligation is such that if the said James Hens shall well and faithfully perform execute and discharge all the duties appertaining to the said Office of Superintendent of Streets and Superintendant of Common agreeably to law and such Ordinances of the said City Council as have been or may hereafter be legally made relating thereto, and shall duly account for and pay over all and every sum or sums of money which shall come into his hands as such Overseer of Streets, and shall duly account for and pay over to the City Treasurer all and every sum or sums of money which shall from time to time come into his hands as such Superintendent of Common, and shall not make default therein then this obligation to be null and void otherwise to be and remain in full force and virtue

Signed sealed and delivered in the presence of
John Hagg

J. James Hens
A. M. Sinclair
Geo. Spow

Read following Bond of Thomas Kenma for Building of drain in Morris Street, which is approved of

Thomas Kenma's Bond
Drain in Morris Street

Know all men by these presents that we Thomas Kenma of the City of Halifax and Province of Nova Scotia Labourer, Michael Deaton of the same place yeoman and John Goble of the same place yeoman are held and firmly bound to the City of Halifax in the penal sum of Two Hundred pounds of lawful money of Nova Scotia to be paid to the said City of Halifax for which payment well and truly to be made we bind ourselves, and each and every of our Heirs, Executors and Administrators, firmly by these presents. Sealed with our Seals and dated this twenty third day of June one thousand Eight hundred and fifty one

Whereas the said Thomas Kenma hath contracted with the said City of Halifax to build a Drain viz. from Stewart's corner Newmarket Street to Fort Massey Hill
Irene

1851
June 23

Queen Street, which will be in all a length of eight hundred and eighty feet, according to the Specification herunto annexed. For the sum or consideration of ninety nine pounds Currency, to be paid to him by the said City of Halifax after the said work is completed

Now the condition of this obligation is such, that if the above bounden Thomas Kemna, shall well and faithfully construct and build the said Drain in all respects according to the Specification herunto annexed and signed by the said Thomas Kemna, and subject to the approval of the Commissioners of Streets or such Person or persons as they shall appoint to inspect the same, then this obligation to be void otherwise to be and remain in full force and virtue

Signed Sealed and
delivered in the presence
of John L Cragg

L. Thomas Kemna
Michael Dellow
John Cooley

The following resolutions are now introduced

Sup^t of Common
to collect rents
of Spring Garden
Lots

Resolved that the Superintendent of Common be authorized to collect the rents of the Spring Garden Lots

Resolution
Com: of Common
to expend
revenue of
Common &
Spring Garden Lots

Resolved that the Committee of Common have power to expend the rents of the Spring Garden Lots and all other revenues arising from the Common in making and repairing Roads through the Common, and in improving, fencing, planting, trees and ornamenting thereof, and also to expend in a similar manner the sum of £16. 7. due by the City to the Common on the first day of November last. The Committee to render an account of their expenditure to the City Council annually, at the Quarterly Meeting in October which on being put is passed

Resolution
rel: to Removal
of Fire Plug at
The Building
Corner &c

Resolved that the Fire Plug at present at the Province Building corner be removed to the Parade and that a combined Fire Plug and Hydrant be placed at or near the market, which on being put is passed

Read following Petition from William T Woodill for permission to remove the remains of his father

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June 23

To the Cemetery To His Worship the Mayor and Corporation
of the City of Halifax

Petition
Mrs J. Woodill
Leave to remove
remains of his
father

The undersigned Citizens of Halifax being
desirous of removing from the old Burying Ground property
of the Methodist Connection, the remains of William Woodill
Father of Memorialists and also the remains of William James
Woodill son of one of Memorialists, for interment in the
Protestant Cemetery, respectfully solicit permission of your
Worshippfull Body to do in conformity with the provision
of the Law. Memorialists are induced to petition for such
indulgence in consequence of the disturbance to which the
remains sought to be removed will be liable owing to
the building of a new Chappell by the Methodists now in
the course of erection on site of said Burial Ground

Halifax
23 June 1857.

Your very obedient servants
By William J Woodill on
behalf of the other members of the family

On Motion prayer of Petition is granted
His Worship the Mayor resumes the Chair
On Motion the Council rise

W.
W. Calverley Mayor

1851
June 26

Office of City Clerk
Halifax 26. June 1851.

Gentlemen

Agreeably to resolution of City Council I am directed to require you to assess the inhabitants of the City, being the owners of Property, in the sum of two hundred and twelve pounds and ten Shillings for and towards the several sums awarded Messrs William Sammis, Thomas May and Charles S. Wallis, for damages sustained by them in pulling down of their houses, at the fire which took place on the morning of the Eleventh day of December last, in which amount is included the Charges of valuation, taxation and collection, and I am also directed to state that all Houses, Stores, or other Buildings, constructed and made of Stone or Bricks and Covered with Slate, tiles, tin, Copper, lead or Iron are exempted by law, and that stone or brick buildings covered with shingles or other combustible material, is liable to but one half the value thereof, and that you make return of your proceedings to the City Council under oath on or before the 24th day of July next.

Order to Assessors to Assess for the Fire Tax

I Messrs
Francis Stevens
William McKay
Assessors appointed by the City Council

I am Gentlemen
Your Obedient Servant
By James S. Clarke
City Clerk

1851
July 27

At a Special Meeting of the City held this day present His Worship the Mayor, Aldermen Laidlaw, Mitchell, G. Anderson, Geo. McNeill, Tomlinson, Noble, Watt, Moore, Morrissey, Naylor, Spaw, Angus, Roche, King, and Knight

Read over proceedings of 23 June 1851.

The City Council were summoned to take into consideration the Bye Law or City Ordinance and the transaction of other business

Petition of John Willis lies on the table

Alderman King presents Petition of John Willis, relative to debt due the City, on Motion is received and ordered to lie on the table (See Petition in folio 53)

Petition of R. R. Walsh

Alderman Noble presents Petition of R. R. Walsh relative to proposed road in rear of his lot on the Spring Garden Road

Read following report of the Committee relative to the valuation Books for the different Wards

Report of Com: on Ward Assessment Books

To His Worship the Mayor and the City Council, Halifax 2nd July 1851.

Your Committee have examined the Ward Assessment Books agreeable to the directions of the Council the whole amount of Real Estate and Personal Property, contained therein, upon which a rate is to be made is £2,472,334.

The form of the Books is as the Law prescribes and they are signed by the Assessors, All of which is respectfully submitted

- By George P. Mitchell
- W. Roche
- Geo Naylor
- Robt. Noble
- W. S. Moore
- J. H. Anderson

When following resolution is introduced

The valuation Books of the various Wards relative to the Assessment to be made on the City for the present

1857
July 7

Resolution
rel. to Ward
Assessment
Books

present year having been submitted to the City Council, and the same having been seen and approved of by the City Council, the same are directed to be handed back to the City Assessors, and that they be directed without delay to make up one General Book of Assessment for the City, distinctly showing the amount of the rate upon each Individual or Company, distinguishing the portions assessed for City, County and Poor rates respectively in separate columns, made up by the Assessors in duplicate and signed by the City Assessors. return the same to the same to the Office of the City Clerk and to the Clerk of the Peace within fourteen days from date, which on being put is passed

The City Council next proceed to take up the Ordinance of the City when following sections are read

Ordinance
of the
City passed

Section 1	Relative to City Seal	passed
Do 2	Do Council	passed
Do 3	Do Ordinances	passed
Do 4	Do Treasurers Bond	passed
Do 5	Do Forms of Process	passed
Do 6	Do City Marshalls & Constables	passed
Do 7	Do Licenses	passed
Do 8	Do Prosecutions for Breach of License Law	passed
Do 9	Do Streets	passed
Do 10	Do Sidewalks	passed
Do 11	Do Coasting	passed
Do 12	Do Drains and Sewers	passed
Do 13	Do Placards	passed
Do 14	Do Gas Light & Water Meters	passed
Do 15	Do Truckmen	passed
Do 16	Do Hackney Carriages	passed
Do 17	Do Amuse Driving & Riding	passed
Do 18	Do Watch	passed
Do 19	Do Public Markets	passed
Do 20	Do Exhibitions	passed
Do 21	Do Bathing	passed
Do 22	Do Chimneys	passed
Do 23	Do Dogs	passed
Do 24	Do Wharves	passed
Do 25	Do Bindewell Common	passed
Do 26	Do Common Cemetery	passed
Do 27	Do Prosecutions	passed

1851

July 7

The following resolution is now introduced

Resolution
By Law
for approval of
Administrator

Resolved that the foregoing By Law or Ordinance be transmitted to the Deputy Secretary of the Province and request that he will be pleased to Submit the Same for the approval of His Honor the Administrator of the Government and Executive Council for their approval

Resolution
rel: to Rock
Head Farm

The subject of letting Rock Head Farm having been brought to the notice of the Council by Alderman Roche, Acting Chairman of City Property, the Tenders, Resolutions of Committee of City Property, the Handbill, and letters of Joseph Jennings Esq. having all been read, following resolution is introduced

Resolved that the Committee of City Property keep possession of the Rock Head Farm for the Present, which on being put is passed

Resolution
to publish the
value of Real
and Per: Estate

A motion is made to Submit the value of Real and Personal Estate as returned by the Assessors to be published, which on being put is lost 3 voting for it and 11 against it

On Motion the Council rise

M. Wallace Mayor
Office of City Clerk
Halifax 7 July 1851.

Gentlemen

Order to
Assessors to
make up Gen:
Assessment Book

The valuation Books for the various Wards relative to Assessment to be made on the City for the present year, having been this day seen and approved of by the City Council, I am directed by the City Council to hand the said Books back to you, and to direct that you will without delay, make one general Book of Assessment for the City distinctly showing the amount of the rate upon each individual or Company distinguishing the portions assessed for City, County and Poor rates respectively and separate columns made up in duplicate and being signed by you, you will return the same to the office of the City Clerk and Clerk of the Peace within fifteen days from this date

Wm. McKay
Francis Stevens
City Assessor
I am Gentlemen Yours obed: Servant
Jas James Clarke
City Clerk