

1852
October 24

Halifax 19 October 1852

To the Commissioners of Streets
for the City of Halifax
Gentlemen

Petition
John Shaffers & others
relative to Argyle
Street

We the undersigned householders residing in that portion of Argyle Street at present undergoing a change, are desirous that the repairs contemplated therein should be discontinued until the opening of the Spring. Your petitioners are induced to make this request owing to the advanced state of the Season and their entire inability to secure their Houses this autumn against the effect of the frost and snow. Your petitioners therefore humbly request You will be pleased to take their case into Your most favourable Consideration

We remain Your Obedt Servants
By John Shaffer and 5 others

When On Motion the prayer of Petitioners is granted

Read following Petition of Mathew Martin
for certain Work done by him at Snykes Bridge

Halifax N.S.
26 Oct 1852

To the Mayor and
Aldermen of the City of Halifax

Petition
Mathew Martin
rel. to Snykes Bridge

The Petition of Mathew Martin sheweth that Petitioner having contracted on the 23 day of July last for building an addition to the Bridge at Spring Gardens known as Snykes Bridge and according to contract the City was bound to provide all materials to hand but on the 10th 11th 12th 13th days of August following Petitioner was idle for want of materials which was a loss to him of 28s. The Work has now been completed, with the exception of covering in the top which for want of flags cannot be done, over two months, since which time Petitioner has been kept out of the payment with no prospect of shortly being able to finish which would not take over two days work. Petitioner therefore prays that Your Honourable body will direct that he may be paid. In which case he is ready to give good and sufficient security that he will finish the work when the materials are ready, and Petitioner will ever pray

Am't of Contract £74.10.0

By Mathew Martin

Shew

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When on Motion said Petition is referred to
the Commissioners of Streets

Read following Memorial of Patrick Flynn
and others Truckmen of the City

Petition of
Patrick Flynn and
other Truckmen

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

Your Petitioners all Licensed Truckmen
humbly shew that Your Petitioners are not fairly dealt with in
consequence of several Truckmen buying up every load of coal
that comes to this market for the purpose of having the carting
of the same to themselves

Your Petitioners humbly ask Your Worship
and the City Council to take the matter under your consideration
and adopt such regulations as will give every one a fair chance
And your Petitioners as in duty bound will ever pray to

By Patrick Flynn and others

When on motion same is ordered to lie over

It having been brought to the Notice of
the Council that a very great number of the Truckmen have
neglected to take out their licenses for the present Year, His
Worship the Mayor is requested to give the necessary directions
to have said parties brought up and fined, should they
neglect to take out their licenses within ten days after notice
given, which on being put is passed

A. K.
Keith Mayor

Resolution rel.
to Truckmen
taking out their
Licenses

November

Philip
Isaac Parsons having taken the oath
of Office is sworn into Office as one of the Constables of the
City in presence of His Worship the Mayor

A. K.
Keith Mayor

Bonds of Health

297
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At a Special meeting of the City Council held this present His Worship the Mayor Aldermen Anderson, Adams, Noble, Scott, Salter, Morrissey, Sumrose, Egan, O'Neil, Darcy, Nugent, Woodill, Wright King, and Longard

The City Council were summoned to take into consideration the report of the Committee relative to Plans for building of New City Market, the report of Commissioners of Streets relative to tenders for cutting down Barrack Street also relative to making a drain in lower Water Street Ward No. 2. His Honor the Recorder's opinion relative to roads in Ward No. 6. Likewise a petition of Shea and Wallis, the various matters standing over from last meeting, and the transaction of other business

Read over proceedings of 2^d October

Alderman Woodill submits Memorial of Patrick Stokes relative to his tender for cutting down Barrack Street. On Motion said Memorial is received

Alderman Scott submits report of Committee on subject of Measurers of Grain. On Motion same is received

City Council next proceed to take into consideration following Report of the Committee relative to erection of City Market. Read following Report

Saturday November 5th 1852

At an adjourned meeting of the Committee of the City Council appointed to consider the subject of building a City Market, and to obtain plans and other information in relation thereto, it was unanimously decided that the plan accompanying, drawn by Mr. William Birdley, Architect be adopted, and that the same be recommended to the Council for its confirmation

By Richard Nugent Chairman
William Darcy, D. O'Neil
John Egan, D. Salter

When the following resolution is introduced

Resolved

Memorial of Patrick Stokes rel. tender for cutting Barrack St

Report of Comtee rel. Measurers of Grain

Report of Comtee rel. to Plans for City Market

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Resolved that the Plans for the Building of a City Market now submitted to the City Council and recommended by the Committee for the consideration of the Council be adopted, which on being put is passed, unanimously

Resolved that the Committee recently appointed to obtain a Plan for the erection of a City Market, be empowered to request Mr Findlay to draw the necessary Specifications and building Plans for the erection of said Building, agreeably to the Plan this day submitted and adopted by the City Council, which on being put is passed unanimously

Resolved that the Committee be likewise requested to get Mr William McKay to lay off the line of the various Streets for the purpose of enabling Mr William Findlay the Architect to draw out a complete Plan and Specifications for erection of the Building preparatory to tenders being taken for the erection and finishing of said Building, which on being put is passed unanimously

Resolved that on Mr William Findlay the Architect having furnished the Committee with the necessary Specifications and building Plans for the erection of the City Market, that said Committee be empowered to advertise for tenders for erection of said Building either in Brick or Granite and submit the same to the Council as early as they conveniently can, which on being put is passed unanimously

Resolved that the Committee in taking tenders for the erection of the Building in specifying the description of article that the same be built of Best quality prepared Brick; that the South and East Sides be laid in cement, or if Granite the same be built of double axed Granite, which on being put is passed unanimously

The City Council next proceed to take into consideration the following report of the Commissioners of Streets relative to cutting down of Barrack Street

Extract from Minutes of Commissioners of Streets 5 November 1852

Tenders for the excavation of Barrack Street were opened

Resolutions
rel: to Plans re
of City Market

Report of
Committee re:
Excavating of
Barrack Street

Shu

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John McGuire's was read the amount £450.0.0
 Forbes Black's " " " " £418.15.0
 And the Corp Street £410
 Nicholas Mahers was read the amount £15.0.0
 Patrick Stokes " " " " £00.0.0

The tenders having been examined it appeared that the only party who has strictly complied with the advertisement was John McGuire, and on motion it was resolved that his tender be accepted the security offered being considered satisfactory.

Attest Copy

J. S. Clarke

City Clerk

On Motion Petition of Patrick Stokes this day submitted relative to his tender for cutting down Barrack Street is read

City of Halifax November 10. 1852

To the Honorable Alexander Keith Mayor of the City of Halifax N.S. City Aldermen of the same or to whom else it may concern & so so

The memorial of Patrick Stokes of the City of Halifax Humbly Sheweth

That Your Memorialist tendered on Thursday last, to contract and complete the Work on Barrack Street so called in the City of Halifax, agreeable to Specification, for the sum of Six Hundred Pounds, and my securities named were Mr John Murphy and Mr John Pilsbyle both of Halifax, but in the tender it appears that something was wanting, in respect whereof, Your Memorialist being desirous to undertake and complete the said contract, as before mentioned and as at a smaller sum Your Memorialist Humbly solicits that Your Worship will please give due consideration of the matter, and as being desirous to serve the public, and ready to comply with the security required, he trusts that Your Worship will give him a fair chance, that Your Memorialist in order to prosecute the said undertaking, had made such friends, that were determined to see that the said Contract shall be fully carried out, as such Your Memorialist leaves himself in Your Worship's hands, and whatsoever may be your pleasure will be grateful for the same

By Patrick Stokes

Me

Memorial of
Patrick Stokes
rel: to his tender for
Cutting Barrack St

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We the undersigned of the City of Halifax do undertake to become responsible that Patrick Stokes above mentioned, will perform the Contract above mentioned and sign such Bonds as may be required

By John Meagher
John Gilfoyle

Tender
John McNamee's
Excavating
Barrack St

Read following tenders

Halifax 10 November 1852

I hereby tender to execute and complete all the work mentioned in the foregoing Specification within the time and in manner therein mentioned for the sum of Six hundred and ninety pounds Halifax Currency payable on completion of the work

By John Maguire

Halifax 11 November 1852

The City Council
Gents

I do hereby offer to excavate Barrack Street agreeably to plan and Advertisement / the deepest cut being twelve feet and the width of Street Forty Five feet, for the sum of seven hundred and forty eight pounds fifteen shillings and will excavate the Cross Streets to a corresponding grade as pointed out by the Overseer for the sum of Forty pounds

In the event of my tender being accepted I will be prepared to furnish satisfactory security for the due performance of Contract

Yours truly
John Gault

Your obedt Servant
By Forbes Black

Tender
Forbes Black
Excavating
Barrack St

Tender
Nich. Maher
Excavating
Barrack St

To His Worship the Mayor and Aldermen of City of Halifax

I agree to excavate and finish according to Plan and Specification fifteen hundred feet or sections on Barrack Street in the City of Halifax for the sum of Seven hundred and fifteen pounds Currency £475.0.0

Contractor By Nicholas Maher

By John Maher
Warranted by Mary Fanning
Halifax

301.
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Hullas 14. Nov 1852
To His Worship the Mayor and Aldermen
of the City of Hull

Tender
Patrick Stokes
Excavating
Barrack St

I agree to complete the excavating of
all the sections of Barrack Street and finish the
whole in a workmanlike manner according to the
Plans and specifications as per advertisement for the
sum of Six Hundred pounds Currency and give satisfactory
security for the due performance of said Contract

By Patrick Stokes
" John Baker
" John Gifford

The following resolution is next introduced

Resolution
accepting
Mr. Stokes's
Tender Excavating
Barrack Street

Resolved that Mr. Stokes's tender for
excavating Barrack Street of the width of 48 feet and cutting
down the Crisp streets for the sum of £600 be accepted
on condition of Messrs C. D. Hunter and James Blis become
security for the same, which on being put is passed 14
voting for it and 1 against it

On Motion Council adjourn
until tomorrow at 11 o'clock then to adjourn until
Friday at Two o'clock for business

A. K. Keith Mayor

1852
November 11

An adjourned meeting of the City Council held this day. Present His Worship the Mayor Aldermen Davey and Anderson,

On Motion Council adjourn until tomorrow at Two o'clock

J. R. Keith Mayor

November 12

An adjourned meeting of the City Council held this day. Present His Worship the Mayor Aldermen Power, Adams and Noble

On Motion Council adjourn until tomorrow at Eleven o'clock, then to meet for business on Monday at Two o'clock

J. R. Keith Mayor

1852

November 15

At an adjourned meeting of the City Council held this day. Present His Worship the Mayor Aldermen Anderson, Tower, Adams, Noble, Scott, Morrissey, Primrose, Egan, Neal, Dewey, Shumway, August, Woodell, King and Knight Longard

Read over proceedings of 10. 11. 52 November instant

The Chairman of the Committee appointed to obtain from Mr Findlay, Plans and Specifications for the erection of the City Market Having stated that it had been deemed advisable before getting the same completed that an alteration might be made in the Eastern front the following resolution is introduced

Resolved that the Committee appointed to obtain the Plans and Specifications for the erection of a new City Market be authorised to direct Mr Findlay the Architect in preparing his Plans so as to lay out the same, that on the Eastern side there be four shops instead of five, and a staircase to enter the Eastern side of said Market, if the same can be done so as not to interfere with Building, or extend beyond the proper limits on the Street, said Stairs to be of cast iron or Granite, which on being put is passed unanimously

Resolution as to Shops in New City Market

Memorial of George S Johnston and others for a Drain in Barrington Street

Alderman Morrissey submits Memorial of George S Johnston and others for a Drain in Barrington Street. On Motion same is received

Communication Water Company re reservoir on the Common

Alderman Primrose submits Communication of Charles Trining and others relative to rent due by water Company for Reservoir on Common On Motion same is received

Report Com^{rs} of Streets, Drain in Water Street Ward No 2

Read following report of Chairman of Commissioners of Streets relative to building Drain in Water Street Ward No Two

Committee Room City Council 3rd November 1852

The Commissioners of Streets to whom the Attention

1852

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Attention of P. Murphy and others in Water Street relative to Drains was referred. Report

That having examined the situation of the drainage in that locality they unanimously recommend to the Council to authorize the Commissioner of the Ward to open a drain from Murphy's property to run south in Water Street until it meets a drain at the foot of Salter St. which will remove all the difficulties now complained of, at a much less expense to the City than to contest the right to the drains, Water Courses and openings now existing.

That the said drain be opened as soon as the inhabitants, or owners of the property place in the hands of the City Treasurer the half of the expense which Mr. Jones estimates at \$42.00

Respectfully submitted

By D. W. Salter Chairman

When on Motion the same is received, when the following resolution is introduced

Resolved that the Report of the Com^r of Streets on the Petition of Murphy and others be adopted in so far as regards the opening a Drain to the bottom of Salter Street, The City reserving the rights to all the drains on the East side of Water Street, which on being put is passed,

Resolution
rel: to Drain in
Water Street
Ward No 2

Read following report of His Honor the Recorder relative to roads in Ward No. 6. Having been taken possession of

Public roads in in No 6 usurped

Agreeably to resolution of Council of 27th Sept. 1852. I prepared a notice to Mr. W. A. Hendry which has been served upon him, under signatures of His Worship the Mayor and the Commissioners of Streets, as to the several pieces of road which are comprised in the Jacobs grant. I recommend that a resolution be passed by the Council directing a reference to the Commissioner of Streets for Ward No. 6 to ascertain their exact location on the Ground by actual survey, and that he be further instructed to take possession of such portions of them as may not appear to be lawfully held by actual possession of private persons, and further to make a specific return of the names and residences of any such persons as may hold any part of them against the

Report of the
Recorder rel:
to Roads Ward 6
usurped

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the City showing the portion held by each person by notes and bounds, in which I will be in a situation to prepare the proper notices to those parties. I would further suggest that the Commissioner should be authorized to exercise ownership on behalf of the City over any parts thereof not hostily withheld, by improving the same as roads at once, so as to secure future possession thereof.

By Thomas Maudslach
Recorder

Adopted 29 Oct 1852

When the Motion same is received

The Recorder having stated what had occurred relative to Mr Maudslach's encroachment in Ward No 6 and that he had deemed it his duty to prepare a Bill of Indictment against Mr Maudslach. The following resolutions are introduced

Resolutions relative to Encroachments on Roads Ward 6

Resolved that His Honor the Recorder having stated that he had deemed it his duty to prepare a Bill of Indictment against Mr Maudslach for his encroachment on one of the roads in Ward No 6 that His Honor be requested to proceed therewith without any delay, which on being put is passed

Resolved that a Committee be appointed to assist His Honor the Recorder in collecting the necessary testimony on the trial of said Indictment, that Aldermen Wright and Sargant be that Committee, which on being put is passed.

Resolved that the Commissioner of Streets for Ward No 6 be requested to carry out the latter part of His Honor the Recorder's report relative to certain roads taken possession of by certain individuals in that Ward, which on being put is passed.

Opinion of Recorder re: Defaulters for Fire Tax

Read following opinion of His Honor the Recorder relative to certain balances due by individuals for the Fire Tax

Petition of Shea and Wallace

I am of opinion that the Treasurer should make a written report to the Council of the names of the several defaulters and the respective sums by them unpaid of the Fire Tax in this case, and that upon this report being received the

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The City Council should pass a resolution directing Warrants of distress to be issued to be signed by the Mayor and countersigned by the City Clerk, as issued by order of the Council to collect the balances reported, any final balance that cannot be collected under distress must be a loss to the sufferers by the fire, as there is no law to authorize its payment from the City Treasury nor to justify a reapportionment. I submit the Provincial Acts which I have had occasion to refer to in making up my opinion on this subject

- Provincial Acts of 1762 293. C. 5. S. 3 & 4
- 1820 6093. C. 7. S. 2.
- 1830 144. C. 18. S. 3.
- 1851 Rev. Stat. C. 99. S. 3 & 4
- 1851. 1 Sepim C. 18.
- Charter Act 1851. 2nd Vol. R. S.
- title Magistracy

By William Murdoch
Recorder

October 29th 1852

When Mr. Motion said report is received and adopted

Read following Memorial of Philip Letson and others for a Gas Post at the Bridge West end of Morris Street likewise of James Malcolm and others for a Gas Post in Grafton Street
To His Worship the Mayor and Aldermen of the City of Halifax

The Memorial of the undersigned Citizens most respectfully sheweth

That Morris Street has become one of the most important thoroughfares of the City but is rendered almost useless at night for the want of lights at the West end of the said Street and the consequent difficulty of crossing the bridge where it joins the Common

That if Gas lights were placed at the West end of the said Street to the Bridge the safety and convenience of the public would be promoted

May it therefore please your Worship and the Aldermen to take the premises into consideration and to direct that the Gas lights may be extended to the Bridge at the West end of Morris Street or to such extent as may seem meet

Halifax October 20th 1852

By Philip Letson and 15 others

Petition
P. Letson and others
Gas Posts in
Morris Street

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To His Worship the Mayor and City Council
The Memorial of the undersigned inhabitants
of the South suburbs of the City, Respectfully Sheweth

That at the extreme South end of Grafton
Street on the road leading to Spring Garden a street lamp is very
much wanted, the fence of the Government Field and the poor
House burial ground render the Street exceedingly dark and
dreary, and as there are two Churches in the immediate vicinity
besides a constant stream of passengers to and from Spring Gardens
Memorialists confidently hope that the Council will at once see
the necessity of the erection of a lamp in the situation now pointed
out and give directions to have one placed there before the
Winter is any farther advanced and your Memorialists as in
duty bound will ever pray.

Halifax 25 October 1852 By James Malcom and Others

Shew on Motion the prayer of said several
Petitioners are granted upon conditions the Company do not make
further charge for the same than at present, to which following
amendment is made, That said several applications stand
over until further enquiry is made through a Committee as
to the want of other parts of the City which amendment being
put is lost 4 Voting for it and 9 against it. The original is
then put and carried 8 Voting for it and 5 against it

Read following Memorial of Dr
J. H. Home Surgeon of Bridewell for an increase of Salary
Halifax 22 October 1852

To His Worship the Mayor and City Council
Gentlemen

I would respectfully suggest to
Your consideration the present very small salary allowed to the
Medical Attendant of the Bridewell, and solicit if it should
meet your approbation an increase thereof, the present sum is
far short of adequately remunerating the services required
for that Establishment, without tarring the Medicines into
account. I would also again call Your serious attention
to the necessity of having two wards (male and female)
for the treatment of the Sick, many of whom require a treatment
that cannot be carried out while sleeping in the cells of the
Establishment. I have the honor to be Gentl Your obedt servant

By James H. Home M.D. Surgeon to the Bridewell
When

Petition of
J. Malcom and others
for a lamp in
Grafton Street

Resolution re:
Gas Lamps in
Morris & Grafton
Streets

Memorial
J. H. Home
Surgeon of
Bridewell

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When following resolution is introduced

Resolution ad:
to Dr Hume's
Memorial

On reading the petition of Dr Hume it was on Motion of Alderman King resolved that the Salary of the Medical Attendant of Bridwell be increased to Thirty pounds

Read following Memorial of John Liswell and others for a sewer in Gottingen Street Ward 105

To the City Council now convened.
The Memorial of John Liswell, Henry G Hill and others. Most Humbly Sheweth

Memorial of
John Liswell
and others for
Drain in Gottingen
Street

That your memorialists own and occupy property situated on the West side of Gottingen Street, which is valueless for want of proper drainage

That your Memorialists are now prepared to pay into the hands of the City Treasurer the sum of Twenty Four pounds for the purpose of making a main sewer in said Street

That your Memorialists therefore humbly request that you would be pleased to grant the like sum of Twenty Four pounds for the purpose of completing said sewer. And your Memorialists as in duty bound will ever pray

Wm Hill
October 6th 1852

By Henry G Hill
John Liswell
Henry Magnowitz

When following resolution is introduced

Resolved that the Prayer of the Petitioners be complied with, which on being put is passed

Vacancies
of Coal Measures

His Worship the Mayor brings to the notice of the Council that from the report of the Supervisor of Coal he had been compelled to suspend Patrick Connell one of the Measurers of Coal for neglect of duty and it being stated to the Council that the party had left the Country Council direct that the usual notice to applicants for said situation be given (See November file)

Council

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Council next take into consideration report of Commissioners of Streets relative to extra services rendered by the Assistant City Clerk to that Committee as entered 27th October 1852 (file 291) when following resolution is introduced

Resolution
Remuneration
Asst City Clerk
Services Com^{rs}
of Streets

Resolved that the sum of Twenty pounds be paid to Mr. Cragg Assistant City Clerk in full for past services rendered by him to the Commissioners of Streets which on being put is passed

The following Bond of Mr. William Grant one of the Weighers of Flour and Meal having been submitted to the Council the same is approved

Weigher of Flour
Bond
Mr Grant

Know all men by these presents that We William Grant of the City of Halifax in the Province of Nova Scotia Cordwainer as principal, Andrew Mackinlay of the same place stationer and James Cochran of the same place Merchant as sureties are held and firmly bound to the said City of Halifax in the sum of Eight Hundred pounds lawful money of Nova Scotia, that is to say the said William Grant as principal in the sum of Four Hundred pounds and the said Andrew Mackinlay and James Cochran sureties each in the sum of Two Hundred pounds, to be paid to the City of Halifax for which payment well and truly to be made, we bind ourselves and each one of us, and the heirs, executors and administrators of us and of any two of us and of each of us jointly and severally firmly by these presents, sealed with our seals and dated the twenty eighth day of October in the year of our Lord one thousand eight hundred and fifty two

Whereas the said William Grant was duly elected a Weigher of Flour and Meal for the City of Halifax by the Mayor and Common Council on the fifteenth day of October in the present year

Now the condition of this obligation is such that if the said William Grant do and shall well and faithfully discharge perform and execute all the duties of Weigher of Flour and Meal for the said City of Halifax according to the Provisions of the laws of the Province and the By Laws or Ordinances of the said City and resolutions or directions of the City Council now in force or that may be made relating thereto

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thereto. Now this obligation to remain be null and void otherwise to remain in full force and virtue

Signed Sealed and
Delivered in presence of
James S Clarke

By William Grant D
Andrew MacMillan D
James Cochran D

The following Bond of Mr W. I. Morris the
City Clerk of Licences having been submitted to the City Council
the same is approved of

Know all men by these presents that We William
I Morris of the City of Halifax and Province of Nova Scotia Gentleman
as Principal and Samuel Caldwell of the same place Blacksmith
and Matthew Murney of the said place Shopkeeper are held and
firmly bound to the City of Halifax in the sum of Twelve hundred
pounds of lawful money of Nova Scotia, that is to say the said
William I Morris as principal in the sum of Four hundred
pounds and the said Samuel Caldwell and Matthew Murney
as sureties for the said William I Morris in the sum of four
hundred pounds each to be paid to the said City of Halifax for
which payment well and truly to be made, we bind ourselves
and any two of us, and each one of us, our heirs, executors and
administrators, and the heirs, executors and administrators
of any two of us, and of each of us jointly and severally firmly
by these presents, sealed with our seals and dated this
twentieth day of October in the Year of Our Lord one thousand
Eight hundred and fifty two

Clerk of License
Bond
Mr W. I. Morris

Whereas at a Meeting of the City Council
held on the fifteenth day of October last the said William I Morris
was duly elected and appointed to the Office of City Clerk
of Licence for said City

Now the condition of this obligation is such
that if the said William I Morris shall well and faithfully
perform execute and discharge all the duties appertaining
to the said Office of City Clerk of License agreeably to the Laws of
the Province and such Ordinances of the City Council as
have been or may hereafter be made relating thereto, and
shall from time to time as required by the City Council
duly account for and pay over to the City Treasurer of
said City of Halifax all monies whatsoever which have here-
before been received by him or which shall hereafter come
into