

1853
October 3

Resolved that the City Clerk be requested to transmit a copy of said resolution to the Honorable the Secretary of the Province and respectfully request His Excellency to appoint a time and place for Swearing Mr Poyer into Office, which being put is passed,

City Auditors appointed

The City Council next proceed to appoint two City Auditors
On Motion James A. Mowen and George A. Shaw are appointed City Auditors for ensuing year,

Payment of Accounts

The following accounts having been approved His Worship the Mayor is requested to draw Checks on the City Treasurer for the same,

Robert Davis \$41.10.0
Thomas Walsh 1.0.0
John Gordon 21.10.0

Keith Mayor

Letter from Provincial Secretary rel: to Swearing Mr Poyer into Office

Provincial Secretary Office
Oct 3rd 1853

Sir
Having laid your letter of this day date, before the Lieutenant Governor, I have been commanded to acquaint you that His Excellency has appointed tomorrow (Tuesday) at eleven o'clock for swearing Mr Poyer into Office at Government House
I have the honor to be

James Clarke Esq
City Clerk &c

Sir
Your obedient Servant
Joseph Howe

Keith Mayor

1833

October 14

Mayor
Sworn

Henry Fryer Esquire having been at Meeting of the City Council held yesterday duly elected Mayor of the City for ensuing year was this day sworn into Office in presence His Excellency the Lieutenant Governor and Aldermen Adams, Scott, Pinrose, Longard and Hartshorne,

October 14

Alderman
Sworn

William Sutherland takes the oath of Allegiance the oath of Office as required by law and likewise that of a Justice of the Peace for the City in the presence of His Worship the Mayor.

October 9

City Auditor
Sworn

George A. Paw having taken the oath of Office, is this day sworn into Office as one of the City Auditors in presence of His Worship the Mayor

Henry Fryer
Mayor

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At a Special Meeting of the City Council
held this day Present His Worship the Mayor Aldermen Pover,
Adams, Pugsley, Scott, Hartstorne, Primrose,
Morrissey, O'Neil, Dewey, Ewans, Nugent, Woodill, Coleman,
King, Longard and Sutherland,

The City Council were summoned to take
into Consideration the excavation of a drain in Water Street,
the further Consideration of cutting down Barrack Street and
the transaction of other business,

Read over proceedings of 28 Sept & Oct

Memorial of
James Cochran rel:
drain in Water Street

Alderman Primrose submits Memorial
of James Cochran relative to the cutting of the drain in Water
Street, which on Motion is received,

Memorial of
George Sopom rel:
Barrack Street

Alderman Ewans submits Memorial
of George Sopom relative to Barrack Street, on Motion same
is received,

Memorial of
John Macquie rel:
Barrack Street

Alderman Morrissey submits Memorial
of John Macquie Contractor for cutting down Barrack Street
on Motion the same is received,

The City Council proceed to take into
Consideration the excavation of a drain in Water Street,

Read following letter from M^r M. G. Black
and Messrs Collins relative thereto

Halifax 11th Oct 1853

Letter from
M. G. Black and
Messrs Collins
rel drain in Water
Street

Sir,
The subscribers take leave to call your
attention to what they conceive to be an improper act on the part
of the Commissioners of Streets in causing a drain to be opened in
front of their property in Water Street to receive and carry off what has
originally passed into a drain running north of the store at the head
of Clark's wharf now occupied by Messrs L. White & Co. the effect of
which they believe (if the work is persisted in) lead in a short
time to much annoyance and loss to them as well as to
individuals occupying the several buildings in front of
which said drain is in the course of construction. Should
Your Worship's feel at liberty under the circumstances of the
Case

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Case to forbid the work being proceeded with we shall feel obliged
We have the honor to be

Your obedt Servants
Signed Martin Gay Black
" Eves Collins

Read following report of Superintendent
of Streets on same subject

The Ordinance Department having lately
stopped the outlet of a drain leading from cellars on the West side of
the Street where the Haymarket was formerly kept, the cellar under the
Premises belonging to Mr Hunter Esq is in consequence flooded by the
public Water. Mr Hunter has applied to the Superintendent of Streets to
relieve his cellar from this water by finding an outlet to his drain, The
Superintendent after having applied to Mr Ince Ordinance Street Inspector for
liberty to open the original mouth of drain and being refused this
request, laid the case before the City Council by report, this report embraced
the only alternative which the Superintendent of Streets could
perceive for effecting the relief required, viz to open the Street from
the lowest public grate South 11 Rods from the mouth of Mr Hunters
drain in the natural course of the surface water, this point is
South 11 Rods from the mouth of Mr Hunters drain and at the
entrance to Black's Wharf where the public Water is vented, To
this recommendation the City Council agreed, and instructed the Supt
to take tenders for making a public drain according to a specific-
cation which accompanied the report, on condition that Mr Hunter
should pay into the hands of the City Treasurer one half of the estimated
Cost of said new drain, this condition Mr Hunter complied with and
the contract is now in course of being carried out, A number
objections have arisen with Mr E Collins respecting the drain
crossing the front of his premises, Mr Black also objects to the
drain venting as formerly down his Wharf. In this dilemma
the Superintendent sees no suitable remedy unless by continuing
the drain South to the Public Sewer at the lower end of Duke Street
He might indeed stop the public Water from going into Mr Hunters
cellar by building up the grates but then the surface water would
become a nuisance in the vicinity

Report of
Supt of Streets re:
Drain Water St.

Respectfully Submitted

J. James Irons
Supt of Streets

His Worship the Mayor
Dublin 4 Oct 1853

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On Motion the letter of Mr James Cochran
this day submitted on the same subject is read

His Worship the Mayor and Aldermen in
Council
Gentlemen,

Letter from
James Cochran re:
Drain in Water
Street

Having understood that it is the
intention of the Superintendent of Streets under the direction and
Control of your Honorable Body to construct a public drain from
the Ordnance Wall along Water Street to the Sewer in Duke Street
ending in front of my dwelling house and store, there being no
constructed drain farther than the front of my premises and
no outlet to the harbour the water has to find its own course, the
damage I have already sustained by the accumulation of
filth beneath my premises is a serious grievance, I now most
warmly protest against the additional injustice of passing
intervening outlets to the harbour of both public and private
character to press this nuisance on me, I hope therefore Your
Honorable Body will interfere and stop the proposed entrance
of said drain

Halifax Oct 10th 1853

Your most humble Servt
James Cochran

Read part of the report of the Superintendent
of Streets of 24th June last on same subject (Lib. D folio 440)

Read resolution of City Council of 24th
June 1853 relative thereto (see Lib. D folio 441)

The following resolution is next introduced,

Resolution re:
Drain in
Water Street.

Resolved that a Committee be appointed
to investigate the right of the City to an outlet under the Ordnance
Wall likewise what public drains or outlets there are from
Buckingham including Duke Street, and where situated
and report thereon with as little delay as possible, and that
Aldermen Hartshorn, Colman and Parry be that
Committee which being put is passed,

The subject of cutting down Barrack
is next taken up by the City Council

And following letter of Mr W. Allison
Club to Mr Ritchie by addressed to His Worship the Mayor,

Halifax

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Malpas 4th Oct 1853

Amey Rep^r by Mayor &c
G^{en}

Letter from
W. J. Allison Clerk
to J. W. Ritchie
rel: to Barrack
Street

Mr William C. Morris has requested me again to call the attention of the Mayor to the state of Barrack Street, the time prescribed for the completion of Mr McGuire's Contract has long since elapsed and though the work remains unfinished nothing has been done to it for some time, the winter is fast approaching and it is necessary that the work should be completed this month to make the necessary alterations to Mr Morris property to be made before it sets in otherwise his property will be untenanted for a long period, It is hoped that the authorities will adopt such measures as will insure the speedy completion of this work and thus render unnecessary recourse upon the City for the heavy losses Mr M. must sustain thro the delay

I have the honor to be
Your most obed^t serv^t
J. W. Ritchie
for W. J. Allison

On Motion the Memorial of George Dorman
the Clay submitted is read.

At the Worship of the Mayor and Aldermen
of the City of Malpas

Shumbly Sheweth

The Memorial of George Dorman

Memorial of
George Dorman rel:
to Barrack Street

That Your Memorialist is the proprietor of several houses in Barrack Street in this City which has been cut down, had it been finished according to the Contract and Specification it would have been a general benefit to all the persons in the neighbourhood, Your Honorable Board know that the street was to be finished on the 1st of August, had it have been completed it would have altered my properties before the winter sets in, and the proper levels not not been given at any section before this compels him to let it go to ruin and suffer the loss of rent which has been over fifty pounds already, the loss all winter will be serious to property if the street is allowed to remain unfinished for it is impossible to walk the street in wet weather for mud and water, the section two hundred feet from Dorman's corner which gives on the plan five feet is only cut three feet.

Your

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Your inches which will render his property useless to him. Had the contract been carried out. He would have had a story underneath, your memorialist has had the street surveyed by Mr Surlants which proves the sections according to the plan not finished, and your Memorialist has been taxed more for property in that street than before, He hopes your honorable Board will order the street to be finished so as he can let his property, and get some remuneration for it, and as in duty bound will ever pray

Malpas 11/33

Signed George Depon

On Motion the Memorial of John McGuire this day submitted is read,

The City Council

To His Worship the Mayor and Members of

Guthman. Respectfully Sheweth

The Petition of John McGuire of Malpas.

Memorial of John McGuire re: Barrack Street

That this original Tender for the work at Barrack Street to be of the width of forty five feet, was Six Hundred and fifty pounds, but it having been determined to add three feet to the width, and to excavate and cut down the Cross Street, (which was not in the original tender) he was prevailed on to undertake the work for only forty pounds more, making Six Hundred and ninety pounds in all, which experience has shown to be wholly inadequate to the cost. Your Petitioner having already sworn that it has caused him an expenditure more than double of all he is to receive, that although he soon discovered that he was to lose largely by the job, he resolved to execute it faithfully and agreeably to the directions of Mr Jones the Superintendent who examined the work as it proceeded and gave the necessary orders therefor which your Petitioner obeyed,

That in compliance with his wishes Petitioner cut parts of the Street from forty nine to fifty three feet wide or thereabouts in place of forty eight and adjusted the levels from time to time as he desired,

That assuming the Superintendent under the late Act to be substituted for and to exercise the powers and duties held formerly by the Commissioners of Streets, Your Petitioner humbly submits that the whole work having been so conducted under his control and Superintendance and finished

in

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in a proper and workmanlike manner, with his full approval and acceptance in terms of the contract, and that his certificate of the 30th September being conformable both to the law and the fact entitles your Petitioner to be paid

That independently of the New York Petitioner since the resolution of the City Council passed on the 28th September has enquired into the joint report of Messrs James McKay and has learned from Mr. McKay himself that it was founded on a misapprehension, and that the point from which Mr. McKay made his measurement, is seven feet further north than the point from which the measurements were made by Mr. Jones making an essential difference in the whole. And Your Petitioner invites the attention of the City Council to one striking and unanswerable fact which is decisive in his favor. The resolution of 28th September requires him to excavate one foot eight inches more at the point distant two hundred feet from Popens Corner, at which point the excavation was to be five feet, according to the contract, and at which point accordingly to the contract and at which point accordingly as directed by Mr. Jones five feet as is apparent on the ground have been in fact excavated so that the Petitioner is now called on to excavate twenty inches more than his contract specifies.

That in proof of these statements Your Petitioner submits herewith a sketch prepared by Mr. McKay according to the point of beginning as understood by him but not by the Superintendent and by your Petitioner, from which it plainly appears that while your Petitioner even by Mr. McKay's estimate has cut only a few inches short, in some of the sections he has cut in other sections several inches over, the one more than balancing the other.

That your Memorialist having thus substantially fulfilled his contract notwithstanding the ruinous loss it has entailed on him having executed it faithfully under the eye and to the satisfaction of your own Officer cannot believe that the City Council will require of him any thing so oppressive and unreasonnable as to begin the work again and expend a large sum out of his own pocket, or the pocket of his sureties. That if it is thought advisable or proper to cut down a little further at Mr. Moors in order to benefit his property. Your Petitioner hopes that the Council will sympathize with the strong feeling evidenced by the Petition in his favor, and direct such additional work to be done at

No

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the expense of the City. Your Petitioner therefore humbly conceives that he is entitled to the favorable consideration of Your Honors that he ought not to be driven to a suit for money so hardily and honestly earned. And that no obligation either of law or of Justice would be violated by a resolution directing him to be paid. And the Petitioner prays that such direction may be accordingly given
Subscribed 11 Oct 1853
Signed John Maguire

Read the Contract of John Maguire for cutting down Barrack Street bearing date 10 November and Specification annexed

Papers relative to Barrack St Read previously

Read John Maguire's account and James Irons Superintendent Certificate of 20 September and statement of expenses as entered 28 September 1853

Read Memorial of Henry Piper Esquire and others as entered 28 Sept 1853
Read Minutes of Commissioners of Streets of 5 November 1853

Read Resolution of City Council of 10 November 1853
Read Memorial of W. C. Moor as entered 28 September 1853

Read J. W. Ritchie Esquire letter of 21 September 1853
Read His Worship the Mayor's answer thereto

Read Extract from Committee of Streets of 23 September 1853
Read the strict report of Messrs William McKay and James Irons as entered 28 September 1853

Read Memorial of James Neville and others as entered 28 September 1853
Read Resolution of the City Council of 28th September 1853

When following resolution is introduced

Resolved that a Committee be appointed to ascertain whether the further cutting cutting down or carrying out of the original contract will in any manner injure the top streets and other streets below and property thereon and report

Resolution rel: to further cutting of Barrack Street

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report to the City Council at their first Meeting to which the following amendment is introduced

Resolved that the Resolution of the City Council passed on 28th September last relative to John Maguire being required to complete his Contract on Conditions therein specified be adhered to, which amendment being put is lost 4 voting for it and 12 against it the original is then put and passed.

On Motion Aldermen Tuborland, Pugsley, Hartshorne, Morrissey, Davey and Woodill are appointed the Committee,

His Worship the Mayor brings to the notice of the City Council the immediate necessity of appointing Committees as follows

- 1st The subject of Fish Market, Bridewell and Rock Head farm,
- 2nd Police Regulations and Rules and Regulations for governing debates in City Council,
- 3rd To Select a Board of Health and Health Wardens for the City

The following resolution is next introduced

Resolved that as it is the opinion of the electors of the several wards of the City that the Superintendent of Streets is not sufficient to perform the duties incumbent on him to the satisfaction of the public, that the City Council do on the 15th of the present month appoint Two Superintendants of Streets one for the northern and one for the Southern divisions of the City, and that notice to that effect be given in the daily papers, which resolution being put is lost 5 voting for it and 11 against, and the names being called for they stood thus,

For the Resolution	Against the Resolution
Alderman Coleman	Alderman Davey, Longard
Erans	Hartshorne, Tuborland
Pugsley	Morrissey, Onil
Woodill	Adams, Power
King 5	Purman, Scott

Alderman Erans gives notice for reconsidering the resolution August 11

Committees rel: to Fish Market, Bridewell, Rockhead farm &c

Resolution rel: to two Superintendants of Streets

Reconsideration

The

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The subject of Fishmarket, Bridwell and
Rock Head farms On Motion is referred to the Committee of
City Property,

The subject of Police regulations and
regulations for governing Debates of City Council, On Motion
is referred to His Honor the Recorder,

The subject of selecting a Board of Health
and Health Wardens, On Motion is referred to

- Alderman Tower
- " Hartborne
- " Timrose
- " O'Neil
- " Nugent
- " Longard

On Motion Council rise

Henry Puyok
Mayor

1853

October 15

At a Special Meeting of the Council held this day present His Worship the Mayor Alderman Power, Adams, Sugoley, Scott, Falter, Hartshorne, Gibson, Timrose, Morrissey, O'Neil, Dewey, Evans, Nugent, Woodill, Coleman, King, Longard and Sutherland

The City Council were summoned to elect a Recorder, City Clerk, Assistant City Clerk, City Treasurer and other Officers agreeably to the Act, and the transaction of other business.

Read over proceedings of 11 October

Report of Special Com^{tee} rel: Drains

Alderman Hartshorne submits Report of Special Committee relative to Drains

Report of Special Com^{tee} rel: Night Carts

Alderman Scott submits Report of Special Committee relative to Night Carts

Resolution reconsideration of rel: to two Super^s of Streets

The City Council next proceed to take into consideration the notice of Alderman Evans for reconsideration of resolution negatived on the 11th Instant, when following Resolution is introduced

Resolved that the resolution of 11th October 1853 relative to the appointment of two Superintendants for the City instead of one be reconsidered, which being put is lost 11 voting for and 13 against it and the names being called for they stood thus,

For the Resolution		Against the Resolution	
Alderman Coleman	,	Alderman Dewey	, Timrose
" Evans		Hartshorne,	Longard
" King		Gibson	, Sutherland
" Woodill 4		Morrissey	, O'Neil
		Falter	, Power
		Adams	, Scott
			, August 13

City Officers Appointed

The City Council next proceed to the appointment of City Officers for ensuing Year

Read

1853
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Recorder
relected

Read application of Beasly Marchock Esq
for the Office of Recorder, and the names being taken he is
unanimously selected,

City Clerk
relected

Read application of James F Clarke for
the Office of City Clerk, and the names being taken he is
unanimously selected,

Assistant Clerk
relected

Read application of Mr John L Cragg for
the Office of Assistant City Clerk, and the names being taken
he is unanimously selected,

City Treasurer
relected

Read application of Laurence Hartshorn
Esq. for the Office of City Treasurer, and the names being taken
he is unanimously selected,

City Marshal
relected

Read application of Mr George Inou for
the Office of City Marshal, and the names being taken he is
unanimously selected

Clerk of License
relected

Read various applications for the Office
of City Clerk of Licenses and Messrs Lockyer and Munroe
having with the consent of the Council been withdrawn, and
the names being taken Mr W. J. Morris is unanimously selected,

On proceeding to the election of Constables
the following resolution is introduced,

Keeper of City
Court House
elected

Whereas in consequence of the contemplated
arrangements in the upper part of this Building, a Keeper of it will
be required to take care, keep clean and attend to the fires, in
all the various and respective Offices, Therefore resolved that
George Glazebrook be appointed Keeper of this Building at an
annual Salary with apartment fuel and light, to which
following amendment is introduced,

Resolved that the Question of appointing
a Keeper of the City Exchange Building be postponed until the
other public Officers are appointed, which amendment being
put is lost 8 Voting for it and 10 against it, the original is
then put and carried 11 Voting for and 4 against it, and the
names being called for they stood thus,

For

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For the Resolution	Against the Resolution
Alderman Davay, Adams	Alderman, Evans
" Hartshorn, Longard	" Pugsley
" Gibson, Lutterlaw	" Woodie
" Morrissey, Primrose	" Oniel
" Falter, Scott	" Power
" King 11	" Nugent
	" Coleman 4

City Constables
elected

The City Council next proceed to elect the Constables, read over the various applications, when a motion is made that the seven old Constables be re-elected, which on being put is unaminously passed, when the following persons are re-elected and attached to the wards affixed to their respective names,

James Ham	John Eunie
Patrick Craufield Ward No 1.	Ward No 4
Garret Cotter	Andrew Mackay
David Evans Ward No 2	John Steek Ward No 5
Philip Parsons	William Roddick
Donald Fraser Ward No 3	John Campbell Ward No 6

The City Council next proceed to elect a Constable for Ward No 4 in place of George Graybrook, and the names being taken they stood thus

For Power	For McKay	For Daniel Laing
Alderman Coleman	Alderman Evans	Alderman, Davay, Primrose
" Power	" Pugsley 2	" Hartshorn, King
" Nugent 3		" Gibson, Woodie
		" Morrissey, Longard
		" Falter, Lutterlaw
		" Adams, Oniel
		Scott 15

City Constable
Daniel Laing
elected

Daniel Laing having received a clear Majority of votes of members present is elected one of the Constables of the City,

Mr. Mortimer William Norman and Charles Fiddling are appointed Clerks of market,

The following Quarterly returns of the Weighers of Flour and Meal having been submitted to the Council the same are read,
Return

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Return of number Bbls Flour and Meal
Weighed by William Grant. Quarter ending 30 Sept 1853.

Number of Bbls	Bbls Short wt	Lbs short
<u>6212</u>	<u>1143</u>	<u>1831</u>

Signed William Grant Weigher

Return of number Bbls Flour and Meal
Weighed by Samuel Cartaw. Quarter ending 30 Sept 1853.

Number of Bbls	Bbls Short weight	Lbs Short
<u>10,259</u>	<u>136</u>	<u>1808</u>

Signed Samuel Cartaw weigher

Return of number Bbls Flour and Meal
Weighed by John Parker. Quarter ending 30 Sept 1853

Number of Bbls	Bbls short weight	Lbs Short
<u>10,078</u>	<u>82</u>	<u>1136</u>

Signed John Parker Weigher

Return of number Bbls Flour and Meal
Weighed by John Winters. Quarter ending 30 Sept 1853

Number of Bbls	Bbls short weight	Lbs Short
<u>7,966</u>	<u>67</u>	<u>947</u>

Quarterly
Returns of
Flour Weighers

Flour Weighers
elected

A motion is then made that Samuel
Cartaw, John Winters, John Parker and William Grant be
re-elected Weighers of Flour and Meal for ensuing year, which
motion being put is carried 13 being for it and 5 against
it, and the names being called for they stood thus,

For the Motion		Against it	
Alderman Evans	Adams	Alderman Gibson	
" Pugsley	King	" Morison	
" Davoy	Wardell	" Primrose	
" Hartshorn	Longard	" Scott	
" Orill	Suberland	" Power	5
" Yalter	Argent		
	Coleman		13

The City Council next proceed to elect
a Superintendent of Streets when the names being called for
there

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There appeared for

James Irons

Alderman Coleman, Primrose

" O'Neil, King

" Davey, Longard

" Marlthorne, Sutherland

" Gibson, Tower

" Morrissey, Scott

" Falter, Nugent

" Adams, 15

Against him

Alderman Pugsley

" Woodice

" Evans 3

Superintendent of Streets relected

Clerk of Streets relected

Read application of M. C. Craigie for Office of Clerk of Streets, and the names being taken he is unanimously relected.

Sound Keepers relected

On Motion William McDonald is appointed Sound Keeper, likewise Henry Veitch for North end of the City.

Registrar of Cemetery relected

Read application of Joseph Waffer for Registrar of Protestant Cemetery, and the names being taken he is unanimously relected.

Keeper of Powder Magazine relected

Read application of Samuel Marshal for Office of Keeper of Powder Magazine, and the names being taken he is unanimously relected.

Health Inspector relected

The City Council next proceed to appoint a Health Inspector and Keeper of Markets, and the names being taken Henry St. Parker is unanimously relected.

Under Keeper of Fish Market relected

The City Council next proceed to appoint an under Keeper of Fish Market and the names being taken there appeared for

Andrew Brackett

Daniel McInnis

Hennington

Alderman Coleman, Longard

Alderman O'Neil

Alderman Falter

" Pugsley, Sutherland

" Davey

" King

" Marlthorne, Evans

" Gibson

" Woodice

" Adams, Scott

" Morrissey

" Primrose, Nugent-10, Tower 5

3

Andrew Brackett having received a clear majority of votes is duly elected Under Keeper of Fish Market

Read

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Surgeon of Bridewell
relected

Read Dr Hume's application for Surgeon of
Bridewell, when the names being taken Dr Hume is unanimously
relected

Warder of Bridewell
relected

Read application of William McDonald
Warder of Bridewell, when the names being taken William Mc
Donald is unanimously relected

The City Council next proceed to appoint
the various Committees for ensuing year when the following are
made

Standing,
Committees
appointed

Committee of Public Accounts

- Alderman Power
- " Hartshorne
- " Fuller Chairman
- " Nugent
- " Coleman
- " Tusthorpe

Cemetery

- Alderman Adams
- " Scott Chairman
- " Gibson
- " Evans
- " Davy
- " Hartshorne

Senders

- Alderman Pugsley
- " Grimrose Chairman
- " Morrissey
- " Davy
- " Coleman
- " Woodill

Machney Carriages & Truckmen

- Alderman Pugsley
- " Fuller
- " Grimrose Chairman
- " Evans
- " Woodill
- " Longard

Public