

1854  
March 6

At an adjourned meeting of the City Council held this day present His Worship the Mayor Aldermen, Pugsley, Scott, Sutter, Martineau, Gibson, Simmore, Monisey, Crill, Evers, Nugent, Woodill, Coleman, Longard

Read over proceedings of 3 and 11 March

Alderman Sutter submits Memorial of draft of, prepared by the Committee relative to resolutions of proceedings of City Council on subject of the Rail Road.

On Motion said Memorial is received and ordered to be read.

To the House of Representatives of the People of His Majesty's Province of Nova Scotia, in General Assembly convened

The Petition of the Mayor and Aldermen of the City of Halifax in said Province in City Council convened

Respectfully Sheweth,

That this Council affirming the principles embodied in certain resolutions previously adopted by the Corporation, and considering that the interests of the City imperatively demand the immediate construction of the lines of Railway contemplated by the Bill now before the Legislature in order to retain the business of the Western Counties, the Gulf Shore and Prince Edwards Island and which otherwise, it is to be feared will be diverted into other Channels and viewing with much satisfaction the proposition set forth in said Bill reserving to the City of Halifax Stock in said railways to the extent of one hundred thousand pounds.

In accordance with a resolution of the City Council passed at a meeting held on the third day of March last Your Petitioners respectfully request that the House will make such provision as to them may seem expedient in order to enable the Council to issue a certain amount of City Debentures not exceeding the sum of one hundred thousand pounds currency (under such regulations and in such a manner as may hereafter be agreed upon) for the purpose of defraying the cost of their interest or Stock in the said Undertaking, but always providing that the Terminus of the said Railway shall be within the City of Halifax.

Forward on behalf of the City Council

Signed Army Phips Mayor

When following resolution is introduced

Resolved that the Draft of the Memorial just presented respecting the Railway do lie on the table which on being put 3 voted for it and 10 against. Resolution is therefore lost, and the

Memorial to Legislature re: to Railway

Resolution re: to above Memorial

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names being called for they stood thus,  
 For the Resolution  
 Alderman Pinrose  
 " Langard  
 " Evans 3.  
 Against the Resolution  
 Alderman Duglay, Monisey  
 " Alderman Woodhill  
 " Hartstone, Scott  
 " Gibson, Ornd  
 " Fetter, August 10

The following resolution is next introduced

Resolved that the Memorial just read  
 be fairly engrossed signed by His Worship the Mayor on behalf of the  
 City Council and by him transmitted to the County and Township  
 Members to be submitted to the Honorable the House of Assembly  
 and likewise that a copy of the same be transmitted to the Honorable  
 the Legislative Council, passed

The City Council next take up the  
 Report of Committee of Public Accounts, the same is read

Committee Room 18 Feb'y 1851  
 At a Meeting of the Committee of Public  
 Accounts held this day Present the Chairman, and Aldermen Hartstone  
 Alderman, August, Power and Tutherland

The following accounts were presented for examination

Report of Committee  
 Public Accounts

City Property	J. W. McKie	6. 10. 0	
	Thomas Walsh	7. 4. 6	
	Hompson & Esrow	32. 18. 10	
	James Hunter	3. 3. 10	
	John Hull	13. 19. 5	
	Cornelius Phalen	51. 0. 0	
	W. J. Wiswell	50. 17. 9	
	Robert Davis	17. 5. 1	
		<hr/>	182. 19. 5
City	W. Merrick & Co	6. 19. 7	
	John Langard	1. 0. 0	
	Gazette Office	1. 10. 0	
	B. J. Amencaw	27. 8. 11	
	R. August	2. 9. 9	
	W. Annand	23. 9. 9	
	A. Grant	1. 5. 3	
	English & Blackacer	28. 8. 3	
	Do Do	28. 7. 3	109. 19. 2
	Dr. DeWolf	2. 4. 5	
	Thomas Cummins	3. 11. 3	
	Black & Bros	0. 8. 0	
	W. Grant Jr	26. 7. 2	
	Thomas Roggs & Co	3. 12. 3	

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City Controvers	But Forward	
	Alex. Wright & Son	0. 8. 9
	E. G. Fuller	2. 0. 0
	Mr. W. A. Black	33. 7. 9
	J. H. Anderson	12. 0. 0
		<hr/> 201. 18. 11
Bridewell	William Eves	20. 6. 10
	W. McDonald	8. 19. 11
	C. Barnstead	2. 0. 6
	W. Kennells	111. 12. 6
	W. Caldwell & Son	2. 0. 10
	D. Anne	30. 0. 0
		<hr/> 108. 0. 0
Fire Department	City Bill for Lumber	5. 2. 0
Streets	William Grant	6. 14. 6
	Joseph Semings	68. 3. 5
	W. Stevens	10. 8. 2
	W. Caldwell & Son	21. 9. 1
	Patrick Power	3. 7. 6
	John Hogan	5. 0. 0
		<hr/> 115. 5. 8
		<hr/> <u>\$613. 5. 5</u>

The above amounting to \$613.5.5 being found correct are recommended to be paid as soon as the City Treasurer is provided with funds, as it appears from the City Treasurers of that there is not sufficient in hands for the purpose.

The Committee conceive it to be their duty to bring to the immediate notice of the Council the present position of the finances of the City, with the view of devising means for providing the necessary funds to meet present debts, and the probable expenditure of the current year.

On reference to the annexed estimate of the revenue, and appropriation for the different departments of the City, it will be seen that there remains the sum of £ of expenditure beyond receipts for which some provision must be made, either by borrowing the amount on the credit of the City, or at once face the difficulty which has been increasing year by year and apply to the Legislature for permission to levy such an assessment as will serve to defray the now increased and necessary expenses of the City, and the Committee do not hesitate to say, that in their judgment the latter mode is the preferable one.

When the City received its act of Incorporation the sum of \$5000 then allowed to be levied for Corporation purposes, was considered adequate for conducting its affairs, since then however the wants of the Citizens of have increased requiring a larger outlay for Gas, Water, the Night Watch and other expenses as fully appears in the Estimate so that the sum of \$1500 is now yearly required for these services which were

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were then not thought of.

It will be seen on reference to the report of the Committee of Public Accounts, 1853 that the sum of £9515 had been expended by the Commissioners of Streets for the Years 1850-51 and 52 beyond the means furnished by the Statute Labour fund in improvements on the Streets, so that last year it became necessary to apply to the Legislature for permission to expend for the sum of £6500 or £6500 beyond the amount which we have already stated is allowed to be expended by the Act of Incorporation, and also to borrow a further sum of £2000 making in all £8500 in order to meet the engagements of that year. This course is open for you now, but your Committee cannot but report to you the fact that the absolute and necessary expenditure of the City now amounts to in round numbers £11000 per Annum: And after Crediting the revenue derived from Rents, Licenses and Fees amounting in all to about £2000 per Annum there remains £9000 per Annum to be provided for by Assessment being £4000 per Annum beyond the amount at present permitted, it must therefore be evident that the adoption of any other mode but that now recommended, must of necessity only serve to shelve the present difficulties for a short period to be hereafter renewed and increased by the accumulation of Interest and the Repayment of Loans.

The Committee now beg leave to point out several amounts which they have considered necessary to place in the Estimates, and first they have fixed upon £500 as a provision for the probable requirements of the Board of Health, £100 of this amount is already expended voted for vaccinating the Poor of the City, the remaining sum of £400 it is much to be feared will be required for sanitary purposes during the year, and in adopting such remedial measures as may be called for under the apprehensions which exists that these fearful scourges the Cholera and Small Pox which have prevailed to an alarming extent in the West Indies and some portion of the neighbouring States during the past Year may visit us, should these apprehensions prove to be unfounded as we earnestly trust they will, the provision thus made will of course appear at the Credit of the City the coming year. The next item is a sum of £200 for the purpose of procuring a new Engine for the Fire Department, the necessity of providing this amount is obvious that the Committee do not enlarge upon it. The sum of £215.4.8 is necessary for defraying the interest accruing upon the loan for £2000 and the loan for £5000 for building the Market House, on the latter sum the Interest is only calculated until the 1<sup>st</sup> August as it is believed that the Rents then to be derived from that building will furnish means for the payment of the Interest for the remainder of the year. The provision of the loan for £2000 which becomes due on the 31 December 1851. £750 is of necessity included in the Estimates.

Your Committee would further allude to the sum of £100 voted last year for the purchase of an entrance into the Fish Market from Water Street and the loss of rent arising herefore from the Market House, and other sources to account for the necessity which must be

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be apparent for a larger appropriation. With regard to the annual vote towards the expenses of the Poor Asylum, the Committee have to report, that the Estimates received from the Commissioners indicate that the sum of £1866 is required for the present year, it would appear from a careful analysis, that the City of Malpas is chargeable for the support of 268 paupers for 32295 days, which at the small sum of  $4\frac{1}{2}$  each per day, amounts to £1209.12.4. The City Council have been under the impression that for several years, they have paid a larger amount to this Establishment than they were fairly entitled to pay, yet the Committee are unwilling, at this particular season to recommend a smaller sum than the amount above stated as it must be evident to all, that the severity of the winter combined with the dearth of fuel and food, renders such a refuge as the Poor Asylum, for the Poor of both City and County, indispensable, at the same time the Committee would suggest to the Council the enquiry, as to the propriety of providing for the Poor of the City under their own direction and management at some future day.

On carefully examining the various items of expenditure which have come under their notice, the Committee cannot see any room for retrenchment, the Salaries of the Officers are as low as the due efficiency of the Public Service demands, the Convenience and Comfort enjoyed by the City, as from the use of Gas and Water and the Safety of the City at large consequent upon the employment of the night watch it is believed could now be dispensed with. On the contrary the frequent applications from various quarters for the extension of these necessaries lead us to infer, that at no distant day a further provision must be made for these services and that increased expenditure for these purposes would be viewed with much satisfaction by the Community.

The City funds have never yet been in such a position that the passage of a money vote during the year could be allowed without encroaching upon the means provided for other purposes, it seems necessary therefore to place in the Estimates such an amount as the Council may decide upon from which the funds for such measures of improvement as may be considered expedient shall be taken; and it must be obvious that this amount (whatever it may be) should not except under very extraordinary circumstances be exceeded. if this rule be adhered to there will be no difficulty in meeting promptly all demands upon the City at the close of each year.

The Committee would only further state in conclusion that at the present moment a large number of accounts for the past year remain unpaid, arising from the practice which they cannot but condemn of depending on the coming year to repay the previous years debts, and they would suggest the propriety of opening a Cash account with Banking Institution to obtain at once such temporary loans as are required to discharge these accounts, and the current expenses repaying the same as funds are collected by the City Treasurer.

All of which is respectfully Submitted

Jos. B. W. Salter Chairman Com<sup>o</sup> Public Accts.  
Estimated

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Estimated expenditure for the year 1854		
Pensions	Pension to John Liddell Esq	250.0.0
Salaries	Salaries of Officers	
	The Mayor	250.0.0
	The Recorder	200.0.0
	City Clerk \$250 allowance \$50	300.0.0
	Assistant City Clerk	175.0.0
	City Marshal	200.0.0
	Constables	900.0.0
	Under Keeper of Fish Market	25.0.0
	Keeper of Market & Health Inspector	75.0.0
	Keeper of Powder Magazine	20.0.0
	Superintendent of Streets	200.0.0
	Clerk of Streets for 1853 & 1854	200.0.0
	City Clerks	80.0.0
	Fuel for Court House	15.0.0
	Secretary of Board of Health	25.0.0
	Sailors Allowance	20.0.0
	<hr/>	2665.0.0
Sec. Expense.	Amount for this Service	1009.11.11
Fire Department.	Engine Service	250.0.0
	Pumps & Wells	42.0.0
	Repairing tanks	100.0.0
	Secretary	10.0.0
	Keeper of Engine House	25.0.0
	Union Engine Co	140.0.0
	Ace Fire Company	10.0.0
	Inspectors of Mills	10.0.0
	Contingencies	25.0.0
	<hr/>	512.0.0
Bridewell	Expenses for the year	350.0.0
Interest on Old City Debt	Interest on old tract debt	310.0.0
	do on Ordnance property	39.7.9
	do on North West Farms	12.0.0
	<hr/>	385.7.9
City Property	Probable Cost of Repairs for the year	300.0.0
	Treasurers Commission	300.0.0
	Allowance for amounts lost in the Department is. expected for but not collected, for the year	200.0.0
	Contingencies	300.0.0
		<hr/>
Debt of 1853.	Indebted accounts remaining unpaid to 31 Dec 1853 as per list	613.5.5

Wm. C. C.

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Watch	Captain and 12 men 13 Weeks		
	do and 6 men 39 Weeks	455.0.0	
Water	For Fire Plugs & Hydrants	575.0.0	
Gas	For 100 Lamps with Gas	500.0.0	
			1470.0.0
Board of Health	Vaccinating the Poor	100.0.0	
	For the Service of the year	100.0.0	
			500.0.0
Interest	Interest on £2000 borrowed last year at 5%	100.0.0	
	do on £5000 for Building Market		
	July to 1 August	165.8.14	
			265.8.14
Loan due 31 <sup>st</sup>	Repayment of part of loan for £2000		
	due 31 <sup>st</sup> December 1853		750.0.0
Fire Department	Required for building New Engine		200.0.0
City Property	Purchase of Entrance to Ark Market		
	from Water Street		100.0.0
	Amount for projected improvements on the		
	Streets and such other improvements		
	during the year for which votes may be passed		100.0.0
	Amount of S <sup>t</sup> Blanchards as ordered by		
	the City Council to be put in the Estimate		62.7.7
			<u>£10835.3.5</u>
Revs	Estimated Revenue for 1854		
	Revs from City Property	680.0.0	
	Lease of the Market House Revs &c	250.0.0	
			1430.0.0
Fees	Fees received in the Mayor's Court and		
	Police Office		400.0.0
Licenses	Licenses for Liquor		1000.0.0
	Balance in the hands of City Treasurer		366.13.1
	Probable Amount which may yet		
	be collected of last Year's Assessment		100.0.0
			<u>£2296.13.1</u>
	Balance to be provided for		8538.10.4
			<u>£10835.3.5</u>
	8538.10.4		
	5000.0.0		
	<u>3538.10.4</u>		

W. H. W.

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When following Resolution is introduced

Whereas it appears to this Council that the engagements of the City cannot be met by the amount now permitted by law to be expended on the City, therefore Resolved that His Worship the Mayor be authorized to have a Memorial prepared and presented to the Legislature requesting that the Act of Incorporation may be so amended as to allow the City Council to increase the annual expenditure to such sum not exceeding \$10000 as they may find necessary, to which following Amendment is introduced

Resolutions rel.  
to Expenditure for  
1854

Resolved that the report before the Council be taken up and discussed, which Amendment being put there appeared for the same 5 Against it 4 Amendment is therefore lost and the names being called for they stood thus,

For the Amendment	Against the Amendment
Alderman Dugley	Alderman Adams, Scott
" Woodill	Galtier, August 7
" Longard	Gibson
" Eves	Storsey
" Emil 5	Primrose

The following Amendment is next introduced

Resolved that the sum of Eight Thousand pounds be inserted instead of Ten Thousand which Amendment being put there appeared for the same 4 Against it 8, Amendment is therefore lost and the names being called for they stood thus,

For the Amendment	Against the Amendment
Alderman Dugley	Alderman Adams, Storsey
" Woodill	Scott, Primrose
" Eves	Galtier, Longard
" Emil 4	Gibson, August 8

The following Amendment is next introduced

Resolved that nine thousand pounds be inserted in the application for expenditure instead of Ten Thousand which Amendment being put there appeared for the same 5 against it 4 of the Amendment is therefore lost. The original is then put and there appeared for the same 8 and against it 4. The original is carried

Alderman Scott lies on the table a Resolution relative to the amount to be expended for support of Poor

A Motion is made that the Council do now go into debate of the various items in the Estimate submitted by the Committee of Public Accounts which on being put there appeared for the same 5 against it 4 Motion lost

Read



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Read following report of Special Committee  
relative to persons voting in more wards than one,

The Committee appointed under a resolution of  
the City Council passed on the 11 January Inst. stating that it had been  
alleged that certain Electors of the City of Halifax did on the 1<sup>st</sup> day of Oct-  
1853 contrary to Sec 32 of the Act of Incorporation vote in two wards by  
have to report as follows viz.

Report of Special  
Committee re:  
persons voting in two  
wards

1<sup>st</sup> It appears by the Poll Book returned by the  
Presiding Officer at the Election held on 1<sup>st</sup> Oct 1853 for Ward No 2 that  
the Hon J B Wernicke did vote in said Ward No 2 his residence being  
stated to be Mallis Street that the receipt for his Apportionment for that year  
dated 30<sup>th</sup> Sep 1853 was left with the Presiding Officer in that Ward and is  
now on file in the custody of the City Clerk.

It also appears by the Poll Book returned  
by the Presiding Officer at the said Election held on the said 1<sup>st</sup> Oct 1853  
for Ward No 5 that the said Hon J B Wernicke did also vote in said  
Ward No 5 his residence being stated to be Mallis Street that a duplicate  
receipt for his Apportionment for said year dated 30<sup>th</sup> Sep 1853 was left with  
the Presiding Officer for said Ward No 5 and is now on file in the custody  
of the City Clerk.

2<sup>nd</sup> It appears by the Poll Book returned by  
the Presiding Officer at the said Election held on the 1<sup>st</sup> Oct 1853 for Ward No 1  
that one designated as William Silver did vote in said Ward No 1 his  
residence being stated to be Mallis Street that the receipt for his Apportion-  
ment for that year dated 29<sup>th</sup> Aug 1853 was left with the Presiding Officer  
for that Ward and is now on file in the custody of the City Clerk.

It also appears by the Poll Book returned  
by the Presiding Officer at the said Election held on the said 1<sup>st</sup> day of Oct-  
1853 for Ward No 3 a person designated W Silver did vote in said Ward No 3  
his residence being stated to be in Mallis Street from of W Silver & sons the receipt  
for the Apportionment of the said W Silver & sons being left with the Presiding  
Officer for that Ward and is now on file in the custody of the City Clerk.

3<sup>rd</sup> It appears by the Poll Book returned by  
the Presiding Officer at the said Election held on the 1<sup>st</sup> Oct 1853 for Ward No 4  
that a person named William Coleman did vote in the said Ward No 4  
his residence being stated to be Crighton Street the receipt for the Apportionment  
of W Coleman & Co dated 2<sup>nd</sup> Sep 1853 being left with the Presiding  
Officer for that Ward and is now on file in custody of the City Clerk.

It also appears by the Poll Book  
returned by the Presiding Officer at the Election held on 1<sup>st</sup> Oct 1853  
for Ward No 3 that a person named William Coleman did vote in  
said Ward No 3 his residence being stated to be Grafton Street the  
receipt for his Apportionment for that year being left with the Presiding Officer  
and is now on file in custody of the City Clerk. Respectfully submitted

Signed William Eves Chairman  
W. J. Coleman  
A Primrose

January 1854

A

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A Motion is made that said report do lie on the table for further Consideration. Amendment that the report do lie over until a full meeting of Council 5th inst. For it and 'gainst Amendment lost the Original is then put and carried.

Submitted to the Recorder's opinion  
Relative to Mr. McMeir's Claim

Recorder's Office 2 March 1854

Opinion of Recorder rel: to Mr. McMeir's Claim

Agreeably to a resolution of the City Council passed 24th Feb 1854 I have carefully considered the letter of Mr. Richie Esquire on behalf of Mr. McMeir which an action for damages against the City is mentioned. It is my opinion that the Municipal Act. Ch. 18. respecting Commissioners of Streets confers on the Commissioners full powers to make all improvements including excavations on the Streets that they may judge necessary or useful to the public and I am of opinion that no private individual has a right to bring an action for damages consequent on such improvements or excavations made under authority of that act unless he can substantiate an abuse of power or departure from common justice to his detriment on the part of the authorities or some gross negligence of duty. I consider that to yield to Mr. McMeir's demand for damages in this case would seriously embarrass and obstruct the future action of the Officers of the City in all matters of public improvement.

Signed Francis Mordaunt  
Recorder

Motion that a copy be sent to Mr. Richie Counsel for Mr. McMeir passed.

S. Wallis relative to Cop by Fire  
Council of the City of Halifax

Read following Memorial of Mr. Chas

To His Worship the Mayor and Common

Memorial of Shea & Wallis rel: to Fire tax

Gentlemen. The Petition of Charles I Wallis humbly sheweth, that having his property torn down by order of the Fire Wardens to prevent the spread of the fire of 1851. The Common Council recommended the Legislature to pass an Act for his relief which was accordingly done. That of the amount awarded the City Treasurer has paid over all that the Cold Collect. leaving a balance of seven pounds eighteen shillings and four pence still due your petitioner who will feel grateful if your honorable body will have the kindness to grant him the said balance  
Halifax Jan 1854

Signed Charles I Wallis

The balance of seven pounds eighteen

shillings and four pence stated remains due to Chas I Wallis

Signed L. Hartshorne

City Treasurer

Read following Memorial of Thomas Shea on same subject, with following Certificate from Laurence Hartshorne, City Treasurer

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A balance of seven pounds and 6 remains unpaid of the sum of £177.10. expected for damages sustained by Thomas Shea by the fire above mentioned,

Signed L. Hartstone

Resolution rel:  
to Shea & Wallis  
Fire Tax

When a Motion is made that the Prayer of Petitioners be granted, passed, and that His Worship the Mayor draw Checks for the same when City Treasurer is in funds

The Council rise

Henry Kenyon  
Mayor

March 27.

At a Quarterly Meeting of the City Council held this day Present His Worship the Mayor Aldermen Adams Pugsley, Scott, Talbot, Hartstone, Pinmore, Morrissey, O'Neil Dewey, Evans, Woodie, Colman, Longard and Sutherland,

Read over proceedings of 6 March

Report of Special  
Committee rel:  
John McGuire's Petition

Alderman Morrissey Chairman of Special Committee on Petition of John McGuire Contractor for cutting down Barrack Street Submit the report, On Motion same is received

Ditto  
The Shea's Petition

Alderman Pinmore Chairman of Special Committee on subject of Thomas Shea's Petition, (Apprentice) Submit report, On Motion same is received

Memorial of  
Richard Anderson  
for Hydrant

Alderman O'Neil Submit Memorial of Richard Anderson and others for a Hydrant in Upper Water Street On Motion same is received

Letter from  
Colo. Savage  
rel. to Barrack Street

Read following Letter from Lieut Colonel Savage addressed to His Worship the Mayor relative to Barrack St.

Engineer Office Malpas March 21, 1854

Sir

In consequence of the Corporation of the City of Malpas having

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Having considerably lowered Barrack Street (which adjoins the Eastern boundary of the Glacis of the Citadel), Government will thereby be put to a very heavy expense in being under the necessity (for Military purposes) to make extensive additional excavations in deepening the Glacis to the present (instead of the old) level of Barrack Street in order to bring it under the fire of the Citadel, but in consequence of the Contractor for this work not having made the excavations required either as regards the level or the boundary line, I beg to call your attention to this subject as it prevents my excavating the adjoining Glacis down to the present level of Barrack St. For the greater accommodation of both the Civil and Military, residing in this City, I consider it most desirable by an united effort to make Barrack St. passable as soon as possible, and having authority to expend several hundred pounds during the approaching Summer towards the completion of the Glacis of the Citadel I hereby give the Corporation notice that if they will immediately execute the required excavations as regards the level and boundary lines of Barrack St. I will on the part of the Honorable Board of Ordnance expend the whole of this years grant towards the completion of the Citadel Glacis on the Eastern side of the Fortification that adjoins Barrack St. in order to assist in putting the latter in good order, but unless the City Authorities immediately commence the excavations required to complete this Street, I shall be obliged to appropriate the money granted towards finishing the Western Glacis of the Citadel opposite Windmill Hill

I have the Honor to be

Sir  
 Your most Obedt<sup>l</sup> Humble Serv<sup>t</sup>  
 James M. Savage Lieut Col  
 Comd<sup>g</sup> of Royal Engineers

To His Worship the Mayor  
 of the City of Halifax

And following report of Superintendent of  
 Office of Superintendent of Streets  
 Halifax 22 March 1831

His Worship the Mayor Sir

Having carefully considered the Subject of the letter addressed to Your Worship by the Colonel of the Royal Engineers respecting his intentions relative to Barrack St. I beg to remark that as far as I could understand the verbal agreement between Colonel Savage and the Commissioners of Streets respecting the cutting down of Barrack St. it was to the following effect, That the Engineer Department intending to continue their operations around the East Side of the Citadel, were anxious that the Slope of their Glacis should conform to the permanent grade of Barrack St. and that in order to induce the City Authorities to take immediate steps towards cutting down the Street, Colonel Savage promised that the Engineer Department would commence their operations simultaneously, and further that they intended to erect their fence twelve feet within the street line thus giving to

Report of Supt  
 of Streets rel: to  
 Barrack Street

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to the City, a temporary privilege of a twelve feet wide track on the Ordnance ground. When Mr. Gibson the Contractor commenced the excavation of Barrack St. the line was given him by the Royal Engineers and by them actually marked on the ground, and corresponding with the Ordnance land mark previously fixed. To this given line the Contractor excavated as close as he could with safety. His cut might not in every respect have been truly vertical but the difference in bottom excavation was more than compensated by the large quantities of earth which in wet weather slipped down from the high bank of the Glacis and which the Contractor was necessarily compelled to remove. Therefore consider that the City Authorities have in the most ample manner performed their part of the agreement, and have a right to expect that the promise given should be fulfilled as soon as practicable

I have the Honor to be  
Your Worship's  
Obedt Servant  
Signed James Brown  
Superintendant of Streets

When following Resolution is introduced

Resolution  
Committee to confer with  
Col. Savage

Resolved that Aldermen Northcote, Scott and Sutherland be a Committee to confer with Lieut Col Savage RE upon the subject of his letter addressed to His Worship the Mayor dated 21 Instant, and to report to this Board, which on being put is passed,

The City Council next take up the Report of Committee of Public Accounts as likewise the Estimate as entered 6 March 1851 (folio 76)

Resolutions rel: to  
Estimate for 1851

Read the various items when on coming to the amount required for the maintenance of the Poor £2009.11.4 as recommended by the Committee of Public Accounts the following amendment is submitted. Whereas the Citizens of Malaga since the Act of Incorporation in 1841 have been charged annually from £750 to £1400 for the Poor Asylum, and in reports of Committees of this Council at various times the amounts so annually charged were considered more than an equitable charge upon the City, and the subject having been brought fully before the notice of this Council by the report of the Committee of Public Accounts in March 1853. with the animality of this Council ordering any expenditure upon the Citizens over which it has no voice or control in the expenditure with the fact that neither the Mayor of the City or any Alderman have power of granting an order for admision into the Poor Asylum of any sick or destitute Citizen no matter under what extraordinary circumstances such case might arise, and whereas the report of the Committee was published nearly a year since for the information of the Executive of the Province the Commissioners of the Poor Asylum and the Citizens generally and no alteration made in the Law, or notice taken of the report by the Executive