

1855
November 28

Read Report of Superintendent of Streets
for W. 5 & 6 Wards of 3rd October relative to expense of cleaning
out Drain under Ordnance department

Office of Superintendent of Streets
Halifax Oct^r 1855

To His Worship
The Mayor

Report Pub. of
Streets for W. 5 & 6

The Superintendent of Streets for Wards
W. 5 & 6 begs leave to report, that according to your instructions
I have measured the Ordnance Drain, the length of Drain is
386 Feet - the excavation of earth above the Flage will be
537 Cubic Yards. The Sediment in the Drain is equal to 257
Cubic Yards. The whole cost for excavating, cleaning, recovering
with flags and filling in will cost the sum of Sixty pounds.
all of which is respectfully submitted

Signed R. Austin

Superintendent of Streets
for Wards W. 5 & 6

Read Memorial of James Scott and
others of 7th August

Read Minutes of Council of 7th
August and 24 August relative to the same when following
resolution is introduced

Resolution re
to Streets
Ordnance Sewer

Resolved that His Worship the Mayor
do give instructions to the Superintendent of Streets for W. 5 & 6
to immediately open and thoroughly clear all obstructions from
the main Sewer leading from Buckingham Street through
St. A. Ordnance secured by Alderman Evans moved by
Alderman Pugsley.

The City Marshal announces that the
hour has expired since the call of the Council

The following amendment to resolut-
ion 802 is next introduced

Whereas the Public Sewer leading from
Buckingham Street and passing through the Ordnance
Enclosure has been obstructed near its mouth and within the
walls of the Ordnance

Resolved

1855
November 28
continued
Act. rd to Mr
Wright the Mayor's
communication
to Ordnance
Dept

Resolved that His Worship the Mayor
be respectfully requested to communicate with the officers of the
Artillery department calling their attention to obstruction
of the Public Sewer leading out of Buckingham Street within
the walls of the Ordnance and requiring the obstruction to be
forthwith removed by the said department. Moved by
Alderman Sutcliff and seconded by Alderman Stairs which
amendment on being put there appeared for the same &
against it & amendment is therefore carried.

Council adjourns until Monday
next at five o'clock to take up report of Special Committee
relative to excavations for the City Prison

Richard Mayne

Dec 1855

At an adjourned session of City Council held this day present His Worship the Mayor Alderman ...

Read our proceedings of 28th November

Letter His Worship to the ...

Read letter from His Worship the Mayor addressed to the officers of Board of Ordnance relative to storage of grain under Ordnance custody.

A motion is made by Alderman ... seconded by Alderman ... that the usual notice for tenders to make gutters, fire plugs and hydrants free from ice and snow until 1st May.

Report of Sub-committee re to Plugs & Hydrants

Alderman ... submits report of Special Committee appointed to confer with Sub-Committee of Water Company. The same is read.

Report of a committee to confer with a committee of the Halifax Water Company December 1st 1855

Our Committee have to report that they met a committee from the Halifax Water Company viz William ... James S. ... John ... and James ... from whom they learned the present state of the Water Service which consists of

25 Fire Plugs		
18 Hydrants	per original not furnished	
	in exchange for the privilege	
	of opening the Streets at	\$400.00
14 Combined Fire Plugs & Hydrants	\$ each	112.00
1 Hydrant		10.00
2 Wells		150.00
		<u>500.00</u> 500.00 142.00

At a total cost of \$542.00 per annum

They have to remark that the arrangement by which the City has the use of this supplementary supply of the 14 Combined and 4 plain Hydrants is subject to any advance in price which the water company may demand. The extension of service which the Water Company by their Committee offer for the acceptance of this Council is to add to the main service Pipe of 12 inches diameter main -

communication

1855
December 3

communicating from the Lake to the junction of the St Andrews
Artery, an additional Pipe of fifteen inches diameter, which will
give a supply 100 percent greater than is now conveyed by the
pipe of 12 inches.

Your Committee would remark that the
present 12 inch Pipe is now met by two 12 inch Pipes the one
leading into the North end and the other into the South end
of the City.

The Water Company intimate, their intention
of laying about 500 yards of Pipe in Cornwallis Street.

In addition to this extension of Pipe: The Water Company
will furnish Ten Fire Plugs in such situations on the line of
their Street Pipes as the Council may select, which they will
keep in the same repair and good order as the original Twenty
five Fire Plugs. The City however to pay the cost of getting
or planting the new Plugs.

The Water Company do not prefer any increase in the
number of the Hydrants, but would desire to change the
position of any of the Hydrants, other than the original
eighteen Hydrants, the City paying the expenses thereof.

Such extra Service the Water Company will furnish
to the City for the sum of Two hundred Pounds.

Such extra Service the Water Company will furnish to the
City for the sum of Two hundred pounds. Should such
be adopted by this Council. The entire Cost and Service to
the City would be:

- 25 Fire Plugs
 - 18 Hydrants } as per original act
 - 14 Combined Fire Plugs & Hydrants
 - 4 Plain Hydrants
 - 10 extra Fire Plugs
- } now in use

Supplied by a 12 in dia & by a 15 in dia Service pipe for the
sum of £4200.

After due deliberation your Committee would
recommend that this Council do accept this offer of the
Water Company, Provided the Water Company who have
named their own names, shall give the a Lease or guarantee
of such service for a period of not less than years and
maintain the whole in a State of reasonable efficiency.

The Water Company estimate the expense of a
12 in Main from the Lake to the St Andrews bridge £6720. 0. 0

of a New Fire House which they agree to build 450. 0. 0
and of pipe to be laid in Cornwallis Street

£ 7170. 0. 0
9300. 0. 0

of a 15 inch pipe Fire House as above
all of which is respectfully submitted
Signed W. S. P. (Chairman), Jeremiah Conway, Wm. Evans

1855

December 3
continued

On Motion it is agreed that the salary of the Captain of Watch be one pound fifteen shillings per year

Abolishment of
City Watch

On Motion George W. Pugh is selected Captain of the Watch for ensuing year

The City Council next proceed to select the Watchmen

Read over various applications

A Motion is made the Six Old Watchmen be selected

separately

On Motion Jeremiah Conivan selected Watchman for the ensuing year

On Motion Jeremiah Connelly is selected Watchman ditto

On Motion John Evans is selected Watchman

On Motion Thomas Aulcraig is selected Watchman

On Motion John Kuffi is selected Watchman

On Motion Edward McDonald is selected Watchman

Council next proceed to elect the additional to serve until 1st April

The names are taken when John Sheehan is unanimously elected one of the City Watch.

The names are taken when David Barry is elected one of the City Watch

The names are taken when they appeared for Maurice Power 12 and McCulloch 3. Maurice Power having received a clear majority of votes is elected one of the City Watch

1835
December 3
continued

The names are again taken when they appeared for Thomas Buckley 5, Neil McAllice 8 & W Kearns Thomas Hunt.

Neil McAllice elected one of the City Watch

The names are again taken when they appeared for Thomas Buckley, 10 B. Shovelin 5 & W Kearns 2 Thomas Buckley having received a clear majority of votes is elected one of the Watchmen

The names are again taken when they appeared for Thos. Hunt 5 William Kearns 5 and B. Shovelin 4 and neither having a majority the names are again taken when they appeared for Hunt 5, Kearns 5 Shovelin 4 and neither having a clear majority the names are again taken when they appeared for Hunt 7, Kearns 5 Shovelin 3 and neither having a clear majority the names are again taken when they appeared for Shovelin 8 Hunt 9 Kearns 5 Thomas Hunt having received a clear majority of votes is elected one of the City Watch.

A Motion is made that the appointment of Neil McAllice as one of the City Watch be now confirmed passed unanimously

Report Comtee
Sunders rel to City
Prison

Read Report of Committee of Sunders of 11 November 1835 relative to Sunders for excavations to City Prison when following resolution is introduced

Resolution rel. to
City Prison

Resolved that the site already chosen by the Committee of Superintendants of the City Prison for the excavation of the Prison be now adopted by this Council. Moved by Alderman Sutherland seconded by Alderman Stains to which following amendment is introduced

Resolved that this Council are opposed to the construction of a City Prison on Rock Head Farm which amendment being put there appeared for the same 4 against amendment 10 the same is therefore lost and the names being called for they appeared thus

For Amendment
Alderman Evans
Cochran
Young
Monisay 4

Against Amendment
Alderman Anderson - Pollock
Fingstey - Longard
Conway - McHeath
Wills - Stains
10 Harvey - Sutherland

The

1855

December 3
continuedResolution rel. to
City Prison

The following amendment to resolution is
next introduced

Resolved that the Site Selected by the
Committee spoken of in the Resolution is in too exposed a place
And if adopted will lead to much additional expense to the
Citizens and the Drainage from the Building in that case
will destroy the water immediately in the rear of said site.
And be it further resolved that a site more suitable be chosen
Moved by Alderman Evans seconded by Alderman Young

A call of the Council is made

Alderman Pugsley gives notice of a
resolution relative to excavation in Granville and Hollis
Streets at next meeting

The hour having expired

The second amendment to 3^d Resolution
is again read - which amendment being put there appeared
for the same 6 against it 6 and then being an equality of votes
His Worship the Mayor is called upon for his casting vote
and gives his vote against the amendment, amendment is
therefore lost

Alderman Evans gives notice of reconsideration of above

The original resolution is then put when
there appeared for the same 3 against it 7 Resolution is therefore
lost

The following Resolution is next introduced

Resolution rel to
a lease for a Saw
Engine House in
Angyle Street

Resolved that His Honor the Recorder
be requested to draw up the necessary lease between the City
and Mr. Nicholas Wright of a vacant lot of land situated in
Angyle Street for an Engine House measuring 16 feet front on
Angyle Street by 30 feet in depth. Term of Lease 90 Years from
1st January 1856 Rent £15.00 per annum. Moved by Alderman
Evans seconded by Alderman Longard, passed

Alderman Stairs gives Notice of a resolution
to determine a Site for City Prison

On Motion Alderman Evans, Morrissey,
and Mills are appointed a Committee to obtain specifications
and tenders for Engine House on property of Mr. Wright.

Council adjourned until Friday at Two O'clock.

John J. May

1855

327

December 7

At an adjourned Meeting of City Council held this day Present His Worship the Mayor, Aldermen Fugster, Anderson, Stairs, Mr. Heath, Young, Cochran, Grant, With, Pollock, Conway

There not being a quorum of Gentlemen to do business Council stands adjourned until tomorrow at two o'clock

Robert May

December 8

At an adjourned Meeting of City Council held this day present His Worship the Mayor, Alderman Fugster, Stairs, Murray, Mr. Heath, Young, Murray, Bell, Cochran, Grant, Ross, Hawley, Pollock, Conway, Sutherland, King, and Longford

December

Read over proceedings of 3 and 7

Alderman Ross submits report of Committee of Gentlemen relative to taking charge of City Clock on Active same is received and ordered to be read

The

1855
December 8
continued

Califas 27 November 1855

The Committee of Tenders met this day
Present Alderman, Louisy, Anderson, Conway and
Chairman

Report of Committee
Tenders all to City
Clock, repairing in
shop etc.

Opened Three Tenders

- No 1 From Henry Brown for winding up
and keeping in repair of the City Clock
for one year } \$ 20.00
- No 2 From John Mc Culloch for winding
up and keeping in repair of the City
Clock for one year } \$ 24.00
- No 3 From John T. Cleverden for winding
up and keeping in repair of the City
Clock for one year } \$ 25.00

Resolved that the Tender of Henry
Brown being the lowest be accepted.

Signed Peter King
Chairman

A Motion is made that said report be
received and adopted which on being put is passed.

Petition of G.S. Fuller
and others all to a Gas
Post

Alderman, W. Heath presents Petition
of G.S. Fuller and others relative to erection of additional Gas
Post received

His Worship the Mayor submits to
the Council that John Leavans one of the City Watch men
coming on duty last evening was totally incapable of duty
from Intemperance

Resolution as to
John Leavans, Watch
man being unfit for
duty

The following resolution is introduced
Whereas a Report has been made to this
Council by His Worship the Mayor against John Leavans one
of the Watchman for being unfit for duty last night and
whereas the said John Leavans has not been brought up
for neglect of duty before this Council on any former occasion

Resolved that this Council do suspend him for one
Month then to be again reinstated. And that he be notified
that if a similar complaint is brought against him,
the Council will be disposed to dismiss him Moved by
Alderman Evans seconded by Alderman King, passed.

1855
December 8

His Worship the Mayor submits a communication from War Department of 13th December 1855 relative to stoppage of Grain under Ordnance department

Communication from
H. Collins re. to.
Buckwell men

His Worship the Mayor submits a communication from Henry Vines Collins relative to employment of Buckwell men

The following resolution is next introduced

Resolution re. to
City Prison

Resolved that the site of the City Prison at Rock Head be on the south easternmost corner of the Lot about 500 feet more or less from the Eastern Boundary and 200 feet more or less from the Southern Boundary marked by a Spruce Bush showing the South Western Corner of the Building layed by Mr. Hill, at the suggestion of a Majority of the Committee of Superintendance of the Building of City Prison. Moved by Alderman Stains seconded by Alderman Sutcland to which following amendment is introduced

Whereas it appears that it will cost a large sum of money to excavate the site selected by the Committee for the City Prison, and whereas it is the opinion of this Council that the present financial state of the City demands a careful expenditure of the public funds

And whereas it also appears that a desirable site for the said Prison can be obtained in another portion of Rock Head offering every facility for draining, without contaminating the Water so essential for the wants thereof, and where the excavations will cost a very much less sum

Be it therefore Resolved that the Architect be requested to examine the said site and report to the Council on the eligibility of such site, and the savings to be effected by the adoption thereof. Moved by Alderman A. Smith seconded by Alderman Evans

During the debate the following resolution is introduced

Resolved that this Council request the opinion of his honor the Recorder in Writing, if the Council have power to increase the sum for the building of a City Prison, over and above the sum of five thousand pounds specified in act of Parliament which on being put is passed.

His

1855
December 8
continued

opinion

His Honor submits and reads his

8th December 1855

To City Council

Opinion of His Honor the Recorder as to City Prison. Maudslayi

My written opinion having been requested as to whether His Council have the power to increase the sum for the building of a city prison over and above the sum specified in act of Parliament. They leave to state as my opinion.

That the only funds disposable for the building in question which the Council at present have under their control and available is the sum of £5,000 which they have been authorized to borrow. And that if the Council deem it for the public good to enter into engagements or outlays to an extent exceeding that sum they can only do so upon the presumption that an act of provincial parliament may be obtained to provide the additional sum necessary to carry out their view.

Signed Beamish Maudslayi
Recorder

Amendment (No 2) resolution is then put when there appeared for the same 8 against it 8. And there being an equality of votes His Worship the Mayor gives the casting vote against amendment the same is therefore lost and the names being called for they appeared thus.

For Amendment	Against amendment
Alderman Pugsley & Evans	Alderman Stairs & Monisey
Pellich & Longard	Harvey & Murray
Conway & W. Heath	Coushoy & Ross
King & Bell 8	Cochrane & Sutthard 8

Original resolution is again read and on being put there appeared for the same 8 against it 8 and there being an equality of votes His Worship the Mayor gives his casting vote in favour of original resolution. the same is therefore carried.

Alderman Pugsley gives notice of reconsideration of above

Council adjourn until Tuesday next at 2 o'clock

Wm. Pugsley Mayor

1855
December 11

(At a Meeting of City Council held this day present His Worship the Mayor, Alderman Pugsley, Anderson, Stairs, Mowbray, Young, Murray, Bell, Wells, Munn, Sutcliff and King and Longford.

There not being a quorum to do business Council adjourn until tomorrow at Two o'clock.

Shalifay Mayor

December 12

(At an adjourned Meeting of City Council held this day present His Worship the Mayor, Alderman Pugsley, Anderson, Stairs, Mowbray, M. Heath, Young, Murray & Bell, Cochran, Evans, Wells, Pollock, Conway, Sutcliff, King and Longford.

Read over proceedings of 8 and 11 December

His Worship the Mayor submits a report of Superintendent of Streets for Wards 4 & 5 relative to the death of a Person (this morning) - stated to have been in one of the Public drains the same is read

Office of Superintendent of Streets
Halifax 12th December 1855

The Superintendent of Streets for Wards 4 & 5 by a legal leave to report to His Worship the Mayor, and the City Council that he proceeded to inspect the place, where the Body of a Man was found (this morning), and ascertained it to be in a Foundation excavated on the premises adjoining the property of Mr Henry Manning, and which he says belongs to his Brother (Charles Manning) on the South Side of Garish Street Ward 5.

Shalifay Super Streets
to a Dead Man
in Drain, Garish
Street Ward 5

These

1855

December 12

The Superintendent has leave at the same time to report the dangerous state of the Drain in that neighbourhood it being built on the surface of the street on an average of about a foot for the purpose of keeping the water from overflowing the road the street being composed of Solid Rock renders this necessary and can only be remedied by a good and sufficient drain being excavated

all of which is respectfully Submitted

Signed Robert Austin
Superintendent of 4th Ward
11 5 56

(Alderman Stairs hands in a Report relative to Powder Magazine)

Council next proceed to take up Alderman Pugsley Motion for reconsideration of resolution relative to City Prison Site when resolution N^o 1 is introduced

Resolution as to City Prison Site.

Resolved that the resolution establishing the site of the City Prison be now received which on being put is passed 11 voting for it and 6 against it. Moved by Alderman Pugsley seconded by Alderman Cross

The following resolution N^o 2 is next introduced

Resolution as to His Honor the Recorder's opinion of expenditure of Funds

That His Honor the Recorder's opinion be asked that in the event of this Council voting the expenditure of a sum of money beyond that which the Law allow this Council to apply for and such service (and expenditure being) or made, and this Council are not able to liquidate the debt, who are the parties in the event of such Bankruptcy liable for such short coming, suppose the Vote and expenditure to amount to £15,000 and the Income of such £12,500, who will be liable for the deficiency. Moved by Alderman Stairs seconded by Alderman Young, passed

Read Memorial of Peter Inlay submitted 15th October relative to a Drain, when on Motion said Memorial is referred to Superintendent of Streets for 4th Ward to report upon

The

1855

December 12
continued

Resolution re-to
City Prison

The following resolution is next introduced

Resolved that the Architects be requested to examine the site for the City Prison as planned and approved by Alderman Longard and to report to this Council in accordance with the facts as stated in amendment to resolution 22 as introduced 8 December which on being put is passed. Moved by Alderman Pugsley. Seconded by Alderman Longard

The following report of Committee of Public Accounts of 14th November is next read

The following accounts were presented for examination

Report, Committee
of Public Accounts

City	John D. Nash	£ 4 13 9	
"	John W. Burton	11 0 3	
"	James Duggan	3 13 3	
"	Henry J. Hill	16 17 1	
"	James Black	5 6 0	
"	W ^m S. Studley	15 "	
"	James Deville	4 13 9	
"	W ^m M. Manington	2 3 6	
"	Salinas Water Company	1 0 0	
"	W ^m Roche	40 0 0	
"	Francis Stevens	40 0 0	
"	W ^m Warren	6 0 0	
"	Henry Heflin	6 3	
			156 10 0
City Property	W ^m M. Allan	3 10 0	
"	Market Robert Davis	45 "	
Fire Department	James Hunter	1 12 6	
Buildwell	Donald, Murray & Co.	1 1 2	
	W ^m M. Donald	5 2 8	
	Ditto	9 7 3	
	William Kennels	48 2 4	53 13 5
			£ 270 6 9

The above accounts amounting to Two Hundred and Seventy pounds 6/9 were duly examined and found correct were passed and recommended to be paid

The

1855
December 12

The account of James Reeves for Sundries furnished the Tax Department is referred to the Council for their consideration

The Committee are of opinion that the Clerk of the Market should watch the accuracy of the Cartage account for Carting Publish from the Market square

The Committee would recommend the sale of by Auction of 52 Lamps and Lanthorns some of them being of a first cost of 87 each and also of 363 lbs of Iron Work used in the erection and lighting of the Triumphal Arch celebrating the Fall of Sebastopol
Wm. Stain Chairman

A Motion is made that His Worship the Mayor be authorised to draw checks for above amounts passed unanimously

Council next take up Alderman Mr. Heath resolution relative to employing a reporter submitted 15 Oct^r the same is read

Resolution, rel. to employing a reporter

Resolved that it is the opinion of this Council that it is necessary as a means of giving information to the public that we obtain the service of a reporter to give an outline of the proceedings of this Council at their Quarterly and Special Meetings. Provided said reporting and publishing does not exceed £25 per annum. Moved by Alderman Mr. Heath seconded by Alderman Evans which on being put is lost to voting for it and 8 against it And the names being called for they stood thus

- | | |
|-------------------------|----------------------------|
| For resolution | Against resolution |
| Alderman Pugsley - Bell | Alderman Cochran - Howison |
| Pellock - Mr. Heath | Conway - Longard |
| King - Evans | Wills - Stain |
| | Young - Murray |

Alderman Evans gives notice of reconsideration of above

Account of James Reeves amounting to £9.0.7 is next submitted when resolution No 5 is introduced

1855
December 12
Resolution rel:
to James News of

Resolved that the sum of £ 1. 11. 3 charges for Brandy and Ole in Mr News account be deducted before payment. Moved by Alderman Bell seconded by Alderman Cochran which on being put is lost 3 voting for it and 11 against it

A Motion is made that said account do pass which on being put is passed and His Worship the Mayor is authorized to draw a check for the same,

Council next take up Alderman Evans resolution relative to fount in front of City Market submitted 23 October 1855 the same is read and is seconded by Alderman Pollock

Resolution rel. to removal of fount in Market Square

Whereas great dissatisfaction appears to exist among the citizens generally and a desire to have the fountain situate in front of the Market House removed. Be it therefore resolved as the opinion of this Council that the fountain which has been placed and allowed to remain for some time in front of the New Market House is a nuisance and ought not to remain and that a committee be appointed to have the same removed without delay, and that advertisements be inserted in the News papers offering the same at Auction or Private Sale as this Council may think fit Moved by Alderman Evans seconded by Alderman Pollock

In which following amendment is introduced

Resolved that the fount in front of Market place be removed to some place in the City that may be approved of by a committee to be appointed.

Moved by Alderman Pollock seconded by Alderman Wills which on being put is lost 5 voting for it 9 against it the original is then put and lost 5 voting for it and 9 against it and the names being called for they stood thus

- | | |
|------------------|-------------------------|
| For resolution | Against resolution |
| Alderman Pugsley | Ald ^r Conway |
| Evans | Stairs |
| Wills | Cochran |
| Pollock | Murray |
| Longard | Bell |
| | Murray |
| | Mr. Heath |
| | King |

Alderman Evans gives notice of reconsideration of above
Worshipful Mayor

1855
December 17

At a Special Meeting of City Council held this day present His Worship the Mayor, Alderman Pugsley, Stairs, Murray, McCreath, Young, Morrison, Cochran, Craig, Robt. Mills, Pollock, Conway, Sutherland and Longard.

The City Council were summoned to proceed with Business standing over from last meeting and the transaction of other business

Read over proceedings of 12th December

Alderman Robt. Chairman Submits Tenders for Keeping Fire Plugs, Hydrants, and Gratings free from Ice and Snow on Motion same is received

Memorial of John Sugant

Alderman Robt. submits Memorial of Mr. John Sugant received

On Motion S. Becketts account amounting to £1. 14. 3 is ordered to be paid by Check on City Treasurer

Mem. of Donald Sutherland et al. re a Scuria Danish St.

Alderman Conway Submits Memorial of Donald Sutherland relative to Scuria in Smith Street on Motion same is received

Alderman Stairs Submits a Communication from City Prison Committee when on Motion same is received and ordered to be read

Resolved December 17th 1855

Communication from Com. City Prison re to their Resignation

Your Committee having been appointed by Resolution of Council to Superintend the Building of the City Prison, and having given their very attention to the duties devolving upon them, and feeling assured from the sentiments of the Council expressed by the passing of Resolutions, contrary to the suggestions and arguments used by a majority of your Committee, that as a Committee, they will not be sustained or if sustained, by so small a majority, that the progress of the work will be hindered, they have (however anxious they may be to fulfill the duties assigned to them) of a necessity, to tender to the Council their resignation

Signed Wm. J. Stairs Chairman
D. Murray
Peter Robt
Henry C. Harvey
J. Longard
James Cochran

1855

December 19

On Motion the report of the Committee of Tenders this day submitted relative to Gratings &c is next taken up next when

Hatfield December 15th 1855

The Committee of Tenders met this day Present The Chairman, Alderman, Monisey, Conway and Longard

Opened nine Tenders for Cleaning Hydrants &c

Report Com. of Tenders re to Cleaning Plugs & Hydrants

No 1	Patrick Mc Carthy	£ 4 10 0
2	C. O Toole	5 0 0
3	Will Dwyer	5 0 0
4	John Maher	5 0 0
5	Philip Purcell	46 0 0
6	John Connors	30 0 0
7	Robt Bantam	47 10 0
8	Mich Gallagher	27 0 0
9	Walsh & Keimig	45 0 0

The Tender of Michael Gallagher being the lowest was accepted.

Signed Peter Ross
Chairman

On Motion said report is confirmed the party to find necessary security

Report of Mr. Holloway re to his Designation

His Worship the Mayor submits a report from Mr. Tho^s Holloway late Captain of the Engine Company for the last year, as also his resignation of his office (In Dec file)

His Worship the Mayor submits a communication from Mr. Samuel Caldwell elected Captain of the Engine Company as likewise a list of officers of that department (In Dec file)

His Worship the Mayor submits His Honor the Recorder's opinion on the question submitted to him at last meeting relative to City Prison funds

A Motion is made is made that the resolution introduced last meeting relative to employing a reporter and which was lost be now reconsidered & passed.

Read

1855

December 19

Read resolution as entered 12th December when a Motion is made that said resolution do pass - which on being put is lost 5 voting for and 8 against it.

(A Motion is made that the resolution introduced at last meeting) relative to the removal of the Trust in front of Meat Market be now reconsidered

Read said resolution and amendment as entered 12th December

(A Call of Council is made)

On Motion the opinion of His Honor the Recorder this day submitted relative to City Prison funds is next read

Opinion of His Honor
the Recorder as to City
Prison Funds.

In reply to the resolution passed 12th instant calling for my opinion as to the liabilities arising in case of over expenditure by the City Council beyond the sum of £10,000

The act of 1854 empowers the City Council to apply such sum of money not exceeding £8,000, as may be necessary to defray the expenses which they are by law authorized to incur on behalf of the City. The amount may be incurred in any year in a sum not pointed out to £10,000.

The English Municipal Corporation act 5th & 6th 34, is not exactly in the same words but is similar. That act has been construed so as almost to preclude the assessment of any year from embracing any previously incurred expenses or debts. 11 Beavan 130 and Woods Reed 2 Mason & Webster 777. I do not think our charter and acts bind the Council so strictly as the English act, but the general rules of Law would induce me to think that the estimate and assessment of each year should be as nearly as can be confined to the expenses of the year itself and that the money raised under each assessment should as far as possible be expended exclusively in the mode previously estimated, which estimate must of course be confined to objects provided for in the Law, Law Charter and acts which restricting the amount to be raised have not made provision for over expenditure however necessary beyond the fixed sum. It is true the property of the City & Rents, fines and fees will be liable to all its creditors, but the ancient debts incurred before the Charter have been a first incumbrance upon the City to £10,000 for drains &c &c and I know of no legitimate mode of paying any floating debt now due, or to be incurred beyond the estimates, whether it be inevitably incurred for ordinary expenses or in any object the Council may adopt, unless by obtaining legislative power to borrow funds or to assess further rates for the same

19th Dec 55

Signed Benjamin Murdoch