

1859

May 11th
Continued

It was objected at your last meeting that this expenditure would not be legal without being submitted to tender but according to Section 6 of the Conditions of Contract on the last page of the printed Specification, that obligation does not appear to be binding in this instance.

The advantage of immediate action consists in being enabled to lay the pipes while the floors are unfinished, and dispense with the purchasing and fixing of the forcing pump, with the pipes and workers, which will be of no use if it shall be decided to obtain the water from the Water Company. This Company on being applied to offers to supply the water for £25 a year.

Another reason for wishing to obtain a discretionary power over the balance without delay arose from a desire to commence laying out the Grounds before the season should elapse for planting trees - Mr. Herbert Harris, gardener took the trouble to inspect the Grounds and to set down various suggestions in a letter which is herewith submitted. His plan of operations, as might be expected goes far beyond any idea which the Committee can entertain at present, but they conceive that with £50 at their disposal they might be able to take some useful preparatory measures to have the ground in readiness for next year. A further charge on the balance which however is already incurred will be the Superintendants wages viz from June 11th 1858 to June 1st 1859 at 12/6 a day amounts to about £195.

The following are the particulars of the expenditures already incurred.

Amount borrowed		£9500-0-0
Contract for building	£9035-0-0	
Gas pipes now laid	19-8-3	
Superintendants Wages to June	195-0-0	
	£9249-8-3	
Add Estimate for Water	105-15-0	
pipes & Gas fittings	40-0-0	
Expense of Washing utensils	40-0-0	
		£9435-3-3
	Balance	£ 64-16-9
- for extras not ascertained		

Hablas May 11th 1859
(Suggestion from B. H. H. H.)

Signed Charles Cagswell
Chairman

Moved and seconded that said report be received and adopted and referred to the Committee to act upon as far as practicable and the funds will allow retaining the forcing pump. - Passed.

1859
May 16th
Continued

Read following Letter from Dr Charles
Cogswell relative to the Championship of Halifax Harbour

Championship of Halifax Harbour

Thereby offer to present the City of
Halifax with the sum of One Hundred pounds on the
following conditions.

Letter Dr Charles
Cogswell relative
to the Championship
of Halifax Harbour

First That the Money be invested at interest as a
fund for the endowment of the Championship of Halifax
Harbour.

Second That not less than Six pounds be paid yearly
to the winner of the Champions belt provided by the
Halifax Yacht Club.

Third That the Lady of His Worship the Mayor or
some other lady nominated by him shall present the
said sum of Six pounds each year as a prize together
with the belt to the winner of the belt.

Fourth That if in any year from this date there
shall be no competition for the belt the said sum of
Six pounds shall be paid to me or to my heirs.

Fifth That if there shall be no "bona fide" competition
for the belt for any three successive years, the whole
principal sum of One hundred pounds shall be
repaid to me or to my heirs before the first of January
in the ensuing year.

If the Council shall do me the
honor to accept the donation on these conditions, I am
desirous of having the terms embodied in a formal
agreement on the completion of which I shall pay the
sum of One hundred pounds to such person as the
Council may direct.

His Worship
The Mayor

I am Sir
Your obedient Servant
(Signed) Charles Cogswell

Halifax N.S.
April 4th 1859

When the following resolution is
introduced

Resolved to Letter
of Dr Cogswell -
Championship
of Halifax Harbour

Resolved this Council do accept with thanks
the sum of One Hundred Pounds offered by Alderman
Cogswell for the purpose of giving an annual Prize in Boat
racing on the terms proposed by him, and the Council
heretby engage to act as his Trustees in carrying out his
views and that His Honor the Recorder prepare a By Law
by next Meeting of Council to carry out the foregoing
Resolution

1859
May 16th
Continued

Moved by Alderman Bell seconded by
Alderman Ritchie - Passed unanimously -

On Motion, "Council rise"

Henry Taylor
Mayor

May 23rd

At a Special Meeting of City Council held this day present His Worship the Mayor, Aldermen Puggley, Cogswell, Lounds, Barnstead, Turning, King, Thompson, Mott, Mignowitz, Conway, Jennings and Bell

The City Council were summoned to take into consideration the Estimate for the ensuing year and the transaction of other business.

Read over proceedings of previous Meeting.

Certificate of Clerk of Peace rel. to Railway Damages -

His Worship the Mayor submits to City Council certificate from Clerk of Peace by order of Sessions of amount necessary to be assessed upon the City for Railway Damages for ensuing year -

Certificate Clerk of Peace rel. Assess for County purposes -

His Worship the Mayor submits to City Council Certificate from Clerk of Peace by order of Sessions of amount necessary to be assessed for County purposes for ensuing year.

Report Committee Public Accounts rel. to Railway Interest -

Alderman Thompson Chairman submits report of Committee of Public Accounts in answer to the Honorable the Financial Secretary Letter relative to amount to be assessed for Railway Interest on the City for ensuing year.

Report Committee Public Accounts Estimate for year 1859 -

Alderman Thompson Chairman submits report of Committee of Public Accounts being the Estimate for ensuing year.

His Honor the Recorder submits a draft of By Law relative to the Champion's Belt at the Regatta -

The City Council next proceed to take into consideration the Estimates this day submitted by Committee of Public Accounts as to amount necessary to be assessed for City purposes -

1859

May 23rd
Continued

Read report of Committee of Public Accounts this day submitted relative to Assessment on the City for Railway Interest.

Committee Room 15th May 1859

Report Committee Public Accounts re Assessment for Railway Interest

The Financial Secretary's Letter of 29th March last having been referred to the Committee of Public Accounts to report upon, They therefore beg leave to Report as follows.

Your Committee have carefully considered the letter of the Financial Secretary requiring the City Council to provide for a certain proportion of Railway Interest.

According to an Act of the Legislature passed in the session of 1858, The City of Halifax is required to pay one tenth part of such Railway expenditure until the same shall amount to the sum of £100,000. It appears by the Financial Secretary's Letter that the Interest due on such expenditure up to 31st December 1857 amounts to the sum of Three thousand three hundred and fourteen pounds currency (£3314) which amount according to an act passed during the last session of the Legislature is required to be assessed for by the City Council during the years 1859, 60 and 61 in three equal sums, which will amount to £1104.13.4 for each of those years, And in conformity with the third section of said Act, the proportion required to be paid by the City for Interest on Railway expenditure for the year ending 31st December 1858, amounts to £1402.10.5 Currency, making the whole amount to be assessed for that purpose during the present year, £2507.13.9 (Two thousand five hundred and Seven pounds three shillings and nine pence currency)

The Committee fully concur in the Resolutions previously passed by the City Council in regard to the Non-fulfilment of the terms under which the City took stock in said Railroad, but as the Legislature has passed certain Acts, which compel the City Council to pay a certain proportion of the amount expended in its construction, they consider that the City Council have no discretion left but to obey the Law, and to pay the amount required by the Hon Financial Secretary's Letter of 29th March last.

All of which is respectfully submitted,
Signed Philip Thompson
Chairman

Present
- Ald. Bell, Caldwell, Horriestall Jay & Thompson -

1859

May 23rd
Continued

Moved by Alderman Jennings seconded by Alderman Mignowitz that said report do lie on the Table.

Alderman Thompson Chairman of Committee of Public Accounts requests that the Act of 1858 be read. Sections No One and Five are read.

Read 8th Section of Chapter 2 of 1854 relative to construction of Railways in this Province.

Read resolution of City Council of 1854 when it is Moved by Alderman Conway seconded by Alderman Twining that said report be received, adopted and carried into effect which amendment being put is carried of Voting for it and 5 against it and the names being called for they appeared thus.

For Amendment		Against it	
Alderman Bell	Conway	Alderman Main	
"	Pugsley	"	Mignowitz
"	Barstaid	"	Cogswell
"	Thompson	"	King
		"	Jennings

Alderman Mignowitz gives Notice of reconsideration

Alderman Pugsley submits report of Special Committee relative to Drain passing under Mr. Starrs premises.

His Honor the Recorder submits and reads a Letter from J. W. Ritchie Esqr relative to the fences on the Common. (Private)

On Motion Order of the day is suspended and the report of Special Committee relative to Drain passing under Mr. Starrs premises is next taken up and read.

Committee Room Halifax May 2 1859

The Committee to whom were referred report of Superintendent of Streets and Mr. Starrs letter relative to the Sewer through his premises, report that they have given the subject careful consideration and are of opinion it would be unsound in principle and at variance with the interests of the Citizens, to turn the Current of the Sewer from its natural course. And also consider that to have obviated the difficulty complained of. The Sewer ought not have been placed so low at the Western extremity of Mr. Starrs premises.

But as

Read - rel to report Committee Public Accounts on Assess for Railway Inter.

Report Special Committee relative to Drain Smith & Harveys.

Letter J. W. Ritchie rel. to Common.

1859

May 23rd
Continued

But as the City has never in any way interfered with the Sewer beyond the eastern line of Water Street, And it was so placed by previous owners of the property without due caution to future results. Your Committee think that Mr. Starr has no claim against the City, for either inconvenience or injury he may sustain therefrom, And cannot recommend that the difficulty be remedied at the public expense.

On behalf of the Committee

(Signed) Henry A. Pugsley
Chairman

when it is moved by Alderman Lounds seconded by Alderman Cogswell that said report be adopted which on being put is passed

Read report of Committee of Public Accounts this day submitted relative to amount required to be assessed for City purposes for ensuing year.

The Committee of Public Accounts Met this day, present, Aldermen Bell, Caldwell, Fay, Horistall and the Chairman.

Report Committee
Public Accounts
Estimate for
-1859-

The Annual Estimate having been duly considered the Committee concur in recommending to the Council for its adoption, the following Estimate of Expenditure for the current year. Viz

Salaries

Mayor	250.0.0	
Recorder	200.0.0	
City Clerk	300.0.0	
Assistant City Clerk	175.0.0	
Second Asst Do	125.0.0	
City Treasurer	300.0.0	
Clerk of License	150.0.0	
City Assessor	100.0.0	
Ward Assessors	56.0.0	
City Marshal	200.0.0	
Constables	960.0.0	
Watchmen	784.0.0	
Sailor	20.0.0	
Inspector of Weights & Measures	50.0.0	
Reporter	110.0.0	
Keeper of Markets	100.0.0	
Do City Court House	50.0.0	
Do " Clock	25.0.0	3865.0.0

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1859

May 23rd
Continued

Amount Brought Forward £ 5865.0.0

Salaries Continued

Keeper of Markets for Sweeping & Cleaning Markets & Parade	20.0.0	
Superintendent of Streets	200.0.0	
Clerk of Streets	<u>175.0.0</u>	415.0.0

Estimate
Continued

Bridewell & City Prison

Keepers Salary	150.0.0	
Medical Officers	30.0.0	
Maintenance of Criminals &c	750.0.0	
Insurance on City Prison	<u>10.0.0</u>	940.0.0

Board of Health

Health Inspector	100.0.0	
Medical Officers	60.0.0	
Nurse	40.0.0	
Secretary	25.0.0	
Rent of Hired Hospital	25.0.0	
Furniture, Bedding, Maintenance &c of New Hospital	500.0.0	
Insurance on Hospital Buildings	<u>19.0.0</u>	769.0.0

Fire Department

Engine Service	450.0.0	
Tanks	350.0.0	
Pumps & Mills	50.0.0	
Keeper of Engines & Supt of Tanks	25.0.0	
Secretary of Fire Wards	15.0.0	
Rent of Engine House & Engine	15.0.0	
Co. Do. Millland St	5.0.0	
Contingencies	<u>25.0.0</u>	935.0.0

Miscellaneous

Fire Plugs & Hydrants	152.10.0	
Repairs to Co.	17.10.0	
Gas as per Contract	480.0.0	
Co. for 20 additional Lamps at 5 Ea	165.0.0	
Co. for Police Office, Market House &c	10.0.0	
Printing & Stationary	250.0.0	
Commissioners of Poor for City Papers	1250.0.0	
Lunatic Paupers at Insane Hospital	300.0.0	
Repairs City Property	400.0.0	
Fuel City Offices	50.0.0	
New Engine House	<u>500.0.0</u>	
	4125.0.0	

Carried forward £ 6914.0.0

1859

May 23rd
Continued.

Amount Brought Forward	6944.0.0
Miscellaneous Continued	4125.0.0
To pay off Debt on Rockhead Farm	200.0.0
Contingencies & not provided for	922.12.3
Probable loss on Assessment for 1859	700.0.0
	<u>5947.12.3</u>

Interest

Debt on Old Street Debt on £9000	540.0.0
Ordnance Buildings on £556.9.7	33.7.9
Rockhead Farm on £200.0.0	12.0.0
City Hospital on £1400.0.0	59.0.0
City Prison on £10,000.0.0	600.0.0
	<u>1775.7.9</u>

Estimate
Continued

Total Amount of Expenditure	£	<u>14657.0.0</u>
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Deduct

Resources of City for 1859

Derivable from Liquor & Auction Licenses	1300.0.0	
" " Exhibition Do	50.0.0	
" " Hack & Truck Do	50.0.0	
" " Police Fines	275.0.0	
" " Do Fees	60.0.0	
" Fees & Maysors Court	190.0.0	
City Marshals Fees	100.0.0	
Success & Night Carts	44.0.0	
Rent City Property	191.0.0	
Probable amount to be collected from Assessment for 1858	150.0.0	
Unappropriated balance in the hands of City Treasurer	2237.0.0	
	<u>4637.0.0</u>	
	£	<u>10,000.0.0</u>

Shewing that the amount required to be assessed for City purposes, for the current year, to be Ten thousand Pounds.

As the Council are aware, the present law only allows Assessment to be made to the extent of £5000 they will therefore perceive that in order, to maintain the credit of the City unimpaired, that it will be necessary to apply to the Governor and Council for leave to increase the Assessment this year - to the extent of Ten thousand pounds, and your Committee

1859
May 23rd
Continued

have no hesitation in recommending this course to be adopted. The Committee have put down the sum of Twelve Hundred and fifty pounds for the Commissioners of the Poor, for maintenance of City Paupers for the present year, but would recommend that not more than £1000, one thousand pounds be paid over for that purpose previous to their account for the year being passed upon by this Committee, and reported upon to the Council.

The Committee have put down the sum of Three Hundred pounds for Lunatic Paupers at the Insane Hospital, the amount for which the City is at present liable for Lunatics at that establishment is £195. There being five Females at a yearly cost of £26 each and two males at £32.10.0 each, the amount now provided will cover the cost of maintaining five persons of each sex in a condition of great comfort compared with their previous situation, and with greater prospect of a restoration to reason.

The Committee would recommend that if possible provision should be made in the Estimate of next year, for paying off the debt remaining due from the Ordnance Buildings of £556.9.4 the yearly provision for the Interest of which, they consider a disgrace to the annual Estimate, and reproach to the City.

The Committee have to observe, that owing to the untenable condition of the Buildings at the Market Ship, there has been a consequent diminution of income from City property, the amount at present derived from that source, being £155.5.0 less than last year.

Your Committee in preparing the foregoing Estimate, have used as much economy as they considered consistent with the efficiency of the various departments.

In addition to the amount to be assessed upon the City for the ordinary services. The following sums will also have to be assessed upon the City for the present year vizt.

Amount of Railway damages as apportioned by the Court of Quarter Sessions for year 1859	£ 3611.0.0	
Treasurers Commission per Cent	180.0.0	3791.10.0
For Railway Interest per Letter of Financial Secretary		2507.3.9
For Court of purposes as apportioned by the Court of Quarter Sessions for Year 1859	£ 619.0.0	
Treasurers Commission per Cent	30.19.0	649.19.0
		<u>£ 1748.12.9</u>

Making the total amount to be levied upon the City for the present year Sixteen Thousand Nine Hundred and forty eight pounds, twelve shillings and nine pence, (£ 16,948.12.9)

All of which is respectfully submitted
(Signed) Philip Thompson
Chairman
Committee Room 18th May 1859

Estimate
Continued

1859
May 23rd
Continued

Read Certificate of Clerk of Peace
of 21st April as to amount required for County purposes.

Office of the Clerk of the Peace
Halifax 31st 1859

Gentlemen

Certificate of Clerk
of Peace rel. to
amount required
for County purposes

In accordance with an order of the Court of
General Quarter Sessions held on the tenth day of March
1859 I am directed to inform you that the amount appor-
tioned and required to be assessed on the Citizens of Halifax
for and towards County purposes for year 1859 is Six
Hundred and Nineteen pounds which together with the
Commission for collecting, Thirty pounds nineteen
shillings, amounts in the total to Six Hundred and
forty nine pounds nineteen shillings, and which
amount the Sessions requests the City Council will be
pleased to give the necessary order to have assessed and
collected, agreeably to Law.

I am Gentlemen
Your obedient Servant
(Signed) James S. Clarke
Clerk of the Peace

To His Worship
The Mayor
and City Council

Office of the Clerk of the Peace
Halifax 31st April 18

Gentlemen

Certificate of Clerk of
Peace relative to the
amount to be assessed
for Railway Damages

In accordance with an order of the Court
of General Quarter Sessions of this County, held on the tenth
day of March 1859, I am directed to inform you that the
amount apportioned and required to be assessed on the
Citizens of Halifax for and towards Railway Damages for
year 1859 is Three thousand Six hundred and eleven pounds,
which with the Commission for collecting, One Hundred
and Eighty pounds ten shillings, amounts in the total to
Three thousand Seven Hundred and Ninety one pounds Ten
shillings. And which amount the Sessions request the City
Council will be pleased to give the necessary order to have
assessed and collected, agreeably to Law.

I am Gentlemen
Your obedient Servant
(Signed) James S. Clarke
Clerk of the Peace

To His Worship the Mayor
and City Council

When the following resolution is next
introduced

1859
May 23rd
Continued

Resol. rel. to Estimate and amount to be assessed for City, Poor and County purposes and for Railway Damages

Resolved that under the report of the Committee of Public Accounts this day submitted showing that Ten thousand pounds is necessary to be assessed upon the City for City purposes for ensuing year. That application be made to His Excellency the Lieutenant Governor and the Honorable Executive Council for leave to assess for Two thousand pounds beyond the amount limited by the Act viz "Eight thousand pounds" and further that the City Clerk be directed to give the necessary order to the City Ward Assessors as likewise of the amount required to be assessed for County purposes £ 649¹⁰ 0 and for Railway Damages £ 3791¹⁰ 0 as per order of General Quarter Sessions this day submitted and read in Council. Moved by Alderman Twining seconded by Alderman Thompson.

There not being Twelve Gentlemen present to consider the above, -
- the following resolution is introduced,

Resol. rel. to Law of opening Streets to be published.

Resolved that the Law relative to the opening of Streets by Citizens for the introduction of Gas or Water or for Drainage or other purposes shall be published in the papers advertising for the City for a fortnight, and also by Handbills. Moved by Alderman Bell and seconded by Alderman Conway - Passed.

Draft of the Memorial to Her Majesty relative to the Common is next read.

Alderman Mignowit and Caldwell having come in and there being Twelve Gentlemen present the Estimate for ensuing year requiring the additional sum of Two thousand pounds as likewise the resolution to His Excellency the Governor and Council is now before the Council and the same being put is passed unanimously.

Return of Election of Assessors for Wards Two and Three.

Read return of Election of Assessors for Wards No Two & Three held this day.

On Motion "Council rise"

Henry Taylor
Mayor

1859
June 14th

Office of City Clerk
Halifax June 14th 1859

Gentlemen

I have it in Command from the City Council to direct you to proceed forthwith and make an assessment upon the respective Wards of the City in the sum of Eight thousand four hundred and fifty pounds for and toward City purposes, and the further sum of One thousand five hundred and fifty pounds for and towards the support of the Poor making together Ten thousand pounds.

Order to City and Ward Assessors to Assess for City and Poor Rates for 1859.

Copy Sent 4th June 1859

I am also directed agreeably to resolution of the Court of Quarter Sessions to require you to make an Assessment upon the respective Wards of the City in the Sum of Six hundred and forty nine pounds and Nineteen Shillings for and towards County purposes for the Current year which amount includes the Commission for collecting the same.

I am also further directed to require you to make an Assessment on the respective Wards in the City in the sum of Three thousand Six hundred and eleven pounds for and towards Railway damages which together with the Commission for collecting the same One hundred and eighty pounds ten shillings amounts in the whole to Three thousand Seven hundred and Ninety one pounds ten shillings. I am likewise directed to inform you that it will be necessary to keep this rate in a separate and distinct column it being necessary that the Railway Assessment should be kept separate from that for other County and City purposes.

I am Gentlemen

To
John L. Barry Esqr
City Assessor

Your obedient Servant
(Signed) John L. CRAIG
asst City Clerk

- | | | |
|-----------------|----------------|------------|
| Thomas Holloway | | |
| Thomas Mitchell | Ward Assessors | Ward One |
| James Rowe | | |
| William Metzer | " | Ward Two |
| William Rhind | | |
| Robert Austin | " | Ward Three |
| George Bosson | | |
| James Barron | " | Ward Four |
| Richard Spooner | | |
| William Cunard | " | Ward Five |
| George Anderson | | |
| George Ritchie | " | Ward Six |

1859
June 3rd

At a Special Meeting of City Council held this day present His Worship the Mayor Aldermen Cogswell, King, Moir, Wills, Mignowitz, Bell.

Quorum-

There not being a quorum to do business

"Council Rise"

Henry Taylor Mayor

June 13th

At a Special Meeting of City Council held this day present His Worship the Mayor Aldermen Hay, Cogswell, Caldwell, Gounds, Barnstead, Thompson, Moir, Mignowitz, Horriestall, Conway, Jennings, Bell, Kichey.

The City Council were summoned to take into consideration, Alderman Mignowitz Notice of reconsideration relative to making Assessment for Railway Interest - City Surveyors return of Plans &c and report thereon, other matters standing over from previous Meetings and the transaction of other business.

Read over proceedings of Council of 23rd May 1859.

Read Copy of order to City and Ward Assessors of 4th June relative to Assessment for City, Poor, and County purposes for Current year

Memo. of H. S. Frederick et al for Well, N.W. Arm

Alderman Cogswell submits Memorial of Henry S. Frederick and others relative to a Well at North West Arm.

Alderman Thompson Chairman submits report of Committee of Public Accounts of 1st June 1859

Report Committee Public Accounts of 1st June 1859

Committee Room June 1st 1859

The Committee of Public Accounts met this day, present Aldermen Bell, Hay, and the Chairman. The following Accounts were submitted.

Bridewell	
Wm. McDonalds balance for April	4 ⁰ 11 ⁰ 8 ¹ / ₂
John Stewart for Supplies to 31 Mar	49 ⁰ 9 ⁰ 3
Toussain & Eastwood for Cloth	15 ⁰ 8 ⁰ 0
W. Barnstead for Leather to 23 Apr	4 ⁰ 15 ⁰ 10 ⁰ 7 ⁰ 4 ⁰ 4 ⁰ 10

1859
June 13th
Continued

Amount Brought forward £ 74^{''} 4^{''} 10

City
Wm Lounds, Carpenter Works to 17 May 18^{''} 15^{''} 3
James Hunter Gas Works for 1856
1857 & 58 . . . 17^{''} 5
. . . 21^{''} 1^{''} 2

R Noble. Rent of Barn for Night
Carbs to 1 March 10^{''} 0^{''} 0
Halifax Water Co (Police office) 1^{''} 10^{''} 0
Hon Wm Young Consultations &c
to 31 Decr 1853 17^{''} 10^{''} 0 41^{''} 16^{''} 5

£ 116^{''} 1^{''} 5

Amounting in all to One Hundred and Sixteen pounds one shilling and three pence - and being found correct are recommended to be paid -

Sigs Philip Thompson
Chairman

On Motion same is passed and His Worship the Mayor requested to draw checks for the various amounts -

Memorial of James Cullen for return of portion of License Duty -

Alderman Horriatall submits Memorial of James Cullen for a return of portion of License Duty "received -"

Alderman Conway Chairman submits Plan &c for improvement leading to Steam Boat Wharf -

Report Special Committee rel. to New Engine House -

Alderman Mignowitz submits report of Special Committee appointed to erect a New Engine House. received -

Memo. of B. H. Starr rel. to Drain South Street -

Alderman Crosswell submits Memorial of B. H. Starr Esq. and others relative to Drain in South Street.

His Worship the Mayor submits and reads Letter from J. W. Ritchie Esq. on behalf of W. & Evans for injuries sustained by his family - (See next Page)

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1859

June 13th
Continued

Halifax 2nd June 1859

Sir

I have been instructed by Mr. W. Evans to take proceedings against the City Corporation on account of a very severe injury he has sustained in being thrown from his carriage in consequence of obstructions in one of the Streets of the City.

Letter J. W. Ritchie
rel. to injuries sust.
ained by W. Evans
in consequence of
obstruction Argyle St.

Though Mr. Evans himself sustained the greatest injury his wife who was with him was also much bruised.

Unless reparation is made to Mr. Evans for the injury thus done him I will have no alternative but to proceed against the City for damages.

I have the honor

His Worship
The Mayor

to be
Your obedient Servant
(Signed) J. W. Ritchie

Read following report of Superintendent of Streets relative to above -

Streets Office
Halifax 15th June 1859

The Superintendent of Streets begs leave to report for the information of His Worship the Mayor and the City Council.

That Mr. Wm. Vieth obtained leave from him to place the Soil from an excavation that he was making in the (back part of his premises on the Western side of Argyle Street in Ward No 4) on the Street which Mr. Vieth promised to remove immediately - without it becoming an obstruction on the Street - but on the night of the accident to Mr. Evans one third of the Street was encumbered.

Had Mr. Vieth applied for leave in the regular manner for the use of the Street to place Building Material &c for building purposes on the ground I would have required him to fence the premises, since the accident he has applied for leave which has been granted.

I have received a Memorandum from Mr. Buijt stating that the Lamps were lighted from the 18th May to the 11th June. Mr. Evans accident occurred on the 1st June about 9 or 1/2 past 9 o'clock.

all of which is

Respectfully submitted
(Signed) James Pollock
Supt of Streets

Report Supt. of
Streets rel. to the
above Letter.