

1859

June 27<sup>th</sup>  
Continued

It appears by the record of 22<sup>nd</sup> August 1826 that the Committee of Town properly having made arrangements to put a pitch roof on the Market Slip Shops and commenced operations for the completion of that object an objection had been raised thereto by Beamish Murdoch Esquire as interfering with the ancient rights of a Store or building in which he and others were interested and at the suggestion of J. G. W. Archibald Esquire whose opinion was against the right of the Magistrates to erect the roof it was determined that he should apply to Mr. Murdoch to allow the Committee to nail against the building what might be necessary to prevent the leaking of the Shops provided they erected no roof higher than the bottom of the windows of the adjoining Store.

The record of the Session adds that this privilege was subsequently assented to, as stated by Mr. Archibald.

In 1832 the consideration of the Sessions was again invited to the erection of a building on the Dock and east and of the shops, at the South side of the Market slip but nothing seems to have been done and though the Slip is occasionally referred to in the minutes, and agreements were made in 1836 with the Steam Boat Company the Slip and the buildings thereon seem to have remained in their present position for 40 years and upwards.

I will now take up the several questions in this case in the order in which they are put to me. And first, as to the rights of the City to erect a building on the ground at the Market Slip. I find an opinion of the late Attorney General Uniacke in 1844 that the Slip or landing had become a part of the public streets and highways belonging to the Town of Halifax and that the laws for the regulating highways and preventing encroachments nuisances and obstructions thereon were applicable as well to that landing and passage as to any other of the streets of Halifax. Now although I concur in the opinion that this landing is to be considered in the same light as a public Street or highway and that no encroachment of any kind interfering with its full and free use as a landing not merely by the citizens of Halifax but by the public at large could be permitted, and although the erection of the Market Slip Shops was beyond the scope of the Act of 1799. Still I cannot view them as an illegal obstruction or their continuance or re erection as a nuisance, the public landing and access to the Waters being left free. I am of opinion therefore, that the City may erect buildings on the Market Slip to the same extent  
in point



1859

June 2<sup>nd</sup> in point of length and breadth, that is upon the same site Continued as the present old and decayed buildings, and if it were found convenient to increase the breadth a little (but it must be a very little) to the Northward, I think that it may be legally done.

Second, as to the height to which such building may be carried and in what proximity to the premises Southwardly I am of opinion that it cannot legally be extended further to the South than the present buildings, and that a Stone or brick wall should be erected close to the Southern boundary line, leaving room for a Spout and requiring no support or railing on Mess<sup>rs</sup> Beamishs Store, and that the new building may be carried somewhat higher than the present to the sills of the lower windows in that Store. But so far as that store extends I am of opinion that the project of putting up a two story building in front with a pitch roof inclining downwards to the sills of these windows, cannot legally be carried out without the assent of Mess<sup>rs</sup> Beamish or of Mr. Murdoch for them and the other owners. They have acquired a prescriptive right, by a long and uninterrupted enjoyment, to the light flowing in at these windows, which cannot be materially diminished, so as to lessen the value of their property or to render it less fit for the purposes of business. Now I do not see that any building could be erected on so narrow a site higher than the sills of the lower windows, which would not necessarily and in a sensible degree obstruct the free access of air and light as they have been hitherto enjoyed, and if so the building would be stopped by an injunction.

I think therefore that it would be wiser to regulate the character and height of the proposed building in conformity with these views -

I have the honor to be  
Gentlemen  
Your most obedient Servant

To The Committee of  
the City Council on  
Town Property

Signed W. Young

When following resolution is next introduced - (Nos)

Whereas by resolution passed at a Meeting of this Council dated April 15 authorising the Chairman of the Committee of City Property to procure plans from some competent person for the Building

Resol. rel. to New Buildings Steam Boat Slip -



1859

June 27<sup>th</sup>  
Continued

contemplated to be erected on the site now occupied by the Old Building on the Market Slip and also to apply to the Hon W. Young for his opinion as to the legality of erecting the same. Resolved that the Architect who furnished the plans now before the Council be directed to make such alterations in said Plan as will meet the views contained in the opinion given by the Hon W. Young on that subject, and that so soon as such alterations are effected His Worship the Mayor be authorised to cause the usual notice to be given in the papers advertising for the City for Tenders for the erection of said Building according to plan and specification to be seen at the Office of City Clerk. Moved by Alderman Conway seconded by Alderman Pugstey.

It is Moved by Alderman Morrissey seconded by Alderman Mignowitz that the Memorial this day submitted from Inhabitants against the erection of any Buildings on said place be now read the same is read - (See File) -

Resolution No 3 is now before the Council which on being put the same is passed if Voting for it 3 against it and the names being called for they appeared thus. For Resolution Against it  
Alderman Mills - Mignowitz Alderman Caldwell  
Moir - Thompson Morrissey  
Pugstey - Jennings  
Conway - 19

The following resolution is next introduced

Resol. rel introduc-  
tion of Gas & Water  
into New Engine  
House

Resolved that the Committee in charge of the New Engine House be authorised to have the Water and Gas introduced into the said Building. Moved by Alderman Mignowitz seconded by Alderman Morrissey - Passed -

On Motion

"Council Rise"

Henry Mayor  
Mayor

July 1<sup>st</sup>

William P. West sworn into office as Ward Assessor for Ward No 5 in presence of Alderman Conway -

Thomas Kenney Junr sworn into office as Health Warden for Ward One in presence of Alderman Conway -



1859  
July 4<sup>th</sup>

A Special Meeting of City Council held this day present His Worship the Mayor Aldermen May, Pugsley, Rogswell, Caldwell, Lounds, Barnstead, Twining, Thompson, King, Moir, Wills, Mignowitz, Conway, Morristall, Jennings, Bell and Richey.

The City Council were summoned to take into consideration a communication from Honorable the Attorney General relative to making an assessment for Railway Interest on the Citizens and the transaction of other business.

Read over proceedings of 2<sup>nd</sup> June

Resolved to  
Lithographing the  
Plans of Common

His Worship the Mayor calls attention of Council to the Lithographing Plans of Common when it is Moved by Alderman Jennings seconded by Alderman May that the Committee appointed to prepare Memorial to the Queen relative to the Common have the Plan Lithographed and tinted said Lithographing to cost Six pounds. passed.

His Worship the Mayor submits a communication from the Hon the Attorney General relative to making Assessment on the Citizens for Railway Interest.

Read Resolution of City Council of 13<sup>th</sup> June 1859 relative to the same (Pages 611)

Read the Hon the Attorney Generals Letter of 29<sup>th</sup> June this day submitted

Califao 29<sup>th</sup> June 1859

Letter from the  
Attorney General  
rel. to Railway  
Assessment

Gentlemen  
The resolution of the City Council passed on the 13<sup>th</sup> June instant and communicated to the Financial Secretary in reply to his letter of 29 March last has been considered by His Excellency the Lieutenant Governor in Council and I am commanded to inform you of the regret of the Lieutenant Governor and the Council at the position which the City Council have adopted on this occasion.

Without entering upon any of the enquiries which may have affected the subject in its exception the present attitude of the City Council unhappily exhibits a resistance to the existing law which from a body of such authority can hardly fail to prove an example of injurious influence.

The resolution of the City Council declares the opinion that the Citizens of Califao are not liable to pay any portion of the interest due on monies expended on the Provincial



1859

July 4<sup>th</sup>  
Continued

Railway till the Trunk line shall be first completed as contemplated by the City Council. The liabilities of the citizens as the liabilities of other inhabitants of the province, must depend on the law; no act of the legislature is known to exist creating the conditional responsibility mentioned in the resolution. The act of 1853 reenacted in 1854 establishes a relation between the City of Halifax and the Rail Road which excludes such a condition.

By these acts, before the commencement of the works, the City was declared to be interested, with the province to the extent of one tenth of the Railway expenditures, and to be liable for the interest annually and entitled to participate proportionally in the profits, and ultimately to be subject to make up its share on the redemption of the loans the only limitation being that the proportion of the City should not exceed one tenth of a million.

It must be considered as thro' forbearance, that the City was not called upon to pay a proportion of interest during the early years of the construction, and that when the arrears were directed to be collected authority was given to distribute the amount over three years.

The letter of the Financial Secretary of 29<sup>th</sup> March last informed the City Council of the amount of expenditure on the Railways and of the interest accrued in consequence, shewing the amount of interest due by the City to be £3314. 1<sup>1</sup>/<sub>2</sub> by to 31 December 1857 and £1402. 10<sup>5</sup>/<sub>100</sub> for the year ending 31<sup>st</sup> December 1858.

The acts of 1858 and 1859 authorised by the legislature of 53 and 54 imposes on the City authorities a plain and positive duty, to collect the interest in arrear as certified by the Financial Secretary, and the Supreme Court cannot be resorted to except on the ground of the violation of that duty. I am commanded by the Lieutenant Governor in Council to take the requisite measures for having the law carried into effect, and in compliance with that command I have to request that you will cause with all practicable expedition to be assessed and levied upon the City the amounts to which it is liable to be so assessed at this time for Railway interest that is to say one equal third part of the said £3314 being £1104. 16<sup>4</sup>/<sub>100</sub> and the said £1402. 10<sup>5</sup>/<sub>100</sub> making together £2507. 3<sup>9</sup>/<sub>100</sub> for Railway interest under the acts to which I have made reference. I have avoided any allusion to the propriety of the laws affecting this claim because there exists no power to restrain their operation by considerations of that nature except the authority from which they emanated, and I sincerely hope that under a sense of



1859

July 4<sup>th</sup>  
Continued

the obedience due to the laws the City Council will take early measures for the assessment and collection of the monies mentioned above in pursuance of the acts of Assembly which impose that duty upon them.

I beg to request as early a reply as can be made convenient

I have the honor to be  
Gentlemen  
Your very obedient Servant  
Sigs. J. W. Johnston  
To  
The Worshipful  
The Mayor and  
Aldermen of City of Halifax

Resolution moved by Alderman Twining seconded by Alderman Conway is introduced

Amendment by Alderman Mignowitz seconded by Alderman Richey is introduced

when on Motion of Alderman Pugsley seconded by Alderman Jennings that Alderman Twining have leave to withdraw his resolution which Motion on being put is passed.

When following resolution is introduced

Whereas His Worship the Mayor has this day communicated to the Council a Letter from the Hon. Attorney General relative to an assessment required to be levied on the City of Halifax for payment of Interest on the monies expended by the Province in the construction of Railways and whereas a Memorial dated 25<sup>th</sup> day of May 1858 has been transmitted to H. M. Government through the Provincial Government relative to the assessment of the City for Interest on the Railway Expenditure, and this Council has received no official answer thereto, Resolved that the Provincial Government be requested to inform the Council whether any answer has been received to said Memorial and if so to furnish the Council with a Copy of the same.

Resol. re Railway Assessment for Interest -

Moved by Alderman Cogswell seconded by Alderman Mignowitz - passed unanimously -

On Motion Copies of foregoing resolution are directed to be transmitted to the Honorable the Provincial Secretary and the Honorable the Attorney General -

Read following report of the Committee of Common of 2 June 1859. when on Motion of Alderman Twining seconded by Alderman Mignowitz said Report is confirmed. (See Next Page)



1859

Report

July 4<sup>th</sup>  
Continued

The Committee appointed to name certain Streets upon the Common and in the vicinity have discharged that duty, and now report.

Beginning at the North end of the Common they have named the Streets as follows.

Report Committee  
Common re. to  
Names of Streets

No One The Street from Major Mc Collas corner in Dollinger Street, running by the northern edge of the Common past Mr Romans property and westerly towards the North West arm to be called - Cunard Street - through out its entire length.

No Two The Street commencing at the Pavillion in Barrack in Brunswicks Street and running westerly through the centre of the Common by Mr Cogswells property towards the arm to be called Cogswell Street.

No Three The Street running westerly across the Common by the Northern side of the Cemetery through Park Head to the arm, to be called - Jubilee Street.

No Four Spring Garden Road to retain its present name, but the part of it to the westward of the Common towards Studley and the arm, to be called Studley Street.

No Five Morris Street to retain its present name.

No Six The Street running by the Southern edge of the Common through the Newby Lots to the arm to be called - South Street.

No Seven The Street running by the eastern edge of the Common the whole distance from Cunard Street to South Street to be called - Park Street.

No Eight The Street running diagonally across the Common from the head of Tachville Street until it reaches the Blue Bell Road to be called - Bell Street.

No Nine The road running diagonally across the Common from the point where Park Street intersects Cogswell Street, in a South Westerly direction to South Street to be called - Summer Street.

No Ten The road on the western edge of the Common from South Street to the opening of the Hempst Road to be called - Robie Street.

- Alderman Jennings
  - " Twining
  - " Moir
  - " Lowndes
  - " Morrissey
  - " Bell
- Committee of Common

Halifax 2<sup>nd</sup> June 1859



1859  
July 4<sup>th</sup>  
Continued

Read report of Superintendants of Streets of 14 February 1859 relative to the obstruction of Drafton Street. (See File)

Quarterly Return of Clerk of License -

Read Quarterly return of Clerk of License to 15 March 1859 when on Motion same is referred to the Committee of Public Accounts.

Report City Surveyor rel. to Birch Cove Lake -

On Motion Council takes up report of City Surveyor relative to the Birch Cove Lake. On Motion same is referred to Committee of City Property to report on.

By Law rel. to Championship of Halifax Harbour.

Council next take up By Law relative to the Championship for the Belt in Halifax Harbor the same is read a second time Clause by Clause.  
Read 1<sup>st</sup> Clause passed  
" 2<sup>nd</sup> Clause passed  
" 3<sup>rd</sup> Clause passed  
" 4<sup>th</sup> Clause passed  
" 5<sup>th</sup> Clause passed

Read said By Law a third time when the same is directed to be engrossed and transmitted to His Excellency the Lieutenant and Honorable Executive Council for Approval.

Alderman Swining asks leave to introduce Memorial of James Brennan and others for a Hydrant, received.

Memo. of J. Frederick Colthors for Well N. W. Arm -

Council next take up Memorial of J. Frederick Colthors for a Well at the North West Arm On Motion same is referred to the Aldermen of the Ward to report upon. (See File)

Moved and seconded that the Fire Plug at the south end of Barrack Street and the one near Naval Hospital be retained at the expense of the City from this period (passed)

Memo. James Cullen rel. to Auction License.

Read Memorial of James Cullen relative to payment of Auction License duty, when it is moved by Alderman Bell seconded by Alderman Thompson that said Memorial be withdrawn - - passed.

Memo. G. H. Starr rel. to Drain South Street -

Read Memorial of George H. Starr and others relative to Drain in South Street, (See File)

Report Supt of Streets rel. to above

Read report of Superintendant of Streets relative thereto, (See File)

When it is Moved and seconded that said report and Memorial do lie on the Table. - passed -



1859

July 4<sup>th</sup>  
Continued

Memo. of Rector  
and Church Warden  
of St. Lukes rel to  
Piece of Ground in  
Cemetery.

Council next take up Memorial  
of Rector and Church Warden of St. Lukes Parish for  
an allotment of Ground in the Protestant Cemetery  
when it is Moved by Alderman Hogswell seconded  
by Alderman Thompson that the same be referred  
to Committee of Cemetery to report upon.

The City Council next take up  
Draft of Memorial of City Council to His Royal  
Highness the Commander in Chief relative to the  
Grant of Water Lot near South Fish Market to the  
War Department, same is read

To His Royal Highness G.W.F.C.  
Duke of Cambridge K. G. K. H. G. C. B. Commander in  
Chief of the Forces.

The Memorial of Mayor and Aldermen  
of the City of Halifax Nova Scotia.

Memorial to  
Duke of Cambridge  
rel. to Water Lot  
Fish Market Life

Most Respectfully Sheweth

That in February 1858 the officers  
of the War Department at Halifax N.S. obtained from the  
Provincial Government, a grant of water in the Harbour  
in front of the Queens Wharves in the City of Halifax, which  
water lot has been held and used by the Citizens of Halifax  
for the convenience and general use of Tishing Boats and  
Landing of Fish for the use of the Citizens since Halifax  
has been inhabited.

That this grant was obtained without  
the City Council having an opportunity to remonstrate  
against it before it passed while it interferes materially  
with the interests and rights of the City by embracing a  
portion of the water requisite for the coming and going of the  
fishing Boats which supply the local Market.

That the City Council applied in consequence by a  
Memorial to His Excellency Lord Mulgrave the Governor of  
the Province for redress but it appears that he could not inter-  
fere after the Grant had passed. Your Memorialists see  
no course more proper for them to pursue in seeking an  
alteration in the limits of this Grant than to apply to your  
Royal Highness confident that you will not sanction the  
mode by which the City has been deprived in this instance  
of a fair and free access to the property belonging to them and  
believing that the crown would not condescend to hold by  
a deed or grant which had been either through design or  
inadvertency so framed as to injure any of the subjects  
of the Empire.

What they



1859

July 4<sup>th</sup>  
Continued

What they complain of is specifically that a line has been granted in this case which runs too far north and in a great measure will ruin the fish Market Slip by narrowing the water way and they conceive that an alteration in that line that would secure the rights of the City, would not at all injure the value of the Queens Wharves.

As the particulars of this transaction are more fully detailed in the petition to Lord Mulgrave already mentioned, Memorialists beg leave to annex a copy of that Petition, also a copy of the Plan of the premises, and some other documents which will serve to explain and elucidate their grievances, and they would earnestly solicit your Royal Highnesses interference that inquiry may be made and that justice may be done in this case by such change in the line of said Grant being adopted as will leave sufficient water way open forever to the South and East of the Fishmarket slip for the use of Fishing Boats.

(Signed) Henry Pryor  
Mayor

Read Memorial to His Excellency the Lieutenant Governor the Earl of Mulgrave of 25 May relative thereto. (Page 307) Water Grant

When on Motion of Alderman Thompson seconded by Alderman May that said Memorial be fairly engrossed and forwarded in the usual manner,

The following resolution (No 2) is next introduced

Whereas by resolution of this Council dated 26 May 1854 authorising the building of a retaining Wall in the Dock owned by the City adjoining the Market Wharf and whereas in consequence of an injunction served on the City by Beamish and others the project was then abandoned. Resolved that His Worship the Mayor be authorised to have recourse to such measures as will cause the removal of said injunction so as the intention of the original resolution might be carried into effect.

Moved by Alderman Conway seconded by Alderman Mignowitz & passed unanimously.

On Motion of Council rise  
Henry Pryor  
Mayor

Resol. rel. to Dock  
Near Market Slip  
North Side



1859  
July 11<sup>th</sup>

At a Special Meeting of City Council held this day present His Worship the Mayor Aldermen Pugsley, Cogswell, Caldwell, Lounds, Barnstead Twining, Thompson, Miv, Mignowitz, Horrestall, Conway, Jennings, Richey.

The City Council were summoned to take into consideration a Communication from the Provincial Government in answer to resolution of City Council relative to the assessment for Railway Interest and the transaction of other Business -

Read over proceedings of 4<sup>th</sup> July 1859

Report of Committee Cemetery on Memo of Church Warden St Lukes Parish

Alderman Twining Chairman of Committee of Cemetery on Memorial of Church Warden and Vestry of St Lukes Parish submits report. (See file)

Alderman Twining Chairman submits report of Committee of City Prison of

Petition of Jim Scully rel to injury by Fire Engines

Alderman Caldwell submits Petition of Timothy Scully relative to his having been run over and injured by one of Fire Engines, at a recent fire.

His Worship informs the Council that in accordance of resolution of City Council he called on the Hon Sonathar McCully relative to the injunction of Her Majestys Supreme Court connected with the Dock near the Steam Boat Wharf, and they stated they would take immediate action relative thereto.

Communication from Prov Govt rel to Memo of City Council on Assess

Read Communication from the Provincial Government of 5 July 1859 this day submitted relative to Memorial of City Council on Assessment for Railway Interest. (See file)

Read the Hon. the Attorney General Letter as introduced and entered at last Meeting, where following resolution is introduced.

Resol. rel to the Assessment for Railway Interest

Whereas a resolution was passed on the 12 day of June last, to the effect, that the City of Halifax should not be held accountable to the Receiver General of this Province for Interest on the Railway Loan under Section 8 of the Act passed on the Seventeenth year of Her present Majesty Entitled, An Act to authorize a Loan for the construction of Railways within this Province



1859  
July 11<sup>th</sup>  
Continued

Province. The terms of the act originally imposing liability upon the City in return for the obvious advantages which it would derive from the construction of such Railways as were thereby authorized not having been observed by the Commissioners of Railways, but having been departed from to the manifest prejudice of the interests of this City.

And whereas a Memorial has been addressed by this Council to Her Majesty the Queen praying her to disallow any Act having for its object unjustly to compel the payment by the City of Halifax of any part of said Interest and to that Memorial no answer has yet been received.

And whereas the Honorable the Attorney General of this Province by a Letter dated the 29 day of June and addressed to His Worship the Mayor and the City Council has demanded from the City Interest on said Loan amounting to the sum of \$2507<sup>34</sup>/<sub>100</sub> and has referred to an act passed the 12<sup>th</sup> day of April 1858, which

Act provides, that if the Council shall neglect to assess the City for said Interest the Supreme Court may amerce the same. And whereas this Council regards the said Law as arbitrary and unconstitutional in its spirit and ambiguous in its letter.

Be it therefore resolved That this Council will not be the means of enforcing upon the Citizens the payment of a sum which they do not believe to be equitably due, while they are in doubt whether it can be legally exacted and desire that an opportunity be afforded the Supreme Court of defining the liability if any of the City of Halifax.

Moved by Alderman Mignoult seconded by Alderman Richey, when the following amendment is introduced

His Worship the Mayor having communicated to the Council a Letter received from the Attorney General on the subject of the Rail Road Interest, and also a Letter received from the Provincial Secretary touching the Memorial of this Council to Her Majesty relative thereto.

It is resolved that the sum which the City is liable by Law to pay toward the Rail Road Interest be forthwith assessed levied and paid pursuant to Law.

Moved by Alderman Twining seconded by Alderman Pugsley which amendment being put is lost 5 Noting for it and 8 against it and the names being called for they appeared thus

For Amendment  
Ald. Caldwell Pugsley  
Tomistall Conway  
Twining

Against Amendment  
Ald. Mignoult Lownds. Moir  
Barnstead Thompson Cogswell  
Sennings Richey

Resolved re: Railways  
Interest Assessment



1859  
July 11<sup>th</sup>  
Continued

Alderman Cogswell asks leave to introduce an additional amendment to resolution to do one

Call of Council here made 11 Minutes past 5 o'clock.

Alderman Twining Moves that the report of Committee of City Prison be now taken up. the same is read.

Report of Committee City Prison re-to delay in completing City Prison-

The City Prison Committee report - that by the last contract entered into with Mr Robert Davis for the completion of the City Prison. the work contracted for was to be completed on the first of May last. At the earnest request of Mr Davis the Committee without allowing any alteration in the contract agreed that they would not enforce the contract if the work was completed by the first of July.

On the 8<sup>th</sup> of July - the Committee visited the premises and found only two Masons and some Labourers at work and as far as they can see little prospect of the Building being completed for months to come at least not for many weeks. By this delay the City is incurring the expense of a Superintendant at 12/6 per day which would not have been necessary had the contract been completed at the required time. In addition to which, The Committee are desirous to make arrangements for the transfer of the criminals to the New prison as early as possible. but from present appearances they cannot anticipate when that may be done. They would therefore recommend that the Contract and papers be handed to the Recorder to be dealt with as the Council may see fit. As the Committee do not wish to incur any further responsibility in the matter.

Halifax  
July 11<sup>th</sup> 1859

(Signed) Charles Twining  
Chairman

Moved by Alderman Conway seconded by Alderman Richey that said report be adopted which Motion being put is passed.

Deed of Dedication of Bauers Street

His Worship the Mayor submits to the Council deed of dedication of Bauers Street. duly registered (See file)

Ald. Thompson appt. on Committee of Seldons Case in place of Mignowitz

On Motion Alderman Thompson is appointed on Committee of Mr. Seldon case for damages sustained by him at the Fire January 1857 in place of Alderman Mignowitz who will be absent in England for some time.



1859

July 11<sup>th</sup>  
Continued

The following resolution is introduced

Resol. rel to the  
Completion City Prison

Upon hearing the report of the Committee of City Prison in reference to the completion of Mr. Davis Contract. It is Resolved that the report be received and adopted, and that the Recorder be directed to call upon Mr. Davis and his sureties in the usual manner for the fulfilment of the Contract. Moved by Alderman Conway seconded by Alderman Richey passed.

Alderman Wills comes in

The following resolution is introduced

Resol. rel to New  
Engine House,

Resolved that the New Engine House now being erected be transferred from the present acting Committee to the charge of the Fire Wards constituting the Fire Ward Committee, requesting them to have the same placed in a suitable position to accommodate the entrance and exit of the Engines in and out of the same. Moved by Alderman Pugsley seconded by Alderman Mignowitz.

The Hour having expired since the call of the Council. Resolution No. 11 is now before the Council, the same is again read when said resolution is carried by Voting for and 5 against it, and the names being called for appeared thus.

For Resolution	Against it
Alderman Wills	Alderman Caldwell
Thompson	Pugsley
Barnstead	Conway
Stennings	Thorpe
Mignowitz	Storratt
Richey	Swinn
Lounds	
Cogswell	
Moir	

The following resolution is next introduced

Resol. rel to Memos  
relative to Railway  
Assessment

Resolved that the Council regret the absence of any assurance that their Memorial respecting this Railway Assessment has met the eye of Her Majesty. Moved by Alderman Cogswell seconded by Alderman Lounds which on being put is lost by Voting for it and 7 against it.

Motion that Council rise Carried by Voting for it and 6 against it.

"Council rise"

Henry Taylor  
Mayor