

1861

January 7th  
Continued

Read Draft of Bill relating to assessment on Building Society.

Draft of Bill relative to assessment on Building Society

Read first clause when a Motion is made that said Bill be deferred till this day 6 months, which Motion on being put is lost 10 voting for the same and 4 against it and the names being called for they appeared thus

For the Amendment	Against it
Aldermen James Puggard, Conway Thermaine, Hill McCulloch, Compton Coleman, Walsh Leahy, Ackhurst 10	Aldermen Hoovey Nash Barnstead Raye 4

First clause passed

The first clause is next put and passed

2, 3, 4, 5 & 6 clause passed

Read 2, 3, 4, 5 and 6 clauses which on being put are passed.

On Motion Bill is ordered to be engrossed & handed to Committee of Laws & Privileges for presentation to the Legislature

Mr Motion said Bill is ordered to be printed for 30 Pays fairly engrossed and handed over to the Committee of Laws & Privileges for presentation to the Legislature for approval,

Resolution relative to taxation on Real Estate

The following resolution is next introduced,

Whereas the present System of levying Taxes on the occupiers of Real Estate instead of the owners thereof is a bad one inasmuch as great inconvenience arises from persons continually changing their residences and removing from the province to the great loss of the City Revenue,

Be it therefore Resolved that the Tax on Real Estate be levied in all cases on the owner thereof, and the property be liable for the amount of Assessment, and further, Resolved that no appeal from the Assessment on Real Estate be allowed, but the Assessment when once made by the proper officer shall be final. Moved by Alderman Walsh seconded by Alderman Conway to which following amendment is introduced

Whereas in cases of Insolvency parties are in the habit of making assignments and certain portions of the City rates are lost to the City,

Be it therefore Resolved that ~~the Tax on Real Estate be levied in all cases on the owner~~ in the event of Insolvency that the City rates shall in all cases be paid before any other creditor, That in cases of Assessment on Real Estate after the Assessors have made their assessment on the Estate, that owners or occupants thereof shall not be allowed to appeal therefrom. Moved by Alderman Conway seconded by Alderman McCulloch which on being put is passed,

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January 1st  
Continued

The following Resolution is introduced

Resol. authorising His Honor the Recorder to prepare a Bill for the Legislature on taxation

Resolved that His Honor the Recorder be authorised to prepare a Bill for the Legislature in accordance with the resolution just passed. Moved by Alderman Walsh seconded by Alderman Conway which on being put is passed.

Draft of an act relative to Wooden Buildings

Read Draft of an act relative to Wooden Buildings in the City of Halifax,  
Read First Clause

When on Motion Council adjourns.

1861  
January 16<sup>th</sup>

At a Special Meeting of the City Council held this day Present His Worship the Mayor Aldermen Hill Compton Barnstead, Nash, McCulloch, Walsh, Acthurst, James Duggan, Tremmains, Evers Coleman, Conway, Leahy, Richey, Jennings,

The City Council were summoned to take up the business standing over from last Meeting and the transaction of other business,

Read over proceedings of 7<sup>th</sup> January,

His Worship the Mayor submits a Communication from John Kelly C. C.

Communication from John Kelly - C. C.

draft of an act relative to assessment

His Worship the Mayor submits a draft of an Act relative to Assessment.

Read said Act. A Motion is made that the Bill be deferred till next Meeting - amendment that the Bill be now read and discussed amendment lost - Motion carried =

Communication from Halifax Water Company

Read Communication from Halifax Water Company. (See file)

Alderman McCulloch has leave to introduce a resolution when following resolution is introduced,

Resolution relative to the sum of £100 for Steam Chest or tower in Engine House of Parade

Resolved that the sum of One hundred pounds be placed at the disposal of the Board of Fire Wards, to build in connection with the Engine House on the Grand Parade, a steam chest or Tower, for hot air as may be most desirable for thawing the hose when frozen at a fire, the expense of the same to be defrayed from the general revenues of the City, and to form part of the expenses of the Fire Department. Moved by Alderman McCulloch seconded by Alderman Nash which on being put

A call of the Council is had at 5 Minutes to 4 o'clock

The following Resolution is next introduced

Whereas the late disastrous fire has shown the imperative necessity of a thorough reorganization of the entire fire Department and appliances for the extinguishing of fires in the City,

Be it therefore Resolved that a Committee be appointed to proceed to the United States with power to purchase one additional Steam Fire Engine and hose and engine into

Call of Council.

Resol. Rel. to appoint a Committee to purchase Steam Fire Engine

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January 16<sup>th</sup>  
Continued  
Resol. to appoint Committee  
Relative to Purchase Steam  
Fire Engine

and report to this Council regarding the system of Extinguishing  
fires in Boston, New York and Philadelphia, with a view to the  
reorganization of the present Fire Department of this City - and  
the introduction of the latest and most improved Appliances  
in use in those places for the extinguishing of Fires. Moved by  
Alderman McCulloch seconded by Alderman Ackhurst -  
which on being put is passed by voting for it and 1 against it  
and the names being called for they appeared thus,

For the Resolution  
Alderman Roome - Hill  
Nash - Walsh  
Barnstead - Richey  
Trennaman - Kaye  
Conway - Leahy  
McCulloch - Coleman  
Ackhurst - 13

Against it  
Alderman Evans  
1

The following Resolution is next  
introduced  
Resolved that His Worship the  
Mayor and Alderman Hill be a Committee to proceed  
to the United States for the purpose of purchasing the Steam  
Fire engine and necessary apparatus agreeable to resolution  
passed by this Council. Moved by Alderman Conway,  
seconded by Alderman Barnstead which on being put  
is passed by voting for it and 2 against it and the names  
being called for appeared thus.

Resol. Rel. to His Worship the  
Mayor & Ald Hill as Committee  
to purchase S.F. Engine

For the Resolution  
Alderman Roome - Conway  
Nash - McCulloch  
Walsh - Coleman  
Trennaman - Hill  
Compton - Barnstead  
Richey - Leahy  
Kaye - 13

Against it  
Alderman Evans  
Ackhurst.  
2

The hour having expired since the  
Call of Council on No. One Resolution the same is again read  
and on being put is passed.

Alderman Evans gives Notice of  
reconsideration,  
The following Resolution is next  
introduced

Whereas a Committee has been  
appointed to purchase Steam Fire Engines  
Resolved that this  
Council do authorize the City Treasurer to open a Cash account  
not exceeding \$1000 in addition to the sum already author-  
ized for that purpose with the Bank of Nova Scotia for the  
purpose of defraying the expense of such Steam Fire Engines

Resol. Rel. to opening a Cash  
Acct. with Bank of Nova Scotia  
for \$1500. Expense S.F. Engine

1861

January 16<sup>th</sup> with the necessary hose and apparatus and all the necessary incidental expenses, to be added to and paid out of the next general Assessment. Moved by Alderman Hill seconded by Alderman McCulloch which resolution on being put is passed 10 voting for the same and 4 against it.

Alderman Richey has leave to introduce the following Resolution

Resolved that a Committee be appointed to consider how an efficient supply of Water for extinguishing Fires may best be obtained and whether it would be expedient to renew the application to the Legislature at its ensuing session for power to purchase the Writs of the Water Company and that the said Committee be requested to report on or before the 28 Instant. Moved by Alderman Richey seconded by Alderman Evans which on being put is passed Committee Aldermen Richey Nash Conway Walsh Brennan and John Puggan.

Resol. Rel. to appoint a Committee to consider an Efficient Supply of Water for Extinguishing of fires

on motion the communication from Secretary W.C. is referred to above.

On Motion the communication from Secretary of Halifax Water Company is referred to the above named Committee to report upon.

The following Resolution (No 6) is next introduced

Resolved that the City Treasurer be authorized to advance such sum or sums not exceeding fifty pounds to the Superintendent of Streets to meet the present demands for clearing Streets and Sidewalks. Moved by Alderman Nash seconded by Alderman Coleman.

Resol. authorizing the City Treasurer to advance the sum of fifty Pounds to Supt of Streets

Alderman Hill by permission reads in a Resolution by way of Notice relative to climbing chimney Sweeps.

an act. Rel. to assessment in the City of Halifax.

The City Council next proceed to take up Act relative to Assessments in the City of Halifax.

The said Act is read clause by clause Read first clause when following Resolution is introduced

Resolved that the First clause in the Bill now before the Council is unconstitutional and contrary to the interests of the Citizens of Halifax and ought not to pass this Council. Moved by Alderman Evans seconded by Alderman Acthurst which amendment on being put is passed.

A Motion is next made that this Council do adjourn which Motion on being put is lost.

1861  
January 16<sup>th</sup>  
Continued

Alderman Conway has leave to withdraw  
the Act relative to assessment  
The following Resolution is next  
introduced

Resol. Rel. to the Removal  
of Old Building, Lower W. St.  
to Vacant lots on Hollis Street  
which are considered dangerous

Whereas there is an Old Building in Lower  
Water Street opposite Lykes Wharf, that has been partly destroyed  
by fire and Whereas it is considered dangerous and therefore  
ought to be removed and Whereas there are certain vacant lots  
on Hollis Street and other parts of the City that are also consi-  
dered dangerous,

Therefore Resolved that it is the opinion of this  
Council that His Worship the Mayor should take such steps to  
have these evils rectified as the law directs. Moved by Alderman  
Ackhurst seconded by Alderman Nash which on being put is  
passed,

Council adjourns =

On Motion the Council adjourns =

January 25<sup>th</sup>

At a Special Meeting of the City Council  
held this day Present Alderman Barnstead, Nash, Walsh  
Ackhurst, James Puggan, Tremmanin, Evens, Conway  
Roome, Richey, Jennings and Kaye

In the absence of His Worship the Mayor  
Alderman Walsh is called to the Chair,

Read over proceedings of 16<sup>th</sup> of  
January

Alderman Conway in the absence of  
the Chairman submits report of Committee of Public Accounts  
On Motion the same is received,

Alderman Richey Chairman submits  
report of Committee on Water Supply. On Motion the same is received,

Petition of John Lithgow

Alderman Nash submits Petition  
of John Lithgow. On Motion the same is received,

Communication from the  
Halifax Gas Company

The Chairman submits Communi-  
cation from the Halifax Gas Company. On Motion the same is  
received,

Returns of Weighers of Flour

also Quarterly returns of Weighers of Flour and Meal  
also communication from Secretary of Engineers Boston.

Report of City Architect Relative  
to Mr Lithgow erecting a building

also Report of Mr W. D. Marshall City Architect relative  
to Mr Lithgow erecting a building contrary to Law.

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January 25<sup>th</sup>  
Continued

The order of the day suspended to take up Report and Mr Lithgow's Petition, (See File)

Report of City Architect  
rel. to Mr Lithgow's building

Read report of B. D. G. Marshall. (See File)  
Read Petition of Mr. Lithgow (See File)  
when following resolution is introduced

Resol. Rel. to a Building  
Erected on Corner of Prince  
and Bedford Row Streets =

Whereas the City Architect has reported to this Council that Mr. John Lithgow has caused to be erected a Wooden Building over ten feet in height facing on Bedford Row and Prince Street, within the limits prescribed by the Act passed in 1859 entitled an Act to prohibit the erection of Wooden Buildings within a certain portion of the City of Halifax and in violation of said Act.

and Whereas it appears that the said John Lithgow and those persons who have contracted to erect said Building have received due notice that they are transgressing the said Act and have been required to comply with the provisions of the Statute, but neglect to do so and persists in raising up and finishing the building so over ten feet in height.

Be it therefore Resolved that unless the said John Lithgow so comply with the terms thereof within 20 days, the Mayor or in his absence the presiding Alderman at the Police Office do order the said Wooden Building, being a Public Nuisance to be forthwith abated as directed by the 4<sup>th</sup> Section of the said Statute, and be it further Resolved that His Worship the Mayor or in his absence the Presiding Alderman at the Police Office be requested to enforce or cause to be enforced the fines imposed by the 5<sup>th</sup> and 6<sup>th</sup> Sections of said Statute against all parties who are connected with erecting said Building and who are liable to penalties for the violation of said Act. Moved by Alderman Evans seconded by Alderman Conway to which the following amendment is introduced

Resolved that the resolution now proposed by Alderman Evans in reference to the building erecting by Mr Lithgow be postponed for 3 Months Moved by Alderman Wash seconded by Alderman Roome which amendment on being put is lost & Voting for the same and against it.

Call of Council =

The original resolution is then put when a Call of Council is made at 4 1/2 o'clock.

Motion to adjourn

A Motion to adjourn is next made and lost & Voting for and against it

The City Council next take up Alderman Evans notice of reconsideration given last Meeting on Motion Notice of reconsideration lost.

Report rel. to Committee  
Water Supply =

The City Council next take up Report of Committee on Water Supply submitted this day.

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## Report

January 25<sup>th</sup>  
Continued.

The Committee appointed to consider how an efficient supply of water for extinguishing fires can best be obtained and whether it would be advisable to renew the application to the Legislature at its ensuing session for power to purchase the Works of the Water Company and also to report upon the communication addressed to the City Council by the secretary of the Water Company under date 29<sup>th</sup> December 1860, beg leave to Report,

That a capacious reservoir at such an elevation as will give sufficient head for extinguishing fires in the highest parts of the City and a system of pipes of enlarged capacity are absolutely necessary and immediately required, and that such a reservoir might in the opinion of this Committee be advantageously constructed either on Shaffroths Hill in accordance with the plan proposed by Mr Laurie in his Report or on the hill in the vicinity of the first chain Lake, as proposed by Mr Edward Longard and approved by Mr Gossip, Civil Engineer,

The plan suggested by Mr Longard combines the advantage of more head than would be obtained from Shaffroths Hill with economy of expenditure supposing the ground in both cases to present equal facilities it is calculated that the cost would be £30,000 less than that of connecting Shaffroths Hill with St Andrews Cross. For these reasons the Committee regard it as well deserving the consideration of the Council,

Did the Council entertain the project of a system of pipes to be used only in case of fire. Your Committee are aware that several other plans having no connection with the Lakes were drawn upon by the Water Company would invite their attention for there are independent sources in convenient proximity to the City which have been pronounced available by competent authorities, but as the Committee think that the expenditure which such a scheme would involve would be justly regarded as unwarrantable while the object can with perhaps equal advantage and certainly with much greater economy be obtained by supplementing the present works to the extent necessary to afford an abundant supply of water to all parts of the City, both for domestic use, and in case of fire they would recommend the purchase if it can be made on moderate terms of the property and rights of the Halifax Water Company,

A deputation from your Committee obtained an interview with a Committee of the Directors of the Company for the purpose of ascertaining whether the terms of sale would be the same as those proposed last year, or what alteration would probably be made in them. Upon this point the Directors were unable to give any positive assurance as it is a question to be determined by a special meeting of the Stockholders, and such a meeting could not be summoned with less than ten days notice, but your Committee have the satisfaction of being able to report that a disposition to meet the views of the Council in a frank and favourable manner is expressed by the Directors and that the way is open to treat with them for the transfer of the property should the City

Report of Committee -  
Relative to Water Supply  
Continued



1861  
January 25<sup>th</sup>  
Continued

~~Authority to the City~~ be empowered by the Legislature to give effect to any bargain which may be concluded upon.

Your Committee therefore recommend that immediate application be made to the Legislature for an Act enabling the City to purchase the works of the Water Company on such terms as may be mutually agreed upon and providing for the funds which it will be necessary to raise in order to complete the purchase and carry into effect the proposed additions and improvements, and also authorizing the City Council to regulate by ordinance the management of the said works and the rates to be chargeable upon the citizens for supply of Water.

With regard to the communication from the Secretary of the Water Company which was referred to this Committee they have to report

1<sup>st</sup> That while they regret the inconvenience and expense which the Company are represented to have suffered in consequence of improvements in the streets of the City they cannot recommend that the required compensation should be granted as an extremely inconvenient and injurious precedent would thus be formed.

2<sup>nd</sup> Your Committee would be glad could they suggest any additional means for the protection of property of the Company in the Streets of the City. They presume that the police are already fully instructed in this matter and that the only recommendation they are able to offer is that should the Company desire to employ persons to watch any portion of their property these be clothed with the powers of special Constables.

3<sup>rd</sup> Your Committee cannot at present commit themselves to any recommendation regarding the importation of pipe by the Company on account of the City as there is as yet some uncertainty as to both the sizes and the quantities which will be required in the event of a purchase of the Company's works being effected.

All of which is respectfully submitted

Committee Room

(Sigs) M. H. Richey

25 January 1861

Chairman

When following resolution is introduced

Whereas in the opinion of this Council it is expedient that the City should purchase the Works of the Water Company if the same can be procured on moderate terms.

Resolved that the report submitted by the Committee on Water Supply dated 25<sup>th</sup> January instant be received and that the said Committee with His Honor the Recorder be requested to prepare an Act, to be sent to the

Report of Committee  
Relative to Water Supply  
Continued

Resol. Rel. to Report of  
Committee of Water Supply

1861  
 January 25<sup>th</sup>  
 Continued  
 Res. Rel. to Committees  
 Report on Water Supply

Legislature, to enable the City to purchase the works of the existing Water Company or make such additional Works as may be required for an efficient supply of Water for the purposes of the City and the Public. Moved by Alderman Jennings seconded by Alderman Conway which on being put is passed // Voting for the same and 1 against it.

On Motion the further consideration of the Report of Committee of Water Supply stands over for the present.

Report of Committee of Public Accounts

Read Report of Committee of Public Accounts as follows  
 Committee Room January 21<sup>st</sup> 1861

The Committee of Public Accounts met this day present Aldermen Kichey, Conway, Evans, Nash and the Chairman.

The following accounts were passed.

<u>      Streets      </u>		
H. A. Jennings		28.12
<u>      City Hospital      </u>		
Patrick Walsh	4.40	
Thomas Walsh	7.20	
Patrick Kelly	11.33	
James B. Smithers	6.00	28.93
<u>      Board of Health      </u>		
William Murray	14.10	
John Pugh	17.40	
Stairs Son & Morrow	6.80	41.60
<u>      Cemetery      </u>		
John Taylor	3.90	
Horticultural Gardens	1.00	
John Stairs	40.74	45.64
<u>      City Property      </u>		
A Sinclair	32.13	
William Murray	1.95	
James B. Smithers	2.30	
Ditto	1.10	
Ditto	4.35	
John Taylor	2.35	
James Hunted	17.10	
Wm. Murrell & Son	110.17	
Thomas Walsh	7.00	
Clavis & Bartord	2.57	
Ditto	55.20	
McEwen & Reid	17.70	
Ronald Watson	7.72	
Patrick Shields	1.50	
		<u>253.64</u>

Carried forward

\$427.96

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January 25<sup>th</sup>  
continued

To Amount Brought Forward \$427.96

City

G.W. Caldwell	17.68	
John Taylor	23.22	
Thomas Walsh	3.00	
J. Bowes & Son	1.50	
Alvin Grant	58.62	
Halifax Gas Company	255.53	
A.W. McKinlay	210.42	
W.A. Penney	21.25	
H.W. Blackadar	174.90	
Arthur Moore	2.50	
Daniel Hostkins	4.00	
Eleanor Warren	7.25	
Pitts	6.00	
Kitchie & Bulger	18.10	
Boggs & Ross	1.40	
	<u>3105.87</u>	

Fire Department

R. J. Roome	205.45	
J.B. Smithers	48.53	
James Lawlor	19.53	
David Calder	30.32	
Lewis Wilson	19.75	
John Taylor	38.18	
John Pugwell	18.25	
Richard Abbott	23.30	
S. W. Caldwell	9.10	
Wm. Merrick & Son	59.67	
James Lawlor	36.33	
John M. Taylor	10.00	
Andrew Ross	10.50	
Pecheraw & Rows	15.00	
J. & G. Longard	35.20	
William Murray	33.80	
H.W. Blackadar	10.25	
James Greig	30.00	
Joseph B. Scriven	8.35	
Robert Irvine	12.50	
Thomas H. Peters	3.75	
John Irvine	63.17	
Robert Urquhart	6.25	
Donald Watson	32.90	
Muir & Blackadar	1.20	
Smith & Mitchell	4.95	
Hall & Pearnish	3.32	
Compton & Bowden	12.00	
Charles Williamson	72.55	
Pitts	517.67	
W. M. & J. Carey	332.73	
W. J. Knight	14.00	
	<u>1457.55</u>	
	<u>\$ 5290.88</u>	

Report of Committee  
of Public accounts  
continued

1861  
January 25<sup>th</sup>  
Continued

Report of Committee of  
Public Accounts  
Continued

(Recapitulation)	
Streets	28.13
City Hospital	28.93
Board of Health	41.60
Cemetery	45.64
City Property	253.64
City	3105.37
Fire Department,	1757.55
	<u>\$ 5290.88</u>

Making a total of \$5290.88 all of which are recommended for payment.

The Committee beg to state that no accounts for services at the City Prison are included in the above as it appeared to them an irregular and unsatisfactory mode that ~~no~~ accounts should sometimes be examined by this Committee and sometimes by the City Prison Committee, as appears to have been the practice heretofore. This Committee would suggest as their opinion that such accounts should be examined entirely either by one Committee or the other, the contrary mode being evidently an unsatisfactory one.

This Committee also beg to state that several accounts from Medical gentlemen for attendances on prisoners and on Medical certificates were presented to them, but not being vouched by an Alderman they were passed over for the present. Your Committee would be glad to have some instructions as to such accounts in future as they do not know as at present advised on what ground the City is liable for such services which are for the benefit of the parties obtaining the certificates and not of the City.

Your Committee would remark on one of the accounts against the Fire Department that the amount \$205.45 exceeds the limit of accounts not submitted to competition and they have no knowledge that the service in this case was done by contract.

By order of the Committee  
(Signed) P. C. Hill  
Chairman

When following resolution is introduced

Resol. rel. to Report of  
Committee of Public Accts.

Resolved that the Report of Committee of Public Accounts just read be adopted and that His Worship the Mayor be authorised to draw checks for the same Moved by Alderman Conway seconded by Alderman Acthurst which on being put is passed.

A Motion of adjournment is next made which motion on being put is lost 4 Voting for the same and 8 against it