

1861
March 5th
Continued

On Motion the same is ordered to be fairly engrossed and handed to the Committee of Laws and Privileges for presentation to Legislature.

Ordinance Relative to Chimney Sweeps

Read Ordinance relative to chimney Sweeps a first time
Read said Ordinance a Second Time.

Ordinance relative to cows going at large

The same is ordered to lie on the table for a 3rd Reading on a future day
Read Ordinance relative to cows going at large a third time. Read a 1st and 2nd time in August last

Communication from John Kelly relative to Copying field Books.

On Motion the same is ordered to be fairly engrossed and sent to the Governor and Council for approval.

Read Communication from Mr. John Kelly relative to Copying field Books.

On Motion the same is referred to the Committee of City Property to report on.

Resol. Rel. to City Clerk numbering all Petitions & papers introduced to this Council

The following Resolution (No 2) is next introduced
Resolved that the City Clerk be requested to number all Petitions and Papers introduced into this Council and that His Worship the Mayor be respectfully requested to order the Petitions and Papers so numbered to be placed on his list or order of the day according to their respective numbers. Moved by Alderman Conway seconded by Alderman Coleman.

On Motion the same is ordered to lie on the table for the present 10 Voting for the same and 3 against it and the names being called for they appeared thus,

For the Motion	Against it
Alderman Roome, Kaye	Alderman Nash
Barnstead, Sad Duggan	Comptroler
Mculloch, Leahy	Evans
John Duggan, Coleman	
Hill, Walsh	

Quarterly Returns of Weighers of flour & meal

Read Quarterly Returns of Weighers of Flour & Meal.

Return of Number of Barrels of Flour & Meal weighed by John Parker for quarter ending Dec 31st 1861

103 Bbs	1 Bbls short	1 Bbls short
1318 1/2	3 1/2	6 1/2

Siga John Parker
City Weigher

1861
March 5th
Continued

Return of Number of Barrels of Flour & Meal weighed by John Winters for quarter ending 31st Dec^r 1860

1013 Bbls	Bbls short	lbs short.
<u>9223</u>	<u>62</u>	<u>694</u>
	Sig ^d John Winters	City Weigher

Quarterly Returns of Weighers of flour & meal.

Return of Number of Barrels of Flour & Meal weighed by William Grant for quarter ending 31st Dec^r 1860

1010 Bbls	Bbls short	lbs short
<u>1010</u>	<u>39</u>	<u>410</u>
	Sig ^d William Grant	City Weigher

Return of Number of Barrels of Flour & Meal weighed by Samuel Carter for quarter ending 31st Dec^r 1860

992 Bbls	Bbls short	lbs short
<u>992</u>	<u>155</u>	<u>1188</u>
	Sig ^d Samuel Carter	Weigher

Report of Committee Relative to numbering Streets

Read Report of Committee for Naming and Numbering the Streets.

The Committee for Naming and Numbering the Streets beg leave to report that they advise the Streets to be numbered from right to left the odd numbers commencing on the left and the even numbers on the right of every street or lane in the City and that the names of the Streets be placed on the alternate corners of every Block.

They also report that 200 Boards will suffice for the various Names of Streets and that these can be furnished Painted and lettered and also put up for the sum of Twenty seven pounds ten shillings or thereabouts, also that about 3000 Numbers will be required for the Houses that are not numbered at a cost of about Fifty seven pounds or the sum of Eighty four pounds ten shillings in all and as this is a very desirable measure the Committee think that the above will be found to be a near approximate to any estimate that may be taken should the Council think proper to incur the expense. they further recommend that every person erecting a new tenement be requested to have the Number of their House or Store painted on their premises at their own expense and that vacant lots be considered and provided for when the numbers are being arranged.

All of which is respectfully submitted
 Sig^d John McCulloch
 Chairman

On Motion the same is received and adopted.

On Motion Council rise

Council Rise

1861
March 24th

At a Special Meeting of City Council held this day Present His Worship the Mayor Aldermen Hill John Duggan Nash McCulloch Walsh Acthurst James Duggan, Trennamore, Evans, Coleman, Conway Roome Leahy, Richey, Jennings and Kaye,

The Council were summoned to take into consideration certain resolutions passed at the Court of Quarter Sessions, and the transaction of other business,

Read over proceedings of the 5th

March 1861

Ald. Richey. Sub. Report of Committee City Prison

Alderman Richey Chairman submits report of Committee of City Prison, on Motion the same is received.

Ald. Roome. hands in Report of Committee City Property Relative to J. Kelly's Memorial

Alderman Roome Chairman hands in a report of Committee of City Property relative to John Kelly's Memorial. On Motion the same is received,

Ald. Roome. hands in report of Committee of City Property Rel. to alterations City Property

Alderman Roome hands in Report of Committee of City Property relative to proposed alterations in City Court house. the same is received,

Comm. from Major Percy's Report of Committee on same

Alderman Evans submits Report of Committee relative to Major Percy's Commemoration, on Motion the same is received

Ald. Kaye. presents a petition from W. Brown

Alderman Kaye presents a Petition of William Brown, the same is received.

Arbitration. Rel. to award Case. Roles Drain

His Worship the Mayor handed in award of arbitrators in the case of the Roles Drain question

His Worship hands in two Books forwarded by John Decker. C. E. New York. addressed to City House

also hands in two Books forwarded by John Decker Chief Engineer of New York. addressed to the City of Halifax On Motion the thanks of this Council are hereby tendered to Mr Decker for the handsome presents,

His Worship the Mayor hands a Resol. passed. Court Q. Sessions Rel. to assessment for County purposes

His Worship the Mayor hands in a certain resolution passed at the Court of Quarter Sessions relative to the amount of assessment to be levied on the for County purposes.

Report of Committee of City Prison

Read Report of Committee of City Prison this day submitted. (See Next Page)

When following resolution is next introduced,

1861
March 11th

Resol. Rel. to Presiding
Alderman in releasing
Prisoners from City Prison

Report of Committee
on City Prison

Resolved that the question relative to the right of the Presiding Alderman in releasing Prisoners before the expiration of their time of imprisonment raised by the Committee of the City Prison in the Report just submitted be referred to His Honor the Recorder for his opinion thereon. Moved by Alderman Conway seconded by Alderman Nash which on being put is passed,

Report, _____ Committee Room City Prison
6th March 1861

Committee Met

Present Aldermen John Duggan,
Barnstead Walsh, Owens, Conway and the Chairman.

The following accounts were examined and allowed

1	W. P. Hunter	£90. 16. 8
2	W. Baldwin	4. 11. 1
3	W. Barnstead	10. 3. 10
4	John Tobin Esq	3. 9. 0
5	S. W. Baldwin	" 18. 9
6	Daniel Smart	" 14. 6
7	Paula Gibson	" 14. 6
8	James Black	" 6. 9
9	J. S. Bessonet	" 3. 8
		<u>£ 111. 4. 9</u>

On representation from the Medical Officer that bedsteads or stretchers should be provided in a separate apartment for the use of sick patients ordered that two stretchers be procured for that purpose,

Alderman Conway invited the attention of the Committee to the fact that a prisoner named Barrett had been released during the past month by the Alderman presiding at the Police Court before the expiration of his term of imprisonment. The question was raised whether this was legal and regular and it was resolved to refer the question for the consideration of the Council

M. H. Richey
Chairman

Ald. Jas. Duggan a report
on Mem. of Visiting Dispensary

Alderman James Duggan hands
a report on Memorial of Halifax Visiting Dispensary.

His Worship the Mayor
Submits Return of Paupers
in Poor Asylum past year

His Worship the Mayor submits
return of Number of Paupers in Poor Asylum for past year.
On Motion the same is laid on the table.

The following resolution is next introduced

1861
March 11th
Continued

Resol. rel. to Report of
Committee of City Prison

Ald. Conway hands in Resol.
by way of Notice rel. to Gas Lamp

Resolved that the Report of Committee of City Prison and recommendations contained therein be approved and adopted, and that the Bills incurred be paid and His Worship the Mayor be authorized to draw cheques for the same Moved by Alderman Conway seconded by Alderman McCulloch which on being put is passed

Alderman Conway hands in a Resolution by way of Notice relative to removal of Gas Lamp,

The City Council next take up Resolutions passed at the Court of Quarter Sessions, When following resolution is introduced

Resol. to a Committee.

Consisting of His Worship the Mayor & one Alderman from each Ward with His Honor the Recorder on subject Separating the City from the Eastern & Western Districts of the County or either of them

Resolved that a Committee consisting of His Worship the Mayor and one Alderman from each Ward be appointed with His Honor the Recorder to confer with the Members of the several Districts of the County of Halifax and the Custos of the County and Clerk of the Peace on the subject of separating the City from the Eastern and Western Districts of the County or either of them, to prepare and report to this Council a Bill to carry out such objects to be submitted to the Legislature for approval at its present session, Moved by Alderman Nash seconded by Alderman Hill which on being put is passed

Committee Aldermen Hill Nash, James Puggan, Solomon Conway and Richey,

Read report of Committee appointed to report upon Captain Percy's Communication.

Report of Committee Rel. to Capt. Percy's Communication

The Committee to whom was referred a Letter from Captain Percy Major of Brigade relative to damages sustained by soldiers of the 62 Regt in having their clothing destroyed by fire on the night of the 12th January last. Beg leave to report as follows. Having examined the proceedings of a Regimental Board deassembled at Halifax N.S. on the 29th of January 1861. by order of Lieut Col Paubing C.B. commanding 62 Regt to assess the value of articles damaged by the said fire, believes said sums assessed by said Regimental Board to be correct, and recommend the payment of the sum claimed Twenty two pounds Seventeen shillings and one penny sterling,

With the understanding that the payment of the present demand is not to form a precedent for any demand which may hereafter be made on the City of Halifax for damages sustained by soldiers in this Garrison at Fires,

March 11th 1861

all of which is respectfully submitted
Sigs William Evans Chairman

1861
March 11th
Continued

Resol. Rel. to report of
Committee on Soldiers
Clothing destroyed by fire

When following resolution is introduced
Resolved that the Report of the Committee
relative to Soldiers Clothing destroyed by Fire be adopted and
that the Mayor have power to draw checks for the same.
Moved by Alderman McCulloch seconded by Alderman
Ackhurst which on being put is passed.

Report from Committee on
Comm. Treasurer. H. V. Dispensary

Read Report from Committee on the
Communication from Treasurer of Halifax Visiting Dispensary.
(See file)

When following resolution is introduced
Resolved that the Report just read be
adopted and that the Mayor be authorized to draw a check for
the grant therein recommended. Moved by Alderman
Hill seconded by Alderman Jennings to which the following
amendment is introduced

Amendment - Relative to
grant recommended to the
Halifax Visiting Dispensary

Resolved that the amount recom-
mended to be paid to the Halifax Visiting Dispensary be fifty
pounds instead of thirty pounds. Moved by Alderman Ackhurst
seconded by Alderman Nash which amendment on being put
there appeared for the same to against it to and the Mayor being
called upon for his casting vote gives it against the amendment
being a Money vote and the names being called for they
appeared thus.

For the Amendment
Alderman Ackhurst
Leahy
James Duggan
Hays
Jennings
Nash

Against it
Alderman Roome
McCulloch
Walsh
Conway
Jas Duggan
Hill

The Original Resolution is then put
and passed unanimously.

Petition of Mr. Brown -
Relative to erect a fence
in front of his premises in
upper Water Street in

Read Petition of William Brown
submitted this day. When following resolution is introduced.

On reading the Petition of William
Brown asking leave to erect a fence in front of his premises in
Upper Water Street.

Resolved that upon said Brown giving a
Bond to remove said fence when requested so to do by the City
Council the prayer of the Petition be complied with. Moved by
Alderman Roome seconded by Alderman Jennings which on
being put is passed

Report of Committee of City
Property rel. to sale of Fire
Engines & Hose

Read report of Committee of City
Property relative to sale of Fire Engines and Hose. (See file)

When following resolution is introduced.

1861
March 11th

Continued
Resol. rel. to advertisements
in the papers of Fire Engines
and hose for sale = = =

Resolved that the Engines and hose
ordered by the Committee of City Property to be sold, be advertised
only in the papers who are contractors for the City advertising,
Moved by Alderman Nash seconded by Alderman Conway
which on being put is passed.

Report of Committee of City
Property: rel. to Mr Kelly's
Petition

Read Report of Committee of City
Property relative to Mr Kelly's Petition.
When on Motion the same is
adopted,

The Plans of the proposed alterations
in the City Court House are next taken up and examined
On Motion the same are referred back to the Comm-
ittee of City Property to have a specification and Estimate
prepared,

The award of arbitrators in the case of
Roles vs the City of Halifax is next read.

award of arbitration \$100
in the case vs. the City of Halifax

(Copy)
In conformity with the preceding
rule we have heard the evidence in the matter referred to
us and having duly considered the same, we do hereby award
that the City of Halifax, do pay unto the said Joseph
Roles the sum of One Hundred dollars in full for all
claims & damages.

Halifax Feb 27th 1861

Signed (William Lawson
Henry G Hill
Henry Geomans

When the following Resolution is next
introduced

Resolved that His Worship the
Mayor be authorised to draw a cheque for the amount awarded
to Mr Joseph Roles together with all taxable costs. Moved
by Alderman Hill seconded by Alderman Walsh, which on
being put is passed

Resolved that His Worship the
Mayor be authorised to draw a cheque for the amount of
costs in the case of Simpson vs Power. Moved by Alderman
Hill seconded by Alderman McCulloch which on being
put is passed,

Resol. authorizing his Worship
the mayor to draw cheque for
the amt. of Costs in case of Simpson
vs. Power.

Ordinance relative to =
Chimney Sweeps a 3rd time

Read Ordinance relative to Chimney
Sweeps a 3rd time
On Motion the same is ordered to be
fairly engrossed and sent to the Governor and Council for
approval

The following resolution is next introduced

1861
March 11th
Continued
Resol. to appoint a Comm. to prepare a table of fees rel. to sweeping chimneys

Resolved that a Committee be appointed to prepare a table of fees and regulations to be charged under the ordinance relative to sweeping chimneys and report to this Council. Moved by Alderman Hill seconded by Alderman Nash which on being put is passed,

Committee Alderman Hill Nash & Conway

The Council next take up the By Law relative to Gaugers of Oil for a third reading, when on Motion

The Council Rise.

Council Rise ---

March 25th

At a Quarterly Meeting of the City Council held this day Present His Worship the Mayor Alderman Hill Barnstead Nash McCulloch Walsh, Ackhurst James Puggan, Trennaman Evers, Coleman, Conway, Roome Richey, Jennings and Gray.

Read over proceedings of 11 March

Alderman Richey Chairman submits report of Committee of Laws and Privileges, on Motion the same is received

Alderman Hill Chairman submits report of Committee of Public Accounts, received,

Alderman Hill Chairman hands in a report of Committee on Reorganization of Fire Department received,

Petition from William Patterson rel to buildings in Barrack Street

Alderman Evers hands in a Petition from William Patterson relative to Building in Barrack Street,

Com. from Supt. of Streets

His Worship the Mayor hands in communication from Superintendent of Streets, received

Com. from Insp. Lane Eng. in Relative Small Pox

also communication from John Lane Esq. relative to cure for Small Pox received

Com. from Treasurer of Halifax N. dispensary, acknowledging check

also communication from Treasurer of Halifax Visiting Dispensary acknowledging a check from the City as a Grant to that establishment

Com. from Major Percy acknowledging of check for clothing destroyed at Fire in the Peace,

also communication from Major Percy in acknowledgment of check for clothing destroyed at Fire, also communication from West of the Peace,

1861
March 25th

Continued
Com. from J. B. O'Leary Esq.
Sect. Public Meeting Temperance
Hall
Opinion of His Honor the Recorder
Rel. to Discharging Prisoners from
City Prison
Bill to amend Chapter 46
Revised Statutes Rel. to C. Assessments

His Worship the Mayor submits communication from James B. O'Leary Esq. Secretary of Public Meeting held at Temperance Hall on Saturday last with Minutes of Proceedings and Resolutions passed at that Meeting,

also Opinion of His Honor the Recorder relative to discharge of Prisoners from City Prison, also Bill to amend Chapter 46 of the Revised Statutes, relative to County assessments.

On Motion said Bill is read, ordered to be fairly engrossed printed and handed to the Committee of Laws and Privileges for presentation to the Legislature.

Read opinion of His Honor the Recorder submitted this day relative to discharge of Prisoners from Rock Head. (See File)

On Motion the order of the day is suspended to allow Alderman Ackhurst to introduce a resolution when the following resolution is introduced,

Resolution Relative to
Hay Market

Resolved that a Committee of three be appointed to procure a suitable place for a Hay Market and report to this Council. Moved by Alderman Ackhurst seconded by Alderman James Suggars which on being put is passed.

Committee Aldermen Ackhurst, McCulloch and Kaye

Communication from J. B. O'Leary
Sect. Public Meeting Temperance Hall

Read communication from J. B. O'Leary Esquire Secretary of Public Meeting held on Saturday last at Temperance Hall with accompanying Minutes.

Halifax March 25th 1861

Sir

I send you enclosed copy of the Minutes of a Meeting held at Temperance Hall on Saturday last pursuant to requisition of the Citizens with the copies of four resolutions passed thereat and the names of Gentlemen appointed as a Committee to co-operate with the Mayor and Aldermen of the City in carrying out the objects of the Meeting

I am Dear Sir

Yours very respectfully
Sig^d James B. O'Leary
Secretary of Meeting

To
Samuel Caldwell Esq^r
Mayor of the City of
Halifax

At a Meeting of the Citizens of Halifax convened at Temperance Hall on Saturday 23rd March 1861 pursuant to notice and requisition presented to the Mayor to consider a Bill for levying a Tax upon the Citizens for the purpose of assisting in constructing Railroads.

1861

March 25th to the extent of \$400,000 and arrears of interest claimed by the
 Continued province of \$15,000 which had been laid before the sessions
 of the County by the Government,

The Mayor having taken the chair and called
 the Meeting to order succinctly stated its objects, and J. B
 O'Leary was nominated Secretary whereupon -

A. M. Monacke Esq^r addressed the Meeting at large
 and proposed the following resolution (N^o 1) which was
 seconded by John Puffus Esq^r and passed unanimously,

Whereas a Bill entitled "An Act for
 assessing the City of Halifax for Railway liabilities and for
 extending the line" is introduced into the Legislature with
 a view to collect and enforce the payment from the citizens
 and rate payers of the City of Halifax of the interests alleged
 to be due and to become due upon the sum of \$100,000 which is
 assigned to be paid by the 38th Section of the 70th Chapter of
 the Revised Statutes concerning Railways in this Province,
 and Whereas the plain conditions upon which the said Chap
 70 of the Revised Statutes was passed as set forth in its
 preamble namely, "to construct and maintain a trunk line
 of Railway from the Harbour of Halifax to the Frontier of
 New Brunswick with Branch lines extending to the harbor
 of Pictou and Victoria Beach" has not been fulfilled, and
 instead of the trunk line being extended from the Harbor
 of Halifax and being carried to the frontier of New Brunswick
 with branch lines to Pictou and Victoria Beach the trunk
 line has been stopped at Truro and a branch pushed only to
 Windsor and no indication is given of a design to extend
 the trunk to the Frontier of New Brunswick or the branches
 to the parts indicated in the said Preamble and Whereas
 the principle reasons urged in the preamble of said act for
 constructing Railways namely to develop the resources of Nova
 Scotia and to open more frequent and easy Communications
 with the neighbouring Provinces and States have been manifestly
 disregarded, and without communication being so opened
 with the neighbouring Provinces and States, the Railroad
 possesses no advantageous or paying elements for the City of
 Halifax, which should induce the Legislature to enact
 a law to compel the payment of the \$100,000 or the interest
 thereon or to pay any sum beyond what is borne by the General
 Revenues or other Sections of the Province, and Whereas it is
 essentially contrary to British principles of legislation, either
 to tax a population without its consent, or to arbitrarily im
 amerce a particular class or Section of the Community for that
 which is owned used and conducted by the whole province as
 a public undertaking, Be it therefore

Resolved as the opinion of
 this Meeting that to pass any law which will compel the
 citizens

Communication from J. B.
 O'Leary, Secretary of Public
 Meeting Temperance Hall
 Relative to a Bill for laying a
 Tax upon the Citizens of Halifax
 in constructing Railroads

1861
March 25th
Continued

Citizens or rate payers of Halifax to pay the £100,000 on the interest thereupon for the Railway at its present stage without extending the trunk line to the frontier of New Brunswick the branch lines to Pictou and Victoria Beach and thus opening up a large trade, would be in violation of the said 40th Chapter of the Revised Statutes, an infringement of the conditions which ensured its successful passage through the Legislature, a departure from former and existing pledges inconsistent with good faith and an injustice to the citizens and rate payers of the said City and that the passage of the proposed act and its becoming law, and the payment of the Money as therein required, should be resisted by all constitutional means,

Communication from B. O'Leary, Secretary of Public Meeting, Temperance Hall relative to a Bill for levying a Tax upon Citizens of Halifax in Constructing Railroads.

The following Resolution (N^o 2) is now Moved by John A Bell Esq and seconded by William Lawson Esq and passed unanimously.

Whereas Chapter 40 of the Revised Statutes imposes the burden of £100,000 on the City of Halifax on certain conditions which are so clearly and explicitly recited as to admit of no doubt or controversy as to their meaning, and - Whereas by the same act a legal remedy is provided in case of the City refusing or neglecting to comply with its part of the conditions specified in said Act and - Whereas by the act proposed to be introduced into the Legislature, altho the terms of the contract contained in said Chapter 40 of the Revised Statutes have never been fulfilled, it is sought, passing over the legal remedy already by Law provided, to exercise the City of Halifax by the following arbitrary, unconstitutional and oppressive measures that is to say,

By empowering the Supreme Court, or a Single Judge, to grant an order in a summary with without giving the City an opportunity to be heard, compelling the City to pay the amount set out in such order under the arbitrary and tyrannical penalty of imprisoning the Mayor or Treasurer of the City or other officers,

Secondly by violating faith with the existing creditors of the city in giving the Provincial Government claim of £100,000 priority over the Debentures already issued by the City which is a clear and unjustifiable breach of faith,

and lastly by taking the control of the Streets out of the hands of the City Authorities without any provision for their Management or for keeping them in repair or compensating owners of property which may be affected by such operations,

Be it therefore Resolved That His Worship the Mayor and the City Council be requested to take such measures by Memorial or otherwise to either branch of the Legislature, to His

1861
March 25th to His Excellency the Lieutenant Governor or to Her Most Gracious
Continued Majesty the Queen or to take any other Measures they may deem
most effectual to prevent the passage of the proposed Act
and to protect the just rights of the Citizens.

The following Resolution (No 3) was then proposed
by Thos McKinnear Esq^r and seconded by James F Avery Esq^r
M.P. and passed unanimously.

Communication from
Jas. B. Okeley, Secretary of
Public Meeting of Temperance
Hall, Relative to a Bill for
levying a Tax upon the Citizens
of Halifax in constructing R. Roads

Whereas every Constitutional means
should be adopted to prevent the proposed act passing into
Law and if necessary to raise and disburse funds for the
purpose by subscription or otherwise, and whereas it is deemed
to be judicious to appoint a Committee of Seven Citizens to act
in conjunction with His Worship the Mayor and the City
Council to carry out the views embraced in the Resolutions
already passed by this Meeting.

Be it therefore Resolved that a
Committee of Seven Citizens be chosen to Cooperate with His
Worship the Mayor and the City Council in opposing the
passing the said proposed Act and in collecting and disbur-
sing the necessary funds which may be required for that
object.

Committee A. McKinlay. A. M. Uniacke. John Puffus
James Cochran. Thos Stenny. John a Bell and Peter Lynch
Esquires.

The following Resolution (No 4) was Moved
by P. C. Hill Esq^r and seconded by Andrew McKinlay Esq^r
and passed unanimously.

That this Meeting awaits with deep
anxiety the action of the Imperial Government and Legislature
for the completion of Railway Communication between this
City and Quebec a project which has repeatedly been pressed
upon their attention by addresses and Delegations from the British
North American Colonies and which the Citizens of Halifax
consider to be no less essential to the interests of this City, and
these Colonies than to the furtherance of Imperial objects of the
highest character.

A Vote of thanks was proposed to A. M.
Uniacke for the ability he had evidenced in laying the case
of the Citizens before the Meeting.

A vote of thanks was also
proposed to the Mayor and the Meeting closed.

Sigs James B. Okeley
Secretary

The following Protest entered by
His Worship the Mayor before the sessions was next read,
and ordered to be entered on Minutes of Council.