

1861
April 8th could be dispensed with, and the expenses of their Fire
Continued Departments reduced in some cases 50 in others 40 and 30
and in none less than 20 percent.

And whereas this Council has recently procured
for the City two of said Engines one of which has already
arrived in the City, and upon trial has excited the
admiration and wonder of the citizens, and proved
beyond all doubt the vast superiority of said Engines
over those worked by manual labor.

And whereas it is but fair and reasonable
to anticipate the same results to follow their introduction
into this City as in the Cities of the Union.

Resolution Relative to
Reorganization of fire department

Therefore Resolved that it is unwise
as well as unnecessary to increase the number of the present
Fire Brigade of the City and that the report be referred
back to the Committee in order that such improve-
ments may be suggested as will meet the views of a
Majority of this Council and render the Department
at once useful vigorous and effective Moved by
Alderman James Puggan seconded by Alderman
Evens which on being put is lost 4 voting for it and
11 against it and the names being called for appeared
thus

For the Amendment
Alderman Conway
James Puggan
Evens
Leahy 4

Against it
Ald. Roome Heil
Nash Compton
Barnshead Kaye
Tremmains Richey
Walsh Acthurst
McCulloch 11

The following amendment is next intro-
duced

Whereas the 20th Section of Chap 99 of
the Revised Statutes of Nova Scotia Provides that this
Council may from time to time appoint such number
of Engine Men as may be deemed necessary to take charge
of the various Fire Engines.

and Whereas the
22nd Section of Chap 99 of Revised Statutes. Provides. that
upon any vacancy among the Firemen or Engine men
the same shall be at once reported by the Captain to
this Council. that the vacancy may be supplied

and whereas the Members of the present Union Engine
Company have not been appointed agreeably to Law
and have excluded a large number of Citizens from
their ranks. on account of their religious opinions such
Citizens having to contribute to the Revenues of the City and
the Fire Department being a large item and charge on
such Revenue.

Resolved that the Union Engine Company
as at present constituted does not possess the confidence

1861
April 8th of this Council, and is at variance with the rights and priv-
ileges of a large portion of the citizens of Halifax Moved by
Alderman Evans seconded by Alderman Conway which
on being put is lost & Voting for the same and Against it

The following amendment is next introduced

Resolution Relative to the
augmentation of Union
Engine Company

Resolved that this Council are of
opinion that any further augmentation of the Union Engine
Company is at present unnecessary, and that that portion
of the Report which recommends an increase be omitted,
Moved by Alderman Conway seconded by Alderman
Compton which on being put there appeared for the same
6, against it 6 and His Worship the Mayor being called
upon for his casting vote gives it in favor of the amendment

A Motion of adjournment is next
made and lost

A call of the Council is next made
at 20 Minutes to Nine o'clock

Members sent for

The following Resolution is next
introduced

Resolution Relative to
Street Committee to carry out
Street Act

Resolved that this Council proceed
to elect a Street Committee of three Aldermen to carry
out the intention of the Street Act passed this Session
of the Provincial Assembly and agreeable to the 6th Section
of said Act. Moved by Alderman Conway seconded
by Alderman James Puggan which on being put is
passed,

Committee Aldermen James Puggan Hill and
Kaye

The following Resolution is next
introduced

Resolution Relative to a
Competent Engineer to test
the merits of the Victoria Steam
Engine

Resolved that a Committee of
three be appointed to employ a competent Engineer
to test the merits of the "Victoria" Steam Engine, and
if found to be according to contract, to report the same
to this Council. Moved by Alderman Compton
seconded by Alderman James Puggan which on
being put is passed,

Committee Aldermen Compton, Evans & Kaye

" On Motion the Council rise "

1861

April 15th

At a Special Meeting of City Council held this day present Alderman Will Barnstead, Nath McCulloch, Walsh, Acthurst, James Duggan, Tremaine, Conway, Roome, Leahy and Kaye.

Read over proceedings of 8th April

Com. from Provincial Secretary approving of By Law relative to cows going at large -

His Worship the Mayor hands in a Communication from Provincial Secretary approving of By Law relative to cows going at large, and climbing chimney sweeps.

Com. from Supervisor of Salt and Grain in

of Salt & Grain, announcing a vacancy by death in that department,

Com. from Mr Robb. Measurer of Salt and Grain in

Robb. Measurer of Salt & Grain.

Copy of memorial sent to L. Council relative to Railway assessment.

also copy of Memorial sent to Legislative Council, relative to Railway assessment,

Copy of memorial presented to His Excellency the Governor relative to Railway assessment.

also copy of Memorial presented to His Excellency the Governor in reference to the Railway Assessment

On Motion the same are ordered to be entered in the Minutes of Council; as follows

To The Honorable The House of Assembly of this H. M. Province of Nova Scotia now assembled.

The Memorial of the undersigned citizens of the City of Halifax.
Respectfully Sheweth

That your Memorialists have learned that a Bill has been read at the Court of Quarter Sessions for the County of Halifax, preparatory to being introduced into the Legislature for the purpose of enforcing the payment by the City of Halifax of the sum of £100,000 and arrears of interest under Chapter 40 of the Revised Statutes.

Your Memorialists beg respectfully but earnestly to represent to your Honorable House that the City of Halifax ought not to be called on for such payment, either legally or equitably for the following reasons.

First. Because the proposed Act is contrary to and deviates from the original intention of the parties which was clearly understood and stated to be, the building of a Trunk Line of Railway from the harbor of Halifax to the frontier of New Brunswick with branch lines to Pictou and Victoria Beach.

Secondly. Because it was a violation of the Act under which the payment of £100,000 is claimed, to deviate

Memorial of the citizens of Halifax - Relative to Railway Assessment - to the house of assembly in

1861

April 15th
Continued

from the said Trunk line, to Windsor and apply a portion of the funds intended for such trunk line to Building a branch to Windsor, without the sanction or concurrence of the City of Halifax.

Thirdly = Because the City of Halifax cannot in justice or equity be called on to contribute any portion of the cost of the Railways before the trunk line from the harbor of Halifax to the frontier of New Brunswick with branches to Pictou and Victoria Beach is completed.

Fourthly = Because the proposed Act gives precedence to a debt for which the Citizens of Halifax do not consider themselves in justice or equity liable in the present position of Railway extension.

Fifthly = Because the City authorities under the sanction of Laws passed by the Legislature have issued their Debentures for money borrowed, to individuals and corporate bodies, for securing the payment of which the City property and revenues have been pledged, while the Act now proposed will sweep away from such Creditors the whole of their security.

Sixthly = Because it is a violation of the constitutional rights of the Citizens to endeavour to coerce them by subjecting their Mayor to the severe and arbitrary penalty proposed by the said Act, and in the summary mode therein laid down, and also because it would be in direct violation of the Acts incorporating the City to transfer the control of the Streets to the Railway Board.

Your Memorialists beg leave to call your attention of Your Honorable House to the Resolutions passed from time to time by the City Council. (Copies of which are hereto annexed) by which it will appear clearly and incontrovertably that from the outset the City of Halifax contemplated a trunk line from Halifax to the frontier of New Brunswick with branches to Pictou and Victoria Beach as the object of their efforts and the basis of the compact embodied in Chapter 40 of the Revised Statutes.

They would also call the attention of your Honorable House to the resolutions (hereto annexed) passed at a large and influential meeting of the Citizens, representing all parties and interests, which was held on the 23rd March and which was unanimous in the opinion that to attempt to enforce the claim of \$100,000 without having first fulfilled the conditions precedent would be unjust and oppressive.

In conclusion your Memorialists beg to state their fears, that the passage of the proposed Act, will irretrievably ruin the credit of the City, prevent any improvements being attempted, however greatly needed, and react most injuriously on the provincial credit which will inevitably suffer, if that of the capital of the province is depreciated.

Your

Memorial of the Citizens of Halifax to the House of Assembly relative to the Railway assessment.
Continued

1861
April 15th
Continued

Your Memorialists therefore respectfully pray, that your Honorable House will not sanction the passage of the proposed Act, and your Memorialists also request that they may be heard by Counsel at the bar of your Honorable House.

And as in duty bound &c &c

(Signed) G. Caldwell Mayor, and
by nearly 5000 Citizens,

(Memorial to Governor)

To His Excellency the Right Honorable The Earl of Mulgrave, Lieutenant Governor and Commander in Chief in and over the Province of Nova Scotia and its Dependencies. &c &c &c &c

The Memorial of the Mayor and City Council of the City of Halifax,

Respectfully Sheweth

That a Bill has passed the House of Assembly and is now before the Legislative Council, to enforce the payment by the City of Halifax of the sum of £400,000 and arrears of interest under Chapter 40 of the Revised Statutes.

Your Memorialists earnestly represent to your Excellency that the resolution passed at the public Meeting of the public Meeting of the Citizens held at Temperance Hall on the 28th of August A.D. 1850 and upon which the 38th Section of Chapter 40 of the Revised Statutes is based was agreed to with a clear and distinct pledge that a trunk line of railway was to extend from the harbor of Halifax to the frontier of New Brunswick with branch lines to Pictou and Victoria Beach.

That Sixty miles only of said trunk line has been completed viz to Truro leaving eighty Miles to the frontier together with one hundred and thirty eight Miles to Pictou and Victoria Beach yet to be built and which at the present time has not even been commenced, nor is likely to be under the existing state of the revenues of the Province.

That at the time the resolution passed (above referred to) at the Temperance Hall a protest was presented to His Excellency Sir Gaspard Le Marchant then Lieutenant Governor of the Province signed by a number of influential citizens protesting against the right of any section of a Community to pass a

Memorial to His Excellency
The Earl of Mulgrave
Relative to Railway assessment.

1861

April 15th a resolution rendering their dissenting fellow citizens continued liable to an amercement without legal authority.

That your Memorialists in conjunction with a large number of the Citizens presented to the Legislature a Memorial a Copy of which is hereto annexed, and praying to be heard at the bar of the House of Assembly in opposition to the passing of the said bill, which request the House refused.

That your Memorialists humbly request that should your Excellency be advised to assent to the said bill, a suspending clause may be thereto attached in order that the citizens of Halifax may have an opportunity of bringing the whole circumstances connected with the passing of Chapter 90 of the Revised Statutes, as also the present bill, under the notice of the Right Honorable the Secretary of State for the Colonies so as to obtain the opinions of the Judicial Committee of the Privy Council on the validity of the Act of the Provincial Legislature whereby the City of Halifax is sought to be made liable for the full sum of £100,000 and the interest accruing thereon before the fulfilment of the conditions precedent,

And your Memorialists as in duty bound

For and on behalf of the City Council
Sigs, S. Caldwell
Mayor

(Answer from Governor to the above)

To His Worship the Mayor and City Council of the City of Halifax,

Gentlemen

In reply to your Memorial praying that I would cause a suspending clause to be added to the Bill lately passed by the Legislature for the purpose of enforcing the payment by the City of Halifax of the sum of £100,000 together with arrears of interest under Chap 90 of the Revised Statutes. I have to inform you that I brought your Memorial under the consideration of my Government and that they in consequence decided not to offer any opposition to such a course if it were proposed.

A suspending clause having been inserted in the Legislative Council and agreed to without opposition by the House of Assembly ample opportunity will be afforded you of making such representations as you may think necessary for the purpose of bringing your case fully under the consideration of the Secretary of State for the Colonies -

I have only to add that I will take care that due notice is given to you before the Act is transmitted -

Memorial to his Excellency
The Earl of Moulgrave, Knt
re Rail Road Assessment

His Excellency The Earl
of Moulgrave's Answer
to Memorial Relative to
Rail Road Assessment

1861
April 15th to England for the Royal Assent.
Continued

Signed - Mulgrave.

The order of the day is suspended to read Mr Robb's Memorial and Communication from Supervisor of Salt & Grain Measurers.

Com. from Supervisor of Salt & Grain. Rel. to Charges against Mr Robb.

Read said Communications from Supervisor and Mr Robb. When following Resolution is introduced,

Resolution Rel. to appoint a Committee to investigate the Charge against Mr Robb.

Resolved that a Committee be appointed to investigate the charges against Mr Robb and Report to this Council. Moved by Ald. Roome seconded by Alderman Tremmains, passed Committee Aldermen Roome Walsh and Kaye

Read Communication from Supervisor of Salt & Grain Measurers informing this Council of a vacancy in that Department

On Motion the City Clerk is directed to advertise for applications for one or more Measurers of Salt & Grain.

Resolution relative to Cows &c found at large.

The following Resolution is next introduced.

Resolved that the Ordinance relative to Cows &c found at large having received the sanction of His Excellency the Lieutenant Governor be published for the information of the Citizens. Moved by Alderman Nash seconded by Alderman McCulloch which on being put is passed.

Read Report of Committee of City Property submitted and read on the 8th Feb. When following Resolution is introduced

Report of Committee of City Property relative to alteration to building.

Resolved that the plan and Specification respecting the alteration recommended to be done to this building be approved of and that tenders be taken for the same, provided that said alterations do not exceed the sum specified in the estimate of the City Architect. Moved by Alderman Conway seconded by Alderman Walsh, to which the following amendment is introduced.

Resolved that the Plan and Report introduced by the Committee of City Property be laid on the table for the present. Moved by Ald. Nash seconded by Alderman James Peggan

1861
April 15th which on being put there appeared for the same again.
Continued - nst it b and His Worship the Mayor being called for
his casting vote gives it in favour of amendment.

Com. from Clerk of Peace
rel. to assessment on City for
County purposes.

Read Communication from Clerk
of the Peace relative to amount to be assessed on the City for
County purposes.

On Motion the same is referred to
the Committee of Public Accounts.

Resol. rel. to Gas Works to
place a gas lamp in Cogswell
Street between Brunswick & Gottingen

The following Resolution is next
introduced

Resolved that His Worship the
Mayor be authorized to direct the Superintendent
of Gas Works to place a Gas lamp in Cogswell Street
between Brunswick and Gottingen Street as soon as
practicable Moved by Alderman Conway seconded
by Alderman Ackhurst which on being put is passed.

Com. from Geo. P. Mitchell
relative to a Road =

Read Communication from George
P. Mitchell Esq^r relative to dedicating a Road,

On Motion the same is referred
to the Street Committee to report upon,

Petition from Mrs. A. McKe
Relative to her taxes =

Read Petition of Mrs. A. McKe
relative to her taxes.

On Motion the same is referred
to the Committee of Taxes to report upon,

Quarterly Return of
Clerk of License =

Read Quarterly Return of Clerk
of License.

Ordinance relative to
Guagers of Oil =

Read Ordinance relative to Guagers
of Oil a third time.

A Motion is made that the Ordin-
ance be fairly engrossed and handed to the Governor
and Council for approval. To which the following
amendment is introduced.

Resolved that the Ordinance
relative to Guagers of oil be deferred for three Months.
Moved by Alderman Nash seconded by Alderman Nays
which amendment on being put is lost & voting for
the same and of against it and the names being called
for they appeared thus.

For the Amendment
Alderman Nash
Compton
Leahy
Nays
Against it
Ald. Roome " McCulloch
Sd. Puggan " Hill
Conway " Ackhurst
Fennanin =

The Motion is therefore passed.

1861
April 15th
Continued

Alderman Nash gives Notice of reconsideration

The following Resolution is next

introduced

Resol. relative to internal
Health Committee be appointed
under provisions of the act -
Concerning Streets

Resolved that the internal Health
Committee be appointed under the provisions of the act
concerning Streets. Moved by Alderman Hill seconded
by Alderman Leahy which on being put is passed
Committee Alderman Roome McCulloch & Coleman.

Ald. Nash hands in Resol.
Relative to Weighers of Flour

Alderman Nash hands in a
Resolution by way of Notice relative to Weighers of
Flour.

Council Rise

On Motion Council Rise.

1861
April 22nd
Continued.

At a special meeting of the City Council held this day Present His Worship the Mayor, Aldermen, Will. John Duggan, Compton, Barnstead, Nash, McCulloch, Walsh, Ackhurst, James Duggan, Tennaman, Evens, Conway, Roome, Richey, Jennings and Kaye.

The City Council were summoned to appoint a measure of salt and grain. Continuation of Report on reorganization of Fire Department and the transaction of other business

Read over proceedings of April 15th 1861.

Alderman Walsh, Chairman, hands in report of Committee of Common, on motion the same is received.

Alderman Richey, Chairman, hands in a report of Committee of City Prison, on motion the same is received.

Alderman Kaye, Chairman Reports from special Committee on Complaint against Mr Robb.

Alderman Compton, Chairman, reports from special Committee appointed to receive the Steam Fire Engine on Motion the same is received.

Alderman Conway, hands in petition from James Lindsay and others, for a main sewer, the same is received.

Alderman Ackhurst, Chairman reports from special Committee on origin of fire in Neslin and Goldings reports with examination of witnesses on motion the same is received

His Worship the Mayor, hands in Resolution, passed at a recent meeting of the Board of Health.

Comm from Robt. Oakes.

Also, Communication from Robert Oakes.

The City Council next proceed the Order of the day, and take up Alderman Nash's notice of Reconsideration

on the question been taken then appeared for the reconsideration 7 and against it 8 and the names being called for, they appeared thus for, the Consideration against it
Alderman Nash

Barnstead
Richey
Jennings
Kaye
Evens
Compton, 7

Alderman Roome
Tennaman
Walsh
John Duggan
Conway
Ackhurst
McCulloch
Mr. Duggan 8

1861
April 22nd.
Continued

Read Report of Committee of City Prison when following resolution No 1 is introduced.

Report of Committee on City Prison

Committee met. Present Alderman John Duggan. Bainstead, Walsh, Evens, Conway and the Chairman. minutes of preceding meeting read. the following accounts were submitted

City Prison

No 1	W. K. Reynolds	\$ 2. 31
2	Bernard McGibbon	" 50
3	Bernard McGibbon	" 50
4	Thomas Leahy	" 50
5	James Cochran	3. 00
6	J. Parker Jr. 20. 11. 3	82. 85
7	Boggs & Ross	58. 02
8	M. Hemmery	270. 78
9	Thos Durkin 1/1	2. 22
10	Thomas Walsh	2. 74
11	Joseph Mulcahy	12. 75
12	Thomas Hughes (Blacksmith)	15. 00

All the above accounts were passed and ordered to be paid when sanctioned by the City Council.

Application relative to Release of Robert Lightizer and Charles Callan

Application having been made in behalf of Charles Callan Confined for fighting and Robert Lightizer Committed for an assault that they be released from further confinement and the case having been considered by the Committee it was unanimously resolved that application be made to His Excellency the Lieutenant Governor to authorize their release

Letter from Henry A Wright - Rel. to Examination upon defect in the Chimney of the Prison.

Read a letter from Mr. Henry A Wright respecting (after examination) upon defect in the chimney of the Prison when it was resolved that the chimney be thoroughly swept and that the Commissioner for the month institute in quibrics whether some plan less expensive than that recommended in Mr. Wright's letter cannot be adopted for remedying the defect and report to the Committee at its next meeting.

Report from Governor of the Prison - Relative to escape and Return of several Prisoners

Read Reports from the Governor of the Prison, relative to escape and return of several prisoners. Referred to the Commissioners of the month.

Reports of offences in the Governor's Books referred to Commissioners for the present month to be dealt with at his discretion.

It was an motion resolved that the sum of twenty five pounds be placed at the disposal of the Commissioners for the month to purchase a horse for the Prison farm and establishment.

After inspecting the wards and premises the committee adjourned.

(Signed) M. H. Richey
Chairman.

1861
April 22nd.
Continued

Resolved the Report just Read be adopted and the accounts be paid, and that His Worship the Mayor be Authorised to draw Cheques for the same, moved by Alderman Conway, Seconded by Alderman McCulloch, which on being put is passed.

Report of Committee of
the Common

Read report of Committee of Common.
The Committee of Common beg leave to report, that in consequence of the small sum realized from the sale of the Grass on the Common, the Expenses of manuring the fields, and the necessity of paying a Salary heretofore to a Superintendant, they advise the leasing the Fields on the Common for Hay or Pasture, the Lease Holders to guarantee the Preservation of the trees, and the keeping the fences in good repair, the Committee are of opinion that if this suggestion is carried out, that double the sum now obtained from the sale of the Hay on the Common, which amounts to about Fifty or Sixty Pounds Annually, would be realized by the lease they propose.

The Committee report for the information of the City Council, that the revenues of the Common amount to nearly Three Hundred Pounds per Annum, these revenues are reserved solely for the use and benefit of the Common, and are controlled by the Standing Committee, they are derived from the rents of the 999 years lease, payable in advance each year on the first of July, and also from the sale of the grass on the Common several years ago the sum of Five Hundred Pounds was borrowed from Mr. Thomas Kenny, with the understanding, that Fifty Pounds of the Principal with Interest on the balance, should be paid each year until the whole sum was paid off, the interests and interest have been regularly paid and the amount is now reduced to One Hundred Pounds.

The Committee in conclusion beg to state that in consequence of the large outlay attending the works on the Common, the making of the Roads and side walks belonging to the same, the Income has been barely sufficient to meet the Expenditure, and they therefore propose to lease the Fields in question, in order to increase the funds required for Road work in the vicinity of the Common during the present year, all of which is respectfully submitted

Signed

Thomas Walsh
Chairman.