

1861  
September 9th  
Continued

Returns of Number of Barrels of Flour  
and Meal, weighed by John Winters for quarter ending 30th June 1861.

Bbls \_\_\_\_\_ Bbls Short \_\_\_\_\_ lbs Short \_\_\_\_\_  
5930. 135 1569.

Signed John Winters  
City Weigher

Returns of Number of Barrels of Flour  
and Meal, weighed by Samuel Carter for quarter ending 30th June 1861

Bbls \_\_\_\_\_ Bbls Short \_\_\_\_\_ lbs Short \_\_\_\_\_  
12074 176 1311.

(Signed) Samuel Carter  
City Weigher.

Report of  
Committee of  
Streets

Read report of Committee of Streets.

Streets Office  
Halifax 6th Sept 1861

The Committee of Streets beg leave to report for the information  
of His Worship the Mayor and the City Council that they have had  
under consideration the report of Superintendant of Streets relative to  
the cost of a drain in Prince William Street Petitioned for by John  
Patterson, Matthews Senr, and others, and submitted to them to report  
upon, and resolved that the Committee recommend the Construction  
of said drain, all of which is respectfully submitted

(Signed) D.C. Hill  
James Duggan

When following Resolution No 4 is  
introduced,

Resolved that the Committee of Streets  
be authorised to direct the Superintendant of Streets to construct the  
sewer referred to in Prince William Street by Contract or otherwise  
and in accordance with their report moved by alderman Conway  
seconded by alderman Coleman, which on being put is passed.

Ordinance  
rel to Hay  
Market

Read ordinance relative to a Hay  
market a first reading time.  
Read said ordinance a second time -  
The same is ordered to be on the table for a third reading a future day

1861  
September 9th to permit the Election of certain members to Volunteer Engine Company  
Continued

Same are elected,

Esquire, Submitted (See file)

Report of  
Committee  
of Commons

The order of the day is suspended

The list is read. When on motion the

Read Communication from A. Scott

On motion his request is acceded to

Read report of Committee of Commons

Report of Committee  
of Commons

The Committee of Commons beg leave to submit to the City Council the following report. at a meeting of the Committee held in July last it was agreed to sell the grass on the Common by Public Auction. due notice to be given to the Public by advertisement in the Papers, and hand bills, stating Particulars, Terms, and day of Sale, on the day appointed for the Sale 23rd July, the Committee proceeded to the Common with Mr W. M. Allen the Auctioneer, who previous to selling the grass stated Publicly in the hearing of the Committee that the terms of sale were, that the grass was to be paid for before it should be cut, the same having been stated in the bills the Purchasers were allowed until the 20th of August to remove it away the parties all complied with the terms paying the money for their respective purchases and receiving an order from Mr. Allen the Keeper of Common to allow them to cut with the exception of J. J. Wallace Esquire, who sent a man without an order to cut the grass, but was prevented from doing so by the Keeper of Common, acting under orders of this Committee Mr Wallace has since refused to pay the money and comply with the terms of sale, thus setting the Committee at defiance

The Committee took no action in the matter until after the 20th August, when having advised with his Worship Honor the Recorder advertised it for sale again in the usual way but in consequence of the grass not having been cut at the proper time it sold for less than when previously sold to Mr. Wallace and thus counting the expenses of the sale will entail a loss to the City of two pounds ten shillings the Committee having thus fairly stated the case submit the matter to this Council to deal with as they in their wisdom may deem proper, all of which is respectfully submitted

(Signed)

Thomas Walsh,  
Chairman

On motion said report is adopted and the committee authorised to see Mr. Wallace without delay

Read report of Committee of Public

Report of  
Committee  
Public Accounts

See next page

1861  
September 9th  
Continued

Committee Room  
September 7th 1861

Report  
Public a/c's

at a meeting of Committee of Public  
accounts held this day Present alderman Kichey, Conway, Ackhurst  
Nash and the Chairman.

The following accounts were submitted.

City		
John L Barry		\$ 400.00
James Bowes Brown		12.50
Express office		42.25
H. C. D. Mining in a/c		30.00
S. C. Nash		24.75
Jennett & Taylor		8.75
Gas Company		" "
Mrs Warren	\$ 8.50	" "
Ditto Ditto	4.25	" "
Ditto Ditto	5.20	" "
Ditto Ditto	3.50	21.45
Barge Halifax (Freight)		2.92
Thomas Omland		40.7

contd

Fire Department		
Gas Company		25.85
W. H. Wisdon		11.00
Mrs Stairs, South C.		7.50
George Flowers		29.75

all of which were passed and recom-  
mended for payment.

It is recommended that in future the  
Market Square be cleaned by the men employed by internal health  
Committee and the ashes and rubbish from Court house be removed  
by the carts employed by them

(Signed) P. C. Hill  
Chairman

When following resolution No 5 is  
introduced  
Resolved that the report of Committee  
of Public accounts, be received and adopted and that His Worship  
the Mayor be authorised to draw Cheques for the accounts moved  
by alderman Hill. Seconded by alderman Ackhurst, which on  
being put is passed.

When the following resolution No 6  
is next introduced  
Whereas the City assessor during the  
present year has been called upon to perform a large amount of  
extra work in levying of the Poll Tax,

1861

September 9th

two hundred dollars be allowed said assessor for the work so performed  
Continued moved by alderman James Duggan, Seconded by alderman Coleman.

Therefore Resolved that the sum of

To which the following amendment

is introduced.

Res. to a Board  
a committee  
to consider  
Mr. Barre's  
pay.

Resolved that a committee be appointed to take into consideration the petition of Mr. Barry for additional pay, moved by alderman Nash, seconded by alderman Barnstead which amendment on being put is passed.  
Committee alderman Nash, J. Duggan and Coleman.

Resolved that a committee be appointed to take into consideration the petition of Mr. Barry for additional pay, moved by alderman Nash, seconded by alderman Barnstead which amendment on being put is passed.  
Committee alderman Nash, J. Duggan and Coleman.

next introduced.

amount of work outside of proper business therefore resolved that there be paid him Dollars for all extra work performed by him since his acceptance to office, moved by alderman Nash, seconded by alderman Walsh, which on being put is passed.  
the committee just appointed.

The following Resolution No 7 is  
Whereas the Recorder has had a very large amount of work outside of proper business therefore resolved that there be paid him Dollars for all extra work performed by him since his acceptance to office, moved by alderman Nash, seconded by alderman Walsh, which on being put is passed.  
on motion the same is referred to the committee just appointed.

Petition of  
Thos. Goudge (see file)

withdraw his Petition  
claiming damages for injuries received (see file)  
Committee to report upon, Committee alderman Nash, Jennings & Freeman

Read Petition of Thomas Goudge Esq  
on motion Mr. Goudge has leave to  
Read letter from H. D. Steele Esquire  
on motion the same is referred to a  
Committee alderman Nash, Jennings & Freeman

Letter from  
H. D. Steele  
for damages

Read two  
accounts (see file)  
Water Co

the Committee, on water supply to report upon.

Read two accounts from Water Company  
on motion the same are referred to  
the Committee, on water supply to report upon.

Esquire, and others relative to a drain in Dresden Row. (see file)  
Committee, to Report upon.

Read communication from S. Gray  
Esquire, and others relative to a drain in Dresden Row. (see file)  
on motion same is referred to the Street  
Committee, to Report upon.

Resignation  
of Mr. Brown  
Esq  
Esquire, of office of alderman.

Read Resignation of William Evans

See next page.

1861  
September 9th  
Continued.

Halifax August 19th 1861

Sir,

as the law provides that any  
alderman elected to serve three years in the City Council may if he thinks  
proper resign his seat after serving two years in the same providing he  
shall have given one months notice in writing of his intentions to do so  
such notice to be given one month previous to the expiration of the two  
years and as my two years of office will terminate on the 1st day of October  
next. I have respectfully to request you will be pleased to accept my  
Resignation of the office of alderman of the City of Halifax

I have honor to be,  
your worship most obedt.

William Coombs  
alderman Ward No 4

(Signed)

To His Worship  
The Mayor.

Read report of committee on

Report of City architect,

September 9th 1861.

Report of  
Committee on  
Report of  
City Architect

The committee appointed to con-  
sider the City Architects Report on certain buildings now being erected  
in Hollis Street beg leave to report as follows.

They notified the parties interested  
to appear before them together with the Recorder and City architect  
and they met accordingly one of the parties concerned being accom-  
panied by his legal adviser after the matter had been fully discussed  
the committee had journeyed to the sites of the buildings and examined  
the work for themselves and they now have to report as follows.

First as regards Mr. Fullers building  
the wall of which adjoining Mr. Harshaws Building on the north is  
complained of by the architect as being but 8 1/2 inches in thickness  
the committee would observe that by the terms of act all party or  
division walls are to be not less than twelve inches thick and all other  
exterior walls not less than eighteen inches thick therefore if an owner  
of Property should build independently of his neighbors he must  
build walls of 18 inches all round and when the adjoining owner  
follows he should also by the strict terms of act build of the same  
thickness inasmuch as a wall build entirely on his own ground

contd

cannot be defined to be a party wall and consequently there would  
be three feet of brick or stone work between every two houses this could  
not have been the intention of the act, or of its framers, as it would  
not only entail a needless expense on the owners of property but cause  
in the aggregate, a considerable waste of valuable frontage. so far from  
this it appears that the act contemplates a party wall of 12 inches  
as sufficient in this case it appears that Mr. Fullers wall is 8 1/2 inches  
and assuming the adjoining wall to be 12 inches there is a thickness of  
20 1/2 inches of brick work between the two buildings which is probably  
sufficient for protection from fire, whether it is sufficient for the  
streight

1861

September 9th  
Continued

Height of the building, the committee cannot decide, this being rather a question for the City Architect

With regard to Mr. Nash's building, the committee found the circumstances of the case to be nearly similar to Mr. Fuller's, with this exception that Mr. Nash's wall by permission of the adjoining owner interaced with such adjoining owners wall by means of a series of openings by which the two walls are bound together

In the opinion of the committee the strict letter of the law has not been complied with either in the case referred to or in any of the buildings in the neighborhood now being erected, but under the circumstances already mentioned, they do not feel it to be their duty to recommend such an enforcement of the letter of the law as would perhaps contravene its spirit, and would certainly bear hardly on the owners of properties in question

In conclusion your committee would recommend such a revision of the present building act, as would set at rest such questions as have now arisen, and they would especially urge the universal enforcement of that portion of the present act or any amended, which requires the nature and materials of any intended building to be submitted to and approved of by the City Architect before the commencement of operations were the terms of the act sufficiently clear and were the plans and specifications invariably certified by the architect, to be in conformity with the requirements of act before building operations were commenced, no question could in the judgment of the committee ever arise,

For The Committee,

(Signed) P. C. Hill,  
Chairman

the table

On motion said Report is ordered to be on

On motion the Council Rise,

1861  
September 23rd  
Continued

at a quarterly meeting of the City Council, held this day Present His Worship the Mayor, Alderman Hill, John Duggan, Barnstead, Nash, Mc Culloch, Walsh, J. Duggan, Roome, Richof, Jennings and Karge,

1861.

Read over proceedings of 9th Septe-  
Reports from Committee on unpaid Taxes  
Alderman James Duggan verbally

Communication from R. Oaks,  
His Worship The Mayor submits -  
On motion the same is received -

Also communication Mr. William Devine Relative to his purchase of his property

Also communication from Rev. J. B. Cochran relative to portion of cemetery for the Deaf and Dumb School

Also communication from R. G. Halliburton Esquire, with accompanying Resolution passed at a Public meeting held at Temperance Hall.

also two communications from Commissioners of Water Supply

Remains set to hay carts

Carts a third time  
with \$2.00 an 48 Hours.

Read Ordinance relative to Hay  
Read 1st Clause, passed,  
Read 2nd Clause - blank, filled up  
Read third Clause passed,  
Read 4th Clause passed,  
Read 5th Clause passed,

contd

introduced  
And following Resolution No 1 is -  
Resolved that the ordinance relative to hay market be fairly engrossed, and sent to the Governor and Council, for consideration moved by Alderman Ackhurst - seconded by Alderman Nash, which on being put is passed -

Alderman Compton hands in a Petition of E. G. Fuller and others for a sewer.

On motion the same is referred to the Committee of Streets to report upon.

1861  
September 23<sup>rd</sup>  
Continued

Read alderman Nash's Resolution relative  
to News boys trumpets on streets, as entered 17<sup>th</sup> December last.  
The same is put and passed, 11 voting  
for the same and 2 against it

In the Resolution	against it,
alderman Roome, Nash, Barnstead McDuggan, Walsh McCulloch, Hill, Richey Kaye, Jamming Jackson 11	alderman Compton Ja. Duggan,          2

Communication  
from Hon Wm  
Young for a Gas  
Lamp

Read communication from Hon William  
Young for a Gas Lamp (See file)

Communication  
from A. M. Uniacke  
rel to Gas Lamp

Read communication from A. M. Uniacke  
Esquire, relative to Gas Lamp paid for by Mrs. Robie. (See file)

On motion the said two communications  
be referred to the old Gas Committee to report upon.

Read Resolution of alderman Richey, handed  
in some time since, by way of notice.

Committee Room  
September 30<sup>th</sup> 1861.

Committee on the  
Water Works

The committee on transfer of the Water Works,  
having had under examination the final account of the Water Company  
beg leave to report, that they find the same, to be correct, with the  
exception of the charge against the City of £80. 11. 10. for one third of the  
amount of the City County and poor rates assessed for the current Year  
A. D. 1861. which not having entered into the calculations of your Com-  
mittee in their negotiations with the Company, they do not feel themselves  
in a position to pronounce upon, but beg leave to commit, to the consideration  
of the Council with the explanation which they have received viz. That as  
the taxes constitute a portion of the expense or charges of the current  
Year the profits of which were under the arrangements for transfer  
allocated in the proportion of two thirds to the Company and one  
third to the City it seemed to the directors a reasonable inference  
that these charges were to be borne in the same proportion.

Respectfully Submitted  
M. H. Richey  
Chairman



1861  
September 23rd  
Continued

is introduced.

When following Resolution No 2.

Resolved that the question of an early revision and consolidation of the laws and Ordinances of the City be referred to the Committee of Laws and Privileges to Consider the same and report their views to this Council moved by alderman Ackhurst and seconded by alderman Nash, which on being put is passed.

Order of the day suspended to take up report of Committee on Water Supply

The same is read.

Halifax 23rd September 1861.

Report of Commissioners,  
Water Supply

Report of the  
Commissioners of  
Water Supply

The Commissioners of Water Supply have now to report, for the approval of the City Council a scale of rates for water, which they have prepared in accordance with the requirements of the law. The Commissioners beg to state that these rates have been adopted after a careful examination of the charge for water in other communities, and the modes of collecting those charges, at the same time, taking into account our own resources as well as the extent and habits of our population, in a country where water is so abundant as it is happily in Nova Scotia, the high rates charged in some places would not be endured, nor would it be easy to restrict our citizens to a limited supply. The aim of the Commissioners, therefore has been to furnish, what may be called an unlimited supply and at as low rates as were compatible with existing obligations that is with the payment of interest on the purchase of the Company's works and other regular and necessary expenses.

contd

The principle upon which water rates are levied varies considerably in some cities the rate is regulated by the number of consumers in each tenement, which was the practice of the Halifax Water Company, in other places it is sold, according to quantity, by meter, in New York and New Jersey it is a charge upon frontage and the number of stories, but in the great majority of cases, the rate is a charge, in some shape or other, upon rental. This is the rule in Glasgow, Edinburgh and London and most other cities in Britain, in Quebec, also and Montreal, and with modifications, in Boston and St John, New Brunswick, there is no single rule that can be named to which exception may not be taken on some grounds or other but upon the whole the Commissioners are of opinion that a percentage upon rental is as little liable to objection as any mode that has yet been tried the rates in the scale submitted range about the same as those charged in St John, N.B. and with that exception will be found much lower than the rates generally charged in other places. In Glasgow where the price of water is considered low the rate is 1/2 on the Pound.

1861.

September 23rd  
Continued

Pound with an additional charge of 4 pence for Fire Plugs &c. in Boston besides the charge for consumption which is as high as the rate proposed for this City, there is an extra rate according to Valuation in Quebec the Water Rate is about two Shillings on the pound of Rental, or 10 percent in Montreal it is 2p on the pound of Rental, in the scale now proposed three Dollars has been named as the lowest, and Twenty Dollars as the highest, rate for dwellings, between which extremes the rate may be Considered as equal to 5 per Cent, or one Shilling on the pound of Rental.

Communications  
Rep't of  
Commissioners  
of Water Supply

The result of these rates, as has been already remarked, will not more than suffice to meet present obligations, when the extensions - improvements, contemplated by the City Council shall have been carried into effect it will be necessary to devise means to meet the interest on the additional outlay, part of this may be met by collections from quarters of the City not yet supplied with main Pipes and therefore not within the area of the present assessment inasmuch as the funds proposed to be raised under the provisions of the act and to be expended in the coming year, have mainly reference to preservation of the City from the ravages of Fire the commissioners suggest that it would perhaps be more satisfactory to meet the additional interest by a rate specifically levied, for fire purpose this point can be considered at a future day, but in the meantime the commissioners respectfully remind the City Council that it is necessary to take immediate action in reference to the scale of rates now submitted, as the assessment must be levied on the 1st of November ensuing, and it is desirable that due notice should be given to the Citizens by advertisement during the month of October, all of which is respectfully submitted

(Signed)  
John A. Bell, Chairman  
John L. Barry  
Edward J. Longard,

of res - rel to the  
Water assessment -

When the following Resolution No 3 is introduced  
Resolved that the item of assessment in the account furnished by the Water Supply Company be referred to the decision of two disinterested parties, one to be named by the City Council and by the Water Company with the right to choose an umpire in case of disagreement, moved by alderman Hill, seconded by alderman Walsh,

To which the following amendment, is introduced,  
Resolved that the sum of eighty pounds charged by the Water Company it being one third of the City assessment, for the current year be not paid, the City having no legal right to pay the same, moved by alderman, Jennings and seconded by alderman, Nash, which on being put to a vote of 6 in favor for the same and 7 against it,

The original Resolution is therefore passed,

1861  
September 23rd  
Continued

John Dowl Esquire is appointed  
arbitrator on behalf of the City.

Communication  
from Commissioners  
of Water Supply

Read Communication from Com-  
missioners of Water Supply of August 27th 1861.

Report of Commissioners to City Council  
27th August 1861.

The Commissioners of Water Supply beg to report for the  
information of the City Council, as follows.

The Board of Commissioners not having been fully con-  
-structed until the middle of the present month it was found to be  
too late to attempt any heavy work this autumn several matters  
however have engaged the attention of the Commissioners

It was considered necessary to make an explicit state-  
-ment with regard to the intentions of the City in reference to service pipes  
which had hitherto been put into premises at the expense of the Water  
Takers, as the law is clear on that point the Commissioners decided  
to give the citizens the benefit of the law from 1st July, the time  
when the works came into possession of the City.

The Commissioners have taken steps towards the prepara-  
-tion of a scale of rates, based upon assessments, this work will  
take time and will be attended with difficulty but the Commissioners  
hope to have a satisfactory tariff ready to go into operation on the  
first of November at which date the agreements of water takers  
with the Company will expire.

do do

The Commissioners finding that one of the most important  
streets in the center of the City, that is Duke Street, is without a main  
pipe, have determined to lay down a nine inch main in that street  
Mr. Muir thinks he has nearly enough nine in pipes on hand for this  
operation but the deficiency can be supplied with six inch pipe  
for the present.

The Commissioners think the laying of this pipe in the  
center of the City, will add considerably to the supply of water, during  
the coming winter, and the part laid with nine inch pipe may be  
considered so much work done, in furtherance of any general plan, that  
may be adopted.

The laying of several hundred service pipes throughout  
the City and of this large pipe, in Duke Street, will involve an ex-  
-penditure of perhaps from eight hundred to a thousand pounds which  
the treasurer informs the Commissioners, he has funds to meet when  
required.

The Commissioners will give their earliest and most serious  
attention to the general question, of a larger supply of water to the City  
both for domestic and fire purposes, as they are fully aware of the  
disadvantages and dangers of delay, in the meantime they trust that  
these preliminary measures will meet the approval of the City Council.

(Signed) John A. Bell, Chairman  
John L. Berry  
Edward J. Longard.