

1861

October 24th, Voting for the same and 16 against it, and the names being called continued, for they appeared thus,

For the amendment	Against it.
Alderman. Nash.	alderman Roome,
	Coleman,
	Amley
	John Duggan
	Tremaman,
	Mc. Culloch
	Compton
	Richey
	Karff,
	Jennings
	Baggan
	Pallister
	James Duggan
	Leahy,
	Ackfurst, 15

and passed.  
Reconsideration,

The original Resolution is then put  
Alderman Nash gives notice of—

Elections of Gaugers of Oil and Clerk of Board of Health.

The City Council next proceed to the

Read applications of Philip Perior  
Thomas Shea, John Brennan, Thomas Wilson Junr., James Fortune,  
James Connors, Denis Hefferman, Joseph McJill, Edward Gaul,  
and Thomas Graves, for Situations of Gaugers of Oil,

Read applications of Philip Perior

Election of the  
Gaugers of Oil

Introduced,

The following Resolution No 5 is next

Resolved that no Gauger of oil be  
appointed unless those, who have places of business of their own and  
should such receive now an appointment. Such appointment, be void  
as no one shall be allowed to compete for the office, who are at the  
same time the servant of others moved by alderman Nash, seconded  
by alderman Roome, which on being put, is passed,

Denis Hefferman, James Connors  
James Fortune, John Kenan, Thomas Wilson, Jr., John Brennan  
Thomas Graves, Thomas Shea, Edward Gaul, and Joseph McJill,  
are next appointed gaugers of oil for ensuing year — 10 Gaugers —

Election of the  
Clerk of the  
Board of Health

John C. Craigew is unanimously  
Elected, Clerk of Board of Health, for ensuing year.



1861  
October 24th.  
Continued

alderman Nash, lays on the table  
a Resolution by way of notice,

On motion The Council Rise,



439  
1861  
October 29th  
Continued

At a special meeting of the City Council held this day Present His Worship The Mayor, Aldermen, James Duggan, Compton, Smlay, Nash, McCulloch, John Duggan, Ackhurst, Egan, Pallister, Coleman, Frennaman, Roome, Crossway, Jennings and Richey.

The City Council were summoned to appoint a Board of Health, and Health Wardens, and the transaction of other business

Alderman, Ackhurst, Chairman— hands in report of Committee of City Property.

On motion the same is Received  
Alderman Compton hands in Report of Committee on investigation of Fire in Ward No. 1.

On motion the same is Received—  
His Worship The Mayor presents, Certain papers from Street Committee,  
On motion the same is Received—

also a Book Presented, by the City of Boston, to the City of Halifax entitled auditors Report for 1860, and 1861.  
Read Report, of Committee on Fires in Ward No. 1. — (See papers, File)

On motion the same is ordered to be Filed with Prothonotary agreeably to law.

Read Report of Committee of City Property, with Specification, Submitted This day.

Halifax Octo 29th 1861.  
To His Worship The Mayor, and City Council,

Report of the Committee of City Property with specification

Gentlemen,  
I beg leave to Report, Respecting the, look out, on the Roof of City Court House, it at present being in all very leaky, State, Water coming in from all sides during the heavy Storm, of Yesterday, which inferring the Ciling of Councils Chamber which is in danger of falling, I beg leave to Recommend, the necessary Repairs, and otherwise on the Roof to be done forthwith, to which I humbly submit to your Honorable board a Specification of the several Works required to be done on City property.

Sam. Guttmann, Jnr. Oct. 29th  
B. De G. Marshall,  
City Architect.



1861.  
October 29th.,  
Continued

Introduced,

and Repairs. Set forth in the Specification of the City Architect be tendered for, and the work and Repairs commenced without delay moved by alderman Ackhurst. Seconded by alderman Frennaman.

When following Resolution No 1 is

Resolved that the several Works Resolved that the Report of City Architect to report upon at an early day. Moved by alderman Nash. Seconded by alderman Smlay, which amendment on being put is lost.

To which the following amendment is introduced,

Resolved that the Report of City Architect, on Repairs be handed to the Committee of City Property

to report upon at an early day. Moved by alderman Nash. Seconded by alderman Smlay, which amendment on being put is lost.

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Res- to hand the Report of the City Architect to the Committee of the City Property

next introduced

of City Property, be authorised to have the house on the Roof of this building repaired according to the Specification this day submitted to the Council, by Tender, and Contract moved by alderman Nash. Seconded by alderman Smlay, which on being put, is lost. 5 Voting for the same and 9 against, and the names being called for they appeared thus

For the Amendment

- alderman. Nash,
- Smlay,
- Compton,
- Wickham,
- Jas. Duggan

Against it,

- alderman Compton
- Roome
- McCulloch,
- Frennaman,
- Pallister
- Jas. Duggan,
- Jennings
- Caughan
- Ackhurst, 9

5

Introduced,

alderman Ackhurst, lie on the Table, moved by alderman Nash. Seconded by alderman Smlay, at 25 minutes to 5 o'clock,

A Call of Council

is next introduced

The following amendment is next,

Resolved that the motion of alderman Ackhurst, lie on the Table, moved by alderman Nash. Seconded by alderman Smlay, at 25 minutes to 5 o'clock,

A call of the Council is made

The following Resolution No 2-

Resolved that, the Committee of City Property, be authorized to purchase a suitable Store, for the City Council Chamber. Moved by alderman Ackhurst, Seconded by alderman Compton, which on being put is passed

Res- to purchase a Store for the Council Chamber

of City Property, be authorized to purchase a suitable Store, for the City Council Chamber. Moved by alderman Ackhurst, Seconded by alderman Compton, which on being put is passed



441  
October 29th,  
Continued

The City Council next proceed to  
The election of a Board of Health, and Health Wardens.

Election of the  
Health Wardens  
for the different  
wards

Ward No one,	Ward No Two,	Ward No Three,
S. A. White, Alfred Jones,	Doctor Gilpin, John Whaine,	Thomas Martin, Doctor W. C. Flowers
Health Wardens		
Ward No one,	Ward No Two,	Ward No Three,
John Sinclair, John Keaman, James Black, Timothy Milane	Michael Sullivan, Richard Currie, Rodrick Fraser, William Kandick	John Brander, James Butler, Thomas Huggan, Andrew Huggan
Ward No Four,	Ward No Five,	Ward No Six,
John Shaffer Senr, Alexander Robinson, William Newcomb, Samuel Morris,	G. M. Dupe, Edward Jost, Thomas Donarum, George Woodill,	Joseph Bell, Martin P. Black, Joseph Belcher, A. Mackinlay Junr

Report of the  
Committee of  
Laws and Privileges

and Privileges  
Read report of Committee of Laws  
Committee Room,  
October 11th 1861.

The Committee on Laws and Privileges  
having in accordance with the Resolution of Council, considered the present  
unsatisfactory state of the City ordinances, beg leave respectfully to recom-  
mend that all the City by-laws and ordinances now in force and the  
Statutes of the province or Clauses thereof, having reference to the City of  
Halifax, should be carefully collected, and consolidated and that for  
this purpose a board of three commissioners be appointed  
Respectfully Submitted.

M. H. Richey,  
Chairman

Old Coleman comes  
in

On motion said report is adopted  
alderman Coleman comes in.  
The Hour having expired since the  
call of Council on nos Resolution.  
The same is again Read. and on being  
put is passed, 8 voting for the same and 6 against it.  
The following Resolution No 3 is next  
Introduced,



1861  
October 29th  
Continued

Resolved that the Commissioners to be appointed, to arrange the laws and Ordinances of the City shall receive for the performance of that service, the same amount of remuneration as the alderman of the City. Received for the performance of their duties, moved by alderman McCulloch, seconded by alderman Conway.

amendment, is introduced,

To which the following amendment,

Resolved that the Commissioners who may be appointed, to Consolidate, and arrange the Laws shall receive such a just remuneration for their time and trouble in so doing, as shall seem to be due them after the work is completed. Moved by alderman Nash seconded by Freeman, which amendment, on being put is passed by voting for the same and 3 against it and the names being called for they appeared thus

Resolved to the remuneration of the Commissioners to arrange the Laws

For the amendment	_____	against it,	_____
alderman,	Roome, Nash Compton Mr Duggan, Inglis Freeman Cagney, Ackhurst, Jennings Jas. Duggan.	alderman	McCulloch Coleman Conway
_____	10	_____	3

His Honor the Recorder alderman Richey and Compton, are appointed, a commission to revise and consolidate the Charter, and by Laws of the City of Halifax, and Laws of the Province, applicable thereto.

alderman Conway hands in a Resolution by way of notice relative to lighted lamps, in localities where the Gas has not yet been introduced

alderman Ackhurst submits a Resolution, by way of notice relative to City Property.

On motion a Vote of thanks, is due and hereby tendered to His Honor the Mayor and Common Council, of the City of Boston, Mass, for their kindness in presenting to the City of Halifax an elegantly bound copy of their auditors Report for 1860 and 1861.

Vote of thanks to the Council of Boston for a bound copy of their Report

On motion the Council Rise,



1861

November 5th  
Continued

Council held this day Present His Worship The Mayor, Aldermen John Duggan, Compton, Smlay, Nash, McLulloch, Ackhurst, Eagan, Pallister, Coleman, Brennan, Roome, Conway, Jennings and Kaye  
to appear and the transaction  
October, last,  
of Committee, of City hospital, (Chairman)

At a special meeting of the City  
The City Council were summoned  
Read over proceedings of the 29th of  
Alderman Compton, hands in report,

On motion the same is Received  
Alderman Ackhurst Chairman  
on motion the same is received

hands in report of Committee of City Property

Alderman Roome, Chairman  
Submits report of Committee on investigating the cause, of the fire at,  
at the foot of Cornwallis Street, with minutes of evidence. Received

Communication from F. C. Keane Esquire addressed to the City Clerk,  
declining to serve as Alderman, and enclosing a cheque for £20.0.0

also communication from His Honor  
The Recorder informing, the City the result of Suit. Mahony vs the  
City of Halifax

Supervisor of Grain, announcing the death of one of his measurers  
John Robb (see file)

also a communication from M. Martin  
also a communication from Doctor  
Jennings M. D. relative to Office of City medical Officer.

Esquire, London, with correspondence between that Gentleman and  
the Duke of Newcastle,  
relative to his Taxes,

also communication from J. K. Gracie  
also memorial of Edward Duckett.

Communication  
from F. C. Keane

Keane Esquire (see papers, file)  
Presiding Officer for holding the election in Ward No 2,

Read communication from F. C.  
Alderman Nash, is appointed,

Communication  
from Mr Robb

Supervisor of Salt and Grain (see file)  
to be inserted, for applicants until Monday next at 2 o'clock,

Read Communication from Mr Robb  
on motion the usual notice is ordered



1861  
October 5th,  
Continued,

Read report of Committee of City  
Property, with communication from Commissioners of International  
Exhibition  
Committee Room,  
November 5th 1861

Report of the  
Committee of  
City Property

The Committee of City Property,  
beg to report, for the information of City Council, that they have  
received the annexed communication from the Commissioners of  
the International Exhibition, asking for the use of a part of  
the new buildings on the Market Slip, for a period of three or  
four months for the purpose of storing and exhibiting articles  
to be sent to the International exhibition.

The Council is also informed, that  
The Committee have unanimously agreed to let the Commissioners  
have the use of said buildings for the time required so soon as  
they are formally handed over to them, by the contractor,

provided the Commissioners agree  
to pay for the upper half (or two upper stores) monthly Rent of fifty  
Dollars, and the same rate for the other half (or two lower stores)  
if they should be required by them,

all of which is respectfully submitted

William Aickhurst,  
Chairman.

Not is Introduced,

New Building on the Steamboat Slip, to the Commissioners  
of the International Exhibition, be left in the hands of the Committee  
of City Property, to make such terms as they may deem just, and  
proper, moved by alderman Nash, seconded by alderman Compton  
which on being put is passed.

When the following Resolution

Resolved that the letting of the

Res = to give the  
letting of Building  
on Steam Boat  
Slip to the City  
Property

Communication  
from Thomas  
R Gracie Esq  
London

Read Communication from  
Thomas R Gracie, Esquire London, with correspondence between  
that gentleman and His Grace the Duke of Newcastle

14 a Austin Friars,  
London 18th Octo 1861.

P. C. Hoill Esquire  
Mayor of Halifax N.S.

My Dear Sir,

It gives me much pleasure  
to address you under the above title, and to continue with your worship  
the correspondence commenced with your predecessor in office Samuel  
Cauldwell Esqr, relative to the interest of the City entrusted to my care  
allow me to offer you my warmest thanks & congratulations thereon, and  
my wishes that you may continue to enjoy the approbation of your  
fellow citizens as long as you retain office.

In



1861

November 5th,  
ContinuedCom. from Geo.  
of Grassie Esq  
London

In my last note to Mr. Caldwell, under date of 5th Inst. I mentioned the course I was then pursuing, by writing to the Duke of Newcastle, I now enclose herewith for the information of yourself and the City Council, copy of that letter, Dated 1st October, 1861, with the reply of Sir Frederick Rodgers, 5<sup>th</sup> idem, and copy of my letters to the Duke of Newcastle dated, 7th Octo and 12th Octo, which will show exactly all that has been done up to the present moment.

This last letter had drawn up with the advice assistance of Messrs Birchell's eminent Parliamentary Solicitor who I consulted on the subject you will perceive the ground which in fact is the only tenable one, we have taken in which your claims to have Her Majesty's assent withheld to the act of the Legislature could properly be pursued, it is no doubt a very strong one. I will, I hope weigh well with the Duke of Newcastle.

This nobleman, is at present absent from town, and I do not expect a Reply to my last letter, for some few days I have however learned indirectly that the act, which had been passed by the Duke, for her Majesty's assent at the first Privy Council, meeting to be held, has not been put forward as yet, and I am in hopes that it may be referred to the law officers of the Crown as suggested, which will give you the benefit of their opinion and gain some little time, I have received from Sir Samuel Courland, his Co-operation which has been very serviceable. Should the Duke of Newcastle, decide against you I do not see, that we can have any remedy here it will be for you then to resist payment, by it in your Courts (and by some technical objections manage, to get an appeal to the Privy Council here.

I am, My Dear Sir,  
Yours Very Truly,

(Signed) Thomas R Grassie.

is introduced.

When following Resolution No 2-

Res. for Mr Grassie  
to proceed

Resolved that this Council feel that the able document, in which Mr Grassie, has conveyed to his Grace the Duke of Newcastle, the sentiments of this Council together with the suggestions therein contained, meet the approval of this Council and that the Mayor be instructed to convey to Mr. Grassie, their entire approval of his action, and that he be requested, to continue his able efforts on behalf of the City until a final decision is had, moved by alderman, McCulloch, seconded by alderman, Compton which on being put, is passed,

Read report of Committee appointed to investigate the cause or origin of the fire at the foot of Cornwall's Street (with evidence)



1861  
November 5th.  
Continued

Halifax October 28th 1861

The Committee of investigation respecting the Fire October 15th 61. at the foot of Cornwallis Street, met Present, Alderman Jennings and the Chairman.

Report of the Committee to investigate the cause of the fire at Cornwallis St

Alderman Conway, Sworn States 1/4 - 12 O'clock on the morning of the 15th Instant thought he heard Mrs. Conway go to the front of the House, and enquire of some person, where the fire was. My God says she, to me, the place is on fire. I immediately dressed myself and went on the wharf when I got inside of the gate, I saw the Hoopers Shop, all in a blaze. I ran back and asked some person, to run and get the Bell rung and get the Steam Engine I went immediately and got some things downstairs and endeavored to do what I could to prevent the spread of the fire. I believe that occupier of the premises to be a careful man.  
(Signed) Jeremiah Conway

Jeremiah Sullivan Sworn, stated that first he knew of the fire, was some person knocked at his door and gave the alarm of fire. I looked out and saw a person, of the name of Howard who told me the premises were on fire. I then went down stairs and some persons rushed in and said I had better try and save my goods. I then commenced getting my things out of the house. I know nothing about the origin of the fire.  
(Signed) Jeremiah Sullivan

Contd

Patrick Howard Sworn states to the best of his my knowledge it was past 10 o'clock, when I heard the alarm of fire, on the morning of the 15th Instant I jumped out of bed and my Brother in law calling me and saying Pat do you hear the alarm of fire. I said Yes, says he if its right across the street. I then got my trousers on and ran down stairs right across the street without my jacket, or boots, down on the Steam Boat Wharf. When I saw the back of the premises owned by the Steam Boat Company all in a blaze. I then went back and put on some more clothes and came out and assisted all I could to stay the conflagration.  
(Signed) Patrick Howard

Bartholamew Mulcahey, Sworn states when I heard the alarm of fire, my wife went to the window and looked out. She exclaimed the mill is on fire, and some person say my place is on fire. I immediately dressed myself, being much confused and went to the scene of the conflagration. I went down by the Steam Boat Wharf and got on a shed on Mr. Conway's wharf to see if I could save any thing and found I could not. I then went on the wharf and commenced saving some Pickled Fish until I was obliged to leave in consequence of the progress of the fire. I then remained until late in the morning aiding and assisting all I could to save Property.  
Property.



1861

November 5th, Property, have not the least Idea as to the origin of the Fire, there had continued been Pipe on the Premises through the day in connection with my business. The Fire was put out when I left the Shop in the evening, left all my Tools, and implements for carrying on my business had no Insurance on my Stock, I consider my loss at least one hundred pounds.

(Signed) Bartholomew Mulcahey

Joseph Mulcahey, Sworn, States, I was knocked up by the alarm of Fire, and was told my place was on fire, I dressed my self and hurried up and saw the place on (enveloped in flames) I had no opportunity of saving any thing, Have not the least Idea as to the origin of the Fire, I consider my loss not less than one hundred pounds, had no Insurance on any thing.

Report of the  
Committee on  
Fire

Rich<sup>d</sup>. T. Roome, Chairman — (Signed) Joseph Mulcahey

Halifax N.S. Oct 28th, 1861

To the Mayor, and City Council,  
Gentlemen,

Your Committee to whom was referred the matter of Investigation into the Cause or origin of the late fire, Foot of Cornwallis Street, Beg to report that they have examined a number of Witness and from all the information they have been able to elicit they can come to no satisfactory conclusion as to how the fire originated, The parties occupying the premises where the Fire was supposed to have originated, not having any Insurance effected, all of which is respectfully submitted

(Signed) Richard T. Roome, Chairman  
J. Jennings — Alderman

On motion same is ordered to be Filed with the Prothonotary, agreeably to Law,

Memorial of  
John Hatt et al  
for a Fire Plug

Others for a Fire Plug, Hydrant, or well in Ward No 11 — (See file) —

Read memorial of John Watt and others for a Fire Plug, Hydrant, or well in Ward No 11 — (See file) —  
a motion is made that the same be referred to the alderman of the Ward,  
amendment introduced, that said Memorial, is referred to the Chairman of Fire Wards, to be reported upon —  
amendment passed, —

Memorial of  
Martin Murphy  
for a drain

Read memorial of Martin Murphy and others for a drain, (See file)  
Introduced,  
When following Resolution No 3 is Resolved,

Resolved,



1861  
November 5th.  
Continued

Murphy and others be referred to the Committee of Streets, to Report on at an early day, moved by alderman Freeman, seconded by alderman Jennings, which on being put is passed

Communication from Streets Office

Office, — (For papers see file) — Introduced,

Read communication from Streets Office — When following Resolution No 4 is

Resolved, that the plan be referred to Committee of Laws and Privileges to enquire, as to whether a certain portion of ground, enclosed within the Ordnance Wall is not part of a public Dock, and report to this Council, moved by alderman McCulloch, seconded by alderman Freeman, which on being put is passed,

Report of the Committee on Petition of Mr Wallace

of Mr. Wallace, and Colonel Meyers, — (See file),

Read report of Committee on Petition

Introduce,

Council, that the Mayors office, requires cleaning and some of the furniture refitting

On motion said report, is adopted,

The following Resolution No 5 is next

Whereas it is the opinion of this —

Res = to fit-up the Mayors Office and Aldermans Room

Committee of City Property, be requested and hereby empowered to, have the said, office, suitably refurnished.

Therefore resolved that the Com-

And whereas, it is the opinion of the Committee of City Property, that the room now occupied by the alderman should be contracted with the Mayors Office, as a private room, and whereas the room formerly occupied, as a grand jury Room, is now vacant,

Therefore resolved that the Committee of City Property, be authorized by this Council to furnish the said Room, for the use of the alderman and that the Room now occupied by them be transferred to his Worship the Mayor, moved by alderman Ackhurst seconded by alderman Callister,

is introduced,

To which the following amendment

Resolved, that the first and second clause of the resolution referring to the refitting of the Mayors Room, be adopted, moved by alderman, McCulloch, seconded by alderman Conway, which amendment, on being put is lost, 4 voting for the same and 9 against it and the names being called, for they appeared Thus,

(See next page)