

1861
November 5th
Continued

For The amendment
alderman Compton,
Smilay,
McCulloch,
Conway,

against it,
alderman Roome
Nash,
Jno Duggan,
Fremontman,
Kauf
Cagan
Jennings
Pallister
Ackhust, 9

The original Resolution is next put and passed. 9 voting for the same and four against it

The table, a Resolution by way of notice relative to remodeling City Court House,

Alderman Compton, lays on

is next introduced

The following Resolution No 6.

Resolved that in future no Committee, shall advertise for tenders unless first, obtaining the consent, of a majority of this Council, and that all tenders advertised for shall be opened by the Committee of tenders only. Moved by Alderman Conway seconded Alderman Nash, which on being put is passed.

Resolved that in future no

next introduced.

The following resolution no 7 is

Whereas a large number of rate payers, residing in Ward No. 5, being assessed for Gas since the first Introduction of the same into the City without any participation so far as the immediate neighbourhood where the residue is concerned

Resolved therefore that His Worship

The Mayor, be authorized to direct, the Superintendent, of Gas Works, to place Gas posts, in the following places, three in Albion Street between Gerrish and north, Street both including, three in City Street between Gerrish and north, Street both including and four on Kempt Road, between Kings Corner and St. Andrews Cross and that a light be placed in those lamps consisting of Paraffine at the expense of the City moved, by Alderman, Conway, seconded by Alderman Smilay,

is introduced

To which the following amendment,

Resolved that a Committee of one alderman from each ward be appointed to whom the Resolutions of Alderman, Conway, be referred, as also, the general consideration of Public, lamps, where specially necessary in the City to report upon to this Council, at an early day, moved by Alderman, Nash, seconded by Alderman Fremontman, which amendment, on being put is passed Committee Alderman, Compton, McCulloch, Cagan, Pallister, Conway and Richey,

Res = rel to referring all tenders advertised for to the Council for their consent

Res = rel to placing several Gas Lamps

1861
November 5th
Continued

Report of His Honor the Recorder relative to result of law suit

Recorder, relative to result, of lawsuit Mahony vs the City of Halifax

Read Report of His Honor the
Halifax 4th November 1861

To His Worship The Mayor,
and The City Council,

The cause of Patrick Mahony against the City of Halifax was tried in the Supreme Court during the fall, sittings and that it has terminated, successfully for the City

I have the Honor, to Report that
I am, very respectfully,
(Signed) W. Sutherland,
Recorder,

On motion the thanks of this Council are due to and here by tender to His Honor, the Recorder for the very able way manner in which he conducted, said Suit, resulting so favourably for the Interest of the City

On motion The Council Rise,

1861

November 15th,

Continued,

at a special meeting of the City Council held this day. Present His Worship The Mayor, Aldermen, John Duggan, Compton, Smiley, Nash, McCulloch, Dunbar, James Duggan, Ackhurst, Gagan, Pallister, Coleman, Shearnaman, Roome, Lophy, Conway, Jennings, Karp, and Richey

The City Council were summoned, to appoint a measurer of salt and grain, to proceed with matters standing over, from last meeting and the transaction of other business

5th November,

hands in, Report of Committee of Tenders

Read over proceedings of the

alderman Conway, Chairman

On motion the same is received

Report from Street Committee Received

alderman Karp hands in a

absence of the Chairman hands in Report of Committee of City Prison Received

alderman John Duggan in the

Relative to Well in Ward No 1 received

alderman Ackhurst Reports

hands in a Report of Committee of City Prison

alderman Ackhurst, Chairman

Petition from John Cad, relative to a drain Received, (See file)

alderman Roome hands in a

in a Report from Committee of Water Supply Received

His Worship The Mayor, hands

W. Knight, Esquire relative to a road in Ward No 6, Received

also communication from

of Volunteer Fire Company, Received

also communication from Secretary

Relative to drainage of Property in Albermarle Street,

also a Petition from Ann Smithers

Relative to removal of convicts from the Asylum.

also Report of Governor of City Prison

James Breslow, as measurer of Coal.

also notice of resignation of

relative to Building in course of erection in Hollis Street, by B. O'Neill Esquire,

also Report of City Architect

also a letter from Mr Straw, agent of the Amos Kearney Company acknowledging receipt of draft in payment for No 2 Steam fire Engine

1861.
November 15th
Continued

also a letter from James _____ and
sons acknowledging receipt of draft, in payment, of Hoose _____

also letter from Joseph Weeks Esquire
claiming damages by Miss McElvin, falling into a drain in
Angyle Street _____

also return of election of alderman
for ward No 2, _____

The same is read, and William
Dyubar, Esquire is elected, an alderman for Ward No 2 Vice
Thomas C. Kincaid, who has paid his fine, _____

Alderman Ferraman, hands in
a resolution by way of notice, relative to the late murder of
Matthew Gardiner, one of the City Police, _____

Report of the
Committee of
City Prison

Read report of Committee of City
Prison submitted, _____

The Committee of the City Prison, beg
leave to submit the following accounts which have been allowed
by them for the sanction of the City Council, _____

No 1	Charles Barnstead	\$ 52	" 18 $\frac{1}{2}$
2	Walter Meagher,	45	" 48
3	W. C. Selzer,	65	" 62
4	Patuck Lyons	32	" 72
5	Bell and Anderson,	21	" 74
6	Wm Simmons	16	" 00
7	M Richers (for house)	120	" 00
8	J. P. Mott,	2	" 00
9	Richard Roach	2	" 75
10	W. Smith	15	" 60
11	W. Ackhurst,	3	" 00
12	W. Stairs, Son & Morrow.	1	" 08
13	James Hanson	8	" 50
14	Bauld, Gibson & Co,	1	" 00
15	Thomas Leahy	"	" 50
16	B. Mc Gibbin	"	" 50
17	J. Hogan & Son,	5	" 76
18	W. K. Reynolds	2	" 76
19	W. K. Reynolds	2	" 70
20	W. Stairs, Son & Morrow,	1	" 48
21	Thomas Hughes,	18	" 75
22	J. S. B. Smith,	15	" 52 $\frac{1}{2}$
23	D. Hoskins,	2	" 25
24	J. D. Nash,	20	" 00
25	Path. Mc Cann, Boethia 4 weeks.	16	" 00
		\$ 473	" 84 $\frac{1}{2}$

do

The

1861
November 15th
Continued.

Report, that the underkeepers, request payment by monthly instalments and that your Committee approve of their request being granted, the Underkeeper Kennedy has agreed to accept, of £5 additional pay in lieu of prison allowance.

Respectfully Submitted

(Signed) M. H. Richey
Chairman

is introduced,

Pls to pay
the accounts
of the City Prison

When the following Resolution No 1. Resolved that the report of Committee of City Prison just read be adopted and that the bills be paid and that His Worship the Mayor, be authorized to draw cheques for the moved by alderman Conway, seconded by alderman John Duggan which on being put is passed.

Election of a measurer of Salt and Grain.

The City Council next, proceed to the

Cragg is elected.

The names are taken, and James C.

Submitted, this day

Read report of Committee of City Property

Report of the
Committee of
City Property

Keelifuse November 14th 1861

The Committee of City Property, beg to report, that the new buildings erected on the Steam Boat Slip are now finished and ready to be handed over, to the City as per Report of City architect annexed.

The Committee, feel that as there has been considerable delay since these buildings should have been finished that they would not be justified in taking them off the contractors hands without referring the whole matter to the City Council.

The attention of the Council, is referred to the annexed communication received from Messrs Davis and Barton, setting forth, the reasons why the buildings were not finished in accordance, with the terms of the contract

all of which, is respectfully submitted

(Signed)

William Ackhurst
Chairman of Committee
City Property

Introduced

When following Resolution No 2 is

1861
November 15th
Continued.

Resolved that the Committee of City Property, take the new building off the contractors hands, reserving to the City all rights, in reference to the same moved by alderman Nash. Seconded by alderman Roome, which on being put is passed.

Report of the
Committee of
Tenders

Submitted this day

Read Report of Committee of Tenders

Halifax November 9th 1861.

The Committee of Tenders met this day present alderman John Duggan, and Kaye, Tenders Read for Repairs of Carpenters Work, painting and Glazing of City Building and Green Market according to Specifications

No. 1.	James Thomson	36 " 19 " 6
2.	Thomas Walsh	31 " 0 " 0
3.	Thomas Marshall	32 " 10 " 9
4.	Moran & Mc Kinzie	29 " 10 " 0
5.	Rich. Molloy & Nich. Murphy	68 " 17 " 6

Finding that Messrs Moran and Mc Kinzie being the lowest, Tenders the Committee would recommend, the same be accepted provided sufficient security be given for the due performance of the same

all of which is respectfully submitted
(Signed) Jeremiah Conway,
Chairman

On motion said report is adopted, a motion of adjournment is next, is next made and lost.

Report of the
Committee of
Streets

Report of Committee of Streets

The City Council next take up the Streets office Nov. 12th 1861.

The Committee of Streets beg leave to Report, for the information of his Worship the Mayor and the City Council that funds placed at their disposal by the Council for the purpose of making sewers and improving and keeping in Repairs the Streets of the City for the season just past, is now exhausted and has been found insufficient to meet the cost of all the Works ordered by the Council and undertaken by the Committee

The Committee are therefore under the necessity of asking the Council to allow the City Treasurer to open an account with one of the City banking Establishment of the City on behalf of the Street service which will enable them to Borrow

1861.

November 15th, Borrow the sum of Six hundred, pounds, all of which sum will be
Continued Required to pay off existing contracts and bring the works now in con-
struction to a satisfactory conclusion and which can be provided
for in the estimate of 1862.

The sum now asked for the Committee have no doubt will appear large to the Council but it must be borne in mind that a large amount of work has been thrown upon the Committee by the faction of the Council in entertaining petitions of Citizens for sewers &c, after they had ceased giving orders to Superintendant, to commence any new work, one item alone of which will before being completed, cost nearly £200.

Report of the
Committee of
Streets

Considerable extra expense by the failure of the contractor for one of the sewers to perform his contract, with the City and by the numerous complaints of citizens regarding the stoppage of sewer, all most all of which have been attended to as soon as made.

The Committee taking into account the works already contracted for upon which a balance of about £300 is now due to Messrs Sutherland and Sons considering this as having already passed from their hands, find that they have overdrawn upon the City Treasurer, to the amount of £280, which that office has advanced from other sources on the credit now asked for becomes the more necessary to enable that officer to refund the same.

The following abstract from the Clerk's Books will give to the Council an idea of where the Street funds for the present year have been expended, viz. Wards No 1 £1200
No 2 £1280 No 3 £175 No 4 £139 No 5 £604 No 6 £435
Miscellaneous £69.

Lastly the Committee have to report that it is their intention at as early a day as possible after the close of the season's works to prepare for the Council, a full and accurate Report of their operations which will shew not only the wards but the streets in which money has been expended the nature of improvements made and the quantity and prices of materials used.

all which is respectfully submitted

(Signed)

Joseph Karp,
James Duggan,
John Mculloch,
Committee

Introduced.

When following Resolution No 3 is

Resolved that the City Treasurer be instructed to open a cash account with one of the City Banks on behalf of the Street Service to which will enable the Committee of Streets to borrow the sum of £600, to be paid out of the assessment, for 1862, moved by alderman James Duggan seconded by alderman Leahy.

To which the following amendment is introduced

Res- for the
Treasurer to
open a cash
acc with bank
for £600

1861
November 15th
Continued,

Resolved that the money asked for by the Committee of Streets be not borrowed, and that when parties apply to use and lay their own Brick be permitted to do so. Moved by alderman Nash, seconded by alderman Compton, which amendment on being put is ~~put~~ lost

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

The following Resolution No 4 is next introduced,

On hearing the announcement by His Worship The Mayor, of the melancholy death of the late Matthew Gardiner, while in the discharge of his duty, and feeling that some action should be taken by this Council relative to same

Be it therefore Resolved that a Committee be appointed consisting of one alderman from each Ward to Consider the remuneration to be given to the family of the deceased and the mode and manner in which it will be applied to the use of said family. Moved by alderman Jennings seconded by alderman Pallister, which on being put is passed Unanimously. Committee alderman Compton, Dunbar, Eagan, Treunaman, Leahy, and Jennings

Res = to give some remuneration to the family of the Mr Gardiner

The following Resolution No 5 is next introduced,

Whereas a vacancy has occurred in the office of Constable, therefore Resolved that advertisements be issued in the usual manner asking applications for said office. Moved by alderman James Duggan, seconded by alderman Ackhurst,

Is introduced

To which the following amendment

Resolved in amendment, that the appointment of James Holloway to the Constabulary force be confirmed, moved by alderman Roome seconded by alderman Jennings.

Res = to appoint James Holloway to the Police force

Which amendment on being put is lost 7 voting for the same and 9 against it and the names being called for they appeared, thus

For the amendment,		Against it.	
alderman	Roome,	alderman	James Duggan,
	Nash,		Ackhurst,
	Treunaman,		Dunbar,
	Pallister,		McCulloch,
	Roome		Compton
	Jennings		Richey
	Dunbar,		Eagan,
	7		9

1861.
November 15th
Continued and passed,

Com - Joseph Weeks Esquire relative to damage sustained by Miss Melvin falling
Jos Weeks Esq into drain - see file -

Introduced

In reference to Miss Melvin, be referred to the alderman of the ward
to report upon, moved by alderman Roome seconded by alderman
Nash, which on being put is passed,

Read Report of William Aclhurst -
Esquire Chairman of Fire wards relative to Well and Fire Plug in
Ward No 1.

Report of William
Aclhurst - Esq
Chairman of
Firewards

Halifax November 14th 1861.

The Petition presented, to the City
Council by alderman Smlay, from the citizens of Ward No 1 asking for
a water tank and a Fire Plug at the Western end of Spring Garden
Road having been referred to the Chairman of Fire wards. That officer
begs to report that he has examined the locality and feels satisfied
that both a Fire Plug and tank (or well) is much needed there being
no Water for Fire purposes in that locality (or vicinity)

He therefore recommends that a large
well be excavated, in Seymour Street opposite Mr. McLeans residence
it being the most convenient place, and also that a Fire plug be placed
on Spring Garden Road at the corner of the Street leading to Mr. Ho
lywell's Buildings - all of which is respectfully submitted,

William Aclhurst
Chairman of Firewards

On motion said report is adopted

On motion The Council Rise,

1861
November 13th,
Continued

At a Special meeting of the City Council held this day Present His Worship the Mayor, aldermen John Duggan, Compton, Smlay, Nash, McCallloch, Dunbar, James Duggan, Ackhurst, Cagan, Pallister, Freeman and Roome, Leahy, Conway, Jennings, Hays, and Kichey

The City Council, were summoned, to proceed with the business standing over, from last meeting, and the Transaction of other Business

Alderman Nash, hands in a Petition of James Cochran and others relative to gas lights

His Worship the Mayor submits, a Book containing assessment, for water rate,

also appeal of John D. Nash Esquire, relative to his taxes,

alderman, Ackhurst hands in Report of Committee of Fire Wards relative to the employment of Horses to draw the Steam Fire Engines, to fires, during the Winter months,

The City Council, next proceed to the order of the day,

and the following resolution

Whereas it will be a great Injustice to many Citizens that the present tariff, or scale of water rates should as intended by the Commissioners come into operations on the 1st November for the following Reasons, viz because by so doing many persons who will receive, no more benefit than before, will nevertheless have to pay two, four or five times as much as they now pay, while many others who never paid, anything will still continue to receive water, from the Hydrants, free who are well able to pay, but who cannot be called upon until the water, is applied, to every house, which would be a manifest Injustice to the rate payers, and an unfair, exemption of the non paying consumers,

and whereas the Commissioners cannot by any possibility supply every house, Shop and public Hydrant this season

and whereas most properties, are let by the owners to the first of May for rents, irrespective of the proposed water rate and it would be impossible, for such owners to change the rate, or to collect it from such tenants for the present year

See next page

of the 2d to the
Water tariff

459

1861
November 18th
Continued.

Res=el to the
Water Tariff

And whereas the enforcing of the proposed tariff immediately will amount to a tax or reduction of at least, 5 per cent, from the rents of Real Estate which is already heavily taxed, without any opportunity or means of remedy, the injustice for 6 months or until the present leases expire, and new arrangements, can be made, between the landlord and tenant.

Therefore Resolved that the Commissioners be instructed to collect the Water Rates in the same manner and in the same ratio, as the old Water Company did, previous to the transfer until the first of May next, or until the said Commissioners are in a position to supply every house, and cut off all the Public Fountains and be it further resolved that a Rate be on all real and personal Estate assessed, to be called a fire rate not to exceed £2000, and be assessed and collected, in the same way as the general city assessment, moved by alderman Nash seconded by alderman John Duggan.

To which the following amendment is introduced

Resolved that the Return of Rates from the Commissioners, of Water Supply laid on the table this day be referred to a Committee in conjunction with his Honor the Recorder to examine the same, and after conference with the Commissioners to report thereon to this Council, Moved by alderman Richey, seconded by alderman Ackhurst.

Res= to refer the
Return of Rates
to a Committee
with his Honor
the Recorder

Recorder's opinion

Upon for his opinions.

His Honor the Recorder is next called

Halifax 5th November 1861.

Dear Sir,

In your communication of the 4th instant I observe, that by the 9th section of the Water act, the Water rate must be imposed with a due regard to the Value, made of Occupation of the premises and probable consumption of Water in each case.

If the scale determined by the Commissioners has combined the three elements, mentioned in this Clause, of the act the rates will be sustained but if the scale has been founded in the Value only without regard to the use made of the premises assessed or the way it is occupied and of the number of Consumers and the probable quantity of Water consumed it is my opinion that upon application to the proper tribunal the assessment will be set aside.

The above is an extract from the opinion given to John A Bell Esquire Chairman of the Water Board

(Signed)

William Inthorland
Recorder

The amendment is then put and passed
Committee alderman, Compton, Nash, James Duggan, Pullister,
Roome, and Richey.

1861
November 18th,
Continued Introduced

Res - to stay the
Collection of
Water Rates

The Following Resolution No 2 is next

Resolved that the Commissioners of Water Supply be and hereby are instructed to stay collecting Water Rates, or further notices of Rates, until further instructed by Council, moved by alderman Nash, seconded by alderman John Duggan, which Resolution on being put there appeared for the same 8 against the same 8 and there being an equality of votes the Chairman is called upon for his Casting Vote and gives it, in favor of Resolution, and the names being called for they appeared thus,

For The Resolution	Against it
Alderman John Duggan McBulloch, Nash, Smiley, Frumman Dunbar, Jennings Richey 8	Alderman Compton John Duggan Compton Ackhurst, Roome, Kaye, Eggan, Lahy 8

alderman Roome Chairman votes for Resolution and is therefore passed,

Communication
from Commrs
of Water Supply

Read Communication from Commissioners of Water Supply,

Office of Commissioners of Water Supply
Report.

The Commissioners of Water Supply having been hitherto busily occupied, in the preparation of the assessment and other indispensable duties connected with their office have now to report a schedule of the Pipes that will be required to carry out the views of the City Council, in reference to a better supply of Water for the City.

Taking Mr. Lauries report as a general guide, and having in view the present condition of the Works, it will be necessary to provide the materials undermentioned namely as follows

1150	Pipes	24 In	From	Pipes,
1393	"	15 Inches	Do	" Do
148	"	12 "	Do	" Do
267	"	9 "	Do	" Do
240	"	6 "	Do	" Do
1000	"	2 "	Do	" Do
100	"	4 "	Do	" Do
10 Tons lead service Pipe				

(See next page)