

1862.  
January 20th  
Continued - Introduced.

Resolution relative to remit by next mail the amount of Mr Grassie account, including the remittance of Mr Grassie solicitors charges, moved by alderman Jennings, seconded by alderman accounts "Gordon" - Pallister - which on being put is passed.

This day Submitted.

The following Resolution No. 2 is read.  
Resolved that the Mayor be authorized

Read Report of Committee of Tenders

Committee Room  
January 20th 1862.

Report - Committee of Tenders

The Committee of Tenders met this day present alderman Kaye and the Chairman. When the following tenders were opened for repairing of Engine house on grand Parade,

No. 1	Tenter Matthew Lounds	£ 94 " 0 " 0
" 2	James Warner.	110 " 0 " 0
" 3	Thomas Marshall	104 " 0 " 0
" 4	James Lawlor.	100 " 0 " 0
" 5	A. C. Messizer	116 " 0 " 0
" 6	A. Fullerton.	110 " 0 " 0
" 7	Co. S. Wisdom & Co.	96 " 0 " 0
" 8	John L. French.	141 " 13 " 6
" 9	McKitt & McLeod.	98 " 10 " 0
" 10	William Brown.	133 " 10 " 0
" 11	John Courroy	127 " 0 " 0

be adopted  
is introduced.

A motion is made that said report,  
To which the following amendment

Resolved that the Tenders for supplies for supply to engine house be not received, but that a new Specification be made out which will not take into consideration the repairs of drying tower, so as to make it a drying Tower. Moved by alderman Nash, seconded by alderman Smlay, which amendment, on being put is lost, and the names being called for they appeared Thus

For the amendment,  
alderman Nash,  
Smlay,  
Pallister  
Jennings

against it  
alderman Roome  
Rickers  
Fremantle,  
Jno Duggan  
Leahy,  
Goldman  
McLulloch  
Conway,  
Kaye  
Eagan,  
Dunbar,  
Jas. Duggan  
ackhurst.



1862.

January 20th  
Continued

12 Voting for the same (motion) and 5 against it.

The Original motion is then put and carried

alderman Nash gives notice of Reconsideration

Read report of Committee of City Property  
Relative to new Brick building on Market Slip.

Malibac December 31st 1861.

Report Committee  
of City Property Brick  
Building Market Wharf  
Rel. to Davis & Barton

That they have received, the annexed communication from Messrs Davis & Barton  
Relative to the Settlement, of their claim for balance of account, due on the new  
Building on the Steam Boat Slip, which communication they beg to refer to  
the City Council, for their consideration

The Committee of City Property, have to report,  
The Committee of City Property, have to report,  
The Committee of City Property, have to report,

Respectfully Submitted,

William Ackhurst,  
Chairman  
Committee of City Property,

Read Communication from Messrs Davis &  
Barton relative to balance due them on Contract,

Malibac N.S. 17th Decr. 1861.

Wilm. Ackhurst Esqr,  
Chairman City Property,  
Sir,

Communication  
from  
Messrs Davis & Barton  
Rel. to Brick Buildings  
Market Slip

The matter relative to our claim against the Building on the market Slip, but  
as we are anxious to have it settled, would feel obliged by your having the  
matter again before the Committee, and Council as the Subcontractors are pressing  
for a settlement, you will see that it is of great importance, that the matter,  
should be brought to a close, we perceive the Council in taking the Building of  
our hands reserved the right of claiming damages against us for non fulfillment  
of contract, in time, was but that will not be the case, as we think we have  
clearly shown to you before that it was impossible to have the building roofed  
in last fall, owing to our having to drive a large quantity of piles which was  
not expected, therefore it was impossible to have it finished as the time specified  
but that it could have been furnished before it was, we are free to admit,  
altho we, used every possible means to have it completed before it was  
for further particulars we beg to refer you to our last letter, trusting that  
Your Committee will have the matter arranged at as early a date as  
convenient,

We Remain, Very Respectfully  
Davis & Barton.

Introduced,

When following Resolution No 4 is



1862,  
January 20th -  
Continued -

Whereas the new City Buildings -  
Erected on the Steam Boat Slip have been finished and handed over  
to the City, and whereas there is a balance of account due the Contractors

Therefore Resolved that it is the opinion  
of this Council, that that the account should be settled, and that his  
Worship the Mayor be authorized to sign a Cheque for the same,  
Moved by alderman, Ackhurst, Seconded by alderman Dunbar

is introduced,  
To which the following amendment

Whereas Messrs Davis & Barton -  
Contractors for the City Buildings on market Slip, did not complete  
and hand over said buildings until six months after the time  
Specified in their Contract,

and Whereas in consequence the  
Rent of said buildings has been lost to the City, for the said six months.  
Therefore Resolved that before the said Contractors shall be paid the  
Balance of their Contract, there shall be deducted therefrom a Reasonable  
Sum as an equivalent, for the time lost, Moved by alderman, J. Duggan,  
Seconded by alderman, D. May, Which amendment on being put is  
lost. 5 voting for the same, and 12 against it

and passed,

Property, of 31st December last,

The original resolution is then put  
Read report of Committee of City -

Halifax Nova Scotia Dec 31st 1861.

Report Committee  
City Property -

The Committee of City Property beg  
to report for the information of His Worship the Mayor, and the City  
Council that they have let the new <sup>city</sup> Buildings erected on the Steam Boat  
Slip, to the Military authorities, which buildings are now being fitted  
up by them for the Convenience and accomodation of the Troops.

all of which is respectfully Submitted

William Ackhurst,  
Chairman  
Committee City Property

Table for the present,  
Pariff

On motion said report lays on the  
Read report of Committee on Water



1862

January 20th,  
Continued

## Report of Committee - Water Tariff

The Special Committee appointed to examine the returns of Rates assessed for ensuing year by the Commissioners of Water Supply, and also to confer with them upon their application for a large supply of Pipe, beg leave to report,

Report of Committee  
on Water Tariff

That at the first meeting of your Committee held on the 23rd Ult., and which was attended by the Commissioners of the Water Supply, such explanations were afforded as induced your Committee to concur in the views of the Commissioners, as to both the quantity and the sizes of Pipe to be procured. But some of the Committee being of opinion that if it were possible to procure the supply from foundries within our own Province, on terms as favorable, or nearly so, as those offered from Manufactories in Great Britain, the former should have the preference. The Chairman of the Board undertook, at the request of the Committee, to obtain information upon this point, the result of his inquiries, by correspondence with various parties in Halifax and at Windsor, was communicated to a meeting of the Committee and Commissioners, on the 3rd instant, when it appeared that the difference in favor of importation was such as to leave your Committee no option but to recommend that the Commissioners be authorized to transmit their orders to Great Britain for the full supply required, which they now do.

The interchange of views between your Committee and the Commissioners, upon the question of Water Rates led to the offer on the part of the latter to submit a new Scale, which was presented at the meeting of the 3rd instant, and after some modifications adopted, as follows

along which mains are laid,

$\frac{1}{8}$  per Cent upon the Value of Real Estate

of the occupants of dwelling-houses supplied, or which the Commissioners have been or are prepared to supply with Water,

3 $\frac{1}{2}$  - Three Shillings and nine pence, for each

each of the occupants of all Shops, Offices, and places of business where the Water is or can be introduced,

$\frac{1}{3}$  - One Shilling and three pence, for

Liquor Shops,

10 $\frac{1}{2}$  - Ten Shillings each additional upon

by others than truckmen and Cabmen,

10 $\frac{1}{2}$  - Ten Shillings, for each House kept

by Cabmen, or Truckmen,

5 $\frac{1}{2}$  - Five Shillings each on houses owned

on Cows,

2 $\frac{1}{2}$  - Two Shillings and six pence each

20 $\frac{1}{2}$  - Twenty Shillings each on Water Closets.

The Army and Navy &c. to be rated by special agreement, Steam-mills manufactories, Hotels,

Cent, on Real estate within the above limits, valued at £1,300,000, will yield



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Continued

Report of Special Committee on Water Tariff

Value at 1,300,000. Will yield	£1625.0.0
Head Money @ 3/9	3375.0.0
Ditto " " @ 1/3	62.10.0
Taxes on Houses	100.0.0
Taxes on Liquor Shops	150.0.0
Steam Mills & Water Closets	100.0.0
Army & Navy	350.0.0
Manufactories & Hotels	350.0.0
Cows " "	50.0.0
	<u>£6062.10.0</u>

Report of Special  
Com<sup>tee</sup> on Water Tariff  
Continued

Expected to give £6062.10.0. but the amount required to be raised is £7000 and your Committee propose that the deficiency should be met by a contribution of £1000 from General assessment.

A brief statement of the reasons which have conducted your Committee to the conclusions now submitted may be expected, and will it is hoped be deemed satisfactory.

The rate, reference should be had to the value of the property, on which it is levied, mode of occupation and probable consumption. those elements of calculation have been kept steadily in view.

To the percentage, on real estate no. Reasonable objection can be urged, when it is remembered that one grand object in procuring the transfer of the Water Works to the City. Indeed, the principal object which the Council had in view, was, by largely increasing their efficiency to afford to the owners of property, increased security against the calamity of fire, the protection thus afforded cannot fail to diminish very considerably the rates of insurance, and it is assumed that that proprietors of real estate, will not regard it as a grievance that they are called upon to pay to the City, for its protection a portion of the amount saved from the premiums to foreign insurance offices for theirs, the present additional burden is slight and temporary - the relief will soon be felt, and it will be permanent.

The rate for consumption at 3/9. Three shillings and nine pence, per head of Families is just one half of that charged by the late Water Company, whilst it is presumed that in no case can 4/3 (one shilling and three pence), per head for persons in Shops, offices and places of business be deemed an onerous tax. The other Rates the Committee entertain no doubt will be held to be legitimately levied and to be moderate in amount.

The contribution of £1000. from the General Taxation of the City seems but just, when it is borne in mind that nearly this sum has been paid in former years, from that source to the late Water Company, for the General purposes of the City, and the supply of the Poor - the public hydrants, although eventually to be abolished.

See next page



1862

January 20th -  
ContinuedReport of special  
Committee Water Tariff  
Continued

abolished, cannot be immediately removed, it is anticipated that next Summer a large quantity of Water will be used upon the Streets of the City. The fire department must still be supplied, and it is obviously reasonable that while a direct tax is levied upon Real Estate, personal estate, which is also protected, but can only be reached through the general assessment, should in some way be made to contribute.

Respectfully Submitted,

(Signed) Matthew H. Richey -

Chairman,

Committee Rooms,

5th, December 1861,

Introduced,

Supply, as reported be adopted, and so continue until altered by this Council moved by alderman Nash, seconded by alderman Jennings. Which on being put is passed,

by way of notice,

Election in October last, are appointed to hold the election for Ward assessor, in Ward No 1 "2" "3".

is ordered to be issued for measurement of Salt and Grain,

When following Resolution No 5 is

Resolved, that the tariff for Water

alderman Nash, hands in a resolution

on motion the aldermen who held the

On motion the usual advertisement

On motion, Council, adjourn until Tomorrow at 2 O'clock



1862,

January 21st -  
Continued

At an adjourned meeting of the City Council held this day Present His Worship the Mayor, Alderman John Duggan, Compton, Smlay, Nash, McCulloch, Dunbar, James Duggan, Ackhurst, Eagan, Coleman, Tremaman, Roome, Conway, Jennings, Kaye, and, Richey.

Read Over proceedings of yesterday

Notice of Reconsideration  
by alderman Nash -  
Water Tariff

The Council next take up alderman Nash's notice of Reconsideration introduced last meeting. The motion is put and lost 3 voting for the same and 9 against it and the names being called for they appeared thus.

For The Reconsideration	against it.
alderman Nash,	alderman Roome,
" Smlay,	" Compton,
" Jennings,	" Conway,
"	" J. Duggan,
"	" Ackhurst,
"	" Richey,
"	" Kaye,
"	" Eagan,
" 3	" Tremaman, 9

The City Council next proceed with the further consideration of the City Court act.

Read 2 Clause,

Res. Rel. to City  
Court act.

When following amendment is introduced, Resolved that the Recorder be Judge of said Court, but he shall associate with himself on the trial of any Cause or Causes, one or more of the alderman of the City in rotation and that said alderman receive per day for their services, moved by alderman Conway, seconded by alderman Tremaman which amendment on being put is lost 7 voting for the same and 7 against it, and the Mayor being called upon for his casting vote gives it against the amendment.

Introduced, The following amendment is next - Resolved that the Recorder shall be judge of said Court, but he shall associate himself on the trial of any Cause or Causes one or more alderman in rotation, moved by alderman Conway seconded by alderman Tremaman, which amendment on being put is lost, 6 voting for the same and 8 against.

Introduced, The following amendment is next - Resolved



1862

January 21st,  
Continued

Resolved, that the further discussion of the bill, be deferred for 3 months, and that the Commissioners for Consolidating the laws and by laws of the City, be instructed to prepare such amendments to said Laws, as will extend the jurisdiction of the Mayors Court to all sums up to Eighty Dollars, moved by alderman James Duggan, seconded by alderman Cagan, which on being put is lost 3 Voting for the Same and 11 against it.

-duced,

Further Consideration of this bill be deferred for three months, moved by alderman Roome, seconded by alderman James Duggan, which on being put, is lost, 4 Voting for the Same and 10 against it.

The Second Clause is next put and there appeared for the adoption of the Same, 7 against the adoption of the Same, 14, and His Worship the Mayor, being called upon, for his casting Vote gives it against the Clause. — The Clause is lost.

-sideration,

Introduced

Resol = Rel. to City  
— Court act  
— Continued

Resolved that the first Clause of the act for establishing a City Court, be rescinded, and that the Commissioners for Consolidating the laws and by laws of the City, be instructed to prepare an act, to be sent to the Legislature for their Consideration. (Concurrence) which will create a Stipendiary Magistrate, for the City of Halifax to have Cognizance of all Criminal Cases occurring within the City, and will increase the jurisdiction of the Mayors Court, over all sums up to Eighty dollars moved by Alderman James Duggan, seconded by alderman Ashurst.

Introduced,

Whereas the duties now pertaining to the Office of Mayor, are not such as ought to be performed by him, but more properly that of a Stipendiary Magistrate or Police Judge,

Be it therefore Resolved that to the duties of Recorder be added that of Police Judge or Stipendiary Magistrate for the trial of all Causes and duties performed by the Police Judge an additional Salary of £250. or £500 in all, that he be not allowed to attend to any other business, but devote his whole time and attention for the benefit of the City, and his duties of Police Judge, and to have the privilege of calling into his assistance any alderman, when he may deem it necessary to preside with him, in his Court as Police Judge, and that he continue in Office during the pleasure of the Council, or for some Misdemeanour moved by alderman Nash, seconded by alderman Richey, which amendment on being put is lost 5 Voting for the Same and 8 against.

The



1862

January 21st  
Continued

Introduced.

Resolution relative  
to City Court Act -  
Continued

in Succession Sit a: Stipendiary Magistrates in the Police Court assisted  
by the next in rotation, the alderman Presiding as Stipendiary Magistrate  
to be paid for his services per day, moved by alderman Egan,  
seconded by alderman Compton, which amendment, on being put is lost.  
2 Voting for the same and 11 against it.  
The original Resolution is next put  
and passed 8 Voting for the same, and 5 against, it is Therefore  
Carried.

The following amendment is next.

Resolved that that the alderman,  
Presiding as Stipendiary Magistrate

The original Resolution is next put  
and passed 8 Voting for the same, and 5 against, it is Therefore  
Carried.

On motion, the Council Rise.

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1862

January 27th  
Continued

Council held this day present, alderman John Duggan, Smiley, Nash, McCulloch, Dunbar, James Duggan, Ackhurst, Cagan, Pallister, Coleman, Tremaman, Roome, Leahy, Conway, Jennings, Kaye, and Richey

At a Special meeting of the City Council

Instant.

to take up the business standing over from last meeting, and the transaction of other business

Read over proceedings of 21st January

The City Council were summoned

alderman Richey's notice of Reconsideration given at last meeting, the motion is put and passed, 7 Voting for the same, and six against it.

The City Council next take up

Introduced.

Resol. rel to Court of Record of Civic & Criminal Cases.

of Record for trial of Civic and Criminal Causes, and the recorder shall be judge of the said Court, but he shall associate himself on the trial of any Cause or Causes one or more alderman of the City, and that the alderman Presiding shall be paid their services, \_\_\_\_\_ dollars per day. Moved by alderman Conway, seconded by alderman Nash, which on being put is lost 6 Voting for the same and 11 against it.

When following Resolution No 1 is

Resolved that there shall be a Court

Magistrate,

put, is passed 13 Voting for the same, and 4 against it

Read act to Create a Stipendiary

Read first clause, which on being

Introduced,

passing of the act, the Recorder of the City of Halifax, shall be also the Police Magistrate, thereof, and shall discharge all the duties which heretofore have been performed, by the Mayor, and alderman, in the apprehension conviction and committal of offenders Moved by alderman Nash, seconded by alderman Richey which Resolution on being put is lost 8 Voting for the same and 9 against it, and the names being called for they appeared thus,

Read Second clause,

When the following amendment is

Resolved that from and after the

For the Clause,  
alderman Nash,  
Tremaman,  
Conway  
James Duggan  
Pallister,  
Dunbar,  
Cagan,  
Ackhurst,

Against it,  
alderman Roome  
Richey  
John Duggan,  
Smiley,  
Coleman,  
McCulloch,  
Kaye  
Jennings  
Leahy,

8

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1862  
January 27th  
Continued

Building in Hollis Street,

Alderman Nash gives notice of Resolutions  
Read report of Committee on Messrs Neils  
Committee Room  
Halifax Decr. 10th 1861.

Report of Committee  
Relative to B. O Neils  
Building

The Report of the City architect regarding the building in course of  
Erection by B. O Neils Esqr. in Hollis Street, beg leave to report that in  
Company with the Architect they have visited and minutely inspected  
said building and have also had a conference with Mr. O Neils, and find  
that the front and rear Walls of said building are 18 Inches in thickness  
and that the end Walls are each 9 Inches in the narrowest part and  
12 Inches at the top, each Wall having two abutments through the  
Entire height of the Wall of from 12 to 15 Inches in thickness, the north Wall  
being tied to the adjoining building in a substantial manner in each story  
all of which your Committee are of  
Opinion is substantially built. Respectfully Submitted.

John McCulloch  
Chairman

Read Report of City architect of 15th  
November last on same subject.

Halifax Novr. 15th 1861.

To His Worship The Mayor,  
and City Council,

Gentlemen,

Report of City architect  
Relative to B. O Neils  
Building

I beg leave to report, that having on the  
6th Instant, notified, Mr. B. O Neils, respecting the erection of Brick building  
in certain limits of the City and at the commencement of a Building which  
is now in course of Erection adjoining the South end of Lovelands brick building  
and north end of Albro's stone building west side of Hollis Street calling his  
attention to the act passed 15th April 1861. Section 3rd Chap. 45. which enacts  
that in certain limits all exterior Walls not being party Walls, shall not  
be less than two bricks or eighteen Inches thickness, and that every party  
or division Wall shall not be less than 12 Inches thickness, the Walls which  
he is now building north and south, are only 9 Inches thickness, which is  
a violation of the act, Mr. O Neils, has not thought proper to answer my  
communication, he is now progressing with the Walls, of 9 Inches in defiance  
of the law, which I respectfully submit for the decision of your honourable  
body

I am, Gentlemen,

Your obedient servant,

B. De. G. Marshall,

City architect



1862

January 27th

Continued adopted and Received.

Introduced.

Resol. rel. to  
B. O. Neil's building

Whereas the City architect in a Report dated 15th November 1861. has informed this Council that Mr. B. O. Neil was erecting a building in violation of the building act, and whereas a Report of a Committee of this Council this day read, has confirmed the report of the Architect. Therefore resolved that His Honor the Recorder be instructed to take such legal measures as will compel Mr. O. Neil, to make his building conformable to the provisions and requirements of the building act. Moved by alderman James Duggan, seconded by alderman Kaye, which amendment on being put is lost. 3 Voting for the same and 14 against it, and the names being called for they appeared thus,

For The amendment  
alderman Kaye  
Spennings  
James Duggan,

against it.  
alderman Roome,  
Nash,  
Coleman,  
Frennaman,  
John Duggan,  
Jmlar,  
McGulloch  
Comwar,  
Compton,  
Pallister,  
Dunbar,  
Cagan,  
Leahy,  
Ackhurst, 14

3 \_\_\_\_\_ Ackhurst, 14 \_\_\_\_\_

The original motion is reset, put and passed

The order of the day is suspended to allow alderman Nash to ask a question of the Chairman of Fire Wards relative to one of the Steam Fire Engines leaving the City.

explains.

Alderman Ackhurst Chairman of Fire Wards

When following Resolution No. 2, is introduced

Whereas it has been brought to the notice of this Council that an application has been made to the Chairman of Fire Wards for the use of one of the Steam Fire Engines to pump out the steamer sunk at Dartmouth,

Therefore Resolved that the Chairman in consenting to permit the steamer to go over and assist the sunk boat has only done what this Council justifies him in so doing. Moved by alderman Nash, seconded by alderman Leahy, which on being put is lost 7 Voting for the same and 8 against it,

Resol. rel. to Steam Fire  
Engine - to pump out Steam  
mic. mac. Sunk at Dartmouth