

The following Addition made to Rule 6<sup>th</sup> touching and concerning Public Cemeteries is introduced and passed -  
After the word "inconvenient" add "after ten days notice having been given to the Proprietor to remove the same at the expense of said Proprietor."

The following form of Lease of the Cemetery Lots is read:

By virtue of an Act passed in the third Year of the Reign of His late Majesty William the Fourth, entitled "An Act concerning Cemeteries or Burial Grounds for the Town of Halifax," and the Acts in amendment thereof, The City of Halifax, in consideration of the sum of Pounds to them in hand paid by de hereby Grant  
and Convey unto the said his Heirs, Executors  
Administrators and Assigns the exclusive right of Burial and Interment in all that Lot marked and numbered on the Plan of the said Cemetery as Number Letter Division  
together with the right of making a Vault, Catacomb, or place of Burial thereon, and erecting a Monument or Cenotaph thereon -  
To Hold the same to the said his Heirs, Executors,  
Administrators or Assigns in perpetuity, for the purpose of Burial, subject to such orders, Rules and Regulations as have been or shall be made for the Management and Regulation of the said Cemetery by the City Council.

Dated at Halifax, this day of in the  
Year of our Lord one thousand eight hundred and forty Mayor.

City Clerk.

When on Motion the same is approved of.

The City Council then adjourned.

Keith Mayor

Halifax August 16<sup>th</sup> 1844

At a Special Meeting of The City Council held this day present His Worship the Mayor Alderman Henry McKimley Caldwell & Bell. Messrs Anderson, Speke, Fairbanks, Sinclair, Black, Jennings, Carter, Newman, Rhind and Rugg.

The City Council were summoned to decide upon the mode of payment of Keeper of Cemetery.

Read over proceedings of 12<sup>th</sup> August

The following opinion of His Honor the Recorder relative to mode of payment of Keeper of Cemetery is read:-

Answer to case submitted by City Council 13<sup>th</sup> August 1844

The 3<sup>rd</sup> Act, C. 32 concerning Cemeteries requires the Commissioners to fix such fee not exceeding five shillings for the Registry of each interment and I am of opinion that the same when established may either be paid into a general fund "to and for the use of such public cemetery," or to the Keeper thereof as the Commissioners may by their Rules regulate and order, there being nothing in the Act to preclude the Commissioners from compounding to pay a salary for keeping such Registry so long as the public are guarded against any higher fee than five shillings for each entry.

(Sd) W. D. Sawers Recorder

To His Worship the Mayor  
for the City of Halifax

14<sup>th</sup> August 1844

When the following Resolution is introduced:-

Resolved, That the Keeper of the Cemetery for the ensuing year receive a salary not exceeding £100 instead of the fee for the Registry of Interments

to which the following amendment is moved

Resolved That the Keeper of the Cemetery for the ensuing year receive the fee prescribed by law for each Registry, provided the said amount of Fees do not exceed the sum of Fifty Pounds

which amendment being put is passed, the original resolution is therefore lost, and the names being called for they stood thus

— For the amendment —

Alderman Caldwell, Mr Speke  
Henry " Anderson  
Bell " Fairbanks  
Mr Black " " 10  
Sinclair  
Newman  
Rhind

— Against the Amendment —

Alderman McKimley  
Mr Jennings  
Rugg  
Hunter 5

525

Read Petition of Edward Hany and others - Referred to  
Commissioners of Streets

Read application of Commissioners of Common relative to  
Completion of Pond in rear of Horticultural Garden

The Committee appointed to Superintend the Common  
would respectfully suggest to the City Council the propriety of  
finishing the embankment of the Pond in rear of the Horticultural  
Garden to the Southward of the Road leading to the Cemetery.

The advantage of this Pond to the Citizens of Halifax is of  
very great importance. The quantity of Water carted therefrom during  
the last month has averaged over One Hundred hogsheads a day.

There is a large Sum of Money in the City Treasurer's  
hands belonging to the Common, which according to Law must be  
expended for the improvement of the Common, besides the rate  
due on the first of July last. The Committee on consulting  
with Mr Currie consider that it would require from Sixty to Seventy  
Pounds to complete the above work.

Halifax August 16<sup>th</sup> 1844

When following Resolution is introduced

Resolved That Aldermen Story & M'Kintay, and Mr Jennings  
be a Committee to report upon the improvements necessary to  
be done to the Common, and report thereon at next Meeting of  
City Council.

Which on being put is passed

The following Resolution is next introduced.

Resolved, That the Money reserved for the erection of Booths  
on the Common be paid to the City Treasurer for the benefit  
of the City -

Which on being put is passed.

The Council then adjourned.

Keith Mayor

August 17<sup>th</sup> 1844 - Joseph Keefer having taken the Oath  
of Office prescribed by Law is this day sworn into office  
as Keeper of Public Cemetery in presence of His Worship  
the Mayor and Alderman Bell.

Halifax August 23 1844.

At a Special Meeting of the City Council held this day Present His Worship the Mayor, Aldermen Story, McKinlay, Starr, Caldwell & Bell. Messrs Anderson, Pryor, Spike, Sinclair, Black, Jennings, Hunter, McInneson, Rhind, Muters and Rugg.

The City Council were summoned to take into consideration a Petition from Robert Richardson and others relative to new Cemetery, the Report of the Committee concerning improvements to the Common, and the transaction of other business.

Read Proceedings of 16th August

Read following Petition of Robert Richardson and others on Subject of Cemetery:

"To His Worship the Mayor the Aldermen and Common Councilmen of the City of Halifax.

The Petition of the undersigned Citizens of Halifax

Respectfully Sheweth

That the new Cemetery being now open for the reception of the Dead we humbly beg that you will take into your most serious consideration the very high price that is demanded for the ground. You must be aware of the very natural and prevalent feeling that exists among Mankind in favor of having the remains of the members of their families laid as nearly as possible together. According to the regulations of the Cemetery as we understand them those who are not able to pay for lots will be deprived of this privilege. This being the case we wish respectfully to urge upon you the expediency of extending this privilege to the poorest in the land and to impress upon you the fact that the price at present demanded for the lots puts them beyond the reach of a large portion of the Citizens. For a large family and the poorer families are often the largest, three or four lots at least would be required and we beg you to consider how hard it would be for a poor man with a large family to lay by the sum necessary for that purpose from his earnings and he must either do this or be deprived of the privilege of having his family buried together. It is also a very natural feeling and one which prevailed in all ages and in all civilized communities that we should wish to place some inscription over the graves of our departed friends. Where poor families are buried together a single simple monument at little cost would mark the spot where they all rest, but if

They were scattered over the Cemetery this could not be done  
 We will venture to offer one or two plans for remedying the evil  
 complained of sincerely trusting that you will not ascribe it to  
 presumption on our parts. The first plan that suggests itself  
 would be to allow the lots to be put up at nominal prices and sold  
 to the highest bidder. But if an upset price be demanded we trust  
 that you will see fit to reduce it so far as to place the privilege  
 within the reach of all. Seats in the Holy Sanctuaries for the living  
 are disposed of in this manner, and we beg respectfully to urge that  
 no substantial reason exists why graves for the dead cannot be  
 dealt with in the same manner. Another plan which we would  
 suggest would be to have a portion of the ground separated from  
 the rest and sold at a price which would come within the means  
 of the poorest. We respectfully pray therefore that Your Worship  
 will give this subject your serious consideration and  
 provide such remedy for the evil complained of as may  
 seem proper and expedient.

Halifax August 15<sup>th</sup> 1844

(Signed) Robert Richardson and 121 others

When following Resolution is introduced:

Resolved, That that part of the Rules and Regulations  
 made for the government of the Cemetery passed on 25<sup>th</sup> September  
 1843, as far as the price of the Lots be rescinded, and that the price  
 of each lot be reduced to —

To which the following amendment is introduced:

Resolved, That while the Council are at all times anxious and  
 are bound to listen to any respectful Petition from their fellow  
 Citizens, they are of opinion that it would be not only injudicious  
 but at the same time inexpedient to lower the price of the Cemetery  
 Lots. Therefore that the proceedings of the City Council on that  
 subject be confirmed —

Which amendment on being put is passed the original  
 resolution is therefore lost.

The following Resolution is next introduced:

Whereas it appearing that for the last three years  
 one half of the receipts of the Booths during the races have been  
 paid over to the Turf Club, but which the Council were not fully  
 aware of, — and whereas the Council have reason to believe  
 that the Turf Club have made their arrangements under the  
 expectation of receiving the same for this year, but which the Council  
 were not aware of when they passed their resolution of 12<sup>th</sup> Instant

— August 25<sup>th</sup> —

and that the Surf Club should not meet with any loss for this season, Be it therefore Resolved, That the half of the receipts of Booths during the Races for this year be paid to the Surf Club but that this is not to be a precedent for any future year— And that Notice to that effect be given Mr. Uniacke the President of said Club, and that His Worship the Mayor draw a Check for said amount—

which on being put is passed.

The following Report relative to improvements to Common is read:

The Committee appointed by the City Council in connection with the Commissioners of Common beg to Report.

That they have been unanimous in recommending that the Pond should be immediately repaired, that the road leading from the South Barracks should be raised near the Pond in order to prevent the water from overflowing, that the channel of the Stream between the Bridge in the centre of the Common and the one at the Pond should be cut and in other places banks that a road should be made from the North Corner of the Cemetery to the Bridge in the Centre of the Common more particularly for the convenience of the Inhabitants of the North End of the City, — and that the labour shall be done by Contract.

(Sigs) Andrew MacKintlay

William Henry Jun

J. Jennings

When the following Resolution is introduced:

Resolved, That the Report just read be received and adopted. which on being put is passed.

The following Resolutions are next introduced

Resolved, That the Meat Market requiring cleaning and White Washing the same be done by Contract in the cheapest and most efficient manner — which on being put is passed.

Resolved, That as encroachments of Individuals upon the public Streets have from time to time been removed and as one of great inconvenience still remains in Ward A. b. fronting to the property of Mr. Pebles adjoining the property of Mr. Rugg in Water Street opposite the Naval Hospital Wall, and as Mr. Pebles has not consented to remove said incumbrance although the opinion of the Recorder has been in favor of its removal Resolved, That the Commissioners of Streets have the authority and guarantee of this Council for the removal of said obstructions immediately.

which on being put is passed.

Resolved, That the sum of Thirty pounds having been voted in 1843 for the repairs of Young Street in Ward No. 6. and the amount of Ten pounds only having been received, that the balance of Twenty pounds be paid to the Commissioners of the Ward for the completion of the Work now absolutely required and without which the Road will be ruined. which on being put is passed.

The City Council direct payment of the following Accounts by Checks on City Treasurer.

Charles Mabley	£45-0-0
James Tufts	5-0-0
Matthew Martin	27-19-6
Thomas Hunt	13-0
Wm. Hoey J. Esquire	5-1-4
Gas Company for City Offices	2-5-0

The following Resolutions are next introduced:

Resolved, That the Chairman of Firewards be authorised to have a Gas Light introduced into the Engine House adjoining the Masonic Hall.

which on being put is passed.

Resolved, That the sum of Ten pounds be granted to Commissioners of Ward No. 6. for repairs on the Heupt road.

which on being put is passed.

The Council then adjourned.

W. Keith Mayor

Katijay 23<sup>rd</sup> September 1844.

At a Quarterly Meeting of the City Council held this day Present, His Worship the Mayor Aldermen Henry John Catwell A Bell Messrs Anderson Pryor Spink, Fairbanks, Sinclair Jennings, Hunter, Keameon, Rhind, Winters and Rugg.

Read over proceedings of 23<sup>rd</sup> August

Read following Letter from Executors of late Honorable Michael Tobin on subject of property opposite Ordnance:

Katijay August 26<sup>th</sup> 1844

Gentlemen,

In pursuance of the conversation we have had with His Worship the Mayor, and the City Clerk we beg to call your attention to the property opposite the Ordnance, and the sum advanced upon it being £1280.14.3 with an arrear of interest amounting to £112.5.8. By an arrangement between the Executors of the respective Estates of the Hon. James Tobin and Michael Tobin this debt has now become the sole property of the latter, and it is our duty on behalf of the heirs and devisees to collect, in the first place, the arrear of interest, which we trust you will direct to be paid at an early day. The legal title was vested in Mr. Michael Tobin as the survivor of his brother, and we will cheerfully co-operate in such arrangements as may appear most advisable to yourselves for effecting a sale of the property either as a whole or in lots upon the most favorable terms for the interest of the City. We have the honor to be, your most Obedt Servants

Thomas J. Tobin

W. Young

To the Members

of the City Council.

Executors of Hon. M. Tobin.

when the following Resolution is introduced:

Resolved, That the Executors of the late Hon. Michael Tobin be requested to give notice to the several Tenants occupying the property opposite the Ordnance to quit and deliver up possession of the same on the 1<sup>st</sup> May next, their year expiring on that day, - to enable the City Council to offer the same for sale. which on being put is passed.

Read following Report from Commissioners of City Property relative to repairs to Fish Market:

The Commissioners of City Property having received Tenders for repairing the lower fish Market, beg to report as follows:

In consequence of much defect being discovered in the old Shed, the tenders offered have been so much higher than was anticipated, the Committee have deemed it the most prudent course to submit the matter to the City Council. The lowest tender received is seventy five pounds, and



even when the work is complete, the Market will not be in a much better state than at present, and the Committee think the money would be wastefully expended. They would recommend to the City Council to appropriate for the ensuing year a sum of money sufficient to erect an addition to the old Market, where the Sheds now stand, and to have both covered with one roof. By this course being adopted the number of stalls will be increased and made more valuable to the City, and the lofts in building made useful for a variety of purposes.

Malfor 20 Sept 1844.

Edw<sup>d</sup> Stair, Chairman  
 J<sup>s</sup> Jennings  
 Arch<sup>d</sup> Finlair  
 Henry Pryor  
 Henry Spike  
 B. L. Black

When the same is received and adopted, but stands for further consideration to some future meeting.

The following Resolution is next introduced:

Resolved, The Shingling of the Powder Magazine requiring to be repaired - The Doors of the Magazine also requiring an alteration, and the new Gates a trifling amendment differing from the Plan observed by the late contractor. Be it therefore Resolved That Mr. Jves be requested to do the necessary repairs.

Which on being put is passed.

Read Petition of Charles Bowden on subject of his contract in Hurds Lane when on motion the same is withdrawn.

Read Statement of Hon. William Lawson relative to City rates when on motion it is

Resolved, That two thousand pounds, the ability of Mr. Lawson be struck off.

The subject of the Byo Law or Ordinance relative to occupying the Sidepaths or with Goods is brought to the notice of the Council by His Worship the Mayor, when following Resolution is introduced:

Resolved, That the Subject of the Ordinance or Byo Law relative to persons placing articles on sidepaths & Streets be referred to Commissioners of Streets to report report upon, and that the Collection of fines for the present be deferred.

Which on being put is passed.

The following Resolution is next introduced:

Resolved, That the Keeper of the new Cemetery be required to see all Graves dug for persons over fourteen years of Age be five feet deep

— September 23<sup>d</sup> —

when it is possible, and all persons fourteen years of age and under not less than four feet.

The following accounts are ordered to be paid by checks on the City Treasurer

Daniel McGuire \$6.50

Joshua Lee 4.17.4

Gas Company for Posts 20.00

ditto for Engine House 7.2

Edward Young for expens<sup>d</sup> in P.O. 4.2.0

Peter Biery

7.7.6

The payment of this account not to sanction any future claim of the same description.

A Petition and affidavit of Martin Monaghan introduced by Mr. Rugg is referred to Commissioners of Streets to report upon.

The following Resolution is next introduced:

Resolved That the subject of the Burial Ground known by the name of St. Paul's Burial Ground be referred to the Committee of the Cemetery to report upon.

which on being put is passed.

The Council then adjourned —

Alvith Mayor

Halifax 3 October 1844

At a Meeting of the City Council held this day Present His Worship the Mayor Aldermen Story, Mackinlay, Starr, Caldwell, How, McBell, Messrs Poyer, Spike, Black, Hunter, Rhind and Rugg.

Read over proceedings of 28 Sept 1844.

The City Council was summoned to receive the returns for the Election of the different Wards - to elect an Alderman for Ward No 1, also a Mayor for ensuing year, & two Auditors for the said City, and the transaction of other business.

The returns for the Election of City Councillors and Assessors for the ensuing year held on Tuesday last agreeably to a Proclamation of His Worship the Mayor, for Wards No 1, 2, 3, 4, 5 & 6 having been read and the following Gentlemen having been returned.

- William G. Anderson and Charles McCreary Esquires for Ward No 1.
- William R. Fairbanks Esquire " " 2
- Archibald Suetan " " 3.
- Joseph Jennings " " 4
- Adam McCreary " " 5
- John Winters " " 6.

and those Gentlemen being in attendance and having taken and subscribed the Oath of Allegiance and the Oath of Office prescribed by Law take their Seats accordingly

There being two Gentlemen returned as Common Councilmen for Ward No one the City Council decide that those Gentlemen's names should be respectively Ballotted for by the Mayor and the name first drawn should be considered as standing as first on the list of Common Councilmen to go out of office agreeably to the Act of Incorporation, which course being adopted they stood thus.

- Charles M. Cleary Esquire
- William G. Anderson

and the several Gentlemen returned as City Councillors sign the Roll accordingly

The City Council next proceed to elect an Alderman for Ward No one when it is agreed that the Ballot should be taken Henry Poyer Esquire having been nominated by William G. Anderson Esq. seconded by The Ballot is proceeded with when there appeared for

- Mr. Poyer 16
- Mr. Anderson 2

Mr. Poyer is therefore elected Alderman for said Ward, and that Gentlemen having taken and subscribed the Oath of Allegiance, the oath of Office, as also that of a Justice of the Peace sign the

roll accordingly.

The City Council next proceed to Elect a Mayor when it is Resolved, That the Election of a Mayor for the ensuing year shall be determined by Ballot.

Honorable Hugh Bell having been proposed by Alderman MacKinlay seconded by Mr. Juncilla Jennings the Ballot is then taken when there appears for

Hon. Mr Bell 19

Alderman Caldwell 4

Blank 2

Honorable Mr Bell is therefore elected Mayor of the City of Halifax for the ensuing year.

His Worship the Mayor having been requested to leave the Chair.

Alexander Keith Mayor

Alderman Story is called to take the Chair when the following complimentary address to His Worship the Mayor Alexander Keith Esquire on his retiring from Office is read:

To Alexander Keith Esquire,

Sir, The City Council deem it a tribute justly due you, as their late Mayor, to express their entire approbation of the manner in which you have discharged the duties of your office.

Your unremitting attention, your steady endeavours to act with justice and impartiality to all classes of our fellow Citizens, your friendly and cordial demeanour towards those more immediately associated with you in office, demand their most grateful acknowledgments which the Council unanimously concur in now presenting to you. With our best wishes and sincere regard for yourself and family, We are, Dear Sir,

Your most obedient Servant

H. Bell Mayor

(sgd) William Story Junr

(sgd) Henry Proyer

" Andrew MacKinlay

" William Caldwell

" John Edw Starr

" William G. Anderson

C. D. Hunter

" W. B. Fairbanks

Adam Kemmison

" Henry Spike

John Rhind

" Arch Sinclair

John Wintors

" D. C. Black

David Rugg

" J. Jennings

} Common  
Councilors.

And the following Resolution introduced:

Resolved, That a Copy of the foregoing be presented by the City Clerk to His Worship the Mayor, Mr. Keith, and that he be requested to appoint a time and place to receive the same, which on being put is passed.

His Worship the Mayor resumes the Chair.

William Story Junr Alderman

The City Council next proceed to the Election of Auditors of the City of Halifax. Mr. Thomas Fenwick and Mr. Edmund H. Ritchie having been proposed the Poll is proceeded with when these Gentlemen are unanimously elected Auditors of the City.

Read Report of Commissioners of Streets on subject of Martin Monahan's Petition and affidavit, as follows:

The Commissioners of Streets beg leave to Report that having examined into the Petition and affidavit of Martin Monahan referred to them by the City Council charging J. Muters Esq. the Commissioner of Works with stopping out of his wages six shillings for Statute labor in 1843 - that the same was investigated and sufficient proof was produced by the said Commissioner to fully satisfy the Board that the sum so charged was for the year 1842 when said Commissioner did with his Horse and Cart perform the Statute labor under the direction of J. Hosterman Esq. on the North West arm Road, and that the said Commissioner did not receive any thing from said Monahan for 1843, and further that the printed notice for said year 1843 to said Monahan was produced by said Commissioner. And further that he the said Monahan as the dates exhibited prove, had left Mr. Muters' Service three days before the date of the Notice to said Monahan to work for the year 1843, and are therefore of opinion that the statements made in the said affidavit are incorrect.

Halifax 28<sup>th</sup> Sept. 1844 (Signed) W. Bell, Chairman.

When the same on motion is received and adopted.

Read Letter from Governors of Dalhousie College relative to rent for Engine House ground, which on motion stands over for next Council.

The City Council order payment of following account James Mann £5.5.0

The Council then adjourn W. Keith Mayor

Halifax 4<sup>th</sup> October 1844.

The following Letter was this day received from the Secretary of the Province:

Provincial Secretary's Office  
Halifax 4<sup>th</sup> October 1844

For Sir, I have the honor of laying before the Lieutenant Governor your Letter dated yesterday announcing the Election of the Honble Hugh Bell to the office of Mayor of this City for the ensuing year and requesting by the direction of the City Council His Excellency's approval of the same.

His Excellency is hereby pleased to signify his approval and confirmation of the said Election, and commands me to state that he will be happy to receive the Mayor elect, and swear him into Office tomorrow Saturday at one o'clock in the afternoon at the Government House.

I have the honor to be

James S. Clarke Esqr  
City Clerk

For  
Your most obedient Servant  
Rupert D. George

Halifax 5<sup>th</sup> October 1844

Honorable Hugh Bell, Elected Mayor of the City having taken and subscribed the Oath of Allegiance and the Oath of Office prescribed by Law, is this day sworn into office as said Mayor in the presence of His Excellency the Lieutenant Governor

