

1853
May 2

Recorder's Office
Halifax 20 April 1853

To His Worship the Mayor

Letters from
Recorder
rel. to Insurance
Companies returns

The accompanying return of the Star
Life Insurance Company, is quite correct but has been received
after the time appointed by law. From the considerations
referred to in my report to your Worship dated yesterday,
I conceive that it would be best to accept this report and
act upon it.

I remain with respect Your old Servant
Signed Benjamin Murdoch
Recorder

Read Extract from letter of 21 April

With respect to the Companies who may
not yet have made returns, I think they might still make
the proper return, those who have not actually being doing
business within the year past in the City, are not bound
to make a return at all.

I remain Yours respectfully
Signed Benjamin Murdoch
Recorder

The following resolution is introduced

Resolved that those Agents of the
Insurance Companies and others from A to D inclusive who
have in substance made proper returns for 1852 altho these
returns may not have been made at the precise time required
or in the strict form prescribed be exempted from the
penalty of £10, which being put is passed.

Resolutions
rel. to Insurance
Company returns
for 1852

On Motion the return of the Agent
for the Phoenix Fire Insurance Company of London showing
the net profits derived from their business amounting to
£367.12.10 be handed to the Clerks and that they be
required to deposit them on that amount for business done
in the City for 1852.

On Motion it is resolved that the City
Clerks address letters to B. G. Gray Esq. Agent of the Professional Life Insurance
Company and J. C. Hill Esq. Agent National Loan fund Insurance Co
of London and request that they will furnish a more correct
return of the business done by them within the City for the year 1852. passed.
The

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The following resolutions are next introduced

Resolution rel:
furnishing forms
to Insurance
Companies re

Resolved that in future all Insurance and other Companies liable to be opened within the City or their Agents be furnished with proper forms for making the Returns of their respective business 30 days previous to an Adjournment, which on being put is passed,

Resolution
penalty enforced
against Astor, Bos-
& Merchant & Tradesmen
Ins. Companies

Resolved that the penalty of \$10 be enforced against the agents of the Astor Mutual Company and the Merchant and Tradesmen Insurance Company for not making returns of the business done by them for 1852 which on being put is passed,

Call of Council

The City Council next proceed to the appointment of Superintendent of Streets. A call for the Council is made

On Motion Council rise to meet on Friday next at Two o'clock,

Ak
Wm Keith Mayor

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May 4
Ward Apepor
S. A. White
Sworn

Mepps Peter Lynch and Samuel A. White
Apepor elected for Ward No one, Having this day met at the
Mayors Office to select by Ballot the Apepor for said Ward No
One, and Mr Samuel A. White having been selected as said
Apepor the oath of Office as prescribed by law to make a
fair and impartial Apepment of said Ward, is administered
to him in the presence of His Worship the Mayor,

May 4
Ward Apepor
H. J. Geomans
Sworn

Henry Geomans Having been duly selected
on the 15 April last as Ward Apepor for Ward No Two, and
Having this day attended the oath of Office as prescribed by
law to make a fair and impartial apepment of said
Ward is administered to him in the presence of His Worship
the Mayor

May 5

Gentlemen Office of City Clerk Halifax 5 May 1853.

Order to
City and Ward
Apepor

I have it in Command from the City Council to direct
you to proceed forthwith and make an apepment upon the respective Wards
in the sum of Four thousand five hundred pounds for and towards City
purposes, and the further sum of one thousand pounds for and towards
the support of the Poor for the current year, making together the sum of
Five thousand five hundred pounds. I am also directed agreeably to
resolution of Court of Quarter Sessions to require you to make an Apep-
ment upon the respective Wards in the sum Five hundred and forty two
pounds for and towards County purposes for the current year. I am
also directed to state that you are required by the Act to complete your
valuation within sixty days from the date hereof and make immediate
return of Books of Valuation, one for each Ward to this Office clearly
and correctly made up in Writing agreeably to law.

I am gentlemen

Your obedt Servant
Signed James S Clarke
City Clerk

- Mepps William McKay
- William Roche
- Samuel A. White Apepor for Ward No One
- Henry Geomans Att. Ward No Two
- John McKay Att. Ward No Three
- John S. Bennett Att. Ward No Four
- John A. Bauer Att. Ward No Five
- Chas. McDonald Att. Ward No Six

A. Keith Mayor

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At a Special meeting of the City Council held this day present His Worship the Mayor, Aldermen Anderson, Power, Adams, Noble, Scott, Falter, Morrissey, Gibson, Primrose, Dewar, Nugent, Woodill, Knight, King, and Longard.

The City Council were summoned to appoint a Superintendent of Streets for the City, also a Clerk of Streets, the Act relative to borrowing money \$5000 for the City, Market, payment of several accounts and the transaction of other business

Read over proceedings of 2 May 1853.

Memorial
Geo. B. Whidden
Insurance Agent

Alderman Gibson submits Memorial of George B. Whidden Agent Astor Mutual Insurance Company, On Motion same is received

Report of Recorder
Suit Queen vs
W. A. Henchy

His Honor the Recorder submits report of proceedings of Suit of the Queen vs William A. Henchy, On Motion same is received,

Memorial
W. Pryor and others
Road West end of City

Alderman Adams submits Memorial of Messrs William Pryor and others relative to a line of road West end of City. On Motion same is received

The City Council next take up payment of accounts as reported upon by the Committee on the when following resolution is introduced

Resolved that His Worship the Mayor be authorized to draw Checks on the City Treasurer for the various amounts as reported upon by the Committee of Public Accounts Submitted to and passed by the Council on the 29th March last, which being put is passed

Payment of
Accounts

The following accounts having been passed by Committee of Public Accounts and recommended for payment, His Worship the Mayor the Mayor is requested to draw Checks for the Same

Street

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Street expenditure Ward No 1	2.0.6	
Ward No 2	1.1.1	
Ward No 3	1.1.0	
Ward No 2	3.4	
Ward No 5	4.7.3	
Ward No 6	<u>0.9.0</u>	9.18.3
McCragg Half Years Salary		5.0.0
Mich: Gallagher cleaning Gutters		
from Jas Snow & Gutting Ward No 5	4.0.0	
W. Dumphy ditto Ward No	4.0.0	
Mich: Morniey ditto Ward No 4	<u>4.0.0</u>	12.0.0
Dudwell Avery & Co		9.4
City Polans Laurence repairing Fences	5.2.4	
Halifax Gas Company	21.2.1	
Bright & Co (papers before)	<u>0.10.0</u>	26.14.5
Fire Dept. Martin Fitzpatrick Cleaning		
Jas Snow from fire plug & Hydrant	2.0.0	
On Morniey Ward 4	2.0.0	
Thos. Lawlor Ward 5	<u>2.0.0</u>	6.0.0
		<u>£60.2.0</u>

The City Council direct His Worship the Mayor to draw a Check in favour of Mr James Pollock for £60.2.0 Expenditure on Streets.

Resolved that the City Treasurer be authorized to publish advertisements for borrowing Five thousand pounds for building a Market House, pursuant to the Act recently passed for that purpose which will be required in the following amounts

Resolution re
Advertising for
tenders for loan for
City Market

10 June 1853	£1000.0.0
1 day of July	300.0.0
1 day of August	300.0.0
1 day of September	300.0.0
1 day of October	500.0.0
1 day of November	300.0.0
1 day of December	100.0.0
1 day of January 1854	100.0.0
1 day of February	<u>100.0.0</u> 3200.0.0

And the balance of One thousand Eight hundred pounds on the first day of May 1854, and for the purpose of affording every information the City Treasurer be likewise authorized to publish the said act, which being put is passed,

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The following resolution is next introduced

Resolution rel:
Laying Corner Stone
City Market

Whereas it is usual on the erection of any Public Building to lay the Corner Stone with Masonic Honors, Resolved that a letter be addressed to the Right Worshipful the Honorable the Provincial Grand Master respectfully requesting that he will be pleased to comply with this request, and lay the Corner Stone of the new market, which will take place some time during the next month, which on being put is passed unanimously

And following letter from Superintendent of Works for Building of City Market

Letter from
Supt of Works
for City Market

Sir

My dear Sir

I find in excavating for the basement story of the new Market, that the main sewers or drains in the street are not sufficiently deep, to take off the water from the cellars, if they are made as deep as contemplated by the plans. As they are 6 feet high in the clear, the drains as they are at present will not afford cellars more than 4 feet 6 in high in the clear, and as there are some doubt of the water coming into the cellars if they are made any deeper than they are at present, I would like you to inform me whether the City Council will have the main drains made to the requisite depth so as to have the cellars the contemplated height or how I am to proceed so that I may be able to direct Mr. Davis how to get on with the work

Yours

Wm. Smith

Mayor May 5th 1853

I have &c &c

Signed William Friday

The following resolution is introduced

Resolution
rel: to Cellars
of City Market

Resolved that the letter of Mr. William Friday Superintendent of Works for building the City Market be referred to the Market Committee, who be requested to send for Mr. Friday the Architect and Mr. Davis the Contractor and report to the Council their proceedings

The

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The City Council next take up the appointment of Superintendent of Streets when following resolution is introduced

Resolution
rel: Petition of
Mr. Harrington and
others

Resolved that the Petition of Mr. Harrington and others instructing the members of the City Council as to their duties respecting the appointment of Superintendent of Streets lie on the table, to which following amendment is introduced

Resolved that the Petition of Mr. William Lindsay Harrington and others as to the appointment of the two Superintendants lie on the Table for the present, which amendment on being put is passed, unannously the original is therefore lost

On Motion the Special report of Committee respecting Streets and Highways, and the Rules and regulations for government of Superintendent and Clerk of Streets is next taken up and read,

Report of Special
Committee
rel: to duties of
Supt & Clerk of Streets

The Committee appointed out 2nd Instant to take up the Act respecting Streets and Highways in the City of Halifax, and draw up such By Law and regulations, as will enable the City Council to carry out in an efficient manner the powers now vested in the City Council by the said Act, having attended to that duty beg leave to report the following

Regulations for the Office of Superintendent of Streets

- 1st The Superintendent's Clerk shall be now appointed by the Council, to hold office until 15th Oct next when a Clerk for said Office shall be elected by the Council for one year, and the same on every subsequent 15th October removable however at pleasure. His salary is fixed at the present at the rate of one hundred pounds per annum.
- 2nd The Superintendent's salary is fixed for the present at Two Hundred pounds per annum
- 3rd The Office of Superintendent of Streets shall be kept in the City building in such apartments as the Mayor may direct
- 4th The Office shall be open from 11 am. to 3 P.M. daily every week day except Public Holiday.
- 5th The Clerk shall attend there at all times

During

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during office hours except when actually engaged outside on duties herein prescribed for him

6th The Clerk shall prepare and serve all notices for labor and all subsequent notices demanding penalties and commutations thereof

7th The Clerk shall do all necessary writing and copying, the Superintendent may require of him in executing his duties, in preparing estimates, making up accounts, and returns, preparing reports, in correspondence and otherwise, and in all respects give his aid in the indoor duties of the department as far as possible,

8th A time table shall be kept in a book where the daily work shall be entered of all labor performed under the Superintendent, whether it be the work performed by Citizens as Statute labour, or by men hired, specifying the names of each person working, and where he is employed from day to day, and if hired the rate of wages,

9th The Clerk shall also keep a time table for each Ward of the Statute labour performed and a similar table of hired labour, and shall annually or semi-annually make up the gross amount of Statute labour performed for each ward, and an account debiting the City Treasurer with the notices served for penalties or commutations

10th The following Books shall be kept in the Office of the Superintendent of Streets in a Pap book for materials. Books purchased in which there shall be a column for date, one for description and one or quantity of articles

A register of encroachments in the City whether by drains, side paths, buildings or otherwise

A register of Plans and full Statements Concerning the same, of Sewers, drains and Slips with records of all surveys of old new or unfinished drains or Roads

Plans of City Property and Slips,
A letter book of Correspondence and

Notifications.

11th All books and papers so directed to be kept in the Office, shall be at all times open to inspection by the members of the City Council

12th A Committee of three Aldermen shall be appointed until 1st of October next, who shall

assist

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assist the Superintendent in perfecting the duties and management of the Office

13th That the weekly labor report of the Superintendent made up by the Clerk be submitted to the Mayor who shall draw a check for the amount, and the payment of the workmen to be made in the Office of the Superintendent

14th The Clerk shall from time to time ascertain what persons notified have failed to perform their Statute labor, and shall at the expiration of ten days as appointed by law, serve them with notices to pay the Commutation to the treasurer, and shall furnish the Treasurer and shall furnish the Treasurer with the names and amounts in such notices, and shall from time to time ascertain at the treasurers Office what persons have failed in paying such commutation, and the Clerk shall be bound to transmit from time to time lists of such persons so defaulting in payment for ten days after service of notice to the Clerk of the Mayors Court with the sums due by each and ten per cent added in a separate sum, in order that the amounts so due may be put in suit without delay

15th All such notices to work shall be signed by the Superintendent and the subsequent notices for payment by the City Treasurer

16th The Superintendent is not to enter into any contract or undertaking involving expense or outlay of money or labour to the extent of five pounds or upwards unless with the written approval of the Mayor,

The following are the forms of notices recommended to be adopted

Statute Labor

To Ward
Mr

Malpas Wp

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Sheweth that I hereby notify You to appear in person or by your hired yearly or monthly servant at _____ on _____ the _____ at 6 o'clock am. with a good pick axe and Shovel to labor in making and repairing the Highways, Roads, Streets and Bridges if you omit to comply with this notice you will be liable to pay the forfeiture in money to the City Treasurer within ten days from the day appointed for the performance of Your Statute labor

Lrd

Superintendent

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N.B. Bring this notice when coming to work
— days work to

Horse and Cart
No Ward Halifax N.S. 185
Mr:

Take notice that you are hereby warned
to send your horse and cart at ^{on} ^{Wed.}
the ^{at} 6 o'clock to do the Statute labor for the
year, and if you do not comply with this notice, you
will be liable to pay the forfeiture in money to the City
Treasurer within ten days from the day appointed
for the performance of your work
— days work to

By Superintendent
N.B. Bring this notice when coming to work
Money Notice
No Ward Halifax N.S. 185
Mr:

I hereby require you to pay to me the
sum of ^{being the amount due by you as}
forfeiture for non performance of your Statute labour
for the current year
If this amount be not duly paid
at my office on or before the ^{day of} it will be
put in suit and 10% added for the delay
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days work not performed
\$ ^{City Treasurer}
The Committee find that a practice
has prevailed of performing a part of Statute labor one,
and finishing the remainder in a subsequent year,
they have thought it unnecessary to place a clause in the
regulations, the law providing that the unworked time
must be collected in money but consider it their duty
to state, that whatever extent such deviations from the law
may have been permitted, a certain loss to the Street Fund
must have been the result

All of which is submitted
Signed Arch. Scott
Richard Nugent
Geo. Egan
When on Motion said Rules and
Regulations are approved and adopted
Agreeably

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Agreeably to 12th resolution Aldermen
Scott, Egan and Nugent are appointed the Committee,

Supt of Streets
Jas Irons
appointed

The City Council next proceed to appoint
a Superintendent of Streets. Read application of William
Roche and James Irons, the names are then taken when
these appeared for James Irons 10 votes and William Roche
3 votes Mr James Irons having received a clear majority of
of votes of members present is elected Superintendent of Streets
for the City,

Clerk of Streets
Jno C Craigen
appointed

The City Council next proceed to elect a
Clerk of Streets. Read application of John C Craigen, Christopher
Botton, Samuel Borcham and John C Shortice, the names
are then taken when these appeared for John C Craigen 13
votes, he is therefore unanimously elected Clerk of Streets
for the City.

Alderman Tatter submits Memorial
of Maurice McSheath and others relative to drain in Duxton
row, when Crv Botton the same is received,

Memorial of
Robt Pengilly
and others rel.
to Lime Kilns

Read Memorial of Robert Pengilly
and others relative to Lime Kilns near Fresh Water Bridge,
On Motion same is referred to His Honor the Recorder to
report upon. (For Memorial see May file 1853)

Read following Memorial to the
Honorable the Board of Ordnance for a right of way to the
Fish market

Memorial of
Board of Ordnance
rel: Strip of land
near Fish Market

To the Respective Officers of Her Majesty's
Board of Ordnance at Halifax Nova Scotia
The Memorial of the Mayor and Aldermen
of the City of Halifax in the Province of Nova Scotia
Respectfully sheweth,

That the Inhabitants of this City
including its large garrison, suffer great inconvenience from
the want of adequate passage to the Fish market,

That there is a strip of ground
leading from Water Street to the Fishmarket, part of the Queens
property, of the width of 8 feet and a length 50 feet the use
of which as a passage would be of infinite accommodation
not only to the citizens but all persons visiting the same

Your memorialist begs leave
to

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to refer to the plan hereto annexed which shows the situation of the Market and the nature of the accp to it at present, and also describes the piece of ground the use of which is desired

Your Memorialists therefore most respectfully request that a lease of said strip of ground be granted to the City Corporation at such nominal Rent and on such terms and conditions as your Honorable Board may think proper to affix thereto

The compliance with this request will be conferring a great favour upon the Community at large and your memorialists ever that you will ever pray

J. A. Keith
D. S. Clark Esq. Clerk Mayor

When on Motion the same is approved ordered to be fairly engrossed to be signed by His Worship the Mayor and the City Clerk and to be transmitted to His Excellency the Lieutenant Governor for his recommendation through the Honorable the Provincial Secretary with the Plan attached,

Alderman Taiter submit a draft of a letter to the Governors of Dalhousie College for use of part of Parade, when on Motion the same is approved of,

A. Keith Mayor

May 7
Jas Irons Sworn

James Irons having taken the oath of Office prescribed by law is this day sworn into Office of Superintendent of Streets for the City in presence of His Worship the Mayor,

John Craigen Sworn

John Craigen having taken the oath of Office prescribed by law is this day sworn into Office as Clerk of the Streets for the City in presence of His Worship the Mayor

May 6
Thomas Holloway Sworn

James Holloway sworn into Office as Keeper of Common to carry out the various By Laws and Ordinances and rules and regulations made for the government thereof in presence of the Mayor

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May 11

Halifax May 2nd 1853

To His Worship the Mayor and City Council

The Petition of Maurice McSheak,
William Wandick and others inhabitants residing in
Dresden Row and the neighbourhood thereof

Humbly Sheweth

Memorial
McSheak & others
Drain in Dresden
Row

That the Drain recently made in
the Street known as Dresden Row has not been made according
to the Specification as contracted for, for which Your
Petitioners agreed to provide their proportion of the Cost, and
they respectfully request an investigation thereof before the
accounts of the Contractor are passed and paid

And your petitioners on behalf of
the other Inhabitants of Dresden Row will ever pray

Signed Maurice McSheak

William Wandick

When following resolution is introduced

Resolution rel:
to above
Memorial

Resolved that a Committee be appointed
to take up said Memorial read for McSheak the Superintendent
and such other persons as may be deemed necessary, to give
such information as they may think proper on the Subject
and report their proceedings to this Council, and that Aldermen
Tott, Morrissey, and Ouil be that Committee, which on
being put is passed,

A. Keith Mayor

A.K.

1853

June 7

At a special meeting of the City Council held this day present His Worship the Mayor Aldermen Power, Adams, Nolle, Scott, Falter, Morrissey, Gibson, Primrose, Egan, Dewey, Shimmings, Nugent, Woodill, Knight, and Longard

The City Council were summoned to take into consideration the Tenders for the loan for City Market, Communication from Board of Ordnance relative to Strip of land leading to Fish Market, the By laws relative to Cows and Cattle going at large, the memorial of George C Whiddow and others agents of Insurance Companies, Memorial of John Williamson and others relative to drain in Maynard St. several matters standing over from last meeting and the transaction of other business.

Had over proceedings of 6th and 11 May.

Memorial of J.W. Johnston Agent Insurance Com^{ys}

Alderman Primrose submits Memorial of J.W. Johnston Junr. Agent of merchants and tradesmans Insurance Company. On Motion same is received.

Memorial of J.F. Hall and others for a hydrant

Alderman Morrissey submits Memorial of John F. Hall and others requesting a Hydrant in Ward No 5 & 6 On Motion same is received.

Recorder's Opinion re: to time films

His Honor the Recorder submits his opinion relative to Petition of Robert Purgilly.

Check for Expenses Queen n W.A. Hendry

The City Council direct His Worship the Mayor to draw a Check for the sum of £7.17.11 in favour of City Clerk being amount of expenses incurred in the Suit of the Queen n W.A. Hendry.

The City Council next take up letter of City Treasurer and tenders for loan to build the City Market

City.

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June 4

City Treasurers Office
Halifax 4 June 1853

Sir

I have the honor to enclose the undermentioned tenders for a loan of money to be taken under the Act to enable the City of Halifax to borrow funds for a Market House

Letter from
City Treasurer
rel: tenders for loan
for City Market

They were opened this day at 12^{1/2} O'clock P.M. in presence of Aldermen Anderson and Timrose
I have the honor to be

Sir

Your most obedt Servant
Signed Laurence Hartshorn
City Treasurer

His Worship the Mayor
re re re

Tenders		Rate of Interest
No 1 Equitable Fire Insurance Coy	£1000 payable 10 hnd	5 1/2 p.c.
No 2 John C Malliberton	2400	5 p.c.
No 3 William D Seans	5000	5 p.c.
No 4 Union Marine Insurance Coy	3000	5 p.c.
No 5 Mr Darby	500	5 p.c.
No 6 Mr Pitiv & James Cochran	2100	5 p.c.
No 7 Bank of Nova Scotia	5000	5 p.c.

Had tenders from P. Hill Esquire Agent of Equitable Fire Insurance Company, John C Malliberton, William D Seans, Joseph Fairbanks President Union Marine Insurance Company, Mr Darby, Mr Pitiv and James Cochran Executors of Timothy Connors Estate, and James Foreman Cashier of Bank of Nova Scotia (See Inm files)

Tender of Bank
of Nova Scotia
accepted

A Motion is made that the tender of William D Seans Esquire be accepted. Moved in amendment that the tender of the Bank of Nova Scotia be accepted, which amendment being put is carried voting for it and 5 against it the Original is therefore lost.

The following resolution is then introduced

Whereas in accordance with the Act to enable the City of Halifax to borrow funds for building a Market House passed 31 March 1853, the City Treasurer was authorised on 6th May to publish advertisements for borrowing
Five

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June 7

Five thousand pounds for building a Market House, pursuant to the Act recently passed for that purpose in following amounts

Met on 10 day of June	1853	£1000
1 day of July	"	300
1 day of August	"	300
1 day of September	"	300
1 day of October	"	500
1 day of November	"	300
1 day of December	"	300
1 day of January 1854		100
1 day of February		100
1 day of May		1800
		£5000

Resolution
rel to tender of
£5000
for building
Market House

And whereas at a Meeting of the City Council held the 4th day of June Instant the tender of the Bank of Nova Scotia having been accepted at the rate of two pounds per Centum per Annum, therefore Resolved that His Worship the Mayor and City Clerk be authorized to execute to said Bank of Nova Scotia the necessary Certificates, in accordance with and agreeably to said Act

The City Council next take up the Subject of Strip of land to Fish Market

Read letter from Board of Ordnance of 17 May

Office of Ordnance
Halifax 17th May 1853.

Sir

With reference to a Memorial from yourself and Aldermen of the City of Halifax respecting a Strip of ground leading from Water Street to Fish Market, we beg to suggest that a person may be named by you to meet Mr Bebble to determine upon the value of the property in order that the Board of Ordnance may have two propositions before them on which to decide viz. whether they will allow the property to be occupied at a nominal rent, or dispose of it at a fair valuation. In either case we shall recommend that a foot to the northward of the property be reserved to the Department which will not prevent it being used by the City. We have the honor to be, Sir, Your most obedient humble Serv^t

By M. Savage Lt Col Mr Fuson Lt Col Sir A. Ince
Commandy Royal Eng^{ns} Comd^g Ry De^{pt} W. H. Saff

Deputy Store
Genl

Letter from
Board of Ordnance
rel: Strip of ground
leading to Fish
Market