

1856  
February 4<sup>th</sup> Third  
Continued

And be it also Resolved that where said Minors reside with the Parents or even hired Servants apprentices, or residents in a Family, the Parents, Masters or Head of such Family either Male or Female shall be subject to and liable to pay the Tax for such Minors.

Resolutions  
as to Taxes

Fourth Provided however and be it resolved that any Inhabitant of this City who shall not own Real and Personal Estate over the value of Two hundred pounds shall be subject to pay a Poll Tax of Eighteen shillings only, which shall be in full for himself and every minor resident in his or her Family, servants or apprentices and for whom he or she would be liable to pay the Tax of five shillings under former Clause in this resolution, and that every Inhabitant of this City who shall not own Real and Personal Estate over the value of One hundred pounds shall be subject to pay a Poll Tax of Seven shillings and sixpence only, which shall be in full for himself and every minor resident in his or her Family, servants or apprentices and for whom he or she would be liable to pay the Tax of Five shillings under a former Clause of this resolution. The value of the Property in either Case to be ascertained by the Oath of the party claiming the exemption to be made, before a Justice of Peace for the City of Halifax, and such party shall perform and file the affidavit with the City Clerk of Stables at or within the time hereafter prescribed.

Fifth And be it also resolved that each Cab, Cart, Truck, Omnibus, Farm or Working Horse which is exclusively used to aid in the support and maintenance of the owner or possessor thereof shall be taxed liable to pay for any such Horse the sum of Ten shillings and that the owner or Possessor of every Saddle or Carriage Horse shall be taxed and liable to pay the sum of Twenty shillings for each Horse.

Sixth And be it also Resolved that following Inhabitants of this City shall be exempt from the payment of the Taxes contemplated to be enforced by this resolution. Military persons and persons holding Commissions from Her Majesty in the departments connected with the Army and Navy and all acting and retired Fire men or Engine Men and Fire Men

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Seventh

And be it further Resolved that the City Clerk of Streets shall during the first Week within the Month of \_\_\_\_\_ in each year by Advertisements to be inserted in each of the Newspapers (as have the Contracts for City Printing), call upon all persons who desire to take the benefit of the Proviso contained in this resolution for the reduced Taxes of Fifteen shillings and seven shillings and six pence. To produce the required affidavit at the City Clerk of Streets Office within ten days after the date of the advertisement, and then after the expiration of the ten days all persons liable under the resolution to be taxed who neglect to file the affidavit shall be subject to pay for themselves and Minors resident in his or her family the full rate, unless upon good cause shown to, and they be excused by the City Council, that the City Clerk of Streets shall classify the persons who are liable to be taxed under this resolution at their different Rates and prepare a Registry of the Tax payers which Registry he shall on or before the \_\_\_\_\_ day of \_\_\_\_\_ in each Year submit to the City Council to be afterward handed over to the City Treasurer which shall be his guide in the collection of the City Street Funds.

Eighth

And be it further Resolved that within ten days after such Registry so annually submitted, the City Clerk of Streets shall issue and cause to be delivered Notices to each Person liable for Road and Street Monies in the following Form varying it however to the Tax to be collected

Sir

Take notice that you are Taxed the sum of 18/6 for Roads and Streets for yourself and the sum of \_\_\_\_\_ for Minors or the sum 15/- or 7/6 for yourself and Minors and Servants and when there are Horses the sum of \_\_\_\_\_ in addition for Horses which amount I \_\_\_\_\_ you are required to pay to the City Treasurer within ten days from the date hereof, and you will further take notice that should the amount not be paid within ten days 10 per cent will be added to the amount for which Money and per Centage payment will be enforced.

And be

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February 4<sup>th</sup>  
continued

And be it also Resolved that if any person who is liable to pay the Taxes contemplated herein shall neglect to do so within the time so limited he shall be liable for and compelled to pay 10 per cent in addition to his Taxes and that all difficulties in the payment of Road and Street monies shall be sued for the respective amounts due by them in the name of the City of Halifax before the Mayors Court

Resolutions rel  
to Taxes

And be it also resolved that the City Clerk of Streets shall be allowed hereafter the Sum of One hundred and fifty pounds Annually in full for his service in all Business connected with the Road and Streets of the City of Halifax

And in order to perfect the Registry of Persons subject to taxation under the resolution.  
Be it resolved that every Inhabitant of this City when so required by the City Clerk of Streets shall furnish to that officer and deliver at his Office within two days after being required so to do, a list of persons liable to be taxed who are either in the employ of such persons or reside with them. And if upon being required to furnish the list, he or she neglect or refuse so to do, he or she shall be subject to a Penalty of twenty shilling to be recovered in the name of the City in a Summary way before His Worship the Mayor or the Presiding Alderman at the Police Court. And that all Moneys so recovered shall be added and payable to the Streets funds of the City.

And be it lastly resolved that these Resolutions be read and discussed Clause by Clause if a majority of the Council so determine, and that the same Resolutions shall be subject to any alterations or amendment which a majority of the Council may deem proper. Moved by Alderman Sutherland seconded by Alderman Gound

The following opinion of his Honor the Recorder is read

1856  
February 4<sup>th</sup>  
continued

Opinion of His  
Honour the Recorder  
as to Resolutions  
for Road Tax

I am of opinion that a Series of Resolutions framed so as to be a basis of instruction for the preparation of a Bill or Ordinance which contain a clause having these views to subsequent discussion and amendment Clause by Clause in detail - if passed in that form may be afterwards amended and allowed in detail by the Council and when so allowed it would be requisite and necessary to have the services so altered undamen-  
-ded read again and passed finally. I conceive as such a series of resolutions are quite analogous to a Bill or ordinance of several clauses, that it may be dealt with in the above manner which is the usual mode of dealing with Bills, provided a Suitable Clause to that effect is made one of the series. This ~~course~~ course is not usual inasmuch as the common course is to pass one or more resolutions embracing the principles of an intended Bill without the actual details and thus a direct Bill to be founded on them or to give leave to a Member to introduce a Bill in the first instance on his own Responsibility but although this not the usual course I cannot see any legal objection to its being done if the Council please.

Council Chamber  
4<sup>th</sup> February  
Beaumont Murdoch  
Recorder

P.S. I am also of opinion that when this Series of Resolutions as amended is before the Council for final passage it will be consistent for any member to move an amendment which may have the effect of setting the amended resolution aside or superseding them its position then being the same as that of a Bill upon the vote for its final passage at which time those who have voted for the principles of the bill at its second reading are nevertheless at liberty if they do not approve of a Bill in its final shape and details as a whole to vote against it there

B. Murdoch.

Amend-

1856  
February  
continued

Amendment 87 to Resolution 803  
is put when there appeared for the same 9 against it &  
amendment carried

Notice of Reconsid-  
eration

Alderman Pugsley gives notice of  
Reconsideration and the names being called for they  
appeared thus

For Amendment	Against Amendment
Alderman Hawes & Murray	Ald <sup>r</sup> Pugsley & Evans
Young & Bell	Pollock & Longard
Cochran & Robs	Hills & Conway
Stairs & Sutherland	
Amisey	

It is then moved by Alderman Sutherland  
seconded by Alderman Young that the amendment  
this day passed be now taken and considered Clause  
by Clause to which following amendment is introduced  
Read

Resolution rel to  
Amending Resol-  
803

Resolved that the amendment to  
803 now before the Council do lie upon the Table  
until this day three months Moved by Alderman Pugs-  
ley seconded by Alderman Evans which amendment  
being put there appeared for the same 4 against  
it All amendment is therefore lost original Motion  
is then put for reading Clause by Clause when there  
appeared for the same 9 against 6 motion carried

Read 1<sup>st</sup> Clause

The following amendment to 801 Clause  
is introduced

Resolution rel to  
alteration of 800

Resolved that the sum of twenty  
two shillings and sixpence be substituted for the  
sum of eighteen shillings named in first Clause  
Moved by Alderman Young seconded by Alderman  
Conway which on being put there appeared for the  
same 11 against it 4 amendment carried

Motion for adjournment until  
to morrow at 2 o'clock is carried 12 voting for and  
3 against it

Wm. Pugsley Mayor

1856  
February 5<sup>th</sup>

William Grant and Samuel Carter  
Sworn into office as Wardens of the City  
in presence of His Worship the Mayor

City Marshal  
Sworn

George Juvin sworn into office  
as City Marshal in presence of His Worship the  
Mayor

At an adjourned Meeting held  
15<sup>th</sup> this day present His Worship the Mayor Aldermen  
Pugh, Anderson, Stairs, Murray, Morrissey,  
Cochran, Evans, Harvey, Sutherland.

There not being a quorum to do  
business the Council adjourned until to morrow

February 6<sup>th</sup>

At an adjourned Meeting of  
City Council held this present His Worship the  
Mayor Aldermen Pugh, Stairs, Murray,  
M<sup>r</sup>. Stuart, Cochran, Pugh, Wills, Pollock,  
Conway, Sutherland

There not being a quorum to do  
business the Council rise

Wm. Pugh Mayor

1856  
February 3

At a Special Meeting of City Council held this day present His Worship the Mayor, Alderman Pugsley, Anderson, Stainsbury, M. Heath, Young, Bell, Cochran, Evans, W. P. Pollock, Conway, King

The City Council were summoned to proceed with business standing over from last Meeting and the transaction of other Business

Read over proceedings of 4.5 & 6<sup>th</sup> February

Return of Com<sup>r</sup> of Poor for 12 year ending 31<sup>st</sup> Dec

His Worship the Mayor submits a copy yearly return of Commissioners of the Poor to 31<sup>st</sup> Dec<sup>r</sup> by Motion same is referred to Committee of Public Accounts

The following persons are appointed Five Constables

Appointment of Five Constables

Charles Pearce	for Ward	One
W. H. Neal	" "	Two
Villis	" "	Three
John Martin	" "	Six

Bond of City Treasurer approved

City Treasurer's Bond having been submitted the same is approved by City Council

Bond of City Clerk of License approved

City Clerk of Licenses Bond having been submitted the same is approved by City Council

Council next take up Alderman Pugsley notice of reconsideration given at last meeting when following resolution is introduced

Resolution

Resolved that the amendment to No 3 passed at the last meeting be now rescinded Moved by Alderman Pugsley seconded by Alderman Evans (which on being put there appeared for the same to be against it) the same is therefore lost.

1856  
February 8<sup>th</sup>

Read 2 Clause of Amendment where following amendment is introduced

Resolution rel  
to Tax on Minors

And be it further resolved 3<sup>rd</sup>  
No. Minor shall be taxed under the age of Sixteen years  
and that the tax so proposed shall be six shillings  
instead of five shillings named in the second for all  
minors between the age of 16 and 21 Moved by Alder  
Young seconded by Alderman Stairs. A motion  
is made ~~to~~ to allow Alderman Young to with  
draw his amendment leave not granted. amendment  
is then put when there appeared for the same 2  
against it 13 amendment lost,

The following amendment is next  
introduced

Resolution rel  
Road Tax

Resolved that every Male subject  
between the age of Sixteen and Twenty one years  
pay the sum of five shillings, or give two days labour  
Moved by Alderman Evans seconded by Alderman  
King which on being put there appeared for the same  
3 against it 13 the same is therefore lost and  
the names being called for they appeared thus

For Amendment	Against Amendment
Alderman King	Alderman Anderson
Evans	Harvey
Longard 3	Pugstay
	Stairs
	Pitlock
	McNeath
	Conway
	Murray
	Bell
	Ross
	Cochran
	Sutherland
	Young 13

The following amendment marked  
(B) is not introduced

Amendment  
to Resolution  
No 4

And be it further resolved that  
every minor above the age of Sixteen and under the  
age of Twenty one shall pay the sum of five shillings  
yearly - this resolution to supersede Clause by  
two of original resolution Moved by Alderman  
Cochran seconded by Alderman Conway which on  
being put there appeared for the same 13 against  
it 3 amendment carried,

1856  
February 2<sup>d</sup>

Read Clause No 3 when on being put is passed  
13 voting for it 12 against it

Read Clause No 4

when following amendment  
is introduced

Resolution rel. to  
Road Tax

Resolved that every person rated on  
the City Assessment on not above the sum of Two  
Hundred and fifty pounds shall pay the sum of  
ten shillings only and every other male Inhabitant  
able of Body put rated in the general assessment  
shall pay the sum of seven shillings and six pence  
this amendment to supersede fourth Clause of  
resolution. Moved by Alderman Bell seconded  
by Alderman Stairs, which on being put there  
appeared for the same 14 against it 2 the same is  
therefore passed,

Read Clause No 5

When following amendment is  
introduced

Resolution rel. to  
His Honor the Recorder  
Opinion of Committee  
legally conducting  
business

Whereas the proceedings before  
the Council by the proposed alterations of the present  
System of Street Repairs, is based on a certain  
report, said to be a report of a Committee appointed  
by this Council to devise some other method than  
that at present in existence, and whereas such  
report was drawn up considered in by only three of  
said Committee whose names are attached to such  
report. Be it therefore resolved as the opinion of  
this Council that the written opinion of His Honor  
the Recorder be taken as which number of a Committee  
of Six should be present to legally conduct any  
business committed to their charge. Moved by  
Alderman Evans seconded by Alderman Lindcutt  
which on being put is passed 10 3 voting for it  
and 12 against it

The following amendment (No 2)  
is next introduced

1856.  
February 8<sup>th</sup>  
continued  
Resol. rel to Tax  
on Carriage Horses

Resolved that the sum of thirty shillings be substituted for the sum of twenty shillings, to be imposed as a tax on the Carriage Horse. And every Horse in the City to be considered a Carriage Horse (excepting such Horses actually employed as Truck Horses, and for every second Carriage Horse 20s. and for every third do 20s.

Moved by Alderman Young seconded by Alderman Conway which on being put is lost 2 (voting) for and 11 against it

The following amendment 8<sup>43</sup> is next introduced

That it is Resolved the owner of a Horse or Horses shall for each Horse pay ten shillings Moved by Alderman Stairs seconded by Alderman Murray which on being put is lost 1 (voting) for it and 12 against it

The following amendment 8<sup>44</sup> is next introduced

Resolved that the fifth Clause do pass as a whole with the following exceptions that thirty shillings be substituted for ten shillings for the second carriage Horse Moved by Alderman Young seconded by Alderman Conway, which on being put is lost 3 (voting) for it and 11 against

The following amendment 8<sup>45</sup> is next introduced

Resolved that each Cab, Cart, Truck, Omnibus, Team, or Working Horse which is exclusively used for to aid in the support of and maintenance of the owner or Possessor thereof shall be taxed, and such owner or possessor shall be liable to pay for every such Horse the sum of Ten shillings, and that the owner or Possessor of every Saddle or Carriage Horse shall be taxed And liable to pay the sum of Thirty shillings for each Horse All Colts under the age of three years shall be excepted Moved by Alderman Robt seconded by Alderman Murray which on being put is lost 4 (voting) for it and 9 against it

Amotion

1856  
February 5<sup>th</sup>

A Motion is made that Clause  
8<sup>th</sup> 5 do now pass - which on being put there appeared  
for the same 9 against it 4 - Clause passed

Council adjourn until to morrow at Two O'clock

Wm. H. May

February 9<sup>th</sup>

At an adjourned Meeting of City  
Council held this day Present His Worship the  
Mayor, Alderman Stais Murray, Mr. Heath  
Bell, Cochran, Rejs, Wills, Harvey  
Pollock Conway

There not being a quorum to do business  
Council adjourn till Monday, at two o'clock.

Five Constables  
Sworn

Charles Pearce, N. H. Neal, Willis  
and John Marvin sworn into office as Five Constables  
in presence of His Worship the Mayor,

Wm. H. May

1856  
February 11<sup>th</sup>

At an adjourned Meeting held this day present His Worship the Mayor Alderman Pugsley, Stairs, Murray, Mc. Neath, Young, Bell, Cochran, Evans, Ross, Mills, Harvey, Pollock, Conway, Sutherland

February, Read over proceedings of 8<sup>th</sup> and 9<sup>th</sup>

Memo. of Wm Kennedy et al  
re Charter

Alderman Pugsley submits Memorial of William Kennedy and others relative to the alteration of Charter of Incorporation, received on Motion same is read

A Motion is made that said Petition be taken up on Wednesday next which is seconded

Amendment that said Petition do lie on the Table

Alderman Pugsley asks leave to withdraw and not to vote, leave granted

The amendment is then put when there appeared for the same 10 against it 2 amendments carried and the names being called for they appeared thus

For amendment	Against amendment
Alderman Conway, Stairs	Aldm <sup>n</sup> Young
Wills, Mc. Neath	Evans 2
Cochran, Murray	
Harvey, Bell	
Pollock, Sutherland 10	

Alderman Mc. Neath submits a notice relative to the sending of Constables for Members of Council.

The Council

1856  
February 11<sup>th</sup>  
continued

The City Council proceed with the amendment to resolution No. 3 relative to Streets.

Read Clause Six when on Motion same is passed

Alderman Bell moves following resolution

Resol. rel. to  
Road Tax

Resolved that all persons above Sixty years of age not rated in the City Assessment and though not rated on more than One Hundred and fifty pounds shall be exempt from any road Tax this exception not to apply to tax on horses owned by such Individual which being put there appeared for the same & against it & same is therefore lost. Moved by Alderman Bell seconded by Alderman Stairs.

The following Res. is next introduced

Resolution rel. to  
Road Tax.

Resolved that all persons above Sixty years of age not rated in the City Assessment though not rated on more than Two hundred and fifty pounds shall be exempt from any road Tax this description not to apply to tax on Horses owned by each Individual. Moved by Alderman Bell seconded by Alderman Cochran which on being put there appeared for the same & against it & the same is therefore lost.

Read Clause to which following amendment is introduced

Resolution rel.  
to alteration  
Clause 7

And be it further resolved that all the words in Clause 8<sup>th</sup> from the word "the City Clerk of Streets" to "shall classify" shall be left out. Moved by Alderman Ross seconded by Alderman Luther. And which on being put is passed.

The following resolution is next introduced

Resolution rel. to  
persons over Sixty and  
be exempt from Tax

Resolved that persons over Sixty years of age not being the Owner of Real Estate or Personal Property the value of Two hundred and fifty pounds be exempt from any Road Tax. Moved by Alderman Pollock seconded by Alderman Conroy to which following amendment is introduced.



1856  
February 11<sup>th</sup>

Read following opinion of His Honor  
the Recorder, In Council 11<sup>th</sup> February 1856

His Honor the  
Recorder's opinion  
rel. to Bill or  
Ordinance.

In reply I beg leave to say that the series  
of resolutions which the Council have passed being not  
an ordinance or Bill, but only intended as instructions  
on which a Bill may be framed do not in my opinion  
come under the restriction of Rule 28 which applies only  
to a Bill or Ordinance proposed by an Individual  
Alderman on his own responsibility alone

Beamish Mordaunt  
Recorder

On Action Council take up the Special  
Report of Street Committee as submitted and read 16<sup>th</sup>  
November (See Index 330)

Read Clause 3 of report when resolution (28<sup>th</sup>)  
is introduced

Resolution rel to  
Report of Street  
Committee

Resolved that Clause 3 in the report of  
Street Committee be adopted to enable the Council to  
pay for the Survey of the City and for general Street  
purposes Moved by Alderman Pugsley seconded by  
Alderman Sutherland which on being put there appeared  
for the same of against it & the same is therefore put.

Read Clause 3 & on Action same is passed

Read Clause "7" " " " "

Read Clause "8" when following resolution  
is introduced

Resolution rel to  
employment of  
Bridewell Men.

Whereas the tenth section of twenty  
fifth Chapter of the act of Incorporation empowers the  
Alderman who has charge of the Bridewell to employ  
the Prisoners thereof when and at what may be at  
variance with the common interests of the Citizens

And whereas it is the opinion of this  
Council that the labour of said Prisoners should be  
confined to Macadamising stones for the Streets and  
that said labour should be under the control of  
this Council,

1856  
February 11<sup>th</sup>  
continued

Be it therefore resolved that His Honor the Recorder be requested to revise the above section and prepare an Ordinance to effect the above named object, to be laid before this Council, and submitted for the approval of the Executive Government. Moved by Alderman Pugsley seconded by Alderman Stairs, passed.

The following resolution N<sup>o</sup> 8 is next introduced

Resolved that His Honor the Recorder be requested to prepare a Bill to embrace such objects and directions of the above report and the resolutions and amendments passed thereupon as may be necessary to send to the Provincial Parliament to effect the same. Moved by Alderman Sutherland seconded by Alderman Pugsley, passed.

Resolution rel to  
His Honor the Recorder's opinion

Council adjourns until Wednesday at Ten o'clock

Wm. Pitt Mayor

1556  
February 15<sup>th</sup>

(At an adjourned Meeting of City Council held this day present, His Worship the Mayor, Alderman Pugsby, Andersson, Stairs, Murray, Mc. Heath, Young, Bell, Cochran, Evans, Ross, Wills, Harvey, Pollock, Conway, Sutherland King and Longauts

Read over proceedings of 11<sup>th</sup> February 1856

Alderman Evans has leave to withdraw his notice of reconsideration given at last meeting

Alderman Bell  
leave of absence.

Alderman Bell asks leave of absence for four months he being about to proceed to England on Action leave granted.

Council next take up the Act providing for the repairs and maintenance of Streets.

On reading the 15<sup>th</sup> Clause the following opinion of His Honor the Recorder is read:

Opinion of His  
Honor the Rec-  
ord to Streets.

The Rule requiring an Ordinance to be read three times and discussed on different days does not affect the consideration of this Council upon any Bill intended to be sent up to Parliament. The difference being that upon an ordinance this Council exercises a legislative power while in respect of a Bill in Parliament the legislative power is to be exercised by the Assembly of the Province and all the Council can do with a Bill intended to become an act of Parliament is to go as Petitioners to Parliament to pray they will consider the same.

In Council  
15<sup>th</sup> February 1856

Beauvis. Muntosh  
Recorder.

A. Action is made that the Bill just read do pass, be fairly engrossed and transmitted by His Worship the Mayor to the town and County Members to be submitted to the Legislature for their sanction to which following amendment is introduced

1856  
February 15<sup>th</sup>  
continued

Resolved that the Bill now before the Council do lie upon the Table. Moved by Alderman Pugsley seconded by Alderman Evans which amendment being put there appeared for the same 4 against it 10 and the names being called, they appeared thus,

Alderman Anderson	Alderman Mills - King
Pugsley	Cochran - Murray
Pollock	Conway - McSheath
Evans - 4	Bourne - Ross
	10 Stairs - Sutherland

amendment lost

The original Motion is then put and passed

Read over an act to enable the Corporation to procure a General Survey of the City to which following amendment is introduced

Resolved that the sum of one thousand pounds be struck out and Five hundred pounds substituted in the Bill before the Council. Moved by Alderman Evans seconded by Alderman King which on being put is passed 10 voting for it and 4 against it.

A motion is then made that said Bill be fairly engrossed and transmitted by His Worship the Mayor to the Town and County Members to be submitted to the Legislature for their sanction.

Read an act to enable the Corporation of Halifax to make improved side walks in the City, which following resolution is introduced,

Resolved that the Bill now before the Council is in the opinion of this Council arbitrary in its principles and the materials proposed for the repairing of Side Walks viz Bricks is not in any way suited to the Streets of the City of Halifax.

Moved by Alderman Evans seconded by Alderman King which on being put is lost 2 voting for it and 13 against it.

Notice of reconsideration given by Ald<sup>r</sup> Evans

Resol. rel. to substituting five hundred for one thousand pounds in Bill before the Council

Resolution rel. to Bricks proposed for the Side Walks

Motion is then