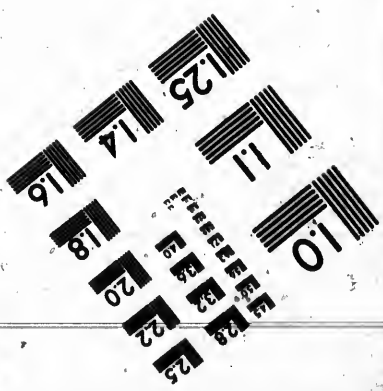
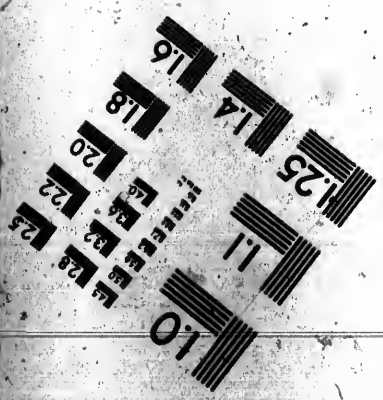
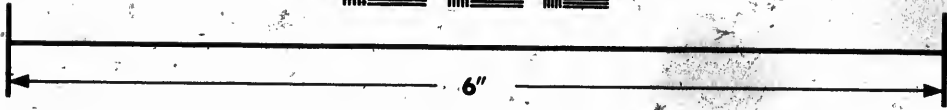
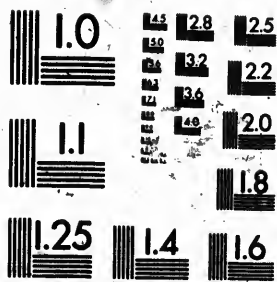


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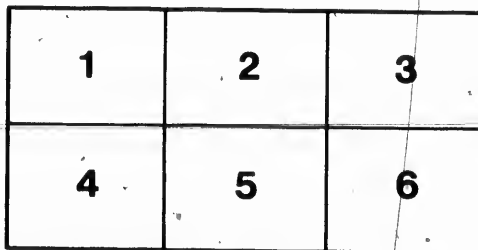
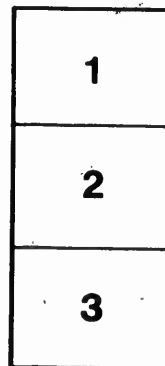
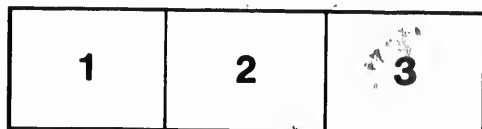
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THE
CHARTER
AND
ORDINANCES
OF THE
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IN THE
PROVINCE OF NOVA SCOTIA,
WITH THE
PROVINCIAL ACTS CONCERNING THE CITY.

COLLATED AND REVISED BY AUTHORITY OF

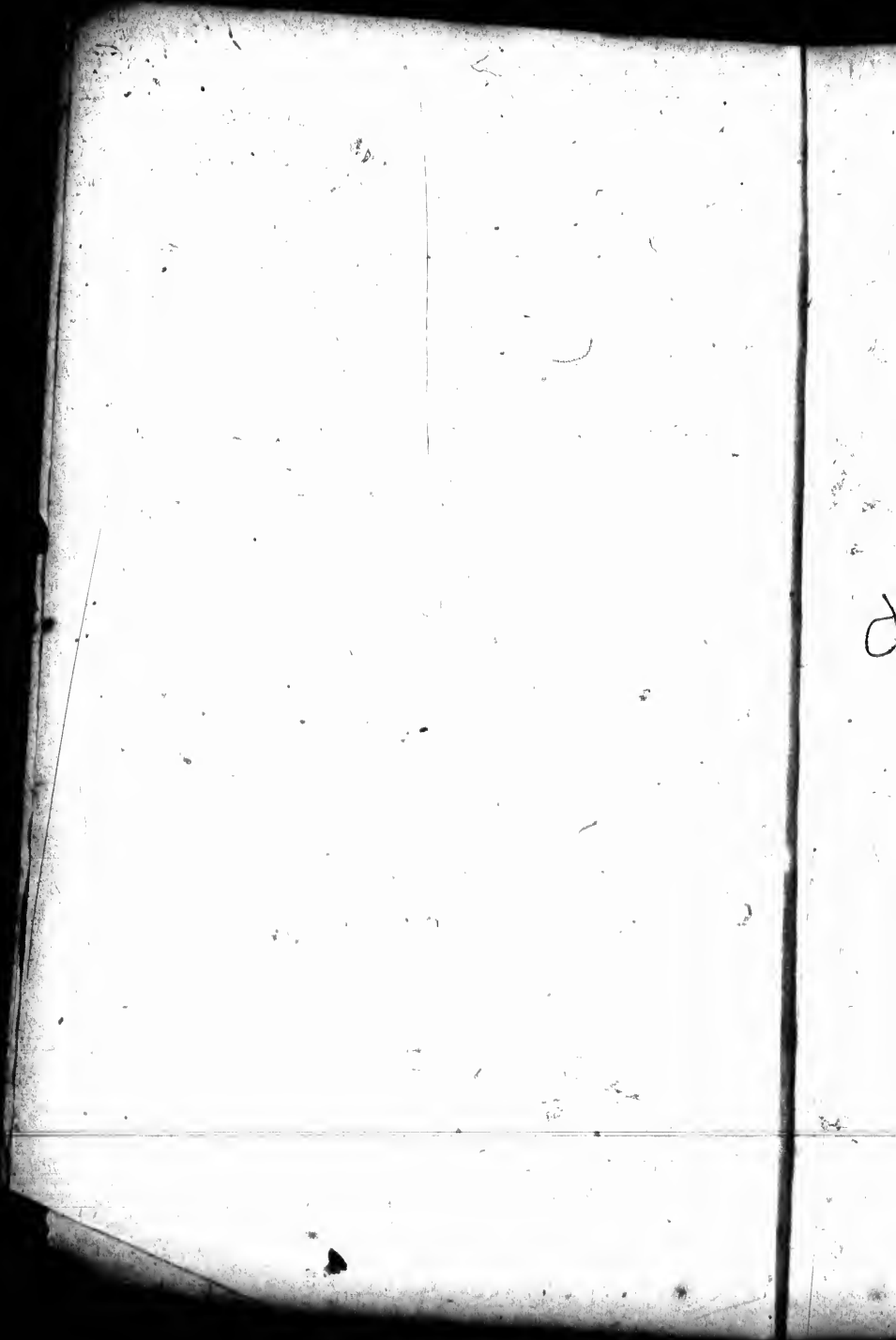
The City Council.

BY
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RECORDER.

HALIFAX, N.S.

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1851.



CITY COUNCIL

FOR 1851.

MAYOR.

WILLIAM CALDWELL, Esq.

Recorder.

BEAMISH MURDOCH, Esq.

City Clerk.

JAMES S. CLARKE, Esq.

Aldermen.

Ward No. 1.—THOMAS LAIDLAW,
GEORGE P. MITCHELL,
WILLIAM G. ANDERSON,

Ward No. 2.—HON. ALEXANDER KEITH,
BENJAMIN SMITHERS,
ROBERT NOBLE,

Ward No. 3.—JOHN WATT,
WILLIAM S. MORE,
PETER MORRISCY,

Ward No. 4.—WILLIAM MURDOCH,
JOHN NAYLOR,
JOHN ESSON,

Ward No. 5.—WILLIAM JOHNS,
WILLIAM ROCHE,
ROBERT H. SKIMMINGS,

Ward No. 6.—JOHN KING,
JOHN H. ANDERSON,
ALEXANDER KNIGHT,—*Esquires.*

Treasurer,—LAWRENCE HARTSHORNE, Esq.

City Marshal,—MR. GEORGE IRWIN.



AN ACT CONCERNING THE CITY OF HALIFAX.

PASSED 31 MARCH, 1851.

CHAPTER I.

OF THE INCORPORATION OF THE CITY OF HALIFAX.

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1. The inhabitants of the town and peninsula of Halifax are constituted a body politic and corporate, by the name of the CITY OF HALIFAX.

2. They shall as a Corporation, have perpetual succession, and a common seal, changeable at pleasure, shall be capable of suing and being sued in all courts of justice, and of acquiring, holding and conveying any description of property, real, personal or mixt.

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3. The town and peninsula of Halifax, and all docks, quays, wharves, slips and other erections connected with its shores, shall be included in and called the City of Halifax.

4. The City of Halifax is divided into Six Wards, the descriptions of which follow.

Number One. Commences on the shore on the East side of Water street, at a point opposite to the centre or middle of Wallace street; thence running Westwardly through the centre of said street to Barrington street; thence Northwardly through the centre of said street to the street known as the Spring Garden road; thence by the centre of the said street Westwardly to the termination thereof; thence Southwardly to the road which leads to the North-west Arm past Studley; thence Westwardly by the centre of said road to the North-west Arm; thence by the shore Southwardly and Eastwardly by the courses of the shore to the place of beginning.

Number Two. Commences on the harbour of Halifax at the centre of Noble's wharf: thence running Westwardly by the centre of Sackville street until it intersects the road which crosses the Common in the rear of Citadel hill; thence Northwardly and Westwardly through the centre of the said road past the Windmill hill to the shores of the North-west Arm; thence Southwardly by the courses of the said shore to the centre of the road which leads to the North-west Arm by Studley, being the northern bounds of Ward Number One; thence Eastwardly by the centre of said road, and by the Spring Garden road to Barrington street; thence Southwardly through the centre of the said street to Wallace street; thence Eastwardly through the centre of said street to the point of commencement of Ward Number One; thence by the harbour to the place of beginning.

Number Three. Commences on the harbour of Halifax, at the centre of Ryan's wharf, thence running Westwardly by the centre of Duke street across the Citadel hill to the road which crosses the Common in the rear thereof; thence Southwardly by the centre of the said road until it is intersected by Sackville street; thence Eastwardly through the centre of Sackville street to the point of

commencement of Ward Number Two; thence by the harbour to the place of beginning.

Number Four. Commences on the harbour of Halifax, at the centre of Leppert's wharf; thence running Westwardly by the centre of Jacob street to Barrack street; thence Northwardly through the centre of that street to the street which leads westwardly past the Barrack stores to the road which crosses the Common in the rear of Citadel hill; thence Southwardly by the said road to the northern line of Ward Number Three; thence Eastwardly by the said line until it strikes the centre of Duke street; thence through the centre of said street Eastwardly to the place of commencement of Ward Number Three; thence by the harbor to the place of beginning.

Number Five. Commences on the harbor of Halifax at the South-western corner of the Dockyard wall; thence running Westwardly by the centre of Gerrish street to Gottingen street; thence Northwardly by the centre of Gottingen street to North street; thence Westwardly by the centre of North street until (it) reaches the Dutch village road; thence through the centre of said road until (it) reaches the Brook which runs into the North-west Arm; thence Southwardly by the shore of the said Arm, until it meets the Northern line of Ward Number Two; thence by the said line Eastwardly through the centre of Windmill hill road to the road which crosses the Common in the rear of Citadel hill; thence Northwardly by said road until it is intersected by the road which runs westwardly from Barrack street past the North Barracks; thence Eastwardly through the centre of said street to Barrack street; thence Southwardly by the centre of said street to the centre of Jacob street; thence Eastwardly by the centre of said street to the place of commencement of Ward Number Four; thence by the harbor to the place of beginning.

Number Six. Commences at the South-western corner of the Dockyard wall; thence running Northwardly on the eastern side of the Dockyard, by the shores of the harbour and Basin northwardly to the place where the Basin road is intersected by the road running through the Dutch village by Titus Smith's; thence

Southwardly by the said road until it intersects the road leading from the town of Halifax past Hosterman's mills; thence Eastwardly through the centre of said road until it meets North street; thence Eastwardly through the centre of North street, until it intersects Gottingen street; thence by the centre of Gottingen street until it is intersected by Gerrish street; thence Eastwardly by the centre of Gerrish street to the place of commencement at the South-west corner of the Dockyard.

5. The Mayor and Aldermen shall constitute the City Council.
6. The number of Aldermen shall be in all eighteen, three representing each Ward.
7. There shall be two officers for each ward, to be called Ward Assessors.
8. The City Council shall have the power of making by-laws, and shall administer the revenues and finances of the City, shall have the charge and care of the city property, shall conduct its local government, and be authorized and competent to make, enter into and accept all contracts in relation to the business of the corporation.
9. The present Mayor, Aldermen, Recorder, City Clerk and other officers of the City of Halifax shall respectively continue in office, and be bound to serve for the residue of the terms for which they have each been elected or appointed.
10. Immediately after passing of this Act the City Council shall make a list of the Aldermen, by placing in numerical succession the six wards, and under each ward the names of the present aldermen in order of seniority, so arranged that those whose terms of service will expire soonest shall have priority, and every alderman hereafter elected shall be entered also thereon from time to time, Provided any alderman elected to fill a vacancy shall take the place on the list which the person he succeeds previously held.

ELECTIONS.

11. The elections of Mayor, Aldermen, and Ward Assessors shall take place annually, on the first day of October in the present and every future year.
12. In order to qualify a citizen to vote at any election of Mayor, Aldermen or Ward Assessor, he must be a natural born

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or naturalized male subject of Her Majesty, of the full age of twenty one years, not attainted of treason or felony, and must also have resided in the City of Halifax, for one year previous to the election, and have paid rates. (poor and city rates) therein during the year preceding such election.

Any person having a shop, store or office, in the city, and conducting a business therein on his own account solely, or as a recognized partner in business, for three years previous to any election, shall, although his residence is out of the city, be deemed to dwell in the ward in which he conducts his business, and, being otherwise qualified, shall have the right of voting therein.

13. To qualify a citizen to be eligible as Mayor, or Alderman, or as Ward Assessor, he must, in addition to the qualifications necessary to a voter, be the owner in his own right of property within the city, real or personal, of the value of five hundred pounds beyond the amount he may justly owe. Every Ward Assessor shall have been resident for one year before his election within the ward electing him, and no citizen shall be eligible as Mayor unless he shall previously serve for one year as a member of the City Council.

14. No person in holy orders, no minister or teacher of any religious congregation,—no judge or clerk of a court,—no ministerial law-officer of the Crown,—no person accountable for city taxes or revenues,—no person who having collected city taxes or revenues has not settled fully with the city for such collections,—no person in receipt of salary from the city,—and no acting inspector or poll clerk at a City Election—shall be eligible as Mayor, Alderman, or Ward Assessor.

15. The City Council shall have power to inquire into and determine on the eligibility of persons returned as elected to office, as Mayor, Alderman, or Ward Assessor, and if they find a person returned who is in their judgment not capable by law of being so elected, they shall declare the office vacant, and direct a new election to take place.

16. On the first day of October next, and thereafter on the same day annually, the Mayor, the senior Alderman of each Ward and the Ward Assessors, shall go out of office, and the citizens qualified to vote shall assemble and give their votes in the several wards in which they dwell, or in which they have paid rates on

their last assessment, for a Mayor, for an Alderman in each ward, and for Ward Assessors.

17. The evidence of payment of rates by a voter shall be the receipt signed by the City Treasurer, or by his agent appointed with the consent or recognition of the City Council, which receipts shall be produced at the time of voting, and lodged with the presiding officer.

18. The elections shall be conducted in each ward before one alderman presiding, and two or more inspectors. Such inspectors shall be qualified as voters and resident in the ward, and shall be each sworn before the Mayor, to the faithful discharge of his duties.

19. Before any election the City Council shall appoint the Alderman to preside thereat; and three Inspectors for each Ward shall annually be appointed by the Council twenty days before the general election, who shall be also Inspectors of all special elections held in the ward for the ensuing year. Any two Inspectors may act. Vacancies in the office of Inspector by death, inability, or refusal, to be filled up by the Council.

20. The Alderman and Inspectors shall receive, sort, count and declare all the votes given in the ward.

21. The poll clerk shall be appointed by the alderman presiding.

The poll clerk shall be sworn by the alderman presiding to the faithful performance of his duties.

22. Ten days before any election, notice shall be given by the Mayor of the place or places where it is to be held, the day and hour of beginning, and the name of the Alderman who is to preside at each ward. This notice shall be published in at least three of the City newspapers.

23. The poll clerk shall make a fair and true record of the election, and keep an exact journal of all the votes and transactions, entering each voter's name, and that of the street in which he lives, and any other fact the presiding officer requires him to note down.

24. Candidates shall be named by citizens duly qualified to vote. All votes given for any person, who has not been so nominated by some duly qualified citizen of the ward, shall be considered as thrown away. The citizen nominating a candidate must lodge his tax receipt with the presiding officer.

25. The votes shall be given by the citizens at the elections by ballot.

The ballot shall be a paper ticket which shall contain in writing or printing, or partly written or partly printed, the name of the person or persons for whom the elector intends to vote, designating on the back the office which the person named inside is intended to fill.

Each voter shall deliver his ballot folded up to one of the inspectors.

The inspector shall ascertain that the ballot is single, without reading it, and then shall deposit it without delay in the ballot box.

26. There shall be in the charge of the Alderman presiding one or more ballot boxes.

When the Mayor, Aldermen and Assessors are to be elected, there shall be three ballot boxes in each ward, to receive separate ballots from each voter for the different officers.

No ballot shall contain more names than there are persons to be chosen to office. No ballot shall be rejected because found in a box to which it does not belong, if otherwise correct: but a ballot if double, or containing more names than legal shall be rejected.

27. On opening the boxes, if it is found that the ballots in any of the boxes exceed the number of voters entered on the poll list, the ballots of that box shall be returned to the box, and well mingled; and then the presiding officer shall draw out publicly as many of them without looking at them as equals the excess, and destroy them at once.

28. At such elections the poll shall be opened at nine o'clock in the forenoon, and shall continue open till four o'clock in the afternoon of the same day, unless sooner closed as hereafter provided; and the name of each elector voting at such election shall be written in poll lists to be kept at such election by the poll clerk, and immediately after the final close of the poll, all the votes given in each ward being sorted, counted and publicly declared by the presiding officer and inspectors shall be recorded at large by the poll clerk, and in making such declaration and record, the whole number of votes or ballots given in shall be distinctly stated, together with the name of every person voted for and the number of votes given for each person respectively, and the pre-

siding officer shall proceed publicly to declare the persons having the majority of votes in their favour to be duly elected (except as to the office of Mayor.)

29. If there shall be at the final closing of the poll, an equal number of votes polled for two or more persons, the presiding officer shall give a vote for one or other of the persons having such equality of votes in order to give a majority to one of them, and determine the election; and the poll lists shall by the officers holding the same be delivered, on or before the day next after the conclusion of such elections to the Clerk of the City, to remain in his office. They shall be open for inspection to any elector on the payment of the fee of one shilling.

30. The presiding officer may at any time give public notice that unless some voter shall come forward to poll within an hour the poll will be closed; and if no voter comes forward within the hour the poll shall then be finally closed.

31. An inspector refusing to act, or declining or omitting to be sworn, for five days after notice of his appointment, shall forfeit and pay for such offence five pounds fine to the City.

32. Any person knowingly and wilfully voting at any election in the City held under this law, when not entitled so to vote, and fully aware that he is acting illegally; any person fraudulently putting in more than one ballot when voting; and any person who shall vote in more than one ward at any such election, shall forfeit and pay to the City the sum of ten pounds for every such offence.

33. Every person desirous of voting at any election for Mayor, Aldermen, or Ward Assessors, shall, before his vote be entered on the poll lists, if required by the officer or person holding any such election, or by any person qualified to vote at the same, make oath to the particulars of his qualification, and that he has not before voted at such election; which Oath the officer or person holding such election is hereby directed to administer as follows:

(Elector's Oath.)

I do swear, that I have resided in this city for one year or upwards now next preceding unless temporarily absent, (or have carried on business in this city for three years previous to this election, as the case may be,) and that I am of the age of twenty one years or upwards, and am a subject of our Lady the Queen.

and that in the last assessment I was rated in this Ward No. — for poor and city rates, and that I have paid the same in full, and that I have not before voted at this election, or any other election which is at this time being held for any other Ward, and that I am the person named in the receipt of City Treasurer now produced. So help me God.

Whenever a voter shall be so sworn, the poll clerk shall mark "sworn" opposite his name in the list of voters in his poll book.

34. If any person shall knowingly swear falsely as to any of the particulars of his alleged qualifications as a voter, he shall be guilty of perjury.

35. If any person at an election, for the purpose of giving a vote, shall knowingly and fraudulently offer a forged or altered receipt of the City Treasurer or his Deputy, or such a receipt belonging to another person as his own,—or shall vote falsely under the assumed name and character of any voter, he shall forfeit and pay to the City ten pounds, or shall be imprisoned for not more than six months in default of payment, and in every such case shall be incapable of voting or holding office in the City for the next seven years.

36. The alderman presiding at every election shall on or before the next day make a return to the Clerk of the City of the names of the persons having the majority of votes and declared by him elected, and, when an election of Mayor takes place, a return also of the names of the candidates and of the number of votes given for each.

The poll books and lists shall also be delivered to the City Clerk with the returns.

The term of office for an Alderman shall be three years unless when he is elected to fill an extraordinary vacancy, in which case he shall serve for the unexpired portion of the term of his predecessor only.

37. In an election of Mayor, the Council shall, in public, cause the returns to be read,—the votes for each candidate summed up;—and the person who has the greater number of votes in his favor, more than any other candidate, shall be declared to be the Mayor, on the same day or the day following the election.

In case of an equality of votes for Mayor, the Mayor or Al-

derman presiding in Council shall by his casting vote decide which of the candidates shall be Mayor.

38. The result of every election shall be published in the next Gazette.

39. The presiding officer at every election shall have full power to preserve peace, order and decency. All persons present are bound to obey him in so doing; and he may commit any one offending in this respect. The offender shall be sent to gaol for twenty four hours, and shall be also guilty of a misdemeanor.

OATHS OF OFFICE.

The Mayor, Aldermen, and Ward Assessors shall before entering upon the duties of their offices, respectively, be sworn, by taking and subscribing the Oath of allegiance, and Oath of office. These oaths shall be administered to the Mayor elect before the Governor, or in his absence before the Chief Justice or one of the Judges of the Supreme Court, in the presence of three Aldermen. The Aldermen and Ward Assessors shall be sworn to these oaths by the Mayor, after he has himself been sworn into office.

A certificate of such oaths having been taken shall be entered by the City Clerk in the City minutes.

The Oath of Office shall be as follows:—

I, A. B. do swear that I am duly qualified as required by law for the office of _____, that I am seized or possessed of, as the owner in my own right and for my own use and benefit of real or personal estate in the City of Halifax of the value of Five hundred pounds, beyond the amount of my just debts, and that I have not obtained the same by fraud or collusion to qualify myself for office, and I swear that I will faithfully perform the duties of _____ while I hold the office, with diligence and impartiality to the best of my ability. So help me God.

The blanks shall be filled up with the name of office before the oath is taken or subscribed.

After an election for a Mayor is held, until the new Mayor shall be declared to be elected and shall have been sworn into office, the Mayor previously in office, (or if there be a vacancy, the

Alderman presiding in the City Council) shall exercise the functions of Mayor.

If the person elected Mayor shall be an Alderman at the time of his election, having an unexpired term to serve in that office, the retiring Mayor shall occupy the place and office in the City Council of the Mayor then elect, for the rest of his term, unless the retiring Mayor give notice to the contrary to the City Council in writing, within two days after the new Mayor is sworn in.

VACANCIES.

40. If any extraordinary vacancy occur in the office of Mayor, Alderman or Assessor ; on a day fixed by the Mayor, or if it be a vacancy of Mayor, by the senior Alderman, after at least four days notice the voters shall elect a qualified person to fill the vacant office.

41. The election for a vacancy shall be conducted in all respects in the same manner as ordinary elections under this law.

42. All officers of the City who shall go out of office shall be capable of immediate re-election, if then qualified as required by law. But no person shall be re-elected to the office of Mayor until at least one year after the termination of his last occupancy of the office.

43. If at any election of Alderman, any person shall be elected for more than one ward, he shall within three days after make his option, or on his default the Mayor shall determine for which ward he shall serve, and another election shall be held in the vacant ward.

44. Any Alderman may resign office on payment of twenty pounds to the City. His resignation shall be in writing and signed.

45. Any Mayor or Alderman who shall accept any office or situation, that would have rendered him ineligible, shall become disqualified to act further as Mayor or Alderman.

46. Any Mayor, Alderman, or other officer who shall obtain an office or position which would exempt him from serving in the City office he holds, may resign his City office by written declaration delivered to the Clerk of the City without being bound to pay any fine or penalty.

47. Any Mayor or Alderman, bankrupt, insolvent, or com-

ounding by general deed of assignment with his creditors shall become disqualified.

48. Absence of the Mayor from the City for more than one month, and of an Alderman for more than three months, shall vacate their offices, unless in case of serious illness, or special leave previously obtained from the Council.

49. All special vacancies of office from death, loss of qualification, exemption, bankruptcy, insolvency, compounding or absence, shall be declared by Resolution of the Council before proceeding to fill up the vacancy.

PENALTIES FOR REFUSING OFFICE.

50. Every person duly qualified who shall be appointed or elected to the office of Mayor, Alderman, Inspector of Elections, Auditor or Ward Assessor, shall accept the office, or forfeit and pay to the Treasurer of the City to and for the use of the City, a fine as follows, that is to say: for the non acceptance of the office of Mayor, a fine of thirty pounds;—for the non acceptance of the office of Alderman, twenty pounds;—and for the non acceptance of the office of Ward Assessor, a fine of ten pounds,—and for the non acceptance of the office of Auditor, a fine of five pounds;—and for the non acceptance of the office of Inspector of Elections, a fine of five pounds.

The election to any office shall be presumptive evidence of qualification on the part of the person elected, unless he make oath before the Mayor that he is not possessed of the qualification for the office required by this Act, in some particular to be stated in such oath; and every person so elected shall accept such office by taking the oath of allegiance and oath of office, within five days after the notice of his election, or shall be liable to pay the fine for his non acceptance of such office, and such office shall thereupon be deemed to be vacant, and shall be filled up by a new election.

EXEMPTIONS.

51. No person disabled by sickness, lunacy, or imbecility of mind, shall be liable to such fine. Every person so elected, who shall be above the age of sixty-five years,—or shall already have served such office, or paid the fine for not accepting such office,

within five years preceding,—or who shall have served for two years as a member of the City Council,—also, every person who shall be a member of the legislature of this province,—or who shall be a member of the executive council,—or who shall have been a member of the executive council,—or of the legislative council,—if such exemption be claimed within five days after notice of his election, shall be exempted from office. Military, naval, or marine officers in Her Majesty's service on full pay, the surveyer general, the adjutant general of militia, the provincial secretary, clerks in public, civil or military departments, the postmaster general and his deputies, custom house officers, the sheriff and coroners, the clerks and commissioned officers of the legislature and of the executive council, and schoolmasters, shall be excused from serving any office in the city, and not liable to fines for not serving therein.

OFFICERS.

52. On the third day of October in the present and every succeeding year, or as soon after as the returns of the members elect shall be complete, the members of the City Council shall elect from persons qualified to be Aldermen, by a majority of votes, two persons, Auditors of the city, whose duties shall be prescribed by the by-laws of the corporation. Every such Auditor shall continue in office until the first day of October in the year following his election. No member of the City Council, nor any paid officer of the said city, shall be Auditor. In case of vacancy occurring the Council may appoint an Auditor for the residue of the year.

53. On the fifteenth day of October in every year, the City Council shall elect, by open voting, the following Officers:—

- A Recorder.
- A City Clerk and an Assistant.
- A City Treasurer.
- A City Marshal.
- A Clerk of Licences.
- Two Constables for each Ward.
- Two Clerks of the Market.
- Two or more Weighers of flour and meal.
- One or more Commissioners of Streets.

One or more Supervisors of Streets.

One Collector for each Ward.

One or more Pound keepers.

54. The City Council shall prescribe the duties of all officers of the city by by-laws, wherever the law has not expressly appointed and prescribed their functions.

55. All officers of the city shall give such security by bonds with good sureties or otherwise, as the Council shall direct and approve, and it shall be the duty of the Council to demand such securities from every officer who collects or receives monies for the city, or has the special custody of property or funds of the city.

56. All bonds and securities taken in the name of the city or for its security, shall before being laid before the Council for approval, be submitted to the Recorder, in order that he may certify that he is satisfied with the form in which they are drawn, and also of the regularity of the execution.

57. At the election of any officer whatever by the City Council, there must be twelve members present, besides the Mayor or chairman; and a majority of the actual number present, the Mayor or chairman being included in that number, must concur in such election.

58. If the Council shall not complete the election of officers on the day appointed, they may do so at any adjourned or special meeting afterwards.

59. The Council at the election of officers annually on the fifteenth day of October, may appoint such additional officers of any kind as they may deem necessary or expedient, to carry out the powers vested in the city corporation by law, and may remove any such officers at pleasure, and appoint others in their place.

60. The annual salary of the Mayor shall be two hundred and fifty pounds; of the Recorder two hundred pounds. The yearly salaries, compensations and allowances of all other officers of the city shall be such as the Council of the city may from time to time settle and appoint.

61. Whenever the City Council think it necessary, that any of the officers of the city shall be restricted from being engaged in business of any kind, which they conceive incompatible with the efficient and satisfactory performance of his duties of office, they shall have power, whether by by-law or resolution, to impose con-

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ditions to prevent the engagement or connection of their officers with any business or occupation they think objectionable, and to annex fines, suspension, or forfeiture of office, to any disobedience therein.

62. Any person not duly qualified and appointed, who shall assume the duty or presume to exercise the functions of any city office, shall pay a fine not exceeding ten pounds with costs, or not paying shall be committed to gaol for a term not over thirty days.

Any officer who having (*been*) dismissed lawfully shall continue to act as if in office, shall be liable to the same fine or imprisonment.

TREASURER.

63. The Treasurer of the city shall not pay any monies of the city without a written order for every payment, signed by the Mayor, or in his absence by the Alderman presiding in the place of Mayor, and countersigned by the Clerk of the city; nor shall he pay such money, unless the same be warranted by the express terms of this chapter, or of some by-law or resolution of the City Council.

64. The City Treasurer shall receive and collect all rates and taxes payable by the inhabitants of the city under this Act, and shall also receive all other monies of the city that are paid over to him, and be responsible for the same, and shall also have all the powers and perform all the duties belonging to the Treasurer of the County of Halifax, under any laws which now are, or shall hereafter be in force.

He shall be allowed five per cent. commission on rates and taxes collected by himself from individuals, two and a half per cent. on all monies received by him from any of the officers of the city.

If the commissions in any one year exceed three hundred pounds, the excess is to belong to the city.

65. The Treasurer shall on request give a written receipt to any person paying him money.

66. The City Treasurer before acting as such, shall be sworn before the Mayor to the faithful performance of the duties of his office, and shall execute a bond to the city with two sureties in the sum of two thousand pounds, conditioned for the faithful performance of his official duties, in such form as the Mayor may di-

rect or any by-law require. The bond and sureties must be approved of by the Council.

Whenever it appears requisite to the Council they may require a new bond, or additional or other sureties from the Treasurer; on his non-compliance for ten days they may vacate his office and elect another Treasurer.

In every case the Treasurer and his sureties remain responsible to the city for his acts and omissions; and his official character continues, until the same person or another is elected Treasurer, sworn into office, and his bond and sureties fully approved by the Council; unless by express order of the Council to the contrary suspending or annulling his functions.

67. The Treasurer of the city shall in books to be kept for that purpose enter true accounts of all sums of money by him received and paid as Treasurer, and of the several matters for which such sums shall have been received and paid; these books shall at all reasonable times be open to the inspection of any of the aldermen.

ACCOUNTS.

68. All the accounts of the Treasurer, with all vouchers and papers, shall in May and November in every year, be submitted by the Treasurer to the City Auditors, and to such members of the Council as the Mayor shall name on or before the first day of November in every year, or in case of any extraordinary vacancy of office, within ten days next after such vacancy, for the purpose of being examined and audited from the first day of November in the year preceding to the first day of May, and from the first day of May to the first day of November, in the year in which the Auditors shall have been elected; and if the accounts shall be found to be correct, the Auditors shall so certify. After the accounts shall have been so examined and audited in the month of November in every year, the Treasurer shall make out in writing and cause to be printed a full abstract of his accounts for the year, and a copy shall be open to the inspection of all the rate payers, and copies thereof or extracts shall be delivered to all rate payers applying, on payment of a reasonable price for each copy or extract, to be fixed by the Mayor.

69. The Clerk, Treasurer, and all other officers of the city,

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shall respectively at such times during their continuance in office, and also within three months after they shall respectively cease to be in office, whenever the Council shall direct, deliver to them a true account in writing of all matters committed to their charge under this Act or under any law relative to the government of the city; and also of all monies which shall have been by them respectively received as city officers, and how much thereof shall have been paid and disbursed, and for what purposes, with proper vouchers.

70. Every officer of the city, and every person who has held a city office, shall at all times when ordered so to do by the City Council or by the Mayor acting in conformity with any law, by law or resolution of the City Council, immediately pay over all such monies as may be in his hands belonging to or be due by him to the city, into the hands of the City Treasurer or of such person as the order may appoint to receive the same.

71. Every city officer or other person having possession or control over any books, accounts, documents, or papers belonging to the city or which the City Council has a just right to inspect, shall at once deliver the same to the City Clerk when required by the City Council or by the Mayor.

72. If any person shall refuse or wilfully neglect to account with the City Council for his official receipts and payments;—to pay over money which he owes to or withholds from the city, and for which he has become responsible as a city officer;—or to deliver to the City Clerk any books, accounts, documents, or papers in which the Council have a right of property or inspection on the city's behalf;—then and in every such case on complaint made on behalf of the Council of any such refusal or wilful neglect, to any Justice of the Peace for the city, district, or county wherein such officer or person shall reside or be, such Justice of the Peace shall issue a Warrant under his hand and seal, for bringing the offender before any two of Her Majesty's Justices of the Peace. Upon the offender not appearing or not being found, the two Justices shall hear and determine the matter in a summary manner. If it shall appear to such Justices that any monies remain due from such officer, on non-payment thereof by Warrant under their hands and seals, they shall cause such monies to be levied by distress and sale of the goods and chattels of such officer: and if suffi-

ent goods and chattels shall not be found to satisfy the said monies and the charges of the distress,—or if it shall appear to such Justices that such officer has wilfully neglected or refused to deliver such account or the vouchers relating thereto, or that any books, documents, papers or writings, in the custody or power of such officer in his official capacity, have not been delivered as aforesaid, or are wilfully withheld,—then and in every such case, such Justices are hereby required to commit the offender to the common gaol, there to remain without bail until he shall have paid such monies, or shall have made satisfaction to the Council,—or until he shall have delivered a true account, together with such vouchers, or until he shall have delivered up such books, documents, papers and writings, or have given satisfaction in respect thereof to the Council. *Provided always*, that no person so committed shall be detained in prison for want of sufficient distress only, for a longer space of time than three months,—or for any other cause above mentioned, for a longer period than twelve months. No prosecution of this nature shall be lawful unless commenced within three months after the offence has been committed. The ordinary remedies by action against any person holding office or who has held office under the city, or against his sureties, are not to be impaired or diminished by this law or by any proceedings taken under it.

73. The Commissioners of the Poor Asylum annually on or before the fifteenth day of December, shall file in the office of the City Clerk an account of all monies received and expended by them, in such form and with such details as shall be required by the City Council. This account shall be returned to the same auditing as the accounts of the city receive and disburse.

74. All boards, committees, officers and persons who shall collect, receive, expend, or disburse any public money belonging to the city or under its care or control, shall account to the City Council.

The City Council may direct the form and mode of accounting by resolution or by-law.

75. The Books of Account of the Corporation shall shew the amount, particulars, state and circumstances of the property, funds, taxes, effects and fees belonging to the city, the incomes and fees of its officers, and all its receipts and expenditures.

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The Books of Account of the city for the current and preceding year, shall be kept open and exhibited on the first Monday of every month in the City Clerk's office for the inspection of any citizen.

The city accounts shall be annually published after audit and approval, in such form and mode as the City Council direct.

THE RECORDER.

76. The Recorder shall be a Barrister of the Supreme Court of Nova Scotia, of at least five years' standing. It shall be his duty to afford legal advice and assistance to the Mayor and Council of the city in the performance of their respective offices, and when requisite in the business of the police court, to attend all meetings of the City Council, and to assist in hearing and determining cases before the Mayor's Court, and to take the charge and management of all legal business connected with the affairs of the city; to draft or revise all legal documents required by the city, and to act as counsel and attorney for the city in any suits in the provincial courts to which the corporation is a party. Before entering upon office he shall be approved of by the Governor, and sworn before the Governor or Chief Justice to the faithful discharge of his duties.

COUNCIL.

77. In all meetings of the Council a majority of the members present at such meetings shall determine all questions and matters submitted or under consideration, provided that the number present at the said meetings be not less than twelve besides the Mayor or chairman. The Mayor if present, shall preside; and in case of his absence such Alderman as the members assembled shall choose to be chairman; and in case of an equality of votes the Mayor or chairman presiding shall have a casting vote.

78. There shall be in every year Four quarterly meetings of the Council, held on such days as provided by by-law.

79. It shall be lawful for the Mayor to call a special meeting of the Council when and as often as he may deem proper, giving two days' notice. In case the Mayor should refuse, after a requisition for that purpose signed by five or more members, the requisitionists may call the meeting, giving three days' notice. The notice

shall specify the business for which the proposed meeting is to be held, and shall be signed by the members: In all cases of special meetings, a summons to attend the Council, specifying the business to be transacted, and signed by the City Clerk, shall be left at the usual abode of every member of the said Council.

80. The minutes of the proceedings of all meetings of the Council shall be drawn up and fairly entered in a book to be kept for that purpose, shall be signed by the Mayor or Alderman presiding at such meeting, and shall be open to the inspection of all persons qualified to vote at the election of Mayor or Alderman, on payment of a fee of one shilling. The meetings shall be held in public.

81. It shall be lawful for the Council to appoint from its members such and so many committees as they see fit, for the transaction of business, and for the discharge of such duties within the scope of their powers as may by the Council be prescribed, but subject in all things to the approval, authority and control of the Council.

82. The City Council at any meeting, when at least twelve members besides the Mayor or chairman shall be present, may from time to time make, alter, amend and repeal any by-laws or ordinances for the good rule, peace, government and welfare of the city, and for carrying into effect more fully all powers, functions and offices vested in the mayor, council and corporation by law.

83. Fines not exceeding ten pounds for one offence, and punishment by imprisonment in gaol or bridewell for a term not exceeding ninety days, may be annexed to any breach of any by-law of the city passed in accordance with this chapter, or of any by-law authorized by any present or future law of this Province.

84. No by-law of the city, whether passed under the authority given in this chapter, or that of any other law of the Province, shall take effect until approved and confirmed by the Governor in Council.

A copy of every by-law shall be transmitted with all convenient speed to the Governor; and it shall be lawful for the Governor in Council within thirty days after the receipt of it to disallow it, and such disallowance shall without delay be signified to the Mayor.

No by-law shall have any force or effect until it be so transmitted and approved; or until thirty days pass without disapproval, which shall amount to an approval and confirmation.

85. It shall not be lawful for the City Council to borrow on the credit of the city any sum of money whatever, unless otherwise particularly authorized by some Act of the Province.

ABSENCE OF MAYOR.

86. In case of the absence of Mayor, or of a vacancy in that office; one of the aldermen, in such rotation as the Council may direct, shall discharge all the duties of the office of Mayor in the Police Court, Mayor's Court, or otherwise, except that of presiding in City Council.

POLICE COURT.

87. The administration of Police within the city, and all the executive powers of the corporation, are hereby vested in the Mayor and Aldermen; and the Mayor, or in his absence one of the Aldermen next in rotation, shall daily attend in the public office for that purpose appointed, and constantly between the hours of ten o'clock in the forenoon and three o'clock in the afternoon, hold a Police Court for the city, and therein hear and determine every criminal offence and prosecution cognizable before one or more Justices of the Peace, and shall perform every act appertaining to the office of Justice of the Peace, necessary for the apprehension, committal, conviction and punishment of criminal offenders, and for carrying into effect the laws in force and the ordinances and by-laws of the city; and also in a summary manner hear and determine all larcenies where the value of the goods taken shall not exceed ten pounds,—receiving of stolen goods,—assaults,—batteries,—riots,—petty trespasses,—and breaches of the peace committed within the city,—and riots or disturbances at city elections;—and punish the offenders upon conviction, by imprisonment in the gaol or bridewell, not exceeding ninety days, or by fine not exceeding in any case the sum of ten pounds and costs of prosecution,—and in case of non-payment of the fine and costs, commit the offender to the gaol or bridewell for any time not exceeding ninety days:—Offences shall be prosecuted in every case within two months after commission;—no such conviction

shall be quashed for want of form, and no warrant of commitment shall be held void by reason of any defect therein, so as it be therein alleged that the party has been convicted of some offence named therein.

Nothing herein contained shall prevent the Police Court from binding persons charged with offences under recognizance with sureties to appear and answer in the Supreme Court or the Court of Sessions.

In no case where the said Police Court shall sentence any party to punishment by fine, or by imprisonment, or by fine and imprisonment, shall any appeal be allowed from such sentence, except by writ of *certiorari* or *habeas corpus cum causa*.

88. The following fees shall be paid to the Clerk of the Police Court for the use of the city in all business done in the Police Court.

For Affidavit,	one shilling.
Warrant,	two shillings and sixpence.
On service of process,	one shilling and three pence.
On a Recognizance,	three shillings.
On Judgment,	one shilling.
Warrant of Commitment,	one shilling.
Subpœna,	sixpence.

89. All persons violating the Sabbath by carrying on any game, play, or pastime, to the annoyance of their neighbours or the public,—common beggars,—fortune tellers,—gamblers,—habitual drunkards,—persons breaking windows, or damaging the property of others wilfully and mischievously,—lewd persons,—vagabonds,—runaways,—stubborn and refractory apprentices,—shall be liable to confinement in the gaol for one week for the first offence, and for any subsequent offence for a period not beyond thirty days.

The city constables shall arrest such persons, and bring them before the Mayor or Aldermen in the Police Court. If the arrest occurs after three o'clock in the afternoon, or upon the Sunday, or holiday, when the Police Court is not sitting, the prisoners may be kept in the lock-up house until the hour of eleven in the forenoon of the subsequent day.

90. The Mayor or Alderman, on being satisfied by inspection, confession or proof, that the persons so arrested ought, whether for their own benefit or that of others, not to be at large, may sen-

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tence them respectively to such imprisonment in the Bridewell,
with or without hard labour.

91. All persons shall be bound on request to assist the con-
stables in this or any other duty of arrest, and any one refusing
shall be fined not less than five shillings nor more than twenty
shillings, by the Mayor or presiding Alderman.

(Seamen.)

92. The Mayor and any one of the Aldermen holding the Police
Court shall have power, on the sworn complaint of the master, to
arrest any seaman of a British, provincial, or foreign vessel, who,
having signed regular articles and not being duly discharged there-
from,—shall wilfully absent himself from his vessel ;—and, after
hearing both parties, if he find the complaint well founded and
just, to compel the seaman to return to duty; if requisite also
to send him to gaol until the vessel is ready for sea, and give the
aid of the police constables in carrying him on board his vessel.

MAYOR'S COURT.

93. The Mayor's Court is to be holden on the second and
fourth Tuesdays of every month,—before the Mayor and one Al-
derman in rotation,—or in the absence of the Mayor before two Al-
dermen in rotation,—shall continue in session not longer in each
term than two days,—and shall have power and jurisdiction with-
in the city, over all civil actions *on contracts*, in which the whole
cause of action or dealing shall have arisen within the City of
Halifax, and shall not exceed *ten pounds*,—and when the de-
fendant shall prove an off-set of greater amount than the amount
proved by the plaintiff,—to give judgment for the defendant for
the balance due him ;—and also over all actions *ex delicto*, in-
cluding actions of trover,—assault and battery,—replevin,—case,
—detinue,—trespass to personal property,—and over trespass on
lands where the title is not in question ;—and slander,—wherein
respectively the damages claimed shall not exceed *five pounds*,—
and shall award costs in all cases in favor of the party succeeding.

The process of the Court shall be writs of summons, replevin,
capias, execution and subpoena, tested in the name of the Mayor,
and issued by the clerk under a seal, which the said Court is
hereby authorized to make and use, and in such forms as have
been used or shall be established by the City Council, and shall
be directed to the City Marshal or his deputy.

94. Whenever the judgment of the Court shall exceed twenty shillings exclusive of costs, the party aggrieved may appeal to the Supreme Court upon notice given in open Court, and execution shall be stayed upon sufficient security by recognizance being given on the day following the rising of the Court, to prosecute the appeal and produce the appellant in person to abide the judgment of the Supreme Court, which recognizance the said Mayor or any Alderman shall have power to take.

The party appellant shall enter his appeal and proceed thereon before the said Supreme Court at the first term thereafter; and shall bring up the judgment from the Court below, which on his default the appellee also may do; and the said Supreme Court shall try the cause *de novo*, or order the same to be tried by a jury.

95. In case of process or proceedings occurring by mistake or inadvertency, in any case where the Mayor's Court has not jurisdiction, the members and officers shall not be liable to pay damages.

96. No suit for any debt or dealings the whole amount of which shall not exceed ten pounds, and which shall have arisen within the city, shall be brought in any other Court, except by way of appeal to the Supreme Court.

97. The fees shall be taxed and allowed in the Mayor's Court as follows, viz:—

Fees due to the city, to be received by City Clerk, and paid over to Treasurer of city.

On Summons,—two shillings.

On capias and affidavit,—three shillings and six pence.

On trial and judgment,—five shillings.

Recognizance, or replevin bond,—two shillings.

Subpoena,—six pence.

Execution,—one shilling.

FEEES TO THE CITY MARSHAL.

Serving summons or capias } one shilling and nine pence.
including travel, }

On a discharge from arrest } two shillings.
with or without bond, }

On all monies collected and paid over under execution, five per cent.

98. The Mayor's Court shall try every cause that is contested, upon the examination of witnesses *viva voce*, and decide summarily without unnecessary delay.

99. Confession in writing or verbally given in open court may be recorded by the clerk, and judgment given thereon.

100. In case of debts or demands below twenty shillings, the issuing of a *capias* shall be in the discretion of the Mayor or presiding Alderman, and all the costs shall be subject to reduction if the court see fit, and no *capias* shall be issued unless the party applying make affidavit that the defendant is leaving the city, and unless a *capias* is granted the debt will be lost.

101. No fees shall be demanded or received by the gaoler or his subordinates for any prisoner upon process or execution from the Mayor's Court, or from any prisoner committed by the Mayor or any Alderman in any criminal case or breach of law.

102. The authority of the city officers and jurisdiction of the Police and Mayor's Courts, shall extend unto and over all acts, matters and things, civil or criminal, done upon the Harbor of Halifax, and South-east Passage, and the North-west Arm, and over that portion of Bedford Basin situate from Three mile house to the Narrows, extending five hundred feet into the water from low water mark, and the wharves, slips, docks and landings thereon: *Provided* such acts, matters and things, if done within the limits of the city, would be within the authority and jurisdiction of any of the officers or courts of the city; and the process, civil and criminal, which any court, or any officer of the city may have power to issue, or execute, shall and may be executed upon the Harbor of Halifax, the South-east Passage, and the North-west Arm, and the portion of Bedford Basin above limited; and for these purposes the Harbor of Halifax shall be considered as extending from Manger's Beach to Ferguson's Cove, and across the Narrows at the entrance of Bedford Basin, but not to include McNab's Island, or Duggan's Island.

103. When any person has been heretofore, or hereafter shall be committed to gaol, under any writ of execution, or mesne process, issued from the Mayor's Court, the Court, or the Mayor and any alderman or any two aldermen, shall and may extend to such person the benefit of any law that may be in force for relieving insolvent debtors from imprisonment.

CITY MARSHAL.

104. The City Marshal shall be the high constable of the city, and shall have the superintendance of all the city constables, and shall within the said city, have all the powers and authority in all matters criminal, and in cases of breach of the peace, and for preserving quiet and good order, which sheriffs by law have within their bailiwicks, and constables within their jurisdictions, and shall perform and discharge such other duties, and receive such fees and emoluments, as shall and may be appointed by any by-law or ordinance of the city.

105. It shall be the duty of the City Marshal or his deputy, to attend the City Council and the Mayor's Court, whenever they shall meet, and at all times to be at the command of the Mayor or officer presiding at the Police Court, and on all occasions to aid in the preservation of the peace of the city, and the observance of all laws in force therein; and he shall serve all writs, process, warrants, or orders, issuing out of the Mayor's Court or the Police Court.

106. The City Marshal shall, before he enter upon the duties of his office, be sworn before the Mayor, and also shall give bonds in such sum of money, and in such form as shall be directed by the Council, with two sufficient sureties, to be approved by the City Council, for the faithful discharge of the duties of the office, to be renewed when required, as heretofore provided in respect to the City Treasurer.

REAL ESTATE OF THE CITY.

107. All and singular the lands and real estate and all buildings thereon, which at any time heretofore have been granted, or conveyed, to or by any body politic or corporate, or to any person whomsoever, in trust for the use and benefit of the town of Halifax, or of the inhabitants of the town or peninsula, or for any public use and purpose within the same, or used or appropriated for any such public purposes; and all lots and parcels of land originally laid out or allotted, or now held for any such public purpose, or wherein the town of Halifax, or the inhabitants, or any body politic or corporate, or other person on behalf of the town, or for any public use, have or hath any title, interest, right, or benefit, at law or in equity, (including the County Court House,

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Public Markets, Rockhead farm, Bridewell, the water lot near Freshwater bridge, the water lots at the south end of the Basin, public landing places or slips, the new cemetery on the common, the common on the peninsula,) are hereby absolutely vested in and transferred to the said Corporation or City of Halifax, and shall be by the said Corporation or City of Halifax held, used and occupied (so long as this Act shall remain in operation) in fee simple, for the public and common benefit and use of the City of Halifax, according to the true intent and meaning of the original grant, purchase, conveyance, or assignment of the same respectively, subject nevertheless to and saving any interest, property, possession or right, which may have been acquired by any person, under and by virtue of the statutes of limitations, and reserving to all persons whomsoever, all charges, incumbrances, claims and demands, whether at law or in equity, now subsisting upon or against the said real estate or any part thereof, and the same shall be and remain a charge upon and against the said Corporation and City of Halifax, its estates, property and effects,—excepting herefrom the public penitentiary, the gaol, the churches, or other places of worship, the glebes, school houses, and grounds thereto appertaining, and the burial grounds heretofore in use, which are not intended to be affected by this chapter.

108. The City Council may at any time assess the sum of two hundred pounds to pay for the purchase of Rockhead farm of forty acres in Ward Number Six, in the general assessment.

109. The Council shall have full power to manage and lease the real estate of the city, provided that no lease of any part thereof for any time beyond five years shall be valid, unless previously submitted to the Governor in Council and sanctioned by their approval.

All leases of any part of the city property, shall be under the city seal, signed by the Mayor and countersigned by the City Clerk.

CITY DEBTS.

110. All debts heretofore due and owing by the Town of Halifax, shall be transferred to and become the debts of the said city, for the payment of which the real estate and all other funds of the said city shall be held liable.

111. The real estate, property, and funds of the city, shall continue liable and bound for the payment of all certificates and debentures heretofore issued by the city authorities, and now chargeable upon the city.

112. All monies arising from compositions for labor on the highways, or from persons licensed to sell spirituous liquors, shall be, and become part of the general funds of the city.

113. All public monies raised by assessments, and all monies due and payable as aforesaid, as well as all other monies to be hereafter raised by and under the authority of this Act, shall be chargeable with all debts heretofore legally contracted by the authorities of the Town of Halifax, or the said City of Halifax, or under the authority of the Justices of the Peace for the County of Halifax, or any of them, or by or under any other lawful authority empowered by Act of the Province to contract debts binding on the Town or city, and all such debts shall be payable out of the revenues and assessments of the city.

PENSION.

114. John Liddell, Esquire, shall be entitled to and receive during his life out of the funds from time to time in the hands of the City Treasurer belonging to the city, the sum of two hundred and fifty pounds per annum, in lieu of his salary and emoluments as police magistrate.

115. Public officers of the county, town, or city of Halifax, and other persons who at the time of the first incorporation of the city or subsequently, held any just claims upon the town or city, shall not be prejudiced therein by the repeal or expiration of the several Acts respecting the incorporation of the city heretofore in force, nor shall any creditor of the city be prejudiced in his rights by any such repeal or expiration of the Acts of Incorporation.

LICENSED HOUSES.

116. The Mayor, and any three of the Aldermen, shall have full power to grant licenses to innholders, victuallers, retailers and confectioners, within the said city; and also licenses for the sale of liquors of any kind. In granting such licenses the mayor and aldermen may annex thereto, such reasonable conditions in regard to time and place, and other circumstances under which such

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license shall be acted upon, as in their judgment the peace, quiet, and good order of the city may require.

117. The City Council shall from time to time make such by-laws as they may think proper, for the government of licensed houses and shops, and for regulating the hours for closing the same, in all respects as they shall deem necessary for the peace, quiet and good order of the city.

118. Bonds shall be given by all persons so licensed, in reasonable sums, and with sufficient sureties, to be approved of by the Mayor, conditioned for a faithful performance of the terms of their said licenses, and of all subsisting laws and regulations.

119. The Mayor and any three Aldermen shall have power to revoke or suspend any such license, if in their judgment the order and welfare of the city require it.

120. Any person who shall presume to pursue the said employments within the said city, without having first obtained a license therefor, or in any manner contrary to the terms of said license, or after the same shall have been revoked or suspended, shall be liable to the same penalties and forfeitures, and be prosecuted in the same manner as by law is or shall be provided, in case of exercising the said employments without license, and shall also be taken and deemed to have forfeited their bonds, upon which suits may be instituted against them or their sureties, at the discretion of the Mayor and Aldermen. All inn-holders, retailers, confectioners, victuallers, and all other licensed persons under and in pursuance of this Act, shall be liable for and pay the same license duty now or hereafter to be imposed by law, to the Clerk of the License of the said city.

121. The licenses granted and the bonds to be taken, shall be in the same form as is prescribed and appointed under the general laws of the Province respecting licenses to sell liquor, with such alterations as may be found necessary to suit the circumstances of the said corporation, and shall be signed by the Clerk of the License of the city, and approved of and countersigned by the Mayor.

122. The City Clerk of the License shall keep a correct list of the licenses granted in every year, with the names, additions and residences of the parties licensed, and also all their sureties, and the amounts of the license duty payable on every such li-

license, and shall return to the Mayor once in every quarter a written statement of the sums of money due and in arrears for license duty. All arrears of license duty shall be recovered in the Mayor's Court in the name of the City of Halifax, with costs, by the usual process as in civil suits.

123. Once every month or oftener if the Council so direct, the Clerk of License shall pay over to the City Treasurer the amount of license duty, and shall produce and file in the City Clerk's office a particular account of the monies received by him in every quarter for license duty, and also the receipt of the City Treasurer for the same; all penalties incurred and recovered for breach of any part of the license laws, or of the by-laws or ordinances of the city, made in reference thereto, shall be recovered before the Mayor's Court, in the name of the city as plaintiff, and shall be paid and applied one half to the person who shall inform, and the remainder to the City Clerk of License, to be by him accounted for, and paid over to the City Treasurer.

124. The City Clerk of License shall be entitled to commission of five per cent, *Provided*, that he shall not in any one year receive, together with his fees for such commissions, a larger amount than one hundred and fifty pounds, both for his fees on licenses and his said commissions, and the balance, if any, arising from such commissions and fees, shall be paid in to the City Treasurer.

125. In case where judgment shall be given against any person selling liquors without license, it shall be lawful for him to appeal from such judgment to the Supreme Court at its next Term, —the person appealing shall file a recognizance with two sufficient sureties, on the day following the rising of the Mayor's Court, to respond the judgment of the said Supreme Court, in case the said judgment should be confirmed.

SHOWS AND EXHIBITIONS.

126. The City Council may make by-laws to regulate theatrical exhibitions, and all public shows, and all exhibitions of whatever name or nature, to which admission is obtained on payment of money, on such terms and conditions as may seem just and reasonable, and to regulate the same, from time to time, in such manner as may appear necessary to preserve order and de-

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corum, and to prevent the interruption of peace and quiet, and subject to such by-laws, the Mayor shall in his discretion grant written licenses for the same; the person obtaining such license shall pay therefor such fee or sum of money as shall be prescribed by any by-law of the said city; and it shall be at all times optional with the said Mayor either to grant or refuse such license.

STREETS.

127. The City Council shall have power from time to time to divide the city into districts, and annually to appoint one Commissioner of streets to each district. The Commissioner so appointed shall have all the powers and authority by any present or future law conferred on Commissioners of streets in any of the towns of this Province.

128. The City Council shall have power to lay out any new square, street, road, lane, or highway, within the city, and for that purpose to direct a survey to be made, and to appoint three competent persons, not being interested in said road, or square, but who may be citizens and shall be compensated for their labor out of the city funds, to appraise the damages to be paid by the city to those whose lands may be taken up to form the road or square.

129. The appraisers shall notify the parties interested, and hear them, if required, and the appraisal being made by the three appraisers or any two of them, notice shall be given to each person whose land is taken, or to his agent, ten days at least before the meeting of Council at which it is to be confirmed. The Council shall give any party objecting to the appraisal an opportunity of being heard and of proving his objection by testimony. If the expences and damages appear to the Council excessive when compared with the utility of the work, they may suspend or abandon the undertaking at any period, compensating for any damage actually done.

130. Hereafter no proprietor or possessor of land in the city, shall lay out or open any new road or street over or on his property, of less than sixty feet wide, and the Commissioners of streets are authorized in their discretion wholly or partially to close up and obstruct any road, street, lane or thoroughfare whatever of less than sixty feet in width which may be hereafter laid out or opened.

131. All actions and proceedings to recover any fine or sum of money due within the City for non performance of Statute labor or road work, shall be sued for, in the name of the city as plaintiff.

DRAINS AND SEWERS.

132. The City Council shall have power to repair and improve drains and sewers, to lay out, excavate and complete new drains and sewers, and to make by-laws and regulations for protecting and keeping free, all drains, sewers and water courses within the city.

HACKNEY CARRIAGES.

133. No person shall keep or drive in the City of Halifax, any carriage, waggon, gig, chaise, sleigh or conveyance, for the carriage of passengers for hire, or to ply as a hackney carriage, cab or omnibus in the streets or lanes of the city, unless under a license for such purpose, previously obtained, from the Mayor and two aldermen, and such fee shall be paid for license, not exceeding ten shillings per annum, as the Council direct.

134. The City Council shall have authority by by-laws, to regulate the keeping, driving, plying, and general conduct of all carriages, waggons, gigs, chaises, sleighs, or conveyances, for carrying of passengers for hire in the city; and the fares and prices to be charged and taken by the keepers, owners, or drivers.

TRUCKMEN.

135. No person shall keep, use, or drive any cart, truck, car, sled or carriage of any kind, for transportation of any goods, merchandize, furniture, fuel or other articles whatever within the city, for hire, pay or wages, unless licensed as a truckman by the Mayor.

136. The City Council shall make by-laws to regulate the form and granting truckmen's licenses on giving security, the numbering and putting names on the trucks, and the stands where they may be stationed, and to prevent the leaving any trucks, carts, sleds, or other vehicles upon the streets or squares.

137. The licenses shall be signed by the Mayor and countersigned by the City Clerk, and be annually renewed. The sum of seven shillings and six pence shall be paid on every such license.

138. On proof of misconduct the Mayor and one alderman shall have power, if they see fit, to suspend a truckman's license for a fixed term, or to revoke and annul it.

139. The City Council shall make by-laws to fix the rates and fares receivable by truckmen for carriage of goods, merchandize, fuel, furnituro and other articles.

FURIOUS RIDING AND DRIVING.

140. The City Council shall have power by by-laws to restrain all persons from driving or riding in a disorderly, careless, improper, or too rapid a manner.

FIREWARDS.

141. The City Council may elect and appoint from time to time, annually or otherwise, as many firewards, and also as many fire constables for each Ward of the city, as they may deem necessary.

142. The City Council may also, in addition to the laws which may be at any time in force for prevention of fires, make any further rules and regulations on the subject by way of by-laws, that the welfare of the city appears to them to require.

143. The engineman in charge or command of any engine at the time of a fire in the city, shall have the same authority to command aid in drawing it to the fire as if he were a fireward.

144. Any person disobeying any order given by any alderman or fireward with a view to putting out a fire, or in drawing any engine, or hose, or other articles requisite thereto, may by order of the same or any other alderman or fireward be immediately arrested and detained by any constable, fire constable or other person present, and kept prisoner for any space of time not exceeding two hours, in order that obedience to the fire authorities may be enforced, and also that the name, abode and identity of the offender may be ascertained, to enable the officer disobeyed to proceed against him for the penalty then, or afterwards if necessary.

145. The City Council may impose a fine not exceeding five pounds, on any fireward or person appointed to the Board of Health, or any other officer nominated or elected by the City Council, upon whom no specific fine is by law imposed, who shall neglect or refuse the duties of such office, or shall refuse to qualify

himself for the same, agreeably to this Act: *Provided always*, That no such officer shall be obliged to serve more than one year in succession, or shall be liable to any fines for not serving, for a period of five years after he has so served or paid such fine.

ENGINE HOUSES.

146. The City Council shall have power to purchase sites for engine houses, and for buildings to receive hose, ladders and other things requisite for the use of the fire department, and to erect suitable buildings thereon, or to take or lease suitable premises for such purposes.

POWDER MAGAZINE.

147. The magazine for gunpowder situate in Ward Number Six, built by the town of Halifax under the authority of the Provincial Act of the eighth year of the reign of His Majesty King George the Fourth, and the lot of ground on which it is erected, are the property of the City of Halifax in fee simple.

The City Council shall appoint keepers of the magazine and regulate their duty and compensation.

The rate of storage to be paid to the city for gunpowder shall not exceed one farthing per pound.

CHIMNIES.

148. The City Council shall have all the power by by-laws to regulate the sweeping of chimnies and to license sweeps, which at any time have been or shall be conferred by law upon firewards, and to impose fines on neglect therein if any chimney take fire; and all suits for breach of the law in this respect shall be prosecuted in the name of the city.

LIGHT, WATER AND WATCH.

149. The City Council shall make by-laws, orders, and regulations for lighting the city, also for supplying water therein, and they may make any necessary contracts on behalf of the city for these purposes.

150. The City Council shall make by-laws, orders, and regulations for the protection of the property and inhabitants of the city, by establishing a sufficient watch at night, and for governing of the watch.

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Every person appointed to watch shall possess the powers and authority of a constable ; all opposition and resistance offered to any city watchman, shall be prosecuted and punished as offences committed against constables in the execution of their office.

151. The expenses of watch and ward, lighting the city, and supplying the city with water, shall be paid out of the general funds of the city, and may be included in the general assessment annually levied.

152. A sum of not less than four hundred pounds shall be annually included in the general assessment, for the purpose of supplying the city with public fountains and hydrants and fire plugs abundantly supplied with water.

The Halifax Water Company shall in consideration of the annual sum of four hundred pounds to be paid by the city, provide in the city eighteen fountains or hydrants, and twenty-five fire plugs, in such places as have been or may be appointed by the City Council, and shall afford the supply of water to the same constantly and abundantly, and for such further sum as may be agreed on, shall increase the number of the fire plugs at the request of the City Council, in accordance with the contract now subsisting or hereafter to be entered into between the City Council and the Halifax Water Company.

FUEL.

153. The City Council may annually appoint measurers of coal and cordwood sold within the city, and fix the rate of remuneration.

MARKETS.

154. The City Council may by by-laws regulate the sale of fresh provisions of all kinds, and the slaughtering of cattle, sheep and swine, and destroy all unsound and unwholesome provisions, fish or meat, and may enforce these objects by appointing clerks of the market and other officers.

DISTILLERIES, &c.

155. Distilleries of spirits, lime kilns, tanneries, slaughter houses, and all other establishments, manufactories or trades, dangerous or productive of serious inconvenience or discomfort to the persons living near them, shall not be established, continued,

or carried on in any part of the city, unless by express permission of the City Council, who shall have power to make by-laws from time to time to regulate the limits and location of any such establishment, and to affix such penalties to any violation thereof as they see fit; but all adjudications and decisions of the City Council shall be subject to appeal and revision by the Governor in Council.

DOGS.

156. The City Council shall have power by their by-laws to regulate the keeping of dogs within the city, and if they deem it expedient, to impose a tax not to exceed five shillings *per annum* for each dog, and to direct the destruction of any dog illegally kept.

MAGISTRACY.

157. The Mayor and Aldermen while in office, shall be Justices of the Peace in and for the City of Halifax, and each of them after taking the Oath of Justice of the Peace, which the Clerk of the City shall administer, shall have as full power and authority as if commissioned.

158. The City Council alone shall have all the jurisdiction, authority and power which before the passage of an act entitled "An Act to Incorporate the Town of Halifax," in the fourth year of her present Majesty's Reign (Anno Domini, 1841), could legally be exercised within the town and peninsula of Halifax, by the Court of Sessions of the Peace, and Grand Jury for the County of Halifax, or by any special Sessions, and the City Council shall also exclusively hold and exercise within the City of Halifax all powers, jurisdiction and authority whatsoever, that by any Act of the Province that may now or hereafter be in force are or shall be conferred upon the Sessions of the Peace, general or special, with or without the Grand Juries, in other counties of the Province generally. Whatever power, jurisdiction or authority is or may be conferred by any present or future law of the Province upon one Justice of the Peace, or upon two or more Justices, shall within the city, be held and exercised by the Mayor or any one or more of the aldermen, if one Justice be named, and by any two of them where two are required.

159. The City Council shall appoint annually within the city

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all township and other officers, who were formerly nominated by the Grand Jury and appointed by the Sessions, so long as the laws respectively under which such officers acted remain in force, or are substantially re-enacted. The officers appointed shall exercise their functions within the city only.

The City Council may by by-laws regulate the fees and compensations they are to receive, and may if they see cause, omit or suspend the appointment of any of those officers.

160. Officers whose power and authority are transferred to the City of Halifax, or to any of the several officers to be appointed thereunder, shall not so long as this Act shall continue and be in force, exercise any of the powers and authorities heretofore by law granted to, or inherent in them, which are by this Act transferred and granted to the City Council, or the officers of the city.

Justices of the Peace for the County of Halifax may not within the city hold or exercise any powers hereby transferred to the city authorities, but may still exercise therein any special authority not so transferred.

161. Nothing herein contained shall repeal or vacate the jurisdiction or sittings of the Court of Quarter Sessions for the County of Halifax, or their Special Sessions, or of the Grand Jury in matters of a criminal nature, or lessen their authority in other matters regarding other parts of the County of Halifax and not affecting the City of Halifax and its inhabitants.

BOARD OF HEALTH.

162. The City Council shall annually, as soon after the third day of October in each year as may be, appoint two fit and proper persons, from and out of the inhabitants of each Ward, who shall be qualified, by being respectively sworn to the faithful performance of their duties before the Mayor or one of the aldermen of the said city, within four days after notice of appointment; and shall, with the Mayor and aldermen of the said city for the time being, constitute the Board of Health for the city and harbor of Halifax and its out harbors and precincts, and possess all the powers, authorities, and duties vested in or imposed upon the Board of Health by any law of the Province which may at any time be in force.

Any order or proceeding of such board shall be deemed legal, notwithstanding the absence, neglect, or refusal to act of any mem-

ber thereof, so that six of the aldermen of the city shall have been present.

The City Council is to appoint a Clerk to the said Board, and make compensation to him out of the funds of the city for his services.

163. In case of any contagious or infectious disease existing or spreading among the citizens, the Council may expend to the amount of five hundred pounds in providing an hospital and accommodation for the sick of the city, and assess the city for the sum expended—such hospital to be under the care of the local board of health.

FORMER BY-LAWS.

164. All by-laws of the city which have been passed by the City Council and approved by the Governor and Council, shall remain valid and be in force until replaced by others on the same subjects, so far as they are not inconsistent with this Chapter, or any other express law in force within this Province.

ALTERING LIMITS OF WARDS.

165. The City Council may from time to time alter the limits of any of the Wards of the city by an ordinance or by-law sanctioned by the Governor in Council: an interval of five years shall always elapse between any such changes.

166. The Members of the City Council, and two Supervisors of Streets, to be appointed by the Commissioners of Streets, shall be exempt from serving on any jury within the city.

CITIZENS COMPETENT TO BE WITNESSES OR JURORS IN CITY CAUSES.

167. In actions, suits, indictments, informations, or prosecutions whatever, civil or criminal, at law, equity, or otherwise, in which the said city or corporation shall be a party concerned, it shall not be received or allowable as an objection to the competency of any witness, that he is a citizen or officer of the said city or corporation, but such objection shall go to the credit only; nor shall any such objection be allowed in any such case as aforesaid against any such person as jurors therein.

SUITS FOR PENALTIES.

168. All fines and penalties imposed by this Act or any other Chapter of this Title, of upwards of ten pounds, and for the recovery whereof no provision is made by this Act, shall and may be sued for and recovered by action of debt in the Supreme Court, in the name of the City of Halifax.

169. All fines and penalties amounting respectively to ten pounds, or below that sum, by this Act, or by any by-law or ordinance of the City Council made under the authority of this Statute or any other Act of the Province; for the recovery whereof no provision is made by this Chapter, shall be sued for and recovered in the name of the City of Halifax, before the Mayor's Court in the same manner as any debts can be recovered in the said Court, and all such fines and penalties when recovered shall belong to the city.

170. In every such suit, whether in the Supreme Court, or in the Mayor's Court, the defendant shall be entitled to the benefit of the Acts of this Province, from time to time in force, for relief of insolvent debtors: *Provided also however*, that when in and by this Chapter any period of imprisonment is prescribed, or may be ordered upon non-payment of any such fine or penalty, the defendant shall not be entitled to his discharge from imprisonment until such period so prescribed shall have elapsed.

171. All fines and penalties by this Chapter, or any by-law or ordinance imposed, which shall be received or recovered as aforesaid, and for the application whereof provision is not otherwise made, shall be paid over to the City Treasurer, and form part of the general funds of the city.

RESERVATION OF CROWN RIGHTS.

172. Nothing in this Act contained, shall in any manner derogate from, or affect, the rights of Her Majesty, except so far as the same may be clearly and distinctly expressed.

CHAPTER II.

OF ASSESSMENTS IN THE CITY OF HALIFAX.

1. The City Council shall have power to assess on the inhabitants and on the property within the city annually, such sum of money, not exceeding five thousand pounds, as may be necessary to defray the expences which they are by law authorized to incur on behalf of the city. This may be increased in any year by permission of the Governor in Council, to the extent of two thousand pounds additional, provided such increase be requested by a vote in which at least twelve members of the City Council concur.
2. The objects which may be provided for by assessment include the salaries and compensations legally granted to the officers and other persons employed in the business of the city, expences of police, of lighting the streets, of a night watch, of a supply of water; expences of fire department, maintenance of the bridge-well, repairs of city property,—the making, repair and improvement of the streets, and of sewers and drains, and roads,—and all other expences required in the due execution of the different powers and trusts, vested by law in the City Corporation, its Council or Officers.
3. On request of the Commissioners of the Poor Asylum for Halifax, specifying the sum they deem necessary, to be paid by the city for the support of the poor of the city in the Poor's Asylum for the year ensuing, the City Council shall be authorized to include in the foregoing general assessment the sum so specified, or a less sum if they think proper to reduce the amount proposed.
4. The Assessors annually elected by the several Wards of the City, shall within fifteen days after notice, in every year, assemble at the Mayor's Office, in the presence of the Mayor or acting Alderman, and select by ballot or otherwise, one Assessor for each Ward of those elected by such Ward, who shall thenceforward continue to be acting Ward Assessor; and whose duty it shall then be to assist the City Assessors hereinafter mentioned, to

make a fair and impartial assessment of his Ward; and in case any Ward Assessor so selected shall neglect or refuse to perform any of the duties of his office, he shall forfeit to the city for every such offence a penalty of ten pounds.

5. If the City Council shall deem any Ward Assessor so selected to be or to have become from illness or otherwise incapacitated for the performance of his duties, they shall be at liberty to appoint in his place the remaining assessor chosen by the same Ward;—who shall be liable to the same penalty for the neglect or refusal to perform any of the duties of the office.

6. The City Council shall biennially elect by open vote, two suitable persons, not being members of the City Council, to be City Assessors, to continue in office two years; and no person shall be considered ineligible to such office on account of his having already served therein. The City Council shall have power at any time to remove from office any City Assessor at their discretion.

7. Whenever a vacancy shall occur in the office of any City Assessor, who has not served out his full time, such vacancy may be supplied by a new election, to be held at such convenient period as the City Council may determine: and the person elected to fill such extraordinary vacancy, shall occupy the office and discharge the several duties thereof for the term then unexpired of the person whose place he shall supply.

8. Every City Assessor on acceptance of his office shall be sworn before the Mayor or some Alderman, to perform the duties of his office, and to make a fair and impartial assessment upon the city.

9. There shall be payable out of the city funds to each City Assessor, so long as he shall remain in office, such annual salary as the City Council may previous to his election appoint.

10. The City Assessors associating themselves with the Ward Assessors for every respective Ward in rotation, shall upon the order of the City Council proceed forthwith to make an assessment upon the respective Wards, for all sums of money legally authorized and directed to be assessed upon the city for city purposes and rates, for poor rates, and for the proportion of county rates chargeable on the city and its inhabitants.

11. The assessment shall be rated on the occupants of real es-

tate, being yearly tenants, and in all other cases on the owners of property, by an equal pound rate upon the value of the real and personal estate within the city,—whether such real or personal estate shall be possessed, occupied or owned by individuals, or by any joint stock company or corporation, according to the best knowledge and discretion of the City and Ward Assessors, subject to the exemptions hereinafter specified.

12. Under the term "personal estate," shall be included all household furniture, monies, goods, chattels, wares and merchandise, all ships and vessels, or shares in ships and vessels, owned by persons residing within the city; (whether such ships or vessels be at home or abroad at the time of the assessment,) city certificates or provincial securities; also all public stocks and stocks in public or private banking companies, water, gas, fire, marine or life insurance companies or associations, or other joint stock companies or corporations, whether public or private, doing business within the city.

13. Partners in business shall be assessed under the name of their firm, in the same way as individuals; notice to either partner or to the agent of the firm shall be valid.

14. The assessors shall value real estate at tenfold the amount of rent it produces or is worth.

15. All property real or personal belonging to Her Majesty, to the province, the county or city, all personal property of military persons residing in government buildings or barracks, or of officers or men of the navy residing in government buildings, every building erected for the use of a college, incorporated academy, or other seminary of learning, every building for public worship, every temperance hall, school house, court house and gaol, and the several lots whereon such buildings are situated, and the furniture belonging to each of them, every poor house, alms house, house of industry, and the real and personal estate belonging to or connected with the same, the real and personal estate of every public library, and all stocks owned by the city or province, or by literary or charitable institutions, shall be wholly exempted from assessment. This Section is not to exempt yearly and other tenants holding under lease from the city.

16. No person shall be assessed for his personal estate unless its value exceed fifty pounds.

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17. The owner or holder of stock in any incorporated or joint stock company liable to taxation on its capital, shall not be assessed as an individual for such stock.

18. The estates of deceased persons under control of their executors, administrators, or trustees,—the separate property of married women, and the property of minors, and other property under the control of agents and trustees, shall be rated in the name of the principal party or parties ostensibly exercising control over them, but under such description as will keep the rating separate and distinct from any assessment on such parties in respect of property held in their own right.

19. Every joint stock company doing business in the city shall be rated as if holding one hundred pounds of property for every six pounds annual net income or profit derived from its business done within the city. The president, secretary, manager, cashier, treasurer, or agent shall annually on or before the first day of March, make an affidavit in writing before the Mayor or an alderman, containing a precise statement of the actual net income of the company or corporation, derived from their business done within the city during the year ending on the thirty first day of December preceding. The party making this affidavit shall file it immediately with the City Clerk, and the assessors shall fix the rate accordingly. On default of this statement being duly filed the assessors may rate the company's income according to the best information they can otherwise obtain, and the company or corporation shall in addition to the rate, pay to the city a penalty of ten pounds for the neglect or omission of their officers or agents in not furnishing the statement of their profits by affidavit.

20. The City Assessors before proceeding to the assessment of the respective Wards, shall be provided by the city with a sufficient number of blanks to form valuation books, ruled and headed throughout in the following form.

Names.	Value of Real Estate.	Value of Personal Property.	Total amount on which assessment is to be levied.

The Assessors shall enter the name of each person, company, or corporation to be assessed separately in order, in the first or left hand column, the value of real estate stated in currency in the next column, of personal property in the third column, and the sum total of both in the last column, opposite each name.

21. As soon as the Assessors have determined the amount of real and personal property on which any person, company, or corporation is to be assessed,—having written down the names and sums, in ink or pencil in their blank valuation book, they may then or subsequently serve a notice of such valuation upon the person assessed or his agents, or on the company or corporation, their officer, clerk, or agent. This notice shall be in the following form, in print or ink :—

Name.	Value of Real Estate.	Value of Personal Property.	Total Amount on which assessment is to be levied.

We hereby give you notice that we have according to the best of our judgment made the above valuation of your real and personal estate in Ward Number —, on which the assessment for the current year is to be levied. If you wish to object thereto, you are hereby notified to furnish us or either of us at our office situate in — street, Number —, within twenty-one days from this date, with a written statement under oath, according to the form herewith served upon you.

To Mr.

} City Assessors.

Dated at Halifax — day of — 18

22. After service of the notice twenty-one days shall be allowed to the parties to be rated, or their agents, to furnish the Assessors with a written statement under oath, of their real and personal estate within the Ward in which the rating is to be made, in the following form :—

Statement of Real and Personal Property of _____ within Ward No. — in the City of Halifax, liable to Assessment.

Real Estate, Value £

Personal Estate, Household Furniture,
 viz. Monies,
 Goods, Chattels, Wares and Merchandize, }
 Ships, or Vessels, or Shares }
 thereof at home or abroad, }
 City Stock Certificates,
 Provincial Stock.

Total Am't. £ _____

City of Halifax, SS :

_____ of the City of Halifax — maketh oath and saith that the above statement is in all respects just and true, and that the sum of _____ pounds is the full value to the best of deponent's judgment and belief of the real and personal estate for which the said _____ is liable to be taxed within Ward Number — in the said City.

Sworn to this — day of)
 _____ A. D. 18 —)
 Before me

When such statement cannot be made within twenty-one days, from the absence or sickness of the party rated, a further time may be allowed therefor by the City Council.

23. The form of the Statement and Affidavit in the cases of all public and private banks, water and gas companies, insurance companies and agencies, marine, life, or fire, and all other joint stock companies and bodies corporate, shall be as follows :—

Statement of the real and personal property of _____ doing business within the City of Halifax, liable to assessment in Ward Number —.

Real Estate, Value, £
 Personal Estate, Furniture of Office, £
 viz. Goods and Chattels,
 City Stock Certificates,

of each person, company.
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Halifax City, SS.

_____ of the City of Halifax, _____ maketh oath and saith that the above Statement is in all respects just and true, and that to the best of this deponent's information and belief the sum of _____ pounds is the full value of the real and personal estate of the said Company liable to taxation in Ward Number _____ in this City, (exclusive of the net profits or income derived from the business done within the City during the year ending 31st December last, and that such net profits or income are truly set forth above.)

Sworn to this — day of }
 _____ A. D., 18 }
 Before me }

24. These statements may be sworn to before the Mayor or before any one of the aldermen, and must be delivered to the City Assessors or be left for them at any time on a week-day between the hours of ten o'clock, A. M., and four o'clock, P. M., at the office or place mentioned in their notices.
25. Whenever a person, company, or corporation to be assessed shall deliver a sworn statement agreeable to this law, the assessors shall accept and adopt the valuation sworn to.
26. The Assessors shall complete their valuation annually within sixty days from the date of the order of the City Council to commence their valuation, and then make immediate return of their books of valuation to the office of City Clerk, one for each Ward, clearly and correctly made up in writing and signed by them, and by the Ward Assessor acting for the Ward, or by any two of them.
27. The valuation books having been first seen and approved of by the City Council, shall be taken back by the City Assessors, who shall then proceed without delay to make up one general

book of assessment for the city, in which there shall be distinctly shewn, the amount of the rate upon each individual or company, distinguishing the portions assessed for city, county, and poor rates respectively in separate columns, in such form as the City Council may direct, and the assessment book being so made up by the assessors in duplicate, and signed by the City Assessors, shall be returned to the Office of City Clerk, and to the Clerk of the Peace, within fourteen days after the Council have approved of the valuation books.

28. As soon as the assessment book shall be accepted and approved of by the City Council, one copy thereof shall be deposited with the City Treasurer, who shall cause each person or company rated, or their agents, to be served with a notice in the following form :

Halifax, ——— 18 —

You are hereby notified that you are rated and assessed for the current year, 18 —, to pay the sum of — pounds — shillings, and — pence, for city, county, and poor rates, in Ward Number — Unless the amount be paid within thirty days, *ten per cent.* will be added thereto besides all charges and costs of collection.

City Treasurer.

To

29. If any person or company rated and assessed shall not pay the amount within thirty days after service of notice, the City Treasurer may issue a Warrant of distress to collect it, in the following form.

City of Halifax.

To the City Constables or any of them.

Whereas ——— is indebted to the City in the sum of ——— for rates for the year 18 —, and has omitted to pay the same after full notice so to do. You shall forthwith distrain the goods and chattels of the said ——— for the said sum and ten per cent. additional ; and if within seven days after distress made, the amount of the rate with ten per cent. and your reasonable charges in this distress, not exceeding three shillings per day, be not paid you,

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you shall sell the goods and chattels so distrained upon to satisfy the same. Halifax, ——— 18

City Treasurer.

30. If the money assessed be not collected and paid over to the Treasurer under the warrant of distress, he may sue for the amount inclusive of the ten per cent., or for so much as is not collected, as in case of debt. The action to be in the name of the city. The Treasurer's certificate in writing shall be presumptive evidence of the rate being due and unpaid, and shall be sufficient to entitle the city to a judgment without further proof, unless a good and just defence can be made thereto.

31. Any person absent from the Province, and any company whose effects are not to be found, or are insufficient to levy upon by way of distress, may be proceeded against according to the provisions of the absent debtor laws for rates due to the city.

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CHAPTER III.

OF THE POOR ASYLUM.

1. The poor of the City of Halifax, who by law are chargeable upon its inhabitants, shall be accommodated, supported and relieved in the City Poor Asylum.
2. No pension, out-door allowance, or other relief granted to persons not residing in the Asylum, shall be granted or paid out of any funds raised by assessment in the city.
3. The Honorable Edward Kenny, the Honorable Mather Byles Almon, the Honorable Hugh Bell, George Norton Russell, James Walton Nutting, William Lawson, Charles Twining, Henry Pryor, Thomas S. Tobin, William M. Allan, Thomas R. Grassie, and Andrew M. Uniacke, heretofore the Commissioners of the Poor for the town and peninsula of Halifax, and their successors in office, shall be and continue a body corporate under the title of "*The Commissioners of the Poor Asylum.*"
4. All the lands and premises in the city with the buildings thereon, now held or occupied by the said Commissioners, shall be vested in The Commissioners of the Poor Asylum in fee simple. [The title to the land adjoining the poor house, formerly called the new burial ground, is not to be affected hereby, nor the title of any part of the common now under lease.]
5. The Commissioners shall each hold office while resident in the city, but may be removed by the Governor in Council at their discretion.
6. Every vacancy in the Commission shall be without delay supplied by such citizen as the remaining Commissioners or the major part shall recommend, and the Governor in Council shall approve.
7. The Commissioners by vote of a majority shall have power to make, change, amend, or annul regulations and by-laws for the rule and government of their own corporation, the appointment of

all necessary officers, keepers and servants, their duties, terms of office and compensation, or salary; also for the government and management of the Poor Asylum, and all its inmates,—the admission and discharge of paupers, their food, drink, clothing, washing and lodging,—the medical attendance and treatment of the sick paupers, the custody and treatment of the insane and imbecile, the admission of visitors, the due observance of the Sabbath within the Asylum, the keeping proper records, journals and accounts, and for securing, as far as circumstances permit, the health, comfort and improvement of the inmates of the Asylum.

8. All by-laws and regulations now in force in the Asylum or hereafter adopted, shall be without delay submitted to the approval of the Governor in Council, and when confirmed by them, but not sooner, shall have legal effect; and a copy of every such by-law and regulation shall be transmitted to the Mayor of the city for the information of the public, and be printed in the Royal Gazette at the charge of the city.

9. The Commissioners shall have power to receive all gifts, bequests and trusts for the benefit of the poor of the city, or for relief of other poor persons within the city, or any other charitable and benevolent purpose, and to apply the same as the donors may desire or direct.

10. Any other poor, sick, or distressed persons not chargeable on the city, may be taken into the Asylum and relieved by the Commissioners out of any funds they may receive by grant from the provincial treasury or otherwise. Such persons shall be in all respects subject to the rules of the asylum, and no charge for their support shall be made to the city or its inhabitants.

11. The Commissioners shall have power to appoint and at pleasure to remove all officers and servants of the Asylum, to make all necessary purchases and contracts for the repair of the buildings, the furniture, bedding, food, clothing, implements, materials for industry, and every other thing required in the Asylum for the maintenance and employment of the paupers.

12. The direct superintendance of the Asylum shall devolve on one of the Commissioners monthly by rotation, in such order and with such special powers as their by-laws may define.

13. Any disobedient or refractory inmate may be expelled from the Asylum by written order of any two of the Commissioners.

14. A Register shall be kept, in which shall be duly entered at the time the admission and discharge of each inmate of the Asylum, and such other particulars and transactions as the Commissioners may direct.

15. Regular books of account shall be kept, shewing all receipts and expenditure of money by the Commissioners, or under their authority.

16. An account shall be kept with each pauper, shewing his expense and crediting his earnings, and if he earns more at any time than he costs the Asylum, he shall have the balance for his own use.

17. A distinct and separate account shall be kept and annually made up, shewing the expenses incurred in the relief of all paupers legally chargeable upon the City of Halifax, in which the persons so chargeable shall be specified, including their fair proportion of all general expenses,—all orphan children and infants whose parentage is unknown, to be considered as a city charge. This account shall be annually rendered by the Commissioners to the City Council, on or before the fifteenth day of December, and when approved by the City Council the amount of it shall be included in the general assessment on the city, but no other sum shall be charged on account of the poor in the city assessment.

18. The Commissioners shall annually publish in the Royal Gazette an abstract of their accounts, shewing the numbers of city poor, of transient paupers, the amount of expenses and of monies received, with such other particulars as they deem useful.

19. The Commissioners of the Poor Asylum shall twice a year, in January and June, send to the City Clerk a correct list of all the inmates therein, shewing when each one was received and discharged, also conveying such information as they may possess of the birth-place or settlement, and of the age and state of health of each inmate; and these lists shall be carefully preserved in the City Clerk's office, and be accessible to any citizen by permission of the Mayor or any Alderman.

20. The Commissioner's accounts shall be annually audited in such manner as the Governor in Executive Council may from time to time direct.

21. No commissioner, officer, servant, or inmate of the Asylum, shall be a contractor for supply of any articles required, nor

have any commissions or emolument on any purchases or sales connected with the Asylum.

22. Ardent spirits shall not be admitted or kept in the Asylum, except under medical charge for the use of the weak and sick, when ordered by a physician.

23. The Commissioner, or any three or more of them, shall have power to bind out any boys or girls who are maintained in the Asylum, as apprentices,—the boys until twenty one years of age, and the girls until eighteen, or marriage. These apprentices are not to be taken out of the province, and are to be fed, clothed, lodged, and instructed by the party to whom they are bound. The Commissioners, or any three of them, may execute the indentures and affix their corporate seal. They shall preserve a duplicate executed by the master or mistress of the apprentice and duly attested.

24. All powers and authority conferred by any law of the Province, now in force or hereafter to be passed, upon the overseers of the poor, or upon any other officers entrusted with the care and relief of the poor, shall be held and exercised by the said Commissioners.

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CHAPTER IV.

OF THE BRIDEWELL.

1. Prisoners sentenced to imprisonment in the Bridewell, and persons condemned to be confined there as vagrants or otherwise, shall be kept at work, unless when sick or infirm.
2. The earnings of prisoners shall belong to the city, in order to assist in defraying the expenses of the Bridewell.
3. The Keeper shall be appointed and removeable by the City Council at their pleasure.
4. The City Council shall have power by their by-laws to make regulations, and from time to time to change, alter, or annul them, respecting the government and administration of the Bridewell,—the keeper, officers and servants employed there,—the lodging, raiment, food, drink, health, and safety of the prisoners therein, their periods and hours of labour and repose; their classification as to sex, age, or otherwise,—their religious or moral instruction, the visitors who may be admitted, the regular and periodical inspection of the establishment, its records, accounts and expenses,—by any by-laws or ordinances.

CHAPTER V.

OF THE COMMON.

1. The several lessees and their assigns, and those who derive title under them, to whom leases were granted under an Act of this Province passed in the fifty-eighth year of His late Majesty King George the Third, Chapter thirteen, of certain half acre lots lying on each side of the road leading westwardly from Pyke's bridge, out of the original Common of Halifax, for the term of nine hundred and ninety-nine years, shall hold the same agreeably to the terms of their leases, as modified by the Act passed in the tenth year of the reign of His late Majesty King George the Fourth, Chapter thirty-second.
2. The portions of the Common which have been under former laws appropriated as a public cemetery, as well as a portion containing twelve acres, granted and relinquished to the Crown by an Act of the Province passed in the first year of His late Majesty King William the Fourth, Chapter fourth, shall all remain and be for ever so appropriated. All other leases and appropriations which have been heretofore lawfully made of any portion of the Common, are hereby confirmed.
3. No person shall put up any building, fence, or other erection, within eighteen hundred feet of the salient angles of the fort-ress of Citadel Hill, without the permission of the commander-in-chief of Her Majesty's forces in this Province;—and in time of war, in case of a hostile attack upon Halifax being threatened, the commander-in-chief may demolish all buildings, fences and trees within that distance which may be upon any part of the original common, and no compensation shall be due to the party damaged.
4. The exercising ground at the north end of the Common shall remain always open and free for the use of Her Majesty's troops.
5. Subject to the foregoing appropriations and leasehold inter-

ests, the Common shall be vested for ever in the City of Halifax in fee simple.

6. The City Council shall by their by-laws make rules and regulations for the care, management and improvement of the Common, and may impose fines not to exceed forty shillings, on every person who shall trespass thereon in any way. Persons convicted of digging up the soil, of encumbering it with manure, offal, dirt, ashes, earth, stone, or rubbish; of destroying, removing, or damaging buildings, fences, trees, or shrubs thereon; of injuring the ponds, or taking from them ice or water, or using the same in any way contrary to the regulations in force, shall in addition to the penalty be liable to pay all expenses incurred in behalf of the city in removing encumbrances, and in making good damage, and the value of any thing taken away or damaged;—which expenses or damages may be recovered before the Mayor's Court at the suit of the city if not exceeding ten pounds, and if above ten pounds in the Supreme Court.

7. Cows, oxen and sheep may be, if the Council see fit, permitted by the rules and regulations to be kept on the Common, on such conditions as they may prescribe. All such animals if found there contrary to the regulations, and all horses, asses, mules, swine and goats found there, shall be impounded and only released on such terms as the regulations shall prescribe.

8. All rents accruing from the leased parts of the original common, shall be collected under the direction of the City Council, and form part of the revenue of the city.

9. The City Council shall have power to appropriate any sum annually received from the rents of the common, in the improvement and adornment of the parts of it not appropriated or leased.

10. The Nova Scotia Horticultural Society shall be free from payment of rent under the leases of eleven half acre lots, part of the original common, held by them for the unexpired residue of the term of nine hundred and ninety-nine years, so long as such lots shall be occupied and used by the Society as a public garden, the other conditions of the leases remaining valid; but if any part cease to be so occupied and used, it shall be again subject to rent.

The other portions of the garden leased to the Society for thirty three years, shall be hold under the terms of the lease or leases granted by the city.

11. The title of the Crown, or of the Ordnance Department on behalf of the Crown, to a certain piece of land on Windmill or Camp Hill, is not to be affected by this Chapter.

12. The City Council may grant leases of any portions of the Common, not to exceed in the whole one hundred acres, for any term of years not longer than fifteen years, on such rents and conditions as they think proper, and on condition that no building be erected thereon.

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CHAPTER VI.

OF THE CEMETERY.

1. Several enactments having been made by the Legislature of this Province at different times, with a view to obtain and secure to the City of Halifax a public Cemetery for general use, and that object having been at length accomplished,—the respective titles of the city to the land contained in the public cemetery, that of the Roman Catholics to the land held as a Roman Catholic cemetery, and that of the Officers of Ordnance for military purposes, or of Her Majesty to any land conveyed and now held under these enactments, are hereby confirmed.

The enactments referred to are the Act of (1829) the tenth year of the reign of His late Majesty King George the Fourth, Chapter thirty-two, Section eight—in (1833) the third year of the reign of His late Majesty King William the Fourth, Chapter thirty-two, Section first—in (1837) the seventh year of the reign of His late Majesty King William the Fourth, Chapter seventy-six—in (1838) the first year of the reign of Her Majesty Queen Victoria, Chapter seventeen—in (1839) the second year of the reign of Her Majesty Queen Victoria, Chapter twenty-five—in (1840) the third year of the reign of Her Majesty Queen Victoria, Chapter forty-seven—in (1843) the sixth year of the reign of Her Majesty Queen Victoria, Chapter thirty.

2. The City Council shall have power by their by-laws to provide for the care and custody of the public cemetery, and to make all rules and regulations necessary for managing and improving it.

3. The religious principles and sentiments of all persons shall be respected in the framing of such by-laws.

4. The portions already set apart to congregations shall continue under their charge, subject to the general control of the City Council to regulate and to control and to preserve the order and appearance of the whole.

5. No clergyman shall officiate in the portions so set apart, except the minister of the congregation to which they belong, or some one by his permission.

6. There shall be a keeper of the public cemetery annually elected by the City Council, who shall fix his compensation. He shall be sworn to the faithful discharge of his duties. He shall keep a book of register and enter therein every burial that takes place in the cemetery, with the name, sex, age and cause of death as correctly as may be. Of this book there shall be duplicate originals, one to be lodged in the office of the city clerk. These books, or either of them, shall be legal evidence of the fact of burial.

7. The Council may direct the further division or allotment of any portion of the public cemetery not already set apart.

8. The purchasers of lots in the cemetery who have paid for them shall hold the same in perpetuity for them and their kindred.

9. The Council may sell the remaining lots in perpetuity.

10. The purchasers of the lots shall hold and use them, if situated within the allotment of any congregation, subject to the rules of the congregation, and further subject to any by-law of the city respecting the fencing, planting and mode of using them.

11. The city shall keep a record of all lots sold, with the requisite particulars to verify the holders' titles.

12. A fee of five shillings for registry shall be paid to the keeper for the use of the city, upon every interment; and no other fee or charge shall be exacted. In case of paupers no fee shall be exacted.

13. The external walls or fences of the public cemetery shall be kept up and repaired at the charge of the city.

14. No one shall bury the dead in any part of the city except in the public cemetery, the Roman Catholic cemetery, the Military burial ground at Fort Masy, the Navy burial ground opposite the Naval Hospital, and the cemetery adjoining the episcopal chapel near Dutch Village Brook, adjacent to the bridge at the Threemile house. To offend against this shall be a misdemeanor punishable by fine and imprisonment.

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CHAPTER VII.

OF THE TRACK OF STEAMERS IN THE HARBOR OF HALIFAX.

1. In order that the track of the steam ferry boats between the city and Dartmouth may be kept clear—vessels are not to be anchored, moored, or to lie within the portion of the harbor of Halifax following:—

The space contained within a line drawn from the north-east corner of the Market-wharf to the north-eastern corner of the Steamboat dock, as a western boundary,—a line from the north-eastern corner of the Steamboat dock, extending in a direction towards the west end of Boggs' street in Dartmouth, until it reaches a point six hundred feet from the south-east end of Bauer's wharf, where a buoy shall be kept as a northern boundary,—a line from the north-east corner of the Market-wharf, in the direction of the north side of that wharf protracted eastwardly into the harbor six hundred feet from the end of the wharf, at which point another buoy shall be kept—and a direct line to reach from one of these buoys to the other, as an eastern boundary.

2. In order that the passage for the Royal Mail Steamers may not be impeded—no vessel shall be anchored, moored, or lie in the part of Halifax harbor to the southward of Collins' wharf, within a space to commence fifty fathoms from the eastern extremity of the line of wharves on the western side of the harbor, thence to extend one hundred and fifty fathoms eastwardly towards the centre thereof,—nor in that part of the harbor north of Collins' wharf any nearer than one hundred and fifty fathoms to the west side of the harbor, to be measured from the eastern extremity of the wharf which is nearest to such vessel.

3. If the master or other person in command of any vessel shall wilfully violate the foregoing provisions, as the limits appointed to be kept clear for the benefit of the ferry steamers, he shall pay a penalty not exceeding forty shillings, or if having under any cir-

circumstances anchored, or moored, or being within these limits, he shall not remove the vessel therefrom within two hours after written notice to that effect, he shall pay a like penalty, unless the state of the weather should make it dangerous to the vessel.

4. If the master or other person in command of any vessel, shall either place it at anchor, or suffer it to remain within the limits appointed herein to be kept clear for the track of the Royal Mail Steamers, he shall pay a penalty of forty shillings, and after notice to remove given by the agent or some officer of the steamers, a further penalty of ten shillings an hour until the vessel is removed.

5. Vessels entering into, going out of, or lying in, or at any dock, wharf, quay or pier, or dropping anchor in progress of coming or going, are not to be construed as violating the limits, if there be no unreasonable delay.

6. If any vessel shall from any cause be within the prescribed limits at night, a sufficient light shall be exhibited at the masthead, or some conspicuous place, from the time darkness sets in,—if the vessel be within the space first described, until half past ten in the evening,—and if the vessel be within the space to be kept clear on account of the Royal Mail Steamers, to be exhibited until the return of daylight,—under a penalty of forty shillings, to be paid by the master or person in command of the vessel.

7. No steamer entering or leaving Halifax harbor (vessels of war excepted) shall, while inside of George's island, proceed at more than half her usual speed, under a penalty of ten pounds, to be paid by the owner, master, or agent.

8. Penalties under this Act may be recovered in the Mayor's Court, and shall be sued for in the name of the city, and if paid shall be for the use of the city.

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CHAPTER VIII.


 OF AUCTION LICENSES.

1. AUCTION Licenses in the City of Halifax shall be granted by the City Council, and shall be made out and issued by the Clerk of the Licenses, upon payment to the City Treasury of a duty of twenty pounds, and every such license shall continue in force for one year.

2. The City Clerk and the City Clerk of Licenses shall each for the entry and issuing such license and all proceedings connected therewith, be entitled to a fee of five shillings for the use of the city.

3. If any person shall act as an Auctioneer within the city without being thereto licensed, he shall for every offence forfeit fifty pounds. But nothing herein contained shall extend to sheriffs or other officers selling under process of law, or the order or direction of any court.

17 March, 1851.

Then

passed in the House of Assembly.

(Signed)

W. YOUNG,
Speaker.

Assented to 31 March, 1851.

(Signed)

J. HARVEY,
Lt. Governor.

29 March, 1851.

Then

passed in Council.

(Signed)

MICHAEL TOBIN,
President.

COMMISSIONERS OF STREETS, &c.

The following sections of chapter 64—(title 19,)—the general act in the new code of revised Provincial Statutes passed 1851, respecting Streets and Commissioners of Streets, are in force within the city, as are also chapter 65 and 99 of same code.

6. The subsequent provisions of this chapter shall extend to the city of Halifax, and the commissioners of streets therein, unless where specifically excepted.
7. The commissioners shall appoint a clerk and receiver of monies, and subdivide their districts, and assign a part to each commissioner.
8. The commissioner shall remove all incumbrances upon the streets, prevent encroachments thereon, make repairs, alterations, and improvements therein as required; open and make new streets when authorized, make and repair bridges, and cause to be observed the laws touching the streets and bridges, or the work to be performed thereon; and especially shall call out, sue for, levy and receive from the inhabitants liable to perform highway labor, the monies, services, highway work and penalties, and composition therefor, due, payable, or to be performed by them; and shall prosecute for offences committed against the laws relating to highways, and sue persons holding monies appropriated to the repair of the streets, or not paying any penalty appropriated thereto.
10. The commissioners shall from time to time cause the streets within their divisions to be cleared, repaired, raised, sunk, altered, or paved, as they may deem proper, and may also cause to be dug and carried out of or brought into the streets, materials from the shores of the harbors, doing as little injury as possible in any case to the proprietors of the soil, and may employ and pay boatmen; carts and laborers, as they may judge conducive to accomplishing the designs of this chapter; and may also make contracts for the repairing and paving of the streets; and may compound with persons by the year for such sum in advance as they may deem reasonable for the proportion of highway labor or

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payments to which such persons may be liable; and may put up bars and fences to shut up streets while undergoing repairs; and may raise, sink, alter, or new lay, drains, water-courses, pipes, and sewers, as they may think proper, causing as little detriment to individuals as the case will admit of; and may cause the course of gutters, water-courses and channels, running in or through the streets, to be altered as they shall think proper.

11. Persons residing within the foregoing limits respectively, shall keep the gutters and streets before the houses, buildings, or land inhabited, or occupied by them, free from dirt, filth and nuisance of every kind; and whenever any incumbrance or nuisance shall be found in any of the streets, the persons before or nearest whose house, building or land the same shall be, shall forfeit twenty shillings, and also pay the expense of removing the same; and any commissioner may cause the removal thereof without giving notice to the owner, or being in any way answerable therefor; but no person shall be liable to this penalty unless he shall have placed the nuisance or incumbrance in the street where found, or not having so placed it shall suffer the same to continue twenty-four hours.

12. Persons by leave of the commissioners may place in the streets materials for building, and erect posts, bars, or enclosures for securing such materials, and continue the same for such time as the commissioners may give leave, and in manner as they shall direct, and not longer or otherwise on pain of forfeiture.

13. The commissioners may cause wells to be dug, and pumps to be placed therein, in the streets where they shall judge necessary and convenient, in manner as they shall direct.

14. The commissioners shall cause all things belonging to any building or cellar, or to any ground or enclosures thereof, which may occasion any nuisance, encroachment, or annoyance in any street, to be removed or altered in manner approved by them or their surveyor; or if it can be done without particular inconvenience to the public, may suffer the same to remain, upon the proprietor giving security that it shall not be repaired or rebuilt, and also paying to the commissioners a reasonable annual ground rent for the part of the street encroached on during the continuance of the encroachment.

15. Persons intending to build upon or close to, the line of a

street, shall, before digging a foundation or beginning the building, apply to the commissioners to cause the line of the street to be defined and laid out, and shall defray the expense of a surveyor if necessary to employ one, and shall dig the foundation and erect the building within the line, avoiding any encroachment; and if any person shall erect a building upon the line of the street without making such application, and having the line so ascertained, he shall forfeit ten pounds, and shall also remove the encroachment, or otherwise the commissioners may remove the same, or take the steps allowed by law in cases of common nuisances.

16. When the commissioners shall have proceeded to ascertain the line of the street on the application of any person about to build thereon, and he shall be dissatisfied with the line pointed out by the commissioners, a judge of the supreme court shall, upon application of either party, issue a precept to the sheriff or his deputy, to summon a jury of twelve disinterested freeholders to meet at some convenient day therein mentioned, to view and lay out the line: and the jury shall have an oath administered to them by the sheriff or his deputy, well and truly to lay out and establish the line of the street according to their best judgment, and the witnesses tendered shall be sworn by the sheriff or his deputy; and if the jurors or either party require it, a new survey of the line shall be made, and the sheriff or his deputy shall make a return forthwith under the hands of himself and the jurors, to the judge, who if he shall approve thereof, shall confirm the return, and the same shall be filed in the office of the clerk of the peace; but if the judge shall not approve of the return, a new precept shall be issued, and further proceedings had thereon in manner prescribed as to the first precept, and so on until a return be confirmed; and the judge shall direct how and by whom the expenses of the proceedings shall be paid, and the same shall be taxed by the judge and shall not exceed ten pounds.

17. No person shall break up the soil of a street without first making application to the commissioners in writing, specifying the purpose for which such breaking up is required, and obtaining their permission therefor in writing; and the commissioners may impose such terms upon the person applying as the security of passengers shall appear to them to require; and any person acting contrary to this section or to the terms imposed by the commissioners, shall for every offence forfeit five pounds.

18. Every person who shall drive any carriage, or ride over a side path, or roll or place heavy articles over or on the same, to the injury or obstruction of the side path, shall for every offence forfeit not less than five nor more than forty shillings.

21. The commissioners shall have all the powers by law vested in surveyors of highways, and no surveyor of highways shall have any power within their jurisdiction.

22. Monies and forfeitures payable under the foregoing sections may be sued for and recovered by the commissioners in their name of office as commissioners of streets for the place for which they have been appointed, or in the individual names of them or any of them, in the same manner and with the like costs as if they were private debts, and when recovered shall be applied by the commissioners to the repair of the streets, or other the purposes of this chapter.

23. No action shall be commenced against the commissioners or persons acting under them until twenty days' notice in writing shall be given to one or more of the commissioners, nor after six months next after the act committed for which the action shall be brought, and every such action shall be laid and tried in the county within which the commissioners have jurisdiction.

24. The word "commissioners," when used in this chapter, shall include the commissioners of streets, or the major part of them within their respective jurisdictions, unless otherwise expressed or repugnant to the sense; and the word "streets" shall include highways, lanes and bridges.

CHAPTER 65.

OF HIGHWAY LABOR IN THE CITY OF HALIFAX.

1. EVERY person within the city of Halifax keeping a cart, team, or truck, shall at the time notified by the commissioners of streets, send one cart, team, or truck, with two oxen or two horses, or with one horse if he shall own no more, and one able bodied man to drive the same, to labor on the streets of the city for four days in every year; and if he shall not attend and labor, he shall for every day's omission, forfeit if owning two or more horses, ten shillings, and if owning only one horse, seven shillings.

2. Every hired servant, minor, apprentice, journeyman, and

day laborer shall, at the time notified by the commissioners, and provided with the necessary tools directed by the commissioners, work for two days.

3. Every other person able of body between the ages of sixteen and sixty, shall at the time notified by the commissioners, and provided with the necessary tools directed by the commissioners, work for six days in every year.

4. The following persons are exempt from the provisions of this chapter:—Military persons, and persons holding commissions from her majesty in the civil or military departments of the army; teachers of academics or grammar schools, and licensed school-masters; the officers, clerks, and persons employed and borne on the books of her majesty's ordnance department, naval-yard, victualling establishment, and naval hospital establishment, in Halifax. This latter class of exemptions not to extend to more than forty persons in all, whose names shall be from time to time furnished by the heads of the departments to the city clerk.

5. Persons within the city keeping carts, teams, or trucks, who being sixty years old or upwards are exempt from labor under the foregoing provisions, shall nevertheless, when summoned so to do, send their carts, teams, or trucks, to labor four days.

6. A day's labor when mentioned in this chapter, shall mean ten working hours, and the labor shall be performed by the person liable, either by himself or his hired yearly or monthly servant, to be approved of by the overseer.

7. The commissioners shall, as often as they deem necessary during the winter, order the inhabitants to work with their horses, oxen, and sleds, on the streets, in order that the same may be rendered passable; and every inhabitant not complying with the order shall, for every omission, forfeit ten shillings, but no person shall be compelled to furnish more than one day's labor of himself and team for any one fall of snow, or to work in any case where the fall or drift of snow shall not exceed twelve inches in depth.

8. When the commissioners shall deem the labor of men more useful than the employment of carts, teams, or trucks, then the persons by this chapter required to furnish carts, teams, or trucks, shall, instead thereof, be required under the like penalties to send two men provided with the necessary tools, and to labor for the time hereinbefore prescribed.

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9. Every person resident in the city, and keeping carts or trucks with more than two horses, shall, besides the performance of labor hereinbefore prescribed, pay for the additional horses over two the following sums annually, viz: for a third horse seven shillings, and for a fourth and every other horse five shillings each.

10. Every person resident in the city, who may keep horses not employed with trucks or carts, or for which he may not be subject to the labor or payments hereinbefore provided, shall pay for such horses annually, as follows, viz: for one horse seven shillings, for each additional horse five shillings.

11. Persons not performing the labor on the streets under this chapter, when summoned six days previously by a notice in writing from the commissioners, or any person acting under them, and delivered personally or at the usual place of abode of the party, shall forfeit for each day's labor to which he may be liable three shillings.

12. Moneys and forfeitures under this chapter shall be recovered in the name of the city in the same manner and with the like costs as private debts, and the proceeds shall belong to the general funds of the city.

CHAPTER 99.

OF FIRES AND FIREWARDS.

1. THE provisions of this chapter shall extend to the City of Halifax, and the following towns, viz: Windsor, Bridgetown, Annapolis, Digby, Yarmouth, Shelburne, Liverpool, Lunenburg, Chester, Dartmouth, Pictou, New Glasgow, Antigonish, and Sydney, Cape Breton.

2. The extent of such towns for the purposes of this chapter shall be confined to the limits within which the commissioners of streets have jurisdiction, but may be altered by the sessions, and the sessions may also divide the towns into different wards, and may appoint such limits where there are no commissioners of streets.

3. In Halifax appointments and other proceedings which, as respects other places are hereinafter directed to be made and taken by the sessions, shall be made and taken by the City Council, and prosecutions which in other places are directed to be instituted before a justice of the peace shall be instituted before the Mayor's

Court, or the Mayor and one of the aldermen, and justices directed to be recovered in the name of Firewards, may be recovered in the name of the City; and nothing herein contained shall affect any powers conferred upon the City Council, by the acts respecting the incorporation of the city.

4. The sessions shall annually appoint such number of the inhabitants of every such town as may be deemed necessary to be firewards, who shall be sworn to the faithful discharge of their duty, and shall have a suitable staff assigned them as a badge of office. On any re-appointment of such firewards it shall not be necessary that they should be again sworn into office.

5. Upon the breaking out of a fire the firewards taking their badges with them shall forthwith repair to the spot and use their utmost endeavors to extinguish and prevent the spreading of the fire, and to preserve and secure the property of the inhabitants, and may command the assistance of the inhabitants therein; and in removing property out of any building actually on fire or in danger thereof, and appoint guards to secure and take care of the same; and may command assistance for the pulling down of buildings or for other services relating thereto to prevent the further spreading of the fire, and to suppress tumults and disorders, and due obedience shall be yielded unto them for those services, and generally at such fires: and for any disobedience of their orders, information thereof shall within ten days next thereafter be given to a justice of the peace, and the offender shall be liable to a penalty not exceeding forty shillings, and if he shall not pay the same shall be imprisoned for a period not exceeding ten days.

6. Upon the occurrence of a fire in Halifax, four of the firewards and in the absence of four firewards three firewards, and in all other places two of the firewards, or in the absence of two firewards any fireward that is present with a staff, may direct any building to be pulled down, if in their judgment the doing so will tend to prevent the further spreading of the fire, and if the pulling down of such building shall have the effect of stopping the fire, the fire shall stop before it comes to the building, the owner of such building shall receive payment therefor in the same manner as the rest of the inhabitants, whose houses have not been pulled down in the following, viz: the owner of the building shall, as soon as may be, make application to the sessions, who, if satisfied of the

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justice of the claim, shall make an order for a valuation of the damages so sustained, to be made by three indifferent persons, and such persons shall be sworn before a justice of the peace to the faithful discharge of their duties, and they or any two of them shall make return of their proceedings to the sessions, whereupon the court shall appoint two or more assessors, who shall tax the houses that have not been burnt, in such proportions as shall be deemed just, according to their value, for paying the damages sustained by the owner of the building so pulled down, and also the charges for valuation, taxation, and collection, to be settled before the making of the assessment; and the assessors shall also report their proceedings upon oath to the sessions, and the court shall thereupon issue an order for collecting the monies so assessed; and in case of non-payment the same shall be levied by warrant of distress to be issued by the sessions upon application by the collectors; and, when the assessments are collected, the sessions shall order payment to be made to the claimant of his damages according to the approved report of the appraisers, and also the payment of the charges hereinbefore mentioned; but, if the building pulled down shall be the building where the fire began, or if any other building shall be pulled down or be begun to be pulled down which shall be on fire at the time the orders are given for pulling the same down, or which shall take fire while such orders are being carried into execution, the owner of such building shall not be entitled to any compensation therefor.

7. The word "sessions" whenever used in the preceding section, shall mean either a general or special sessions.

8. Buildings constructed of stone or brick, and covered with incombustible materials, shall be exempted from taxation under the sixth section; and such buildings when covered with combustible materials shall be liable to an assessment upon half the value thereof only.

9. No person shall, at a fire, break open any building or attempt to pull the same down or order others so to do, unless orders therefore shall have been first given by the owner of the building or as previously provided; and any person violating this provision shall for every offence forfeit a sum not exceeding five pounds.

10. The firewards shall from time to time report to the ses-

sions what number of ladders, hooks, buckets, bags, chains, ropes, axes and saws are required for service at fires, and probable expense thereof, and of keeping the same in repair, and the sessions shall order such of them to be provided as they may deem necessary; but every fireward shall be at all times provided with two ladders with hooks, one of which ladders shall be at least twenty-four feet in length, and the other at least sixteen feet in length, one fire hook, two axes, one saw, twelve leather buckets, and twelve large bags, which shall be by the firewards, deposited in the most convenient places in each district, and where on alarm of fire the inhabitants of the district shall assemble and proceed, under the direction of the firewards with such of the implements as may be deemed necessary, to the place of danger.

11. The district of which each fireward shall have charge shall be numbered, and the implements in the last section mentioned shall be marked with the number of the district to which they belong, and, within twenty-four hours after the extinguishing of any fire, the different implements shall be delivered at their place of deposit; and if thereafter any of such implements shall be found in the possession of any person, he shall forfeit a sum not exceeding forty shillings; and any person who shall use such implements, except at a fire or on an alarm thereof, shall forfeit a like sum.

12. The sessions may appoint such number of firemen, for each town as they may deem necessary, who shall, under the firewards, have the charge of the fire implements hereinbefore mentioned, and shall be obliged to keep them in good order and fit for service: and upon an alarm of fire, they shall at once repair to the place of deposit of such implements and bring the same to the place where the fire shall have been discovered, and shall there diligently use the same, under the direction of the firewards, in such way as may be deemed most useful for extinguishing the fire.

13. One of such firemen, to be appointed by the firewards, shall have the power of a fireward in commanding assistance in taking the fire implements to or from any fire, and a like penalty shall attach for disobedience of his orders as of those of a fireward.

14. The sessions may appoint so many fire constables as they may deem necessary, not exceeding six for each district, who shall be sworn into office, and shall at the time of fires with suitable staves to be provided them, attend upon the firewards and act

buckets, bags, chains, ropes, at fires, and probable expense in repair, and the sessions shall as they may deem needful times provided with two firewards, deposited in leather buckets, and where on alarm assemble and proceed, each of the implements in danger.

shall have charge shall be appointed to which they be extinguishing of any fire at their place of business shall be found a sum not exceeding such implements, forfeit a like sum of firemen, for under the firewards before mentioned order and fit to be repaired at once repair the same to and shall there firewards, in extinguishing the fire. the firewards, assistance in like penalty of a fireward. who shall with suitable means and act

under their directions in subduing the fire, keeping order and preventing thefts; and if any constable so appointed shall neglect to be sworn into office within a reasonable time after being notified of his appointment, or, having been sworn in, shall neglect his duty, he shall forfeit a sum not exceeding forty shillings.

15. The sessions may from time to time appoint such number of engine-men as may be deemed necessary, who shall take charge of the fire engines, and shall keep the same in good order and fit for service; and upon an alarm of fire they shall repair with their engines to the place where the fire shall have been discovered, and work the same under the direction of the firewards.

16. One of the engine-men, to be appointed by the firewards, shall have the power of a fireward to command any necessary assistance in taking the engines to and from fires, and any person refusing to obey his orders therein shall be liable to the same fine as hereinbefore imposed for disobeying a fireward.

17. Fire-men and engine-men shall be exempted from the performance of statute labor, except in respect of cattle and teams, and from serving on juries or in the office of constable; and these exemptions shall extend to persons who shall have actually served as fire-men or engine-men for a period of sixteen years and shall have obtained a certificate of such service from the captain or lieutenant of the company, countersigned by the secretary.

18. Upon any vacancy among the fire-men or engine-men, the same shall be at once reported by the captain to the sessions, that the vacancy may be supplied.

19. The firewards may nominate and license chimney sweepers, and if any person shall act in that capacity without being so licensed, he may, on a summary conviction thereof before a justice of the peace, be imprisoned for a period not exceeding one month.

20. Licensed chimney sweepers shall enter into bonds with two sureties to be approved by the firewards, for performing their duties during the term for which they may be appointed, and for conforming to the regulations of the firewards in reference to the sweeping of chimnies, and in case of neglect or refusal to perform their duties or comply with such regulations, they shall forfeit for every offence not less than five nor more than twenty shillings, and if the penalty shall not be paid within ten days after conviction, and no personal property whereon to levy can be found, the offen-

der may be imprisoned for a period not exceeding ten days, or the bond may be put in suit for the payment of the penalty and costs.

21. The fireward may make regulations respecting the times and mode of sweeping chimnies, and if a fire shall happen in any building or chimney so as to create alarm or to endanger the neighboring buildings, and the occupants of the building where the fire occurs cannot make it appear that their chimnies have been swept according to such regulations by a licensed sweeper, they shall forfeit ten shillings, to be recovered in the name of any fireward; and any fireward who shall be aware of the offence and shall not prosecute for the penalty within five days thereafter, shall forfeit five pounds.

22. Any two firewards may demand admittance into any building wherein they have reason to believe there is any dangerous chimney, stove, stove-pipe, or funnel, and if in their opinion the same shall be dangerous, they shall order them to be altered or removed in such manner as they shall direct, and if their directions shall not be complied with, the firewards shall cause such removal or alteration to be made at the expense of the occupants of the building; and if any person shall refuse admittance to the firewards while acting under this section, or shall not make the removal or alteration by them directed, he shall forfeit a sum not exceeding forty shillings, to be recovered, together with the expenses of removal or alteration, in the name of the firewards or any of them, and in default of payment the offender may be imprisoned for a period not exceeding ten days.

23. If any two firewards shall consider it proper to inspect the placing or situation of any combustible materials, they may demand admittance into any building or place for that purpose, and if they shall deem the same dangerous, they shall direct the occupant of the building or place, to remove such materials or alter the placing thereof, and if he shall neglect to obey them, they may make the removal or alteration at his expense; and if any person shall refuse admission to the firewards while acting under this section, or shall not carry out their orders, he shall forfeit forty shillings in addition to the expense of carrying out the direction of the firewards, to be recovered in the name of the firewards or of any of them, and if the penalty and expenses shall not be paid with costs, the offender may be imprisoned for a period not exceeding ten days.

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24. No person shall keep at any one time in any one place within the limits of the firewards, or in any vessel or boat, for more than twelve hours after she has reached any wharf within such limits, more than twenty-five pounds of gunpowder; and if any persons shall violate the provisions hereof he shall forfeit five shillings for every pound of such gunpowder over twenty-five pounds, to be recovered in the name of the firewards or any of them; but this provision shall not extend to any vessel or boat belonging to Her Majesty wherein gunpowder may be kept for public purposes; and all prosecutions hereunder shall be commenced within three months after the offence shall be committed.

25. Any justice of the peace, upon complaint on oath by a fireward that he has reasonable cause to suspect that dangerous quantities of gunpowder are kept in any place contrary to the provisions of the last section, may issue his warrant to search therefor in the daytime; and, if admittance under the warrant shall be refused, and such refusal shall be made appear on oath, the justice may grant a further warrant to break open the place where such gunpowder is supposed to be deposited, and if upon any search a greater quantity than twenty-five pounds of gunpowder shall be found, the fireward may seize and sell such excess at public auction, and the proceeds shall be applied for the purposes of this chapter.

26. The sessions may make regulations to prevent the occurrence, increase or spreading of fires within the towns in this chapter mentioned, and to prevent the unnecessary ringing of fire-bells, or the destruction thereof, or their appurtenances, and shall have the management and control of the engine-men and fire-men, and may increase or diminish their numbers, and shall have general powers for the due carrying out of the provisions of this chapter, and may affix penalties for breach of any such regulations not exceeding forty shillings.

27. If any person shall wilfully destroy or injure any public well, or pump, or fire-plug, or any engine or fire implements within the limits to which this chapter extends, he shall forfeit five pounds; and in default of payment and no effects being found whereon to levy, may be imprisoned for not more than ten days.

28. The firewards shall annually appoint a chairman who shall act as treasurer of the board, and shall submit his accounts annu-

ally to the firewards, to be audited and signed by them and submitted to the general sessions for examination and approval.

29. All penalties recovered hereunder shall be applied under the direction of the sessions towards the purchasing and keeping in repair engines and fire implements, and the sinking and keeping in repair of pumps and wells, and generally in carrying out the objects of this chapter, and the sessions may at any time direct new engines and fire implements to be procured for any town herein mentioned which may be within their jurisdiction, and new wells to be sunk and pumps placed therein and the expenses thereof and of keeping them or those already in use in repair, and all such further sums as may be requisite for the purposes of this chapter shall be assessed, levied, and collected within the limits of the town where the expense shall be incurred, in the same manner as poor rates are assessed, levied, and collected, and shall be paid over to the county treasurer to be applied under the direction of the sessions for the purposes contemplated.

30. The word "firewards" when used in this chapter, shall include one or more of them, unless otherwise expressed or repugnant to the context.

31. This chapter shall come into operation on the passing of this act.

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AN ORDINANCE OF THE CITY OF HALIFAX.

PASSED SEVENTH JULY, 1851.

It is ordained by the Mayor and Aldermen of the City of Halifax, in Common Council assembled—

1. That all ordinances and by-laws of the city heretofore passed shall be repealed and annulled.
2. That the following by-laws shall hereafter be in force.

I.

CITY SEAL.

1. The Common Seal of the City, made of silver, having engraved on it a view of the city, and the words

Recte faciendo securo, Halifax condita, A. D., 1749.

Civitatis regimine donata, 1841,

shall continue to be the city seal.

2. The city seal shall be kept by the city clerk.
3. All deeds or documents where the city is a party, and whereto a seal is requisite, shall be authenticated by the city seal, and the mayor and city clerk shall sign the same, when authorized by any law, or by any city ordinance, or by direction or resolution of the city council.
4. The mayor may affix the seal to any certificate at the request of any person desiring it.

5. Any person requiring the city seal to authenticate documents, shall pay to the city the following fees:—

For any document to be used abroad or

out of the city; for the seal, . . . 7s. 6d.

If to be used only within the city, . . . 5s.

For the seal to any certificate, . . . 3s. 9d.

II.

COUNCIL.

The city council shall hold its quarterly meetings on the fourth Mondays of March, June, September and December, in every year.

III.

ORDINANCES.

A separate record book shall be kept by the city clerk, in which shall be entered a correct copy, either printed or manuscript, of the act or acts of the Provincial Legislature by which the city is now incorporated and governed, and of all acts hereafter to be passed in amendment, addition, or alteration thereof, and of all by-laws and ordinances now in force and those hereafter to be passed, as soon as the same are confirmed and ratified by the Governor and Council's express or tacit allowance thereof.

IV.

TREASURER'S BOND.

1. The bonds to be hereafter given by the Treasurer of the City shall be in the following form.

Form of Treasurer's Bond.

Know all men by these presents, that We _____ of the Province of Nova Scotia. — City Treasurer as principal and _____ as sureties are held and firmly bound to the said City of Halifax, in the sum of two thousand pounds lawful money of Nova Scotia, to be paid to the said City of Halifax; for which payment well and truly to be made, we bind ourselves and any two of us and each one of us and the heirs, executors and administrators of us and of any two of us and of each of us jointly and severally, firmly by these presents, sealed with our seals, and dated the _____ day of _____ in the year of our Lord one thousand eight hundred and _____

Whereas the said _____ was duly elected Treasurer of the said City of Halifax by the Mayor and Common Council on the _____ day of October in the present year.

Now the condition of this obligation is such that if the said _____ do and shall well and faithfully discharge, perform and execute all the duties of Treasurer of the said City of Halifax according to the provisions and true intent and meaning of the Statute of the said Province of Nova Scotia entitled "An Act concerning the City of Halifax, passed the thirty-first March one thousand eight hundred and fifty-one, and all other Acts or Statutes of the said Province and by-laws or ordinances of the said City and resolutions or directions of the City Council now in force or that may

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be made relating thereto, and shall duly account to the City of Halifax for all and every sum or sums of money which have been heretofore received by him, or which shall hereafter come into his hands by virtue of his said office of City Treasurer, and shall (when- ever required by the City Council) pay over to whomsoever they may appoint to receive the same, any monies due to or belonging to the city which may be in his possession or for which he may be accountable, then this obligation to be void, otherwise remain in full force and virtue.

Signed sealed and deli- }
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V.

FORMS OF PROCESS IN THE MAYOR'S COURT:

1. The seal of the Mayor's Court, made of brass, having en- graved on it the words "*Halifax, Fiat justitia,*" "*City of Mayor's Court,*" and a pair of scales also engraved on it, shall continue to be the seal of the said court, and be affixed to all pro-

2. The seal of the court shall be kept by the city clerk.

3. The forms of process shall be as follows, viz :

1. *Summons.*

City of Halifax, SS.

Mayor's Court.

To the City Marshal or his Deputy.

You are hereby commanded to summon — of the City of Hal- ifax, —, to be and appear before the Mayor's Court, at the City Court House in Halifax aforesaid, on the — Tuesday of — at eleven o'clock in the forenoon, to answer to the suit of — in the sum of — pounds, — shillings and — pence.

Hereof fail not and make due return.

Witness — Esquire, Mayor, at Halifax, this — day of — in the — year of Her Majesty's reign, A. D. 18—

— City Clerk.

Issued — 18—

2. *Capias.*

City of Halifax, SS.

Mayor's Court.

To the City Marshal or his Deputy.

You are hereby commanded to take the body of — of the City of Halifax, —, and him safely keep, so that you have him before the Mayor's Court on the — Tuesday of — to answer to the suit of — in the sum of — pounds — shillings and — pence.

Hereof fail not, and have you then and there this writ, with your doings thereon.

Witness — Esquire, Mayor, at Halifax, this — day of — in the — year of Her Majesty's reign, A. D. 18—

— City Clerk.

Issued — 18—

(Endorsed.) By Oath for the sum of — pounds — shillings and — pence.

3. *Subpœna.*

To — of the City of Halifax.

You are personally to be and appear before the Mayor's Court, at the Court House in Halifax, on the — day of — next, at — o'clock in the — of the same day, then and there to testify all and singular what you know in a certain cause now depending, and on that day to be tried between — plaintiff, and — defendant, on the part of the —, and this you are not to omit on penalty of ten pounds. Dated at Halifax, this — day of — 18—

By the Court.

— City Clerk.

4. *Execution.*

City of Halifax, SS.

Mayor's Court.

To the City Marshal or his Deputy.

Whereas judgment has been awarded by the May-

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or's Court against — of the City of Halifax, at the suit of — for the sum of — pounds — shillings and — pence, and — shillings and — pence more for costs, these are to command and require you to levy from off the goods and chattels of the said — the said sums, making together — pounds — shillings and — pence, and for want thereof you are hereby commanded to take the body of the said — and commit to Her Majesty's gaol in the city aforesaid, there to remain until he pay the sum above mentioned, with your fees, or that he be discharged by the said — or otherwise by due course of law.

Herein fail not, and make return of this writ, with your doings thereupon, on the — Tuesday of —. Witness — Esquire, Mayor, this — day of — 18—

— City Clerk.

Issued — 18—

4. Every plaintiff shall file a particular in writing, shewing the nature of his demand for damages or otherwise, or a copy of his account, before any process shall issue to commence a suit.

5. The city clerk or his assistant shall act as clerk of the mayor's court, and make out all process and executions, and minute in writing all proceedings of the court.

6. And whereas jurisdiction is now given to the mayor's court, in actions of replevin, where the damages claimed do not exceed five pounds: Therefore any person desirous of replevying his goods in the mayor's court, shall file an affidavit showing that the value of the goods does not exceed five pounds, and further, that the goods are not at the time in the possession of any sheriff or other officer under process of law, and the plaintiff shall also give a bond with two sufficient sureties to the marshal in the sum of ten pounds, conditioned for the return of the goods undamaged, or their value, and for the costs in case the defendant should by the judgment finally given be entitled thereto.

The form of the writ of replevin shall be as follows:

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5. *Replevin.*

Mayor's Court.

To the City Marshal or his Deputy.

You are hereby commanded to replevy to — his goods and chattels, that is to say, — which — unjustly, as is alleged, detains, and also to summon the said — to be and appear in the Mayor's Court at the City Court House in Halifax aforesaid, on the — Tuesday of — at eleven o'clock in the forenoon, to answer to the suit of the said — in the sum of [insert damages not to exceed five pounds] herof fail not and make due return.

Witness — Esquire, Mayor, at Halifax, this — day of — in the — year of Her Majesty's Reign, A. D. 18—

Issued — 18— — City Clerk.

VI.

CITY MARSHAL AND CITY CONSTABLES.

1. The city shall be divided into districts, the number, extent and bounds of which may be from time to time arranged by resolution of the city council, and the constables shall be attached individually, each to some one of these districts.
2. The city marshal shall attend the city council and the mayor's court whenever they shall meet, and at all times be at the command of the mayor, or officer presiding at the police court; he shall daily (and oftener if necessary) report to the mayor or officiating alderman, all causes of complaint brought to his notice, either by the constables or other persons; to have the superintendance of the city constables, to see that they are in regular attendance at the proper time, and strictly discharge their several duties—and should he have any cause of dissatisfaction or complaint against any of the constables, he shall immediately make the same known to the mayor or presiding alderman.
3. Two constables in rotation shall be on night duty, to be in attendance at the police office at seven o'clock in the evening, and to remain on duty until half-past eight o'clock the following morning, when they are to be relieved by two other constables. The constables on night duty are to have the fires made and see that the various offices are put in order by half-past eight o'clock, a. m.

4. All the constables including those relieved at half-past eight o'clock, to be in attendance at the police office by 11 o'clock, a. m. (at the latest) and not to leave the office except on duty, without permission, and to remain until 4 o'clock, p. m., with an exception of an hour for dinner, two to remain in charge from 4 o'clock in the afternoon until 7 o'clock in the evening, when they are to be relieved by the officers for night duty; a roll for duty to be prepared by the city marshal.

5. The constables are to visit their districts previous to their arrival at the police office at eleven o'clock, when they are to make a report of the state of their districts, the two constables on duty at the police office at half-past eight o'clock, to make their report as soon as possible after eleven o'clock. They shall take their directions from the city marshal, who shall cause said constables from time to time during the day, and at such times as he may deem necessary, when not otherwise employed, to go through their districts, or perform any other duty that may be required of them. They shall notice especially all nuisances in yards or streets, the slaughtering of cattle at improper places, and incumbrances in the streets, with the names of the several persons who may be liable therefor, breaches of the license law, and Lord's day act, violations of the regulations made for truckmen; particularly as to occupying other stands than those allotted, all-carts, trucks, and sleds not marked as required, disorderly driving, trucking, without license, as also to impound all cows and horses going at large, to seize all pigs and goats running at large, and have the same condemned and sold. In going their daily rounds, to have a careful supervision of public gas lights, water and fire-plugs, and hydrants, wells and pumps, report any out of order, also to prevent filling of casks at the pumps and hydrants, quell all riots, and use all other means in their power for the preservation of the quiet and good order of the city. The constables immediately after visiting their respective districts will report to the city marshal the state of their districts. On Sundays the district constables, unless called upon by the mayor, aldermen, or city marshal, to do other duty, shall visit their districts twice a day, and report on Monday morning the result of the previous day's rounds. The constables on duty at police office on Sunday, to be excused from this part of the duty on that day.

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6. The constables will hold themselves in readiness to attend, when lawfully called upon either by day or night, for the discharge of their duty as constables, in arresting rioters, disorderly and lewd characters, common beggars, drunkards and other offenders against the law, and bring them before the mayor, if between the hours of ten o'clock, a. m., and three o'clock, p. m. After three o'clock to place all offenders in the lock-up-room until eleven o'clock the next morning, when the same are to be reported, and the offender brought up for examination, by the constable by whom he was arrested.

7. Should any constable get into any difficulty or trouble in the discharge of his duty after office hours, he is to apply to one of the aldermen for advice, and be guided by his instructions.

8. In the event of fire breaking out the constables shall immediately give the alarm, proceed to the fire and render any necessary assistance.

9. The constables must have their names and their number painted on a tin plate, which plate must be placed on some conspicuous part of the front of the house in which they reside.

10. The constables are constantly to wear the dress appointed for them, and to carry the staff of office when on duty, and at night, and on neglect thereof, the city marshal to report the same to the mayor or presiding alderman.

11. No constable is permitted to engage in any duty unconnected with his office unless by special permission,—and when required to attend public meetings, lectures, or exhibitions, permission shall be first obtained of the city marshal, who shall keep a regular list, so that each constable may attend in rotation, any constable violating this rule, may if the mayor sees fit, be suspended from office until next meeting of council.

VII.

LICENSED HOUSES.

1. No house, tavern, shop, or other place whatever, the occupier whereof holds a shop or a tavern license for selling liquors, shall be open before sunrise or kept open after eleven o'clock at night, all inmates not lodgers shall then depart, and no light shall be kept burning therein after that hour. On Sundays every such place shall be entirely closed, and no business done therein.

2. A copy of this ordinance, and also copies of the different acts or parts of acts regulating and restricting the sale of spirituous liquors, shall be supplied in printed form to all persons holding such licenses in the city by the clerk of licenses whenever required, and the same be kept constantly posted or hung up in some conspicuous place in every shop, tavern, or other place where liquor is sold by license.

3. The city marshal or any of the police constables acting under the order of the mayor, or of any alderman, or of the marshal, shall have power by night or day to visit any house, shop, or place where liquor is licensed to be sold, and to inspect any part of the premises occupied by the holder of such license or immediately connected therewith by any passage, staircase, ladder, door, or other usual means of communication, in order to enforce the laws relative thereto, and to prevent rioting, gambling, and criminal or disorderly conduct; and if any minors, or apprentices, or any disorderly persons be found therein, to take them into custody and bring them to the police office for examination.

4. Any person who shall disobey or infringe the license laws or this ordinance, by selling spirituous liquors of any kind, wine, cider, perry, or fermented liquors, on Sundays or any week day after eleven o'clock at night or before sunrise, or by keeping any light burning in his tavern, shop, or other place where liquor is sold after eleven o'clock at night, or opening the same or taking down any of the shutters on Sunday, or after eleven o'clock at night and before sunrise on any other day; or who shall suffer any apprentice, minor, or disorderly person to frequent the same, or to buy and drink liquors there, or by forcibly opposing the city marshal or constables in their inspection of the premises; or shall suffer any kind of card playing or gaming to be carried on therein, or by neglecting to keep the laws and ordinances posted up as before directed, shall for every offence be liable to a penalty of not less than ten shillings and not more than ten pounds; and on default of payment of such fine with costs forthwith, shall be subject to an imprisonment in gaol or bridewell not exceeding ninety days, or until the fine and costs are paid. And in case of any party convicted a second time for any such offence, his license may be suspended or annulled by the mayor.

VIII.

PROSECUTIONS FOR A BREACH OF THE LICENSE LAWS.

1. In all suits or prosecutions for breach of any act of the province, or city ordinance, relating to licensed houses, or the license duties, or licenses, the summons to be issued against the person complained of shall be in the form following, that is to say :

Halifax, SS.

Mayor's Court (or Police Court.)
To the Marshal or his Deputy.

You are hereby commanded to summon _____ of the City of Halifax, _____ to be and appear before the Mayor's Court at the City Court House in Halifax aforesaid, (or before the Police Court in the Police Office in Halifax aforesaid) on _____ the _____ at eleven o'clock in the forenoon, to answer to the suit of the Clerk of the license, (or other prosecutor to be named) for breach of the laws of the Province, (or Ordinances of the City) respecting licenses in having [here briefly state the nature of the offence complained of.]

Hereof fail not, and make due return.

Witness _____, Mayor, at Halifax, this _____ day of _____ in the _____ year of Her Majesty's reign, A. D., 18____

____ City Clerk.

2. In case the party summoned shall be convicted and fined for the offence complained of, such conviction shall be reduced to writing in the following form, and annexed to, or endorsed upon the original summons :

The within named _____ having been duly summoned was this day convicted in the _____ Court of Halifax, of the offence within mentioned, [upon his own confession, or upon default, or upon the oath of A. B., a credible witness, as the case may be, stating the manner of the party's conviction, and the names of the witnesses who may be examined for the prosecution,] and therefore the fine of _____ pounds was imposed on said defendant.

(Signed)

____ Mayor (or Alderman.)
Halifax, _____ day of _____ 18____

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which, when signed by the mayor or one of the aldermen who shall have tried the cause, shall be the legal record of such conviction.

3. In case the party so convicted shall not forthwith pay the fine and costs of prosecution, the amount thereof shall be levied by warrant of distress under the hands and seals of the mayor and alderman, or two aldermen who shall have tried the cause.

IX.

STREETS.

1. No person shall slake, riddle, mix with sand, or otherwise prepare lime in the streets, squares, lanes, or in any garden, or wharf in the city, unless by written permission from the commissioners of streets, under penalty of ten shillings for each offence.

2. No person shall raise or hoist up goods in the streets, or in any thoroughfare, into the door or window of any upper store, story, or loft, nor throw down or lower the same, under a penalty of twenty shillings for each offence.

3. The occupiers, owners, or persons in charge of houses, stores, and lots and pieces of ground shall be bound after every fall of snow, to clear away the snow from the sidewalks and gutters of their respective premises, within two hours after it shall cease to fall, under penalty not less than five shillings nor more than twenty shillings on each person who neglects or omits so to do.

X.

SIDEWALKS.

1. No person shall place, expose for sale, unpack, or suffer to remain upon any street, lane, square, or thoroughfare, or upon the sidewalk or footpath of any street, lane, or square, any lumber, iron, coal, trunk, bale, crate, cask, package, or any earth, rubbish, snow, ashes, or other article or thing whatsoever, so as to obstruct free passage, or be inconvenient to the public for more than two hours, or leave any such articles at night on the street after ten o'clock, p. m.

2. For the accommodation of vendors of goods, the water course or gutter, that is to say, three feet from the curb of the sidewalk outwards in front of any shop, store, or warehouse, may be used in day time, between sunrise and sunset, for exposing goods

for sale by the occupant, provided the flow of water in the gutter be not obstructed thereby.

3. Firewood may be sawed within the one half the space between the sidewalk and the centre or middle of the street, provided it is removed from the street as fast as it is sawed, and the sawdust removed without delay.

4. No sawyer shall stand upon the sidewalk with his horse and saw to the obstruction of foot passengers.

5. Any person offending against these rules by incumbering or obstructing the streets, lanes, squares, thoroughfares, or the sidewalks, or footpaths, in any way, shall forfeit and pay a sum of not less than five shillings, nor more than twenty shillings,—and the continuance of any such obstruction, incumbrance, or nuisance, for one hour after notice given by a constable to remove the same, shall be deemed a new offence, and for every hour it is continued shall be liable to a further sum of two shillings and sixpence. On default of payment of such penalty together with the costs of prosecution, the offender shall be liable to imprisonment in the gaol or bridewell for a period not to exceed ten days.

XI.

COASTING, &c.

1. Whosoever shall course or coast upon a sled in any street, or shall slide, for amusement, upon the ice or frozen ground, or skate down any of the hills, or play at foot ball, or rolling of hoops, or throwing stones, or snowballs, in the streets, squares, lanes, or thoroughfares of the city, or on any of the wharves, shall forfeit and pay for each offence a sum not less than five shillings, nor more than twenty shillings, to be paid by each offender respectively, and for minors, by the father of the boy offending, or master if an apprentice offend.

2. All sleds or sleighs found in use coasting down the hills, or about to be so used, shall be seized and forfeited to the city; any constable or watchman may seize them.

XII.

DRAINS AND SEWERS.

1. The commissioners of streets shall have power to enter upon any premises, when necessary, for ascertaining the state and condi-

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tion of any drains and sewers. Any person obstructing a commissioner in so doing shall be subject to a penalty of forty shillings and costs.

2. Any person obstructing, damaging or injuring any public drain or sewer, or opening any private drain into it without permission in writing from the commissioners of streets, shall be subject to a penalty of not less than twenty shillings and not more than ten pounds, besides making good and paying for all damages done.

XIII.

PLACARDS.

1. No written or printed advertisement, placard, bill, or handbill, shall be affixed to, or set up, or suspended on or against any house, building, wall, fence, tree, or other object, either on public or private property, unless by the consent of the owner or yearly tenant occupying private property, or that of the public officers having charge of public property.

2. Any person violating this regulation, or causing it to be violated, shall be subject to a fine not less than five shillings nor exceeding twenty shillings for each offence, and in default of payment to ten days imprisonment in the common gaol.

3. The city constables may arrest any person found by them in the act of putting up such placards, contrary to this regulation, and detain him until he can be tried in the police court.

XIV.

GAS LIGHTS AND WATER PLUGS.

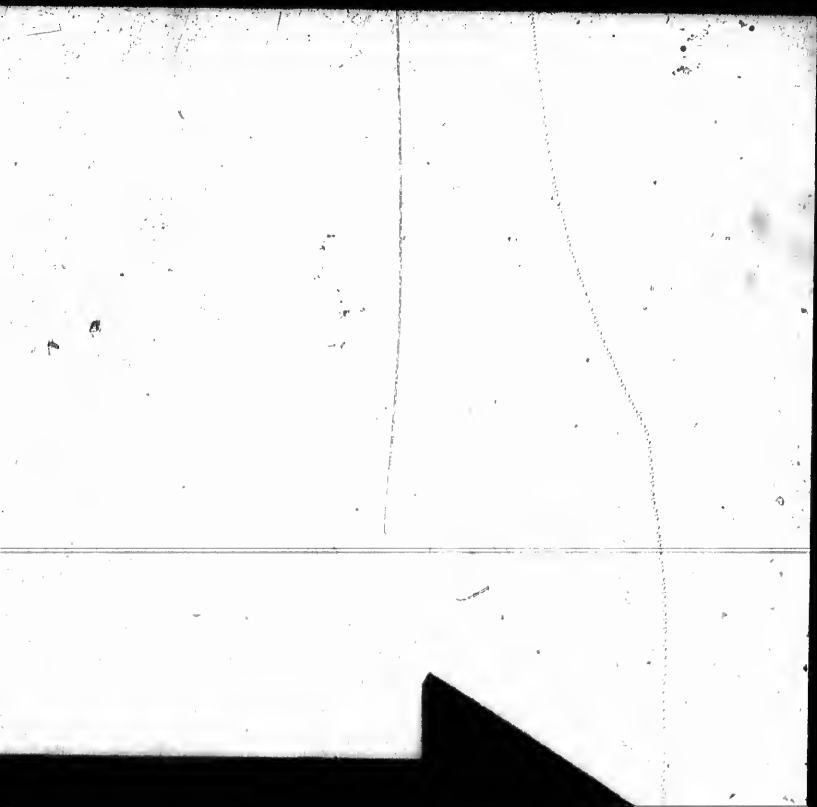
1. Any person who shall wilfully or wantonly break or damage a public gas lantern, or any lantern fixed in the streets, shall pay a penalty of forty shillings besides the damage done, and costs, and in default of payment shall be imprisoned in gaol or bridewell for a term of thirty days, or until payment.

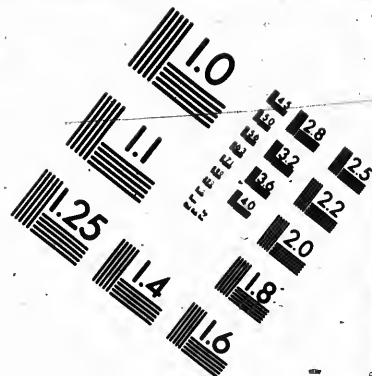
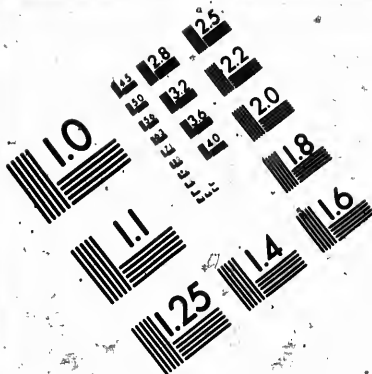
2. Any person who shall wilfully or wantonly damage, derange, or injure a public water plug or hydrant, or any of the apparatus thereof, shall besides repairing or paying for the damage done, pay a penalty not exceeding ten pounds nor less than forty shillings, and in default of payment shall be imprisoned in gaol or bridewell for a term of ninety days, or until payment.



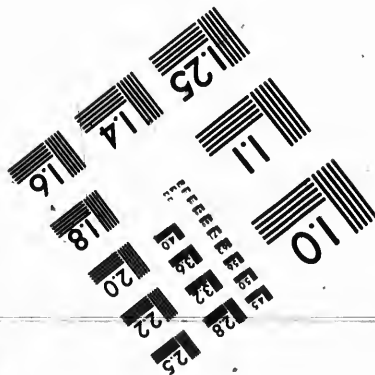
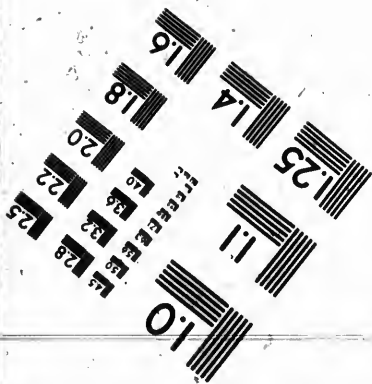
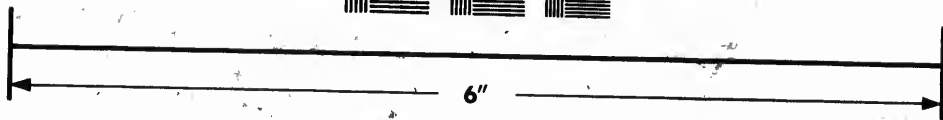
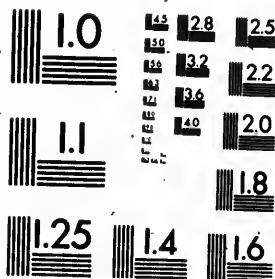








**IMAGE EVALUATION
TEST TARGET (MT-3)**



**Photographic
Sciences
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XV.

TRUCKMEN.

1. No person shall drive any truck, cart, sled, or carriage, for the transportation of goods, wares and merchandise, or other things whatsoever, within the city of Halifax, for hire or wages, unless he shall be licensed as a truckman, under penalty of twenty shillings for each offence,—and no person shall be entitled to receive a license who shall not produce a written testimonial of his good character, with the names of the parties willing to be his sureties. Licenses to be granted on application to the mayor or presiding alderman.
2. On granting such license the person obtaining the same shall execute a bond to the city of Halifax, himself in the sum of twenty pounds, and two good sureties, each in the sum of ten pounds, conditioned for his orderly driving, and the security and safe conveyance of such articles as he may be required to transport, and also for the strict and due observance of this ordinance.
3. The sum of seven shillings and sixpence for each license, shall be paid annually; no one license shall entitle any truckman to employ more than one horse, cart, truck, or sled. Licenses shall expire on the first day of May in each year.
4. Every licensed truckman shall, on taking out his license, be provided by the city with a printed copy of the ordinance, and rates and prices of carriages, now or hereafter to be established.
5. Every licensed truckman must be provided with a proper box cart and sled, in addition to a truck; and on default thereof shall forfeit and pay a sum not exceeding ten shillings, and also have his license suspended until so provided.
6. Every licensed truckman shall cause the initial letter of his christian name, and his surname in full length, and also the number of his license, to be painted in large and legible characters upon each side of his cart, truck, or sled, on the square or after part of the shaft of such truck or cart, and upon the curve of the runners of such sled, and so continue the same, under the penalty of five shillings, for every day that he shall drive his cart, truck, or sled, without having his name and number so painted thereon.
7. The mayor or presiding alderman on the granting of each license, shall appoint the stand for the person so to be licensed; and all trucks, carts and sleds when not employed, must be placed

and kept during working hours, at the several stands allotted to their respective proprietors, in such way and order as may be directed, and any truckman taking up any other stand than that to which he shall be appointed, or deviating from the order prescribed, shall forfeit and pay a fine of ten shillings for each and every offence.

8. If any licensed truckman being on his stand, shall refuse or neglect to cart, truck, or employ his horse and cart, truck, or sled, within the said city of Halifax for any person when requested, he shall for each offence forfeit and pay the sum of ten shillings.

9. No truckman shall, while driving through the city, sit on his truck, cart, or sled, under a penalty of five shillings for every offence.

10. No person under the age of sixteen years shall be permitted to drive a truck, cart, or sled for hire, and the license holder of such truck, cart, or sled, shall be answerable and accountable for the good conduct and behavior of such driver as he may employ, and of the observance of all the regulations, made or to be made relative to truckmen; and any driver of such cart, truck, or sled, who may be guilty of drunkenness, shall be dismissed and forfeit and pay the sum of five shillings, and the license of such truck, cart, or sled, shall be suspended or forfeited, according to the nature of the offence of such driver.

11. No licensed truckman or driver shall drive his horse faster than a slow or easy trot, in or through any part of the city, under a penalty of ten shillings for each offence.

12. Any truckman who shall refuse or neglect immediately to obey any call for any public duty, to be made on him by the mayor or any one of the aldermen, shall forfeit and pay the sum of ten shillings, and his license shall be suspended for such time as the mayor or presiding alderman shall think proper.

13. If any licensed truckman shall neglect to occupy his stand, or cease to truck for the space of one month, he shall be considered as having resigned his license, and shall not be entitled to truck until he shall apply for and obtain a new license, unless prevented by sickness or other unavoidable accident.

14. No truckman shall leave his horse and cart, truck, or sled, without a driver, or shall feed his horse (except from a nosebag,) in any one of the public streets, lanes, or squares, of this city,

under the penalty of a fine not to exceed ten shillings for every offence.

15. No truckman shall water his horse at any of the public pumps, or wells, or hydrants of the city, under a penalty of five shillings for each offence.

16. If any truckman whose license shall have been taken away or suspended, shall drive any cart, truck, or sled, within the city, without obtaining permission, or a new license therefor, he shall forfeit and pay the sum of ten shillings for each and every day that he shall so offend.

17. Every licensed truckman shall have affixed to the harness used for the purpose of drawing his sled or sleigh, at least four good open bells or six round bells, such as are commonly used on sleighs, under penalty of ten shillings for each offence.

18. Every truckman in driving his cart or sled shall leave the centre of the street on his right hand side, under a penalty of ten shillings.

19. When the driver of any cart, truck, or sled, attempts to pass another cart, truck, or sled, or any carriage, having its head in the same direction, such driver shall take care to pass on the right side of such cart, truck, sled, or carriage, so as to leave a sufficient way open on his left hand for the cart, truck, sled, or carriage which he is about to pass, under a penalty of ten shillings.

20. Whenever any cart, truck, or sled, shall at any time stop, whether loaded or unloaded, on any of the streets of the city, the same shall not be placed nearer to the centre of the street than eighteen inches, under a penalty of ten shillings.

21. The following shall be the table of rates and prices of truckage payable to, or to be demanded by the truckmen of the city of Halifax for their services, subject however to be altered from time to time by resolution of the city council.

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Stone
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Salt,
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From any Wharf between Belcher's Wharf and Fairbanks' Wharf, inclusive.

	To any place in Water Street, Bedford Row, Granville and Barrington Streets.	To any place in Argyle, Grafton, Albemarle, Barrack, Brunswick, Lockman, and Dock Yard Streets, and Southward of Morris Street to Fresh Water River.	To any place in Gottenen Street, or in the vicinity of the Gad to Pyke's Bridge.	From south of Morris Street to the north of Jacob Street.
	s. d.	s. d.	s. d.	s. d.
1 hhd. Sugar, not exceeding 12 cwt.)	0 7½	1 0	1 3	1 0
1 pun. Rum or Molasses,)	0 9	1 3	1 6	1 3
1 pipe Wine, Brandy, Gin, Oil,)	0 7½	1 0	1 3	1 0
1 load Pitch, Tar, Rosin, Beef, Pork, Fish, &c. 5 bbls. each,)	0 7½	1 0	1 0	1 0
1 load Sugar, 5 bls.; Flour, 6 bls.; Bread, 7 bls.)	0 7½	1 0	1 0	1 0
1 hhd. Dry Fish, not exceeding 10 quintals,)	0 7½	1 0	1 3	1 0
Hay or Straw, per cwt.)	0 3	0 4	0 4	0 4
Wood, per cord; Coals, per chaldron,)	2 0	2 6	2 9	2 6
Bags Coffee, 10 cwt.)	0 7½	1 0	1 3	1 0
Full load Furniture, Cases, Trunks, Bricks qr. M.; Lime, 2 hhds.; Sand,)	1 0	1 3	1 6	1 3
12 bushels,)	1 0	1 3	1 6	1 3
Stone, per ton,)	1 0	1 3	1 6	1 3
Lumber, qr. M.)	0 9	1 3	1 6	1 3
Shingles, 4 M.; Clap Boards, 1½ M.)	0 7½	1 0	1 3	1 0
Grain—Wheat 20 bushels; Barley, 25 do.; Oats, 30 do.)	0 7½	1 0	1 3	1 0
Potatoes and other Vegetables, per bushel,)	0 1	0 1	0 1	0 1
Salt, 2½ hhds.)	0 7½	1 0	1 3	1 0
Fish, loose, per quintal,)	0 1	0 1	0 1	0 1
Leather or Hides, per load,)	0 7½	1 0	1 3	1 0
Cables, 10 cwt.)	1 0	1 3	1 6	1 3
Loose articles, 10 cwt.)	0 7½	1 0	1 3	1 0
Articles under full load,)	0 6	0 7½	0 7½	0 7½
Articles not mentioned, in proportion,)				

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That if any licensed truckman shall ask, demand, or receive from any person any greater rates of fare than is allowed and prescribed by the table aforesaid, or may hereafter be allowed and prescribed, he shall forfeit and pay the sum of twenty shillings. That all fines and penalties under these regulations may be recovered before the mayor or presiding alderman, on the oath of one credible witness.

Form of License.

Halifax, SS.

Office of City Clerk,
Halifax, — 18—.

License is hereby granted to — to drive a cart, truck, or sled, number as per margin, for hire, in the city of Halifax, he complying with the laws of the Province, by-laws of the City, and regulations of the City Council, made or to be made, pursuant thereto.

By order of the Mayor.

— City Clerk.

Form of Truckman's Bond.

Know all Men by these presents, that We — of the City of Halifax, Truckman, — of the same place, — and — of the same place —, are held and firmly bound unto the City of Halifax, the said — in the sum of twenty pounds, and the said — and — each in the sum of ten pounds, for which payment well and truly to be made, we jointly and severally bind ourselves and each of us and any two of us, and the heirs, executors and administrators of us and of each of us, firmly by these presents, Sealed with our Seals, dated the — day of — in the year of Our Lord one thousand eight hundred and —.

The condition of this obligation is such, that if the above bounden — shall well and truly abide by, observe, perform, fulfil and keep the laws and the by-laws and ordinances which are or may be in force within said city for the guidance and government of truckmen, and carefully receive, convey, and deliver as required, all such articles as he may take in charge for that purpose, so

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that no injury come to the same, or damage to the owner thereof, by or through his neglect or misconduct, and also if the above bounden — and — shall well and truly pay, or cause to be paid, all such fines and penalties as may be lawfully adjudged against the above bounden — for the violation of any of the said laws or ordinances made for the guidance and good government of truckmen, then this obligation to be void, otherwise to remain in full force and virtue; provided that nothing herein contained shall affect or prevent, or be construed to affect or prevent the recovery in a summary way of any fines or penalties for the violation of any laws of the province, or ordinances of the city, for the government of truckmen.

Signed, sealed and delivered)
in presence of)

(L. S.)
(L. S.)
(L. S.)

XVI.

HACKNEY CARRIAGES.

1. Carriages for conveying persons from place to place within the city for hire, may be licensed by the mayor, and carriages so licensed shall be numbered.

2. A committee of four of the city council shall be annually appointed, who shall have supervision of the owners and drivers of said carriages, and their conduct.

3. The committee shall lay off and number the stands for such carriages, in the different streets, lanes, or highways of the said city, [the same to be in Hollis Street, on the east side of the Province Building square, and such other places as the committee may direct.] and change, increase, or diminish the same, as occasion may require, assign one for each carriage to occupy in the day time, when not employed, and cause the number of each carriage to be painted or fixed on some conspicuous part or parts thereof, which shall correspond with the number of its stand, and together with the owner's name, be registered in a book to be kept at the Police Office for that purpose.

4. All applications for such licenses shall be made in writing to the mayor and two of the aldermen for the time being, and no such application shall be received but from the bona-fide owner of the horse or horses, carriage and harness to be used; nor unless

the applicant shall be recommended by at least three respectable householders, and shall execute a bond to the city with two sufficient securities, in the sum of fifty pounds, for the faithful performance of his duty, and for the safe conveyance of property placed in his charge.

5. The fee or sum of seven shillings and sixpence shall be paid to the city for each license obtained under this ordinance. The city clerk shall furnish the person obtaining such license, with a copy of the table of the fares and distances, to be produced to any person employing the said carriage who may demand an inspection thereof.

6. The carriages employed, the horses used with them,—their fitting up and harness, shall be subject to the inspection and approval of the committee, and the mayor and any two aldermen may suspend or revoke the license of any person who shall keep in use any driver, carriage, or horse objected to by the committee, or decline to obey their order in respect to the harness, fittings, or condition of any such carriage.

7. All carriages so licensed, while not actually engaged in conveying persons, shall from six o'clock in the morning until sunset every day between the first day of May and last of September, (sundays excepted,) and from eight o'clock in the morning until sunset every day, between the first day of October and the last of April, (sundays excepted,) be on their respective stands ready for employment.

8. Every hackney carriage when driven or used in the night time shall have fixed upon some conspicuous part of the outside thereof, two lighted lamps with plain glass fronts and sides and having the number of the license of such hackney carriage in figures of at least one and half inches in size, (arabic numerals,) painted with black paint upon the sides and front of each lamp, so as to be at all times conspicuous,—under penalty upon the owner of not less than five shillings or more than ten shillings for each omission or breach of this rule.

9. The licenses shall commence on the 1st day of May and continue in force for one year only; and all licenses from time to time granted shall expire and become void on the 1st day of May in each year, but may be renewed upon payment of the fee of seven shillings and sixpence; and the mayor and any two alder-

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men may, at any time they think proper, suspend or revoke any such license, whether for negligence or misbehavior of the person in charge of such carriage in refusing to be employed or in driving the same, or for abusive or otherwise insulting language, or for otherwise transgressing this ordinance.

10. The rates of fare or prices contained in the annexed table shall be charged and paid, and no other or greater rate, fare, or sum, shall be exacted under any pretence whatever; the rates of fare being subject to such revision and alteration, regard being had to time and distance, as the city council may from time to time think requisite, and by a resolution of at least two thirds thereof be established.

11. Any person or persons who shall take up a stand on any street, lane, or alley, square, wharf, or yard, in the said city with,—or keep, or drive any carriage for conveying persons for hire therein, in, through or upon the streets, lanes or alleys of the said city, without being first licensed thereto, or having been licensed shall keep in the streets, lanes or alleys of the said city,—or drive, use, or employ, any carriage for the purpose aforesaid, after the license shall have expired, or been suspended, or revoked, and not renewed,—shall be liable to a penalty of twenty shillings for every offence; and the carriage of every respective passenger shall be deemed and adjudged a separate offence and punished accordingly.

12. Any person or persons having a license in full force, who shall stand his carriage in any other than its appointed place or manner,—or not have it properly numbered,—or any driver, or person in charge of a licensed carriage, who shall not produce the tables of fares and distances when thereto required,—or who being upon his stand disengaged, shall refuse to convey any person seeking to employ him,—or who shall in any way violate this ordinance, shall for each offence, besides being liable to have his license revoked, forfeit and pay such fine as under and by virtue of this ordinance may be adjudged against him. And the owner or driver of any such carriage who shall demand or extort from any person or persons a sum beyond the rate of fare herein established or hereafter to be established, may be so fined, and shall forthwith forfeit the license for such carriage, and be liable to refund to the party grieved, the sum so extorted, with costs of prosecution.—Livery

stable keepers, not occupying the stands of said city, are exempt from this ordinance; further than that they are hereby required to obtain a license for each carriage they shall use to convey persons for hire, within the limits of the city; which license shall continue in force and be renewed as aforesaid, and the carriage shall be numbered and have the letter L, besides its number, painted or placed on it as aforesaid.

13. All persons, whether owners or drivers of carriages, who offend against this ordinance, shall, on conviction in the police court, be subject to a fine not exceeding five pounds and costs, and in default of payment to imprisonment in the gaol or bridewell for a term not to exceed thirty days.

14. The word carriage, wherever it occurs in the foregoing ordinance or provisions is to be understood, and shall be taken to mean and comprehend every description of coach, chariot, chaise, waggon, cab, gig, cart, sleigh, or other vehicle, or conveyance, either upon wheels or runners, close, covered, or open, used or to be employed, for the purpose aforesaid, by whatsoever name or names they may be known or called.

Table of Fares for each person, (Children eighteen months old not to be included.)

For any distance up to half a mile,	6d.
" " " 1 mile,	1s. 0d.
" " " 1½ miles,	1s. 3d.
" " " 2 miles,	1s. 6d.
" " " 2½ miles,	1s. 9d.
" " " 3 miles,	2s. 0d.

One half of the above price to be paid if returning in the same carriage, provided the party is not detained more than five minutes. For employment in the night the fare shall be as the parties may agree, not however to exceed double fare.

For every carriage hired by the hour, each person, 2s. 6d.
 To and from any steamer, passenger vessel,—to and from any hotel or dwelling house to any stage office or other place, within a mile, with half cwt. of luggage,—1s. 8d.
 As above, with more than half cwt., and less than 2 cwt. of luggage,—2s. 6d.

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Table of Distances.

From the Province Building to Cunard's wharf,	$\frac{1}{2}$ mile
Do. do. Dockyard gate,	1 "
Do. do. Richmond,	1 $\frac{1}{2}$ "
Do. do. Shanties, or Afrieville,	2 "
Do. do. Steel's Bridge,	3 "
Do. do. Pyke's Bridge,	$\frac{1}{2}$ "
Do. do. St. George's Church,	$\frac{1}{4}$ "
Do. do. the Admiral's house,	1 "
Do. do. Piers' Rope Walk,	1 $\frac{1}{2}$ "
Do. do. the road west side of Common,	1 "
Do. do. Bridge near Hosterman's,	2 $\frac{1}{2}$ "
Do. do. other parts of Eastern Shore of N. W. Arm, included in Wards No. 1 and 2,	2 "
Do. do. to Royal Engineer Yard,	$\frac{1}{2}$ "
Do. do. to Fresh Water Bridge,	1 "
Do. do. to the Bower,	1 $\frac{1}{2}$ "
Do. do. to Point Pleasant,	2 "

Form of License for Hackney Carriages.

Halifax, SS.

Halifax, — 18—

License is hereby granted to — to drive a hackney carriage, number as per margin, in the city of Halifax, he complying with the By-laws and Ordinances of the City Council made or to be made relative thereto.

No.

Mayor.

} Aldermen.

— City Clerk.

XVII.

FURIOUS DRIVING AND RIDING.

1. No person shall drive any carriage or vehicle within the streets, lanes, or squares of the city, in a furious or disorderly manner, or at full speed or gallop, but moderately and carefully.
2. No person shall ride on any horse, mare, or gelding, at full speed, or gallop in any of the streets, lanes, or squares of the city.
3. No sleigh, sled, or other carriage upon runners, shall be driven within any part of the city, unless there be attached to the

harness of each horse or animal drawing the same two large open bells, or four large round bells.

4. Carriages shall be so-driven as to leave the centre of the road on the driver's right hand side.

5. No vehicle shall stop or stand nearer than eighteen inches to the centre of the street.

6. Private carriages driven at night through the streets shall have each two lighted lanterns.

7. Any person offending against these regulations shall be subject to a penalty of not less than five shillings, nor more than twenty shillings, together with costs of prosecution, and on default of payment may be committed to jail for a term not exceeding thirty days, or until payment is made.

XVIII.

WATCH.

1. The city council by resolution may at any time they deem it necessary, appoint a night watch to be kept in the city, from such hour after sunset until sunrise, as they may direct, to consist of such and so many persons, and to be stationed at such places as shall be designated in their resolution.

2. The city council shall appoint such persons and so many as they deem necessary, to be watchmen, who shall also be special constables.

3. The captain or superintendent of the watch shall be appointed by the city council, and shall hold his office during the pleasure of the city council, but may be suspended from office by the mayor if he should see occasion.

4. Every watchman shall be sworn before the mayor or before an alderman, to perform the duties of a watchman and special constable, with faithfulness, vigilance, and impartiality, and shall have all the legal power of a special constable to preserve the peace.

5. Every watchman shall hold his appointment for such period as the city council may prescribe,—subject to removal at their pleasure, and liable to be suspended by the mayor on complaint of the superintendent, or other sufficient cause.

6. The watchmen shall be appointed to particular wards or districts,—and it shall be the duty of each of them during the whole

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night, or such hours as the council shall direct, to walk the round in and about the streets and thoroughfares of the ward to which such watchman is appointed,—and to apprehend and to take into custody all persons found drunk in the streets, all persons committing actual breach of the peace, and all disorderly persons who may be disturbing and endangering the quiet, peace, and good order of the city,—and to convey such persons when arrested to the police office, to be there kept in custody until eleven o'clock in the morning of the day following, to be then examined and proceeded against for such offences, unless previously liberated by the mayor or one of the aldermen.

7. It shall be the duty of the captain of the watch to superintend the conduct of all the other watchmen, and see that they are faithful and attentive to their duties.

8. The captain of the watch shall every morning write a report of the past night, giving such particulars as the mayor may from time to time require to be in such report. The report is to be written in a book to be kept in the police office, for the purpose, and to be signed by the captain of the watch.

9. Any person who shall assault a watchman on duty shall pay a fine of not less than five shillings or more than ten pounds, or be imprisoned in gaol or bridewell for a period not exceeding ninety days, at the option of the mayor or presiding alderman.

XIX.

FISH MARKET.

1. The market shall be kept open for the reception and sale of fish every day from sunrise until six o'clock in the afternoon, except on Sundays, when it shall be closed at nine, A. M.—All fish remaining in the market after that hour shall be forfeited.

2. The keeper of the market shall prevent the sale of any fish, stale, unsound, or in a decayed state, and is hereby empowered to seize and effectually destroy the same, and no fisherman or any other person shall offer to sell fish stale, unsound or decayed.

3. The keeper shall cause the market, and the slip and the cleaning table, to be swept and washed every day in the week; and every person hiring or occupying a stall, shall under the directions and instructions of the keeper have the same washed and made clean and as dry as possible, after he has finished his sale for the day.

4. Smoking of tobacco in the market is prohibited.
5. No person shall clean any fish at any other part of the slip or market, but at the cleaning table.
6. The rates to be paid for stalls in the fish market to be arranged and settled at such sums as the council may direct.
7. The keeper from the first day of May to the first day of November, shall at the time of closing the market, cause all fish remaining unsold to be removed from the market. Such fish shall not again be exposed in the market.
8. No person shall be allowed to throw fish of any kind out of boats or shallops on the slip, but shall convey the halibut into the market on hand-barrows, and the small fish in baskets, to be furnished by the keeper of the market. Should any of the barrows or baskets be lost or damaged, the value of them if lost, or any damage done to them, must be paid for by the person by whom they were lost, or in whose service they were damaged. The keeper to be held responsible for the safe keeping of these articles.
9. No fisherman, or any other person or persons shall, on any account, sell or expose for sale, fresh fish, excepting trout, eels and other small fry, in any boat, vessel, shop, wharf, stall or place within the city of Halifax, other than in the fish markets.
10. The keeper of the market, once in every year during December, shall give into the city council a list of at least twenty persons, from which the city council shall appoint twelve to be waiters at the fish-market, to clean and carry home fish for such as may choose to employ them, and pay a reasonable sum for their service,—and any dispute relative to the charge made by the waiters, or any of them, shall be settled by the keeper of the market. Should any one appointed to such office refuse, become idle, disorderly, or exorbitant in his charges, it shall be the duty of the keeper of the market to report him or them at the police office, and the (complaint being proved,) he may be dismissed and another appointed in his stead by the mayor.
11. Every one appointed to such office shall furnish himself with a badge, suspended from his breast, with the words "market waiter," and the date of his appointment on the one side, and his name and number on the other side. The names and numbers of those appointed to be recorded by the city clerk, and no person shall wear such badge unless duly appointed, and not removed from office.

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12. It shall be the duty of the keeper of the market to prevent any idle, noisy, or turbulent boys, or drunken or disorderly persons, from loitering about the said fish market slip, or premises connected therewith.

13. Any person convicted in the police court of violation of any of these regulations, shall be fined a sum not exceeding forty shillings, and costs of prosecution; and on failure to pay the same shall be committed to gaol or bridewell for a term not to exceed thirty days.

XX.

MEAT MARKET.

1. It shall be the duty of the keeper of the market, to visit the meat market, in the City of Halifax, at least twice every day—once at the time that meat, poultry, or other animal food is exposed, and once about the time the said market is closed, to inspect what is offered for sale, and cause to be seized all meat exposed contrary to law.

2. Every sort of meat to be properly bled and dressed before it be brought into the market. The market hours to be as follows, viz: From the 1st of May to 1st of November from five o'clock in the morning till seven o'clock in the evening, except on Saturday evenings, when the same is to be kept open until ten o'clock; and from 1st of November to 1st of May from six o'clock in the morning until five o'clock in the evening, except Saturday evenings, when the same is to be kept open until nine o'clock. The keeper of the market shall take charge of the keys of the market, and see that the market is opened and closed at the hours before named.

3. The scales and weights belonging to the city shall be in the care of the keeper, who shall be answerable for the same, and if lost or injured by any person or persons whatever, such person or persons shall be accountable for the same, and pay the value of the article so injured or lost to the keeper. The scales and weights not to be used for any purpose but weighing meat. The tenants of the market to have the preference of weighing their meat. No huckster or other person to be allowed to deposit buckets, baskets, or other incumbrances in the market.

4. The market house shall be sprinkled and swept daily by

the occupants, to the satisfaction of the keeper. No offal, filth, or dirt of any kind, nor any raw hides, or skins, or the paunch, tripe, or other uncleansed interior of animals, or undressed, or other decayed or decaying substances, nor any live animals, shall be deposited or placed in any part of the market, nor outside near to the building.

5. The tenant of every stall, shall cause his stall window, seats and blocks, and half of the passage way, to be swept and kept free from any dirt and filth. The entries into the market shall not be impeded by hooks, or by any thing being therein laid or hung up. Blocks and casks, not to be allowed to stand in the passage, but to be kept within the line of the outer edge of each stall.

6. Each butcher to be allowed to have four barrels, or two tierces, or hogsheads, and no more, for pickled meat, to be kept inside of his stall, and kept free from leakage.

7. No person shall mutilate, or destroy, or otherwise deface the copy of these rules and regulations posted in the market, nor smoke, wrestle or jump in or about the market, to the annoyance or disturbance of the public.

8. Every offender against any of these rules and regulations, (masters being answerable for their apprentices) shall forfeit and pay a fine of not less than five shillings nor more than five pounds, to be sued for and recovered before the police court.

9. It shall be the duty of the keeper of the market to see these regulations carried into effect.

XXI.

EXHIBITIONS.

The fee or sum to be paid for a license from the mayor for any theatrical, or other public show, or exhibition, to which admission is obtained on payment of money, shall be a sum of not less than ten shillings and not exceeding five pounds,—the precise amount to be fixed by the mayor. Every such license shall express the number of days it is to continue in force, and an additional sum, not exceeding twenty shillings, may be demanded for each day beyond the first.

All such exhibitions shall be closed at night by the hour of eleven o'clock, with the exception of Saturday night, when the same shall be closed by the hour of eight o'clock.

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If it appears to the mayor that any such exhibition is immoral, profane, or indecent in any respect, or that it produces disorderly conduct, he may withdraw the license and order the exhibition to be at once closed.

Any person who shall offer to view, or shall set up, set on foot, maintain, or carry on, or shall publish, or otherwise assist in, or promote any theatrical exhibition, public show, or exhibition, of whatever name or nature, to which admission is obtained on payment of money,—without a license previously obtained from the mayor agreeably to this ordinance, shall forfeit and pay to the city for every offence a fine not exceeding ten pounds, and in default of payment, shall be liable to imprisonment in the county gaol for a term not exceeding ninety days.

Any person having charge of such an exhibition, who shall keep the same open at night beyond the hours herein prescribed, shall forfeit his license and pay a fine not exceeding five pounds; or be imprisoned in the county gaol for a term not exceeding sixty days.

XXII.

BATHING.

No person shall swim or bathe in the waters of the harbor near to any open wharf, slip or dock, or to any street or road in the city:—or otherwise, in such a situation as to be exposed to the view of spectators, under a penalty of not less than five shillings nor more than twenty shillings for each offence, and on non-payment to be confined in the county gaol for a period not exceeding ten days.

XXIII.

DOGS.

1. The owner of a bull dog shall not permit him to go at large unless sufficiently muzzled to prevent his biting or doing mischief, under a penalty of ten shillings.

2. Every fierce, malicious, or dangerous dog, shall be kept muzzled and chained by the owner, and not permitted to go at large. The owner shall pay a penalty of ten shillings if he violate this regulation, and the dog may be destroyed by order of the mayor or of any alderman.

3. On complaint made at the police court of any dog within the city that disturbs the quiet of any person by barking, howling, or in any other manner,—notice of the complaint shall be given to the owner or keeper by order of the mayor or of any alderman. If the owner or keeper do not remove the dog complained of from the city, and keep it so removed, or destroy it, within one day after receiving the notice, he shall pay a penalty of ten shillings a day until he remove or destroy the dog.

4. If any dog shall, unprovoked, bite any person,—on complaint at the police office on oath, the owner or keeper shall destroy the dog, or remove him from the city and keep him so removed, under penalty of twenty shillings.

5. If any person shall wantonly or maliciously throw any stone, stick, or any other hard substance at any dog, and lame or wound the dog, the offender shall be fined in a sum not less than five shillings and not exceeding twenty shillings.

XXIV.

CHIMNIES.

1. The mayor is authorized to appoint and license from time to time, suitable persons to be sweepers of the chimnies for the city, each of whom shall pay the annual sum of two pounds for his license.

2. Such conditions and terms may be prescribed in granting these licenses, and security required for compliance therewith, as from time to time may be directed by the mayor.

3. The rates for sweeping shall be as they are stated in the table of rates annexed, subject however to be altered from time to time by the city council.

4. Any licensed sweeper who shall neglect or refuse to sweep a chimney after proper request, shall be liable to a fine of not less than five shillings and not more than twenty shillings.

5. Any licensed sweep who shall demand or exact any higher rate than is prescribed herein, shall be liable to a fine of five shillings.

6. No inhabitant of the city shall employ any person (except servants in the house) to sweep a chimney other than a licensed sweep, under a penalty not exceeding ten shillings, upon the person employed.

7. If any chimnies, stove pipe or flue within the city, shall take or be set on fire, the occupant of the house to which it appertains shall forfeit and pay the sum of ten shillings, unless it appear that the chimney or flue has been duly swept within sixty days before the fire occurs; or in case of a stove pipe, that proper care had been taken to prevent the occurrence, and that it was an inevitable accident. In case of monthly or weekly tenants, the owner or his agent to be liable.

8. Any offender failing to pay any fine imposed under this section respecting chimnies, together with costs of prosecution forthwith, may be committed to the gaol or bridewell for a term not exceeding ten days, or until such fine and costs be paid.

9. Every licensed sweep shall keep a book and enter therein from time to time the names of the persons whose chimnies he has swept, with that of the street, and the number of the house and the date of sweeping.

10. Every licensed sweep shall furnish his apprentices or other boys in his employment, with sufficient brushes, scrapers and bags, and whatever may be necessary for the proper sweeping of chimnies and removal of the soot.

11. Every licensed sweep shall have an office or place with a sign inscribed "sweep's office," placed in front of his residence.

12. Every apprentice or boy employed by a licensed sweep, shall constantly wear a badge, visibly exposed, with the name of the party employing him.

13. In case any chimney, flue, or stove pipe take fire within sixty days after it has been swept by a licensed sweep, if it shall appear that such fire caught to it in consequence of insufficient sweeping, the fine of ten shillings shall be imposed on the licensed sweep.

14. Any omission or neglect on the part of a licensed sweep to keep a proper register of chimnies swept by him, or to furnish his apprentices and boys with implements and badges, shall subject him to a fine not exceeding five shillings for each offence, and the costs of prosecution.

Table of rates of Sweeping.

Four stories,	1s.	3d.
Three stories,	1s.	0d.

Two stories,	0	9d.
One story,	0	7½d.
For every additional story,	0	3d.

XXV.

BRIDEWELL.

1. The aldermen shall in rotation take each for one month the charge and superintendance of the bridewell, according to their seniority upon the list of aldermen; and in case any alderman cannot take his turn from sickness, absence, or urgent business, the mayor may direct the next in rotation to serve.
2. No person shall be permitted to visit the bridewell, unless by written permission of the alderman in whose charge it is for the month; and such visitors shall not be admitted before eight o'clock, A. M., or after six o'clock, P. M.
The mayor and aldermen, recorder, city clerk and marshal, the sheriff of the county, clergymen of all denominations and the physicians and surgeons practising in the city, shall be exempted from these restrictions, and may visit the bridewell at any time they deem necessary.
3. The hours of labor for the prisoners shall be from six, A. M. to six P. M., from the twenty second of March to the twenty-second of November, and during the remainder of the year from eight o'clock, A. M., to five P. M. every week day, except Christmas day, Good Friday, the Queen's birth day, and the eighth day of June. The Lord's-day shall be most punctually observed in the bridewell as a day of rest and repose and for worship of God.
4. The prisoners shall be allowed one hour for their breakfast, from eight to nine A. M., one hour for their dinner, from one to two P. M., during the summer months, and one hour for dinner during the winter months; their supper shall be at six P. M., for which they shall be allowed half an hour, after that they shall retire to rest and not be subjected to any unnecessary disturbance until five o'clock, A. M., next day.
5. The diet shall be allowed agreeably to the table of diet hereto annexed, which is not to be retrenched or altered in any way unless by express order of the alderman of the month.
6. The clothing of the prisoners shall be furnished them under direction of the alderman for the month. It is to be so distinguish-

ed as to make their escape more difficult, either by color, or other peculiar marks.

7. The keeper shall see that the whole interior of the bridewell is constantly kept as clean as may be, and fully ventilated throughout all its apartments. It shall be thoroughly whitewashed with lime twice a year. Every prisoner shall be supplied with a bucket and cover to be daily emptied for his necessary accommodation. Every prisoner shall be cleaned, shaved, and have a shirt washed for him, once a week at least; have full daily supply of clean water and soap, and a clean towel once a week renewed. No clothes shall be washed or hung up wet in any room used for a sleeping apartment.

8. Every prisoner shall be allowed the means of bathing the whole person weekly, either with cold or tepid water.

9. Any prisoner turbulent, refractory, or misbehaving, is to be reported by the keeper to the alderman of the month, by whom alone shall any punishment be ordered. The keeper may nevertheless secure any prisoner in closer custody than the rest, if he prove himself dangerous either by his using threats or blows:—but not otherwise. In such cases he must report immediately to the alderman of the month.

10. Prisoners may be set to work either in or out of the bridewell, by direction of the alderman of the month. None but adult males to work outside.

11. Punishment of a prisoner may be by seclusion.

12. A register book shall be kept in the bridewell. The keeper shall enter therein the name and description of every prisoner received, the date of his entry, the term for which he is sentenced; also shall minute therein the discharge of every prisoner. When any prisoner is put into close or separate confinement as refractory, or subjected to any punishment, the fact of such punishment shall be regularly entered at the time in the register by the keeper, and the entry signed by the alderman of the month.

13. The whole establishment shall be thoroughly inspected twice a year, viz: in the last week of June and the last week of December. The inspection shall be conducted by two aldermen named for the purpose by the mayor. The roll shall be then called, and every prisoner's condition as to health and behavior minuted, the clothing and bedding of each prisoner inspected, and any deficien-

cies noted. The state of all parts of the buildings, floors, windows, doors, chimnies, furniture, &c., also noted, and the result in writing in detail, signed by the two aldermen inspecting, shall be laid before the city council at their next meeting thereafter.

14. The accounts of all receipts and expences connected with the bridewell, shall be kept under the direction of the alderman of the month, and made up and if found correct signed by him on his term expiring, and filed with the city clerk to be laid before the council when they require it.

15. Copies of the act respecting the bridewell and of this ordinance, shall be constantly posted up in two or more conspicuous places within the bridewell.

16. *Prisoners allowance in Bridewell.*

For Men :

Each :—half lb. meal in the morning, and the same in the evening.

Dinners, Sunday, $\frac{1}{2}$ lb. meat, with $\frac{1}{2}$ lb. bread—soup with barley.

Monday, $\frac{1}{2}$ lb. fish, with $\frac{1}{2}$ lb. bread.

Tuesday, ox feet soup with barley, $\frac{1}{2}$ lb. bread.

Wednesday, $\frac{1}{2}$ lb. fish, with $\frac{1}{2}$ lb. bread.

Thursday, $\frac{1}{2}$ lb. meat $\frac{1}{2}$ lb. bread, soup with barley.

Friday, $\frac{1}{2}$ lb. fish, $\frac{1}{2}$ lb. bread.

Saturday, ox feet soup with barley, $\frac{1}{2}$ lb. bread, or $\frac{1}{2}$ lb. potatoes.

For Women and Boys.

Each :—6 oz. meal in the morning, and the same in the evening ; at dinner $\frac{1}{4}$ oz. bread, or 1 lb. of potatoes ; the other articles the same as the men.

XXVI.

COMMON OF HALIFAX.

1. The common of Halifax shall be under the control of the aldermen composing the committee of the common for the time being.

2. No person, except inhabitants in the city of Halifax, shall be allowed to place cows, oxen, or sheep, on the common, to depasture thereon ; and no inhabitant shall place thereon more than

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one cow or ox, or three sheep, at any one time, except as herein after provided.

3. The committee shall have authority to permit an additional number of cows, oxen, or sheep, belonging to inhabitants, to depasture on the common, on such terms as they may deem judicious and beneficial, and on payment in advance by the owner, of any sum not to exceed ten shillings per annum for any such cow, or ox, or any three sheep.

4. Every cow, ox, or sheep, that shall be permitted to depasture on the common shall, before being placed thereon, be registered by the owner thereof, and in his name, in a book to be kept for that purpose by the superintendant of the common, who shall file a copy thereof at the police office.

5. All persons authorized to place cows, oxen, or sheep, on the common, shall cause such cows or oxen to be designated by a metal or leather collar on the neck thereof, with the owner's name on the said collar; and each sheep to be designated and distinctly marked with the initials of the owner's name on some conspicuous part of said sheep.

6. Every cow, ox, or sheep, found at large on, or depasturing on said common, without being first registered and designated by a collar, or mark, as hereinbefore required, shall be impounded, and released only on the payment of a sum not exceeding ten shillings and costs, to be paid at the Police Office.

7. No horses, pigs, or cattle of any description, except such as hereinbefore provided for, shall be allowed to depasture on said common; and all such horses, asses, mules, and swine, goats and geese, or cattle found at large thereon, shall be impounded and not released without the payment at the police office of a sum not exceeding ten shillings for each one so impounded.

8. Any person depositing broken glass, rubbish, the carcasses of dead animals, manure, offal, dirt, ashes, earth, stone, or filthy substances of any description, on said common, except by permission in writing, and in places appointed by the committee,—or removing earth, soil, stones, peat, mould, or sods, on or from the said common, or erecting any building, booth, tent, shed, posts, or pickets, unless by permission in writing from the committee of said common, shall be deemed guilty of a trespass, and shall forfeit and pay a penalty not exceeding forty shillings for each of

fence, and on non payment thereof shall be committed to the house of correction for a period not exceeding thirty days; and all manure and compost heaps found on said common shall be forfeited, and the said committee may apply the same to the use of the common.

9. Any person prostrating, destroying, defacing, or injuring, any fences, enclosures, reservoirs, bridges, drains, trees, shrubs, or plantations on said common,—or injuring the ponds therein, or taking from them ice or water, without permission of the Committee,—shall forfeit and pay a fine not exceeding forty shillings for each offence, and on non-payment thereof shall be imprisoned in the house of correction for a period not exceeding thirty days.

10. Any person who shall wash clothing, bedding, or articles of any description, upon any part of the common, except in the places appointed by the committee, shall forfeit a sum not exceeding five shillings for each offence, to be paid at the police office; and the superintendent shall, and is hereby authorized to seize and detain any such clothing, or other articles lying or being upon said common, and to retain the same until the person unto whom they shall belong, or the person washing the same, shall pay at the said office the said fine, and all costs incurred, after which he shall release and deliver them up.

11. Any person who shall enter the waters, or any reservoir on said common, for the purpose of washing, swimming, or bathing, shall forfeit and pay a fine not exceeding ten shillings for each offence, or in default thereof be confined to the house of correction for a period not exceeding forty-eight hours.

12. All persons crossing said common with carts, carriages, or other conveyances except on the roads of said common, shall forfeit and pay a fine not exceeding ten shillings for each offence.

XXVII.

THE PUBLIC CEMETERY AND PUBLIC BURIAL GROUNDS.

1. A strip of ground nine feet wide, extending the whole length of the eastern side of said cemetery, and divided into lots of three feet in width from north to south, shall be entirely devoted to the interment of strangers and other persons who die and have no relatives residing in the said city; and for this purpose the said strip, except such parts thereof as have been already dis-

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posed of, or appropriated to the burial of the dead, shall be sold under the direction of the aldermen appointed as the committee of the cemetery for the time being, for the sum of twenty shillings for each lot, payable on all occasions before they are allowed to be used for interment.

2. Whatever portions of the remaining part of said cemetery are now or may be divided into lots of nine feet square, shall be sold under the direction of the committee, for the sum of forty shillings for each lot, except such as have been already used for the purpose of interment;—the proposed purchaser at the time of applying for the same, to have his name, and the number of his lot registered by the city clerk, in a book to be kept by him for the purpose; and to pay therefor and take out his title thereto, within thirty days from the time of application,—and if he shall not so pay therefor within the time aforesaid, he shall forfeit all interest therein, provided the said lot shall not have been used for the purpose of interment;—but if the said lot shall have been so used, and the purchase money on any part thereof shall after the expiration of the said time remain unpaid, the amount so due and unpaid may be sued for in the name of the city of Halifax, and recovered as debts of like amount are sued for and recovered.

3. Divisions numbers five and six, on the plan of the cemetery, having been allotted to the parishes of Saint Paul's and Saint George's respectively, a sale of any portion of these grounds shall not be made, nor shall a title be delivered to any intended purchaser, unless in addition to registering his name as aforesaid, he shall first produce in writing to the city clerk, the approval of the rector and church-wardens of the parish to which the division comprehending the said required lot has been assigned.

4. No person shall be allowed to use any lot for purposes of enclosure, or the erection of monuments, or the cultivation of trees, shrubs, and plants, unless he shall first produce his title to the chairman of the committee aforesaid, who shall thereupon give a written permission, addressed to the keeper of the cemetery.

5. No person shall become the proprietor of more than four lots.

6. No lot shall be used for any other purpose than as a place for the burial of the dead, except that the proprietors of lots shall have the right to erect monuments, or sepulchral structures, and to

cultivate trees, shrubs, and plants in the same, subject to the restrictions as aforesaid.

7. Any proprietor may exchange his lot, if it has not been used for purposes of interment, and select from those unappropriated, on payment of five shillings for such privilege, the right to the lot thus selected; to be acquired by complying with the conditions hereinbefore specified to be observed by the purchasers of lots.

8. The proprietor of a lot or lots shall have a right (subject however to the restrictions by these regulations imposed) to enclose the same with a wall, fence, or railing, of brick, stone, wood, or iron, within the boundary of his lot or lots;—such wall, fence, or railing, not to exceed three and a half feet in height from the surface of the ground, either along the main avenues or alleys, nor to encroach upon the main avenues, or upon two and a half feet allowed for the alleys; and no post, pillar, or ornament, shall be so erected as to project in any part beyond the lot or lots, nor to encroach upon the said main avenues or alleys; and no post, pillar, or ornament, shall be so erected as to project in any part beyond the lots or lots owned by such proprietor; and it shall be the duty of the keeper of the cemetery to require the terms of this regulation to be complied with, and in all cases of violation to give notice to the committee of the cemetery, who shall have full power, when they may deem it advisable, to cause any wall, fence, railing, post, pillar, or monument, improperly erected, to be removed.

9. No wall, fence, or railing, shall at any time be placed or erected in or around any lot or lots, unless the materials and design shall have been first approved by the chairman of the committee of the cemetery, or a majority of the members of the committee,—nor shall the keeper of the cemetery allow any such wall, fence, or railing, to be erected, unless the consent of the chairman, or a majority of the members of the said committee, be presented to him in writing.

10. The proprietor of a lot or lots shall erect at his own expense, suitable landmarks of stone, iron, or wood, at the corners thereof, and shall also cause the number or numbers of said lot or lots to be legibly and permanently marked on the premises,—and if the proprietor shall omit for thirty days after notice to erect such landmarks, and mark the number of the lot or lots, the commit-

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11. If any trees, or shrubs, situated in any of the lots, shall by means of their roots, branches, or otherwise, encroach upon, or in any manner become detrimental to the adjacent lots, avenues, or alleys, or dangerous or inconvenient to passengers,—it shall be the duty of the committee for the time being, or such person as they shall authorize, to enter into the said lot or lots, and in such way as they may deem necessary, remove the same, or such parts thereof as they deem necessary.

12. It shall be the duty of the keeper of the cemetery, to require that every grave be dug at least four feet in depth.

13. No proprietor shall transfer any lot or lots without the consent of the chairman, or a majority of the committee of the cemetery.

14. Any person or persons who may have already purchased a lot or lots, or used the same for purposes of interment, and have not paid for the same, shall be liable to be sued for the price thereof, and the amount due shall be recovered in the name of the city of Halifax, as debts for like amount are now sued for and recovered.

15. Any person who shall deface, or injure any tomb, tombstone, railing, or monument, or shall injure, disturb, or destroy, any of the trees or shrubs within the cemetery, or any public burial ground, shall be liable to a fine not exceeding ten pounds besides the damages and costs, and on non payment to be confined in the gaol, or bridewell, for a period not exceeding ninety days.

XXVIII.

PROSECUTIONS.

1. All fines and penalties incurred under the statute of this province concerning the city of Halifax, or any act under the same title, or in amendment, or addition thereto, now in force, or hereafter to be passed, or under any by-law or ordinance of the city, may be enforced in the mayor's court at the suit of the city, or in the police court, at the prosecution of any person whomsoever, and

all such fines and penalties shall when recovered form part of the general funds of the city,

2. When any rent shall be due to the city and in arrears, the mayor or any one of the aldermen, shall have full power to issue a warrant of distress for the same under his hand and seal directed to the city marshal or his deputy.

J. S. CLARKE, *City Clerk.*

Form of Hackney Carriage Bond.

Know all Men by these presents, that We — of the City of Halifax, Hackney Carriage proprietor, and — and — of the same City — are held and firmly bound unto the City of Halifax, in the sum of fifty pounds lawful money of Nova Scotia;—for which payment well and truly to be made, we bind ourselves and each of us and any two of us, and the heirs, executors and administrators of us, and of each and of any two of us, jointly and severally by these presents, sealed with our seals, dated the — day of — in the year of Our Lord one thousand eight hundred and fifty —

The condition of this obligation is, that if the above bounden — shall well and faithfully perform his duty, and safely convey all property placed in his charge, as proprietor of the licensed Hackney Carriage, number — and shall abide by, perform and fulfil the by-laws of this City respecting Hackney Carriages in all things while he shall hold a license for the same, and pay to the City all fines that may be lawfully imposed on him by virtue of such by-laws, then the above obligation to be null and void, otherwise to remain in full force.

Signed, sealed and delivered }
in presence of }

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