

## MAY 1880

Semiannual Meeting of the Municipal Council for the County of Pictou held this 4<sup>th</sup> day of May A.D. 1880.

Roll Called members answered to their names as follows:

2. Donald Fraser
3. John McRae
4. James R. Collie
5. A.J. McKay
6. John R. McDonald
7. Hugh McKenzie
8. Hugh S. Fraser
9. Andrew McGillivray
10. Alexander McKay
11. Robert McBeath
12. Colin R. Fraser
13. Angus W. William
14. Robert McNeil
15. Donald McGillivray
16. Alexander R Hearst
17. James Hudson & John MacDonald
18. Donald McLeod
19. William McGillivray
20. Robert Bannerman
21. Jeffery McColl
22. John McDougall
23. Alexander McHardy
24. David J Meikle

The Warden being unable to attend from sickness the council proceeded to nominate and elect a chairman moved by John MacDougall esq. & seconded by Donald Fraser esq. and unanimously resolved that Robert MacNeil esq. be appointed chairman of this council. Where from Mr. MacNeil was elected and took his seat on the bench and opened the meeting with prayers as usual.

Moved by James Hudson esq. seconded by Mr. McColl that the first business taken up by the Council be the reading of the amendment to the [ ? ] [ ? ] Ret, as passed at the last meeting of the legislators, after which the committee on Bye Laws reported.

The said report having been read it was moved and seconded that the Report as read be received. Moved by councilor McColl and seconded by Councilor McColl and resolved that the Bye Laws be read clause by clause and passed as read unless amendments or remarks be offered.

Adjourned until 2 o'clock P.M.

Met at 2 o'clock pm this Tuesday 4<sup>th</sup> day of May A.D. 1880 [p....] to adjournment, minutes of last meeting read and adapted. Council proceeded with the reading report of Committee on Bye Laws and proceeded to the 2<sup>nd</sup> thereof except in reference to Statute Labor which was deferred in the means [...?..]

Councilor McColl as Chairman of the Committee appointed to make arrangements about paying debentures issued by the [courts?] and [block?] of the Peace for payment of Railway damages for land taken for Eastern Extension Railway reported that he had arranged with the Pictou branch to take up these debentures with interest to date and hold the same as a debt against the county with interest at the rate of six percent for [ ? ] until a decision was had from the Supreme Court of Canada as to who is liable for these damages and that the provincial government had passed a minute of council of which they agreed to be bound by the same decision and would pay the Pictou branch if the court decided that the Province is liable.

It was moved, seconded and passed that the question of Railway damages be discussed tomorrow Wednesday at 2 o'clock pm, Council resumed reading report of committee on [ ? ] [?] and fully discussed that fact relating to [?] [ ?] and Roads and Bridges

Adjournment until 10:00 o'clock A.M. tomorrow morning.

Council met this Wednesday 5<sup>th</sup> May 10:00 A.M. [?] to adjournment.

Read minutes of yesterdays proceedings which was adopted

Petitions for Private Statute Labor Endorsements Read – referred to Committee on Statute Labor.

Petitions for profits for Rent and from Roads Endorsements Read – referred to Committee's on Roads & Bridges.

Estimate of Costs for to repair Ferry Wharf Fisheries Grant – referred to Committee on Roads and Bridges.

Road Petition for Ferry to Caribou Island – referred to committee on [Licenses?]

Read letter from A.P. Olding complaining for reduction of salary. No action taken on this matter.

Moved by A. McHardy seconded by Councilor Meikle and Resolved that the County Treasurer submit a statement of all [deficiencies?] and balances still due on several assessments Polls of the County for the year 1849 showing the several balances due by each Polling District.

The Chairman list to the Notice of Council Schedules A & B with [?] from Provincial Dept Office asking [?][?] certain Roads Bridges on.

Read Petition from James [?] E.B.N.J. for exemption from Assessment referred to Councilor on Assessment.

Road Petition from Charles Sutherland [E.B.McJohn?] for exemption from Assessment referred to Councilor on Assessment.

Roll Called Councilors all present later

On Motion the Report of Committee on bye laws refueling Roads and Bridges was referred back to said Committee.

Adjourned til 2 o'clock P.M.

Council met this Wednesday 5<sup>th</sup> May 1880 at 2 o'clock P.M. Pursuant to Adjournment.

The question of Railway Damages was taken up for further discussion [?] to adjournment of yesterday.

Councilor McColl read minutes of the council of the province made in this matter relating to the payment of the damages.

Also read letter from Agent of Pictou Bank stating the terms on which they will advance the money for Payment of Railway Damages, and letter from the Mr. [ Rigby?] council on behalf of the county.

Moved by Councilor McColl and seconded by councilor Hudson and resolved that the Municipality of Pictou County appeal to the Supreme Court of Canada from the decision of the Supreme Court of Nova Scotia in the matter of the Pictou Railway Damages and that the Rigby be retained to [?] the appeal and to [?] to obtain a final decision on all the [?] involved.

Passed unanimously.

Copy of Minutes of Council Dated 2<sup>nd</sup> April 1880. This council having had much consideration the circumstances commended with the payment of the damages for lands taken for the Construction of the line of Railway from New Glasgow to the Streets of Canso and it being [represented?] to the Council that no provisions has been made for the payment of such damages in the County of Pictou in consequences of objections having been made as to the suffering of the law under which the lands were taken and appraised and the damage sought to be collected and that the County Authorities can obtain the [can?] of a sum of money sufficient to pay such damages to the [?] to whom the same was awarded, provided they declare as they are willing to do that they agree to be bound

by any decision which may be made in the matter by the Courts of Competent Jurisdiction and provided that the movement will also disclaim to willingness to abide by any such decision in like manner.

It is recommended that the [in...?] be given to all [???] interested in this matter that the Government will hold its self bound to provide for the payment of the damages for all lands taken or to be taken for the right of way for the Railway from New Glasgow to the Straits of Canso if at anytime it should be decided by the Courts of [conflicts] jurisdiction after hearing Council representing the various interests involved in the question that the Government are liable for the right of way under the contract and enactment relating to Eastern Railway Extension.

Sgd. SK Holmes  
[prov.Duty?]

The Pictou Bank Picton N.S. 24<sup>th</sup> April 1880  
J.McColl Esq.  
New Glasgow

Dear Sir,

I am favored with your letter of 24<sup>th</sup> enclosing copy of the decision of the Supreme Court in the Railway Damages Pictou.

Referring to conversation when yourself and Mr. McDougall were back in my office. I beg to say the Pictou Bank are willing to redeem the certificates that have already been issued by the County in Settlement of Railway Damages in connection with the Eastern Extension to the Extent of \$40,000 on receiving from the County council Certificate copy of resolution declaring that if the Supreme Court of Canada decide that the County is liable for the Railway damages in the case to be submitted by the County and Provincial Government the County will pay the Pictou Bank all sums as awarded or paid with interest accessing thereon.

Can you inform me when the Case is likely to come up for hearing before the Supreme Court of Canada so that I may say what deductions would be made in paying interest that has already accrued?

Yours truly,  
Sgd. [??]

The committee appointed at the January Town of Council to [?] with the Government about the payment of the Eastern Extension Railway Damages by [?] to [??].

That they have performed the duty informed on them and have arranged with Pictou Bank to take up the debentures issued by the Courts with interest to the date of taking them [??] – holding he same as a debt against the County and Province until a decision is come before the Supreme Court of Canada, paying interest on the amounts so paid of six per cent.

The province by a minute of council hereon agree to be backed by this decision and the Pictou Bank require the County Council to pass a similar minute or resolution. Owing

to the Indisposition of the Warden he was unable to go to Halifax to confer with the Government but Councilor A. McKay M.P.P. was associated with your committee and was present at the interviews with the Member of the Government. All of which is respectfully [??]

Sgd. Jeffrey McColl  
Pictou 5<sup>th</sup> May 1880

Whereas the persons entitled to damages for lands on taking for the Eastern Extension Railway through the County of Pictou received certain Certificates [??] or acknowledgements in writing [instilling?] the holders to payment of such damages and such holders being [d..?] of receiving payment as soon as possible without waiting for the legal decision finding an appeal as to the liability of the County.

Resolved that if the Pictou Branch will advance the several amounts due on such certificates or sign to such holders though as shall desire the same the county council will by issuing of debentures is due form of [???] provided for the payment of all sums due by such certificates or [???], with incident in hands of the Pictou Bank or other holders, so soon as the Court of Appeals shall decided that the County is likely for such damages.

Moved by Councilor Hudson and seconded by Councilor Collie and resolved, that Councilor McDougall, McColl, and McNeil be a committee to make arrangements with the Pictou branch in reference to the payment of the bonds and debentures or certificates issued by the County for the Eastern Extension Railway Damages in the County of Pictou – and that this Municipality will be bound by all legal [sets] done by this Committee – And that this committee be the [??] to consult with our Solicitor [??] [??] in reference to the appeal. The committee to be decided when the Warden is able to resume his duties.

Read Petition of Daniel McDonald and William McKenzie is for additional compensation for land taken for Easter Railway Extension.

Referred to Committee on Roads.

Read Petition of Rate Payers Stellarton and Albion mines to be formed into a Police district – Granted

Robert Simpson, Murdock Sutherland and Daniel Munro of [????] Committee.

Committee on appointments of Town Offices read [????] list of Town Offices for the County, [Re????] adopted and ordered to be filed.

Adjourned until tomorrow Thursday the 6<sup>th</sup> day at 10 o'clock a.m.

Council met this Thursday 6<sup>th</sup> May pursuant to adjournment, Minutes of yesterday read and adopted.

Councilor McHardy read Report of committee appointed in January given last in reference to petition of Kenneth Urquhart [Weavers?] [Mountain?] [respecting?] the payment of expenses of keeping his son in the Lunatic Asylum.

Report adopted, and ordered to be filed.

Moved by Councilor McDougall and seconded by H.S. Fraser that the Warden and Treasurer borrow the money overdue by the Council at the January meeting and required to pay off the County Debt, and that Debentures be issued for the loan as provided by law.

Committee on Bye Laws read report, Report Received.

Roll Called 2 members absent

Councilor McColl read Report of Committee appointed in January given last to look into the matter of Exchange of Property in New Glasgow between the Municipality and Jeremiah Connolly,

Report Adopted and ordered to be filed.

Report of Committee on Licenses. Report received and adopted and ordered to be filed.

Adjourned until 2 o'clock p.m.

Council met at 2 o'clock p.m. Thursday 6<sup>th</sup> pursuant to adjournment.

Minutes of former meeting read and adopted.

Read resignation of David A. McKean as Commissioner of Court House as handed to Committee on Town Offices.

The Report of Committees on Bye Laws was taken up and considered clause by clause and passed with various amendments as entered on the margin of said report.

The Supplementary report of the Committee on Bye Laws was also taken up and considered clause by clause and passed with amendments as marked on the margins of said supplementary report.

On reading section 2, of bye laws of supplementary report it was resolved that said section do pass as finished. Amendment moved to take superintendent to each polling section which was lost.

Shall see 2 of Bye Law /Pass or [???

For Amendment  
A. McKay  
D. Fraser  
Meikle  
McBeath  
A. McGillivary  
Bannerman  
J.R. McDonald  
McLeod  
McDonald  
H.S. Fraser

Against  
McColl  
Collie  
McRae  
Grant  
McHardy  
McKenzie  
A.J. McKay  
W. McGillivary  
McWilliam  
C. Fraser  
McNeil

Original

For  
McColl  
Collie  
McRae  
Grant  
McHardy  
McKenzie  
A.J. McKay  
W. McGillivary  
McMillan  
C. Fraser 11  
McRae

Against  
A. McKay  
D. Fraser  
Meikle  
McBeath  
And. McGillivary  
Bannerman  
McLeod  
Jms. McDonald  
H.S. Fraser  
McDonald  
10

J.R. Macdonald gave notice of reconsideration at 2 o'clock

Read letter from Provincial [??] showing amount provided for Road.

Road Grant for the present year \$4074.35 less \$1384.04 due on Interest a/c with [intentions??] from cashier of the Bank that they will be willing to allow one half of said interest to remain unpaid for this year if the other half is paid – [??] McDougall & 2<sup>nd</sup> McKay, and passed. Resolved that half the interest claimed by the Bank of Nova Scotia for a on road service account be fixed out of the moneys in the land of the Provincial [??] at the credit of the County for road services.

Committee on Roads & Bridges report Road was adopted

It was resolved that the petitions of the following private Statute Labor Laws is read

No 1. George Sutherland	Fox Brook	Dec 18	Granted
2. Wm. Douglass	Mid River	“ 18	Granted
3. Hector Murray	do	“ 18	Granted

4. James McLeod	do	“	18	Granted
5. James Ross	do	“	18	Granted
6. John J. Raysmith	do	“	15	Granted
7. William Weir	do	“	15	Granted
8. John M.B. Cameron	St. Marys	“	22	Granted
9. William Murray	Fraser’s Mtn.	“	13	Granted
10. Hugh Ross	Loganville	“	5	Granted
11. James A. Patton	Merigomish	“	19	Not Granted
12. Donald Sutherland	[??]	“	13	Granted
13. Alex McKenzie	Tony River	“	3	Not Granted
14. [Arh..?] & [??]	Fraser Mt. Thom	“	11	Granted
15. Donald Grant	[West Caribou?]	“	2	Granted
16. Malcolm McKenzie	[??]	“	1	Granted
17. J. McDonald & McBain		“	17	Granted
18. Ken Cameron	S. Mt Thom	“	9	Granted
19. [R????]	Bailey’s Brook	“		Not Granted
20. Angus Cummings	Blue Mtn.	“		Do Later

Committee on Assessments Report as follows, Your Com. [??] have to recommend that these be struck off the Rote of James [J. Str..?] Call No. 3 for 1879, \$33.68, also that he be paid the sum of \$4.20 for costs incurred trying to collect bad debts.

Alex Baillie	Dec No 5 for 1878	5.55
Alex Murray	“ “ for 1879	2.43
Donald R. McKenzie	“ “ for 1878	3.88
Alex McGregor	“ “ for 1879	0.30
Peter Campbell	“ “ “	34.90
Angus Bruce	“ “ “	8.92
John Dunbar	“ “ “	5.75
David McKay esq.	“ “ “	0.91

And also that he be paid back \$1.90 for expensed incurred in trying to collect bad debts.

### Appeals

In the case of widow Mary Ann Black Section 2 we recommend 70 cents of her county rates be refunded.

James Wylie section 5 recommend his case be referred for further consideration.

Jim Sutherland Barney’s River cannot recommend Prayer of Petition be granted

Report Read & Adopted



Read Application from inhabitants of Ponds to prevent persons from hauling sea manure from the shore between sun down & sun rise.

Resolved. This petition be referred to committee of Bye Laws.

Ordered that a/c in reference to A.G. Bridge be deferred for further consideration til January term 1881.

Resolved that H.R.[Harrisway??] and James McRae be appointed to be associated with the Prothonotary in cutting up for Jury list into tickets and filing Jury Boxes.

Committee on Roads and Bridges as to further report, The [Coun..?] to whom the following petitions were referred report as follows.

1<sup>st</sup> the Petition of Daniel McDonald William F. McKenzie in the Railway damages, after hearing the party and Council and considering there are exceptional case and a case of great hardships, but being aware of the delicate nature of the case we would recommend the Council would under the circumstances consider the case seriously and grant such relief as the case demands. Further discussion on this subject adjourned until tomorrow at 11 o'clock.

Petition of Annie Vaux for closing road, permission given to withdraw Petitions which was taken away from John Vaux.

Petition inhabitants of Mt. William, Mid River, complaining of [????] Coal [??] refusing to refrain Railway Crossing,  
Resolution to be sent to Agent of [Black??]

Petition attraction road French River of Merigomish. Granted  
Jas. H. McKenzie B.R. Com,

Petition road from Lismore to Back Settlement Knoydart, Not granted

Petition Extension Street at Vale Colliery Granted W.M. McKenzie Warden, Coun.

Petition Road from Robert McDonald B.R. to Armdale Station, Not Granted

Petition Archie McLeod [c...??] River for Extension of Road ...Granted  
John [??] Coun

Petition Road Angus J. Cameron and Thomas McBean, E.R. St. Mary's  
Pent Road Granted  
W. M. McKenzie, Com

Petition Pent Road John Munro [??]

Granted  
John Golden [??]

Petition Road at Vale Colliery to intersect Sherbrook, Post Road, Names taken on vote for granting [P...?] for Road at Vale Colliery to intercept Sherbrook Post Road.

For	Against
McColl	McKay
Fraser	Meikle
Collie	McWilliam
McRae	J. McDonald
Grant	McDougall
McHardy	McNeil
Bannerman	
And. McGillivray	
McBeath	
McKenzie	
J.R. McDonald	
McLeod	
C. Fraser	
H.S. Fraser	
W. McGillivray	16

Granted  
John [Goldam?] R.J. Com

Petition Road from B.B. Settlement to E. Side Barneys River Granted  
James N. McKenzie Com.

Estimate Cost of Repairs Ferry Wharf at Fisheries Grant,  
No Action taken

Filed Return Westville Book & Ladder Log for year ending 30<sup>th</sup> April 1880

Adjourned until tomorrow at 10 o'clock a.m.

Council met this Friday 4<sup>th</sup> May 1880 at 10 o'clock a.m. pursuant to adjournment,  
Minutes of yesterdays meeting read and adopted,  
Committee A. McKay asked to suspend the rule and reconsider Section 2 of  
ByeLaws of Road & Bridges section  
Supplementary reports refused.

Read & Retract Com. on Petition Inhabitants Ponds respecting removal of sea  
weeds,  
Received & adopted

Read Report Com. Public Property and Tenders,  
Received & Adopted

Read Petition Angus Cummings Blue maintenance for Pond Road, Too late – laid over til January Gen.,.

Took up Petition of Daniel McDonald and Wm.G. McKenzie for additional Conformation for Land taken for E.R.R. Extension pursuant to references.  
Ordered to be laid over until meeting R.R. damages are settled.

Read Report Committee on poor –  
Revised, Read & Adopted  
Councilor gave notice of appeal, Deduction reports handed to Councilor of Districts.

Com whom was referred to Petition of discusses poor. River John compiling Agnes Langille to support her Father and Mother.

Report read and adopted

Adjourned until 2 o’c p.m.

Council met at 2 o’clock p.m. this 7<sup>th</sup> day of May, pursuant to adjournment, Minutes of previous meeting read and adopted

Resolved that we impose a fine of \$2 each on Councilors Hudson and McGillivray for non-attendance on two days of this session.

Not passed

Committee on Roads and Bridges Report and recommend that the following amounts be appropriated set of the Government Road Grand for the Road and Bridges services of the County –

Daz

For Pictou Road District	\$550.
“ River John “	500.
“ West River “	650.
“ Mid River “	380.
“ East River “	200.
‘ Merigomish “	500.
“ Blue Mountain “	600.

Report received, read and adopted

Resolved that whereas the Committee on Bye Laws were [impressed?] to imply a lawyer to assist in drawing up the Bye Laws, but instead of doing so got one of their non members to do the work, this saving the cost of at least fifty dollars –

And whereas the Bye Laws as passed have to be copied and presented to the Prov. Secty. In a convenient form of confirmation by the Governor & Council this entailing further work on Councilor McDougall, therefore resolved that the sum of \$30 be given to Councilor McDougall as a slight acknowledgements of his services in this and other work voluntary done for the various communities.

Unanimously resolved that the Municipal Council much regret that their Warden is through illness unable to attend this meeting.

The Council takes this opportunity to express their condolences and are thoroughly aware that the entire County is in sympathy with them wishing and hoping that a speedy return to health will enable the council to again access the benefit of the Wardens valuable services-

Resolved that a Note of thanks be [??] to R. McNeil by for the very efficient manner he has provided as chairman of the May Session of the Municipality of Pictou held on the 4<sup>th</sup> of May 1880

Adjourned  
Pictou NS  
4<sup>th</sup> May 1880

D.W. [????]