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JOURNAL OF THE PROCEEDINGS

OF THE SPECIAL,

SECOND AND THIRD REGULAR SESSIONS

OF THE

NINTH COUNTY COUNCIL.

OF THE

**COUNTY OF NORFOLK.**

D. MATTHEWS, Esquire, Warden. : : : : : J. ERMATINGER, Esquire, County Clerk

1859.

SIMCOE :

PRINTED AT THE "CONSERVATIVE STANDARD" OFFICE, NORFOLK ST.

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*The* EDITH *and* LORNE PIERCE  
COLLECTION *of* CANADIANA



*Queen's University at Kingston*

JOURNAL OF THE PROCEEDINGS

OF THE

**F I R S T S P E C I A L**

AND

**T H I R D R E G U L A R S E S S I O N**

OF THE

**N I N T H C O U N T Y C O U N C I L ,**

***C O U N T Y O F N O R F O L K .***

D. MATTHEWS, Esquire, Warden. : : : : : J. ERMATINGER, Esquire, County Clerk

1858.

**S I M C O E :**

PRINTED AT THE "CONSERVATIVE STANDARD" OFFICE, NORFOLK ST.



SPECIAL SESSION  
OF THE  
**NINTH COUNTY COUNCIL.**

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FRIDAY, 4th June, 1858.

The Council met pursuant to advertisement.

The Warden in the chair,

The roll was called and the following members answered to their names, viz: Messrs. The Warden, Culver, Jamieson, Snider, Barber, Richards, Miscner, Killmaster, Dedrick, McCall, and Crysler.

The minutes were read and approved.

The Warden read several communications, viz: from the Sheriff of the County; communication from James Covernton, Secretary Board of Instruction.

Mr. Killmaster presented a Petition of Thomas McKim and others.

No. 1. On motion of Mr. Killmaster, seconded by Mr. Dedrick,

*Ordered*,—That the Petition of Thomas McKim and others, be laid over to the next Session of this Council, and that Messrs. Crysler, McCall, and the mover, (Mr. Killmaster,) are hereby appointed to examine the road referred to by the Petitioners, and report at the next meeting of the Council their opinion of the expediency of appropriating money on the said line of road; to meet at Fergusson's Inn, Charlotteville, on the Third Saturday in June, next, at 10 o'clock, a.m.

No. 2. On motion of Mr. McCall seconded by Mr. Killmaster,

*Ordered*,—That the communication of the County Treasurer be referred to a committee composed of Messrs.

The Warden, Barber, Culver, Crysler, Wallace, Miser and Killmaster with power to report by bill or otherwise.

Mr. McCall presented the Petition of E. S. Hillier and others.

Which he read at the table.

No. 3: On motion of Mr. McCall, seconded by Mr. Killmaster,

*Ordered*,—That the Petition of E. S. Hillier and thirty-seven other residents of the Township of Charlotteville, be referred to the same committee that the Petition of Thomas McKim and others was referred to, with the same power to examine and report.

No. 4: On motion of Mr. Richards, seconded by Mr. Barber,

*Ordered*,—That the communication of the Sheriff be referred to a committee of the whole with power to report thereon.

And the Council went into committee.

Dr. Culver as chairman of the above named committee read the report.

No. 5: On motion of Mr. McCall, seconded by Mr. Killmaster,

*Ordered*,—That the report from the committee of the whole be received and adopted, and referred to a special committee composed of Messrs. Snyder, Jamieson, Richards and Dedrick; To prepare a By-Law in accordance therewith, and report to this Council at their next meeting.

The report as read and adopted is as follows:

“Your committee to whom was referred the foregoing order, beg leave to report that after due consideration, That it is the opinion of the committee, that the Petit Jurors should be paid one dollar per diem for attending the several courts, and mileage at the rate of 10 cents per mile for going to the said courts.”

J. B. CULVER, *Chairman*.

No. 6: On motion of Mr. McCall, seconded by Mr. Crysler,

*Ordered*,—That this Council do now adjourn until eight o'clock this evening.

And the Council adjourned.

Attest, J. ERMATINGER, *County Clerk*.

—o—

The Council met pursuant to adjournment.

The Warden in the chair.

The roll was called, the following members answered to their names, viz: Messrs. the Warden, Culver, Jamieson, Snider, Wallace, Richards, Misener, Killmaster, Dedrick, McCall and Crysler.

Mr. Wallace brought up the report of the committee on the Treasurer's Report, which he read,

No. 7: On motion of Mr. Wallace, seconded by Mr. Snider,

*Ordered*,—That the report be received and adopted, and a copy of this motion be transmitted to the Treasurer,

The report received and adopted is as follows, viz:

"The committee to whom was referred the Treasurer's report, having examined it, and found that the Funds on hand was insufficient to meet the demands upon the Treasurer, until the taxes for the current year are collected, would respectfully recommend that the Treasurer be instructed to correspond with A. Stevens, Esq., the President of the Gore Bank, and endeavor to negotiate a loan of One Thousand Pounds until the 1st January next."

WM. WALLACE, *Chairman*,  
DANIEL MATTHEWS,  
ANDREW MISENER,  
H. J. KILLMASTER,  
J. B. CULVER,

Committee Room, June 4th, 1858.

Mr. Dedrick brought up the report from the special committee accompanied by a By-Law,

No. 8: On motion of Mr. Dedrick, seconded by Mr. Richards,

*Ordered*,---That the said report be received and adopted.

The report as read and adopted is as follows, viz:

"Your committee to whom was referred the report of the committee of the whole, beg leave to report, that they have prepared a By-

Law, in accordance with the report of the said committee which they now ask leave to present, to this Council for a first reading."

J. L. DEDRICK, *Chairman*.  
GEO. SNIDER,  
A. JAMIESON,  
J. RICHARDS.

Committee Room, 4th June.

The By-Law was read a first time.

No. 9: On motion of Mr. Jamieson, seconded by Mr. Misener,

*Ordered*,---That the said By-Law be read a second time forthwith,

And the By-Law was read a second time.

No. 10: On motion of Mr. Crysler, seconded by Mr. Killmaster.

*Ordered*,---That the said By-Law be engrossed and read a third time forthwith,

No. 11: On motion of Mr. McCall [in amendment] seconded by Mr. Snider,

*Ordered*,---That the words "Grand and" be inserted before the words Petit Jurors, and the words Seventy-five cents, in the place of One Dollar in the said By-Law.

Debates arose, and on division the motion in amendment was lost by a majority of five.

*Yeas*: Messrs. McCall and Snider - - - - - 2

*Nays*: Messrs. Culver, Jamieson, Wallace, Richards, Killmaster, Dedrick, and Crysler - - - - - 7

The original motion being carried by the same majority.

The By-Law was engrossed and read a third time.

No. 12: On motion of Mr. Richards, seconded by Mr. Killmaster,

*Ordered*,---That the said By-Law do now pass and become a By-Law of this Council, and be intituled as in the caption thereof.

The By-Law passed and intituled is as follows, viz :

## CHAPTER I.

### 1ST SPECIAL SESSION OF 9TH COUNTY COUNCIL.

#### A B Y - L A W

To Repeal a By-Law passed on the Second day of June, in the Year of Our Lord 1853. intituled "A By-Law to provide for the payment of Jurors while necessarily attending Courts of Assize and Nisi Prius, Oyer and Terminer, General Gaol Delivery and Quarter Sessions in

*this County, and for other purposes therein mentioned," and to make a better provision for the payment of Petit Jurors attending the several Courts above mentioned held for this County:*

WHEREAS it is necessary and expedient to repeal the By-Law passed on the Second day of June, in the year of our Lord 1853, intituled "A By-Law to provide for the payment of Jurors while necessarily attending Courts of Assize and Nisi Prius, Oyer and Terminer, General Gaol Delivery and Quarter Sessions in this County and for other purposes therein mentioned."

I. *Be it therefore enacted* By the Warden and Councillors of the Municipality of the County of Norfolk in Council assembled that the same is hereby repealed.

II. *Be it further enacted* By the authority aforesaid that from and after the passing of this By-Law: That it shall be lawful for the Treasurer of this County; and he is hereby authorized to pay to each and every Petit Juror, attending the several courts of Assize and Nisi Prius, Oyer and Terminer, General Gaol Delivery, County Courts and General Quarter Session of the Peace, held for this County, the sum of One Dollar per diem for every day that such Petit Juror shall have attended any of the Courts herein mentioned, and the sum of Ten Cents per mile shall be paid to such Petit Juror for mileage in going to the said Courts.

III. *Be it further enacted* by the authority aforesaid, That the Sheriff of this County shall be paid for each and every Jury Pay list prepared by him, in accordance with the Act of 14 and 15 Victoria, Chapter 14 the sum of One Dollar, and the further sum of Twenty Cents per diem for checking the same.

IV. *Be it further enacted*, by the authority aforesaid, That in addition to the sums provided for creating a Jury Fund, and the provisions of the said Act before recited, the further sum of Eight Hundred Dollars, payable from the General Funds of this County not otherwise appropriated, be, and the said sum of Eight Hundred Dollars is hereby appropriated to make good any deficiency that may arise in the said Jury Fund; together with all fines.

*Passed in open Council on Friday, the 14th June, 1858.*

(Signed) DANIEL MATTHEWS, *Warden.*

Attest, JAMES ERMATINGER, *County Clerk.*

No. 13: On motion of Mr. McCall, seconded by Mr. Dedrick,  
*Ordered,*—That this Council do now adjourn until the Third Monday of this present month of June.

And the Council adjourned.

Attest, JAMES ERMATINGER, *County Clerk, County Norfolk.*

Minutes of the Second Regular Session  
OF THE  
NINTH COUNTY COUNCIL  
OF THE  
COUNTY OF NORFOLK.

—000000—

FIRST DAY.

MONDAY, 21st June, 1858.

The Council met pursuant to adjournment.

The Warden in the chair.

The roll was called, the following members answered to their names, viz : Messrs. the Warden, Culver, Jamieson, Wallace, Young, Barber, Richards, Misener, Killmaster, Dedrick and Crysler.

The minutes were read and approved.

The Warden read communications from the Clerk of the Peace ; from the County Clerk of the County of Haldimand ; from the Chief Superintendent of Education, and the Treasurer's Report.

No. 1: On motion of Mr. Killmaster, seconded by Mr. Crysler,

*Ordered*,—That the standing sessional committees be composed of the following members :

ON FINANCE AND ASSESSMENT.

Messrs. the Warden, Crysler, Young, Culver, Barber, Wallace, Misener and Killmaster.

ON COUNTY BUILDINGS AND ROADS:

Messrs. Dedrick, Richards, Wallace, Jamieson and Snider.

ON EDUCATION.

Messrs. the Warden, Young, Culver and Barber.

Mr. Killmaster presented the Petition of the Clerk of the County Court, which he read.

No. 2: On motion of Mr. Killmaster seconded by Mr. Crysler,

*Ordered*,—That the Petition of the Clerk of the County Court be referred to the committee on Finance and Assessment.

Dr. Culver read the Petition of Edward Kniffin.

No. 3: On motion of Dr. Culver seconded by Mr. Jamieson,

*Ordered*,—That the Petition of Edward Kniffin be referred to the committee on Finance and Assessment with power to report thereon.

Mr. Wallace presented the Petition of John Depew which he read.

No. 4: On motion of Mr. Wallace seconded by Mr. Young,

*Ordered*,—That the Petition of John Depew be referred to the committee on Finance and Assessment with power to report thereon.

Mr. Wallace presented the Petition of Joseph N. Smith and others, which he read.

No. 5: On motion of Mr. Wallace seconded by Mr. Misener,

*Ordered*,—That the Petition of Joseph N. Smith and others, be submitted to the committee on Finance and assessment, with power to report thereon.

No. 6: On motion of Mr. Killmaster, seconded by Mr. Dedrick,

*Ordered*,—That the Treasurer's Report be referred to the committee on Finance and Assessment, with power to report thereon.

No. 7: On motion of Mr. Young, seconded by Mr. Dedrick,

*Ordered*—That the Reeves and Deputy Revees of the several minor municipalities do form a committee to equalize the Assessment rolls of this County for the current year.

No. 8: On motion of Mr. Barber seconded by Mr. Richards,

*Ordered*.—That the communication of Francis Stevenson, Esquire, Clerk of the County Council of Haldimand, be referred to the committee on County Buildings and Roads, with power to report thereon.

No. 9: On motion of Mr. Crysler, seconded by Mr. Young,

*Ordered*,—That the communication of the Chief Superintendent of Education be referred to the committee on Education, with power to report thereon by By-Law or otherwise.

No. 10: On motion of Mr. Wallace, seconded by Mr. Misener,

*Ordered*,—That the communication from Wm. M. Wilson, Esquire, Clerk of the Peace, referring to an extract from the Report of the Grand Jury at the Sessions, be referred to the committee on Roads and Public Buildings with power to report thereon.

No. 11: Mr. Killmaster gives notice that he will on to-morrow introduce a By-Law to authorize the Warden to issue debentures on the non-resident land fund in accordance with the act of 16th Victoria, Chap. 182, Sec. 70.

The Warden read the County Inspector's Report.

Mr. Snider entered and took his seat.

No. 12: On motion of Mr. Killmaster seconded by Mr. Dedrick,

*Ordered*,—That the Report of the County Surveyor be referred to the committee on Roads and Public Buildings with power to report thereon.

The Warden read the letter of the Secretary of the Board of Public Instruction.

No. 13: On motion of Mr. Crysler seconded by Mr. Killmaster,

*Ordered*,—That the communication of the Secretary of the Board of Public Instruction, be referred to the committee on Finance and Assessment, with power to report thereon.

No. 14: On motion of Mr. Misener, seconded by Mr. Snider,

*Ordered*,—That the Petition of Nathan Mansel and others laid over from the January Sessions, be referred to the committee on Finance and Assessment with power to report thereon.

Mr. Richards reads the Petition of George Upper.

No. 15: On motion of Mr. Richards seconded by Mr. Barber,

*Ordered*,—That the Petition of George Upper be referred to the committee on Finance and Assessment, with power to report thereon.

No. 16: Mr. Crysler gives notice that he will on to-morrow ask leave to introduce a By-Law to authorize the Treasurer of this County to borrow Four Thousand Dollars on the credit of this County.

No. 17: Mr. Wallace gives notice that he will on to-morrow ask leave to introduce a By-Law for the erection and endowment of a County Grammar School in the County of Norfolk.

No. 18: Mr. Wallace gives notice that he will on to-morrow introduce a By-Law for the purchase of an Industrial Farm, and for the erection of a Poor House in the County of Norfolk.

No. 19: On motion of Mr. Barber seconded by Mr. Richards,

*Ordered*,—That this Council do now adjourn until to-morrow.

And the Council adjourned.

Attest, JAMES ERMATINGER, *County Clerk, County Norfolk.*

## SECOND DAY.

TUESDAY, 22nd June, 1858.

The Council met pursuant to adjournment.

The Warden in the chair.

The roll was called, the following members answered to their names, viz: Messrs. the Warden, Culver, Jamieson, Snider, Wallace, Young, Barber, Richards, Misener, Killmaster, Dedrick and Crysler.

The minutes were read and approved.

The Warden read a communication from the Treasurer.

Mr. Wallace read the memorial from the County Agricultural Society.

No. 1: On motion of Mr. Wallace, seconded by Mr. Killmaster,

*Ordered*,—That the said memorial be referred to the committee on Finance and Assessment with power to report thereon.

Mr. Wallace read the first report of the committee on Finance and Assessment.

No. 2: On motion of Mr. Wallace seconded by Mr. Barber,

*Ordered*,—That the report be received and adopted.

The report as read and adopted is as follows, viz:

"Your committee to whom was referred the Petition of Nathan Mansel and others would recommend, that as money is now difficult to get

and the Treasury empty, that the Petition of Nathan Mansel and others be laid over to the next Session of this Council."

WM. WALLACE, *Chairman*.  
P. E. YOUNG.  
HENRY J. KILLMASTER,  
JOHN BARBER.  
DANIEL MATTHEWS.

Committee Room, 22nd June, 1858.

Mr. Dedrick brought up the first report of the committee on county buildings and roads which he read.

No. 3: On motion of Mr. Dedrick, seconded by Mr. Jamieson,

*Ordered*,—That the said report be received and adopted, and that John Richards, Esq., be appointed a committee to assist in expending the said sum of Twenty-five pounds, granted to build the said Bridge.

The report as received and adopted is as follows, viz :

"Your committee to whom was referred the foregoing order, beg leave to report that they have carefully examined the said communication, and on referring to the journals of this Council find that this County has expended on the line between this County and the County of Haldimand, certain sums of money amounting in all to Ninety Pounds and a further sum of Twenty-five Pounds appropriated but not expended.

"Your committee would further report that on reference to the said Journals, they find a report adopted granting a further sum of Twenty-five Pounds to be expended on a certain bridge, near Mr. Geo. Uppers on condition that a similar sum be granted by the County Council of Haldimand; and as a similar sum now appears to have been granted by that County, your committee would recommend that the said sum of Twenty-five pounds be now appropriated for that purpose.

All of which is nevertheless respectfully submitted.

GEORGE SNIDER, *Chairman*.  
J. L. DEDRICK.  
JOHN RICHARDS,  
ANDREW JAMIESON.

Committee Room, 22nd June, 1858.

Mr. Young brought up the report of the committee on Finance and Assessment, on the Petition of Joseph N. Smith and others.

No. 4: On motion of Mr. Young seconded by Mr. Dedrick,

*Ordered*,—That the said report of the committee in the matter of Joseph N. Smith and others be adopted.

The report as received and adopted is as follows, viz :

"That your committee to whom was referred the Petition of Joseph N. Smith and others, having carefully considered the subject matter of the same would recommend that no action be taken on it at present."

WM. WALLACE, *Chairman*.  
H. J. KILLMASTER,  
P. E. YOUNG,  
ROGER CRYSLER,  
A. MISENER.

Committee Room, 22nd June, 1858.

Mr. Richards brought up the second report of the committee on Roads and Public Buildings which he read.

No. 5: On motion of Mr. Richards seconded by Mr. Snider,  
*Ordered*,—That the said report be received and adopted.

The report as read and adopted is as follows, viz :

“ Your committee to whom was referred the communication of the Clerk of the Peace, beg leave to report that they have examined the floor spoken of in the report of the Grand Jury, and find that it is now in a good state of repair and that no inconvenience is felt from leakage or otherwise.

All of which is nevertheless respectfully submitted.

(Signed)

GEORGE SNIDER, *Chairman.*

JOHN RICHARDS,

J. L. DEDRICK,

ANDREW MISENER.

Committee Room, 22nd June, 1858.

No. 6: On motion of Mr. Young seconded by Mr. Killmaster,

*Ordered*,—That Mr. McCall be added to the committee on Finance and Assessment, and that Mr. Wallace be added to the committee on Education.

No. 7: On motion of Mr. Killmaster (pursuant to notice) seconded by Mr. Dedrick,

*Ordered*,—That the By-Law to authorize the Warden of this County to issue Debentures on the non-resident land fund, be now introduced and read a first time,

And the By-Law was accordingly read a first time.

No. 8: On motion of Mr. Killmaster seconded by Mr. McCall

*Ordered*,—That the said By-Law be read a second time to-morrow.

Mr. McCall brought up the report of a special committee appointed to examine the town line between Walsingham and Charlotteville, which he read.

No. 9: On motion of Mr. McCall seconded by Mr. Killmaster.

*Ordered*,—That the said report be received and adopted, and that the Clerk do notify the parties interested, (Byron Williams and J. W. Fergusson,) of its nature.

The report as read and adopted is as follows, viz :

“ The undersigned commissioners beg leave to report that, in accordance with the duties assigned to them on Saturday, 19th June, instant, they examined that portion of Town Line not now opened, being the 9th Concession of Charlotteville, corresponding with the 11th Concession of Walsingham, and find, on account of the very high banks of Big Creek where the said line crosses, and the low nature of the flats, over which the said road would have to be built, that it would require an outlay of money too great for the advantages the Public would derive therefrom ; But by carrying the said road around the west half of Lot No. 1 of Charlotteville, a part of the distance of the said concession, they believe a passable road may be constructed at a moderate expense ; And upon a survey being made by the County Surveyor, at the expense of parties

immediately interested, and upon the County Surveyor reporting favorably thereon, they would recommend the County Council to appropriate a sum in accordance with such a report.

All of which is most respectfully submitted.

HENRY J. KILLMASTER.  
ROGER CRYSLER.  
S. McCALL.

June 22nd, 1858.

No. 10: On motion of Mr. Barber seconded by Mr. Richards,

*Ordered*,—That the communication of the County Treasurer be referred to the committee on Finance and Assessment with power to report thereon.

No. 11: On motion of Mr. Barber seconded by Mr. Richards,

*Ordered*,—That Doctor Merrit be, and he is hereby appointed local Superintendent of Education for the township of Townsend, in place of the Rev. Aaron Slaght, resigned; the term of office commencing from first of July next.

No. 12: Dr. Culver gives notice that he will to-morrow introduce a By-Law fixing the County Clerk's salary, in accordance with a Resolution passed by this Council.

No. 13: On motion of Mr. Killmaster seconded by Mr. Richards,

*Ordered*,—That this Council do now adjourn until to-morrow. And the Council adjourned.

Attest, JAMES ERMATINGER, *County Clerk, County Norfolk.*

### THIRD DAY.

WEDNESDAY, 23rd June, 1858.

The Council met pursuant to adjournment.

The Warden in the chair.

The roll was called the following members answered to their names, viz: Messrs. the Warden, Culver, Jamieson, Snider, Wallace, Young, Barber, Richards, Misener, Killmaster, Dedrick, McCall and Crysler.

The minutes of the last session were read and approved.

Mr. McCall brought up the third report of the committee on Finance and Assessment, on the Petition of John Depew, which he read.

No. 1: On motion of Mr. McCall seconded by Mr. Crysler,

*Ordered*,—That the said report be received and adopted,

The report as read and adopted is as follows, viz:

"Your committee to whom was referred the above order beg leave to report, that in their opinion it is not advisable for this Council to take any action thereon."

All of which is respectfully submitted.

(Signed)

S. McCALL, *Chairman.*  
ROGER CRYSLER,  
A. MISENER,  
P. E. YOUNG,  
J. B. CULVER.  
H. J. KILLMASTER.

Committee Room, 23rd June, 1858.

Mr. McCall brought up the 4th report of the committee on Finance and Assessment on the Petition of Edward Kniffin, which he read, No. 2: On motion of Mr. McCall seconded by Mr. Misener, *Ordered*,—That the said report be received and adopted. The report as read and adopted is as follows, viz :

“Your committee to whom was referred the foregoing order, beg leave to report that they have examined the subject matter of the same and would recommend that no action be taken by this Council in the matter.

All of which is nevertheless respectfully submitted.

(Signed)

S. McCALL, *Chairman*.  
ROGER CRYSLER,  
A. MISENER.  
P. E. YOUNG,  
H. J. KILLMASTER.

Committee Room, 23rd June, 1858.

Mr. McCall brought up the 5th report of the committee on Finance and Assessment which he read.

No. 3: On motion of Mr. McCall seconded by Mr. Killmaster,

*Ordered*,—That the said report be received and adopted,

The report as received and adopted is as follows, viz :

“Your committee to whom was referred the above order beg to report that they have carefully examined the same, and would recommend that the sum of Fifty Dollars be granted to the County Agricultural Society out of the funds of the County, on condition, that the same be expended in prizes for the best ploughing, at the ploughing match to be held at some central place, and to be open for competition to the whole County and that the Warden be authorized to draw his check for the payment of the same.”

All of which is most respectfully submitted.

(Signed)

S. McCALL, *Chairman*.  
DANIEL MATTHEWS,  
H. J. KILLMASTER,  
ROGER CRYSLER,  
J. B. CULVER.

Committee Room, 23rd June, 1858.

Mr. McCall brought up the 6th report of the committee on Finance and Assessment, being the Treasurer's Report, which he read.

No. 4: On motion of Mr. McCall seconded by Mr. Killmaster,

*Ordered*—That the said report be received and adopted.

No. 5: On motion of Mr. Wallace [in amendment] seconded by Mr Young,

*Ordered*,—That the report of the committee on Finance and Assessment, on the Treasurer's report, be not now adopted, but that the words Twelve Thousand Eight Hundred and Ninety-Eight Dollars be struck out, and its place supplied by Twenty-three Thousand Dollars.

Debates arose thereon, when a division was called, the motion was lost: by a majority of seven,

*Yeas*: Messrs. Wallace and Young - - - - - ;

*Nays*: Messrs. Culver, Jamieson, Snider, Barber, Richards, Killmaster, Dedrick, McCall and Crysler - - - - - ;

The original motion was then passed by the same majority.

The report as read and adopted is as follows, viz :

"Your committee to whom the above reference was made, beg leave to report, that they have taken the subject matter thereof into consideration, and recommend that a By Law be passed in due form to enable the Treasurer to borrow Eight Thousand Dollars, if necessary, to meet the present and future liabilities of the County; also to raise by Assessment the present Year, the sum of Twelve Thousand Eight Hundred and Ninety-Eight Dollars, for County purposes, which in the opinion of your committee will be sufficient to meet the requirements of the County for the ensuing year; and your committee now beg leave to introduce two By-Laws accordingly.

All of which is most respectfully submitted.

(Signed) S. McCALL, *Chairman*.  
H. J. KILLMASTER,  
ROGER CRYSLER,  
J. B. CULVER,  
DANIEL MATTHEWS.

Committee Room, 23rd June, 1858.

And the two By-Laws were then read a first time.

Mr. Young brought up the report of the committee on the Equilization of the Assessment Rolls.

No. 6: On motion of Mr. Young seconded by Mr. Crysler,

*Ordered*.—That the said report be received and adopted.

The report as read and adopted is as follows, viz:

"Your committee to whom was referred the subject of the Equilization of the Assessment Rolls of the various minor municipalities, beg leave to report that they have carefully considered the said subject, and would recommend that the Township of

Charlotteville be equalized at	-	-	-	\$700,000
Houghton do	-	-	-	275,000
Middleton do	-	-	-	330,000
Townsend do	-	-	-	1,160,000
Walsingham do	-	-	-	710,000
Windham do	-	-	-	730,000
Woodhouse do	-	-	-	950,000
Simcoe (Town of) do	-	-	-	350,000

\$5,205,000

All of which is respectfully submitted.

(Signed) P. E. YOUNG, *Chairman*:  
S. McCALL,  
JOHN BARBER,  
R. CRYSLER,  
DANIEL MATTHEWS,  
A. MISENER,  
J. L. DEDRICK.

Committee Room, Simcoe, 23rd June, 1858.

Mr. Snider brought up the 3rd report of the committee on Roads and Public Buildings, which he read.

No. 7: On motion of Mr. Snider seconded by Mr. Richards,

*Ordered*.—That the said report be received and adopted,

The report as read and adopted is as follows, viz:

"Your committee to whom was referred the report of the County Surveyor, beg leave to report, that they have carefully examined the

same, and would recommend that the County Surveyor be ordered to confer with the Warden and make the necessary repairs, as mentioned in the report, that may be deemed most advisable.

And they would also recommend that the County Surveyor's services be paid for by salary, as now established.

All of which is respectfully submitted.

(Signed)

G. SNIDER, *Chairman*,  
J. L. DEDRICK,  
A. JAMIESON,  
JOHN RICHARDS.

Committee Room, 23rd June, 1858.

Dr. Culver brought up the 1st report of the committee on Education on the Chief Superintendent's communication.

No. 8: On motion of Dr. Culver seconded by Mr. Jamieson,  
*Ordered*,—That the said report be received and adopted.

The report as read and adopted is as follows, viz :

"Your committee to whom was referred the above order, beg leave to report that they have carefully examined the subject matter of the same, and would recommend that it be filed in the Clerk's Office."

All of which is respectfully submitted.

(Signed)

J. B. CULVER, *Chairman*.  
P. E. YOUNG.  
JOHN BARBER,

Committee Room, 23rd June, 1858.

No. 9: On motion of Mr. Killmaster, seconded by Mr. McCall,  
*Ordered*,—That this Council do now adjourn to half past Seven.  
And the Council adjourned.

—————000000—————

The Council met pursuant to adjournment.

The Warden in the chair.

The roll was called over, the following members answered to their names, viz: Messrs. the Warden, Culver, Jamieson, Snider, Wallace, Young, Barber, Richards, Misener, Killmaster, Dedrick, McCall and Crysler.

No. 10: On motion of Mr. Young seconded by Mr. McCall,

*Ordered*,—That the reading of the minutes be dispensed with.

No. 11: On motion of S. McCall seconded by Mr. Crysler,

*Ordered*,—That the By-Law to impose the necessary County rates be now read a second time.

And the By-Law was read a second time.

No. 12: On motion of Mr. McCall seconded by Mr. Killmaster,

*Ordered*,—That the said By-Law be engrossed and read a third time forthwith.

No. 13: On motion of Mr. Snider, [in amendment] seconded by Mr. Wallace,

*Ordered*,—That the said By-Law be referred back to the committee on Finance and Assessment, with instructions to amend the same, by striking out the words Twelve Thousand Eight Hundred and Ninety-Eight Dollars and Eight Cents, and inserting the words Fifteen Thousand Dollars instead.

Debates arose thereon, Division having been called, it was carried by a majority one of one.

*Yeas:* Messrs. Culver, Jamieson, Smider, Wallace, Misener and Crysler: 6

*Nays:* Messrs. Young, Richards, Killmaster, Dadrick and McCall: 5

Mr. Wallace brought up the 7th report of the committee on Finance and Assessment on the memorial of the Board of Instruction.

No. 14: On motion of Mr. Wallace seconded by Mr. Barber,

*Ordered.*—That the report be received and adopted.

The report as read and adopted is as follows, viz :

"Your committee to whom was referred the account of incidental expenses incurred by the meeting of the Board of Education, most respectfully beg leave to report, that they have deliberately considered the matter, and recommend that no additional allowance be made to the members of the County Board of Public Instruction."

All of which is respectfully submitted.

(Signed)

S. McCALL, *Chairman.*

ROGER CRYSLER,

WM. WALLACE,

P. E. YOUNG.

JOHN BARBER.

Committee Room, 23rd June, 1858.

Mr. Wallace brought up the 8th report of the committee on Finance and Assessment on George Upper's Petition.

No. 15: On motion of Mr. Wallace seconded by Mr. Smider,

*Ordered.*—That the said report be received and adopted,

The report as read and adopted is as follows, viz :

"Your committee to whom was referred the Petition of George Upper beg leave to report, that an appropriation having been made by the Council for repairing the Bridge, for which Mr. Upper furnished plank, would recommend Mr. Upper to apply to the commissioners appointed to expend the said appropriation for payment for the plank delivered by him."

(Signed)

WM. WALLACE, *Chairman.*

P. E. YOUNG.

ROGER CRYSLER,

H. J. KILLMASTER,

A. MISENER,

Committee Room, 23rd June, 1858.

Mr. Barber brought up the 9th report of the committee on Finance and Assessment, on the Petition of the clerk of the County court.

No. 16: On motion of Mr. Barber seconded by Mr. Smider,

*Ordered.*—That the said report be received and adopted.

The report received and adopted is as follows, viz :

"Your committee to whom was referred the above order, beg leave to report, that they have carefully considered the subject matter of the said Petition, and would recommend that no action be taken in the matter."

All of which is nevertheless respectfully submitted.

S. McCALL, *Chairman.*

HENRY J. KILLMASTER.

ROGER CRYSLER,

JOHN BARBER.

Committee Room, June 23rd, 1858.

Mr. Barber brought up the 10th report of the committee on Finance and Assessment, on the communication of the county Treasurer, No. 17: On motion of Mr. Barber seconded by Mr. Richards, *Ordered*.—That the said report be received and adopted, The report as read and adopted is as follows, viz:

“Your committee to whom the above reference was made, beg leave to report, that they have embraced the subject matter of this reference in their report on the general estimate of the County Treasurer.

All of which is respectfully submitted.

(Signed) S. McCALL *Chairman*,  
ROGER CRYSLER,  
H. J. KILLMASTER,  
JOHN BARBER,  
Wm. WALLACE.

Committee Room, 23rd June, 1858.

No. 18: On motion of Mr. McCall seconded by Mr. Killmaster,

*Ordered*.—That the By Law on the orders of this day for issuing Debentures on the credit of the absentee Taxes be now read a second time. And the By Law was read a second time.

No. 19: On motion of Mr. Killmaster seconded by Mr. Dedrick,

*Ordered*.—That the said By-Law be engrossed and read a third time forthwith.

And the By Law was engrossed and read a third time.

No. 20: On motion of Mr. McCall seconded by Mr. Killmaster,

*Ordered*.—That the said By Law do now pass, and become a By-Law of this Council, and be intitled as in the caption thereof.

And the By Law was passed and so intitled.

The By Law passed is as follows, viz:

## CHAPTER I.

### *Third Day of 3rd Regular Session 9th County Council.*

#### A B Y - L A W .

*To authorize the Warden of this County to issue Debentures upon the Non-resident Land Fund.*

WHEREAS it is expedient and necessary for the purpose of enabling the non-resident landholders within this county to realize the sums due them from the Non-resident Land Fund, and whereas by the Act of 16th Victoria, chapter 163 sec. 3, County Councils are empowered to make By-Laws for authorizing their Wardens to issue Debentures upon the credit of the said Non-resident Land Fund, in sums of not less than Twenty five Pounds each, so that the whole of the Debentures at any time issued and unpaid shall not exceed two thirds of all arrears then due and accruing upon the Lands in the county, together with such other sums as may be in the Treasurer's hands or otherwise invested to the credit of the said Fund.

No. 1. *Be it therefore enacted* by the Warden and councillors of the county of Westick in council assembled, from and after the passing of this By Law, it shall and may be lawful for the Warden of this county and he is hereby authorized and required upon the application of any of the non-resident landholders within the county, having a sufficient amount due them from the said Fund, to enable them to a Debenture of Twenty five Pounds, to issue Debenture or Debentures in accordance with the

70th section of the above recited Act for any amount not exceeding two-thirds of the sum due such minor municipality from the said Non-resident Land Fund.

No. 11. *Be it further enacted* that the amounts of money raised by the sale of any Debentures issued under this By-Law shall be paid over by the county Treasurer to the Treasurers of the minor municipalities applying for the same, and charged in an account against such minor municipality, and be paid from moneys accruing from the Non-resident Land Fund, belonging to such minor municipality which account the Treasurer is hereby required to keep.

*Passed in open Council on Wednesday, the 23rd June, 1858.*

(Signed) DANIEL MATTHEWS, *Warden.*

Attest, JAS. ERMATINGER, *County Clerk.*

No. 21: On motion of Mr. Barber seconded by Mr. Richards,

*Ordered* — That leave be granted to introduce a By-Law to appropriate a certain sum of money on a certain Bridge on the county line between the counties of Norfolk and Haldimand, and that the 21th rule of this Council be suspended so far as relates to this motion.

And the By-Law was read a first time.

No. 22: On motion of Mr. Barber seconded by Mr. Richards.

*Ordered* — That the said By-Law be now read a second time.

And the By-Law was accordingly read a second time.

No. 23: On motion of Mr. Barber seconded by Mr. Richards.

*Ordered* — That the said By-Law be now engrossed and read a third time.

And the By-Law was engrossed and read a third time.

No. 24: On motion of Mr. Barber seconded by Mr. Richards,

*Ordered* — That the said By-Law do now pass and be intuled as in the caption thereof.

The By-Law as passed is as follows, viz :

## CHAPTER II.

*Third day 2nd Regular Session 9th County Council.*

### A B Y - L A W :

*To appropriate a certain sum of money on a certain Bridge on the county line, between the Counties of Norfolk and Haldimand :*

WHEREAS it is expedient and necessary for the convenience of the Public that a Budge should be built across the Nanticoke creek on the line between the counties of Norfolk and Haldimand :

*Be it therefore enacted* by the Warden and councillors of the municipal council of the county of Norfolk in council assembled, that the sum of Twenty five Pounds, be, and is hereby appropriated out of the Funds of the county, to be expended on said Bridge near Upper's mill.

*Be it further enacted* by the authority aforesaid that John Richards, Esquire, of the Township of Townsend, be, and he is hereby appointed a commissioner to expend the same, and that on the certificate of the said commissioner, that the whole or a part of the work has been performed, the Warden be authorized to draw his check on the county Treasurer for the said amount.

*Passed in open Council on Wednesday the 23rd day of June, 1858.*

(Signed) DANIEL MATTHEWS, *Warden.*

Attest, J. ERMATINGER, *County Clerk, County of Norfolk.*

No. 25: On motion of Mr. Snider, seconded by Mr. Misener.

*Ordered*.—That this Council do now adjourn until to-morrow at 8 o'clock, a. m.

And the Council adjourned accordingly.

Attest, J. ERMATINGER, County Clerk, County of Norfolk.

—000000—

## FOURTH DAY.

THURSDAY, 24th June, 1858.

The Council met pursuant to adjournment.

The Warden in the chair.

The roll was called and the following persons answered to their names, viz: Messrs. the Warden, Gulver, Jamieson, Snider, Wallace, Young, Barber, Richards, Misener, Killmaster, Dederick, McCall, and Crysler.

No. 1. On motion of Mr. Misener seconded by Mr. Snider,

*Ordered*.—That the reading of the minutes of last Session be dispensed with.

Mr. Wallace brought up the amended report of the committee on Finance and Assessment on the Treasurers Report.

No. 2. On motion of Mr. Wallace, seconded by Mr. Snider,

*Ordered*.—That the report be received and adopted, and that the By-law as amended be engrossed and read a third time forthwith.

And the By-law was accordingly read a third time.

No. 3. On motion of Mr. Wallace, seconded by Mr. Snider.

*Ordered*.—That the said By-law do now finally pass, and be intituled as in the caption thereof.

And the By-law was accordingly passed and so intituled.

The By-law passed is as follows:

### CHAPTER.

### A B Y - L A W .

*To make provision for the Public Service of the County of Norfolk for the current year 1858, and to apportion the same which shall be levied in, and contributed by each Township and Town Municipality within the limits of the said County of Norfolk to the general fund of the said County and to the Common School Fund.*

WHEREAS it is expedient and necessary to provide ways and means for defraying the expenses of the public Service of this County for the current year 1858 and likewise to provide a sum of money for the Educational purposes of this County for the same period, in accordance with the terms of the several Acts of the Legislature of this Province, in that behalf heretofore passed.

And whereas in accordance with the estimate prepared by the committee on finance and Assessment of this Council, it appears that the sum of Fifteen Thousand and Forty-three Dollars will be required for the general purposes of this County; and the sum of Two Thousand Six Hundred and Three (\$2603), for the Common School Educational purposes of the same.

I. *Be it therefore enacted* by the Warden and Councillors of the Municipal Council of the County of Norfolk in Council assembled, that there shall be raised, levied and collected for the general purposes of this County, in accordance with the said estimate for the current year 1858 the sum of Fifteen Thousand and Forty-three Dollars (\$15043), and for Educational purposes of the Common Schools in the several minor Municipalities, the sum of Two Thousand Six Hundred and Three Dollars, making altogether the sum of Seventeen Thousand Six Hundred and Forty-six Dollars (\$17616) for general and Educational purposes of the County for the current year.

II. *Be it further enacted* by the authority aforesaid, that the said sum of Seventeen Thousand Six Hundred and Forty-six Dollars shall be apportioned, levied, raised and collected in the several Township and Town Municipalities of this County, and paid to the County Treasurer on or before the Fourteenth day of December next, in the following ratio, that is to say,—The Township of Windham shall pay for general purposes the sum of Two Thousand One Hundred and Thirty-three Dollars, (\$2133), and for Educational purposes the sum of Three Hundred and Five Dollars, (\$305). The Township of Houghton shall pay for general purposes the sum of Eight Hundred and Thirty Dollars, (\$830), and for Educational purposes the sum of Two Hundred and Forty-two Dollars (\$242). The Township of Woodhouse shall pay for general purposes the sum of Two Thousand Seven Hundred and Thirty Dollars (\$2730), and for Educational purposes the sum of Three Hundred and Fifty Dollars (\$350). The Township of Walsingham shall pay for general purposes the sum of One Thousand Nine Hundred and Twenty-two Dollars (\$1922), and for Educational purposes the sum of Four Hundred and One dollars (\$401). The Township of Townsend shall pay for general purposes the sum of Three Thousand Two Hundred and Ninety one dollars (\$3291), and for Educational purposes the sum of Seven Hundred and Twenty-six dollars (\$726). The Township of Middleton shall pay for general purposes the sum of Nine Hundred and Fifty-four dollars (\$954), and for Educational purposes shall pay Two Hundred and One dollars (\$201). The Township of Charlotteville shall pay for general purposes the sum of Two Thousand and Seventy-two dollars (\$2072), and for Educational purposes Three Hundred and Seventy-eight dollars (\$378), and the Town of Simcoe for general purposes the sum of One Thousand One Hundred and Eleven dollars (\$1111).

III. *And be it further enacted* by the authority aforesaid, that the said several sums hereinbefore recited for general and educational purposes of this County for the current year 1858, shall be paid by the several Township and Town Treasurers in the proportion in the next preceding section of the By-law set forth and recited, to the Treasurer of this County on or before the fourteenth day of December next.

IV. *And be it further enacted* by the authority aforesaid, that the several sums hereinbefore apportioned for Educational purposes, shall be paid back by the Treasurer of this County to the several Municipalities in the same proportion in which they have respectfully contributed to that fund, for Common School purposes.

*Passed in open Council on Thursday, the 24th day of June 1858.*

(Signed) DANIEL MATTHEWS, Warden,

Attest, JAMES ERMATINGER, County Clerk, County of Norfolk.

No. 4. On motion of Mr. Killmaster, seconded by Mr. McCall,

*Ordered.*—That leave be granted to introduce a Petition to the Legislative Assembly praying for the alteration of the law so far as regards the payment of County funds in certain cases specified in said petition, and that the 21th rule of this Council be dispensed with so far as relates to this motion, and that the said petition be now read a first time.

And the petition was read a first time.

No. 5. On motion of Mr. McCall, seconded by Mr. Killmaster.

*Ordered.*—That the said Petition be read a second time forthwith.

And the Petition was accordingly read a second time.

No. 5. On motion of Mr. Richards, seconded by Mr. Barber,

*Ordered.*—That the said Petition be read a third time.

And the Petition was accordingly read a third time.

No. 7. On Motion of Mr. Killmaster, seconded by Dr. Culver,

*Ordered.*—That the said petition as read do now pass, and that the Warden do sign the same on behalf of this Council, and that the Clerk transmit a copy of the same duly signed, to the member for this County for presentation to Parliament.

The petition as read and passed is as follows, viz:

P E T I T I O N .

To the Legislative Assembly of the Province of Canada in Parliament assembled.

The Petition of the Municipal Council of the County of Norfolk most humbly sheweth:

That your Petitioners are called upon to pay considerable sums of money from County funds to persons performing official duties within this County without having power of fixing or regulating the fees or salaries of such officials.

We therefore would most humbly pray your Honorable House to take the matter under your consideration and so amend the laws that power be given to County Councils to fix the fees or salaries of all persons, so far as they are paid from County funds.

And as in duty bound will ever pray,

*Passed in open Council on Thursday the 24th. June. 1858.*

(Signed) DANIEL MATTHEWS, Warden.

Attest. JAMES ERMATINGER, County Clerk.

No. 8. On motion of Mr. Wallace, seconded by Mr. Snider.

*Ordered.*—That leave be given to introduce a By-law pursuant to notice for the erection and endowment of a Grammar School in the County of Norfolk, and the By law be read a first time forthwith.

And the By-law was accordingly read a first time.

No. 9. On motion of Mr. Wallace, seconded by Mr. Snider.

*Ordered.*—That the By law be read a second time forthwith.

And the By-law was accordingly read a second time.

No. 10. On motion of Mr. Wallace, seconded by Mr. Snider,

*Ordered.*—That the By-law be engrossed and read a third time forthwith.

No. 11. On motion of Mr. Young (in amendment) seconded by Mr. Dederick,

*Ordered.*—That the said By-law be not now read a third time, but be laid over till the next session of this Council.

No. 12 On motion of Mr. Killmaster (in amendment) seconded by Mr. McCall.

*Ordered*,—That the said By-law be read this day six weeks. . . .  
 debates arose thereon. A division being called the motion passed by a  
 majority of four.

YEAS:—Messrs. Colver, Jamieson, Barber, Richards, Misener, Kill-  
 master, McCall and Crysler—9.

NAYS.—Messrs. Snider, Wallace, Young and Dederick.—4.

No. 13. On motion of Mr. McCall, seconded by Mr. Killmaster,

*Ordered*.—That the Auditor's Report be adopted, and that the War-  
 den be authorized to draw his check for the payment of the several  
 sums therein allowed.

No. 14. On motion of Mr. Crysler, seconded by Mr. Snider.

*Ordered*.—That the Treasurer of this county be and is hereby au-  
 thorized and required to receive from any of the minor municipalities of  
 this county, any money that such municipality may wish to deposit  
 with him for any time not less than six months, and to pay the said  
 municipality interest at the rate of six per cent for the same, interest to  
 be paid half yearly.

No. 15. On motion of Mr. Killmaster, seconded by Dr. Colver,

*Ordered*.—That the Clerk prepare an alphabetical index for the  
 Journals of this council, to be ready by the next sitting.

No. 16. On motion of Mr. Killmaster, seconded by Mr. Richards,

*Ordered*.—That this Council do now adjourn to the third Monday in  
 December next,

And the Council adjourned accordingly.

Attest, J. ERMATINGER, County Clerk, County of Norfolk.



JOURNAL OF THE PROCEEDINGS

OF THE

**THIRD REGULAR SESSION**

OF THE

**NINTH COUNTY COUNCIL,**

OF THE

**COUNTY OF NORFOLK.**

---

D. MATTHEWS, Esquire, Warden. : : : : J. ERMATINGER, Esquire, County Clerk

1859.

S I M C O E :

PRINTED AT THE "CONSERVATIVE STANDARD" OFFICE, NORFOLK ST.



Minutes of the Third Regular Session  
OF THE  
NINTH COUNTY COUNCIL  
OF THE  
COUNTY OF NORFOLK.

—000000—

FIRST DAY:

MONDAY, 20th December, 1858.

The Council met,—the WARDEN in the chair.

The roll was called, the following members answered to their names, viz: Messrs. the Warden, Culver, Jamieson, Snider, Young, Barber, Richards, Killmaster, McCall and Crysler.

The minutes of the two previous sittings of the Council were read and approved.

No. 1: On motion of Mr. McCall seconded by Mr. Killmaster,

*Ordered*,---That the sessional committees be composed of the following members, viz:

*On Finance and Assessment.*

Messrs. the Warden, Wallace, Culver, Barber, Crysler, McCall and Killmaster.

*On Roads and Bridges.*

Messrs. Snider, Crysler, Killmaster, Young and Richards.

*On County Grammar Schools and County Buildings.*

Messrs. Jamieson, Wallace, Killmaster, McCall and Barber.

Mr. Killmaster presented the Petition of John K.

Simons which he read,

No. 2: On motion of Mr. Killmaster seconded by Mr. McCall,

*Ordered*,---That the Petition of John K. Simons be referred to the committee on Roads and Bridges, with power to report by bill or otherwise.

No. 3: On motion of Mr. Young seconded by Mr. Killmaster,

*Ordered*,---That a committee be appointed to take into consideration, and report to this Council upon some uniform mode, for the support of the destitute poor within the different municipalities, the same to be submitted to the action of the different municipalities in the County, and also to report on the propriety of establishing an industrial farm for the County, and that the committee be composed of the following gentlemen, viz:--Messrs. Wallace, McCall, Crysler, Barber, Snider, Culver, together with the mover and seconder of this motion.

No. 4: On motion of Mr. Crysler seconded by Mr. Killmaster,

*Ordered*,---That the Treasurer's report be referred to the committee on Finance and Assessment with power to report thereon by bill or otherwise.

No. 5: On motion of Mr. McCall seconded by Mr. Young,

*Ordered*,---That it is the opinion of this Council that Grand Jurors in this County should be placed upon the same footing with regard to pay as Petit Jurors.

No. 6: Mr. Barber gives notice that he will on tomorrow introduce a By-Law to convey to Leonard Sovereign, of the Township of Townsend, in the County of Norfolk, and Province of Canada, Gentleman, the original Road allowance between Lots number Six and Seven in the Seventh concession of the township of Townsend aforesaid.

No. 7: On motion of Mr. Snider seconded by Mr. McCall,

*Ordered*,—That the communication of James Covern-ton, Esquire, Secretary of the County Board of Instruction, be referred to the committee on Finance and Assessment with power to report thereon.

No. 8: On motion of Mr. McCall seconded by Mr. Crysler,

*Ordered*,—That it is the opinion of this Council that a By-Law should be passed regulating the remuneration of County Councillors, at one Dollar and a half per day, in accordance with the new municipal act, and also that each County Councillor be paid ten cents for each mile that he may have to travel to and from each Session of this Council.

No. 9: Dr. Culver gives notice that on to-morrow he will introduce a By-Law for the purpose of granting a sum of money, on the Town-line leading from Lake Erie, between the township of Woodhouse, and the township of Walpole.

No. 10: On motion of Mr. Killmaster seconded by Mr. McCall,

*Ordered*,---That this Council do now adjourn until to-morrow.

And the Council adjourned accordingly.

Attest, JAS. ERMATINGER,

*County Clerk, County of Norfolk.*

## SECOND DAY.

TUESDAY, 21st December, 1858.

The Council met pursuant to adjournment,  
The Warden in the Chair.

The roll was called, the following members answered to their names,  
viz: Messrs. the Warden, Culver, Jamieson, Snider, Wallace, Young,  
Richards, Killmaster, McCall and Crysler.

The minutes of the previous session were read and approved.

The Warden read the County Surveyor's Report.

Mr. Wallace read the Petition of James Taylor,

No. 1: On motion of Mr. Wallace seconded by Mr. Jamieson,

*Ordered*,—That the Petition of James Taylor be referred to the  
committee on Finance and Assessment with power to report thereon.

Mr. Snider brought up the first report of the committee on Roads and  
Bridges, being on the Petition of John K. Simons,

No. 2: On motion of Mr. Snider seconded by Mr. Crysler,

*Ordered*,—That the said report be received and adopted,

The report as read and adopted is as follows, viz:

“Your committee to whom was referred the Petition of John K.  
Simons and others, having considered the subject matter of the same  
beg leave to make the following report: Your committee would re-  
commend that the Petitioner, John K. Simons, be requested to call  
upon the County Surveyor, to report to this Council at its next sitting,  
on the state of the Town-line between the Townships of Walsingham  
and Middleton, at the crossings of both branches of Venison Creek on  
the said Town-line, as to the probable cost and necessity of opening

the said Town-line, and also the amount of drainage to the road in consequence of the flowing of water,

All of which is nevertheless respectfully submitted,

(Signed)

GEORGE SNIDER, *Chairman.*  
H. J. KILLMASTER,  
P. E. YOUNG,  
ROGER CRYSLER.

Committee Room, 21st December, 1858.

Mr. McCall brought up the first report of the committee on Finance and Assessment on the communication of the Secretary of the Board of Education.

No. 3: On motion of Mr. McCall seconded by Mr. Crysler,  
*Ordered*,—That the said report be received and adopted,

The report as read and adopted is as follows, viz :

“ Your committee to whom the above reference was made beg leave to report, that after taking the same into their most favorable consideration, recommend that no future allowance be made to the members of the County Board of Public Instruction inasmuch as their remuneration is provided for in the Common School Act of 1850, and your committee respectfully beg leave further to recommend that the County Board of Public Instruction be desired henceforth discontinue advertising the list of school teachers.”

(Signed)

S. McCALL, *Chairman.*  
ROGER CRYSLER,  
JOHN BARBER,  
WILLIAM WALLACE,  
H. J. KILLMASTER,

Committee Room, 21st December, 1858.

Mr. McCall brought up the second Report of the committee on Finance and Assessment, being on the Treasurer's Report.

No. 4: On motion of Mr. McCall seconded by Mr. Killmaster,

*Ordered*,—That the said Report be received and adopted,

The Report as read and adopted is as follows, viz :

“ Your committee to whom the above reference was made, beg leave to report, that having taken into their consideration that portion of the County Treasurer's Report relative to the Port Dover and Boston Road company, setting forth that the said company is already now indebted in a certain sum, and will be indebted in a further sum to the County on the First day of January next; for principal, the sum of \$2400, and for interest, the sum of \$446 91 cents; that the County Treasurer do forthwith give notice to the said company, that unless they pay up all sum and sums due for principal and interest on the 31st day of December next, that he as such Treasurer shall on the First day of January next, take possession of the said Road, and the tolls thereon, and retain the same until the County is repaid such sum as the said company may be in default; that the said County Treasurer is hereby authorized and required to take all legal steps, to come into possession of the said Road on and after the First day of January next, and re.

ceive, and apply the proceeds from the said Road to the payment of such debt as may be due and owing from the said company.

The Treasurer's Report being found correct, recommend that the same be placed on file in the County Clerk's Office.

(Signed) S. McCALL, *Chairman.*  
ROGER CRYSLER,  
DANIEL MATTHEWS,  
Wm. WALLACE.  
H. J. KILLMASTER,

Committee Room, 21st December, 1858.

A Division was called.

*Yeas:* Messrs. Jamieson, Snider, Wallace, Young, Killmaster,

McCall and Crysler, . . . . . 7

*Nays:* Dr. Culver, . . . . . 1

The motion being carried by a majority of six.

No. 5: On motion of Mr. Richards seconded by Mr. Snider,

*Ordered,*—Pursuant to notice leave be granted to introduce a By-Law, to confirm a certain By-Law passed by the municipal council of the township of Townsend.

And the By-Law was read a first time.

No. 6: On motion of Mr. Crysler seconded by Mr. Killmaster,

*Ordered,*—That the said By-Law be read a second time forthwith.

And the By-Law was accordingly read a second time.

No. 7: On motion of Mr. Killmaster seconded by Mr. Richards,

*Ordered,*—That the said By-Law be now engrossed and read a third time.

And the By-Law was accordingly read a third time.

No. 8: On motion of Mr. Snider seconded by Mr. Young.

*Ordered,*—That the said By-Law do now finally pass and be intituled as in the caption thereof.

And the By-Law was passed and so intituled.

The By-Law passed is as follows, viz :

#### CHAPTER I.

### A B Y - L A W .

*To confirm a certain By-Law passed by the Municipal Council of the Township of Townsend :*

WHEREAS by a certain Act of the Provincial Parliament of this Province, passed in the 22nd year of the reign of Her Majesty, Queen Victoria, intituled An Act respecting Municipal institutions, it is by section 329, chapter 99, enacted that no By-Law passed by a minor municipality, under the provisions for the conveyance of an original road allowance, shall have any force until confirmed by a By-Law of the Council of the County in which the Township is situated,

And whereas a By-Law has been passed in accordance with the above recited statute, by the municipal council of the Township of Townsend, at a session of the said council, held on the 18th day of August last past, conveying to Leonard Sovereign, of the said Township a certain original allowance for road laid out between Lots number Six and Seven in the Seventh concession of said Township of Townsend.

Be it therefore enacted by the Warden and Councillors of the municipal council of the County of Norfolk in Council assembled, that the said By-Law be, and is hereby ratified and confirmed.

Passed in open council on Tuesday, the 21st day of December, 1858.

DANIEL MATTHEWS, Warden.

Attest, JAS. ERMATINGER, County Clerk, County Norfolk.

No. 9: On motion of Mr. Snider seconded by Mr. Cryslar.

Ordered,— That this Council do now adjourn until to-morrow at ten o'clock, a. m.

And the Council adjourned accordingly.

Attest, JAS. ERMATINGER, County Clerk, County of Norfolk.

# THIRD DAY.

WEDNESDAY, 22nd December, 1853.

The Council met pursuant to adjournment.

The Warden in the chair.

The roll was called and the following members answered to their names, viz : Messrs. the Warden, Jamieson, Snider, Wallace, Young, Barber, Richards, Killmaster, McCall and Crysler.

The minutes were read and approved.

Mr. McCall brought up the 3rd Report of the committee on Finance and Assessment on the Petition of James Taylor.

No. 1: On motion of Mr. McCall seconded by Dr. Culver,  
*Ordered*,—That the said Report be received and adopted.

The Report as read and adopted is as follows, viz :

“ Your committee to whom the above reference was made, beg leave to report, that in their opinion the subject is one resting between the Petitioner and the Town of Simcoe, therefore would recommend that the Petitioner apply to the municipality of the Town of Simcoe.

All of which is respectfully submitted.

(Signed)

S. McCALL, *Chairman*,  
J. B. CULVER,  
ROGER CRYSLER,  
H. J. KILLMASTER,  
JOHN BARBER.

Committee Room, 22nd December, 1853.

No. 2: On motion of Mr. McCall seconded by Mr. Young,

*Ordered*,—That the County clerk be, and is hereby authorized and required to number the By-Laws passed by this council beginning with the January sessions of 1850, with number one and so, also to affix the proper number to all By-Laws hereafter passed by this Council.

No. 3: On motion of Mr. Snider seconded by Mr. Wallace,  
*Ordered*,—That William M. Wilson, Esq., be, and is hereby appointed Trustee for the Grammar School instead of the Reverend F. Evans, deceased.

No. 4: On motion of Mr. Killmaster seconded by Mr. Young,  
*Ordered*,—That the Rev. M. Levingston be, and is hereby appointed trustee for the Grammar School instead of Thomas W. Walsh, Esq., resigned, whose resignation is hereby accepted.

No. 5: On motion of Mr. Snider seconded by Mr. Crysler,  
*Ordered*,—That the time allowed for the collectors of the several municipalities to make their returns to the County Treasurer be extended to the last day of the next session of this council; and that the 24th rule of this council be suspended so far as relates to this motion.

No. 6: On motion of Mr. Crysler seconded by Mr. Killmaster,  
*Ordered*,—That the County clerk may, and is hereby authorized to use the County clerk's office as an office for the Division court also; and that the twenty-fourth rule of this council be dispensed with so far as regards this motion.

No. 7: On motion of Mr. Wallace seconded by Mr. Young,  
*Ordered*,—That inasmuch as the County own no house for the holding of the Grammar School, this council would recommend a grant of Two Hundred and Fifty Pounds to aid the municipality of Simcoe in paying for the school house, which it is now erecting, and in consideration for such aid, the County shall have the room requisite for holding the Grammar School in such school house; and that the twenty-fourth rule of this Council be suspended inasmuch as it relates to this motion.

Debates arose, a division was called, and the motion was lost by a majority of six.

*Yeas*: Messrs. Wallace and Young, . . . . . 2

*Nays*: Messrs. Culver, Jamieson, Snider, Barber, Richards,  
 Killmaster, McCall and Crysler, . . . . . 8

No. 8: On motion of Mr. Killmaster seconded by Mr. Jamieson,  
*Ordered*,—That a committee be appointed to ascertain and report to this Council at its next session the following information:

1st. The cost of supporting Vagrants or Paupers in the County Jail for the past year.

2nd. The amount paid by minor municipalities for the support of the Indigent Poor within this municipality.

3rd. The amount of aid given by this county to the Insane destitute.

4th. The expenses of working Houses of Industry or Relief now in existence in this Province; also as to the working of the Poor Law system in the state of New York in Rural counties; and that the following gentlemen do compose the committee, viz:

Messrs. Wm. Wallace, Aquilla Walsh, P. E. Young, and H. J. Killmaster, (the mover);

And the 24th rule of this council be suspended so far as relates to this motion.

Debates arose thereon, a division being called,

*Yeas:* Messrs. Jamieson, Wallace, Young, Barber, Killmaster, 5

*Nays:* Messrs. Culver, Snider, Richards, McCall and Crysler, 5

Showing a tie, when the Warden gave his casting vote with the yeas, thus passing the motion in the affirmative.

No. 9: On motion of Mr. Young seconded by Mr. Barber,

*Ordered*,—Resolved, that the claim of the Indigent Poor to a reasonable support from the county or municipalities, is of such a nature as to admit of no dispute, the best mode of relief is, however, subject to several difficulties, to obviate some of these, it appears expedient, that a Provincial Act should be passed, making it imperative on the municipalities or counties, to make provisions for their own destitute Poor; and defining under what circumstances a destitute person may claim relief from any particular municipality, in order to prevent an influx of destitute persons into any municipality making such provision, and also authorizing the proper officers to send destitute persons to the municipality upon whose bounty they may have a just claim. At present it appears that the extension of aid to the poor, can be best and most speedily effected by each municipality making provision for its own poor under the authority of the new municipal Act, and we would further recommend that at the ensuing annual election of municipal officers for the different municipalities of this County—an expression of the opinion of the ratepayers should be taken as to whether they would favor provisions being made for the Poor by the County, or undertake to do so in the minor municipalities; and that the 24th rule of this council be suspended so far as this resolution is concerned.

Debates arose thereon, a division being called,

*Yeas:* Messrs. Culver, Young, Barber and McCall, . . . 4

*Nays:* Messrs. Jamieson, Snider, Richards and Crysler, . . . 4

Showing a tie, when the Warden gave his casting vote with the yeas, thus the motion was lost.

No. 10: On motion of Mr. Killmaster seconded by Mr. Crysler,

*Ordered*,—That the communications of the Provincial Secretary and A. Pyper & Bro., sent to this council from the Quarter Sessions be laid over to the next session of this council; and that the 24th rule of this council be suspended so far as relates to this motion.

No. 11: On motion of Mr. McCall seconded by Mr. Killmaster,

*Ordered*,—That in accordance with a resolution of this council, adopted on the 20th day of December, 1858, leave be now given to introduce a By-Law to regulate the mileage and remuneration of county councillors.

And the By-Law was read a first time,

No. 12: On motion of Mr. McCall seconded by Mr. Richards,

*Ordered*,—That the said By Law be read a second time forthwith.

And the By-Law was accordingly read a second time.

No. 13: On motion of Mr. McCall seconded by Mr. Young,

*Ordered*,—That the said By-Law be engrossed and read a third time forthwith.

And the By-Law was engrossed and read a third time.

No. 14: On motion of Mr. McCall seconded by Mr. Young,  
*Ordered*,—That the said By-Law do now pass and be intitled as in  
the caption thereof.

The By-Law passed is as follows, viz.:

No.

### A B Y - L A W :

*To provide for the remuneration of County Councillors, and to repeal a  
certain By-Law of this Council :*

*Passed 22nd December, 1853.*

WHEREAS it is proper and necessary, that provision should be made  
for the remuneration of County Councillors, while attending to their du-  
ties at the meetings of this Council, and their expenses travelling to and  
from such meetings.

I. *Be it therefore enacted*, by the Warden and Councillors of the  
County of Norfolk in Council assembled that such and every Councillor  
shall be entitled to receive, and be paid, the sum of One Dollar and a  
Half for each and every day, that he shall be necessarily in attendance  
at, and during the meetings of the said County council; also the sum of Ten  
Cents per mile in travelling to and from his attendance at each session  
of the County Council, the said distance to be computed from his resi-  
dence by the most direct Road to the County Court House.

II. *And be it further enacted*, that the Warden be authorized and re-  
quired at the end of each session, to grant his cheque on the County  
Treasurer, for the payment of such mileage together with the daily al-  
lowance to each Councillor, for the number of days, that he may have  
actually attended the sittings of the said County Council.

III. *And be it further enacted*, that the By-Law of this Council passed  
on the Thirteenth day of January, in the Year of Our Lord One Thou-  
and Eight Hundred and Fifty, and entitled a "By-Law to provide for  
the remuneration of County Councillors, while attending the sessions or  
meetings of the Council." be, and the same is hereby repealed.

*Passed in open Council on Wednesday, 22nd day of December, 1853.*

(Signed) DANIEL MATTHEWS, Warden.

Attest, JAS. ERMATINGER, County Clerk, County of Norfolk.

No. 15: On motion of Mr. Snider seconded by Mr. Wallace,

*Ordered*,—That the Auditors' Report be received and adopted, and  
that the Warden be authorized to draw his check on the Treasurer for  
the several amounts allowed.

No. 16: On motion of Mr. Crysler seconded by Mr. Killmaster,

*Ordered*,—That the County Surveyor's Report be received and  
adopted, and placed on file in the clerk's office for reference, and that  
the 24th rule of this council be suspended so far as this resolution is  
concerned.

No. 17. On motion of Mr. McCall seconded by Mr. Young,

*Ordered*,—That the County Clerk do procure a sufficient number of  
blank sheets of assessment, collector rolls and notices to supply the  
several minor municipalities in this County, and that the Warden be

authorized to draw his check on the County Treasurer for the payment of the same.

No. 18: On motion of Mr. Wallace seconded by Mr. Snider,  
*Ordered*,—That the Warden do leave the chair and that the Reeve of Middleton take his place.

No. 19: On motion of Mr. Wallace seconded by Mr. Snider,  
*Ordered*,—That the thanks of this Council be tendered to the Warden for the impartial and courteous manner he has presided over us, and that the Warden be, and is hereby authorized to issue his check for the contingent expenses of his office for the current year—in the sum of fifty dollars.

No. 20: On motion of Mr. McCall seconded by Mr. Young,  
*Ordered*,—That Mr. Crysler do now vacate the chair and the Warden resume the same.

No 21: On motion of Mr. McCall seconded by Mr. Young,  
*Ordered*,—That this Council do now adjourn for this session.  
And the Council adjourned accordingly.

*Attest*, JAMES ERMATINGER, *County Clerk, County of Norfolk.*















