

Minutes of the October Session 1865

Council Hall Barrie Oct. 23rd 1865

The Council met this day pursuant to adjournment from the previous session.

The Warden in the Chair

Present Messrs Aberdeen, Arden, Arden, Craig Clark, Davis, Dawson, Elder, Hogg, Kean, Kelly, Langley Little, M. Clain, M. Manus, J. M. Munchy, Murphy, Mathieson, Russell, Rowat, Sissons, Saunders, Steele, Scott, and Stewart

The minutes of the last day of the past session were read and confirmed.

The Warden addressed the Council at considerable length and brought before them several important subjects for their consideration at this present session.

The Warden laid the following documents before the Council which were read viz.

Report of Messrs Boulton & McCarty on the New Harbours (as the County of Simcoe, Copy of Bills to incorporate the "County of Simcoe Bank", to consolidate and amend the "Assessment Law of Upper Canada", to encourage Agriculture, Arts and Manufactures, Act of Alfred Todd for draft of Bill, and the petition of Wilson Brown,

On motion of Mr. Dawson sec. by Mr. Dawson

Resolved: That a special committee of five be appointed by the Warden to take into consideration each of the several communications and Bills now before the Council which does not belong to the standing committee

The Warden named Messrs Arden, J. M. Manus, M. Clain, Craig and Hogg to be a special committee on the assessment Bill, and Messrs Kelly, Sissons, Dawson, Steele and Elder to be a special committee on Agriculture &c.

On motion of Mr. Arden sec. by Mr. Dawson

Resolved: That the several documents now before the Council be referred to their respective committees

On motion of Mr. Sissons sec. by Mr. J. Manus
Resolved: That the special committee be appointed namely Messrs J. Manus, Arden and the Warden to examine and report to this Council at its present session on an error made by the Equalizing Committee in equalizing the Assessment Roll of the Township of Deserai in June last.

On motion of Mr. Sissons sec. by Mr. Dawson
Resolved: That the County Surveyor be required to run the north line of the Industrial Farm on the Penetanguishene Road.

On motion of Mr. M. Munchy sec. by Mr. Kelly
Resolved: That the Council do now adjourn until 9 o'clock tomorrow morning.

Thomas R. Ferguson
Warden

Council Hall Barrie Oct. 27th 1865

The Council met this day pursuant to adjournment

The Warden in the Chair

Present Messrs Aberdeen, Arden, Arden, Craig, Clark, Davis, Dawson, Elder, Hogg, Kean, Kelly, Langley Little, M. Clain, M. Manus, Murphy, Mathieson, Russell, Rowat, Sissons, Saunders, Steele, Scott, Stewart and M. Munchy.

The minutes of yesterday were read and confirmed. Report No. 1 of the County Auditors presented and read.

On a question of order, The Warden's ruling was sustained. Messrs Aberdeen, Arden, Arden, Clark, Dawson, Elder, Kean, Langley Little, Murphy, Mathieson, Russell, Rowat, Sissons, Saunders, Steele, Scott and Stewart 19.

Nays Messrs Hogg, Kelly, M. Clain and M. Munchy 4.

On motion of Mr. M. Munchy sec. by Mr. Kelly

Resolved: That the Auditors Report No. 1 be not received by the Council.

Report of special committee on obtaining legal opinion as to the legal validity of the Prohibitory By Law. Presented and read.

On motion of Mr. Davis sec. by Mr. Aberdeen

Resolved: That the report that the report may be adopted and that the legal opinions of Messrs Lovatt and Boyd be printed in the Minutes of this Council.

Council Hall Barre Oct. 24th 1865

The Council met this evening pursuant adjournment
The Warden in the Chair

All members present

The minutes of yesterday were read and confirmed
The Warden laid the following documents before the Council, which
were read viz. Reports 1 and 2 of the County Surveyor, Communication
of John Shea Esq. with leave to Col. James H. Smith, the Clerk of the
Co. Council of York & Peel, John B. Mearns Esq., the Hon. the Provincial
Secretary, with Petitions from Robert Hamilton presented by Mr. Saunders
and certain ^{Reports} ~~Documents~~ of the Township of Simonsville presented by Mr. Matthews

On Motion of Mr. Saunders sec. by Mr. Steele

Ordered: That the Communications from the Council of York
and Peel on the proposed abrogation of the Reciprocity Treaty
be referred to a Special Committee consisting of Messrs
Little, G. Mearns Russell, Dewson and the Mayor, to report
thereon at the present session

On Motion of Mr. Ardagh sec. by Mr. J. Mearns

Ordered: That the various documents now before the Council
be referred to their respective Committees

On Motion of Mr. G. Mearns sec. by Mr. Dewson

Ordered: That the accounts of the Returning Officers who
held the late election in this County be referred to the Committee
on Finance, and that the said Committee be requested to take
the whole matter of the expense of taking the vote on the
Temperance Act, into consideration and recommend such
sum as they may think advisable, so as to have uniformity
according to the circumstances of each case

Moved by Mr. Ardagh sec. by Mr. Dewson

That the special Committee to which was referred the proposed Bill
relating to Agriculture be instructed to take into consideration the
propriety of making an Annual pecuniary grant to each of the
County Agricultural Societies, or to each of the Township Societies or to both
in order to increase the means of those associations for furthering the
important object for which they are established, and also the
advisability of offering some inducement (either by a grant to said
Societies for the purchase or otherwise for the increased culture of
flax, and the establishment of Flax Mills in the County

and that said Committee be instructed to report to your Council
at the present session, last year 6 days 15

Yeas Messrs Ardagh, Dewson Clark Craig, Rowat, Dewson & Saunders
Nays Messrs Aberdeen, Harris, Dewson Hogg, Kean, Kelly, Langley, Little,
McLain, Mearns, J. Mearns, J. Mearns, Murphy, Scott & Stewart

On Motion of Mr. Saunders sec. by Mr. Kean
Ordered: That the special Committee appointed last session of the
Council to report on the subject of a County prohibitory By-law under
the Temperance Act of 1864 be now reappointed for the purpose of
enquiring into an apparent omission in complying with the require-
ments of the Law in giving the public notice of submission of said
prohibitory By-law to a vote of the people; that they report on
the facts of the case during the present session, and make
such suggestions in relation thereto as they shall deem
expedient

It was moved by Mr. Dewson sec. by Mr. Ardagh

That a sum of \$20.00 be given to each of the Branch
Agricultural Societies in this County from the funds of this
County, and that Rule 43 be suspended for that purpose
lost.

Yeas Messrs Aberdeen, Ardagh, Craig, Clark, Little, Mearns,
Rowat and Dewson 8.

Nays Messrs Arnsom, Harris, Dewson, Elder, Kean, Kelly,
Hogg, Langley, McLain, Mearns, J. Mearns, J. Murphy,
Matthews, Saunders, Steele and Scott 16.

On Motion of Mr. Hogg sec. by Mr. J. Mearns

Ordered: That the Council do now adjourn until 7 o'clock
this evening -

Evening Session

The Council met pursuant to adjournment

The Warden in the Chair

The Warden laid the petition of William Hammell Esq. presented
by Mr. John Mearns, before the Council which was read

On Motion of Mr. Dewson sec. by Mr. Little

Ordered: That the several documents now before the
Council be referred to their respective Committees

On Motion of Mr. Hoag Sec^y by Mr. Linn
Ordered: That the standing Committee on Education
be instructed to enquire into the effect of the Grammar
Schools of this County by the Grammar School Act, Bill
passed last session of Parliament, and report to this
Council at its present sitting

On Motion of Mr. Kelly Sec^y by Mr. Hoag
Ordered: That the name of Mr. Little be added to the
Special Committee on Prohibitory Liquor Law in place of
Mr. Warburton who is absent

On Motion of Mr. Armon Sec^y by Mr. Hewson
Ordered: That leave be granted to introduce a By Law
to amend By Law Number 121 of this Corporation in so far
as it relates to the keeping and maintaining the roads on the
boundary lines between the Township of West Gullinbury
and the Village of Bradford

By Law introduced and read a first time
On Motion of Mr. Armon Sec^y by Mr. Hewson
Ordered: That the Council do now go into Committee of the
whole upon By Law now read a first time

The Council went into Committee of the whole
on By Law read a first time Mr. Ardagh in the Chair
The Committee of the whole rose and reported By Law
amended, By Law as amended in Committee of
the whole read a second time

On Motion of Mr. Dawson Sec^y by Mr. Armon
Ordered: That the By Law as amended in Committee
of the whole now read a second time be read a third
time forthwith, By Law read a third time

On Motion of Mr. Dawson Sec^y by Mr. Armon
Ordered: That the By Law now read a third time do pass
be engrossed by the Clerk, signed and Sealed by the Warden

On Motion of Mr. Armon Sec^y by Mr. J. McManus
Ordered: That the Council do now adjourn, until
9 o'clock tomorrow morning -

Thomas R. Ferguson
Warden

Council Hall Barrie Oct. 25th 1865
The Council met this day according to adjournment
The Warden in the Chair

All Members present except the Reeve of Bradford
The Minutes of yesterday were read and confirmed
The Warden laid the following documents before the Council which
were read by Communications of the County Treasurer with Acct.
of Hamilton Stewart Esq.

On Motion of Mr. McManus Sec^y by Mr. Hoag
Ordered: That the several documents now before the Council
be referred to their respective Committees

On Motion of Mr. Ardagh Sec^y by Mr. Russell
Ordered: That the Committee to which was referred the proposed
bill on Agriculture be instructed to consider the propriety on the part of
this Council of offering some inducement for the cultivation of flax
in this County and if said Committee shall be of opinion that an
appropriation of money for this purpose would tend to promote the
prosperity of the County, that they further report as to the best means of
securing that object in view during the present session and that Rule
54 be suspended for the purpose of this motion

On Motion of Mr. Saunders Sec^y by Mr. Steele
Ordered: That the Clerk be instructed to telegraph to the Clerk of the Village
of Bradford asking him to forward immediately the poll Book of the recent
vote taken in that place on the County Prohibitory By Law and also
a statement of the costs of holding such poll.

On Motion of Mr. Saunders Sec^y by Mr. Steele
Ordered: That the Council do now adjourn until 9 o'clock
this evening

Evening Session
The Council met according to adjournment
The Warden in the Chair

The Warden laid the following documents before the Council
which were read by - Petitions of Mr. Bendley & C. Jones Esq by Mr. McManus
Report No. 3 of Co. Surveyor with letter from Deputy Registrar, Accts of the Examiner, Advances
and Enterprise Office, Messrs Boulton & Mackay, Communications from J. C. McConkey Esq. M.P.
and certain returns of Town Clerks relative to Auctioneers Licences -

On Motion of Mr. McManus Sec^y by Mr. Steele
Ordered: That the petition of E. C. Jones Esq be referred
to the standing Committee on Finance and Assessments

On motion of Mr. Craigh Sec^y by Mr. Russell
Ordered: That the letter of Thomas D. McCorkay Esq. M.P.P.
in reference to the settlement of the public lands be referred
to a special committee of five to be named by the Mayor
The names named Messrs Craigh, Davis Craig Russell
and Armons to be such committee

On motion of Mr. Kelly Sec^y by Mr. M. Munday
Ordered: That the special committee on Auctioneers Licenses
appointed at the June session of this Council be reappointed
and that the several documents relating to Auctioneers
Licenses now before the Council be referred to said
committee.

On motion of Mr. Saunders Sec^y by Mr. Steele
Ordered: That the communications from S. D. McCorkay,
Esq. be referred to a special committee consisting of
Messrs. Kean, Little, Steele, Craigh and the mayor with
instructions to report thereon during the present session

On motion of Mr. Craigh Sec^y by Mr. J. M. Manas
Ordered: That the several documents now before the
Council be referred to their respective committees

Report No. 1 of Standing Committee on County
Property presented and reads,

On motion of Mr. J. M. Manas Sec^y by Mr. Kean
Ordered: That the report now read be adopted

Report of Special Committee on County
Property presented and reads

It was moved by Mr. Saunders Sec^y by Mr. Sissons
That the report now read be adopted, and that the By-Law
now read a first time be read a second time.

On motion in amendment by Mr. Kelly Sec^y by Mr. M. Munday
Ordered: That the report be not adopted and that the
By-Law read a first time, be not read a second time
but that the Council do now go into committee of the
whole on the same

The Council went into committee of the whole
on the report and By-Law now read

Mr. Craigh in the Chair
The committee of the whole rose and reported the
Report of special committee on prohibitory By-Law
amended

* Report of Special Committee on County
Property presented and reads
Ordered: That the report now read be adopted

Report as amended in committee of the whole was presented
and read

Moved by Mr. M. Clain Sec^y by Mr. Kelly
That the report now read as amended in committee of the whole
be adopted

It was moved in amendment by Mr. Saunders Sec^y by Mr. Kean
That the report be not now adopted, but be referred back to the
committee for reconsideration, and that they have power to
take legal advice with reference to the subject of passing
a new prohibitory By-Law

Moved in amendment to the amendment
by Mr. Dawson Sec^y by Mr. Hoff

That the Report now read be not adopted but that it be referred
back to the committee with instructions for them to report this
day three months, lost

Yeas Messrs Aberdeen, Armon Craig Clark Dawson Hoff Langley
M. Munday Russell Rowat and Stewart 11
Nays Messrs. Davis Elder Kean Kelly Little M. Clain M. Manas
M. Munday J. Murphy Mathison, Sissons Saunders Steele and
Scott 14

The Amendment was then put and lost

Yeas Messrs Elder, Kean M. Clain M. Manas J. Murphy
Mathison Sissons and Saunders 9
Nays Messrs. Aberdeen Armon Craig Clark, Davis Dawson Hoff
Kelly Langley Little M. Munday Russell Rowat Steele Scott and
Stewart 16

Moved in amendment by Mr. Saunders Sec^y by Mr. J. M. Manas
That the report be not now adopted but be referred back to the committee

with instructions to insert the following clause: - By the first and second
sections of the Temperance act your committee are disposed to believe
that it would be competent for your Council to pass a second By-Law and
carry it into effect without any further appeal to the people and irrespective
of what has been already done, and that if such a course were pursued the
provisions of the prohibitory Law would still under that By-Law be fairly
to the test, the same as if no mistake had occurred to mar the force of
the present By-Law, and inasmuch as it appears by the several polls
made now in possession of the Council that the popular vote recently
taken has resulted in a majority of 275 votes in favor of the Law your
committee feel themselves justified in submitting the accompanying draft of By-Law which
approved by your Council they would recommend to be carried into effect as the Law
acts without any second appeal to the people, and that Rule 54 be suspended for
that purpose lost

W. H. Munnif. Munday
Messrs Messrs Elder, Keen, Munnif, Munday,
Matthews, Sisson, Saunders, and Scott 19

Messrs Messrs Abbe, Armon, Clark, Craig, Davis,
Dewson, Hoff, Kelly, Langley, Little, McClain,
Munnif, Russell, Stewart, Stearns and Stewart 16

The original motion was then put and carried
Messrs Messrs Abbe, Craig, Clark, Davis, Dewson, Hoff,
Kelly, Langley, McClain, Munnif, Russell, Stewart
and Stewart 13

Messrs Messrs. Armon, Elder, Keen, Little, Munnif,
G. Munnif, Murphy, Matthews, Sisson, Saunders,
Steele and Scott 12

On motion of Mr. Hoff by Mr. Langley
Resolved: That the Council do now adjourn until
10 o'clock tomorrow morning

Thomas R. Ferguson
Clerk

Winnell Hall Barre Oct. 26th 1865

The Council met pursuant to adjournment
The Warden in the Chair

All members present except the Absence of Messrs

The Minutes of yesterday were read and Confirmed
Report of Special Committee on proposed Bill on Agriculture
arts and Manufacture presented and read
It was moved by Mr. Kelly sec^d by Mr. Langley
That the report now read be adopted

At this stage of the proceedings the Report was ordered to lie
on the table by four Members in accordance with Rule 45 until
next sitting of Council

Report No. 1 of Standing Committee on Education
presented and read

On motion of Mr. Craig sec^d by Mr. Munnif
Resolved: That the report now read be adopted

Report No. 1 of Standing Committee on Roads & Bridges
presented and read

On motion of Mr. McClain sec^d by Mr. Munnif
Resolved: That the report now read be adopted

Report of Special Committee on Reciprocity Treaty
presented and read with accompanying Memorial

On motion of Mr. Little sec^d by Mr. Saunders
Resolved: That the report now read be adopted, and that the
Memorial attached be engrossed by the Clerk signed and sealed
by the Warden, that the same be transmitted to His Excellency
in Council, and to the several houses of the Legislature if necessary
and that the Hon^{ble} the Members for the Sangre and Oriskany Districts
as well as those for the two Ranges of this County be requested
to use their influence on this behalf.

On motion of Mr. Armon sec^d by Mr. Keen
Resolved: That the name of Mr. Wamberton be erased from
the Standing Committee on Printing and the name of Dr.
Minton inserted instead thereof

On motion of Mr. Davis sec^d by Mr. Sisson
Resolved: That Messrs Saunders Hoff and the mover be
appointed a special Committee to obtain legal advice respecting
the prohibitive Dry Law passed at last session of this Council
and the best mode of carrying out the same, and that they
report at this session

Yeas Messrs. Aberdeen, Davis, Elder, Keaw, Little, McCain,
McManus, J. Murphy, Mathison, Sissons, Sandew,
Steele and Scott 13
Nays Messrs. Armon, Craig, Clark, Dawson, Hogg,
Kelly, Langly, McManus, Russell, Rowat, Stewart
and Dr. Morton, 12.

On Motion of Mr. McCain Sec^y by Mr. Armon
Ordered that the Council do now adjourn until
7 o'clock this evening.

Evening Session

The Council met according to adjournment.

The Warden is the Chair

Moved by Mr. Kelly, Sec^y by Mr. Langly

That the report of the special Committee on the Agricultural Bill
laid on the table at the last sitting of this Council in accordance
with Rule 45 of this Council be now taken up and adopted

Moved in Amendment by Mr. Ardagh Sec^y by Mr. Russell
That the report be not adopted, but that it be referred back
to the Committee with instructions to amend the same by
recommending that a bonus of not ~~more~~ ^{less} than twenty five
per cent on the cost up to \$1000 of building Machinery
be offered to such person or persons as shall within a year erect a
flax mill in each riding of this county, and that the Treasurer
be instructed to pay such premium or bonus to the person or
persons applying for the same, on the certificate of the County
Surveyor that such flax mill is in operation or ready to go
into operation and of the cost of the same, subject to such
other restrictions or regulations as to the suitability of the locality
where any such mill is proposed to be erected, as the
Committee may think it advisable to make last

Yeas Messrs. Ardagh, Armon, Hogg, Keaw, Russell, Rowat,
Sissons, Sandew and Dr. Morton 9
Nays Messrs. Aberdeen, Clark, Davis, Dawson, Elder, Kelly,
Langly, Little, McCain, McManus, Murphy, Mathison, Steele,
Scott and Stewart 15

The original motion was then put and carried
Report No. 2 of Standing Committee on
County property presented and read

On Motion of Mr. Keaw Sec^y by Mr. Sissons
Ordered: That the report now read be adopted

Report No. 1 of Committee on Georgian Bay Canal
Company with accompanying documents presented read
On Motion of Mr. Hogg Sec^y by Mr. McCain
Ordered that the report now read be adopted

Report No. 2 Standing Committee on Roads & Bridges
presented and read
On Motion of Mr. McCain Sec^y by Mr. Clark
Ordered: That the report now read be adopted

On Motion of Mr. Ardagh Sec^y by Mr. Russell
Ordered: That the standing Committee on Finance and
Assessment be instructed to take into consideration any
Application on the part of the Corporation of the Town of
Barrie for a loan to that Corporation of from thousand
dollars on certain debentures already issued by them, and
that said Committee report at this sitting of the Council

On Motion of Mr. Davis Sec^y by Mr. Armon
Ordered: That the Council do now adjourn until 8
o'clock tomorrow evening

Thomas R. Ferguson
Warden

Council Hall Parie Oct 27th 1865

The Council met this day pursuant to adjournment

The Warden in the Chair

present Messrs Abadeen Adair Armeson Craig Clark
Davis Deason Elder Hogg Keaw Kelly Langly Little
McMunby Murphy Mattison Russell Rowat Sisson
Saunders Steele Scott Stewart and Moore

The minutes of yesterday were read and confirmed

The County Auditor's Report No. 1, presented and read

On a question of order the Warden's ruling was sustained

Yeas Abadeen, Adair, Armeson, Clark Davis Deason Elder
Keaw Langly Little Murphy Mattison Russell Rowat
Sisson Saunders Steele Scott & Stewart 19

Nays Messrs Hogg, Kelly, McMunby & McClain 4

Report of Special Committee

On Mr. McMunby's Res. by Mr. Kelly

Ordered: That the Auditor's report No. 1 be not received
by the Council,

Report of Special Committee on obtaining legal
opinion on the validity of the prohibitory By Law, presented & read

On motion of Mr. Davis Res. by Mr. Abadeen

Ordered: That the report now read be adopted, and that
the legal opinion of Messrs Lunt and Rogo be printed
in the minutes of this Council,

Report of Special Committee on usury Law

presented and read with accompanying Memorial presented
and read

It was moved by Mr. Saunders Res. by Mr. Steele

That the report now read be adopted, and that the Memorial
be expressed by the Clerk, signed and sealed by the Warden
and transmitted to the Member for North Province for
presentation to the Legislative Assembly, and that the
Co. operators of the several members of the County be
solicited in aid of the prayer of the petition

Moved in amendment

by Mr. McClain Res. by Mr. Davis

That the Council do now go into Committee of the
whole on the report and Memorial now read
At this stage of the proceedings the report and Memorial were
ordered to lie on the table until next sitting of Council according
to rule 45

Report of Standing Committee on printing presented and
read

On motion of Mr. Davis Res. by Mr. Hogg

Ordered that the report now read be adopted

Report No. 1 of Standing Committee on Finance & assessment
presented and read

Moved by Mr. Little Res. by Mr. Armeson

That the report now read be adopted

Moved in amendment by Mr. Kelly Res. by Mr. Hogg

That the report now read be not adopted, but that the same be
referred back to the Committee for reconsideration

At this stage of the proceedings the report was ordered to lie on
the table until next sitting of Council according to Rule 45

On motion of Mr. Armeson Res. by Mr. Sisson

Ordered: That the Council do now adjourn until 9 o'clock
tomorrow morning

Thomas R. Ferguson
Warden

Council Hall Parie Oct 28th 1865

The Council met this day pursuant to adjournment

present Messrs Abadeen Adair Armeson Craig Clark Davis
Deason Elder Hogg Keaw Kelly Langly Little McClain Murphy
Mattison Russell Rowat Sisson Saunders Steele Scott & Stewart

The Warden in the Chair

The minutes of yesterday were read and confirmed,

On motion of Mr. Hogg Res. by Mr. Davis

Ordered: That the Council do now adjourn and stand adjourned
until Monday the 27th day of November next at 2 o'clock P.M.

Thomas R. Ferguson
Warden