

1849. Whitley

THE LITERARY NEWS-LETTER, EXTRA.

PUBLIC MEETING AT COLUMBUS.

Report of the Proceedings of a Town Meeting, held at the Village of Columbus, in the Township of Whitley, on Monday, 26th March, 1849. Said Meeting was called by the Town Clerk, he having been required to do so by A. McPherson, John Sparrow, George Carr, Peter Perry, and 170 others, who attached their names to the following Requisition—

TO JOHN BLACK, ESQ., TOWNSHIP CLERK.

Perceiving by the outlines of a certain Bill now before the Provincial Parliament, as published in the newspapers, for dividing and forming into Counties, such of the several Districts, as appear to require such a measure, with separate County Registries, and certain powers whereby the Local Authorities may whenever they deem it expedient, and for the interest of the County, make provision for holding the Courts, &c. in their respective Counties, that the most manifest injustice is done by said Bill to the Home District, and to the Eastern, North Eastern, and North Western Sections in particular; for it will be seen that while the said Bill divides and forms most of the Districts into two or more Counties, some of which do not contain anything like the population or wealth of any one of our four Ridings, we have the Home District, the most extensive, populous, and wealthy in the Province is carelessly left with but one Registry, one Court House, and consequently one Court, all to be kept, held and conducted in the City of Toronto, without any provision being made for any future subdivision to meet the wants and wishes of the inhabitants, as is provided in the Bill for other Districts. Now to ascertain whether such neglect and proscription of the interest of those sections of the District before alluded to, meet the approbation or detestation of the inhabitants thereof. You are hereby respectfully requested to call a Public Meeting of the Inhabitants of this Township on as early a day as is practicable, at such time and place as you may deem expedient, for the purpose of considering the matter, and taking such action in the premises as the importance and nature of the subject shall seem to require.

Whitley, 14th March, 1849.

The meeting having convened, the Town Clerk read the Requisition, and called upon the meeting to elect a Chairman, upon which Mr. Perry and his friends supported the nomination of Mr. Black, but W. H. Gibbs, Esq., was elected. Mr. Thos. N. Gibbs was then appointed as Secretary, against the wishes of Mr. Perry and his friends who supported the nomination of Mr. Burnham.

The Chairman then stated that he did not fully understand the object of the meeting, but noticed a number of the requisitionists present, and would call upon one of them (Mr. Perry) who doubtless was prepared to state the reasons for calling the meeting. Mr. Perry said—Mr. Chairman and Gentlemen, I always hold myself in readiness to give a reason for my public conduct, but with respect to the object of this meeting the requisition explains that object. By it you perceive the object to be the consideration of a certain bill, now before Parliament, for the purpose of substituting counties for districts, and providing for the division of the most of the districts or counties as they are to be called hereafter, in Canada West, and the immediate establishment of a registry office in each of the new counties. The said bill empowers each of those counties, through their local authorities, to make arrangements for building county buildings, holding courts, &c. &c. within the limits of each, when it may suit their interest and convenience to do so.

Some look upon the calling of this meeting as a continuation of the agitation for a division of the district. But I disclaim any such intention. It is not to be viewed in any way in connection with the late subject of a division, and I do not look upon the Bill in connection with the formation of a new district in the East of the Home District. But while the Bill divides most of the Districts in Canada West—while it divides the Simcoe district with a population of 16,000, the Colborne district with a population of 16,000, the Niagara district with a population of 40,000—while this is done—why is the Home district with a population of 100,000 carelessly left with but one Registry office, one Court House, and consequently one Court, all to be kept, held and conducted in the City of Toronto. Let every man ask himself if it is right that 100,000 persons in the Home District should be left as they are while many districts, inferior in wealth and population, may enjoy the advantages and privileges of a division. You answer no. This bill degrades, and at the same time insults us. What are we not competent to take care of ourselves, are inferior districts which are to enjoy the benefits of the Bill? The Bill is sufficiently guarded, in all conscience, for nothing but the establishment of a Registry office can be done in the new County, until two-thirds of the Townships thereof be in favor of erecting it into a municipal county, which two-third vote cannot be given unless the expediency of such a measure shall have been resolved upon at two annual meetings previous. You therefore perceive the Bill is so guarded that some time must intervene before the complete formation of a new county. But what I complain of is, that we are doomed to remain as we are, and always to be dragged to the City of Toronto. Who introduced this one-sided unjust measure into Parliament, I cannot tell, but report says Mr. Baldwin did;—his name need not be called in question, you know I have done as much to place him where he is as any man, and have had confidence in him to do right. I do not wish to quarrel with him, but must raise my voice against the injustice done by this Bill, to the Home District it is a painful duty for me to do so, but if the Bill condemn Mr. Baldwin I cannot help it.—I do

not court favor.—I decline more offices than I seek. Now if there be any justice in this Bill I wish to see it, as yet I have not been able to do so. This Bill either inflicts an injury on the more thickly populated district which it makes provisions for dividing, or it proscribes us. Let any man show the justice of this measure if he can. It cannot be done except by the rule of contrary. Would any of you vote for such a bill if you had a seat in Parliament, for my own part I would not, and should any of you approve of the Bill here I shall be much mistaken.

Mr. Perry then read and moved the following resolution, which was seconded by Mr. —

Resolved, That without any reference whatever to the question of immediately establishing a new District out of the eastern portion of the Home District (about which a diversity of opinion has hitherto existed) or expressing any public opinion at this time and place, one way or the other, as to the expediency or in expediency of agitating and urging that measure under existing circumstances, viewing as totally different the general bill now before Parliament, which provides for the wholesale division of most of the districts of Canada West into two or more counties, and extends to each of such counties the benefit of a separate county registry immediately, and empowers them respectively through their local authorities, in future to make the necessary arrangements for holding the courts, &c. &c., whenever it shall or may be deemed best for their interest, welfare and prosperity to do so, this meeting firmly believes there can remain but one opinion in the minds of all parties, in reference to the manifest injustice done by said bill, to the interest and feelings of the Home District in general, and to the eastern, north eastern, and north western sections in particular.

After a short pause, A. Farewell, Esq. addressed the meeting, and said, Mr. chairman and gentlemen—I wish to make a few observations respecting the resolution just read, and am prepared to move an amendment thereto. The conduct of those who have shown so much determination to have the Home District divided and a new district formed in the eastern section thereof, and particularly this last and present move of theirs, calls forcibly to my recollection the peculiarity of a little reptile called the Cameleon; which when exhibited under a certain light appears red, turn it another way its color changes, and yet another turn and it looks green; but under what ever colour it may be presented to your view it is the same color still! Precisely so it is with the subject of a division of this district, under what ever colour it may have been presented, it is the same thing still. The subject has assumed a new feature, shape and character altogether to-day. The champion of the divisionists has not only poured new light upon it, but presented it to you with a new name, but depend upon it it is the division still. Although his resolution and his speech were in the declaration that the calling of this meeting has nothing to do with the question of a division, yet I am of opinion that the existence of a lingering hope that a division may yet be effected, has been at the foundation of calling this meeting. I am of this opinion because the tenor of Mr. Perry's speech expresses sad disappointment that the district has not been divided, or that there is no prospect of a speedy division. It has been asked why the bill, which has been so much spoken of, did not contain provisions for dividing the Home District, as well as others. This is an important question, and one which is easily answered. *Because the people of the district, through their representatives in district council assembled, declared against any division!* You are aware of the manner in which the question of a division was agitated for many months previous to the session of the council in January last, and you know it was considered by the councillors throughout the district before that meeting, believing as they did that they would be called upon to vote on the question in council. And what was the expression of the council? A majority of 18 of all the councillors present, and a majority of 2 of the councillors from the townships of which it had been proposed to form a new district voted against the division. Now, I ask every candid and honest man, whether, after the expression of the people's representatives in council, and in the face of the numerous petitions which were sent to the legislature against the division, the people's representatives in parliament had any right to create a division, or provide for one? No. In the good old days of irresponsibility to the people, some 10, 15, or 20 years ago, creating a division by the legislature, when the people had expressed against it, would have been quite in keeping with other acts of those times, but now, sir, in the year of grace, 1849, since the full establishment, and complete triumph of responsible government, since our representatives pledge themselves to act in conformity to the well understood wishes of the people, what parliament—the members of what government would dare to act contrary to the deliberate expression of the people as it has been given in this case.

I tell you, gentlemen, you are called upon to offer insult to your representatives who have done precisely what you, through your representatives in council, directed them to do, for that council not only carried a resolution against any division of the district, but in a memorial to the legislature protested in strong language against any such division, and prayed that it might not be erected.

This, Sir, is a reason, and a sufficient one why the Bill referred to makes no provisions for dividing the Home District. Having answered Mr. Perry's question, and given a sufficient reason why this district is not divided, I now call upon him to assign a reason why it was not. But in what position are we placed then? We are precisely as we were before this bill was introduced into parliament; and in behalf of our representatives, I give a pledge that whenever the Home District shall give such an expression of opinion in favor of a division, as it has done against it, a division shall be granted. In this way a division might be consummated sooner than under the provisions of the bill. Mr. Perry says he has done as much to place Mr. Baldwin in his present position as any other man. Sir, when

I consider this, and believe that both Mr. Baldwin and Mr. Blake appreciate the services which Mr. Perry has rendered them. What is the conclusion? Why, that both the gentlemen named would serve Mr. Perry if in their power. But their refusal to serve their best friend, by dividing the district against the expressed wishes of the people, is to me a sufficient guarantee that a division will be made should we ever require it. I know it may be said, that petitions in favor of a division were numerous and signed and transmitted to the Legislature. This is true—but the Legislature understanding the manner in which signatures may be obtained to petitions, wisely acted in this matter upon the decision of the council instead of those petitions in favor of a division. You are aware, gentlemen, there are two or three ways of obtaining signatures to a petition. 1st. There is the straight forward way of presenting a petition in such a way that he who signs may know what he is doing. 2d. Many names may be obtained without a proper and fair explanation of the nature of the petition—and 3rdly, names may be got by cutting the heading off one petition and attaching a whole list of names at once to another. This last method is the dishonest one, and it is to be hoped seldom resorted to; and I do not charge any of the divisionists with having adopted this method, but this is true, that some of the petitions which were circulated against any division disappeared very mysteriously.

Believing as I do that the establishment of a second registry office in a district, is the first step to a division thereof and will inevitably lead to it, and believing that we have little to gain, and a great deal to lose by a division, I shall call your attention for a few moments to some facts in the case, a consideration of which ought to induce every man, in the Eastern section of the Home district, who wishes the prosperity of those townships of which it is proposed to form a new district, to oppose any division, at least at present. One of the first objects to which legislative bodies in a new country like ours, should direct their attention is the improvement of the roads, by which the back woodsman may have as easy access to market as possible, by which value is added to his produce at home. The attention of the Upper Canada Legislature was early directed to this object, the last grant which they made for such a purpose being in 1837 when £50,000 were expended in the now twenty districts of Canada West. From that time up to 1845 nothing was done for our roads except by statute labor which was insufficient to keep them in repair except in some parts of the most populous townships.

In 1845 the Home district Council, having paid off the most of a debt of above £8000 since the commencement of their management of the affairs of the district, appropriated out of the revenue of the district £14,250 to the improvement of the roads, in 1846 they increased the sum to £25,500, in 1847 to £3,000; a clause in each of the above appropriation bills required a sum equal to half the amount appropriated to be raised by labor or otherwise and expended with the above, virtually taxing the inhabitants of the district during 1845 '6 and '7 to the amount of £3,463. In 1848 the council appropriated to the same object £5,000, in 1849 £5,000 making a total expended on the roads in five years without any increase of taxation of £16,925. To which add the above £8,463 required to be raised in the localities where the money was expended in 1845 '6 and '7 as well as the sum of £437,10s. 0d raised by tax upon different localities for repairing and rebuilding bridges and you have a grand total of £20,389 expended on our roads within the last five years.

Of this sum remember that £16,925 came from the district funds without any increase of taxation, and of which £5,179 were appropriated to these townships proposed for a new district. The expenditure of this money has enabled us to make a manifest improvement in our roads many of the leading roads having been well turpined and some of them gravelled in the worst places. Continue this system of improvement, this judicious expenditure of money for a few years longer and you will be able to bring your good patches of road together; the most of your leading roads, and particularly your thoroughfares into the fertile and rapidly improving townships in the Northern part of the district, will be in a condition to give the newly arrived emigrant easy access to the backwoods, and enable the farmers to carry their wheat to market for perhaps 3d per bushel, where it may now cost 6d. Divide the district and of necessity you must discontinue this expenditure of money on your roads. You have been repeatedly told that if the district be not divided your money will go to enlarge the Goal and repair the district buildings in Toronto. This is a great mistake, for you get all the money you pay into the Treasury for district purposes, back in the shape of grants upon the roads, and more than all; our present tax of 1d in the pound produces a revenue of £4,500 and we have £5000 to expend on the roads, beside building a registry office and fire proof vault this year, which costs £700 and beside all the other expenses of the district including salaries of the district officers.

It is asked from what source this revenue is derived. I answer, from various sources, some of the items I name—

City of Toronto for use of Goal and keeping	£600
prisoners, per annum	132
Rents due	132
Interest on mortgages £57, interest on bank deposits £50	107
Fines £55, tavern licence about £1309, mortgages falling due £400	1824
	£2663

I have pursued this far enough to show that the Home district has a revenue sufficient for all purposes except improving roads without any tax whatever upon us.

And shall we separate ourselves from the rich district, when doing so will render us most miserably poor, as I do not 'till be against our interest. If we do, we lay the foundation for increased taxation, for we shall have no income from rents, interest, mortgages, payment on lands &c. &c. No—but a heavy debt will hang over us,

a debt which of necessity we must continue for the erection of the district buildings; and as increased taxation has been the legitimate consequence of separation in the Simcoe, Talbot, Colbourn, London, and other districts depend upon it, it would be in ours.

Now, gentlemen, in amendment to Mr. Perry's resolution I move that after the word resolved in the original be struck out, and the following be inserted: That considering the opposition hitherto offered to any division of the Home District, by forming Whitley, Pickering, Uxbridge, Reach, Brock, Scott, Georgian, Thorah, Mara, and Rama, into a new district, not only by the petition of many of the inhabitants of the said township, praying the Legislature not to create such a division, but also by the representations of the Home District in Council assembled; by whom, upon the 25th day of January last, a resolution was carried against any division by a majority of 18 of all the Councillors present, and by a majority of two of the Councillors representing the above named townships, and who, in a memorial to the Legislature, strongly protested against any such division, and earnestly prayed that body not to pass any act to accomplish such an event, this meeting learn with pleasure the intention of the Legislature not to divide the district, and hail with indescribable satisfaction this proof of the willingness of the people's representatives in parliament, to pay deference to their wishes, when expressed, as in this case, in a manner not to be misunderstood—and consider this a sufficient guarantee, that whenever the inhabitants of this district shall express themselves as clearly and unequivocally in favour of a division of the district, as they have done against such a measure; the Legislature will not fail to create such a division; there being nothing in the "County division substitution Bill" to prevent it.

Mr. Perry's rejoinder to Mr. Farewell.

Mr. Farewell is inconsistent with himself. He first says that had the Home District been included in schedule A in the Bill, and in said schedule being provided with a new registry office immediately, it would have been divided, this he says is virtually a division of those districts which have been thus provided for, and in the next breath he tells us that we are left as we were before the introduction of this bill into parliament, and may get a division now sooner than if the bill had contained provision for a division. This is indeed strange logic. Well, I did not expect to find any one in favor of the bill, but it appears Mr. Farewell is. I wish he would tell us plainly if he is. Is he, and are you gentlemen, opposed to the establishment of a registry office in the eastern section of the Home District, by which the loss of time and money now expended in going to Toronto to get our deeds, &c. recorded, would be saved, for you must not forget that the business at that office is so great that you cannot get your deed the day you take it there for registry, but are compelled to go a second time. And notwithstanding the business is so great as to make the situation a perfect snare, the present incumbent has refused to do as registrars in other districts have done, viz to provide a safe and secure place for the preservation of the valuable records of the district, and the council have been compelled to provide such a place out of the funds of the district.

Responsible Government has been adverted to—Well no man rejoices more at its establishment than I, and I am proud to say it was among the first to advocate responsibility to this province. But, sir, where is that responsibility to the people in the action on this bill. Where is there that regard for their wishes that Mr. Farewell has spoken of; who authorized the framers of the bill to separate Thorah, Mara and Rama from the Home District? I tell you it has been done against the wishes of the people. 'Tis true, Mr. Chairman, that there was a strong expression of the Home District Council upon the subject of a division of the district. Mr. Farewell has read the resolution which they passed on the evening of that resolution: it is against any present division. Ah! the naughty word, present is it in. But did the council suppose the district would always remain undivided? No. Nor, sir, you know a witness is sworn to tell the truth, and the whole truth; this Mr. Farewell has not done on the present occasion. Why did he not direct your attention to a second resolution of the council, passed subsequent to the one which he read? It did not suit his purpose to do so. But I shall read it for him:—

Resolved, That in view of a future division of the Home District, by setting off a new district at the east, the Council deem it no more than right that all erections of new buildings that may be required, or any material alteration which may be made in the present district buildings, should not only be done with an eye to that event, but also with the perfect understanding that the new district, on being so set off shall be entitled to receive, out of the revenue of the parent district, that which in justice and equity shall be considered a full equivalent to what the said new district may have contributed towards such erections or improvements.

Now, gentlemen, here is an expression of the council which shows that they look forward to a division of this district. Mr. Farewell has asked me to give a reason why the bill did not make provision for dividing this district. The only reason I can assign is that all the representatives from the district are personally interested in building up and improving Toronto.

I tell you, gentlemen, it is all very well for those who own brick buildings in Toronto, to have the courts sitting there 6 months in the year as at present, this enables the owners of those buildings to let them to much better advantage than if the district were divided. The business has become so great at the law courts in Toronto, that the Legislature have felt the necessity of establishing another court to enable the business to be done, and a measure has been introduced to the House for the purpose of establishing such courts.

Now, gentlemen, I have only further to say, that it is painful to me to be compelled to take the course which I have done upon this question, but I thank God that he has given me a heart that refuses to submit to slavery or proscription, and in whatever light you may view the matter, I shall have the consoling reflection that I have done my duty.

Mr. Farewell's Rejoinder.

Gentlemen, you have been detained a long time, and it is not my intention to detain you much longer. I shall not attempt to follow the speaker who has preceded me through all the intricate windings of his oft repeated speech—but some matters therein contained, claim attention.

I am charged with inconsistency in saying that we might get a division of the district sooner now, than if the Bill, under consideration, had made the provisions for a division which Mr. Perry wishes: being charged at the same time with saying that the establishment of a second registry office is a division of the district where such second office may be established. What I did say, was that the establishment of a second registry office in a district, is the first step to a division and would inevitably lead to it. This I repeat—this the bill contemplates; and this Mr. Perry knows as well as I do as is clearly indicated by the whole tenor of his speech, except a few protestations to the contrary. If Mr. Perry does not so understand it, why at this talk about being eternally dragged to the Court in Toronto. If this and similar expressions does not savour strongly of the expectation of getting a court out of Toronto, perhaps at Whitley village, and a sad disappointment in not having this provided for by the Bill, then I give in that my olfactory nerves are seriously disordered. Mr. Chairman; the way to obviate this difficulty of so much courting in Toronto, is to have the powers of the Division Court increased, so as to allow that Court to try cases to the amount of fifty or sixty pounds. Why should this not be done, when either plaintiff or defendant may call a jury? And I suppose a Judge knows as much while on the judicial bench in the county as in a city.

The action in the assembly with reference to a division of the district is a clear proof, that let the people demand the measure and it will be granted. I am happy to inform you that it is reported that Mr. Smith (Durham) has introduced such a bill into parliament.

But Mr. Perry asks if I am really in favor of the bill and if I think it looks like a regard for the wishes of the people, I answer that all I have said respecting the Bill has reference to the Home district, and so far as this district is concerned the Bill could have been nothing else, with even a pretence of paying deference to the expressed wishes of the people. Did not the people, through their representatives in council protest, by an overwhelming majority, against any division? And does not the law go against a division? Here is harmony. But had the bill created a division, there would have been discord between it and the expressed wishes of the people. But I am charged with suppressing a part of the truth. Another resolution of the council has been introduced. But what does that prove? Does the gentleman who would bring the second resolution to his aid think he can induce you to believe that the council had altered their opinion, or that this resolution contradicts the former one passed by them? If he thus think, I can assure him he will find himself mistaken. The spirit of that resolution, as appears upon the face of it, is that whenever a division may be formed in the east of the district, it will be fair and proper to pay to such section such monies as may, in the interim be drawn from it for building new buildings or making material repairs to old ones in the present districts. This is liberal and fair, but is it contrary to the spirit of their former resolution? By no means. Mr. Perry has dwelt long and loud upon the disadvantages under which you labor in having your registry office at Toronto, and the benefit you would derive from having such office near you. But let us examine this matter. Suppose a registry office to be established at Whitley village, could you expect to take your deed there, get it recorded, and bring it home with you the same day? Certainly not. Remember that it requires some time to carefully copy a document containing as many words as a deed. Again, an effort has been made to frighten you by portraying the hardship of being compelled to go all the way to Toronto twice upon your registry business. Now I tell you that you need not go there at all! the law binding that you can accomplish your object through the post office. This you know to be the case, and believing you to understand the real question before you, I am prepared to have it submitted.

After a few more remarks from Mr. Perry, the chairman put Mr. Farewell's amendment.

The meeting divided, those in favor of the amendment on the right, and those in favor of the original, motion on the left. After a short pause the Chairman decided the amendment carried. Mr. Perry said he thought the amendment lost by a small majority and his friends demanded a poll. Those in favor of the amendment, declared there was no law in existence which authorized a poll on such an occasion, and proposed to have the meeting so arranged that they might be counted—which was objected to by Mr. Perry's friends on the ground that they saw persons there from another township who were in favor of the amendment.

After the lapse of several minutes, during which every one talked or lawed, and no one heard, a vote of thanks was proposed to the chairman, when some cried lost, others carried, the meeting dispersed.

THOMAS N. GIBBS, Secretary.
26th March, 1849.

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