

GUELPH



HERALD.

AND LITERARY, AGRICULTURAL AND COMMERCIAL GAZETTE.

VOL. V—NO. 24.

GUELPH, CANADA WEST, TUESDAY, DECEMBER 2, 1851.

WHOLE NO. 232.

Business Directory.

DR. W. A. LIDDELL,
House adjoining Rev. A. Palmer,
Guelph, Feb. 11, 1850. 190

DR. HOWITT,
GUELPH.
RESIDENCE, WATERLOO ROAD,
Two doors below H. W. PETERSON, Esq.'s,
Nov. 4, 1851. 238-47

JOHN HARRISON,
Joiner, Builder & Cabinet Maker,
GUELPH.

Plans, Specifications, Estimates, &c. for Buildings.

The different Artificers' Work usually executed in the most reasonable terms.

MARRIAGE LICENSES.

All persons may obtain MARRIAGE LICENSES at the residence of the Agent, half a mile from Guelph, on the York Road.

RICHARD FOWLER BUDD,
Feb. 20, 1851. 191-47

REMOVAL.

MR. JARVIS,
BARRISTER AND ATTORNEY-AT-LAW,
SOLICITOR IN CHIEF,
CONVEYANCER, &c.
Office removed to that recently occupied by the late T. R. Brock, Esq.,
North-east Corner Market Square,
Guelph, Dec. 24, 1850. 1-3

H. GREGORY,
ORNAMENTAL PAINTER & GLAZIER,
DUNNAS.

If the above is prepared to execute, on the most reasonable terms, in Panels, Flags, Horises, &c., in a style that cannot be excelled on this Continent.

TRANSFERRING WINDOW SHADES,
N. P. Old Paintings renovated and touched up.

NEW BLACKSMITH SHOP,
This Subscriber respectfully informs his friends and the public, that he has commenced business opposite the old Post Office, where he intends carrying on the Blacksmith business in all its branches.

ALLAN SIMPSON,
Guelph, June 17, 1851. 208-47

THE COLONIAL LIFE ASSURANCE CO.
AGENT FOR GUELPH,
WILLIAM HEWAT, Esq., District Treasurer.

EMILY'S IRVING,
Barrister at Law, &c.,
Notary Public,
GUELPH.
Office in Main Street, opposite Mr. Fergusson's Store. 185-47

THOMAS GORDON,
LAND AND GENERAL AGENT,
OWEN SOUND.

ANDREW GARDNER, ESQ.,
Government Agent for the District of Wellington.

CROWN LAND OFFICE, ELORA,
On the regular Mail Road from Guelph to Owen Sound.

MR. F. MARCON,
LAND AGENT, CONVEYANCER,
AND NOTARY PUBLIC,
GUELPH.

The undersigned have entered into Partnership in the practice of the LAW, under the name and firm of

FERGUSON & HURD,
OFFICE—MARKET SQUARE, GUELPH.
A. J. FERGUSON,
EDWARD E. W. HURD.

NOTICE
To the Canada Company's Settlers, and others having business with them.

The arrangements of the Canada Company no longer requiring an agency at Guelph, notice is hereby given, that from the date hereof, Frederick Marcon, Esquire, of that Town, is to act in my name on behalf of this Company; and all persons having business of any kind to transact with them will apply direct to this office.

FREDERICK WIDDER,
Commissioner.
Witness,
DONALD McDONALD,
Canada Company's Office,
Toronto, 1st Sept. 1851. 220-6m

Business Directory.

MESSRS. MENAB & MARTIN,
Attorneys, Solicitors, Conveyancers,
AND
DIVISION COURT AGENTS,
Office next to Glendinning's Saloon,
MARKET SQUARE, GUELPH.

JOHN McNAUL, } Edward R. MARTIN,
Toronto. } Guelph.

MR. G. WYNNE,
Barrister, Attorney, &c., &c.
OFFICE—WHITE COTTAGE,
Opposite the Post-office, next door to Mr. White's Store, Guelph.

MARRIAGE LICENSES.
The Subscriber has been appointed Agent for the Distribution of Marriage Licenses.

LAZARUS PARKINSON,
Park House, near Wood's Mill Inn,
Brantford, April 23, 1851. 201

WALTER P. NEWMAN,
Accountant, Commission & General Agent,
Conveyancer and Notary Public,
AGENT FOR THE AMERICAN INSURANCE CO.,
ELORA, COUNTY OF WATERLOO,
April 2, 1851. 198-47

WASHINGTON FARMERS' Mutual Insurance Company,
CAPITAL \$1,000,000,
EZRA HOPKINS,
HAMILTON,
Agent for the Counties of Waterloo and Huron,
August 27, 1850. 166-1y.

ARCHIBALD MACNAB,
PROVINCIAL LAND SURVEYOR,
SANDSHAM VILLAGE,
OWEN'S SOUND.

JAMES GEORGE,
Attorney at Law, Conveyancer, &c.,
ELORA,
COUNTY OF WATERLOO,
February 22, 1851. 36.

J. LAMOND SMITH,
Conveyancer, Notary Public,
AND
GENERAL AGENT,
FERGUSON'S,
185-47

W. FELL,
ENGRAVER AND PRINTER,
Opposite the Building Society's Rooms,
KING STREET, HAMILTON.

NOTARIAL PRESSES,
Notary and Office Stamps, Prof. and General Business Cards, Documents, Gallies, Plans, and every description of Engraving and Printing.

OFFICE OF THE CLERK OF THE WATERLOO COUNTY COURTS, open every Tuesday, Wednesday, Thursday and Friday, between the hours of 10 A. M. and 3 P. M.

To all whom it may Concern,
MARRIAGE LICENSES may be had upon application at the office of the Distributor in FERGUSON'S.

A. DINGWALL FORTYCE,
BRITISH AMERICA
Fire and Life Assurance Company,
A. D. FERRIER, Agent, Guelph.
Deeds, Mortgages, Leases, Agreements, &c.,
made on moderate terms.

OFFICE—COURT HOUSE.
The Thorough-bred Durham Bull
DERBY

Will serve Cows, on the farm of the Subscriber, Paisley Block, during the season, at a charge of 5s. each; but persons sending the whole number of cows their own, will be charged only 3s. 9d. for each cow.

DERBY was bred by John Howitt, Esq., and was sired by his celebrated Durham Bull, which gained the first prize at the late Provincial Agricultural Exhibition at Niagara.

GEO. WILSON,
Guelph, June 3, 1851. 266-47

THE DIVISION COURTS
OF the County of Waterloo will hold their sittings at
Wellesley, Dec. 9th, 1851.

Berlin, " 10th, "
Wilno, " 12th, "
Preston, " 13th, "
Guelph, " 22nd, "
Fergus, " 27th, "
Erin, " 30th, "

ALFRED A. BAKER, Clerk No. 1.

Municipality of the Town of Guelph.

BY-LAW
To authorize the Municipality of the Town of Guelph to subscribe for Stock in "The Toronto and Guelph Railway Company," to the amount of £25,000.

WHEREAS by the Railway Clauses Consolidation Act, it was, among other things, enacted, that the Municipal Corporations in this Province might subscribe for any number of Shares in the Capital Stock of any Railway Company which should be incorporated in this Province, and authorized to construct a Railway in this Province; or to lend to, or guarantee the payment of any sum of money borrowed by the said Company from any Corporation, or person; or to endorse, or guarantee the payment of any Debentures to be issued by the Company for the money by them borrowed; and should have power to assess and levy from time to time upon the whole rateable property of the Municipality, a sufficient sum for them to discharge the debt or engagement so contracted; and for the like purpose to issue Debentures, payable at such times, and for such sums respectively (not less than Five Pounds, Currency) and bearing or not bearing interest as such Municipal Corporations may think most; and that any such Debentures issued, endorsed, or guaranteed, should be valid and binding on such Municipal Corporation, if signed, or endorsed, and countersigned, by such officer or person, and in such manner, and form, as should be directed by any By-law of such Corporation, and that the Corporation Seal thereto should not be necessary, nor the observance of any other form with regard to the said Debentures, than such as should be directed in such By-law as aforesaid; and also, that no Municipal Corporation should subscribe for Stock, or incur any debt or liability under the said Act, or the special Act incorporating the said Company, unless and until a By-law to that effect should have been duly made and adopted, with the consent first had of the majority of the qualified electors of the Municipality, to be ascertained in such manner as should be determined by the said By-law; and that a copy of such By-law, inserted at least four times in each newspaper printed within the limits of the said Municipality; or if none be printed therein, then in one or more newspapers printed in the nearest City or Town thereto, and circulated therein, and also put up in at least four of the most public places in each Municipality; and also that the Mayor, Warden, or Reeve being the head of such Municipal Corporation subscribing for and holding Stock in the said Company, and upwards, should be, and continue to be, one of the Directors of the said Company, in addition to the number of Directors authorized by the special Act incorporating the same, and should have the same rights, powers, and duties, as any of the Directors of the said Company.

AND WHEREAS, by a certain Act of the Legislature of this Province, passed during the last Session, a Company was incorporated for the purpose of constructing a Railway from the waters of Lake Ontario within the limits of the City of Toronto to the Town of Guelph, to be called "The Toronto and Guelph Railway Company," and the Provisions of the Railway Clauses Consolidation Act herein before recited, were, amongst others, incorporated in the said Act mentioned Act.

AND WHEREAS the construction of the said Railway—generally beneficial as it most prove to the whole section of the said Province, which it may pass—is likely to enhance in an eminent degree the wealth and prosperity of the said Town of Guelph, as one of the termini thereof; and it is therefore deemed advisable that the Municipality of the said Town of Guelph should subscribe for Stock in the books of the said "Toronto and Guelph Railway Company," to the amount of Twenty-five thousand pounds, and should issue Debentures to that amount for the payment thereof.

Be it therefore enacted by the Municipality of the Town of Guelph, That it shall and may be lawful for the Town Reeve of the said Town of Guelph to subscribe for Stock in the said "Toronto and Guelph Railway Company," to the amount of Twenty-five thousand pounds, for and on behalf of the said Municipality of the said Town of Guelph; and that the payment of the said Stock, it shall and may be lawful for, and it shall be the duty of the Town Reeve for the time being of the said Town of Guelph, to raise by way of loan, at a rate of interest not exceeding six per cent. per annum, from any person or persons who may be willing to lend the same upon the security of the Debentures hereinafter mentioned, a sum or sums of money, not exceeding in the whole the said sum of Twenty-five thousand pounds, and to cause the same to be paid into the hands of the Treasurer of the said Municipality for the time being, to be applied, under the direction of the said Municipality of the said Town of Guelph for the time being,

in paying the instalments upon the said Stock so subscribed, as the same may be called in, to become due and payable, or to cause to be issued Debentures of the said Municipality for the said sum of Twenty-five thousand pounds, in the manner hereinafter provided, with interest payable half-yearly, and to cause such Debentures to be delivered to the said "Toronto and Guelph Railway Company," as and when such calls or instalments upon the Capital Stock of the said Company shall be made or become due and payable, under and by virtue of the Act incorporating the said Company, in payment and satisfaction of the said calls upon the said Stock so subscribed for in the said Company.

2d. That it shall be the duty of the Town Reeve of the said Town of Guelph for the time being—from time to time to cause any number of Debentures to be made out, as calls shall be made on the Stock of the said Company, for the purpose of meeting such calls in such amounts as to him shall seem fit, and not exceeding in the whole the said sum of Twenty-five Thousand Pounds, which said Debentures shall be under the Common Seal of the said Municipality of the Town of Guelph, signed by the Town Reeve, and countersigned by the Treasurer for the time being of the said Town of Guelph, and shall bear interest not exceeding six per cent. per annum, payable half yearly, and shall be made redeemable at the Bank of Upper Canada in Toronto.

Provided always, that none of the said Debentures shall be for a sum less than £25, nor payable at less than ten years date, nor for more remote periods than twenty years from the issuing thereof. And provided further, that it shall and may be lawful for the said Municipality of the said Town of Guelph, at any time or times when it may be deemed advisable so to do, to redeem any of the said Debentures before the same may become due, either by sale of the whole, or any part of the Capital Stock so subscribed for as aforesaid, or which may from time to time be held by the said Municipality of the Town of Guelph, or out of any funds which may from time to time be at the disposal of the said Municipality, and not to be appropriated upon giving six months' notice of their intention to redeem the same in two or more public Newspapers published in the Town of Guelph.

3d. That the Dividends from time to time paid upon the Stock so subscribed for in the said "Toronto and Guelph Railway Company," and received by the said Municipality, shall be applied, under the direction of the said Municipality in the first place, in the payment of the interest accruing upon the said Debentures, and the surplus in the redemption of such of the said Debentures as the said Municipality may from time to time think fit to redeem.

4th. That for the payment of the half-yearly interest from time to time accruing, due, and payable upon the said Debentures respectively, there shall be raised, levied, and collected in each and every year, an equal rate in the pound upon the assessed value of all the rateable property in the said Town of Guelph, over and above all other rates and taxes, sufficient to pay the said half-yearly interest, or so much thereof as shall not be met or paid by the dividends from time to time received upon the said Stock in the said Company; and such rate shall be collected and paid over to the said Treasurer of the said Town of Guelph for the time being, at the same time and in the same manner as other rates are collected and paid over.

And for the payment and redemption of the principal money secured by the said Debentures—there shall be raised, levied, and collected, in the year next before such Debentures shall respectively fall due, an equal rate in the pound upon the assessed value of all rateable property in the said Municipality, over and above all other rates and taxes whatsoever, sufficient to pay the principal money secured by such Debentures so respectively falling due as aforesaid, or so much or such part thereof as shall remain unpaid after the surplus of the dividends herein before mentioned and appropriated, or any other funds at the disposal of the Municipality, of the necessary amount, or any part thereof, may be raised, by a loan to be raised upon other Debentures to be issued for such sums, redeemable at such periods as by a By-law of the Municipality may be declared and enacted.

5th. That the holders of a receipt or receipts for sums amounting to not less than Five pounds, or multiples of Five pounds, levied and paid on account of any Railway tax for the Toronto and Guelph Railway Company, shall from time to time be entitled to receive from the said Municipality, within thirty days after demand, scrip or certificate of Stock in the said Railway Company to the same amount, if the Stock at the disposal of the said Municipality be sufficient for such purpose, and if not, the amount of receipt sufficient to entitle the holders to scrip or certificate of Stock for £5, or multiples of £5, shall be rateably high or low, and that the different collectors shall be bound to give to each rate-payer separate receipts for every sum paid for

or on account of any tax for the Toronto and Guelph Railway Company: Provided always, that it shall be lawful for the said Municipality to give to any such holder, or receipt or receipts Debentures of the said Municipality payable at twenty years with interest half yearly, instead of such Railway scrip or certificate, in their discretion.

6th. That, for the purpose of obtaining the consent or dissent of the qualified Electors of the said Town of Guelph to this By-law, in pursuance of the provisions of the said Railway Clauses Consolidation Act, hereinafter recited, it shall and may be the duty of the Town Reeve of the said Town of Guelph to cause public advertisement of such By-law with a copy thereof to be made and published at least four times in each and every newspaper printed in the said Town of Guelph, and to cause copies thereof to be put up and affixed at the Court House, the Post Office, the British Hotel, the Wellington Hotel, being four of the most public places in the said Town of Guelph, and to cause a Poll to be opened, held, and taken at such place or places, and at such time, in the said Town, as by proclamation under his hand may be appointed, and in the same manner as a Poll would be taken for the election of Municipal Councillors for the said Town, at which the qualified electors of the said Town of Guelph may record their votes in favor of or against the said By-law: Provided always, that such Polls shall not be open until after the expiration of the publication of the said By-law, according to the provisions of the said Railway Clauses Consolidation Act, hereinbefore in part recited.

NOTICE.—The above is a true Copy of a By-law proposed to be passed by the Municipality of the Town of Guelph, now published in compliance with sub-section 3 of clause 18 of the Act 14th & 15th Vic., chap. 51, entitled "An Act to consolidate and regulate the general clauses relating to Railways."
JAMES HOUGH,
Town Clerk.

REQUISITION TO JAMES WRIGHT, ESQ., GUELPH.

Believing it to be a principle of that glorious Constitution we inherit from our fathers, that the different classes of the community should be represented in the Legislature in proportion to their relative numbers, the stake they hold in the Country, and the contributions afforded by them for the support of the State, and that the members of these classes respectively, must necessarily be best acquainted with their interests and most anxious to uphold them; we cannot overlook the fact, that in this Province of the Empire, the representative Body has heretofore consisted of a majority of persons, members of a profession alien to Agriculture, and whose interests and feelings are not necessarily in common with those of the agriculturists who represent a vast in our Legislative Assembly. The result has been, that amid the clamors for abstract political dogmas, and the strivings of political partisans for place and power, the interests of Agriculture have been in a large measure overlooked.

We think, Sir, that it is full time that state of things should cease, and that the Cultivators of the Soil should be entitled to tax such a part in the government of the Colony, as may tend to promote the interests of Agriculture, and elevate the standing of its professors; and we believe that it will become the County of Waterloo, containing the largest Agricultural Population in the Province, and occupying no mean position as regards the progress of the Art, and the intelligence of those who practise it, to take the initiative in the attempt to achieve this most desirable result, by sending one of themselves, a Practical Farmer, to represent them in Parliament.

We are persuaded, Sir, that you are neither a bigot in religion nor in politics, but that you are prepared cheerfully to yield to others every privilege and immunity you would yourself enjoy; and that holding all men equal in the eye of the state, you will seek to move the same measure of justice to all.

ADDRESS TO THE INDEPENDENT ELECTORS OF THE COUNTY OF WATERLOO.

GENTLEMEN:—I have this day received a copy of a Requisition, calling upon me to offer myself as a Candidate for your suffrages at the approaching election for this County.

I am assured by some of the leading men of all parties, that this Requisition has already been extensively signed, and that it expresses the sentiments of a great majority of the Electors of this County; and I am urged not to delay to address you until after the Requisition shall be returned from the different Townships for presentation to me, as, owing to the unexpected arrival of the Writ of Election, there would not then be time for my ad-

dress to reach you all previous to the day of nomination.

Doubtless, this haste in issuing the Writs of Election is intended to take the Constituencies by surprise, and leave them no time for deliberation or choice; but, as I believe that the Electors of this County will not submit to be made the victims of this device, by being forced to turn to Parliament your late Representative, who, as a public man, possesses but a small measure of the confidence or respect of any party, I hasten to respond to the call that has been made upon me, by declaring myself a Candidate for the Representation of this important County.

Gentlemen, Mr. Ferguson may well make his address a short one, for he professes to have no principles of his own, but merely to be the mouthpiece of a clique, who, affecting to be your governors, have bound him, hand and foot, upon what they call their Platform.

I differ, in this respect, from Mr. Ferguson. If I go to Parliament, it will be as the free and independent Representative of free and independent Electors—to do my best, according to the honest dictates of my judgment, for the general interests; and hence, on this occasion, it becomes necessary that I should frankly state to you the leading political principles which should you return me, will regulate my conduct.

As a practical farmer, earning my bread by the sweat of my brow, I know well the difficulties with which the Agricultural interests of this Province have to contend. I know how intimately the general prosperity is dependent on the wellbeing of the farmer, and should I be returned to Parliament, the interests of Agriculture shall command my untiring energies. I shall leave nothing undone to open the best market to the farmer, to improve the means of transport, and to encourage the Societies instituted for promoting the improvement of Agriculture throughout the Province.

I shall advocate and vote for the utmost possible extent of Retrenchment in the public expenditure, consistent with the efficiency of the public service.

In regard to the Clergy Reserve question, when the Provincial Parliament shall receive power to legislate on it, I will deal with it with a view to the interests of the Province, without distinction of sect or party. Personally opposed to the principle of State Endowments, I will, on this vexed question, act according to the best of my judgment, with a view to the welfare of the Province at large.

As to the Rectories, their legality is now submitted to a legal tribunal. If they are lawfully established, you must be aware that constitutionally the Provincial Legislature will have no control over them; if they are not lawfully established, then I shall vote for the disposal of those lands in the same manner as the rest of the Reserves.

I have seen no practical evil arise from the operation of the Common School Law; I would not therefore disturb it. If any practical evil should arise from it, I shall be prepared to meet that evil with a practical remedy. "Freedom of conscience" is one of the watchwords of the age. We must not now adopt a different motto.

I am not prepared to vote for any law which would have for its object the dismemberment of the Province.

I am of opinion that the erection of the Court of Chancery was unadvised for, and that it is unjustly burdensome to the Country. I would therefore abolish it, and give the Courts of Law an Equity Jurisdiction.

The increased jurisdiction of the Division Courts has proved so beneficial to the public, by doing away with enormous law costs, that I would vote for a further extension of their powers.

I would also use my best exertions to place the Banking Institutions of the Province on such a footing as to abolish the present monopoly, so prejudicial to the best interests of the community.

I would support a repeal or modification of the Usury Laws, so as to afford a greater facility for the introduction of capital into the country.

Railroads and Protection to native industry shall find me at all times their warm and strenuous advocates.

Such, Gentlemen, are my general views on the leading public questions of the day. But while I state them frankly, I tell you as frankly, that I shall hold myself free to deal with all questions according to my own honest convictions of what may be most conducive to the interests of the Province at large, and in particular to those of the County of Waterloo.

The decision as to whom you will choose now rests with you. Will you have a Delegate or a Representative—a mouthpiece of a clique, or a member for a County—a lawyer for the lawyers, or a farmer for the farmers? I regret that time will not admit of my making a personal canvass throughout the County, but, with the fullest confidence in your decision, I shall meet you at the Hustings.

Meanwhile, Gentlemen, I have the honor to be Your most obedient servant,
JAMES WRIGHT,
Guelph, Nov. 17, 1851.

Guelph Herald
Dec. 2-1851

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