

SECOND  
ANNUAL REPORT  
OF THE  
DIRECTORS  
OF THE  
ELGIN ASSOCIATION.

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Presented at the Annual Meeting, held on the  
3rd day of September, 1851.

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TORONTO:  
CARTER & THOMAS, PRINTERS, 45, YONGE STREET.  
1851.

P. Clark n. 100.  
y. Barber  
P. Walker 300.

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# OFFICERS

*Elected for the Year ending 3rd September, 1851.*

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PRESIDENT:

SKEFFINGTON CONNOR, ESQ., LL.D.

VICE-PRESIDENTS:

REV. MICHAEL WILLIS, D.D.,  
" ROBERT BURNS, D.D.

TREASURER:

JAMES SCOTT HOWARD, ESQ.

SECRETARY.

NATHAN GATCHELL, ESQ.

DIRECTORS:

REV. WILLIAM KING.

MESSRS. CHARLES BERCZY.

" PETER BROWN.

" A. T. McCORD.

" PETER FREELAND.

" JOHN LAIDLAW.

" ROBERT BEEKMAN.

" WM. R. ABBOTT.

" JOHN McNAB,

ANDREW HAMILTON.

" JAMES OSBORN.

" JOHN FISHER.

MESSRS. WILLIAM MILLER.

" GEORGE DAVIDSON.

" A. D. FERRIER.

" JOHN MICHIE.

" DONALD McCOLL.

" A. McKELLER.

" E. C. CAMPBELL.

" ALFRED TRIPLET.

" ANDREW SHAW.

" J. B. OSBORN.

" JAMES DOUGAL.

" RUFUS HOLDEN.

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## AN ACT

*To incorporate the Elgin Association, for the settlement and moral improvement of the Coloured Population of Canada.*

[10th August, 1850.]

WHEREAS an Association has been formed in Upper Canada, by divers persons resident therein, under the name of the *Elgin Association*, for the settlement and moral improvement of the Coloured Population of Canada, for the purpose of purchasing Crown or Clergy Reserve Lands in the Township of Raleigh, in the County of Kent, and settling the same with coloured families resident in Canada of approved moral character; and whereas the persons hereinafter named, office-bearers and members of the said Association, and acting on behalf of the members thereof, have by Petition prayed to be incorporated for the purposes aforesaid: And whereas it is expedient to grant the prayer of the said Petitioners, subject to the provisions and enactments hereinafter made: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and instituted, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That Skeffington Connor, Michael Willis, William King, Charles Eerczy, John Thomas Matthews, John Scott Howard, Walter Macfarlane, Ezekiel F. Whittemore, Andrew T. McCord, Peter Freeland, John Ewart, John Laidlaw, James Brown, Andrew Hamilton, Peter Brown, James Osborne, Edward Cartwright, Thomas John Fisher, William P. McLaren, William Miller, George Davidson, John McLean, A. D. Ferrier, John Fraser, John Michie, A. B. Jones, Donald McCaul, Archibald McKellar, Thomas Campbell, Henry Garratt, Bernard Foley, Andrew Shaw, J. B. Osborne, James Dougall, Robert Watson, Rufus Holden, James Harvey, and Andrew Jaffray, with all other such persons as are now or being duly competent may hereafter be associated for the purposes hereinbefore mentioned, and their successors for ever, shall be one body politic and corporate in deed and by name, by the name and style of *The Elgin Association*, and shall by that name have perpetual succession and a common seal, and shall have power from time to time to alter, renew or change such common seal at their pleasure, and shall by the same name from time to time and at all times hereafter be able and capable of contracting and being contracted with, of suing and being sued, pleading and being impleaded, and answering and being answered unto in all Courts and places whatsoever, and also that they and their successors by the same name from time to time and at all times hereafter shall be able and capable of purchasing and holding to them and their successors Crown and Clergy Lands in the Township of Raleigh in the County of Kent, not exceeding nine thousand acres, to and for the use of the said Company, and of letting, conveying and otherwise disposing of the same to Coloured persons of Canada: provided always nevertheless, that the real estate to be held by the said Company shall be only such as shall be required to be held by them for the purposes aforesaid, and that nothing herein contained shall extend to authorize the said Association to become a Land Company in that sense of the term.

II. And be it enacted, That in all and every suit or suits in Law which hereafter may be instituted against the said Corporation, service of Process at the residence of the President or Secretary, shall be sufficient to compel the said Corporation to appear and plead to such suit or suits; any law, custom or usage to the contrary in any wise notwithstanding.

III. And be it enacted, That the property, affairs, and concerns of the said Corporation shall be managed and conducted by the following officers, elected by the members of the said Corporation, at an annual meeting hereinafter provided for: a President, first and second Vice-Presidents, a Secretary, Treasurer, and twenty-four Directors, five of whom shall form a quorum for the transaction of business; the Presidents, Vice-Presidents, and Treasurer being also Directors *ex officio*.

IV. And be it enacted, That the annual meeting for the election of said Officers shall be held at Toronto, at the place where the usual meetings of the said Corporation are held on the first Wednesday in September in each and every year, at the hour of twelve o'clock; and the said election shall be held and made by such of the Stockholders of the said Corporation as shall attend for that purpose in their own proper persons, or by proxy, and all the elections for such Officers shall be by ballot; and if any vacancy or vacancies shall at any time happen among the Directors by death, resignation, or removal from the Province, such vacancy or vacancies shall be filled, for the remainder of the year in which they may happen, by a person or persons to be nominated by the Directors at any of their regular meetings.

V. And be it enacted, That each Stockholder shall be entitled to a number of votes in proportion to the number of shares which he or she shall have in his own or her own name, and shall have had at least twenty days previous to the time of voting, according to the following rules, that is to say: One vote for each share to the extent only of two shares, and one vote for every two shares above two.

VI. And be it enacted, That in case it should at any time happen that an election of officers should not be made on any day when pursuant to this Act it ought to have been made, the said Corporation shall not for that cause be deemed to be dissolved, but it shall and may be lawful on any day to hold and make an election of officers in such manner as shall be regulated by the By-laws and Ordinances of the said Corporation.

VII. And be it enacted, That until the first election of officers shall take place as hereinbefore provided, the present officers of the said Association shall be and continue to be the officers of the Corporation hereby created, and that the President, or in his absence from the city of Toronto, either of the Vice-Presidents of the said Corporation shall, within one month after the passing of this Act, cause notice to be given to the members of the said Corporation by public advertisement, to be published ten days at least previous in four newspapers published in different parts of the Province, to meet at the place in which the usual meetings of the Corporation are held at such time as he shall in and by such notice appoint, and the said members or the major part of them as shall be then present, shall, at the time so appointed, proceed to the election of a President, a First Vice-President, a Second Vice-President, a Secretary, a Treasurer, and twenty-four Directors, which said officers from the time of their election to their respective offices, shall continue therein till the first Wednesday in June then next ensuing, and from thenceforth until others be chosen in their place, and the new officers shall enter on the duties of their office the first Monday after their election.

VIII. And whereas the sum of four thousand pounds currency, or thereabout, has been subscribed by the members of the said Association as the Capital Stock of the same, in Shares of ten pounds each, and whereas it may be necessary to increase the said stock, by the additional sum of one thousand pounds: Be it therefore enacted, That the said shares so subscribed as aforesaid, shall constitute the Capital Stock of the said Corporation, with power to the said Corporation to increase the same by one thousand pounds in like shares of ten pounds each, if

they shall think it necessary for carrying out the purposes of the said Corporation, and that the aforesaid Capital Stock may, after twenty per cent. has been paid thereon, be transferable by the respective persons subscribing and holding the same, to any other person or persons, and such transfer shall be entered and registered in a book or books to be kept for that purpose by the said Corporation.

IX. And be it enacted, That immediately after the passing of this Act it shall and may be lawful for the Directors to call upon the Stockholders of the said Corporation, by giving sixty days' notice thereof in four newspapers published one in London, one in Hamilton, one in Toronto, and one in Kingston, for an instalment of twenty per centum upon each share, which they or any of them may respectively have subscribed for in the Association aforesaid, and that the residue of the sums or shares of the stockholders shall be payable upon the first day of July, one thousand eight hundred and fifty-one, until the whole sum or such part of the whole sum as the Directors shall deem necessary for carrying out the objects of the Association, shall be paid: Provided always, that the payments upon shares heretofore made by any of the shareholders aforesaid, shall be credited by the Directors, on the call of twenty per cent. so to be made as aforesaid.

X. And be it enacted, That if any Stockholder or Stockholders as aforesaid shall neglect to pay at the time required any instalment or instalments which shall be lawfully required by the Directors as due upon any share or shares, such Stockholder or Stockholders so refusing or neglecting shall forfeit such share or shares as aforesaid with any amount which shall have been previously paid thereon, and the said share or shares may be sold by the said Directors, and the sum arising therefrom, together with the amount previously paid thereon, shall be accounted for and applied in like manner as other moneys of the said Company: Provided always, that the purchaser or purchasers shall pay the said Company the amount of the instalment required over and above the purchase money of the share or shares so purchased by him, her or them as aforesaid, immediately after the sale and before they shall be entitled to the certificate of the transfer of such shares purchased as aforesaid: Provided always, that fifteen days' notice of the sale of such forfeited shares shall be given in any newspaper or newspapers published in the City of Toronto, and that the instalments due may be received in redemption of any such forfeited share at any time before the day appointed for the sale thereof: Provided also, that the shareholders may at their next general meeting, after any forfeiture, restore any forfeiture, or a portion of any forfeiture, by a resolution in writing, to be passed at such meeting, and not at any other time or in any other manner.

XI. And be it enacted, That the several persons who have subscribed any money towards the Association, or their personal representatives respectively, shall pay the sums respectively so subscribed or such portions thereof as shall be from time to time called for by the Directors; and with respect to the provisions in this Act contained for enforcing the payment of calls on instalments, the word Stockholder shall extend to and include any person who holds stock in the said Corporation or who may have subscribed the original prospectus of the Association or agreement to take stock therein, and shall also extend to and include the legal personal representative of such stockholders or person aforesaid.

XII. And be it enacted, That if any default shall be made by any stockholder in the payment of any call at the time appointed by the Directors for the payment thereof, then it shall be lawful for the Company to sue such stockholders for the amount of such call, in any Court of Law in this Province (having competent jurisdiction in regard to the amount to be recovered) and to recover the same with lawful interest, and if the Company shall sue any stockholder under the authority of this Act, such suit shall not in any way interfere with the forfeiture of the share or shares of such stockholders.

XIII. And be it enacted, That on the trial or hearing of such action, it shall be sufficient for the Company to prove that the defendant, at the time of making such call, was a holder of one share or more in the undertaking (and when there has been no transfer of the shares, then the proof of subscription to the original agree-



ment to take stock shall be sufficient evidence of holding stock to the amount subscribed) and that such call was in fact made, and such notice thereof given as required, and it shall not be necessary for the Association to prove the appointment of the Directors who made such call or any other matter whatever and thereupon the Company shall be entitled to recover what shall be due on such call, with interest thereon.

XIV. And be it enacted, That when calls shall be made by the Directors, all such calls shall be taken and meant to be payable to the Treasurer of the Association for the time being.

XV. And be it enacted, That in any action or suit brought by or against the Association upon any contract or for any matter or thing whatsoever, any stockholder shall be competent as a witness, and his testimony shall not be deemed inadmissible on account of interest.

XVI. And be it enacted, That the Directors for the time being, or a quorum of them, shall have power to make and subscribe all such rules and regulations touching the purchase, management and disposition of lands, properties, estate and affects of the said Association, and the settlement and improvement of the said lands, and so touching the duties of the officers and servants of the said Corporation, and also such other matters or things as appertain to the business of the said Corporation, and also shall have power to appoint as many officers and servants for carrying on the business of the said Corporation, with such salaries as they shall think fit; Provided always, that the price fixed by the said Directors for the lands of the said Corporation shall not exceed the prices paid the Government, to any greater amount than is sufficient for the expenses of the said Corporation for any of the purchases hereinbefore mentioned, and six per cent. interest per annum upon the stock subscribed; Provided also, that if upon the final winding up of the affairs of the Corporation as hereinafter provided, any surplus should be found remaining after paying off the shares subscribed for and six per cent. interest, such surplus shall be applied in the improvement of the said settlement in such manner as the Directors shall appoint.

XVII. And be it enacted, That whenever and so soon as all the land so purchased by the said Corporation, shall be settled and paid for to the said Corporation, the affairs of the said Corporation shall be wound up and the stockholders thereof shall receive the amount of their shares or of such instalments as shall have been actually paid thereon, together with six per cent. interest; Provided always, that nothing herein contained shall be held to prevent the Directors at any time or times, after the Government price of the said lands shall be paid in full by the said Corporation, and all the existing debts and liabilities thereof fully discharged, to repay to the stockholders, rateably, any proportion of the stock actually paid up, and interest that the directors shall deem expedient, without waiting for the final winding up of the affairs of the said Corporation.

XVII. And be it enacted, That it shall and may be lawful for the Governor or person administering the Government of the Province for the time being, to require from the said Corporation true statements under oath, (which oath any Justice of the Peace is hereby authorized to administer,) of the receipts and expenditure of the said Corporation, and a statement of the real and personal estate held and enjoyed by the said Corporation shall be laid before each branch of the Provincial Legislature, within fifteen days after the opening of each Session thereof.

XIX. And be it enacted, That the property real and personal now held by the Association hereby incorporated, or by any party in trust for them, shall be and is hereby incorporated, or by any party in trust for them, shall be and is hereby vested in the said Corporation, which shall be responsible for all debts and obligations of the said Association, and may recover and enforce all claims and obligations in favor thereof.

XX. And be it enacted, That no member of the said Corporation shall in his private or natural capacity be liable for any debt or obligation contracted by the said Corporation.



XXI. And be it enacted, That nothing in the present Act contained shall affect in any manner or way whatsoever the right of Her Majesty, Her Heirs and Successors, or of any person or persons of any kind, body politic or corporate, such only excepted as are hereinbefore mentioned.

XXII. And be it enacted, That this Act shall be held and considered to be a Public Act.

## SECOND ANNUAL REPORT

OF

### THE ELGIN ASSOCIATION.

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It becomes our duty to lay before the Stockholders of the Elgin Association the annual report of the Institution. More than one year has now elapsed since the Society was formed; and during that time nothing has occurred to mar the harmony of its proceedings. Our course has been onward, and we have good reason to thank God for the measure of success which has already attended our efforts. Although we have attracted but little of public notice, yet the Society has been endeavouring silently to mature the plan of operation for future usefulness.

The objects contemplated by the Association, is the social and moral improvement of the coloured people in the province. In order to carry out that object, it was deemed necessary to provide them with a home, and their children with a christian education.

To make the experiment, about nine thousand acres of land were selected in the township of Raleigh, in the western part of the Province; and on the 22nd of October, 1849, 4,300 acres of this block were secured from Government by paying the first instalment. It was ordered to be divided into lots of fifty acres each, and sold to actual colored settlers of approved moral character, at two dollars and fifty cents per acre. The first instalment to be paid in hand, and the balance in nine equal annual instalments with interest. This was considered as low as it could be sold to refund the stockholders for the money which they advanced to purchase the land, and to defray the expence of working the Association. Since the last annual report 2,500 acres more have been purchased by the Association, and it is now dividing into farms of fifty acres each, and open to actual settlers.

On the 3rd of December, 1849, the first settler entered upon the land. Since that time a few families have been dropping in every month, until at present there are forty-five actual settlers, (who have taken up 2,500 acres,) upon the land: about ten or twelve more are making arrangements to come on this fall. Besides these there are twelve families that have purchased improved farms adjoining the block. It

is confidently expected that on the 1st of December next, there will be upwards of 70 families in the settlement.

The families appear to be moral and industrious. Those who entered 12 months ago, have already made considerable improvements. On the 1st of August, last there were 230 acres of cleared land, 194 of which were in corn and other grain crops, 24 in wheat, and 12 in tobacco. Of these crops we will let the settlers speak for themselves in a subsequent part of the report. The land is so laid out that a road runs past each man's lot, intersecting the side lines and centre road at right angles.

The houses are built uniform, after the model adopted by the improvement committee. They are built of round logs, 18 by 24 feet 12 feet high, and set 33 feet from the road, with the garden and front of the house enclosed with a picket fence.

When the roads are opened up, it will give a neat and uniform appearance to the whole settlement. Thirty houses are already built after the model, and some considerably better. It is expected that all the rest will be put up in a few months.

It is encouraging to the friends who have engaged in this noble enterprise to learn that all the families are cheerful and happy, and that a wholesome spirit of industry pervades the whole settlement. Some came in fugitives last November, without means, who have already earned enough to enter fifty acres, by paying the first instalment; and we have no doubt they will pay the balance as it falls due.

In connection with this report, the Treasurer will submit a statement of the affairs of the Association since its commencement. It has been managed on the most economical principles, the President, Vice Presidents, Treasurer, and the Rev. Mr. King, giving their services to the Association, *gratis*.

We give the following extracts from an address sent by the settlers to the President and Directors of the Elgin Association. It will show their opinion of the location and the capabilities of the soil:—

“In order to correct certain falsehoods and misrepresentations concerning the coloured settlement at Raleigh that have been industriously circulated by the enemies of the social improvement of the coloured people in the Province. We consider it a duty which we owe both to you, and to the public, to correct these by a statement of facts.

Twelve months' experience have enabled us in some measure to judge of the location, its soil, climate, and productions. The soil varies from a stiff clay to a sandy loam; and on the south side of the block, where the land is very level, it inclines to a black vegetable mould. It produces wheat, Indian corn, potatoes, oats, tobacco, and hemp. It is better adapted to the growth of wheat than any other grain. Although the land is new, and we could get but little cleared for wheat last fall, yet the sample produced is excellent, the grain is full and plump, and weighs sixty-two pounds to the bushel. The tobacco is said, by those who have raised and manufactured the article in the States, to be equal to the best leaf raised in Virginia.

The climate is mild and healthy, and is free from those fogs that usually prevail on the lake shore and the river.

Peaches, sweet potatoes, and every kind of melon, grow well in the open air; the snow is seldom more than six inches deep, and lies but a few weeks at the time.

There is scarcely a day during the winter that a man cannot work at clearing. It often happens during the thaws, which are frequent in winter, that we have very mild weather. The spring commences in April. The summer is warm; and we have seldom any white frost till the first of October, and winter does not set in till the middle of December. We have had but little sickness, and the general health has been good.

After one year's trial we are highly pleased with the location, and would not change it for any other in the Province.

We avail ourselves of the present opportunity to express our grateful thanks to the members of the Elgin Association for the interest they have felt in our social and moral improvement; and hope with the blessing of God on our industry, to show to our enemies that when placed in favorable circumstances we are able and willing to support ourselves."

In order that education might advance with the settlement, a school was opened twelve months ago, and is now in successful operation; the number enrolled is nearly sixty, and the average attendance about forty; a number of these are white, who have attended regularly since the school was opened. There are some of the African youth of promising talents.

In reviewing our labours since the commencement of the Association we would devoutly return thanks to God for the measure of success which has already attended our efforts. Encouraged by the past we would look to God for his blessing upon our future labours, without which a solemn mockery awaits all our efforts.



ABSTRACT of "ELGIN ASSOCIATION" Treasurer's Account, from the Commencement to 31st July, 1851.

RECEIPTS.		PAYMENTS.	
Received from Stockholders, on account of the First and Second Instalment on their Shares	- - - - £425 0 0	Paid Crown Land Department part payment for Land	£437 5 0
Received from the Purchasers of Lands sold on Account of Payments	- - - - 250 0 0	Paid do. Interest thereon	- - - 5 17 1
Received from do. Interest	- - - - 1 2 6	Paid Contingent Expenses, such as postages, stationery, printing, advertising, &c.	- - - 50 7 0
		Paid on account of Secretary's salary	- - - 22 10 0
		Paid Survey of Land	- - - 13 10 0
		Balance in Treasurer's hands	- - - 146 13 5
	<u>£676 2 6</u>		<u>£676 2 6</u>

J. S. HOWARD, Treasurer.

Audited 3rd day of September, 1851.

ROBERT BEEKMAN, }  
 ANGUS MCINTOSH, } Auditors.

DR. SUMMARY STATEMENT of the Affairs of the Elgin Association to 31st July, 1851. CR.

To Cash in the Treasurer's hands - £3035 0 0 " Real Estate, for cost of the Land - 13 10 0 Add Cost of Survey - £3048 10 0 Less Amount Sold - 1468 16 0 The Cost Value of unsold Lands of Lands - £1468 15 0 " To Sundries for amount of Purchases - 250 0 0 Less Amount paid - Shewing amount due, as per Schedule B. - 1218 15 0 " Profit and Loss, for Expense and Interest - 77 11 7 £3022 15 0	By Stockholders, for amount of Instalments paid, as per schedule A. - £435 0 0 " Crown Lands Department for cost of Lands - £3035 0 0 Less amount paid, per vouchers - 437 5 0 Capital Stock subscribed, on which instalments have been paid, 286 shares at £10 = £2860. 2597 15 0 £3022 15 0
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Audited this 3rd day of September, 1851.  
 ROBERT BEEKMAN, }  
 ANGUS McINTOSH, } Auditors.



TORONTO, 3rd *September*, 1851.

The Auditors, appointed to inspect and audit the books and accounts of the "*Elgin Association*," to 31st July, 1851, beg leave to report, for the information of the Directors and Stockholders, that they have done so carefully; and have much pleasure in stating that they have found them correct and satisfactory, the disbursements agreeing with the vouchers produced.

The Auditors would call attention especially to the fact that although 518 shares have been subscribed for, as per the lists, instalments have only been received on 206 shares, leaving 232 shares upon which nothing has as yet been paid. This places the affairs of the Association in apparently a less prospering condition than they would otherwise appear, as the Directors have been induced from the large number of subscribers on the lists to purchase a greater quantity of land, and thus increasing the liabilities of the Association in the shape of interest, &c. But, on the other hand, it must be borne in mind that the lands sold have been disposed of at a small advance, which, with the interest accruing on the same, will be more than sufficient to meet all future expenses and the interest due to the Stockholders on their instalments paid.

All of which is respectfully submitted.

ROBERT BEEKMAN, }  
ANGUS McINTOSH, } *Auditors.*