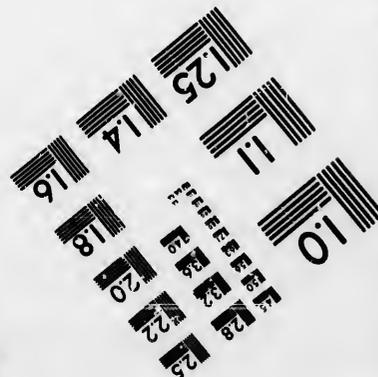
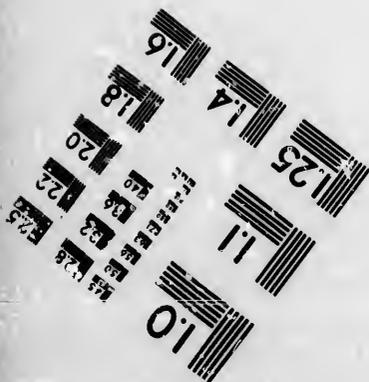
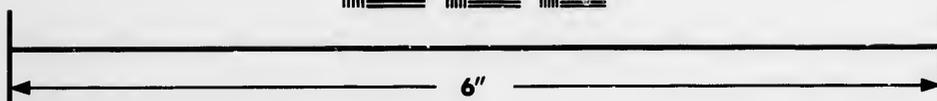
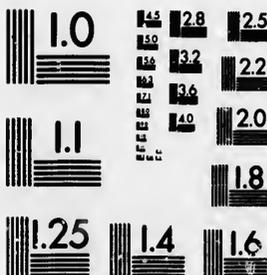


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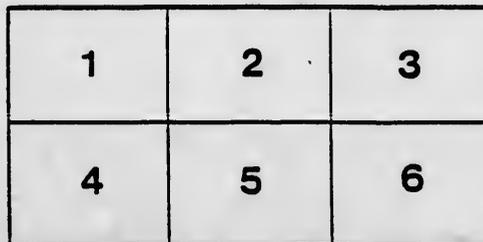
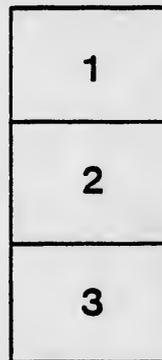
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1871.

PROCEEDINGS  
OF THE  
MUNICIPAL COUNCIL  
OF THE  
COUNTY OF WELLAND.

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FIRST SESSION.—JOSEPH GANRER, Esq., WARDEN.  
24th, 25th, 26th and 27th January, 1871.

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WELLAND.  
Printed at the Telegraph Office, by E. R. Dewhurst, County Printer  
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1871.

PROCEEDINGS  
OF THE  
MUNICIPAL COUNCIL  
OF THE  
COUNTY OF WELLAND.

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FIRST SESSION.  
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WELLAND, TUESDAY, January 24th, 1871.

Pursuant to the Act respecting the Municipal Institutions of Upper Canada, now the Province of Ontario, 29th and 30th Victoria, Chapter 51, the Reeves and Deputy Reeves of the several Municipalities composing the County of Welland, met at the Grand Jury Room, in the Court House, at the Village of Welland, on Tuesday the 24th day of January, A. D. 1871, at 7 o'clock, P. M., for the purpose of organization as the County Municipal Council of the said County for the year 1871.

Met for Organization.

The Clerk, *ad interim*, in the Chair.

The following named Councillors presented Certificates of Election and of having made and subscribed the declarations of office and qualification required by law, and took their seats accordingly.

BERTIE, Township of, Peter Learn, Esq., Reeve; Edwin Hershey, Esq., Deputy Reeve,

The New Council.

CHIPPAWA, Village of, John C. Kirkpatrick, Esq., Reeve.

CLIFTON, Town of, Hiram Bender, Esq., Reeve.

CROWLAND, Township of, William Buchner, Esq., Reeve.

FORT ERIE, Village of, Charles Treble, Esq., Reeve.

HUMBERSTONE, Township of, M. F. Hancy, Esq., M. D., Reeve.

PELHAM, Township of, Joseph Garner, Esq., Reeve;  
David W. Horton, Esq., Deputy Reeve.

PORT COLBORNE, Village of, Elisha Furry, Esq., Reeve.

STAMFORD, Township of, William Reavely, Esq., Reeve;  
John K. Crawford, Esq., Deputy Reeve.

THOROLD, Township of, James Brooks, Esq., Reeve;  
John Willson, Esq., Deputy Reeve.

THOROLD, Village of, John McDonaugh, Esq., Reeve;

WAINFLEET, Township of, Edward Lee, Esq., Reeve;  
Alexander Lattimore, Esq., Deputy Reeve.

WELLAND, Village of, Andrew G. Hill, Esq., Reeve.

WILLOUGHBY, Township of, William Marshall, Esq.,  
Reeve.

The Roll having been called, the following Councillors  
answered to their names:

Members present.

Messrs. Bender, Brooks, Buchner, Crawford, Furry,  
Garner, Haney, Hershey, Hill, Horton, Kirkpatrick, Latti-  
more, Learn, Lee, Marshall, McDonagh, Reavely, Treble,  
and Willson—19.

Moved by Mr. Hill, seconded by Mr. Learn,

J. C. Kirkpatrick moved for  
Warden.

That John C. Kirkpatrick, Esquire, do take the Chair as  
Warden of the County of Welland for the current year.

Moved by Mr. Treble, seconded by Mr. Furry, in amend-  
ment,

Mr. J. Garner  
moved in  
Amendment.

That all in the Original Motion after the word "That" be  
expunged and the following inserted: Mr. Joseph Garner,  
Reeve of the Township of Pelham, be Warden of the  
County of Welland for the year 1871.

On which the Yeas and Nays being called, were taken as  
follows:

Yeas and Nays

YEAS.—Messrs. Buchner, Furry, Garner, Haney, Horton,  
Lattimore, Lee, McDonaugh, Treble and Wilson—10.

NAYS.—Messrs. Bender, Brooks, Crawford, Hershey,  
Hill, Kirkpatrick, Learn, Marshall and Reavely—9.

And so the Amendment passed in the Affirmative:  
majority—1.

Amendment  
carried.

Mr. Garner being present and being informed of his  
election to the office of Warden for the County of Welland  
for the current year, came forward and made and subscrib-

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ed the Declaration of Office as such Warden in open Council before Dexter D'Everardo, Esquire, a Justice of the Peace, in and for the said County.

The Declaration of Office having been placed on file Fyled: among the records of the Council, Mr. Garner took the Chair as Warden, and thanked the Council for the honor conferred upon him.

The Warden addressed the Council and intimated that the first business of the Session would be the appointment of Auditors of the accounts of the County Treasurer for 1870; one of whom would be nominated by him as head of the Corporation: Warden's Address.

That it would be also incumbent upon the Council at this Session to fill the vacancies about to occur in the several Boards of Grammar School Trustees, that is to say, one for each School in Incorporated Villages and two for each School not within Incorporated Villages. The Warden concluded his address by stating that such other matters as might arise requiring attention would be at once laid before the Council.

Moved by Mr. Learn, seconded by Dr. Haney,

That the hours of meeting and adjournment during the present Session be as follows: Meet at 9 o'clock in the morning, and adjourn at half-past 12 for dinner; and meet again at 2. and that Committees do then proceed to work until 4, and that the Council do adjourn at 6. Sessional hours

Moved by Mr. Brooks, seconded by Mr. Bender, in amendment.

That all in the Original Motion after the word "That" be expunged and the following inserted: The hours of meeting and adjournment be as follows: Meet at 9 A. M., adjourn at half-past 12; meet again at 2, P. M., and adjourn at 6, and that all Communications and Petitions presented to this Council be referred to appropriate Committees to report thereon. Amendment

Which Amendment being proposed to the Council was lost on a division. Amendment Lost.

The Original Motion being again proposed,  
Moved by Mr. Hill, seconded by Mr. Hershey, in amendment,

2nd Amend-  
ment.

That all in the Original Motion after the word "That" be expunged and the following inserted: The hours of meeting and adjournment during the present Session be as follows: Meet at 9 A. M., adjourn at half-past 12; meet again at 2, and adjourn at 6, and meet again at half-past 7.

On which the Yeas and Nays being called were taken as follows:

Yeas & Nays.

YEAS—Messrs. Hershey and Hill—2.

NAYS—Messrs. Bender, Brooks, Buchner, Crawford, Furry, Haney, Horton, Kirkpatrick, Lattimore, Learn, Lee, Marshall, McDonough, Reavely, Treble and Wilson—16.

And so the Amendment passed in the negative; majority—14.

Original motion  
carried.

The Original Motion being again proposed was carried on a division.

Warden's nomi-  
nees for Audi-  
tor.

The Warden announced that he nominated Daniel Near, Esq., of the Township of Humberstone, as Auditor on behalf of the head of the Corporation.

Moved by Mr. Lee, seconded by Mr. Furry, and,

H. T. Ross  
moved as the  
other Auditor

*Resolved*, That Henry T. Ross, be appointed Auditor to act with Daniel Near, Esq., appointed by the Warden to Audit and Report upon the Treasurer's accounts for the year 1870.

Moved by Mr. Hill, seconded by Dr. Haney, in amend-  
ment,

Amendment.

That all in the Original Motion after the word "That" be expunged and the following inserted: Egerton R. Hellems, Esquire, be appointed Auditor on behalf of this Council.

Amendment  
carried.

Which Amendment being proposed to the Council was carried on a division.

Adjourned.

The hour of adjournment having arrived the Warden left the Chair.

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## SECOND DAY—MORNING SESSION.

WEDNESDAY, 25TH JANUARY, 1871.

The Council met at 9 o'clock, A. M., pursuant to adjournment. Council met.

The Warden in the Chair.

MEMBERS PRESENT—Messrs. Bender, Brooks, Buchner, Crawford, Furry, Haney, Hershey, Hill, Horton, Kirkpatrick, Lattimore, Learn, Lee, Marshall, McDonough, Reavely, Treble and Wilson—18. Members present.

The Minutes of yesterday were read by the Clerk and approved by the Council. Minutes read.

Mr. Kirkpatrick brought up the Petition of Lieut.-Colonel Sidney Barnett, of the 44th Battalion, asking aid to the Volunteers of this County while engaged in their annual drill, which Petition was read to the Council and laid on the table. 44th Battalion.

Dr. Haney brought up the Petition of Sophia Smyth asking pecuniary assistance from this Council, which Petition was also read to the Council and laid on the table. Petition—Sophia Smyth.

The Warden read to the Council and laid on the table copy of Resolution of County Council of Elgin, instructing the Warden of said County to memorialize the Legislature of Ontario on the subject of the attendance of Grand Jurors at the General Sessions of the Peace; also, Grand Jurors at Sessions.

The Report of the Port Robinson and Thorold Macadamized Road Company. Port Robinson and Thorold Road Company

Moved by Dr. Haney, seconded by Mr. Buchner,

That Emanuel W. Brookfield and J. C. Kirkpatrick, Esq's. be appointed to act in connection with the Chairman of the General Quarter Sessions, as a Board of Audit, in accordance with the Statute 32 Vic., Cap. 6, as amended at a Session of the Legislature of Ontario of 1868-9, in regard to the administration of Criminal Justice Accounts, and that the Clerk be instructed to draft a By-law making the above appointment. Appointment—Board Audit.

Moved by Mr. Hill, seconded by Dr. Haney,

That leave be given to introduce a Bill for the appointment of Auditors. Bill—Auditors.

- Bill read first time.** Moved by Mr. Hill, seconded by Dr. Haney,  
That the Bill be read a First time.
- Read 2nd time.** Moved by Mr. Hill, seconded by Dr. Haney,  
That the Bill be now read a second time.
- Bill passed.** Moved by Mr. Hill, seconded by Dr. Haney,  
That the Bill be not now committed, but that the same  
be read a third time forthwith, that it do pass be signed  
and sealed as required by law, and that its title be as in the  
Bill.
- Standing Com-  
mittees.** Moved by Mr. Hill, seconded by Mr. Learn,  
That the following be the Standing Committees for the  
ensuing year.
- Finance*—Messrs. Kirkpatrick, Garner, Hill and Lee.  
*Gaol Supplies*—Messrs. Hill, Kirkpatrick and Buchner.  
*Education*—Messrs. Hershey, Bender, Haney and Horton.  
*Assessment and Equalization*—Messrs. Learn, Treble, Latti-  
more, McDonough, Brooks, Furry and Crawford.  
*Roads and Bridges*—Messrs. Lattimore, Garner and  
Reavely.  
*Salaries*—Messrs. Learn, Marshall, Horton, Treble,  
McDonough and Hershey.  
*Marsh Lands*—Messrs. Lee, Haney, Brooks and the War-  
den.
- Amendment.** Moved by Dr. Haney, seconded by Mr. Furry, in amend-  
ment,  
That all in the Original Motion after the word "That" be  
expunged and the following inserted: Messrs. Lee, Learn,  
Brooks, Hill and the Mover, be a Special Committee to  
strike the Standing Committees for the current year.
- Lost.** Which Amendment being proposed to the Council was  
lost on a division.
- Original motion  
carried.** The Original Motion being again proposed was carried  
on a division.
- Registration  
Petition.** Moved by Mr. Hill, seconded by Mr. McDonough,  
That all correspondence between any of the members of  
the Committee to whom was referred at the last Session of  
the Council for the year 1870, the Petition on behalf of Dexter  
D'Everardo's claim for Registration charges and any other  
person or persons respecting the matter thus referred to  
them be read and laid before this Council.

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Moved by Mr. Hill, seconded by Mr. Horton.

That leave be given to introduce a Bill for the appointment of Grammar School Trustees. Bill—Grammar School Trustees

Moved by Mr. Hill, seconded by Mr. Horton,

That the Bill be read a first time. Bill read first time.

Moved by Mr. Hill, seconded by Mr. Horton,

That the Bill be now read a second time. Bill read second time.

Moved by Mr. Hill, seconded by Mr. Horton,

That the Bill be not now committed, but that the same be read a third time forthwith, that it do pass be signed and sealed as required by law, and that its title be as in the Bill. Bill passed.

Moved by Mr. Learn, seconded by Mr. Reavely,

That the Petition of Lieut.-Colonel Barnett, be referred to a Special Committee composed of Messrs. Hill, Brooks and the Mover, to report thereon during this Session of the Council. 44th Battalion Petition referred.

Moved by Dr. Haney, seconded by Mr. Furry.

That Mr. Gross be allowed to put up his Patent Heating apparatus in the Queen's Counsel Room with a view to exhibit to this Council the merits of said apparatus for heating purposes. Heating apparatus.

Moved by Mr. Hill, seconded by Mr. Treble,

That the Warden be instructed to retain Counsel to defend this Corporation in the suit about to be brought by Mr. Allen against one Orchard, and in which it is alleged this Corporation are in some way interested. Counsel re Allen & Orchard.

Which Motion on being proposed to the Council was lost on a division. Lost.

The hour of adjournment having arrived the Warden left the Chair. Adjourned.

## SECOND DAY—AFTERNOON SESSION.

Council Re-  
sumed.

At 2 o'clock the Council resumed.

Councillors having been engaged on Committees.

At 4 o'clock the Warden again took the Chair agreeably to the motion adopted yesterday.

Bill—Board of  
Audit.

Moved by Dr. Haney, seconded by Mr. Furry,

That leave be given to introduce a Bill for the appointment of members of the Board of Audit for the County of Welland for 1871, founded upon Resolution this day adopted.

Read 1st time.

Moved by Dr. Haney, seconded by Mr. Furry,

That the Bill be read a first time.

Read 2nd time.

Moved by Dr. Haney, seconded by Mr. Furry,

That the Bill be now read a second time.

Bill passed;

Moved by Dr. Haney, seconded by Mr. Furry,

That the Bill be not now committed, but that the same be read a third time forthwith, that it do pass be signed and sealed as required by law, and that its title be as in the Bill.

Petition—  
Jones Bridge.

Mr. Lattimore brought up the Petition of Isaac Michner, the Contractor for the building of Jones Bridge, and Hamilton Cosby one of the sureties, for the due performance of the said work, praying this Council to reimburse them in the amount expended by them in excess of the contract price for the same, which Petition was read to the Council and laid on the table.

Referred.

Moved by Mr. Lee, seconded by Mr. Buchner,

That the Petition of Isaac Michner and Hamilton Cosby just now read be referred to the Committee on Roads and Bridges with instructions to Report thereon.

Moved by Mr. Hill, seconded by Mr. Lattimore,

Motion to pay  
claim for dam-  
ages re Clifton  
Town.

That owing to irregularities in certain returns made by the Municipal authorities of the town of Clifton to the Treasurer of this County, and legal proceedings having been threatened against the County on account of said returns, the Treasurer of the County be directed to pay to Messrs. Morphy & Co., the amount of \$56.81, being their claim for damages and costs in that behalf, and that the

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Treasurer charge that amount against the Town of Clifton in the County account with said Town, and that the Resolution authorizing the payment of \$19, be rescinded.

On which the Yeas and Nays being called were taken as follows:

YEAS—Messrs. Brooks, Buchner, Crawford, Furry, Haney, Hershey, Hill, Horton, Kirkpatrick, Lattimore Learn, Lee, Marshall, McDonough, Reavely and Wilson—16. Yeas & Nays.

NAYS—Mr. Bender—1.

And so the Motion passed in the Affirmative: majority Motion passed.  
—15.

Mr. Hill brought up the Report of the Special Committee to whom was referred the Petition of Lieut.-Colonel Sidney Barnett, which was read to the Council and laid on the table. Report 44th Batt. road.

Moved by Mr. Hill, seconded by Mr. Learn,

That the Report of the Special Committee to whom was referred the Petition of Lieut.-Colonel Sidney Barnett of the 44th Battalion, just read, be adopted. Motion to adopt Report.

Moved by Mr. Learn, seconded by Mr. Buchner, in amendment,

That all in the Original Motion after the word "That" be expunged and the following inserted: The Report on the Petition of Col. Barnett, be laid over until to-morrow morning for further consideration. Amendment

Which Amendment being proposed to the Council was carried without a division. Amendment carried.

Mr. Hill gives notice that he will to-morrow move that in the opinion of this Council it is not consistent with the best interests of this Corporation, owing to the peculiar circumstances of the case, and the peculiar relation of the parties concerned; and owing to the disclosures that have been made through the correspondence now in the hands of a Committee of this Council that the Registrar of this County should be the Clerk of this Council. Notice—Motion re Clerk of Council

*Secondly*—That in the opinion of this Council it is desirable that the Clerk of this Council should reside at and keep his office at the Village of Welland.

The hour of adjournment having arrived the Warden left the Chair. Adjourned

## THIRD DAY—MORNING SESSION.

THURSDAY, 26TH JANUARY, 1871.

- Council met.** The Council met at 9 o'clock, A. M., pursuant to adjournment.
- The Warden in the Chair.
- Members present.** MEMBERS PRESENT—Messrs. Bender, Brooks, Buchner, Crawford, Furry, Haney, Hershey, Hill, Horton, Kirkpatrick, Lattimore, Learn, Lee, Marshall, McDonough, Reavely, Treble and Wilson—18.
- Minutes read.** The Minutes of yesterday were read by the Clerk and approved by the Council.
- Report 44th Batt. taken up.** Moved by Mr. Learn, seconded by Mr. Buchner, That the consideration of the Resolution for the adoption of the Report of the Special Committee on Col. Barnett's Petition, which was laid over for further consideration be now proceeded with.
- Motion to adopt again proposed.** The Original Motion for the adoption of the Report of the Special Committee on Col. Barnett's Petition being again proposed,
- Moved by Mr. Bender, seconded by Mr. Reavely, in amendment,
- Amendment.** That all in the Original Motion after the word "That" be expunged and the following inserted: The Report of the Special Committee on Petition of Col. Barnett be referred back to said Committee with instructions to amend the same by striking out the last clause and substituting the following:
- That a grant of Five Hundred Dollars be recommended for the purpose mentioned in the said Petition and that the officer whose duty it may be to pay out such sum do furnish a statement to this Council of such disbursement.
- Moved by Mr. Brooks, seconded by Mr. Horton, in Amendment to the Amendment,
- Amendment to Amendment.** That all in the Original Motion after the word "inserted" be expunged and the following inserted: The Report of the Committee on Lieut.-Col. Barnett's Petition of the 44th Battalion of Welland be referred back to said Committee with instructions to grant Three Hundred Dollars to said

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Battalion, and that the Warden be authorized to issue his cheque in favor of the Quarter Master, John A. Orchard, for the same.

On which the Yeas and Nays being called, were taken as follows:

YEAS—Messrs. Brooks, Crawford, Furry and Horton—4. Yeas and Nays.

NAYS—Messrs. Bender, Buchner, Haney, Hershey, Hill, Kirkpatrick, Lattimore, Learn, Lee, Marshall, McDonough, Reavely and Treble—13.

And so the Amendment to the Amendment passed in the negative; majority—9. Amendment to Amendment Lost.

The Amendment to the Original Motion being again proposed, Amendment again proposed.

Moved by Dr. Haney, seconded by Mr. Lee, in amendment to the amendment.

That all in the Original Motion after the word "inserted" be expunged and the following inserted: The Report of the Special Committee on Petition of Lieut.-Col. Sidney Barnett, be referred back to said Committee and that the same be amended by striking out the last clause and substituting the following. Amendment to Amendment.

That a grant of Four Hundred Dollars be recommended for the purpose mentioned in the said Petition and that the officer whose duty it may be to pay out such sum do furnish a statement to this Council of such disbursement.

Which amendment to the amendment being proposed to the Council was lost on a division. Amendment to Amendment Lost.

The Amendment to the Original Motion being again proposed to the Council was lost on a division. Amendment again proposed.

The Original Motion for the adoption of the Report being again proposed. Motion to adopt Report again proposed.

And the Yeas and Nays being called were taken as follows:

YEAS—Messrs. Furry, Hill and Learn—3. Yeas and Nays

NAYS—Messrs. Bender, Brooks, Buchner, Crawford, Haney, Hershey, Horton, Kirkpatrick, Lattimore, Lee, Marshall, McDonough, Reavely, Treble and Wilson—15.

And so the Original Motion passed in the negative; majority—12. Lost.

44th Batt—  
\$400 granted.

Moved by Dr. Haney, seconded by Mr. Crawford,  
That a sum of Four Hundred Dollars be granted by this Council to the Volunteers of this County toward defraying the cost of rations when on duty this year, and that the Warden do issue his cheque in favor of Quarter Master John A. Orchard, for the same.

Assessment  
Rolls.

Moved by Mr. Hill, seconded by Mr. Hershey,  
That the Clerk of this Council be directed to procure the necessary Blank Assessment Rolls and papers connected therewith for the use of the different Municipalities in the County as soon as practicable, and that said Rolls and papers be left at the office of the Treasurer of this County for the several Municipalities.

Architect sum-  
moned.

Moved by Mr. Lee, seconded by Mr. Furry,  
That the Warden be requested to immediately telegraph for John Latshaw, Architect.

Adjourned.

The hour of adjournment having arrived the Warden left the Chair.

### THIRD DAY—AFTERNOON SESSION.

Council re-  
sumed.

At 2 o'clock the Council resumed.

Councillors having been engaged on Committees,

At 4 o'clock the Warden again took the Chair agreeably to the Motion adopted Tuesday.

Architect not  
at home.

The Warden announced that he had received a telegram from Mr. Latshaw's son stating that his father was absent from home and would not return until Monday.

Accounts—

The Warden laid on the table the account of the Welland *Tribune* for advertising meeting of Council; also,

Of the same, for advertising for tenders for Gaol Supplies; also,

Of Benjamin Schooley, for repairing windows in Gaol; also,

Of J. V. Strawn, for stationery for Welland Gaol.

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Dr. Haney, from the Committee on Gaol Repairs brought up their First Report which was read to the Council and laid on the table. First Report Gaol Repairs.

Moved by Mr. Lee, seconded by Dr. Haney,

That the Report of the Special Committee on Gaol Repairs, now before the Council, be referred to a Committee of the Whole forthwith. Referred to Committee of the Whole.

The Council went into Committee of the Whole in pursuance of the motion: Council in Committee.

Mr. Marshall in the Chair.

The Committee rose and reported the following:

*Resolved*, That the Report of the Building Committee be referred back to said Committee with instructions to amend the same, and that they report to this Council to-morrow in connection with what they have already reported stating the name or names of the party or parties who ordered the said extras and alterations. Committee Report.

Moved by Mr. Hill, seconded by Mr. Treble,

That the Report of the Committee of the Whole just read be concurred in. Report adopted

The hour of adjournment having arrived the Warden left the Chair. Adjourned.

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#### FOURTH DAY—MORNING SESSION.

FRIDAY, 27th January, 1871.

The Council met at 9 o'clock A. M., pursuant to adjournment. Council met.

The Warden in the Chair.

MEMBERS PRESENT—Messrs. Buchner, Learn, Lee, Treble and Wilson—5. Members present.

Which number being less than a quorum, No quorum:

- The Warden left the Chair.
- Council meet.** At half-past 11 o'clock the Warden again took the Chair. The Roll being again called the following Councillors answered to their names.
- Members present.** Messrs. Bender, Brooks, Buchner, Crawford, Furry, Haney, Hershey, Hill, Horton, Kirkpatrick, Lattimore, Learn, Lee, Marshall, McDonough, Reavely, Treble and Wilson—18.
- Minutes read.** The minutes of yesterday were read by the Clerk and approved by the Council.
- Letter—J. V. Strawn,** The Warden read to the Council and laid on the table a communication from Mr. J. V. Strawn, of the Village of Welland, relating to an account which he has against the County for Stationery furnished the Gaoler on the order of the Chairman of the Committee on Gaol Supplies.
- Accounts.** The Warden also laid on the table the account of the Welland *Telegraph* for advertising for County Council; also,  
Of John Ennis, for curtain hangers, &c., for Gaolers Room.
- Motion to add Mr. Treble to Finance Com:** Moved by Mr. Wilson, seconded by Mr. Lattimore, and, *Resolved*, That Mr. Treble be added to the Finance Committee.
- Lost.** Which Motion being proposed to the Council was lost on a division.
- Gaol Report amended.** Dr. Haney brought up the First Report of the Building Committee amended in accordance with Report of Committee of the Whole concurred in last evening, which amended Report was read to the Council and laid on the table.
- Motion to adopt Report.** Moved by Dr. Haney, seconded by Mr. Treble, That the First Report of the Building Committee as amended, be received and adopted.
- Debate arose.** And a debate having arisen thereupon,
- Adjourned.** And the hour of adjournment having arrived the Warden left the Chair.

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At 2 o'clock the Council resumed.

The further consideration of the Resolution for the adoption of the Report of the Building Committee having been entered upon and the Motion being again proposed to the Council,

Moved by Mr. Kirkpatrick, seconded by Mr. Learn, in amendment,

That all in the Original Motion after the word "That" be expunged and the following inserted: The Report of the Committee on Gaol Repairs be adopted, provided always that this Council do not by the adoption thereof incur any pecuniary liability thereby to any person whomsoever:

On which the Yeas and Nays being called were taken as follows:

YEAS—Messrs. Brooks, Buchner, Crawford, Furry, Haney, Hershey, Hill, Horton, Kirkpatrick, Lattimore, Learn, Lee, Marshall, McDonough, Reavely, Treble and Wilson—17.

NAYS—None.

And so the Amendment passed in the Affirmative unanimously.

Mr. Kirkpatrick from the Special Committee to whom was referred the several Petitions of Dexter D'Everardo, Esq., Registrar of this County, praying for a settlement as to his claim for services under the Registration Acts of 1865 and 1868, brought up their Report accompanied by all correspondence and other papers relating to the matter of the said Petitions, which were read to the Council and laid on the table.

Moved by Mr. Kirkpatrick, seconded by Mr. Learn,

That the Report of the Special Committee on the Registrar's claims, just read, be adopted.

Mr. Lattimore brought up the First Report of the Committee on Roads and Bridges which was read to the Council and laid on the table.

Moved by Mr. Lattimore, seconded by Mr. Reavely,

That the First Report of the Committee on Roads and Bridges just read, be adopted.

Mr. Lattimore brought up the Second Report of the Committee on Roads and Bridges which was read to the Council and laid on the table.

Council Resumed.

Gaol Building Report again proposed.

Amendment

Yeas and Nays.

Amendment carried.

Report Committee Registrar's claim.

Report adopted

Report—Roads and Bridges.

Report adopted

2nd Report—Roads and Bridges.

Report adopted

Moved by Mr. Lattimore, seconded by Mr. Reavely,  
That the Second Report of Committee on Roads and  
Bridges just read, be adopted.

Warden taken  
ill—Mr. Lee  
moved to the  
Chair.

Moved by Mr. Brooks, seconded by Dr. Haney,  
That, owing to illness of the Warden, Edward Lee, Esq.  
do take the Chair.

Mr. Lee took the chair in pursuance of the motion.

Claim of Gaol  
Contractor.

Moved by Mr. Kirkpatrick, seconded by Mr. Crawford,  
That the contract between the County and Mr. Schooley  
for rebuilding a prison within the walls of North Wing, and  
also the Resolution appointing a Committee to consult with  
the Architect or Superintendent, and the Resolution  
appointing Mr. Latshaw to take charge of and superintend  
the construction and repairs to said North Wing, and all  
other Resolutions affecting the contract, be laid before  
Counsel, either the County Solicitor or other with a view  
of ascertaining if the County is bound by the action of said  
Committee, Superintendent or other party who may have  
ordered or allowed or agreed to the alterations, made with-  
out the consent of this Council and which amounts to the  
large sum of \$2808, but for which the contractor offers to  
accept \$2150.

Counsel to be  
had re Gaol  
Contractor's  
claim.

Moved by Mr. Crawford, seconded by Mr. Hershey,  
That the Warden be instructed to take the opinion of  
Messrs. Pattison, Harrison & Pattison, upon the contract  
between the County and Mr. Schooley, and when received  
that the Warden call a special meeting of this Council to  
act upon the advice of Counsel.

Payment of  
Counsel opinion  
re Registrar's  
claim.

Moved by Mr. Kirkpatrick, seconded by Mr. Wilson,  
That the Warden do issue his cheque in favor of Messrs.  
Pattison, Harrison & Pattison, and Messrs. Blake, Kerr &  
Bethune, for Ten Dollars each, for their opinion upon the  
Registrars claim, and that the amounts be forwarded to  
said parties at once.

Petition of So-  
phia Smith not  
entertained.

Moved by Mr. Brooks, seconded by Mr. Furry,  
That the Petition of Sophia Smith cannot be entertained  
by this Council, as any such aid as that asked for would be  
at variance with the principle of each Municipality of the  
County supporting its own poor, the principle now in

Moved by Mr. Learn, seconded by Mr. Hershey.

That the Warden be authorized to issue his cheque for the payment of the salary of the Messenger quarterly, for such sums thereof as may then be due him. Messenger to be paid.

Mr. Kirkpatrick, from the Standing Committee on Finance, brought up their First Report, which was read to the Council and laid on the Table. Report—Com. on Finance.

Moved by Mr. Kirkpatrick, seconded by Mr. Hill,

That the First Report of the Committee on Finance, now read, be adopted. Report adopted

Moved by Mr. Treble, seconded by Mr. Lattimore,

Whereas, in the Notice given by the Reeve for Welland on the 25th day of the present month, touching the Registrar of this County, who is also County Clerk, which Notice now appears upon the Minutes of this Council, among other things therein contained, reference is had to "disclosures that have been made through the correspondence now in the hands of a Committee of this Council": And Whereas that officer feels that the language quoted, as well as the language of the Notice generally, may, in the minds of those who have not an opportunity of learning the facts, be construed into a reflection upon his conduct and character, either as Registrar or as County Clerk, or both: And Whereas the said correspondence being now before this Council does not, in the opinion of this Council, bear out the language made use of in the said Notice: Motion re Clerk of Council.

*Be it therefore Resolved*, That it is not the intention of this Council to cast any reflection upon the conduct or character of the Officer mentioned, either in his capacity as County Clerk or as Registrar, nor to endorse the language or assent to the Principles contained in the said Notice.

Moved by Mr. Hill, seconded by Mr. Hershey, in amendment,

That all the Original Motion after the word "That" be expunged and the following inserted: The Council do now adjourn to be called together by the Warden, as circumstances may require. Amendment.

Moved by Mr. Kirkpatrick, seconded by Mr. Crawford, in Amendment to the Amendment,

Amendment to  
Amendment.

That all in the Amendment after the word "That" be expunged and the following inserted: The explanation given by the Clerk of this Council to the Committee on Registrar's claims, with regard to the Letter from Messrs. Blake, Kerr & Bethune, in which it is stated that the Registrar had asked them to commence an action against the County in connection with his claims, and it appears by this explanation that the Messrs. Blake, Kerr & Bethune have made a mistake in the matter:

*It is hereby Resolved*, that the notice given by Mr. Hill be withdrawn.

Amendment to  
Amendment  
Carried.

Which amendment to the amendment being proposed to the Council was carried on a division.

Moved by Dr. Haney, seconded by Mr. Furry,

Motion to ad-  
journ.

That this Council do now adjourn and stand adjourned till the first Monday in June, then to meet here at Twelve o'clock, noon, unless sooner called by the Warden.

Council rose:

The Council adjourned at half-past six o'clock in pursuance of the motion.

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APPENDIX A.

BY-LAWS.

CHAPTER CCLXXIX.

*AN ACT for the Appointment of Auditors.*

WHEREAS the Warden has nominated Daniel Near, Esq., as Auditor on behalf of the head of this Corporation, and it is necessary to confirm the said nomination: And Whereas it is necessary that another Auditor be appointed,

I. *Be it therefore Enacted* by the Corporation of the County of Welland, and it is hereby Enacted, That Daniel Near, Esquire, and Egerton R. Hellems, Esquire, be and they are hereby appointed Auditors to audit the Accounts of the County Treasurer.

II. *And be it further Enacted*, That the said Daniel Near and Egerton R. Hellems be and they are here hereby appointed Auditors of School monies.

Passed in Council this 25th day of January, 1871.

{ L.S. }

JOSEPH GARNER, *Warden.*

D. D'EVERARDO, *Clerk.*

CHAPTER CCLXXX.

*AN ACT for the Appointment of two Auditors of Accounts to the Board of Audit established by the Act of the Ontario Legislature, 33rd Vic., Cap. 8.*

WHEREAS, in and by the Act of Ontario Legislature, passed on the 24th day of December, A. D. 1869, 33rd Vic.

toria, Chapter 8, a Board of Audit is established for the purposes mentioned in the said Act, to be composed of the Chairman of the Court of General Sessions of the Peace, and two other persons who shall be appointed annually for that purpose by the County Council of the County interested at their first meeting in each year, not more than one of such persons being a member, for the time being, of such Council: And Whereas it is necessary and expedient to give effect to such enactments, in so far as relates to this County.

*Be it therefore Enacted* by the Corporation of the County of Welland, and it is hereby Enacted that John C. Kirkpatrick, of Chippawa, Esquire, and Emanuel W. Brookfield, of Crowland, Esquire, be and they are hereby appointed members of the said Board of Audit for the County of Welland for the current year.

Passed in Council this 25th day of January, 1871.

{ L.S. }

JOSEPH GARNER, *Warden.*

D. D'EVERARDO, *Clerk.*

CHAPTER CCLXXXI.

*AN ACT for the Appointment of Grammar School Trustees*

WHEREAS it is necessary to appoint one Grammar School Trustee for each of the Grammar Schools situate within Incorporated Villages in this County, to fill the vacancies about to occur in these Boards.

AND WHEREAS it is necessary to appoint two Trustees for each of the Boards of Grammar School Trustees within this County, in places other than Incorporated Villages.

*Be it therefore Enacted* by the Corporation of the County of Welland, and it is hereby Enacted, that Jay W. Schooley, Esquire, M. D., he and he is hereby re-appointed a Trustee of the Welland County Grammar School.

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{ L.S. }

*And be it further Enacted*, that John Dale, Esquire, be and he is hereby appointed a Trustee of the Thorold County Grammar School.

*And be it further Enacted*, that John Mills, Esquire, and Joseph Wynn, Esquire, be and they are hereby appointed Trustees of the Stamford County Grammar School.

*And be it further Enacted*, that Whitson C. Moore, Esquire, and the Rev. William Wetherald, be and they are hereby appointed Trustees of the Fonthil County Grammar School.

Passed in Council this 25th day of January, 1871.

{ L.S. }

JOSEPH GARNER, *Warden.*

D. D'EVERARDO, *Clerk.*

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**APPENDIX B.**

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**REPORTS OF STANDING COMMITTEES.**

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**REPORT OF COMMITTEE ON ROADS AND BRIDGES.**

*To the Warden and Members of the County Council in Council assembled :*

Your Road and Bridge Committee beg leave to submit their first Report. They have examined carefully the Petition of Isaac Michner and Hamilton Cosby, and beg leave to state that the extras mentioned in said Petition, amounting to \$40, should be favorably considered by the Council, and beg to recommend that the same be paid, said extras being ordered by Your Committee.

Your Committee cannot recommend the payment of the sum mentioned in the Petition for the losses alleged by contractor as having been sustained in said contract.

All of which is respectfully submitted:

JOSEPH GARNER.  
ALEX. LATTIMORE.  
WILLIAM REAVELY.

COUNCIL CHAMBER,  
Jan. 27th, 1871.

**SECOND REPORT OF COMMITTEE ON ROADS AND BRIDGES.**

*To the Warden and Council in Council assembled :*

Your Roads and Bridge Committee beg leave to submit their second Report.

Your Committee having carefully considered the dan-

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gerous position of Beckett's Bridge in this County, and the bridge at Wellandport between the Counties of Lincoln and Welland, for the want of sufficient protection, beg leave to recommend that a sufficient quantity of spiles and fenders be driven to protect the said Beckett's bridge, and a sufficient quantity of spiles and fenders be also driven to protect the said bridge at Wellandport, provided the County Council of Lincoln will bear one half of the expenses for the protection of said Wellandport bridge.

And Your Committee would also recommend that said Roads and Bridge Committee be empowered to cause such protection to the Beckett's Bridge, by letting the job by public tender, according to plans and specifications provided by such Roads and Bridge Committee. And also to afford like protection to the bridge at Wellandport as soon as the said County of Lincoln shall signify through their proper officer their willingness to bear half of the expenses in connection with said Wellandport bridge.

All of which is respectfully submitted.

JOSEPH GARNER.  
ALEX. LATTIMORE.  
WILLIAM REAVELY.

COUNCIL CHAMBER,

January 27th, 1871.

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FIRST REPORT OF COMMITTEE ON GAOL REPAIRS—AMENDED.

*To the Warden and Councillors of the County of Welland, in Council assembled :*

The Building Committee beg leave to submit their amended first Report.

In conformity with a Resolution adopted by the Council on the 23rd of December, A. D. 1870, directing Your Committee to enquire into the cost of alterations made in the building of a stone wall not in the plan approved by the Prison Inspector, also the alterations made and in course of being completed, in the windows, grating and iron doors of the Prison; also, the cost of a drain not included in the

plans, and any other alterations made and not included in the contract, and to have an estimate made of the cost for altering gaol yard and building a wooden fence in yard, as shown in a plan submitted to the Council, and the repairs necessary for kitchen arrangements.

Your Committee have conferred with the Architect and Contractor in relation to the cost of the several alterations made in the original plan of the North Wing of the Gaol, also in reference to the cost of alterations to be made to meet the views of the Prison Inspector.

Your Committee find, from an estimate by the Architect, that the alterations made and in course of being made, will cost \$2808.00, and the cost of the alterations as suggested by the Prison Inspector, \$1125.00. The further alterations suggested by the Prison Inspector includes the kitchen arrangements as laid down in his report and suggestions to the Sheriff.

Your Committee having examined into the whole matter, as instructed by Your Resolution of the 23rd of December, find that a settlement can be made with the Contractor at present without prejudice to his claim for the work already done and in course of construction according to detailed estimate made by the Architect, which is hereto appended, for the sum of \$2150.00.

And Your Committee further find that the further alterations as suggested, according to detailed statement hereunto appended, can be done for the sum of \$1125.00.

Your Committee further find that the Building Committee in existence previously to the 23rd day of December last were of the opinion in regard to the iron grating of the doors and windows, as laid down in the original plan, were entirely too light and improperly constructed for safe keeping of the prisoners, and suggested, if the Architect considered it advisable, that a larger size of iron and closer grating might be used for the two upper stories.

As to the balance of the alterations made, Your Committee cannot find sufficient data at present, to make any suggestions.

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You Committee would recommend that the Contractor be heard before this Council.

All of which is respectfully submitted:

M. F. HANEY.  
EDWARD LEE.  
WM. BUCHNER.  
CHARLES TREBLE.  
JOSEPH GARNER.

COUNCIL CHAMBER,  
Jan. 27th, A. D. 1871.

*ESTIMATE on North Wing of Welland Gaol. Extra work done by Ben. Schooley, Esq., Contractor.*

	\$	CTS.
Temporary fence at north-east end of Gaol.....		15 00
Constructing Main Drain.....	250	00
Foundation wall under east end of Gaol.....		70 00
Extra on 12 Window Gratings.....		168 00
Extra on 24 Door Gratings.....		240 00
4500 lb of Iron Girders.....		360 00
For Screws and Nuts for same .....		25 00
Putting in 10 Girders, \$25 each.....		250 00
Extra constructing cut stone wall in Day Rooms..	1500	00
Putting in joists and floor in day rooms, and cutting stone for same.....		120 00
Filling in breaks in old walls.....		25 00
Losses to Contractor by changing the original plan and making day rooms .....	500	00
		\$3548 00

CONTRA.

<i>Deduction on omitted work on the Original Plan.</i>		
Cut stone omitted in cells .....		400 00
Omitted brick work in cells .....		60 00
Omitted arches for cells.....		50 00
8 omitted iron grated doors .....		125 00
Omitted altering stairs .....		55 00
*Omitted cutting through Court House walls for doors .....		50 00
		\$740 00
Amount Balanced to claim.....		\$2808 00

*Proposed Additional Work according to the Plan.*

	\$ CTS.
Plank fence in gaol yard.....	100 00
Constructing Kitchen in basement .....	200 00
Iron Grating at foot of stairs in basement story and door with lock for same.....	120 00
Slate roof on felt, North Wing of Gaol, and including Eave-trough .....	300 00
Extra grating on lower windows.....	100 00
Extra grating on lower doors.....	120 00
Plastering and extra joists for corridors.....	20 00
Trimming off stone on North-east corner of Court House wall.....	15 00
Addition on gaol yard wall, with circular walls and cut stone coping for the same.....	120 00
Trimming off stone on east end of Gaol and filling in windows.....	30 00
	\$1125 00

Architect's fees on additional work, \$100.

JOHN LATSHAW, *Architect.*

January 17th, 1871.

FIRST REPORT OF COMMITTEE ON FINANCE.

*To the Warden and Councillors for the County of Welland in Council assembled:*

The Finance Committee beg leave to present their First Report, and recommend payment of the following accounts:

E. R. Dewhurst, Printing .....	\$ 4 90
J. J. Sidey, Printing, 2 accts.....	6 28
F. Humphreys, Marsh Lands ac't .....	3 38
Benjamin Schooley, Mason Work, &c.....	4 50
John Ennis.....	2 22
J. V. Strawn.....	3 63
	\$24 91
Telegraph Latshaw.....	25
	\$25 16

We would also recommend parties presenting accounts have them properly certified.

All of which is respectfully submitted.

JNO. C. KIRKPATRICK.  
A. G. HILL.  
JOSEPH GARNER.  
EDWARD LEE.

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**APPENDIX C.**

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**REPORTS OF SPECIAL COMMITTEES.**

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**REPORT OF SPECIAL COMMITTEE ON PETITION OF COL. BARNETT.**

*To the Warden and Council of the County of Welland in Council assembled :*

Your Committee to whom was referred the Petition of Col. Sidney Barnett of the 44th Battalion, beg to report that they cannot endorse the principle of making an appropriation of the kind asked for in the Petition referred to Your Committee. They believe that it is the duty of the Government of the country to provide for the payment of the Volunteer force in a suitable and respectable manner, so that the expense of sustaining the said force shall fall equally upon the whole Dominion.

Your Committee cannot recommend the appropriation of any sum for the payment asked in the said Petition;

All of which is respectfully submitted.

A. G. HILL.  
PETER LEARN.

Welland, January 25th, 1871.

**REPORT SPECIAL COMMITTEE ON REGISTRAR'S CLAIMS.**

*To the Warden and Councillors for the County of Welland, in Council assembled :*

The Special Committee upon the Registrar's claims beg leave to Report:

They have the opinion of Messrs. Paterson, Harrison & Paterson, also the opinion of Messrs. Blake, Kerr & Bethune; both opinions are against the payment by this Council of more than \$2,000 for the Abstract Index, for which the Registrar claims \$12,488 00.

The Committee also have letters and statements from the Treasurers of Huron and Wentworth, Haldimand and Simcoe, of the payments made to the Registrars of these Counties for services performed under Sections 26 and 33 Registration Act of 1865.

The Committee beg leave to submit the opinions referred to, and also the letters and statements, and would recommend the Council to be guided by the opinions of Counsel.

All of which is respectfully submitted.

JNO. C. KIRKPATRICK:  
EDWARD LEE.  
CHARLES TREBLE.  
M. F. HANEY.

COUNCIL CHAMBER, Jan'y 25th, 1871.

TORONTO, January 2, 1871.

DEAR SIR:

We are in receipt of your letter of 30th ult. In reply we have, as requested, referred to S. 82 of 29 Vic., Cap. 24, (S. 84 of 31 Vic., Cap. 20) and think that under the operation of that Section there is no right in the Registrar to recover from the County for services performed under S. 28 of the Act, until the amount has been settled and certified by the Inspector of Registry Offices. Certainly the Act never contemplated that the Registrar should, without such a settlement or certificate, draw money for such services from the County Treasurer. If in that way he has received money to which he is not strictly entitled there may be some difficulty, where the payments have been voluntarily made, in compelling him to refund. But if the County Treasurer without the authority of the Council and against law, paid the Registrar such moneys, we apprehend that both he and his sureties would be liable to the County to make good the same in an action brought, if necessary, for that purpose.

Truly yours,

PATERSON, HARRISON & PATERSON,

JNO. KIRKPATRICK, Esq.,  
Chippawa, Ont.

OPINION PATERSON, HARRISON & PATERSON *Re*  
REGISTRAR'S CLAIMS.

TORONTO, December 29, 1870.

DEAR SIR :

We duly received your letter of 26th instant. You state that the Registrar of your County asks for remuneration for work done in copying Abstract Indices and claims for such work \$12,498 50, and has, as we understand your letter, made a claim for copying instruments of \$6,193 08 additional. You desire to know if the County can be compelled to pay these charges, not having ordered the work to be done. You also desire to know if the accounts should not first be certified by the Inspector of Registry Offices, and if any decisions have been given for or against a County for such charges.

It was under S. 28 of the 29 Vic., Cap. 24 (see S. 30 of Stat. Ont., 31 Vic., Cap. 20) made the duty of the Registrar on or before 1 January, 1866, in a new book to be opened for the purpose and to be called the Abstract Index, to make certain entries therein mentioned. It was also made the duty of the Registrar, under S. 29 of the Act (see S. 31 of 31 Vic., Cap. 20) to keep an Alphabetical Index of names.

Besides, under S. 26 of the Act (see S. 23 of 31 Vic., Cap. 20) all Registrars who had received from another County, original memorials and statements of titles therewith were required, as soon as practicable after the passing of the Act to make full and complete copies of all such Memorials in proper books.

The Section of the Act which fixes the remuneration to be paid for such services, is the 68th (see S. 70 of 31 Vic., Cap. 20).

It by Sub-S. 7 allows 10 cents per folio for work done under S. 26 of the Act.

It by Suc-S. 8 provides that no fees shall be chargeable in respect of the Alphabetical Index, and that in no case shall the fees chargeable in respect of the Abstract Index exceed in the whole \$2,000.

It is then provided by S. 70 of the Act that if the County Treasurer refuse to pay the fees and allowances for any

services required by certain sections of the Act (omitting S. 28) that the Registrar might prove the same and recover the same and the costs thereof from the County, and that the Inspector's Certificate of the amount and of the services rendered, should be *prima facie* evidence of the legal right to recover.

In S. 72 of the 31 Vic., Cap 20 the reference to particular Sections is omitted, and the payment is allowed "for the duties performed according to this Act."

The only right which the Registrar has to remuneration for services performed is under S. 68 of 29 Vic., Cap. 24, and S. 70 of 31 Vic., Cap. 20.

The only obligation of the County, either at law or in equity, to pay for such services is under S. 70 of the 29 Vic., Cap. 24 and S. 72 of 31 Vic., Cap 20.

It is clear that for the Abstract Index the Registrar is entitled to no more than \$2,000. It is equally clear that for services performed under S. 26 of the first mentioned Act he is entitled to 10 cents per folio.

The obligation of the County is only to pay what the Registrar has a right to recover as remuneration for the Registrar performed services for which no remuneration is given by the Act, he must go without remuneration. If \$2,000 be an insufficient remuneration for the Abstract Index, he must go without all beyond \$2,000.

The Inspector's Certificate is not *per se* necessary to give him a right to demand and recover the remuneration to which he is entitled. But where the Certificate is obtained it is made "*prima facie* evidence of the right to recover." The Inspector is, as it were, made the taxing officer on whom is cast the duty of scrutinizing the items and fixing the amount; but his taxation is not made final.

The only case decided under these Acts of which we have any knowledge, is *Campbell vs. York and Peel*, reported in 26 N. C. Q. B. 635 and 27 N. C. Q. B. 138, but it has little or no bearing on the questions on which we have above given our opinion.

Yours truly,

PATERSON, HARRISON & PATERSON.

J. NO. C. KIRKPATRICK, Esq., Chippawa, Ont.

Fee \$10.

TORONTO, 13 Feb'y, 1871.

D. D'EVERARDO, Esq.,  
Registrar, Fonthill,

DEAR SIR,—

*Re The Registrar's Claim.*

Your favor of the 6th inst., enclosing Warden's cheque for \$10, our charge for opinion furnished to Mr. Kirkpatrick in above matter, duly came to hand. We had to transmit the cheque to Welland for collection, hence the delay in acknowledging receipt:

Thanking you for your attention;

We are,

Yours truly,

PATERSON, HARRISON & PATERSON.

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ACCOUNT--PATERSON, HARRISON & PATERSON:

JOHN C. KIRKPATRICK, Esq., Chippawa,

To PATERSON, HARRISON & PATERSON:

1870.

Dec. 29. To our fee for written Opinion as to liability of County to pay Registrar for services rendered ..... \$10

A remittance will oblige.

PATERSON, HARRISON & PATERSON.

TORONTO, January 10, 1871.

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TORONTO, January 9, 1871.

DEAR SIR,—

*Re Registrar's Claim.*

We are in receipt of your letter of the seventh, and have considered the matter therein referred to us. We think that the Corporation is not liable for more than \$2,000 00 for the making of the Abstract Indices, and that no more than that sum can be recovered from the Corporation either at law or equity.

ERSON.

The Act gives the Registrar the right to receive from the Treasurer the money to which he is entitled for these services without presenting any evidence of its performance. If the Corporation wish to raise that question it can be done only by instructing the Treasurer to refuse payment in which case the Registrar would be compelled to bring an action. Assuming that nothing has taken place except what is set forth in your letter, we think that you can receive back the amount overpaid to the Registrar, but before acting upon our advice in this respect, we should like to see any written demands for money made by the Registrar upon the Treasurer.

We think that the Council should not refer this matter to arbitration. We can see nothing to arbitrate about.

Yours truly,

BLAKE, KERR & BETHUNE.

JOHN C. KIRKPATRICK, ESQ., Chippawa.

Fee, \$20.

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Toronto, 21st January, 1871

*D'Everardo vs. County Welland,*

DEAR SIR:—

Mr. D'Everardo called upon us to-day and desired us to take proceedings on his behalf against the County of Welland. We explained to him that we had given an opinion to the County of Welland, and could not, therefore, act for him without first giving the County the opportunity of retaining us. Be good enough therefore to let us know as early as possible whether the County desires to retain us to act for them in the threatened litigation.

Yours truly,

BLAKE, KERR & BETHUNE.

JOHN C. KIRKPATRICK, ESQ., Chippawa, Ont.

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Treasurer's Office,  
Hamilton, Jan. 9th, 1871. }

DEAR SIR :

In reply to your note of the 6th current, I beg leave to inform you that the sum paid Mr. Greer under Sec. 26, new Registry Act, was \$2,277 62; and under Sec. 33, \$2,000, besides \$228 72 to the Registrars of Halton and Lincoln.

The money was paid by the advice of the County Solicitor:

I am, dear Sir,

Your humble servant,

JAS. KIRKPATRICK.

Treas. County Wentworth.

JNO. C. KIRKPATRICK, ESQ., Reeve, Chippawa,

County Treasurer's Office,  
Goderich, January 11th, 1871. }

J. C. KIRKPATRICK, ESQ.,  
Chippawa,

DEAR SIR :

Yours of the 6th inst., received. The amount paid to Registrar here for new Indices, &c., under Act of 1865, was \$2,130. The work at prices named in Statute exceeded the limit of \$2,000 named, and this sum, \$2,000, was paid to Mr. Galt, the late Registrar, but on his death the new Registrar found that the work had not been properly completed, and the Council paid \$130 for completing it; making in all \$2130.

Yours truly,

A. MCKAY,  
Treasurer.

Work done by Registrar of County Simcoe under Registry Act of March, 1865.

Abstracting 41,476 Memorials, many of which required abstracting from 50 to, say 250 times on account of their

embracing such a number of lots, making in all over 60,000 abstract entries.

For the above work, including all that the Act required to be done for the \$2,000, were paid and no more. For work done under section 26, \$459 were paid.

SAMUEL LOUNT,  
Deputy Registrar,

The above sums did not at all compensate for the amount of work done, and it is estimated that if the work had to be paid for at the ordinary rate of say \$500 per annum for clerks, it would have cost about \$12,000 or \$14,000.

*Payments made by Treasurer of County of Haldimand on Registrar Account.*

June 1867 .....	\$300 00
1868 .....	500 79½
1869 .....	500 00
1869 .....	463 00
1870 .....	500 00
	\$2,264 79½

REPORT

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**APPENDIX D,**

**MISCELLANEOUS,**

**REPORT OF THE PORT ROBINSON AND THOROLD  
MACADAMIZED COMPANY.**

*To the Warden and Councillors of the County of Welland, in  
Council assembled :*

**GENTLEMEN :**

*In pursuance of the Statute 16, Victoria, Chap 190, and Section  
56, the following Report of the Port Robinson and Thorold  
Macadamized Road Company up to the 31st of December, 1870,  
is respectfully submitted, viz :*

The amount of the Original Cost of the Work.....	\$20468,00
The amount of all Money expended up to above date.....	36022,73
The amount of Capital Stock subscribed.....	23920,00
The amount of Stock paid in.....	23115,00
The whole amount of Tolls expended on Road up to above date.....	4036,59½
The amount received during past year for Tolls....	440,00
The amount of sundry expenses paid during past year.....	94,85
The amount of Dividends paid in 1870, none....	00,00
The amount of Cash in hand of Treasurer up to the above date.....	498,65

Given under my hand and seal of the Corporation, this  
20th day of January, 1871, at Allanburgh.

**PHILIP S. MUSSEN, Secretary.**

WELLAND, January 27, 1871.

*To the Warden of the County of Welland :*

DEAR SIR :

I have a small account against the Welland Gaol for Stationery, purchased by Mr. C. Fallis, Jailor, through the order of M. Betts, Esq., Chairman of Gaol Committee, which will come before you for settlement this Session, and which I hope will be paid. Mr. Betts is away or he would testify to the correctness of the account.

Yours respectfully,

J. V. STRAWN.

