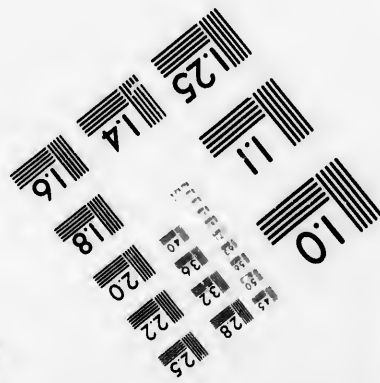
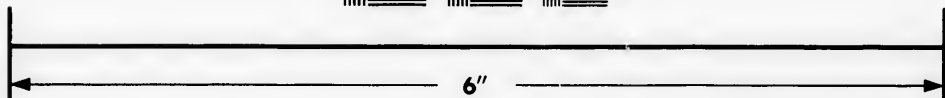
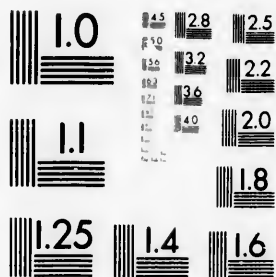


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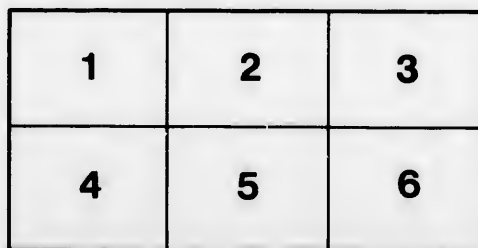
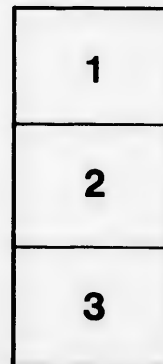
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ANOTHER APPEAL  
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INHABITANTS AND RATE-PAYERS  
OF THE UNITED COUNTIES OF  
NORTHUMBERLAND & DURHAM,  
BEING A CONTINUATION OF THE HISTORY OF THE  
PROCEEDINGS AND FINANCIAL TRANSACTIONS  
OF  
THE COUNTIES COUNCIL,  
FROM THE YEAR 1862 TO 1866.

---

BY JOHN STEELE.

---

*"I speak as unto wise men; judge ye what I say."*

TORONTO:  
GLOBE PRINTING COMPANY, 26 & 28 KING STREET EAST.  
1867.



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ANOTHER APPEAL  
TO THE  
INHABITANTS AND RATE-PAYERS  
OF THE UNITED COUNTIES OF  
**Northumberland and Durham.**

*"I speak as unto wise men: judge ye what I say."*

GENTLEMEN,—I had the honor, a few years ago, of addressing you regarding the proceedings and financial transactions of your representatives in the Counties Council, during the years 1859, 1860, 1861 and 1862, wherein I felt it to be an incumbent duty, as well as an imperative necessity, to record and expose their reckless career of prodigal extravagance, and illegal appropriations of the public money, amounting to between *six and seven thousand dollars*, for their own special use and benefit, and which they unlawfully and unwarrantably charged for mileage, and attending on special committees, &c., &c. All these, as well as many other serious offences and great wrongs, were committed and done by your representatives in the Council. In undertaking the rather ungracious task of exposing their gross mismanagement of the municipal affairs entrusted to their care, and scandalous misapplication of the public funds of these Counties, I assure you now, as I did then, it was from no ill-will or vindictive feeling that I entertained against them that they were called to account, and brought up in judgment before you. No: it was their shameful dereliction of public duty, their many and grievous wrong-doings, thereby abusing the trust and betraying the confidence you had so unsuspectingly reposed in them, that urgently prompted me to write and publish that pamphlet. The publication of that work has effected a great and beneficial change in the management of the municipal affairs of these Counties. It has been also the means, during the past four years, of stopping the payment of at least *five thousand dollars* of your money, which in all probability would have been illegally extorted from you by your representatives for mileage, and their still more illegal and unjustifiable appropriations of the public funds to pay the jobbing members of those '*special*' humbugs, denominated the "Quarter Sessions," "Gaol," and "Registry Office Committees;" and, peradventure, you would until now have remained in perfect ignorance of the scandalous proceedings and wasteful extravagance of your unfaithful representatives in the Counties Council, had they not been fully detailed and thoroughly exposed by the publication of my pamphlet, and to which I would now refer you, as a careful and unprejudiced perusal of it cannot fail to convince you that your representatives in the Counties Council, as a municipal corporation, have been guilty of many unlawful and reprehensible

acts, which have been most injurious to you, and very discreditable to them.

Permit me now to direct your earnest and particular attention to the following narrative of the proceedings, sayings and doings of the Counties Council, during the past three or four years; and wherein you will find much to astonish, interest and instruct you.

Previous to the meeting of the new Counties Council of 1863, the Council of 1862 were suddenly called upon by the Warden to assemble on Thursday, January 22nd, 1863, just five days before the organization of the new Council took place. The Council met accordingly, at the call of the Warden, E. S. Barmum, Esq. Besides the Warden, the other members of the Council present were Messrs. Benson, Bagley, Cock, Dorland, Davidson, Douglas, Ford, Jackson, Johnston (Robt.), Johnston (J. A.), McColl, Milne, Nichols, Pue, Power, Richmond, Rosevear, Russell, Stevenson, Squier, Swain, Scott (W. B.), Smart, Tice, Underwood, Wallbridge. The main and indeed the only reason for calling the Counties Council together so unexpectedly at this time, was on account of the Hon. G. S. Boulton having, as a rate-payer, entered a suit in Chancery against the Counties Council, for the recovery of the large sums of money illegally appropriated and taken by them for mileage, etc., etc. Well, after sitting in session for nearly two days, and with closed doors most of the time, the Council came to terms with Mr. Boulton,—they agreeing to give him everything he wanted or asked from them! The conditions of this Bargain and Sale between the Counties Council and Mr. Boulton were as follows:—The Council agreed to lease the Registry Office in Colbourn, belonging to and occupied by Mr. Boulton, for a term of five years, they paying him \$100 yearly rent for the same. Mr. Boulton cancelled a bond for \$3000 that he held against these Counties, for the erection of a Registry Office on the land proposed to be given by him to the Counties; so—amazing to tell—that after negotiating with Mr. Boulton for more than two years, and squandering away at least (\$1400) *one thousand and four hundred dollars* in purchasing a new site never to be used, paying the “Registry Office” Special Committees their enormous and illegal charges, besides law costs, and paying Mr. Rettalick \$50 for giving up a contract he had with the Counties Council for building a new Registry Office. All this large sum of \$1400 might have been saved to the Counties, had your representatives in the Council only done their duty faithfully and honestly. When Mr. Boulton got the Counties Council to settle in the way and manner as stated above, he agreed to withdraw the suit he had filed in Chancery against them, by their paying the costs incurred, amounting (if I am rightly informed) to \$348, at their own personal expense, each member of the Council paying an equal share of the whole amount.

This compromise between Mr. Boulton and the Counties Council by no means exonerated them from the liability of paying back the thousands of dollars of the public money they had been for a number of years unwarrantably and illegally appropriating and unjustly paying themselves for mileage, etc., etc., etc. Although Mr. Boulton thought it proper and expedient, after getting all he wanted from the Council, to withdraw his suit in Chancery against them, yet, nevertheless, having sued them on behalf of himself and all other the rate-payers of Northumberland and Durham, the Bill filed in Chancery by him can be prosecuted by any other of the rate-payers of these Counties, and strict and impartial justice

demands it to be the duty and prompt action of the rate-payers to institute legal proceedings against all those of their representatives in the Counties Council composing the same in the years 1860, 1861, and 1862, and compel them to return all the money to the Counties Treasury which they had unlawfully appropriated and unjustifiably taken from the County funds during these three years, and which was neither authorized by law nor sanctioned by justice.

The following is a true copy of the bill filed by Mr. Boulton against the Counties Council of 1862. The said Bill was filed by George D'Arcy Boulton, Esq., the plaintiff's solicitor, December 31st, 1862.

[COPY.]

“ IN CHANCERY,

“ BETWEEN the Honourable George Strange Boulton, who  
“ sues on behalf of himself and all other the rate-payers of the United  
“ Counties of Northumberland and Durham,

“ PLAINTIFF,

“ AND

“ James Benson, Benjamin Jackson, Andrew M. Dorland, Sylvester  
“ Richmond, John McColl, the younger, George Tice, John S. Bagley,  
“ Walton Stevenson, Robert Pue, Charles R. Ford, Henry Squier, Robert  
“ Johnston, John Rosevear, John Swain, John Burn, Robert B. Spinks,  
“ John Milne, Asa F. Wallbridge, Edward G. Power, Charles Nichols,  
“ Eliakim Smith Barnum, George S. Burrell, Simon Davidson, Warren  
“ Scott, Robert Cook, Alexander Douglas, Thomas Underwood, Robert  
“ Gardiner, William H. Russell, James A. Johnston, George Smart,  
“ Walter B. Scott, and the Corporation of the United Counties of North-  
“ umberland and Durham,

“ DEFENDANTS.

“ TOWN OF COBourg :

“ To the Honourable Philip Mathew Scott Vankoughnet, Chancellor  
“ of Upper Canada :

“ The Bill of complaint of your Orator, the Honourable George Strange  
“ Boulton, of the Town of Cobourg, in the County of Northumberland,  
“ Esquire, who sues on behalf of himself and all other the rate-payers of  
“ the United Counties of Northumberland and Durham, except such of  
“ the defendants as are such rate-payers,

“ HUMBLY SHOWETH :

1.—“ Your Orator is a resident inhabitant of the Town of Cobourg  
“ aforesaid, and a rate-payer of the said United Counties of Northumber-  
“ land and Durham.

2.—“ The defendants, other than the Corporation of the said United  
“ Counties of Northumberland and Durham, now are and have been for  
“ the past year members of and constituted the Counties Council of the  
“ said United Counties of Northumberland and Durham, and of which  
“ Council the said defendant Barnum is Warden, and as members of the  
“ said Council the said last named defendants are Trustees of the funds  
“ of the said Corporation for applying the same to the several purposes  
“ required by law, and have control over the affairs of the said Corpora-  
“ tion.

3.—“ The said last named defendants have committed divers breaches  
“ of trust in managing the affairs of the said Corporation and in misap-

“plying the funds thereof, and devoting them to purposes authorized not  
 “by law, and they have by their wilful neglect and inprovidence wasted  
 “large sums of money belonging to the said Corporation, which by judi-  
 “cious and careful management might have been saved.

4.—“The said last named defendants have illegally exacted and ap-  
 “propriated to their own purposes large sums of the said Corporation’s  
 “moneys, amongst other things in charging and receiving out of the funds  
 “of the said Corporation large sums for mileage in going to and returning  
 “from the meetings of the said Council, also in charging and receiving  
 “out of the said funds, in addition to the said mileage, large sums for their  
 “attendance at times when the said Council is not in session, as members  
 “of Special Committees of the said Council, and also for their attendance  
 “at the Quarter Sessions as *ex-officio* Magistrates.

5.—“The said last named defendants have also improperly re-  
 “ceived and appropriated to their own uses and purposes other large sums  
 “of the said Corporation funds.

6.—“The moneys which the said last named defendants have thus im-  
 “properly received amount in the aggregate to a very large sum of  
 “money, and your Orator submits that the said last named defendants  
 “should be ordered to refund the same to the said Corporation.

7.—“Your Orator has requested the said defendants to refund the said  
 “moneys so received by them to the said Corporation, but they have re-  
 “fused, and still do refuse so to do.

8.—“Your Orator has applied to the said last named defendants to  
 “allow a Bill to be filed in the name of the said Corporation; but they  
 “have refused so to do, and your Orator has in consequence been com-  
 “pelled to file a Bill in his own name.

“Your Orator therefore prays,

1.—“That an account may be taken of all sums misapplied by the  
 “said defendants, and also of all sums improperly and illegally received  
 “by the said defendants as above mentioned, and that the said defend-  
 “ants may be ordered to refund and repay the same to the said Corpora-  
 “tion.

2.—“That the said defendants, other than the said Corporation of  
 “Northumberland and Durham, may be ordered to pay the costs of this  
 “suit.

3.—“For these purposes that all proper directions may be given and  
 “accounts taken.

4.—“That your Orator may have such further and other relief as may  
 “seem meet.

“And your Orator will ever pray, &c., &c.

(Signed)

“G. D’ARCY BOULTON.”

It will be well to remark here that only the names of the members  
 who composed the Counties Council in 1862 are mentioned in the above  
 Bill; but notwithstanding, all those Reeves and Deputy Reeves who  
 served in, and attended the Counties Council in 1860 and 1861, are all  
 equally amenable to the law, and liable to be sued and compelled to re-  
 turn the large sums of money they received for their unwarrantable and  
 illegally charged mileage fees; as well as those members of the Gaol,  
 Registry Office, and Quarter Sessions “Special Committees,” who un-  
 lawfully exacted and unjustly received large sums of the public money  
 for their alleged services and attendance on such Committees. On re-

ferring to pages 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 49, 51, 52, 53, 54, 56, 57, 61, 62 and 63 of my pamphlet, you will find complete statements of all the names of the Reeves and Deputy Reeves who served in the Counties Council during the years 1860, 1861 and 1862, also the amount of money they each received for mileage, as well as the amount of moneys they illegally received as members of the "Gaol, Registry Office, and Quarter Sessions Special Committees."

Mr. W. H. Russell, the late Deputy Reeve of the Township of Cavan, honourably and promptly returned \$33 60 to the Counties Treasurer, that amount being for mileage fees paid him for attending the Counties Council in 1862; and Mr. R. B. Spinks, Reeve of the Township of Cartwright, refunded \$56 40, March 16th, 1863, that amount being for mileage fees unlawfully allowed, and unjustly taken by him for attending the Counties Council in 1862; but on examining the Treasurer's accounts and minutes of the Council of the December Session of 1864, we find that through the recommendation of the Finance Committee (and of which Mr. Spinks was a member at the time), the Treasurer paid him the \$56 40 on the 19th December, 1864, which he had *honestly* returned to the Treasury in March, 1863. Seeing that Mr. Spinks had got back his unlawful mileage fees for 1862, the friends of Mr. Russell in the Council very naturally supposed that he had as good a right as Mr. Spinks to get back the money he had refunded to the public Treasury, his mileage fees got for his attendance and services in the Council of 1862. At the December session of the Counties Council in 1865, the following Resolution was put in:—

1384.—"Moved by Mr. Thorn, seconded by Mr. Swain—'That an order be given upon the Treasurer for the sum of \$33 60, in favor of Mr. Russell, for moneys paid by him into the Treasurer's hands in '1863.' *Lost*—upon the following division:—

"YEAS—Messrs. Bragg, Campbell, Johnston, (Robert) Swain, Spinks, Thorn, Wilnot.—7.

"NAYS—Messrs. Algar, Burk, Benson, Beatty, Clark, Douglas, Fisher, Ferris, Johnston, J. A., Lavis, Lovekin, Webb, Washington.—13."

It may be noted here, that when the above vote was taken there were twelve members of the Council, including the Warden, absent, or who did not vote; but nevertheless, we do candidly think that the Council acted wisely and properly by refusing to order the refunding of the money to Mr. Russell, which he had illegally gotten as mileage fees for attending the Counties Council in 1862 and it was very unwise and unjust in them to return the money to Mr. Spinks, when he and all the other members of the Council of 1862, knew perfectly well that they had unlawfully appropriated and unwarrantably taken excessive and unauthorized large sums of money for mileage, &c., &c., &c., which they had no more legal right or just claim to take than if they had been City Aldermen or Town Councillors. Many months may not elapse, when all those members of the Counties Council named in Mr. Boulton's Bill will have deep cause to regret that they did not imitate Mr. Russell's upright conduct, and follow his honourable example by paying back to the County Treasury all the money they have unlawfully appropriated to pay themselves for mileage, &c., &c., &c., which was contrary to law, justice and reason, and they may rest assured that there are many rate-payers in these United Counties prepared to commence legal proceedings against them, as well as those Reeves and Deputy Reeves who were members of

#### BOULTON."

the members in the above Reeves who 1861, are all compelled to errantable and es," who unpublic money ftees. On re-

the Counties Council in 1860 and 1861, and compel them to return the large sums of money they have unwarrantably and unjustifiably taken from the public funds; had they returned that money, they would have done honour to themselves, and justice to you, their much abused and deeply wronged constituents. We would, even at this late period, earnestly recommend one and all of them to lose no time in returning the money they have taken for mileage, &c., &c., &c., to the Counties Treasurer; by doing so they will save heavy costs, and redeem their public character from merited obloquy and just reproach.

It may be noted here, that the large sums of money which the members of the Counties Council have illegally appropriated and unlawfully taken for mileage, and also as members of the Quarter Sessions, Gaol and Registry Office Special Committees, as well as for all other extra services rendered by them while out of session, and for which they have been unlawfully allowed and unjustifiably paid in the course of three years, viz.:—in 1860, 1861, and 1862,—cannot, at the lowest calculation, be estimated at a less sum than *five thousand five hundred and fifty dollars!!!*

In corroboration of the correctness of the foregoing remarks regarding the liability of the members of the Counties Council to pay costs, and return to the Treasury the large sums of money they have illegally taken for mileage, &c., &c., &c.,—the following important decisions, in the Court of Queen's Bench and the Court of Chancery, cannot fail to convince you that the Counties Council had no power, legal right, or authority whatever, to vote themselves, or take any more money for their remuneration, than the statutory allowance of \$1 50 per day, for each day's necessary attendance at the ordinary sessions of the Council. In the legal columns of the *Globe* of 13th September last, we find the following important case, in the Court of Queen's Bench, thus reported:—

“*In Re Blakie* and the Corporation of the Township of Hamilton—  
“Municipal Law—Councillor's pay.

“Mr. Hector Cameron obtained a rule during last term to quash a by-law  
“of this Township, passed on the 8th of January, 1866, by which an allow-  
“ance of \$20 for services as Councillor, and \$10 for services in reference to  
“road contracts, was granted to each Councillor for the previous year, on  
“the ground that such allowance was illegal and beyond the powers of the  
“Council. The rule was enlarged until this Term, when Mr. Christopher  
“Patterson showed cause, and contended that as the Council had the  
“power, under the Municipal Act, to pass a by-law fixing the rate of pay  
“not exceeding \$1 50 for each day's attendance at the sessions of the  
“Council, the allowance of \$20 a year could be sustained, even if that  
“of \$10 was illegal. The Court, however, after argument, quashed the  
“by-law as illegal, with costs, holding that the authority given by the  
“Municipal Act to the Council to pay public money to themselves must  
“be strictly followed, and that they can only pay to themselves compen-  
“sation at the rate not exceeding \$1 50 per day for each day's necessary  
“attendance at the ordinary session of the Council.”

The following judgment, regarding the above case, was given in the Court of Chancery, by Vice-Chancellor Mowat, on Monday, the 7th January last:—

“*BLAKIE VS. STAPLES*.—Decree for plaintiff, with costs—if reference  
“required, costs of it to be reserved. This suit involved a question of  
“the power of members of a Municipal Corporation to vote themselves

"pay. Held that such payment was illegal as to any excess voted themselves over statutory allowance, and wholly so as to a sum voted themselves as road superintendents."

I believe I am correct in stating that there are several other Municipal Corporations in these United Counties, besides that of the Township of Hamilton, whose Councillors are open to the charge of having illegally voted for, and taken considerable large sums of money for their own use, which they had no right to do; thereby making themselves equally amenable to the law with the Councillors of Hamilton to pay costs, and return the money they have unlawfully taken in excess for their attendance in the Council, or for any extra services performed by them out of session; either as road superintendents, inspectors of public buildings, or letting out contracts for jobs of any kind, required to be done within the limits of their respective Municipalities. It remains, then, with the rate-payers of such Municipalities, if they should think proper, to make the necessary enquiries regarding these matters; and I have not the least doubt, that after a strict investigation of the accounts and books of the Treasurers and Clerks of several Townships within these Counties, (but whose names or localities I do not care at present to designate or mention), that they will find abundant evidence to convince them that their Councillors in many instances have illegally appropriated much larger sums of money for themselves than the Councillors of the Municipal Corporation of the Township of Hamilton, who have been brought up before the Courts of Justice and Equity, and sentenced to pay heavy costs, and return the money they had illegally taken for their services as road superintendents, &c., &c., &c.

The *Leader* of the 21st February contains the following legal intelligence, which further confirms what I have stated regarding the liability of Councillors to pay costs, and refund moneys they may have taken for extra services rendered by them when out of session, or otherwise, as the case may be:—

(Before Vice-Chancellor Spragge.)

"ST. VINCENT vs. GRIER.—This case was heard at Barrie last May, before Vice-Chancellor Spragge. The bill was filed against James Grier, who was at one time Reeve and Councillor of St. Vincent, and was to compel him to account for money he had collected or received whilst he was Reeve and Councillor—also to make him refund money which had been paid to him for extra services for the Township, and also for gratuities which had been voted to him by the Council, which he alleged were given him without his interference, without using an influence over the Council. The defendant also claimed the protection of the audit. The learned Judge was of opinion that the audit could not protect him from an account. *That he was obliged to account. That he was not entitled to anything for extra services, and must refund the money paid to him for extra services with the gratuities. Ordered to pay costs of writ.*

"Mr. Roaf, Q. C., and Mr. Hoskin for plaintiff.

"Mr. Strong, Q. C., and Mr. D. McCarthy for defendant."

The Counties Council of 1863, at its first meeting in January, petitioned the Legislature that the Municipal Law may be so altered as to allow the Council of every County to pass by-laws authorizing a fair and reasonable remuneration to the Reeves and Deputy Reeves for their at-

tendance in the Council, and for mileage in going to and returning therefrom. This is all very well and good, so far; but it is much to be regretted and wondered at that the Council had not long before that time petitioned the Legislature to allow them a more adequate remuneration than *one dollar and fifty cents per diem*, which the law only allowed them to take for their necessary attendance in the Council. While petitioning the Legislature for the future better remuneration of Reeves and Deputy Reeves, the Council went a step further, and asked the Legislature to allow them to pass a by-law to *indemnify the Members of the Council*, who, for the past four years, had been illegally exacting and unjustly receiving the *unreasonably large sum of thirty cents* for each and every mile they travelled to and from the Counties Council, besides getting the \$1 50 per diem the law allowed them for every day they attended. Considering all the aggravating circumstances of this case, and combined and connected with the still more reprehensible transactions of the Counties Council to effect the mean and dishonest purpose of evading the payment of the Municipal Loan Fund debt justly due by these Counties to the Government, it is neither very likely or probable that either the Legislature or the Government will ever grant or sanction the *Act of Indemnity* desired and prayed for by the United Counties Council of Northumberland and Durham.

The indebtedness of these Counties to the Municipal Loan Fund has been erroneously alleged as being the primary cause of all the financial embarrassments and pecuniary difficulties in which the Counties Council have been involved for many years. We unhesitatingly deny this unfounded assertion, and boldly affirm that it was the gross mismanagement, prodigal extravagance, and illegal proceedings of the Counties Council during the years 1860, 1861 and 1862 that caused and brought about the embarrassed and bankrupt state of the Counties' funds; and which has placed the once highly respectable and influential Counties of Northumberland and Durham in a most degraded and humiliating position before the world. All this has become matter of history; and by referring to, and carefully perusing my publication, the intelligent reader will soon discover and readily comprehend the true cause of this deplorable state of things, brought on through the reckless conduct, bad management, and most disreputable acts of some of the leading members of the Counties Council, who have not only grievously wronged you, their constituents, but they also have irreparably injured themselves, at least so far as their future public career and prospects may be concerned.

Ever since 1860, the Counties Council have, under one pretext or another, been striving to evade the payment of the Municipal Loan Fund debt; but it was not until the Council met on the 18th of November, 1862, pursuant to a call of the Warden, E. S. Barnum, Esq., that they resolved to repudiate or evade the payment of the interest due on the Municipal Loan Fund debt. The Warden addressed the Council on the subject as follows:—"Gentlemen,—I have called you together at a season somewhat earlier than what has hitherto been the custom, in order that the business of the Counties might at the earliest possible period receive the benefit of your care and attention. From facts which have come to my knowledge, I am under the impression that funds will not be forthcoming from the several Municipalities comprising these Counties to meet our liabilities to the Government. I need hardly remind you, should this be the case, that under the amended Municipal Act, restrictions will be placed upon your Treasurer, and in consequence the busi-



"ness of the Counties will be seriously impeded and embarrassed. Should this emergency unfortunately arise, I look, Gentlemen, to you with confidence, to devise the means whereby the interests of the Counties may be protected, and their well-established credit fully maintained."

The Warden called in vain upon his colleagues in the Counties Council to "devise the means whereby the interests of the Counties may be protected, and their well established credit fully maintained." Instead of doing so, the Council unscrupulously "devised the means" of sacrificing the interests and seriously injuring the credit of the Counties. The following extracts from the report of the Finance Committee, and Resolution No. 1192, passed by the Council, in accordance with the very unwise recommendation and illegal advice of the Committee, will explain in some measure the kind of means devised and used by the Council, and which brought about the alarming and ruinous condition of their financial affairs.

"With regard to the position in which the Treasurer of these Counties is likely to be placed after the first day of December, your Committee earnestly recommend that certain Municipalities pay into the hands of the Treasurer their County Rates with as little delay as possible, in order that the immediate liabilities of the Counties may be promptly met.

"We would also recommend that any Municipality that may be in arrears after the said first day of December be empowered to pay any authenticated or certified claim against the Counties, such as orders on the Treasurer, pay-lists of Jurors and of Councillors, and the like, which may be presented to them, or either of them, or to their respective Treasurers; and we advise that a Resolution be passed by you to receive the vouchers that may be held by any Municipality, or the Treasurer thereof, for accounts or claims so paid, in lieu of money for the County Rate for the current year.

"JOHN MILNE, *Chairman*,

"JOHN ROSEVEAR,

"ROBERT JOHNSON,

"C. R. FORD,

"W. H. RUSSELL,

"B. JACKSON.

"(Signed)

"1192. Moved by Mr. Milne, seconded by Mr. Jackson,—That any Municipality in arrear for County Rates paying any order on the Treasurer, or any pay-list of Jurors or Councillors, or other authenticated documents showing a debt due by the Counties, this Council agree to receive such voucher in lieu of money on account of County Rates due to Municipalities for the current year.—Carried."

In adopting the report, and following the pernicious advice of the Finance Committee, the Council committed a great and fatal error; and carrying out their illegal and obnoxious Resolution, they have done infinite mischief and incalculable injury.

In consequence of carrying out the provisions of Resolution No. 1192, the Treasurer of these Counties did not receive nor pay out any money from the County or any other Rate from the first of December, 1862, until the fourteenth of November, 1863; and it was more than nine months before he, as the Counties Treasurer, paid any money on account of orders from the Counties Council and Quarter Sessions, as specially provided for and imperatively required of him by the law to do. The

Counties] Council, however, are alone responsible and wholly to blame in this matter, by carrying into effect their iniquitous and foolish scheme of evading the payment of the Municipal Loan Fund debt, through the baneful influence and unlawful operations of their 'pestilent Resolution, No. 1192.

Every Treasurer, Collector, or other Municipal functionary, and every member of the Municipal Council in each and every one of the minor Municipalities, who have neglected or refused to perform or concur in performing any official act for the collection of the Municipal Loan Fund and Gravelled Road Rates, or being a party to the misapplication of the proceeds thereof, have made themselves amenable to the law, and are guilty of a misdemeanour; and they and their sureties are personally liable for the money which, by reason of their neglect, refusal or misapplication, has not been paid to the Receiver General of the Province, at the time specified and required by the Municipal Loan Fund Act.

The Public Accounts audited and passed at the December Quarter Sessions of 1862 amounted to \$989.84, which was to pay the Sheriff, Clerk of the Peace, Constables, Pay-Lists of Grand and Petit Juries, etc., etc. Instead of the Counties Treasurer paying these Accounts in the way and manner which the law specially provides, directs and requires him to do, Mr. Roseyear, the Reeve of the Township of Hope, attended at the County Clerk's office, and acted as Treasurer on the occasion, and paid the \$989.84 to the above mentioned parties, out of the money that should have been deposited with the Counties Treasurer, and appropriated to pay a portion of the Municipal Loan Fund debt then due, the Pay-Lists of County Councillors attending the January and June Sessions of the Counties Council, the Pay-Lists of Jurors, Constables, &c., attending the Assizes, Quarter Sessions in March and June, as well as the Accounts audited and passed at the March and June Quarter Sessions of 1863. These Accounts, together with the Sheriff's fees, Clerk of the Peace, and many other charges against the Counties Council for the administration of justice, etc., etc., etc, amounting in all to several thousand dollars, were illegally appropriated and improperly paid out by those not required nor legally authorized by the law to do so; and by doing that, they have made themselves liable to suffer the penalties of the law, which may yet bring them to grief, and which they might easily have shunned, had they acted prudently and uprightly while discharging the various duties respectively assigned to them, as members of Township or County Councils, Collectors, Treasurers and Clerks of minor Municipalities within and belonging to the United Counties of Northumberland and Durham.

The following extracts from the Consolidated Statutes point out how the Accounts audited at the Quarter Sessions are to be passed and certified, and by whom paid:—

“At the adjournment of each Court of Quarter Sessions the Clerk of the Peace shall furnish the Treasurer with a list of the orders passed during such Session, according to their priority, and the Treasurer shall pay such orders according to their respective number. That it shall *not be lawful* for the Magistrates of any County to order and direct the payment of any sum of money by the Treasurer of such County, unless it shall appear by the examination of the Treasurer's accounts that there are sufficient funds in his hands to meet the payment of such order; and that if any such order be made contrary to the provisions thereof, the person or persons in whose favour such order shall be made shall be

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“entitled to recover the same against the Magistrates who shall have sanc-  
“tioned such order, in any action to be brought for that purpose, as so  
“much money had and received to his use and benefit.”

143.—“Every Sheriff shall make a Pay-list for the Petit Jurors sum-  
“moned to attend the Courts of Assize and Nisi Prius, Oyer and Ter-  
“miner, and General Quarter Sessions of the Peace, certify and return the  
“said Pay-list to the Treasurer of the County.”

144.—“The said Pay-list, checked and certified as aforesaid, shall be  
“sufficient authority to the Treasurer to pay to such Petit Jurors the sum,  
“as certified by such list, and the Treasurer shall forthwith pay every  
“such Juror the sum so appearing due to him on such list.”

“The Treasurer of every County shall, without any further authority,  
“pay the amount of the fees which are payable out of the County funds,  
“when duly allowed by the Magistrates in Quarter Sessions assembled, as  
“in the order prescribed by law, for the payment of the expenses of the ad-  
“ministration of Justice, that is to say after the expenses of levying and  
“collecting, and managing the rates and taxes imposed on any County  
“are paid;—all sums of money payable to the Sheriff, Coroner, Gaoler,  
“Surgeon of the County Gaol, or to any other officer or person, for the  
“support, care or safe keeping of the prisoners, or for the repairing and  
“maintaining of the Court House or Gaol, or for any other purpose what-  
“ever connected with the administration of Justice within the County,  
“shall be paid out of the County funds by the Treasurer, before, and  
“when not otherwise provided by law, in preference to all other charges.”  
—8 V., C. 38, 22 V., C. 15, S. 2, No. 3, 1859.

It will be seen from the foregoing extracts that the law expressly en-  
joins, and specially provides that the County Treasurer alone, and no one  
else, shall pay all orders given by the Court of Quarter Sessions, Pay-lists  
of Jurors, checked and certified by the Sheriff, and all sums of money  
payable to the Clerk of the Peace, Sheriff, Coroners, Constables, Gaoler,  
Surgeon of the Gaol, &c., &c., &c. It is also enacted “that it shall not be  
“lawful for the Magistrates of any County to order and direct the payment  
“of any sum of money by the Treasurer of such County, unless it shall ap-  
“pear by the Treasurer’s accounts that there are sufficient funds to meet the  
“payment of such orders.” Now, it so happened that when the Magistrates  
audited and passed the Public Accounts in the Court of Quarter Sessions,  
held in December, 1862, and in the months of March and June, 1863,  
that the Treasurer of these United Counties had no funds whatever in his  
hands to meet the payment of the orders made and given on him by the  
Magistrates. I am apprehensive that those Magistrates who attended the  
Court of Quarter Sessions in December, 1862, and in March and June,  
1863, and who then and there audited and passed the Accounts, and gave  
orders on the Counties Treasurer for their payment, have thereby made  
themselves amenable to the law, and are liable to suffer the pains and  
penalties it inflicts upon those who violate its principles and disobey its  
precepts.

When the new Counties Council of 1863 was organized, they found  
the financial affairs of the Corporation in a most unsatisfactory and almost  
hopeless condition, which was brought on by the extreme bad manage-  
ment, wasteful extravagance, and illegal acts of their predecessors in office,  
and which required all their collective wisdom and united energies to  
grapple with and overcome the heavy pecuniary embarrassments, as well  
as to encounter very serious legal difficulties, arising from the reckless

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conduct and dishonest schemes of the Council of 1862 to evade the payment of, and defraud the Government of the money due for, interest on the Municipal Loan Fund debt, thereby setting the law of the land at complete defiance, and totally disregarding its most sacred obligations.

The following extracts from the Address of the Warden, H. Squier, Esq., will give you some idea of the deranged state of the financial affairs of these Counties; and will also show you that the Treasurer's Accounts were in a most confused and unsatisfactory condition, owing to the carrying out the pernicious principles and unlawful provisions of Resolution No. 1192. The Warden's Address was delivered 10th November, 1863:

"At the close of the last session of this Council it was thought that ample provision had been made for meeting any exigency that might arise in the ordinary business of the Counties, and to enable me to manage the important interests entrusted to my care till near the close of the year; but circumstances have since arisen, and events are likely to transpire, which demand your careful consideration, the importance of which I think demands your united efforts to bring them to a successful issue.

"It will be your duty to adopt some means by which this Council will be relieved from the *accumulating difficulties* arising from the *dis-arrangement of the finances of the Counties, as well as the unsatisfactory position in which this Council has placed the accounts legitimately belonging to the Counties Treasurer.*

"I have had frequent interviews with the Treasurer relating to the indebtedness to the Municipal Loan Fund, and the necessity of obtaining immediate relief from the restrictions imposed by the Municipal Loan Fund Act, and it was deemed advisable to write to the Government requesting the liberty to allow our Treasurer to go on with the ordinary business of the Counties till we were in a position to meet the wishes of the Government. I did so, but without any satisfactory result. The reply of the Minister of Finance will be laid before you.

"In carrying out the instructions given by you, I have been obliged to negotiate for funds to meet the current expenses, amounting to something over three thousand dollars, and by the prompt and cheerful cooperation of the Treasurer funds were obtained from the Bank of Toronto, which require to be repaid on the 21st, 24th and 29th instant; for which I trust you will make the necessary provision.

"The Treasurer has furnished me with a statement showing the indebtedness of each Municipality (as they appear on his books), amounting in the aggregate to forty-two thousand eight hundred and thirty-six dollars, which though correct in itself, *places each Municipality in a false position before the country, and at the same time the minor Municipalities may have paid all demands made against them, and for which they hold vouchers, while the Treasurer's books show them to be largely in arrears for amounts which they have actually paid without the knowledge of the Treasurer,* thus producing confusion and disorder in the accounts of the Counties, which I fear the Auditors of 1864 will find difficult to adjust. This unsatisfactory state of things ought not any longer to exist, and I cannot but express my confidence in your ability to deal with this matter and to place your Treasurer in a position more satisfactory to himself, and the accounts and finances less embarrassing to this Council."

I would now direct your attention to the sham resignation of the

Hon. A. A. Burnham, as Treasurer of the United Counties of Northumberland and Durham, and the bogus appointment of Mr. E. A. McNaughton, the Counties Clerk, as his successor in office. This extraordinary and marvellously strange event took place at the November session of the Counties Council, held in 1863. The chief, and indeed the only cause of Mr. Burnham's resignation, was the mean and dishonourable conduct of the Counties Council in striving to evade the payment of the interest due to the Government for the money borrowed from the Municipal Loan Fund.

An attempt was made, as will be seen by the following Resolution, to place the Treasurer in a more satisfactory position, and to have his business more properly and satisfactorily transacted:—

“Moved by Mr. Fisher, seconded by Mr. Tucker,—That in the event of no satisfactory answer being received from the Finance Minister in answer to a telegram from the Warden, relating to the interest on the Municipal Loan Fund Debt due by these Counties, and should this Council fail to come to any satisfactory way of placing our Treasurer in a proper position to transact the business of his office, that the following gentlemen form a Special Committee to confer with him, *and devise some scheme* that the business of Treasurer may be properly transacted, and that Mr. McLeod, the Warden, Mr. Swain and the mover, be such a Committee. Carried.”

Well, the Special Committee so appointed met and conferred with the Treasurer, and the *scheme they devised* to have the “business of the Treasurer *properly transacted*,” was this;—that Mr. Burnham should temporarily resign his office of Treasurer, while Mr. E. A. McNaughton, the Counties Clerk, (an individual of whom the Warden said, “that he is *always ready to meet the wishes of the Council, and to discharge any duty, however responsible or intricate*,”) was nominally appointed Counties Treasurer instead of Mr. Burnham, until the much-dreaded ides of December had passed away; and thereby, through a mean dodge and a contemptible shuffle, the payment of the Municipal Loan Fund Debt was dishonestly and shamefully evaded for a brief period. The following extracts from the minutes of the Council tell how the solemn farce of accepting the mock resignation of the Treasurer, and appointing another in his stead, was enacted and carried out by the Counties Council.

“Moved by Mr. Fisher, seconded by Mr. Benson, and *Resolved*—“That the resignation of A. A. Burnham, as Counties Treasurer, be accepted.” Carried upon the following division:—

“YEAS—Messrs. Algar, Benson, Bagley, D. C. Clark, Douglas, Dorland, Fisher, McColl, Pettit, Spinks, Scott, Stephens, Turnbull, Walker. —14.

“NAYS—Messrs. J. Clark, Cock, McLeod, Power, Wallbridge.—5.

“Mr. Fisher brought up his By-law for the appointing of Counties Treasurer. Read three times and passed.

“Moved by Mr. Fisher, seconded by Mr. Pettit, and *Resolved*—That “the Treasurer be required to furnish the necessary bonds for the due fulfilment of his office, to be approved by the Warden.”

It may be stated here, that Mr. Burnham's resignation was not brought before the Council until Saturday, the last day of the session, when a number of the Council had gone home, and there were only nineteen members besides the Warden present when the resignation of the Treasurer was accepted; and had all the members of the Council been

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present on this momentous occasion, it is very doubtful whether such a scandalous and disreputable measure would have been adopted or carried by them. After Mr. Burnham had formally resigned his office as Counties Treasurer, and Mr. McNaughton, appointed in his place;—Mr. Burnham did all the duties of the Treasurer, by receiving and paying out the County funds from the 16th of November, 1863, until the meeting of the new Council in Jan. 1864, when he was re-appointed and regularly installed into office, as Treasurer of the United Counties of Northumberland and Durham. These extraordinary proceedings startled many, and created no small degree of astonishment and surprise at the time they were consummated; and so far as Mr. Burnham is concerned in the matter, it is much to be regretted that a gentleman of his high standing and position in life should be more than suspected of having connived with the Counties Council to evade the payment of the Municipal Loan Fund Debt. Had he not accepted the Treasurership so shortly after his resignation, it would have redounded more to his honor, and saved him many unpleasant and bitter reflections.

At the opening of the December session of the Counties Council, in 1863, the Warden, in addressing the Council, stated as follows:—

“At the commencement of this year you entered upon the duties assigned you under the most unfavorable circumstances. *The Treasury was closed against you, and the finances of the Counties were in the most embarrassing and unsatisfactory position—a position unparalleled in the history of these Counties; but I am happy to say that the financial arrangements entered into by you have afforded temporary relief, and I have no doubt will materially aid in finally accomplishing the object you had in view when you adopted the measures which so far have been successful, if not in removing the causes which have involved the Council in these difficulties, will at least place you in an equally favorable position with other Municipalities (?)* I have repeatedly called your attention to the necessity of discharging your liabilities to the Municipal Loan Fund, and hope you will not overlook the necessity of being prepared to meet the amount, whatever may be the arrangements made by you for the final adjustment of this important matter.”

The Special Committee appointed to reply to the Warden's address replied to the above paragraph of it as follows:—

“Your Committee cannot but call to mind the very unsatisfactory position of the Finances at the commencement of the year, but are happy to learn that the recent action taken thereon has been the means of opening the Treasury, affording relief, if not permanent, at least sufficient to carry on the ordinary business of the Counties, *leaving us in no worse position than many other Municipalities?*”

“*Your Committee are fully impressed with the necessity of providing the necessary funds to meet our indebtedness to the Government, and would earnestly urge upon the respective members of this Council to use their influence in their several Municipalities to place themselves in a proper position with these Counties, in order that all demands that may be made by the Government for interest due them may be satisfied.*”

At the commencement of the January session of the Counties' Council of 1864, the Warden, John Fisher, Esq., in his opening address referred to the accumulating indebtedness of these Counties to the Municipal Loan Fund, in the following terms:—“I beg to call your attention to the fact that we are now in arrears to the Government at least two

"years' interest upon the amount borrowed by the Counties, and although the Warden has from time to time heretofore urged the necessity of placing the Counties in a right position in this matter, yet from action taken at different times by the Council, *it is plain to see that the majority of the members* heretofore felt that whilst other Municipalities which had borrowed from the Municipal Loan Fund were not paying the interest due by them, and if the same practice was to continue for any length of time, we would not only be paying our own debt, *but paying indirectly the debt of others* (!) Under these circumstances, I do not deem it prudent to make any recommendation on the matter at present, farther than I think it would be well to present the matter to the Government, when I think the importance of the matter to the Province will cause Legislative action to be taken thereon; and we might then be placed on an equal footing with other Municipalities from the same fund."

The above extract from the Warden's address plainly shows upon what shallow grounds and frivolous pretexts the Counties Council founded and carried out their dishonorable and foolish scheme of repudiating or evading the payment of a just and lawful debt. The Warden says in as many words to this effect, "that other Municipalities who had borrowed money from the Municipal Loan Fund had neglected or failed to pay the interest due by them;" "we, therefore, the Municipal Corporation of the United Counties of Northumberland and Durham, shall not pay the debt we owe the Government, because, forsooth, we would not only be paying our own debts, but paying indirectly the debts of others." (!) By what process of reasoning or principles of justice and morality the Warden and the then majority of the Counties Council arrived at such a "lame and impotent conclusion," will in my humble opinion be extremely difficult and exceedingly puzzling to find out. And as the case now stands before the public, the mildest terms that can be applied to the Counties Council in delaying and evading the payment of the Municipal Loan Fund debt in the way and manner they have done, is that they have blasted their reputation as being either faithful representatives, wise and prudent councillors, or honorable men.

Again, at the June session of the Council of 1864, we find the Warden addressing them in quite a different strain from what he did in January, regarding that never ending, still beginning trouble, and much vexed question of the Municipal Loan Fund debt; he said, "I have to call your serious attention to the fact that a warrant has been placed in the Sheriff's hands against these United Counties, for \$31,908.70, for interest due up to 31st December, 1861; and having formed an opinion that no such sum was due the Government at that date, I wrote to the Hon. Asa A. Burnham, then at Quebec, requesting him to get a full statement from the Receiver General's books, in reference to the Municipal Loan Fund rate, in account with these Counties, which statement will be laid before you. I earnestly hope you will take such action as will be deemed expedient, to prevent unnecessary costs being incurred upon the large amount now due by us, on account of our indebtedness to the Government on this fund."

The Council did not follow the advice of the Warden,—neither did they carry out the recommendation of the Finance Committee, "to make the minor Municipalities of the Corporation levy a sum equal to their proportion of the amount of the Writ" that had been in the Sheriff's



hands since the 6th February. That no action of the Council was taken in this momentous matter, will be seen from the following extracts from the minutes of the June session in 1864:—

“1305. Moved by Mr. Ferris, seconded by Mr. Rosevear,

“That it be an instruction to the Treasurer, in notifying the Junior Municipalities of the amount to be collected for the payment of the interest on the Municipal Loan Fund, that in default of any of the said Minor Municipalities neglecting or refusing to levy and collect such rate, this Council will order the Treasurer to issue his warrant against such defaulting Municipalities, and enforce the payment thereof, so that in future at least one year's arrears be collected and paid on said Loan.”

This resolution being submitted, it was *lost* on the following division:—YEAS,—Messrs. Benson, Campbell, Clark John, Ferris, Milligan and Rosevear, (6). NAYS,—Messrs. Burrell, Burk, Beatty, Brown, Clark D. C., Cum, Douglas, Foulds, Johnston Robert, Johnston J. A., McIntosh, McLeod, McColl, Robertson, Swain, Spinks, Stephens E., Stephens D. T., Turnbull, Tucker, Touchburn, Wilmot, Webb and Young, (24).

At the December session of the Council of 1864, they “*deemed it quite unnecessary to take any steps* with relation to the amount due by these Counties to the Municipal Loan Fund.” It was not, however, many days after this declaration of the Council, when the Warden found it *absolutely necessary to call a special session of the Council*, to be held on the 6th January, 1865, and he then addressed them regarding the payment of the interest due on the Municipal Loan Fund debt as follows:—

“GENTLEMEN,—I regret that I have felt it my duty to call you again together at this time, but the Government having made a demand upon us, requiring the payment of the interest upon the Municipal Loan Fund debt due by us for the year 1864, by the tenth of this month, I deemed it best that we should come together *and devise means to prevent another writ being issued against the Counties. I am fully convinced that the best and most honorable course is prompt payment, and I hope that even now, under present circumstances, we may be able to arrive at something that will save the Counties from a heavy burden of costs.*”

The “means devised by the Council to prevent another writ being issued” against them will be seen by reading the following extracts from their minutes:—

“The chairman of the committee of the whole reported the subject of two Resolutions.

“Moved by Mr. Ferris, seconded by Mr. McColl,

“1333. That the Warden, Mr. Rosevear, and Mr. McLeod, Mr. Wilmot, and the mover, be a committee to draw up a representation to the Government in the name of this Council, showing the ground upon which this Council think that a Writ should not at present issue against this corporation, and that the same be intrusted to the Solicitor General for presentation to the Government.—Carried.

“1334. That it is expedient to appoint a delegation either at this or next session, composed of the most experienced members of the Council, to wait on the Government; and that communication be at once had with all Municipalities in Upper Canada indebted to the M. L. F., soliciting their co-operation, and the appointment of delegates for a like purpose, all to act in concert, with the view of representing the matter fully to the Ministry and Parliament, in order to the equitable and final settlement of this question.—Carried.”



Agreeably to Resolution No. 1352, John McLeod Esq., the Warden of these United Counties, was authorized by the Council "to proceed to Quebec, and use all legitimate means on behalf of the interests of the Corporation." The following extracts from his Address to the Council at its June session in 1865, will show the results of his mission to the seat of Government to be of a more cheering and satisfactory nature than what might have been reasonably anticipated. The Warden stated to the Council, "That in accordance with your instructions, I proceeded to Quebec in February last, and had an interview with the Government in reference to our Municipal loan indebtedness. From the representations I was enabled to make, the result was so far satisfactory, that no danger need be apprehended of *another Writ, except in case of future default*. I obtained a statement in detail of the account from the Receiver General's department, exhibiting an apparent balance of arrears against the Counties on the 1st January, 1865, of \$85,750 31; and the sum of \$71,471 16 to the credit of our Sinking Fund; this latter amount does not, however, show the precise value of the said sinking fund.

"I have now the pleasure of placing before you, in addition to the former one, a revised statement of account up to 1st January, 1865, made out in accordance with the foregoing views, which exhibits the interest on our loan fully paid up, with the sum of \$43,636 31 to the credit of sinking fund; being an actual saving of over \$35,000, and a reduction of the yearly interest of one per cent., or \$4,600, to continue until the final liquidation of our loan."

The following extract from the Warden's Address to the Council at the December session of 1865, gives a more satisfactory and favorable statement of the financial affairs of these Counties than any other report that has appeared in the Journals of the Council since 1859. "In reviewing the financial position of these Counties for the past number of years, there is reason to feel gratified at the present favorable state of affairs, and the comparison reflects the highest credit on your judicious and economical management of the several interests intrusted to your care.

"In issuing the requisitions to the respective rates, I considered it but just and expedient to instruct the Treasurer to base his demands, on account of the Municipal Loan Fund, in keeping with the settlement effected with Government, and extend the advantage to Municipalities under the Gravelled Road Act, and also to receive as cash the Clergy Reserve vouchers, and there is ample reason to believe that under this arrangement Minor Municipalities have faithfully responded, so that the prompt payment of all the rates may justly be expected."

Without drawing any invidious comparisons, or making any unjust reflections on the official conduct of the four gentlemen who preceded Mr. McLeod in the Wardenship of these Counties, it is with unfeigned pleasure that I bear my humble testimony to his able, meritorious and successful exertions in obtaining a settlement of the Municipal Loan Fund question, and placing the financial affairs of these Counties in such a favorable and satisfactory position. Mr. McLeod well deserved the just and merited tribute of approbation and thanks awarded to him by his fellow members in the Counties Council; and had they and his predecessors in office adopted the same honorable principles, and followed the same straightforward line of conduct in managing the affairs of these Counties during the past five or six years, the writer would have been

spared the painful and disagreeable task of recording and laying before you the long and blackened list of their many inexcusable shortcomings and great wrong-doings.

Having deemed it necessary, in the foregoing pages, to give you a detailed statement of the proceedings of the Counties Council regarding the Municipal Loan Fund indebtedness during the past five years, where in the first place you will discover a glaring want of good faith and fair dealing on the part of your representatives in the Counties Council, by striving through the most disreputable and unlawful ways and means they possibly could have conceived or adopted to evade the payment of a just and lawful debt—and by doing so, they have not only brought dishonor and disgrace upon themselves but they have also grievously wronged you, by destroying your former high reputation and well established credit both at home and abroad; and in the second place, they have most recklessly and foolishly squandered away at least *ten thousand dollars* of your money, by fraudulently attempting to repudiate and evade the payment of the interest due on the Municipal Loan Fund debt. This enormous expenditure has been for interest of money borrowed from the M. L. F., the Minor Municipalities, the Banks, and from other sources; besides paying your unfaithful representatives for holding several special sessions solely on account of this Municipal Loan Fund indebtedness; and, moreover, it may be added here, that ever since 1859 up to 1865, more than one-half of the time at almost every regular session of the Council during that period has been taken up by them in discussing this momentous and everlasting question in all its bearings; resolving at one session to have the special Rate for the Loan Fund collected, and then resolving at another session of the Council not to have any such rate raised at all. Several thousands of dollars of the Counties funds have been paid for law costs, Sheriff's fees, etc., etc., etc., in consequence of the non-payment of the M. L. F. debt, as it became due. All the money thus wastefully expended, and foolishly squandered away, might have been saved, had your representatives only done their duty in an honest, faithful and straightforward manner!

The following statement, compiled from the Treasurer's detailed statements of accounts, and the Auditors' General Abstracts of the amount of moneys paid to the Reeves and Deputy Reeves for attending the Counties Council, the amount of salaries paid to the various County officials for their services; also many other expenses incurred for carrying on the Municipal government of the Counties Council—and which will show you that if you have the power and privilege of taxing and governing yourselves for local purposes, through your representatives in the Counties Council, that you have paid pretty dearly for those privileges, and their very patriotic, most disinterested and inestimable services in your behalf.

STATEMENT OF EXPENSES FOR SALARIES AND MUNICIPAL GOVERNMENT OF THE COUNCIL OF THE UNITED COUNTIES OF NORTHUMBERLAND AND DURHAM DURING THE YEARS 1860, 1861, 1862, 1863, 1864 and 1865.

1860.—To amount paid Reeves and Deputy Reeves	
for mileage and attendance in Council	
in 1860 .....	\$2574 30
" Paid sandry Reeves for their services out	
of Session .....	114 00

" Paid salaries to County Treasurer, Clerk, Auditors, Warden and Messenger of the Council.....	1909 00	
" Paid for Printing and Stationery .....	519 53	
" Paid for Postage and Telegrams.....	128 49	
" Paid for Consolidated Statutes to Reeves and Deputy Reeves.....	467 60	
" Paid Law Costs \$536 35, Witnesses' fees \$50 00 .....	586 35	
" Town of Cobourg Commissioners for rent of Court House, Council Chamber and other public offices.....	1200 00	
" Paid for furnishing Court Room and Council Chamber, Prince of Wales' reception, gas, and cab-hire .....	1526 92	
	<hr/>	
Total amount of Expenditure for Municipal Government of the Counties in 1860...		\$9026 19
1861.—Paid Reeves and Deputy Reeves, Salaries to County Officials, Printing and Stationery, per Auditors' Abstract Statement of the accounts of 1861 .....	\$5846 51	
Paid Rent of Court House, Council Chamber, &c., &c.....	1200 00	
Paid sundries, per Auditors' Abstract Statement of the accounts of 1861 .....	2682 22	
	<hr/>	
Total amount of expenditure in 1861 .....		9728 73
1862.—Paid Reeves for attending Council and out of Session Special Committees .....	\$2208 65	
Paid Salaries to County Treasurer, Clerk, Auditors, School and County Roads Superintendents.....	4380 50	
Paid Law Costs, \$296 97, Printing and Stationery, \$380 47 .....	677 44	
Paid Sundries, \$1261 00, Rents, \$1918 00 .....	3179 00	
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Total amount of Expenditure in 1862, per Treasurer's detailed and Auditors' Abstract Statements of Expenditure in 1862 .....		10445 59
1863.—To paid Salaries to Counties Treasurer, Clerk, Auditors, School and Road Superintendents, per Treasurer's Detailed Statement of Accounts, 1863 ...	3671 67	
" Paid Reeves for attendance in Council, including \$200 00 allowance to Warden for services in 1863, per Treasurer's detailed and Auditors' Abstract Statements.....	1044 60	
" Paid for Rents of Court House, Council Chamber, Public Offices, and Registry Offices, per do. do.....	1907 80	

<p>“ Sundry payments for wood, \$361 75, E. S. Barmum’s allowance as Warden for 1862, \$200, Law Expenses, \$327 55, Printing and Stationery, \$486 00, Postage, \$99 83, Gas, \$58 50, S. Retallick for giving up contract, \$50, and sundry other small items, amounting in all to .....</p>	1212 53
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<p>Total amount of expenses of Municipal Government for 1863 .....</p>	7836 60
<p>1864.—Paid Salaries to Treasurer, Clerk, Auditors, School and Road Superintendents, &amp;c., &amp;c., per Treasurer’s detailed statement of accounts for 1864.....</p>	2897 46
<p>Reeves’ Pay-list for 1864, \$642 00, Printing and Stationery, \$627 02, Rents, \$1405 66 .....</p>	2674 68
<p>Law Costs and Sheriff’s Fees for levying and collecting Municipal Loan Fund debt—say .....</p>	1800 00
<p>Sundry miscellaneous payments, per Treasurer’s detailed statement of accounts....</p>	552 10
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<p>Total amount of expenses for Municipal Government for 1864 .....</p>	7924 24
<p>1865.—Paid Salaries to Treasurer, Clerk, Auditors, School and County Roads Superintendents, per Treasurer’s detailed and Auditors’ Abstract statements of accounts</p>	3708 82
<p>Reeves’ Pay-lists, including allowance to Warden, 1865.....</p>	1180 00
<p>Rents of Court Room, Council Chamber, Registry and other public offices, in 1865 .....</p>	1416 00
<p>Printing and Stationery, \$412 10, sundry miscellaneous amounts paid in 1865, per Treasurer’s accounts, \$604 88.....</p>	1016 98
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<p>Total amount of expenditure for Municipal Government for 1865 .....</p>	7321 80
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<p>Total amount of expenditure for Municipal Government in six years.....</p>	\$52283 15

The following STATEMENT gives the amount of the expenditure for Salaries and Municipal Government of the minor Municipalities of the United Counties of Northumberland and Durham, during the years 1862, 1863, 1864 and 1865; and which is compiled from the Annual returns of the Counties Clerk to the Government:—

	Name of Municipality	Year 1862.		Year 1863.		Year 1864.		Year 1865.		Total in 4 years.
		\$	cts.	\$	cts.	\$	cts.	\$	cts.	
1	Township of Hamilton...	586	00	1038	00	1224	00	490	00	3338 00
2	“ Huldiland...	371	00	659	00	881	00	610	00	2521 00
3	“ Cramahe .....	587	00	721	00	700	00	334	00	2342 00
4	“ Brighton .....	360	00	400	00	200	00	No ret'ns		960 00
5	“ Murray .....	1482	00	459	00	No ret'ns		369	00	2310 00
6	“ Percy .....	690	00	617	00	1092	00	978	00	3377 00
7	“ Seymour .....	600	00	350	00	No ret'ns		606	00	1556 00
8	“ Alnwick .....	231	00	260	00	181	00	226	00	898 00
9	“ S. Monaghan	206	00	203	00	210	00	245	00	864 00
10	Colborne Village .....	561	00	307	00	225	00	218	00	1311 00
11	Brighton do .....	180	00	179	00	150	00	220	00	729 00
12	Total Northumberland	\$5854	00	\$ 5193	00	\$4663	00	\$4296	00	\$20206 00
13	Township of Darlington	511	00	1515	00	825	00	1159	00	4010 00
14	“ Clarke .....	No ret'ns		1056	00	No ret'ns		No ret'ns		1056 00
15	“ Hope .....	593	00	918	00	510	00	“		2021 00
16	“ Cavan .....	610	00	712	00	640	00	1008	00	2970 00
17	“ Manvers .....	No ret'ns		670	00	644	00	478	00	1792 00
18	“ Cartwright ...	No ret'ns		No ret'ns		No ret'ns		345	00	345 00
19	Town of Bowmanville...	1123	00	929	00	1152	00	1041	00	4245 00
20	Village of Newcastle....	333	00	180	00	298	00	219	00	1030 00
	Total Durham .....	\$3170	00	\$ 5980	00	\$4069	00	\$4250	00	\$17469 00
	Add total Northumber-	5854	00	5193	00	4663	00	4296	00	20206 00
	land as above .....	\$9024	00	\$11173	00	\$8732	00	\$8546	00	\$37675 00
	Add for deficiency of Returns from Brighton, Seymour, Clarke, Manvers and Cartwright, say this much on an average .....									5200 00
	Grand total of expenses of Municipal Government for four years									342975 00
	Add the expenses for Salaries and Municipal Government of the above minor Municipalities for 1860 .....									10730 00
	do. do. do. do. for the year 1861 .....									10215 00
	Grand total of expenditure for Salaries and Municipal Government in six years .....									363920 00

(No. 1.)

THE FOLLOWING ABSTRACT STATEMENT SHOWS (EXCLUSIVE OF THE MUNICIPAL LOAN FUND, AND GRAVELLED ROADS RATES,) THE TOTAL AMOUNT OF REVENUE OF THE UNITED COUNTIES OF NORTHUMBERLAND AND DURHAM, DERIVED FROM THE DIFFERENT SOURCES NOTED BELOW, DURING SIX YEARS, AND FOR EACH AND EVERY YEAR, viz :—

	1860.	1861.	1862.	1863.	1864.	1865.	Total amt in 6 yrs
County Rates .....	\$ 9,563	\$ 11,551	\$ 24,101	\$ 23,337	\$ 15,963	\$ 23,442	\$ 107,957
Administration of Justice received from Government .....	3,257	2,333	5,612	4,700	4,008	4,938	24,848



The following abstract statement shows the amount of money paid to the Receiver General, on account of the Municipal Loan Fund, in six years :

1860.—Paid Receiver General this much, being on account of interest due the Municipal Loan Fund.....	\$54,486
1861.—Paid Receiver General on account of interest...	44,216
1862.—Paid Receiver General in January, February and March.....	\$7,800
July.—Paid Receiver General from Clergy Reserves appropriation, to the Counties, this much.	\$11,035
	\$18,835
1863.—No money paid on account the M. L. F. this year.....	
1864.	
July 27th.—Paid this much from the Clergy Reserves Fund.....	4,762
1865.	
September 22nd.—Paid Receiver General from the Clergy Reserves Fund.....	\$3,608
December 18th, 28th, and 30th.—Paid Receiver General from Municipal Loan Fund Rate, 1865.....	23,200
	26,808
Total amount paid the Government in six years, on account of Municipal Loan Fund.....	149,107
Deduct this much, being from the Clergy Reserves Fund as noted above.....	19,405
	129,702
Which shows the exact amount of money paid from the Municipal Loan Fund, and Gravel Roads Rates.....	129,702
Add this much, as being so much less than the \$136,262 received by the Treasurer on account, as noted in the above memorandum.....	6,560
	\$136,262

The following summary of the total amount of the Revenue and Expenditure of the Counties Council of Northumberland and Durham, compiled from the foregoing financial statistics in these pages, will show the intelligent reader, at a glance the amount of the Dr. and Cr. sides of these accounts during the past six years.

*Dr.*

REVENUE AND FROM WHAT SOURCES DERIVED.

Amount of County Rates raised in six years.....	\$107,957
Amount of School Rates " " " .....	45,408
Municipal Loan Fund and Gravel Roads Special Rates.....	136,262
	\$289,627

Total amount raised by direct taxes in six years..... \$289,627

Clergy Reserves Fund appropriations to the Counties in six years .....	51,370
Total amount of Legislative grants to Common Schools in six years .....	45,408
Amount received from Government and Clerk of Assize and County Court for the administration of Justice, in six years, enlargement of the Gaol, and the Jury Fund.....	31,803
	<hr/>
Total amount of revenue from all sources.....	\$418,208

*Cr.*

## TOTAL AMOUNT OF EXPENDITURE, AND FOR WHAT PURPOSES.

Administration of Justice, Gaol and Jury Expenses for six years .....	\$83,594
Paid Government on account of the Municipal Loan Fund Debt for six years.....	129,702
Paid on account of Common Schools in six years.....	90,708
Paid for salaries and expenses of Municipal Government in the Counties.....	52,283
Paid by the minor Municipalities for salaries, and Municipal Government, in six years.....	63,920
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Total amount of expenditure in six years.....	\$420,207

It will be seen from the above statement that the rates raised in six years, for County purposes, amounted to \$107,957; while the amount paid for salaries, and the Municipal Government of these Counties during the same period, was \$52,283, being nearly *one-half* of the money raised for County purposes in six years!!! By adding together the sums of \$45,408 and \$31,803, will give \$77,211, which was received from Government, for schools, the administration of justice, &c.; and subtract this sum from \$418,208 the total amount of Revenue derived from all sources in six years, will leave the sum of \$340,997; then add the two sums of \$52,283 and \$63,920 together, they will make \$116,203;—that amount being expended for salaries and Municipal Government of the minor Municipalities and the United Counties, and shows that this expenditure of \$116,203 exceeds that of \$90,708, the expenditure for educational purposes in six years, *by the large amount of \$25,495!!!* which excess of expenditure for Municipal Government would have been far better and more usefully applied in promoting the educational interests of these Counties, than having so much money squandered away to remunerate your representatives in the Counties Council, in too many instances, for their unnecessary and really worse than useless services.

With regard to the proceedings of the Counties Council of 1866, as recorded in their Journals, I have nothing special at present to mention, excepting that the Council, at its June session, handsomely voted the liberal sum of three thousand dollars to the nine companies of the brave and patriotic Volunteers that formed the Battalion of these United Counties, as a "slight recognition of their services," and who, when called upon in the hour of danger, instantly sprang to arms in defence of our free country and happy homes, and went forth to save and protect them from the



ruthless attacks and devastating ravages of the hordes of marauding ruffians and lawless vagabonds that insanely attempted and recklessly dared to invade and conquer our beloved and sacred soil.

When I commenced preparing this work for the press, I expected to have been able to give you an abstract statement of the receipts, expenditures, and liabilities of these counties during the past year; but I cannot do so now, as the Treasurer's accounts have not as yet been audited or reported on by the auditors, appointed this year to audit and report the accounts of 1866, which should have been done by them, as required and directed by the law to do, within one month after their appointment; and also "to file an Abstract and Detailed statement, in duplicate, of all such receipts, expenditures and liabilities of the corporation, in the office of the Council, so that any inhabitant or rate-payer of the Municipality, at all reasonable hours, may have an opportunity of inspecting the same, and by himself or his agent, at his own expense, take a copy thereof, or extracts therefrom."

Before concluding these remarks, I would beg to offer a few observations respecting the new Municipal Act, and relative to the election of Reeves and Deputy Reeves, in Towns, Incorporated Villages and Townships. The law now is "that if a town has not withdrawn from the jurisdiction of the Council of the County in which it lies, then a Reeve shall be added, and if the town had the names of five hundred freeholders and householders on the last revised assessment roll, then a Deputy Reeve shall be added, and for every five hundred persons possessing the same property qualification as voters on such roll, there shall be elected an additional Deputy Reeve." "The Council of every incorporated Village shall consist of one Reeve, who shall be the head thereof, and four Councillors; and if the village had the names of five hundred freeholders and householders on the last revised assessment roll, then of a Reeve, Deputy Reeve, and three Councillors, and for every additional five hundred names of persons possessing the same property qualifications as voters on such roll, there shall be elected an additional Reeve instead of a Councillor. The Council of every Township shall consist of a Reeve, who shall be the head thereof, and the number of Deputy Reeves to be elected are to be upon the same conditions as provided for in the election of Deputy Reeves for Incorporated Villages."

The election of Reeves and Deputy Reeves direct by the people, is unquestionably a great improvement upon the former mode of Municipal Councils electing one or two of their number to represent their respective Municipalities in the County Council; because in too many instances it frequently happened that instead of sending the most intelligent and best qualified members in the Council, through a system of *log-rolling tactics* being practised by the aspirants to Municipal honors and the emoluments of office, those the least qualified and most incompetent to act as County Councillors were too often elected by themselves Reeves and Deputy Reeves; and it frequently occurred in such cases that such persons, representing the minor Municipalities, did more harm than good in the County Council, and instead of maintaining the rights and promoting the interests of their constituents, they either through ignorance, mental incapacity, or sordid selfishness, totally ignored those rights, and sacrificed those interests which they had solemnly promised and declared that they would faithfully advance and firmly maintain.

Although cordially approving of the mode of electing Reeves and

Deputy Reeves direct by the people, yet I must candidly confess that I cannot see any great benefit will be derived, or any desirable advantage obtained by sending one Reeve and two or three Deputy Reeves, as the case may be, to represent minor Municipalities in the County Council. From long observation and considerable experience, I have often been led to think that in many respects it would be far better, and much more conducive to the public good, were only the Reeves of the minor Municipalities sent to represent them in the County Council; and there would also be more likelihood of having the Municipal affairs of the Counties much better taken care of, and more efficiently and properly managed than they have been heretofore; besides saving at least one-half of the large amount of money that is now paid to Reeves and Deputy Reeves for their attendance and services in the Counties Council. If only Reeves were made eligible to take seats in the County Council, then we might reasonably expect, as a general rule, to see a much more respectable, better educated, and a more competent class of men seeking for and occupying them; for as the case now stands, it cannot be denied that Municipal reform in this matter is much wanted, and should be loudly called for, and the sooner it is accomplished so much the better will it be for the public weal, by elevating the character and adding to the honor and dignity, as well as the responsibility, of your representatives in the County Council.

I am now done with my voluntary and self-imposed task of recording and publishing the proceedings and financial transactions of the Counties Council of Northumberland and Durham, extending over a period of seven years, and which is now offered for your consideration, instruction and special benefit; and all of which is most respectfully submitted for your approval and action thereon, in such a way and manner as you may deem most proper and expedient to do in the matter.

“BE JUST AND FEAR NOT.”

I have the honor to be

Your most obedient and humble Servant,

JOHN STEELE.

COBOURG, March, 1867.

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