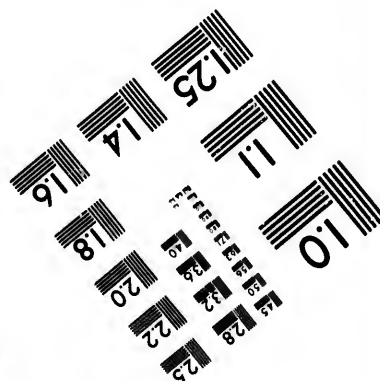
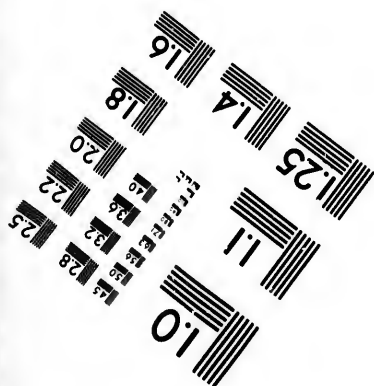
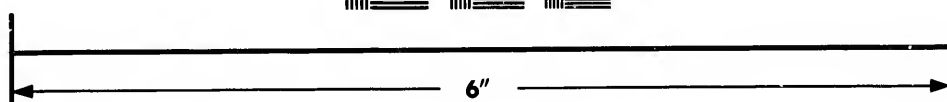
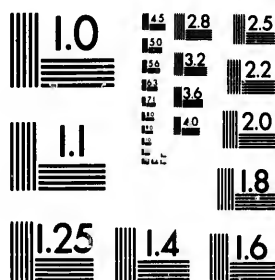


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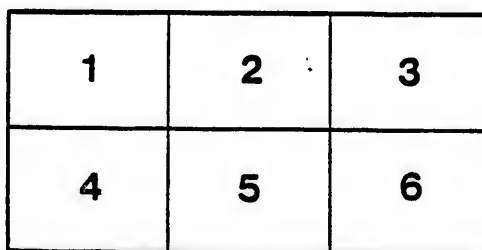
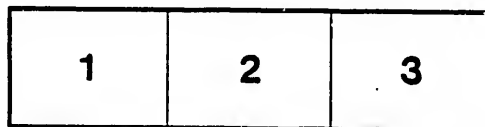
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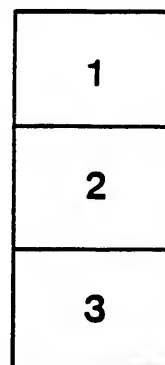
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PROCEEDINGS

—OF THE—

Municipal Council

—OF THE—

COUNTY OF WELLAND.

NOVEMBER SESSION, 1884.

Wm. McCLEARY, ESQ., - - WARDEN.

Printed at the Telegraph Steam Printing House, Welland,

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WELLAND, Nov. 5th, 1884.

Pursuant to call of the Warden, the Council met at the Grand Jury Room, in the Court House, at the Town of Welland, on Wednesday, November 5th. at 10 o'clock a. m.

Council met

The Warden in the chair.

MEMBERS PRESENT :—Messrs. Barnhard, Cronmiller, Ellsworth, Forsyth, Fraser, Gainer, Garner, Griffiths, Herbold, Johnson, Mahwinney, Miller, Misener, McIntyre, Neff, Orchard, Ramsden, Riselay, Shrimpton, Sisler and Willson.—21

Present.

The Warden announced in opening the Council that he had called the Council together at a much earlier date than usual, and was pleased to see that the members had responded; that the matter in connection with the Gaol Surgeon, would probably come up for consideration, and trusted the matter would be settled on its merits, and after a few general remarks, in reference to County affairs, concluded by presenting communications from the Marine Hospital, St. Catharines, also from County of Victoria re-Railway act.

Warden's Address

Moved by Mr. Ramsden, seconded by Mr. Forsyth,

That the hours of meeting, and adjournment, during the present session, be as follows :—Meet at 9 o'clock a. m., adjourn at 12:30 p. m.; meet again at 2 o'clock p. m., and adjourn at 6 p. m.—Carried.

Hours Fixed

Moved by Mr. Griffiths, seconded by Mr. Ramsden,

That the first report of the Gaol Committee, be received and read.—Carried.

Report read.

First report
Gaol Com.

Adopted.

Moved by Mr. Griffiths, seconded by Mr. Ramsden,
That the first report of the Gaol Committee, just read, be adopted.—Carried.

Com of whole
re
Gaol Surgeon

Moved by Mr. Forsyth, seconded by Mr. Fraser,
That this Council resolve itself into a Committee, of the whole with Mr. Riselay in the chair, for the purpose of considering matters, in connection with the Gaol Surgeon.—Carried.

Pursuant to motion, the Council went into Committee of the whole, Mr. Riselay in the chair.

The committee rose, and reported the following resolutions.

Moved by John A. Orchard, seconded by Mr. Barnhard,

That the Warden, has taken the only course open for him, in the matter of difficulty between the Sheriff, and Gaol Surgeon, and that this Council approves of his actions in the matter.

Also, moved by Mr. Johnson, seconded by Mr. Barnhard,

That this Committee, is of opinion, that there should be a thorough investigation, in the matter of *re* Gaol Surgeon and the Sheriff, and that the Chairman of this committee, be instructed to ask, that the Sheriff appear before this Committee, to formulate his charges against the Gaol Surgeon, and also, that the Gaol Surgeon be required to defend said charges.

Report of Com.
of whole adopt-
ed.

Moved by Mr. Garner, seconded by Mr. Johnson,

That the report of Committee of the whole, just read, be adopted.

Yeas and nays being called, were taken as follows:

Yeas—Messrs. Barnhard, Ellsworth Garner, Herbold, Johnson, Miller, McIntyre, Orchard, Riselay, Shrimpton and Sisler.—11.

Nays—Messrs. Cronmiller, Forsyth, Fraser, Gainer, Griffiths, Mawhinney, Misener, Neff, Ramsden and Willson.—10.

Motion passing in the affirmative majority 1.

Moved by Mr. Orchard, seconded by Mr. Shrimpton,

Motion to ad-
journ till De-
cember.

That this Council do adjourn till the December session, and that the Sheriff and Dr. Schooley, be notified to appear.

Yeas and nays being called, were taken as follows.

Motion
defeated.

Yeas—Messrs. Barnhard, Cronmiller, Ellsworth, Forsyth, Fraser

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Herbold, Johnson, Orchard, Shrimpton and Sisler.—10.

Nays—Messrs. Gainer, Garner, Griffiths, Mawhinney, Miller, Misener, McIntyre, Neff, Ramsden, Riselay and Willson—11.

Motion passing in the negative, majority 1.

The hour of adjournment having arrived, the Warden left the chair.

SECOND DAY.

THURSDAY, November 6th, 1884.

Pursuant to adjournment the Council met at 9 o'clock a. m.

The Warden in the chair.

MEMBERS PRESENT :—Messrs. Barnhard, Cronmiller, Ellsworth, Forsyth, Frazer, Gainer, Garner, Griffiths, Herbold, Johnson, Mawhinney, Miller, Misener, McIntyre, Neff, Orchard, Ramsden, Riselay, Shrimpton, Sisler and Wilson—21.

The Warden announced that the revision of the insane list would now be taken up, which was accordingly done.

Revision of insane list

Moved by Mr. Griffiths, seconded by Mr. Ramsden.

That the second report of the Gaol Committee be received and read.

Second Report Gaol Com.

Report read pursuant of motion.

Moved by Mr. Griffiths, seconded by Mr. Ramsden,

That the report just read, be adopted.—Carried.

Adopted.

1st report R. &
B. Thorold and
Stamford.

Moved by Mr. Willson, seconded by Mr. Orchard,
That the 1st. report of Local Committee, on Roads, and Bridges,
for Thorold, and Stamford, be received, and read,

Report read.

Moved by Mr. Willson, seconded by Mr. Orchard,

Adopted.

That the report just read, be adopted.—Carried.

Moved by Mr. Ramsden, seconded by Mr. Ellsworth.

Petition Co.
Victoria

That the petition from the County of Victoria be referred to a
special Committee, composed of the following named gentlemen viz:
Joseph Garner, A. Fraser, W. Gainer, and the mover and seconder,
of this resolution.—Carried

Moved by Mr. Wilson, seconded by Mr. Garner,

That whereas ;

Bridge on town
line, Pelham &
Thorold.

The town line between Pelham and Thorold, a portion of which
has been opened up for travel the past year, and, whereas, there is a
swamp or swail running across it, it will require a long bridge, but
could be nearly all filled with earth, therefore be it resolved that
the sum of one hundred dollars be granted to be expended as your
committee may direct.

Yeas and nays were called and taken as follows :

YEAS—Messrs. Gainer, Garner, Herbold, Sisler and Wilson.—5.

NAYS—Messrs. Barnhard, Cronmiller, Ellsworth, Forsyth, Fra-
ser, Johnson, Miller, McIntyre, Neff, Orchard, Ramsden, Riselay and
Shrimpton.—13.

Motion passing in the negative majority 8.

The hour of adjournment having arrived, the Warden left the
chair.

At 2 o'
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AFTERNOON SESSION

At 2 o'clock p. m. the Council resumed.

Moved by Mr. Ramsden, seconded by Mr. Ellsworth,

That the report of Special Committee, to whom was referred the petition of Municipal Council, of County of Victoria, be received, and read.

Report of
Special Com-
tee Victoria pe-
tition.

Report read pursuant to motion.

Moved by Mr. Ramsden, seconded by Mr. Ellsworth,

That the report just read, be adopted.

The yeas and nays being called, were taken as follows:

Yeas—Messrs. Cronmiller, Ellsworth, Forsyth, Fraser, Gainer, Mawhinney, Misener, Neff, Ramsden and Willson.—10.

Nays—Messrs. Barnhard, Garner, Herbold, Johnson, Miller, McIntyre, Orchard, Riselay, Shrimpton and Sisler.—10.

The Warden declared the motion carried, for the adoption of the report.

Adopted.

Moved by Mr. Johnson, seconded by Mr. Fraser,

That the Gaol Committee be instructed, to carry out fully, the instructions given them, in a resolution passed on the 25th. of January last, and also, to have the seating of the Grand Jury Room, arranged in accordance with a plan herewith submitted, as nearly as practicable.—Carried.

Gaol Com. in-
structed re
seating.

Moved by Mr. Riselay, seconded by Mr. Miller,

That the report of the inspector of prisoners, to Gaol Surgeon, be laid over, until next meeting of Council for further consideration.—Carried.

Re Gaol Sur-
geon

Moved by Mr. Garner, seconded by Mr. Willson,

That the first report of Road, and Bridge Committee, be received and read.

R, and B.
Com. first re-
port.

Report read pursuant to motion.

Moved by Mr. Garner, seconded by Mr. Willson,

That the report just read, be adopted.—Carried.

Adopted.

Moved by Mr. Ramsden, seconded by Mr. Shrimpton,

That whereas Mr. H. Griffiths, chairman of the Gaol Committee, Mr. Griffiths.

has devoted a large amount of time, in connection with the putting in of the Steam Heating apparatus in the County Buildings, and superintending other work, in connection with repairs to said buildings, at considerable loss to his regular business.

Be it therefore resolved,

That this Council do grant, to the said Herbert Griffiths, the sum of \$ 50. in payment for his service, and that the Warden do issue his cheque, for the above amount.—Carried.

The hour of adjournment having arrived, the Warden left the chair.

THIRD DAY—MORNING SESSION.

FRIDAY, November, 7th. 1884.

Pursuant to adjournment, the Council met at 9 o'clock a. m.

The Warden in the chair.

MEMBERS PRESENT.—Messrs. Barnhard, Cronmiller, Ellsworth, Forsyth, Fraser, Gainer, Garner, Griffiths, Herbold, Johnson, Mahinney, Miller, Misener, McIntyre, Neff, Orchard, Ramsden, Riselay, Shrimpton, Sisler and Willson.—21.

Minutes of yesterday were read by the clerk, and approved by Council.

Finance report

The Finance Committee brought up their report, which was read to council.

Moved by Mr. Orchard, seconded by Mr. Miller,

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That the report of Finance Committee, just read, be adopted
—Carried.

Re Gaol Sur-
geon.

Moved by Mr. Garner, seconded by Mr. Ramsden,

That whereas, the Sheriff of the County has suspended Dr. Schooley, the Gaol Surgeon, for alleged gross negligence and misconduct, and whereas, the Municipal act of 1883 sec. 480, provides, that in case the Council of any Municipality passes a resolution requesting the Judge of the County Court, of the County in which the Municipality is situated, to investigate any matter to be mentioned in the resolution, and relating to a supposed malfeasance or other misconduct on the part of any officer of the Corporation,

Be it resolved,

That the Judge of the County Court, of the County of Welland, do, and is hereby requested, to make enquiry as soon as practicable, into the following charges, and report to this Council under the authority of said Statute.

The charges are,

1st. Gross and continued neglect in attendance as Gaol Surgeon, on the prisoners confined in the Gaol, for months prior to his suspension.

2nd. Gross, and continued neglect, in attendance on the families of the Gaoler, and Turnkey.

3rd. Using grossly, and abusive language to the Sheriff.

4th. Malicious mutilation of the Gaol Surgeons book, belonging to the office.

5th. General irregularities, in performing the duties of his office.

—Carried.

Mr. Harcourt appeared by permission of Council, in reference to one, William Ross Jr., confined in the County Gaol, and presented a petition to His Excellency The Governor General, asking that the sentence be commuted on account of ill health.

Moved by Mr. Willson, seconded by Mr. Gainer,

That this council authorize the Warden and Clerk, to sign the petition to the Governor General, asking for the release of from confinement of William Ross Jr. and to annex to said petition, the Corporate Seal of the County of Welland —Carried.

Re Wm. Ross,
Jr.

R and B. second
report.

Pursuant to said motion, the petition was signed by Warden and Clerk, and the Corporate Seal attached.

Moved by Mr. Willson, seconded by Mr. Garner,

That the 2nd. report of Standing Committee, on Roads and Bridges, be received, and read.

Report read

Moved by Mr. Willson, seconded by Mr. Garner,

That the report just read, be adopted.—Carried.

The hour of adjournment having arrived, the Warden left the chair.

AFTERNOON SESSION

At 2 o'clock p. m. the Council resumed.

Moved by Mr. Ramsden, seconded by Mr. Garner,

Report re Ni-
agara Falls
award

That the report of Special Committee re Niagara Falls award, be received, and read.

Report read.

Moved by Mr. Ramsden, seconded by Mr. Garner,

Adopted.

That the report just read, be adopted.—Carried.

Moved by Mr. Ramsden, seconded by Mr. Cronmiller.

Memorial re
Freights

That leave be given to introduce a Memorial to The Honorable The House of Commons, of the Dominion of Canada.

Leave granted.

Memorial read 1st. and 2nd. time.

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Moved by Mr. Ramsden, seconded by Mr. Cronmiller,

That the Memorial be read a 3rd. time, forthwith that it do pass, be signed by the Warden and Clerk, and attach the Corporate Seal thereto, and forward to Dr. John Ferguson M. P., for presentation and that the Clerk be instructed to have a hundred copies printed, and sent to the different Municipalities in the Province of Ontario, asking for their co-operation.—Carried.

Moved by Mr. Garner, seconded by Mr. Misener,

That the report of Special Committee re purchase of road be received and read.

Special Com. re
purchase of
roads.

Report read.

Moved by Mr. Garner, seconded by Mr. Misener,

That the report just read be adopted.—Carried.

Moved by Mr. Ramsden, seconded by Mr. Riselay,

That the Warden do now leave the chair, and Joseph Garner take the same.

Mr. Garner in
the chair

Pursuant to motion, Mr. Garner occupied the chair.

Moved by Mr. Ramsden, seconded by Mr. Riselay,

That the thanks of this Council be tendered the Warden, for the very able, efficient and impartial manner in which he has presided over the deliberations of this Council, during the last year.—Carried unanimously.

Thanks to the
Warden

The vote of thanks, as tendered in above resolution, were conveyed by the Chairman to the Warden, who replied in a very suitable manner, and resumed the chair.

He replies.

Moved by Mr. Riselay, seconded by Mr. Fraser.

That this Council do now adjourn, to meet again at call of Warden.—Carried.

Pursuant to motion, the Council adjourned at 4 o'clock p. m.

Adjourned to
meet at call of
Warden.

APPENDIX A

REPORT OF FINANCE COMMITTEE.

To the Warden and Councillors of the County of Welland in Council Assembled:

Your Finance Committee, beg leave to submit this their 1st report and recommend that the following certified accounts be paid, and that the Warden be authorized, to issue his cheques in payment thereof, viz :

T. L. Nichols, account.....	\$ 11 60
O. H. Garner, account, stationary.....	11 60
O. H. Garner, account, do	9 85
J. E. Anger, account, printing.....	2 40
W. H. Bone, account, do	2 40
McCleary, & McLean, account, lumber.....	27 44
J. J. Sidey, account, printing.....	18 54

\$ 83 83

W. McCLEARY
JOHN A. ORCHARD
EDMUND MILLER
WALTER E. ELLSWORTH
H. CRONMILLER
H. GRIFFITHS
JOHN A. RAMSDEN.

Council Chamber, Welland,
Nov. 7th, 1884.

APPENDIX B.

FIRST REPORT OF LOCAL COMMITTEE ON ROADS AND
BRIDGES FOR THOROLD AND STAMFORD.

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

Your Local Committee on Roads and Bridges for Thorold and Stamford, beg leave to submit this their first report:

Your Committee advertised for tenders for the rebuilding of two bridges on the town line between Thorold and Stamford, and let the contract of one to Elijah Sheinholdts for the amount of fifty-nine dollars, and the other to Jonathan Squires for the amount of fifty-four and fifty cents, The work has been completed to the satisfaction of your Committee and the above amounts have been paid by the cheque of the Warden.

All of which is respectfully submitted.

JOHN WILSON

JOHN A. ORCHARD.

Council Chamber, Welland,
Nov. 6th, 1884.

FIRST REPORT ROADS AND BRIDGES COMMITTEE.

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

Your Standing Committee on Roads and Bridges beg leave to submit this their first report.

The bridge over the River Welland at Wellandport completed to the satisfaction of the joint committees of Lincoln and Welland. The cost of said bridge to this county has been \$4,750, which amount has been paid by cheque of Warden.

Your Committee found it necessary to rebuild the bridge at Port Davidson ; let contract to Charles Ball for the sum of \$750 and \$129 for piling for approaches ; let contract for filling in approaches with earth to James Rice at a cost of \$92. All of which has been completed to the satisfaction of the joint committees of Welland and Lincoln. One-half has been paid by the County of Lincoln.

Your Committee have had Beckett's bridge repaired at a cost of \$25.00 ; also the approaches to Riley's bridge at a cost of \$65.00 ; also repaired Montrose bridge at a cost of \$52.00.

All of which is respectfully submitted.

JOSEPH GARNER
JOHN MISENER
JOHN WILSON
C. RISELAY
M. B. BARNHARD.

Council Chambers, Welland,
Nov. 6th, 1884.

SECOND REPORT OF STANDING COMMITTEE ON ROADS AND BRIDGES.

To the Warden and Councillors of the County of Welland :

Your Committee beg leave to submit this their second report :

Agreeable with report of Road and Bridge Committee adopted by your honorable Council on the 6th day of June, 1883, the Government sent Edward Gardener, Provincial Land Surveyor, to establish the County line between Pelham in the County of Welland, and Gainsborough in the County of Lincoln. The surveyor has estab-

lished the line and planted stone corners. The surveyor has not as yet presented his account, and your Committee are not aware of the cost of said work.

Your Committee recommend that so soon as the account is rendered the Warden do issue his cheque for one-half of said amount. The County of Lincoln pays the other half.

Your Committee also recommend that the sum of \$21.00 be paid John Heximer for work done on Montrose Bridge.

Your Committee also recommend that the sum of \$100.00 be granted to build a bridge and approaches thereto on town line between Pelham and Thorold.

All of which is respectfully submitted.

JOSEPH GARNER,
JOHN MISENER,
M. B. BARNHARD,
C. RISELAY,
JOHN WILSON.

Council Chamber, Welland,
Nov. 7, 1884.

To the Hon.
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The Petition
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APPENDIX C.
REPORT OF SPECIAL COMMITTEE

To the Honorable the Minister of Railways and Canals of the Dominion of Canada :

The Petition of the Municipal Council of the Corporation of the County of Victoria, in the Province of Ontario.

HUMBLY SHEWETH,—

That commencing about the time of the Confederation of the Provinces and continued since, the progress of Railway construction in the Province of Ontario has been rapid and energetic, under charters granted by the Legislative Assembly of the said Province, and that such railway enterprise has been mainly fostered by large Provincial subsidies and material aid voted by Municipalities by way of bonus to the promoters of such railway construction, and

That such rapid progress of railway construction and consequent development of the Province are mainly attributable to the generous aid voted by the ratepayers of several municipalities herein referred to, and which municipalities are now heavily taxed for such liberality and public spirit.

That Your Petitioners have now before them a compilation of railway statistics prepared under the orders of the Honorable the Minister of Railways for the years 1880-81, by which it appears that *irrespective of Government subsidies* certain municipalities of the Province have granted aid by way of bonus in the promotion of railway construction amounting to \$7,378,244, and have subscribed to shares and bonds in the further sum of \$592,500, or in the aggregate nearly \$8,000,000.

That so far as Your Petitioners are concerned they are solely served by the system of railways now known as the *Midland Division of the Grand Trunk Railway*, but formerly known as the *Midland Railway of Canada*, built under a charter granted by the old Parliament of Canada, and the following lines built under Provincial charters, namely :—

The Toronto and Nipissing Railway,
 The Grand Junction Railway,
 The North Hastings Junction Railway,
 The North Simcoe Junction Railway,
 The Victoria Railway, and

The Whitby, Port Perry and Lindsay (Extension) Railway,

All of which lines are now connected with or have terminal points on the Grand Trunk Railway, and by the directorate of which the said Midland Division is now operated and managed.

That the said Midland Division of the Grand Trunk Railway has been declared by 46 Victoria, Chapter 24, *to be in the interest of the Dominion of Canada generally.*

That the said lines forming the said Midland Division have, *independent of Provincial subsidies*, been aided by municipal bonuses voted by the people, amounting in the aggregate to \$1,242,666, that is to say:—

The Grand Junction Railway.....	\$213,000 00
The Midland Railway.....	144,870 00
The Toronto and Nipissing Railway.....	376,702 00
The Victoria Railway.....	186,000 00
The Whitby, Port Perry and Lindsay (Extension) Railway..	222,094 00
The North Simcoe Junction between Stouffville and Lake Simcoe.....	100,000 00

That of these amounts certain municipalities of the County of Victoria have voted and are now paying the sums as follows, being bonuses to lines of railway in the above system, namely:

The Town of Lindsay.....	\$85,000 00
The Village of Omemee.....	2,000 00
The Village of Fenelon Falls.....	15,000 00
The Township of Somerville.....	15,000 00
The Township of Verulam.....	7,000 00
The Township of Eldon.....	44,000 00
The Townships of Bexley, Somerville, Laxton, Digby and Longford.....	42,500 00
Group composed of the Town of Lindsay, the Townships of Mariposa, Ops, Fenelon, and portions of the Townships of Emily and Verulam.....	85,000 00
Or in all the sum of.....	295,500 00

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Reference to the statistical report above quoted will show that many of the municipalities through which the said lines run, and which afford them every facility for the conveyance of the products of their mines, fields and forests to the markets of the world as well as the rapidity and comfort of travel have not contributed one cent directly towards the promotion of this great provincial system of railways, thereby leaving the burden to be borne by the municipalities which have evinced a great spirit of liberality and progress.

Your Petitioners venture most respectfully to urge that as the several lines so aided now forming the Midland Division of the Grand Trunk Railway have been by Parliament declared to be that which they always were, "*In the interests of the Dominion of Canada generally,*" and that as such general interests have been mainly promoted and called into existence by Provincial subsidies and municipal aid, you will have the goodness to take their entire surroundings and usefulness to the Dominion into your early and favorable consideration with the view of relieving Your Petitioners, and the municipalities of the Province generally, granting such bonuses, from the heavy burden of taxation under which we and they now suffer, and place such burden on the Dominion in general, in the interests of which the said lines of railway have been declared by the Parliament to exist.

And while thus respectfully urging that a general measure of relief may be extended to the several municipalities of the Province, granting aid as detailed in the report of the Honorable, the Minister of Railways, Your Petitioners venture confidently to leave the case of the County of Victoria in the hands of the Government, from the firm conviction that they and the Province of Ontario generally will at an early date receive as liberal and just treatment as has been extended to our fellow-citizens in the Lower Provinces in the matter of recoupment of the money of the people appropriated towards the development of the country by the construction of railways declared to be in the interests of the Dominion of Canada generally.

And Your Petitioners as in duty bound, will ever pray.

Passed at Lindsay, this Thirteenth day of June, A. D. 1884.

T. MATCHETT,
County Clerk.

THOMAS SMITHSON,
Warden. { L. S. }

COUNTY OF VICTORIA *RE* RAILWAY.

Office of the Clerk, County Victoria

LINDSAY, 17th Oct., 1884

SIR:—

I have been directed to transmit to you a copy of a petition to the Honorable, the Minister of Railways und Canals for the Dominion of Canada, passed by the Council of this County praying that the Municipalities in the County of Victoria may be recouped the bonuses granted in aid of railways, which have been declared to be in the interest of the Dominion generally, and to ask the cooperation of *your council*, in petitioning the Minister of Railways, that the municipalities in the Province which have granted aid to such railways may be relieved from the burden of taxation, from which they are suffering in consequence.

Yours truly

T. MATCHETT,

County Clerk

County Clerk, Welland.

REPORT OF SPECIAL COMMITTEE *RE* CORPORATION
OF VICTORIA.

Report of the Special Committee, to whom was referred the petition of the Municipal Council of the Corporation of the County of Victoria.

To the Warden and Councillors of the County of Welland, in Council Assembled;

Your Committee to whom was referred the above petition beg leave to submit this their report:

Your Committee, after due consideration, are of the opinion that

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the said Midland Divisions of the Grand Trunk Railway are serving
the purposes of the people of the County of Victoria as well now as
when the bonuses to said road were first granted ; consequently your
Committee cannot concur with the views expressed in the prayers of
the above named petition.

All of which is respectfully submitted.

JOHN A. RAMSDEN,
WILLIAM H. GAINER,
WALTER E. ELLSWORTH,
A. FRAZER.

Council Chamber, Welland,
Nov. 6th, 1884.

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APPENDIX D.

SECOND REPORT GAOL COMMITTEE.

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

The Gaol Committee beg leave to submit this their second report, and recommend the payment of the following certified accounts, viz :

Ross & Co.....	\$ 3 66
L. V. Garner.....	10 00
Frank Ott.....	18 53
Geo. Cronmiller.....	17 00
L. D. Raymond ^d	36 25
P. McMurray.....	14 00
Marcus Vanderburgh.....	5 94
M. Beatty & Sons.....	6 50
" ".....	1 10
E. A. Sauter.....	4 50
James Oliver.....	8 75

All of which is respectfully submitted.

H. GRIFFITHS
J. A. RAMSDEN
N. FORSYTH
GEO. SHRIMPTON
W. H. GAINER.

Council Chamber, Welland,
Nov. 6th, 1884.

REPORT GAOL COMMITTEE, NOVEMBER SESSION.

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

Your Gaol Committee beg to make the following report of their labors since last session of Council.

Your Committee acting under instructions of Council, advertised for tenders for heating the Court House and Gaol, and in due time received the same. The lowest tender received being R. F. Carter & Co., of Niagara Falls, Ont., for the sum of \$2,775, to whom the work was accordingly let, and completed in a satisfactory manner; with the benefit of same we trust the Council will be pleased. Mr. Carter was also engaged to put railing on each side of front and back steps, the usefulness of which no doubt every councillor will admit the necessity of, particularly during the winter; and also making pump connections, the total sum for this extra work being \$24.98. Mr. Carter kindly presented the County with a silver-plated steam-gauge to be placed in the Gaoler's office.

Your Committee also let the contract for roofing the Court House to Messrs. Irwin & Son of Hamilton, for the sum of \$2124.09 the work completed in a satisfactory manner.

Your Committee considered in the interest of the County, while Mr. Irwin had material and men on the spot to have the wings also roofed, as in a very short time it would be needed, and the present was the most opportune time to have it done, which has been done in a satisfactory manner at a cost of \$300.

Messrs. Irwin & Son were also instructed to do some repairs on front of building and put in ventilators in Court Room at a cost of \$43. Messrs. Irwin & Son kindly presented the county with a coat of arms for Court Room. Your Committee had engaged Mr. G. W. Wright of Suspension Bridge, as architect to draw plans, specifications, &c., at a cost of \$150, which work Mr. Wright performed in a satisfactory manner.

Your Committee also let the contract for building the stone kitchen on the North side of building to Marcus Vanderburgh for the sum of \$655. This work at last session of Council was not anticipated in connection with the heating; but when the architect and Mr. Carter met your Committee in consideration of this work, the necessity for this extra expenditure seemed unavoidable, and the contract was accordingly let. The work has been done well, and in a satisfactory manner; further explanations in reference thereto, your Committee would be pleased to give if required. Mr. Vanderburgh has also done sundry jobs under the instructions of your committee

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to the amount of \$46.45. Your Committee also engaged James Harris of Fort Erie as overseer of roofing, during progress of same, at an expense of \$87.

Your Committee also engaged E. A. Gill of Welland, to drill holes, soldering railing, repairs to cell doors, and bush hammering front steps, at a cost of \$24.98. Your committee would recommend that the rear steps be also faced up. The work done by Mr. Gill was also performed in a satisfactory manner.

Your Committee also had the chimneys of the County buildings cleaned at a cost of \$2.50.

Your Committee had one C. Lister who was sick in Gaol for some time previous to last session, removed to the hospital at St. Catharines, pursuant to directions of Council. Expense for attendance while at hospital being \$16.

Your Committee have also let the contract for painting and decorating the roof, to Samuel Jewell of Fort Erie, for the sum of \$191.60 which work is now in progress.

Your Committee, in considering the tramp nuisance, decided to obtain stone for breaking, and accordingly advertised for tenders for stone, and let the contract for stone to be delivered in rear of Court House at \$6.95 to Messrs. Beemer & Sullivan, their tender being the lowest, 20 cords of which have been delivered, balance when required. Your Committee think this plan will relieve the County of the expense of this great tramp nuisance every winter, if not, some labor may be obtained from these individuals, and the stone will readily sell at a small advance on cost.

Your Committee also directed the stoves belonging to the county to be sold by auction, which has been done, the sum realized being \$117-70, less the auctioneers fee for selling.

Your Committee have not gone on with the painting of the walls nor the frescoing of the ceilings of Court Room and other rooms, as directed previous to re-roofing, as it was considered by the Committee that the expense incurred this year was as large as they felt justified in doing.

Your Committee would suggest the advisability of altering the shape of the Council table to a semi-circle shape; as it would admit

of every councillor hearing more distinctly what was said by any member around the board, as in the present shape, the councillors sitting at the opposite end from the warden, are often unable to hear what is said by the warden. The expense of this change would be very small.

Your Committee trust that what they have caused to be done may prove to be satisfactory to all, and they venture the opinion, that the work now completed will not require any further expenditure for some time to come.

Your Committee also engaged Ellsworth & Johnson to do certain work and furnishing material for county buildings amounting to \$91.39.

Your committee would recommend that the several sums before mentioned be paid, and that the warden do issue his cheques for the same.

All of which is respectfully submitted.

H. GRIFFTHS
JOHN A. RAMSDEN
NELSON FORSYTH
W. H. GAINER
GEO. SHRIMPTON.

Council Chamber, Welland,

Nov. 5th, 1884.

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APPENDIX E.

PETITION TO GOVERNOR GENERAL *RE* WM. ROSS, JR.

Unto His Excellency, The Most Noble Sir Henry Charles Keith Petty Fitzmaurice Marquis of Lansdowne, Earl of Wycombe, Viscount Calue and Calnestone, Lord Wycombe, Earl of Kerry, Earl of Shelburne, Viscount Clanmorris, Baron of Kerry, Lixnow and Dun-carrow, K. G., M. G., &c., &c., Governor General of Canada, &c., &c., &c.

The petition of the undersigned, members of the County Council of the County of Welland, and others,

HUMBLY SHEWETH :

That your petitioners respectfully ask for the immediate discharge from imprisonment of William Ross, Jr., now confined in Welland Gaol for the offence of assault, for the following reasons :

1.—The said Ross is a young man, only twenty-five years of age ; he has been in gaol for twelve weeks, and we believe he has been as fully punished as though he served out his full time.

2.—The said Ross is in a delicate state of health, as appears by medical certificate hereto annexed, and we fear that further confinement may prove permanently injurious to his health.

3.—The said Ross is predisposed to consumption of the worst type, several of his family, (viz., his mother and a brother) having died of that complaint. We are advised by physicians that confinement will speedily develop the hereditary taint.

4.—His father is an old man sixty-four years of age, in delicate health ; and we believe that his health is injuriously affected because of his son's confinement.

And as in duty bound your petitioners will ever pray.

To the Honorable, the Minister of Justice :

HONORABLE SIR,

This is to certify that during the months of March and April of

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the present year I gave professional attendance to Wm. Ross, Jr., (who is at present confined in Welland Gaol), for a serious affection of the lungs, and although I succeeded in arresting the progress of the disease for the time being, yet I have grave fears of another visit of the same affection, even under the most favorable hygienic influences, and without doubt his present confinement will increase the danger of a relapse one hundred fold.

I am my honorable sir,

Faithfully yours,

HUGH PARK, M. D.

Port Robinson, Oct. 13th, 1884.

I beg to certify, having been in attendance in the Ross family for nearly thirty two years, attending their mother when she died of consumption, also three of her sisters and one of Mr. Ross's sons. I also state my opinion, if the present Mr. Wm. Ross, Jr., who is to be confined in Central Prison for six months, will fall a victim to the same disease if he is sent there.

R. S. KING, M. D.

Port Robinson, Oct. 13th, 1884.

To the Honorable, the Minister of Justice, Ottawa :

HONORABLE SIR :

This is to certify that Wm. Ross, Jr., now confined in the Welland County Gaol, has and is now suffering from bronchial and dyspeptic trouble, and should not be in confinement. Have professionally attended the Ross family at various times, and one brother died of consumption, after having had severe bleeding at the lungs. Wm. Ross, Jr., has had spitting of blood, and knowing the family history and being his medical attendant, I would strongly recommend his liberation at an early date. Trusting this may receive your immediate and favorable consideration,

I remain, honorable sir,

Faithfully yours,

A. B. COOK, M. D., C. M.

To the Honorable the House of Commons of the Dominion of Canada, in Parliament assembled :

The Petition of the Municipal Council of the County of Welland, in the Province of Ontario.

HUMBLY SHEWETH :

That many of the competing lines of railways throughout the Dominion of Canada have passed into the hands of a comparatively few gigantic corporations, thereby giving them a monopoly of the carrying trade, greatly to the detriment of agriculturists, and the interests of the community throughout the Dominion of Canada generally. That in many instances exorbitant passenger and freight rates are charged, especially local freight and passengers :

That the different sections of the Dominion have assisted very materially, both municipally and through the Legislature in giving aid

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toward the construction of railways, and that having a large money interest in the said railways, it would be greatly to the advantage of the the country generally if provision was made by your honorable body whereby the freight and passenger rates made by the different railroads in the Dominion can be assimilated so that no unfair discrimination can be made in regard to local traffic :

Your Petitioners venture most respectfully to urge that your honorable body do pass an Act providing for the assimilation of Passenger Rates and Freight Charges made by the different railroads throughout the Dominion of Canada :

And your Petitioners as in duty bound will ever pray.

APPENDIX F.

TOWN CLERK'S OFFICE,
Niagara Falls, Dec. 6th. 1884.

J. C. Page, County Clerk, Welland Ont.

DEAR SIR,—

This is to say, that David Ferguson, destitute idiot is still in the Town of Niagara Falls, and to request, that you will be kind enough to send the usual allowance of \$52 00, made by the County Council to me.

Yours Truly,

J. ROBINSON,
TOWN CLERK.

GENERAL AND MARINE HOSPITAL *RE* LESTER.

GENERAL AND MARINE HOSPITAL,
ST. CATHARINES, July, 30, 1884.

GEO. J. DUNCAN, Sheriff, sir,—Dr. Greenwood desires me to say that the man Christopher Lester, who was admitted at your request into the hospital on the 24th of June last, will be well enough to leave here at the end of this week. Enclosed please find the account for his board.

Yours truly,
E. F. LINCKE,
Lady Sup't.

GENERAL AND MARINE HOSPITAL,
ST. CATHARINES.

GEO. J. DUNCAN, Sheriff County of Welland—Dr. on account of board for Christopher Lester, admitted June 24th, discharged August 2nd; amount at 40c per day, \$16.00.

E. F. LINCKE,
Sup't.

CERTIFICATE *RE* MRS. McLEOD.

This certifies that I know and have attended professionally at different times a Mrs. McLeod, an indigent, now lying at Thorold, in the County of Welland, and, that owing to her disordered mental condition, consider her incapable of managing her own affairs, and should therefore be placed under the care of some competent person.

Signed, WM. McCLIVE, M. D.

Thorold, Nov. 3rd, 1884.

FIRST REPORT OF SPECIAL COMMITTEE *Re* MARSH
LANDS SURVEY BETWEEN THE 3rd. AND 4th. CONCESSIONS.

To the Warden and Conncillors of the County of Welland :

Your Committee, to whom was referred the matter of purchasing lands for road, between the 3rd. and 4th. Concessions, beg leave to submit this their first Report.

Your Committee, on the 10th. day of June, went to Marshville, and had an interview with Edward Lee, Esq., in regard to the matter of purchasing of land, for a Road, and examined the ground. Mr. Lee's prices for the land, was \$ 100 00 per. acre.

Your Committee were, and are still of the opinion, that the price asked was entirely too much.

When your Comittee was about leaving, Mr. Lee intimated, that

he would consider the matter, and let the Committee know, which, however he has not done.

Your Committee would recommend, that the Committee be still empowered to complete the purchase, if practicable.

All of which is respectfully submitted.

JOSEPH GARNER
JOHN MISENER
JOHN MAWHINNEY

Council Chamber, Welland, Nov. 7th. 1884.

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APPENDIX G.

SPECIAL COMMITTEE *RE* NIAGARA FALLS AWARD.

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

Your Special Committee, to whom was referred the matter of settlement of the amounts payable under award *re* Niagara Falls, beg leave to submit this their Report :

On the third day of July, the Mayor and Clerk of Niagara Falls Town met with your Committee for the purpose of arriving at and determining the sums due and payable between the County and Town, and after very carefully going into all the details in connection therewith, found that the amount due to the County from the Town on the 1st day of January, 1884, to be seven hundred and nineteen 41-100 dollars (\$719.41). This amount has been paid by the corporation of the Town of Niagara Falls to the County Treasurer.

All of which is respectfully submitted.

W. McCLEARY,
J. A. RAMSDEN.
JOSEPH GARNER,

Council Chamber, Welland,
Nov. 7, 1884.

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APPENDIX H.

REPORT OF GAOL INSPECTOR *RE* GAOL SURGEON.

Copy of charges made by Mr. Bugar.

1st. That medicines procured by the County were used for other than County purposes.

2nd. That the Gaol Surgeon used his office to extort money from criminal prisoners, and that the Gaoler was cognizant of the fact and allowed intercourse with the prisoners, both before and after the trial, the prisoner being led to believe that the Gaol Surgeon and his accomplices could produce temporary insanity by medicines and procure his release by certificates of insanity.

3rd That oatmeal was exchanged for tobacco for the use of prisoners.

4th. That Turnkey has had free access to female department and be with female prisoners during wash-days.

5th. That the Gaoler has been in the habit of filling out Surgeon's certificates for prisoners about being removed to the Provincial Penitentiary, and signing same with the name of the Surgeon when there was no examination by Gaol Surgeon.

6th. That in the case of one John Ryan, a prisoner committed for sixty days, the Gaoler changed the commitment so as to read ninety days.

SUPPLEMENTARY CHARGES.

1st. That the Gaoler allowed one John Rhodes, a prisoner under sentence to ten years in the Provincial Penitentiary, to have his wife with him the greater part of one day in the top ward of the said gaol without any officer of the gaol being present.

2nd. That the Gaoler also allowed one J. V. Holcomb, a prisoner under sentence to the Provincial Penitentiary, to have his

wife with him in the centre ward of said gaol the greater part of one day without any officer of the gaol being present.

3rd. That the Gaoler allowed the Matron to have in her possession keys that would unlock the male prison kitchen and Gaoler's office, and that male prisoner were frequently taken out of said kitchen by the Matron or by a girl, who was living with her, and put to work in the Matron's kitchen without a Turnkey being present.

Re Welland Gaol
(Copy)

OFFICE OF THE INSPECTOR OF PRISONS AND
PUBLIC CHARITIES, ONTARIO PARLIA-
MENT BUILDINGS, TORONTO,
June 5th, 1883.

SIR :—

I have the honor to report that, acting under instructions of the Hon. S. C. Woods, Provincial Treasurer, I attended at the court house of the County of Welland, on the 10th day of May last, and opened an official enquiry into certain charges which were formulated by Mr. Hamilton Bugar, of Welland, against the Gaol Surgeon and the Gaoler of that County.

Mr. Bugar was represented at the enquiry by his solicitor, Mr. W. M. German, while the Hon. J. G. Currie acted as counsel for the officers charged.

After taking the evidence of several witnesses at the request of both parties I adjourned the enquiry until the 17th of May, on which day I heard further evidence and again adjourned, this time for the purpose of taking the evidence of certain prisoners confined in the penitentiary at Kingston. On the 23rd of May I proceeded to the penitentiary and took evidence there, Mr. Currie being present, Mr. Bugar being represented by Mr. B. M. Britton, of Kingston. Another adjournment was then made until the 1st of June, when the taking of evidence was concluded at Welland. The charges first made by Mr. Bugar were six in number. To these were added, during the course of the investigation with Mr. Currie's consent, three supplementary charges, making nine in all.

A full copy of the charges made and the evidence taken thereon is submitted herewith.

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LETTER FR

DEAR SIR,—

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After a careful consideration of the evidence adduced, I have the honor to report my conclusions to be as follows:—

1st. That the charges against the Gaol Surgeon have been substantially proven, and that I am of the opinion that Dr. Schooley should not be continued in that position.

2nd.—That while all the charges made against the Gaoler have not been proven, and that some of those which were proven are not of great importance, and admit of some explanation, I am of opinion that the evidence sufficiently shews that on the part of the Gaoler irregularities have taken place in the gaol from time to time, which are subversive of the discipline thereof, and that the Gaoler fails to realize the responsibility of his position; and I am of opinion that no better administration can be hoped for under him in the future than in the past; I have, therefore, no other course open to me than to recommend his removal.

All of which is respectfully submitted.

Signed, W. T. O'REILLY,

Inspector.

The Honorable, the Attorney General.

LETTER FROM THE WARDEN TO COUNTY SOLICITOR
RE GAOL SURGEON.

OFFICE OF THE WARDEN, COUNTY OF
WELLAND, THOROLD ONT.,

Oct. 18, 1884.

DEAR SIR,—

On the 9th or 10th of August last (I have mislaid the letter) I received a letter from Dr. Schooley, the Gaol Surgeon, complaining that the Sheriff had called in another physician to attend a prisoner who was sick, and had given instructions to the Gaoler not to allow him (Dr. Schooley) to see the prisoner who was ill. Some days after his Sheriff Duncan came to my office and informed me that he intended suspending Dr. Schooley from his office as Gaol Surgeon for neglect of duty. On the 18th of Aug. I received a letter from the

Sheriff stating that he had suspended the Gaol Surgeon, and asked me to nominate some one to take his position.

This latter I declined to do on the ground that I was not aware of any law that gave the Sheriff the power to suspend an officer who is appointed by by-law of the County Council, and paid by that body. I wrote the Sheriff to this effect, and asked him to refer me to his authority for assuming the power he had. He in reply referred me to sections 2, 4, 9, 10, 37 and 54 of the rules and regulations of the Common Gaols of Ontario.

The construction I put upon the sections above was this: Section 2 refers to the appointment of the resident Gaol Officers; section 4 to the appointment of the Gaol Surgeon, which appointment is made by the County Council and not by the Sheriff or the Government; section 9 and 10 I concluded referred only to his power to suspend, dismiss and appoint the resident Gaol Officers therein named; sections 37 and 54 have no bearing on the question at issue.

I have taken the ground that the power to suspend or dismiss the Gaol Surgeon rested only where the power to appoint exists, viz., with the County Council or with its executive officer. I wrote the Sheriff, stating my views, and asked him to instruct the Gaoler to allow Dr. Schooley to continue his visits to the gaol; this he has refused to do. Please give me your opinion on the following:

1st.—Has the Sheriff the power to suspend the Gaol Surgeon?

2nd.—If the Sheriff has not the power of suspending the Surgeon, what mode of procedure will be necessary in order that the rights and privileges of the County Council may be sustained.

Your very earliest reply will oblige,

Yours, &c.,

WM. McCLEARY,

Warden.

L. D. RAYMOND,

County Solicitor.

L. D. RAYMOND *RE. GAOL SURGEON.*

WELLAND, 25th Oct., 1884.

Wm. McCleary, Esq., Warden, Thorold:

MY DEAR SIR,—

Having given the subject of your letter to me in the matter of the suspension of the Gaol Surgeon by the Sheriff careful consideration, and having referred to the statute by virtue of which the County Council has the appointment of Gaol Surgeon, being "The Consolidated Municipal Act, 1883," and to the rules and regulations of the Inspector of Prisons for the government of Common Gaols, framed under Cap. 224, Sec. 9 R. S. O., I am of opinion that the control of the Gaol Surgeon is vested in the County Council and not in the Sheriff, and that the rules above named, so far as relates to the suspension of officers, does not apply to Gaol Surgeons.

I think the best method of dealing with the matter, and asserting the rights of the County Council, will be to call a special meeting of the County Council, and notify the Inspector of Prisons so that he may be present, when it is probable that a satisfactory conclusion would be arrived at; or if you do not wish to call a special meeting, it may be advisable to correspond with the Prison Inspector or the Attorney-General, submitting the case to him.

The County Council might, I think, under section 480 of the Municipal Act of 1883, request the County Judge to investigate any charge of misconduct preferred against the Gaol Surgeon, as he is an officer of the corporation.

I am yours very truly,

L. D. RAYMOND,

County Solicitor.

CHARGES MADE BY THE SHERIFF AGAINST THE GAOL SURGEON.

1st. Gross and continued neglect in his attendance as Gaol Surgeon on prisoners confined in gaol, for months previous to his suspension.

2nd. Gross and continued neglect in attendance on the families of the Gaoler and Turnkey.

3rd. Using grossly and abusive language of the Sheriff.

4th. Malicious mutilation of the Gaol Surgeon's book belonging to the office.

5th. General irregularities in performing the duties of his office.

GEO. J. DUNCAN.

Sheriff.

Nov. 7th, 1884.

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office.

REVISED LIST—INSANE DESTITUTE.

Half year Insane Destitute List as revised November 6th, 1884

MUNICIPALITY.	NAMES OF INSANE DESTITUTE.	Weekly Allowance.	Due for one half year	TOTAL	RECEIVED PAYMENT
Bertie.....	Catharine Clenick..	\$1 50	\$39 00	\$ 39 00	
Crowland.....	Mary Forsyth.....	2 00	52 00	52 00	
Niagara Falls Town.	David H. Ferguson..	2 00	52 00	52 00	
Humberstone.....	Jacob Neff.....	2 00	52 00		
	John Harper.....	1 00	26 00		
	James Boyle.....	1 00	26 00	104 00	
Pelham.....	John Clark.....	2 00	52 00		
	Israel Tice.....	2 00	52 00		
	David Smith.....	2 00	52 00		
	Mary Clark.....	2 00	52 00	208 00	
Port Colborne.....	Mrs. Chambers....	1 50	39 00		
	Mrs. Harney.....	2 00	52 00		
	Ellen Clifford.....	2 00	52 00	143 00	
Stamford.....	Barbara Sour.....	1 00	26 00	26 00	
Thorold Town.....	Hugh McGiven.....	2 00	52 00		
	James Caffery....	1 50	39 00		
	Mrs. McLeod.....	2 00	52 00	143 00	
Thorold Township..	Charlotte Daboll..	1 75	45 50	45 50	
Wainfleet.....	William Smith....	1 50	39 00		
	Lucinda Upper....	2 00	52 00		
	David Sider.....	2 50	65 00		
	Caroline Taggart..	1 75	45 50		
	Lucy Rogers.....	1 50	39 00	240 50	

Signed, WM. McCLEARY, { L. S. }
 J. C. PAGE, Warden.
 County Clerk.

th, 1884

RECEIVED
MENT

{ L. S. }

