

31 May 1864

J. C. Macdonald

A FEW FACTS

IN THE HISTORY OF THE AGITATION OF THE

Settlement of the County Town

OF THE

COUNTY OF BRUCE.

In the fall of 1856, seven of the Reeves of Bruce, in the interest of the Village of Kincardine, constituted themselves, without any authority from the rate-payers of the county, a deputation to wait upon His Excellency the Governor General, requesting him to leave the selection of the county town to a vote of the Reeves of the county.

To this request His Excellency consented, on condition that the vote should be taken after the then approaching municipal elections. At that time there were only two competing places for the county town, viz: Southampton and Kincardine. An intense spirit of rivalry existed at that time between those two villages. And the respective advocates of both places, seeing that neither could command a majority of the Council, were willing to adopt any course, rather than that their rival should be successful. The then Reeve of Brant, the proprietor at that time, and founder of the Village of Walkerton, was acute enough to see that in consequence of this rivalry, Walkerton might, by shrewd management, command the largest vote in its own favor, which it actually did, exactly in the same manner as Quebec commanded the vote in the Legislative Assembly, notwithstanding the fact of its being, like Walkerton, situated at an extreme point, geographically. The gentleman in question lost no time in taking advantage of this vote, purely accidental as it was, and never intended to be acted upon by the Reeves who gave it; and by good management on his part, succeeded, to the amazement of the people of Bruce, notwithstanding the protests of a large majority of the rate-payers, and the refusal of the Provisional Council to grant an official document corroborative of said vote having been fairly and decisively, and in good faith, expressed in favour of Walkerton, in procuring a proclamation, naming Walkerton the County Town of said county.

In 1858 an Act was passed by the Legislature voiding the proclamation in favour of Walkerton, and providing that each locality competing for the County Town should submit its claims in writing on or before the first day of October in that year, to enable His Excellency the Governor General in Council to decide as to which place should be selected as County Town.

This scheme was styled by members of Parliament at the time, "The seat of Government scheme in miniature," which it really was, and intended by its promoters to be, in order to remove the settlement of the matter entirely from any bias, or undue influence on the part of the Reeves, who had, so far, failed to settle

it in a satisfactory manner, exactly in the same mode as the reference to Her Majesty of the seat of Government question was made, in order that the matter might be removed from the arena of political influence in Canada, and decided on its merits alone.

The documents setting forth the competing claims of the respective places contending for the County Town remained in the hands of the Government from October 1858 until the summer of 1860, when the Provisional Council was called upon by the Provincial Secretary to furnish the Government with an indication of the mind of the Council, by naming two leading places, in order to the selection of one of them as the County Town. A respectable minority in the Council opposed any such indication on the part of the Council as being contrary to the spirit and intention of the Act of 1858, but notwithstanding their strong protest, a combination of the Reeves, in the interest of Kincardine and Walkerton succeeded in carrying a resolution, recommending the selection of the County Town from one of two places, and naming Kincardine and Walkerton as the place from which the selection should be made.

The matter remained in abeyance for some time, and until November 1860, Sir Fenwick Williams being at the time Administrator of the Government, when a second proclamation was issued in favor of Walkerton. And a second time the rate-payers, when the municipal elections came on in 1861, elected Councilors to oppose the consummation of said proclamation, in refusing to proceed with the erection of the county buildings at Walkerton. It has been asserted by the parties acting at the time in the interests of Kincardine that they never would have united with the friends of Walkerton in the recommendation made to the Government, had they supposed that Walkerton would have been a second time proclaimed County Town; but that having once, by a solemn Act of the Legislature, had the proclamation in its favor set aside, they never contemplated the possibility of its being a second time proclaimed.

Ever since the promulgation of that second proclamation, the question has remained unsettled; no Council venturing to perpetrate such an outrage upon the feelings of the rate-payers as to dare to proceed with the erection of the county buildings at the village of Walkerton.

At a meeting of the Provisional Council, held at Walkerton, March 6th, 1863, a Special Committee, appointed to reconsider certain action at a previous meeting of Council in re-

ference to the County Town question, reported as follows:—

"That, after mature and serious deliberation and hearing of parties, your Committee are thoroughly convinced that the proposition at last meeting of Council, to proceed with the erection of the county buildings at Walkerton, has created great dissatisfaction and indignation among the rate-payers throughout the county; and after the strong expression of dissatisfaction that has been elicited, your Committee feel fully sensible that it would be a reckless wasting of the public finances, and a trifling with the best interests of the county, to take any further action towards proceeding with the erection of the county buildings at the village of Walkerton, as said buildings, your Committee are thoroughly satisfied, could not be sustained at Walkerton for any period thereafter."

"Your Committee cannot close their eyes to the fact patent to all, that, however inconsistent the vote of the Council may appear to some not acquainted with the merits of the case, that the votes heretofore given to Walkerton have been the result of rivalry between the other localities who voted for said village of Walkerton as County Town, so as to keep the settlement of the question in abeyance, in the hope that something might transpire to add to their strength and consequent chance of success, and that they did so with the full knowledge and conviction that the buildings could never, by any possibility, be proceeded with at Walkerton, which, from its geographical position, is the worst situated of any place in the county for said County Town. Your Committee deplore the great injury that had already been done to the county, in connection with the question, and which injury, they are fully sensible, would be greatly intensified by the erection of the county buildings at Walkerton."

This deliverance, adopted by the Council, is strictly true, and in accordance with the sentiments of the great majority of the people of Bruce. Nevertheless, a majority of this same Council, including the gentleman who framed that Report, during the same year, influenced by a desire of securing for themselves or their friends certain county offices, requiring to be filled in the event of the separation of the County from Huron, and the erection of the county buildings; and, in most unseemly haste to secure those offices before a change of administration might take place, in a most inconsistent manner, turned round, appointed a Building Committee with unlimited powers to select and purchase a site for the county buildings at Walkerton, to advertise for tenders for the erection of said buildings, to contract for the same, and to pay out all sums of money for the erection of the buildings, or otherwise in the premises, the Provisional Treasurer being empowered, by a By-Law passed by said majority, to pay all orders of the Chairman of the Building Committee, without the slightest check, either on the part of the Council or of the Finance Committee, whose legitimate business it is, in accordance with law and usage, to examine and audit all accounts before payment is, or can be, ordered.

This Committee, in so far as they had the power, did accept of a certain tender, had a contract drawn up so late in the season as the month of December last, and on the 21st day of that month the Council met, in order to have the Warden's signature and the seal of the County Council attached to the contract—a preliminary formality without which, thanks to the law, the Committee found

they could proceed no further. The Warden, acting under legal advice, in reference to the validity of the by-law of supply, and also acting under the tenor of a letter addressed to him by Mr. Ferres, Inspector of Prisons, declined to sign the contract, whereupon the Council, in an illegal manner, appointed a chairman, while the Warden still occupied the chair, who, in the Warden's presence, signed the contract, after which the seal of the Corporation was attached by the clerk acting under the instructions of the Council. It was in this manner that the seal of the Corporation became attached to the contract. The contractor, however, acting under legal advice, refused to proceed with the works under a signature and seal so illegally attached to that document.

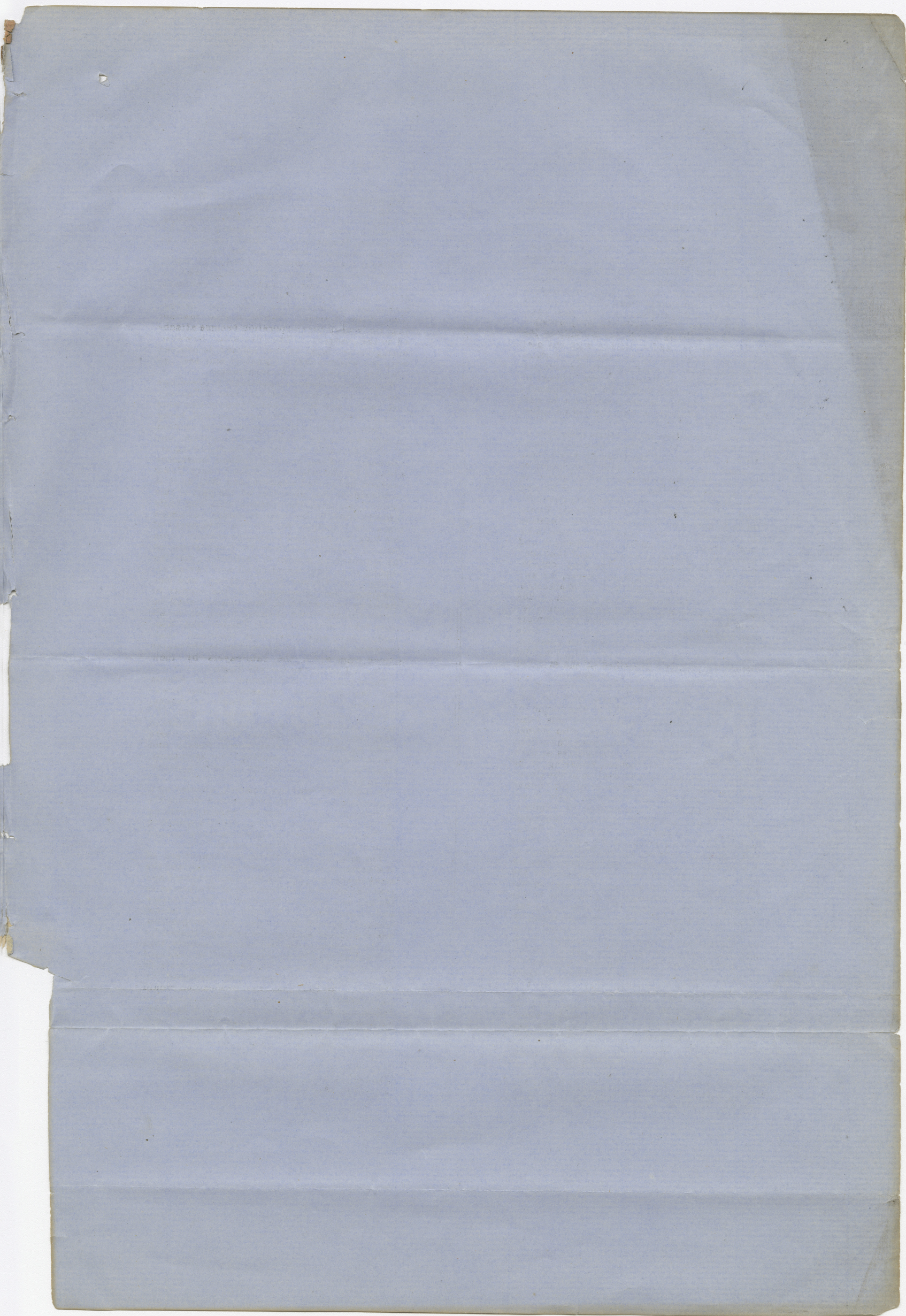
The result of these extraordinary proceedings was that, at the municipal elections in January last, twelve new Reeves out of twenty-two were elected. At the first meeting of Council, being fully informed as to the state of public opinion in reference to the County Town question, one of their first acts was to pass the following resolution:—"That, as every method heretofore adopted for the settlement of the County Town question has proved a failure, and that, as it is quite evident that no action on the part of this Council can settle the question upon any basis hitherto tried, it becomes necessary to adopt some new principle for the final settlement of this long-pending and expensive contest; this Council therefore petition the Legislature, at the approaching session of Parliament, for the passing of an act repealing all acts having reference to the County Town question; and empowering the rate-payers of the county to choose by vote which of two places shall be chosen County Town of Bruce; and, as in all votes taken in this Council, Paisley and Kincardine have held prominent positions, that, therefore, Paisley and Kincardine be the places named from which the rate-payers by their votes shall select the County Town."

There voted for this motion fifteen Reeves and Deputy-Reeves, representing nine townships and two incorporated villages; representing also, according to the census of 1861, 17,098 souls of the population; and real estate in land, amounting to \$3,635,000; while there voted against the motion seven Reeves and Deputy-Reeves, representing four townships, 10,401 souls, and real estate in lands amounting to \$1,955,920.

A resolution was then passed, appointing a Committee to draft the petition now before the Legislature, and a By-law was passed, repealing the By-law passed 15th Oct., 1863, appointing the Building Committee, to whom was accorded such unlimited and illegal powers.

The minority, the friends and supporters of Walkerton neither suggested nor proposed the amendment now, for the first time proposed and pressed; namely, the insertion of Walkerton in the bill as a place to be voted on with Paisley and Kincardine. Certainly the Provisional Council should have had this proposition, which entirely nullifies the principle prayed for in the petition to the Legislature; namely, that of "having the County Town located at some spot as nearly central as may be, on the Lake Shore, or in the interior," submitted and discussed in Council. In that case the proposition would have been promptly rejected, "for the simple reason that the selection of Walkerton is most unsatisfactory to the great majority of the rate-payers of Bruce, in consequence of its position at an extreme point in the County."

WILLIAM GUNN,
Chairman of the County Town Committee,
Provisional Council of the County of Bruce. }
Quebec, May 24, 1864.



1864

County town