

**EARLY  
COBOURG**



**Percy L. Climo**

Don de Patricia Fedus  
mars 1993

# EARLY COBOURG

Featuring settlement, local  
government and a variety of other  
events and records.

Primary sources used extensively

RÉGIONALE OTTAWA - CARLETON  
SOCIÉTÉ FRANCO - ONTARIENNE  
D'HISTOIRE ET DE GÉNÉALOGIE  
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**Percy L. Climo**

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## PREFACE

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From boyhood, the writer has retained a certain fondness, an attachment, and good will for the Town of Cobourg. These feelings have deepened as I grew older, and for good reasons.

In my younger years, the town and its people provided an environment that was healthy, wholesome and instructive. Cobourg was a good place to develop, to grow and to mature; all preparatory for moving out into the larger community.

My father retained similar feelings. He was born in the Duchy of Cornwall, Great Britain, and he was still a babe-in-arms when our family came to and settled in Cobourg. He lived out the rest of his life in the town and often took delight in recalling stories of Cobourg happenings and his experiences of by-gone years. As told to the writer, his stories made an impression, developed a fondness for Cobourg history, and inspired the desire to ascertain more knowledge of events of earlier years.

Retirement years have opened the door to study, research, recording and writing about Cobourg's past. Today, through library and archival records, through facilities of recent years that were not available to earlier writers, one can penetrate the past and record many earlier events. This, the writer has had much pleasure in doing. The accompanying history on early Cobourg is the culmination of much study and research. Hopefully, it will assist the reader in gaining a little better insight into the story of Cobourg's developing years.

The writer was born in downtown Cobourg in the year 1906. Our family lived in the rooms above my father's store, located on King Street to the west of George Street. I still retain many fond memories of my young boyhood gained in those early and impressive years of living in Cobourg's core. Within six years of my birth, my father sold his business and the family took up residence in the extreme west end of the town. The writer lived here until manhood. He advanced through Cobourg schools, attended Church services and activities regularly, and



*VIII/A History of Cobourg into 1850*

along with neighbourhood companions had an active boyhood and youth, in enjoying to the full the various things that were healthful and helpful in the growing up process.

My teachers through the grades of the town's public school and the Collegiate Institute were excellent. The people who gave direction and leadership in the churches, imparted to their followers something that was vital and very important towards assisting one to grow and develop along lines that would be most beneficial in later life. All this is recalled in grateful memory.

Cobourg, in my impressive years, provided an environment that was healthy, wholesome, instructive and of a high quality, an excellence one usually does not find in larger centres of population.

Percy L. Climo  
January, 1985.

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## INTRODUCTION

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It was Dominion Day, July 1st, 1914. It was the forty-seventh anniversary of Canada's Confederation. It was a public holiday. Stores in Cobourg were closed for the day and citizens were active in various pursuits. The province had just emerged from a strenuous election. A local newspaper was too fully occupied, in letting off political steam, to even notice the activities of the day.

July the First, 1914, was also the seventy-seventh birthday of the Town of Cobourg. Few people, if any, realized this fact. The generation that had brought about the incorporation of the town had long since passed on. The older folk, through time, had lost track of certain earlier events. The written record, the printed word, rested in vaults, in old newspapers, long since out of sight and forgotten.

July the First, 1914, found Cobourg still basking in the charm, the atmosphere of the Victorian era. The good Queen had ascended the British Throne only a few days before the town was incorporated. Her son, King Edward the Seventh had come and gone. Her grandson, King George the Fifth now occupied the throne of the Empire. The Union Jack was on display in various locations.

It was July the First, 1837, when the incorporated municipality had cut its political umbilical cord from the Township of Hamilton, and like a new-born colt, was standing shakily at first on its own legs. Now, seventy-seven years later, the town had come through a variety of experiences. It had encountered growth, prosperous times, difficult times, recessions, and times of encouragement. It had its university for over fifty years, then lost it. The town had its own railway to the North and lost that too. Through the years its harbour had been active and productive.

July the First, 1914, was the end of an era in several ways. On the lake, the schooner days were practically over. Likewise the paddle-wheel steam-boats, that plied the lake, calling at various ports, carrying both passengers and freight. Now, the new larger ferry-boat, steaming back and forth across the lake, was paramount in harbour business. The large woolen mills, ultra modern in the 1840's, and the mainstay of local economy through the years, had closed down. Negoti-

ations were proceeding for another industry to occupy its empty buildings. The large Crossen Car Shops that had been active for over forty years had quit. The wealthy summer visitors from south of the border were back in town, bringing with them their form of gracious living, occupying their large mansions, and engaging in their endless rounds of social activities. The stores of the town were well stocked for their summer trade. The unpaved, tree-lined streets, still traversed by many horse-drawn vehicles, were becoming accustomed to the increase in the number of motor cars or automobiles. The sandy beaches in front of the town, the beautiful Victoria Park, attracted the middle-class folk on warm, sunny days. Preparations were proceeding for the continent-famous Cobourg Horse Show in August. The Victorian Era, in Cobourg, was having its final flourish.

The Mayor and Council occupied their conspicuous seats of authority without personal financial remuneration, for their public interest and service. Since its incorporation, the place had at first been the District Town, and from the year 1850, the County Town. There was a Home for Aged, and a home for the unfortunate mentally ill. The town boasted a new general hospital. Its variety of schools held a fine record since pioneer days. Three railways now crossed its boundaries, each competing for local patronage. The population had remained around the 5,000 figure for nigh on sixty years. The Townsfolk were proud of its past military achievements.

On July the First, 1914, the people of Cobourg had no reason to believe that great changes were imminent. They went about their various occupations, professions, trades, vocations in their same accustomed manner. They little realized, that far across the seas, on the European horizon, war clouds were starting to appear, and the gathering storm would permanently change the little grey town, basking in the sun by its lakeside. Behind it all, Cobourg had a unique story of its many years. It had experienced growth, and matured through a variety of experiences. It had a narrative to be told. The town had a history. . . .

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## I/PRESETTLEMENT

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### **Geology and Geography**

That part of the earth's crust, known as the North American Continent, particularly the north-eastern sections, through the aeons of time, has passed through a great variety of stages; upheavals, settlements, formations of table land, sediment rocks, ancient rivers, and geological changes of various kinds. The ice ages came and receded. All have left their indelible records on the face of nature. Today, we can view the results of nature's handiwork in the formation of the Great Lakes, the Precambrian Shield, and the moraine hills of Northumberland County. Today, we find the Town of Cobourg bordering the north shore of Lake Ontario, nestling in a semi-saucer shaped plain, backed up by the Northumberland hills, all in a pleasant agricultural setting, beautiful to behold.

### **The Indigenous People**

Following the retreat of the last ice age, and the draining of the larger Lake Iroquois, when Lake Ontario came into its own setting, dense forest grew up and covered the plains and hills. The native people, later designated 'Indian', moved in to occupy, to hunt and to fish the lands, lakes and rivers. For several thousand years they lived here their nomadic and outdoor life.

### **The Europeans**

The European discoverers of North America, followed by explorers, fur-traders, merchants, priests, settlers and colonies; the conquests for new territory, and the expansion of the white man's domain, all took place in a progressive development. The localized area of Northumberland remained a solid forest and untouched. Time and events move on. The French occupation changed to British possession. The Quebec Act of 1774 created a Province from Labrador through the Great Lakes, and into the Ohio and Mississippi valleys, a huge territory.

The Treaty of Paris of 1783 again sets new boundaries for the Province of Quebec, eliminating the western portion beyond the Great Lakes. The year of 1784, and the aftermath of the American Revolution, brings to the Province the Refugees, loyal to British ideals, to settle along the shores of the Upper St. Lawrence, the Bay of Quinte, the Niagara Peninsula, and other areas of British North America. Except for a fur trading post at Smith's Creek, the local area is bypassed by these events.

### Canada Day, 1791

The Indian term '*Kanata*', meaning village or community, was believed first applied by the indigenous people to the French build-up along the north shore of the St. Lawrence, from the Ottawa River eastward. The term evolved and developed into the word *Canada*, which came into general use. The Canada Act of 1791, recognized the name officially for the first time. The Act was passed by the British Parliament on August 24th, 1791, and was applied to become effective on the 26th of December, 1791, the true date for the title, "*Canada Day*". The Act divided the Province of Quebec into the Provinces of Lower Canada and Upper Canada. The local area became part of the latter province.

### Indian Treaty

By the year, 1787, Lord Dorchester, the Governor of Quebec, ordered a treaty for land, north of Lake Ontario, and to the west of the Trent River. Sir John Johnson, the Superintendent General and Inspector General of Indian Affairs at that time, met with Indian representatives at the Carrying Place, at the head of the Bay of Quinte, on the 23rd of September, 1787. The lands conveyed to the Crown by treaty extended from the Carrying Place, along the North shore of Lake Ontario to the Etobicoke River, with a depth of ten to twelve miles. The land was paid for in goods, delivered at the time. The wording of this treaty was either lost, or it was left unrecorded. The boundaries were not settled until 1788. On the First of August, 1805, another deed was signed to complete the purchase made in 1787. By 1790, settlement along the Bay of Quinte had reached along the shore to the Trent River.

### Preparations for Settlement

In anticipation of increased settlement, and in preparation for the dividing of government responsibilities, instructions were issued by the Government at Quebec, to Mr. Augustus Jones, Deputy Provincial Surveyor, to mark out eleven townships, bordering the north shore of Lake Ontario, from the River Trent westward to the Humber River. Jones and his party set out from Niagara in late June, 1791, and on July 1st, started from the Humber River and proceeded eastward, along the lake shore, running out a measured traverse to the western bound-

ary of Sidney Township, located on the east bank of the River Trent.

After calculating the latitudes and departures of this traverse, Jones plotted where the respective township boundaries were to be located. On July 29, 1791, he returned westward marking out the base line and the positions of side lines for one mile inland from the lake, for each of the eleven townships. This survey was the first for Northumberland County and the Township of Hamilton. Hamilton Township was marked off in this manner in August, from the 13th to the 17th.

## Upper Canada

The Canada Act, passed by the British Government on the 24th of August, 1791, formed the Provinces of Lower and Upper Canada from the former province of Quebec. The Act became effective as of December the 26th, 1791. John Graves Simcoe had been appointed Lieutenant Governor for Upper Canada, and arrived at Quebec on November 11th, 1791, in preparation to assume that office, where he spent the winter and spring months. He had no official power outside of Upper Canada.

It was July 8th, 1792, when he took the oath of office at Kingston. There, he appointed his Executive Council, set up the ridings or electoral districts, and appointed civil officers, both judicial and ministerial. It was his decision to hold parliament at Niagara, making Newark the capital. It was at Newark the first parliament met on September 17th, 1792, with sixteen elected representatives. Northumberland was grouped with Hastings and Lennox counties as an electoral district for that First Parliament, and the elected representative was Hazelton Spencer.

In the year 1792, Northumberland County was still a virgin forest without settlers. The policies formulated, the Acts that became law, passed by that first and subsequent legislatures, had far reaching effects in the later history of Northumberland County, Hamilton Township and indeed the Town of Cobourg. Some of these consequences will be mentioned and referred to later in this history.

## Origin of Township Names

*(Reference – The Cobourg World Newspaper, October 7, 1893. 6:3.)*

“From an interesting historical sketch of the County of Northumberland, written by the Rev. D. Sutherland, M.A., and published in the Warkworth Journal, we quote the following which is specially of local interest:

“Murray Township was named after the celebrated General Murray, who aided Wolfe in the capture of Quebec. On the death of his heroic leader of the Plains of Abraham, he assumed command of the army, took possession of the city and strengthened its defences, and was subsequently appointed under the military regime of those days to administer the affairs of the Colony.

"Cramahe Township was named after H. T. Cramahe, who at first held a subordinate position as an official under General Murray. On the return, however, of Sir Guy Carleton (Lord Dorchester) to England, he was appointed Governor during his absence ad interim. In Garneau's History of Canada there appears an order signed by Cramahe on the Paymaster General for three month's payment for the 78th Regiment. It may be interesting to note the following daily payments as ordered by him:

	Pounds	s	d.
56 Sergeants at 1s per diem	5	16	0.
56 Corporals at 8d per diem	1	17	4.
28 Drummers at 8d per diem	0	18	8.
1,195 Privates at 6d per diem	29	17	6.
	<hr/>		
Total for one day	35	9	6.

"Haldimand Township was named after General Haldimand who succeeded Carleton as Governor. Haldimand was a Swiss by birth, but he had long served in the British Army. He is described as a veteran soldier, severe in nature, imperious in manner, well fitted to lead battalions to battle, but not so well suited to exercise civil functions. The times being critical, his regime was repressive, rather than popular, and has been severely criticized by historians.

"Hamilton Township was named after Haldimand's Successor, as Governor, Henry Hamilton, Esq., who administered satisfactorily the affairs of the Colony, until he was succeeded by Colonel Hope.

"From the above historical references, it appears that the four townships of Northumberland, on the margin of the lake proceeding from East to West have been respectively named after four British rulers who held the highest office in near succession. The remaining inland townships of Percy, Alwrick and Seymour derive their names from places and families in the County of Northumberland, England."

### John Graves Simcoe

Simcoe as Lieutenant Governor of a large territory, mostly of unbroken forest and three small areas of settlement — St. Lawrence and Bay of Quinte; Niagara and Detroit River area — had a formidable task to perform. He had had some earlier experience as a military man in the American Colonies and he had observed some of the settlement problems in the New England States. As a man, Simcoe was English to the core. He believed Upper Canada should be designed on a model of English Society with an aristocracy, a privileged school system, an established Church of England, and a paternalistic form of government. Simcoe was a dedicated promoter and an active planner in various schemes to advance the province. He strongly encouraged and desired a fast build-up of settlement. He promoted agriculture, opened roads, and ordered lay-outs of town

sites. He was dependent upon immigration from the United States, people who were accustomed to pioneering. All these features characterized the legislation passed by the early sessions of the parliament of Upper Canada in the 1790's.

### Township Settlement Schemes

In the American Colonies various schemes of settlement had evolved. For example, a tract of land, such as a township, was given over to an individual, or agent, who on organising and bringing in a certain number of settlers, allocating them to farm-size lots, received the balance of the tract, or township as his own as a reward for services rendered. Land was wealth in pioneer days. In some cases such a plan was very successful, especially when the group of settlers were of the same religious denomination or of the same ethnic class with all interested in living in their own community. Unfortunately some agents, following dishonest practices, created severe problems, hardships and misery for the victims of their schemes.

After the first parliament met in 1792, Simcoe was induced to allocate townships in Upper Canada to agents for settlement. The Lieutenant Governor had observed the practices and mal-practices of land agents in his earlier years, and he came to abhor, to detest the American settlement schemes. Nevertheless in a six month period, some thirty-six townships in Upper Canada were set aside for settlement by agent. Simcoe had hopes that the scheme would produce a build-up in population. He became disappointed on learning that some of the agents were attempting to sell their townships wholesale in the United States. The practice was discontinued, and no additional townships were offered to agents.

Most of the townships in Northumberland County came under the settlement by agent scheme. In the year of 1793, Northumberland was still an unbroken forest and not surveyed for settlement.

Joseph Keeler, of Vermont, is reported to have finally settled at what is today the Village of Lakeport in 1793. He became a settlement agent for the area. He had an agreement with Simcoe, most likely a verbal one, the terms of which we do not know.

### Some Notes on Grants of Townships for Settlers

*(Reference: Land Settlement in Upper Canada. 16th Report – Dept. of Archives for Ontario. By Alexander Fraser, M.A.: LL.D; etc-1920*

“In May of 1796, a proclamation had been issued declaring certain grants of townships null and void, because of failure to comply with the Conditions of Settlement.”

“Prior to that event, in August of 1795, the Surveyor General had reported to the Council that no settlers, as yet, had been placed on the Townships of Clarke



or Cramahe by persons to whom they had been granted. The Council forthwith rescinded the grants and threw open the townships."

"In August of 1797, Surveyor-General Smith laid before the Council, a report on grants of townships, and as a result the Council submitted to the President a number of comments:

"First - They drew attention to the fact that persons obtaining such grants rarely understood in full the conditions attached to them." (Added note - Were these conditions spelled out in writing or verbal?)

"Many appeared to think that after settling forty families in a township on 200 acre lots, the rest of the land was their own."

"Others, although they understood their obligations to settle two hundred families on 200 acre lots, yet considered themselves free to sell out at anytime."

"Still others believed that after settling the two hundred families, they, in some fashion, could acquire personal holdings beyond the 1,200 acres maximum."

"The Council members were fully satisfied that there was no foundation whatsoever for any of these impressions; on the contrary they were convinced that in all such grants, the nominee was entitled only to 1,200 acres himself, with the same quantity for each of his three principal associates. Of several nominees examined by the Council, none could state any grounds on which more was expected, save general report and hearsay."

"The original principles upon which the township grants were based had never been lost sight of, nor had there ever been any idea of giving more than 200 acres to each settler." etc.

## The Township Surveys

By 1795 some settlers were moving into Northumberland County. Murray Township was receiving people from the Bay of Quinte area. Further west, Cramahe and Haldimand Townships were attracting newcomers. The central government moved quickly to prepare the land for settlement, and in the summer of 1795, two survey parties were assigned to mark out the boundaries of Hamilton, Haldimand and Cramahe Townships. Mr. W. Hambly and his party worked first on Hamilton Township. They started at the south-west corner, at Gage's Creek, re-ran the original base line laid out by Augustus Jones in 1791, then proceeded to mark out the east boundary, the ninth concession and a portion of the north boundary. The line between Hope and Hamilton had been laid out earlier by a Mr. Iredel. Aaron Greeley and his cousin, Zaccheus Burnham had moved from New Hampshire to Haldimand in 1795. Greeley served on the W. Hambly survey party.

Hambly's notes made no reference to settlers in Hamilton Township. Mention is made of the (Myndert) Harris family in Hope Township who supplied provisions for the surveyors.

In the year of 1796, Aaron Greeley supervised the marking out of lots and concessions in Haldimand and Cramahe Townships. His survey notes for this work are available. The Greeley family story mentions that he also surveyed the lots and concessions for Hamilton Township. The latter record is not available, and it is assumed to be lost or destroyed. Thus the townships were made ready to receive settlers and assign them to designated lots.

*10/A History of Cobourg into 1850*

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## II/SETTLERS MOVE IN

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The years 1796 and 1797 saw more settlers moving into Northumberland County. Some came from the Bay of Quinte, some from New Hampshire, Vermont, New York State and other United States points. The townships were still under the supervision of agents, or at least that was the general impression. Officially, Cramahe Township had been declared open in 1795. Joseph Keeler was joined by Aaron Greeley, and Asa Danforth, with the assistance from others, to bring in newcomers. It appears the agent made contact with the prospective settlers and assigned them to selected lots. To gain a patent, or full ownership of land, a newcomer had to perform certain clearance duties, build shelter, and pay a fee to the government. Apparently, no location tickets were issued to settlers brought in by agents. From the Greeley story, the agents, Greeley in particular, had made some special contract or arrangement with Simcoe, possibly a verbal agreement. Lieutenant-Governor Simcoe left Canada in September of 1796. Any verbal agreements went with him, and were not honoured by officials who carried on after his departure.

### Letter of Elias Jones to the Honourable D.W Smith, 1797

Township of Hamilton  
June 3d., 1797

Dear Sir:

I take the Liberty to inform you that we have thirty-seven actual settlers in the Township of Hamilton and a number more in the Township that have taken lots, but have not got on yet to work.

Expect to be at York in a few days and shall return the Letters, Names and Number of Lots they improve.

I am Sir, your most obt. Servant,  
Elias Jones, Jr.  
One of the proprietor agents.

The Honourable David William Smith, Acting Surveyor General,  
Archives of Ontario.

## Lists of Settlers

Simcoe departed from Canada in September of 1796, due to ill health. He expected to return, but circumstances arose that detained him. He never returned to Canada. For a while the central government of Upper Canada was administered by an executive committee who decided to finalize the agent-township settlement schemes and to throw open the townships so held to regular settlers. In June of 1797 "Asa Danforth and Aaron Greeley attended personally as agents to the Townships of Haldimand, Hamilton, Percy and Cramahe, and produced lists of settlers in each township." A total of 172 names were submitted for the four townships. In September of 1797, Keeler, Greeley and Danforth again visited the Committee and submitted a revised list of 201 names.

The Executive Committee refused to accept these lists of names as legitimate settlers, claiming false entries, etc. This action of the Committee placed a cloud over the lists of 1797. The government ordered Augustus Jones, Deputy Surveyor, to visit the townships of Hope, Hamilton, Haldimand, Cramahe and Percy and report on actual settlement. The 1797 lists of settlers apparently cannot be relied upon as being authentic.

Augustus Jones visited the townships as instructed. He called on each settler, recorded the amount of land cleared, and other facts, and reported to his superiors on May 1st of 1799. The writer has reviewed each parcel of land in the Registry Offices and we report the date the patent was issued and to whom the deed was given. The list for the Township of Hamilton follows:

### **The Augustus Jones Return May 1st, 1799**

#### Hamilton Township

1. ABBES; Nathaniel - Lot No. 6, 1st Concession. About three acres clear. (Patent issued January 3, 1809 to John Wallis.)
2. ASH; George - Lot No. 12, in front. About fifteen acres clear. (Patent issued Sept. 15, 1803 to George Ash.)
3. ASH; George, Jr. Lot No. 13, in front. About seven acres clear. (Patent issued May 17, 1802 to George Ash Jr. All of B. Patent issued May 17, 1802 to George Ash, Sr. S. 1/2 of A.)
4. ASH; James - Lot 12, 1st Concession. About three acres clear. (Patent issued May 17, 1802 to James Ash.)
5. ASH; Joseph - Lot No. 10, in front. About six acres clear. (Patent issued March 11, 1805 to Roger Wolcott.)
6. ASH; Samuel - Lot No. 9, in front. About twelve acres clear. (Patent issued July 15, 1803 to Samuel Ash.)
7. BURGART; Moses - Lot No. 27, 3d Concession. About three acres partly clear. Living in the States. (Patent issued October 13, 1803 to Joel Culver.)
8. CHAPLAIN; Joseph - Lot No. 34, 4th Concession. About five acres clear. (Patent issued April 30, 1808 to Nancy Vaughan.)

9. CHAPLAIN; Joseph Jr. - Lot No. 22, 5th Concession. About five acres clear. (Patent issued Jan. 3, 1826 to King's College.)
10. DEANE; Noah - Lot 26, 2nd Concession. About six acres partly clear. (Patent issued Sept. 21, 1804 to Noah Dean.)
11. FERRIS; David - Lot No. 29, 3d Concession. About three acres partly clear. (Patent issued June 24, 1803 to David Ferris.)
12. GEROME; Asahel - Lot No. 7 in front. About sixteen acres clear. (Patent issued April 21, 1808 to Ashail Jerome "B", and S. Part of "A".)
13. GIFFORD; Humphrey - Lot 27, 1st Concession. About six acres clear. (Patent issued May 26, 1804 to Humphrey Gifford.)
14. GIFFORD; Samuel - Lot No. 23, 1st Concession. About three acres clear. (Patent issued Sept. 24, 1803 to Robert McDowell.)
15. GOHEEN; Thomas - Lot No. 35, 2nd Concession. About eight acres clear. (Patent issued April 19, 1808 to Thomas Goheen.)
16. GRIFFINS; William - Lot 33, 3d Concession. About one acre clear. (Patent issued May 17, 1811 to William Griffes.)
17. HAGERMAN; Abraham - Lot No. 33, 1st Concession. About seven acres clear. (Patent issued October 31, 1803 to Isaac Hagerman.)
18. HAGGERMAN; Isaac - Lot No. 29, 1st Concession. About four acres partly clear. Living in the States. (Patent issued November 4, 1803 to Isaac Hagerman.)
19. HARISON; Nathaniel - Lot No. 17, in front. About eight acres clear. (Patent issued Jan. 29, 1806 to Nathaniel Herriman.)
20. HARRIS; Bolton - Lot No. 32, 4th Concession. About one acre clear. Living in the Bay of Quinte. (Patent issued June 21, 1816 to Boltus Harris.)
21. HARRIS; Joseph - Lots No. 32 and 35, 1st Concession. About seven acres clear. (Patents issued in 1806 and 1803 to Joseph Harris.)
22. HIX; Joshua - Lot No. 31, 1st Concession. About one acre clear. Living at the Bay of Quinte. (Patent issued Sept. 19, 1805 to Jusua Hicks.)
23. HULL; Eli - Lot No. 7, 1st Concession. About five acres clear. (Patent issued Sept. 13, 1806 to Eli Hull.)
24. JONES; Elias - Lots No. 19 and 20 in front. About 12 acres clear. (Patents issued May 17, 1802 to Elias Jones.)
25. MARTIN; Moses - Lot No. 18, 1st Concession. About six acres clear. (Patent issued May 17, 1802 to Moses Martin.)
26. MARVENE; Samuel - Lot No. 20, 5th Concession. About three acres clear. (Patent issued Jan. 3, 1826 to King's College.)
27. McKEYS; Daniel - Lot No. 19, 1st Concession. About one acre clear. (Patent issued Dec. 14, 1804 to Daniel McKeyes.)

28. NICKERSON; Eluid - Lot No. 16, in front. About 10 acres clear. (Patent issued May 17, 1802 to Eluid Nickerson.)
29. NUGEN; John - Lot No. 22, 1st Concession. About two acres clear. (Patent issued September 5, 1803 to Pevoy Jones.)
30. PARKER; Samuel - Lot No. 1, 1st Concession. About two acres partly clear. Living at the Bay of Quinte. (Patent issued May 4, 1807 to Samuel Parker.)
31. PERRING; Frederick - Lot No. 18, in front, about two acres partly clear. (Patent issued June 21, 1819 to Nathan Williams.)
32. PURDY; Gilbert - Lot No. 4, in front, about three acres clear. (Patents issued to three people in 1857.)
33. PURDY; Joseph, Sr. - Lot No. 3, in broken front, about ten acres clear. (Patent issued March 20, 1801 to Thomas Fleming.)
34. ROBBINS; John - Lot No. 13, 1st Concession. About three acres clear. (Patent issued Nov. 21, 1808 to John Robbins.)
35. SMADES; Luke - Lot No. 34, 2nd Concession. About eight acres clear. (Patent issued Nov. 8, 1808 to Luke Smades.)
36. STANDCLIFFE, Stanborough P. - Lot No. 14, in front. About four acres clear. (Patent issued May 17, 1802 to Stanborough P. Stancliffe.)
37. STEPHEN; Stephen, Abner - Lot No. 6 in front. About ten acres clear. (Patent issued May 17, 1802 to Abner Stevens, Con. "A".)
38. TUBBS; Daniel - Lot No. 9, 1st Concession. About three acres partly clear. Living at the Bay of Quinte. (Patent issued May 17, 1803 to Daniel Tubbs.)
39. TUBBS; Frederick - Lot No. 10, 1st Concession. About three acres partly clear. Living at the Bay of Quinte. (Patent issued June 30, 1801 to Frederick Tubbs.)
40. TUTTLE; Stephen - Lot 17, 1st Concession. About seven acres clear. (Patent issued Dec. 2, 1802 to Stephen Tuttle.)
41. VAUGHAN; John - Lot No. 1, in front. About six acres clear. (Patent issued May 17, 1802 to Gilbert Storms. Part of "A"). (Patent issued April 30, 1805 to Liberty White. Pt. "A" & all "B").
- Special note: Mr. Liberty White moved west with the Greeley family in 1806 and was later killed by Indians near Chicago.
42. VERNAT; John - Lot No. 32, 3d Concession. About one acre clear. Living at the Bay of Quinte. (Patent issued April 15, 1812 to John Vannatto.)
43. WOLCOTT; Roger - Lot No. 10, in the second broken front. About five acres clear. (Patent issued March 11, 1805 to Roger Wolcott, all "A".) (Patent issued Dec. 29, 1808 to Ranna Perino, all "B".)

(signed) A. Jones, D.P.S.

With respect to the 1797 lists, the term "settler" is applied in a very loose manner. Some of the people named were actual settlers, and working their holdings towards a final ownership. Others may have the lots, planning on moving in later. Still others, during the summer interval, had moved from one location to another. Others just may have been absentee holders. Settlement was in a state of flux, of change. The 1797 lists are the first or earliest records for the respective townships.

The following comments are from the Russell Papers - Volume II - Page 257:

"July 1st, 1799. Minutes of Council."

Present: Elmsley, Grant and Smith.

"Among other business, read Mr. (Augustus) Jones Return of Settlers, in the Townships of Hope, Hamilton, Haldimand, Cramahe, and Percy with several improvements. Hope - 28; Hamilton - 43; Haldimand - 53; Cramahe - 39; and Percy - 14, for a total of 177.

"The Board took into consideration the Reports made by Mr. Jones in the Townships of Hope, Hamilton, Haldimand, Cramahe and Percy, together with counter reports of Mr. Rogers, Mr. Greeley, etc.

"In perusing these reports and counter reports, the Board meets with anything but additional proofs of fraud, duplicity, and unprincipled selfishness of the original nominees of those townships, who undertook to settle them with new inhabitants, but appear to have brought into them persons already settled in the Province, and in many instances have only borrowed their names. Warrants were only to be issued to those who had performed their settlement duties." (Others were given time to complete their duties.)





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### III/THE FIRST SETTLERS IN THE TOWN OF COBOURG

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Who was the first settler in Cobourg? This question has excited local history buffs for a long time, and perhaps it has been bandied about since settlement days. The traditional story names *Eluid Nickerson* who build his cabin on the west side of Division street and to the north a short distance from King Street. This bit of history was cited when I was a boy, over seventy years ago. The same story was told when my father was a boy in Cobourg in the 1860's. A number of local writers of history have emphasized this detail. Nickerson settled, worked out his obligations and came into possession of land on the east side of Division Street. His first cabin was located, just off his property on Herriman land, located probably in error due to the lack of correct markings. The cabin was handy to the small near-by stream and at that time, a few feet in the forest, one way or another, was of little concern. The main thrust was to erect shelter and to clear the trees.

Miss Idell Rogers, a descendent of the famous U.E.L. Rogers family, grew up with a liking and a flair for collecting and writing local history items. She was employed for many years by the Cobourg World newspaper, and after its demise served the Cobourg Sentinel-Star. Over the years she made many contacts with old line families and extracted from them stories, anecdotes, and folk lore of earlier years in this area. From time to time her historical writings appeared in the Cobourg World from the 1890's to the termination of that newspaper. In July of 1948 she started a column in the Cobourg Sentinel-Star entitled "*This is Cobourg*", and after some fourteen months produced some 60,000 words of story. She did not confine her articles to Cobourg alone, but made many references to the area. She had her own particular style, a sort of friendly, folksy expression, and her work contains many facts well worth recording. She asserted there were settlers in Cobourg well before the year 1798, the date for the arrival of Nickerson. She named the Herriman family as having settled in 1797. Unfortunately some of the dates she applied to her other stories are in error.

Edwin Clarence Guillet, a Cobourg native, was born just before the turn of the

century. His family had been long time residents of Cobourg. From early years he took a liking for early local history, and he had access to the old tomes of the *Cobourg Star* and the *Cobourg Sentinel-Star* newspapers and he used this privilege well, before this precious historical record was destroyed in the basement flooding of the printing plant in 1932. Guillet grew up to become the teacher, the scholar, and spent a lifetime writing Ontario and local history. His style was attractive and clear, and his method of recording history made for interesting reading. His research in this field of endeavour was extensive. In the year of 1948 he was the main contributor to the book "*Cobourg 1798-1948*", at the same time Idell Rogers articles appeared in "*This is Cobourg*" column.

The two writers clashed by way of a newspaper controversy. Guillet attacked the writings of Rogers and charged her with relating area or Northumberland County material to Cobourg — a very localized place. Also her dates for settlement and settlers before 1798, and various other historical points came under fire. Rogers retaliated by re-asserting and naming the arrival of settlers in the early 1790's, and on other historical points. The controversy was continued off and on over several months.

It turned out to be one of those issues where both were right on some points and both were wrong on others. Nevertheless there is much value in the writings of both, and we are grateful to them for their efforts in local historical presentation.

With regards to the dates of the arrival of various first settlers, both writers failed to mention that in the settlement of this area, the townships up to 1797 were under agent supervision and no location tickets were issued by them. At least the location ticket record is not available. The agents turned in their lists of settlers giving names, lot and concession numbers, in both the June and the September lists of 1797. These lists are under a cloud due to the rejection by central government officials and are not authentic, yet may have some truth. The Augustus Jones return of May 1st, 1799 is authentic and reliable and gives the names, lot and concession numbers plus the acres cleared to that date. This list is of interest, and the names given for what later became the Town of Cobourg in 1837 are as follows:

*Stephen Tuttle* - Lot No. 17, Concession - seven acres cleared. Registered for patent in 1802.

*Moses Martin* - Lot No. 18, Concession I, six acres cleared. Registered for Patent in 1802.

*Daniel McKeyes* - Lot No. 19, Concession I - one acre cleared. Registered for Patent in 1804.

*Stanborough P. Stancliffe* - Lot No. 14, South Half of Concession "A" and Concession "B" - four acres cleared. Registered for Patent in 1802.

*Eluid Nickerson* - Lot No. 16, Concessions "A" and "B". Ten acres cleared. Registered for Patent in 1802.

*Nathaniel Herriman* - Lot No. 17, Concessions "A" and "B". Eight acres cleared. Registered for Patent in 1806.

*Elias Jones, the younger* - Lots Nos. 19 and 20, Concessions "A" and "B". Twelve acres cleared. Registered for Patent in 1802.

Thus we have seven verified settlers in what later became the Town of Cobourg in 1837. These same seven names are on the 1797 Agent list for Hamilton Township. When did they actually move in? It is doubtful if one can pinpoint the year and date.

Similarly for the first settler to arrive in Hamilton Township. Various claims made years later by descendent families may be difficult to prove.

### **The Group of Seven Settlers**

*Stephen Tuttle's* lot was north of Elgin Street and west of Division Street consisting of 200 acres. The 1804 Census list records three boys and two girls in the family. Apparently Stephen died later that year as the 1805 Census records Elizabeth as a widow. The Tuttle family surname disappears from Census listing after the year 1808. We have no further family details.

*Moses Martin* was located on the lot to the west of the Tuttle property and east of Ontario Street. The 1804 Census has no listing, and we have no information about this early settler. Later his lands were sold in the 1820's.

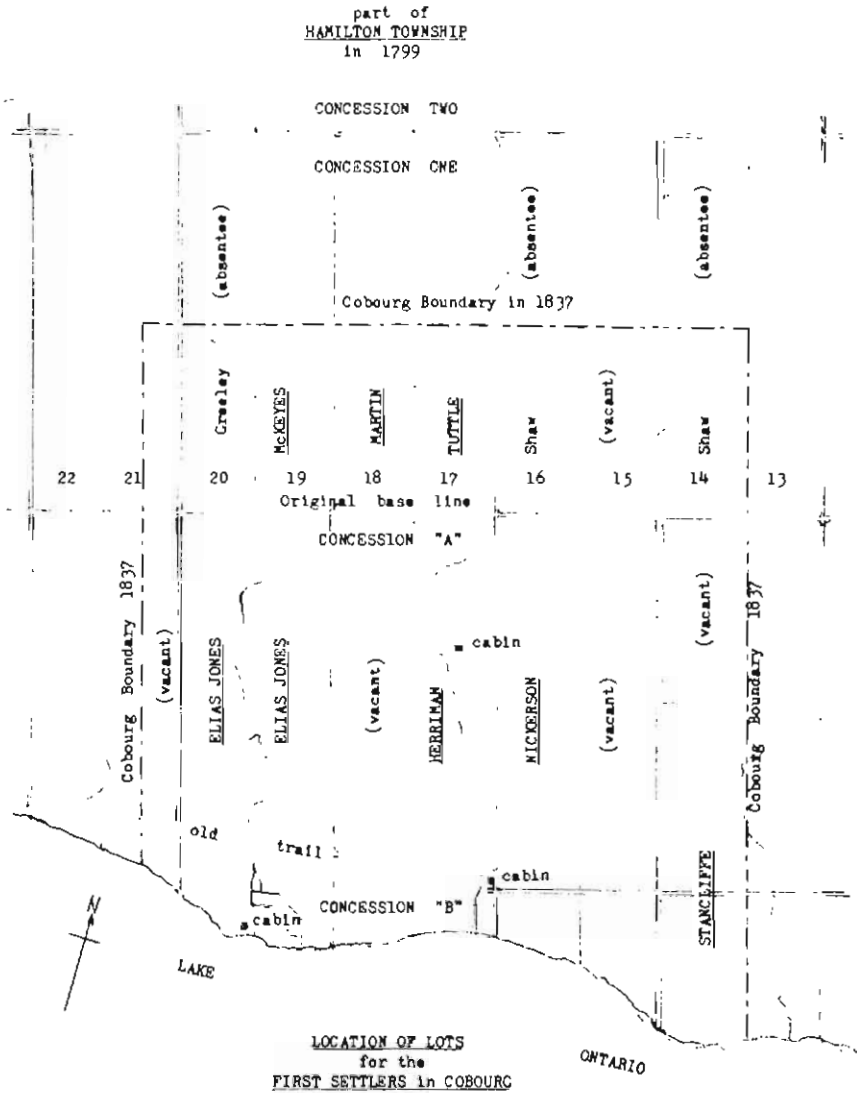
*Daniel McKeyes* property was also north of Elgin Street. Daniel and his wife were elderly folk with a son included in the family listing. He sold this lot of 200 acres in 1805 to Asa Burnham and moved to other land he owned in Hamilton Township. Daniel died about 1814. The McKeyes surname plays a prominent part in early Hamilton Township.

*Stanborough P. Stancliffe* took up land to the east of D'Arcy Street. The 1804 Census record tells us he was a family man with three boys and five girls. After the 1808 listing his name disappears from the Township Census lists and his property was sold about that time. We have only meagre details on this man and his family.

The ancestors of *Eluid Nickerson*, the local settler, lived in Norwich, England. One, a Thomas Nickerson, has dates circa 1515-1585. Another Thomas Nickerson, 1542-1599, and William Nickerson, still in Norwich, dates 1570-1625. William (Red Stocking) Nickerson, of Norwich, England, 1605-1689, married Ann Busby and emigrated to Monomoit, (Chatham) Massachusetts in the year 1637, and lived on Cap Cod, Massachusetts about 1645. This William had a family of ten children. The first child was named Nicholas, and the tenth child's name was William Nickerson. This William begat Thomas, who in turn begat Nathaniel whose wife was Annie. Nathaniel begat Eluid who was born at Danbury, Connecticut in December of 1760, who later became Cobourg's settler. Briefly, this is the Nickerson family background, courtesy Roger N. Nickerson of Toronto.

Unfortunately, at the time of this writing, this author does not have the Eluid

# Part of Hamilton Township in 1799



Nickerson story, and details of the places he lived, of his education, his experiences, when and where he married, and the movements he made with his family, prior to settling in Hamilton Township.

The book, "Loyalists of Ontario," by William D. Reid lists the Eluid Nickerson family on Page 359. Nine children are recorded, all receiving grants of land as children of a Loyalist father. His wife's name was Mary, as recorded in the 1816 Hamilton Township deed of sale. The names of the children are: Nathaniel, John, Mary, Eluid, Enos, Eunice, Catherine, Levi, and David. Some of these children were probably born on the homestead. A second family, Ephriam Nickerson, appears in the 1808 and following Census lists for Hamilton Township.

Other local historians have claimed that Eluid Nickerson moved to Hamilton Township in the year of 1798. This is a very strong tradition and it is probably correct. With a large growing family and sons old enough to wield the axe, this family group in a year's time could have erected their first shelter and cleared ten acres of land, as is reported in 1799.

The Nickersons remained on their homestead until the year 1816, when they sold out the part south of King Street to Ebenezer Perry, and the north 200 acres to John Spencer. Two of the sons, Enos and Levi moved to Grantham Township in the Niagara Peninsula, to where the parents also moved. Eluid, Sr. died there in 1843 at the age of 82 years. Some of the children married and settled in other parts of Upper Canada. Other descendents took up land and lived in Hamilton Township until the 1850's.

The *Nathaniel Herriman* story is a unique account indeed. His grant of land took in 240 acres and extended from the lake north to Elgin Street, and west of Division Street. The family record reports his small house and clearing was at some distance from the lake. Behind the sandy beach fronting his lot was mostly cedar swamp with the small creek coursing down from the north. The high ground, located about three quarters of a mile from the lake, had a rich loam soil and it is most likely this was the site of the Herriman cabin and clearing. This area, during the 1920's and the 1930's was the Usher family farm and the writer recalls the richness of the soil on this farm. It is presently the site of the C.G.E. industry.

The family boat, a home-made one, apparently was stored for safe keeping in the estuary of the Factory Creek. From their cabin, they would make their way to the lake on higher ground, in a south-westerly direction, thus avoiding the cedar thickets and the low-lying creek valley on their own land.

It is quite possible the family did move in and take possession of their lot in the year 1797. Later they sold the north end of 150 acres to Mr. Moses Alley. The date of the Bargain and Sale deed is 16 July, 1808, registered on the 24th of January, 1809, with a consideration of 100 Pounds. The Herrimans sold the remaining 90 south end acres to Nathan Williams at the same time, 16 July 1808 and registered the 25th of July the same month.

A search was made in the Cobourg Registry Office for a review of these early

deeds of Bargain and Sale, when Nathaniel and Bathnia Herriman sold their lot Number 17 property. The deed to Mr. Moses Alley was found and reviewed. Mr. Alley paid the 100 Pounds for the north 150 acres. The other deed to Mr. Nathan Williams was missing and not available. His 90 acres was bounded on the east by Division Street, on the north by approximately University Avenue, on the west by Spring and Hibernia Streets and on the south by Lake Ontario. This is the area in central Cobourg that is alleged to have been sold for a yoke of oxen!

It was the 29th of January, 1806, when the Herrimans received the deed of Patent for their land from the Crown.

Strange as it may seem, but the Census lists for Hamilton Township for the year 1804, the first list now available, and for subsequent years, do not record the Herriman family. The name Moses Alley does appear on these records. Apparently, Mr. Alley took over the Herriman homestead before the year 1804, and the Herriman family located elsewhere.

We give here the full account of the Herriman story, as recorded in the *Cobourg World* newspaper, hoping the reader will enjoy its contents and consider it in part history, and in part tradition and folklore.

(The Elias Jones story follows the Herriman presentation.)

### The Herriman Story

*The Story of Cobourg* – As told in History, Folk Lore and Song.

“Lift we the twilight curtains of the past,  
and turning from familiar sight and sound,”

As Whittier says, let us while perusing history's pages, cast a glance also upon tradition's shadowy tales.

“That dim strange land of old, now dying fast,  
Garbed in the faded coloring of Time's tapestry.”

*The First Settler* – Half of Cobourg sold for a yoke of oxen

In centuries to come, when Canada has become an older nation, her sons and daughters will recount with wondering, the tales of her early residents, if those who can weave strange stories now, are true to their task, and preserve them, that all may read of the heroism and adventure that marked early settlement days. Mingled with these is a folk lore that will yet compare with that of older nations.

Who is there that has heard the old song, “Tell me May How to Woo Thee,” “The Butterfly, the Moth, and the Bee,” a song with a moral attached: “The Moon Shines Softly O'er the Lake” “Prithee, do not frown, Sweet Lassie” or “Sally, Put the Kettle On and We'll All Take Tea”, but has drawn a mind picture of the maidens of the olden days “Wearing” (as

one lady who resided in Cobourg over a century ago said) "my new tibinet and all my curlings complete," seated at the harp and singing these beautiful old airs, some taken from famous operas of the time and which have a melody all their own. But if milady desired her sheet of music to have drawings, she was obliged to pay six-pence extra for it. By this was meant, that if on the fly-leaf there was a picture of Sally putting the kettle on, or of Mistress Mary in her contrary mood, to arouse the note of interpretative melody in the soloist, she must pay for this source of inspiration. These old sheets of music, the silverware with designs hammered out by hand, the quaint old books, the samplers upon which many a fair maiden sport golden hours, tell their story of the culture and refinement of many settlers who came to make their homes in the wilds of Canada. And we today honor their memory, their ability to rise above all adverse conditions, and found happy homes in a wilderness of forest trees.

### *A Trackless Forest*

It is a little difficult to imagine the coming of the first settler to Cobourg. What was it that moved him as he came up the lake from the east probably in his little row-boat or batteau, as he evidently did for he was a U.E. Loyalist, to row into the shore, anchor his boat, and choose his future home here. We are told that the cedars grew along the water's edge in considerable density. Out on the waterfront there was probably a loon or two, and a flock of wild ducks, the deer scampered at will through the forest glades, the birds sang in the branches. This, a forest broken only by an Indian trail with one lone man setting up his hearth-stone here in the trackless wild, was the nucleus of Cobourg.

"Our fathers to their graves have gone,  
Their strife is past, their triumph won,  
But sterner trials await the race  
Which rises in their honoured place."

But who was the first settler? Tradition and history for many years said Elias Nicholson, and perhaps it was, we can only chronicle events as they have been handed down, and leave our readers to judge.

### *The First Survey*

The late C.C. James, a former Deputy Minister of Agriculture of Ontario, states regarding the first survey made in Hamilton Township and adjacent municipalities:

"In the year 1791, Mr. Augustus Jones, one of the assistant "Provincial surveyors, was instructed to survey the first concession line of a row of Townships from the Bay of Quinte to the present Toronto Harbour. He left Niagara on the 24th of June, 1791, and coming down the lake began work on the 5th of August in Cramahe Twp. (Correction: Jones started from the East bank of the Trent at the Sidney Township boundary), on the 9th was in Haldimand Township, and on the 13th in Hamilton Township. This lat-



ter date, therefore, gives us the first step towards providing for settlement of the Town of Cobourg and the township out of which it was formed in 1795 and 1796, the work was continued by Surveyors Hambly and Root.

This, however, does not show that there were no settlers in Hamilton Township, which for a long time included Cobourg before this date, and it is pretty certain there were a very few families. In fact this is established beyond dispute.

#### *The Historical First Cobourg Settler*

When Eluid Nicholson in 1798 erected a log dwelling where *C.P. Rall's* store now stands in the Town of Cobourg, he probably had little thought that he was helping to lay the nucleus of a town that for some years was a University (town) centre and that has long been characterized by historic memories. Little is known of him but "*The Church*" which was published at Cobourg by Dr. Bethune, in its issue of April 7, 1843, says: "Died in Grantham on the 30th ultimo, Mr. Eluid Nickerson, aged 43 years (correction: 82 years). Mr. Nickerson was one of the gallant band of U.E. Loyalists, who espoused the cause of their king at the time of the American Revolution, and who met the just reward of their hardships and privations during the eventful period in the special favour of their Sovereign, upon arrival in this province.

This is all we know of this early settler but it fixes historically the date of the coming of the first white man here. The name was first erroneously given as Elias Nicholson, but the late Mr. C.C. James, after considerable research, found the correct name in the Crown Land Records. These records also show that in Hamilton Township there was at that time other settlers.

#### *Town Sold for Yoke of Oxen*

Dr. Herriman, then residing at Lindsay, supplied an interesting article to the Cobourg Historical Society, which was in existence here some 25 years ago, from which we take the following extract:

"My grandfather received from the Government a grant of two hundred acres, now the site of Cobourg, at least in part. The North part he sold for a yoke of oxen. It was then covered with forest trees and the family occupied a small house of some kind, some distance from the lake, where they had a small clearing. In those days there were no grist mills nearer than Kingston."

The Kingston Mill was erected by the Government in 1782 or 1783, Dr. Canniff states in "*His Settlement of Upper Canada*," by Robert Clark who was a millwright, and for a few years the Kingston or Cataraqui mill was the only one in the province. This would place the coming of the Herriman family to Cobourg at a very early date.

It is further stated that when Aaron Greeley came from New Hampshire to Haldimand Township in 1795, that he formed an agreement with Governor Simcoe to bring in thirty settlers, furnishing them with tools, provisions, etc., and that he was to receive a large tract at Presqu'Isle and in Haldimand Township

about a mile east of what is now Shelter Valley.

A grist mill was also erected very early by a settler named Keeler at what is now Colborne Harbour.

*Mill at Belleville 1802*

In 1802 Dr. Canniff states, Captain Myers built a flouring mill upon the Moira at Belleville, to which it is stated "Isaiah Tubbs, who lived at West Lake, came carrying a bag of grain on his back" to be ground into flour.

These dates of the building of the first mills, which should be authoritative, places the coming of the Herriman family of whom we shall give further details in another issue, at a date as early probably as that of Eluid Nickerson if not before that settler took up his abode here.

The next question that comes up is, who bought half of the Town of Cobourg and paid for it with a yoke of oxen?

Be that as it may other settlers shortly afterwards followed and it is to the color and romance of their lives here, of their sordid hard tasks and high ambitions and enterprise that we of a later generation desire to pay tribute.

— *The Cobourg World, Thursday, November 27, 1924.*

Note by Percy L. Climo

March 5, 1984

Mr. Frank Lapp, Editor of the Cobourg World, with whom I was personally acquainted, was an ardent history fan of old Cobourg stories. Also on the staff of The World was Idell Rogers, whose interest in local history was of a high order. The latter may have written the above story.

"Lift we the twilight curtains of the past,  
And turning from familiar sight and sound."

As Whittier sings, let us, while perusing history's pages, cast a glance also upon tradition's shadowy tales.

"That dim strange land of old, now dying fast,  
garbed in the faded coloring of time's tapestry."

For many years the name of Eluid Nickerson has been handed down as the historical first settler in Cobourg. He erected his log cabin on what is now Division Street, about where Mr. C.P. Rall's store now is. But it is known that four U.E.L. families moved from the Bay of Quinte district before 1790 to the boundary between what is now Haldimand and Hamilton Townships, three settling on the Provincial Highway in the latter township, and the other at "Kelly Hill," it seemed reasonable that there might have been settlers in Cobourg before 1798, a fact which is now firmly established. This seemed all the more probably when it is remembered that it is also historically stated that a store was opened in Cobourg in 1802.

Last November, the World printed a story contributed to the Cobourg Historical Society (now defunct) by Dr. Herriman, telling an interesting sto-

ry, handed down from parent to child, of a little girl in their family being stolen by the Indians as the family were preparing to embark in a boat of home manufacture from the lakeshore here to go to Kingston to mill. Dr. Herriman stated that his grandfather received a grant of two hundred acres of land, now the site of the town of Cobourg, but that he sold the north half for a yoke of oxen. He tells the story also of the mother of the little girl who was lost, writing some verses on the sad happening, which he had seen taken from a "crack in the wall beside the old brick chimney in the living-room of a very plain and unpretentious dwelling." It was read to some interested visitor and then returned. No trace was ever discovered of the lost child.

When Dr. Herriman wrote these words he had no idea that the verses on what was probably the first tragedy in the little hamlet afterwards to be known as Cobourg, would ever be recovered. Yet this story when published in *The World* brought to us the information that a copy of the verses existed in a home in this county. At our request they were forwarded to us, with the comment that they were not very good verse. However, the date on which they were written, June 8, 1797, established the fact that the Herriman family were living here before Eluid Nickerson came here in 1798. There were other settlers here then also, and the "verses" tell the story of neighbours turning out to look for the child, some of whom searched through the forest, and others in their rude boats on the lake.

It is wonderful how much can be authentically ascertained in connection with the early history of the locality by getting in touch with the descendents of some of the earliest settlers.

#### *Mother Voices Grief in Verse*

When centuries ago in the depths of our forest wilds, a dusky-hued native desired to commemorate some event of foe vanquished, warrior slain or victory gained, he etched the story in symbols with a thorn on some thick-etched leaf. Others heaped up cairns of stones, raised altars, planted groves as memorials, but when the fathers of the tribes were gathered to the happy hunting ground, there were none left to tell the story of joy or grief or victory as the case might be. When this mother afar from her kindred in a new country, in a primitive home, in a trackless forest, had a great grief upon her, she recorded the story in rude verse, which was probably the first rhyme written in Cobourg. Since that time, others who have contributed to a considerable degree to the poetry of our Province, notably among whom was the late Archibald Lampman, have resided here, and sung their songs.

The rhyme may be rude which recounts the story of the lost child, but as the first probable effort at verse making made in a hamlet that was later a university town, it is worthy of being preserved.

*The Lost Child* - The verses are as follows:

"Verses composed by Bethany Herriman on the loss of her youngest daughter, *Diadama*, who was stolen by the Missauga Indians in the Township of Hamilton, Upper Canada, June 8, 1797. The authoress died in Forestville, Chautauqua County, New York, December 26, 1829."

"Tis in my mind to write a line  
To you, my parents dear,  
To let you know my grief and woe,  
My Journal you shall hear.

"At my first stand on British land,  
Just four weeks to a day  
Before I knew the errant crew,  
They stole my child away.

"Though yet unknown, which way she's gone -  
We thought the woods she strayed -  
The neighbours lent their friendly aid,  
Great search for her was made.

"The settlers turned out volunteers,  
they searched the woods all round,  
But nothing of her could we hear,  
She was not to be found.

"Some searched the woods by listening ear,  
Thinking to hear her cry,  
Some searched the lake with shining light,  
I saw them sailing by.

"Some said, your child has starved to death,  
Some said the lake has drowned,  
Some said the wolves have taken her,  
Therefore she can't be found.

"You that are parents of sweet babes,  
Come sympathize with me,  
Let infants stray from mother's arms,  
See what their cares will be.

"My usual sleep forsook my eyes,  
And I forgot to eat,  
The woods were witness to my cries,  
This prayer I did repeat.

"I did beseech Almighty God,  
In that distressing hour,  
That he would furnish me with grace  
While he displayed his power.

"Come old and young of every tongue,  
Come lend a secret prayer,  
Ascend your cries above the skies  
To ease my soul of care.

"So many years in floods of tears,  
For my poor child I spent,  
'Tis all in vain that I complain,  
And yet I do lament.

"So now behold with troubled soul,  
Before my God I fall,  
He is my Faith and Comforter,  
He is my all in all."

- *The Cobourg World, Thursday, April 23, 1925*

### *The Story of Old Cobourg*

*The Little Hamlet's First Tragedy (From the Cobourg World, Thursday, December 11, 1924)*

In our issue of November 27, we referred to the early settlement of the Harriman family here. Mr. Harriman having been given a government grant of two hundred acres of land, where the town of Cobourg now stands, the north hundred of which he sold for a yoke of oxen. A sad tragedy happened in this family soon after their arrival which is best told in Doctor Harriman's own words. His letter to the Cobourg Historical Society said:

"My father, when a youth, emigrated from the State of Vermont, and with his parents, and three brothers, and I think three sisters, settled upon the land now occupied by the Town of Cobourg. What I shall hereafter state must be accepted as my memory preserves the traditions of the past. I recollect reading some copy of original poetry written by my father's mother, referring in what then seemed to me very good poetry of a pathetic strain to her 'Lost Child.' I regret that it was not preserved. The last recollection I have of it is, when it was removed from the usual resting in a crack beside the old brick chimney in the living room of a very plain and unpretentious dwelling. It was read to some interested friends and then replaced. It seems to me it was written in verse of four lines with a rolling low sounding rhythm, in metre or what not. It covered about a page of foolscap paper that was somewhat smoky and dingy. From these remembrances and frequent repetitions of the story of my father and others during much of my adult life, I am quite satisfied the incident of the stolen child is authentic.

### *Started for Mill at Kingston*

"When my grandfather received a grant of two hundred acres of land, now the site of the Town of Cobourg, it was covered with forest trees, and the family occupied a small house of some kind at some distance from the lake, where they

made a small clearing. In those days there was no grist mill nearer than Kingston, and settlers who were so far advanced as to have grain to be ground, were obliged to take it to that far-off place. They did not go by land but always took a boat, sometimes of rude construction - no line boats with palace saloons to travel by then.

#### *Wood Gay with Flowers*

"On a pleasant morning the family set out for a trip to Kingston. It appears to me all were to go; at least they all left the home together to go to the boat. It was natural that children would loiter along, or wander a little way off in the bush, as that time the woods were gay with spring flowers. When the family arrived at the beach one child, a little girl, was missed. The anxiety of the parents may well be imagined, better than described. At all events there was a rally and immediate search was made. Not seeing her readily they supposed she had wandered away picking flowers here and there and perhaps had got lost in the thicket. It must be remembered there was quite a thick cedar swamp near by. Any person who had ever attempted to make a short cut out of or through one of these tangled and densely wooded jungles will have no difficulty in realizing how easy it is to go astray and come out at the wrong place, as I have often experienced to my great discomfort.

#### *Found Tracks in the Sand*

But even this fond hope was soon dispelled when some of the searchers came upon a plot of cleared sandy soil, and observed immediately the prints of little bare feet, painfully plain, in the sand, as if on a running gait, and immediately associated with them, the impression of moccasined feet of a grown-up Indian. No other sight ever greeted their anguished eyes, or sound was ever heard to tell what had become of the lost child. There was nothing to solve the mystery but those footprints in the sand. It flashed upon the mother's mind without long reasoning that an Indian had surprised the little girl as she became separated from the rest of the company, and muffled in his blanket, was fled through the dense forest and out of sight and hearing, with that cunning and agility known only to the first inhabitants of our forests. I forget the child's name, but it was some quaint, old fashioned name, not however obsolete, like Martha, or Margaret, or Matilda, or Samantha.

#### *Gathering of the Clan*

"There was a Samantha Waite, the Waite's of Haldimand Township and of Whitby, where descendents of the Harriman family on the female side. So also the Pettits of Haldimand or Cramahe. Perhaps these people have now joined the multitude in the great beyond, and perhaps also the mother there found her lost child. There is a great gathering of the clan beyond the border line. I have in my home just now a fair domestic maid from among the Ojibways and Ottawas, on the Manitoulin Island, and when I received your letter of

reminder, I said to my wife, "we had better use that girl well, for it is hard to tell how near a relative she is of mine."

"Although irrelevant I may state in this connection that during my several visits to the great Manitoulin and observation of some of the settlements of Indians there, amongst other things I found they were very fond of taking and adopting into their homes any white child they could legitimately secure. There were several to whom I heard they had given foster homes, and today there may be found among them many a fair rosy-cheeked child. Of course they know themselves only as Indians.

#### *Make Good Citizens*

"I had a brother of my domestic for a time as a chore boy - a better one I never had. I had him placed where he learned carriage-making. He is now a good workman and well-liked by everybody, who knows him, erect, proud, always neatly and well dressed, of good deportment and unsullied reputation. Much more might be said on the subject of these people making good citizens."

- *The Cobourg World, Thursday, December 11, 1924*

### **Elias Jones Jr.**

*Elias Jones Jr.*, early in 1797, petitioned the central government for the possession of Hamilton Township lots Numbers 19 and 20, in the broken front Concessions "A" and "B". The meeting of the Executive Council at York on the 17th of June, 1797, recommended the requested lots be granted to him, if vacant. This action was confirmed by the Hon. Peter Russell on the 19th of June, two days later. Thus Elias Jones came into possession and in May, 1802, received the Patent deeds for nearly 450 acres of land, which in later years became part of the Town of Cobourg. A large creek coursed its way southerly between these two lots emptying into a large estuary, a good land-locked harbour for small boats. It was early that same month when Elias Jones wrote a letter to the government, advising them of the number of settlers in Hamilton Township, and signing himself as "one of the proprietor agents." Apparently he had been active in assisting settlers to locate and used his boat for this purpose. By the time Augustus Jones made his visit in 1799, Elias Jones had some twelve acres of land cleared, probably in Lot Number 20, on the higher ground to the west of the creek valley.

Elias Jones was born in the year 1770. His place of birth, activities, and movements prior to his taking up land in Hamilton Township has not been ascertained. He was married to Margaret, daughter and fifth child of Myndert Harris, of Hope Township, possibly about the year of 1798. To this union six daughters and two sons were born.

After acquiring his land in what later became the Town of Cobourg, the writer assumes he erected his cabin on the west bank of the creek at the lakefront. In

selling out his Lot Number 20 in late 1803, he retained 2-1/2 acres at the south-east angle in Concession "B", which was held after his demise in 1836 by his sons until 1845. This parcel of land was serviced for access by Monk Street, where it changed direction east of Tremaine Street, and knuckled southerly to the lake bank. From the beginning, Jones may have had overland access to his cabin by a laneway from King Street, the old trail, in the area of Tremaine Street. Over the years, much of this part of the lake bank has been eroded.

Elias Jones retained his lot number 19, located on the west side of Ontario Street until the year 1819. In the meantime he owned, bought and sold various properties in Hamilton Township. His movements are a bit obscure, but in later years he conducted a very successful, prize-winning farm about mid-way between Cobourg and Port Hope.

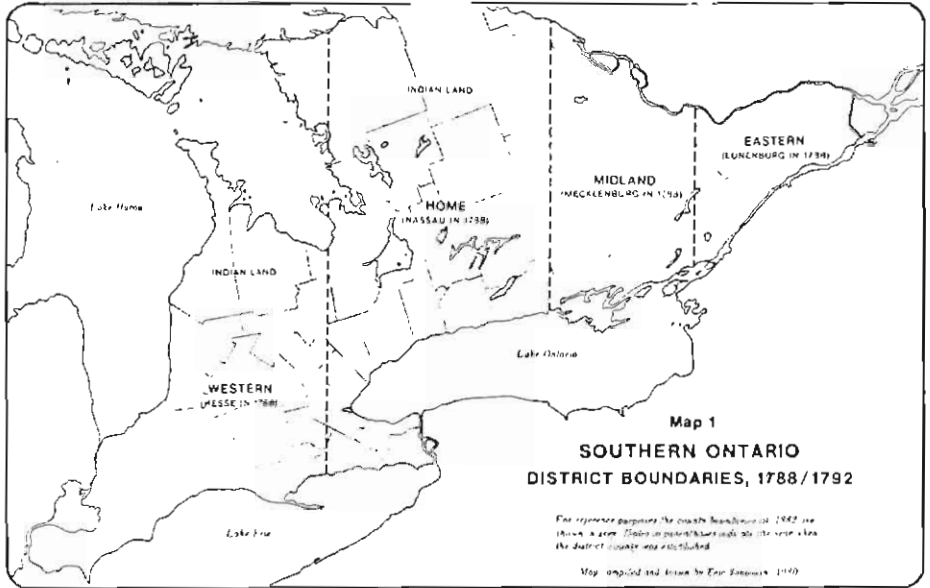
Elias Jones was a very active person. He was one of the first Justices of the Peace in the Newcastle District. He was an early school trustee, a member of the District Land Board, an Inspector of Distilleries and Breweries, and one of the active leaders in the early Northumberland Agricultural Society.

Elias Jones passed away June 9th, 1836. His wife and four daughters predeceased him two to four years earlier. He was in the 67th year of his age, and a highly respected citizen. Many people attended his funeral. His obituary reports:

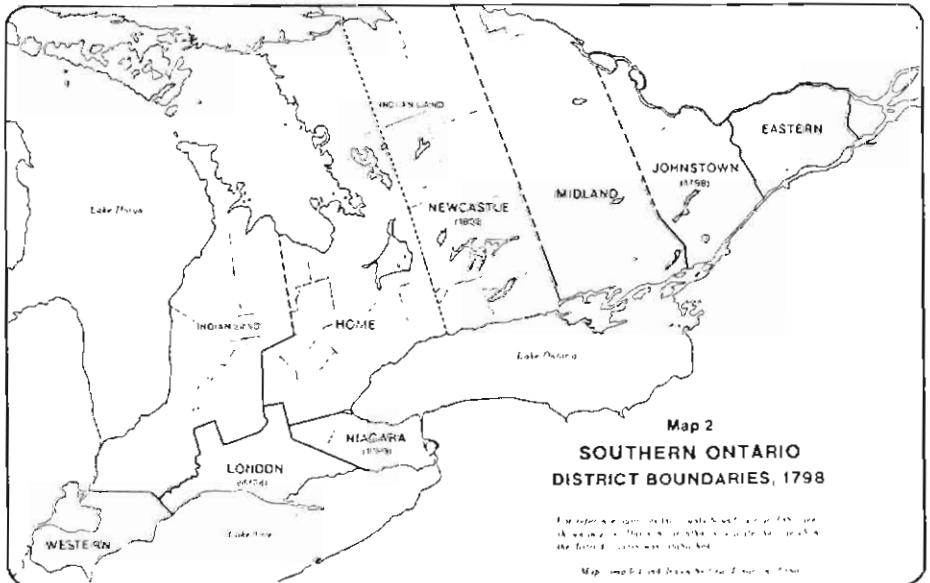
"A good subject, a good neighbour, a good father,  
a Christian and an honest man. He was one of the  
earliest settlers."

We have given a brief review of the seven settlers, the first to actively take up land in what later became the Town of Cobourg of 1837. Why was *Eluid Nickerson* selected, chosen and decided upon as being Cobourg's first settler by earlier local historians? A strong tradition backs up this selection. *Why?* Later in this story we will return to the subject.





**Maps – Courtesy of “Families”  
 – The Ontario Genealogical Society**



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## IV/THE NEWCASTLE DISTRICT

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The earlier divisions of the Province of Upper Canada into four districts was a start, and as settlement progressed these larger areas would be sub-divided and new districts carved out in order to improve local area administration, Courts of law, land registration, etc.

An Act was passed by Parliament in 1798 "For the Better Division of the Province". The Newcastle District, embracing the Counties of Northumberland and Durham was conceived at this time and the Act included a provision for its formation as follows:

Home District XXIV - And be it further enacted by the authority aforesaid, That the counties of Northumberland and Durham, York and Simcoe, do constitute and form the Home District.

*District of Newcastle to be eventually declared by Proclamation.*

XXV - Provided always, and it is hereby further enacted, That when and as soon as the said Counties of Northumberland and Durham shall make it satisfactorily appear to the Governor, Lieutenant Governor, or person administering the government of this Province, that there are one thousand souls within the said counties, and six of the townships therein do hold town-meetings according to the law, then the said counties, with all the land in their rear, confined between their extreme boundaries, projected north, sixteen degrees west, until they intersect the northern limits of the Province, shall and are hereby declared to be a separate district, to be called the District of Newcastle; and the Governor, Lieutenant Governor, or person administering the government of the Province, is hereby authorized upon such proof as aforesaid, to declare the same by Proclamation, any time within one year after the same shall be so established, as to him shall seem most fit.

The reduced size of the Home District, as outlined above in XXIV, came into effect on January 1st, 1800.

The Justices of the Peace met in Quarter Sessions at York. Mr. William Jarvis was chosen Chairman. From the list of J.P's. attending the meetings, the names were from the western part of the Home District and no representation present from Northumberland and Durham.

At a meeting of the J.P's. held at York, 1st of July, 1800, David McGregor Rogers, of Cramahe Township was appointed Registrar for Northumberland County to be responsible for the registering of deeds, conveyances, wills, etc.

The next move for this area was the appointment of Constables for unorganized townships. On the 17th of January, 1801, Joseph Ash and John Vaughan were appointed Constables for Hamilton Township. The following year, 1802, John Vaughan and Nathaniel Abby were the Constables for Hamilton Township.

In unorganized townships, it was the duty of township constables to call the freeholders and householders together for the Annual Town Meeting. The meetings after the initial one were to be called by the Township Clerk. It is not clear as to when Hamilton Township held its first Town Meeting, whether in the year 1801 or 1802. These meetings appointed township officers and passed on local rules.

By early 1802, settlement in Northumberland and Durham had increased to over 1,000 people and six townships had held town meetings according to the requirements for the formation of the District of Newcastle. It was on the 23d of June, 1802, when His Excellency, Peter Hunter, Esquire, Lieutenant Governor of the Province Upper Canada issued a Proclamation that formed the Counties of Northumberland and Durham into the Newcastle District.

Next, an Act to provide for the Administration of Justice in the Newcastle District was passed on the 7th of July, 1802.

Justices of the Peace, meeting in their court of Quarter Session was first held on the 12th of October 1802, in Murray Township. Alexander Chisholm and Isaiah Hall presided at this first meeting.

THUS, with the above events, the Newcastle District was carved from the former Home District, organized and activated.

### Population, District of Newcastle

The following table is compiled from the annual return of the inhabitants of the District of Newcastle, for the year 1804.

TOWNSHIPS	MALES			FEMALES			TOTALS. TOTALS.
	ABOVE 60.	UNDER 60 OVER 16	UNDER 16.	ABOVE 60	UNDER 60 OVER 16	UNDER 16	
MURRAY	4.	35.	33.	1.	30.	25.	128.
CRAMAHE	5.	76.	110.	-	60.	95.	346.
HALDIMAND	5.	90.	82.	2	76.	101	356.
HAMILTON	6.	84.	110.	3.	68.	113.	384.
PERCY	-	34.	51.	-	29.	34.	148.
HOPE	-	68.	84.	-	51.	72.	275.
CLARKE	-	16.	6.	-	5.	10.	37.
DARLINGTON	-	28.	31.	-	17.	22.	98.
TOTALS	20.	431.	507.	6	336	472.	1,772.

— Taken from the Town Clerks' Return, 1804  
D. McG. Rogers, Clerk of the Peace

For the year 1806, the Annual Return gives a total population of 2,011.

For the year 1808, the total population for the District had risen to 2,306 inhabitants.

FIREMAN'S CERTIFICATE.

This will certify, that the Magistrates, in Quarter Sessions, satisfied of the efficiency of *R. D. Challenor* as Fireman in one of the Volunteer Fire Companies established by the Board of Police for the Town of Cobourg, have accepted his enrolment as such Fireman, which, according to Act 7. Geo. IV. Chap. 8th exempts him and he is hereby exempted, during the period of his enrolment and continuance of actual duty as such Fireman, from Militia duty in time of peace, from serving as a Jurymen, or Constable, and from all other Parish and Town offices.

*J. W. ...*  
Clerk of the Peace.

CLERK OF THE PEACE OFFICE.

*Nov 15th 1837*

Copy of the Roll of the Cobourg Volunteer Fire Company  
for the years 1825 & 1841

Peter McCullum	William ...
John ...	William ...
Joseph ...	William ...
James ...	John ...
John ...	John ...
Robert ...	John ...
Nicholas ...	John ...
Joseph ...	John ...
William ...	John ...
James ...	John ...
George ...	John ...
Edward ...	John ...
Thomas ...	John ...
James ...	John ...
George ...	John ...
John ...	John ...

*as before*  
*Secretary*

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## V/LOCAL GOVERNMENT

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The District Justices of the Peace or Magistrates were appointed by the Governor in Council, the central government, and held office at the pleasure of the Governor. Their power of action was confined to inside the boundaries of their own district. They met in the Court of Quarter Sessions, that is four times each year. They held court on minor cases and had powers over and above the Town Meetings in local government.

The *Town Meeting* was a democratic process employed in the New England States. Each Township or organized community held meetings at which every citizen may vote on all questions which arise concerning the township. However, when the number of inhabitants become greater than can be contained in a meeting hall, the system breaks down.

The Loyalist settlers brought the town meeting system to Canada. In 1792, the members of the Upper Canada House of Assembly, elected by freeholders, were mostly from the American Colonies, and accustomed to local American municipal institutions, and to "local home rule" by persons elected at a town meeting, or meetings of similar character.

In 1792, at the First Parliament, these elected representatives were desirous of having such institutions established in Upper Canada by law. Some had been already operating by custom. A Bill was proposed in the legislature to this effect. Lieutenant Governor Simcoe considered such proceedings subversive to English principles. The proposed Bill was not advanced. Town meetings, as such, were not encouraged in Upper Canada. The result was, a "watered down" system of Town Meetings emerged and the lawful procedure allowed annual town meetings in each organized township, at which officers such as Clerk, Treasurer, Assessor, Path Masters, Pound Keepers, Fence Viewers and later on, Wardens were appointed for one year. Also certain regulations were passed such as the height of fences, fees, registration of cattle marks, etc.

The Township Officers were responsible to the appointed J.P's. or Magistrates,

meeting in Quarter Sessions in their District. The Magistrates also passed regulations for the Township Officers to follow.

Thus, from the above outline of Local Government, final authority rested with the central government with power flowing from the top down, rather than from the "grass-roots" upward.

Hamilton Township held Town Meetings from the beginning in 1801 or 1802 into 1849, when a new system of Municipal Government came into force in 1850, and the Township Councils were elected.

We now give details of the duties of Parish and Town Officers, which varied somewhat from time to time over the years the Town Meeting system was in force.

### Duty of Parish and Town Officers

*"The path of duty, is the path to heaven" – Pope*

As the inhabitants of the new townships in this district are entirely composed of emigrants from Great Britain and Ireland, who had no parochial or public duties to perform in their native countries, they feel bewildered and at a loss when called upon to perform such duties here. From the ignorance of the nature of such offices, arises, as may be expected, mistakes, wrangles and animosities. To obviate the difficulty of obtaining correct information, and to prevent petty broils and disturbances, an abstract of the numerous Acts, which relate to parish and town officers, and which at present are scattered throughout the whole of the Statutes, might be drawn up, sent to the Town Clerks, and directed to be read in every new Township for a certain number of years, at the annual town meetings. It is at all times unpleasant for magistrates to fine, and perhaps unjust when a mistake or neglect happens through ignorance.

As a local and temporary remedy for this evil, we send you a very brief abstract of the laws on this subject for insertion in your useful paper; hoping that it will be read in the new townships with attention; and that the information which it contains will spread, and prevent strife.

In this peaceful and happy Province, the lightness of taxes, the rapid increase in the value of land, the plenty which everywhere prevails, and the security afforded to our persons and properties by the mild and equatable laws of our native country, are advantages for which we cannot be too grateful, and which ought to make us diligent and faithful in the discharge of every social and public duty. We would remind those whom these arguments fail to convince, that the money extracted from them in the shape of fines, might, at least for themselves, be more profitably employed in the purchase of sugar and tea for their wives and daughters.

*The Town Clerk* - keeps a book of records, in which are annually inserted the names of the town officers appointed at, the regulations made, by the town meeting. It should also contain the form of the Assessment roll, and of the collector's

bond, the fees directed to be taken by pound-keepers, etc. This officer, reckoning from the time of the town meeting, is required to take the oath of office in seven days; to give notice, either personally or by writing of their appointment to the two assessors, and direct them to take the oath immediately, in ten days; to make an affidavit of his having given this notice, and send it, accompanied with the names and descriptions of the assessors and collector, to the Clerk of the Peace in twenty days; to have the collector's bond executed within a month and sent to the treasurer within two months. For these duties his fees are four dollars. The sureties or bondsmen of the collector should be substantial and responsible land holders.

*The Assessors* - are required to take the oath of office within ten days after their appointment; to take an assessment of all rateable property in the township, between the first Monday in February and the latter end of March; to sign their names to this assessment, put a copy up in the most public part of the township and deliver it to the Clerk of the Peace, before whom one of them must make oath to its accuracy, on or before the first day of April. The form of this roll, with a description of all rateable property, can be obtained either from the assessor of former years, the Town Clerk, or (which is the safest way) from a magistrate.

In taking every person's rateable property, they must apply to the person himself, and allow him to give it in. By refusing to give in, or by giving in too little, he is liable, upon information, a penalty of five pounds. A copy of the assessment roll being exposed to public view, every man can judge whether his neighbour has given in justly; and when a dispute arises about the quantity of land it must be surveyed.

The Assessors are also required to take, at the same time, a list or census of all male and female inhabitants, above and under sixteen years of age, including servants. Heads of families who neglect or refuse to give in the number of their respective families for ten days after application, are subject to a penalty of eight dollars. The fees of assessors are seven per cent upon the amount of rates. No person should be appointed to this office who cannot write distinctly.

*The Collector* - is required to take the oath of office within seven days; to enter into bond to the treasurer of the district, with two sufficient sureties within a month; to pay over the moneys which he may collect to the treasurer, every three months, or oftener, if required, but to pay over the whole on or before the first day of January ensuing his appointment; and to levy the taxes by obtaining warrant from a magistrate, if they are refused or neglected to be paid for fourteen days after demand. The collector is allowed five percent upon the amount of his collection. This office also requires a man of some education.

*The Overseer of the Highways* - are required to take the oath of office in seven days; to make a list of all the inhabitants within their respective divisions, liable to perform statute labour, distinguishing those who have teams, and deliver it to the magistrates within twenty days; to call out their divisions within ten days,



after being directed to do so by the Magistrates; to give three days notice (Sundays not included), either verbally or in writing, of the time, place, teams and tools which will be wanted; to account for labour, fines, etc., to the magistrates, under penalty of three months imprisonment; to take care that the roads are at all times safe and passable, or to warn people of danger; to lay out the statute labour impartially and for the good of the public; and to act as fence viewers.

Persons who wish to compound for their statute labour, must do so within three months after the appointment of the overseer. The composition is 5s. for team and driver, and 2s 6d. for a man for each day. Every man is required to bring such teams and tools as are wanted, and to work eight hours each day diligently and faithfully. The penalty for neglect is ten shillings per day for a team and driver, and five shillings for a man, with costs of prosecution. Every man from 21 to 50 years of age, not assessed, is liable to perform 3 days labour. All persons who place fences upon or encumber roads, injure bridges, etc., are liable to a penalty of eight dollars with costs; and those who neglect to remove trees, which fall upon roads out of their clearings, within twenty-four hours, may be fined 10 shillings for each day such tree obstructs the road.

When we reflect – as every man who is capable of reflection must certainly do – upon the beauty and usefulness of good roads, and when we consider that the annual labour, required by the laws of our country, conduces to our own immediate comfort, convenience, and to increase in value of our properties, we ought to require neither persuasion nor compulsion to induce us to perform this labour cheerfully, diligently and faithfully.

*The Town Wardens* are required to take the oath of office within seven days; to appear in behalf of the township in all civil processes which concern its interest; to bind out orphan children with consent of two magistrates; to enforce the proper observance of the Sabbath, etc.

*The Duty of Pound Keepers* is to take the oath of office in seven days; to impound all cattle, horses, sheep and hogs which are taken during damage, or running at large, contrary to the laws of the Province or the regulations of the Township; to put up within 48 hours, in three public places, when the damages and fees are not paid, notices describing the marks of the cattle impounded, and stating the time when they will be sold, which is 15 days after notice; to pay his own charges and the damages first, and then render the overplus to the owner.

When the parties cannot agree upon the damages, a magistrate is required to issue his warrant to three respectable men of the neighbourhood, who appraise them upon oath. Two overseers are required to decide upon the sufficiencies of the fences. A statement of the poundkeeper's fees should be furnished to them annually by the Town Clerk. No stone horses above one year old are allowed to run at large under a penalty of 20 shillings, – and no rams, from the 1st September to 20th December, under the same penalty.

Thirty overseers of roads and six pound keepers may be appointed for each township.

No person can be called upon to hold the same office in less than three years; but he can be appointed to a different one each succeeding year.

In general, the penalties, to which parish and town officers are liable for neglect of duty, range from two to five pounds for the first offence, and ten pounds for the second; not including the costs of conviction, which are considerable. When we add to these penalties a sense of duty, and the sacred obligations of an oath – two considerations which ought even to outweigh the loss of property, we hope that there are few men who, when once informed of these duties, will be so callous and insensible to all feelings of honour, interest, and religion, as to neglect them.

To conclude, there can be no object more agreeable in the sight of man, or more acceptable to the Supreme Author of all order, than a peaceful and well regulated community, of which every member is willing cheerfully and faithfully to contribute his share of duties.

*"Atticus"*

– *The Cobourg Star, January 25, 1832*

The account of the Treasurer of the Newcastle District, for the year 1831 is given on Page 31 of the Cobourg Star, February 8, 1832, and is listed above the name of E.E. Burnham, Treasurer, N.D.

## The District Court House

Before leaving Canada in 1796, Lieutenant Governor Simcoe, the visionary, the planner, foresaw the time and need when the District of Newcastle would be formed and it was probably his decision to have the location of a District Town at the end of the Presqu'ile Peninsula. Consequently in 1797, orders were issued for the layout of such a townsite to be called the Town of Newcastle. The layout made provision for a district court house and various amenities needed in a district town. Lots were sold to private individuals, and after the formation of the District in 1802, a court house building was erected on this townsite.

The first court to be held in the Town of Newcastle had to be cancelled due to the disastrous loss of the government sail-boat "*Speedy*". The Magistrates of the District never held a Quarter Session meeting there, preferring other locations. Finally, it was decided to build a courthouse in a more central location. Influenced by Asa Burnham, a J.P., a new site was finally selected in Hamilton Township in Lot Number 20, First Concession. A frame building was erected on the crest of a hill, on the east side of Burnham Street and to the north of Elgin Street. It was opened for use in 1807, and served the District until the early 1830's. Shortly after its opening, a store was located nearby, followed by hotels and houses. The local area became known as the Village of Amherst.

In 1832, a new Court House and Gaol was erected across the road on the west side of Burnham Street, on the site of the present day Golden Plough Lodge.

With the incorporation of the Town of Cobourg, on the 1st of July, 1837, the Village of Amherst became part of the new town and Cobourg also became the District Town.

*The Location of the District Courthouse in Hamilton Township*

The wooden structure was first used in the year 1807.

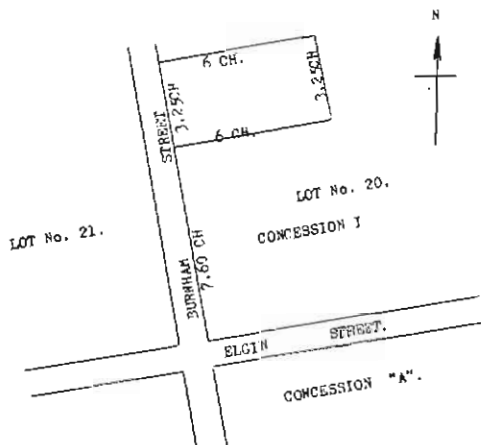
*Registration of Deed to Courthouse Property*

Registration instrument No. 307, dated April 16, 1812, and registered on the 4th of May, 1812, conveys two acres of land for use of Gaol and Courthouse from Asa Burnham to Alexander Fletcher et al. This parcel of land is located on the crest of the hill, on the east side of Burnham Street, and some 500 feet plus, north of Elgin Street. See accompanying sketch. It appears that the 1805 Building Committee, appointed by the Magistrates, decided on a change of location from Lot No. 19, to Lot No. 20, both owned by Asa Burnham.

The list of the District Magistrates, mentioned in the 1812 deed, is as follows:

*Alexander Fletcher*, of the Township of Darlington  
*Richard Lovekin*, of the Township of Clarke  
*Leonard Soper*, of the Township of Hope  
*Benjamin Marsh*, of the Township of Hope  
*Elias Smith*, of the Township of Hope  
*Elias Jones*, of the Township of Hamilton  
*Richard Hare*, of the Township of Haldimand  
*Joel Merriman*, of the Township of Cramahe  
*Benjamin Richardson*, of the Township of Cramahe  
*Asa Weller*, of the Township of Murray

*The Courthouse Property*



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## VI/THE COMMUNITY

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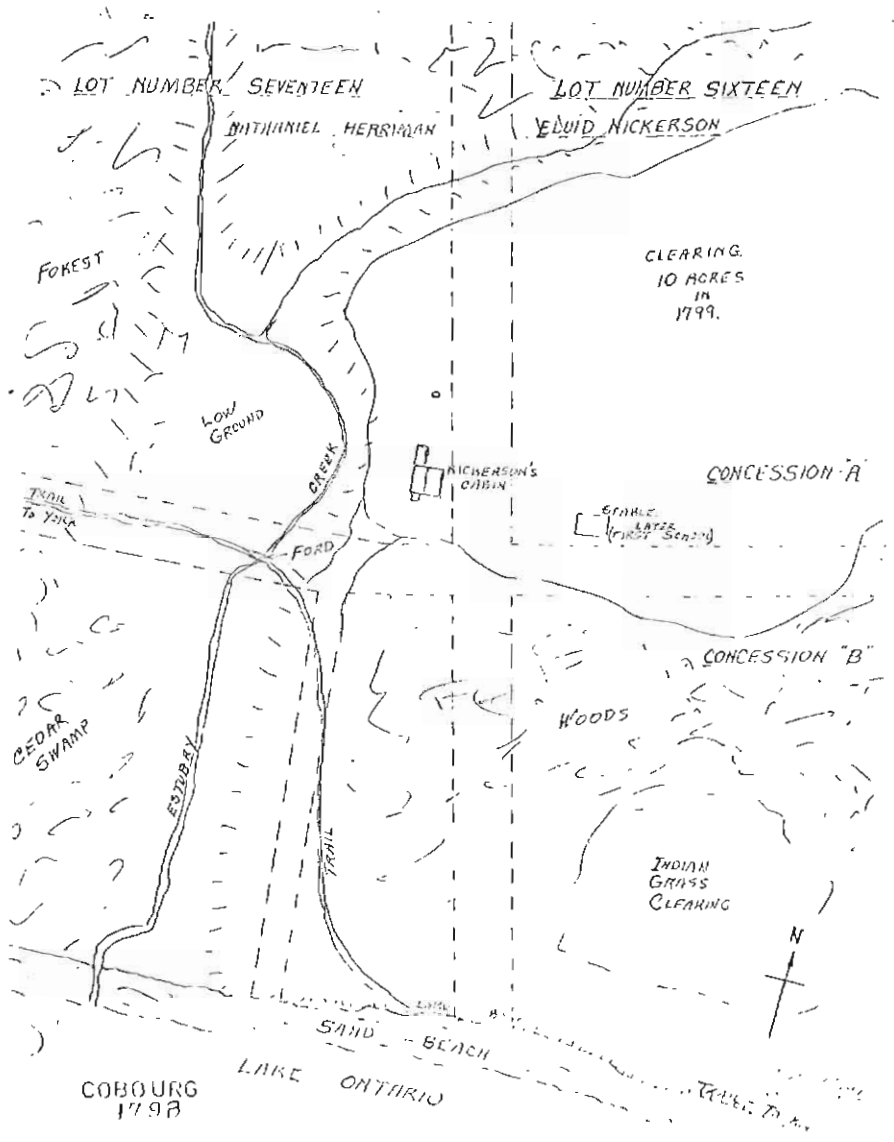
The early settlers, living along the lake front of Cramahe, Haldimand, Hamilton and at Smith's Creek in Hope Township formed more or less a community of interests. An early story reports that when the residents of Smith's Creek needed help to build a mill, Joseph Keeler of Cramahe and Haldimand took a group of men with him to assist in the raising of the mill. Neighbours! Susan Greeley, in her story tells us that travel went by boat in season, otherwise along the lake shore. An earlier account reports that before Northumberland and other north shore counties were settled, people travelling between the Bay of Quinte area and Niagara by land, required an Indian guide to take them through. There was an old trail along the north shore of Lake Ontario of some sort.

Of what later became Cobourg, that trail moved inland from the lake bank near the small creek, in order to avoid a cedar swamp and to ford the stream above its estuary. Similarly westward, at the larger creek, the trail crossed the stream above the high water mark of Lake Ontario. The trail continued westerly to gain the lake shore a mile or so beyond. Thus the old blazed route, trail, tote-road, or bridle path became later, what is to-day King Street West, with its frequent change in direction. In flat country no surveyor would lay out a new road like what King Street is with its changes in direction.

Eliud Nickerson selected a spot for his first cabin close by this old trail and convenient to the small creek for water supply and boat storage. Mrs. Margaret Wells, née Ash, who was born in Hamilton Township in 1803 tells us:

"The first place of business in Cobourg was a blacksmith shop which stood about where Messers Graham and Minaker's store now stands (in 1874)." This location was on the north side of King Street, to the west of the small creek, and alongside the old trail. Property deeds confirm this location, and the blacksmith's name was Jacob Firmin. His land purchase of one acre was registered in 1812, but most likely he arranged to locate long before that date. Mrs. Wells mentioned the first tavern, built by Elijah Buck, was at the south-west corner of King and Division Streets. Buck registered his land purchase in 1812, but from

44/A History of Cobourg into 1850



other sources we learn that Buck arrived about the year 1810. Dr. Timothy Kittridge was around about the same time and he too was active in early land transactions, along the old trail. Mrs. Wells continues:

"The first goods sold in Cobourg were bought by Major (Elias) Jones, afterwards a man named McDonald bought goods and sold them to settlers, and then a man named Mungo or Mango opened a little store."

Jones probably used his boat to bring in a load of goods and re-sold them from his lake shore cabin. Early property deeds, dated 1816, indicated that *John Monjeau* (not Mungo) owned a lot on the south side of King Street, near the small stream. This could have been the location of the first store. Development started close by the old trail at the corner of Division Street and King Street, moving westward and later spreading out.

It now appears that the motive why *Eluid Nickerson* has been given the credit of being Cobourg's first settler, is not for the reason he was the first person to live within the boundaries of 1837 Cobourg, but because his cabin, erected in 1798, was on the site of the first build-up that later became the town. Other settler's cabins and clearings were about three-quarters of a mile distant from the start of development.

### The Start of Cobourg

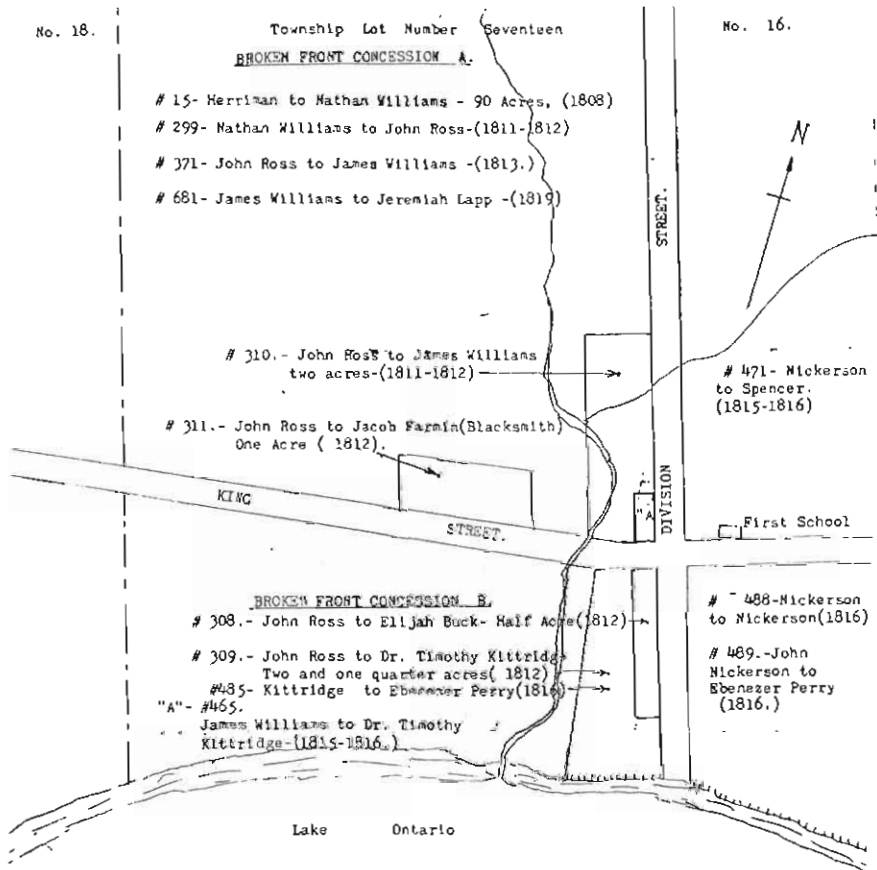
Mrs. White of White's Mills writes: "I was married to Mr. (Josiah) White in 1812, and came to Cobourg in 1813. It was quite a wilderness, but a few small clearings, and only three houses in the place, a rough corduroy road led to the lake."

Mrs. Wells further tells us: "... the first school was held in an old stable, which had been fitted up for the purpose by nailing slabs over the cracks to keep out the rain. It was taught by the daughter of a U.E. Loyalist, and stood where Waldie's bakery now stands (1874)." Mrs. Wells continued to relate that she attended this school, of how the children used to amuse themselves at noon by running down through the woods... or sometimes going down to the sandy beach to watch the Indians catching sturgeon. She continues: "It is curious to think of this little band of children who trudged through the woods to school, bare footed and scantily clad in such coarse raiment as the country afforded, and yet many of whom lived to see themselves surrounded by every luxury." These comments are most interesting!

The years of this first school would be about 1810 or 1812. The location of this old stable building was on the north side of King Street and a bit east of Division Street, some 100 feet or more, distant from Nickerson's first cabin, and it most likely was Mr. Nickerson's first stable, lately abandoned. Nickerson with a large growing family had probably built a new dwelling elsewhere on his property. The school teacher may have been Nickerson's daughter, Mary.

The settlers in the Cobourg area were not lacking for religious meetings and the Circuit Riders visited regularly. The early Methodists who came to Upper

# Early Property Transactions and Lot Severances in Down-Town Cobourg



EARLY PROPERTY TRANSACTIONS  
and  
LOT SEVERANCES  
in  
DOWN-TOWN COBOURG.

Scale 1" = 400 ft.

Canada with the U.E. Loyalists set up circuits and assigned men to visit the settlers. After the year 1800, one of the Methodist circuits extended from the Bay of Quinte to Yonge Street. The Smith's Creek Circuit became a separate field of work in 1805 and the Rev. Thomas Madden was the first stationed minister. Hull's Corners, on Division Street, North, became the headquarters for the Smith's Creek Circuit about this time.

The Presbyterians were also active in early settlement times. The first systematic effort to send Presbyterian ministers to Upper Canada, was made by the Dutch Reformed Church of the United States. In 1798, the Rev. Robert McDowell was sent by the Presbytery of Albany, as a missionary to this province. His parish extended from Elizabethtown, now Brockville to York. He preached and organized congregations in different places. As the Methodist ministers were not allowed to celebrate marriages, Mr. McDowell is reported to have celebrated 1,100 marriages prior to 1836 for those who were not members of the Church of England. The first Presbyterian service in this vicinity was held in the house of Mr. Eldridge Stanton, (Lot Number 9, Concession I, Hamilton Township). As Mr. Stanton died in 1812, we can trace Presbyterian services to a time previous to that date.

St. John's Lodge, Number 17, A.F.&A.M., was warranted on October 4, 1801, and continues to be active to the present time. Free Masonry came to what later became the Dominion of Canada prior to 1763, when New France became a British Colony. Masons met in Grand Lodge at Quebec. Afterwards the pioneers, retired officers and soldiers, the United Empire Loyalists exemplified Masonry and set up lodges as they had the opportunity.

In this area, even before the Newcastle District was formed in 1802, four lodges were warranted about the year 1800. Of two of these, United Lodge of Murray, and Mount Moriah of the Township of Hope, very little is known. North Star Lodge of the Township of Hamilton, met in what became the Village of Amherst. Meetings were held in Stile's Hotel. (Note: Lewis Stiles purchased six acres of land at the South-East corner of Burnham and Elgin Street in 1817, and it was here his popular hotel stood.) In pioneer times Masonry in and around Cobourg developed principally under Lodge No. 19 (17), St. John's Lodge.

It is interesting to note some of the names of pioneers who were connected with Masonry. The list includes: *Caleb Mallory, Mark Burnham, Dr. John Gilchrist, Barnabus McKeyes, Thomas Ward, Lewis Stiles, John Grover, Manchester Eddy, John Peters, Joseph J. Losee, Benjamin Ewing, James Norris, Joseph A. Keeler, Samuel S. McKenning* and others.

In the early years, meetings were held in Governor's Inn, Grafton; at the house of Caleb Mallory; and at the house of John Kelly, located at the eastern boundary of Hamilton Township, Concession 1.

Lieutenant Governor Simcoe was a planner, a promoter and encouraged the development of Upper Canada. He employed his best efforts to build up the population, to establish trade, and the movement of produce to markets, also to improve conditions. During his tenure of office the settlements were expand-



ing. The action days of the Simcoe regime drifted into inertia days of succeeding Lieutenant Governors. Those who followed Simcoe were of a much different type. Hunter, who replaced Simcoe did not have "the Drive" for increased settlement. The number of new settlers decreased yearly. Those who came to Canada were mostly from the U.S.A. In Europe the Napoleonic Wars were raging with very little emigration from Great Britain to America. The war of 1812-1814 was another factor. All this had its effect on the advancement of the province and Cobourg, in particular, was at a stand-still until the year 1816.

### **The First Industry**

In the meantime, there is one area of local activity we must record. Roger Bates, an early resident reports: "The first saw-mill erected in the neighbourhood was where the present Ontario Mills and Factory stand, and was put up by the father of Colonel McDonald, of Peterborough, in 1803. This was a great boon to the people, who were always in want for a few boards to finish off their shanties."

The land grant to Elias Jones, Jr. in 1797, of Township Lots Numbers 19 and 20, was a valuable one in that the property included a larger creek with a good flow of water, a large estuary that was a safe harbour for small boats, and the higher ground above the creek valley contained a rich, black loam soil. The stream had fish in abundance. Water power was a big potential. The levels of Lake Ontario fluctuated by about five feet over cycles of years, and the high-level water reached well inland to the present day King Street. The old trail crossed the stream at this point where vehicular traffic forded the creek on a shallow limestone bottom.

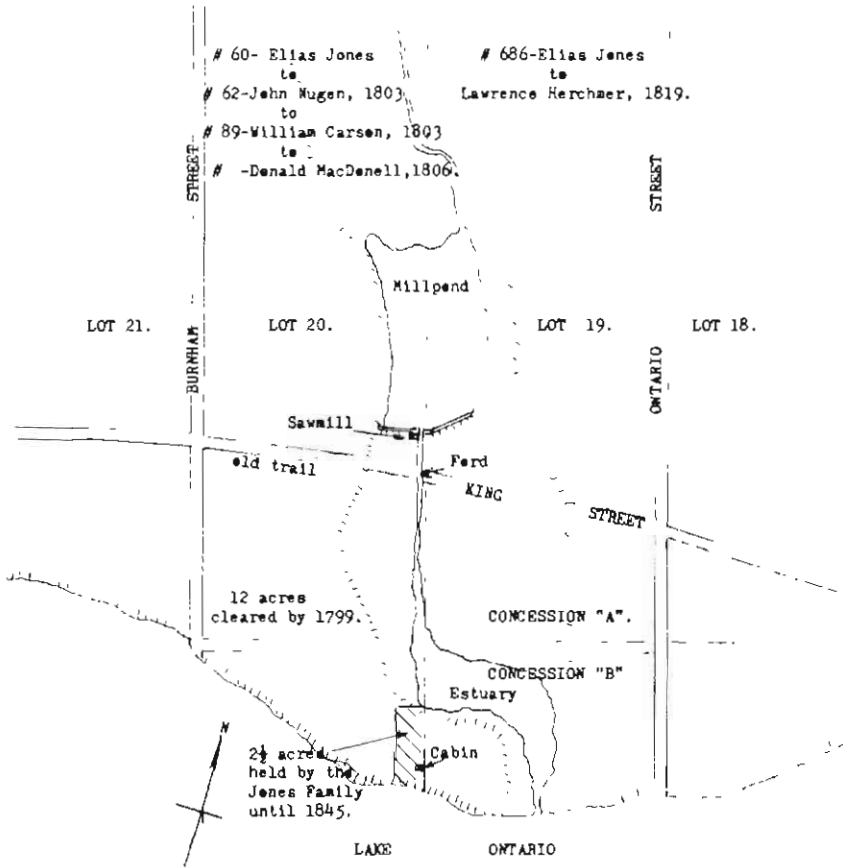
Some 200 feet upstream from this spot, the first water-power dam was erected possibly as early as the year 1803. Property transactions follow an interesting pattern.

Elias Jones, Jr. owned additional property in Hamilton Township. His wife, née Peggy Harris, received a grant of 200 acres, as a daughter of a U.E. Loyalist father. Jones was active in various pursuits.

In December of 1803, Elias Jones sold his Lot Number 20, in Concession "A" and "B" to John Nugen, all 215 acres, except for 2½ acres on the lake front at the South-East Angle of the lot. It is assumed this small parcel contained the residence of Elias Jones. He also retained his adjoining lot Number 19, until the year 1819. The deed does not mention the price Nugen paid for his purchase. Nugen may have proceeded to erect a dam and build a saw-mill. Further, in December of 1803, John Nugen turns over his newly acquired property to William Carson, his father-in-law, who may have financed the construction of dam and mill. Again no consideration is mentioned in the deed.

The next change is in June of 1806, when William Carson sells out Lot Number 20 to Donald MacDonell, of Kingston, for the sum of 547 Pounds. MacDonell retains the property until September of 1817, when Alexander McDonell, heir

# The Jones Creek Development



at law of Donald McDonell sells out to Robert Henry, merchant of Montreal and James Bethune, merchant of Kingston, in the amount of 1,500 Pounds. By that time industry had been well established on the stream.

By the year 1816, after the close of hostilities with the United States, and the termination of the Napoleonic Wars in Europe, the core of what later became Cobourg was ready for expansion; industry had been established on the larger creek; the Village of Amherst at the Court House was beginning to take shape, and the Methodists had centered their area activities in Hamilton Township, at what later became Hull's Corners. A new era for the place was beginning.

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## VII/A NEW ERA BEGINS

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Very few settlers came to Upper Canada in the year 1816. Antagonism and a certain amount of enmity towards newcomers from the United States had developed as a result of the recent war. In 1817 a record number of land grants were issued and the movement of immigrants from the United Kingdom had commenced.

In the year 1816, changes made a start in what later became Cobourg. The Nickerson family sold out their property. The 200 acres north of King Street was bought by Mr. John Spencer and the south section went to Mr. Ebenezer Perry. Both of these men were promoters and developers. Elijah Buck arrived earlier and purchased 100 acres from Moses Alley, on the west side of Division Street and north of University Avenue. Other names began to appear as land owners such as Alexander McDonell, Dr. Timothy Kittridge, Jeremiah Lapp, James Williams, John Monjeau, Robert Henry, James Gray Bethune, Henry Rutan and others in the locality. John Spencer donated four acres of land in 1819 for St. Peter's Episcopal Church, and about this time a post office was established. Cobourg must have a name.

### The Naming of Cobourg

The writer is fond of the story as told by Mrs. James Wells, and published in "Home Sketches" of 1874. Mrs. Wells was born near Cobourg in 1803. "As the spot on which the town now stands began to take shape in the form of a little village, the settlers gave it the name of *"Hardscrabble"* by way of a joke on their own hardscrabbling to get along. One of the inhabitants was desirous of having this name changed to *"Buckville"* and built a tavern which he called *"Buckville Tavern"*, and which stood, if we mistake not, where the Toronto Bank now stands. (S.W. corner of King and Division Streets). He had a sign painted and erected on two cedar posts before the door, but the glory of *"Buckville Tavern"* was of short duration, for when the proprietor opened the door on the morning after

the erection of this sign, all that remained of it was about a foot and a half of cedar posts, the rest of it having disappeared mysteriously during the night.

“When the first Episcopal Church was built, the steeple was surmounted with a weather cock in the form of a fish, and the village was dubbed “Salmon City”. But in time “Hardscrabble”, “Buckville” and “Salmon City” gave way to the staid old name of *Cobourg*.”

The Methodist Centre to the north of the village became known as ‘Hamilton’ and the name was also applied to the core village.

The timing of the naming of Cobourg is recorded in the Kingston (Ontario) Chronicle - Volume I, Number 16, Page three and dated 16 April, 1819, in a short news item:

“At a meeting of the inhabitants of the lower Village of Hamilton, Newcastle District, the following Resolution was read and unanimously adopted:

Resolved, - ‘That this village be henceforth called *Cobourg*.’  
Cobourg, 8th April, 1819.”

It is interesting to note that Port Hope received its name at a meeting held for the purpose about that time. George Strange Boulton, a young Barrister residing in Port Hope at that time, suggested the name which was unanimously adopted. (“Ye Olden Times, Cobourg World, May 24, 1901-2:2.)

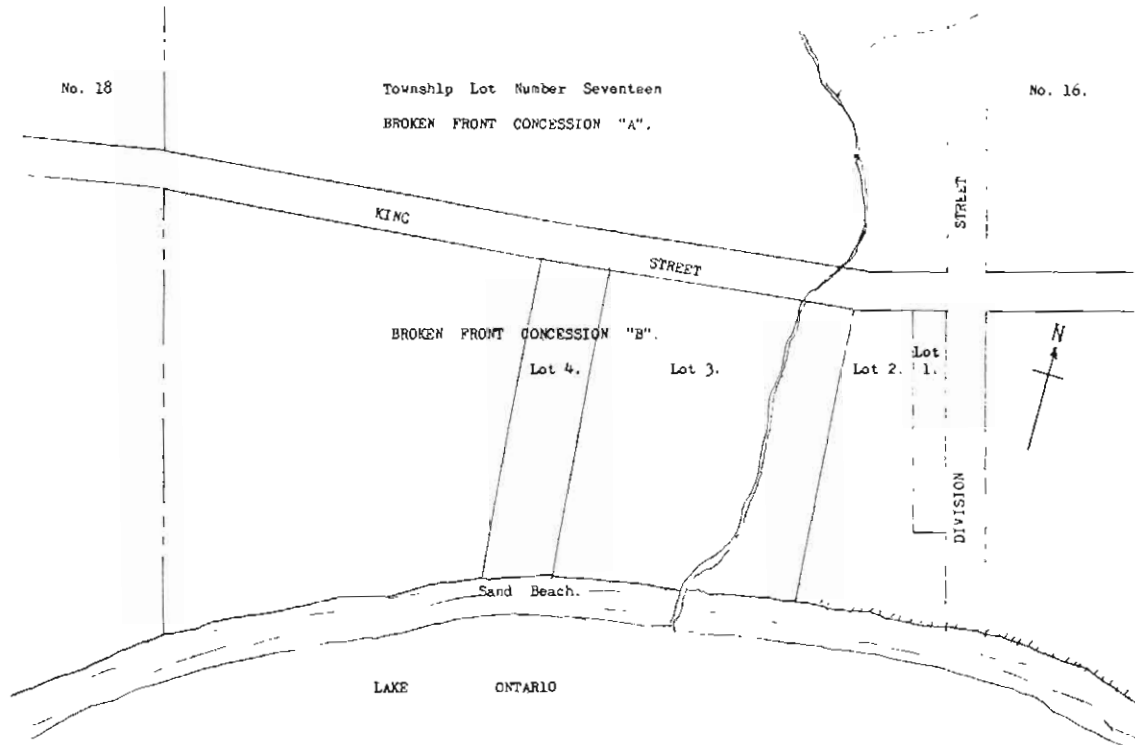
## Early Schools

It appears that the first Cobourg school, held in an abandoned stable, was terminated by the year 1813. Elias Jones, School Trustee, in a letter dated 30th of August, 1816, and addressed to the central government, states: “. . .that in consequence of the great difficulty, for the last three years, in obtaining a teacher adequate to the overseeing the Public School. . . there has been no public school kept.”

It may have been shortly after this letter was written, that a large frame building was erected on the east side of Division Street, nearly opposite the end of Covert Street, and was used as the District School house, also for public meetings and church services. In 1816 the Government passed an Act with respect to schools and contributed funds for maintenance and towards teachers’ salaries.

It was about 1817 when steam-boats started to travel on Lake Ontario. The Kingston Chronicle newspaper of May 17, 1819, advertises the time table and ports of call for the steam-boat *Frontenac* under James Mackenzie as Master. The ad gave in detail the various rates for passengers and various articles of freight. The boat was equipped with berths. At Cobourg it was necessary for larger vessels to anchor off shore and convey cargo and passengers to land by Jolly Boat.

In 1820, the Methodists erected their first church building at Hull’s Corners, a two-storey structure. For several years previous, this location had a parsonage,



No. 18

Township Lot Number Seventeen  
BROKEN FRONT CONCESSION "A".

No. 16.

KING

STREET

STREET

BROKEN FRONT CONCESSION "B".

Lot 4.

Lot 3.

Lot 2.

Lot 1.

N

DIVISION

Sand Beach.

LAKE ONTARIO

Major Land Severances  
in  
Broken Front Concession "B".  
Township Lot Number Seventeen  
1816-1924. Scale : 3/8" = 66'.

*Phillips*

A New Era Begins/53

a log house, for a centre for use by the Methodist Circuit Riders. There is an interesting item of folklore connected with this early church: "It would require quite a stretch of imagination to conceive of a row of Indian babies each strapped to a board and stood up along the wall in one of our town churches. Yet Mr. Powell informs us that he distinctly remembers seeing such a scene in the old Methodist Church at Hull's Corners. Our Indian population at that time, it appears, were fairly good church attendants. One after another the Squaws would file into church, undo the fastenings by which the board, upon which the Indian baby was strapped and was secured upon their backs, and quietly stand the board and child up against the wall. It is said the Indian infant preserved an air of stolid indifference to its surroundings, and seldom cried no matter how long the sermon." (The Cobourg World, February 21, 1902 - 1:6).

### Property Purchases

Hamilton Township continued to receive newcomers in increasing numbers. In 1816, the Census lists 119 families and by 1823 some 243 families were counted by the enumerator. In 1820, the Township population was 1,127.

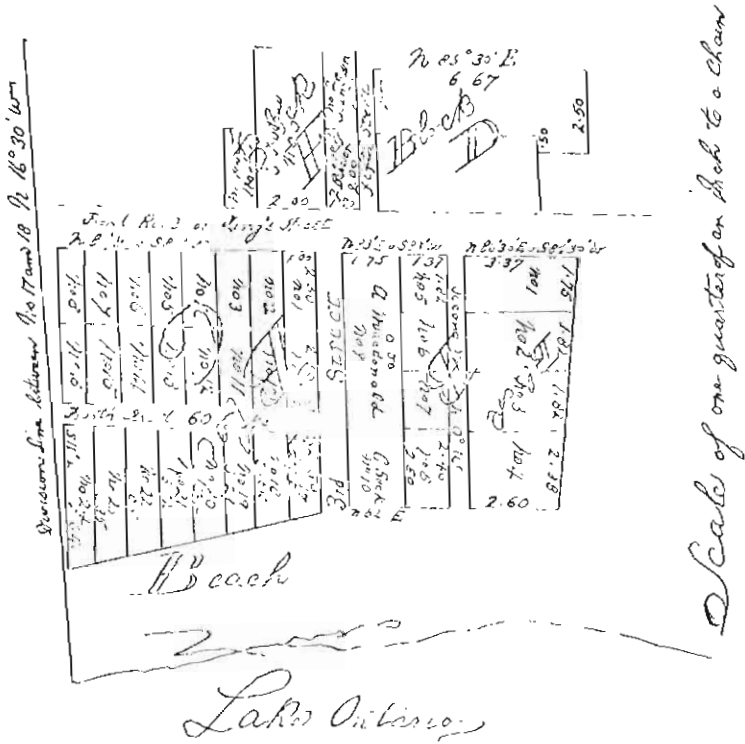
With the lack of any local newspaper during the 1820's, details of events, happenings and general progress are difficult to obtain. A few items will be mentioned about property ownership and land transfers from information gathered from deeds.

In the year 1818, Alexander McDonell purchased a parcel of land located at the north-west corner of present day Victoria Hall. Here he erected a dwelling. The house remained, and when it came time to erect Victoria Hall, it was moved to the south-east corner of King and Bagot Streets. Years later, it was again moved to William Street, to make room for a fine brick dwelling for Mr. Thomas Gillbard.

In 1819, Elijah Buck sold out the south-west corner of King and Division Streets to Benjamin Throop, of Montreal, a merchant, for 450 Pounds. Throop opened a store on this lot and he was in business here until the year 1838, when he rented his store to Mr. Tremaine.

In one deed, First Street is named Potash Street due to a potash industry located on the west side. George Street was first known as William Street and mentioned in early deeds.

Mr. John Monjeau, who kept a store on the south side of King Street to the west of First Street, became active in purchasing properties both north and south of downtown King Street. In 1820 all his holdings were transferred to *Francois Trudeau*, a Montreal merchant, and Monjeau's name disappears from local records. He possibly went bankrupt. At the same time Trudeau acquired much land in Cobourg. Moses Alley sold him 50 acres at the north end on Elgin Street, west of Division Street. Through other transactions, Trudeau owned all the land south of King Street, from the small creek westward to Ontario Street,



**Facsimile of Cobourg's First Plan of Subdivision**

Registered the First of October, 1824, as Memorial No. 1163.

Before 1824, individual parcels of land and lots had been marked out in what is today the business section of town.



except for Mr. McDonell's house and lot. Two parcels north of King Street came into his possession. He was an absentee land owner on a large scale. In the year 1824, Trudeau sold all his Cobourg holdings to Francois Antoine LaRocque, also a Montreal merchant. The price of this sale is not disclosed in the deed.

### **First Land Subdivision**

Mr. La Rocque proceeded at once to subdivide his downtown acres and created Cobourg's first plan of land subdivision. He arranged for James Gray Bethune to act as his local agent. All the land south of King Street and between Hibernia and Ontario Streets was purchased by Mr. Ebenezer Perry. Other subdivision lots were disposed of piecemeal over the years.

Until 1824, the expanding downtown core, spreading out from the four corners in all directions, was a haphazard growth, and property lots came in a variety of shapes and sizes. The new subdivision layout was of a more orderly design.

Other names were prominent in various property transactions in Cobourg's core, such as Elijah Buck, Jeremiah Lapp, James Gray Bethune, Ebenezer Perry, James Williams, Alexander McDonell, Timothy Kittridge, Mark Burnham, John Spencer and others.

In 1817, Robert Henry acquired the large west end property containing the dam and mill site on the Jones or Factory Creek. Henry retained this property, all 203 acres, for nearly fourteen years, adding new developments and later selling out to Mr. George Ham.

### **The Waterfront**

The Cobourg Waterfront, with its attractive sand beach, was the stopping-off place for many immigrants en route to the back country. The lakebank was close by to King Street merchants. At Division Street the distance from the lake bank to the south side of King Street was eight chains or 528 feet. At Third Street, eight chains was the measure and at Hibernia Street the distance between the two was eleven chains, all in a short walking distance.

The Reverend Anson Green, D.D., a Methodist Circuit Rider assigned to the local Smith's Creek Circuit writes an interesting account in his memoirs: "When in Cobourg last October, (1824) I saw the beach west of Division Street covered with small white tents filled with Irish immigrants. The Hon. Peter Robinson had been home and brought out a shipload of these people, whom he had landed here. There was no wharf at Cobourg then, and the landing was somewhat difficult. They were to be located in the bush beyond Rice Lake. . . These white tents presented a beautiful and attractive appearance. They stretched along the sand beach lying between the lake and a forest of small cedars, which covered the worst part of the swampy ground east of Ham's Mills."

The Methodists in Cobourg were increasing. It is on record they held meetings first in the Division Street Common School. In the year 1824, they acquired land and built a small frame chapel at the south-east corner of Division and Chapel Streets. This building was opened in November of 1824, by the Reverend Anson Green.

Up to the year 1825, the growth of the Village of Cobourg was rather slow. By the mid 1820's, the flow of newcomers began to increase, and the increase accelerated each succeeding year. Hard times in Great Britain, following in the wake of the Napoleonic Wars, gave larger numbers the incentive to migrate and to seek a new life in a new land. Slowly but surely the general growth of the Village of Cobourg also started to accelerate. More people took up land and commenced farming in the neighbouring area. Hamilton Township Assessment Rolls report increase from 295 families in 1825 to 396 families in 1830. The Village of Cobourg prospered.

### **Some New Arrivals**

A powerful personality in the person of George Strange Boulton moved to Cobourg from Port Hope in the year 1824. He was a young Barrister at Law, and he had just received the appointment of Registrar of deeds, etc. for Northumberland County. He was a son in a wealthy family, highly placed in provincial political circles. For the remainder of his lengthy life, which ended in 1869, he was active in business affairs and took part in various phases of Cobourg developments. In 1825 he acquired a valuable piece of land in the easterly part of Cobourg and on it erected a large mansion named "Northumberland Hall". It was here he lived out his days.

Three Clench brothers arrived in Cobourg in 1825. They were excellent tradesmen in fine cabinet work. They too contributed to Cobourg life for many years. Another dynamic person, Henry Ruttan, newly appointed Sheriff for the District, moved to Cobourg from Grafton, and purchased early in 1828, 100 acres to the west of Ontario Street and south of Elgin Street. He erected a very fine home on the north end of his property. A short time later he acquired an additional 92 acres to the south of his first purchase, parts of which were subdivided into town lots and sold piecemeal. Henry Ruttan was an outgoing citizen and contributed both time and talent to various Cobourg enterprises for many years.

In the year 1828, the Northumberland Agricultural Society was organized at a meeting held in Colborne. The following year, this organization staged their first fair in Colborne. From time to time, in years following, Cobourg was the host to the meetings and fairs held by this organization. Some local men and Hamilton Township farmers took active parts in promoting the welfare of this Society.

### **Cobourg Harbour**

It may have been in the year 1828 when a group of local men decided the time had come for Cobourg to have a landing wharf and a harbour on its water-

front. The central government was approached and permission was asked to organize a joint stock company and to proceed with construction of piers to form a harbour.

For this purpose an Act was passed on the 20th of March, 1829, entitled: "An Act to Improve the Navigation of Lake Ontario, by Authorising the Construction of a Harbour at Cobourg, by a Joint Stock Company." The preamble reads in part as follows:

"Whereas, the construction of a safe and commodious Harbour at Cobourg, in the District of Newcastle, would manifestly tend to the improvement of that part of this Province, as well as be of great advantage to all persons in any way concerned in the navigation of Lake Ontario;

"And whereas *Walter Boswell, George Strange Boulton, Benjamin Throop, Charles Perry, Ephraim Powell, James Gray Bethune, John Gilchrist, Ebenezer Perry, Dougald Campbell, Henry Ruttan, Stoddard Bates, Alexander Neil Bethune, Joseph Ash, and Archibald Mcdonald*, have petitioned to be by law incorporated for the purpose of effecting the construction of such a harbour by means of a joint stock company; . . ."

The Act continued to spell out in detail guide lines for the operation of the Company. The assembly of timber, stone and material for the installation of pier cribs commenced after the passing of the Act. The first stone-filled timber crib was placed in the lake off the shore at the end of Division Street. A space was allowed between the sunken cribs and above water part of the pier was built with a continuous timber formation, capped by heavy plank. A second pier was started from the shore a short distance to the west of Third Street. both piers were aligned towards a convergence point well out in deep water, with the object to close in a safe and commodious harbour. Year by year the piers were advanced into the lake. By the year 1832, ships were able to dock, and the Company collected tolls on goods and produce that passed over their wharf. The amount of revenue increased year by year and the Company was in a position to pay good interest on the investment.

The Cobourg Harbour story is a major one and requires a separate history to give it justice. For this writing we will refer to the subject again later in this presentation. In the year 1850, the Cobourg Harbour company was dissolved, and the Town of Cobourg became the owner of this facility - but at a price!

There is one item of interest to note here. In the summer of 1982, a sewer excavation in the lower end of Division Street uncovered and cut through a part of the first timber crib that was placed in the lake in 1829. The larger squared timbers were sound and showed the marks of the adze. The accumulation of drifting sand, plus the filling in of low ground, today's shoreline is well advanced into the lake in comparison to the shoreline of 1829 in the harbour area.

July 1st, 1984, the Cobourg and District Historical Society erected and unveiled a plaque commemorating the Cobourg Harbour history.

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## VIII/THE STAR IS BORN

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The year 1831 ushers in a second new epoch for Cobourg, in the sense that more detail information is made available to historical writers, due to the launching and the printing of a local weekly newspaper. *Richard Dover Chatterton*, of England, had arrived in Cobourg some time earlier. Under his initiative, guidance, and personal direction, the *Cobourg Star* newspaper was started with the first issue emerging on January 11th, 1831 and has enjoyed a continuous printing to this day. We are greatly indebted to Mr. Chatterton, and succeeding editors, for this newspaper has left for posterity much detail of Cobourg history which would otherwise have been lost and forgotten.

That first number gives us insight to a number of Cobourg citizens of that day. Benjamin Throop advertises rye and corn for sale from the U.S.A. He announces that his distillery (located to the west of First Street) has been enlarged and he sells a superior whiskey. He will also buy wheat and potash. His store has a large assortment of goods. Ebenezer Perry and Dougald Campbell advertise to purchase timber for the Harbour, to be delivered by March 1st. Perry also sells clover seed and cider. Dr. John Gilchrist asks that his accounts be paid. T.M. Jones is the Commissioner for the Canada Company. William H. Draper is a Barrister at Law. T.W. Cleghorn is the proprietor of the Cobourg Hotel, located at the south-east corner of King and Division Streets. Horses are changed here for the York and Kingston stages. F.S. Clench advertises his cabinet and upholstering shop. Other names appear such as Wilson S. Conger; A.B. Carpenter; J.G. Bethune, Postmaster; Elijah Buck wishes to sell his properties; John Bennett; G.M. Boswell and others are all recorded, in that January 11th, 1831 issue. An interesting record!

### The Year 1831

The January 18th number of the *Cobourg Star* advertises Mr. Archibald Fraser,

Amherst, is selling off a quantity of articles and goods by auction.

The February 1st issue has some interesting news. Three petitions have been presented to the House of Assembly praying that the new court house and gaol be located (1) in Cobourg, (2) in Port Hope, and (3) to remain at Amherst. The latter was finally selected for the site.

The Methodists are in the news. A Committee was considering a site and location for their Academy. The places reviewed were York, Cobourg, Colborne, Belleville, Kingston and Brockville. The final choice was for Cobourg by a majority of five to two. Mr. John McCarty was appointed to receive subscriptions. Land for the Academy was donated by Mr. George Spencer.

The year 1831 has recorded other items of interest. In May the Northumberland Agricultural Society held a cattle show and ploughing match in Cobourg, on land owned by Mr. Ebenezer Perry. A new line of stage to Rice Lake was placed in operation for twice a week service. Mr. Peter McCallum arrived in Cobourg and commenced a tailor and furnishing business that later expanded and remained on King Street for 98 years. June 4th was Militia Day in Cobourg with various units taking part in drill and parade exercises. William Weller advertises his stage line to the Carrying Place. Mr. Robert Henry sells out his large property of 203 acres, located in the west end, containing a mill pond, water-powered industries, goods, chattels, farm utensils, etc. to Mr. George Ham, of the Village of Bath, for the sum of 6,000 Pounds. In October the new Court House and Gaol, in a new location was opened at Amherst. The former wooden structure was across Burnham Street opposite to the new one. Perhaps the most important news of the year was the arrival of many new immigrants at the Cobourg waterfront, destined mostly for the Newcastle District. The population of the District reached the figure of 16,500 by late 1831.

The subject of a public market for Cobourg was under discussion at a citizens meeting, held in the District School House in December. A Committee was appointed to search out a site location consisting of Dougald Campbell, L. Church, James Young, J. Helms and G.M. Boswell. This public market matter was raised from time to time, but it took nearly eight years before the market was established.

We wish to present here a definition of a Police Village. Such a village is where police regulations are to be enforced with respect to ladders on roofs, buckets, bakers' and brewers and ashery chimneys, stove-pipes, entering certain places with candles, etc; the lighting of fires in wooden houses, vessels for the carrying of fire, hay, straw; keeping the sale of gun powder, deposit of ashes; quick lime not to be left near wood; the lighting of fires in the streets; charcoal furnaces forbidden within limits; filth, rubbish, etc. These types of regulations apply to within a defined area and are administered by some legal authority. The regulations are mostly for fire prevention in a built-up area, but conditions affecting public health can also be regulated.

**The Cobourg and Amherst Fire Company  
and  
Police Villages of Cobourg and Amherst**

*Effective January 13, 1832.*

*The Cobourg Fire Department – Its initial organization*

The Editor of the newspaper, *Mr. R.D. Chatterton*, realizing the extreme danger of fire, especially in wooden buildings, and taking note of the formation of a fire department in the Town of York, in an editorial comment, suggested that Cobourg organize a fire department. This idea was published on August 23, 1831.

No action was taken by the inhabitants of Cobourg!

A few months later the Village had a severe fire. A two storey Hotel, located at the north-west corner of King and Division Streets, and erected about the year 1817, took fire at the north end of the building, with a north-east wind blowing. The fire also consumed a second hotel adjacent on King Street. One man nearly lost his life in the blaze. Others lost heavily. With great effort on the part of village inhabitants, the flames were finally subdued.

Immediately the inhabitants called a meeting. A committee was formed, and the District Magistrates were petitioned to officially set up rules and regulations for fire protection and organize fire wardens.

Through the courtesy of the Archives of Ontario, we record the details of the petition and the list of rules to be applied to the Villages of Cobourg and Amherst.

*To their Worships the Magistrates of the District of Newcastle in Quarter Sessions assembled.*

The Petition of the Inhabitants of the Village of Cobourg Humbly Sheweth That the want of efficient Regulations in Cases of fire renders the property of your Petitioners liable to severe losses.

That your Petitioners at a public meeting held for the purpose of concerting measures for the preservation of property from fire have determined that the adoption of the rules and regulations annexed to the Petition would be very beneficial in the object your Petitioners have in view. That by a Provincial Act of Parliament passed in the 32d year of the reign of his late Majesty, King George the third, The Magistrates in each District in Quarter Sessions Assembled are authorized to make such orders and regulations for the prevention of accidental fires as to them shall seem meet.

Your Petitioners therefore pray that your Worships will be pleased to Confirm the rules and regulations which they submit for your consideration.

And Your Petitioners will ever pray so.

*G.M. Boswell*, Secretary for the Petitioners.

The Petition of the Inhabitants of Cobourg to the Quarter Sessions  
Filed the 13th of January, 1832

T. Ward, Clerk of the Peace

*Rules & Regulations* made by the Magistrates of the Newcastle District in general  
Quarter Sessions Assembled for Cobourg and Amherst Fire Company January  
11, 1832.

*Article* 1st. - Four Fire Wardens shall be chosen annually by a majority of the  
inhabitant householders on the first Tuesday in the month of January in each  
and every year, at a meeting to be held in the Village of Cobourg, which meet-  
ing shall be convened by the Committee of the Fire Company, who are to give  
three days public notice thereof. The duty of said Fire Wardens shall be to in-  
spect stove pipes, ovens, fire places etc., and to order such removals or altera-  
tions as safety may render necessary.

2nd. - the Fire Wardens or any two of them are to attend and make inspection  
on application to that effect, made by two of the householders.

3d. - The Fire Wardens are to make a quarterly inspection of Stove pipes, etc.,  
Viz: on the first Tuesday in January, April, July, and October in each and every  
year. A general inspection is to take place forthwith.

4th. - Any person refusing to comply with any order, for removal or alteration,  
shall, upon complaint made upon Oath by any two of the Fire Wardens, before  
any one of His Majesty's Justices of the Peace, be fined in a penalty not exceed-  
ing the sum of Ten Shillings of Provincial Currency, for every offence, and the  
continuance of any such nuisance shall be deemed a separate offence.

5th. - The fines to be collected by warrant and sale of the offender's goods in  
the same way that taxes are now collected.

6th. - The occupant of every Mill, Store, or Merchant Shop, and each two-story  
house, shall furnish two good leather fire buckets, each to contain not less than  
three gallons; the occupants of all other houses, store-houses, distilleries, potash-  
eries, breweries, Mechanics Shops, Printing and other offices, *one* each.

7th. - A ladder to be furnished by the occupant of every dwelling.

8th. - Any person required by these regulations to furnish ladders and buckets  
and not complying within three months after public notice given thereof by the  
Fire Wardens, shall upon complaint made upon Oath by any two of the Fire  
Wardens, before any one of His Majesty's Justice of the Peace, be fined in a  
penalty not exceeding the sum of Ten Shillings for each Bucket, and Five Shill-  
ings for each ladder, to be collected in the same manner as directed in Rule  
5. But the Magistrate before whom the information is made, shall in his discre-  
tion exempt from either of the above named penalties any person who shall make  
it appear to the satisfaction of the Magistrate that he is unable through poverty  
to comply with the conditions of this rule.

9th. - That Messrs. Church and Conger and any other two persons who may  
be named by the Committee shall act as Fire Wardens for the present year.

10th. - the Fire Wardens are to act as Treasurers, receive all subscriptions connected with the object of these regulations, and lay an annual statement of the funds they may receive, before a Committee of five persons who are to be designated the *Cobourg and Amherst Villages Fire Company*, who are to have the dispositions of said funds.

11th. - That the Committee for the present year shall consist of *Ebenezer Perry; James Gray Bethune; Benjamin Throop; Robert Henry and Jas. Radcliffe*, Esquires, and that the Committee shall in each and every subsequent year be chosen in the same manner and form as directed for the election of Fire wardens. The Committee and Fire Wardens shall have full power and authority at all fires to order any person present to assist. And any person so ordered and refusing, or neglecting to obey, shall be fined not exceeding the sum of ten shillings, upon information upon oath, made before any one of His Majesty's Justices of the Peace, by any one of the said Committee or Fire Wardens.

12th. - That the limits of the Fire Company shall extend from and including the Honorable Zaccheus Burnham's dwelling house, to Elsworth's Bridge below Cobourg, and also includes half a mile on each side of the main road.

13th. - That each Fire Warden and Members of the Committee shall at all fires, wear a white badge tied around the left arm above the elbow.

14th. - No single building to have more than two Buckets and one ladder unless occupied by two or more families.

15th. - A person to be appointed to sweep chimneys and clean stove pipes which shall be performed at each house once in six weeks. . . Committee to fix the price to be paid by the occupants.

*Rules and Regulations for the Cobourg and Amherst Fire Company Filed January 13, 1832. T. Ward, Clerk of the Peace, W. Falkner, Chairman*

With the above regulations becoming active the villages of Cobourg and Amherst became what is know as *Police Villages*, whereby the inhabitants must conform to rules set up by some legal authority, in this case the District Magistrates meeting in Quarter Session. This authority continued until July 1st. 1837, when the new By-Laws of the Incorporated Town of Cobourg came into force. The powers of administration were then transferred from the District Magistrates to the elected Board of Police and the Fire Companies came under the town administration.

## **The Great Migration**

The year 1832 is noted for the massive exodus of emigrants from the United Kingdom to America, to Canada, and many came to find new homes in Upper Canada. Edwin Clarence Guillet, in his book "The Great Migration" tells the story of the movement of thousands across the Atlantic. He describes the conditions of that time; the overcrowding of ships, the privations, the sufferings and



the deaths. It is a vivid story. The year 1832, is also noted for the great Asiatic Cholera epidemic which swept across Europe, into Great Britain, moved across the Atlantic, and created much concern in both the United States and the British Provinces in America.

From early Spring, the movement of newcomers up Lake Ontario was heavy. The lake boats were busy with their human cargoes, and many more immigrants landed on the Cobourg wharf.

### **Cobourg's First Hospital**

By June, the Cholera epidemic reached alarming proportions in other places. At Cobourg a local Board of Health was organized, sanitary precautions were taken, and an isolation hospital was set up on the lake bank at the foot of D'Arcy Street. Lake Captains were ordered to take any cholera patients direct to the hospital for a three day quarantine, and not deposit the sick on the Cobourg pier. The Province financed the Cobourg facilities to the amount of 200 Pounds. The Board of Health continued to function through the summer and it was dissolved at a final meeting late in September. The Board reported Cobourg to be in a healthy condition. In total there were sixteen cases of cholera in the Village. Eleven of these persons died and only one case being a resident of the Village. The others were immigrants taken off boats.

The year 1832 also recorded growth and expansion. New merchants arrived and set up shops. There was ample employment and prosperity. The Commercial Bank of the Midland District appointed Mr. Robert Henry to be its Cobourg agent. James Calcutt, Sr. and his family arrived from Ireland, and commenced his famous brewery business. New steam-boats made their appearance on Lake Ontario and competed for trade.

### **The Steamboat "Cobourg"**

Late in the fall of 1832, some of Cobourg's citizens decided to build and operate their own steam-boat. A joint stock company was formed, and the following building committee was organized: J.G. Bethune, C. Clarke, E. Perry, B. Throop, Captain C. McIntosh, and W.S. Conger. It was decided to name the new boat "Cobourg". The stock books were opened and preparations went forward. In the winter, a shipyard was set up at the lakefront on the east side of Division Street. Special timber was assembled, service buildings were erected, and on February 25, 1833, the keel was laid. The boat was built under the direction of Captain Charles McIntosh and supervised by Mr. William Hathaway, master builder. In March the Company advertised for thirty shipwrights. The work proceeded and the launching went forward on May 29th. The launching experienced some unforeseen difficulties, and four days of effort were expended before the hull was afloat. It was towed to York for installation of boilers and

machinery, and the final finishing. The trial runs took place in the late fall and May 1834 found the steamboat "Cobourg" in lake service between Niagara and Prescott. It is reported as a very fine boat with excellent appointments. The boat was 152 feet long, 36 feet in breadth, 11 feet in the hold and a burden of 418 tons.

Circumstances placed the majority of ownership stock in the hands of Toronto people, who outvoted the Cobourg owners and took possession of the boat, directing as to where it would serve. The Cobourg merchants had originally planned to use the vessel for their own trade between Cobourg, Genesee, Kingston and Prescott. The Steamboat "Cobourg" saw service on Lake Ontario for quite a number of years.

### **Cobourg Prospers**

The little village of Cobourg moves ahead. The Cobourg Star of May 29, 1833 reports:

"To a visitor the general aspect of our village is one of great prosperity . . . Seven or eight years ago, amidst the wilderness, which it was then, there scarcely stood a log house to mark the future town of Cobourg. Our inhabitants have prodigiously advanced their capital; the surrounding farmers have shared the general prosperity, while the name poverty is scarcely know among us. Stone and brick buildings are superceding the common frame houses; stone bridges are thrown over our streams, and the shops and stores display the rapid accumulation of capital, together with the increase of the common luxuries of life."

This prosperity just did not altogether happen. Behind it all was a lot of hard work of both settlers and townspeople. The merchants were ever busy. They were outgoing, far-seeing and stood to take heavy risks in new ventures. Cobourg merchants and business men were real "pushers" for better things and for improved conditions.

### **Methodists Build Cobourg's First Sidewalk**

In the same editorial of the 29th of May, 1833, the editor makes a witty, interesting comment. Mr. Chatterton was a member of the Church of England. He proceeds:

"Nor will we pass by the excellent, and certainly the necessary side-walk, which the members of the Methodist Church have raised on the road leading to their Chapel. We wish to see the same desire to improve the village, and a like anxiety to render access to their church easy, manifested by the members of the Episcopal Church. We are certain that during this Spring, a more difficult undertaking for a lady could scarcely be imagined, than an attempt to reach our church on foot. We leave this matter to the ladies; if their influence is too weak to induce the gentlemen to correct this crying evil, we despair of our remonstrances having any effect."

## The Presbyterians

With reference to local churches, the year 1833 finds St. Peter's Church of England, active and moving forward from strength to strength. The Methodists were well established in their Chapel on Division Street, and their Meeting House at Hull's Corners. The Presbyterians were preparing for the erection of their own house of worship.

From early settlement days, meeting first in private homes, then in the old Court House, and later in shop accomodation on Orange Street, by 1833, the Presbyterians were receiving subscriptions for the erection of their own building. The Reverend Matthew Miller, their pastor, gave leadership. Sheriff Henry Ruttan donated land on the east side of William Street for the site and by early summer, the contract was let to Mr. Archibald Fraser, who had recently erected the New Court House. Within a year, a fine stone building appeared known as "*The Kirk*". It was dedicated on July 6th, 1834, and the consecration service was conducted by the Reverend Mr. Ketchum, of Belleville.

## Citizens' Meetings

Citizens of the young village, especially on long winter's nights, from time to time, would gather in the candle-lit District School House, appoint a chairman and a secretary, and spend the evening discussing local affairs. At this time, the Police Village of Cobourg was still part of Hamilton Township and the Annual Town Meeting system. The government-appointed District Magistrates, meeting in Quarter Sessions, had final say on local politics. Cobourg had its Path Masters, who kept an eye on the conditions of the village streets. Otherwise there was no village organization, and the inhabitants would come together to meet on their own initiative.

One such general meeting was held on Friday evening, the 28th of December, 1832. Much interest was developing in the area to the north of Rice Lake. Town merchants were anxious to tap the trade of that new area. One subject under discussion that evening was the building of a railroad from Cobourg to Rice Lake. Apparently, Mr. F.P. Rubidge had already made a preliminary survey and had found an acceptable route for such a facility. Resolutions were passed and a Committee was appointed with the object of petitioning the Legislature for such a project, was advanced. Interesting!

A second important subject was fully discussed at this same meeting; the idea of incorporating the Village of Cobourg and annexing with it the Village of Amherst. Due to the lateness of Legislature in session, it was decided to postpone any measures in this direction until the next session of the Legislature, when the matter could receive more mature consideration.

A whole year passed by and again the subject of incorporation was brought to the fore. On the evening of Saturday, the 15th of February, 1834, an adjourned meeting of the inhabitants and householders of Cobourg was held in the school-

house. Several resolutions were passed spelling out recommended details for the presentation of a petition to the Legislature for incorporation. The new boundaries for the town were also proposed, but leaving out the Village of Amherst.

Two days later, Monday February 17th, a second large meeting was held by another group of citizens, strongly opposed to any incorporation until it is made clear as to the details of the proposed Bill.

The editor of the Cobourg Star, in his February 19th issue, commented in part: "... The advantages of being incorporated must be apparent to everyone, as it is well known that no public improvement can be looked for without. We can have neither markets, sidewalks, lamps, watch, police, nor indeed any public comfort whatsoever, while on the other hand, the only danger of incorporation arises from the possibility of its being invested in too much power." For Cobourg, incorporation had to wait another three years, while other places in the province were incorporated into organized communities.

In November of 1833, the Cobourg Fire Company received its fire pumper from Rochester. Hook and ladder equipment was on order and a new phase of fire protection was in progress, by means of public subscriptions.

### **The Cobourg Elective Police Bill**

The evening of January 7th, 1835, again saw a public meeting in Cobourg numerously attended by the inhabitants of both Cobourg and Amherst, supporting the proposed union of the two villages under the common name of the Town of Cobourg. The resulting petition was presented to the Legislative Assembly that same month. As a result, the Cobourg Elective Police Bill was read for the first time in the House on March 11, 1835. What produced the delay of two years in finalizing and passing this piece of legislation, we are unable to report.

The winter of 1835 is reported in the Cobourg Star as being a very cold one with skating on the open Lake Ontario. The writer also recalls doing the same thing one winter in the 1920's.

In January of 1835, a public meeting was held and discussed several topics of local interest. One of the subjects was the need of a lighthouse for the Cobourg Harbour. A local citizen Mr. John Bennett assumed the task of bulding a high windmill, which was also to serve as a lighthouse. The site of the structure was to the west of Durham Street, and near present Sydenham Street, earlier known as Windmill Street. The windmill was destroyed in early November of 1835, when a severe wind storm completely dismantled the sails.

### **The Cobourg Railway Company**

The Legislature finalized and passed the Act of Incorporation of the Cobourg Railway Company early in 1835. This permitted the Company to proceed with

the sale of stock, as specified in the Act. By early June sufficient stock had been subscribed to convene a meeting of the stockholders for the election of Directors. This meeting was advertised and held on the 10th of August. The following is the result of the election and the selection of officers that followed:

President - Hon. Walter Boswell

Secretary - Mr. Alfred Rubidge

Treasurer - Mr. Robert Henry

Directors: Ebenezer Perry, Benjamin Throop, Wilson S. Conger  
and Kenneth Mackenzie

The Company engaged Mr. Nicol Hugh Baird, recently moved to Cobourg from Montreal, and ordered him to proceed at once to make a detailed survey for the route of the railway. He was assisted by Mr. F.P. Rubidge, who had explored the route earlier. The survey was completed that August, and a direct route, with satisfactory grades, was laid out from Cobourg to Rice Lake. The Directors were pleased with the economic features of the proposed railway, but there was a delay in starting actual construction.

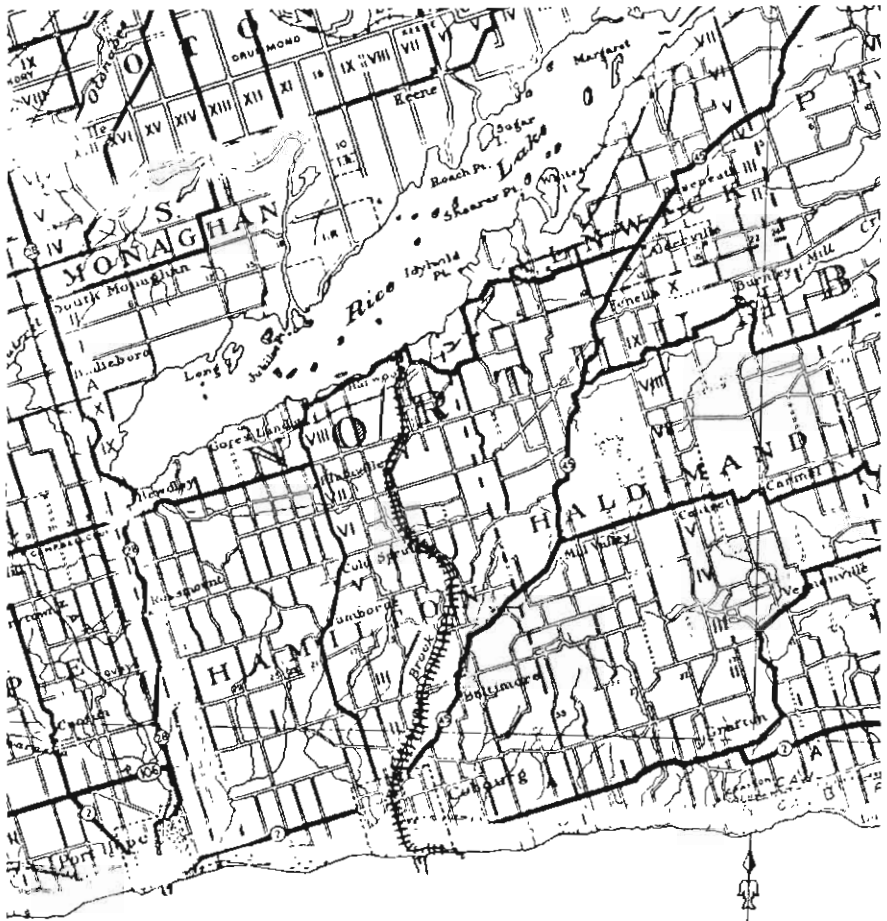
In May of 1836, another Act of the Legislature was passed to extend the time for the commencement of construction. Another Annual Meeting of Stockholders took place on July 4th, 1836, and the Directors were re-elected. Next, the Directors applied to the Legislature for a loan of 10,000 Pounds. This was authorized in February of 1837. At a meeting on March 13, additional stock was subscribed, and a resolution was passed to proceed with construction without delay. For some reason there was delay. At a June meeting the names G.S. Boswell and G.M. Boswell were added to the Directorate. The first payment of 10% of the stock subscribed was called for July the First, 1837. Then on June the 21st, the following notice appeared in the Cobourg Star:

“The Directors of the Cobourg Railroad Company, not deeming it expedient in the present embarrassed state of the country, to press for payment of stock; do hereby give further notice that the payment of the first instalment. . . is for the present postponed.”

It appears difficult economic times had suddenly come upon the country. Money markets dried up, political turbulence and the upcoming rebellion were factors that affected many things in general and the Cobourg Railway Company in particular. Directors were again elected in 1838, and the first payment of 10% of stock was again called for August 15, 1838. Construction did not become a reality, and the Company became defunct. What happened to the 10,000 Pound loan and the first payment of 10% of the stock, we do not know. Probably that money was not forthcoming. Construction was delayed until the 1850's.

### Clergy Reserves

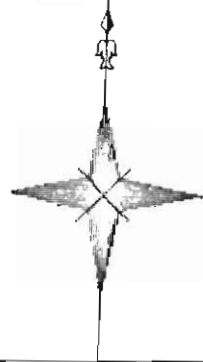
Troublesome times were developing in Upper Canada, by 1836. The Lieutenant-Governor, through his appointed Executive Council, and the large Family



# L A K E

Line of COBOURG-RICE LAKE Railway  
as surveyed in 1835.    ++++++

(Marked out on a 1957 map.)



Compact group, controlled developments, and the appropriations of money. The simple settlement days had long since passed, and the population was rapidly increasing, demanding new solutions. There were a number of grievances such as poor roads, the struggle for common schools, and especially the demand that the Legislative Council be elected by the people. The Reform Party attacked the actions of the Family Compact group. The Clergy Reserves issue flared up. The giving of Crown lands to a favoured few, and the attempt to establish the Church of England by Strachan and his followers provoked many people.

Sir John Colborne, in his last important act before leaving the country, had set up fifty-seven Rectories as endowments for Anglican Clergymen. Of these, forty-four were established by writ, and the Cobourg Rectory being one of them, receiving a grant of some 371 acres. Part of this land was in Cobourg.

Township Lot Number 15, to the south of King Street and west of D'Arcy Street was subdivided into streets and town lots by the Crown. A portion of these lots were granted to the local Rectory. Also the west quarter of Lot number 15, between King and Elgin Streets consisting of 50 Acres. This portion of Cobourg became known as the Glebe lands.

The Methodists and the Presbyterians strongly opposed the attempt to establish the Anglican Church in Canada. The Cobourg Presbyterians, in early March of 1837, held a largely attended meeting in the local school house, and passed resolutions against the move.

In April, 1837, delegates from Upper Canada Presbyterian Churches converged and convened in Cobourg for four days, in protest of the movement toward Church establishment. One of the resolutions passed by this church group follows:

"Lieutenant-Governor, Sir John Colborne, did unwisely and endow 57 Rectories in this Province, which had never before been acted upon, etc., thereby giving clergymen of the Church of England jurisdiction over the members of the Church of Scotland, and over those other denominations . . . etc. . . . thereby weakened the Government in the views of a lot of the inhabitants."

An Address was also sent to the King from this meeting.

Finally there was a reconciliation, and the Presbyterians and other groups received benefits from the sale of Clergy Reserves land.

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## IX/AGAIN, INCORPORATION OF COBOURG

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The subject of incorporating the Village of Cobourg and raising it to town status again surfaced. Apparently there was controversy over the setting of boundaries for the new town, and in February, 1836, two petitions were delivered to the Legislature. One was headed by George Ham and eighty others, freeholders and householders of the Village of Cobourg, protesting incorporation. The other petition was headed by Ebenezer Perry and forty others praying for incorporation and an elective Police in Cobourg. The response was to give the Bill a second reading. In late March, the Cobourg Incorporation Bill was read a third time, but the passing of it was delayed.

The months rolled by and no action was taken to finally pass the legislation. On December 2, 1836, a meeting was held in the Common School House for "the considering the propriety of incorporating the town." Mr. Ebenezer Perry was appointed to the chair. The Cobourg Star of December 7, 1836 reports: "After a number of resolutions were passed, deprecating the annexation of Amherst, and extension of the present limits as proposed in the former petition for an Act of Incorporation, Messers A. A. Burnham, A. Jeffrey, and George Ham, were appointed a committee to draft a petition to both Houses of the Legislature, in accordance with the spirit of the resolutions at the meeting."

Apparently this final approach to the Legislature produced results. "The Act to Establish a Police in the Town of Cobourg, and to Define the Limits of the said Town" was passed on March 4th, 1837. This Act set the necessary machinery in motion to finalize years of debate and to establish the raising of the Town.

Some local historians of past years have conveyed the impression that Cobourg remained a village until the year 1850, and the term "Police Village" has been applied. Unfortunately this mistaken impression has persisted to the present time. A "Police Village" refers to a designated built-up area to which certain rules and fire prevention regulations, are to be followed by the householders. Some legal authority applies and supervises the rules and regulations. Cobourg became a Police Village on January 13, 1832, when the fire department was first



organized and a series of fire rules and regulations came into force, authorized and supervised under the District Magistrates meeting in Quarter Sessions.

The term "Police", with reference to a Board of Police may require some clarification. A definition from a large dictionary is:

"A judicial and executive system in accordance with which a town, city, or district is governed; that system of internal regulation dealing with the enforcement of law, the prevention of crime, and the preservation of rights, order, and health; public order; that which concerns the order of the community."

There is a big difference between a "Police Village" and a "town governed by a Board of Police." It is our plan to reproduce Cobourg's Act of Incorporation in order that the readers can fully understand.

**Statutes of Upper Canada. Local and Private Acts  
7th Wm. IV. Chap. 42**

*AN ACT to establish a Police in the Town of Cobourg, and to  
define the limits of the said Town*

*(Passed 4th March, 1837)*

*Preamble*

Whereas from the great increase of population of the town of Cobourg, in the Newcastle District, it is necessary to make further provision than by law exists for the internal regulation thereof: *Be it therefore enacted* by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of land under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, intituled 'An Act of making more effectual provision for the Government of the Province of Quebec, in North America,' and to make further provision for the Government of the said Province," and by the authority of the same, That there shall be in the said town a Board of Police, to be composed and constituted in the manner hereinafter described; which shall be and is hereby declared to be a body corporate and politic, in fact and in law, by the name of the "President and Board of Police of Cobourg;" and by that name they and their successors may have perpetual succession, and be capable of suing and being sued, pleading and being impleaded, in all Courts, and in all actions, causes and complaints whatsoever; and may have a common seal, and may alter the same at pleasure; and shall be in law capable of purchasing, holding and conveying, any estate, real or personal, for the uses of the said town.

*1. Board of Police constituted in Cobourg as a body corporate.*

II. *And be it further enacted by the authority aforesaid,* That the said town of Cobourg shall be comprised within the following limits or boundaries, that is to say: commencing on the Lake shore, at the south-east angle of lot number fourteen, in concession B; thence north, sixteen degrees west, to the centre of the first concession; thence south, seventy-four degrees west, to the centre of lot number twenty-one, in said concession; thence south, sixteen degrees east, to the Lake shore; thence along the water's edge to the place of beginning. 1

1. *Limits of the town of Cobourg.*

III. *And be it further enacted by the authority aforesaid,* That for the purpose of electing the members of the said Corporation, the said town shall be divided into three wards, in the following manner, that is to say: that part of the town of Cobourg south of King-street shall compose the south ward, all that part of the town east of the centre of the street between lots number sixteen and seventeen, and north of King-street, shall compose the east ward, and all that part of the town west of the centre of the street between lots number sixteen and seventeen, and north of King-street, shall compose the west ward. 1 2 3 4

1. *Town divided into three wards; 2. South ward; 3. East ward; 4. West Ward.*

IV. *And be it further enacted by the authority aforesaid,* That the east and west wards shall each elect annually two persons, and the south ward one person, annually, to be members of the said Corporation, from among the inhabitants of the said town, who being subjects of His Majesty shall be freeholders therein to the assessed value of sixty pounds; and that the persons entitled to vote at the election of either of the said wards shall be subjects of His Majesty, and male inhabitant householders, resident within such ward, who shall severally be possessed for their own use and benefit of a dwelling-house and lot of ground within the ward in which they shall so vote, such dwelling-house being by them held in freehold; or who, at the time of such election, shall bona fide have paid, within one year next before the election, one years rent for the dwelling-house or dwelling-houses (if they shall within one year have changed their place of residence, within the said ward in which they shall have resided), at the rate of ten pounds per annum, or upwards. 1 2 3 4

1. *East and West wards to elect two members; 2. South ward to elect one; 3. Qualifications of candidates; 4. Qualifications of voters.*

V. *And be it further enacted by the authority aforesaid,* That the first election of members of the said Corporation shall be holden on the first Monday in the month of June next, at some place within each ward respectively, to be appointed by the Sheriff of the District of Newcastle, who shall give public notice thereof at least six days before the said election; and who shall preside at the said election for one of the said wards, and the Deputy Sheriff and High Constable, or some other person authorised 1 2 3

by the said Sherriff shall preside at the first election of the other wards, and shall declare the persons in such other wards, who shall have the greatest number of votes, to be duly elected members of the said Corporation; and shall give notice thereof to the persons so elected in the said wards as members of the said Corporation, within six days after such election.

1. First election; 2. Notice thereof; 3. Who to preside; 4. Notice to party elected.

VI. *And be it further enacted by the authority aforesaid,* That the members of the said Corporation, so chosen, shall serve until the first Monday of June in the next year, and until a new Board shall be chosen and formed as herinafter mentioned; and that on the first Monday of June in each year an election shall be holden for each ward in the said town, for a member of the said Corporation, before the Bailiff of such ward, who shall be appointed from time to time by the said Corporation, and who shall appoint the place for holding the said election, and shall give notice thereof, and proceed in all respects as the Sheriff is required to do at and after the first election to be holden as aforesaid.

1. Members to serve till first Monday in June 1838; 2. Elections to be on the first Monday in June; 3. Before the Bailiff of the ward; 4. Notice.

VII. *And be it further enacted by the authority aforesaid,* That before any person shall proceed to hold an election under this Act he shall take the following oath, which any Justice of the Peace for the District of Newcastle is hereby authorised to administer: — “I do solemnly swear, that I will faithfully and impartially, to the best of my ability, discharge the duty of presiding officer at the election which I am about to hold, for a member of the Board of Police of the town of Cobourg — So help me God.”

1. Oath to be taken by presiding officer at elections.

VIII. *And be it further enacted by the authority aforesaid,* That the officer presiding at any election under this Act shall have authority, and he is hereby required, at the request of any person qualified to vote at such an election, to examine an oath, or affirmation (when the party is allowed to affirm,) any candidate for the office of member of the said Corporation respecting his qualification to be elected to the said office; and shall also have authority, and is hereby required upon such request aforesaid, to examine upon oath, or affirmation, (when the party is allowed to affirm,) any person tendering his vote at any election respecting his right to vote; and that the oath to be administered for either of the said purposes shall and may be in the following form: — “You shall true answer make to all such questions as the officer presiding at this election shall put to you, respecting your qualification to be elected at this election, or respecting your qualification to vote at this election, (as the case may be,) — So help you God.” And that the affirmation to be taken shall be in the common form of an affirmation to the same effect.

1. Presiding officer at election may examine parties on oath, as to qualifications as candidate or as voter.

IX. *And be it further enacted by the authority aforesaid,* That if any person, being examined upon oath or affirmation under this Act, in regard to his qualification to vote or to be elected, shall wilfully forswear himself, he shall be deemed guilty of wilful and corrupt perjury, and on conviction thereof shall suffer as in other cases of wilful and corrupt perjury. 1

*1. False swearing perjury.*

X. *And be it further enacted by the authority aforesaid,* That if the election of any member of the Board of Police aforesaid shall be complained of, either on the ground of want of qualifications in the person returned, or on the ground that such person had not a majority of legal votes at such election, it shall be the duty of the Sheriff, after the first elections take place under this Act, upon receiving, within forty-eight hours after the termination of the election, a written requisition signed by any three inhabitants of the town having a right to vote at such election, to appoint a time and place within the town or ward for which the election was held for entering into a scrutiny of the matters complained of, and that such time shall be within six days after the election; and the Sheriff shall have the power to summon witnesses, and to take evidence on oath respecting the matters to be inquired into, and shall determine upon the validity of the election or return as shall appear to him to be right according to the evidence; and in case an election shall be declared void, but it shall not appear proper to the Sheriff for any cause to amend the return, by substituting the name of any other person as entitled to have been returned at such election, then he shall, after giving eight days notice thereof, hold a new election for a member to serve according to this Act; and that if after any election to be holden after a Board of Police under this Act shall have been completely organized, a requisition, signed as aforesaid, shall, within forty-eight hours after the termination of such election, be served upon the President or any other member of the Corporation, it shall be lawful for the said Corporation, and they are hereby required, to appoint a time for entering upon a scrutiny of the matters complained of, at any place within the said town, which time shall be within six days after the election; and the Corporation, or such member or members thereof as shall not be individually concerned in the questions to be determined, shall have power to summon witnesses, and to take evidence on oath respecting the matters to be inquired into, and shall determine upon the validity of the election or return as shall appear to be right, according to the evidence; and in case an election shall be declared void, but it shall not appear proper for any cause to amend the return by substituting the name of any other person as entitled to have been returned at such election, then the Corporation shall issue their precept for a new election, as in other cases under this Act. 1 2 3 4 6 7 8

*1. Proceedings where any return is contested, at the first election; 2. Scrutiny; 3. Summoning witnesses; 4. New election in certain cases; 5. Mode of trial of contested return, on subsequent elections; 6. Scrutiny; 7. Witnesses to be summoned; 8. New election.*

XI. *And be it further enacted by the authority aforesaid,* That before the Sheriff, or any member of the Corporation, shall enter upon any such trial or scrutiny, as aforesaid, he shall take an oath in the following form, before some one of the Justices of the Peace for the District of Newcastle, that is to say:— “I do solemnly swear, that I will truly and impartially, to the best of my judgment, try and determine the merits of the complaint against the election of A.B.—So help me God.” 1

1. *Oath to be taken before trial of contested election.*

XII. *And be it further enacted by the authority aforesaid,* That any witness who, being duly summoned to attend upon such trial or scrutiny, shall willfully neglect or refuse to attend upon such trial or scrutiny, shall upon conviction before any one of His Majesty's Justices of the Peace for the District of Newcastle, having been duly summoned to answer such complaint, be liable to be imprisoned, on the commitment of such Justice, in the common Gaol of the District, for a time not exceeding one month. 1

1. *Penalty for witnesses refusing to attend.*

XIII. *And be it further enacted by the authority aforesaid,* That the person presiding at any such election shall give public notice, immediately upon declaring the result of the election, of the time and place at which the members of the Corporation are first to meet, which meeting shall be within six days after the election, and at some place within the said town. 1

1. *Notice of meeting of Corporation to be given.*

XIV. *And be it further enacted by the authority aforesaid,* That the said five members elected as aforesaid shall, within ten days after their election, appoint one of their number President; and the said President and members shall form the said Corporation, and shall hold their office until the first Monday in June in the ensuing year, and until the election and formation of the new Board. 1

1. *President to be chosen.*

XV. *And be it further enacted by the authority aforesaid,* That if either of the members elected as aforesaid, after notice thereof, shall neglect or refuse for ten days to take the oath of office hereinafter contained, which any of the said members so to be elected as aforesaid is hereby authorized to administer to the others, he shall for such neglect or refusal, forfeit the sum of ten pounds, to be recovered, with costs, by information before any Justice of the Peace, who is authorised to proceed in the same manner as hereinafter is provided for the recovery of any penalty for the transgression of any order or regulation of the said Corporation: *Provided* that no person having been elected a member of the said Corporation, without his knowledge or consent, shall be subject to the penalty herein-before stated, for his refusal to act as a member of the said Corporation. 2

1. *Penalty for members refusing to take the oaths of office; 2. Exception.*

XVI. *And be it further enacted by the authority aforesaid,* That in case

it shall at any time happen that a vacancy occurs among the members 1  
of the said Corporation, by neglect or refusal to take the oath of office  
hereinafter contained, within the time herein-before limited, or by death,  
removal from the town, or from any other cause, the Corporation shall  
issue a precept to the Bailiff of the ward to hold an election for such ward  
of said town, giving notice of the time and place of holding the said elec-  
tion; and the member so elected shall hold his office until the next annual  
election, or until another is chosen in his place.

*1. How vacancies to be filled up*

XVII. *And be it further enacted by the authority aforesaid,* That in case 1  
it shall at any time happen that an election of members of the said Corpo-  
ration shall not be made on any day, when pursuant to this Act it ought  
to have been made, the said Corporation shall not for that cause be deemed  
to be dissolved, but it shall and may be lawful on any other day, to hold  
and make an election of members, in such manner as shall have been regu-  
lated by the laws and ordinances of the said Corporation.

*1. Corporation not dissolved by reason of default in making an election.*

XVIII. *And be it further enacted by the authority aforesaid,* That it shall 1  
and may be lawful for the said Corporation, from time to time to establish  
such ordinances, by-laws and regulations, for the said town, as they may 2  
think reasonable; to regulate victualling-houses and ordinaries where 3  
fruit and victuals shall be sold; to regulate the weighing of hay — measuring 4, 5  
of wood; to regulate carts and carmen; to regulate slaughter houses; to 6  
prevent firing of any guns, muskets, pistols, squibs, and fire-balls, or 7  
injuring or destroying trees, planted or growing for shade or ornament 8  
in the said town; to prevent the pulling down or defacing of any sign-boards; 9  
or inscribing or drawing any indecent words, or figures or pictures, on  
any building, wall, fence, or other public place; and generally to prevent  
vice and preserve good order in the said town; to enter into and examine 10  
all dwelling-houses, ware-houses, shops, yards, and out-houses, to ascertain  
whether any such places are in a dangerous state with respect to fires, and 11  
to direct them to be put in a safe and secure condition; to appoint fire-  
wardens and fire engineers; to appoint and remove fire-men; to make such 12  
rules and by-laws as may be thought expedient for the conduct of such  
fire companies as may be raised with the sanction of the said Corporation;  
to compel any person to aid in the extinguishment of any fire; to require 13  
the inhabitants to provide and keep fire-buckets and scuttles and ladders  
to their houses; to stop, or authorise any other person to stop, any one rid- 14  
ing or driving immoderately in any street, or riding or driving on any  
side-walk, and to inflict fines for any such offence; to regulate the assize 15  
of bread; to prevent and abate, and remove any nuisances; to restrain and 16  
prevent any horses, cattle or swine, from running at large; to prevent 17  
and remove encroachments in any streets; and to make such rules and regu-  
lations for the improvement, order and good government, of the said town, 18

as the said Corporation may deem expedient, the same not being repugnant to the laws of this Province, except in so far as the same may be virtually repealed by this Act; and to enforce the due observance thereof, by inflicting penalties on any person for the violation of any by-law or ordinance of the said Corporation, not exceeding one pound ten shillings; and to fix upon and to appoint such days and hours for the purpose of selling butchers' meat, butter, eggs, poultry, fish and vegetables, and to make such other orders and regulations relative thereto as they shall deem expedient. 19

*1. Corporation may make by-laws, 2. Victualling houses, 3. Hay, Wood, & c., 4. Carts, 5. Slaughter houses, 6. Fire arms and fire works, 7. Destroying trees, 8. Defacing sign boards, 9. Indecency, 10. To examine houses, & c., 11. Fire wardens, 12. Fire Companies, 13. Fire buckets and ladders, 14. Furious driving, 15. Assize of bread, 16. Nuisances, 17. Cattle running at large, 18. General rules, 19. Penalties.*

XIX. *And be it further enacted by the authority aforesaid,* That any rule or regulation of the said Corporation, for the infraction of which any penalty is inflicted, before it shall have any effect, shall be published in one or more of the newspapers of the said town; and that in like manner shall be published, in each and every year, before the annual election, an account of all moneys received and in the treasury, and the amount expended, and for what purpose. 1

*1. Rules and regulations, and money accounts to be published.*

XX. *And be it further enacted by the authority aforesaid,* That for the purpose of raising a fund to provide for purchasing any real estate for the use of the said town, to procure fire-engines, aqueducts and a supply of pure and wholesome water; for lighting, paving, flagging and repairing the streets, and for all other purposes deemed expedient and necessary by the said Corporation for the welfare and improvement of the said town, it shall and may be lawful for the said Corporation to lay an assessment annually upon the persons rated or liable to be rated upon any assessment for property in the said town, not exceeding three pence in the pound, exclusive of the sum such persons may be rated for upon any other assessments of this Province; and it shall be the duty of the Clerk of the Peace of the said District, to select from a general assessment of the township of Hamilton, a list or assessment of the ratable property that every person owns or possesses in the said town, and lay the same before the Corporation annually, upon its organization after every general election. 1 2 3

*1. Corporation may impose an assessment, 2. Limitation, 3. Clerk of the Peace to make assessment roll.*

XXI. *And be it further enacted by the authority aforesaid,* That every town lot in the said town of Cobourg shall be rated upon the assessment roll at twenty-five pounds, and that every lot or portion of a lot on which a house shall be built, shall be deemed and taken to be a town lot. 1

*1. Town lots, how rated.*

XXII. *And be it further enacted by the authority aforesaid,* That if any