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*** START OF THE PROJECT GUTENBERG EBOOK THE COURT HOUSES OF A CENTURY ***



The Court Houses

—OF A—

Century.

1800-1900.



**HOUSE OF LIEUT. JAMES MUNRO, ERECTED 1798,
LOT 14, CON. 5, CHARLOTTEVILLE—USED AS COURT
HOUSE, LONDON DISTRICT, 1800-1802. (*Reproduced
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The Court Houses

—OF A—

Century.

A Brief Historical Sketch of the Court Houses of the London District, the County of Middlesex and County of Elgin.

COMPILED BY

KENNETH W. McKAY, COUNTY CLERK.

PUBLISHED BY

THE ELGIN COUNTY COUNCIL.

With Introduction by James H. Coyne, B. A.

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1901.

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"In any age it is a duty which every country owes to itself, to preserve the records of the past and to honor the men and women whose lives and deeds made possible its present, and to-day when the whole civilized world is throbbing to social and political impulses of the greatest significance for the future, we ought especially to call to mind such lives and deeds and catch, if we can, inspiration for acting well the part that falls to each of us."

INTRODUCTION.

[Pg 1]

THE PASSING CENTURY.

The Wonderful Century is before the bar of history. Its record shows everywhere progress, consolidation, expansion, improvement. Civilization has spread, barbarism has given away. Labor has been restored to its honorable station, and idleness is accounted dishonor. Privilege has been curtailed, liberty has widened its borders. Slavery has almost disappeared from the earth. The beneficent forces are stronger. The comforts and conveniences of life are increased and more evenly distributed. Disease and pain have been brought under control.

Life has been made more interesting. Travel is easier and cheaper, and mankind has become acquainted with the world it inhabits. The stars have been discovered. They have been weighed and analysed. The human mind has expanded with wider knowledge.

The railway, electricity and the Postal Union have gone far to blend the nations into one. Every day, all round the globe, men read the same news, think the same thoughts, are thrilled with the same tidings of heroism or suffering. Human sympathy is broadened and deepened. Mankind is more homogeneous in spirit. Statecraft, literature, society, have become democratic and cosmopolitan.

The spirit of union dominates the century. The forces of disunion and disintegration are everywhere routed. Mutual benevolence is organized for greater effectiveness. Universal education, equality of rights and responsibilities, are principles of government. Religion, emphasizing points of agreement and ignoring points of difference, manifests itself in its works as never before.

The century spans the years from Copenhagen to Paardeburg, from Nelson and Napoleon to Roberts and Kruger. As the battle of Copenhagen established the naval supremacy of Britain, so Paardeburg welded the empire, one and inseparable. In 1800 the principle of a United Empire was represented by the Loyalists of Upper Canada standing almost alone. In 1900, borne by their descendants to the distant plains of South Africa, it reached its full fruition in the final charge by the Canadians under Otter, on the banks of the Modder River. The principle includes the realization of all that the century stands for—union, equal rights, progress, justice, humanity.

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It is my task to say a brief foreword on the progress of Canada and especially the county of Elgin. The beginning of the century found Ontario almost an unbroken wilderness. Rare and scanty were the clearings here and there along Lakes Erie and Ontario, and on the great rivers. The winter express from Detroit to York or Niagara, made its way along the lonely forest path. At long intervals only did he perceive the smoke rising in the crisp air, from the hospitable and welcome cabin. The frightened deer bounded across his path into the deeper woods. The bear hybernated in the hollow tree. The long howling of the wolves broke on the midnight air. The lynx and panther crouched among the branches, ready to spring on the unwary traveller. The only sign of human life was the Indian hunter following the trail of the turkey or wild beast.

It was in the first year of the century that a young man of twenty-nine, giving up brilliant prospects in the army, and turning his back on society, found his way to the township of Yarmouth and began a clearing at or near Port Stanley. With royal dukes for his advocates, he applied to the Imperial authorities for a large grant of land to form a settlement. Two years later he succeeded. Yarmouth had been appropriated to others, and Colonel Thomas Talbot began his actual settlement in Dunwich. In the middle of the century, or more accurately in the year 1853, he died. In the same year the separation of Elgin from Middlesex was completed, and Colonel Talbot's "capital," St. Thomas, was made the County Town.

Nearly another half century has passed since then, and it includes the history of the County of Elgin as a separate municipality.

The death of the eccentric founder of the settlement divides nearly equally the history of the county from the time when its only inhabitants were the bear, wolf and panther, to the end of the century, which finds the county well cleared and cultivated throughout its entire extent; intersected by splendid highways, including the lines of five railway companies; peopled with a numerous and enterprising community, God-fearing and law-abiding, industrious and prosperous. The thriving city of St. Thomas, the enterprising and flourishing town of Aylmer, and numerous promising villages, advancing with rapid strides in magnitude and importance, form centres of population, where a century ago the primeval silence was unbroken, save by the footfall of the Mississauga ranging the woods in pursuit of game.

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It was during the first decades of the century that the pioneers came. From them the present population is largely sprung. Dunwich was the first to be settled. A few immigrants from the Eastern States settled near Port Talbot. Then the overflow of settlement from Long Point made itself felt in Southwold, Yarmouth, Malahide and Bayham. Before 1820 the Highland settlements began in Aldborough and Dunwich. The wanderings of the Kildonan settlers from Hudson's Bay to Red River, and thence eastward to Upper Canada and southward, to the settlements on Lake Erie, add a tragic episode to the story of the pioneers of West Elgin. Their hardships, sufferings and heroism can never be forgotten. Much later came the settlement of South Dorchester.

These were the men who felled the forest, let the sunlight into the wilderness, drained the swamps, cleared and fenced the bush, made the roads and bridged the fords, "drave out the beasts," and established schools and churches. They were the sifted grain of Canadian immigration. For the Colonel was determined to have none but the loyal, industrious and enterprising, and was discriminating in the choice of settlers for this County, among the numerous applicants for land.

Such were the pioneers of Elgin. We inherit the fruits of their strenuous toil and struggle. It was they who, with dauntless courage and unfaltering determination, braved all hardships, the loneliness, the privations, the sufferings of pioneer life, that we might enjoy the harvest of their labors. They slept on the bare ground in the forest shanty, and hewed with mighty toil the log huts, that their sons might live in framed houses, and their grandchildren in houses of brick furnished with the appliances of modern civilization. They sowed and we reap.

In the old churchyards at Tyrconnel, New Glasgow, St. Thomas, and elsewhere near the lake shore, they rest well after their labors. The mouldered headboards have given way to the marble slab or stately monument, that records their brief history—that they lived and died. Their true and imperishable monument is the manhood and womanhood of Elgin, the beautiful farms and homes, the noble institutions of religion and education. Their names will be forever honored among the founders of the Canadian nation, and after a thousand years men will be proud to count their descent from the pioneers of Elgin.

The public buildings of a community are a fair index of the character of the people. In this view, the completion of the new Court House is an event, and its evolution, as recorded in this volume, is a study of historical and sociological value.

The new building is admirably adapted to the purposes for which it is intended. It is up-to-date in every particular. Visitors from other parts pronounce it, as its predecessor was pronounced when first erected, one of the handsomest and most commodious public buildings in the Province. The architect and contractors have done their part well; but the credit is mainly and beyond all due to the public spirit of the people of Elgin, who were resolved that nothing short of best would satisfy them, and who were willing to be taxed to a reasonable extent upon the sole condition that the building should be well and honestly built, be a credit to the county and answer its purpose.

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Doubtless before another century rolls round, the increase of population and wealth may call for an enlarged building, but it is certain that no changes in architectural science will produce one that will better reflect the intelligence and enterprise, the wealth and the culture of the people, than the beautiful and commodious structure, which is to-day the pride and the boast of the citizens of this county.

JAMES H. COYNE.

The Court Houses of a Century.

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The History of the Court Houses of Ontario is closely associated with the development of the Province. The first recognition of population in South Western Ontario was the formation in 1788, of the District of Hesse and the appointment of Justices of the Court of Common Pleas, and other officials.

The only inhabitants were in the French settlements around Detroit, where the barracks and Government House were located. In 1792 Upper Canada, now Ontario, was divided into nineteen Counties, Norfolk, Suffolk, Essex and Kent occupying nearly the same territory as the District of Hesse. Representatives to the Provincial Parliament were elected and, at the first session

convened at Niagara in September, 1792, an Act was passed for building a Gaol and Court House in every district, and for altering the names of the districts. Hesse was hereafter called the Western District, and the Court House and Gaol was ordered to be built at Detroit. The Courts were held there until the evacuation of Detroit by the British in 1795, after which they were held in the Parish of Assumption, now Sandwich. D. W. Smith, in his Gazetteer of 1799, states: "That there is a good Gaol and Court House," in Sandwich, "situated a little below the fort of Detroit, on the east side of the river."

The Munro House, 1800-1802.

The U. E. Loyalists settlement of Norfolk commenced in 1793, and in 1798 the rapid increase in population was recognized by a division of the Western District and the formation of three Counties, Norfolk, Oxford and Middlesex to be known as the London District. This was organized by the appointment of a general commission of the peace and the necessary officials. The first meeting of the resident Magistrates was held in the house of Lieutenant James Munro, of Charlotteville, on 1st April, 1800, for the purpose of carrying the Commission into execution, and the first General Quarter Sessions of the Peace for the District was ordered to be holden at the same place on Tuesday, the 8th day of April, 1800.

The Munro House above referred to, was built in 1796, on lot 14 in the 5th concession of Charlotteville. It was the best house which had been erected up to that time, and stands to-day as an old land mark, about a half mile back from the road running straight west from Vittoria. It is a two story frame house of considerable size. The frame was made of hewn timber, with bents four feet apart, strengthened by tie girths, morticed and tenoned—a marvel of axeman's skill. The planks for the floor and sheeting were cut out by the whip saw. The original roof is on the building at the present time. The shingles are of cedar, rudely whittled by the draw knife, and show in places an original thickness of over an inch.

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A temporary jail was erected near the house, a log building fourteen feet by twenty-five feet, divided into two rooms—one for the debtors and the other for those charged with criminal offences. This building was erected during the winter of 1800 by day labor, and was used for nearly a year. The courts were held here until 1802, when they were removed to Turkey Point or Fort Norfolk under the authority of an Act passed in the year 1801.

Turkey Point, 1802-1812.

The Courts at Turkey Point were first held in the public house of Job Loder. In 1803 the contract for a court house was awarded. It was to be a frame building forty feet in length by twenty-six feet in width, to be two stories high, the first or lower story to be ten feet between floor and ceiling, and the second or upper story to be eight feet high. The original specifications were as follows: "The building to be erected on a foundation of white oak timber squared, the same to be sound and of sufficient thickness, the building to be shingled and to have two sufficient floors, an entry eight feet wide to be made from the front door across one end of the lower story, from which winding stairs are to be erected to ascend to the second story; two rooms are to be partitioned off in the second or upper story for juries. Nine windows are to be made in front and ten in rear, of twenty-four lights each, seven by three. The front door to be made of inch and a half plank, six panel, and to have a good sufficient lock and key. Two windows are to be finished in the first story opposite each other, so as to afford sufficient light to the bar, besides two windows of fifteen lights each behind the Judge or Chairman's seat. The rest of the windows are to be cased and nailed up for the present. The Bar, table, Justices' seat, benches for the bar and a table for each jury room, and benches for the same are to be finished; the three inside doors to be temporary; a seat and writing table for Clerk, to be made between the bench and the bar. Note—The house to be raised, shingled, weather-boarded and floored, and the bench for the Judge and Justices, Judge or Chairman's writing desk, Clerk's seat and table, the bar and table and benches therefor, the four windows below and two above to be finished, the rest of the windows cased and nailed up. The front door to be finished, and the other three temporary doors to be made and hung. Comprehends the present contract proposed by the court to be performed by the next assizes for this district."

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Courts were held in this building commencing in the year 1804 until it was appropriated for the use of prisoners during the war of 1812.

The Vittoria Court House, 1815-1826.

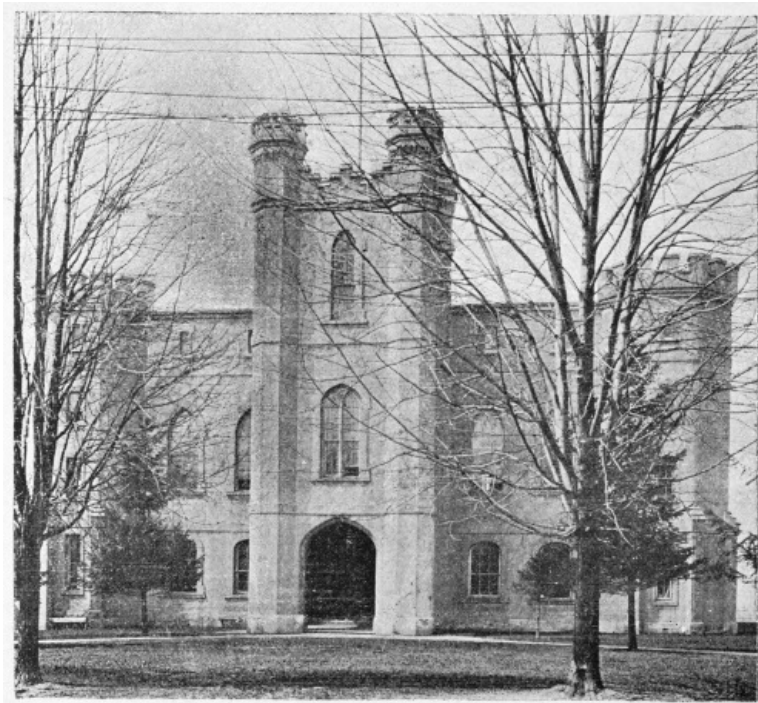
In 1815 an act was passed which provided that the courts of general quarter sessions for the district of London should be held at Charlotteville. The Magistrates were ordered to make a choice of the most convenient place, and a meeting was accordingly held at the house of Thomas

Finch on the 13th June, 1815. John Backhouse, Thomas Talbot and Robert Finch were appointed Commissioners to superintend the building, and a brick court house and gaol was erected at Vittoria at an expense of £9,000. During the erection of the building, courts were held in the houses of Thomas Finch, Francis Beaupre and Mathias Steel. The first meeting of the sessions was held in the new court house on 8th April, 1817, and it was used until 1826, when it was partially destroyed by fire.

The London Court Houses, 1826-1853.

An Act was then passed to establish a District town in a more central place, and courts were ordered to be held in some part of the reservation made for the site of a town near the forks of the River Thames. This was at London where four acres were set apart for the purposes of the jail and court house. The commissioners appointed for the purpose of erecting the building, Thomas Talbot, Mahlon Burwell, James Hamilton, Charles Ingersoll and John Matthews, held their first meeting in St. Thomas. During the erection of the court house at London, courts were held in a private house at Vittoria, and afterwards at St. Thomas. Dr. C. Hodgins, in his History of Education of Upper Canada, states that on one occasion the Court of King's Bench, with Judge Sherwood presiding and the late Sir John Beverley Robinson in attendance as King's Attorney, was held in an upper room of a building used by Mr. Stephen Randal as a grammar school. This building was afterwards removed to the school lot near the present residence of Judge Ermatinger, and was known as the "Talbot Seminary."

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THE LONDON COURT HOUSE.

*From "Illustrated London," copyrighted. By permission
London Printing and Lithographing Co. (Limited.)*

The first court house in London was constructed of flat logs, and on the ground floor was a log partition to separate the jail from the jailer's room. The court room above was reached by stairs outside. This was followed by the erection of a two story frame building upon the same square where the present court house stands, but closer to the street. In one end of the first floor were placed two cells, which were rendered more secure by being surrounded with logs, from which the building acquired the distinctive title of "The Old Log Court House." Courts were first held there in 1828.

In 1838 a new jail was proposed, and in the years 1843 and 1844 the present jail and court house in London was completed at a cost of £8,500. The latter resembles the castle of Malahide near Dublin, the birth place of Col. Talbot.

The Elgin Court House, 1853-1898.

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The County of Elgin was established by an Act of the Legislature passed in August, 1851, and formed a union with Middlesex until County Buildings were erected. The provisional County Council held its first meeting in the Town Hall, St. Thomas, on April 15th, 1852. The first business was to erect a jail and Court House. Offers of building sites were received from Messrs.

Curtis and Lawrence and Benjamin Drake. The Curtis sites were north of Talbot Street and West of East Street. The Lawrence site, two acres, included the lot on which the Post Office now stands. The Drake site appears to have been considered suitable before the county was formed as a deed from Benjamin Drake to Queen Victoria, dated the 25th of October, 1848, and registered the 30th of October, 1851, conveys the Jail and Court House Block to Her Majesty for public buildings for county and district purposes only. A resolution of the County Council shows that the final acceptance of this site depended on obtaining water at fifteen feet, failing this a new site was to be chosen. The location for the building on lot selected was next considered.

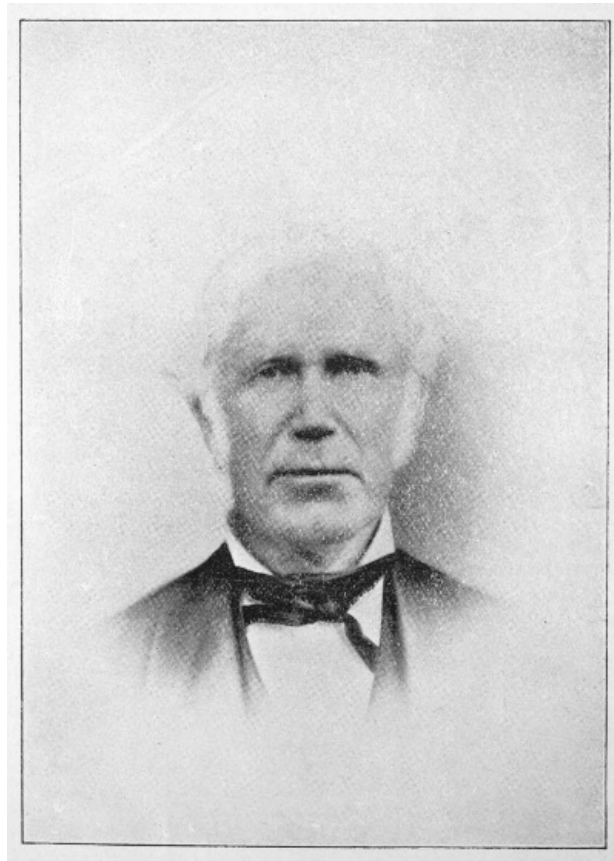
Petitions to front the buildings on Stanley Street were presented, but they were ordered to face north so as to stand parallel with the Talbot Road in front of Queen Street.

Plans were received from architects Thomas and Tully, of Toronto, and John Turner of Brantford.

The plans submitted by Mr. Turner were the same as for the Court House at Brantford, which he was building. These were adopted with some changes suggested by other plans before the council.

The contract was awarded to Garner Ellwood for £4,580, on the 19th June, 1852. The jail, jailor's house, etc., to be completed by the 15th September following, and the Court House on the 1st August, 1853.

The Building Committee consisted of the whole council, of which Messrs. Clark and Locker of Malahide, Ganson of Yarmouth, Skinner of Bayham, Munro of Southwold and Parish of St. Thomas, were the most active. Thomas Cheeseman was the architect's superintendent in charge of the work.



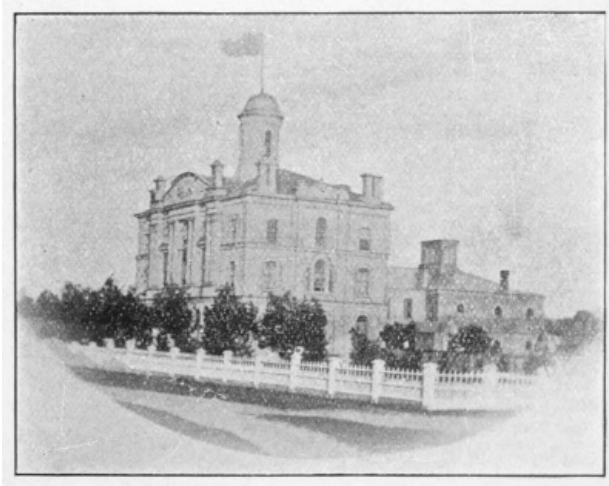
WARDEN LOCKER, 1852-1855

The jail was not completed until the spring of 1853, and on the 23rd of March Mr. Ellwood gave up the contract, £2,764 having been expended. The Warden was then authorized to proceed with the work which, with the exception of minor contracts, was completed by day labor, with Thomas Fraser, builder, of London, as superintendent. The Gaol as at first erected was not satisfactory, the plan being defective. This increased the cost and when the buildings were completed and furnished in 1854, the total expenditure was £11,405. Mr. Ellwood in tendering for the buildings was guided by the figures supplied by Architect Turner who was then erecting a court house at Brantford. In a subsequent report to the council Mr. Turner states that in the erection of the Brantford building he ruined himself, and that he could not have erected the Elgin buildings at a less price than they cost the county.

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A Special Committee reported on completion of the work: "That after taking into consideration the advance in price of material and labor—that the buildings have been erected in as judicious and economical a manner as the circumstances would admit, and that the beautiful workmanship and design is not surpassed by any building in Canada west."



THE ELGIN COURTHOUSE, 1860.

The Royal Arms Rampant, which is very much admired, on the front of the Court House, is in size twelve feet by six feet, and cost £93. They were supplied by Messrs. Cochranes and Pollock of Toronto, from a sketch drawn by Mr. John M. Walthew who also painted the picture placed in the court room, the beauty of which the council acknowledged by special resolution in January 1855. Sculptured faces were placed in the east and west gables of the building. That in the west resembles Lord Elgin, after whom the county was named, and the other may be architect Turner but at present no one seems to know definitely who they were intended to represent.

In 1853 the Town Hall of the Village of St. Thomas was secured for court purposes on condition that any fittings, etc., required were to be supplied by the County, and left in the building when court house was completed. Plans of the new buildings and of the town hall were submitted to the statutory commissioners, and approved of as suitable for court purposes. On the 30th of September, 1852, a proclamation was published in the Official Gazette, dissolving the union of Elgin and Middlesex.

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**D. J. HUGHES, ESQ., COUNTY
JUDGE, 1853.**

The Officers appointed were:

Judge, David John Hughes.
Sheriff, Colin Munro.
Registrar, John McKay.
Clerk of Peace, James Farley.
Clerk of the Court, Peter Murtagh.
Jailor, John King.
County Clerk. William McKay.
County Treasurer, William Coyne.
County Engineer, Charles Fraser.

During November, 1853, the offices of the Sheriff, Clerk of the Peace and Clerk of the County Court were located in one room in the apartments erected for the Jailor.

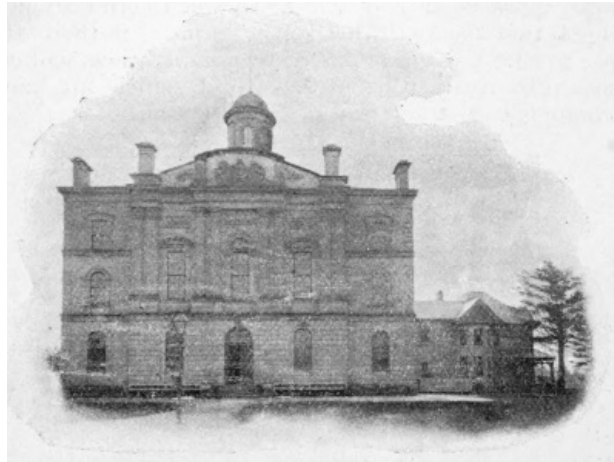
On the 15th of November, 1853, the first court of quarter sessions of the County of Elgin opened at St. Thomas in the Town Hall, David John Hughes, County Judge, presiding. In opening the

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court, the Judge delivered the following address to the Grand Jury:

GENTLEMEN OF THE GRAND JURY.—

"It is usual for the presiding Justice at our criminal courts to address to grand inquests, remarks upon the duties which have to be discharged by them. This being the first time we have met together in our relative capacities, I think the occasion a becoming one for congratulating you and the inhabitants of this fine county in general, in being now separated from the senior county for the transaction of all the judicial, municipal and other business of our inhabitants.



THE ELGIN COURT HOUSE BEFORE THE FIRE.

Anyone who has lived in what was the London district for twenty years, and who will look back upon the time when, with little better than a mere track to guide or assist them, most of the settlers were obliged to travel the primeval forests to distances of fifty or sixty miles to attend courts, and for other purposes in the way of business, and who now have public offices almost brought within reach of their own doors, cannot but feel thankful that a gracious Providence has favored the country and its inhabitants with such prosperity—a prosperity which is still on the increase, at a rate surpassing the expectations of the most sanguine.

If we look beyond the limits of our own county and view the Province at large, we see progress and prosperity, peace, contentment and general happiness surrounding us. We find the minds of the people progressing too, for with a bountiful provision for schools and a well ordered system, the rising generation are enabled, and doubtless will keep pace with their monetary prosperity.

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The encouragement that agriculture has met with in an increased demand for the staple produce of the county, and remunerative prices will call for an improved system of tilling the fields. The encouragement given to manufactures by the increased consumption, justifies enterprise in an increase of fabrics; and all these call forth the necessary supply of improved and cultivated minds—so that enquiry is awakened, and the benefit of our schools and colleges is every year becoming more and more appreciated and will be so much better attended and encouraged, that they will themselves improve in their standard and tone, so that Canada in one or two generations will equal, if not successfully rival, parts of the world which are now considered amongst the freest and most contented.



COURT ROOM AFTER THE FIRE.

We enjoy a liberty in our civil and religious affairs which admits not only of a freedom of thought, but action. We can watch our very rulers, and have the means in our hands of curbing usurpation of power or infringements of rights by the privilege we can exercise of approving or disapproving of the advisers of the crown. We can worship the Almighty in our own way; no one venturing to disturb or make us afraid. We can educate our children almost entirely at the public expense, and

place them within reach of the highest honors that their talents entitle them to, or that the country can bestow. The time has gone by for those honors to belong only to a class; or when promising aspirants can be successfully frowned upon by those who fancy that they hold a prescriptive right to them; and the time has arrived for men not to be judged by the occupations they are day by day employed in, but by the integrity of their purposes, the cultivation of their minds, the uprightness of their characters, and their successfulness in accomplishing some good for themselves and their fellow-men.

In entering upon the duties of the office I fill, I must confess my misgivings as to the ability to discharge them aright. They are onerous, responsible, and will be at times arduous and disagreeable. I depend upon the forbearance of those with whom I shall be brought in contact, and claim their assistance and advice when necessity shall suggest it. I desire to see the great body of the people, whose business or affairs shall be brought under my judicial notice, satisfied that justice and right are aimed at, however, I may fall short in administering them, and in my magisterial capacity I rely upon the aid of my brother magistrates to further these motives; for I doubt not that by mutually according to one another, integrity of purpose, (as I shall at times desire to attribute to them) we shall be able to accomplish much good in the way of checking vice and setting a good example to the several neighborhoods we respectively inhabit.

The County Buildings are not yet quite completed, but I am informed that before the next sessions, the Court may be held in them; and when finished I am satisfied they will not be surpassed in beauty, convenience and comfort by any in the Province."

The first Court of Quarter Sessions was held in the Court House, on the 5th of January, 1854, and on the 11th of April, in the same year, Hon. Justice Draper opened the first Court of Assize. Col. John Prince, Q. C., one of the lawyers in attendance at this Court, complimented the County on the magnificence of the Court House, which, he said, was unsurpassed by any Court House in the Province.

On June 7th, 1854, all of the offices in the Court House were occupied, and the building completed, with the exception of some painting and the erection of the Royal Arms.

The County Buildings remained the same until the gaol was rebuilt, and wall erected in 1872. This was followed by a new Registry Office in 1874, and a Gaoler's residence in 1889-1891. On the 1st of July, 1898, a fire occurred at midnight, destroying the roof and upper portion of the Court House, the whole building being damaged by water.



DANIEL LANG.
Warden, 1898.



OSCAR MCKENNEY.
Warden, 1898.



ARCHIBALD J.
LEITCH. Chairman
Building Committee.
1898-1899.



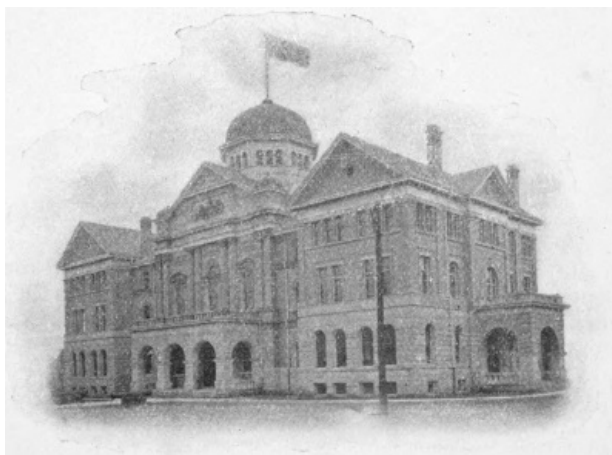
NEIL R. DARRACH.
Architect.



ROBERT CARROLL.
Contractor.

The Elgin Court House, 1898-1900.

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THE NEW COURT HOUSE.

The first meeting of the County Council, after the burning of the Court House, was held in the Grand Central Hotel, St. Thomas, on July 8th. The Insurance appraisers' award fixing the amount of damage at \$5,509, was then presented. Mr. J. M. Green, contractor, was valuator on behalf of the County. The County officials were consulted in reference to temporary accommodation, and the Clerk was authorized to rent offices from Mr. Charles Spohn, on the south-west corner of William and Talbot streets. A special Building Committee was appointed, with power to employ an architect, visit other Court Houses, to have plans prepared, and report. The committee, consisting of Messrs. A. J. Leitch, S. B. Morris, D. Turner, R. Locker, D. F. Moore, W. B. Cole and Warden Lang, accompanied by N. R. Darrach, architect, and J. A. Bell, County Engineer, proceeded to Brantford, to examine the county buildings, which had recently been enlarged. Instructions were given to prepare plans to include enlargement of building and re-modelling Jail and Jailer's residence and kitchen. The County Council met on the 27th of July, to receive report presented by Architect Darrach, who estimated the cost of plans submitted at about \$33,000. Opposition was offered by some members of the Council, who were desirous of limiting the cost of building to \$20,000, but the architect's plans were adopted. A by-law was passed appointing a special building committee, and authorizing the Warden to sign contracts. The architect's fee was fixed at \$1,200 for the whole work. Tenders were received, and as all of them exceeded the architect's estimate, a special meeting of the Council was called for the 8th of September, to consider the matter. At this session the building committee reported in favor of the adoption of the following tenders:

[Pg 18]

J. H. McKnight & Co., Toronto, for the whole work, with the exception of the electric wiring, iron work and plumbing.	\$33,990 00
R. A. L. Grey, Toronto, electric wiring	346 00
Stacey & Co., St. Thomas, iron work	1,231 42
C. T. Bull, St. Thomas, plumbing	1,047 00

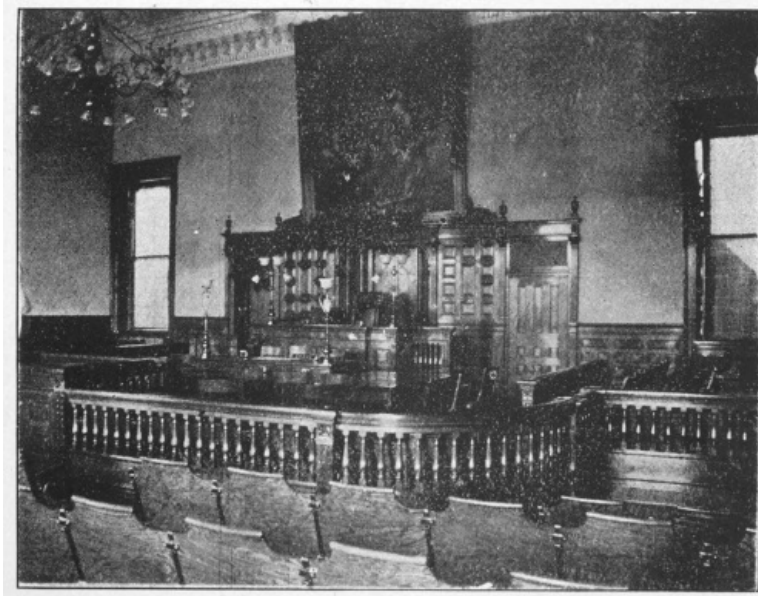


**D. J. HUGHES, ESQ., COUNTY
JUDGE, 1899.**

This report was adopted and contracts signed by all with the exception of Mr. Bull. Mr. A. J. Leitch, Chairman of the Building Committee, was appointed to inspect the work as it progressed, and issue orders for payment in accordance with the architect's estimates. Tenders for heating and plumbing were received in January, 1899, and contracts awarded—the heating to Joseph Harrison for \$3,146, and the plumbing to Keith & Fitzsimmons, Toronto, for \$1,125. The Building Committee next considered the question of furnishing, and for the purpose of securing information, visited the court houses in Stratford and Woodstock, and in March, 1899, tenders were received and the following contracts awarded:

J. Acheson, St. Thomas, hardware	\$400 00
McDonald & Wilson, Toronto, gas fixtures	645 00
The Preston Office & School Furniture Company, for special work	2,995 00
And for furniture, desks, etc	556 80
The Office Specialty Company, Toronto, for letter press, stands, vault fittings, etc	892 50

[Pg 19]



COURT ROOM.

Carpets and window blinds were procured from J. B. Kay, Son & Co., Toronto, and rubber matting for the stairs from the Gutta Percha & Rubber Co., two clocks for the court room and council chamber, from W. R. Jackson. Stained glass windows with appropriate designs were ordered from N. T. Lyons, Toronto, for the main stairway, one contains a picture of the old and new buildings; the other, the names of the County Council for the years 1898 and 1899. Stone walks around the building and through the grounds were put down by the Silica Barytic Stone Company, of Ingersoll, at the cost of \$579.02. The work of grading the grounds was completed under superintendence of W. Irving.

OPENING PROCEEDINGS.

The Court House was formally opened on Wednesday, the 13th day of December, 1899, the occasion being the first day of the Court of General Sessions of the Peace, and of the County Court. [Pg 20]

The proceedings commenced at 2.40 p. m. Judge Hughes presided, and on his right was Junior Judge Ermatinger, and on his left Sheriff Brown.

Judge Hughes explained that he had invited Rev. Canon Hill and Vicar-General Bayard to be present, to assist in the opening proceedings, but they had other engagements and could not attend. There were present Revs. D. R. Drummond, Prof. T. L. Fowler, of the Disciples College, and Rev. R. I. Warner, principal of Alma College.



LIBRARY.

Rev. D. R. Drummond opened the proceedings with prayer, Rev. Prof. Fowler read the scriptures, and Rev. Prof. Warner led in prayer.

Mr. Oscar McKenney, Warden of Elgin County, read the following address to Judge Hughes, on behalf of the County Council:

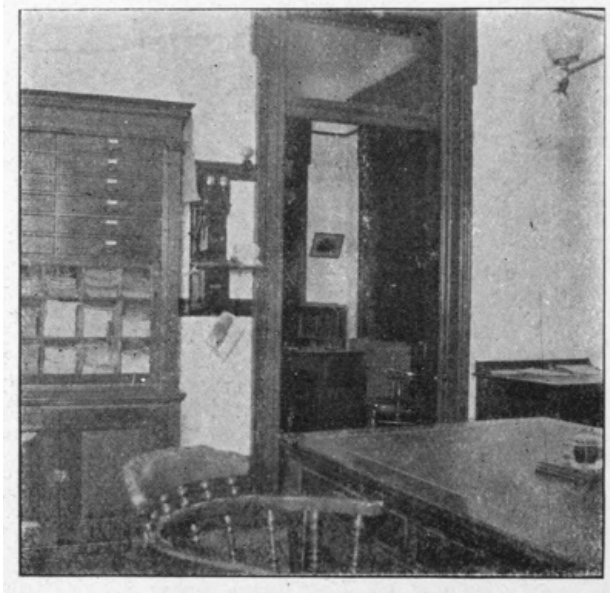
"Before proceeding with the business of the County Court and General Sessions of the Peace, the County Council desire to congratulate your Honor on your good health and physical and mental vigor, which is remarkable when we consider that you have occupied your present position for over forty-six years. You had the honor of presiding at the first court held in the old buildings in 1854, and have since done much to assist in the development of the county. You have witnessed many changes and can refer to many pleasant experiences which are the accompaniment of a long and useful life. The Court House which we hereby formally hand over to you for Court purposes, is representative of our idea of the advancement made by a wealthy and prosperous community during the past half a century. [Pg 21]

We hope you may enjoy continued good health, and that the remainder of your life may be pleasant and a restful recompense for many busy years.

The members of the Council will make a few remarks as they feel it is difficult in a brief address to refer to all the circumstances that have brought us together to-day."



COUNTY COUNCIL CHAMBER.



COUNTY CLERK'S OFFICE.

Councillor Frank Hunt delivered the oration of the day on behalf of the County Council. He spoke as follows:

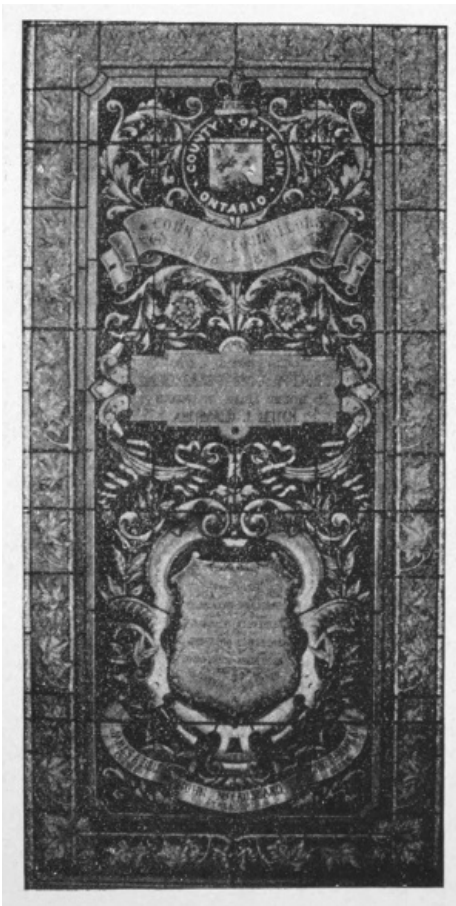
"This is an important occasion. Important because it makes a page in the history of the county. It establishes a milestone marking the progress of a people who first planted civilization in this county a century ago. The burning of the old Court House necessitated the building of a new one, and this gave the present council the opportunity to erect a building characteristic of the people, and of the arts and sciences of this particular period. The old court house was emblematic of the pioneers of this county. It exhibited wisdom, strength and beauty. As much as I admire the new structure I am glad the front of the old court house is preserved, and will hand down to future ages in its Grecian columns and pilasters, the artistic taste of the pioneers who could spare from the rewards of unceasing toil money to erect a court house that bore the impress of the best art of their time. The excellence and thoroughness of the structure attest the true worth and integrity of the pioneers of the County of Elgin. I cannot but think, when considering the population and wealth of the county fifty years ago with that of to-day, that in the erection of the new court house we have spent less for artistic effect than did the pioneers. Modern requirements for the comforts of those attending courts, or on official business, entailed a large expense, which was not considered in the erection of buildings fifty years ago. The provision made for women during a forced attendance at court shows how far we have advanced on one particular line. It is a grand building of the utilitarian type, and erected on such lines that great beauty may be discovered by a casual glance. I want to say a word in praise of the architect who designed the building and supervised its erection to the satisfaction of the Building Committee. The epitaph in St. Paul's Cathedral says: "If you would know the genius of Christopher Wren, look around you." I will say, also, and it is all that is necessary, if you would know the genius of Mr. Darrach, look around you and see that he is master of his art.

[Pg 22]

New occasions teach new duties,
Time makes ancient good uncouth,
We must upward still and onward,
Who would reach the realms of truth.

[Pg 23]

Art, national or individual, is the result of a long course of previous life and training; a necessary result, if that life has been loyal, and an impossible one, if it has been base.
—*Ruskin.*

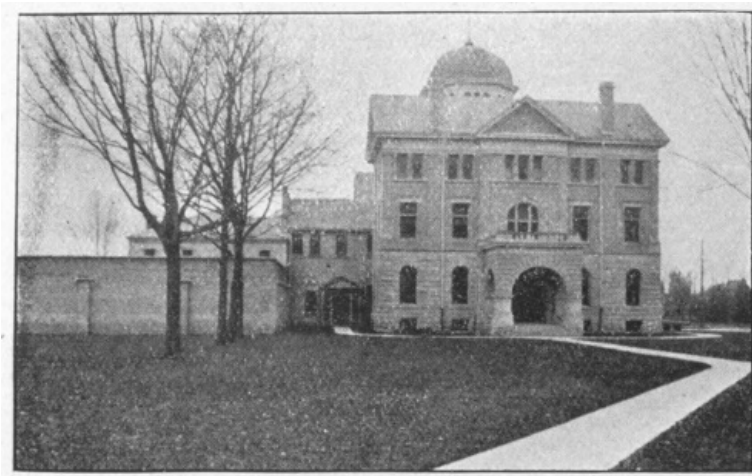


WINDOW, MAIN STAIRWAY.

In its important examples, all municipal art should be at once a decoration and a commemoration—it must beautify and should celebrate; thus becoming a double stimulus, first to the aesthetic sense, second to the sense of patriotism.
—*Blashfield.*

I cannot close without reference to His Honor Judge Hughes and his long judicial career in the County of Elgin. He opened the old court house forty-six years ago; he has been spared to open the new. In the first courts he grasped by the hand the men who planted civilization on the shores of Lake Erie. He has lived to grasp by the hand their children and grand-children. He came here in his early years, a type of that manhood which comes from the chisel of Pericles, and the great masters of the Grecian school. He has seen the county a wilderness, he now sees it populous and wealthy, inhabited by a people educated, industrious; a people who love God and keep his commandments.

[Pg 24]



COURT HOUSE, EAST SIDE, SHOWING GAOL ENTRANCE.

He has left his impress on his county and its people, and can it not be said that it has been for the good of society, for the happiness and advancement of the people? His legal knowledge, and his great ability is known throughout the Province. His untiring industry has been proverbial. He has administered the law with fairness, and tempered justice with mercy. It is not contended that he

was or is faultless.

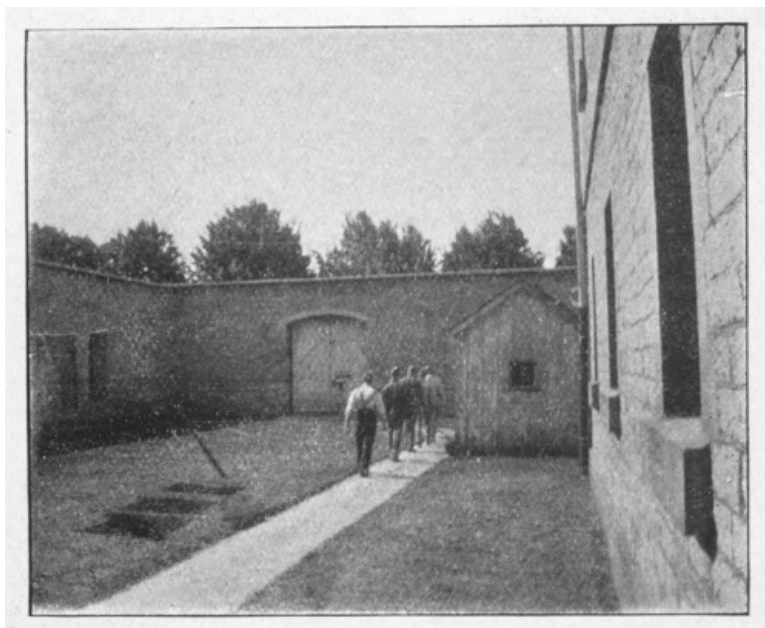
Who thinketh a faultless man to see?
Thinks what ne'er was and ne'er shall be.

It is the desire of the council that his learning and great abilities may long be spared to his fellow-citizens, and that

An old age serene and bright,
Lovely as a Lapland night,
Shall lead thee to the grave."

County Councillor J. H. Yarwood voiced the sentiments of Mr. Hunt, and extended the congratulations of the county to the Judge for the manner in which he had administered the affairs of the county, and hoped he would be spared for many years.

County Councillors S. B. Morris, W. O. Pollock, D. Lang, W. M. Ford, E. McKellar, Mahlon Lyon, D. Moore and A. J. Leitch also delivered addresses of congratulation. [Pg 25]



GAOL YARD.

Judge Hughes thanked the County Council for the privilege of opening the new Court House. The county building was a testimonial to the advancement of the county council. He had to acknowledge with thanks the many kind things said of him personally, and of the way he had administered justice in the county. The building is an index, not only of enterprise and good taste, but also of conception for the convenience of those who had to attend the county buildings to do business. The mistake with the old building was that Architect Turner had his plans interfered with, and all the rooms, except the court room, were but half the size intended. He concurred in all that had been said of the architect. The contractors, too, had performed their work well. The court house was a manifestation of the progress of municipal institutions. He had found the county council always ready to encourage education and grammar schools, and this building was a monument to their honor.

The county court was then opened by Court Crier Hopkins, when Mr. John Crawford, of Aylmer, on behalf of the bar of Elgin, extended to Judge Hughes their congratulations upon the long term he had served on the bench, and upon his distinguished services during that time. The members of the bar were in hearty sympathy with and heartily endorsed the remarks made by the members of the county council. The members of the bar hoped the Judge might be long spared to occupy the high position which he did. [Pg 26]

Judge Hughes said he could only express his high appreciation of the kind things said of him. It was an honor for a man to act as judge where there was such a bar as in the county of Elgin. He concluded by thanking Mr. Crawford and the other members for their kind remarks.



F. HUNT, J. P., HOLDING COURT IN A GAOL WARD, AFTER THE FIRE.

In the evening the judge entertained the members of the bar and the municipal and judicial officers of the county of Elgin at a banquet in honor of the occasion of the re-opening of the court house and the 46th anniversary of his appointment. This was held at the Grand Central Hotel.

All the work connected with the court house improvements was completed in the spring of 1900. The final report of the Building Committee was not, however presented until the 23rd of November. The total cost was \$50,954.72, and of this amount the city of St. Thomas contributed \$12,178.17.

The excellent service rendered to the county by architect Darrach was recognized by the presentation of an address, suitably engrossed, expressing the councils appreciation of his efforts. The report also directed attention to the satisfactory manner in which Messrs. McKnight & Co., the principal contractors, who were represented by the senior member of the firm, Mr. R. Carroll, had completed their work. After the adoption of the report a resolution was passed tendering the thanks of the council to A. J. Leitch, Esq., for his services as Chairman of the Building Committee.

STATISTICS.

[Pg 27]

COUNTY OF ELGIN. POPULATION.

	1817	1841	1851	1861	1871	1881	1891
ALDBOROUGH	400	733	1,226	2,325	3,500	4,718	5,299
BAYHAM		2,108	5,092	5,141	4,895	4,689	3,856
DUNWICH	500	633	1,948	2,888	3,731	4,290	3,663
DORCHESTER		635	1,477	2,204	2,071	1,844	1,624
MALAHIDE	775	2,218	4,050	5,320	5,554	4,415	3,851
SOUTHWOLD	900	2,563	5,063	5,467	5,559	5,206	4,766
YARMOUTH	400	3,664	5,288	6,166	5,563	5,575	5,471
ST. THOMAS			1,274	1,631	2,197	8,367	10,370
VIENNA					590	528	398
PORT STANLEY						674	616
AYLMER						1,540	2,167
SPRINGFIELD						555	463
DUTTON							838
TOTALS	2,975	12,554	25,418	31,142	33,660	42,401	43,382

COUNTY OF ELGIN. NUMBER OF HOUSES.

	1817	1841	1851	1861	1871	1881	1891	Schools.
ALDBOROUGH	90	13	189	311	630	880	1,064	1
BAYHAM	60	133	732	887	955	978	882	2
DUNWICH	100	45	316	450	673	820	744	1
DORCHESTER		10	238	345	378	423	341	
MALAHIDE	150	125	692	726	1,104	956	887	2

SOUTHWOLD	180	175	800	579	993	998	973	3
YARMOUTH	75	299	881	1,128	1,067	1,161	1,150	2
ST. THOMAS			226	390	417	1,634	2,205	
VIENNA					103	105	99	
PORT STANLEY						139	128	
AYLMER						330	521	
SPRINGFIELD						130	123	
DUTTON							167	
TOTALS	655	800	4,074	4,816	6,320	8,554	9,284	11

The statistics of 1817 are taken from Robt. Gourlay's Book. For other years official census reports were referred to.

Plan of the Court House.

[Pg 28]

GROUND FLOOR.

- | NO. | BY WHOM OCCUPIED. |
|--------|---|
| 1-2. | County Attorney and Clerk of the Peace. |
| 3-4-5. | County Court Clerk. The Vault was formerly used as an office by County Court Clerk and Junior Judge. |
| 6. | Inspector of Public Schools. Formerly occupied with vault adjoining by Clerk of the Peace. |
| 7. | Junior Judge's Office. Formerly Occupied: (1) County Treasurer's Office. (2) Law Library. (3) Jailer. (4) County Engineer. |
| 8. | County Treasurer's Office. Used as Registry Office up to 1875. |
| 9. | County Clerk. |
| 10. | County Engineer. |
| 12-13. | Sheriff. |
| 14. | Telephone. 15. Janitor. 16. Jailer. 17. Jail Kitchen. Originally occupied as Jailer's residence and afterwards as County Clerk's and Jailer's Offices. The heaters are in basement under these rooms. The space occupied by lavatories and main stairway was formerly the Sheriff's office. |

FIRST FLOOR.

- | | |
|--------|---|
| 18. | County Judge's Office. |
| 19. | Barristers. |
| 21. | Crown Counsel. Formerly County Judge's Office. |
| 22. | Law Library. |
| 23. | Lady Witnesses. Formerly Petit Jury. |
| 25. | Court Room. |
| 26. | Witnesses. Formerly Crown Counsel room, afterwards law library. |
| 27. | County Council Chamber, also used for small courts. |
| 28-29. | Local Master. |
| 31. | Judges' Parlor. |
| 32. | Turnkeys. |
| 33. | Petit Jury. |
| 34. | Gaol Stores. |
- } Originally occupied as Jailer's Residence, and afterwards as County Judge's Office.

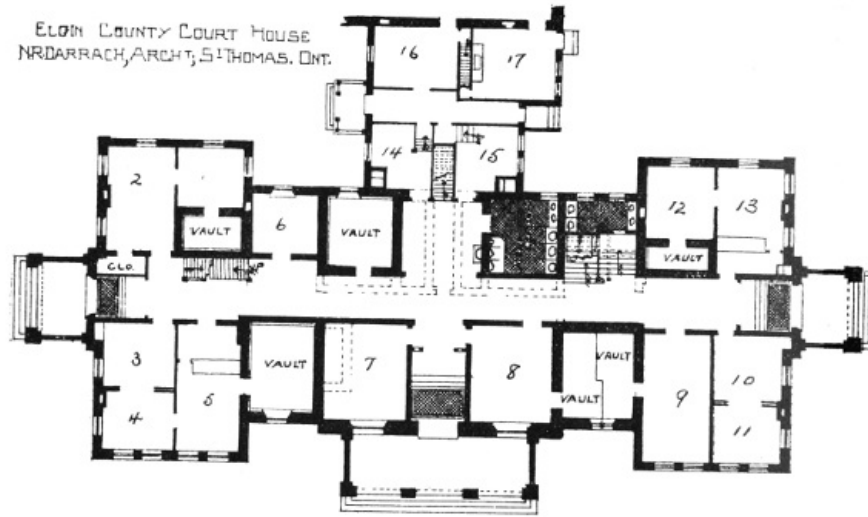
The space occupied by main stairway was formerly the county clerk's office and afterwards a witness room.

SECOND FLOOR.

- | | |
|--------|---|
| 35-41. | Janitor's apartments. 37 and 41 formerly Grand Jury Rooms. |
| 42-43. | Witnesses. 42 was formerly occupied by Local Master and afterwards by County Police Magistrate. |
| 45. | Historical Society. |
- The space occupied by main stairway was formerly a store room.

[Pg 30]

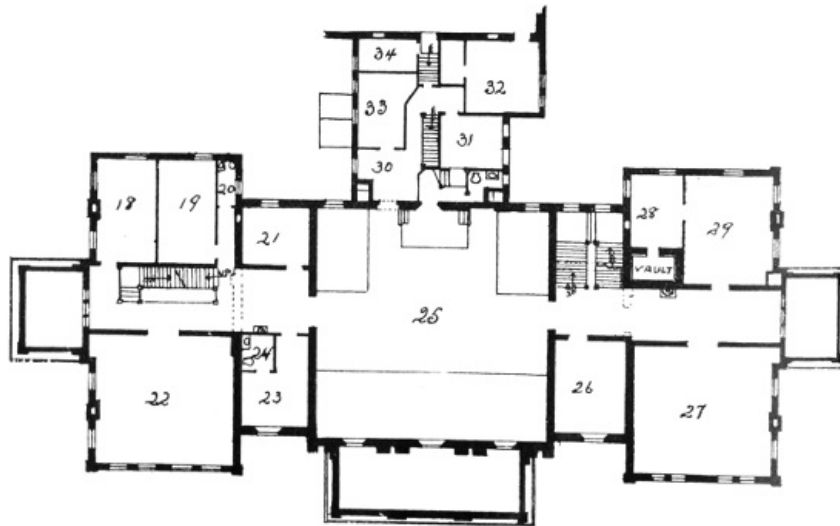
ELGIN COUNTY COURT HOUSE
N. R. DARRACH, ARCHT., ST. THOMAS, ONT.



GROUND FLOOR PLAN

ELGIN COUNTY COURT HOUSE
N. R. DARRACH, ARCHT., ST. THOMAS, ONT.
GROUND FLOOR PLAN

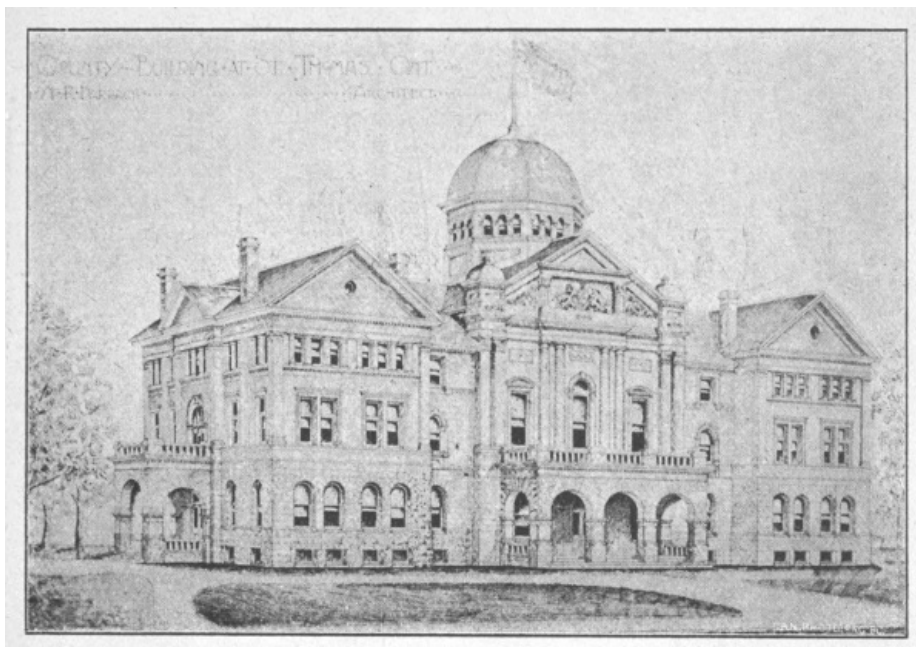
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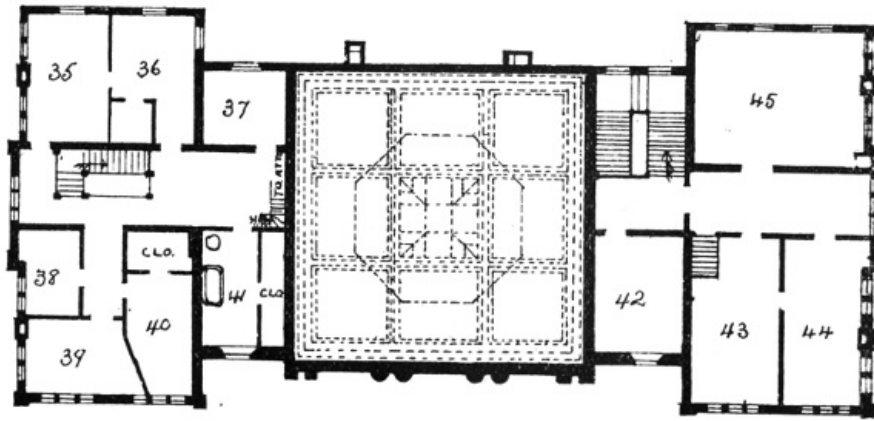
FIRST FLOOR PLAN

FIRST FLOOR PLAN

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COUNTY BUILDING AT ST. THOMAS, ONT.



SECOND FLOOR PLAN

SECOND FLOOR PLAN

Members of Elgin County Council.

[Pg 33]

1852.

ALDBOROUGH—Duncan McColl.

DUNWICH—Moses Willey.

SOUTHWOLD—Colin Munro, Nicol McColl.

YARMOUTH—Elisha S. Ganson (Warden), Leslie Pierce.

MALAHIDE—Thomas Locker (Warden), Lewis J. Clarke.

BAYHAM—John Elliott, J. Skinner.

SOUTH DORCHESTER—Jacob Cline.

ST. THOMAS—David Parish.

1898-1899.

DISTRICT No. 1—(Aldborough) S. B. Morris, Daniel Lang (Warden 1898).

DISTRICT No. 2—(Dutton and Dunwich) A. J. Leitch, Edward McKellar.

DISTRICT No. 3—(Port Stanley and Southwold) William Jackson, Donald Turner, 1898, Francis Hunt, 1899.

DISTRICT No. 4—(Yarmouth) James H. Yarwood, Wm. B. Cole, 1898, Wm. O. Pollock, 1899.

DISTRICT No. 5—(Aylmer, Vienna, Polling Sub-divisions 1 and 2 of Bayham, and Malahide, except Polling Sub-division 5) Oscar McKenney, (Warden, 1899) Richard Locker, 1898, Mahlon E. Lyon, 1899.

DISTRICT No. 6—(Springfield, South Dorchester, Malahide (Division 5) and Bayham (except divisions 1 and 2)) David F. Moore, (Warden, 1900) Wm. M. Ford.

Transcriber's Note.

Illustrations have been moved to avoid breaks in paragraphs. Minor punctuation errors have been corrected without note. The single table of Statistics in the original has been reformatted into two separate tables for ease of reading, one for population and one for houses and schools. Corrections to typographical errors are highlighted like this; mouse over to see details. List of corrections:

- P. 5 'east side of the river.'"—closing quotation mark added.
- P. 5 'Tuesday, the 8th day of April, 1800.'—had '1900.'
- P. 6 'tie girths, morticed and tenoned'—had 'tendonned.'
- P. 12 'sessions of the County of Elgin opened'—had 'Couty.'
- P. 24 'contended that he was or is faultless'—had 'fautless.'
- P. 24 'Shall lead thee to the grave.'"—closing quotation mark added.
- P. 25 'his plans interfered with, and all the'—had 'iterferred.'

Unusual spellings of hibernated, Mississaga; inconsistent spellings of jail/jailer, gaol/gaoler; inconsistent hyphenation and capitalisation are as per the original.

*** END OF THE PROJECT GUTENBERG EBOOK THE COURT HOUSES OF A CENTURY ***

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