The Birth of Brighton Township

by

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A discussion of the creation of Brighton Township and how it is part of the momentous events that made Canada the peaceful, tolerant and prosperous country we love.

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Celebrating a Birthday

In 2011 we are celebrating the 160th Birthday of Brighton Township. During the year much history of Brighton Township will be discussed. However, if we are celebrating a birthday, shouldn't we look back to the events that led up to the birthday? Why was Brighton Township created in the first place? How was it done? Who was involved? To take it a bit farther, what were the conditions and situations that supported the creation of Brighton Township? Looking at the big picture, how did these play a role in the development of not only our community but the province and the country?

An Act

First, we need to see exactly how Brighton Township was created. Since we are dealing with changes in municipal government, it must mean that there were measures passed in the Parliament of Canada which specifically outlined how Brighton Township was to be created. Sure enough, in the library at Osgoode Hall in Toronto there are copies of the original statute that created Brighton Township.

The document provided by the Librarian at Osgoode Hall consists of eleven pages but there are only certain sections and paragraphs that apply to Brighton Township. First we should look at the "Preamble" to see what the statute is all about.

CAP. V.

An Act to make certain alterations in the Territorial Divisions of Upper Canada.

[*2d August*, 1851.]

WHEREAS it is expedient to make certain alterations in the present Territorial Divisions of Upper Canada, for Judicial, Municipal and other purposes : Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada,* and it is hereby enacted by the authority of the same, That from and after the time when this Act shall come into force, Upper Canada shall be divided into the Counties mentioned in the Schedule to this Act marked A, which Counties shall respectively include and consist of the several Townships mentioned in the said Schedule as forming such County, and the Cities, Towns and Villages and the Liberties of the said several Cities therein : Provided always, that for municipal

On the first line, "CAP. V." refers to Chapter 5 of the Act. Then we see the title which tells us the Act is designed to "make certain alterations in the Territorial Divisions of Upper Canada". Notice the date of August 2, 1851. That is the date this Act was passed by the Parliament of Upper Canada. Technically, that's not when Brighton Township came into being, but keep the date in mind. It is significant as we look back in time. That's all pretty straight forward. Now get ready for the legalese and jargon.

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The key parts of the Preamble for us are, first:

"Whereas it is expedient to make certain alterations in the present Territorial Divisions of Upper Canada, for Judicial, Municipal and other purposes: .. ", and second:

 "… That from and after the time when this Act shall come into force, Upper Canada shall be divided into the Counties mentioned in the Schedule to this Act marked A, which counties shall respectively include and consist of the several Townships mentioned in the said Schedule as forming such County … "

The first part suggests that there are many reasons why it is "expedient" to make certain changes in the organization of counties and townships; more about that later. The second part states that after the act comes into effect certain townships will be included in certain counties. The highbrow language refers to the authority by which these changes are to be made. Let's remember that in 1851 Canada was a colony of Great Britain and therefore the ultimate authority was Queen Victoria and the British Parliament.

Down a few pages in the Act we find "Schedule A" which includes a section for each county in Upper Canada. The one we want to see deals with Northumberland County.

SCHEDULE A.

COUNTIES.

16. The County of Northumberland shall consist of the Townships of Murray, Brighton, Cramahe, Haldimand, Hamilton, Seymour, Percy, Alnwick and Monaghan South.

The important point here is that Brighton Township is included. South Monaghan is also included, but that's another story.

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Just below this we come across "Schedule B" which simply lists the "Counties United for Municipal, Judicial, and other Purposes".

SCHEDULE B.

COUNTIES UNITED FOR MUNICIPAL, JUDICIAL AND OTHER PURPOSES.

1. Essex and Lambton.
2. Huron, Bruce and Perth.
3. Middlesex and Elgin.
4. Lincoln and Welland.
5. Wentworth, Halton and Brant.
6. Wellington, Waterloo and Grey.
7. York, Ontario and Peel.
8. Northumberland and Durham.
9. Peterborough and Victoria.
10. Frontenac, Lennox and Addington.
11. Leeds and Grenville.
12. Lanark and Renfrew.
13. Prescott and Russell.
14. Stormont, Dundas and Glengarry.

Number 8 in the list is "Northumberland and Durham" which, from this point on, would be combined.

The next section is "Schedule D" which deals with New Townships.

SCHEDULE D.
NEW TOWNSHIPS.

There are several items referring to other townships but the one for Brighton Township is at the bottom, Number 11.

11. Brighton, which shall include and consist of all the lots from number one to number ten, both inclusive, in the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth concessions, and in the broken front of the present Township of Cramahe, and of the lots from number twenty-three to number thirty-five, both inclusive, in the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh concessions, and in the concessions A and B, and the broken front of the present township of Murray, and the peninsula of Presqu'isle.

This is the text that describes what parts of Cramahe and Murray Townships will be included in the new Brighton Township. Let's take a closer look at the details using segments of the County Atlas Map of Brighton Township. These maps show the lots and concessions along with the names of people who owned the lots in 1878 when the maps were published.

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Cramahe - South

The map below looks from east to west over Brighton Village with a clear view of the lots to the west of the village. We can see Concessions 1 and 2 as well as the Broken Front at the south end of Cramahe Township. The dark line at the bottom is the old border between Cramahe and Murray. It goes up Cedar, Prince Edward and Young Streets to Spring Valley. Lot numbers have been enhanced and placed along Main Street so we can see them better, starting from Lot 1 in the middle of Brighton Village to Lot 10 west of town. Remember that Cramahe Township was surveyed in 1796 with Lots counting from east to west, starting right there at the border with Murray and counting all the way up to Lot 35 west of Colborne. Lots 11 through 35 stayed with Cramahe but Lots 1 through 10 became the west half of Brighton Township.

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Murray - South

The map segment below is the south end of Murray Township. It shows Concessions A and B and the Broken Front (sometimes called Concession C but more often the Broken Front; we know it as Stoney Point). The view is from above Smithfield, looking west to Brighton Village. As in the first map, the dark line shows the old border between Cramahe and Murray Townships, going right through the middle of Brighton.

When Murray Township was surveyed in 1795, the surveyors wanted to continue Concession 1 into Murray Township from Sidney Township where it fit neatly along the shore of the Bay of Quinte. However, the shoreline goes south a good deal in Murray Township so they had to add Concessions A and B and C to accommodate. That was not much of a problem when Cramahe and Murray were separate townships, but when Brighton Township was created, the end result was that concession numbering was different on the west side and the east side of the township. Over the years this has caused no end of confusion for folks trying to identify places in Brighton Township. Also, the lots that came into Brighton Township from Murray are numbered 23 at Smithfield to 35 at Brighton. As we saw with Cramahe, Murray was also surveyed east to west with Lots 1 through 35.

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Middle of the Township

The same idea applies as we go farther north in Brighton Township. The map segment below shows the area around Hilton (the dark patches in the middle) and south of Orland. On the west side of the township it is Concessions 3 to 6 and on the east, Concessions 1 to 4. This mis-alignment of the concession numbers is due to Concessions A and B in the original Murray survey. The old border between Cramahe and Murray goes more-or-less straight north a bit to the east of Hilton. It is said that Florence Street, off Chatten Road, is part of the old Townline Road, so named because it was part of the original township line.

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North End of Township

At the north end of the township, the pattern continues. The two villages are located on the Cramahe side of the old border, Newcombs Mills (started in 1869, later named Orland) in Concession 7 and Codrington in Concession 8 and 9. As at Hilton, the old border can still be identified by bits of road. The Townline Road went just east of Orland and met the Old Wooler Road on the O'Halloran property just south and east of Codrington. In both cases, these old roads were used well into the 1900's as detours around the bridges in the villages. At the far north end, the current McCann Road can boast that is was originally part of the Townline Road.

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Presqu'Ile

Just after the part about Brighton Township the Act contains "Schedule E." which addresses several specific cases where "tracts" of land are being removed from one township and attached to another.

SCHEDULE E.

TRACTS DETACHED FROM TOWNSHIPS AND ATTACHED TO OTHERS.

4. The peninsula of Presqu'isle shall be detached from the present Township of Murray, and shall be annexed to and form part of the Township of Brighton.

5. The Gore of Murray, lying between the tenth concession of the Township of Murray and the Township of Seymour, shall be detached from Murray, and form part of the Township of Seymour.

Item Number 4 of Schedule E is important for Brighton Township because it removes the "peninsula of Presqu'isle" from Murray Township and annexes it to Brighton Township. This would seem to be simple common sense but it actually follows lengthy instructions provided in an earlier section of the Act which says that islands and bits of land around lakes and rivers should belong to the township as it extends out into the middle of the water.

Item Number 5 addresses "The Gore of Murray" which is at the north end of Murray Township, south of Percy Boom and the Trent River. With the changes in Murray Township, it made sense to attach this piece of land to Seymour Township.

Commencement of the Act

A small but very important item in the Act is Section XVIII, the last one before Schedule A.

XVIII. And be it enacted, That this Act shall have force and effect upon, from and after the first day of January next, and not before, excepting the sixteenth Section thereof, which shall have force and effect upon, from and after the passing of this Act.

The date the Act was passed is shown as August 2, 1851. According to Section XVIII the Act would come into effect on January 1, 1852. Technically, that is the first day in the life of Brighton Township, or, if we want to say it a different way, the day of birth for Brighton Township.

During our study of local history in Brighton Township we will come across references to the year 1850 or 1851 or 1852 as the beginning of the township. Now we can say for sure.

The First Day of Life for Brighton Township

January 1, 1852

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The Nature of Brighton Township at Birth

Population

The only way we can see exactly who lived in Brighton Township in 1851 is to look at the 1851 Census records. The 1851 Census form included columns for the names of each individual in the household along with their ages, place of birth, religion, marital status and occupation. Before this, the census records only recorded the name of the head of the household and the number of males or females under or over 16.

We are very lucky to have relatively complete records for the 1851 Census for Brighton Township. Many townships have only partial records and in some case none at all. Good records go back to the beginning of the 1800s as well. Census records begin in 1803 for both Murray and Cramahe Townships. They have survived many decades of fire and flood to bring the gift of the past to us. For those of us who do this kind of research and love original documents, these pages are much fun.

The 1851 Census shows that there were 1,910 males and 1,740 females in Brighton Township, totalling 3,650 persons. A problem arises because the 1851 Census does not have a complete Agricultural Census so we cannot locate all of the people accurately. What's more, the pages of the census, which have been microfilmed, were miss-ordered in the process. We must wander around the pages to find the parents that belong to the kids shown at the top of a certain page.

Another approach is to look at the 1850 Census records which only show the head of household but include the lot and concession where they lived and whether they were "Proprietors" or not. The 1850 Census was completed BEFORE Brighton Township was created so we have to find the records from the 1850 Census pages for Cramahe and Murray which co-respond to the land which was transferred to Brighton Township. That way, we can list the people who lived in the area that would soon become Brighton Township.

Using this approach we can see that in 1850 there were 1,272 people living in the Cramahe part and 1,632 in the Murray part, for a total of 2,904. That's an increase of 746 from the 1850 to the 1851 Census. It should be emphasise that the collection of the 1851 Census for Cramahe, Brighton and Murray happened in 1852, after Brighton Township was created.

We can also use the 1851 Census to compare the population of the three townships that were affected by the creation of Brighton Township. The numbers show that Murray was the largest of the three in population with Brighton not far behind. Keep in mind that these numbers include the villages. Brighton Village was said to have around 500 residents in 1852. Separate census reports for the villages would begin with the 1861 Census but for 1851 they were included in the township.

Township per 1851 Census	Males	Females	Total
Cramahe	1,531	1,415	2,946
Brighton	1,910	1,740	3,650
Murray	1,949	1,774	3,723

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Sample of 1851 Census Pages

Below is a sample of the 1851 Census for Brighton Township. This is page 1 of the form; page 2 contains many columns to record numbers of cattle, bushels of wheat and the like. Page 3 has a few large columns for recording industrial facilities or making notes.

	Names of Inmates.	Profession, Trade, or Occupation.	Place of Birth.	Religion.	Residence if out of limits.	Age next birth day.	Male.	Female.
	1	2	3	4	5	6	7	8
1	Mary Halliran		Ireland	R Catholic		16		1
2	Patrick M'Donough	Carpenter	Do	Do		24	1	
3	William Parasaw	Farmer	U.S.A	Do	X	40	1	
4	Bridget Parasaw		Ireland	Do	X	38		1
5	John Parasaw	Labourer	Canada	Do		16	1	
6	Joanna Parasaw		Do	Do		14		1
7	Hannah Parasaw		Do	Do		12		1
8	Henriette Parasaw		Do	Do		10		1
9	Miles Parasaw		Do	Do		8	1	
10	Cath Parasaw		Do	Do		6		1
11	William Parasaw		Do	Do		4	1	
12	Jerusha Parasaw		Do	Do		2		1
13	George King	Farmer	U S A	E Methodist	X	41	1	
14	Henrietta King		Canada	Do	X	41		1
15	William King	Labourer	Do	Do		19	1	
16	Isaac King	Do	Do	Do		16	1	
17	Louisa King		Do	Do		14		1
18	Chas King		Do	Do		12	1	
19	Amelia King		Do	Do		10		1
20	David King		Do	Do		7	1	
21	Harrison King		Do	Do		5	1	
22	Geo King		Do	Do		3	1	
23	Melissa King		Do	Do		1		1
24	Manson King		Do	Do		1	1	

The reader must indulge the author here. This is page 11 of 160 of the census and it contains some of his ancestors, George King and family who lived at Codrington, on the farm where the author grew up.

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Industry

When Brighton Township was created on January 1, 1852, the people of the township and others in the area along the north shore of Lake Ontario were entering into a period of growth and prosperity unprecedented in Canada until then. Changes in governance along with many other internal and external forces resulted in a major spurt of growth in the 1850's and a more or less continuous increase in growth until the 1890's.

The 1851 Census records show us how many industrial facilities were in the process of building or already in operation in Brighton Township at the time. The third page of the census form had a column for "Information as to Mills, Factories … their cost, power, produce … " and another column for how many people were employed in said facilities. Matching the facility shown with a person in the previous page is often difficult because the pages are so much out of order but with persistence and familiarity with the people and area, we can identify most and use educated guesses for the others.

Following is a list if industrial facilities listed in the 1851 Census for Brighton Township:

Type of Facility	Total Count
Saw Mill	19
Grist Mill	3
Tannery	3
Turning Lathe	2
Potash Factory	1
Fulling & Carding Mill	1

The source of power at this time was water power and folks around Brighton Township made good use of the various creeks in the area to run their saw mills and other equipment. Butler Creek supplied power for the mills in the Hilton and Brighton area, including the Davidson circular saw mill at Spring Valley and Butler's mills south of Brighton.

Cold Creek also provided good water power, especially in the area to the west of present-day Orland which is now the Goodrich-Loomis Conservation Area. There was a good amount of water in this creek and the banks surrounding it were hard and high in this location. Professional millers like Thomas Newcomb and John Slater know where to locate a mill to get the best power possible from the creek. In this small place, in those days called "The Slater Neighbourhood", there would be as many as six different mills operating during the 1840's, 1850's and into the 1860's.

The large number of saw mills in Brighton Township at this time illustrates the importance of this business in the lives of the people in the area. Brighton Village and Brighton Township had the distinct advantage of having a large supply of raw material close by as land owners scrambled to clear more acreage and make a profit by selling the trees to the saw mills. Much of the lumber was used for local consumption as building of homes and barns and businesses increased dramatically in this period. However, the primary objective for saw mill owners at this time was to sell their lumber across Lake Ontario in growing towns like Rochester and Niagara Falls.

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Transportation

One significant advantage Brighton Township enjoyed was the wonderful natural harbour at Presqu'ile Bay. The most common means of transportation in those days was by three-masted schooner on Lake Ontario. The roads were terrible and any long trips by people or transporting of any amount of trade goods had to go by boat. From the earliest times of settlement in this area, the harbour was the key element to bring people here and to generate business activity in the area. It was the linchpin of the local economy.

As early as the late 1790's, Presqu'ile Bay was used by ship captains as a safe haven and convenient drop-off point for settlers moving into the area. There was a lot of traffic between the Bay of Quinte and Presqu'ile Bay with many of the ships owned and operated by men from Sackett's Harbour on the US side at the east end of Lake Ontario. Men like George Gibson and Josiah Wellington settled and raised their families on the south shore of Presqu'ile Bay, in the village of Newcastle, which at one time was planned as the county seat for Northumberland County. The sinking of HMS Speedy ended that plan but the ship captains remained and lived there for many years.

On land, the Danforth Highway had been the main east-west road. The first version of a road from York (later Toronto) to Kingston was built around 1800 by Asa Danforth and went right through the place that would later become Brighton Village. This road went through many stages of falling into disrepair and reconstruction and was called by several names such as York Road or Dundas Road. For the growing community north of Presqu'Ile Bay, it was a critical artery for people and goods, especially the stages that went from Kingston to Cobourg and on to Toronto. Travel was slow and rough in those days, but it was possible.

To the north, the Old Percy Road had been the main transportation route from the north to the harbour and Brighton Village for many decades. This road came into use early in the 1800's because of a significant early settlement of people in the Norham area of Percy Township, probably for the purpose of pulling timber out of nearby Oak Hills. As time went by, larger wagons, heavier loads and increased traffic all taxed the limits of the old road. This was highlighted by extremely bad spots in the road such as The Three Brothers, a series of three steep hills just south of the Slater Neighbourhood where teamsters had to struggle to haul their lumber-laden wagons up the steep, muddy hills.

A further complication occurred on the night of April 21, 1852, when Little Lake, north-west of Hilton, burst through its gravel bank during a heavy period of rain and snow melt. It was a small lake, only about ten feet deep, but the water created a miniature tsunami which crashed down the valley to the east, leaving destruction in its wake. The deluge destroyed a saw mill to the east of today's No. 30 Highway and two men who were working there were drowned. The area took many years to recover and, in particular, the Percy Road, which ran along and over the gravel bank, was washed out and traffic had to be detoured for a long time. It was one more example of the fact that local folks needed a better road from Brighton Village into the upper concessions of the township.

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By the 1850's it was clear to the merchants, lumber dealers, farmers and mill owners of the area that improvements must be made to transportation facilities if they were to meet the demands of their customers and make good profits. Incorporation of the township was an important step that allowed the municipality to enter into contracts for the improvement of harbour facilities and the building of a new road. The first part of the new road went along the harbour, what we call Harbour Street today. But they were much more ambitious than that. By 1856, The Brighton and Seymour Gravel Road went all the way to Mallory's Corners, which we know today as the corner of the road to Warkworth and Norham on the west side and the Penitentiary on the east. Eventually it would go all the way to Campbellford and would later be called Number 30 Highway.

Reduced Duties on Lumber

The fact that Brighton Township had nineteen saw mills in 1851 may have been partly due to reduced duties on wood products in Britain. In 1842 Britain had begun a gradual reduction in traditionally high duties on colonial wood products. The old mercantile system which drove the mother country to control trade in the colonies was becoming obsolete and Canada would benefit significantly from the change. Before the reduction in duty, saw mill owners in Canada had to sell their product locally or to Britain at regulated prices. They could not sell profitably to markets in the U.S.A. due to the high duties.

As duties dropped on lumber during the 1840's a greater number of saw mills popped up all along the north shore of Lake Ontario, ready to take advantage of the new equation. Saw mill operators and investors in Brighton Township would benefit from the potent combination of much lower duties, better transportation and harbour facilities and growing demand for wood products in New York State. Over the years this trade would experience ebb and flow as too many producers and temporary recessions in the U.S.A. would reduce profits for a time but lumber was important for Brighton Township until the early 1900's when the supply of wood was nearly exhausted and other products took precedence.

The result of all these changes is clear in a quote from The Tobey Book, the primary source of Brighton History found at the Brighton Public Library. Under the heading "1853" and on page 242, we see:

"It is believed that 1853 was a banner year for the lumber business in Brighton. On one day in June no less than 22 teams of horses were drawing lumber to Nix's Warf and there were 300,000 feet of lumber and 1,500 cords of hardwood waiting to be shipped. It is recorded that up to June of that year twenty-three vessels loaded with lumber, shingles and ties by A. Martin left the harbour."

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Brighton Village

The Village of Brighton had been named in 1831 when a group of local citizens met at the Temperance Hotel at the corner of Main and Ontario. They selected Brighton from several proposed names and it is said that the suggestion came from Thomas Lockwood who was named the Post Master for the village. His family had come from Brighton, the popular seaside resort in southern England. It would appear that the citizens felt a certain confidence about their town which might be assisted by association with a well-known place in the old country.

During the first two decades of the 1800's, people had gravitated to two separate locations at either end of what would later become Brighton Village. The first settler was Obediah Simpson who settled on Concession 2, Lot 4 in 1796. That's the lot immediately west of the Percy Road (now Percy Street) and north of Main Street. Soon the area around Main and Ontario Streets, over to Percy Street, was a place where merchants and blacksmiths set up their homes and shops. Hotels would follow close behind and all were well situated to provide services to folks travelling along the east-west York Road and down the Percy Road from the north.

At least two mills were built near the mouth of Butler Creek as early as 1798 by Alexander Chisholm. His step-son, John Singleton, would inherit property on the east side of Prince Edward Street and the Singleton name would be connected to the development of a cluster of buildings that grew around the corner of Prince Edward and Main Streets, called Singleton's Corners. By 1831 it was clear that the two competing communities were destined to be one village, prompting the meeting at the Temperance Hotel.

When Brighton Township was created, Brighton Village was included in the township. We can see this in the 1851 Census which included the people we know were in Brighton Village, such as the Proctor's. Brighton Village was incorporated as a separate municipality on November 24th, 1858. The 1861 Census records for Brighton Township and Brighton Village are separate.

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Ward System for 1852 Election

The first order of business for the new Brighton Township was to hold an election under the new conditions. In order to do that, the township had to be divided into Wards. The Tobey Book includes a description of the Wards that were set up in 1852. The following text is found on page 226 at the beginning of Chapter IX – 1852. A map of the township with Wards marked out is provided on the next page.

"Brighton Township was formed in 1852 because of a law passed in 1850. For election purposes the township was divided into five wards. Ward one consisted of the broken front and Concession one of that part of the township which had been Cramahe, Concessions B and C and the broken front of that part of the township which was formerly Murray and the peninsula of Presqu'Ile. Ward two consisted of the second and third concessions of that part of the township which was formerly Cramahe, Concession A and No. 1 of that part of the township which had been Cramahe and Concession 4 in the part of the township which was formerly Murray and Gore. Ward No. 4 consisted of Concession 6 and 7 in the part of the township which was formerly Cramahe, Concessions 5 and 6 in that part of the township which formerly was Murray and Gore. Ward 5 consisted of Concession 7, 8, 9 and 10 in that part of the township which formerly was Murray and Gore. The polling places were: for Ward 1, the school house of the village; for Ward 2, the Town Hall of the village; for Ward 3 the school house at Hilton; for Ward 4 the cabinet shop in Richmonds Corners; and for Ward 5 Trumpour's School House."

Later, in the 1853 section, page 233:

"In 1853 E.H. Smith was the township reeve. A. Martin was the township clerk from 1853 to 1855."

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Brighton Township Ward Boundaries - 1851

WARD 5: Conc 8, 9 & 10 from Cramahe; Conc 7 & 8 from Murray
Polling Place: Trumpour's school house (Codrington)

WARD 4: Conc 6 & 7 from Cramahe; conc 5 & 6 from Murray
Polling Place: cabinet shop at Richmond's Corners

WARD 3: North of 4th Conc Line; Conc 4 & 5 from Cramahe & Con 2 & 3 from Murray; plus Conc 4 from Murray
Polling Place: Hilton school house

WARD 2: North of Main St.; South of 4th Conc Line
Polling Place: village Town Hall

WARD 1: South of Main St.; Broken Front & Presqu'ile
Polling Place: village school house
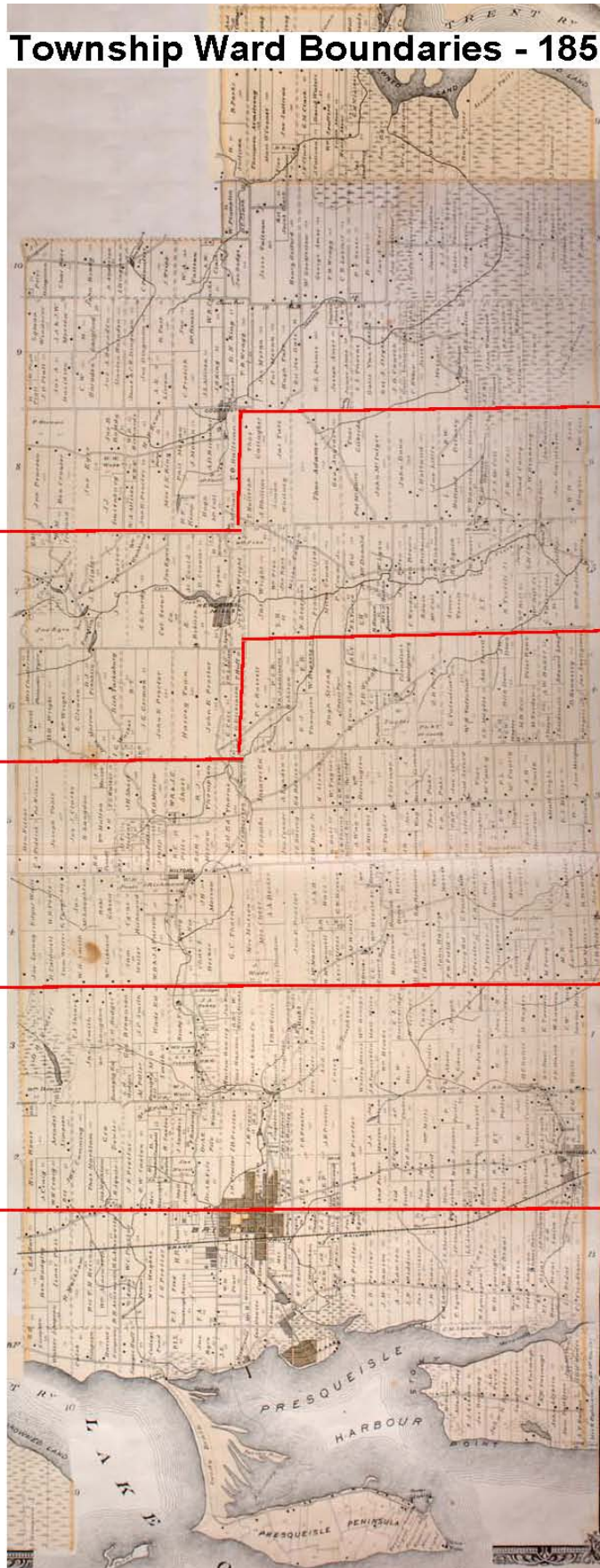
Dan Buchanan
Dec 2010

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Why Make a New Township?

There are documents in the archives that tell us how Brighton Township was created and what it looked like afterwards. However, research had not uncovered any documents directly addressing the issue of WHY it was created until 2016 when the author was browsing through the archives of the Cobourg Stat newspaper and found the following document:

For the Cobourg Star.

According to public notice, a Meeting of the inhabitants of Brighton and its vicinity, was held at S. Kellogg's Inn, on Wednesday evening, the 20th inst. Mr. S. Kellogg having been called to the Chair, and Mr. William Lyons appointed Secretary, the following resolutions were unanimously adopted

Resolved,—That from the local situation of the Village of Brighton, the inhabitants labor under great disadvantages;—being entirely destitute of the services of a Justice of the Peace—not one residing nearer than eight miles.

Resolved,—That Brighton being a growing place, and a port where vessels continually navigate, a great opportunity is given for transient persons to violate the land, which this meeting regret has too often been the case, leaving the inhabitants no means whereby the offenders might be punished.

Resolved,—That this meeting consider the morals of the inhabitants greatly corrupted; whereby a proper observance of the Sabbath is disregarded, for the want of sufficient authority to protect the same.

Resolved,—That this meeting deem it expedient to petition his Excellency for the appointment of two or more Magistrates of Brighton, and that a Petition be drafted and signatures procured to the same.

Resolved,—That we view with deep regret the many disadvantages the inhabitants of the west part of Murray and the east part of Cramahe have for some time labored under, in the extra expense and loss of time accrued in having to attend the Courts of Requests held at the River Trent and Colborne, the extremities of both townships.

Resolved,—That the Cobourg Reformer and Star be requested to publish the foregoing Resolutions.

S. KELLOG, Chairman,
W. LYONS, Secretary.

Brighton, 22d Jan. 1836.

This item is found in the Cobourg Star newspaper archives which are available in the Cobourg Public Library. The issue of the paper was dated January 27, 1836.

We see that there was a public meeting held at Simeon Kellogg's Inn (1 Main St., Brighton) and chaired by William Lyons who owned Lot 2, Concession 1 of Cramahe Township, south of Main street, from Centre to Ontario.

The first resolution complains about not having any Justice of the Peace for eight miles. The second one says that Brighton was a growing place with a port which is "a great opportunity for transient persons to violate the land" and the local citizens have no way to maintain their own security. The third mentions a primary concern of the time regarding the basic morals of the day, especially observance of the Sabbath. The fourth Resolution asks for two or more magistrates to be stationed in the town.

But then, in Resolution five we see the critical information. It refers to "the disadvantages the inhabitants of the west part of Murray and the east part of Cramahe" live under. They have to go all the way to River Trent (Trenton) or to Colborne for their municipal services. What a hassle! Depending on what side of Prince Edward Street you lived on, you would go to one of these two distant places to see a magistrate or pay a tax or fine.

In effect, the development of a new town in this location, right on the border between two townships, was unforeseen when the townships were surveyed in the 1790s but by the 1830s it presented significant problems for the people who lived there. They wanted something done about it.

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If the creation of Brighton Township was mentioned in the Legislature of Upper Canada we may not have a record of it, other than the final Act, because Hansard did not start recording debates until much later and the newspaper records that might contain political speeches of the time would not likely mention something so small in the context of the province. To find this kind of reference to the issue as early as 1836 in the Cobourg newspaper is quite a stroke of luck. We may find something else at some point but we may not, so this find is very important in our endeavour to understand our own history.

The Act that includes the section about Brighton Township says in its introduction "Whereas it is expedient to make certain alterations in the present Territorial Divisions of Upper Canada, for Judicial, Municipal and other purposes: … ". That's rather vague but we can see the link with the resolutions in 1836. "Judicial" refers to policing and the courts and "municipal" refers to local government. The "other purposes" may refer to issues related to economics, industry, agriculture and transportation.

When we think of the border in terms of judicial issues, we can speculate that residents of Brighton and the immediate area would want to have a Constable and Magistrate of their own and a Court House in their own town, close at hand. They would want to go to their local town to do things like apply for a tavern license or pay a fine or pass information to their Registrar. This would affect a lot of small issues in people's lives and as population and trade grew, so the inefficiency grew as well.

We have seen that the village of Brighton grew up gradually over several decades and eventually straddled the road intersections at Main and Prince Edward and around Main and Ontario Streets. This growth happened with no regard for the boundary between Murray and Cramahe Townships but after the population had increased to a certain level and business activity boomed in the area, the municipal boundary became an impediment.

When we look at the issue of transportation we can see obvious reasons to create Brighton Township. In the first place, there was the critical harbour facility in Presqu'ile Bay which was the center of trade in the first half of the 1800's when lake schooners were the main means of transportation. Before Brighton Township was created, there was a municipal boundary dividing the shore of the Bay which we can anticipate caused problems when the merchants and shippers were lobbying for government funding for improvements in the harbour or trying to get a better road built along the entire length of the harbour.

We also should think of the people who lived up in the concessions. The area from Hilton to Codrington was becoming well known as a very good wheat growing area and the farmers would have been anxious for a better way to move their wheat and other produce to the harbour and merchants of Brighton. We have already seen how many saw mills there were in the area and the volume of lumber that lined up at the wharfs at the harbour. The Old Percy Road was no longer up to the task and something needed to be done.

Municipal records for the new Brighton Township show that one of the first projects to be undertaken was the building of a road along the harbour to the Prince Edward Street. The Municipality contracted with The Presqu'ile Warf and Road Company to accomplish this and another company was

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contracted to build the Brighton and Seymour Gravel Road north out of Brighton. By 1856 it was through Codrington all the way to Mallory's Corners.

The new roads were completed within a few years of the creation of Brighton Township and we might expect that there was a good deal of lobbying and discussion about this in the community in the years leading up to it. Merchants in Brighton and men who managed the wharfs at Presqu'ile Bay would have been in agreement with the farmers and lumber men up in the concessions that a better road was badly needed. Now, with the proper municipal structures and tools in place, it could happen.
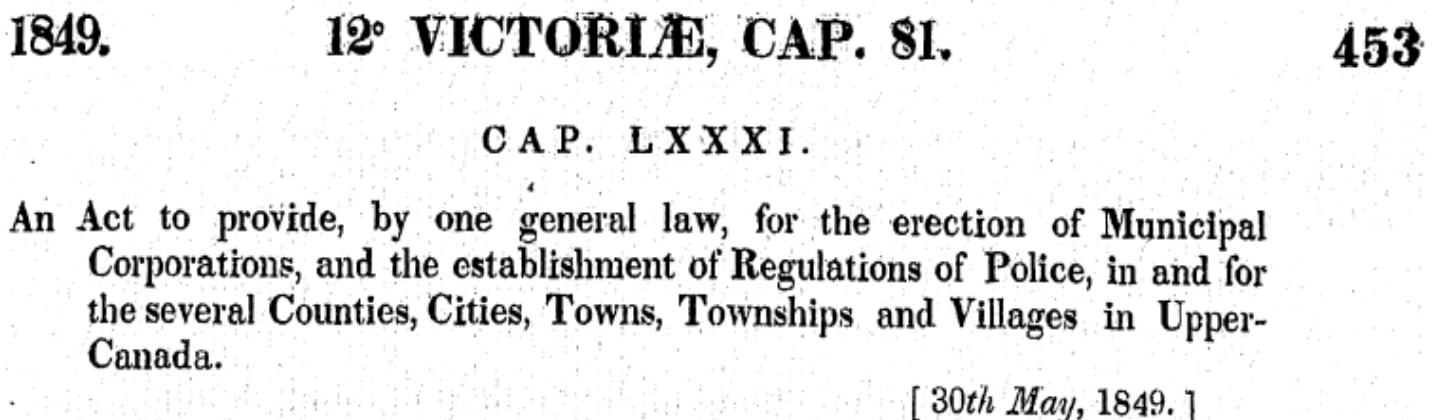
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The Municipal Corporations Act

We have seen that a specific Act was passed in the Parliament of Upper Canada on August 2, 1851 to make a lot of changes in the organization of counties and townships across the province. However, all these changes were small adjustments to the structures that had been put in place earlier. In fact, the foundation for these changes was created by another piece of legislation in 1849.

Some historians have called this event more important to the future of Canada than Confederation. That can be debated but we can be certain that the creation of Brighton Township along with many of the other changes would not have occurred or been so easy to do if the legislation of 1849 had not been passed. We need to look back at this to understand these events in the proper context.

On May 30, 1849, the Parliament of Upper Canada passed "*The Municipal Corporations Act*", also often called "The Baldwin Act" because Robert Baldwin was the main architect of the Act. Below is the top of the first page of the Act showing the introduction.

1849.   **12° VICTORIÆ, CAP. 81.**   **453**

CAP. LXXXI.

An Act to provide, by one general law, for the erection of Municipal Corporations, and the establishment of Regulations of Police, in and for the several Counties, Cities, Towns, Townships and Villages in Upper-Canada.

[*30th May*, 1849.]

The headings at the top of the page show that the Act was passed in 1849. The text "12 VICTORIE, CAP. 81" says that this Act is included in Chapter 81 and that the Parliament of Upper Canada was in session during the 12th year of the reign of Queen Victoria. In those days, that was a common way to identify the year of an event. Canada was a colony of the British Empire and Queen Victoria was in the early stages of her reign.

This Act was called *The Municipal Corporations Act* because, as the introduction says, it was designed " … for the erection of Municipal Corporations … " and it would affect all the various counties, townships, towns, cities and villages in Upper Canada. This step of incorporation was extremely important for all sorts of reasons. Municipal organization up to that point had been primitive and very limited. It was well understood that the existing system stifled development at a time when population had grown and people were clamouring for facilities and services that would allow them to operate their businesses and prosper in their lives.

The Act made each municipality into a corporation with all the characteristics of a corporation. It provided each municipality with the power to obtain credit in the name of the municipality and to

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finance large infrastructure projects which had high capital costs and long timeframes. There was a great pent up demand for new and improved roads, canals, harbours and public buildings such as court houses and jails. One important result of this in Brighton Township was the building of "The Brighton and Seymour Gravel Road" which would eventually become the Number 30 Highway of modern days.

The rules and regulations were also provided to divide townships into Wards and hold elections to form a Council which would then make decisions. A Reeve would be elected to represent the township in the County Council. Local officials would be elected rather than appointed by higher officials. This change was very important because it went a long way toward removing the traditional nepotism and favouritism that was common in municipal politics.

In the business side, many developments that had been delayed or denied under the old system could be accomplished because the municipality could now contract with private individuals and businesses to do certain jobs. Contracts were now on a firm footing because they were conducted on a business-to-business basis with all the legal and financial regulations in effect. It also meant that a municipality could sue and be sued and this caused a greater awareness of effective practices and policies that would provide better service and at the same time avoid risk.

Robert Baldwin and Responsible Government

The Municipal Corporations Act was largely the work of one man, Robert Baldwin. In fact, the Act is often called "The Baldwin Act". Robert Baldwin was a prominent lawyer in Toronto who had been the leader of the Reform Party of Upper Canada since the 1830's. He was a moderate reformer who rejected the extremes of William Lyon McKenzie which had led to the McKenzie Rebellion of 1837. On the other hand, he fought tenaciously to reduce the power of the Tory Party and their friends in The Family Compact.

As a member of a wealthy, landowning family in York, Robert Baldwin could very easily have become a member of The Family Compact. However, he was so outraged by the abuses of power and incompetence in the government that he used all of his powers to bring reform. His father, William Baldwin, had emigrated from Ireland in 1799 as a young man, bringing with him the experiences of suppression and violence that characterised life in Ireland at that time. He became a doctor and lawyer in "Muddy York" and obtained significant property in the town including the large estate he called "Spadina". What we know of as Spadina Avenue in Toronto was originally a wide, tree-lined lane leading from his house down to the lake shore. The father had passed his attitudes about government to his son and for many years the two men represented a potent force for reason and fairness in government in the growing community.

The Baldwin Act was an important part of the legislative agenda for Robert Baldwin's government in 1849 but it was by no means the only one. In fact, the 3rd Parliament of Upper Canada would prove to be one of the most productive in history. In the 3rd Session of the 3rd Parliament, which opened January 18th and closed May 30th, the ministry of Louis-Hyppolyte LaFontaine and Robert Baldwin passed a massive amount of legislation. Here are the highlights:

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1. Municipal Corporations Act: Provided for incorporation of counties, cities towns, villages, and townships with associated powers to hold elections, borrow money, make contracts and sue and be sued.
2. Public School Act: Architected largely by Egerton Ryerson and with Robert Baldwin's support, this act provided for a system of common public schools and made the provincial government much more involved in ensuring that children were educated properly. It included the creation of Catholic schools in Upper Canada, financial support for communities to provide public schools for themselves and recognition of qualifications of teachers and graduates.
3. University Act: Made higher education secular by taking away the exclusive right of the Anglican Church to control financing of public universities and colleges.
4. Reformed Elections Act: Removed much of the abuses during elections which routinely saw violence and bribery used to intimidate voters.
5. Navigations Act: Lobbied the British Government very hard to repeal the Navigation Acts which provided exclusive rights to British ships in British ports. After this, Canadian ports would be open to trade from anywhere in the world.

Each of these measures are important in their own right, however, taken as a whole they represent a sea change in the method of governing Upper Canada. Even then, all of these were not as important in the long run as the one over-riding change that was not represented directly in legislation. That was the agreement by the Governor-General of the time, Lord Elgin, and the Colonial Secretary in the British government, Lord Grey, that the government of Canada would operate based on principles of responsible government.

The fight for responsible government had churned in the Provinces of Upper and Lower Canada for several decades. The Tory Party and the Family Compact struggled hard to avoid giving away any of their privileges and revenues. The cause of responsible government was pressed forward by the Reform Party, led by Robert Baldwin in Upper Canada and Louis-Hyppolyte LaFontaine in Lower Canada. In the election of December 1848 the Reform Party had been swept into power for the first time with majorities in both Upper and Lower Canada. LaFontaine became the leader in a technical sense but he and Baldwin were, in practice, co-leaders throughout what has been termed "The Great Ministry.

The idea of "responsible government" may seem quaint or slightly old fashioned to us these days, living as we do in a country that has practiced it for 160 years. However, the issue is much in play in developing countries such as Afghanistan and Haiti. We take for granted that the folks we elect at our local ridings will, in fact, be involved in making decisions about how we are governed. More specifically, we expect that the will of our parliament will be supported and promoted by the highest power in the land, for the benefit of all the citizens. In the 1840's in Upper and Lower Canada, this was not the case.

In those days, there was an elected Legislative Assembly which included members from all the various counties of the land. However, they were largely powerless to accomplish anything. They had no say over how money was spent or what policies the government followed. In fact, they were there

as an exercise to make the people think they had some participation in government. The reality was much different.

What really happened was that the British Colonial Secretary appointed a Governor-General to come to Canada and make sure affairs were run for the benefit of those in power – namely the British government. The Governor-General would then appoint several selected individuals to a Legislative Council which was charged with carrying out his policies. Most of the members of the Legislative Council were either directly from England or reliable Tory members of the Family Compact. The whole idea was that the Governor-General was the authority in the land.

Unfortunately, during the actual grunt work of running the country, members of the Legislative Council would come into conflict with members that had been elected to the Legislative Assembly. The nature of these conflicts would be determined by the character and methods of the people involved. If the member of the Legislative Council was imperious and voiced his disdain for all democratic practices, as was common, the member of the Legislative Assembly would respond by denouncing the tyranny of the present government. Not much got done.

The problem here, as defined by Robert Baldwin, was that the Legislative Council was not responsible to the Legislative Assembly. What should happen is that elected members of the Legislative Assembly should make sure the next guys up the ladder, the Legislative Council, understood the needs and wants of the people and that those policies should be carried out. Members of the Legislative Council should make these wishes known to the Governor-General and he should take action on them, understanding that they flow up in a direct line from the people. He should be "responsible" for them.

Robert Baldwin was a lawyer. He saw things from a legal standpoint. His strongest argument for responsible government in Canada was based on the fact that Britain had already passed reform measures in the 1830's which provided the basics of responsible government in Britain. Why was it then, that British citizens who happened to live in Canada were not eligible to enjoy the same rights? It was an argument that could be taken to the courts and into the Legislature and he intended to do it.

All of these ideas were toxic to the Governor-General and his councillors and to most members of the British governing class. They firmly believed that the elected members of the Legislative Assembly were an uncivilised rabble which needed controlling. The only authority they were responsible to was the Parliament of Britain and the Queen. Any suggestion to the contrary was considered treasonous.

 On the other hand, the attitudes of many people around Upper and Lower Canada developed toward reform as a way to help solve some of the serious problems they faced. Baldwin and LaFontaine, each in their own areas, struggled to gain support and in election after election there were wild swings resulting in support or vilification. Most often, influence was used by the Governor-General who had all the strings to pull at the end of his fingers. Considering the difference in financial resources, it was not a fair fight.

An important step forward for reform occurred in 1841 when Baldwin was able to have a measure passed which contained wording that seemed to concede that the Governor-General and his Council

should be responsible to the Legislative Assembly. Of course, each side interpreted the words to mean what they wanted. The Reform Party faithful were sure that it meant capitulation by the Governor-General and that they could look forward to elected representatives having more say in issues such as appointing certain people to important positions. In hind sight, that appears to be very naïve.

The Governor-General of the time, Lord Sydenham , was satisfied that minor amendments he proposed had taken the teeth out of the resolutions and he had nothing to worry about. In any case, he and succeeding Governor-Generals undertook with great skill to twist and obfuscate the issues. Mostly they just ignored it in practice and nothing changed as far as they were concerned.

A few lines from Lord Stanley, the Colonial Secretary in 1842, to his newly appointed Governor-General of Canada, Sir Charles Bagot, demonstrates the approach.

" … He was further advised to use his influence "to withdraw the legislature and the population generally from the discussion of abstract and theoretical questions, .." "

In other words, don't worry your pretty little heads about that, we know what's right.

A period of stand-off persisted during the 1840's, characterized by the untimely deaths of several Governor-Generals which always resulted in new personalities entering the scene. What did not change was the persistent campaign to keep a lid on reform. This all came to a head with the election of 1848 when the Reform Party stunned the Governor-General and the Tory Party with a massive victory at the polls. The people had spoken – loud and clear.

Luckily, Lord Elgin was a conciliatory sort of fellow and his Colonial Secretary was more interest in keeping peace in the colony than sticking with tradition. In effect, the two men who held the positions which had governed Canada until 1849 agreed to have responsible government implemented in the Canada's. In the eyes of many, it was an amazing capitulation. The rhetoric from the Family Compact was vicious and not at all accepting of defeat. Men like Bishop John Strachan and Peter McNabb decried the temporary success of the forces of evil and vowed in no uncertain terms that they would reverse this travesty.

When Lord Elgin called LaFontaine and Baldwin to form a government in February 1848, he knew very well the significance of the step. He knew that the two Reform Party leaders would not come into government without the understanding that they would implement in real ways the principle of responsible government which had, they believed, been agreed to in 1841. It was finally agreed by all involved that there would be real and effective responsible government in Upper and Lower Canada. It has been said that this was the moment when Canada became a democracy.

However, for LaFontaine and Baldwin it was the tip-off of a massive amount of legislative work as well as worry and danger. During the rest of 1848 and into the middle of 1849, the two men wrote and re-wrote legislation and guided the various Acts on the path to passage in the Legislature. Oh, yes, and there was the slight matter of a riot in Montreal and the burning of the Parliament buildings.

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Out of all the bills passed by Parliament in 1849 the one that caused the most immediate trouble was The Rebellion Losses Bill. To the Reformers, this was a simple matter of fairness to Lower Canada because the same bill had been passed for Upper Canada a decade before. However, for the Tory supporters in Quebec, this was treason, plain and simple. It was justification for violence.

In Ontario we call the Rebellion of 1837 "The Mackenzie Rebellion" and we read about how puny it was and how quickly it was suppressed. In Lower Canada, however, it was a much larger rebellion, with a lot more violence and destruction of property. In his Durham Report, Lord Durham said that anyone who sustained losses of property during the Rebellion should be compensated by the government. It was clearly stipulated that anyone who had been convicted after the rebellion would not be eligible but that was a small group so the measure was a welcome gesture of tolerance and understanding from the government.

In Quebec, however, the English minority saw any measure that would give any money to any French Canadian as treason. It was an example of the government of the land being disloyal to Britain. It did not matter that, according to the law, folks who may have participated in the Rebellion but were not convicted of crimes related to it were not considered rebels. If they were French and Catholic, they were seen as rebels and that was that. Such was the logic of the rioters.

LaFontaine and Baldwin held firm and insisted that no violence be perpetrated by the government. They watched as the parliament building was gutted by fire and a few days later they waited as the Governor-General and his brother were pelted with eggs and stones as their carriage made its way to the temporary parliament building. The Governor-General came to listen to an address from Parliament that praised the Governor-General and the British Parliament for supporting the reform legislation. It was, in effect, a formal confirmation that responsible government was now completely accepted as the basis for governing Canada. Notwithstanding the violence that accompanied it, the address was given and accepted and Canada moved forward.