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THE FIRST TAY CANAL  
IN THE RIDEAU CORRIDOR

1830 – 1850

by

LARRY TURNER

(1984)

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# THE FIRST TAY CANAL IN THE RIDEAU CORRIDOR

1830 – 1850

Parks Canada Manuscript Report 142

by Larry Turner

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The goals of Friends of the Rideau are to:

- Enhance and preserve the natural and cultural heritage of the Rideau Canal.
- Increase public awareness and enjoyment of the Rideau Canal.
- Develop strong public support for the long-term well being of the Rideau Canal.
- Promote co-operative Rideau Canal information distribution.

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## CREDITS

The concept to digitize several of the important Rideau Manuscript Reports was conceived in 2007 by Ken W. Watson, local Rideau author and historian and Chair of Friends of the Rideau’s Publication Committee, as a method to make these valuable research documents more accessible to the general public.

Mary Ann Stienberg of the Rideau Canal Office of Parks Canada was instrumental in obtaining Parks Canada permission for Friends of the Rideau to make this digital document available to the general public. Thanks to Ellen Manchee of Parks Canada for making the original copy of this report available to Ken Watson for high quality image scanning.

The extensive work of digital document scanning, OCRing, proofing, and formatting was done by **Bob Sears** of the Canadian Canal Society on behalf of Friends of the Rideau. Thanks Bob!

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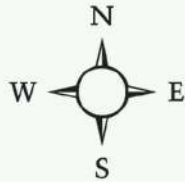
## MANUSCRIPT REPORT SERIES

Shortly after Parks Canada took over the administration of the Rideau Canal in 1972 (previously under the jurisdiction of the Department of Transport) they tasked several of their high quality researchers and historians with detailing various historical/heritage aspects of the Rideau Canal. This resulted in a series of research reports on the Rideau Canal, produced from the mid-1970s through to the mid-1980s.

Intended mostly for internal use, these reports were produced in limited numbers with only a few receiving broader distribution through the History and Archaeology series of books published by the Ministry of Environment (National Historic Parks and Sites Branch of Parks Canada).

A few copies of the manuscript reports were also distributed to “various public repositories in Canada for use by interested individuals” – and used to be found in the local Rideau region libraries (Smiths Falls & Elgin) of Parks Canada. Those libraries were shut down by Parks Canada in 2012, making access to this valuable research material much more difficult for local researchers.



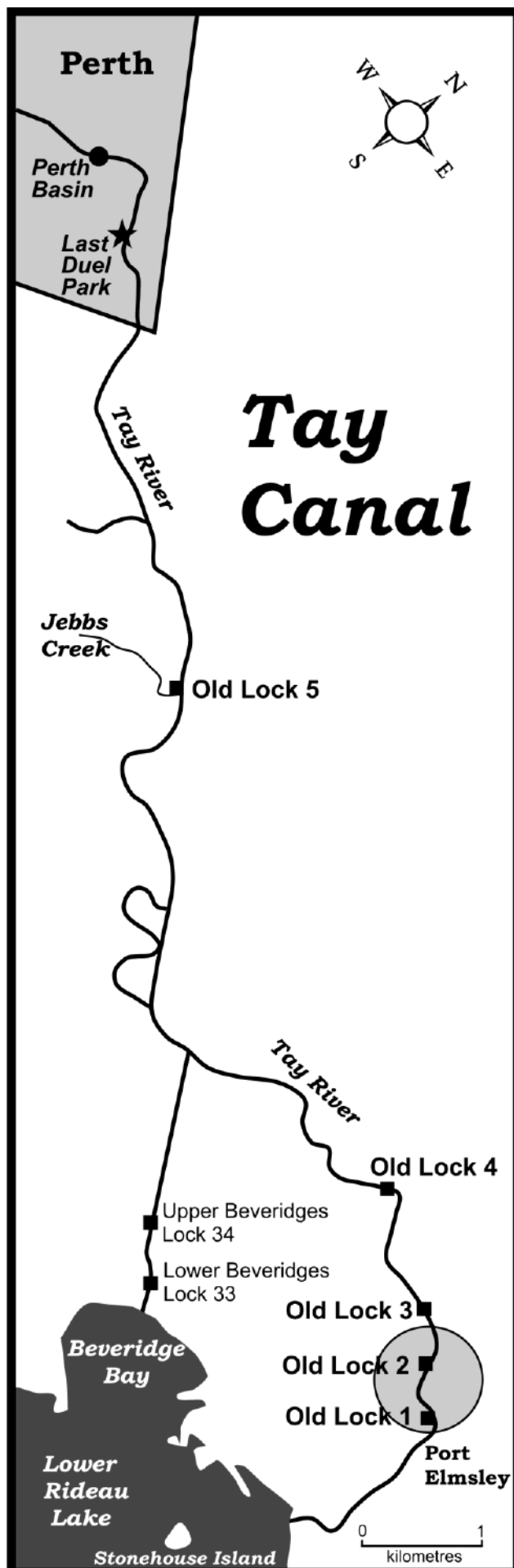


# Rideau Canal

National Historic Site of Canada  
UNESCO World Heritage Site  
Ontario, Canada

- = Town
- = Lockstation
- = Rideau Canal
- = Other Water
- = Rideau Heritage Route





Simplified Map of the Tay Canal  
showing the First Tay Canal  
(Old Locks 1 to 5 - approximate  
locations) and the Second Tay  
Canal (Upper and Lower  
Beveridges Locks)

Map by: Ken W. Watson, 2009

Manuscript Report Series is printed in a limited number of copies and is intended for internal use by the Department of Indian and Northern Affairs. Copies of each issue are distributed to various public repositories in Canada for use by interested individuals.

Many of these reports will be published in *Canadian Historic Sites/Lieux historiques canadiens* and may be altered during the publishing process by editing or by further research.

La Série intitulée Travail inédit est imprimée à tirage limité pour les besoins du ministère des Affaires indiennes et du Nord canadien. Des exemplaires de chaque rapport sont distribués à des archives publiques au Canada, où les intéressés peuvent les consulter.

Bon nombre de ces rapports paraîtront dans la revue intitulée *Canadian Historic Sites/Lieux historiques canadiens*, et pourront être remaniés ou mis à jour.

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Larry Turner  
November, 1984

## Introduction

The first Tay Canal was constructed by the Tay Navigation Company between 1831 and 1834. Five small scale and cheaply constructed locks were erected on the Tay River between Perth and Port Elmsley before the river opened into Lower Rideau Lake. Circumstances surrounding the planning, financing, building and use of the Tay Canal can provide a window on development and change within the Rideau Corridor between 1830 and 1850. As a commercial enterprise we may observe the role played by participating elites in the promotion and financing of the canal as well as local reaction to the management and development of the joint stock company formed to build the works. Patterns of social and political divisions as well as local competition within an expanding economic frontier can be observed from the Tay project.

The building of the first Tay Canal also emphasized the extensive nature of the mercantile hinterland of Montreal. As a branch channel of the imposing Rideau waterway, the Tay Canal was utilized at the micro level the way the entire Montreal hinterland was orientated at the macro level. The Tay was a remarkably cheap and limited waterway but it helped consolidate commercial trade within the area. However, the limited resources of the Tay watershed and a receding frontier left Perth Landing a town and country trade neither conducive to expansion nor sufficient to sustain a declining branch canal. The fortunes of the Tay Canal rose and fell with the fortunes of Perth. This

study was a concentrated effort to compile information on the Tay Canal and Tay Navigation Company as well as to determine its role within the local as well as the wider framework of commercial pursuits in the period between 1830 and 1850.

The purpose of this study has been to uncover information on a largely forgotten commercial venture of the past. The data and analysis should aid in providing the essential framework for developing interpretive presentations and displays along the site of the present Tay Canal. No previous study had ever been attempted of the first Tay Canal except for an article written by H. R. Morgan in the Ontario Historical Society Papers and Records for the year 1933 and titled "The First Tay Canal: An Abortive Upper Canadian Transportation Enterprise of a Century Ago". Morgan provided an important outline of the Tay Canal story and unfortunately many of the sources he used were in private hands, and can no longer be located. He also made no attempt to identify his other sources of information. A careful and extensive search in archival collections and contemporary newspapers not only identified some of Morgan's sources but opened a number of avenues for further research. In particular, various collections of papers left by the Bell family of Perth were crucial to this study. With no deposit of papers relating to the Tay Canal in existence, research was wide-ranging and the author was grateful for many important contacts who provided information. The study was completed in five months.

Chapter one opens with a discussion on the Tay River and the

development of the town of Perth previous to canalization while chapter two investigates the strong influence of canal anticipation in making the project viable. Chapter three is a study of the formation and financing of the Tay Navigation Company while chapter four delves into the ways and means of constructing the Tay Canal. The following chapters are specific studies relating to events surrounding the building of or use of the canal. Chapter five investigates the political controversy around the development of the Tay Basin on Cockburn Island. At the opposite end of the canal, the need for transshipment led to the creation of Perth Landing and other competitive facilities. This is dealt with in chapter six as well as a discussion of the types of goods and how they were shipped. Chapter seven delves into the nature of the forwarding trade between Montreal and Perth with a specific study of the firm of W. & J. Bell and their use of the canal for trade and commerce. Chapter eight is an analysis of the role of the steamboat Enterprise as representative of entrepreneurial spirit and failure in Perth. Finally the concluding chapter nine outlines the decline of the Tay Canal and its ultimate disappearance into the landscape.

## **Perth and the Tay**

The Tay River is a minor stream in the vast riverine complex once described by historian Donald Creighton as the empire of the St. Lawrence.<sup>1</sup> Many great rivers flow into the Ottawa Valley and thence seaward via the St. Lawrence River but only one of those rivers was ever made navigable. When the Rideau Canal was opened between Kingston and Ottawa in 1832 the Rideau River watershed became subject to extraordinary influences as a commercial and military passage between Montreal and the Great Lakes. As the second largest tributary of the Rideau River, the Tay River would evolve as an adjunct to the Rideau Canal.

The minor Tay tributary drains an area approximately 176 square miles in Frontenac and Lanark Counties within the 1,581 square mile Rideau River watershed. From its source in the Precambrian bedrock of the Frontenac Axis of the Canadian Shield the Tay River flows from Lake Carnahan in Olden Township, south and easterly via Hinchinbrook, Bedford and Oso Townships in Frontenac County, and South Sherbrooke, Bathurst, a corner of Drummond and North Elmsley Townships in Lanark County. The Tay traverses Precambrian bedrock until it begins to form a boundary with Palaeozoic limestone plain bedrock near its mouth on Lower Rideau Lake. The Tay falls about 300 feet over a distance of almost sixty miles from its source to the confluence of Grant Creek near Perth and then another thirty-four feet for nearly ten miles to its mouth. The Tay widens at Long, Bob's and Christie Lakes but with the exception of the potentially fertile Perth

clay plain, the river flowed from a forested, rock bound, marginal landscape into a bordering region characterized by poorly drained shallow soil overlying a limestone foundation.<sup>2</sup>

The Tay Valley offered little agricultural potential and the swamp below Perth hindered communications but the river offered some good mill sites. In spite of frequent rapids of a shallow nature and impeding wetlands, the Tay River had been used as a conduit for travel and communications long before white settlement. Archaeologist Gordon D. Watson has written about the importance of the lake at the mouth of the Tay:

There is evidence that the Rideau Waterway has been a corridor of water travel for at least 8000 years and that the Lower Rideau Lake was a significant crossroads for prehistoric travellers over much of the period since the end of the last glacial age.<sup>3</sup>

Widespread Algonkian and, to a lesser extent, Iroquoian use of the Rideau system is well documented in the historic era. After the Rideau military settlement had been established, in 1816, native people continued to live at the headwaters of the Tay. A descendant of Joshua Adams who built mills on the Tay described Indians going down to the Lake of Two Mountains near Montreal and then returning after selling their furs and receiving new supplies:

In the fall they returned to their various hunting grounds. They passed our place with seven or eight canoes one fall, loaded with their families and goods, a Union Jack at the bow and stern of each canoe...<sup>4</sup>

When the Reverend William Bell arrived in the Perth settlement in 1817 he provided the description:

two families of Indians, in three canoes, came down the

river, and pitched their tent upon the island, in the middle of the village...Their canoes were all of birch bark, about 18 feet long, and three feet wide, at the middle. They had, in each canoe, a capital fowling piece, and several spring traps for taking game, and all the men were armed with the tomahawk. They had all black hair, brown complexions and active well formed bodies. All of them, even the children, had silver ornaments in their ears.<sup>5</sup>

From its very inception, the Tay River would serve the Rideau military settlement as a line of communication. The first band of settlers destined for the military depot at Perth were conveyed on the River Tay in the last leg of their journey from Brockville and Portland on the Rideau. David Kilburn, later a member of the Legislative Assembly of Upper Canada for Leeds County, described the migration in 1816:

Thence in a large scow [from Portland] they were taken down the Rideau Lake below Oliver's Ferry to a deep bay above the mouth of the River Tay; then down on ox-sleds through the woods about a mile and a half to the Tay above (now) Pike Falls; then in another scow up the River Tay to the Depot -the present town of Perth.<sup>6</sup>

The British military settlement at Perth was established in 1816 as part of an overall government strategy for the defence of Upper Canada. Following the termination of the War of 1812, the British War Office sought a safe and secure supply route to Upper Canada from Montreal that would avoid the St. Lawrence border region with the United States. A strategy involving the fortification of Kingston, the establishment of military settlements on the Rideau corridor and a canal linking Kingston and the Ottawa River was considered necessary for the Province's security. While plans for the Rideau Canal would be delayed for financial reasons, the first military settlement was located on

either side of Cockburn Island in the Pike (Tay) River. The British authorities believed that the military settlement would provide a pool of soldiers and veterans capable of defending the proposed canal supply route, and that with immigration and economic development the corridor would become self-sustaining. As a result, a strengthened supply route and developed interior would add immeasurably to a vulnerable line of defence. Settlement also preceded canal plans because of the pressing necessity to place numerous discharged regular officers, soldiers and militiamen on these lands in the post-war period.<sup>7</sup>

The government encouraged disbanded soldiers and half-pay officers to take up free land grants made according to rank from 100 to 800 acres in size. Many veterans from the 100th Regiment of Foot, Glengarry Light Infantry Regiment of Fencibles, the Canadian Fencibles, and the De Watterville Regiment took advantage of the offer although a good many did not take up permanent settlement.<sup>8</sup> The military settlement was supplemented with several hundred Scottish settlers as part of an assisted emigration scheme. In 1815 the British government had issued a proclamation in England which offered free passage for emigrants and free provisions en route and in the new Canadian settlement until the settler was self-supporting.<sup>9</sup> The Rideau military settlement began to take shape such that when the river's name was changed from Pike to Tay and the new village called Perth was created in 1816, it could boast a population in the vicinity totalling 840 men, 207 women and 458 children by October. By



1817, there were about 1,000 soldiers in the area and immigration from Ireland was beginning to increase.<sup>10</sup>

The government depot at Perth dispensed rations during the early years of settlement but the military superintendence was removed by Christmas of 1822. In its place, the village of Perth became the County seat for the newly created District of Bathurst. By 1823 the Reverend William Bell could report a community with courts, a jail, four churches, seven merchants stores, five taverns and between fifty and one hundred houses.<sup>11</sup> The location of Perth as an administrative centre helped create an interesting mix of inhabitants. There were half-pay officers from the old military settlement with a steady income, merchants attracted to the growing community to service the frontier trade and magistrates and lawyers serving the District courts and offices. Although isolated from the St. Lawrence and Lake Ontario strand, the community had developed a local elite from military, commercial, administrative and legal circles. With the developing economic climate, Perth's nucleus of local elites were capable of providing the leadership and capital as commercial and transportation ventures unfolded with the coming of the Rideau Canal and its construction between 1826 and 1832.

The isolation of Perth before the building of the Rideau Canal was made more severe by the conditions of local roads, especially the artery south to Brockville. The Reverend William Bell reported in 1823 that considerable expense of public money, "besides the statute labour of a great number of men and oxen,

have been expended on these roads and yet a great deal more must be done before they are good."<sup>12</sup> Before canalization these roads were the major routes of communication and trade, especially in winter when the sleighing permitted the transport of heavy goods. In an anonymous letter to a Montreal newspaper, a traveller wrote in February of 1827:

Nothing that I have seen since I came to America, surprised me so much as the quantity of traffic I witnessed on the road between Brockville and Perth. I am pretty sure that I do not overstate the matter when I say between these places we [saw] from 150 to 200 loaded sleighs. These were in general [driven] by a yoke of oxen each; some [ ] four oxen to one sleigh: and a small number were [driven] by a pair of horses each;...These sleighs were loaded generally with oak staves and grain; a few had barrels of potashes, for which articles a market is always to be found at Brockville and I am rather inclined to think, however, that the carriages at the time we passed was greater than usual as the sleighs we overtook bore no proportion to those we met: neither did we on our way home see so many as we did on going.<sup>13</sup>

Despite the limits on road transportation, the increase in immigration, a burgeoning lumber trade and the developing agricultural sector induced a steady rate of growth in Perth. The construction of the Rideau Canal also encouraged local commerce and trade as villages supplied the massive undertaking. On the 13 January 1828 the Reverend Bell could report his twin sons John and William Jr. opening their new store in Perth with the arrival of thirteen loaded trains sled in from Montreal.<sup>14</sup>

Throughout the early development of Perth, the Tay River was utilized in its natural state. Difficult up-river and down-river conditions had long been experienced on Canadian rivers by fur

brigades, military units, Indian hunters and trappers, mercantile forwarders and ardent settlers. The unbridled Tay offered many obstacles including flood waters in spring, low water in fall as well as shallow rapids, sluggish swamps and dead-beads. Nevertheless some Perth travellers, merchants and builders were determined to run the river with craft as large as the flat bottomed batteau which could be rowed, poled or towed around difficult passages.

If people needed to navigate the Tay some means would be found to make it possible. As original contractors at the Poonamalie Lockstation during the construction of the Rideau Canal, the firm of Ferguson and Wylie had used the Tay to transport building material to the construction site. As an employee of the contractors, Samuel Sneddon swore in an affidavit that during the spring of 1828,

he had been engaged in transporting a large quantity of provisions from Perth to the first rapids of the Rideau and that he had made at least twelve trips with a heavily-loaded boat without the least difficulty, either in descending or ascending the Tay. In ascending, the boat was towed by a rope as was customary at the rapids of the St. Lawrence and in descending no part of the cargo was ever unloaded. Mr. Sneddon further swore that the Tay was perfectly navigable during the months of April, May and June, unless the water should be lower than he had ever seen it, and that the boat frequently left the rapids of the Rideau, went up to Perth, a distance of fifteen miles, was loaded, and returned the same day.<sup>15</sup>

There was considerable debate over the ability to navigate the Tay in its raw form. While lumbermen could drive the river in the tumultuous spring freshet, the unpredictable nature of the Tay made it a risky venture for many.

A healthy boom atmosphere in immigration, commerce, agriculture and resource extraction combined with a landed elite drawing funds from trade, office holding and the military helped foster a local interest in public improvement. The construction of the Rideau Canal raised expectations in an era of canal building, and hope was raised that Perth could participate more fully in the east-west trade between Lake Ontario and Montreal. Citizens began to visualize a canal on the Tay River as a means to gain access to the Rideau, to free the public from the tortuous roads and to create a window of opportunity in a community very cognizant of its isolated location. With the evolution of Perth as a vibrant frontier town, the natural state of the Tay River became the object of criticism, scrutiny and speculation.

### Canal Anticipation

Implicit in the establishment of the Rideau military settlement was the potential for a strategic canal to be built beyond the vulnerable St. Lawrence frontier to link Montreal and Kingston. It was supposed that military settlement as well as ongoing immigration would help establish a loyal population willing to defend and to utilize a canal on the Rideau system. Indeed the anticipation of such a canal was an attractive suggestion in early promotional tracts for emigration to Perth and Lanark. These early attitudes concerning canals, communications, commerce and defence helped foster a level of expectation that may have made the visions of a Rideau and Tay Canal a certainty in the minds of the early settlers. These expectations may have made the building of the Tay Canal more compelling as a private enterprise when all hope failed that the government would build it themselves.

The anticipation of canal construction was most evident in A Narrative of the Rise and Progress of Emigration from the Counties of Lanark and Renfrew to the New Settlements of Upper Canada, published by Robert Lamond in 1821. Lamond included two letters written by John McDonald in 1820 and 1821 which emphasized a desire for a canal to extend to Lanark as "the lands will be of great value" and the "new settlements...were to be the best in the province, on account of the inland communication by a canal...as it is intended to supply Britain and the West Indies, with all the supplies produced in Canada, in case of a war with

the States."<sup>16</sup>

The Reverend William Bell of Perth published in 1822 his book entitled Hints to Emigrants whereby he stressed the commercial application of the future canal.

this under taking will greatly improve the country, employ a great number of hands and afford a ready means of conveying the farmers' produce to market. At present rafts of timber and stores are sent down our rivers to Montreal, but the numerous rapids in the way occasion both difficulty and loss of property.<sup>17</sup>

In avoiding the prospect of having produce or stores exposed to the frontier of the United States, Bell suggested that the canal path would be expected to pass through some part of the Perth settlement. However, post-war financial retrenchment in England delayed any movement toward the planning and construction of the Rideau Canal before 1826.<sup>18</sup>

The first and largest general merchant in Perth would not let the notion of a future canal die. William Morris presided over a public meeting held in Perth 20 August 1824 which passed a resolution stating that:

a water communication to Montreal by the rivers Tay and Rideau into the Ottawa and the establishment of a line of boats thereon of sufficient burthen to transport the products of this settlement to market would be of vast public advantage and would save to the inhabitants large sums of money annually expended in transporting goods to and from Brockville.<sup>19</sup>

A vigorous promoter of the canal project, Morris was honoured by the Perth elite in January of 1826 for exerting himself in favour of the construction of the Rideau Canal. Although only the Rideau Canal was being projected, an Act of the

Legislature of Upper Canada dated 17 February 1827 not only gave Colonel By the powers to undertake the works on the Rideau but if his Majesty desired, also to improve the navigation of the Rivers Tay and Goodwood (Jock).<sup>20</sup> Well into the enormous activity and excitement of the building of the Rideau Canal, citizens of Perth could still reasonably expect that the government would link their community to the canal system as had been expected since the beginning of settlement. Indeed, the building of the Rideau Canal ignited a sense of canal fever heightened by the potential of navigable communication and confirming the future progress of the backwoods settlement. Petitions from the Richmond military settlement of the Jock River, an even larger tributary of the Rideau than the Tay, expressed in 1828 and 1829 a need for a feeder canal to the Rideau as it would be "of the greatest indeed of vital importance to this portion of the country."<sup>21</sup>

Even in 1829, with fading hopes of government initiative to build a Tay Canal and before the organization of the Tay Navigation Company, residents of Perth protected the integrity of their riverine lifeline to the Rideau Canal. The gauntlet was thrown down by the Weatherhead family of Barbadoes (later to be known as Port Elmsley) at the base of Fishing Falls when they undertook the construction of a mill dam in the rapids in 1829.<sup>22</sup> Foreseeing a situation of unprecedented interference with trade and communication from Perth, the older and larger community reacted with outrage at the prospect of downstream blockage. Indeed the fight over Weatherhead's dam did more than reveal the

level of expectation of future canal linkage; it very likely galvanized the Perth elite into opting for private canal construction on the Tay River to ensure competitive access to the Rideau Canal.

Following the commencement of Weatherhead's dam, William Morris complained directly to Colonel By that navigation to the Rideau would be obstructed. Morris emphasized that his Majesty's Government "would not suffer any individual to cut off the only communication which the inhabitants of the Rideau Military settlement have with the markets of Lower Canada."<sup>23</sup>

Colonel By was obliged to concur with Morris' accusation that Mr. Weatherhead was acting not only illegally but contrary to the wishes of government.<sup>24</sup> However, no canal plans had been made and Weatherhead was able to argue with some support, that his dam actually aided navigation on the river in its original state. Weatherhead maintained that the river in its natural form could not be called navigable because there was no instance when any craft was able to ascend or descend without a major portage at Fishing Falls. In the spring the very strong rapids made it improbable "to propel the lightest craft even a Bark Canoe in any way against the stream." Weatherhead said his dam prevented a long portage around the rapids in low water because the land was sufficiently flooded above to make the portage only a short route around the actual dam.<sup>25</sup> Magistrate George Rankin, who claimed he was induced along with other members of the Grand Jury of the District of Bathurst to sign a petition for the removal of the



Weatherhead dam, later found from his own personal experience and from others who had known the River Tay for years that, "far from being an impediment it is of decided benefit in as much as one short portage is less interruption to the navigation than several large ones."<sup>26</sup>

The Weatherhead challenge for the control over the Tay River struck a discordant note with the Perth elite who feared more than the obstruction of the Tay River, but a blockage in potential canal development. At a meeting of a Grand Jury dominated by Magistrates who were promoters of the Tay Canal, a petition was signed in August of 1830 insisting that the Weatherhead dam if allowed to remain would represent manifest injury to trade on the river and thwart the advantages of the new Rideau Canal to the old military settlement at Perth. The Magistrates were worried about problems of compensation for Weatherhead if a lock and dam were built a mile below the mill, thereby causing the water to rise against the wheel ("and induce him to seek damages").<sup>27</sup> The petition claimed that:

while the dam in question is allowed to remain no work can be constructed for the improvement of the navigation as it presents an obstacle which will always subject the owners of Boats to the great inconvenience and expense of unloading the loading barges at this place, besides the charge for Carrying the Boat, etc. across the portage.<sup>28</sup>

The fact that some of the sixteen Magistrates who signed the petition were prodded and induced suggests that William Morris' considerable lobby had begun the movement toward a privately financed canal. In this way Morris may have been worried about

Weatherhead as a potential competitor in such an enterprise and the control over navigation of the river in which they shared an interest. As a member of the Legislature, Morris did not sign the Grand Jury petition but eight of his allies within local conservative circles did. It is also interesting that Joseph N. Hagerman of that famous conservative family provided the affidavit that accompanied the petition. Hagerman testified on 11 August 1830 that after paddling the Tay River in a bark canoe with eight men and speaking with the merchants of Perth he found that the "Said Dam is not only a Public Nuisance but of vast Commercial detriment to the Trade of this place."<sup>29</sup>

By 30 November 1830 William Morris had set the process in motion to create the Tay Navigation Company.<sup>30</sup> Ultimately, a new dam was built at the Weatherhead mill site which included a lock station in the Tay River. Although the canal by-passed the Weatherhead obstruction, continued competition between the people of Port Elmsley and the canal builders at Perth reduced the control over the river and the canal its investors had sought to achieve.

As had been expected by the early settlers of Perth, the Rideau Canal was constructed. Unfortunately, however, the plans for the canal did not include a branch to the town of Perth, and thus the local elite strived for a connection to ensure that the growth of the area would not lose momentum. In spite of Perth's proximity to the new Rideau Canal, the anticipation of the Tay's canalization motivated many of its citizens to support the

construction of a direct feeder canal involvement between the backwoods town and the new canal. Prospects of good investment returns and continued economic growth in the community, as well as the more immediate threat of Weatherhead's dam were powerful stimulants behind the creation of the first Tay Canal, especially when it had been expected all along. The Tay Canal was born not as a defensive adjunct to a military settlement but as a commercial enterprise promoted by a bustling frontier town.

### **The Tay Navigation Company**

The first Tay Canal was particularly unique because it was built as a commercial venture using private capital organized locally in a joint stock company. Such an enterprise may have been more common in the railway era of transportation development, but the Tay Navigation Company was formed amidst a canal building era in Canada dominated by large scale government financed projects with military and defence priority. As a small scale and limited enterprise financed by local elites, the Tay Navigation Company was able to deliver on its promise to build a canal. However, the limited scale and financial restraint resulted in a canal that was flawed, unprofitable, inefficient, and ultimately doomed to be absorbed into the landscape.

It is surprising that after extensive government financial aid to The Company of Proprietors of the Lachine Canal and the Welland Canal Company by 1831 that Perth elites predicted they could finance their small canal.<sup>31</sup> In Upper and Lower Canada, and the United States, canal building depended upon government subsidies and grants. The high rate of return on the Erie Canal venture masked the outlay of capital necessary for the construction process. Between 1815 and 1844 seventy-five percent of all canal investment in the United States came from government sources.<sup>32</sup> Robert Armstrong has suggested that private capital formation was difficult during the canal era:

The large scale and speculative nature of canal building generally discouraged private entrepreneurs from undertaking this form of transport investment on

their own. The underdeveloped nature of banking and financial intermediary services further constrained the supply of private capital for large ventures.<sup>33</sup>

The construction of the Tay Canal cost from £5000 to £7000 when all the alterations and delays were overcome. This sum would hardly have built a lock on the Rideau Canal. Nevertheless within the local framework it was a strain to raise the money, and the Tay Navigation Company suffered a debt from which it never recovered. In raising the capital and financing construction, the Tay Navigation Company suffered at a micro level what other private canal ventures suffered at a macro level.

The formation of the Tay Navigation Company was also unique if we are to accept Donald Harman Akenson's perception of early Leeds County in Upper Canada that economic partnerships were unusual.<sup>34</sup> Akenson has argued that in the area just south of the Rideau System (and by extension in Upper Canada as a whole) people lived and worked in an atomistic universe with households operating as individual economic units.

This lack of a mechanism of economic cooperation is not surprising. Even in England, the most economically advanced nation of the time, it was very difficult until 1825 to form a company of any sort (as distinct from a simple partnership) and it was not until enactments of 1855-6 that a limited liability company could be formed without requiring a Crown charter or an act of Parliament. Thus the dominant economic customs of the time - embodied in the extreme individualism of single-proprietor or simple-partnership mercantilism - were reinforced by the realities of an underpopulated landscape and by an economy characterized by rudimentary agriculture and resource stripping and were limited by legal impediments to cooperative economic ventures. It was, indeed, every man for himself.<sup>35</sup>

The formation of the Tay Navigation Company, the building of the Tay Canal and the launching of the steamboat Enterprise were clear examples where economic cooperation did take place in a hinterland community. Although local elites may have squabbled over how the company was to be managed and financed, the Tay Navigation Company was a joint stock partnership and a community enterprise.

William Morris was the prime mover and shaker behind the Tay Navigation Company. He was a leading member of Perth's mercantile and political elite, a conservative member of the Upper Canadian House of Assembly (conservative in supporting the British connection but opposed to a dominant Anglican Church) since 1820 and by 1835 was appointed to the Legislative Council. Morris was one of Perth's earliest and most effective merchants, and with his brother, James, in Brockville they made a powerful business combination with investments in land and banks. Described as an intense Scots Nationalist, he was to be "both courted and feared".<sup>36</sup> As was discussed in the previous chapter, William Morris presided over a meeting held in Perth in 1824 which may be regarded as the genesis of the Tay Navigation Company when it passed a resolution calling for the improvement of navigation along the Tay and Rideau Rivers.<sup>37</sup> Morris was included in a committee of management along with fellow merchants Roderick Matheson and Josiah Taylor and entrepreneurs J. Wylie and John Ferguson that was struck in order to "promote an undertaking of such obvious general utility and to give the

subject that weight and respectability which its importance demands".<sup>38</sup> An important element in the 1824 meeting was the promotion of a Rideau Canal as well as a Tay linkage. As promoters of the Rideau Canal, they were elated when the project got underway in 1826. As noted earlier, the local elite of Perth honoured William Morris with a civic ceremony in his honour 27 January 1826. Even the Reverend William Bell, who was more comfortable attacking Morris and his 'faction', recognized his efforts on behalf of the Rideau Canal.

During the winter Mr. Morris had exerted himself greatly in Parliament in favour of the Rideau Canal. On his return home a public dinner was proposed to testify our approbation of his conduct. On the 27th January thirty-seven gentlemen, consisting of ministers, magistrates and half-pay officers sat down to a good dinner and to drink wine to show their approbation of his exertions. McNab was present in the costume of his clan and his piper in uniform played during the repast. Toasts were drunk and many speeches were made, some of which would pass as literary curiosities. I left the company at an early hour, but was informed next day that those who remained after midnight reeled home with as much wine as they were able to carry.<sup>39</sup>

However, the committee of management in Perth soon found that the Rideau took priority, and any past pledge to build a canal to Perth was forgotten.<sup>40</sup> Local pressure and subsequent meetings led to discussions on forming a joint stock company with a capital of £2,000 for the purpose of securing "to themselves and the public generally the enjoyment of an uninterrupted water conveyance to the markets of Lower Canada" since there was "no reason to hope that the government will undertake the work at

public expense".<sup>41</sup> In order that the river Tay be rendered navigable a committee was appointed to apply for letters of incorporation so that "surplus produce may hereafter be transported to market at a reasonable rate".<sup>42</sup> Again William Morris was at the head of the committee which included merchants Henry Graham, Henry Glass, Roderick Matheson and half-pay officers George Hume Reade and Anthony Leslie.<sup>43</sup>

Historian H. R. Morgan described the content of the petition that was presented to the Legislature.

It was set forth that authority had been granted by an Act of Parliament some years previously empowering the officers employed to construct the Rideau Canal similarly to improve the Tay and that these officers had not seen fit to take advantage of such legislation. The petitioners consequently asked the right to carry on the work as a joint stock company.<sup>44</sup>

Records concerning the early development of the Tay Navigation Company are now lost and the dates of meetings unknown. It is hard to determine when concrete action took place to create the Tay Navigation Company but the ultimate spark may have been the building of Weatherheads dam on the Tay River at Fishing Falls in 1829. To a limited extent the Tay River was navigable for some flat-bottomed craft but the erection of the dam and mill well below Perth created a new obstacle. The Weatherhead initiative made Perth merchants and citizens aware that there were other users on the river, such as millers who could potentially retard waterway access. Weatherhead's development also pointed out the possibility that competitive settlements could block and divert river trade, leaving Perth a



backwater even more isolated than it was. Most important in the minds of canal promoters, however, was their desire to take advantage of the new line of communication created by the Rideau Canal.<sup>45</sup> If Perth was expected to progress it could not be left behind in parallel development elsewhere.<sup>46</sup>

On 30 November 1830 William Morris called a meeting in Perth to raise money for the proposed Tay Canal and the Tay Navigation Company. Morris must have been aware that the company would be incorporated. The Rev. William Bell, had the advantage of malicious hindsight when he wrote about that meeting:

I attended a public meeting in the court house called by Mr. Morris to consider making the Tay navigable to Perth. He spoke charging the inhabitants with a want of public spirit and told how profitable the proposed enterprise would be. He thought £1000 would complete the improvement. On his plausible explanations storekeepers and others subscribed nearly all the stock at once most of them repented it. They later found that £5000 would not finish the work. Some withdrew. Others sacrificed what they paid and got out.<sup>47</sup>

On 16 March 1831 "an Act to Incorporate certain persons therein mentioned under the style and title of the Tay Navigation Company" was passed by the Legislature.<sup>48</sup> Surprisingly William Morris' name did not appear in the initial list of 'certain persons' although Henry Graham, Alexander Fraser, Roderick Matheson, John McKay, George Hume Reade, Josias Taylor, and Henry Glass were officially mentioned in the Act as being petitioners.

In the legislation passed, the capital stock of the Tay Navigation Company was limited to £4000. The number of shares issued would be 640 at the value of six pounds, five shillings each (£6.5s). The first meeting of the stockholders would choose

seven directors, one of whom would be elected president. The company was authorized to explore the country, take levels and set out such portions of lands as may be required for their use. Penalties were established for failure to pay dues, for using the canal without permission or for obstructing navigation. Persons inhabiting the banks of the river were allowed to convey cattle from one farm to another but were not to pass through the locks without company consent. All boats were to be gauged or measured to ascertain tonnage but owners could challenge toll-gathers with their own agent. When the tolls of the canal exceeded twenty per cent on the capital invested in any year, the Legislature could regulate the tolls. The last sub-section in the Act left the door open for a change of heart by Rideau Canal authorities who could repeal the Act incorporating the Company if they sought to build the Tay Canal. (See Appendix A)

After the passage of the Act in the House of Assembly, the Tay Navigation Company was officially organized 26 April 1831. The directors elected included William Morris as president, along with Roderick Matheson, Henry Graham, George Hume Reade, Alexander Fraser, George Buchanan and John McKay. Reade was also elected secretary and Alexander McMillan was appointed treasurer.<sup>49</sup> Three years later the directorship was identical except that W.R.F. Berford had replaced George Buchanan.

The biographies below show that the directorship represented the Perth elite - an interchangeable group of Magistrates, merchants and half-pay officers. The early promoters and

officers of the company were all of the same milieu. However, the directors were also part of the local conservative force led by William Morris. Other members of Perth's elite from the same milieu, but reform minded, were probably contributors but not directors in the company. Although not opposed to Tay Canal development, the reform elite would find many faults in the management and style of a Tay Navigation Company dominated by William Morris. Conspicuously absent from the list of early promoters and directors of the company were reformers Malcolm Cameron, and William and John Bell. Some of the other elites who were isolated from company directorships included Sherrif, J. A. Powell, William Tully, Dr. Adam Thom and Dr. James Wilson among others. Henry Glass was the only promoter who could be identified as a Reformer, and he too became disenchanted with the Morris-controlled management after the Cockburn Island dispute. When the Tay Canal was being built between 1831 and 1834, the Perth elite were divided into conservative and reform factions (not yet parties in the present sense). Although money would have been raised from both sides of the elite for the building of the canal, the Tay Navigation Company was clearly under control of local conservative forces led by William Morris. Thus it is difficult to recognize whether opposition in Perth was anti-Morris, anti-conservative, anti-Tay Navigation Company or anti-canal. One is led to believe by the available sources that opposition in Perth was due to Morris' intransigence and authority and the conservative control of company management and

affairs. Both reform and conservative factions would benefit for a short time after canal access was made possible. Thus political division and opposition should not be confused with opposition to the building of the Tay Canal. It was the means by which the canal would be built and not the canal itself which attracted opposition. There is also evidence that the Tay Navigation Company was directed by more than a self seeking elite faction. Although historian D. H. Akenson has taken note in Upper Canada of the "collective manipulation by the more eminent local citizens of the mechanism of government in order to gain direct private and personal benefits for themselves"<sup>50</sup> there was a notion in Perth of the public good and public interest arising from the building of the commercial canal. The Tay Navigation Company was not a simple or temporary alliance of elites within the local power structure seeking material gain. It was also concerned with the welfare of the public in relation to the future of Perth and its environs. Certainly a return on investment was expected but the manipulation which took place had as much to do with preventing financial loss as financial gain.

It is difficult to understand social and political relations in Perth under the shadow of the Presbyterian missionary William Bell. His voluminous diaries provide an important but biased view of the pioneer community. To take his colourful prose at face value would be the same as accepting all of his austere, calvinist and prejudiced values. Yet Bell captures the life and times of early Perth even through a tainted lense. While it is

necessary to use the Bell diaries for Perth social history, a measure of the contempt he held for many of the town's elite is the description of some of the following Tay Navigation Company promoters and directors: Berford: "his own house is distinguished for dirt and discomfort"; Ferguson: "he never goes to bed sober a single night, and seldom is he so during the day"; Fraser: "a very timeserving man"; Glass: "Expelled from Total Abstinence Society"; Morris: "I regarded him as a genuine descendant of Judas"; Matheson: "Those who like the frog in the fable try to swell themselves beyond their natural dimensions seldom fail to fall into contempt"; McMillan: "he determined to do something awful and it became a question whether he would hang himself or take a wife"; Reade: "assumed a dictatorial tone"; Taylor and McKay: "Col. Taylor is ruined in character and estate, a perfect sot, so that no respectable person will associate with him, McKay the same".<sup>51</sup> These were the key people behind the Tay Navigation Company and biographies of them follow.

#### **W. R. F. Berford**

Magistrate and High Sheriff in 1833. Served as a health inspector during the cholera epidemic of 1832 and as returning officer in the by-election of 1833.<sup>52</sup>

#### **George Buchanan**

Not to be confused with Reverend George Buchanan of the Beckwith settlement, Perth's Buchanan claimed ownership of land on Cockburn Island during the controversy over the disposal of

the Island. The Executive Council challenged his claim but the company declared it would not require his property. A director of the company in 1831, he was off the board by 1833 and had probably moved to Arnprior where he purchased remnants of the Enterprise steamboat in 1835.<sup>53</sup>

### **John Ferguson**

Magistrate, contractor and owner of a kiln distillery and malt house in Perth. A Scottish Highlander, Ferguson built a stone house in Perth in 1823 but was burned out of his business in April, 1830 after losing the contract to build the Poonamalie lockstation on the Rideau Canal. He was an early promoter of the Tay Canal. Captain in the 3rd Lanark Regiment of Militia.<sup>54</sup>

### **Alexander Fraser**

Magistrate, probably a half-pay officer from the Glengarry Fencibles. May have been persuaded to leave the Presbyterian congregation of William Bell by William Morris in order to 'qualify' as magistrate. A director of the company.<sup>55</sup>

### **Henry Glass**

Magistrate, merchant and sometime boot-legger. An early promoter but never a director of the company, he became disenchanted with management over the Cockburn Island issue. Related to the Cameron and Malloch families, Henry Glass was a member of the reform clique and close friends with William and John Bell. Glass had various brushes with the law over liquor

distribution and pork barrel inspection.<sup>56</sup>

### **Henry Graham**

Magistrate, merchant, half-pay officer and Legislative councillor. An Irishman and ex-Captain who fought in the Peninsular War with Wellington, he was also a Captain in the first Lanark Regiment of militia. Granted over 600 acres of land, he built Perth's first distillery. He pulled out of business in 1841, served in the Legislative Council and was appointed to the first Canadian Senate after Confederation. Early promoter and director of the company.<sup>57</sup>

### **Anthony Leslie**

Magistrate, half-pay officer. Probably served in Glengarry Fencibles. Leslie was an early promoter of the company, and for twenty-two years was an Agent of the Commercial Bank in Perth.<sup>58</sup>

### **John McKay**

Magistrate and half-pay officer. Formerly of the Glengarry Fencibles, he was a Captain in the 3rd Lanark Regiment of militia.<sup>59</sup>

### **Alexander McMillan**

Magistrate, Registrar, Warden and half-pay officer. Fought for Glengarry Light Infantry Fencibles in 1812-14 War. Lt. Col. in 1st Lanark Regiment of militia. Appointed County Registrar and later Warden of the Bathurst District in 1841. A defeated candidate for the House of Assembly in 1832, he built old Nevis

Cottage in 1842.<sup>60</sup>

**Roderick Matheson (1793 – 1873)**

Merchant, half-pay officer, Legislative Councillor. A sergeant in the Canadian Fencibles and quartermaster of the Glengarry Light Infantry Fencibles, he ended the War of 1812 as a paymaster but rose to the level of Major in the 2nd Battalion Carleton militia. An early promoter of the Tay Canal, he was a director as well as the last President of the Tay Navigation Company in 1865. Appointed to the Legislative Council in 1847, Matheson also sat in the first Canadian Senate after Confederation.<sup>61</sup>

**William Morris (1786 – 1858)**

Merchant, Politician and Magistrate. A Scottish Nationalist and champion of the Church of Scotland, Morris was an early Perth merchant allied with his brothers James and Alexander in Brockville. They speculated in land and invested in banking and were a major business force in the region. Elected to the House of Assembly in 1820, he served consecutive sessions until his appointment to the Legislative Council in 1835. Morris was appointed receiver-general in the Draper Ministry in 1844 and was president of the Executive Council in 1846. Although a leader of local conservative elite he was alienated from the controlling elite in York by his advocacy of the Church of Scotland. A founder of Queen's University, he may be best known for his work in education.<sup>62</sup>



### **George Hume Reade**

Magistrate, surgeon and half-pay officer. Reade was an army surgeon who retired in 1813 and in practise until 1821. He ran an apothecary in Perth and was a health inspector during the cholera epidemic of 1832. Appointed Clerk of the Peace in 1823, he was a defeated candidate for the Legislative Assembly in 1832. A Lt. Col. in Leeds militia, he later settled down in the late 1830's in Quebec City. A director in the company.<sup>63</sup>

### **Josiah Taylor**

Magistrate, merchant, Postmaster, and half-pay officer formerly with the Canadian Fencibles. Colonel in 3rd Lanark Regiment of militia. Early promoter and director of the company and elected to the House of Assembly in 1834<sup>64</sup>

The thirteen promoters, officers or directors of the Tay Navigation Company who can be identified were significant members of the Perth elite and most were part of the local conservative power structure. Ten of the thirteen men were magistrates, seven were half-pay officers, five were merchants, six were active as officers in local militia, four were candidates or elected as conservatives to the House of Assembly. Three became Legislative Councillors and two were ultimately Senators after Confederation. Many were a combination of the above and only one, Henry Glass, could be clearly identified as a reformer in the Perth hierarchy.

Support for and against the Tay Navigation Company was largely engendered by the means by which it financed the canal, raised capital and managed its property. Financing the Tay Canal was hindered by provisions in the Act of Incorporation which led to costly delays during canal construction. The raising of alternate sources of capital revealed the extent to which the canal project had been under-budgeted and perhaps mismanaged. Finally, suspicion was raised by shady transactions designed to protect the company from litigation.

From the outset, the latitude of capitalization granted to the Tay Navigation Company by the Act of Incorporation fell far short of the capital needed to complete the project. Limited to a share output of £4000, costly delays and alterations during construction quickly put the company in financial constraint. More seriously, however, the method of payment for subscriptions received made it difficult to call in cash when needed. The Act of Incorporation declared that ten per cent of each share subscribed would be payable immediately after the shareholders had elected a Board of Directors. The Board could then call in instalments of not more than twenty per cent after having given thirty days notice (See Appendix A). This method of payment gave shareholders an opportunity to determine while the work was in progress whether or not further payments would be to their benefit. When problems arose during construction and investor confidence waned, it became more difficult to call in further instalments from the subscriptions.

In a report to the stockholders on 22 November 1831 it was intimated that "many of those who had agreed to take stock had neglected to pay even the first instalment, while others, having made their initial payment, were loath to make the others which followed."<sup>65</sup> The Brockville Recorder reported on 8 December 1831 that the cost of canal construction was not expected to exceed £3000 but the company directors complained "of want of punctuality by several shareholders in paying the instalments called for."<sup>66</sup> The Brockville Recorder noted the predicament faced by the Tay Navigation Company:

Seventy per cent on the amount of stock subscribed has been called in, and the present available funds of the Company are supposed not to be more than sufficient to discharge the debts already contracted. Unless more stock is subscribed and further afforded, the undertaking cannot go on. An appeal is made by the Directors to public spirited individuals for assistance and it is hoped the appeal will not prove unavailing. The Directors are of opinion that the stock will be a profitable investment of capital.<sup>67</sup>

As in a vicious circle, the company claimed it would have to delay progress in construction because of its cash flow problem at a time when subscription instalments were being withheld because of a lack of investor confidence in the project's progress. Without the money to proceed, a delay in construction proved very costly. Work held over to the 1832 season coincided with poor weather conditions and an outbreak of cholera. Time loss meant that the company could not capitalize on a target of opening the Tay Canal in time for the opening of the Rideau Canal. Delinquent subscriptions, restricted cash flow, costly

delays and lost revenue did not lead to an inspiring first year for the Tay Navigation Company. By late 1832 subscriptions in the company stock book amounted to £2000 including a meagre £843 contributed within the Perth community.<sup>68</sup> William Morris complained bitterly about Perth's contribution. As paraphrased by historian H. R. Morgan, Morris said:

that the building of the canal works would never have been accomplished without the assistance of persons resident outside of Perth, for many people of that town "have never to this hour afforded the slightest assistance to a company which by perseverance in the face of almost insurmountable difficulties have enhanced the value of property at Perth to an incredible amount."<sup>69</sup>

A further appeal was made to the public but it was a private interest that helped bail out the company. Although the exact amount cannot be determined the Montreal merchant houses of Gillespie, Moffatt and Company and Forsyth, Richardson and Company made contributions to the Tay Navigation Company in 1832. The merchants in Montreal obviously saw potential returns in this hinterland transportation scheme.<sup>70</sup>

By 1821, firms like Forsyth, Richardson and Gillespie, Moffatt were deeply involved in the export and import business to the St. Lawrence Valley and especially to Upper Canada. These large merchandizing firms developed a web of connections throughout the early waterways which flowed directly to the Island of Montreal. The partners and directors of these firms were interested in plans and proposals that would consolidate their mercantilist strength and facilitate their growth. In particular, these merchants were investors in transportation and

industry. George Moffatt (1787–1865) the Montreal partner in Gillespie, Moffatt and Company occupied warehouses opposite to the Lachine Canal wharves and was an early investor in railway promotion. Historian Gerald Tulchinsky has noted that Moffatt's name "was associated with many other ventures typical of the new economic activities emerging in the Canadas during the mid 19th century." Moffatt was an original member of the Montreal Committee of Trade in 1822, was the first Chairman of the harbour commissioners at Montreal in 1830 and was active in promotion of Montreal business and commerce. Although the Tay Canal project was a very minor undertaking in his field of vision, it was perceived as part of the network which kept Montreal a centre of import and export trade throughout the Great Lakes watershed. Almost surely, a minor sum invested by Gillespie, Moffatt and Company toward the building of the Tay Canal would increase the company's hegemony over Perth merchants. Although there were other competitors like Robertson and Masson and Company the support shown for a canal venture may have increased market share and facilitated transport in the interior.<sup>71</sup> As H. R. Morgan had noted, the Montreal firms "were in fact, more inclined to pin faith in its (Tay Navigation Company) efficacy and profitableness than the people of Perth itself."<sup>72</sup>

Other attempts to raise money included the sale of lots on the Crown reserve of Cockburn's Island to help pay for the excavation of the Perth basin (See Chapter 5 for further discussion). A loan of £1000 was obtained from the Bank of Upper

Canada in September of 1832 when the sale of the lots did not raise expected revenue.<sup>73</sup> However, conditions worsened over time. In 1831 the directors of the company felt that construction costs for the Tay Canal would not exceed £3000<sup>74</sup> but the following report issued by the company in 1833 painted a much bleaker picture:

With respect to the financial concerns of the Company, the Directors have to state that the expenditure for the whole of the works detailed above, amounts to £5,000. £2,000 are owing by the Company for loans received upon the security of property which they possess at Perth, and a balance of little short of £1,000 is still due to mechanics, laborers and others for services, materials and provisions; to meet this debt the Company have no funds, and as many of the individuals are in circumstances of necessity, the Directors feel deep concern on the subject.<sup>75</sup>

By 1834 the Tay Navigation Company had suffered from having to build an extra lock and dam on the Tay Canal and having been forced to build a permanent transshipment post at Perth Landing at Stonehouse Point on Lower Rideau Lake. The canal was still not fully navigable and William Morris appealed to the government that revenue totalling £1,000 be raised from the sale of Crown timber in the District of Bathurst to help pay for the expensive hanging of the lock gates at Port Elmsley late in 1834.<sup>76</sup> A grant was eventually made but the accumulated funds acquired from local public subscriptions, Montreal merchants, bank loans or from government in the form of land or capital grants could not recover the cost of construction. Limited navigability and inefficient transshipment would only add to the indebtedness of the company which could expect a lower revenue base to carry out

maintenance and operations.

The political divisions surrounding the Tay Navigation Company and the financial difficulties encountered in building the Tay Canal threw aversions over the entire project. As in many a developmental project, perceived public improvement became mired in perceived private interest. As in the Cockburn Island dispute, shady land deals over riverside property concerned the Tay Navigation Company and attempts to protect its interests. Apart from the company's acquisition of land for dubious purposes there was also an attempt by William Morris to seek retro-active protection against the flooding of river banks in Perth on past and future land patents.<sup>77</sup> In one claim concerning land on Drummond Street, the Reverend William Bell gloated over a court case between Malcolm Cameron and the company. In a jaundiced tone, Bell described feelings among a portion of the public:

The Company had set up a claim to part of Drummond Street, as their private property. But this shameless attempt to invade the rights of the public only covered them with disgrace. The jury, in a few minutes, returned a verdict for the defendant. This produced a general rejoicing, and no one seemed sorry, but the directors, who certainly wore very long faces for the rest of the day. In the evening, after dark, a crowd collected, and paraded the streets with a drum and fife; huzzaing for those who had stood out for the rights of the public, and hissing as they passed the doors of the directors, who had stirred up the prosecution i.e. Mr. Morris and Mr. Matheson.<sup>78</sup>

The Tay Navigation Company was a novel idea in Perth in 1831. The spirit of enterprise associated with the building of the Tay Canal reflected on the optimistic nature of an expanding

economy and the public anticipation of the Rideau Canal's potential. Willing to co-operate and sacrifice for private profit and public improvement, the visions and hopes of an energetic local elite were soon dashed by the bitter reality of delivering and financing a canal. Pools of capital were shallow and the Tay River was not easily tamed. As disappointments grew into delays and the raising of money became more difficult, the shiny veneer began to peel off the company facade. Increasingly exposed to scrutiny and criticism, the joint stock company faced social and political divisions in a rapidly growing community. Suspicious of management and their intentions, a significant portion of the population could oppose the company without opposing the need for a branch canal. As an early experiment in locally inspired commercial transportation enterprise, the Tay Navigation Company faced conditions that would be experienced throughout the nineteenth century as the canal period evolved into the railway era. That the Tay Navigation Company survived to complete the canal is a monument to perseverance.



## Construction of the Tay Canal

Once the Tay Navigation Company was incorporated by an Act in the Upper Canadian Legislature on 16 March 1831, the long awaited task of building a canal took little time to get underway. A board of directors was elected 26 April and tenders for the construction of the locks at Fishing Falls were to be let by 11 June 1831.<sup>79</sup> Anticipating a tight schedule for construction and an early opening in time to share in the bounty of the new Rideau Canal, the Tay Navigation Company unfortunately would soon be plagued by costly delays, including lack of capital funds, design irregularities, water level fluctuations, and the cholera scare of 1832.

John Jackson, ex Sergeant in the Army and a miller in Perth, was the recipient of the tender to build the Tay Canal. He was described by the company as a "respectable builder of this place and whose professional practice in England had made him acquainted with the nature of levelling." Jackson was Quarter Master in the Second Lanark Militia Regiment at the time of his appointment and would eventually serve as Superintendant of the Grand River Canal.<sup>80</sup> After surveying the Tay River from Perth to Rideau Lake, Jackson determined that the descent of various swifts and rapids amounted to 27 feet 11 inches. He may have been aware of another survey taken by Captain Victor and Lieutenant Denison of the Royal Engineers dated 23 March 1831 in which a drop of 27 feet 6 inches was measured. (See Map 1) Victor and Denison observed some shallow swifts below Perth, a

drop of a foot and a half at Upper Rapids near the confluence with Jebb's Creek and another drop of close to seven feet at 'McVitties' Rapids where Lock four would eventually be located. However, it was long rapids at Fishing Falls more than a mile and a half long with a drop of nearly nineteen feet which posed the most serious obstacle to navigation. Jackson recommended the construction of four locks and four dams when he received in June of 1831 the contract to build the first two locks and dams.<sup>81</sup>

John Jackson was sent by the Tay Navigation Company to inspect the Welland, Erie and Oswego canals. He was not working in a vacuum as it was very possible that he received some advice from Engineers under Col. By on the Rideau Canal, and he had on hand the brief surveys made by Victor and Denison and one by John McTaggart. The latter's report made in 1828-29 described the base of the Tay and the obstruction at Fishing Falls:

About five miles from Oliver's Ferry, the mouth of the Tay opens into the Rideau: for two miles up, it may be easily made navigable, requiring only a little mud scraping, and rushy matters taken out of the way. After this distance we come to the Fishing Falls, so named by the inhabitants from the fishing-nets placed there. These rapids are about a mile and a half in length, with limestone horizontal rock, but shelving, and fall about 19 feet throughout the rapids. The banks of the river are generally low. At one place, however, about 200 yards below, where the waters make a sudden fall of 4 feet at once, a dam of 12 feet and lock may be obtained; the dam 140 feet long, sufficient to lull the rapids above. The remainder of the rapids below can only be overcome either by deepening the channel, or quitting the river, and digging about half a mile through loamy wilderness.<sup>82</sup>

However, the key problem for John Jackson and the directors of the Tay Navigation Company was not only the design of the

canal but also the scale of the navigation. When Col. John By was planning the construction of the Rideau Canal, he considered that the length, width and depth of the locks should be made compatible to the developing design of commercial steamboats as well as the military vessels. Foreseeing the growing scale of commercial steamboat development, he proposed a lock at a standard 50 feet by 150 feet with a depth of 10 feet. The cost conscious and narrow military perspective was to be satisfied by a smaller scale 'gunboat lock' 20 feet wide by 108 feet long. The military considered a lock of this size to be sufficient for their purpose and in tune with the scale of navigation on the Lachine Canal and the upper three locks on the Ottawa River's Grenville Canal built before 1828. The need for standardization and the differences of opinion between military administrators led to the formation of a committee to resolve the question of a scale of navigation. Made up of Lieutenant-General James Kempt and two members of the Royal Engineers, Lieutenant-Colonels Fanshawe and Lewis, the committee struck a compromise taking into account the cost of construction and the dimensions of various craft which might use the waterways. They resolved that the standard canal lock from (the] 5 July 1828 would be fixed at a width of 33 feet, 134 feet in length and, in the case of the Rideau Canal, 5 feet over the sills. Thus subsequent development on the Ottawa and Rideau Canal systems reflected this standardization of canal dimensions for military crafts and river steamboats.<sup>83</sup>

When the Tay Navigation Company chose the smaller 'gunboat' scale lock for the Tay Canal in 1831, they seemed, on paper, to be retarding the capability of their canal. However, the directors may have been facing the hard economic facts head on. For example, they may have been influenced by the argument of General Sir James Carmichael Smyth in the committee debate on the scale of navigation when he stated:

I do not see any benefit to be derived from a greater breadth without a corresponding depth. Locks of 20 feet in breadth afford every advantage; a large canal will never pay, will cost a prodigious sum and will not afford corresponding advantages.<sup>84</sup>

It is most likely that the Tay Navigation Company recognized that a lack of early planning at Lachine and on the Ottawa River had left a legacy of narrow dimensioned locks which would have a negative effect on commercial navigation for years to come. Only crafts that could squeeze through the Lachine Canal would navigate the important Montreal triangle and most of those boats would fit the proposed dimensions of the Tay. It was probably good practical business sense to realize the disparity on the system and to respond at a later date if the dimensions of locks elsewhere were increased. It was prudent sense for the company to build the canal with caution and cost-efficient features to determine whether the venture would prove to be successful. The scale and quality of navigation could be improved at a later date. Company directors would not have known that the limited nature of their river and canal would preclude the use of steamboats at all. By keeping to the smallest dimensions

possible for steamboats and limited expenditure on canalization, the company may have left too narrow a margin for error and local elements.

The company probably felt secure in their choice of a modest scale lock when Col. By and other officers of the Royal Engineers who had visited the locks expressed their approval of the plans adopted and the manner in which they had been executed. The company proceeded with a lock design adopted for the passage of boats 90 feet in length by 20 feet in beam allowing a depth of three and a half feet which they predicted would, "enable Durham boats to ascend to the town without difficulty and (if they were covered over similar to the packet boats in the Erie Canal) they might be navigated with perfect safety to the cargo by three hands at most, as the voyage both ways would be performed in tow of a steamboat".<sup>85</sup>

There is no surviving description of the number of workmen involved in the building of the Tay Canal but the masonry work may have been let separately while John Jackson supervised wooden work and gate building with a few workmen.<sup>86</sup>

The report of the directors of the Tay Navigation Company to the stockholders 22 November 1831, mentioned that Lock one at the base of the canal had been completed and was ready for gates and planking. Lock two still required ten to fourteen days of work to finish the masonry, and both dams were completed. Directors hoped that the first two locks would be completed by 15 May 1832. Although the bed for Lock three at Weatherheads Mill had been

excavated and fifty cords of stone and all the sand acquired locally, the company was reluctant to proceed until additional funds were at their disposal. The Jebb's Creek lock at Upper Rapids had not yet begun nor were they aware of the eventual necessity of building a lock at 'McTavishes' or 'McVitties' Rapids.<sup>87</sup>

Any hope of finishing construction on the Tay Canal in 1832 was limited by the unusual weather conditions resulting in swollen river levels. The year was also notorious for the deadly sweep of the cholera epidemic through Upper Canada. The Tay marsh would have been especially vilified on account of the widespread assumption that diseases like fever and ague spread from these wetlands and stagnant waters. Nonetheless some work was undertaken and finished.<sup>88</sup> The Brockville Gazette on 6 September 1832 gave the following report of work in progress.

We are happy to learn that the Tay Navigation Company have almost completed their undertaking. Three locks, 90 feet long and 20 wide, will be finished in about a week, and there will then remain only one small lock of three and a half feet left to make the river navigable from the Rideau to Perth, a distance of eleven miles.<sup>89</sup>

The Brockville Gazette report was printed too early to ascertain a new difficulty that arose in construction when Lock three was finished at Weatherheads Mill. Canal Engineer Jackson had originally planned only four locks but the potential flooding of a considerable quantity of land and private property induced the directors to build a lock at 'McTavishes' or 'McVitties' Rapids. Jackson then dropped the level at Weatherheads and began

to build Lock four. A cut was made to form a channel around a portion of the rapids but the Tay Navigation Company could not afford to build a masonry lock like the others. Facing an unforeseen expenditure the company built the lock of timber but as one observer noted, "they have every reason to hope that the quality of the workmanship, and materials will ensure its duration for many years".<sup>90</sup> In 1833 the construction of Lock five at Jebb's Creek and Upper Rapids was undertaken and like the other three original locks, it was built of rubble masonry lined with wooden planking. The directors of the company were able to report to shareholders 21 December 1833 that Locks one to five had been completed, Locks two and five had already been used this season and only lock gates still had to be hung in Lock one and four.

Thus it will be observed that the Directors have erected 5 locks, 6 dams and waste weirs, 2 swing bridges, besides several embankments in order to render the Tay navigable to the Town of Perth for vessels of nineteen and a half feet beam and drawing 3½ feet water.<sup>91</sup>

In recognizing the extension of one year beyond their expected completion date, the directors hoped the stockholders would "understand the embarrassing circumstances with which they have had to contend".<sup>92</sup> They tried to give a positive tone to their report in spite of serious financial difficulties.

Now however after the close of another season the Directors have much pleasure in bringing the subject under the notice of the Stockholders, and in announcing to them the entire completion of the works from the Rideau Lake to the Town of Perth, with the exception of the hanging of one pair of Lock Gates, so that at the opening of the Spring, the navigation will be in

perfect readiness for all the commercial purposes of that section of the province, and as the several parts of the work have been executed in the most substantial manner, there cannot exist a doubt but that the ensuing year will test the advantages to be derived by the public from the improvement of the navigation of the River Tay, and also the return which the Stockholders may expect to derive from the funds which they so liberally contributed in aid of an undertaking, which confers the benefits of a water communication with a populous part of the Province hitherto rendered almost inaccessible by the bad quality of the principal roads.<sup>93</sup>

The citizens of Perth and stockholders of the Tay Navigation Company were thus very disappointed when problems continued to affect navigation on the Tay Canal in 1834. Although barges and Durham boats were beginning to use four locks on the Canal, the first lock that was commenced proved to be the last one completed. John Jackson had an exceptionally difficult time trying to hang the lower pair of lock gates. Although construction of the lock had commenced in 1831 and the work was finished by early 1832, he was not able to gauge the effect of the flooding of Lower Rideau Lake by the dam at First Rapids (Poonamalie). Royal Engineers Surveyors Victor and Denison on the Rideau Canal predicted that the lake would rise three feet and back up against Fishing Falls -the series of rapids on the lower Tay River.<sup>94</sup> Indeed, the great depth of water which was backed up against the first locks by the completion of the Rideau Canal in 1832 severely hampered their completion. Late in 1833 the company hoped that the lowering of the level of Rideau Lake by Rideau Canal Engineers would facilitate the hanging of the gates. Already the company had wasted "many hundred pounds in



vain attempts to exclude the water from the lock".<sup>95</sup>

With dwindling funds, increasing debts and an impatient public, the failure to hang the gates by September of 1834 almost ruined the Tay Navigation Company "in consequence of the great expense incurred in fruitless attempts to pump out the water and the loss of the use of the navigation".<sup>96</sup>

The critical delay in hanging the lock gates led to a stinging attack by a Bathurst Courier editorial on 5 September 1834 which also criticized the Company for levying tolls on vessels while the works were not yet fully completed.

We trust that the present favourable unity of low water will not be neglected, and the Company will at least make some exertions to complete the work and also, clear the river of logs and trees which in many places impede the channel. Many and just are the complaints that the river is in a worse state than before the Company commanded the intended improvement: and it is to be hoped that when future works of this kind are making, provision will be made to protect the public from injurious delay and that such companies will be restricted from levying tolls until the work is completed. It is rather hard to be delayed by dams in a river - hard to work hard to get thru unfinished locks where they have no men to attend and to pay high tolls besides. That the Canal would if properly completed be of great importance to Perth, is very obvious. Even if goods have to be carted from the ferry, as has been the case for the last month, it is clear the canal is useless: and it is equally clear and certain that some method must be taken by our merchants to facilitate the transport of goods that way, if the Tay Navigation Company do not immediately bestir themselves.<sup>97</sup>

By late 1834 the lock gates were finally set in place but not without the help and guidance from Engineers maintaining the Rideau Canal.<sup>98</sup> An additional dam was also felt necessary and a newspaper report in Perth on 3 April 1835 announced the

completion of all construction.

The Tay Canal is in complete order and repair and we think if care is taken to keep the water by putting in all the stoplogs early that we will have water enough all season owing to the judicious erection of a Dam at a Large Lake on the unsurveyed land commonly called --- about eighteen miles above Perth.<sup>99</sup>

The Tay Canal was a low budget project and decisions largely financial in nature affected the scale of navigation and the means by which the canal was constructed. Little blame could be put on the contractor when the Tay Navigation Company found itself operating and maintaining a canal that couldn't handle steamboats and suffered from the build up of weed and silt as well as an unpredictable water supply. The contractor of the Tay had none of the financial resources, scale of manpower or engineering pool on which to draw as did Colonel By when building the Rideau Canal. The Tay Canal has been described as "An Abortive Upper Canadian Transportation Enterprise" but it did breathe some life for a time and was in operation even under difficult conditions.

### **Construction Details**

The Royal Engineers described the Tay Canal as "rough in construction and composed of not very durable materials."<sup>100</sup> Four of the five locks were constructed of rubble masonry faced with stone and lined with plank, one hundred feet between quoins and twenty feet in width with approximately four feet of water on their sills. The other lock was built with wood.<sup>101</sup> The Tay Navigation Company also built six dams or waste weirs, two swing

bridges, the Perth basin, storehouses at Perth Landing and embankments at various locations.<sup>102</sup> No firm amount has been discovered for the cost of construction as various estimates included the figures £1000 in 1830; £3000 in 1832; £5000 in 1833 and it was noted in Smith's Canadian Gazetteer for 1846 as having cost £7000.<sup>103</sup> Reviewing the ruins of the first Tay Canal in 1866, civil engineer Charles Legge lamented that it was not constructed in a more permanent manner but he would not question the wisdom of the promoters considering the early date and the hinterland still in a state of wilderness:

The directors of the Company adopted the correct policy in endeavoring to make the small sum which they had great difficulty raising, go the furthest possible extent in the construction of cheap locks, and altho' the money so spent may not have yielded a direct profit to those enterprising and energetic persons in improvements there is no doubt that it repaid itself many times indirectly...<sup>104</sup>

The five locks lifted a total of twenty eight feet and were built on solid rock foundations. Flat dams built across the river near the lock sites raised the water behind as in a slack water communication system. The levels on the different reaches were maintained on the same principle as on the Rideau Canal. The dams were all equipped with timber slides but it cannot be confirmed if they had been attached at the time of construction or at a later date.<sup>105</sup>

### **Perth Landing**

Located at the mouth of the Tay River on Lower Rideau Lake before the second Poonamalie dam raised the lake again in 1868,

the Perth Landing was at Stonehouse Point, now Island, where at least two stone warehouses and a wharf were built by the Tay Navigation Company for purposes of transshipment and storage. (See chapter on transshipment and illustrations 4, 6, 31, 32)

### **Lock One**

The first lock up the Tay River was described as a guard lock with a lift of six feet and a "substantial piece of rubble masonry." The lock hugged the southern bank of the southern channel around what was then the island of Port Elmsley. A regulating dam above Lock two turned the other natural channel into a waste weir running north around the island. (See illustrations 5 and 14) Lock one was located near the confluence of these two channels at the bottom of the island of North Elmsley approximately a mile and a half to two miles from the mouth of the Tay River on Lower Rideau Lake. Accompanying the lock was a flat dam across to the north bank of the channel and a long stone embankment built on the south bank to the west. The embankment helped maintain a reservoir back to Lock two. It also served as a mill pond after the building of a grist mill alongside the dam on the north side of the channel by 1854. Known as the 'Port Elmsley' lock, it has been called after owners or millers of the grist mill with the Snyder name most prominent.

Construction commenced in 1831, but a considerable delay was experienced when the lock gates could not be hung until late 1834. The flooding of Lower Rideau Lake for the Rideau Canal

caused the water level to rise up against the lock, complicating the completion.<sup>106</sup> (See illustrations 16, 23, 24) Large wooden sleepers are still visible on the lock floor.

### **Lock Two**

Called the 'Pike Falls' or 'Gemmills' lock it was located a quarter of a mile above Lock one on the same southern channel around Port Elmsley. The original lock in the middle of the channel was protected by a dam and a conduit. Water was backed up with the help of the regulating dam, thereby turning the north channel around Port Elmsley into a waste weir. An embankment was also built on the north bank of the channel at the locks. The lock provided a major lift of eight feet.

Truly the most unique aspect of Lock two was the building of a new lock sometime between 1832 when the first became operable and 1854 when a plan for the town of Port Elmsley revealed a 'new' lock wedged between the old lock and the north bank. The excavation of the new lock is still clearly visible in low water but it too, was in ruins by 1866. No information has yet been found as to who built the new lock (the Tay Navigation Company was in severe debt after original construction) and when. It is a matter of some speculation as to the need for maintaining and operating the canal in later years that a second lock was found necessary. (See illustrations 14, 16, 17)

A saw mill was built at the dam adjoining the lock along the south bank by 1854 and it may have been a combination grist and saw mill built by James Shaw or Sherwood. At the foot of the

locks of the north bank, a large stone woollen mill was constructed between 1857 and 1863 and owned and operated by succeeding manufacturers including Craig and Campbell, Robert Walker, John Allen, Robert Wilke, J. S. Fairgreave and Gemmill. Ruins of the stone mill are still visible and it was used as a refinery for graphite after 1900.<sup>107</sup>

### **Lock Three**

The Weatherhead lock was named after the family who first erected a saw mill and dam at the site before the construction of the Tay Canal. Between a quarter and a half mile upstream from Lock two, the Weatherhead lock has the largest lift on the Tay at nine feet. It was expected originally that this lock and dam would back up the Tay River as far as Jebb's Creek but the constraint of severe flooding altered this plan. An embankment extending out into the river was constructed from the southern bank and it was attached to the saw mill wedged between it, the dam and the shoreline. The lock was in the middle of the river with a large embankment along its northern wall. The lock embankment was then attached by waste gates over the waste weir to the northern bank of the river. The configuration of the site is difficult to outline by present observation. (See illustrations 5, 16, 26)

### **Lock Four**

Located a half mile upstream from Weatherheads dam this lock was built around 'McVitties' Rapids' but was known as

'McTavishes' lock. The McTavish lock was not in the original plan for the Tay Canal but was built as a result of unacceptable flooding that would have been expected if the Weatherhead dam were built too high. As a result Tay Navigation Company officials opted for another dam and lock with a lift of three feet to prevent widespread flooding. The dam held back water for three and a half miles helping to expand the Tay marsh. Unlike the other locks built with rubble masonry, stone facing and timber plank, the unexpected cost of McTavishes lock in 1833 meant that it was built of timber to save money. Ruins at present do reveal at least some stonework to support the lock.

Besides the timber lock, McTavishes was unique for the excavated channel approximately fifty yards in length carved into the northern bank to by-pass the rapids. The lock was located at the base of the rather crooked channel. A dam extended from the island created by the channel on the north bank to the south bank where waste gates had been installed.<sup>108</sup> (See illustrations 5, 18, 27, 28, 29)

### **Lock Five**

Located near the mouth of Jebb's Creek as it enters the Tay River and above the broad expanse of the Tay marsh, Lock five was three and a half miles above McTavishes and approximately two and a half miles below the town of Perth. The Jebb's Creek lock was built in 1833 with a lift of two feet and was wedged along the southern bank of the river between what may have been a man made

island. This island in turn was connected to the opposite shore by a dam and waste gates. This lock has also been known as Dowson's because of its proximity to the old Dowson homestead.<sup>109</sup> (See illustrations 3, 18, 30)

### **Perth Basin**

The original basin on Cockburn Island was 160 feet by 120 feet with a wharf 40 feet wide surrounding it. It was completed by 1833.<sup>110</sup> (See chapter on Cockburn Island and illustrations 3, 10, 11, 12, 20, 21)



**The Cockburn Island and Perth Basin Dispute:  
Political Opposition to the Company**

Cockburn Island was located in the middle of the Tay River and in the middle of Perth. Long reserved as an area for public events, the island was choice property for commercial development in anticipation of canal access. The Tay Navigation Company sought control of the island not only for the excavation of a turning basin for canal boats and a wharfage area for shippers and receivers but as a means by which capital could be raised to finance canal operations. Controversy over the disposal of Cockburn Island entered the political arena as local elites promoted or opposed the widening grip of the company over available sources of capital and land.

Cockburn Island was named after Colonel Francis Cockburn, Deputy-Quartermaster-General at Quebec and former Superintendent of the Rideau military settlement. Separated by a small stream from Haggart's Island where a number of mill sites were located, Cockburn Island was less than thirty acres in size and reserved from military depot days for public events like militia training and agricultural fairs.<sup>111</sup> It was on the south-east end of Cockburn Island in a "stagnant and unwholesome quagmire"<sup>112</sup> (according to William Morris) that the Tay Navigation Company sought to build a turning basin and wharfage area. It was essential, they thought, that vessels be able to make their way to the centre of town where cargoes could be left off and picked up. However, the Tay Canal was already under construction,

finances were limited and the excavation of a basin would require further capital. By a stroke of luck, the company directors felt that the vacant 'swamp' could be altered for the public benefit (and private profit) if the island were granted to the company and lots put up for sale to raise the necessary capital for the basin. This packaging of Cockburn Island was convenient for company directors but perceived as a land grab by others in the community.

The company easily swayed the Executive Council by the common sense of their logic, arguing that the acquisition of the island by the Tay Navigation Company would facilitate navigation, help raise needed revenue and be a public benefit. With the influential William Morris as lobbyist, the company was granted the island as expressed in an extract from the minutes of the Executive Council dated 10 January 1832:

William Morris President of the Tay Navigation Company stating that the Stockholders of the Company have at very great expense undertaken the improvement of the River Tay in the districts of Johnston and Bathurst that the limited width of the River at the Town of Perth renders it necessary that a Basin should be excavated from the Small piece of Vacant ground designated Cockburn Island, and praying that the Company may be granted the same Vacant ground for the purpose and for the erection of the necessary Warehouses and other Buildings.

The Council having taken the Same into Consideration agree to the following Report.

The Council have had under Consideration the application of William Morris Esq. President of the Tay navigation company and find that Cockburn Island from its Situation is not likely to be of any particular Value except for the purposes named in the Said application and considering the spirited exertions that have been made and are still making to render the Tay navigable with the difficulties in performing so

important a work they feel disposed to recommend the Prayor of the Petition so far as it can be done without interfering with the rights of others...it is recommended that the remaining portion of Cockburn Island be conveyed to the President Directors and Company of the Tay navigation Company in Trust for the uses and benefit of the said Company.<sup>113</sup>

The Tay Navigation Company received the rights to the whole of the Island with three exceptions, two of them in response to concerns by company directors. William Tully, an early settler and political opponent of Morris' "Banditti" in the 1830 provincial election, laid claim to the market place where a building had already been erected.<sup>114</sup> Col. Josiah Taylor relinquished his claim in part and another director, George Buchanan was not disturbed, for his land near the bridge was not required for the use of the Tay Canal or the basin.<sup>115</sup> However, opposition to the company plan would not come from those with a direct claim to portions of the island as much as it would from a general objection. The degree of indignation was expressed by Reverend William Bell who had previously applied for land on the island for the purpose of building a common school house. Bell revealed his dismay over the company's control of the island:

The island in the middle of town had long been reserved for public purposes, but now Morris and his fellow despots got a grant of it and were selling it out in building lots, applying the proceeds to the Canal, or putting them in their own pockets, for the Canal was their private property. I asked the reserve of a small lot for a school house, which was granted, but I was told 'you may buy a part of it for that purpose.'<sup>116</sup>

After plans had been drawn up for the island and the basin, a public sale of lots was held 21 April 1832 and only £300 was

raised. The Reverend Bell who bought a lot (perhaps for the school) along with his mercantile sons William and Robert, claimed that few lots were sold as prices were too high.<sup>117</sup> Historian H. R. Morgan also surmised that those people who may have desired to purchase lots "were unwilling to do so until an excavation had been made, as much of them lay under water".<sup>118</sup> Alienated by the high cost of lots and cautious over the ability of the company to deliver, citizens of Perth were reluctant to part with their money thereby forcing the company to obtain a loan of £1000 from the Bank of Upper Canada to get the basin construction underway. Little could be done after the money was received in September as a wet autumn had resulted in swollen river levels. Suspicious as to the loss of public property, the resulting excessive price of lots and subsequent lack of progress, a good number of the population may have turned against the struggling company and its political backers.

In 1832 the Tay Navigation Company forced a local political challenge. Colonel Donald Fraser, an ex-army officer and member for Bathurst District (along with William Morris) in the Upper Canadian Assembly was not impressed with the record and procedure of the Tay Navigation Company. Having represented Bathurst since 1829 when the district was granted a second seat in the Assembly, Fraser was a reform minded politician who had lived near Perth and Lanark village.<sup>119</sup> In the election of 1830 (following the death of King George IV) William Morris represented the local conservative forces (interchangeable with the directors of the

Tay Navigation Company) and Donald Fraser was backed by a reform-minded elite which included Malcolm Cameron and the Bell family.<sup>120</sup> Morris attempted to unseat his rival, Fraser, by having his friend Col. Alexander McMillan, (elected Treasurer of the Tay Navigation Company in May 1831) stand with him in the election of 1832.

The Reverend William Bell was hardly an unbiased observer since he considered that Morris, McMillan and Matheson were out to ruin his congregation. He gave a colourful description of Fraser's election victory in his famous diary. Bell noted on 5 March 1832 that McMillan had "lost the thread of his discourse" in his speech and made a "ridiculous figure" but Fraser was behind in initial polling. In the evening "both parties sent out sleighs in all directions to bring voters and the night was as busy as the day". Going to the hustings three days later Bell described Fraser's friends coming in fast, [noting that], "many were congratulating themselves upon beating a faction too long dominant in the settlement". Although Morris was also re-elected, Bell described Fraser's victory over McMillan for the second seat as a defeat for Morris as "He and all his party now received a check they little expected."<sup>121</sup>

With the directorship of the Tay Navigation Company clearly in control of local conservatives and with William Morris at its head, reform members of the community found the company and its canal a target for political opposition, especially in the high handed manner with which the directors handled land control

conflicts in and around Perth.

On 29 October 1832, Donald Fraser went on the attack by writing a letter to the Executive Council complaining that Cockburn Island was being sold for the benefit of company directors and not in the public interest. Fraser maintained that the sale of lots in Perth, forty in number for a potential accumulation of £2,500, was being done on land set aside for drills, fairs and markets and that stockholders could be permitted to gain profits as high as 20%.<sup>122</sup>

Fraser wrote:

I am directed to mention to you for the Information of His Excellency that should Mr. Morris be allowed to pocket all the above mentioned sum he should be caused to Purchase an Equal Extent of ground near the town of Perth for Public use - the lots above mentioned in Exclusion of any ground wanting for Canal purposes.<sup>123</sup>

William Morris' initial reaction after hearing of Fraser's complaint on 10 November 1832, was to explain in a letter that the application "for patent of the piece of ground which government has pleased to grant to the stockholders last season [was] in aid of their exertions to construct in that part of the Province a great public good".<sup>124</sup>

On 19 November 1832 Fraser wrote again to the Executive Council on the issue of Cockburn Island:

were I to presume to suggest anything on the Subject; it would be to say that government should never part with it [Cockburn's Island] - as in five years such a spot of ground must necessarily add much to the comfort and health of the Inhabitants besides the loss to the County of their market ground which is here held twice in the year.<sup>125</sup>

Donald Fraser felt that the people would have been better

off had the land been ceded to the magistrates in trust and the proceeds devoted to the purchase of stock in the company on behalf of the public. Funds could be raised for public purposes without navigation suffering.<sup>126</sup>

In the meantime, William Morris had lowered the boom. On 30 November 1832, Tay Navigation Company promoters Anthony Leslie and Roderick Matheson presented a petition to the House of Assembly stating that one Donald Fraser had failed to take out the necessary property deeds to qualify as a candidate six months previous to his election and that the result must be declared null and void. Leading in the fight for dismissal, William Morris achieved his revenge when Fraser was unseated by a small majority in the House.<sup>127</sup>

An incredulous Donald Fraser sent into the Executive Council 7 December 1832, a copy of the weekly newspaper which revealed the extent to which the Morris faction was out to get him as they set up Clerk of the Peace and Tay Navigation Company secretary and Director George Hume Reade to be his by-election opponent.

I have heard that a number of Petitions coming forward in order to be presented to his Excellency against granting the Island to the Present Canal Company - now am I surprised at it [sic] when it is considered that five or six individuals would deprive the county or community of such a valuable privilege as this of the Island and put in their own Pocket (according to the present plan and fee on lots) three thousand pounds nearly equal to the whole labour of the Canal.<sup>128</sup>

If Fraser was still fighting and attempting to regain office, then Morris had not yet stopped fighting. Taking great offence to Fraser's charge, Morris asked the Executive Council to

call in the names of those who had directed Fraser to complain.<sup>129</sup> Pointing his finger at members of the Perth community, he claimed that the Tay Canal would never have been accomplished without the assistance of outsiders. He claimed that many of the people of Perth "have never to this hour afforded the slightest assistance to a company which by perseverance in the face of almost insurmountable difficulties have enhanced the value of property at Perth to an incredible amount". Critical of the public spirit in Perth that would pay only £843 toward canal development, Morris challenged "any candid person in the District of Bathurst if it is not far preferable to have navigation and dock such as will be open for public use before this time twelve month than to see the trade of the town diverted to the banks of the Rideau and Cockburn Island left in a state of nature for the accommodation of a cattle fair which, in place of being held there, would in all likelihood have assembled at some other place of trade and commerce".<sup>130</sup>

William Morris also denied that he benefited in a personal way from the sale of Cockburn Island lots.

So wholly groundless is the insinuation that I defy not only Mr. Fraser but the whole community to show that one single farthing of the lots in question ever came into my hands or afforded me, directly or indirectly, the smallest personal pecuniary advantage. Nay, more I put it to him or to any other individual to show on the part of any one director the slightest deviation from the most disinterested probity and honor in the management of Tay Navigation Company, and I will further add that, notwithstanding the vast labor and loss of time, as well as expense, that have fallen on a few of the individuals who conduct the business, not one penny has or ever shall be charged against the company for these services.<sup>131</sup>



Finally Morris requested of those who might be envious of the company, to become one of the subscribers since money was still in short supply.

Such a line of proceeding would be much more serviceable to the public than the conduct of many who by insinuations and evil reports have done everything in their power to mar the progress of an undertaking which will yet be found not only creditable to those who planned it, but the main source of prosperity to that portion of the province.<sup>132</sup>

The Executive Council was not swayed by the points raised by Donald Fraser. Indeed the Council did not see any reason for recommending any change "but on the contrary [were] confirmed in their former opinion".<sup>133</sup> William Morris had won his first election in 1820 and would soon enter the Legislative Council in 1835. This suggests that if he did not share all the assumptions of the ruling elite in York, his contacts gave him considerable clout. A favourable decision in the Cockburn Island controversy may have been influenced by the personal intervention of Peter Robinson, Commissioner of Crown Lands in Upper Canada.<sup>134</sup>

Back on the local front, Donald Fraser was eager to do battle with a group he described as "a faction who took advantage of the law quibble".<sup>135</sup> Although Cockburn Island was only one of many issues facing the community, like the Tay Canal, it long remained a major point of contention in Perth. Upon Fraser's return to Perth after his dismissal, the reformers held a meeting at Cross Hotel in Perth, commending Fraser's position on Cockburn Island and nominating him to stand again for office. The meeting, which included the likes of Malcolm Cameron and Henry

Glass, passed a resolution that claimed "the active interference of our present member William Morris Esq., throughout the affair is alike derogatory to him and insulting to us".<sup>136</sup>

In Upper Canadian elections, electors cast their vote publicly at pollings which lasted several days. Each elector could vote twice, but not for the same candidate. The poll would open with speeches by each candidate "with opposing groups massing around the hustings like teenage gangs in a schoolyard". Fights and disruptions were common as in the words of historian D.H. Akenson "there were more factions than sports, so that conflict was endemic".<sup>137</sup> With increased immigration from overseas and the added population of Rideau Canal workers who were settling down, Perth was in a state of flux in the early 1830's. Province wide polarization between conservatives and reformers was exacerbated by increasing ethnic, religious and class conscious militancy. The by-election that got underway on 2 January 1833, was a colourful mix of emotions centered on two opposing candidates. A passage of William Bell's diary described the victory secured by Fraser:

The late election of Mr. Fraser as the second M.P. for our Country had greatly mortified Morris and his friends. All the deeds of the property on which Mr. Fraser had qualified had not been taken out six months before the election, Morris seized on this and after a long contest in the House of Assembly, the return was declared void and a new election ordered. This commenced January 2nd 1833, Afraid to try McMillan again they proposed Dr. Reade, who was at that time in desperate circumstances. But from the hustings he declared he was independent in circumstances and honest in principles. This caused even his own friends to laugh outright. Some Irishmen, friends of Fraser, gave

the Doctor great abuse, particularly one Edwards who talked incessantly and volubly. By this time a great crowd collected and many handsome flags were displayed. One was white on which was painted a black gibbet from which was suspended by a rope a large "Z". This was the signature attached to a large handbill abusing Mr. Fraser which had been liberally circulated in the settlement and of which Mr. Morris was supposed to be the author. Opposing handbills paid back "Z" in his own coin. Reade and his friends were foolish enough to demand a poll while this went on all afternoon several battles took place, more than one got dreadfully beaten. Irishmen relished no amusement without broken heads. One of the oddest features of the election was that Dr. Reade though an Orangeman was not supported by the Orangemen. The streets were very slippery. Sleighs were dashing about. A man named Moonan was knocked down, run over, had both jaws broken and died some days after. The voting continued two days with Fraser's majority continually increasing. The Dr. gave up the contest and on the third day Fraser was chaired in grand style. Next day he proceeded to York and resumed his seat in the House of Assembly to the great mortification of Mr. Morris, who was henceforth known by the name of Timothy.<sup>138</sup>

The message in Donald Fraser's re-election victory in 1833, was the need to provide a local balance to William Morris and his magisterial, mercantile and military elite. Perth repeatedly sent William Morris to York but the by-election revealed the need for scrutiny of Morris' activities in government as well as in Perth as President of the Tay Navigation Company. Morris must have been pleased in the election of 1834 when Fraser did not run and company director Lt. Col. Josiah Taylor regained the seat for local conservatives.<sup>139</sup>

In the Tay Navigation Company report to stockholders in December of 1833, the directors were able to report the completion of the Perth basin. The new basin was faced round with a stone wall of three feet in thickness and a wharf of forty

feet. The basin was created 160 feet by 120 feet, and two previously constructed swing bridges over the Tay gave access to Cockburn Island.<sup>140</sup> (See Plan in illustrations 7, 22)

Although there have been many alterations to the Tay Canal basin in Perth over the last century and a half, it remains the single most obvious remnant of the first canal. The handsome town hall built on the location of the old market square in 1863 is a reminder that Cockburn Island was not wholly absorbed by commercial interests. The dispute over Cockburn Island reflected the extent to which local opposition was geared up to oppose and limit the power of the Tay Navigation Company and its conservative directors. Because of the split along political lines it is hard to determine the importance of the Tay Canal issue in accordance with the other local problems of the day. Certainly the local power structure as represented by William Morris and the directors of the company saw the need to send proponents of the canal to the House of Assembly. With the opening of the Rideau Canal in 1832 Perth's conservative elite had high hopes for the potential of their canal. That is not to say that mercantile leaders among the reformers like Malcolm Cameron, Henry Glass and William and John Bell were not equally geared to the potential of the Tay Canal. The division probably had more to do with commercial attitudes, managerial style and competitive aspirations. The difference between William Morris and Malcolm Cameron had more to do with by what means and how the canal was to be built rather than whether it should have been

built.

The Cockburn Island dispute illustrated the political nature of the era. Political, ethnic, religious and local polarization divided a community within the throes of population increase, developmental expansion and heightened commercial activity. Local consensus was difficult to achieve with all these variables. The Tay Navigation Company would raise serious objections within the community whenever it was perceived that the stockholders were reaping special advantages and favours at the expense of the public.

### **Tay Canal Transshipment and the Perth Landing**

The navigable limitations of the first Tay Canal severely restricted its use and the many advantages of canal access to Perth were never fully realized on account of the inefficiency of the system. At the time of construction two major setbacks of the Tay were unforeseen. One major problem was the inability of steamboats to navigate the Tay Canal which meant that slow moving canal craft could not be towed by steam power nor could the marshy shores of the new canal accommodate a tow path road. Forwarders would have to add personnel to canal boats to help row and pole or to man the sails. Time loss and extra wages increased the cost of transport.

Even more damaging, however, was the need for costly transshipment between Rideau Canal steamboats and canal boats capable of navigating the Tay. Although transshipment was not always necessary especially when steamboats towed their own barge to the entrance of the canal and then left it behind to go up the Tay, a large part of the trade did need this extra handling. As a result, facilities for handling the transshipment of goods developed at the base of the canal at Port Elmsley, at the mouth of the Tay River at Stonehouse Point and at Rideau Ferry.

The Tay Navigation Company did not have a monopoly over the use of its own canal. Article twenty-nine in the Act to incorporate the Tay Navigation Company guaranteed that "all persons whatsoever shall have free liberty to ... Navigate on the said River Improvement with any Boats, Barges, Vessels or Rafts,

and to use the said Wharves and Quays for loading and unloading...upon the payment of such Rates and Dues as shall be established by the said Company."<sup>141</sup> (See Appendix A). The company would have expected reasonable competition in the use of the new canal especially if it was accessible to Rideau steamers but the need for transshipment posed a different problem. The problem of navigating the canal meant less business than expected, especially over the long run as alternative means of transport were improved and became more competitive. While the company was able to exact tolls on weight and measure, overall it lost revenue on account of its inability to prevent other forwarders from using the canal. Dues for tonnage could not easily be raised since merchants and forwarders experienced higher costs in manpower on river craft while losing time in delivery speed. The handling of canal transshipment raised costs but at least offered some opportunity for the company to recover lost revenue from the canal's limited navigability. However, they found themselves in a competitive struggle over the control of transshipment facilities. At every angle the Tay Navigation Company faced reduced profits in operations management. Perth's own steamer, the Enterprise, was unable to navigate or tow goods on the canal, and the restriction of steamers meant decreased activity, efficiency and revenue. Extra dues would have made the system unviable, and control of transshipment facilities was too competitive to raise extra revenue.

The struggle over transshipment facilities started at the

base of the canal in Port Elmsley where the company was unable to secure access to lands. The Act of Incorporation for the Tay Navigation Company, especially section twelve (See Appendix A) stated that the company had the right "to make, build, erect, and set up, in and upon the said River...Wharves, Quays, Landing Places...as the said Company...shall think requisite and convenient for the purposes of the said Navigation."<sup>142</sup> The Weatherhead family, who were in control of much of the land around Port Elmsley and the first and third locks of the Tay Canal had blocked the Tay River with a dam in 1829, and were ready to fight the company and its owners in 1834 over a landing place in the village. A newspaper article in the Kingston British Whig dated 24 November 1835 reflected the competitive controversy.

Weatherheads do a good deal of the forwarding business to Perth in opposition to the Tay Company with whom they have an irreconcilable feud having been in active warfare ever since the commencement of the Canal. The Company some time ago erected a warehouse on Messrs. Weatherheads lands, which was twice pulled down by the inhabitants of the village. They then desisted and built a storehouse on an island at the mouth of the river, called Perth Landing where all goods to be forwarded by the Tay Company are landed.<sup>143</sup>

Without a convenient location at the canal entrance, the Tay Navigation Company had to set up facilities further downriver. The Weatherheads took strategic advantage of their location and established their own warehouses near Lock one for the purpose of storage and transshipment. In addition they owned a sawmill where Lock three was located which produced sawlogs for the burgeoning American lumber trade via Kingston and Oswego. In keen



competition with the Tay Navigation Company, the Weatherheads not only set up to serve transshipment and forwarding on the Tay Canal but also built a steamboat in 1836 named The Tay. Built to pass locks on the Tay, Grenville and Lachine Canals, it was meant to service trade to Montreal and Oswego and tow sawlogs to market.<sup>144</sup> By developing a depot at the base of the Tay Canal, the Weatherheads cut off the Tay Navigation Company at the pass. With the company depot at the base of the river instead of the canal, trade could not be controlled as much as they had expected.

The large merchant house of W. & J. Bell of Perth preferred the 'Pike Falls' or Weatherhead landing place over all others. Even when the Bells were operating their own barge after 1841, they continued to use the convenient Weatherhead location to lay over merchandise. They informed their barge captain on one of his first runs: "When you get up to Weatherhead's send up someone to measure the water in the wooden lock and if too shallow unload as much at Weatherheads as will enable you to come up."<sup>145</sup>

The Bells did experience some problem convincing their forwarders to go up the Tay River as far as the first locks. W. & J. Bell wrote to McPherson and Crane in 1840,

...it will be more satisfactory not only to us, but also we believe to all the other merchants here, were our goods to be left at Mr. Weatherhead's. Your steamers and barges can come up with the greatest ease to his store, and the delay in going up will be very trifling.<sup>146</sup>

The Tay River below Port Elmsley was not very deep and the

prior reputation of the Tay Canal was not conducive to encourage forwarders to risk sending their steamboats up the canal even as far as Weatherhead's at the first lock for fear that the vessels may become grounded.<sup>147</sup> The Weatherhead facilities were convenient to Perth merchants because there was a shorter turn around time in the transshipment process since slow moving barges and boats faced an extra one and a half to two mile journey from the lower lock to the mouth of the Tay River. The Weatherhead transshipment landing may have been more significant for preventing the Tay Navigation Company from utilizing a strategic landing area to gain greater control over its own canal.

The Tay Navigation Company was forced to establish a storehouse, transshipment and staging area on a more permanent basis at Stonehouse Point, which was recognized as the Perth Landing. Located on the western bank of the marshy Tay River mouth, the Perth landing was on a solid piece of ground frequently isolated as an island when water levels were high. Anticipating the need for at least a small storehouse right on the Rideau Canal channel in Lower Rideau Lake, the Tay Navigation Company created the Perth Landing in 1834. The temporary need for this landing was expressed in a report in the Brockville Recorder for 23 May 1834.

The Tay Navigation Company have built a storehouse at the mouth of the Tay, on the shore of the Rideau Lake, eight miles from Perth and barges convey freight from thence daily to that flourishing village, thru the Tay Canal, the locks of which are nearly completed for boats as large as the Enterprise.<sup>148</sup>

With the realization of restricted navigation for steamboats

as well as restricted accessibility to the base of the canal by Weatherhead interests, the development of Perth Landing on Stonehouse Island took on greater importance. Although separated from the first lock of the Tay Canal by a shallow, weedy passage, the landing was right on the main Rideau channel and capable of intercepting goods destined for Perth. The company certainly would have preferred a convenient landing at the mouth of the Tay River as well as a transshipment location at the first lock, especially after direct access for steamboats on the canal proved impossible. (See illustrations 4, 6, 31, 32)

The Perth Landing became a fulcrum for a considerable amount of the Tay and Rideau Canal interchange during the early years of operations. The Tay Navigation company Ledger for 1834 and 1835 describes in detail the arrival and departure of Rideau Canal steamers and Tay Canal boats as goods and produce was exchanged.<sup>149</sup> A considerable amount of the goods received and shipped were owned by directors and promoters of the first Tay Canal.

The merchant twins of the Bell family in Perth showed much dissatisfaction with the handling of goods at Perth Landing. Not part of the local conservative elite who controlled the canal, the Bells were friends with the Weatherheads and keen competitors with William Morris. They did not trust Tay Canal agents at Perth Landing. The Bells informed forwarders McPherson and Crane in 1837,

As it appears freight is to be paid on delivery and the

goods for this place ate landed ten miles from this (Perth Landing], and we do not wish to leave money in the hands of the people with whom the goods are left...<sup>150</sup>

Indeed the Bells and their forwarders experienced some harassment from agents of the company at the Tay mouth. A particularly obstinate agent by the name of Mr. McLaren gave the forwarders a hard time in seeking to bypass the Perth Landing. In June of 1838 W. & J. Bell complained to McPherson and Crane that they were disappointed "to find that several boats ordered to this place have been stopped at the Perth Landing and one of them after coming up to Pike Falls."<sup>151</sup> The Bells had twice notified their forwarders' agents in Bytown to request him "particularly to caution the masters of boats against paying any attention to the reports they might hear at the mouth of the river."<sup>152</sup> McLaren and the company may have been seeking greater control over navigation and transshipment at this time.

A serious defect with Perth Landing on Stonehouse Point was its isolation. Wetlands around the shores of Lower Rideau Lake forbade road access and except for ice roads in the winter the landing [and the goods it handled] was dependent upon the navigation season of the Tay and Rideau Canals. Port Elmsley was also hampered by road conditions. These facts gave rise to a flourishing transshipment business at Oliver's, now Rideau Ferry, on Rideau Lake. The Ferry was a main link on the old road between Perth and Brockville. It straddled the main channel of the Rideau Canal and was in the vicinity of the Tay Canal.

A ferry at the side of Rideau Ferry was first established by

John Oliver in 1816 and operated by his son William after his death. The Oliver name remained attached to the ferry when Archibald Campbell took over the lease and built a wharf and warehouse on the lakefront in 1832. After the death of her husband, Elizabeth Campbell carried on the ferry and transshipment facility at least into the mid-forties.<sup>153</sup> William and John Bell, as merchants in Perth, were frequent users of the ferry transshipment location especially late in the navigation season when Tay Canal water levels were a cause for concern. Although the Bells preferred the Weatherhead Landing at Port Elmsley and avoided the Perth Landing as much as possible, they found Rideau Ferry convenient for road transfer if conditions so required.<sup>154</sup>

Rideau Ferry itself had severe limitations. Slow moving Tay Canal boats, like scows, barges, Durham boats and batteaux, if shipping from the Ferry, could be slowed ever further or be kept wind-bound on the wide and shallow Lower Rideau Lake. The road between Brockville and Perth was difficult at the best of times but the section between the Ferry and Perth was frequently condemned depending upon the season of the year. In mid-November, 1840, the Bells wrote to a Montreal merchant house that "our Tay Canal is out of order and for some months we have had everything to cart out and up to the Rideau Canal over a horrible road which is now totally impassible so that we cannot send anything."<sup>155</sup>

The most serious limitation to the development of transshipment facilities at Rideau Ferry, Port Elmsley and Perth

Landing was the widespread desire by forwarders and merchants alike to omit the extra cost of handling altogether. As in the words of W. & J. Bell, "We see no use in a boat unloading there and then lying idle for four days waiting for a steamer when in half the time the goods might have been delivered here."<sup>156</sup> Furthermore, the Bells felt that, "it is much better to have the boat come up direct [to Perth] than to have them [the goods] transshipped so often."<sup>157</sup> The Bells insisted to a merchant in Montreal that "the [goods] are generally damaged when they are shifted on the route from one boat to another."<sup>158</sup>

In addition to increasing the chances of having cargoes damaged, the need for transshipment also raised the cost of handling dry goods en route to Perth and produce en route to Montreal and Bytown. The Bells complained in 1840 that it cost 1/6 on a barrel of ashes extra to ship via McLaren and the Perth Landing than to ship direct.<sup>159</sup> Direct shipping meant that barges from Perth or Montreal either sailed the entire route without transshipment or else that steamers with barges in tow simply disengaged one of their barges to navigate to Perth and back and then to be picked up by the same steamer heading back on the Rideau. If a merchant or group of store owners could compile enough produce or assemble a large enough order to fill a barge this was the most efficient means of transport. Local transshipment facilities survived because full loads were the exception, not the norm. Forwarders were also reluctant, even with a barge, to take on the irregularities of the Tay Canal.

Insecurity over the navigable depth of the canal was expressed in one letter from W. & J. Bell to McPherson and Crane.

The Boats sent here will of course require to make up part of their loads on the Rideau, as the Tay Canal will not allow them to take a full load. We think pretty large boats will sail best as they will carry more in proportion to this draft of water.<sup>160</sup>

In spite of their own lack of confidence concerning the Tay Canal, the Bells also exhorted forwarders to send their barges directly to Perth to avoid costly transshipment of goods.

As you may suppose that there is not a sufficient quantity of water in this river for your boats to come up and will be induced to think so by those who own boats here, we may mention that on Saturday last we heard an offer made to carry down in one boat enough wheat to load your barge there lying at the Rideau lakes, alas, that three boats about the average size of yours have come here within a week and are now loading to sail tomorrow and that out of the freight which they are now putting on board we could have procured enough to have given your barge a full cargo had she come up.<sup>161</sup>

The Bells also warned forwarders that they not be duped by the transshipment agents on Rideau Lake and the Tay River. In particular they pointed out McLaren at Perth Landing. They wrote to McPherson and Crane:

you are perhaps not aware that Mr. McLaren who receives the goods at the Landing has a share in the boats issuing from this place [Perth] besides charging storage on all goods left with him and is therefore interested in preventing the Ottawa boats from coming up.<sup>162</sup>

According to John and William Bell Jr., McLaren had made an arrangement with a Mr. Lock of Perth who engaged two boats in carrying freight from Montreal and that McLaren was entrusted with delivering the goods from Perth Landing to Perth. The

competition was evidently so severe that the master of the barge Harriot had to withstand insulting language from company agents at the Perth Landing when cruising up to the mouth of the Tay.<sup>163</sup>

As will be shown below, W. & J. Bell even built their own barge to maintain direct shipping between Montreal and Perth. However, the frequency of steamers visiting the transshipment landings maintained the handling business as the quantities of goods involved were frequently insufficient to justify a barge load in any direction. Even if steamboats had been able to navigate the Tay Canal to Perth, one suspects that transshipment facilities would have developed anyway to prevent time loss on a busy schedule throughout the Rideau System.

The first steamer to arrive at the base of the Tay Canal was the Union which put into a dock at Port Elmsley 1 June 1832.<sup>164</sup> Although the Tay Navigation Company had hoped to have the canal completed by the opening of the Rideau Canal, the steamer could only ascend to the first lock. Even with the Tay Canal still under construction, goods were being shipped on the Tay River and it was reported that the Union would make weekly calls on the Tay. In 1833 it was the steamboat Rideau that ascended the Tay River to Pike Falls or Port Elmsley both on her downward and upward trips on the Rideau Canal.<sup>165</sup>

Even with the lock gates still not hung at the first lock station at Port Elmsley, the Pay Canal was still being utilized where possible in 1834. In the spring, the Perth steam boat Enterprise took its maiden voyage on the Tay with disastrous



Results<sup>166</sup> (See chapter 8 for further discussion) and in late May, the Reverend William Bell described the arrival of the first Durham boat in Perth from Montreal.<sup>167</sup> Bell may have mistaken the Durham boat as it was more likely a local craft carrying goods transshipped from Montreal. On 18 September 1835 the Bathurst Courier reported the first barge at Perth from Montreal having taken five days to arrive.<sup>168</sup>

The opening of the full Tay Canal by 1835 occurred during a decade of considerable growth for Perth and the District of Bathurst. Almost twice as much land was under cultivation in the District in 1840 as in 1830 and the population increased more than a third in the same period of time.<sup>169</sup> R. B. Sneyd, in his thesis The Role of the Rideau Waterway 1826-1856, suggested that by the end of the 1830's "Perth had in truth become the metropolis of a thriving community."<sup>170</sup> The lumber trade was peaking on the Tay watershed and the Reverend William Bell reported oak timber being exported for the first time from Perth to Quebec in 1833<sup>171</sup> while by February of 1835 he described the extent of the increased activity.

This winter an immense quantity of oak timber was prepared in the woods and brought to Perth, to be rafted and sent to Quebec. From twenty to fifty teams of two to ten oxen each, passed our house twice every day, drawing this timber to the river.<sup>172</sup>

The Tay Canal facilitated the river drive by allowing cribs of timber to be formed in the Perth basin and then easily locked through or put down timber slides on the Tay to be rafted on the

Rideau. The burgeoning lumber trade spin off helped further stimulate Perth's role as market supplier and staging centre.

Even in 1834 with the canal not yet complete, the Tay Navigation Company was charging tolls for the use of their locks.

The tolls for 1834 were as follows:

TOLLS CHARGEABLE ON THE TAY NAVIGATION<sup>173</sup>

	s.	d.
Dry Goods, Wines, Spirits, &c. per ton,	5	0
Iron and Sea Coal, do.	2	6
Flour per Barrel,	0	3
Salt, do.	0	2
Pot and Peal ashes per do.	0	9
Beef, Pork, Apples, do.	0	6
Plaster of Paris, do.	0	6
Cider and Whiskey, do.	0	6
Wheat, per bushel,	0	0 $\frac{3}{4}$
Oats, do.	0	0 $\frac{1}{4}$
Other grain, do.	0	0 $\frac{1}{2}$
Oak Timber per cubic foot,	0	0 $\frac{1}{4}$
Other Timber, do.	0	0 $\frac{1}{8}$
Saw logs each,	0	1 $\frac{1}{2}$
Pipe Staves per 1000,	10	0
Plank and Board per 1000 feet,	1	0
Shingles per 1000,	0	4 $\frac{1}{2}$
Mill Stones per pair,	5	0
Grindstones per ton,	2	6
Charcoal and Lime per 100 bushels,	1	0
Sand, do.	1	0
Each passenger,	0	3
Neat Cattle and Horses each,	0	9
Sheep, pigs and calves each,	0	3
Carriages, waggons &c. each,	1	3
Articles not enumerated per cwt.	0	3

A statement of Imports and Exports through the Tay Canal issued by John McKay of the Tay Navigation Company is an interesting set of statistics for 1835 but there is no indication as for the time frame involved.<sup>174</sup> In the list of imports and exports one may notice little or no reference to locally produced

wheat, flour and pork because much of it was being absorbed to supply lumber camps in the area.

<u>Exported</u> <sup>175</sup>	<u>Imported</u>
Potash -1504 bbls.	Gypsum -5 bls.
Butter -753 firkins	Fine Flour -9 bls.
Whiskey -3 bb.	Whiskey -89 bls.
Saw Logs -1340	Oats -20 bu.
Flour -16 bls.	Wheat -40 bu.
Salted Fish -30 bls.	Firewood -20 cords
Beer -116 bls.	Ploughs -24
Fanning Mills - 8	Apples and plums -29 bls.
Oak staves -57,154	Household furniture -11 tons
Oak timber -181,500 ft.	Merchandise -199,318 tons
Soft timber -19, 765 ft.	Salt -807 bls.
Pine Boards -141,170 ft.	Boards -11,976 ft.

The following is an examination of the Tay Navigation Company Ledger for the years 1834 and 1835.<sup>176</sup> It is a rare survival of company books from the era of the first Tay Canal and allows us a window into the past. As a register or ledger the information was compiled on goods and produce being transshipped between the Tay Canal and Rideau Canal. The information is not a compilation of tolls gathered in either of those two years, but a record of transshipment at Perth Landing on Stonehouse Point by the mouth of the Tay River. Thus the ledger deals with goods being processed by the Tay Navigation Company and does not take

into account the imports, exports or transshipment costs of forwarders or merchants transporting direct or through other transshipment facilities at Port Elmsley or Rideau Ferry.

The first page in the ledger was a letter to the employee working for the Tay Navigation Company at Perth Landing. It informed him to make sure that his day book agreed with the way bills which should agree with the receipts. He was also told:

You must keep an account of every thing that is left with you by any boat navigating the Canal. As well [as] things sent by such Boats whether it belongs to the Company or Mr. Drummond but you are not to forward by any other Boats for the present all articles sent to the Tay mouth Landing on which the Transport has not been paid. This Tay transport and duty must be stated in the Way Bill sent with such articles and a Copy of the Way Bills Kept.

-all small parcels sent to be forwarded the transport should be paid when delivered to Kingston or Bytown from 1/6 to 2/6 - to be marked paid to the place there the Enterprise delivers them.

-all such parcels on which the transport is paid must be entered in your day book.

-ascertain from the Captain of the Steam Boats the transport from Kingston to Olivers Ferry and from there to Bytown, so that you will be able to inform any person who may inquire of you the rate of transport.<sup>177</sup>

In May of 1834, the Brockville Recorder reported six steamboats utilizing the Rideau Canal including five which were stopping at the Perth Landing: the Rideau; Margaret; Thomas McKay; Enterprise; and Toronto.<sup>178</sup> During the short season in 1834 (from mid May to Mid July) the steamers made a total of forty-two visits to the Perth Landing. The Enterprise, largely owned by the Tay Navigation Company made eleven visits at four day intervals early in the season and seven day intervals later.

Ten visits by the Rideau were made every four or seven days with the McKay arriving the same number of times for periods of every three or four days except for absences of two weeks or more. The Margaret spaced eight visits every four days with the Toronto stopping three times at six day intervals. A pattern of visits every half week or week does appear but it is unlikely they were scheduled stops. More probably the agent at Perth Landing would flag down a steamer on a regular run when enough produce had been stockpiled to be shipped out. A majority of the boats appeared to be off-loading small quantities of goods destined for Perth and area. There were few large loads. Unfortunately we do not know whether or how often these same steamers stopped at Port Elmsley or Rideau Ferry. The Tay Canal was not yet complete and many goods may have still been transported via stage, wagon or sleigh.

The only barge on the Tay Canal in 1834 that visited the Perth Landing was the Enterprise, named after the steamer which had been expected to tow it along the route of the canal. As a result of canal limitations the Enterprise barge (D. McColl, master) had been forced to make its twice weekly trip on the canal by itself. Between 13 May and 14 July, 1834, the Enterprise barge made thirty-five one way trips, spending a day each way except for two way trips on 19 May and 6 and 23 June. The barge may have had a scheduled run because on some days its load was light. There were heavier loads going down in May and early July and two larger loads going up to Perth in mid June but

seldom were loads larger than 100 barrels of flour, 80 barrels of pork or 60 barrels of potash taken at any one time. Boat capacity may have been a factor as well as the problem with the gates at Lock one at Port Elmsley. There is no information of other barges run by competitors although a barge owned by a J. Williams of Perth stopped once at Perth Landing with a load of fifty-one barrels of flour being exported by Henry Glass.

The major exporters using Tay Navigation Company facilities at Perth Landing were merchants involved directly in the company. The Enterprise barge carried eleven consignments from Perth for William Morris, and seven each for Roderick Matheson and Henry Graham in 1834. Much smaller consignments were handled for Alexander Fraser, W.R.F. Berford and non-company exporters including Porter and Gemmill, Henry Glass, Hardy and Tuttle, Worrida and King, a consignment of 23 barrels of potash for W. and J. Bell and some shipping for individual merchants in Lanark and Carleton Place. The largest load exported by William Morris at any one time was 100 barrels of flour and many of his shipments only averaged about 8 -10 barrels of potash. Most of the produce being shipped out of Perth on the Enterprise barge was destined for Gillespie and Moffat Company in Montreal with much smaller consignments going to Botswick and Gregory, Budden and Vennor, J. Torrance, H. Russell and Alexander Miller in the same city. Most of the produce carried down was potash supplemented with flour, wheat and butter. There is no record of lumber whether floated down singly, in barges, or in cribs. Some

goods were destined for Brockville, Bytown and points along the Rideau.

In its first official year of operation with one lock not complete and a shortened season, we can determine that small amounts of goods and produce were taken up and down the Tay Canal almost daily by the Enterprise barge and that most of the people using the service at Perth Landing were active as directors or promoters of the Tay Navigation Company. Quantities of goods dropped off or shipped from Perth Landing were small in volume. Steamers would stop at Perth Landing on their regular runs if there was a need to deliver or receive goods. However, Perth Landing represented only one of three competitive facilities in the transshipment business.

The pattern for 1835 was the same as the year before except that it was a much longer season stretching into mid-November. There was daily activity at Perth Landing with steamers (now including the Bytown as a visitor) arriving every four to seven days with various quantities of produce to be picked up or goods to be left off. Again one barge dominated the Tay Canal from the Perth Landing. Called the J. Williams scow or barge, it made eighty-seven one way trips. The 'McTavish' barge also made seven trips up the Tay from Perth Landing. The J. Williams barge usually made the trip down or up in one day except for nine days when it did a return trip in one day. The J. Williams barge sometimes went daily, other times every two or three days and during August and September, only weekly.

Normally the spring and fall were busy seasons with merchants being supplied with a diverse range of items for winter and summer and stockpiled produce being sent to Montreal in spring. Except for the summer of 1835, activity seemed to be well spaced with small amounts being shipped and received throughout the navigation season. Again William Morris, Roderick Matheson and Henry Graham dominated down river traffic.

One can observe the expenses in shipping by way of the Tay Canal when looking at a bill for Henry Graham made on 14 May 1835 involving the export of thirty barrels of potash. Graham was charged 4<sup>d</sup> per barrel for cartage in Perth; 1/3 for freight on the Tay Canal; 9<sup>d</sup> for lockage and 3<sup>d</sup> for storage at the Perth Landing. Thus three pounds, seventeen shillings and six pence were spent in transport even before the barrels were picked up on Rideau Lake to be sent to Montreal.<sup>179</sup>

Finally, by utilizing the Tay Ledger and the letterbooks of W. and J. Bell Company we can observe the names of the canal boats using the Tay for a ten year period from 1834. Barges based for a time in Perth include Enterprise, Harriet, The Old Countryman, Jolly Brewer, Victoria, Pride of Perth, Perseverance, Waterwitch, 'J. Williams' batteau, 'Duncan McTavishes' scow, 'J. Robsons' scow, and 'Montgomerys' boat. Some of the barges were owned by forwarding companies outside of Perth shipping direct via the Tay Canal including the Hope, Dolphin, Rob Roy, Francis, Emigrant, Trader, Jane, Iroquois, Mayflower, and Clara Fisher.<sup>180</sup>

An advertisement was placed in the Bathurst Courier on 10



May 1839 concerning the Jolly Brewer captained by Bernard McSharry.

A Regular Trader between Montreal and Perth. The Proprietors of this "sloop" wish to inform Merchants and Others, who may have freight to forward to or from the above (or the intermediate) places on that route, that they will throughout the season be enabled to do so at a moderate rate, and with safeness and security. For further particulars apply to Mr. Lock or Capt. Bernard McSharry on Board.<sup>181</sup>

Without towing by steamboats, the Tay Canal would have been a slow, tortuous path for barge captains and crew. It is hard to determine how much activity there was but barge owners would enjoy exclusive passage on the little canal often to the disappointment of a company with its head in steam but its body tied to oar, pole and sail.

**W. & J. Bell, Forwarding between Montreal and Perth  
and the British Queen**

William and John Bell were twin sons of the Reverend William Bell of Perth. As merchants, speculators, commission agents, outfitters and forwarders in Perth from 1828 to 1846, the brothers utilized the Tay Canal and we can observe in surviving records their concerns in shipping and receiving goods and produce by way of the Tay and Rideau Canals. In particular, the Bell letterbooks for the years 1837 to 1846 reveal the importance of the connection by canal to the Montreal metropolis and its strategic import and export location on the St. Lawrence River.<sup>182</sup> Perth was a satellite in Montreal's hinterland and canals were convenient life-lines. During the early years of the Tay Canal, the Bells slowly moved toward building their own canal boat that could sail direct between Montreal and Perth. The Bells also dealt with many ambitious Montreal merchants who would be at the forefront of transportation ventures from canals and forwarding to the dawning of the railway era.<sup>183</sup> As merchants in the hinterland, W. & J. Bell very much wanted to be able to emulate the commercial success of their Montreal friends.

William and John Bell started their own general store in 1828 after having served in apprenticeships under William Morris and Roderick Matheson. Commercial success at the expense of their former masters did nothing to endear the reform minded Bell family with the local conservative elite. Although not opposing the building of the Tay Canal, the Bells were not active in the

management of the Tay Navigation Company with Morris or Matheson. Commercial and political differences isolated the Bells and their ally, Malcolm Cameron, from the operations of the Tay Canal in spite of active use of the system. The Company of W. & J. Bell did not need Morris' patronage but flourished as a result of Rideau Canal construction, resource exploitation and growth in population.

The commercial crises of 1837-38 represented an abrupt interruption in the growth and expansion of W. & J. Bell but the brothers survived by using such means as issuing their own commercial script or fractional currency when the money supply was scarce. As merchants and commission agents their trade was tied directly to the Montreal market. With large amounts of capital invested in supplying lumbermen on the Tay and Mississippi Rivers, W. & J. Bell paid their debts in Montreal by sending via the Tay and Rideau Canals, quantities of potash, butter and furs and what was left after supplying the lumbermen pork, flour and wheat. The Bells imported dry goods and articles of every description from merchant houses in Montreal as well as direct from England. In 1840 the Bells imported £2,000 to £3,000 worth of hardware, kept stock value in Perth ranging from £6,000 to £8,000, advanced lumbermen to the amount of £7,000 and kept an average outstanding debt owed to them between £12,000 and £18,000. The Tay and Rideau Canals were an accommodation to the commercial interests of W. & J. Bell.<sup>184</sup>

From the opening of the Tay Canal, the Bells avoided forwarding via agents or boats owned by the Tay Navigation Company. The Register for the Tay agent at Perth Landing noted only two occasions in 1834 and 1835 when the Bells shipped goods via the company landing. As Perth Landing was considered no accommodation to the Bells, they shipped via Weatherhead interests if no direct shipping was available. Until 1841 the Bells used local craft to ship direct to Montreal and back or relied on the barges owned by the Ottawa and Rideau Forwarding Company.<sup>185</sup> The Ottawa Forwarding Company, later the Ottawa and Rideau Forwarding Company, was founded in 1835 by prominent Montreal entrepreneurs. By 1839 it had come under the ownership of McPherson and Crane of Kingston and Montreal which held a virtual monopoly over the forwarding system on the Rideau and Ottawa Rivers. By acquiring ownership of a lock at St. Anne's on the Ottawa River, the forwarding company was able to impose excessive charges on rival companies for the use of their lock. This continued from 1837 to 1841 when an alternative route was discovered through the Vaudreuil Rapids. In 1840, however, the government had already undertaken to open the reach for everyone with the construction of new locks at St. Anne not under monopoly control, which were completed by 1843.<sup>186</sup>

The forwarding monopoly on the Ottawa and Rideau profoundly affected the Bells' attitude toward the use of the canal system. The monopoly severely cramped their trade as they complained to James Morris in Brockville in December of 1839.

the present Company have everything in their own hands and for years they have kept raising the rates, and if allowed to continue their system, it will be almost impossible to carry on a general business, as the freight of some goods now exceeds the cost.<sup>187</sup>

Before the monopoly over access to St. Anne's lock was relieved, the Bells and other merchants in Perth had to endure a price fixing cartel of other forwarders between Bytown and Kingston and on the St. Lawrence River. The merchants of Perth gathered at the court house in April 1837, to protest the action taken by some of the forwarders including the Ottawa and Rideau Forwarding Company to control rates on pre-paid freight. Merchants complained that rates being established by per ton measurement and advanced freight charges were "injurious to our interests". They could accept an increase in the freight rates if costs and labour justified an increase but they could not accept an advanced charge for freight.<sup>188</sup> In particular the merchants of Perth felt that there would be no opportunity to determine the extent of damage on delivery:

for as the goods from this place are usually delivered to a person resident at the outlet of the Tay eleven miles distant from this town, it is unreasonable to suppose that he can be a judge of damages done to a package the contents of which he is ignorant of, and which he has no right to open, even if the time during which a steamboat stops to deliver goods permitted him to do so besides, a case of merchandise may appear well enough on the outside and yet be entirely wet within.<sup>189</sup>

The dispute with their forwarders led to the initiative to start a rival forwarding company. William Bell Jr. was a representative from Perth at a meeting of the Projectors of the

New Forwarding Company held at the Exchange Coffee House in Montreal on the 14 and 15 of October, 1839. Along with representatives from Montreal, Kingston, Brockville, Bytown, Georgetown, Picton, Belleville and Niagara, Bell signed a document to establish a Company with a capital of 50,000 pounds. On 29 November, 1839, the Bathurst Courier in Perth announced the name of the new forwarding concern as the Inland Steam Transportation and Insurance Company. Describing the new firm as being in opposition to the Ottawa and Rideau Forwarding Company "whose enormous charges for freight is too well known and severely felt by the Upper Canada merchant", the Courier reported that information on the new company and how to acquire stock at \$25 a share was available from William Bell at W. & J. Bell in Perth. The new forwarding company never got off the ground, but its formation did offer a threat and challenge as described by the Bathurst Courier, "to reduce exorbitant sums now exacted by the present Forwarding Company, to a fair and reasonable charge."<sup>190</sup>

Problems with their forwarders never ceased and the Bells of Perth never gave up the hope of establishing their own forwarding firm. The Bells complained about goods being "knocked about a good deal on the route"<sup>191</sup> as well as the slow delivery time which made it "shameful for them to detain goods such an immense time."<sup>192</sup> W. & J. Bell wrote McPherson and Crane in 1839,

We had been led to expect that if there was a sufficient quantity of goods to load a barge for Perth she would have come to this place direct, but feel disappointed in finding the Tay boats came up this

evening with goods that arrived in Montreal at least a week after ours, and bringing for us only two small boxes...<sup>193</sup>

When the Bells lost some potash enroute to market, they were surprised to hear they had not been sent via Bytown. They wrote to Benjamin Hart in Montreal: "we cannot see what right they have to take our ashes around by Kingston and down the St. Lawrence to their own convenience and expose our property to risk."<sup>194</sup> The Bells became increasingly tired of cajoling their forwarders to send boats and barges direct to Perth. One spring they complained "your boat Clara Fisher came up without any trouble last spring even after the water had fallen considerably [on the Tay]."<sup>195</sup>

Nor could the Bells rely on local Perth boats. In 1840 they lost a load of salt on an overloaded barge among other difficulties.<sup>196</sup> By 1839 there were boats including Deacon's Victoria, James Hicks' Old Countryman, McSherry's Jolly Brewer and 'Montgomery's boat' to take produce direct to Montreal and goods back to Perth. By 1841 the Bells complained that "not one of the boats belonging to this place are fit to carry down grain - a parcel of old rotten Batteaux, badly provided with tarpaulins."<sup>197</sup> Entering into the 1840's the Bells became aware of a new potential on the Tay and Rideau Canals. They saw the opportunity to by-pass the old Perth boats, ignore the sloppy, tardy and expensive forwarders and avoid as much as possible the costly handlers at Perth Landing, Port Elmsley and Rideau Ferry. The construction of the new St. Anne's lock by the government

pushed aside the old monopoly. Advanced barge design which offered greater efficiency in transport as well as the continuing economic growth in Perth urged the Bells to expand. The apparent health of the Tay Canal and prospects for success were sufficient for the Bells to claim that "we intend building a line of Barges to ply between this and Montreal...There are some others building here but owing to the scarcity of ship carpenters they will not be ready before due."<sup>198</sup> They intended their first canal boat to service the Perth to Montreal route and justified their developing a line of barges on the fact that H. & S. Jones, McPherson and Crane, Murray and Sanderson and Hooker and Henderson had all been building and making every preparation for an 'extensive business'.<sup>199</sup>

William and John Bell soon realized that they knew nothing about building a boat. They sought advice from Mathie, Easton and Company at Brockville:

Mr. Nottu has written Mr. Doran that he will Build a Boat for us for \$630 we furnishing all materials, sawing out the stuff etc. As it strikes us this is too much we will feel obliged if you would give us your opinion as you have had some experience in this business. The Boat will be about 14 feet wide and 80 or 85 feet long. You will know what such a boat will be worth (of course without rigging), and if you know what the Material -Timber, spikes, oakum pitch etc including the sawing of the Timber and planks, are worth, we might be able to ascertain whether the rates asked are the such or not. The boat is to be built in the same style as yours - Give us all the information you can...<sup>200</sup>

In partnership with John Doran, another merchant in Perth, the Bells enquired about the lengths of ropes, the diameter of the rigging, the weight of the anchor, the size of the cable



chains and the nature of the bleached canvas.<sup>201</sup> "We require information on everything connected with these matters, as we are entirely ignorant of them."<sup>202</sup>

The Bells wrote Mathie and Easton again in February 1841 describing more about their boat:

The writer having just returned from the Grand River on looking over the agreement with Mr. Nottu found that the boat which he is to build for us is to be rigged with a square sail. On mentioning this to the person who is to navigate her he insists on having her rigged fore and aft on account of the many short turns he will have to make on the Rideau Canal. We prefer having her done in this manner ourselves and now write you in case any alteration may be required in the cordage which you are to provide. You will please mention this to Mr. Nottu. We do not know the size of stick which will be required for the boom but will provide one the same length as the mast.<sup>203</sup>

The vessel was built in the town of Perth and a crew of six or seven persons was expected to operate the boat.<sup>204</sup> It was launched with fanfare on Saturday, 1 May 1841, as described by William and John Bell's brother-in-law, John Glass Malloch:

The Barge "British Queen" built by Messrs. W. & J. Bell and John Doran was launched today at 3 o'clock. She entered her native element with majestic order and is intended to carry 900 barrels of flour and is 85 feet long and 14½ feet broad.<sup>205</sup>

After the launching of the hull, it was necessary to install the rigging. The Bells anticipated loading the British Queen with her cargo by the end of the week in which she was launched, but the rigging endeavour took longer than expected.<sup>206</sup> Mathie and Easton Co. had the sails made and supplied a great deal of the shipping gear as well as the rigger himself. On 12 May there was a note of desperation in a letter to the Brockville company

by the Bell twins as they claimed the rigger was at a loss about the quantities of cordage and other articles required. They requested that the goods be sent as soon as possible "as all hands are idle and the Boat is loaded and waiting for them. As we have a large deck load we cannot do without the oil cloths and we cannot procure here".<sup>207</sup> The British Queen was sent off down the Tay to intercept the items at Rideau Ferry. The Bells were pleased to be rid of the rigger who was costing room and board at a local tavern and some pocket expenses as well.<sup>208</sup>

With their own canal boat now launched, W. & J. Bell had to make new arrangements as forwarders on the Tay and Rideau systems. The Bells had to turn down a request by their main merchant house in Montreal to carry come of their wheat:"...we only have one of our Barges ready in time and we have already engaged more from this place than she can take. We intend her solely for the trade of this place...and she will be a first rate vessel of the class."<sup>209</sup> In 1842 they informed Thomas McKay at New Edinburgh that they would take down a cargo of wheat at the following prices:

All Mr. R. Matheson & Co. may have on hand at 6d per Bushell. From Smiths, Kemptville or any other place on the route from this place [Perth] to Bytown 4d per Bushell, out of which we will pay all, tolls, which on the Tay Canal alone is 3/4d per Bushell. At the same time it is to be understood that we are not to have less than 2500 Bushells in all and will take 500 Bushells more if necessary. If you accept of these terms please forward us the orders for the wheat as we wish to lose no time on the opening of the navigation or as soon as the canal is in order for passing.<sup>210</sup>

At the Montreal end of the route the Bells made arrangements for merchant houses to keep goods on hand until called upon by the master of their barge.<sup>211</sup> They told Robertson and Masson Company that there was no hurry for these articles as they expected one of their own boats to be finished soon.<sup>212</sup> A more difficult problem arose when they arranged for Benjamin Hart & Co. to receive their goods coming directly from England for layover until the British Queen could load them. Evidently they did not want Hart to know about details in their business with Henry Rogers and Sons Co. of Wolverhampton. The Bells wrote Rogers to consign their good to Hart at Montreal:

instead of formerly as we are building Boats of our own to run between this and Montreal. We should be glad if in the Invoices you send with the goods you would leave out your Commission as we do not wish the persons who enter our goods at the Custom House to know all our affairs, or which Commissions we pay.<sup>213</sup>

On its maiden voyage to Montreal, the Bells were anxious that all would go well. They wrote letters to Captain McSharry on the 26th, 28th and 31st of May with instructions. They were concerned that the barge be loaded with as much freight from Montreal as possible. They wanted McSharry to pick up freight at B.Hart & Co.; Robertson and Masson and Co.; Budden and Vennor; Carter and Gowan; Gilmour and Co. and Campbell and Beckett. McSharry was also expected to pick up freight for John Doran, 3. Hall of Lanark, Robert Bell of Carleton Place and G. Kerr. They also wrote McSharry "to pick up all the freight you can for the line of the Canal". Concerned with the way the supplies would be handled, the Bells instructed McSharry to "take great care to

have all the goods shipped without damage...Let the men know that they must handle packages carefully so as not to damage them." McSharry was also told to find a sailmaker to alter the main sail for a better fit on the barge. So as to be home early, the Bells recommended that the British Queen be towed up, but a later letter suggested more discretion on the part of the Captain.<sup>214</sup> W. & J. Bell wrote:

We think the Company should tow you to the ferry much lower than to Kingston. Unless you get a considerable freight it will not pay to tow: If the wind is fair you may work up part of the way and get towed [?]. However, this we must leave to yourself. Do the best you can. A few days longer on the route would not make much difference and would save the heavy charge for towage.<sup>215</sup>

In another trip in August, Captain McSharry was asked to visit John Carter & Co.; R. Armour & Co.; Colin Bostwick & Co.; John Matheson & Sons; Ross Mathie & Co. as well as Benjamin Hart & Co. all in Montreal.<sup>216</sup> Again, McSharry was warned to get the deck mats tight to avoid injury to goods and judgment was left to him concerning the means by which the barge would sail back to the Tay.

With regard to towing as we mentioned before we must leave it all to yourself. You will have little enough time to make your trips this season and every possible dispatch will have to be made, only study in this as much economy as you can.<sup>217</sup>

The forwarding business was complicated by the short navigation season, tolls on the Rideau and Tay Canals and the cost of cartage and lay-over in the port of Montreal. Feeling the squeeze for time in August of 1841, the Bells told John Hall

in Quebec, "as we have two trips more to make this season we wish the boat to be sent up with despatch and not to be detained or have longer in Montreal than is absolutely necessary."<sup>218</sup> Another reason for a quick lay-over in the port was the heavy charge for daily wharfage.<sup>219</sup> W. & J. Bell tried to get Benjamin Hart to have the British Queen loaded directly from trans-Atlantic vessels to save the cost in cartage in Montreal.<sup>220</sup>

The tolls that were established on the Rideau Canal in 1842 made it all the more important that barges carried full loads. The Bells informed a potential customer in Rideau Falls, miller Thomas McKay, that they could not ship his wheat unless they could secure some cargo on the return trip:

The freight of the quantity you mention will do little more than cover tolls. The tolls on the Tay are very high and those on the Rideau are now fixed at an excessive rate and are the same whether a Boat is loaded or empty.<sup>221</sup>

The Bells also realized that if they loaded McKay's wheat at Perth and took it to Bytown they would have a short load going to Montreal. They informed McKay that they would take the wheat provided he could find freight to ship to Montreal because a full load could be procured in Perth.<sup>222</sup>

W. & J. Bell also insured their cargo and the barge as well. They requested Benjamin Hart in May of 1841 to "effect insurance on property consigned to you" but "the new vessel should reduce the rate of insurance."<sup>223</sup> As agents for the Montreal Fire Assurance Company in Perth, W. & J. Bell also reported an

insurance premium in June of 1844 of £1.14.7½ for the British Queen.<sup>224</sup>

Although there is frequent mention of the barge British Queen in the W. & J. Bell Letterbooks, there is no consistent record as to how often it was used and how much it carried. The Bells often mentioned what they had on board for Montreal or Perth but did not necessarily include freight for other customers. Nevertheless, certain patterns emerge. As far as can be determined, the British Queen made five return trips on the Tay and Rideau routes in 1841, 1842 and 1844 and at least four return trips in 1843. Generally the British Queen would leave Perth in May, July, August, September and October. The busiest times of the year occurred when navigation opened and closed on the Tay and Rideau Canals. In the spring, the Bells would have potash stockpiled and furs from the winter ready to send to market, while in the fall, kegs of butter stored in cool places over the hot summer could be sent to market. In the 1840's the lumber trade absorbed most of Bells' production in pork and flour and little was sent to Montreal. Likewise, the Bells were in need of dry goods and articles of all kinds in the spring and especially in the late fall in preparation for supplying fur traders and lumbermen. As will be shown elsewhere, the Bells received and sent supplies all round the year by wagon road and winter sleigh road but not to the extent to which the Tay and Rideau Canals were utilized.<sup>225</sup>

The Bells described a typical trip from Perth to Montreal as

taking eight to ten days.<sup>226</sup> On one occasion, in October of 1842, the British Queen avoided the Bytown route and went via the St. Lawrence River.<sup>227</sup> The next year the Bells decided they would make only one trip in the fall.<sup>228</sup> Seldom did the British Queen carry more than one hundred barrels of ashes or one hundred kegs of butter from W. & J. Bell at any given time. The barge may have been carrying other freight but even then, the maximum volume of flour was only 257 barrels, a far cry from the supposed capacity of 900 barrels.<sup>229</sup>

One of the Bell brothers would write ahead to merchant houses in Montreal to order supplies and have them ready for the arrival of their barge. The captain would call upon the merchants and would probably have his crew cart the supplies to the barge. William and John Bell also made frequent trips to Montreal but seldom, so it appears, did they sail in their own craft. In the fall of 1844 both Captain McSharry and John Bell fell ill from fever and ague in Montreal. The Captain died in Perth a few days after arriving home with his boat, and John Bell was so ill that one of his brothers had to be sent from either Carleton Place or Smith's Falls to run the business during his absence.<sup>230</sup>

By the middle to late 1840's trade and navigation declined on the Tay Canal. In 1844, John Bell wrote "we find that in many instances we can get freight carried lower than we can afford to do it ourselves."<sup>231</sup> In the fall, John Bell reported that the British Queen was being loaded for Montreal at the Rideau

Ferry.<sup>232</sup> The water, of course, may have been too low on the Tay at that time but there is only one mention of the British Queen in the Bell Letterbooks in 1845.<sup>233</sup> There were just two references to the barge in 1846, in the spring and the fall. W. Brough, who had arrived from Brockville to administer the affairs of W. & J. Bell, mentioned the name of the new Captain and the potential landing place:

Captain Cosgrove of the "British Queen" will probably call for the goods, but should he not do so, you will please forward this without delay by the "Pioneer" Line to Oliver's Ferry.<sup>234</sup>

In the fall of 1846, John Bell made a declaration of insolvency. His twin brother had died in 1844 and illness interrupted his business activities. However, the killer blow was a disastrous year in timber speculation and supplying.<sup>235</sup> The British Queen disappeared from sight and the Tay Canal by this time suffered even further navigable decline.

W. & J. Bell of Perth probably took more advantage of the Tay Canal than any other merchant house in the town. The Bells meteoric rise suffered in 1837 but they re-bounded for some years thereafter with enough confidence to build their own barge and predict the development of a fleet based at Perth. However, the economic fortunes of Perth were falling into decline by the 1840's. The timber trade was stretching beyond their watershed, and communities at the base of the rivers were better suited to supplying the burgeoning trade than those like Perth using bush roads for access. The Tay was just too small a river with a limited watershed. By the late 1840's, five Lanark – Perth area



politicians had moved away to serve in constituencies elsewhere in Canada West. Wedged between, the active St. Lawrence and Lake Ontario strand and the rolling waves of the Ottawa Valley timber frontier, Perth was not in a proper location to take advantage of commercial or frontier activities in the changing pattern of development. When the Tay Canal was being built, Perth could foresee a brilliant future, but boom and bust was a common affliction experienced by many communities in much better locations than Perth. There would indeed be later fluctuations, but Perth as a county seat never became more than a town and country community.

### **Perth and the Enterprise**

Eager to be participants in the new trade which would develop with the opening of the Rideau and Tay Canals, promoters of the Tay Navigation Company and other merchants and citizens in Perth initiated a project to build a co-operatively-owned steamboat. Although it is difficult to determine the exact relationship between company and steamboat, William Morris was a key advocate. Directors and stockholders in the company would most certainly have been shareholders in the steamboat called the Enterprise. While reflecting the optimistic spirit of the new canal venture, the project may have ultimately re-directed sources of capital away from the task of finishing a canal burdened with costly delays and increasing debt.

On 6 September 1832, a notice in the Brockville Gazette announced the proposal to build a small steamboat in Perth to navigate the Rideau Canal, "touching in Perth on her voyage each way".<sup>236</sup> Shares were still available at £10 each and 108 shares had been sold. Owners expected the boat to be ready to commence her trips on the opening of the navigation in the spring of 1833. The steamboat was built during the winter of 1832-33 by the colourful and adventurous Captain William Richards, formerly of Wexford, Ireland.<sup>237</sup> Captain Richards would not only build but also navigate the vessel which was named the Enterprise. It was launched with fanfare as described by the Reverend William Bell in 1833:

On the 3rd April it was launched into the [Tay] river

in presence of a large concourse of people, many of whom had never seen a launch before. The making of the Canal was a great benefit to the place and the steamboat, as was expected, would make this benefit felt.<sup>238</sup>

The unfinished hull was then taken down the Tay and passed through the equally unfinished locks with some difficulty. In getting the boat down the river, planks had to be taken off the original Craig Street bridge prompting the righteous Reverend Bell to take note in his diary; "the proprietors of the steamboat are the magistrates and other great folk about Perth, therefore they think they may do what they like."<sup>239</sup>

On 28 June 1833, the Brockville Recorder reported that the Rideau Canal was at length opened, and the Perth steamboat Enterprise had passed through the Kingston Mills lock the day before on her way to Brockville to receive her engine.<sup>240</sup> The newly-outfitted steamboat wintered on Rideau Lake before being brought up to Perth 1 May 1834. Again with the lockgates at the base of the Tay Canal still causing problems the steamboat would have passed with difficulty. William Bell described the reception of the boat in Perth.

The artillery men turned out on the occasion, and having placed the guns on the new bridge, fired several rounds, while the boat was coming up. It lay at the bridge all day, for the inspection of the public, and was visited by many hundreds. We went to see it in the evening, and found that the new promenade deck, and other additions, had greatly improved it since last year. The hands were busy taking in loading for Kingston.<sup>241</sup>

This would be the first and last visit of the Enterprise steamboat to Perth. The Perth community and owners of steamboat

stock would become rudely aware of the limitations of the new Tay Canal. Again the Reverend described the big boat on too little a pond:

Next morning we resolved to go with it to Jebb's Creek as we had never seen the lock there. The boat was to start at 8, but it was ten before it moved off. Going with the stream it did not steer well, and we had some difficulty in getting through the first bridge. Here it took a barge, loaded with staves, in tow...Next we were detained at least one hour, by the choaking of a pipe belonging to the engine, just opposite to the spot at which poor Lyon was killed, in the duel with John Wilson. But this was not all. Our promenade deck being too high in the air, came in contact with the over hanging branches of trees, by which the railing was damaged, the flag staff broken, and the stove pipes knocked down, besides a number of our passengers floored on the deck. At last we got to the first lock, where we landed, and as soon as the boat left it, we returned through the woods and had a pleasant walk home.<sup>242</sup>

In the best tradition of public relations disinformation, the Kingston Chronicle and Gazette reported on 3 May 1834, that the Enterprise had, "no difficulty on route. She had passed from the ferry through the locks of the Tay Canal in Perth and back again without hindrance".<sup>243</sup>

The Tay Navigation Company fully expected that their canal could be navigated by small steamboats no more than ninety feet in length and twenty in beam.<sup>244</sup> Although they were probably aware that the canal would largely attract barges, batteau, and Durham boats, there must have been considerable disappointment when steamboats found it difficult to navigate the canal because of the tortuous channel. Fluctuating water levels, obstacles and curves necessitated a slow, lengthy passage on the canal without the means of towing by steamboat. Facilities for transshipment

would have to be established. Instead of being a cost efficient compact canal, its limitations created a bottle-neck not easily overcome. Indeed the failure of the Enterprise in the spring of 1834 made it even more difficult to raise the capital needed to solve the lock gate problem at the lower locks. Without the potential returns from servicing the steamboat trade, sufficient funds would not be found for operations and maintenance. Instead of an access point for the Rideau Canal steamboats, the Tay Canal became a cul-de-sac for local commercial trade.

The Reverend Bell was indifferent as to whether he ever saw the Enterprise in Perth again:

When the Steamboat, the Enterprise, belonging to this place, was built last year, I had, at the pressing request of Mr. Morris, though much against my will, subscribed for two shares. I have seldom done anything I repented more than this. At this time a new vexation arose from it. I was informed that the managers of the boat had established a bar, for the sale of spirits, on board; and that they were running the boat on the Sabbath day, the same as on other days. That I should have any property in it, under these circumstances, gave me no little uneasiness. I was aware, however, that all I could do was to bear testimony against these things, and this I did in a very decided manner, in a letter to Mr. Morris, who had the principal direction of the boat. He however took not the least notice of my communication.<sup>245</sup>

Although the Enterprise could not utilize the Tay because of lower water levels and obstacles it did ply the Rideau Canal between Bytown and Kingston and periodically to Montreal. One of the early descriptions of the Enterprise steamboat was written by a traveller in May of 1834.

I left Bytown in the Enterprise of Perth, on Thursday night, and you may suppose how much this route is now

travelled, when you learn that we had upwards of thirty cabin, and about 100 steerage passengers; also about 75 tons of goods. The boat was completely crammed, and being so heavily laden got on very slowly and only reached Perth Landing at 2 o'clock on Saturday.<sup>246</sup>

The writer also had some comments on the nature of the route and its passengers.

The boats are all of them quite too small, and not of sufficient power to carry the quantity of goods they do, besides towing a large barge, they cannot possibly reach Kingston from Bytown in less than three days, which with the two days in coming up to Bytown will make five days in reaching Kingston. — It is by far the best route for Emigrants, being in a covered barge, they are quite independent of the weather and are not subject to such delays and fatigue as coming up the St. Lawrence.<sup>247</sup>

A week later in the Montreal Gazette an article described the Enterprise steamboat as "having one or more barges in tow, full of immigrants and goods and bringing herself 24 cabin passengers".<sup>248</sup>

A canal barge with the same name Enterprise was destined to haul goods up and down the Tay in 1834 when problems in Lock one continued to prevent easy access. Captained by D. McColl, the barge appears to have been under the control of the Tay Navigation Company. In the company ledger book for 1834, there is mention of one other barge making a trip under Captain John Williams in June but all other references are to the barge Enterprise — 35 occasions in all. However, the Tay Navigation Company Ledger at the Perth Landing did not take note of other craft sailing the Tay independently.<sup>249</sup> In apparent service of the company, the barge Enterprise could make a return trip in one day but more frequently was kept overnight at the base of the Tay

Canal between trips.

In the meantime, the steamboat Enterprise with Captain Richards at the helm made visits to Perth Landing on 13, 17, 19, 20, 23 of May and 4 June 1834 before moving into a schedule of weekly visits until 8 July. Thereafter there is no mention for the rest of 1834. The Ledger at Perth Landing described the steamboat Enterprise making frequent stops at 3 - 4 day intervals and then eventually weekly in the 1835 season before ceasing mysteriously again in July. Both the steamer Enterprise and the barge Enterprise were on the Rideau Canal trade in 1835.<sup>250</sup>

The steamer Enterprise met its fate late in the fall of 1835. While taking advantage of a rise in water levels during the fall which permitted an extended season for navigation, the steamer was damaged by ice while carrying a load of potash barrels to Montreal. it became frozen in at the Black Rapids Lockstation by early December.<sup>251</sup> The extent of the damage is not known but the steamer was broken up and the machinery sold to George Buchanan and Co. of Arnprior (an original proponent of the Tay Canal). The expense of repairing and maintaining a steamboat on the Rideau Canal was evidently too costly to the investors from Perth. Unserviceable to Perth itself, the Enterprise was abandoned.<sup>252</sup>

Although intended to boost the fortunes of the Tay Navigation Company, the construction of the steamboat Enterprise bled the disposable income of Perth citizens at a time when

scarce local funds were needed to complete the canal. Unforeseen alterations and delays in the construction of the Tay Canal required more funds than the company or the public could afford. The Enterprise proved to be an expensive white elephant unable to cruise the canal it was built for and subject to an increasingly competitive Montreal and Kingston based forwarding trade. The failure of the Enterprise was symptomatic of the limitations of the first Tay Canal.



### **Decline of the First Tay Canal**

The first Tay Canal declined and disappeared as a result of local factors and wider provincial trends. At the local level, limited navigability and a lack of Tay River watershed resources were related to commercial stagnation and the inability of a financially weak Tay Navigation Company to prevent physical decay of the locks and channel. Beyond the Tay watershed the lumber trade receded to a new frontier, western lands siphoned off marginal farmers and new immigrants, the St. Lawrence Canal diverted some Rideau Canal trade and competition from the Erie Canal challenged Montreal's ambitious metropolitan network.

It could be said that the Tay Canal went into decline as soon as it opened. The irreversible shock of being unable to handle the lucrative steamboat trade turned the Tay Canal into a cul-de-sac instead of a regional staging and access point for importers and exporters. Anticipated revenue could not be raised if slow moving inefficient canal boats were all that could navigate. Without a firm foundation of satisfied users and expected returns, the potential for substantial rebuilding of the cheaply made locks was lost. After the difficulty in financing the first Tay Canal there would be few investors volunteering in an effort to re-invigorate the canal that had been built.

If the Tay Canal was limited in scope, watershed resources hardly justified a branch canal at all. With judgment clouded by the ambition of frontier development, the Tay River could not sustain a pace of rapid growth and exploitation. Natural and

agricultural resources were limited. Except for the Perth clay plain much of the land was marginal for agriculture and rich stands of timber came from too shallow a pool to sustain or satisfy export production. Emerging farms may have created the areas' first surplus for export but wheat production would decline as poor soils were exhausted and more fertile regions enticed farmers away. Much of the local produce was absorbed supplying the wave of assault on the forest frontier. The incredible lumber trade boom of the Ottawa Valley was shaped by the contours of the land. The tiny drainage area of the Tay River paled next to the Mississippi watershed to the north where the rivers carried men, supplies and trees to growing towns at the mouths which could expect sustainable production. As the lumber trade for export receded to the north and west, the Tay and Perth could sustain little more than a local market. As a self-sufficient town and country community in 1846, Perth could not maintain a major economic sector in agriculture, resource exploitation or manufacturing. Confined by a mercantile network from Montreal, local entrepreneurs developed traditional commercial pursuits on a weak base of wheat, potash and lumber. Aside from various fluctuations, revenues would not grow on the first Tay Canal and there would be little incentive to pursue design modification on the improvement of the little canal. By the late 1840's Perth was in decline along with its canal.

Wider factors also influenced commercial decline on the Rideau Corridor in the late 1840's. The ending of the British

preferential system of trade created uncertainty in the Canadas. The American Drawback Law of 1845 increased the transportation and commercial struggle between New York and Montreal and led to an alteration in trade patterns. The hinterland of metropolitan Montreal was affected by the changes in commercial laws which limited the expansion of their market. The building of the new St. Lawrence Canal between 1843 and 1848 drew trade and forwarding operations away from the Rideau Canal causing an editorialist to write in 1847, "that the change has certainly deprived us of much of that life and bustle experienced the past years."<sup>253</sup> The steady stream of immigrants passed through the Rideau corridor in the 1840's where they may have stopped to settle in the 1830's. Indeed the thriving village of Perth in the 1830's suffered a decline in population between 1845 and 1851.<sup>254</sup>

With the exception of the mysterious building of a new lock at the Pike Falls or Lock two site before 1854, the physical decline of the first Tay Canal continued. There is little information available on operations and maintenance but the financial shape of the Tay Navigation Company was not conducive to vigorous revival of canal property. In 1866, civil engineer Charles Legge estimated that since the commencement of the canal, \$28,000 had been spent on the works. The Tay Navigation Company was in debt for \$22,000 on principal and interest, and had borrowed \$7,000 from the government. Money had certainly been spent on maintenance but there would have been few funds

available for such large projects as rebuilding decayed locks and dams, clearing the channel of weed growth and removing considerable quantities of mill refuse and mud deposits which clogged the system.<sup>255</sup>

The Tay Navigation Company stopped shipping on the Tay Canal in 1849.<sup>256</sup> As in the years prior to the canal construction there is some probability that goods continued to be exported in spite of the limitation of the Tay River. The Muir brothers of Perth exported potash on the Tay Canal between 1845 and 1847 but competition with carting on the Rideau Ferry Road was intense. Carting seemed more expensive except that the Tay Canal lockage of 9<sup>d</sup> had to be added to the cost of freight, carting to canal basin and probable storage downriver.<sup>257</sup> With the improved state of roads and the decline of the canal, the Tay was gradually abandoned. Some work may have been done on the canal in 1847 as an editorial in the Bathurst Courier attacked local conservatives:

Mr. Morris got £1000 for the Tay Canal. What more did he do for the County during 14 or 15 years representation? and of what use has been the Canal to us? The Company we might say, has become bankrupt by mismanagement in times past and the works until lately had almost gone to wreck.<sup>258</sup>

Charles Legge suggested the Tay Canal locks were in operation until 1858 "when the natural decay of the woodwork, and want of the ordinary yearly repairs to the masonry rendered them unsuitable for further use".<sup>259</sup> Apparently the destruction of several of the locks during the spring lumber drive in 1865

effectively rendered the canal impassable.<sup>260</sup> In 1866 Legge reported all the locks in ruin but noted that the dams were still being maintained as the Tay Navigation Company reaped an annual sum of \$1200. for the use of the timber slides for square timber and sawlogs.<sup>261</sup>

A feeder line to Perth from Smith's Falls on the Brockville and Ottawa Railway built in 1859 would not have influenced the use of the Tay Canal. It was in a state of progressive ruin. A Tay River Water Reservoir System for the Rideau Canal was begun in 1866 and a Plan of proposed changes to the original locks of the Tay was made in the same year but was never acted upon.<sup>262</sup> All but one of the original dams were being used in 1882 when a report was made on the Tay system for the Rideau Canal.<sup>263</sup> In a plan to build a second Tay Canal, engineers would not follow very much of the original route or river.

The Tay Canal was a remarkably small and limited undertaking when compared to the engineering marvel of the Rideau Canal. The large solid stone locks of the Rideau dwarfed the rubble masonry and timber planking surrounding the small Tay locks. However, both canals are symbolic of an era. Secure and durable construction and engineering highlights a Rideau Canal statement about military prestige and permanence. The canal was forged through the wilderness to provide security for a young province. On the other hand the first Tay Canal clings to rugged banks with good intentions but limited horizons. The Tay reflects an aggressive enterprise to connect a growing frontier community by

water transportation with locks thrown together when money became available. As an early transportation venture it was managed by local elites who wanted to maintain commercial momentum and eliminate the sense of isolation in the backwoods. The Tay Canal was cost-efficient to the point of built-in obsolescence but limited navigability and meagre revenues would raise no local incentive for renewal or reconstruction until long after the first canal had become a ruin.

Certainly the Tay Canal was utilized by many merchants and lumbermen to their advantage between 1834 and 1850. It was an important adjunct to the business operations of the likes of William Morris and William and John Bell. While the Morris and Bell families may have feuded over matters of local and provincial concern, as well as the management of the Tay Navigation Company, their interests were united in making the Rideau Canal more accessible by water.

## Footnotes

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13. PAC MG24 D61 Archibald M. Campbell Papers Vol. 1, W. Marshall to R. W. Morris, Keswick, 21 June 1827, letters from a newspaper by a person who has paid a visit to Lanark and Perth Settlements in Canada published as "British Settlers in Canada", Montreal February 1827.
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15. H. R. Morgan, "The First Tay Canal: Air Abortive Upper Canadian Transportation Enterprise of a Century Ago" Ontario Historical Society Papers and Records Vol. 29, (1933) pp. 107, 108.
16. Robert Lamond, A Narrative of the Rise and Progress of Emigration, From the Counties of Lanark and Renfrew, to the New Settlements in Upper Canada on Government Grant (Glasgow, James Hedderwick, 1821) reprinted by Canadian Heritage Publications, 1978, pp. 87, 89.
17. Bell, Hints to Emigrants, p. 87.
18. Ibid., Tay Canal Branch report, pp. 17, 18; Bell, Hints to Emigrants, p. 170.
19. Morgan, The First Tay Canal, p. 104.
20. Bell diaries, 27 January 1826, p. 168.
21. PAC RG5, A1 Vol. 92, Upper Canada Sundries, George Burke and George Lyon to Co. Yorke, 23 February 1829, pp. 51271-3.
22. The Weatherhead family were agents of the Arnold family who held land in the area. The Weatherheads purchased land, developed the lumber trade and were the founders of Port Elmsley. Morgan, First Tay Canal, pp. 105, 111.
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25. Ibid., John Weatherhead to H. J. Boulton, 4 December 1829, p.54575.



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27. Ibid. Grand Jury of the District of Bathurst to Colbourne, n.d. pp. 57713–16. Signatures on the petition included G. H. Reade as foreman, D. Kinnear, I. LeBreton, J. Maxwell, G. H. Lache, J. McKay, A. McMillan, M. Mason, H. Graham, John Ferguson, G. Rankin, A. Fraser, Archibald McNab, Jessup?, W. R. F. Berford, Anthony Leslie.
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30. Bell diaries, 30 November 1830, p. 225.
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32. Robert Armstrong, Structure and Change: An Economic History of Quebec (Gage publishing Ltd., 1984) p. 124.
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34. Donald H. Akenson, The Irish in Ontario: Study in Rural History (Kingston and Montreal, McGill -Queen's University Press, 1984) pp. 79, 80.
35. Ibid.
36. Dictionary of Canadian Biography, Vol. 9, s.v. Morris, James by P. G. Cornell (University of Toronto Press, 1976) pp. 574 -576; Harry Bridgman, "Three Scots Presbyterians in Upper Canada: A study in Emigration, Nationalism and Religion", Ph.D. dissertation, Queen's University, 1978.
37. Morgan, The First Tay Canal, p. 104
38. Ibid.
39. Bell diaries, 27 January 1826, p. 168.
40. 8 George IV (1827) 4 ch, 1.
41. quoted in Morgan, The First Tay Canal, p. 105.
42. Ibid.
43. Ibid.

44. Ibid.
45. Grand Jury of the Bathurst District to Colbourne, 11 August 1830, PAC RG5, A1, Vol. 102, Upper Canada Sundries, pp. 57713 – 57716. The Weatherhead family, including father Samuel and sons Alexander, William and John were agents of the Arnold family (descendents of Benedict Arnold) who owned land in the Tay watershed. The Weatherheads developed the early village of Barbadoes later called Port Elmsley. Morgan, The First Tay Canal, pp. 105, 111; Kingston Chronicle and Gazette, 14 January 1835.
46. Grand Jury, Ibid.
47. Bell diaries, 30 November 1830, p. 225.
48. 1 William IV (1831) 11 ch, 1. See Appendix A.
49. Brockville Recorder, 6 May 1831.
50. Akenson, The Irish in Ontario, p. 87.
51. Bell diaries, pp. 156, 190, 211, 245, 260, 287, 352, 381.
52. Ibid., pp. 235, 244, 245, 263; McGill, A Pioneer History of the County of Lanark.
53. Bell diaries, p. 340; PAC MG24 I, 180, Moffat Papers, Misc. Legislature and Political Affairs File.
54. Bell diaries, pp. 182, 211, 468; Howard Morton Brown, Lanark Legacy: Nineteenth Century Glimpses of An Ontario County (Perth, Corporation of the County of Lanark, 1984) p. 104.
55. Bell diaries, p. 287; McGill, County of Lanark, p. 135; H. Belden, Illustrated Atlas of Lanark County, 1880 (Prescott, D. P. Putnam 1881, reprinted by R. Cumming, 1972) p.17.
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  64. Bell diaries, pp. 188, 381, 392; McGill, County of Lanark, pp. 41, 56, 156.
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  68. Morgan, The First Tay Canal, pp. 111, 113.
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  70. Ibid., P. 110.
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  72. Morgan, The First Tay Canal, p. 110.
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  74. Brockville Recorder, 8 December 1831.
  75. Edward John Barker, ObservatiOfla on the Rideau Canal. (Kingston, British Whig, 1834) p. 34.
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80. Morgan, First Tay Canal, p. 109; Bell diaries, p. 181; Belden, Illustrated Atlas, p. 17; Brown, Lanark Legacy, p. 273.
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105. Ibid., p. 431; PAC RG43 B6.1, Vol. 2017, Pt. 2, Wise to Bradley, Ottawa, 10 November 1882, p. 180.
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117. Ibid.
118. Morgan, The First Tay Canal, p. 112..
119. Donald Fraser was an ex-army officer discharged in 1812 who settled originally along the Scotch Line near Perth and later near Lanark village. Fraser won election to the House of Assembly in 1829, 1832 and 1833 for the loosely organized Reform faction in Perth and area. McGill, County of Lanark, pp. 155, 156.
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125. Ibid., Vol. 122, Fraser to Rowan, 19 November 1832, p. 67764.
126. Morgan, First Tay Canal, p. 112.
127. Ibid., p. 114; McGill, County of Lanark, p. 156.
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Appendix A  
Upper Canada  
House of Assembly  
Journal of the House of  
Assembly of Upper Canada  
1831

26

CHAP. XI. 1st YEAR WILLIAM IV. A.D. 1831.—FIRST SESSION

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CHAP. XI.

*AN ACT to Incorporate certain persons therein mentioned under the style and title of the Tay Navigation Company.*

[Passed 16th March, 1831.]

Preamble.

**W**HEREAS Henry Graham, Alexander Fraser, Roderick Matheson, John McKay, George Hume Read, Josias Taylor, Henry Glass and others, of the Town and neighbourhood of Perth, in the District of Bathurst, have by Petition prayed to be Incorporated a Joint Stock Company for the purpose of Improving and rendering Navigable the River Tay, with such other persons as may feel disposed to undertake the said Improvement: *And whereas* by an Act passed in the eighth year of His late Majesty's Reign entitled, "An Act to confer upon His Majesty certain powers and authorities necessary to the making, maintaining and using, the Canal intended to be completed under His Majesty's direction for connecting the waters of Lake Ontario with the River Ottawa and for other purposes therein mentioned," power and authority were given to any Officers or persons employed by His Majesty in case His Majesty should desire to improve the Navigation of the Rivers Tay and Goodwood which empty

their Waters in the River Rideau, to enter into or upon the lands or grounds of or belonging to any person or persons on the borders of the said Rivers Tay and Goodwood, in the same manner, and for the like purposes, and subject to the same conditions as His Majesty is by the said Act authorised to do with respect to the Lands bordering on the River Rideau: *And whereas* it is expedient to repeal so much of the said Act as authorises His Majesty to cause the Navigation of the River Tay to be improved according to the provisions of the said Act, and to Incorporate the Petitioners for the purposes therein mentioned: *Be it therefore enacted* by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That so much of the said in part recited Act as relates to the improvement of the Navigation of the River Tay be, and the same is hereby, repealed.

Part of 8 Geo. 4, Ch.  
1, repealed.

II. *And be it further enacted by the authority aforesaid*, That the said Henry Graham, Alexander Fraser, Roderick Matheson, John McKay, George Hume Read, Josias Taylor, Henry Glass, together with all such other persons as shall become Stockholders in such Joint Stock or Capital as is hereinafter mentioned, shall be, and are hereby ordained, constituted, and declared to be a Body Corporate and Politic, in fact, by and under the name and style of the Tay Navigation Company, and that by such name they and their Successors shall and may have continued Succession, and by such name shall be capable of contracting and being contracted with, of suing and being sued, pleading and being impleaded, answering and being answered unto in all Courts or places whatsoever, in all manner of suits, actions, complaints, matters and causes whatsoever, and that they and their Successors shall have a Common Seal and may change and alter the same at their will and pleasure; and also that they and their Successors by the same name of the Tay Navigation Company shall be in Law capable of purchasing, having and holding to them and their Successors, any Estate, Real, Personal or Mixed, to and for the use of the said Company, and demising, conveying, or otherwise departing therewith for the benefit and on the account of the said Company from time to time, as they shall deem necessary and expedient.

Tay Navigation Com-  
pany Incorporated.

Capital Stock not to exceed £4000.

Shares to be transferable upon the Books of the Corporation.

Shares to be subscribed, and to be payable by Instalments.

Calls to be advertised.

Shares to be forfeited if Calls not paid.

III. *And be it further enacted by the authority aforesaid,* That the whole Capital or Stock, inclusive of any Real Estate which the said Company may have or hold by virtue of this Act shall not exceed in value Four Thousand Pounds of lawful Currency of this Province, which Capital shall be composed of Six Hundred and Forty Shares of the value of Six Pounds Five Shillings each, and that the said Shares of the said Capital Stock shall be transferable and may be from time to time transferred by the respective persons so subscribing or holding the same to other person or persons: *Provided always,* that such transfer be entered or Registered in a Book or Books to be kept for that purpose by the said Company, and that no such transfer shall be made by any Stockholder of the said Company until after the expiration of one year from the period when the said work is completed.

IV. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for any person or persons; His Majesty's Subjects or others, to subscribe for any number of Shares (not exceeding in the first instance Fifty,) the amount whereof shall be due and payable to the said Company in the manner hereinafter mentioned, that is to say,—ten per Cent on each Share so subscribed shall be payable to the said Company immediately after the Stockholders shall have Elected the number of Directors hereinafter mentioned, and the remainder by Instalments of not more than Twenty per Cent, at such periods as the President and Directors shall from time to time direct and appoint for the payment thereof: *Provided,* that no Instalment shall be called for in less than Thirty days after public notice shall have been given in all the Newspapers of the District of Bathurst: *Provided always,* that if any Stockholder or Stockholders as aforesaid shall neglect or refuse to pay to the said Company the Instalments due on any Share or Shares held by him, her or them, at the time required by Law, such Stockholder or Stockholders shall forfeit such Share as aforesaid, with the amount previously paid thereon, and the Share or Shares shall be sold by the Directors at Public Auction after having given Ten days notice, and the proceeds thereof, together with the amount previously paid thereon, shall be accounted for and applied in like manner as any other proceeds of the said Company: *Provided always,* that such purchaser or purchasers shall pay to the said Company the amount of the Instalment required over and above the Purchase Money of the Share or Shares to be purchased by him, her, or them as aforesaid, immediately after the sale and before they shall be entitled to a Certificate of the transfer of such Share or Shares so to be purchased as aforesaid.

V. *And be it further enacted by the authority aforesaid,* That so soon as Two Hundred Shares shall have been Subscribed it shall and may be lawful for such Subscribers or any of them, to call a Meeting at some place to be named, (in the Town of Perth) for the purpose of proceeding to the Election of the number of Directors hereinafter mentioned, and such Election shall then and there be made by a majority of Shares voted for in the manner hereinafter prescribed in respect of the Annual Election of Directors; and the persons then and there chosen shall be the first Directors and be capable of serving until the first Monday in January succeeding their Election; and the said Directors so soon as may be after the said Election, shall proceed in like manner to Elect by Ballot one of their number to be President for the like period, and the President and Directors so chosen shall, as soon as a deposit amounting to Ten Pounds per Centum upon the Shares subscribed as aforesaid shall be paid to the said Directors, commence the business and operations of the said Company: *Provided always,* that no such Meeting of the said Subscribers shall take place until a Notice is published in the Newspapers of the District of Bathurst at the distance of not less than Thirty days from the time of such notification.

First Meeting of  
Stockholders to  
choose Directors to  
be held in Perth.

When 10 per Cent.  
paid in Company  
may commence  
business.

VI. *And be it further enacted by the authority aforesaid,* That the Stock, Property, Affairs and Concerns of the said Corporation shall be managed and conducted by Seven Directors, one of whom shall be chosen President, who shall hold their Offices for one year, which Directors shall be Stockholders and shall be Inhabitants of this Province, and be Elected on the first Monday in January in every year at such time of the day and at such place near the line of the said intended Navigation as the majority of the Directors for the time being shall appoint, and public notice shall be given by the said Directors in the Newspapers printed within the District of Bathurst of such time and place, not more than Thirty nor less than Fifteen days previous to the time of holding the said Election; and the said Election shall be held and made by such of the Stockholders of the said Company as shall attend for that purpose in their own proper persons or by proxy; and all Elections for Directors shall be by Ballot, and the seven persons who shall have the greatest number of votes at any Election shall be Directors, except as is hereinafter directed; and if it should happen at any Election that two or more persons have an equal number of votes, in such manner that a greater number of persons than seven shall by plurality of votes appear to be chosen as Directors, then the said Stockholders hereinbefore authorised to hold such Election shall proceed by Ballot a second time, and by plurality of votes determine which of the said persons so having an equal number of votes shall be the Director or Directors so as to complete the

Affairs to be managed  
by seven Directors.

Mode of Electing  
Directors.



whole number of seven, and the said Directors so soon as may be after the said Election, shall proceed in like manner to Elect by Ballot one of their number to be President, and two of the Directors which shall be chosen at the preceding year, excepting the President, shall be ineligible to the Office of Director for one year after the expiration of the time for which they shall be chosen Directors; and in case a greater number than five Directors, exclusive of the President who served for the last year, shall appear to be Elected, then the Election of such person or persons above the said number and who shall have the fewest number of votes shall be considered void, and such other of the Stockholders as shall be eligible and shall have the next greatest number of votes shall be considered as Elected in the room of such last described person or persons, who are hereby declared ineligible as aforesaid; and the President for the time being shall always be eligible to the Office of Director, but Stockholders not residing within the Province shall be ineligible; and if any Director shall absent himself from this Province and cease to be an Inhabitant thereof for the space of six months, his Office shall be considered as vacant, and if any vacancy or vacancies should at any time happen among the Directors or in the Office of President, by death, resignation, or removal from the said Province, such vacancy or vacancies shall be filled for the remainder of the year in which they may happen by a person or persons to be nominated by a majority of the Directors: *Provided always*, that no person shall be eligible to be a Director who shall not be a Stockholder to the amount of at least Five Shares.

Vacancies in the  
Direction during any  
current year to be  
filled up by the other  
Directors.

Qualification of  
Voters, and Ratio of  
voting according to  
number of Shares.

VII. *And be it further enacted by the authority aforesaid*, That each Stockholder shall be entitled to a number of votes proportioned to the number of Shares which he or she shall have held in his or her own name at least three months prior to the time of voting (except at the first Election,) according to the following rates, that is to say,—at the rate of one vote for each Share not exceeding four; five votes for six Shares; six votes for eight Shares; seven votes for ten Shares; and one vote for every five Shares above ten.

Corporation not  
dissolved by  
Non-Election of  
Directors at the time  
appointed, but  
Election shall take  
place at another day.

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

IX. *And be it further enacted by the authority aforesaid*, That it shall be the duty of the Directors to make half yearly dividends of so much of the profits of the said Company as to them or to the majority of them shall appear advisable, and that once in every year, and oftener if thereunto required by a majority of the votes of the Stockholders to be given agreeable to the ratios hereinbefore established, at a General Meeting to be called for that purpose, an exact and particular Statement shall be rendered of the state of their affairs, debts, credits, profits and losses, such statement to appear on the Books, and to be open to the perusal of any Stockholder at his or her reasonable request.

Directors to declare dividends.

And to render to the Stockholders a statement of their affairs.

X. *And be it further enacted by the authority aforesaid*, That the Directors for the time being, or a major part of them, shall have power to make and subscribe such Rules and Regulations as to them shall appear needful and proper touching the management and disposition of the Stock, Property, Estate, and Effects of the said Corporation, and touching the amount of Tolls to be collected on the said Navigation, the duty and conduct of the Officers, Clerks, and Servants employed by the said Company, and all such other matters as appertain to the business of the said Company, and shall also have power to appoint as many Officers, Clerks, and Servants for carrying on the said business, and with such salaries and allowances as to them shall seem meet: *Provided*, that such Rules and Regulations be not repugnant to the Laws of this Province.

Directors may make Bye-Laws, regulate Toll, and appoint Officers.

XI. *And be it further enacted by the authority aforesaid*, That every Treasurer, before he enters into the duties of his office, shall give bond with two or more Sureties in such Sum as may be satisfactory to the Directors with condition for the faithful discharge of his duty.

Treasurer to give security.

XII. *And be it further enacted by the authority aforesaid*, That the said Company, or any person or persons authorised by them, shall have full power and authority to explore the Country through which the River Tay runs, and to enter into and upon the Lands or grounds of or belonging to any person or persons, bodies politic or corporate, and to survey and take levels of the same or any part thereof, and set out and ascertain such parts thereof as he or they shall think proper and necessary for making Locks, Aqueducts, Tunnels, Culverts, Bridges, and all such other improvements, matters, and conveniencies as he shall think proper and necessary for making, effecting, preserving, improving, completing, and using in the said Navigation; and also to bore, dig, cut, trench, remove, take, carry away, and lay earth, soil, clay, stone, rubbish, trees, roots of trees, beds of gravel or sand, or any other matter or things which may be dug or got in the making of the said Navigation, Locks, Tunnels, Aqueducts, Culverts

Company authorised to explore the country take Levels, and set out such portion of Lands as may be required for the use of the Company.

General powers of the Company in improving the Navigation.



Bridges, &c. to be  
erected.

or other improvements, or out of any Lands or grounds of any person or persons adjoining or lying contiguous thereto, and which may be necessary for constructing or repairing the said Works or Improvements, or which may obstruct the making or maintaining the said Navigation; and also to make, build, erect, and set up, in and upon the said River, or upon the Lands adjoining or near to the same, such and so many Bridges, Tunnels, Acqueducts, Sluices, Locks, Weirs, Pens for water Tanks, Reservoirs, Drains, Wharves, Quays, Landing-places, and other Works, Ways, Roads and conveniences, as the said Company or any person or persons authorised by them as aforesaid shall think requisite and convenient for the purposes of the said Navigation, and also from time to time to alter, amend, repair, widen or enlarge the same, or any other of the conveniences above mentioned, as well for carrying or conveying goods, commodities, timber and other things to and from the said Navigation, as for the carrying or conveying of all manner of materials necessary for making, erecting, finishing, altering, repairing, amending, widening, or enlarging the Works of and belonging to the said Navigation; and also place, lay, work, and manufacture the said materials on the ground near to the place or places where the said Works or any of them are or shall be intended to be made, erected, repaired or done, and construct the several Locks, Bridges, Works, and Erections belonging thereto; and also to make, maintaining, repair and alter, any fences or passings over, under, or through the said River, or the Reservoirs and Tunnels, Acqueducts, Passages, Gutters, Water-courses, and Sluices respectively, which shall communicate therewith; and also to make, set up and appoint, Drawing Boats, Barges, Vessels or Rafts, passing in, through, along or upon the said River, as the Company, or person or persons authorised by them as aforesaid shall think convenient; and to construct, erect and keep in repair any Piers, Arches, or other Works, in, upon and across any Rivers or Brooks, for making, using, maintaining and repairing the said Navigation and the Towing-Paths on the sides thereof; and also to construct, make and do all other matters or things which he or they shall think necessary and convenient for the making, effecting, preserving, improving, completing and using the said Navigation in pursuance and within the true meaning of this Act, doing as little damage as may be in the execution of the several powers to them hereby granted.

Company may con-  
tract for the purchase  
of the Lands set out  
as necessary for  
their use.

XIII. *And be it further enacted by the authority aforesaid, That after any Lands or grounds shall be set out and ascertained to be necessary for making and completing the said Navigation and other purposes and conveniences hereinbefore mentioned, the said Company or person or persons authorised by them as aforesaid, is hereby empowered to contract, compound, compromise and agree with all Bodies Politic, Communities,*

Corporations, aggregate or sole Guardians, and all other person or persons, for themselves or as Trustees, not only for and on behalf of themselves their Heirs and Successors, but also for and on behalf of those whom they represent, whether Infants, Lunatics, Idiots, Femmes Covert, or other person or persons who shall occupy, be possessed of, or interested in any Lands or Grounds which shall be set out or ascertained as aforesaid, for the absolute surrender to the said Company of so much of the said Land as shall be required, or for the damages which he, she, or they, may reasonably claim in consequence of the said intended Improvement, or other the Works of and belonging to the said Navigation, and other Constructions and Erections, being cut and constructed in and upon his, her, or their respective Lands, and that all such Contracts, Agreements and Surrenders, shall be valid and effectual in Law to all intents and purposes whatsoever, any Law, Statute, or Usage to the contrary notwithstanding.

XIV. *And be it further enacted by the authority aforesaid,* That such parts and portions of Land or Lands covered with water as may be so ascertained and set out by the Company, or person or persons appointed as aforesaid as necessary to be occupied for the purposes of the Improvement of the said Navigation, and also such parts and portions as may upon alteration or deviation be ascertained and set out as necessary for the purposes thereof, shall be for ever thereafter vested in the said Company.

Lands set out to be vested in the Company.

XV. *And be it further enacted by the authority aforesaid,* That if before the completion of the said Navigation through the Lands or Grounds of any person or persons, no voluntary agreement shall have been made as to the amount of compensation to be paid for damages according to this Act, the person or persons superintending the said Work shall at any time after the completion of such portion of the Improvement of the said Navigation, upon the notice or request in writing of the proprietor of such Lands, or his Agent legally authorised, to appoint an Arbitrator, who at a day to be named in such notice shall attend upon the premises in question, to meet an Arbitrator to be appointed by such claimant, and such two Arbitrators shall and may, before proceeding to consider the claim, appoint a third Arbitrator, which three Arbitrators being first sworn by some one of His Majesty's Justices of the Peace then there present to give a just and true award upon the claim submitted to them, shall, upon the statements of the parties and view of the premises, and upon the testimony of Witnesses to be examined upon Oath or Affirmation, if either party shall require it, (which Oath or Affirmation any one of the said Arbitrators is hereby authorised to administer) make their award in

Disputes between the Company and Individuals may be left to Arbitration.

Witnesses to be examined on Oath.

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writing under their hands of the amount of damages to be paid to such claimant.

Party declining to abide by award to give notice thereof to the other party, and to pay the costs of Assessing Damages by a Jury.

XVI. *And be it further enacted by the authority aforesaid,* That if either the person or persons superintending the said Work or the party claiming damages as aforesaid, shall decline to abide by any such award, such refusal shall be declared in writing within ten days after such award, and damages upon such claim shall be thereafter assessed in manner following, but at the sole expense of the party refusing to abide by such award.

Notice of Assessment of Damages to be served by party dissenting from any award, not less than thirty days from the time of dissent being notified.

XVII. *And be it further enacted by the authority aforesaid,* That in all cases in which awards shall be made, to which either party shall refuse to conform as aforesaid, it shall and may be lawful for the party dissenting from such award to serve on the other party a notice in writing, appointing a day, not less than thirty days from the time of serving such notice, for having the damages for which he is entitled to claim compensation according to this Act assessed, in the manner hereinafter provided; and that the party giving such notice shall also specify some day therein, which shall be at least ten days before the day appointed for such assessment, and not less than ten days from the time of serving such notice, at which he will attend at the Office of the Sheriff of the District of Bathurst for the purpose of striking a Jury to assess the damages so claimed as aforesaid.

Jury to be struck at the Sheriff's Office, from the Special Jury List.

XVIII. *And be it further enacted by the authority aforesaid,* That on the day so appointed as last aforesaid, the parties, their Attornies or Agents, shall attend at the Sheriff's Office, and that the Sheriff shall at the hour of one o'clock in the afternoon proceed in the presence of the parties, or such of them, their Attorney or Agent, as may be present, to select the names of twenty-one persons from among those qualified to serve on Special Juries, and in the manner directed by Law for selecting Special Juries, and that the names of such twenty-one persons so drawn being fairly written out by such Sheriff, each party, or his Attorney or Agent attending for that purpose, shall alternately strike off one, that party beginning at whose instance such Jury is struck, until the whole number shall be reduced to seven, and that such seven persons shall be a Jury for assessing the damages to be paid to such claimant as aforesaid: *Provided always,* that in case either party shall omit to attend personally or by Agent at the time appointed, the Sheriff or his Deputy shall strike in behalf of such person not attending.

XIX. *And be it further enacted by the authority aforesaid,* That the seven persons so struck to serve as aforesaid, shall be Summoned by the Sheriff to attend upon the premises in respect to which the damages are claimed as aforesaid, giving not less than ten days notice of such attendance, and that the Sheriff or his Deputy shall also attend at the time so appointed, and shall administer to the five persons who shall first answer upon being called in the order in which they shall stand upon the Original List, the Oath following, that is to say,—“I A. B. do swear that I will well and truly assess the damages upon the claim of C. D., according to the Act in that behalf”; and thereupon the said Jury having viewed the Premises, and received the testimony, upon Oath or Affirmation of such Witnesses as shall be brought before them, (which Oath or Affirmation the said Sheriff or his Deputy is hereby authorised to administer) shall deliver their verdict by the opinion of the majority of such Jury of the amount of damages to be paid to such claimant.

Sheriff to Summon the persons who shall have been struck as Jurors.

Jurors' Oath..

XX. *And be it further enacted by the authority aforesaid,* That in estimating the claim of any individual to compensation for property taken, or for damage done under the authority of this Act, the Arbitrators or Juries assessing such damages shall take into their consideration the benefit likely to accrue to such individual from the improvement of the said Navigation, by its enhancing the value of his Property or producing other advantages: *Provided always, nevertheless,* that it shall not be competent to any Arbitrators or Jury to direct any individual claiming as aforesaid, to pay a sum in consideration of such advantages over and above the amount at which the damages of such individual shall be estimated.

Made of estimating Damages.

XXI. *And be it further enacted by the authority aforesaid,* That the party desiring such Jury to be Summoned shall pay to the Sheriff for striking and Summoning the same and for attending and taking the Verdicts, the sum of Two Pounds, and to each Jurymen attending in pursuance of such Summons, the sum of Ten Shillings.

Party requiring Jury, to pay all the expenses.

XXII. *And be it further enacted by the authority aforesaid,* That if any person or persons shall wilfully or maliciously break down, damage or destroy, any Bank, Lock, Gate, Sluice, or any Works, Machine or device, to be erected or made by virtue of this Act, or do any other wilful act, hurt or mischief, to disturb, hinder or prevent, the carrying into execution, or completing, supporting or maintaining the said Navigation, every such person or persons so offending shall be deemed guilty of a misdemeanor.

Persons guilty of wilfully injuring the Works to be punished as for a misdemeanor.



Penalty for obstructing the Navigation.

XXIII. *And be it further enacted by the authority aforesaid,* That if any person shall float any Timber upon the said Navigation, or shall suffer the overloading of any Boat, or Vessel, or Raft, navigating in or upon the Navigation of the said River, so as by such overloading the same, to obstruct the passage of any other Boat, Vessel or Raft, and shall not immediately, upon due notice given to the owner or person having the care of such Boat, Vessel or Raft, so obstructing the passage aforesaid, remove the same so as to make a free passage for other Boats, Vessels or Rafts, every such Owner or Person floating such Timber, or having the care of such Boat Vessel or Raft so obstructing the Passage as aforesaid, shall forfeit and pay for every such offence the sum of Five Pounds; and if any person shall throw any ballast, gravel, stones, or rubbish into any part of the said navigation, every such person shall for every such offence forfeit a sum not exceeding Five Pounds.

Penalty for placing or leaving Boats, &c. in the said Navigation.

XXIV. *And be it further enacted by the authority aforesaid,* That if any Boat, Vessel or Raft, shall be placed in any part of the Navigation of said River so as to obstruct the same, and the person having the care of such Boat, Vessel or Raft, shall not immediately upon the request of any of the persons employed by the said Company, remove the same, he shall for every such offence forfeit a penalty of Ten Shillings for every hour such obstruction shall continue, and it shall be lawful for the Agents, Toll-gatherers or others employed by the said Company, or Person or Persons by them appointed to the charge of said Works, to cause any such Boat, Vessel or Raft, to be unloaded if necessary, and to be removed in such manner as shall be proper for preventing such obstruction in the navigation, and to seize and detain such Boat, Vessel or Raft, and the Cargo thereof, or any part of such Cargo, until the Charges occasioned by such unloading and removal are paid, and if any Boat or Vessel shall be sunk in any part of the said navigation, and the owner or owners, or the person or persons having the care of such Boat or Vessel, shall not without loss of time weigh or draw up the same, it shall be lawful for the Agents, Toll-gatherers or other persons employed by the said Company, to cause such Boat or Vessel to be weighed or drawn up, and to detain and keep the same until payment be made of all expences necessarily occasioned thereby.

Boats may be seized, unloaded, and detained until costs paid.

Sunken Boats to be immediately weighed by the owners.

Persons inhabiting the Banks of the River may ply thereon with their Boats for the purposes of Husbandry, but not to pass Locks without consent.

XXV. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the owners and occupiers of any Land adjoining to the said River or Navigation, to use any Boats thereon for the purpose of husbandry, or for conveying Cattle from one Farm, part of a Farm, or Lands, to any other Farm or Lands of the same owner or occupier, not passing through any Lock without the consent of the person

or persons in charge for the time being, without interruption and without paying any rate or duty for the same, so as the same be not made use of for the Carriage of any Goods Wares or Merchandize to Market, or for Sale, or for any person or persons for hire, and shall not obstruct or prejudice the said Navigation or the Towing Paths thereof.

XXVI. *And whereas*, it may hereafter happen from Floods, or from unexpected accidents, that Wears, Gates, Dams, Banks, Reservoirs, Trenches or other Works of the said navigation may be damaged or destroyed, and the adjacent Lands or the property thereon thereby damaged, and that it may be necessary that the same should be immediately repaired or rebuilt, to prevent further damages; *Be it further enacted by the authority aforesaid*, That when and so often as any such case may happen, it shall be lawful for any person or persons employed by the said Company from time to time without any delay or interruption from any person or persons whomsoever, to enter into any Lands, Grounds or Hereditaments adjoining or near to the said Navigation or Branches, Reservoirs or Trenches, or any of them (not being an Orchard Garden or Yard,) and to dig for, work, get and carry away and use all such Stones, Gravel and other materials as may be necessary or proper for the purposes aforesaid, without any previous treaty whatsoever with the owner or owners, occupier or occupiers of, or other person or persons interested in such Lands, Grounds or Hereditaments, or any of them, doing as little damage thereby as the nature of the case will admit of, and making recompense for such damages to the owner or owners of, or other persons interested in such Lands, Grounds, Property or Hereditaments, within the space of Six Calendar months next after the same shall have been demanded, for all damages which shall or may be done by means of such accident, and means of the digging for, getting, working, taking, carrying away and rising such Stones, Gravel and materials, or any of them, which damages, and the satisfaction and recompense in respect thereof, shall be settled, adjusted, ascertained and determined, by the ways and means hereinbefore described with respect to the other damages done by the making and completing the said Navigation.

Powers given to the Company to enter upon adjacent Lands and take materials for the repair of sudden injuries by floods or otherwise.

Recompense to be made for damages done.

XXVII. *And be it further enacted by the authority aforesaid*, That the person or persons employed by the said Company shall and may, in such parts of the said Navigation as shall not be of sufficient breadth for admitting a Boat, Vessel or Raft, to turn about or lie, or for two Boats or other Vessels or Rafts to pass each other, to open or cut proper places or spaces in the Lands adjoining to the said Navigation at convenient distances from each other for the turning, lying, and passing of any such Boat, Vessel or Raft, and that the said Boats, Vessels and Rafts, being

Spaces may be cut in the bank at convenient distances, for Boats to pass each other or turn in.

hauled or navigated upon the said River shall, upon meeting any other Boat or Vessel, stop at or go back to and lie in the said places or spaces, in such manner as shall be notified by the person or persons in charge of such Navigation.

All Boats to be  
guaged or measured,  
to ascertain their  
Tonnage.

Disputes to be settled  
by Arbitration.

XXVIII. And for preventing disputes touching the Tonnage of any Boat, Barge, or other Vessel Navigating upon the said River—*Be it further enacted by the authority aforesaid*, that the Owner or Master of every such Boat, Barge or Vessel, shall permit and suffer every such Boat, Barge or Vessel, to be Guaged or Measured, and refusing so to permit and suffer, shall forfeit and pay the sum of Forty Shillings; and it shall be lawful for the Toll-gatherer or such other person or persons as shall be appointed for that purpose, and such Owner or Master, each to choose one person to measure and ascertain such Tonnage, and to mark the same on such Boat, Barge, or other vessel, which mark shall always be evidence of the Tonnage in all questions respecting the payment of the aforesaid Rates or Dues, and if such Owner or Master shall refuse or decline to choose a person on his behalf as aforesaid, then the person appointed on behalf of the Company shall have alone the power of ascertaining such Tonnage.

All persons may use  
the said Improve-  
ments, upon payment  
of the established  
Dues.

XXIX. *And be it further enacted by the authority aforesaid*, That all persons whatsoever shall have free liberty to use with Horses, Cattle and Carriages, the Roads and Ways to be made as aforesaid (except the Towing Paths) for the purpose of carrying any goods, wares, merchandize, timber and commodities whatsoever, to and from the said Navigation; and also to Navigate on the said River Improvement with any Boats, Barges, Vessels or Rafts, and to use the said Wharves and Quays for loading and unloading any goods, wares, merchandize, timber and commodities; and also to use the said Towing Paths with Horses for drawing and hauling such Boats and Vessels, upon payment of such Rates and Dues as shall be established by the said Company.

Company may take  
sufficient Land for  
Towing-Paths, &c.

Towing-Paths not to  
exceed forty feet in  
width.

Lands to be paid for,

XXX. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the said Company to take, occupy, use and enjoy, such Lands along the said Navigation for the purposes of a Towing Path, and for the security and convenience of the several Locks and Dams, as to the Directors shall seem necessary: *Provided always*, that the said Towing Path does not exceed forty feet in width, and the ground so taken at each Dam and Lock shall not embrace a greater quantity than one Acre on each side of the said Navigation: *And provided also*, that the value of the Lands so taken shall be ascertained and compensated for in

the manner hereinbefore prescribed for the payment of Lands taken for the other purposes of this Act.

XXXI. *And be it further enacted by the authority aforesaid,* That in case of refusal or neglect of payment of any such Rates or Dues as may be imposed by the said Company as aforesaid for passing along the said Navigation, or of any part thereof, on demand, to the person or persons appointed to receive the same, such person may in his own name sue for and recover the same in any Court having Jurisdiction thereof, or the person or persons to whom the said Rates or Dues ought to be paid may, and he is, and they are hereby authorised and empowered to Seize and Detain such Boat, Vessel, Barge or Raft, for or in respect whereof such Rates or Dues ought to be paid, and detain the same until payment thereof.

Company may either sue or distrain for dues.

XXXII. *And be it further enacted by the authority aforesaid,* That all Penalties and Forfeitures for offences against this Act, or against any Rule, Order or Bye-Law of the said Company, or person or persons appointed by the said Company, to be made in pursuance thereof, shall, upon proof of the offences respectively before any two Justices of the Peace for the District in which such offence has been committed, either by the confession of the party or parties, or by the Oath of one credible Witness, be levied by distress and Sale of the Goods and Chattels of the parties offending, by Warrant under the Hand and Seal of such Justices, and the overplus, (if any) after such Penalties and Forfeitures and the charges of such distress and Sale are deducted, shall be returned upon demand to the owner or owners of such Goods and Chattels; and in case sufficient distress cannot be found, or such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justices, by Warrant under their Hands and Seals, to cause such offender or offenders to be committed to the Common Gaol of such District, there to remain without bail or mainprise, for such time as such Justices may direct not exceeding twenty days, unless such Penalties and Forfeitures, and all reasonable charges attending the same, shall be sooner paid and satisfied.

How Penalties to be levied.

XXXIII. *And be it further enacted by the authority aforesaid,* That all Penalties imposed by this Act, when levied and satisfied in manner aforesaid, shall be paid to the said Justices, to be by them transmitted to His Majesty's Receiver General of this Province, to be accounted for to His Majesty through the Lords Commissioners of His Majesty's Treasury for the time being.

Appropriation of Penalties.

XXXIV. *And be it further enacted by the authority aforesaid,* That all and singular the powers and authorities given by this Act to the said



Powers given to the Company to extend to their servants.

Company, or to the person or persons to be employed by them in superintending the construction of the said Navigation, or to the person at any time hereafter in charge thereof, shall extend, so far as may be required for the purposes of this Act, to all and every the persons employed or to be employed in the execution of any matter authorised to be done by this Act.

Powers and privileges hereby granted to extend to the Bed of the River Tay where it shall be improved as well as to the excavation on land.

XXXV. *And be it further enacted by the authority aforesaid,* That all and every the powers, authorities and privileges by this Act given, relating in any manner to the improvement of the said River intended to be made as aforesaid, shall extend and apply to that part of the Navigation to be made or improved which shall lie along the said River, as well as to such parts as shall require to be wholly made and excavated through Lands affording now no natural channel.

All Actions to be brought within six months.

XXXVI. *And be it further enacted by the authority aforesaid,* That if any plaint shall be brought or commenced against any person or persons for any thing done or to be done in pursuance of this Act, or in execution of the powers and authorities, or the orders and directions hereinbefore given or granted, every such suit shall be brought or commenced within Six Calendar Months next after the doing or committing of such damages shall cease, and not afterwards, and the Defendant or Defendants in such Action or Suit shall and may plead the general issue and give this Act and the Special matter in evidence at any trial to be had thereon, and that the same was done in pursuance and by the authority of this Act; and if it shall appear to be done so, or if any Action or suit shall be brought after the time hereinbefore limited for bringing the same, then a verdict shall be given for the Defendant.

General issue may be pleaded.

Public Act.

XXXVII. *And be it further enacted by the authority aforesaid,* That this Act shall be deemed a Public Act, and shall be judicially noticed as such in the several Courts in this Province.

When Tolls exceed twenty per Cent. Legislature may regulate the same.

XXXVIII. *And be it further enacted by the authority aforesaid,* That whenever it shall appear that the Tolls received by the said Tay Navigation Company in any one year shall exceed Twenty per Cent on the Capital invested, it shall and may be lawful for the Legislature of this Province to regulate the Tolls to be received by the said Company in such mannner as to them may appear just, by any Act to be passed for that purpose.

XXXIX. *And be it further enacted by the authority aforesaid,* That notwithstanding any thing in this Act contained, it shall and may be

lawful to authorise one or more public Ferry or Ferries across the said River, if the same shall appear expedient, and to erect, maintain, and use such Bridge or Bridges over the said River, and to make and use such Highways leading to and from the same as shall be found necessary for public convenience, in the same manner as Highways and Bridges are constructed and made in other parts of this Province, and as if this Act had not been passed: *Provided always*, that such Highways and Bridges shall be so constructed and made as to occasion no unnecessary inconvenience to the said Navigation.

Ferries may be established across the River if found necessary.  
Bridges may be erected,

But not to occasion inconvenience to the Navigation.

*XI. And be it further enacted by the authority aforesaid*, That at any time after fifty years after the making and completing the said Navigation, His Majesty, His Heirs and Successors, may assume the possession and property of the same, and of all and every the Works and Dependencies thereto belonging, upon paying to the said Company, for the use of the Stockholders thereof, the full amount of their respective Shares, or of the sums furnished and advanced by each Subscriber towards the making and completing the said Navigation, together with such further sum as will amount to Twenty-five per Cent upon the monies so advanced and paid, as a full indemnification to such Company, and the said navigation shall from the time of such assumption in manner aforesaid, appertain and belong to His Majesty, His Heirs and Successors, who shall from thenceforth be substituted in the place and stead of the said Company, upon the conditions and subject to the Provisions of any Act of the Legislature of this Province, that may be passed of or respecting the same: *Provided always*, that it shall not be lawful for His Majesty, His Heirs or Successors, at any time after the expiration of the said Fifty Years, to assume the possession and property of the said Navigation, with its appurtenances as aforesaid, unless it shall appear from the accounts of the said Company, to be for that intent laid before the Legislature, that the Stockholders of the said Company have received every year upon an average the sum of Twelve Pounds Ten Shillings for every Hundred Pounds they shall be possessed of the in the said concern.

His Majesty may assume the said Navigation upon paying therefor.

*XLI. And be it further enacted by the authority aforesaid*, That from and after the period when the possession of the right, interest and property, in and to the said Navigation shall have been assumed by His Majesty, His Heirs or Successors, as hereinbefore authorised, all Tolls and profits arising therefrom shall be paid into the hands of His Majesty's Receiver General, to and for the Public uses of this Province at the disposition of the Legislature thereof, and shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners

After His Majesty shall have assumed the possession of the said Navigation, Tolls to be paid to the Receiver General.

How to be accounted for.

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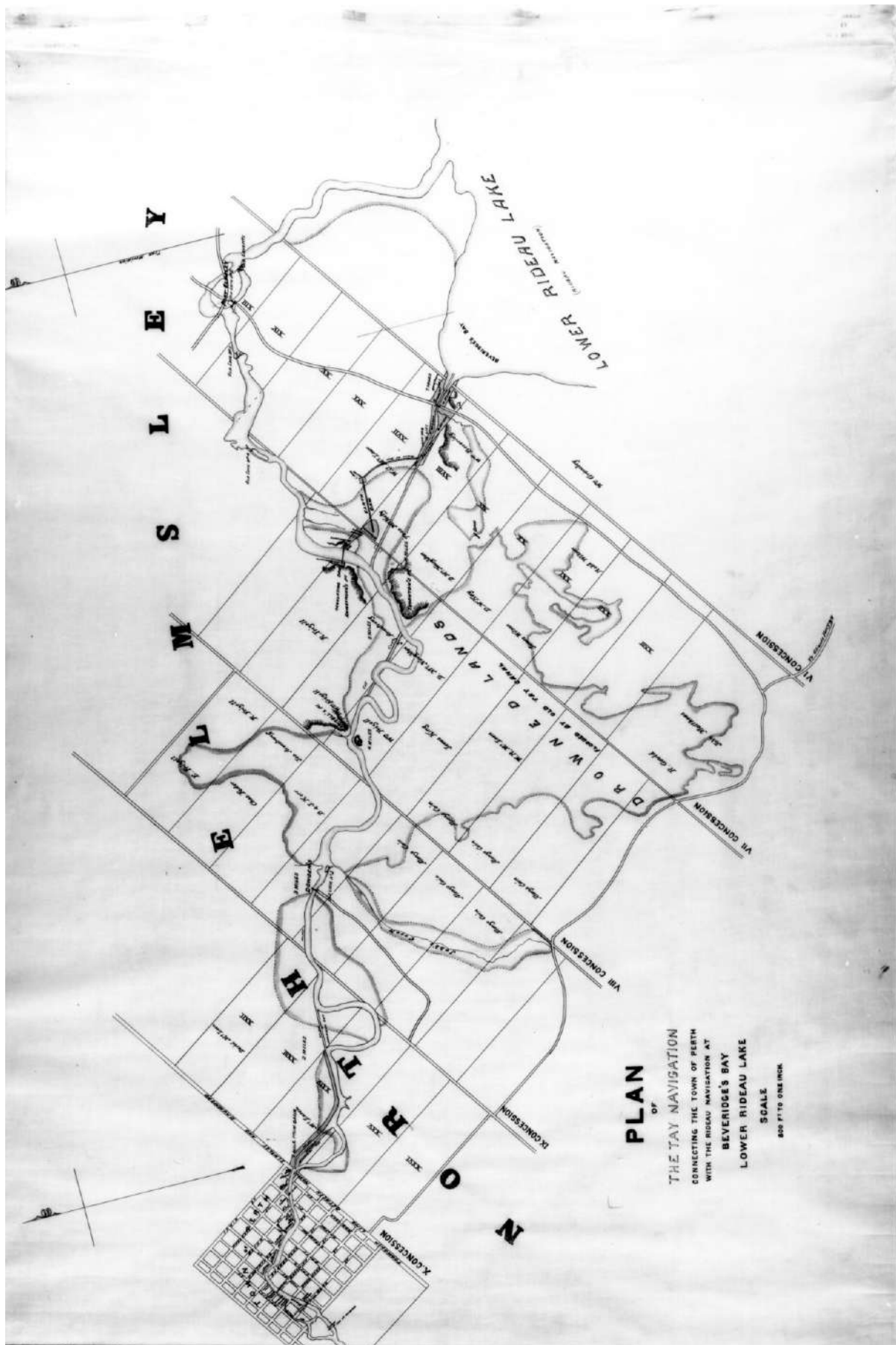
of His Majesty's Treasury in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct: *Provided always*, that the said Navigation shall be commenced within one year and completed within seven years after the passing of this Act, otherwise this Act, and every matter and thing herein contained shall cease and be utterly null and void.

If within two months from the passing of this Act the Governor shall ascertain that the Officer superintending the Rideau Canal shall deem it expedient to improve the Navigation of the Tay on behalf of His Majesty's Government, the same shall be declared by Proclamation, whereupon this Act shall cease to have any effect.

XLII. *And be it further enacted by the authority aforesaid*, That if within two months after the passing of this Act it shall be ascertained by the Governor, Lieutenant Governor, or person Administering the Government of this Province, that the Officer Superintending the construction of the Rideau Canal is instructed to undertake the improvement of the Navigation of the River Tay, or deems it expedient that the same should be undertaken by His Majesty's Government, under authority given by the Twenty-fifth Section of the Act passed in the eighth year of His late Majesty's Reign, then it shall and may be lawful for the Governor, Lieutenant Governor, or person Administering the Government of this Province, by Proclamation to be issued by and with the advice of the Executive Council thereof, to suspend the operation of this Act, and from thenceforth it shall cease to have any force or effect, any thing therein contained to the contrary notwithstanding.

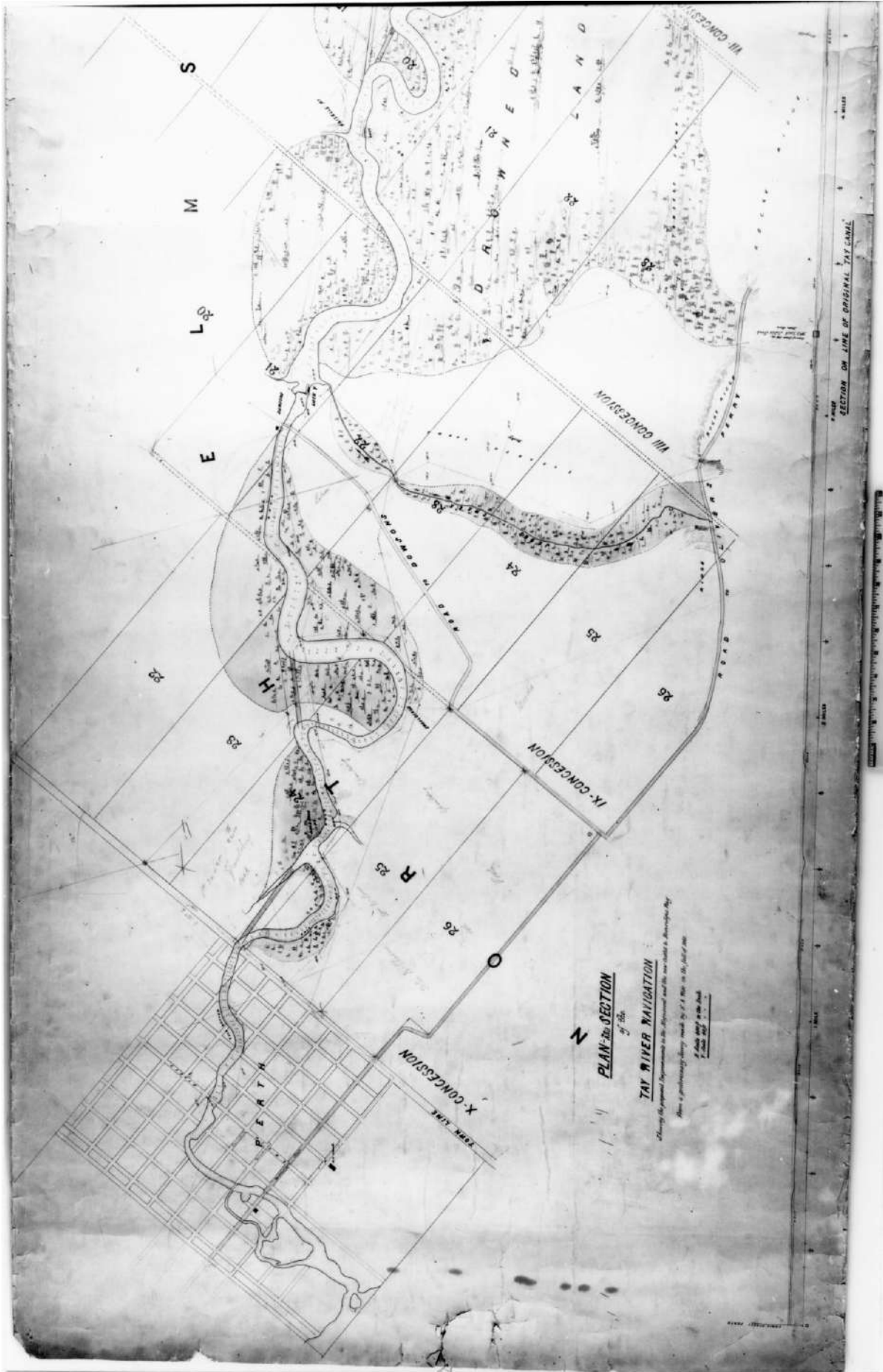


1. PAC NMC 21969, H2/410.Rideau Canal/1831, Plan of Part of the Rideau Lake and River from Oliver's Ferry to the First Rapids and of the River Tay from Perth, surveyed by Capt. Victor and Lieut. Denison, 23 March 1831.



2. PAC NMC 45838 R/410/Tay Canal/n.d. Plan of the Tay Navigation

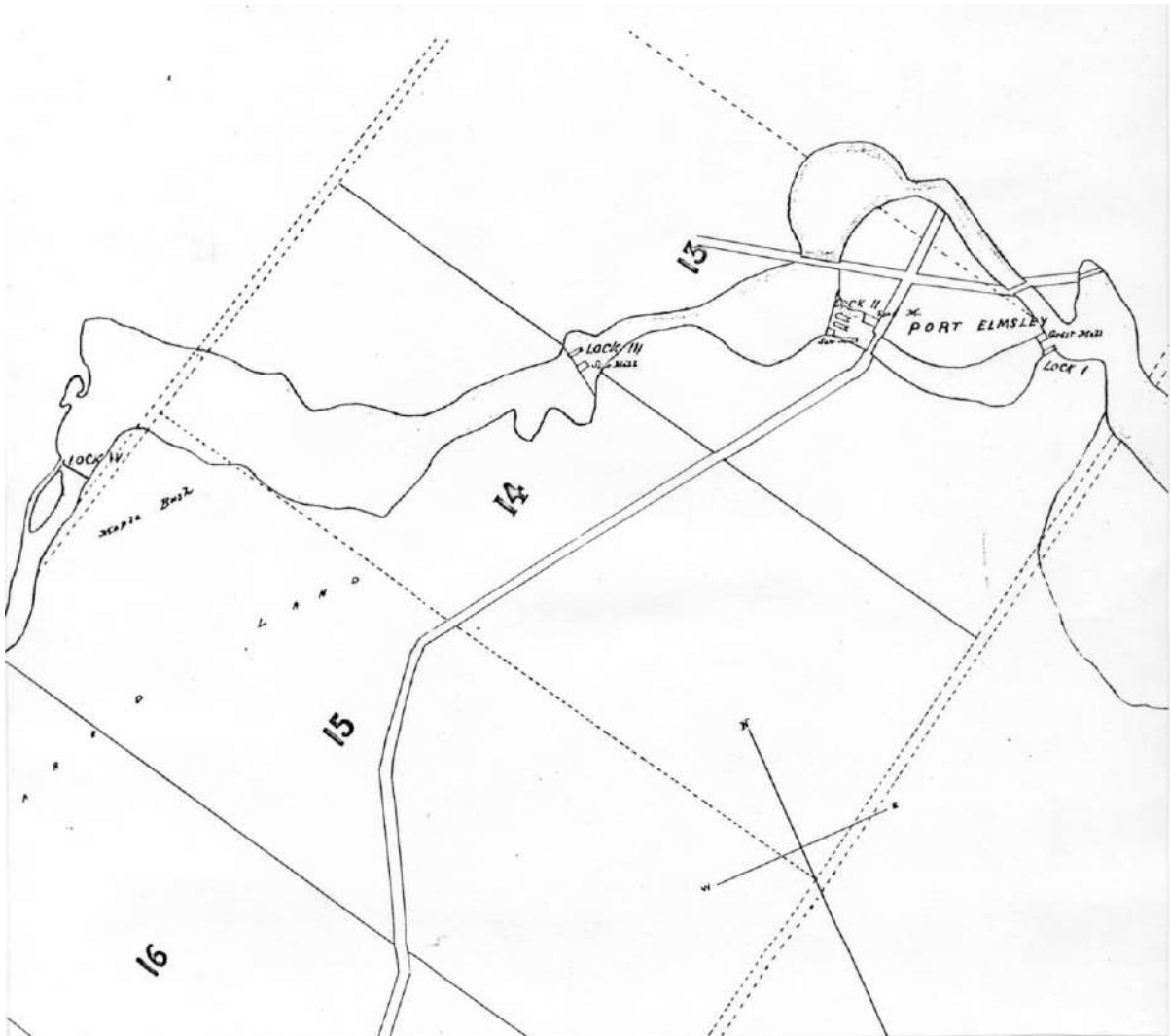




3. PAC NMC 45635 R/410/Tay River/1881 Plan and Section of the Tay River Navigation (west) by F. A. Wise

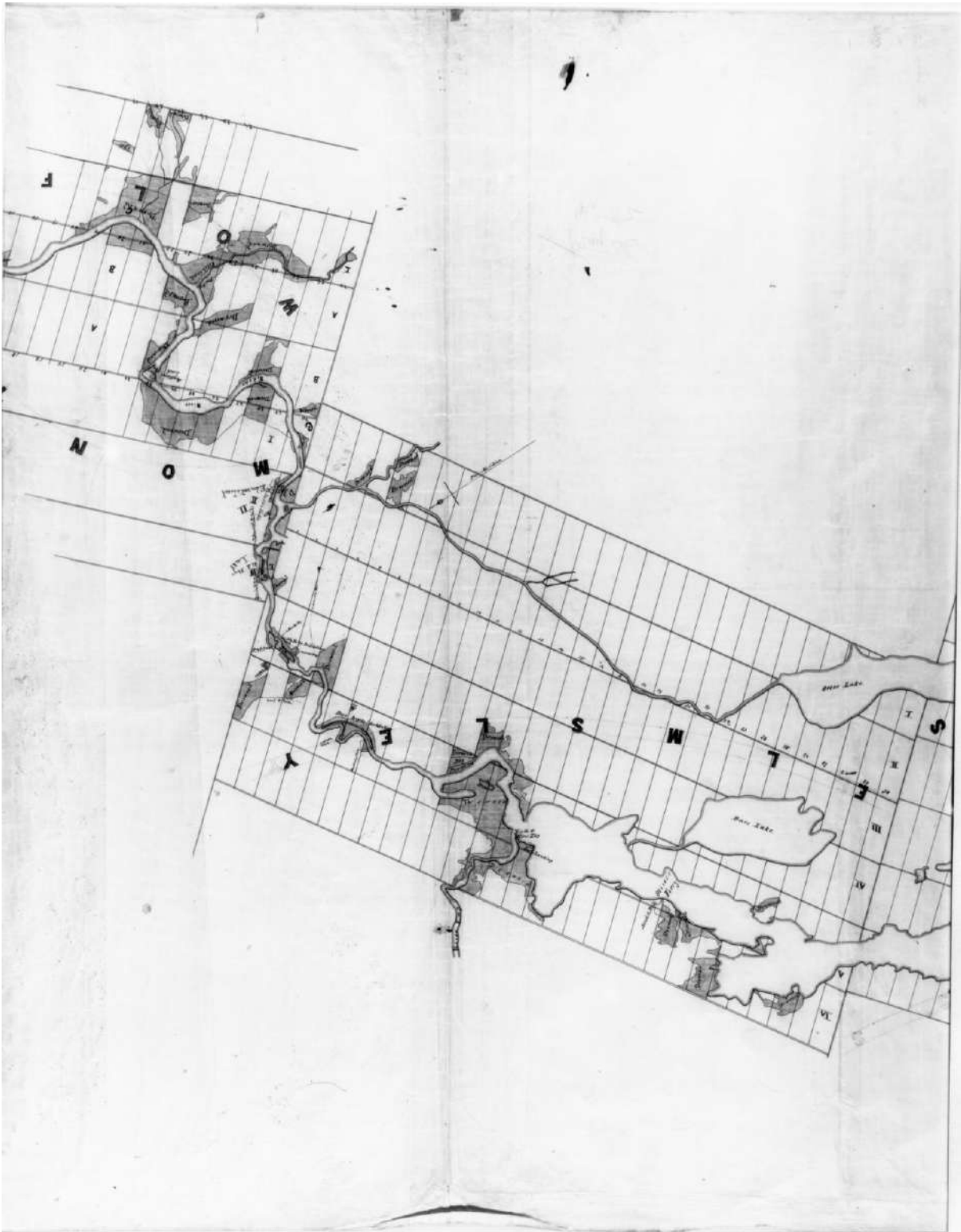


4. PAC NMC 45635 R/410/Tay River/1881 Plan and Section of the Tay River Navigation (east) by F. A. Wise

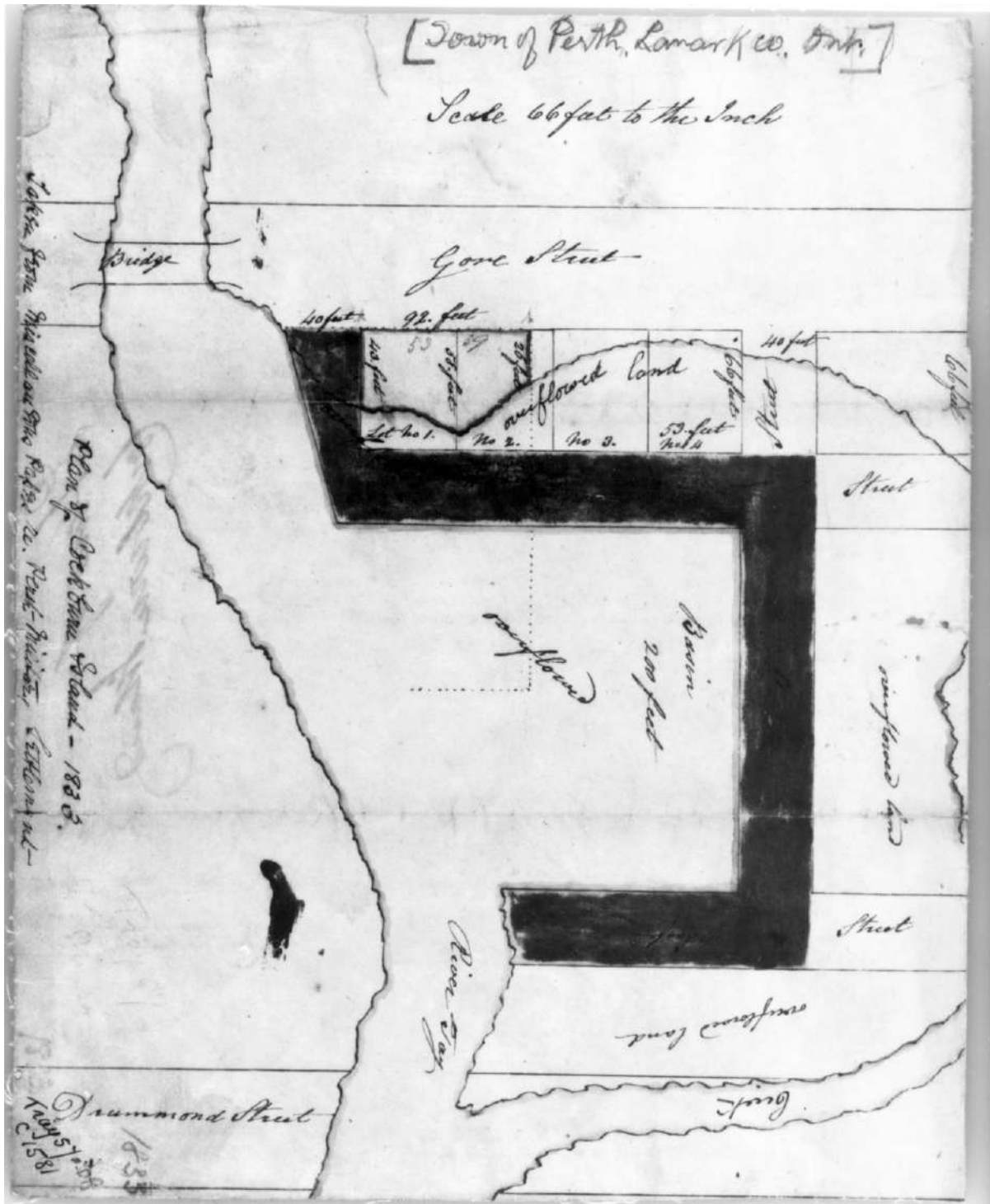


5. PAC NMC 45838 R/410/Tay Canal/n.d. Plan of the Tay Navigation (detail)





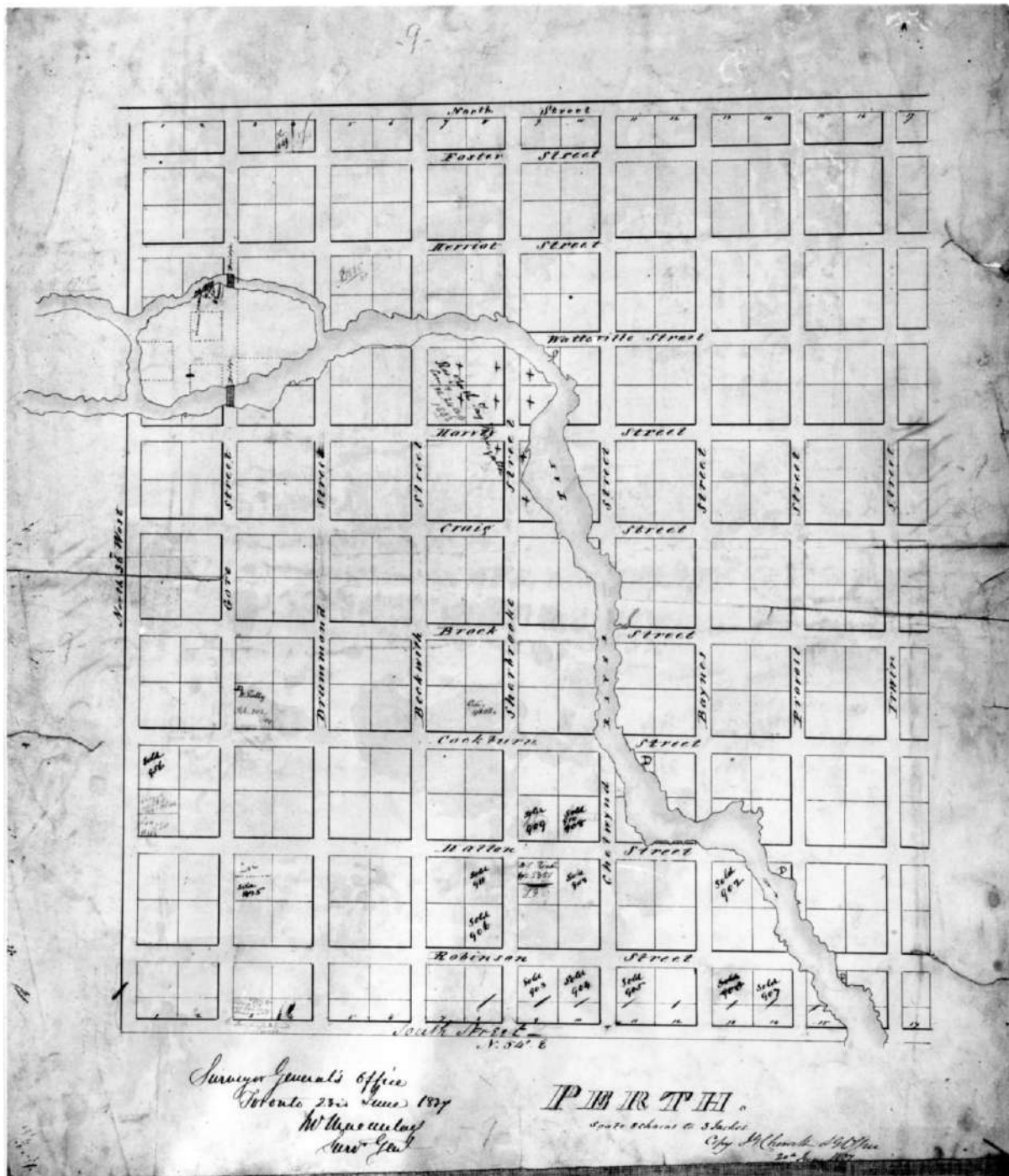
6. PAC NMC 49394 R1410/Rideau Canal/1863



7. PAC NMC 49393 F/440/Perth/1833 Plan of Cockburn Island,  
1833



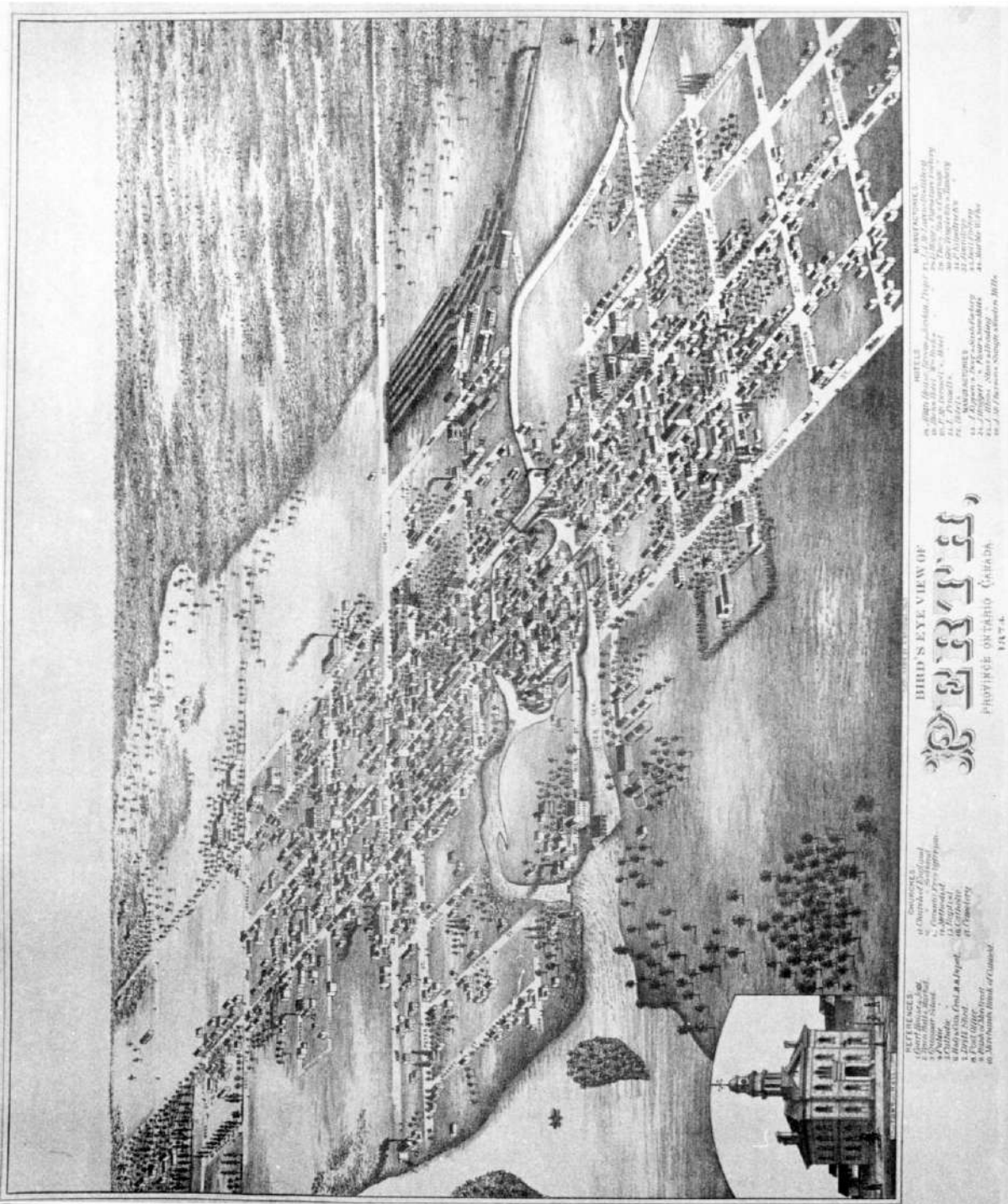
8. Perth, 1822-1823 from William Bell, Hints to Emigrants (Edinburgh, Waugh and Innes, 1824) p. 74



9. Archives of Ontario, Map Collection D-7 Perth, Surveyor General's Office, 1834

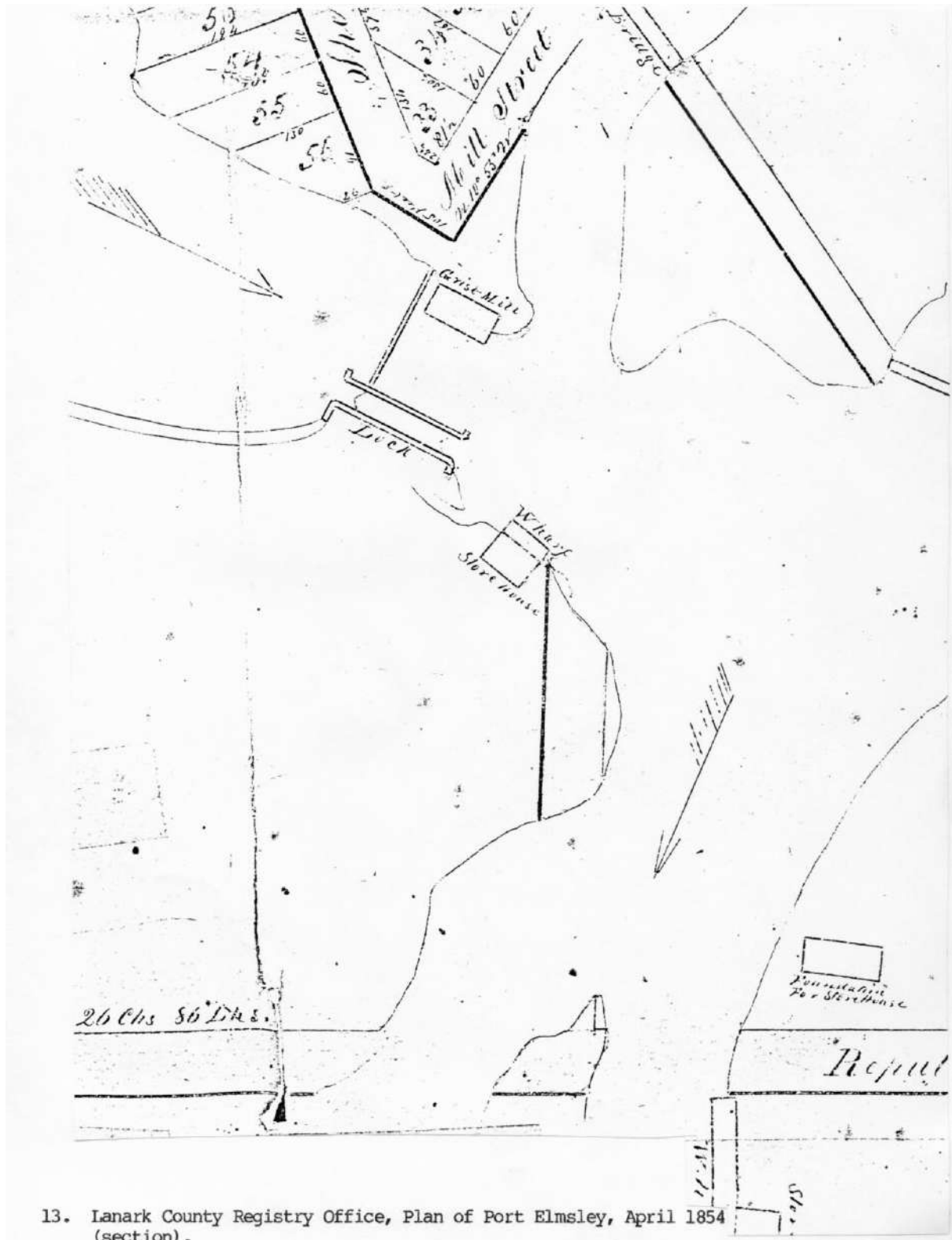
**The First Tay Canal in the Rideau Corridor, 1830 - 1850 by Larry Turner — Manuscript Report 142**





11. Archives of Ontario, Map Collection D-7 Bird's Eye View of Perth, 1874

**The First Tay Canal in the Rideau Corridor, 1830 - 1850 by Larry Turner — Manuscript Report 142**



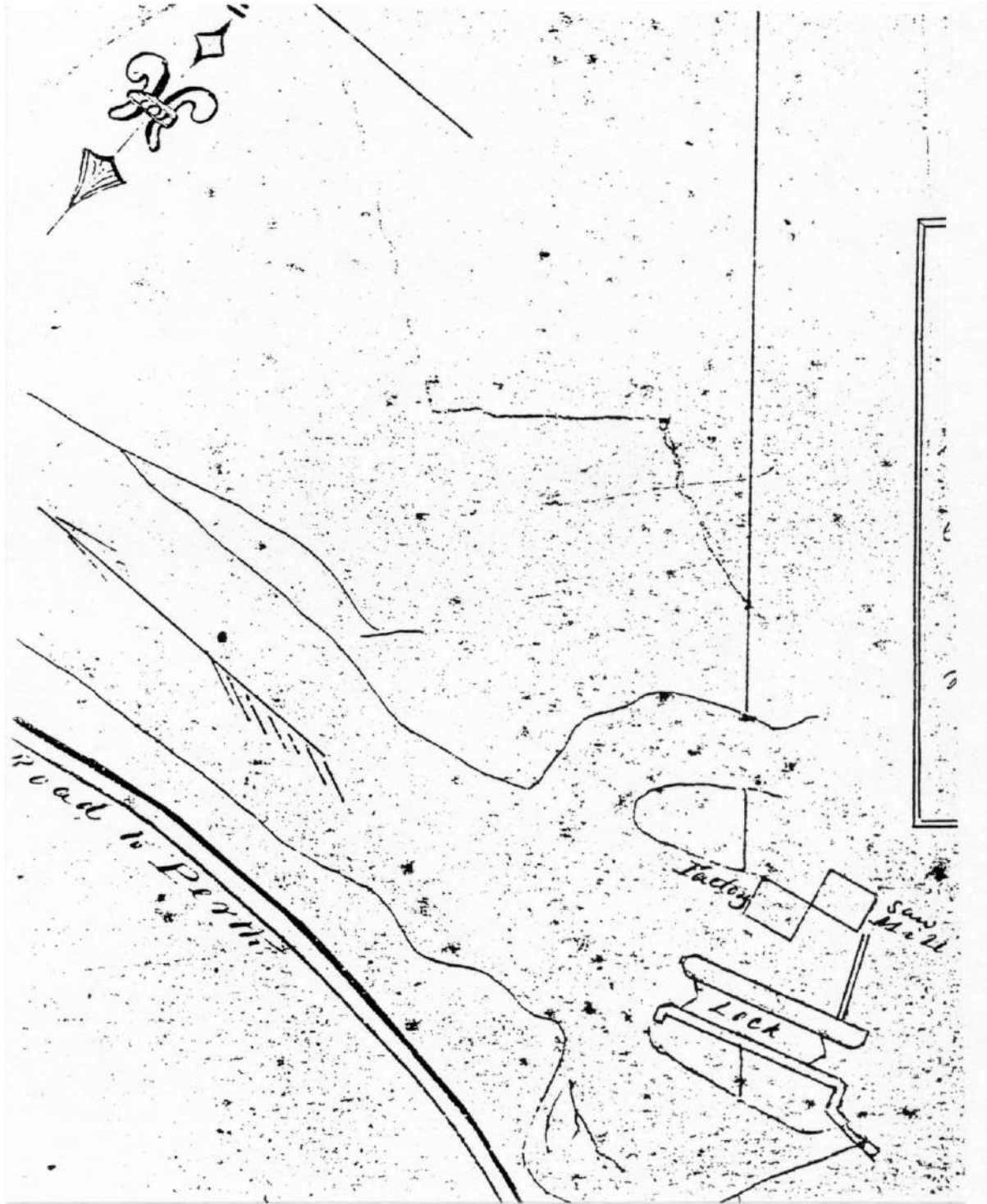
13. Lanark County Registry Office, Plan of Port Elmsley, April 1854 (section).

13. Lanark County Registry Office, Plan of Port Elmsley, April 1854 (section)

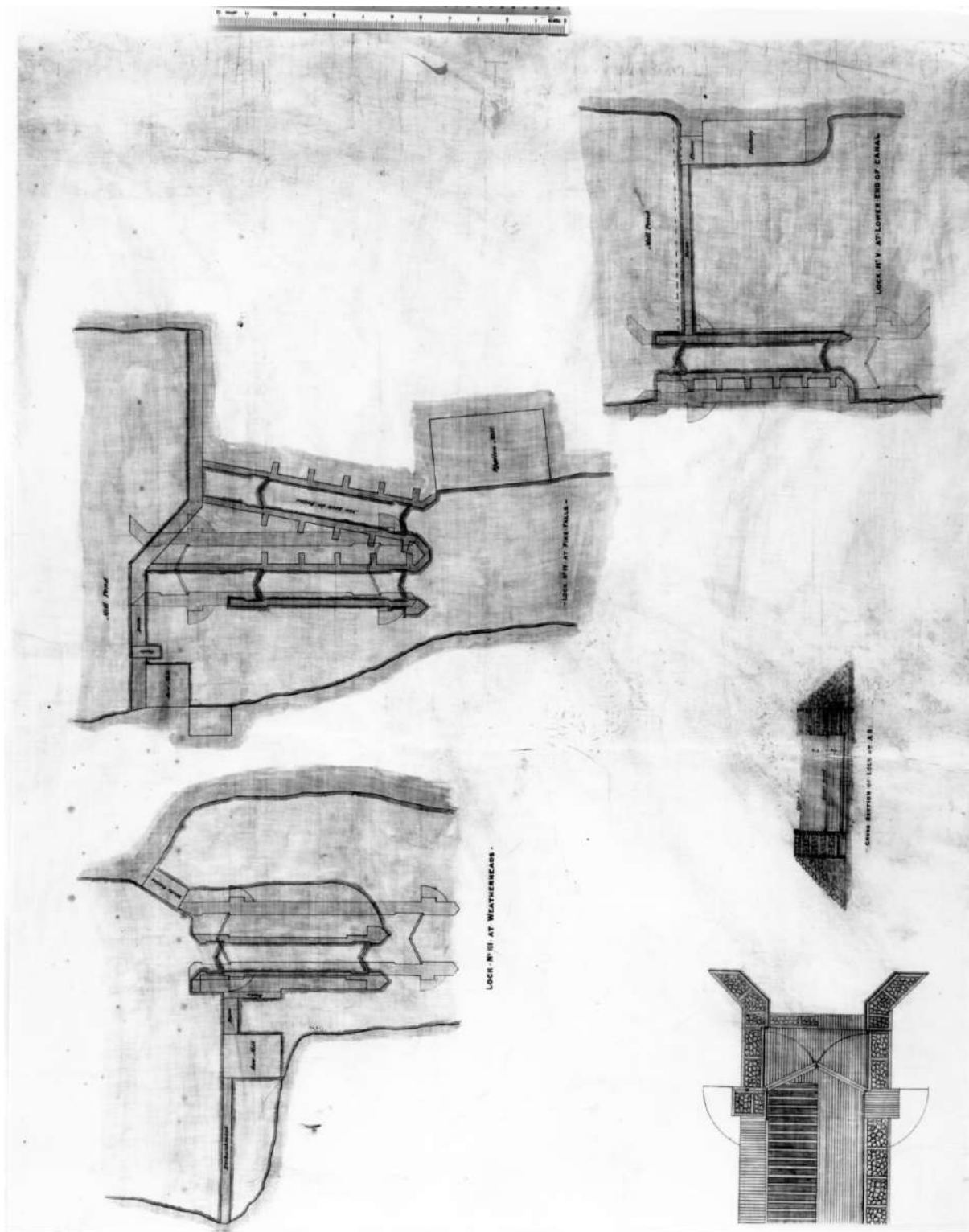




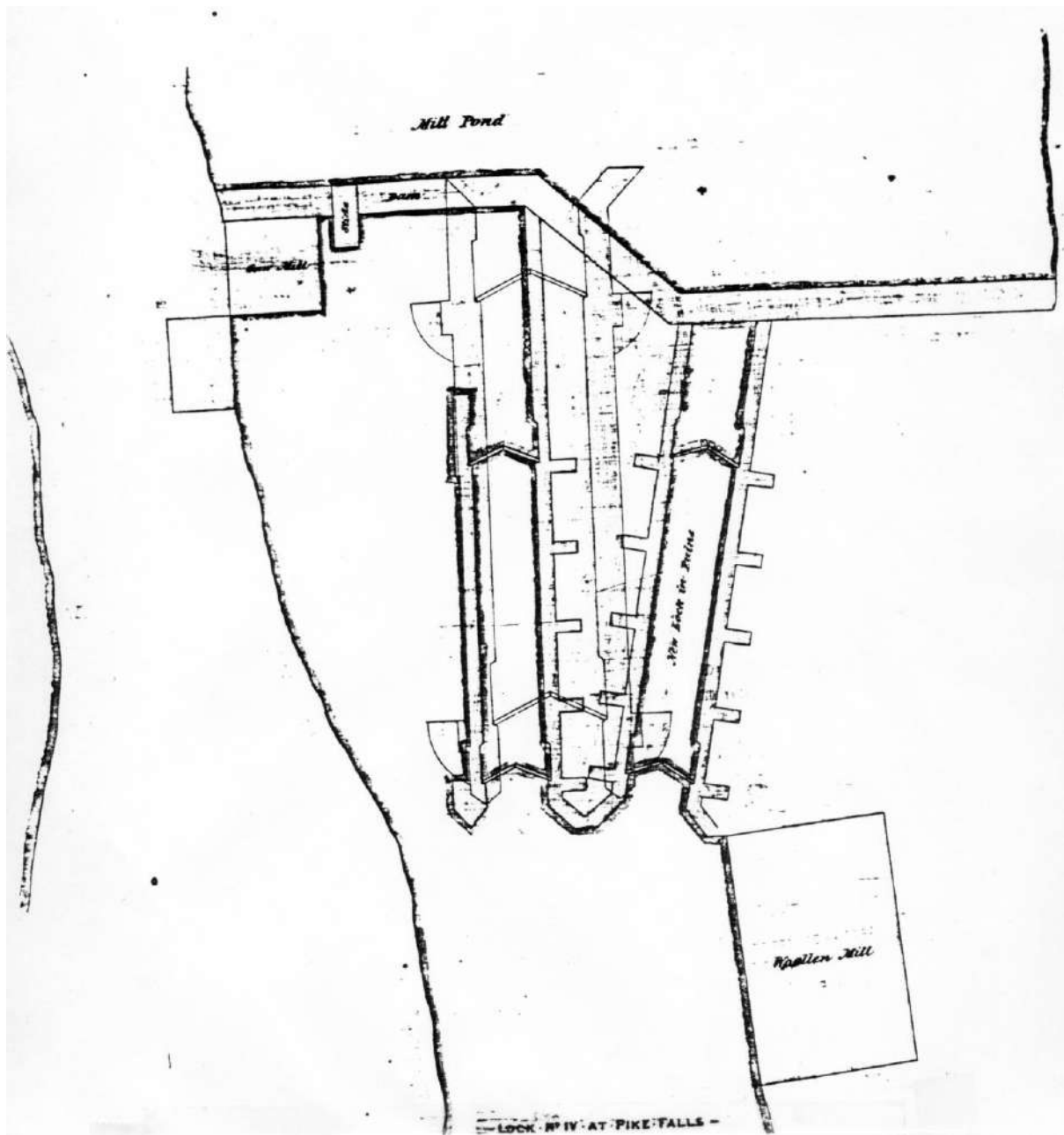
14. Plan of Port Elmsley, April 1854 (section)



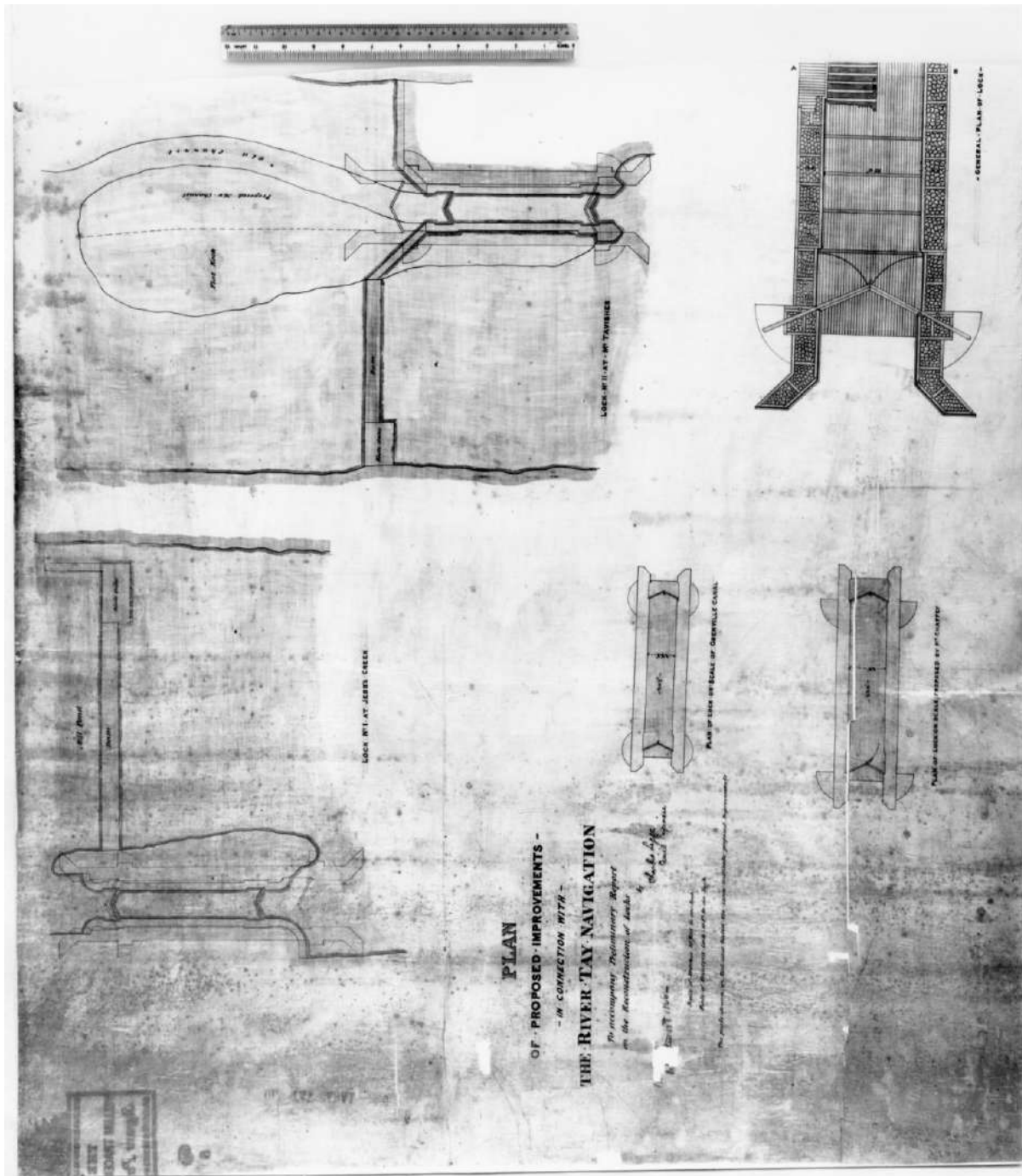
15. Plan of Port Elmsley, April 1854 (section)



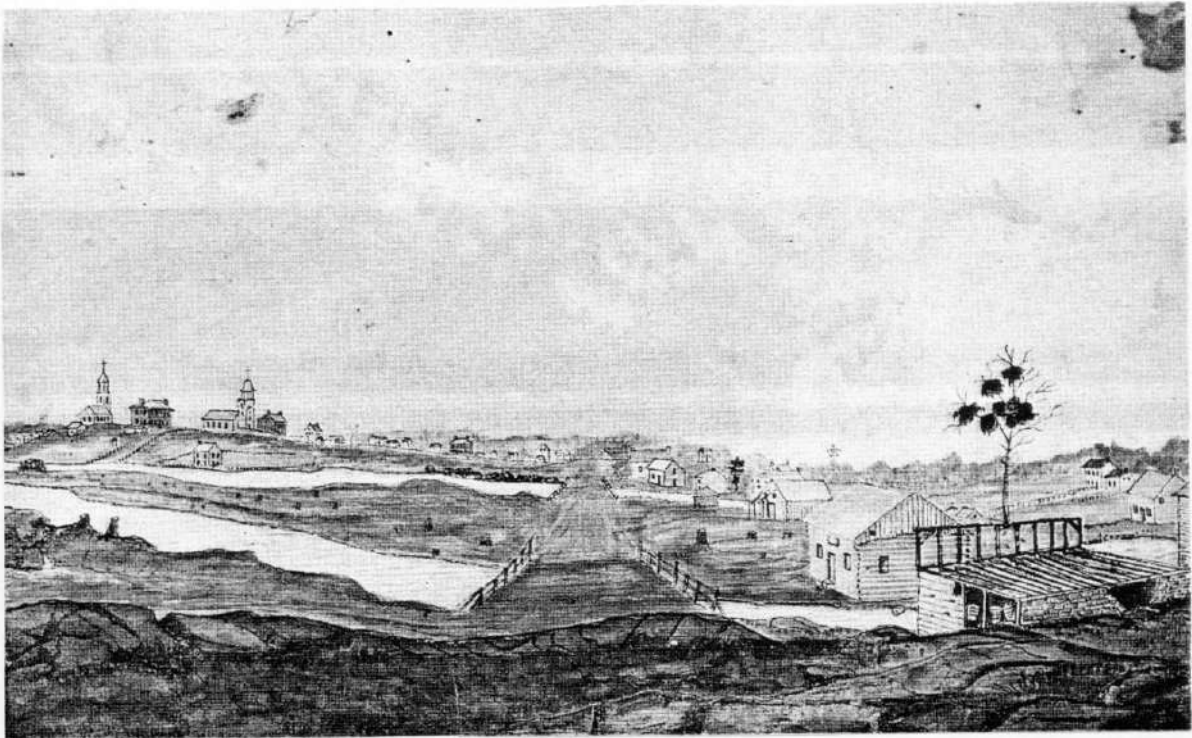
16. PAC NMC 11468 (R)H1/450/Tay/1866 Plan of Proposed Improvements in Connection with the Tay River Navigation by Charles Legge



17. PAC NMC 11468 (R)H1/450/Tay/1866 (Lock two detail) Note original lock designs overlayed with proposed new one



18. PAC NMC 11468 (R)H1/450/Tay/1866 Plan of Proposed Improvements in Connection with the Tay River Navigation by Charles Legge.

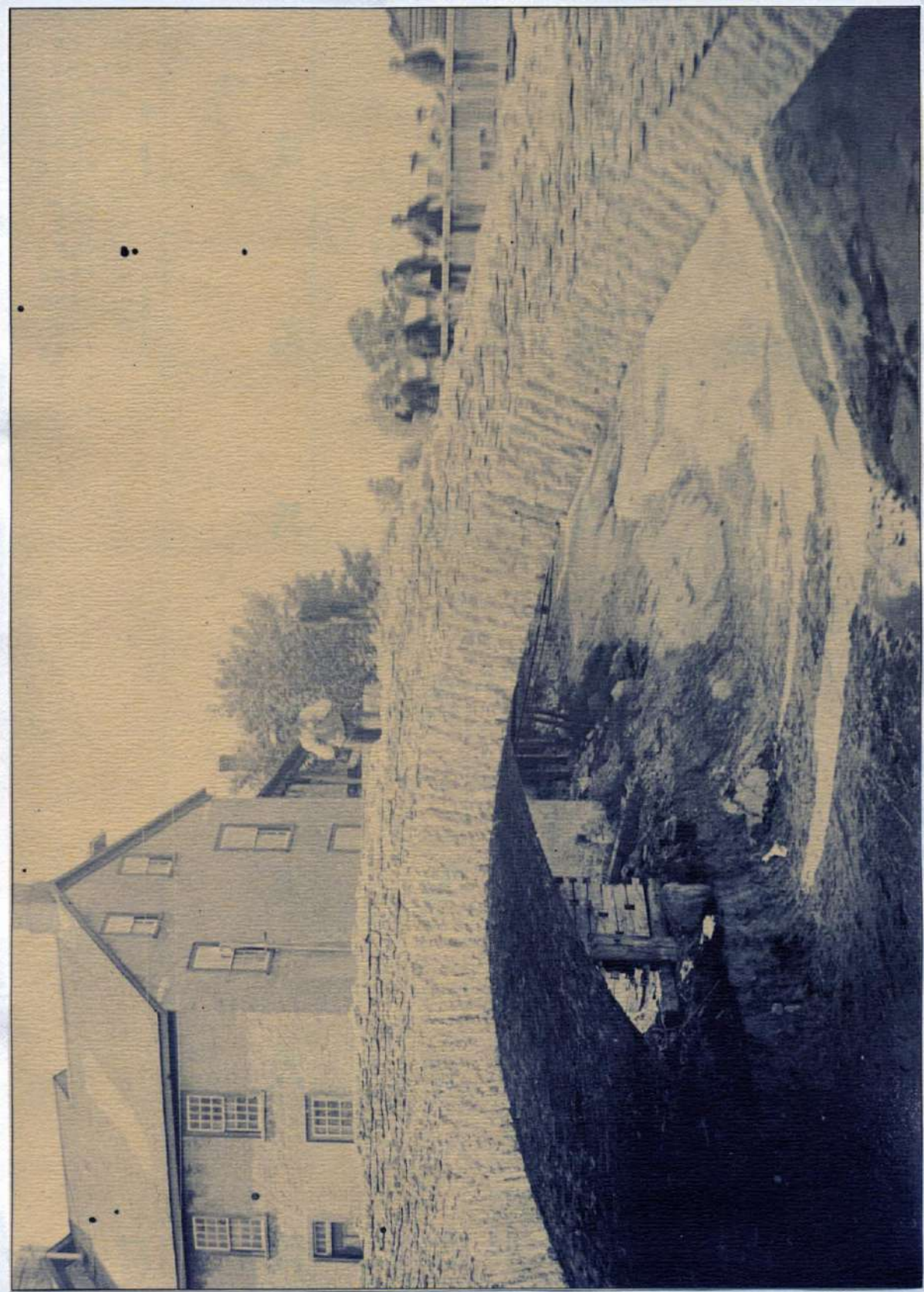


19. Archives of Ontario, Perth the Capital of the District of Dalhousie; from the N.East bank of the River Tay; sketched 20th August 1828, by Thomas Burrowes.



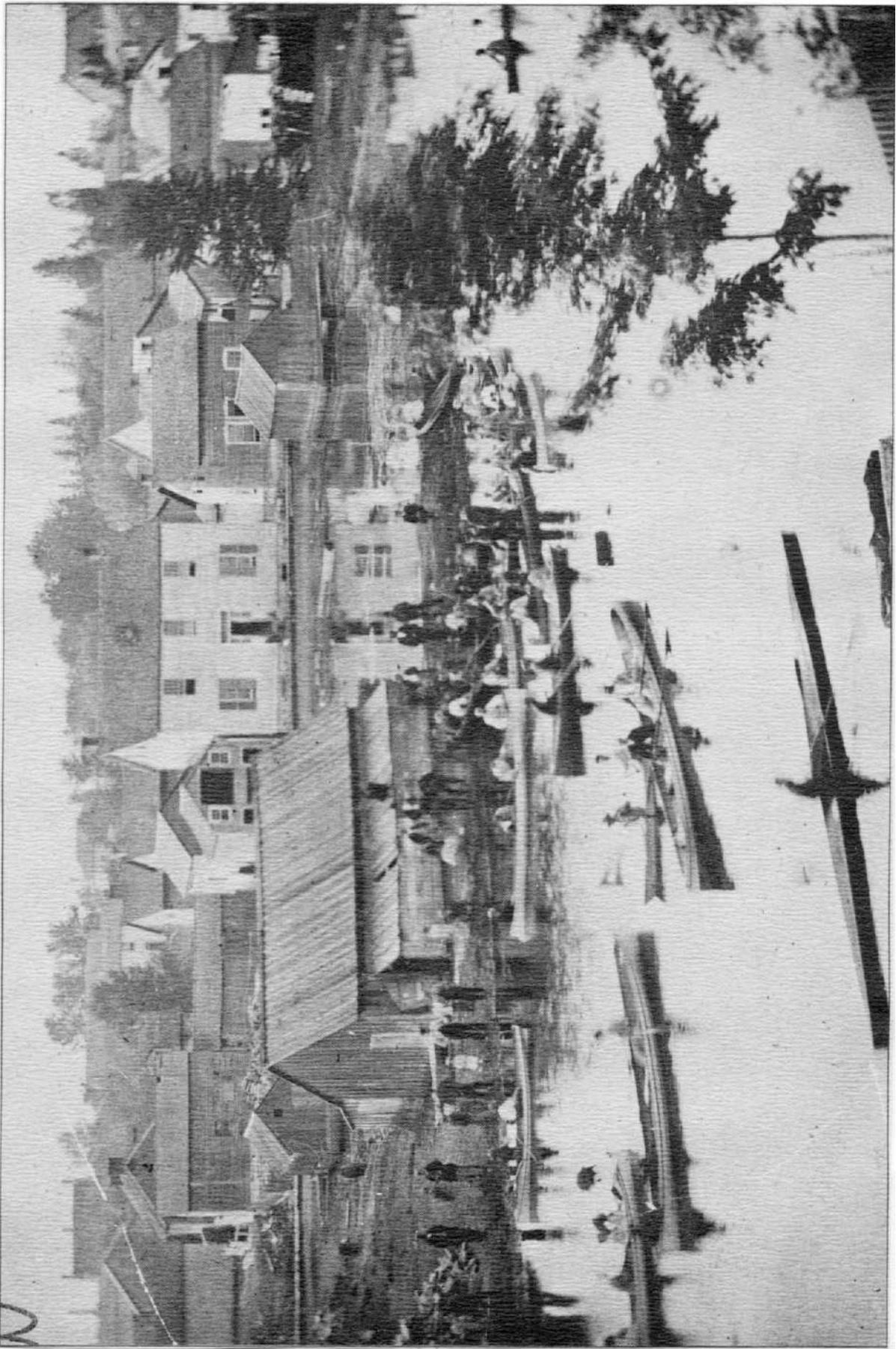
20. Archibald M. Campbell Museum, Perth, Ontario, Perth 1852





21. Old Gore Street Bridge Being Demolished 1870's. Heritage Canada, Perth Collection





22. Dominion Day Celebrations in the Basin 1867. Heritage Canada, Perth Collection



23. upper and lower: lock one, Port Elmsley (photos by author)



24. upper: sleeper rails visible at lock one lower: rubble remainder of lock one embankment (photos by author)





25. upper and lower: site of lock two (photos by author)





26. upper and lower: site of lock three (photos by author)





27. upper and lower: excavated channel at lock four (photos by author)





28. upper and lower: excavated channel at lock four (photos by author)





29. upper: site of lock four lower: rubble masonry walls at lock four — either support of wooden lock or masonry replacement (photos by author)





30. upper: sleeper rails visible at lock four  
lower: looking east toward lock five on right bank  
(photos by author)



31. upper: Stonehouse Island, Lower Rideau  
Lake, looking east  
lower: Stonehouse Island looking west  
toward storehouse ruins  
(photos by author)





32. upper and lower: ruins of former Perth Landing storehouses on Stonehouse Island (photos by author)

## **BONUS ADDITION**

for this digital version of MRS 142

**The First Tay Canal**

**An Abortive Upper Canada Transportation**

**Enterprise of a Century Ago**

**by**

**H.R. Morgan**

**1933**

Published in "Ontario History," Vol. XXIX, Ontario Historical Society, 1933

# The First Tay Canal

An Abortive Upper Canadian Transportation  
Enterprise of a Century Ago

H. R. Morgan



Reprinted from Papers and Records, Vol. XXIX, Ontario Historical  
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## THE FIRST TAY CANAL

An Abortive Upper Canadian Transportation  
Enterprise of a Century Ago

H. R. Morgan

Although it is one of the most important tributaries of the Rideau, the river Tay is not a very impressive stream; nor can it be truthfully said that such was ever the case. A matter of a century ago, however, it was considered by the people of Perth, which is situated upon its banks, and by those who dwelt in other sections of the military settlement in that area, to be sufficiently impressive to warrant a prolonged agitation for its creation into a navigable waterway. When this agitation, in which petitions replaced the deputations of the present, failed to stir the government of the day to action, Perth and Montreal capital partially carried out the same object and gave to the merchants of Perth and to the inhabitants of the neighborhood the boon which they had long sought,—direct communication by water with Lower Canada. This did away with all necessity for the long overland transit of goods from Brockville over a mere excuse for a road which was, until the time of the construction of the Rideau Canal, the sole practicable method of reaching the military settlement.

It would appear from records which are extant that one of the guarantees made to the disbanded soldiers and others who first settled at Perth and on lands adjacent to that place was that, with the building of the Rideau Canal, there would come corresponding improvement of the Tay which would render it, too, capable of navigation by steamboat. As time passed and the settlement grew, it became a matter of vital import that this guarantee should be fulfilled. Not only did the early merchants require better facilities for importing the goods which formed their stocks, but there were also the products of the surrounding farmers to be considered. The local market was quite inadequate to provide for the consumption of all their produce and it was necessary for them to turn to the older and more populous communities of Lower Canada to find a sale for it. When marketing of this produce involved transport overland to Brockville and then by boat down the St. Lawrence, it will be evident that the profits which it yielded must have been impaired and the farmers must have suffered accordingly. There was, consequently, every reason that the people of the Perth settlement should desire the authorities to fulfil the promise given to them when they took up land. This guarantee was never completely met and it remained for private enterprise to perform what the government failed to do and to give to Perth communication by water with the trading centres of the outer world.

Among the papers left by the Hon. William Morris, whose influence in Perth during the early stages of its history was great, there is record of the proceedings of a public meeting held there on August 20th, 1824, "for the purpose of considering the propriety of exploring the navigation of the rivers Tay and Rideau and to ascertain the practicability of rendering the same navigable for boats." This may be considered as the first step taken by the people of the Perth district to gain for themselves improved methods of communication. At that time, it must be remembered, Perth occupied rather an isolated situation. To the south alone was there any appreciable settlement and joining it with Perth was a road which, even in a day of inferior highways, was regarded as execrable. We have the word of no less a personage than Bishop Jacob Mountain, who travelled from Brockville to Perth in 1820, that "all the roads which I have described before were turnpike and bowling green to this. Roots, rocks, sticks, stumps, holes and bogs—these were the component materials of the roads. The journey was divided into three equal stages of about seven miles, and each of them, exclusive of baiting, took us three hours. The holes, however, and the sloughs are, of course, much worse in the wet season and travellers have sometimes been obliged to leave waggon and horses sticking fast till they could procure a yoke of oxen to pull them out. An Irishman in the service of Major Powell, of Perth, being asked by his master how he had got along upon the road (with a waggon) replied that he had got along pretty well, for he had found bottom at every place but one!" If the trip from Brockville upon a stage-coach involved such difficulties, what must have been the effort required to move heavily-laden waggons over the same route?

One of the resolutions adopted at the meeting held in 1824, at which the Hon. Mr. Morris presided, sets forth the contention that "a water communication to Montreal by the rivers Tay and Rideau into the Ottawa and the establishment of a line of boats thereon of sufficient burthen to transport the products of this settlement to market would be of vast public advantage and would save to the inhabitants large sums of money annually expended in transporting goods to and from Brockville." "In order to promote an undertaking of such obvious general utility and to give the subject that weight and respectability which its importance demands," a committee of management, composed of R. Matheson, J. Wylie, W. Morris, John Ferguson and J. Taylor was appointed to solicit subscriptions in support of the project and to proceed at the earliest moment to examine the obstacles to a boat navigation between Perth and the mouth of the Rideau River. This meeting, it must be borne in mind, was held at least two years before work was commenced upon the construction of the Rideau Canal, and the projectors of the undertaking in



Perth had improvement of the Rideau, as well as canalization of the Tay, as their object.

Apparently one of the first acts of this committee of management was to solicit the assistance of the government in conformity with the pledge which had been given when the settlement was instituted. When this assistance did not materialize, (although the building of the Rideau Canal had been begun) we find the Perth people growing restive and expressing a desire to undertake the work at their own expense. Undated resolutions passed at a subsequent meeting first speak of the possibility of the formation of a joint stock company with a capital of £2,000 for the purpose of securing "to themselves and the public generally the enjoyment of an uninterrupted water conveyance to the markets of Lower Canada" there being then "no reason to hope that the government will undertake the work at the public expense." It was declared a necessity that "the river Tay be rendered navigable at all times during the summer season in order that the surplus produce may hereafter be transported to market at a reasonable rate" and the importance was stressed of its completion taking place before the Rideau Canal was opened for commerce. It was felt that Perth would be at a disadvantage when this canal was in operation unless it had communication with it by an improved waterway. William Morris, H. Graham, R. Matheson, G. H. Reade and Messrs. Glass and Leslie were thereupon appointed members of a committee to apply for letters of incorporation.

In the petition which was subsequently presented to the Legislature in this connection, it was set forth that authority had been granted by an Act of Parliament some years previously empowering the officers employed to construct the Rideau Canal similarly to improve the Tay and that these officers had not seen fit to take advantage of such legislation. The petitioners consequently asked the right to carry on the work as a joint stock company. The petition was granted and the Tay Navigation Company came into being. But several additional years passed before the plans of the company were put into effect.

In the meantime the promoters encountered an unforeseen obstacle. A certain Alexander Weatherhead, originally of Augusta, on the St. Lawrence, (whose sister, Margaret, was married to Richard Arnold, also of Augusta, son of the celebrated Benedict Arnold by his first wife) had come into possession of land bordering on the Tay and had conceived the idea of utilizing one of its water-powers, that at the point known as the Fishing Falls, for the operation of a mill. Apparently without having consulted any person, he proceeded to throw a dam across the stream. Word of this development having reached the promoters of the navigation company, it may be easily imagined that their indignation knew no

bounds. At first, the magistrates contented themselves with addressing a formal letter to Weatherhead notifying him that "as the inhabitants of this District feel a deep interest in the improvement of the navigation of the said river, we hereby inform you that we shall immediately resort to legal steps in order to prevent you or any other individual from constructing works which can in any degree interfere with the free navigation of a river which in its natural state affords during three or four months each season every facility for the transport of produce to the Rideau Canal." This letter bears the date September 9, 1829. In explanation of the statement made in the final stages of this communication, it may be mentioned that during the period of the construction of the canal, the people of the Perth district did a considerable business with the contractors, furnishing them with pork, potatoes, and the like. These provisions were conveyed to the Rideau by boats, necessarily of very limited capacity, which were floated down the Tay and on their return towed up the rapids.

To this ultimatum Weatherhead appears to have paid not the slightest attention and the Hon. William Morris then solicited the intervention of Lt.-Col. John By, R. E., Chief Engineer on the construction of the Rideau Canal, informing him that "the completion of such a work will inevitably obstruct the navigation from this place to the Rideau Canal and materially interfere with the surveys made under your direction." On October 2nd, 1829, Lt.-Col. By, acknowledging the receipt of this request from "Royal Engineers' Office at Bytown," expressed the opinion that Weatherhead was not only acting illegally "but contrary to the wishes of government" and advised that without loss of time the magistrates should communicate the circumstances to the Lieutenant-Governor of Upper Canada. Such a step was taken, the entire correspondence being forwarded to York with the result that the Attorney-General was instructed to notify Weatherhead that he was liable to prosecution should he persist in throwing his dam across the Tay.

Weatherhead was, however, disposed to argue the question. In answer to the Attorney-General he forwarded a statement of his position in which he advanced the claim that, instead of being a possible obstruction to navigation, his dam would facilitate it. What he said concerning the subject was as follows: "The river in its natural state runs about the distance of a mile and a half a very strong rapid with twelve or fourteen inches depth of water, which is only in the month of April. The rapid is such that it is impossible to propel the lightest craft, even a bark canoe, in any way against it.

"The average depth of water from the 15th May or 1st June through the season is from four to six inches.

"The usual method of ascending or descending the river the above distance (which is rather unusual) is by discharging the burthen and towing or, I may say, lifting the craft along. At the termination of about one mile and a quarter, there is a perpendicular fall of four feet at which place the mill dam is erected, being about one-quarter of a mile above the foot of the rapids.

"The dam now raises the water nine feet which, being thrown back upon the rapid, renders the river perfectly navigable above the dam to still water, which gives one mile and a quarter of easy navigation, whereas in its natural state it could not be called navigable, as there has never been but one or two instances of any craft ascending or descending the stream at that place without assistance in lifting the craft, and that in the month of April at high water.

"The apron of the dam is 48 feet in length, 18 feet in width and 4 feet in perpendicular, which renders it perfectly easy and safe passing over. It is admitted by those who are acquainted with the situation of the place to be an improvement."

Reasonable as the contentions of Mr. Weatherhead may appear at first glance, they did not meet with the favor of the Perth magistrates whose indignation was added to, rather than appeased, by their presentation. The magistrates immediately prepared and forwarded a counter-statement, supported by an affidavit, in which they repeated their belief that the building of the dam would have an injurious effect upon the plans which they had in mind. They admitted the truth of Weatherhead's claim that the dam would render the rapids open to navigation, but so would the locks which they planned to construct. The truth was that in its natural state the Tay was navigable for a period sufficiently long to enable the inhabitants to transport all the produce which might be collected during the winter and the dam would prevent them from constructing a lock below the Fishing Falls ("falls" only in name). No boat would now be able to descend without being obliged to unload and re-load at the dam. They expressed their "astonishment" that "statements so unfounded as those made by Mr. Weatherhead" should be given circulation. "One thing is certain," they said, "that if Mr. Weatherhead is permitted to continue his dam, the public have lost the free navigation of the Tay and are precluded from ever undertaking works which would have made the river navigable for boats the whole summer."

The affidavit accompanying this rejoinder was made by Samuel Snedden, at that time a clerk in the employ of Messrs. Ferguson & Wylie, contractors on the Rideau Canal. In it he swears that during the spring of 1828 he had been engaged in transporting a large quantity of provisions from Perth to the first rapids of the Rideau and that he had made



at least twelve trips with a heavily-loaded boat without the least difficulty, either in descending or ascending the Tay. In ascending, the boat was towed by a rope as was customary at the rapids of the St. Lawrence and in descending no part of the cargo was ever unloaded. Mr. Snedden further swore that the Tay was perfectly navigable during the months of April, May and June, unless the water should be lower than he had ever seen it, and that the boat frequently left the rapids of the Rideau, went up to Perth, a distance of fifteen miles, was loaded, and returned the same day.

From further correspondence it is evident that the matter continued to engage the attention of the authorities during part of the year 1830. The Lieutenant-Governor wrote to J. H. Powell, Sheriff at Perth, requesting him to examine the work and report as to the effect which it would have upon the proposed improvement of the river. This, owing to the season of the year, Mr. Powell was unable to do, but he wrote to the Lieutenant-Governor expressing the opinion, from his own knowledge and from the best information that he was able to collect, that the erection of the dam "must materially obstruct its navigation." "I have, amongst many others," he wrote, "communicated with an experienced miller who has been acquainted with the river since the foundation of the settlement and has plied on it in craft of every description from a bark canoe to the largest government scow and on whose judgment I am disposed to place considerable weight. He informs me that no laden boat could with any degree of safety attempt passing over the apron of the dam; consequently, its construction must render impracticable the communication between Perth and the Rideau by the canal which has been contemplated and which would so materially benefit this settlement. I am the more induced to credit this statement from its being fully corroborated by my son, who has a thorough knowledge of the navigation of the river. There is not, nor has there ever been, any mill or obstruction on the river Tay, between Perth and the Rideau, except the dam erected by Mr. Weatherhead." This report must have had the effect of causing the government to re-affirm its original position, for we hear no more of either Mr. Weatherhead or his projected mill and the construction of the canal was in due course proceeded with, evidently without the impediment which the dam must have presented.

In the meantime there is evidence that the directors of the Tay Navigation Company had not been inactive. The petitions which the inhabitants had presented to the Governor-in-Chief, the one in 1826 through the kindness of Captain Marshall and the other early in 1830 through Lt.-Col. By, had been ignored and on December 25th, 1830, Mr. Morris once more addressed himself to the Governor applying for as-

sistance. In doing so, he apologized for troubling him, solely upon the ground that the people of the military settlement felt that they had peculiar claims to recognition. Ultimately, this assistance was granted by the setting-apart for the benefit of the company of lands which had previously stood in the name of the Crown.

In a report to the stock-holders, printed by order of the board on November 22nd, 1831, by F. H. Cumming, Perth, the directors reviewed the progress which had been made. The services of John Jackson, "a respectable builder of this place and whose professional practice in England had made him acquainted with the nature of levelling," had been obtained to make a survey of the Tay from Perth to its junction with the Rideau Lake. After having sounded the depth of water and taking the levels, Jackson found the descent at the various rapids to amount to 27 feet, 11 inches, and recommended the construction of four locks and an equal number of dams. The latter were to be made of timber and the locks to be built of rubble stone work. It was found that the two lower locks would be sufficiently protected against damage at the time of the spring floods by a branch of the river which had been discovered and which would carry off all the surplus water. This outlet was choked with fallen trees and other debris which cost a few pounds to remove, since which time the current had carried everything before it and had left a rock bottom to serve as foundation for a regulating dam.

Although Mr. Jackson's plans were acceptable to the directors, it was thought prudent to send him to inspect the Welland, Erie, and Oswego Canals. These works he examined most carefully, but he saw nothing which caused him to recommend any variation of the plans which he had submitted. Accordingly, in June, 1831, the directors issued the contract for the mason work of the first two locks above the Rideau and also for the accompanying dams, leaving the making of the gates and other wooden work to a few workmen over whom Jackson exercised supervision. At the time at which the report was made, these works were almost completed. To assist in their construction, stone and lime had been found on the spot. But for sand it had been necessary to go to the shores of Rideau Lake.

The report mentions that Col. By and other officers of the Engineer Department who had visited the locks had expressed their approval of the plans adopted and of the manner in which they had been executed. The locks were adapted for the passage of boats ninety feet in length by twenty in beam, a type of vessel which might be towed from Lachine to the entrance of the Tay and thence poled to Perth. "The depth of water, three and a half feet, will enable Durham boats to ascend to the town without difficulty and (if they were covered over similar to the packet boats on the Erie Canal) they might be navigated with perfect safety to

the cargo by three hands at most, as the voyage both ways would be performed in tow of a steamboat."

At the close of the season of 1831 the company had all but completed the construction of two of the locks and dams which had been planned by Jackson. It was hoped by the Board of Directors that the state of the funds of the company would permit the commencement of work upon the third lock during the same season and with this expectation timber was taken to the spot and a rock excavation made for the foundation. Evidently, however, some of those who had been at the outset enthusiastic advocates and supporters of the undertaking experienced a change of heart. In the report which was issued in 1831, mention was made of the fact that many of those who had agreed to take stock had neglected to pay even the first instalment, while others, having made their initial payment, were loath to make the others which followed. The directors were consequently under the necessity of deferring work upon the remaining locks and dams until such time as the stock-books had received additional names or until those who had already borne the expense of the undertaking saw fit to increase the extent of their holdings.

It was intimated by the directors at this time that the cost of the four locks and dams, including embankments, the expenses of surveying and every other contingency, would not exceed £3,000, to defray which they had called in four instalments amounting to seventy per cent. of the capital stock subscribed. There was thus available little more than a sum large enough to liquidate the debt contracted upon the construction of the first two locks, with accompanying dams, and the directors did not feel inclined to proceed with the remaining works until additional funds were at their disposal. They made another appeal to the public spirit and enterprise of the people and expressed their satisfaction that the cheapness and durability of the works would recommend the undertaking to men of capital as a profitable investment. To this end stock-books remained open in the counting-rooms of the firms of Gillespie, Moffatt & Co. and Forsyth, Richardson & Co. in Montreal, the merchants of which city had liberally assisted in furthering the object. They were, in fact, more inclined to pin faith in its efficacy and profitableness than the people of Perth itself.

The report closes with mention of the economical manner in which the works had been constructed and in which it was hoped that they would be operated for the public advantage. Up to that time the services of all the officers of the company had been entirely gratuitous and it was not proposed that any expense for superintendence should be incurred until the extent of the revenue from the navigation warranted such expenditure. There was the additional hope of an economical ad-



ministration of the canal from the fact that three of the locks were situated close together and could be operated by one man. The other, a small lift distant from these by several miles, fortunately, lay close to the residence of a man who would take charge of it for a very inconsiderable sum. "The whole expenditure will fall short of the sum already mentioned," the board confidently predicted, "and cannot fail to prove most profitable stock, as the navigation of the Tay must attract and greatly increase the commerce of this populous settlement." Subsequent developments, it will be seen, did not justify this statement.

By dint of much effort, the stock-book in 1832 showed subscriptions of £2,000 with which means the company carried on its work and succeeded admirably, when it is considered that it was in receipt of slight governmental assistance. On June 1st, 1832 (the Rideau Canal having been completed) arrival on the Tay of the steamboat "Union" raised the hopes of the promoters. This steamboat, built at Hawkesbury in 1822, was the first to ply on the river Ottawa and the record of its arrival at Port Elmsley (then known as "Barbadoes") is thus recorded in an old day-book kept by Alexander Weatherhead, previously mentioned, in his establishment at that place: "The steamboat Union, N. Morehouse, master, from the Ottawa, arrived at this place on the first day of June, 1832, at half past 11 of the clock A.M., being the first steamboat that run (sic) on the Ottawa, Rideau Canal and up the river Tay. Barbadoes, June 1st, 1832." It may be mentioned in explanation of the name "Barbadoes," that Samuel Weatherhead, father of Alexander, had been born in that British colony which he left as a boy to adopt a sea-faring life. After numerous adventures, including capture by pirates, he made his way to Upper Canada and entered into business as a general merchant at what is now the village of Maitland, between Brockville and Prescott. A contemporaneous newspaper account of the arrival of the "Union" on the Tay says that she ascended that stream as far as the first lock and found the depth of water to be several feet more than required for her burthen. It was her intention to make weekly calls on the Tay.

In spite of the progress already made, the directors of the Tay Navigation Company foresaw that their utmost exertions would fail to accomplish all the improvements which were necessary to render the navigation of the river both safe and convenient. They were particularly desirous that a basin should be excavated at Perth to enable steamboats to ascend to the centre of the town, there discharge their cargoes, and then turn in safety. It was proposed by them to the government that the latter should grant to the company what was known as Cockburn Island within the town of Perth in order that they might raise funds with which to convert the swampy portion of it into a basin with

wharves surrounding it. This swamp was referred to by Mr. Morris as a "stagnant and unwholesome quagmire" and it was considered that its removal, in addition to facilitating the navigation of the river, would confer a benefit upon the town. Upon this occasion, the government of the day acceded to the request which was made. In January, 1832, the grant was made and the engineer immediately proceeded to lay out the basin and wharves and make a plan of the ground with a view to the sale of lots. A number of streets were laid out with access to the waterfront. On April 27th a public sale of lots was held and the sum of £300 was realized. Those, however, who desired to purchase lots surrounding the basin were unwilling to do so until an excavation had been made, as much of them lay under water. The company, therefore, obtained a loan of £1,000 from the Bank of Upper Canada with which to prosecute the work. This money was not received until September and on the 24th of that month the contract was let for the basin. Unfortunately, the autumn was a wet one and the river became swollen to an unprecedented state. Little progress was consequently made, but enough was done to convince the directors that had it not been for the very high water, the contractors would have completed the undertaking in less than two months.

There now arose fresh trouble for the company in which the Hon. Mr. Morris continued to be the leading spirit and the principal stockholder. At that time he was one of the sitting members for Lanark in the Legislature, his confrere being Donald Fraser, a resident of that county of long standing and a political opponent of Mr. Morris. During the month of October, 1832, Mr. Fraser wrote to the Executive Council in protest against the manner in which Cockburn Island had been disposed of by the company. He asserted, in substance, that the directors of the company had carried out the sale of the lands for their own benefit and not in the public interest and that the people would have been better served had the land, which previously had been considered a reserve for public use, such as the holding of fairs and a militia training-ground, been ceded to the magistrates in trust and the proceeds devoted to the purchase of stock in the company on account of the public. By such a course it was held that a fund of from £200 to £400 per annum might have been raised for public purposes, such as the building and maintaining of bridges, and the navigation of the river would not have been permitted to suffer. As it was, while the public would benefit from the construction of the works, he contended that those who held stock in the company and who were permitted under its charter to gain profits as high as twenty per cent. would benefit much more. Moreover, it was contended that the directors of the company held lands in close position to



the projected basin and wharves which would naturally increase in value as the result of the completion of the work. Mr. Fraser made other allegations concerning the prices which had been received for some of the lots.

To these Mr. Morris, on behalf of the company, made indignant and spirited reply. He said that the building of the canal works would never have been accomplished without the assistance of persons resident outside of Perth, for many people of that town "have never to this hour afforded the slightest assistance to a company which by perseverance in the face of almost insurmountable difficulties have enhanced the value of property at Perth to an incredible amount." He did not think that it was very creditable to the enterprise and public spirit of the people of Perth that they had paid only £843 towards defraying the expenses incurred and he put it to "any candid person in the District of Bathurst if it is not far preferable to have a navigation and dock such as will be open for public use before this time twelve month than to see the trade of the town diverted to the banks of the Rideau and Cockburn Island left in a state of Nature for the accommodation of a cattle fair which, in place of being held there, would in all likelihood have assembled at some other place of trade and commerce."

Mr. Morris made heated denial of the charge that he had personally benefited from the sale of the lots. "So wholly groundless is the insinuation," he wrote, "that I defy not only Mr. Fraser but the whole community to show that one single farthing of the lots in question ever came into my hands or afforded me, directly or indirectly, the smallest personal pecuniary advantage. Nay, more, I put it to him or to any other individual to show on the part of any one director the slightest deviation from the most disinterested probity and honor in the management of one single matter connected with the affairs of Tay Navigation Company, and I will further add that, notwithstanding the vast labor and loss of time, as well as expense, that have fallen on a few of the individuals who conduct the business, not one penny has or ever shall be charged against the company for these services." The reply was ended in an exhortation to Mr. Fraser or any other person who might be envious of the success of the company to become one of the subscribers to its stock, as money was still needed and the stock-book had not been closed. "Such a line of proceeding," he said, "would be much more serviceable to the public than the conduct of many who by insinuations and evil reports have done everything in their power to mar the progress of an undertaking which will yet be found not only creditable to those who planned it, but the main source of prosperity to that portion of the province."

The upshot of these charges and the vigorous defence made by Mr.

Morris was that on December 10th the Executive Council "whitewashed" the navigation company, adopting a minute which stated that they saw no reason for recommending any change in the disposition of Cockburn Island "but on the contrary are confirmed in their former opinion."

This controversy undoubtedly had a bearing upon political events which ensued at the same time. On November 30th, while it was at its height, a petition signed by Anthony Leslie and R. Matheson, was presented to the House of Assembly declaring that Donald Fraser, for want of the requisite freehold qualification, "is not, and never was, eligible to a seat in your Honorable House" and demanding that the qualifications in this respect which he had submitted should be examined. The lands upon which Mr. Fraser had qualified were lot No. 29 in the sixth concession of Gloucester, lot No. 15 in the fifth concession of the same township and the east half of lot No. 2 in the fifth concession of Lanark township. The petitioners claimed that the first of these lots was held by a location ticket subject to cancellation at any time by the Surveyor-General; that the second could never have belonged to Fraser, as half of it was still vacant and the other half located to a person who had not yet received his patent; while the third lot was a Clergy Reserve lot, sold by Hon. Peter Robinson to a man named Armour Graham on a credit of ten years with but two instalments paid.

There followed a trial of the controverted election, the evidence being submitted to the House, with the result that Mr. Fraser was unseated by a small majority upon what was obviously a technicality. Mr. Morris led in the fight for his dismissal. At the ensuing by-election, the question of the disposal of the Cockburn Island lands entered largely into the discussion and in an undated issue of **The Constitution**, a paper published at Perth which survived only a few issues, we find mention of a public meeting held at Cross' hotel in Perth to forward the re-election of Mr. Fraser at which that gentleman was congratulated upon the stand which he had taken in this respect. Another resolution which was adopted, with H. Glass in the chair and Malcolm Cameron as secretary, declared that "the active interference of our present member, William Morris, Esq., throughout this affair is alike derogatory to him and insulting to us."

In opposition to Mr. Fraser there appeared as a candidate G. H. Reade, the then secretary of the navigation company. The poll was held at Perth in January, 1833, with J. F. W. Berford as returning officer, and resulted in the return of the unseated member. The latter in an election card declared that he had been disqualified by "the intrigues of a faction who took advantage of a law quibble . . . I held the necessary quantity of lands and had fulfilled every duty required; and previous to the meeting of Parliament had my deeds to produce. But to disappoint-

ed ambition revenge is too sweet to stop because justice and equity are barriers. Every artifice was employed, every means used that ingenious craftiness could devise to thwart your views and prevent you from exercising your free choice. But though they have partially succeeded, it must be gratifying to remark that all the worth and talent of the House voted for you, as you see that it is a greater insult to your freedom than personally to me."

One more petition was presented by the navigation company to the Government and this was dated December 21st, 1834. Lack of funds was again proving a discouragement to the directors and preventing them from completing the work. All that remained to be done was the hanging of the lower pair of gates at the lock which connected the navigation of the Tay with that of the Rideau. In an effort to accomplish this task the company had been put to much expense. It had been found impossible, owing to a depth of six feet of water, to empty the lock with the equipment on hand and the company had been "almost ruined in consequence of the great expense incurred in fruitless attempts to pump out the water and the loss of the use of the navigation." The company asked that the Lieutenant-Governor submit the case to the Secretary of State for the Colonies and endeavor to procure a grant of £1,000 out of the revenue raised by the sale of Crown timber in the District of Bathurst.

Whether or not this petition was granted is not made clear in the remaining correspondence, but the fact remains that the Tay canal was put into operation and that steamboats plied upon it, the little steamer "Enterprise" being built at Perth by Captain William Richards for the merchants to run between that place, Bytown and Kingston. By this gentleman the "Enterprise" was commanded during the period of its operation on the Rideau and Tay routes. A native of Wexford, Ireland, he had had an adventurous career. At the time of the Irish rebellion, both his father and his mother were piked in their own house and he was saved only by the intervention of his nurse who claimed him as her own child. At the age of twelve he went aboard a man o' war and thereafter served in many campaigns in different parts of the world. He was through the naval battles of the war of 1812 and his ship formed one of the escorts of the "Chesapeake" when it was conveyed to the harbour of Halifax. Later, he engaged in thrilling skirmishes with pirates, slavers and the like in various seas and although in many hand-to-hand fights, was never seriously wounded. When he left the Navy, Captain Richards invested his prize money in a schooner in which he traded, first in the Bay of Fundy and afterwards with the West Indies. He also engaged in ship-building and produced a brig

known as the "William and Mary" in which he made several trips to the West Indies. On one of his return voyages, carrying a cargo of molasses and other goods, the "William and Mary" encountered a typhoon which put her upon her beam ends and caused her complete loss. Captain Richards and the members of his crew clung to the wreck until they managed to free a boat. In this they finally succeeded in reaching land, after many trying experiences. The loss of the brig also meant the almost complete failure of her captain, for the cargo was not insured. Upon his return to New Brunswick he gathered together what funds remained to him and with them purchased a plot of fourteen acres about half a mile outside of Perth, with a brick cottage erected upon it, where he and his wife spent the remainder of their lives.

The operation of the "Enterprise," even in the capable hands of so experienced a pilot as Captain Richards, was not attended by the success which her owners or the owners of the canal had anticipated. After two or three years it was found that the shallowness of the canal and the numerous obstructions which existed on account of it were obstacles too great to be surmounted by private enterprise. In 1835 the owners of the boat came to the end of their tether and she was broken up, her machinery being sold to the firm of George Buchanan & Co., of Arnprior. By this firm it was installed upon the steamer "George Buchanan" which it built as the first to run on Chats Lake, Ottawa River, and which Captain Richards commanded for two seasons thereafter. He then returned to Perth, where he died about 1850.

Nor did the Tay Canal meet the confident expectations of its builders. After the steamboat experiment had proved a failure, it was utilized by the merchants for conveying freight from Montreal to Perth by means of barges, but the tolls were not sufficiently large to provide for the deepening of the channel which became a necessity or even to provide for the proper maintenance of the works. These ultimately fell into decay. The stock sold for a mere song and came into the hands of a few individuals, and finally, the old canal, very little trace of which now remains, was abandoned in favour of a new route, departing from the bed of the Tay proper and emptying into Rideau Lake at Beveridge Locks, which is now known as the Tay Canal.