

INTRODUCTION

AND

TABLE OF CONTENTS

UPPER CANADA. COURT OF GENERAL
QUARTER SESSIONS OF THE PEACE
(HOME DISTRICT AND YORK COUNTY.

MINUTES OF THE HOME DISTRICT : 1796-1849,
AND YORK COUNTY : 1849-1899.
1807, 1821-1841.

INTRODUCTION

The Ordinance of 1777 directed that in each of the Districts a Court of General Quarter Sessions of the Peace should be held "to hear and determine all matters relative to the Peace and whatever is by them cognizable according to the Laws of England."

Until 1841 the Courts of General Quarter Sessions of the Peace performed a double function, judicial and administrative, for the District. But at that time the municipal function was taken over by the district, and later the county, councils and the court retained only its judicial function.

At Confederation there was one such court in every county with the County Judge as chairman and, in practice, as the court itself. This court tried inferior crimes with a jury, with the possibility of an appeal to the County Judge. In 1868 the time-honored word "Quarter" was dropped and the court became the General Sessions of the Peace. By the Act 36 Vic., Chapter 8 of 1872, the County Judge's Criminal Court was set up for trials held out of sessions without a jury and from this time minutes for both courts appear.

Home District at various times included more than present day York County. The creation of Niagara District in the late 18th century and of Gore District in 1816 removed parts of the areas governed from Toronto (then York). Later separations included Simcoe County in 1837, Ontario County in 1854 and Peel County in 1867.

Home District minutes of proceedings from 1800 to 1811 have been printed and indexed in the Ontario Archives Report for 1932.

TABLE OF CONTENTS

1. Minutes of Proceedings: (1855 and 1856 missing)

Vol. 1	13 March 1800 - 22 January 1810	353 pp.	
Vol. 2	10 April 1810 - 29 June 1822	504 pp.	
Vol. 3	16 July 1822 - 20 December 1827	303 pp.	
Vol. 4	15 January 1828 - 18 August 1828	24 pp.	
Vol. 5	3 November 1828 - 9 May 1833	319 pp.	Indexed
Vol. 6	9 May 1833 - 21 September 1837	229 pp.	Indexed
Vol. 7	11 October 1837 - 28 December 1846	376 pp.	Indexed
Vol. 8	5 January 1847 - 5 December 1854	270 pp.	
Vol. 9	6 January 1857 - 30 June 1859	131 pp.	
Vol. 10	13 September 1859 - 15 January 1867	448 pp.	
Vol. 11	12 March 1867 - 17 February 1870	333 pp.	
Vol. 12	24 February 1870 - 13 January 1873	498 pp.	Indexed
Vol. 13	30 December 1872 - 15 July 1875	498 pp.	Indexed
Vol. 14	22 July 1875 - 16 December 1879	790 pp.	Indexed
Vol. 15	17 December 1879 - 2 December 1884	581 pp.	
Vol. 16	2 December 1884 - 3 September 1890	599 pp.	
Vol. 17	9 September 1890 - 10 May 1899	874 pp.	Indexed

2. Rough Minutes:

Vol. 1	27 July 1840 - 6 September 1843
Vol. 2	3 October 1843 - 17 March 1849
Vol. 3	3 April 1849 - 21 December 1853

3. Estreats, 8 April 1800 - 1 December 1845 1 vol.

Abstracts of "fines, amerciaments and recognizances forfeited."

4. Papers, 1796 - 1899

A miscellaneous group of case files and individual papers in chronological order:

1. Papers in connection with Robert Anderson who feloniously killed and stole a heifer, 8 - 10 February 1796.

4. Papers (cont.)

2. Papers of King vs. Charles McCuen about the murder of an Indian Chief at York, Upper Canada, September 1796.
3. Affidavit of Nicholas Klingenbrummer against James Wilson for assault, 31 October 1796.
4. Deposition of James Ruggles, York, against James Pitney for felony, 1 February 1797.
5. Examination of Hannah Smith respecting assault by Archibald Stewart, 11 May 1797.
6. Information of William Willcocks, 7 August 1797.
7. Information of Isaiah Skinner vs. John Welsh, 15 February 1798.
8. Oath, Thomas Silverthorn vs. John and William Forsyth, 21 July 1798.
9. Despositions of Elisha Beman, Thomas Humberson and James Williams respecting the theft of some articles, 27 July, 1798.
10. Deposition of Elisha Badgell vs. Barney Fitsimmons for theft, 7 July 1798 and Examination of Barney Fitsimmons, 7 August, 1798.
11. Deposition of Joseph Robinson against Martin Butler and Peter West for wrecking the schooner "York Packet", 8 August 1798.
12. Affidavit of John Thorn on theft of game cock by James Pitney, 15 November 1798.
13. Papers concerned with thefts by James Pitney, 3 January - 7 February 1799.
14. Deposition of Charles Falcondo against John McDougal for assault, 30 May 1799.
15. Recognizance of J. B. Couturier, 31 August, 1799.
16. Recognizance of John Stamm, 1 October 1799.
17. Information and complaint, Benjamin Monger against Thomas Montgomery, 17 March 1832.
18. Memo re Queen vs. Storey and Boyle.
19. Rough note dated 22 May 1854, H. H. Dewart to Jones.
20. Notice of Appeal, Ransom vs. Graham, 9 February 1869.
21. a) Findings of Jury, Queen vs. William Clark, felonious wounding, December Sessions 1869.
b) Findings of Jury, Queen vs. William Clark, felony, December Sessions 1869.
c) Findings of Jury, Queen vs. William Clark, felony not used.

4. Papers (cont.)

22. Summons to John Perry, 11 September 1877.
23. Recognizances of Bail:
 - (a) 20 February 1890 to Lot Davis, James Foster, James Arnold.
 - (b) 19 May 1890 to James Dillon, Ann Dillon, Hugh Dillon.
 - (c) 9 July 1890 to William Godfrey, George McKesson.
 - (d) 16 July 1890 to William Lahar, John Lahar.
 - (e) 23 July 1890 to William Gray, Robert Gray.
24. Copy of letter, J. S. Davis, Judge, to H. E. Irwin, Clerk of the Peace, 15 April 1899.
25. Letter, James Cruikshank, Weston, H. E. Irwin, Clerk of the Peace, 12 April 1899.
26. Extracts from minutes, 1899.