

tion of illegal punishments by mobs or individual usurpers of authority. And conceding that the evils outweigh the benefits resultin from alcoholic beverages, and supposing that in Canada prohibition would really prohibit (as it has never done elsewhere), I should yet oppose the enactment of a prohibitory law, if for no other reason, for the incalculable dangers of the precedent. The principle that products which are both used and abused should be tabooed, having been established, and the practicability of their tabooing having been proved, the coercive reformers would turn their short-sighted zeal against other moral eysores. Having first slain the monster Alcohol, as Sulla first slew the monster Damaspissus, amid the plaudits of the well-meaning majority, the unconscious foes of free-will would proceed to slaughter minor bug-bears. Tobacco would probably follow "rum." Cards, it would be argued, cause most of the gambling, much of the cheating, and many of the unhappy homes and suicides in the country, therefore let the manufacture and sale of cards be interdicted. Billiard tables, as minor inducements to gambling and dissipation, might share the fate of cards. It might even be suggested that all the villainies attending the racing and selling of horses, and all the cruelties suffered by these dumb slaves of man, could be ended by the prohibiting of the breeding of the animals. Tight corsets bring aches and ailments on their wearers, and injure their progeny to the third and fourth generations; corsets too might be tabooed. High-heeled boots are ungraceful, uncomfortable and unhealthy; statutes might be passed against high heels and perhaps against pointed toes also. Even the single eye-glass might become the subject of legislation, as it certainly injures the sight of one eye and possibly injures the brain. Some cosmetics spoil the complexion and the blood, and therefore, the regulators of morals and habits by law might argue, due pains and penalties should be enacted against the use of cosmetics. Too much tea, or coffee or candy produces noxious physiological effects; therefore the use as well as the abuse of tea, coffee and candies might be interdicted by law, on the principle established by the victorious prohibitionists. The grandmotherly legislators might then abolish clubs for their late hours and supposed miscellaneous wickedness. They might forbid the free social intercourse of males and females for the vice and misery which spring from it. They might stop the publication of society journals and "society" columns in the daily papers, for the snobbery, idleness and extravagance fostered by such generally objectionable literature. In fact, once legislation begins to exceed its legitimate functions of protecting our liberties, persons and properties from the aggressions of others, there is no saying how far it may intrude upon the domains of education or religion. We might entirely lose that self-reliance which proceeds from our free choice between right and wrong, and which has placed the Anglo-Saxon race at the top of civilization and has made the Briton, in spite of his sad intemperance, the superior of the temperate Turk and Hindoo.

"How great a virtue is temperance," said John Milton, "how much of moment through the whole life of man! Yet God commits the managing of so great a trust, without particular law or prescription, wholly to the demeanour of every grown man. \* \* \*

"Many there be that complain of Divine Providence for suffering Adam to transgress. Foolish tongues! when God gave him reason, he gave him freedom to choose, for reason is but choosing; he had been else a mere artificial Adam, such an Adam as he is in the motions (*i. e., in the puppet-shows*). We ourselves esteem not of that obedience or love or gift, which is of force: God therefore left him free, set before him a provoking object, ever almost in his eyes; herein consisted his merit, herein the right of his reward, the praise of his abstinence. Wherefore did He create passions within us, pleasures round about us, but that these rightly tempered are the very ingredients of virtue! They are not skilful considerers of human things, who imagine to remove sin by removing the matter of sin. \* \* \* Suppose we could expel sin by this means; look how much we thus expel of sin, so much we expel of virtue; for the matter of them both is the same; remove that, and you remove them both alike. This justifies the high providence of God, who though He command us temperance, justice, continence, yet pours out before us even to a profuseness all desirable things, and gives us minds that can wander beyond all limit and satiety. Why should we then affect a rigor contrary to the manner of God and of nature?"

F. BLAKE CROFTON.

### AN HISTORIC RETROSPECT.

When Canada was first established as a colony of France, the feudal system which prevailed in Europe was transferred to those distant possessions. By these ancient customs lands were held from the king *en fief* by the seigneurs, and *en roture* by the censitaires, subject to particular conditions.

The French settlements on the continent of North America are older than those of the English. The first effectual settlement of the latter dates from that of Jamestown in Virginia, in the year 1607, the second from that of Plymouth, in Massachusetts, in the year 1620. In the year 1605, Port Royal in Acadie, since become Nova Scotia, was built by the French. Previous to that period the settlement of Canada had been effected; a governor was appointed as early as 1540, and in 1608 the foundation of Quebec was laid.

Concessions of land made by the Marquis de Beauharnois, Governor and Lieutenant-General for His Majesty Louis XIV, and Hocquart Intendant in New France in 1735 at Fort Pontchartrain, situate on the strait of Lake Erie, and those on the opposite side of the Detroit, in what is now known as the township of Sandwich in Ontario, were subject to the charges, clauses and conditions following, to wit:—

The censitaire shall be obliged to carry his grains to be ground at the common mill, when one is established, on pain of confiscation of the said grains, and arbitrary fine; to inhabit the said concession or cause it to be inhabited within one year; to enclose the improvements of the neighbors as fast as wanted; to till the said land and cause the same to be forthwith alienated, measured, and bounded at his own expense, if it is not already done; to suffer the roads which shall be thought necessary for the public utility; to make line fences, as it shall be regulated; and to pay each year to the receiver of His Majesty in Canada, or to the clerk of the said receiver, who shall reside at Detroit, one sol quit-rent for each arpent in

front, and twenty sols rent for each twenty arpents in superficies, and besides half a bushel of wheat for two arpents in front, and the whole payable each year on the day and feast of Saint Martin, the first year of which shall become due on the 11th of November, 1735; the said quit-rent bearing profit of fees for right of alienation, default and fines, with all other royal and seigniorial rights when the case may be agreeable to the custom of the precinct and vicinity of Paris. It shall, however, be lawful for him to pay the said quit-rent and rent in peltries at the Detroit price until a current money is established; reserving on the said farm, above conceded, all the timber which His Majesty may want for the construction of buildings and forts which may hereafter be established; as also the property in the mines and minerals if any be found, within the extent of the said concession, and as a testimony of his will, His Majesty has ordered me to expedite the present brevet, which shall be registered in the Superior Council for Quebec, to have thereto such recourse, as it shall appertain, and which he has signed with his own hand, to be countersigned by me, his Secretary of State, and of his commands and finances.

Signed Louis, and underneath, Philippeaux.

Registered in the register of the Superior Council of New France, having heard the Attorney-General of His Majesty, agreeably to the decree of this day, by us, Counsellor, Secretary of the King, Chief Clerk of the Council; undersigned at Quebec, the 26th September, 1785.

(Signed) DAINE.

The following "Reglement" of the Superior Council, dated 29th January, 1674, ordained that the surveyor's compass should be equalized by a professor of mathematics.

The Council assembled, presided over by Monseigneur the Governor. Present, Messieurs de Tilly, Damours, Dupont, de Peiras and de Vitre.

Upon representations made to the Council by the Deputy Attorney General that the difference existing between the compasses and instruments used by surveyors to lay out and survey habitations causes divers disputes between the owners of lands: the Council has ordained and ordains that surveyors shall, on the 15th of the month, place their compasses and instruments of survey in the hands of Martin Boutet, professor of mathematics, to be compared by him, and this done, the said surveyors shall place four posts in the grand square of the lower town of Quebec, to wit:—Two posts at the north-east and south-west points of the compass, and draw up a description thereof, and deposit a copy with the clerk of the court, so as to guard against future magnetic variations, which lines shall continue to be followed for those concessions given in the king's name. Individual seigneurs, notwithstanding, shall be at liberty to run such lines as they desire on their own fiefs.

Ordered, also, that no surveyor be admitted to practice until his instrument has been compared by the said Boutet with the compasses of other surveyors; said regulation to apply to the future only, and not to have a retroactive effect.

And the present regulation is to be shown to the said surveyors with as little delay as possible, that they may not plead ignorance of it.

(Signed) FRONTENAC.

On 28th April, 1745, the King signed a royal ordinance forbidding all his subjects in New France, who held lands *a cens*, to build thenceforth, or to have built any house or stable in stone or wood upon any portion of land unless it was an arpent and a half wide in front and thirty to forty in depth, under a penalty of one hundred pounds against all transgressors, applicable to poor families, and to demolition of said houses and stables; but the proprietors might build thereon, if they