

instructed by the Judges. The instructions to him will be equally useful to others having custody of public records; and so we without delay place before our readers these instructions, so far as embodied in the judgment of the Court reported elsewhere.

#### MUNICIPAL LAW.

The last Municipal Elections passed off in a manner, we think, more satisfactory than elections of any previous year within our knowledge.

Returning Officers, and others whose duty it is to know the law and to follow it, have displayed more than ordinary knowledge of their duties. One result is, that there are fewer contested elections—a smaller than average crop of litigation.

This happy consequence is no doubt in great part attributable to the wisdom of the Legislature in reducing the Municipal laws to a consolidated Statute, and in preserving in that Statute, as far as possible, harmony in its parts, and consistency as a whole.

The Municipal Act of last Session is not, we know, perfect; but this we can say, that it is more perfect and more intelligible than any previous Act of the kind. It redounds greatly to the credit of Sir J. B. Macaulay, and the other gentlemen appointed to revise the Statutes, who prepared the bill. The language is simple, repetition is scant, and precision is the rule.

In proof of the satisfaction which the Act gives to the public, we need do no more than point to the fact that few and trifling are the amendments proposed by our Legislators now in Session. Notwithstanding the scarcity of Legislative pabulum, and notwithstanding the ardour of many members of Parliament to do something in the way of legislation, little encouragement is afforded by a reference to the Consolidated Municipal Act.

It does not become us to say how far the Municipal Manual, edited by Mr. Harrison, one of the Editors of this Journal, has tended to settle the law. That we leave to others to say or to controvert. The plain fact, however, is that our Municipal laws are now better understood than they ever have been, and are worked with the confidence and satisfaction which knowledge begets.

Through the courtesy of Mr. Twigg, the Deputy Clerk of the Crown for the County of Prince Edward, and others whom we need not name, we are in this number enabled to publish some very important cases determined by the Judge of that County. It at all times affords us pleasure to make public decisions of the kind; and while thanking Mr. Twigg for his courtesy, we take the opportunity of expressing our hope that his example will be very generally followed.

We watch with considerable attention decisions pronounced in Toronto, our place of publication, but wish in addition to be informed of whatever of interest transpires in outer Counties. If aided by gentlemen occupying local public situations whose position enables them to be useful to us, and through us to the profession and the public, we shall be greatly pleased. Hitherto to some extent we have been so aided, but not to an extent either as cordial or as general as we should like.

The decisions to which we now refer, are reported in other columns, and speak for themselves. The learned Judges who pronounced them have done good service in bestowing upon the questions raised for their opinion much deliberation and learning.

#### HISTORICAL SKETCH OF THE CONSTITUTION, LAWS AND LEGAL TRIBUNALS OF CANADA.

(Continued from p. 54.)

*Agitation for a Legislative Assembly—Petitions for equality to Franco-Canadians—The Quebec Act—Its provisions.*

No representation of the people seems yet to have taken place. The promises held out in the proclamation of 1763, to be carried into effect "so soon as the situation and circumstances of the country would admit thereof," were not yet realized.

In the month of October, 1773, the British inhabitants of the Province, having waited ten years for the accomplishment of this promise, began to agitate. On this occasion they invited the French inhabitants of the Province to join with them. Many meetings were convened and many deputations appointed. Repeated conferences were held. The result was that the French inhabitants declined to take part in the agitation, and the English resolved "to proceed in the business by themselves."

The Governor in Chief of the Province being absent on 3rd December, 1773, the British inhabitants petitioned Hector Theophilus Cramahe, Esq., the lieutenant governor. He declined to interfere, alleging as his chief excuse that, from the best information he had received, the affairs of the Province were likely to become the object of regulation in England. Nothing daunted with this decision, the petitioners immediately prepared a second memorial, for transmission to the Earl of Dartmouth, Secretary of State for America. This petition, dated 15th January, 1774, was enclosed to Francis Maseres, the former attorney general of the Province, and was by him presented to the Earl of Dartmouth, in March following. The noble Earl does not appear to have given much satisfaction to Mr. Maseres; but the latter, in acknowledging the receipt of the petition, conjectured that the English ministry were of opinion that