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## MUNICIPAL INSTITUTIONS

IN ENGLAND AND CANADA.

A municipal corporation may be described as a body-politic created by royal charter or Act of Parliament (*a*), and entrusted with the functions of local government within certain territorial limits, such as those of a city or town (*b*). Incorporation is granted at the request, express or implied, of the inhabitants of the territory or district over which the grant operates, and is intended to promote the convenience and welfare of the community.

Municipal corporations are chiefly distinguished from that species of artificial personality called quasi-corporations, first, because the former are incorporated by the consent of the people living within the municipal boundaries, and, secondly, because the sphere of their corporate operations extends itself wholly within the domain of local self-government; while the latter are

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(*a*) In Canada municipal corporations are now exclusively created by the authority of the legislature. In England, however, by the provisions of the Municipal Corporations Act, 1882, ss. 210, 259, the ancient prerogative of the Crown to grant charters of incorporation to municipalities is expressly conserved; but the grant can only be made upon the advice of the privy council and after petition made therefor by the inhabitants of the district sought to be erected into a municipality, notice of the petition having to be published in the *London Gazette* one month before it is taken into consideration (s. 211).

(*b*) See *Cuddon v. Eastwick*, Salk. 193, where it is said "A municipal corporation is properly an investing of the people of the place with the local government thereof, and therefore their law shall bind strangers; but a fraternity is some people of a place united together, in respect of a mystery and business, into a company, and their laws and ordinances cannot bind strangers, for they have not a local power of government." Cf. s. 7 of the English Municipal Corporations Act, 1882.