

In 1767, as appears from a despatch of Sir William Johnson to the Earl of Shelburne, the traffic carried on at Toronto was so considerable that persons could be found willing to pay one thousand pounds a year for the monopoly of it.

At the close of the American Revolutionary War a large number of U. E. Loyalists moved into what was then regarded as the Western part of Canada. They received free grants of land and were otherwise assisted by the Imperial Government. The disbanded officers and soldiers of the 84th Regiment also received free grants at the rate of 5,000 acres for a field officer, 3,000 acres for a captain, 2,000 acres for a subaltern, and 200 acres for a private. In order to provide for their settlement, the land on the St. Lawrence from the highest French settlement near Lake St. Francis up to Lake Ontario and round the Bay of Quinte was divided into townships and subdivided into concessions and lots. . . . These townships were numbered, but not named until several years afterwards. Of the numbers there were two series, one including the townships on the river below Kingston, the other containing those from Kingston, inclusively, westward to the head of the bay. In the summer of 1784, the persons to whom those lands were assigned took possession of them, thus at once settling a territory of a hundred and fifty miles in extent on the river and lake. The same year the Loyalists composing Butler's Rangers, and those attached to the Indian department, had lands assigned to them near Niagara, on the west side of the river and south side of Lake Ontario, and also in the neighborhood of Detroit on the east side of the strait. . . . The new settlers were accommodated with farming utensils and building materials, and for the first two years were supplied with provisions and some clothing at the national expense. Several other persons afterwards removed from the United States to Canada, and to these also, and to a number of discharged soldiers, British and German, free grants of land were made. The population of this part of Canada was about that time estimated at ten thousand. In 1786, Canada and the Provinces of New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland were formed into a viceroyalty, and Sir Guy Carlton (Lord Dorchester) was appointed Governor. The population was said to exceed 115,000. The country was regarded as prosperous. No change appears to have been made in the system of government.

When the independence of the United States was acknowledged, much of the territory enclosed within those boundaries was ceded to that country and its claim to more was afterwards successful. What was thus given away was probably regarded in England as merely a few miles of wilderness. The division of what remained into the Provinces of Upper and Lower Canada was made by Royal Proclamation.

The settlers in the west soon became dissatisfied with their political condition, and in 1791 the act known as the Constitutional Act was passed. Mr. Pitt, when introducing the measure in the House of Commons, "was so impressed with the impossibility of reconciling the jarring interests which had already developed themselves between the British settlers in the west and the French-Canadians in the east, that he stated he knew not how to reconcile or destroy their unhappy influence but by separating the people of such different origin, and of such different language and feeling."

The Constitutional Act as passed provided that there should be in each of the provinces a Legislative Council and Assembly, and that the king should have power "by and with the advice and consent of the Legislative Council and Assembly of such provinces respectively to make laws for the peace, welfare and good government thereof; such laws not being repugnant to this Act." Authority was given to summon a sufficient number of discreet and proper persons, being not fewer than seven to the Legis-

lative Council of Upper Canada and not fewer than fifteen to the Legislative Council of Lower Canada. The members of the Legislative Councils were to hold their seats for life. It also provided, although this was never acted on, we believe, that "whenever His Majesty . . . shall think proper to confer upon any subject of the Crown of Great Britain by letters patent under the great seal of either of the said provinces any hereditary title of honor, rank or dignity of such Province discernible according to any course of descent limited in such letters patent, it shall and may be lawful for His Majesty . . . to annex thereto . . . an hereditary right of being summoned to the Legislative Council of such Province discernible according to the course of descent so limited with respect to such title, rank or dignity, and that every person on whom such right shall be so conferred, or to whom such right shall severally so descend shall thereupon be entitled to demand . . . his writ or summons to such Legislative Council." This right would be forfeited if the person to whom it descended absented himself from the Province for the space of four years continuously without permission of His Majesty, signified to the Legislative Council by the Governor or Lieut.-Governor, or if the person took an oath of allegiance to a foreign power. In all cases the councillors absenting themselves from the Province without permission forfeited their seats. The Speaker of the Legislative Council was to be appointed by the Governor or Lieut.-Governor, by whom also he may be removed. For the purpose of electing members of the Assembly, the Lieut.-Governor of each Province was authorized to issue a proclamation dividing each Province into districts or counties, or circles and towns, or townships, and appointing the limits thereof, and declaring and appointing the number of representatives to be chosen by each. "The number of members to be elected in Upper Canada was not to be less than sixteen, and the number in Lower Canada not less than twenty." The Governor was authorized to appoint the returning officers, and the members were to "be chosen by the majority of votes of such persons as shall severally be possessed for their own use and benefit of lands and tenements within such district, county or circle, such lands being by them held in freehold, or in fief, or in roture, or by certificate derived under authority of the Governor in Council in the Province of Quebec, and being of the value of forty shillings sterling, or upwards, over and above all rents and charges payable out of or in respect of the same; and that the members for the several towns or townships shall be chosen by a majority of votes of such persons as either shall severally be possessed for their own use and benefit of a dwelling house and lot of ground in such township . . . by them in like manner . . . and being of the yearly value of five pounds sterling or upwards, or as being resident within the said township for the space of twelve calendar months next before the date of the writs of summons for the election, shall *bona fide* have paid one year's rent for the dwelling house in which they shall have so resided at the rate of ten pounds sterling per annum or upwards."

The members of the Assembly, it was provided, must be British subjects and twenty-one years of age or upwards. The writs of summons and election must be issued not later than December 31st, 1792. Any acts of the Legislatures might be disallowed within two years from the time of their passing, and no bills reserved for the signification of the King's pleasure were to have force or authority until the royal assent had been given to them and duly signified.

This was really the introduction of representative institutions in Canada.

*To be Continued.*