

vested, to a limited and expressed extent in the Governor and Council. The act of the British government allowing administration of the crown lands in Canada to the Canadian parliament is unconstitutional, since the King in England cannot delegate the crown lands in Canada through a parliamentary ministry, but must do so in propria persona and by the consent of the Canadian noblesse, or its representatives in Council. This is the understanding of the United Empire Loyalists in their declaration of 1781 in which they supported the previous defense of the colonial charters—and it is conformable, also, to the old law of French Canada. The Royalists were guaranteed by the British Government before they took arms to save the Crown domains in America. Castell Hopkins describes this state of mind in Canada in the "Builders of the Dominion," p. 512: "The Loyalists, steeped in the memories of a past struggle for King, institutions and country, embittered against all republican and democratic tendencies, prejudiced naturally and inevitably against the Radicals of England who had helped to ruin the Royal cause in the 13 colonies . . . to them all new comers from the States or from England were subjects of suspicion as being possibly . . . indifferent to their own sacrifices and their own sacred political beliefs." In the old colonies, no one was eligible to parliament unless a free holder, for the sum total of free holders constituted the whole of the people.

THE PEOPLE.

It is useless to go to former times for the meaning of the word "People," and show that its political significance is derived from the dolichocephale Aryans who conquered Europe, who were the free-men, while the conquered brachycephale races beneath them were their tenants, and the servile classes forbidden to bear arms. It is sufficient for the present purpose to declare that the international meaning of People is, the factors composing the government of a state, or nation. In France and Britain, under the ancient regime, the People were the King, the Noblesse and the Commons. In the Declaration of Independence the "Right of one People (colonists of all classes) to sever their connection (for constitutional cause) from another People," proves that this was the understanding of the declaration of its signers, for at the time of the Declaration of Independence suffrage in all the colonies depended on free-hold

possession. Consequently those who were not free-holders were not factors of government, were not "People" in the political sense.

The necessity for a man to be a free-holder in order to have a voice in affairs is seen by the fact that the sum-total of free-holders for the estates of the realm and are the only ones who hold their lands directly from the Crown. Every free-holder, no matter how small his holding, is a feudatory of the King, and owes the King his allegiance. The tenant of a free-holder in fee-simple does not hold directly of the King, for the landlord comes between to whom he pays his due. A free-holder, whether he be a great vassal, or holds a noble fief, or a small farmer with an humble cottage-homestead, participates throughout the extent of his holding in certain Crown rights of which no parliament can dispossess him. These create the Rights of the Individual.

His property cannot be taken from him without authority of the Crown and for just compensation. It is secure against all acts except for taxes, or dues to the Royal government which he himself consents to pay through parliament which represents him for this purpose. Even this parliament cannot tax him for benefits to classes in the community in which he does not participate, apart from support for the poor and for local charities. In this light, only those who patronize public schools are taxable for support of the same.

A precious right derived by free-holders from the crown is the lordship of the home, in which each free-holder is constable: who decides also on the education of his own children and is responsible for their acts until they reach the age of 21. Being responsible for them creates the natural law of expectancy, or devolution, or inheritance by which the children inherit the free-hold without testament and by the ancient law and the statute of Mortmain the family inheritance could not be alienated by testament of the parent, or during his life without consent of the heir. Nor could an heir who had inherited family possession, but had no children himself, alienate the family property by testament for the benefit of strangers. Most salutary provision by which modern courts would do well to be guided. The most important duty of the free-holder to the King from whom he holds his land and rights is that of allegiance and aid in defense by arms, whenever called on to defend the Royal prerogative and constitution. As