million sterling. The mortality for the year has been moderate.

The satisfaction that pervaded the remarks made at the meeting, appears to have been fully justified. Soundness within the company, and activity and appreciation without were quite sufficient to provoke the brightest anticipations. The services of Mr. Dove, the highly esteemed Manager of the Company, were fittingly acknowledged, and a just tribute paid to his efforts in promoting the success of the institution.

WHO'S TO BLAME?

The water supply of Toronto for fire purposes has long been in an unsatisfactory state. It has at last degenerated into a tri-parte squabble—the parties to which are the City Council, the Fire department and the Water Company. Like an Irishman's feud which is revived on the occasion of subsequent spree, this quarrel breaks out anew after every fire. Fault-finding and recrimination are freely exchanged through the medium of the daily press, and then the matter again subsides into its wonted quiescence till the next conflagration gives fresh impetus to the "irrepressible conflict" between fire and water.

But this matter has a serious—a very serious aspect. The question just now is, who is responsible for the burning of Bell's house on the 16th. The first engine that arrived on the spot was attached to a hydrant which was out of order, causing a delay of twenty minutes, and also causing, according to Mr. Ashfield, the Chief Engineer of the Fire Department, the destruction of Mr. Bell's building. The matter being clear thus far, the question arises: Who is responsible for keeping the hydrants in repair? Respecting this, the Water Company say over the signature of their Superintendent:

"The Water Company do not consider that "they have anything whatever to do with "the hydrants, and had so notified the city "authorities, shortly before the fire referred "to. The fact that several of the hydrants "were out of repair was specially brought "under the notice of the authorities by the "Company, but nothing has been done to "remedy this defect."

The statement of the company is perhaps correct that it is not its duty *now* to keep the hydrants in repair. An Alderman is reported to have admitted this at a late meeting of the City Council. Whose duty then is it to attend to this important matter? Very little public attention is just now directed to the subject, but in case of an extensive fire, the delinquents would be called sharply to account. We repeat the enquiry—Who's to blame?

This affair should be settled—definitely and permanently settled, and at once. Perhaps it is unreasonable, accepting the popular view, to expect an Aldermanic body to settle anything except themselves, still we venture to implore them to give a little attention to this water question, and at least relieve us of the dread uncertainty of being all burnt out through a misunderstanding! The present state of things has lasted long enough; a change cannot come too soon.

MINING RIGHTS AND PRIVILEGES.*

It is interesting to review the conflicting opinions among text writers respecting the rights of the Crown to mines and minerals. Among the Romans, gold, silver and other precious metals usually belonged to the State, under the Civil Law, whilst all other minerals, mines and quarries belonged to the owner of the soil. Blackstone says the right to mines has its original from the King's prerogative of coinage, in order to supply him with materials, and, therefore, those mines which are properly royal, and to which the King is entitled when found, are only those of silver and gold. The rights of the French Crown relatively to the rights of the proprietors, were settled by ordinance of Charles VI. The payment of ten per cent. as a regalian right was exacted, and the enactment embraced not only gold and silver, but all mines and minerals. The commissions of the Governors of Canada, granted by the French Crown, enjoined them to search carefully for mines and minerals, reserving the tenth part of gold and silver, and giving them, as regards the other mines, "what might belong to them of the rights thereto," to sustain the local government. This is taken to show that an exclusive right to gold and silver mines was not claimed, but that the Crown merely reserved a certain regalian right, not as an impost or duty, but as a recognition of the sovereign authority. About 1677 the French Government was very liberal, or took little interest in the mineral resources of Canada, for Letters Patent were presented by the King to one De Lagny des Brigandieres, and we suppose "Germain Davin, essayeur et affineur," and others, set to work pursuant thereto, "de faire ouvrir les mines, minieres et mineraux, et purifier les metaux qui se peuvent trouver en ce pays."

We have on our statute book an act relating to gold mining,—17 & 28 Vic., c. 9, and the act of 1865 amending it. These are said to be based on the theory that when the proprietor of the soil is either unable or unwilling to work the mines, which may be discovered on his property, the Crown, from considerations of public policy, may concede the the right to other persons. The patents granted by the Crown, which form the basis of all our western titles to land reserved, with very few exceptions, to the Crown all mines and minerals. The Mining Act, passed by the Legislature of Ontario, at its recent sitting, provides that the proprietors of all private lands heretofore granted, or which hereafter may be granted, situate within the mining divisions, shall have the right, as against the Crown, to mine for gold and silver upon such lands, subject to royalty and the provisions of the act. The nominal appropriation by the Crown of alluvial diggings, has set at rest many questions that might have arisen with riparian proprietors. The acts above referred to are still in force in the Province of Quebec, but in Ontario the act passed last session substitutes new regulations in this province.

All necessary rights are comprised in a grant without which it would be useless. A lease of mines, or a proprietor's license to sink mines, carries with it a right to use so much of the surface as may be necessary for working the mines. Between a lease and a license there is a difference in effect. The former is exclusive of the rights of all others; the latter is not necessarily exclusive of the rights of the grantor who retains the right to work himself for the same minerals, or to license others to do so. The interest that a license purports to convey is what is known as an incorporeal freehold, and such an interest in land cannot be effectually created by an instrument not under seal. Where a license has been granted under circumstances which show that the personal skill or knowledge of the grantee is a material ingredient in the contract, the right cannot be assigned.

There are many other matters which although of practical interest at the present time when mining operations attract so much attention we cannot notice, but for information regarding such we refer inquirers to Mr. Hart's useful work. It embodies the result of much study, yet its simplicity brings the subject within the grasp of laymen of ordinary intelligence.

*Practical suggestions on Mining Rights and Privileges in Canada, by A. M. Hart, Barrister-at-Law of Lower Canada, and Counsellor-at-Law of New York. —Montreal: JOHN LOVELL.

GRAND TRUNK RAILWAY.

A communication which we publish, signed by a merchant of this City, respecting the freight arrangements of the Grand Trunk, collates a number of facts that are worthy of the attention of those proprietors of the road in England who are now seeking to place the