

legislative function. The town officers were independent of each other, and responsible, not to those who elected them, but to the magistrates. By an act passed the following year<sup>1</sup> a slight additional legislative power was given to the town meetings, permitting them to fix the limits of times and seasons for certain animals running at large, but even this power was afterwards curtailed. This first act, therefore, while authorizing town meetings, effectively strangled all interest in them, except where, as in Adolphus and neighbouring townships, the limitations of the act were to a certain extent disregarded. For years to come the Court of Quarter Sessions remained the only living centre of municipal affairs.

Recognizing the democratic tendencies of the people, Simcoe reports to the home Government that, "in order to promote an aristocracy, most necessary in this country, I have appointed Lieutenants to the populous counties, which I mean to extend from time to time, and have given to them the recommendatory power for the militia and magistrates, as is usual in England."<sup>2</sup> He selected them as far as possible from the Legislative Council.

With the same object in view he proposed to erect the towns of Kingston and Niagara into cities, each with a corporation consisting of a mayor and six aldermen, to be justices of the peace, and a suitable number of common councillors. This was a standard arrangement in Britain, as it was afterwards in the first chartered cities in Upper Canada. But the members of Simcoe's corporations were advised "to be originally appointed by the Crown, and that the succession to vacant seats might be made in such manner as to render the election as little popular as possible, meaning such corporations to tend to the support of the aristocracy of the country."<sup>3</sup>

In 1795, the Duke of Portland, writing to Simcoe, discourages his projects for the incorporation of cities, and disapproves of his appointment of lieutenants of counties. He is afraid that the effect may be the very opposite of what Simcoe intended, that instead of strengthening the power of the central government, it may weaken it by scattering its functions, while it requires to be strong to check the influence of the popular assembly.<sup>4</sup>

What we find, then, as the result of the various influences brought together in Upper Canada is, that the Virginia type of local or municipal

<sup>1</sup> 34th Geo. III., cap. 8.

<sup>2</sup> Canadian Archives, Q. 279-1, p. 85.

<sup>3</sup> Canadian Archives, Q. 287-1, p. 164.

<sup>4</sup> Canadian Archives, Q. 281-2, pp. 328 *et seq.*