

collector's roll shall be collected in order to meet the obligations of the municipality, and in the case cited, we are of opinion that the owner would have to pay the full amount against the tenant unless the council saw fit to exempt him of that portion. We would be pleased to hear from others as to the practice followed in such cases.

Section 109 of the Municipal Act states that the hour for the meeting of electors for the nomination of candidates for reeve, deputy-reeves and councillors shall take place at noon, but does not distinctly state how long said meeting shall be open. Section 116 requires the returning officer, in the event of not more than the necessary number of candidates are nominated for any particular office, after the lapse of one hour from the time fixed for holding the meeting, to declare such candidate to be duly elected for such office. So far, it is clear that one hour only is to elapse, but in the event of more candidates than the required number being nominated, it is not stated at what hour the meeting shall adjourn. Some of the electors in my municipality insisted that the returning officer should have, in the latter case, kept the nomination open for one hour after the last person nominated. This I did not do, but think the law is not as explicit as it might be. What is your opinion? T.

■ We have no hesitation in saying that the intention of the law is that one hour only be allowed for receiving nominations, and such is the invariable practice both for municipal and elections for members of parliament.

#### OUR MUNICIPAL INSTITUTIONS.

The Commission on Municipal Institutions, composed of Messrs. T. W. Anglin, E. F. B. Johnston, and Wm. Houston, who were appointed in December, 1887, by the Ontario Government, have made two voluminous reports to the Legislature, which contains much valuable and interesting information relating to the early history of Canada and to the rise and progress of our municipal institutions. The researches of the Commission extended to comparisons of our local laws with similar institutions in several other countries, including Great Britain, France, Germany, the United States, and to some of the other Provinces of the Dominion of Canada. The conclusion come to by these gentlemen is, that our Ontario municipal system is the "best in the world." The Report laid before the Legislature in 1889, among other matters gives a concise history of local government under French rule from the first settlement in Quebec, and continuing onward to the settlement of Upper Canada, and thence until the culmination of our present municipal system. Much of this is so very interesting that we purpose making liberal extracts in this and future issues of the MISCELLANY, as a knowledge of the rapid advance in civilization, self-government and enterprise of this country as compared with the old lands, is a matter that Ontarians may well boast of. Let us rejoice in belonging to such a magnificent country, peopled by such a progressive and intelligent people, and having such a glorious prospect ahead. Let our various officials in the future, as in the past, by their wise and proper administration of the laws, make Canada a pattern for all other countries who aspire to the highest form of liberty and patriotism.

##### EXTRACTS.

From the Reports of the Commission on Municipal Institutions appointed by the Ontario Government;

"Municipal institutions can scarcely be said to have existed in Canada before the conquest. The settlement of the country was very slow. Although Jean Denys sailing from Harfleur in 1505 discovered the Gulf of St. Lawrence, and Cartier penetrated to Hochelaga in 1535, no earnest attempt was made for many years after to settle the country. The chief object of Roberval's expedition in 1540 appears to have been the acquisition of the precious metals with which the country was supposed to abound. That having failed, and France having become engaged in a great war, Canada was almost forgotten for nearly fifty years. Some think that the foundation of Quebec by Champlain in 1608 was intended as an earnest commencement of colonization. But those under whom and for whom Champlain then acted thought chiefly to make profit of their monopoly of the fur trade, then becoming valuable, and although Champlain explored much of the country, settlement made little progress. It is said that in 1617 some persons, amongst whom were a family named Herbert, came out for the purpose of engaging in agriculture. In 1664 the whole French population was but 2,500. In 1679 the French including those settled in Acadia numbered, it was thought, 10,000. In 1697 there was a large influx of emigrants, numbering 2,300, yet in 1721 the whole French population was estimated as only 25,000, of whom 7,000 were located in Quebec city, and 3,000 in Montreal. The total of acres in tillage that year was 62,000, and in grass 120,000. A large portion of the population was engaged during all those years in trading, hunting, and fighting; the war with the Iroquois commenced by Champlain having never actually ceased. Under such circumstances local self-government could not make much progress, even if the people had brought with them a healthy spirit of independence and self-reliance. But the government was essentially a military despotism, even while a trading company possessed vice-regal powers, and the lands were held on the old feudal tenury. Henry the Fourth gave the Marquis de la Roche power to grant leases to men of gentle blood in forms of fiefs, chatelaines, counties, and baronies, such investitures to be charged with the tutelage and defence of the country. When "the Company of a Hundred Partners" was created by Cardinal Richelieu, in 1627-8, like powers were conferred on it, and it was even empowered to create duchies subject to royal confirmation. This power it did not use, but it divided part of the country into seigniories, and from 1627 to 1663 accorded 29 of these, namely 17 in the government of Quebec, 6 in that of Three Rivers, and 6 in Montreal. The tenure of all the lands subsequently "accorded" was similar. The seigniors held under the King as lord paramount, doing him homage for their lands and paying him a fifth of the computed value of any lands they at any time alienated by sale or gift, but receiving a *robot* of two-thirds if payment were made immediately. The Seigniories were divided into farms of about 90 acres each. The renter or censitaire paid a yearly rent of two sous per acre, and in addition half a bushel of grain for the entire farm. The first rent (*cens*), and the rent services (*rentes*), were not fixed by law. The censitaire was bound to render various services, and to get his wheat ground at the seignior's mill, one fourteenth being taken as a *moiture*. If he had sold his farm or any part of it one-twelfth of the price went to the seignior. This was found to be very oppressive in cities and towns where land changed owners frequently. In time the Canadian courts held that the seignior was but a feoffee in trust "for if he refused to concede lands to the colonist: at currents rates the Intendant was authorized to do it for him by a *decree*" which served as a title to the renter. Garneau says that there were but two fiefs in fee simple (in absolute freehold) in Canada—Charlesbourg and Three Rivers.

To be Continued.