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TORONTO, CAN., FRIDAY, OCT. 7, 1887

THE SITUATION.

At length, the Red River Valley railway has come to a stand, through the action of the courts. The authorities from the first saw that the railway could not be built under an Act which the veto had set aside, and that the only chance of building it legally was under the Public Works Act, which, it was thought might, by a strained construction, be made to furnish the requisite legal authority. This illusion has been dispelled by the decision of Chief Justice Wallbridge, who, while dissolving the Browning injunction, decided that the Public Works Act does not authorize the Province to expropriate land for railway purposes. From another cause, equally fatal, the work had already come to a stand. The existence of doubts as to the legal rights of the Government made it impossible to raise a dollar on the bonds. As a natural consequence Mr. Ryan, the contractor, could not be paid, and, to use his own words, he refused to build the road and find the money too. The judgment of the Chief Justice would of itself, even if the money were forthcoming, be a reason for not going on with the work. Contractor Ryan would not, he frankly states, in the face of this decision and the injunctions hanging over his head, render himself liable to imprisonment for refusing to obey the orders of the court. The whole country is entitled to congratulate itself on the supremacy of law, in the Province of Manitoba, where detractors within its own borders had proclaimed their intention to Mexicanize the country, by disregarding, if necessary for their purpose, both the law and the constitution.

The United States Government has appointed two commissioners to assist Secretary Bayard in the fishery negotiations. The commissioners, Mr. Angell, president of the University of Michigan, and Mr. Putman, a Portland lawyer, are not prominent public men, or public men at all; but they may, in many respects, be qualified to perform the services required of them, Mr. Bayard dealing with the political aspect of the case. The appointments seem to imply that the United States is disposed to

place much reliance on technical experts. There is a triple interest to be dealt with; Canada, the United States and Great Britain are all interested in the fisheries. Of British subjects Canadians are the most deeply interested; but the fisheries are open to all British subjects equally with Canadians. On the commission, all the interests will be dealt with. There will be a Canadian to put the Canadian case. The responsibility of the negotiations, on our side, rests with the Imperial Government, to which we must look for the enforcement of any treaty that may be the outcome of the commission's labors. The divisional representation on the commission is the only one possible, under the circumstances.

Militia officers are claiming the right to import uniforms free of duty. But military clothing is free only when "imported by the Government or through any of the Departments thereof for the use of the Canadian militia." Clearly this gives individual members of the force no right to import free military clothing for their own use. The Government, acting necessarily through some Department, may do so. As the law stands, the only means by which officers can import their uniforms free of duty, unless the Minister has the power of dispensation, is to get the Government to make the importation. There would be some inconvenience in the Government undertaking this duty; it could properly do so only on condition that it assumed no responsibility for the cost of the articles imported, and that the service it rendered to one it should be ready to render to all. It is doubtful whether there be authority to remit the duty; if there were, that too would furnish a means of escape for the officers, who go to considerable expense in connection with the force, and to whom no reasonable consideration should be denied.

Timely rains have quenched the bush fires which raged in many parts of the country. The greatest damage was done in the Ottawa Valley. Along the St. Lawrence, between Montreal and Quebec, navigation was for a while practically suspended. Fires have done great damage to standing pine in the neighborhood of Gaspe, and we do not hear that they are yet extinguished. Some of the fires in Ontario are attributed, whether rightly or not we do not know, to defective screens used on railway engines. In all such cases, over-zeal is sure to manifest itself, in some quarter. Mr. Baxter, acting deputy minister of finance, is said to have suggested that no one should be allowed to set stumps on fire till the fall of the first snow. But, after a heavy rain there is no risk, and even in the driest times there are places where the burning of stumps creates no danger. All reasonable precautions against bush fires should be used; but the line must be drawn somewhere, and it is surely not reasonable to require that no stump should be set on fire till there is snow on the ground.

The Labrador fisheries are reported to be a failure, this time on the authority of Commander Wickham of the steamer "La Canadienne," who reports from Gaspe,

where the fishing has been better than in either of the two past years. We fear that his report of the Newfoundland fishery at Labrador must be accepted as correct; and the words "complete failure" imply the need of the intervention of the Island Government to succour the families of the unfortunate fishermen who will be plunged into distress.

News comes from Australia that German men-of-war have practically seized the Samoan or Navigator's Islands and landed 1,300 troops and Marines. They then proclaimed Tamasese king of Samoa. This occurred on the 25th of August. The British and American consuls protested, on the ground that their government recognized Malietoa as king. Trouble, it seems, had been brewing for some time between Germans and Samoans, and the former had claimed damages from the latter. The deposed king threatens to fight for his rights; while the British and American consuls advise the people not to resort to arms. The group comprises eight islands, with an area of about 2,650 square miles. The population numbers over 50,000, superior both mental and physically to the natives of many other parts of Polynesia. The islands are situated directly north of New Zealand and east of North Australia. The action of the German vessels will make a commotion in Australia, which is destined to become undisputed master in all that parts of the world. It is scarcely possible that Germany can intend a permanent occupation of the islands; and it is quite certain that the Australians will not consent to her doing so.

Secretary Fairchild, of the U. S. Treasury Department, has been consulting bankers, in New York City, about the disposal of the surplus. The question that troubles the Secretary is, whether he can legally buy bonds beyond the requirements of the sinking fund. The language of the statute appears plainly to authorize him to apply the surplus to the redemption of bonds, provided he does not redeem those held on account of the sinking fund. The New York bankers have no doubt on the point, and there does not appear to be any reason why they should have, though they are not lawyers, and are anxious to find in the law the authority which they hold it to contain. It is not many governments that are troubled with the question, what to do with an unmanageable surplus. The reason of the difference is that other governments have to provide large military expenditures, while the military expenditure, except pensions, practically ceased, in the United States, with the Civil War. Great Britain and India together expend \$250,000,000 a year, for defensive purposes. The United States, while free from this burthen, continues to levy war taxes; an anomaly which, while it baffles common sense, accounts for the surplus which gives the Secretary of the Treasury and the business men of the country so much trouble.

The suppression of the Land League in Ireland, is taxing the energies of the government to the utmost. Even some