

graduates of McGill University and other Protestant colleges from admission, as such, to the study of the law, because what the Pope calls philosophy (sic) is not taught in these schools of modern thought. Would it not be better if Laval University and other similar seminaries of mediæval tares and weeds, were to include morality and modern political economy in their curricula. For, as we have stated at length in the beginning of this article: "States or bodies politic, are to be considered as moral persons, having a public will, capable and free to do right and wrong, inasmuch as they are collections of individuals, each of whom carries with him into the service of the community the same binding law of morality and religion which ought to control his conduct in private life." It is a simple logical syllogism: If individuals are moral in Province of Quebec, then the body politic will be moral; but the state is corrupt and venial, therefore the citizens are—well, Bishop Cleary would say they resemble the girl pupils of the Ontario public schools. Christianity is not part of the law of the Province of Quebec. We stated also, in the words of an eminent publicist, "that all laws in civil society, taken together as a whole, comprehending all nations, have a common general purpose which is that of civil society itself."

It has never occurred to the sapient rulers of Quebec, and to the public men of the Dominion, that the retention of the civil code in Quebec, the making it a peculiarity of this province and the passing of statutes to match, is a crime against the Dominion, an outrage on the law of nations.

"The whole underlying principle of modern political thought is that which assumes the practical identity of human interests, and which only seeks for the best way in which the resources of every class and every locality may be best utilised for the mutual advantage of every other class and locality." (*Imperial Federation, London, Eng.*)

The following extract from Edmund Burke, ought to be read at every sitting of the Legislative Assembly of the Province of Quebec by the Speaker, and the members saying after him:—

"In reality there are two, and only two, foundations of law; and they are both of them conditions without which nothing can give it any force; I mean equity and utility. With respect to the former, it grows out of the great rule of equality, which is grounded upon our common nature, and which Philo, with propriety and beauty, calls the mother of justice. All human laws are, properly speaking, only declaratory; they may alter the mode and application, but have no power over the substance of original justice. The other foundation of law, which is utility, must be understood, not of partial or limited, but of general and public utility, connected in the same manner with, and derived directly from, our rational nature; for any other utility may be the utility of a robber, but cannot be that of a citizen—the interest of the domestic enemy, and not that of a member of the commonwealth."

Mr. Edmund Burke, one of the greatest names in the history of political literature, could he attend but one night's sitting of the Legislative Assembly of Quebec or the corporation of Montreal, would, in accordance with his declaration above, pronounce the members of both these bodies to be robbers and domestic enemies.

Mr. Mercier protests against the interference of the Dominion Parliament with Provincial matters! Why it is the duty of every honest Canadian to insist that the Federal Government shall interfere in every case where violence is being done to the minority. The Dominion Parliament can interfere on the grounds that Quebec is becoming uninhabitable by anyone but a robber or domestic enemy, and in this way exercise the authority of Parliament in "*The Regulation of Trade and Commerce*." I commend the following paragraph from the Encyclopædia Britannica to the notice of the *Bâtonniers* of the various sections of the Bar of Lower Canada—there is much practical not school philosophy contained therein:—

"There are circumstances which seem to show that the mere comparison of laws with no other object but that of discovering in how many ways the same thing can be done, and which way is the best, will enter more and more into the higher legal studies. * * * It is becoming a necessity of the commercial class in all countries that, on fundamental points at least, the principles of law should be everywhere the same."

As to the dictum of Judge Story which we have quoted,

viz., that there is a proper or suitable law for each nation and race. This is only broadly true, men can become reconciled to anything—especially Frenchmen. They dislike stability and hate monotony. The establishment of the Code Napoleon was the most complete and sudden change ever made in the laws of a great nation. Let the little nation called Lower Canada sweep away all vestiges of the civil law, and millions of people will be pleased and benefitted. Perhaps the idea of a revolution will be sufficient to tempt some Frenchmen to come to Canada, and Mr. Fabre, our agent, will at last have a few hours work for his fat salary and pickings. In conclusion we congratulate The Honorable Sir Hector Langevin in wishing, with us, to have but ONE LAW FOR ALL—(CANADA.)

Authorities:—Kent's Commentaries of American Law; Nasmyth's Institutes of English Public Law; Blackstone's Commentaries; Wharton's Law Lexicon; Encyclopædia Britannica *verbo* Law, and International Law; Encyclopædia Americana *verbo* Law; Chamber's Political Economy; Bowyer's Universal Public Law; Heinemann's Universal Law; Westlake, Private International Law; Monthly Review, Montreal, 1841; Lord Durham's Report, 1839; Hansard Debates, British House of Commons; Canadian Debates on Confederation; Doutre, Constitution of Canada; Bryce, History of Canadian People; DeMontigny, Histoire du droit Canadien; Wicksteed, Elector's Political Catechism.

COLONIES COMING OF AGE.

If statesmanship is a science, and not merely the art of applying to current events the doctrines of expediency, the administration of a policy applicable to the British colonies is one of the highest departments of Government. The framing of laws to regulate the dependencies of the British empire is legislating for the future, a future of unknown but pregnant consequences, and none but a statesman of the highest attainable capacity should be entrusted with the task.

Postpone the consideration of the event as we may, the political independence of the greater colonies cannot be a very distant event. It may be, and we believe and trust will be, an independence more nominal than real; for, separated by form of government from the Mother Kingdom, as they may be, the links of race, individual relationship, habits, literature, religion, and the material necessity for commercial intercourse, cannot be broken.

Already Australia, Canada, and New Zealand are so far independent that, although they are presided over by Governors representing the Imperial power, and their laws must be sanctioned by the Home Government, they have their local Parliaments, the management of their own finances, and contribute nothing directly to the Imperial revenues. At present they are dependent on the Mother Country for military and naval defence against exterior enemies; and in the case of New Zealand, are told that they must be prepared to defend themselves against hostility provoked by their own policy.

But the colonies of the South Pacific, and of Northern America, contain the seeds of empire, it may be of great federations of peoples speaking a common language, which must—a population increases by natural growth, and is added to by the absorption of thousands of the most vigorous of the population of the Old World—not so much achieve, as grow into, by the inevitable process of events, political independence.

In India, England rules, with more or less authority, over 250,000,000 of people. But they are of varying races, with little community of language, the heirs of different traditions, the fragments of many states and kingdoms, antagonistic when at the height of their power, discordant in their decay. Such heterogeneous materials have no promise of union or consistency. Were the English Government to cease its functions, the peninsula would be divided into fifty warring states, the ready prey of the first great power which had the art to foment her dissensions and the strength to seize and hold the prize. But the colonies are coherent in