

accustomed to look for the eldest son of the church, it is a passing phantasy which cannot diminish the undying affection felt by the French Canadians for their mother country. No human being it seems ever thought of Canada returning to the condition of a French colony, and Mr. Turcotte must have been under some hallucination when he composed *Le Canada reconquis par la France*. The assurance is consoling; but the vehemence of the protest implies a waste of strength which might have been used to more advantage where there was some urgent need for its exercise.

ONCE more we hear from England that a local law passed by the Legislature of Quebec is void. The Stamp Act of 1880 has been declared unconstitutional by the Privy Council. This Act embraced a variety of objects: law papers, instruments affecting real estate, and even promissory notes. With the decision of the Privy Council on a kindred subject before it, the Legislature had the means of knowing what must be the fate of this Act; but not restrained by that consideration, it prepared for itself a new rebuff which it has now met. The only Canadian court that held the Act to be constitutional was the Court of Appeal; and for once the Supreme Court and the Privy Council are in accord. The question was whether the Stamp Tax is direct or indirect, whether the person by whom it is advanced is the one on whom the burthen finally falls; a question not of law but of political economy. The whole ground had been fully covered by a previous decision, and the Stamp Act of 1880 was in effect the revival on a larger scale of an Act which the highest judicial authority had declared to be unconstitutional. At the time the stamp is affixed to papers used in a legal contestation, it is quite impossible to say where the incidence of the tax will fall. A stamp on a promissory note is open to the objection of being a tax on commerce. A stamp on a mortgage would be affixed by the attorney for the mortgagee, but it would be paid for by the mortgagor. In this way the tax becomes indirect, and an indirect tax the local legislatures have no authority whatever to levy. Whether the restriction ought to be removed is a question which this decision will once more cause to be asked. The only legal resource for supplementing the revenue of a Province is in direct taxes, and to direct taxes the people of Quebec have a determined objection; the Legislature shrinks from encountering the opposition of the electors and under financial pressure attempts to raise money by unconstitutional means. When the attempt fails, and fail it must, the cry of better terms is raised, and an attack on the Federal Treasury follows. From the financial dead-lock, which cannot be far in the distance, some means of escape will have to be found.

No credit can be attached to the stories from Baltimore which represent the Plenary Council now in session there as actuated by a high principle of liberality. It may be that the Council will not demand a division of the school tax; but there is scarcely a doubt that Roman Catholic parents will be forbidden, as they are in Quebec, under pain of ecclesiastical censure, to send their children to the common schools. This Council was pre-arranged at repeated interviews between American bishops and the highest authorities of the Church at Rome; and the object of the meeting is an advance movement in the spirit of the Syllabus. Up to the present time the United States has been treated as a missionary country, in which no attempt has been made to enforce the strict discipline of the canon law of Rome. Near the end of the last century the hierarchy was represented in the United States by a single vicar apostolic, and the first priest was consecrated in 1793. On the flood of immigration has come a large Roman Catholic population, and to-day the bishops number seventy-five and the priests nearly eight thousand. The time has come when it has been adjudged at Rome that the transition should be made "from the missionary state to the normal conditions defined by the Church. This," continues the official document which explains the necessity for the meeting of the Council, "necessitates the adoption of special legislation in harmony with the Church, in the degree of advancement and progress which the conditions of its existence have reached." The strict rules of the canon law, which have hitherto been a dead letter in the Republic, are to be put into force; the so-called rights and privileges of the ecclesiastical hierarchy and the immunities of the Church are to be insisted on. The introduction and enforcement of the canon law are declared in the official documents which mark the steps which led up to the meeting of the Council to be among the objects of its labours. The vital questions are of course settled in advance; but this onward movement, in the spirit of the Syllabus, will be executed with great caution and with special regard to how fast and how far it is safe to go in the actual state of things in the Republic.

In the President's Message the items which interest us most are the Spanish West Indian Treaty, the Extension of Trade Relations, and the

Improvement of the Neutrality Laws. Of the Treaty and its probable effect on the interests of our Maritime Provinces, enough has been said. The Extension of a Commercial and Fiscal system over the whole of this continent for the mutual benefit of all the communities inhabiting it, though a high, is a perfectly rational aspiration; and negotiations undertaken for its fulfilment would present a happy contrast to the diplomatic plottings and intrigues of the Old World. No diminution or disparagement of the political independence of any community would be involved. It may almost be said that Canada is already in a monetary union with the States, since she reckons practically not by pounds, shillings and pence, but by dollars and cents. The President's proposal of improving the Neutrality Laws seems to include the repression of Fenian Dynamite. "I see no reason," he says, "why overt preparation in this country for the commission of criminal acts should not be alike punishable whether such acts are intended to be committed in our own country or in a foreign country with which we are at peace." That public meetings should be held to advocate assassination and subscriptions taken up for the purpose, even individuals to be murdered being pointed out by name, is surely as gross an insult and as deep a stain as any civilization can receive. Certain American journals of the highest moral pretensions, which have been fertile in reasons for connivance at Dynamite, will dissent from the President's opinion; but Americans generally will agree with him in thinking that the prompt and thorough treatment of this question intimately concerns the national honour.

THE Adams-Coleridge libel suit out of which the attack on Chief Justice Coleridge in the London *World* arose, was founded on a private letter written by a brother to a sister, warning her against contracting a marriage which, in the opinion of the writer, could not conduce to her happiness. The writer was the son and the receiver of the letter the daughter of Chief Justice Coleridge. The lady, who treated an admonition prompted by brotherly affection as a libel of which the writer had allowed himself to become too readily receptive, handed the letter to Adams. This seems to have given the opportunity for which he was waiting, and he hastened to resent the interference of Miss Coleridge's relatives in breaking off the match. But the letter, written in her own interest, and intended only for her own eye, was not one proper to be communicated to a third party. If the letter had not been such as a brother might, in good faith, and with the best intention, write to a sister who was about to make what he believed to be an imprudent marriage, involving the wreck of her happiness, the communication of it by Mr. Bernard Coleridge to Miss Mildred Mary Coleridge would have incurred the consequences of libellous publication. Adams eagerly seized upon the occasion to claim damages to the amount of ten thousand pounds. The letter contained a portraiture of Adams, in which the favourable lineaments were hard to find. That the letter was written in good faith, and with the view of serving Miss Coleridge, it would be folly to doubt; but that the writer might have been misinformed on some points is possible, and Miss Coleridge while denying some of the statements does not attribute invention to her brother, from whom it is evident she had become estranged. Adams, acting in the capacity of his own counsel, denied the truth of the contents of the letter in court, but a denial so made not being evidence could not be received. The defence was, that the letter was a privileged communication; the judge, Sir Henry Manisty, ruled that it was a privileged communication; and of the correctness of the ruling there can be no rational doubt. This defence Mr. Coleridge was obliged to set up; but by doing so he forfeited the right to produce evidence on the matters referred to in the letter, and his case did not go before the court. The statements complained of as libellous being the contents of a privileged communication, it was open to the judge either to order a non-suit, or if he allowed the case to go to the jury, to refuse to receive a verdict which ignored his construction of the law. To save the costs of a new trial, should an appeal be made, he took the latter course. Slander is now feeding on reports about the domestic life of Lord Coleridge, who is said to be Pecksniffian, and therefore a proper victim for calumny. Lord Coleridge is a leading High Churchman, as his father was before him, but a man may be religious without being a hypocrite.

FOR the restoration of the equilibrium in its finances, Quebec is looking to further aid, in some form, from the Federal Treasury. Dr. Ross, the local Premier, at a banquet tendered to him by the people of Three Rivers, let out the secret. The process of extraction, he says, was not found very difficult last session, and past success prompts to a renewed effort. These assaults on the Federal Treasury Dr. Ross classes as patriotic work. Has the Dominion no patriots to whom resistance is a duty?