

cludes, rendered any full discussion of constitutional questions in the present work unnecessary. But as a convenient and reliable hand-book of the Canadian Constitution Mr. Munro's handsome volume will serve an excellent purpose. Its publication at the present moment, when new constitutional questions are coming to the front, lays those who may have frequent occasion to consider such questions under a distinct obligation. In his introductory chapter Mr. Munro deals briefly with the general scheme of the Canadian Constitution, and the powers of the respective Provinces, and compares the Constitution with that of the United States, etc. The twenty-one chapters which follow treat with admirable clearness such topics as the Constitutional History of the Provinces; the Powers and Limitations of the Governor-General and Lieutenant-Governors; the Provincial Assemblies and Councils, Administration and Judicature; the Dominion Parliament and Privy Council, also its Administration and Judicature; the Division of Legislative Powers between the Dominion and the Provinces; Imperial Control of the Dominion; and other questions necessary to a full understanding of the subject which the author has set himself to elucidate. Not only are these matters treated, as we have said, with great clearness, but copious references, a table of Statutes, complete indexes, and an appendix containing the text of the British North America Act, the Terms of Union with each of the Provinces which have been added since the original four Provinces were united, various Imperial Acts passed since that date, etc., adds completeness to a most valuable book of reference, and one which every student of Canadian affairs will find it to his advantage to have within reach of his hand.

WE cannot conceal our disappointment and regret at the decision of the Privy Council to let the law take its course in the case of the convict Harvey, without further inquiry into the question of his moral responsibility as affected by his mental condition. Our feeling in the case is not prompted by sympathy, "maudlin" or otherwise, for the culprit, so much as by an impression, of which we are unable to rid ourselves, that his execution, under the circumstances, is not in the highest interests of the community. So far as the man himself is concerned, whether we regard him as a villain of the deepest dye, or as a being morally irresponsible at times, or all the time, for his actions, he can be of no further use to society, and his death, in itself considered, might be the best thing for all concerned. But his death at the hands of the civil authorities, representing the people of Canada, is a very different and much more serious matter. Is there not some danger in seeking to avoid Scylla we may be drawn into Charybdis? It would be lamentable if Canada, in her laudable anxiety to reduce to a minimum the law's delays, and to guard against permitting the hands of justice to be stayed in their relentless work by any sentimental or social influences, should go to the other extreme, and incur risk of becoming the executioner of madmen and imbeciles? Whether there is any less guilt in leaning to mercy's side than to that of vengeance, in a balanced case, is an abstract question upon which there may be room for difference of opinion. The question whether, in a case of doubtful sanity, the prisoner should not have the benefit of the doubt, just as in a case of doubtful guilt, is to our thinking one which admits of but one answer. To refuse even to inquire further into the mental condition of one whom many believe to be a lunatic, on the ground that an ordinary jury has pronounced upon the matter, is a course which, for strong reasons which will readily suggest themselves to any thoughtful mind, it would be very hard to defend. Viewing the question even from the low ground of expediency, and remembering the well-established principle that the deterrent effect of punishment depends far more upon its certainty than upon its severity, it can hardly be doubted that one tendency of inflicting the death penalty on one whose responsibility is doubtful will be to greatly increase the reluctance of juries to convict in capital cases. It is no less certain that another effect will be to increase the number and influence of those who deny the right of society to inflict the death penalty under any circumstances.

THE memorial recently submitted to the Senate of Toronto University, by the Minister of Education, in favour of a change in the conditions of admission to the regular classes of the University, opens a question of considerable importance. The proposal of the Minister is, as our readers are well aware, to substitute for the

Junior and Senior Matriculation Examinations, Junior and Senior "Leaving" Examinations, to be conducted at the High Schools and Collegiate Institutes, under the direction and at the expense of the Department of Education. We have before expressed our opinion that a change in this direction might be made with excellent results. This depends, however, entirely upon the character of the change. It is tolerably clear, on a little reflection, that the conducting of Matriculation Examinations is no proper part of the work of a university. Its interest in the matter arises wholly from the necessity of assuring itself in some way that students entering upon its courses shall have received a certain *minimum* amount of intellectual preparation. If this can be otherwise guaranteed the universities may gladly relieve themselves of the burden of Matriculation Examinations. A consideration of some weight in favour of the change recommended by the Minister is the desirability of securing uniformity in the standards of admission to the various universities, and so relieving the secondary schools from the perplexity arising from having to keep different standards in view. A far more important matter, to our thinking, is the desirability of relieving the secondary schools from the twofold necessity under which they are now laid, of doing their work mainly with an eye to the interests of a minority of students preparing for the universities and professional life, and, as a consequence, of making that work largely a process of "cramming" for the examinations in question. What particularly strikes us just now is that this chief desideratum—that of setting the High School Masters free to conduct their classes on sound educational principles, with a view to the greatest good of the greatest number, and without the fear of university examiners, young or old, before their eyes—will not necessarily follow from a change of examiners. The evil may be just as great under a system of examinations conducted by the Education Department, as under one conducted by the University Senate. Limits of space just now forbid us to do more than state the principle in the broadest terms. We may return to the subject. Meanwhile, the thing which it seems to us should be borne in mind is that the new system should be made of such a character that the ability of the student to pass the leaving examinations shall depend no less upon the thoroughness of his work throughout the whole High School course, than upon the chances of a single examination, conducted by outside examiners. Every master knows that the two tests would be very far from giving identical results.

THE most firm and consistent believer in the theory of protection must, we think, deprecate the tendency which has been of late specially observable on the part of the Customs Departments in both the United States and Canada to apply arbitrary, and in some cases oppressive, methods in estimating the duty values of certain classes of imports. The natural and, one would think, safe system of basing all *ad valorem* tariffs upon the ascertained value of the goods in the markets of the exporting country, can hardly be departed from without introducing elements of uncertainty and caprice in valuations, unfair to individuals and detrimental to legitimate traffic. Of such a kind was the strangely illogical rule at one time announced from Ottawa, instructing collectors to add in certain cases the cost of transportation to the dutiable value of goods imported. Cases of real hardship in actual practice are not, we believe, even now of uncommon occurrence. A glaring instance of this kind of arbitrariness on the part of the Washington Customs Department is just now exciting a good deal of indignation in Mexico, and attracting some attention in the United States. One of the regulations in question prescribes that the products of different Mexican mines shall not be mixed together before arriving at the American custom houses; "as though," says an indignant New York journalist, "we have any right to instruct foreigners what they shall or shall not do with their own property within their own territory." Another regulation, having the same object in view, viz., to prevent, in the interest of certain mine-owners at home, the importation of certain Mexican ores, prescribes that the value of lead in Mexican ores shall be the value of lead in New York, minus one cent per pound, without reference to its value in the exporting country. These regulations have led to threats of retaliation on the part of the Mexican Government. Their enforcement just at the moment when the representatives of Mexico are about to meet with those of other American States at Washington for the ostensible purpose of facilitating commercial intercourse is singularly inconsistent. The effect upon public feeling in Mexico

may be judged from the following extracts from the Mexican *Financier*, quoted by the *New York Nation*. Says the *Financier* of October 26:

"If the Mexican delegates to the Pan-American Congress promptly withdrew, refusing to participate in a conference called under the pretence of increasing international trade, and assembling just at a time when the American Secretary of the Treasury was doing his best to restrict that trade, they would be justified by enlightened public opinion in this country."

And in another article the same paper says:

"The Mexican delegates will, we hope, ask bluntly what the policy of President Harrison's Administration is to be regarding the importation of the characteristic staple products of this country; but if that Administration has no satisfactory reply ready, it is difficult to see any reason why the Mexican delegates should remain to discuss the glittering generalities of international relations."

WE have hitherto refrained from making a guess as to the political meaning of the recent elections in some of the States of the American Union, because the data for even a good guess seemed wanting. Time enough has now elapsed, however, to enable the unprejudiced observer to read, with a good degree of confidence, some of the lessons taught by those contests, and their results. After making the large allowances due for local and personal causes, it is quite clear that the results indicate in some degree a reaction against the Republican party. They also mark with equal clearness some revulsion from extreme protection, and some growth of opinion, in such agricultural States as Ohio and Iowa, in favour of a reduction of the tariff, even on the vexed commodity of wool. The defeat of Mahone in Virginia may be pretty safely regarded as a healthful and telling rebuke to those who would attempt to trade on and so intensify the race feeling in the South, he having run as the Negroes' candidate and depended on the solid Negro vote for election. An incidental lesson taught, which should be useful to the cause of Civil Service reform, is that emphasized by Mr. Chauncey M. Depew, viz., that "the patronage falling into the hands of a party upon a complete change of administration never fails in the year succeeding the change to be a source of weakness rather than strength to the party in power. The distribution of the patronage, irrespective of any other issue involved, tends to create unpopularity for the Administration." One of the teachings of the events, in particular, cannot fail to be a source of much gratification and hope to every truly honest and patriotic American. We refer to the complete success of the Australian, or as it should be more justly termed, the Canadian ballot system. Henry George, in the *Standard*, but voices the opinion of all the most reliable journals when he says that the new system "more than fulfilled every anticipation of its friends, and falsified every prediction of its enemies;" and that after the election was over, "Republicans, Democrats, Prohibitionists, all alike rejoiced over an election from which the disgusting concomitants of the old system had as by magic disappeared," and that in the "worst districts of Boston, where previously the polls were surrounded by a jostling crowd of 'heelers,' 'workers,' 'ticket-peddlers,' and 'floaters,' waiting to see what votes might be worth, and where, a square off, the approaching voter was importuned to take this or that ticket, were as quiet as any other parts of similar streets." As a result, "it is noticeable," says the *Nation*, "that in all those States in the Legislatures of which ballot-reform bills were considered last winter, but failed to pass, the newspapers are practically unanimous in saying that the Massachusetts demonstration removes all objections to the new system, and that it must be adopted everywhere at the earliest possible moment." This is a reform big with promise for the purification of American politics. Though Canadian experience unhappily teaches that even this system is powerless against certain forms of corruption of a most potent and demoralizing type, there can be no doubt of its efficacy as against many of those gross and outrageous practices which have hitherto been the disgrace of political methods on the other side, and from which Canadian elections, partly at least in virtue of the better ballot system in question, are happily free.

WHAT is "dangerous agitation"? That is one of the questions which the German Government is likely to be called upon to determine pretty often if the new Bill which it has introduced into the Reichstag for the repression of Socialistic agitation becomes law. For twenty-two years the Government has been coming to the Reichstag at two-year intervals to ask for a renewal of the special Acts for the suppression of Socialism, the exceptional powers granted having hitherto been restricted in their