of the United States, from the zealous pursuit of manufactures, would doubtless have great force. It will not be affirmed that they might not be permitted, with few exceptions, to serve as a rule of national conduct. In such a state of things, each country would have the full benefit of its peculiar advantages, to compensate for its deficiencies or disadvantages. If one nation were in a condition to supply manufactured articles on better terms than another, that other might find an abundant indemnification in a superior capacity to furnish the produce of the soil. And a free exchange, mutually beneficial, of the commodities which each was able to supply, on the best terms, might be carried on between them, supporting in full vigor the industry of each." The agricultural nation might perhaps be the less wealthy, for which, however, it might find a compensation in the progressive improvement of the soil ; and Hamilton was liberal enough to say that "in a case in which opposite considerations are pretty well balanced, the opinion ought perhaps always to be in favor of leaving industry to its own direction." His protection was the dictate of circumstances which no longer exist ; but protectionism in the States is more rampant than ever. The United States was somewhat in the situation of a country precluded from foreign commerce, a position from which, by the amelioration of the tariff laws of other nations, she has been released. Hamilton was not only willing, but anxious to have reciprocal trade with other countries, on equal terms ; but as Europe showed no disposition to trade on these terms, he concluded that the natural remedy was to buy as little from her as possible.

To set up new manufactures which should compete successfully with those of other countries, Hamilton believed the interference and aid of the government were necessary. The want of capital, which was then an obstacle to the success of manufactures, is a plea that can no longer be urged, and there has of late been a tendency towards the equalization of wages—their relative purchasing power being the test—in different countries. But though Hamilton called on Congress to aid manufactures by an increase of duties, he generally limited himself to a scale of duties which the most uncompromising free-trader of our day, in view of the necessities of the Treasury, would pronounce too low. On manufactures of iron, or of which iron is the principal part, he asked only a duty of ten per cent. ; and without pronouncing a decided opinion, he inclined to the belief that it would be best to let in pig and bar iron free. Brass and copper he would load with no higher duty than ten per cent. Wood used in the manufacture of cabinet-ware and ships he would admit free. Fifteen per cent. Hamilton considered, on some articles, to be a prohibitory duty. This rate he proposed to put on glue, on the ground that it would be a benefit "if glue, which is now rated at five per cent., were made the object of an excluding duty." For seven different kinds of linen goods, the duty proposed, in this great National Policy report was a fraction over seven per cent. The duty on certain kinds of cotton goods was only seven and a half per cent., and Hamilton, accepting it as high enough, only asked that the same rate should be "extended to all goods of cotton, or of which it is the principal material." The gunpowder manufacture he regarded as established, and he did not ask that the ten per cent. duty should be increased. His theory was that all protective duties should be temporary, and that if a manufacture of any kind. in which experiment was made, did not, in a reasonable time, take permanent root, the fact would be presumptive evidence that the necessary conditions of its existence were wanting.

With these moderate views, the father of American protection began his advocacy of a National Policy. But if the duties were low, the germ of protection was there. His intention was to establish protection ; but he made the mistake of supposing that it could be done by a low rate of duties. When low rates proved insufficient, to secure the object he had in view, he was quite willing to sanction higher rates. But he has been far outdone by the protectionists of our day. In the same way, Sir John Macdonald and Sir Leonard Tilley, in 1877, disavowed the intention to raise the rates of duty ; they only intended, they said, a judicious redistribution of duties, in accordance with a true National Policy. Three years later, protection was the avowed policy of the Government. By a law of antagonism, the chiefs of the other political party became more pronounced in their advocacy of free trade. Though the free trade of the one is not absolute and the protection of the other does not go the length of prohibition, the divergence is great. The development and degeneracy of the National Policy has followed the same lines here that protection followed in the United States. It is important to find out to what extent a change of Government would put on the brakes ; but it is practically impossible to do so, since it is impossible to tell what will be the difference between profession to-day and practice to-morrow.

HEAVY DAMAGES.

In an action tried at the present Toronto assize, before Mr. Justice O'Connor and a jury, a verdict was recovered by one McRae, of Gore Bay in Manitoulin Island, against Alexander Turner, of James Turner & Co., Hamilton, for no less a sum than $9,000 damages for alleged malicious arrest. The circumstances of the case, briefly stated, appear to be, that McRae applied to Mr. Turner's firm some time ago, for a line of credit, and gave a written statement of his affairs, including, among other things, the representation that he was the owner of a mill worth $3,000. Goods were accordingly sold him on credit to the amount of about $1,500. Very shortly afterwards, and before the maturity of the bill for these goods, McRae made an attempt to compromise with his creditors for a very small sum, and in the course of these negotiations, it transpired that the mill referred to had never been built, and that McRae owned only a mill site, which he had purchased for a very small sum, and which he considered then worth not more than $300.

Mr. Turner failing to get any settlement, or explanation satisfactory to him, laid an information against McRae for having obtained goods, as it was charged, by false pretences. In this proceeding McRae was committed for trial, and a true bill found by the grand jury, but he was afterwards acquitted. He then brought an action for damages with the result stated.

In reference to the written statement of his affairs, McRae swore at the trial that, although the mill was put down as being worth $3,000, he stated verbally to Mr. Turner at the time, that that was the value of a mill which he proposed to build, but which was not then in existence. This Mr. Turner denied.

Apart from the fact that the damages would appear to be grossly excessive, the case presents an unusual feature, in that contrary to the general rule, the fact of the jury having found a true bill against the plaintiff on the alleged charge, was not considered sufficient to protect the defendant, who in such an action requires, not to shew that the plaintiff was guilty of the charge, but that he had a reasonable and probable ground for believing that he was guilty. Ordinarily it is understood that the fact of a magistrate having committed for trial, or of a grand jury having found a bill, is sufficient to establish the existence of such reasonable and probable cause, and to constitute a complete defence to the action. We presume it must have been found by the jury that Mr. Turner, in doing as he did, was actuated by positive malice, else they could not have rendered a verdict against him.

Important as this case is to the parties interested, its chief importance to the public is the exemplification it affords of the lameness of the present state of the law in dealing with commercial frauds of different kinds. There ought to be some adequate means of reaching debtors who procure goods upon the strength of untrue or incorrect statements, or at any rate facilities should be afforded by the law for the investigation of such charges. English criminal law is notoriously merciful. The moment a criminal charge is laid against a man everything is presumed in his favor, and every conceivable difficulty seems to be placed in the way of those who seek to bring home the charge, and in the event of their failure to do so, where the prosecution is a private one, vexatious suits for damages frequently result. These suits, generally speaking, are prosecuted by men of no means, and the defendants are placed in the position of being put to large expense without any redress, even if they escape being mulcted in damages.

There ought to be some means whereby a public officer should at a preliminary stage pass upon whether there is a *prima facie* case against the person accused, and the law should provide machinery for the investigation and prosecution of the charge, and not have the matter left, as it practically is now, to be pushed as a private prosecution. When it comes to an action for damages afterwards, the accused invariably poses as an oppressed and injured man, and the accuser is held up as a vengeful persecutor, and as his pecuniary position is ordinarily much better than that of the other party to the suit, the ele-