

the office from popular caprice, its tenure practically for life, its high position in the public estimation, all tend to bring to its ranks men of learning and character. Since those deplorable times in Canadian history when there was a departure from the wise principle of having the executive and legislative department in separate hands, the Bench has evoked respect and confidence; and there have been no cases of the removal of a judge on the address of the two houses.

*The Legal Powers of Municipalities.*—The municipal institutions of Canada are the creation of the respective legislatures of Canada and may be amended or even abolished under the powers granted to that body by the ninety-second section of the fundamental law. The various statutes in force establish councils, representative in their nature in accordance with the principle which lies at the basis of our general system of local government. All the municipalities have large borrowing powers, and the right to issue debentures to meet debts and liabilities incurred for necessary improvements or to assist railways of local advantage. The councils, however, cannot directly grant this aid, but must pass by-laws setting forth the conditions of the grant, and means of meeting the prospective liabilities, and submit them to the vote of the rate-payers, of whom a majority must approve the proposition. The reference to the people at the polls of such by-laws is one of the few examples which our system of government offers of a resemblance to the *referendum* of laws passed by the Swiss federal legislature to the people for acceptance or rejection at the polls. It is a practice peculiar to municipal bodies, though the same principle is illustrated in the case of the Canada Temperance Act.

On the right of the provincial legislatures to delegate powers specially given them by the constitution to any body or authority also created by themselves, we have a decision by the Privy Council in the case of the Liquor License Act of Ontario (the most important yet given by that tribunal on the constitutional jurisdiction of the provinces), which authorized certain license commissioners to pass resolutions