

ENDORSEMENT OF BILLS BY CO-SURETIES.—AUSTRALIAN CONFEDERATION.

ment of the Privy Council in *Macdonald v. Whitfield*. The result of the decision of the Privy Council is, that there is no hard and fast rule such as that laid down by our Court of Appeal, but on the contrary in every case the whole facts and circumstances attending upon the making, issue, and transfer of a bill or note may be referred to, in order to ascertain the true relations of the parties who have put their signatures upon it; and if those facts disclose that the parties were really sureties they will be entitled to contribution from each other, notwithstanding the order in which their names may appear upon the instrument.

AUSTRALIAN CONFEDERATION.

It is perhaps more impossible for an intelligent Canadian, than it may be for an intelligent Englishman, not to feel a great interest in the steps being taken to effect a confederation of our Australian sister colonies. The student of politics, at all events, everywhere, will watch every step in the process of establishing this new Dominion. It is impossible to suppose that the Intercolonial Conference at Sydney have not looked to our records for guidance in the momentous movement they are inaugurating; yet it is strange, and perhaps not very flattering to our self-satisfaction, to see how widely they seem inclined to depart from the lines of the British North America Act. We read in that most interesting journal, *The Colonies and India*, the following:—"The Bill for the Constitution of a Federal Council, drawn up by the Intercolonial Conference, provides that each colony shall be represented by two members, and the Crown colonies by one member. There will be yearly sessions, and any three of the colonies will be competent to summon an extra session. The first session will be

held at Hobart, and be convened by the Governor of Tasmania. The summoning of subsequent sessions will be determined by the Council. The Council will be invested with legislative authority in regard to the relations of the colonies with the Pacific Islanders, the prevention of the influx of criminals, marriage, divorce, fisheries, naturalization, enforcement of criminal process, extradition, colonial defences, quarantine, patents, copyright, bills of exchange, and other matters. The Royal assent will be necessary to give effect to any decision arrived at by the Council, and will be given through the Governor of the colony where the Council may be in session. This Act will only be operative in the colonies which assent to its provisions, and will not have force until four of the colonies have signified their adhesion to the Bill."

The *London Spectator* in a recent issue adds the information that the members of the Council are to be appointed by the Legislature, two from each free colony, and one from each Crown colony, and that it is expected that the Premier of each colony represented will be in the Council.

Now, without intending to speak presumptuously, we must say this appears an arrangement open to grave objections. Not only are those safeguards absent which exist under our constitutional system against the mingling of Dominion and Provincial politics and questions, but the scheme seems calculated to render such mingling inevitable. With us a voter can give effect to his views on current Dominion questions by registering his vote for the party which favours them; while he can also give effect to his views on Provincial questions by voting, if necessary, for the opposite party. But the only way the Australian will be able to secure representation of his views in the Federal Council will be by voting