

## MONTREAL LETTER.

stress of modern ideas. The Act of Elizabeth must therefore be read with all the later jurisprudence under which the widest religious liberty has been established. The residue is still the law of the Empire, and it is that the Queen is supreme in her courts, and that from all her courts there lies an appeal to her in Council, and that she in her courts defines the limits of her jurisdiction. It is only justice to the Roman Church in Quebec to add that it never disputed that. The tithes and dues of the Church are collected to this very day under the authority of Section 5 of the Quebec Act above cited, which at the same time guards the civil rights of the Protestant minority.

The danger to the Protestant minority has not, in this instance, come from the Roman bishops. It has come, and is still coming, from laymen in the Dominion Parliament who propound the theory that Acts of the Empire specially referring to Canada, and presumably the 1st Eliz. and the Quebec Act of 1774, grow effete, and may be repealed, explicitly and even implicitly, by our legislators. This amounts virtually to a declaration of independence, and is full of danger to the English minority. It leaves them without ultimate support in any direction, for, by the influence of States Rights' theories, the veto of the Dominion Parliament has been seriously impaired. Acts of Parliament which are in daily use do not grow effete, even were they to date from Edward I. Nor can a stream ever rise higher than its source. This is the very foundation, not only of our constitution, but, necessarily and logically, of every conceivable constitution. There is no need to quote Todd, or any other authority for that, because the decisions of our judges will suffice, and they are in the Reports. The United Empire Loyalists laid down their lives and fortunes for this principle; their descendants are forgetting it. It always was the law; but in 1865, some questions having arisen it was re-stated by the Imperial Parliament as follows:—"Any colonial law which is, or shall be, in any respect repugnant to the provisions of any Act of Parliament extending to the Colony to which such law may relate; or repugnant to any Order or Regulation made under the authority of such Act of Parliament, or having in the Colony the force or effect of such Act, shall be read subject to such Act, Order or Regulation, and shall, to the extent of such repugnancy, but not otherwise, be and remain absolutely null and void."—28-29 Vic., Cap. 63.

In years gone by the laws of the Empire have been the shelter of the French Roman Catholics of this Province; in years to come they may be the shelter of the Protestants. The real danger to the minority in Quebec is in the drift towards disintegration which, in spite of parliamentary resolutions of loyalty, is insidiously sweeping the country away from its old political landmarks into unknown seas. At Quebec recent legislation has introduced the principle that moral considerations, to wit, the conscience of the majority, or, in other words, the will of the majority, may over-ride admittedly legal settlements. Very dangerous doctrine, this, for general application throughout the Roman world! More dangerous probably to the Church of Rome than to any other; the more so because, in this case, the services of those who, upon Roman principles, are in this Province the authorized guides of the conscience have been rejected. There is neither royal nor papal supremacy in that. It is the supremacy of a parliamentary majority. The Church of Rome has suffered more than she has ever benefited by the conscience of parliamentary majorities.

These are some of the considerations which lead the English minority in Quebec to be tranquil as to their future. Outsiders seek to appal us by insisting upon the unchanging spirit of Rome. There is nothing unchanging; nor is it possible for Rome to resist the march of the centuries. The Middle Ages have passed away never to return, nor can the most passionate entreaties recall them. History does not move in circles, but in spirals, and, though it may seem to return upon its traces, it always advances.

S. E. DAWSON.

Montreal, February 14th, 1890.

## BANK CHARTERS.

JUDGING by the utterances of Ministers of the Crown, members of Parliament and the press, for the past few years, the renewal of the bank charters is not likely to be attended with anything in the nature of drastic changes.

The tendency is, when a bank fails, to demand of the Government some legislation that will put wise heads on fools' shoulders, or that will give ripe experience and trained capacity for incompetence and rash ambition.

Public sentiment as a rule is rather hostile to banks. They are, of course, soulless corporations, the multitude of unsuccessful applicants for accommodation never forget the heartlessness of the managers who turn a deaf ear to the extraordinary merits of their enterprises or the abundance of their proffered securities. What does a bank exist for if not to loan money to those who need it, and why should it be so easy for some designing scoundrel to get away with thousands, when the few hundreds desired for a short time by the honest hard-working but hard-up citizen are denied him, sometimes not very pleasantly?

Have banks not paid pretty large dividends in past years and built up substantial reserve funds, all wrung out of the aforesaid needy borrowers in heavy interest charges? Should they not therefore be shorn of some of their privileges as occasion offers, and be taught to be more accommodating and less independent of a suffering public?

The value of banks as handmaids of commerce is not overestimated, and there is not a village or town in

Ontario at least where a branch of a strong institution is not earnestly coveted.

In the safe keeping of the savings and surplus cash of the people and the (remunerative) economic investment of them and his own capital, the banker causes commodities to be quickly turned to useful purposes, which gives a stimulus to the production of more.

A vast economy in the use of money has been secured by the development of banking. The large amount of money transactions effected without the intervention of coin or bank notes in a country like this is inconceivable to those not engaged in business pursuits. Banks have powerfully contributed to extinguish burglary and highway robbery, and have lent to business exchanges an amount of security and convenience quite remarkable. They are to be regarded therefore from a higher elevation than that of the unreasoning resentment of an impecunious critic.

If we have rightly interpreted public opinion it is centred largely upon the necessity for the circulation of the banks being made current at par throughout the Dominion, that the notes of the French and the Lower Province banks may pass from hand to hand without discount alike in Ontario and British Columbia, and so with the notes of all the other banks.

This would involve that the legal tenders issued by the Government be dealt with in like manner and the extraordinary provision abolished which gives the Government authorities in Montreal the power to refuse a deposit of their own notes at par, because they are stamped as redeemable only in Toronto.

The other point that the public should be protected from even temporary loss upon the bills of a failed bank, is also a reasonable requirement, and from the reports of the conferences between the bankers and the Government it appears a scheme has been arranged that will satisfactorily settle both these points.

It will be a relief to the thoughtful student of political economy to know that the Government is not in sympathy with the advocates of the "Rag Baby;" and if they cannot see their way to surrender the circulation privileges they have appropriated in the shape of a forced loan from the people, they do not intend extending so unwise and unwarrantable an invasion of the purely banking arena.

The clamour of a certain journal, whose claims to authority on financial matters are little recognised, for the appointment of Government bank inspectors, has found little support even from those who have superficially examined the subject, and none at all from those who have exhaustively pondered its probable effect. That the paternal functions of a Government should be very sparingly exercised none will deny, and unless it were the intention to give, by means of a Government supervision of the operations of all the banks, absolute indemnity from loss, alike to their creditors and shareholders it would be folly to attempt it at all.

The system of banking in Canada forbids the possibility of a complete and thorough inspection of its current transactions by any officials outside those of its own staff; and even if it were possible to employ Government officers competent to express an intelligent opinion as to the value of the assets of such an institution as the Bank of Montreal, with its thirty or forty branches in Canada, the United States and Britain, who would undertake to reconcile the differences of opinion that might arise between them and the trained bank officials? The most corrupt rottenness could be concealed from such a Government inspection, and nothing but mischief could result from a disagreement between the two sets of inspectors as to the value of certain assets, since an appeal to the shareholders might result in publicity fatal to the debtors and their credit. But, it is reasoned, Government inspection of such strong and old established concerns as the Bank of Montreal is not necessary. It is only the weaker and newer banks from which danger may be expected; and the public ought to know exactly what the condition of such institutions is, in the opinion of an independent inspector. Such a partial application of so important a law would be impracticable, and it has only to be stated to have it condemned.

It is not contended that the Government might not with advantage employ the services of a gentleman of the capacity and experience of the late Mr. Smithers, who might be trusted to examine and make an independent report upon the condition of a bank whose published statement or reputed management gave evidence of imminent failure. But the utmost that could be expected from such a proceeding would be the hastening of the downfall of the inspected bank. Even the certificate of perfect soundness of so eminent an official would only be received with qualified confidence, and anything short of this, and any doubt as to the infallibility of the official himself, or the perfect impartiality of his report, would be swift destruction to the doomed institution.

As well might Government inspectors undertake to secure the prosperity of all the other financial and commercial corporations of the country, which must depend for success absolutely upon conditions wholly removed from either governmental or legislative supervision.

The question of reserves of a minimum fixed proportion may form the subject of another article. X. Y. Z.

A TELEPHONE has been established between Yokohama and Striznoka, a distance of 100 miles, in Japan, by order of the Mikado. It is the first in the country and works finely.—*Electrical Review*.

MR. ERASTUS WIMAN has had the courage to come into the very citadel of protective policies in Canada, and has asked us to look ourselves in the face. To be candid, we have been already taking a clandestine peep at ourselves, and have been making more or less doleful confessions of our disappointment with ourselves in our own opinion, however much we may have hoped that others knew it not. To be requested to come together to discover the cause is soothing, especially if we may assure ourselves that we are not to blame. Therefore Mr. Wiman's lecture on the possibilities for Montreal and the Province of Quebec under more advantageous commercial relations with the United States attracted a crammed audience in the Queen's Hall. To the good people of Toronto Mr. Wiman's attitude was recently explained, and needs no further opposition from us. But they may be pleased to know that in the rival city of the East we also have had an opportunity of listening to his soul-stirring words. Still in the very prime of life; a Canadian by birth; coming from the very heart of the commercial life of the greatest commercial people in the world, Mr. Wiman brought with him his own credentials. Perhaps better than any living man he knows the two countries of which he spoke. Their peculiar differences and similarities, their common resources and individual policies are to him like the calendar on his desk. And the reception we gave him in Montreal was due neither to any scheme he advanced nor to any he denounced. We simply felt we were in the presence of a man who knows us as no other Canadian knows, and who speaks as no Canadian has ever thought himself to have the courage to speak. Of gentlemanly bearing, graceful motion, concise language, logical reasoning, bold and unflinching aim, sweeping in his pictures of what we ought to be and to do, and gentle in his reminders of our failures in both, he kept his hearers bound for two hours. May it be the beginning of public spirit among us. May it be the tocsin sounding along the shores of our rivers and lakes, through every street and village lane, calling our young men to don their manhood, to go forth to battle against patriotic indifference, political hoodwinking, and the encroachments of overbearing selfishness. It is not the love of money which in Canada we mourn, but the lust to procure it without earning it. We are teaching ourselves to deceive ourselves. We have lost our faith in the true dignity of labour. We boast of our lack of faith in ourselves. We are not making ourselves a manufacturing people, a self-reliant, self-progressive nation. We are content to have others do for us, to compel others to do for us what our fathers would have scorned to see done for them. In all earnestness it may be asked if our "protective" enthusiasm has helped us to produce one single genuine manufacturer—one man who by theoretical and practical knowledge of his work, by chemical analysis of his raw materials, by constant assiduity to his machinery and processes, can lay the faintest claim to the title. Well may Mr. Wiman remind us that, if with unlimited free water power, an industrious, economical and contented French peasantry as operatives, and supplies of raw material in wood, iron, copper, coal, waiting for the attack, we cannot manufacture, we had better take to some other trade. The peculiar element necessary can not be supplied by twenty-five per cent.—nor by cent per cent.

Dr. Matthew Hutchison read, before the Protestant Ministerial Association, a paper on the "Marriage Laws of our Province," which brought out some striking facts. It appears that it is the Church and not the State with which is supreme. No civil power can marry either two Catholics, a Catholic and a Protestant, or even two Protestants (heretics). The civil power can deal with the civil effects of marriage, but not with the knot itself, nor can it annul a union which the Church has consummated. A civil marriage is a farce, and a divorce granted by civil law is a crime to be punished with eternal damnation. Our judges have always decided that a marriage celebrated by a Protestant clergyman by virtue of a license is wrongfully contracted, that the license is of no value whatever, and that in any difficulty the Superior Court can have to do only with the civil effects of the union, leaving the Church to be supreme adviser in the rest.

Hitherto it has been the custom in McGill University for each faculty to arrange and enjoy its own undergraduate festivities. These have usually taken the form of an annual dinner, with more or less *éclat* and more or less satisfaction, but with nothing of a unity of aim and spirit which might build up a grand feeling of cohesion. The present winter, however, has seen a departure from old ways, and one which must secure the sympathy and interest of every university. On the evening of the 14th instant one of the finest gatherings which Montreal has ever witnessed sat down to a banquet in the large dining-hall of the Windsor Hotel. Chancellor, governors, Principal, professors in arts, medicine, law, science, guests from sister and affiliated colleges, graduates, undergraduates and a large number of ladies formed into a stately procession, and, to the strains of music, took their appointed seats at the festive board. Speech and song followed each other in the hours allotted to the celebration, and even when midnight arrived the literary audience was not wearied of counting and re-counting their successes in the past and their hopes for the future.

Alas! that we are but finite! The sister University of Toronto, which was toasted and cheered to the echo, and whose esteemed principal was expected to have been present, was at the very moment in the throes of her