

of laws, originally drawn up in almost every case by men of legal training, would assume almost the precision and certainty of an exact science. Yet what is more uncertain than the meaning which any given justice or bench of justices will attach to any Act which may come before them for judicial decision. Take the history of the different interpretations which have been put by different courts in Canada and England upon the meaning of the British North America Act and the Manitoba Act, as bearing upon the school question. How it impresses one with the uncertainty of the law, even in the highest court. The remarkable division in the reasonings and decisions of the five judges who have just now pronounced upon one phase of the question but adds to our perplexity. One judge frankly says that he pronounces his opinion with hesitation. It is, perhaps, but a fair inference that the same thing is true in the case of others. Yet had one of the majority but happened—we use the word with respect, but is it not an appropriate one?—to reach a different conclusion, who can tell what the effect might have been upon the history of the Confederation? We do not refer to the matter to cast reflections upon any one. That the judges of our Supreme Court will compare favourably with those of any other country we do not doubt. The peculiar way in which they divided upon the constitutional question decided the other day effectually forbids any suspicion that any one of them was unconsciously influenced by prejudice of race or religion. Yet they differ diametrically in regard to the meaning and intention of a few brief paragraphs in a couple of statutes which we must suppose to have been very carefully drawn up by some of the ablest lawyers Canada has yet produced. The same curious psychological problem was suggested by the respective conclusions reached by the Manitoba, the Dominion and the British benches in regard to the constitutionality of the Manitoba School Law, in the first place. Would it help matters were the original framers of every important Act required to accompany it with a commentary to explain its meaning? Or is the English language incapable of furnishing terms and forms of expression free from ambiguity?

The crux of every form of state socialism is the difficulty, many would say the impossibility, of finding thoroughly competent and trustworthy officials to manage the vast concerns which would devolve upon the officers of the state under such a system. Could effectual guarantees and safeguards be provided, so as to insure that the interests of the people would be safe in the hands of their chosen managers, the arguments in favour of some forms of state socialism would be well-nigh irresistible. A striking illustration of the enormous loss which results to the commonwealth from

the inability to utilize the credit of the state or municipality for the accomplishment of great enterprises is afforded just now in New York. A reputable and powerful firm in that city has offered to construct an underground rapid transit system such as is greatly needed, on condition that they be enabled to use the credit of the city in raising the funds necessary for the great undertaking. By aid of the city's credit the money could be obtained at three per cent., while the most wealthy and reliable firm cannot procure it at less than five per cent. A little reflection will show to anyone what a prodigious difference this would make in the cost of constructing and operating the system, and, were the people of the city to get the benefit in rates, in the cost of travel by the underground route. The gain that would result is so striking that the Chamber of Commerce appointed a committee to study the question, and this committee has reported in favour of seeking a change in the constitution of the state, in order to enable the city to loan its credit to the company, as requested. This has led to further investigation into the history of such transactions, with the result that it has been shown that in everyone of the few cases in which the city, state, or national government has had to do with such transactions either complete loss or grave scandal has resulted. The probability is, therefore, that the scheme will fall through. But why should not the city itself borrow the money and do the work, thus saving not only the tremendous difference in interest, for which of course the users of the road would have to pay, but also the large profits which the company would of course expect to make out of the transaction? The only valid reason, if there be one, is that to which we have referred, the assumed impossibility of obtaining honesty and efficiency in public officials—a most humiliating assumption.

We have not time or space to prolong a discussion with "Fairplay Radical" in regard to the significance of the Horncastle and Accrington elections, but as the correctness of our statements is directly called in question, we are obliged in self-defence to trespass a moment longer upon the patience of our readers. Touching Horncastle, it is of course impossible to prove that just so many Liberationists refrained from voting for the Gladstonian or voted for the Unionist, in consequence of the un-Radical attitude of the former towards Disestablishment, or of the action of the Liberation Society. But our critic will hardly venture to deny that the Society in question did refuse, as a Society, to support the Government candidate, for the reason indicated. That is surely a historical fact. The *Speaker* had an article dealing with it and trying to smoothe over the difficulty, before the election. That such action on the part of this influential Society and the cause which

led to it would not influence a considerable number of voters, let those believe who care. The figures which our correspondent quotes, showing as they do an increase of more than three times as many in the total Unionist as in the total Gladstonian vote, tell directly against his own argument. As to the Accrington affair, we were aware of the decrease in the Gladstonian majority. The significant thing was that at that particular time and under those peculiar circumstances, when the much-talked-of reaction against the Home Rule Bill was at its height, and Tories and Unionists, from Lord Salisbury and the Bishops, downward, had been indefatigable in appealing to anti-Romish fears and prejudices, and sounding an alarm all over England, the Government majority should have been so slightly diminished. The result was, we venture to say, beyond the hopes of the Government.

As for the future, we venture no predictions. Success does not always attend the right. The defeat of the Gladstonian Government would not prove that self-government in local affairs is not the wise and just policy for Ireland. We would simply suggest to our readers that there are other things to be gained or lost besides property. They will not admit the assumption that property alone has political rights or that property owners alone should decide the policy of the nation. The few may have the property to lose, while with the many, justice, freedom, a fair chance to acquire property or a comfortable livelihood, or other things equally precious, may be at stake. We beg leave to refer, in this connection, to some simple facts and statistics brought out by a correspondent in our columns last week. The whole question will, in all probability, be soon again before the people of Great Britain. We are conscious of no desire or interest in the matter, other than that the right, and that which will be for the real union and progress of the nation, may win. Righteousness exalteth a nation. He would be a bold man who would undertake to maintain that righteousness has ruled in the dealings of Great Britain with Ireland. As for the rest, we may simply suggest that it may not be the safest way of getting at the truth to assume, as "Fairplay Radical" seems disposed to do, that the "falling off in truthfulness and fairness," which he deplures in English party journals, is wholly on the part of those with whose views he does not sympathize. It is an easy but not altogether safe rule to accept without hesitation the statements of journals whose views we favour, and to reject as untrustworthy everyone which fails to represent things as going just as we would have them go.

Steadily we are moving in the direction of state control of the relations between corporations and other employers of labour and their employees. The Bill which has