

Premier to make the change he has made in the *personnel* of his administration. To use the homely, but expressive aphorism which was so great a favorite with President Lincoln: "it is a bad time to swap horses when crossing a stream." There can be at least no doubt respecting the difficulty of supplying the place of the veteran financier Sir Francis Hincks, who is already out of the cabinet, and will probably soon be compelled to leave the House.

The opposition have had the good sense to allow the address in reply to the speech from the throne to be carried without a division. This practice has long been prevalent in the British House of Commons, and on account of the intentional vagueness of the wording, no one is considered as committing himself to any sentiment in it, by allowing it to pass without recording his vote against it, or even offering any hostile criticism. The very opening of the session was characterised by a series of fierce struggles on questions of privilege, and, judging from the results of the different votes, and the tone of the speeches, the country may congratulate itself that such unseemly exhibitions will be prevented in future by handing over the trial of controverted election cases to the judges of the Superior Courts. In the West Peterboro and Muskoka cases there were no questions of fact involved, the returns showing on their face that through grave irregularities somewhere, the verdict of the people at the polls had been set aside. In each case the opposition candidate had a majority of votes, the validity of which might be disputed, it is true, before an election committee, but about which no question had been raised. The returning officer in each case had chosen to exercise judicial functions, returning in one the minority candidate as the member elect, declaring in the other that neither was elected. In both cases, the House was asked by resolution, to amend the return, so as to bring it into harmony with the figures contained in the poll-books, in other words to declare the majority candidates elected, reserving, at the same time, the right to petition against their election, and contest their seats; and it was asked to do this on the ground that the functions of a returning officer were ministerial and not judicial. Setting aside for a moment, all consideration of the merits of either case *per se*, it seems strange that the House should have refused to amend the return in what was surely the more flagrant breach of privilege of the two, and should consent almost immediately afterwards to make the necessary *amende* in that which was less so. If a returning officer exceeds his power at all in failing to return the majority candidate, common sense would seem to indicate that he goes further astray in returning the wrong man than in refusing to return any. Not so thought the House of Commons, however; and, as this was a case of privilege, its will in the matter is law. That there is danger in the precedent established by the West Peterboro case, some of those who are responsible for its creation may live to find out, even