

of the Dominion Parliament, and that, if it could be suspended at all by a colonial authority, it must be by the Provincial Legislature, and not by the Dominion Parliament. This contention Mr. Justice Bruneau has upheld. The issue raised in the Montreal case was thus quite different from that raised in Alberta, but in both cases the result was to stamp the Order-in-Council as illegal and void.

These judicial decisions have produced a situation that is most perplexing. It is announced, apparently with authority from Ottawa, that the Government and the Military authorities will ignore these decisions, and continue to enforce the provisions of the Order which has been declared void. There is to be at an early day a special session of the Supreme Court of Canada to review the decisions adverse to the Order-in-Council. In the meantime the Government will continue to enforce the Order-in-Council.

It is possible that this is the most convenient way of dealing with the matter, and the Government may feel that, having the moral sanction of Parliament, in the form of resolutions, they will be justified in treating the Order as legal. The urgent need of additional men for the battlefield was the ground on which the Government placed their action. That need may still exist and, if so, the Government will feel that they should put forth every possible effort to supply it.

On the other hand, the announcement of an intention to treat the decisions of our established courts with defiance is not pleasant reading for those who attach importance to the observance of law and order. It is not to be assumed that the decisions in question are sound. Lawyers and even judges occasionally differ. The Minister of Justice is a lawyer of excellent reputation, a retired judge. The Deputy Minister of Justice is recognized as a very able lawyer. Other officials of the department are lawyers of good standing. It is to be assumed that all these were consulted before the Order-in-Council was adopted and that they advised that through the procedure proposed it would become good law. Nevertheless, judicial authorities entitled to respect have said the Order-in-Council is void. Chief Justice Harvey dissented from the opinion of his colleagues of the Alberta court, which has brought on this trouble. But that opinion became the judgment of the court. In a subsequent proceeding the Chief Justice said that until set aside by a higher court the judgment must be obeyed. Until overruled by higher judicial authority, the decision of the Alberta Supreme Court, and that of a single judge in Montreal, are entitled to respect. It is not a good thing to find any citizen, still less a Government, proclaiming a refusal to bow to the decisions of the judicial authorities of our country. If our statesmen will not respect the law as it is interpreted by the courts, how can we expect the individual citizen to do so? The calling out of soldiers to resist the orders of the Supreme Court of Alberta creates an alarming situation. The prompt summoning of the Supreme Court of Canada to review the adverse decisions may help to meet the difficulty, but perhaps it would not settle the points in dispute. If the Supreme Court should over-rule the present decisions, in all probability somebody interested would carry the case to the Judicial Committee of the Privy Council. That would involve considerable delay. If the urgency of the demand for men remains, so that the Government feel they require what the Order-in-Council calls for, an early meeting of Parliament for the enactment of further legislation may be the only effective way of settling the matter.

It is a very perplexing situation, calling for grave consideration, and all the more difficult because, the Premier and a large proportion of the Cabinet being in England, there cannot be that full consideration of the whole subject by the Cabinet which is so desirable at this time.

The Loan

IT is announced from Ottawa that the Government, after full consideration, have decided that the coming loan shall, like all predecessors, be issued free from Dominion taxation. "With such a large body of existing securities tax free," the announcement says, "it was felt that it would jeopardize the success of the new loan to make it subject to income taxation and attempt to float it at the same interest rate as the last issue. If made subject to super-tax, those desiring such securities would purchase on the market tax-free securities in preference to subscribing to the new war loan."

The reasoning is by no means conclusive. The assumption that a new issue must bear the same rate of interest as the last one is not warranted. An increase of the rate had to be made between the first and later loans. What insuperable objection would there be to an increase between the last loan and the next one? It is pretty certain that the money will cost the country six per cent. A straight six per cent loan would have something in its favor. If the increase from 5½ to 6 is too much (5¾ would be a very inconvenient rate) the situation might be met by adhering to the 5½ per cent rate, and making the issue price sufficiently low to cover a fair tax estimate. It is evident, however, that to obtain the very large sum that will be asked, the Government will need the cordial co-operation of the banks and financial houses of all kinds. If the managers of these institutions have reached the conclusion that the loan cannot be made successful without the granting of tax exemption, the Finance Minister can hardly be blamed for accepting and acting on their advice. But it is a clear case of serving the purpose of the moment at the expense of future embarrassment.

The Strikes

THE Dominion Government have made an announcement respecting labor troubles which is all the better from the fact that it is of a persuasive and advisory character, rather than in the peremptory terms in which Orders-in-Council in so many matters are expressed. The member of Government who told a committee of strikers in Nova Scotia recently that at this time "everybody must fight or work," put in short form something that should be recognized more widely than it has been. Both in Great Britain and the United States—in the former under the leadership, largely, of Arthur Henderson, and in the latter under the leadership of Samuel Gompers—the labor organizations of the nation have responded splendidly to the call of patriotism. In Canada, to a considerable extent, the labor unions have manifested the same spirit, but it is simple truth to say that they have not done so as fully as their English and American brethren.

There have been too many strikes in Canada, East and West. How far there were excuses for such is not a point of importance. Reasons which at another time might readily be accepted, must be summarily dismissed now,

It is a time when all classes are called upon to bear unusual burdens. The labor unions should be prepared to bear theirs, even to the point of submitting for the time being to conditions which they may feel are unjust. No right possessed by the working people should be in any way impaired. But with their rights the men should be willing to accept corresponding responsibilities and, if necessary, burdens. Wherever there are grievances they should be fairly considered by employers, and then, if adjustment be not reached, conciliation or arbitration should be agreed to. The employers who will lock out their workmen, and the workmen who will strike, without first exhausting all the resources of arbitration and conciliation are guilty of what is little short of treason.

The workmen of Canada are intelligent, and in various ways they have given evidence of their desire to take a patriotic part in this crisis of the Empire. Our Government do well to appeal to them, as is being done in the manner indicated in the memorandum just issued at Ottawa. If their leaders will take the advice in the spirit in which it is given, all will be well.

Ireland

THE most unpleasant feature of the recent turn in Irish affairs is that it gives an opportunity to the extremist section of the Irish to repeat with emphasis that "you can't rely on any promise that the English make respecting Ireland." That is an old cry of the irreconcilables, and occasionally it is taken up by others. Even John Dillon, the successor of John Redmond as leader of the Nationalists, in his temporary association with the Sinn Fein party on the question of conscription, used the old cry.

Only a few weeks ago Mr. Lloyd George in a deliberate speech in the British House of Commons, said his Government had decided to bring forward a new Home Rule bill for the immediate settlement of the Irish question. At the same time he announced, with no less emphasis, that conscription would be immediately enforced in Ireland. Statements of so grave a character should not have been made without the fullest consideration of every phase of the Irish question. Not only did all shades of Irish political opinion (apart from the Ulster Unionists) combine in opposition to conscription, but practically the whole Roman Catholic Church in Ireland, led openly by the Bishops, took the same course. It is easy to say that Ireland, like any other part of the Empire, should supply its share of men for the army. There is no logical answer to those who make this claim. But the fact remains that Ireland is bitterly hostile to conscription and that an attempt to enforce compulsory service there would probably have ended in disaster.

Conscription and Home Rule having been bracketed together in the Premier's promise, the abandonment of the first no doubt necessitated the dropping of the other. Lord Curzon's recent speech in the House of Lords is taken to mean that nothing further is at present contemplated by the Government as respects the Home Rule bill. While this situation is naturally denounced by the Irish Nationalists, we find Sir Edward Carson at Belfast again inflaming the people of the section against Home Rule of any kind. So the old Irish problem, which a little while ago seemed to be in a fair way of solution, once more becomes almost hopeless of settlement.

It would

The period of the Victory Loan, the last period of the period of the scribers and Finance the curious fact which reflects the total amount of the loan payments assets of November supports the loans can be completed with providing to subscribe to subscribe reasonable amount that while greatly expected subscribers nevertheless the three great flotilla of the bank drawings from Minister de amounting when disclosed that extent balances to account of of corporation of the full by month of expression on

This is the September. the Victory Loan, the banks funds to the instalments vances under that the total. If these figures a steady rise from this tendency to credit-instrument the crops. seem that working in Canada, as statements, launching of new loan it equals or exceeds Victory Loan in further in

With reference of the first month in the Government paylists, etc. balances in February to March initial payments subscriptions, accounts shown January 31, total subscribers risen to \$117,664,000, heavy disbursements February 28, On March 31, on April 30, \$117,664,000, though this Treasury by not point to yet when all