

# THE WEEK.

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## The Week.

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All articles, contributions, and letters on matters pertaining to the editorial department should be addressed to the Editor, and not to any other person who may be supposed to be connected with the paper.

THE first visit of His Excellency the Governor-General of Canada to the Province of Ontario is naturally an event of considerable interest, and one well adapted to draw forth unequivocal manifestations of the loyalty of the people. The welcome accorded to Lord Stanley, who, accompanied by Lady Stanley and suite, arrived in Toronto on Monday, was unmistakably cordial, and, for a people not given to overmuch demonstration, enthusiastic. The address from the corporation, and other addresses to which, on such occasions, the representative of our sovereign must patiently and good-naturedly listen and respond, were couched in unmistakable terms of loyalty and attachment to the Queen and to the Empire, as well as of the sincerest respect for the person and office of Her Majesty's Viceroy in Canada.

THE proposed settlement of the difficulty that has for some time past existed between the Senate of Toronto University and the city authorities is one upon which both parties may be heartily congratulated. Better still, it is one which cannot fail, if carried into effect, to prove beneficial to the whole Province, as enlarging the resources and extending the influence of the Provincial University. The permanent endowment of two chairs, to the extent of \$3,000 each, will enable the Senate to enlarge its curriculum and add to its teaching power in some directions in which reinforcements are still urgently needed. Though the provision of this \$6,000 annually, in addition to the other expenditures involved in the arrangement, will make no inconsiderable addition to the financial burdens of the city, the agreement referred to is not likely to be seriously objected to by intelligent citizens. From a purely business point of view, the amount to be paid is certainly a very moderate rental for an indispensable property. But, apart altogether from the question of commercial value received, the benefits conferred upon the city by the presence of the University are such as would amply warrant a liberal contribution from civic funds for its support. Such a contribution has not hitherto been made. It is peculiarly gratifying that, at this juncture, the city is in a position to aid an institution which has so strong a claim upon it, at the same time that it is discharging a simple financial obligation.

THE chief events of the past week of public interest to Canadians have been the speeches of Sir Charles Tupper in England, and of several Dominion ministers in Canada. In the present critical state of our commercial relations with the United States, it is natural that every utterance supposed to carry with it an official flavour should challenge unwonted attention. The intermediate position which the Canadian High Commissioner occupies between the Canadian and British Governments causes special weight to be attached to his words, as they may be supposed to reflect to a certain extent the attitudes of both Governments. The fact that his speech at Sheffield was supplemented by that of the Duke of Rutland, a member of the British Cabinet, rendered the occasion still more significant, as indicating that the Mother Country and the Colony are making common cause. The one sentence from the Duke of Rutland's speech, which is all that the meagre cable reports have as yet brought us, that, "England and Canada, united in a just cause, can stand a good deal more bluster than that which has just been addressed to them," is significant both in its thorough identification of the interests of England with those of Canada, and in its use of a rather blunt and undiplomatic epithet to describe the unfriendly language of President and Congress. The speech of Sir Charles Tupper, as no doubt became his position, was studiously moderate. His defence of Mr. Chamberlain as a diplomatist, and his protestations of Canadian fealty to England, however appropriate to the occasion, had little bearing on the main issues. No one supposed that the present belligerent attitude of the United States is either adapted or designed to force Canada into Commercial Union. Its effect is rather to check whatever tendency there may have been in that direction. Sir Charles Tupper's assurance that the Government he represents will deal with the important and delicate question before them with due forbearance and moderation, and carefully refrain from any act of indiscretion which might give rise to increased irritation, will, it may be hoped, be justified by the event. At the same time, his avoidance of the two main points at issue, the denial of bonding privileges and the alleged discrimination in canal tolls, must have been disappointing to those who looked for a discussion of the merits of the question.

APPARENTLY a new struggle for "provincial rights" is about being inaugurated, with Quebec in this case as the party aggrieved. The question at issue is so complicated that it would be rash for a layman to hazard an opinion as to the constitutional right of a Province to enact the legislation which has been, or is about to be, vetoed by the Dominion Government. The statute in question is, as our readers are aware, one passed by the Quebec Legislature at its last session, to abolish the Montreal Circuit Court, and create in its place, and for the discharge of its functions, two District Magistrates' Courts. That, by the terms of the B. N. A. Act, the Federal Government is clothed with power to veto any Act of a Provincial Legislature will probably be now admitted on all hands. But from the history of the origin of the Act, and the practice of the first few years of Confederation, it is equally clear that such power was conveyed only as a sacred trust, and in the full belief that it would be used with scrupulous regard to the autonomous rights of the Provinces, and so only in cases of constitutional necessity. The real question at issue, that on which the public opinion and sympathy of the Dominion will turn, is the question whether the vetoed Act is *ultra vires* of the Provincial Legislature. Amongst the "exclusive powers" secured to the Provincial Legislatures by the constitution are "the administration of justice in the Province, including the constitution, maintenance and organization of Provincial Courts, both of civil and criminal jurisdiction, and including procedure in civil matters in these courts." But on the other hand, the appointment of the Judges of the Superior, District, and County Courts is the exclusive prerogative of the Governor-General, *i.e.*, of course, of the ministry of the day. Whether the right of the Provinces to "constitute, maintain, and organize" courts implies the right to abolish, and the further right to transfer to the jurisdiction of magistrates functions previously exercised by Circuit Courts presided over by judges, are questions for the legal fraternity. There is, we believe, no doubt that additional judges were badly required in the Montreal District, that the administration of justice in the district had been in consequence very defective, and that the Dominion Government had disregarded the repeated requests and remonstrances both