its action. This remark would apply *a fortiori* to a case in which the Executive should decide unfavourably to the Provincial contention, in opposition to the judgment of the Court of reference. The probability is, therefore, that when once the principles of Mr. Blake's motion have been embodied in the constitutional legislation, the practice, both of reference to the Court in every case coming at all clearly within the categories, and of acting in accordance with the judicial system, will soon develop into a set of precedents having all the force of law. The strange thing, as it will appear to many who are not students of the Constitution, is that an Act, or possibly a constitutional amendment, should be deemed necessary in the case. A novice would have supposed that the Executive must already have the power to obtain advice from any source, judicial or otherwise, it might please. Are we to understand that those who urged the reference of the Jesuit's Estate Act to the Supreme Court, for a decision upon the question of its constitutionality, were advocating an unconstitutional course? As a matter of fact we know that the Government did fortify itself with a legal if not a judicial opinion on that question. It seems to lessen somewhat the importance of Mr. Blake's motion, to suppose that it is intended primarily not to guide the action of the Executive, but simply to designate or create a special judicial tribunal for the Government's use and convenience.

THE result of the Ottawa election was no doubt a surprise to all parties. It must have been a surprise to the Conservatives, who, though confident of victory, as they well might be under the shadow of the Government offices, could scarcely have anticipated so large a defection to the ranks of the "Equal Rights" party. It must have been a surprise to the Liberals, who, while anticipating defeat, would naturally have expected a stronger support from their French and Catholic adherents. It was probably a surprise to the "Equal Rights" advocates themselves, who could scarcely have anticipated so large a vote for their candidate. The issue of the campaign does not, of course, affect the relative strength of parties in the present House. It would be easy to attach too much importance to it as an indication of the state of popular feeling throughout the Dominion, or even throughout Ontario. Its chief significance is, perhaps, in its suggestion that the Equal Rights agitation may develop unexpected strength in other sections, and, possibly, put at fault the calculations of both the old parties. This does not necessarily follow, for it is possible that from local causes and conditions, the movement may have been specially successful in the Ottawa district. This force is clearly one of the unknown factors in Canadian politics at present. But it is after all idle to speculate upon the teaching of a single bye-election, especially one in which so many uncertain local influences are at work. It is evident that in this particular constituency, at least, neither the increasing protectionism of the Ottawa Government nor the unrestricted reciprocity policy of the Opposition has turned many voters from their party allegiance, while the anti-Jesuit and anti-French cries have alienated a good many. And this is perhaps all that can safely be said about the matter.

WE have received, too late for critical notice or analysis in this issue, a timely pamphlet on "The Canadian System of Banking and the National Banking System of the United States," by Mr. B. E. Walker, of the Canadian Bank of Commerce. Mr. Walker is undoubtedly right in saying that many of the newspaper editors and anonymous writers, by whom the discussion is mainly carried on in the public press, can have little practical knowledge of the business of banking. The subject is confessedly one of the most difficult of all those that engage, from time to time, the attention of our legislators. It is therefore, as he says, eminently fitting that contributions to the discussion should be offered by bankers of experience. Mr. Walker's contribution is evidently written with great care, and as the result of close and protracted study of the question, and this, in addition to his well known ability and long experience, will insure for his views the attention they merit. For the reasons we have indicated we shall best serve the public by merely directing attention to the pamphlet at present, without venturing opinions or criticisms which the hasty glance we have been able to give the article would not warrant, and which a closer reading might fail to justify. We may, however, make the perhaps unnecessary remark, suggested by Mr. Walker's preface, that while practical bankers, like practical manufacturers, are in the best position to understand the principles and needs of their particular calling, the business public who support and use the banks, and the consumers who purchase the goods, are quite as deeply interested, and have at least an equal right to press their views in the matter of tariffs and banking Acts. The views and interests of the one party may not always harmonize with those of the other, but, in any case, nothing but good can result from a frank comparing of notes in regard to such matters.

THE picture drawn by "E. W." in another column, of the present condition of the Canadian farmer, and his views and feelings in regard to the schools, is not a bright one, though we fear it is true to the life in too many cases. We have no doubt that his practical view of the case is substantially correct. It is only the inability or reluctance of the great majority of parents to expend a sufficient sum on the education of their children which makes the present system possible. "E.W." agrees with us that the present system is indefensible on its merits. He is, we fear, right in regard to its popularity. The facts which he presents touch, however, but one side of the question. Admitting for the moment that they form a strong argument in favour of the one-book method, they constitute no reason whatever why that one-book should be chosen on the one-man principle; *i.e.* by a single Minister, not necessarily possessed of the highest qualifications as an educator, either on his own judgment or caprice, or with the help of such advisers as he may choose to summon to his aid, instead of by a board of well-known and responsible educators. The very fact that a book chosen "comes to stay," and that no alternate or substitute is permitted, is one of the strongest reasons why no pains should be spared to make sure of selecting the very best. Still less is the fact that, for pecuniary reasons, teachers and pupils must be confined to a single book and the same book in a given subject, for a term of years, a reason why those books should not be furnished on sound commercial principles, instead of through the medium of money-making monopolies. On the other hand, the very necessity for supplying the books, as cheaply as possible, is a strong condemnation of a plan which deprives the buyers of the benefit of competition and enables favoured publishers to sell hundreds of thousands of them at double the cost of manufacture. Thus "E.W." will see, if he reflects a little more closely, if parents were but wiser they would insist on enjoying all the benefits of the freest competition in reducing prices. But though we have assumed, for the sake of argument, we are by no means ready to grant that either uniformity or permanence is desirable in regard to the text-books themselves. The teachers choice should count for something. The best book of to-day may be surpassed in excellence to-morrow. He would be a very unprogressive farmer who would be willing to be shut up to the use of the same kind of a plough or reaper that he used ten years ago or that his father used before him. Is it less essential that the tools of the teacher's calling should be held subject to constant improvement? We have no doubt, and "E.W.," as a teacher of experience, will probably agree with us, that from the point of view of economy alone, much time and money could be saved to parents in the education of their children, if they could and would but manage to pay better salaries, thus securing better teachers, and to supply the schools more freely with the best books. Perhaps this latter point will not be reached until an arrangement is made by which the books shall be bought at wholesale by the boards and supplied to the schools either free, or for a trifling rental. No kind of private property deteriorates more rapidly in value than school books.

THE Single Tax Association of Toronto, the new organization into which the late Anti-Poverty Society has been metamorphosed, has decided to agitate for the submission of the following questions by ballot to the voters at the next municipal election:—"Are you in favour of abolishing taxation on any of the following items:—Income? Personalty? Buildings?" The answer "Yes" or "No" is to be asked for in each case. The secretary of the society has sent to each of the labour organizations in the city a circular asking those of them which favour the idea to pass a resolution calling upon the City Council to take action in regard to it. This is a movement looking, of course, directly towards the goal of the association, the raising of all public revenues by a single tax on land values. We freely admit that there is much force in many of the arguments used by Henry George and his disciples in support of their theory. The money for public purposes has to be raised in some way. The first aim of all tax legislation should be to find and use the system which will distribute the burden of taxation as justly as possible among all classes of the population, in proportion to their ability to bear it, and to the benefits they receive from the civil government for the maintenance of which the taxes are levied. Few thoughtful persons will deny that each of the three taxes named fails for various reasons to meet one or the other of these conditions. The two first named are notoriously provocative of deception and fraud, and are never fairly distributed; the third tends to discourage improvements. All three are taxes on industry and thrift. The first two can never be fairly apportioned and collected without such an inquest into every citizen's business concerns as is repugnant to modern ideas of the liberty of the subject. Negatively, then, the single-tax advocates make out a strong case. We are not sure that positively their specific might not be just in its incidence and simple in operation if once it was fairly inaugurated. But there's the rub. How is the new plan to be introduced without either enormous expense or gross injustice? This is a question that we do not remember to have seen fairly met, though we make no claim to have read all that has appeared on the subject. But here is, it seems to us, the crux of the scheme. We may admit, for argument's sake, that there should be no absolute private property in land, that it belongs like air and ocean to the whole people. The methods by which the lands in different countries were distributed and appropriated may have been iniquitous in the extreme. Nevertheless, thousands of honest citizens have invested their hard-earned capital in bits of land. On no just principle can they be suddenly deprived of the property thus acquired. It is but an evasion to reply that they will not be deprived of their property; they will have the right of priority and may keep it as long as they please, on condition of paying the tax. But the tax is expressly to be levied on the value of the land, hence the land becomes valueless as personal property. It is no longer saleable. Hence the man who paid, say $10,000 for his lot, can by no possibility, so far as we can see, recover his money. He has been despoiled of it by municipal or parliamentary act. This is, we are aware, no new argument. The question is, Is it a sound one? So soon as the single-tax advocates can show us how the change is to be brought about, in the first instance, without gross injustice and robbery we shall be prepared to further consider the proposal.

THE Supreme Court of the United States has at last rendered a decision in reference to the case of Marshal Nagle. The decision affirms the judgment of the Circuit Court of the United States, by which the Marshal, in a *habeas-corpus* proceeding, was discharged from custody under the law of California for the shooting of Judge Terry while the latter was in the act of committing a violent assault upon Mr. Justice Field, who was then travelling in the State of California in the performance of his judicial duties as a Justice of the Supreme Court of the United States. This decision ends the case, so far as Nagle is concerned, and releases him from all liability under the laws of California for the act of shooting Terry in the circumstances. It exempts Nagle from any responsibility before any court. The grounds on which the decision rests are these: First, that Mr. Justice Field, when travelling in California on his circuit, was as really engaged in his judicial duties as he would have been if sitting in court and actually trying a case; secondly, that the Marshal, when shooting Terry, who was in the act of assaulting Mr. Justice Field, was simply acting "in pursuance of the laws of the United States," and was not therefore amenable to the laws of California for what he did. We give the reasons as we find them stated. The first seems clear and reasonable enough; the second, if fairly summarized, is hard to understand. We suppose it must mean that a Marshal of the United States is authorized to take the life of anyone making an assault upon a person under his protection, no matter in what State of the Union he may happen to be. One would suppose that the authority would be conditioned by circumstances, especially by the impossibility, or otherwise, of preventing a murderous assault in any other way. Possibly it may have been so stated in the full verdict. Chief Justice Fuller and Mr. Justice Lamar, in a dissenting opinion, claim just the reverse of the doctrine laid down by the majority of the court, and insist that the sole jurisdiction to deal with the act of Nagle for the shooting of Terry is in the State of California, a view which would leave Federal officers in the discharge of their duties simply to the protection of State