

doing without some such powerful support as that of the C.P.R. They might get subsidies, of course; perhaps they are, indeed they seem to be, peculiarly qualified for that work; and if the subsidies build the road, or build it with the subsidies and the funds, there is no difficulty in seeing how the trick is done. The interest of the Canadian public is that two railways, extending to the Pacific, should not be under the control of one great monopolizing company. And practically the same thing as oneness of control may be done through traffic arrangements, which the Government is willing to grant.

A decision of the Privy Council has been given in a British Columbia case, *Bryden v. the Union Colliery Company*, which, in the absence of details, is interpreted to mean that Chinamen may be employed in the mines of that province, and presumably of any other, notwithstanding that a local Act purports to prohibit persons of that nationality being so employed. The necessary inference is that the Act is *ultra vires* of the Legislature that enacted it, being presumably opposed to the treaty obligations of Great Britain, which form the supreme law. A local paper pretends that the Privy Council could not possibly be aware of all the facts, if the province which favors exclusion, and enacted the restriction, neglected the case so far as not to put all the facts before the Court. We suspect that the Privy Council was fully cognizant of all the facts, and its duty was to apply the law to them, which it did. The decision, we can understand, could not give universal satisfaction in a province where public opinion is strongly divided on the question, with a decided leaning against the employment of Chinese labor.

The Digger News, and not as one of our morning papers puts it, in a headline, President Kruger, threatens that, in the event of war, the Boers in the Transvaal will destroy the valuable mines and machinery. In these days, civilized nations respect private property in time of war, unless its destruction would enable them to gain some advantage. To destroy the mines and machinery would not help the Boers to obtain a victory, or to end the war. The fact that such threat is made shows the danger of a state of things in which those who own the great bulk of the property of the country are reduced to the condition of political eunuchs. The refusal of the joint enquiry proposed by Mr. Chamberlain, if it be final, would deprive diplomacy of one more resource. What is certain is that both sides continue to make preparations for war, without quite losing the hope that war may be averted. While England is sending forward more troops to the Cape, the Boers are reported to be collecting immense stores of provisions and material of war at Pretoria, and arranging with the Netherlands South African Railway for the contingent mobilization of troops. The Boer Legislature, having passed a law to make all residents liable to serve in the army, in case of war, is credited with the intention to bring forward a measure to prevent the Uitlanders leaving the country, during war, without permission. Many are leaving while they may. Some accounts represent the Kafirs as a menace to England, in the event of war; but if there is here a danger to our side, the Boers have a possible enemy in the Basutos, who are said to be capable of putting 30,000

men into the field. The Basutos are under British protection, and are not being encouraged to expect that their aid would be accepted by England.

MUNICIPAL HOME RULE.

The Montreal Herald thinks that "no more timely or more urgent issue can be raised than that of municipal Home Rule." The question, as raised by the Herald, is one of the respective jurisdictions of the Provincial Legislature and the municipality of Montreal. In a general way, and even with some particular complaints, the present Chief Justice Meredith, when leader of the Provincial Opposition of Ontario, often worked the same vein. A New York case is quoted by the Herald, in which the Legislature of the State ordered the municipality of New York to issue debentures for a prescribed work, a new Hall of Records—presumably a Registry Office; the Council refused, and in doing so fell into contempt. Both in Ontario and Quebec, the Legislatures have constantly enforced similar legislation, for the last fifty years and over, ever since the establishment of municipal institutions, and no complaint has ever been heard against it. The grant to municipal institutions was received with these limitations. In all divisions of legislative powers, there must be some dividing line. When the English king granted the first charter to the city of New York, the municipality received power generally to do anything of a local character not inconsistent with the laws of England; that was the dividing line. The English courts have uniformly decided that, after the British Parliament has granted a colony self-governing powers, the Crown could not impose upon it anything inconsistent with that grant; but the power of the British Legislature was supreme. Montreal does not complain that the Legislature has ordered it to make special appropriations, contrary to the powers the city enjoys under the municipal law; but it is half afraid that it may do so. If any question of the Legislature crossing the forbidden line should arise, it can only be settled by the courts. The parrot cry of Home Municipal Rule defines nothing and can settle nothing.

TREATY BETWEEN FRANCE AND THE UNITED STATES.

In the last week of July, a treaty was concluded between France and the United States, which is likely to bring about some alteration in the commercial relations between the countries. It is rather more than a year since reciprocal concessions were made by the two countries, each granting to the other its minimum tariff for a few articles, among which were still wines and spirits by the United States, and salted pork and lard by France. We have heard often since that negotiations for a more general treaty were going on, and they appear to have resulted in a treaty. While particulars are not obtainable, it is understood that the States receive the most-favored-nation treatment. The Paris "Temps" thinks France will be similarly treated by the States, and adds that "agriculture will have reason to rejoice, for to mention but one article we remind our readers that last year we sold to the United States 100,000,000 of wine." Nevertheless it is interesting to