

without any thought or reference either to the law which as citizens they set up, or to the judges whom equally they appoint to administer it.

Oddly enough the same democracy, constituting itself both judge and jury, is unable to supply from among its numbers twelve good men and true to try the case at close range. A *cause célèbre* is presented to an astonished country, in which the chief witness for the prosecution gives his testimony before an association of bankers; the advocate for the defence harangues not the court but the newspapers; and the judge is besought to do anything but try the case and give the judgement. To such a pass does the pragmatic spirit bring those constitutional forms which an age-long struggle for reasonable safeguards of freedom has so laboriously attained.

Let it be remembered, too, that at the very moment when democracy seems about to take over a part of the constitution in which it was never schooled, it is abandoning to arbitrary committees just those subjects which it ought most assiduously to control. In the judicial sphere of the state where expert administrators could far better maintain rights and prevent infringements than could any interested and short-seeing voters, an arbitrary ballot is to supplant an impartial arbiter. But of that department, embracing taxation and the freedom of contract, where universal interest is the surest ally of liberty, commissions, discretionary and domineering, are to be handed the charge.

In Canada, a new government proposes to put the tariff under the control of a commission. It will entrust to an executive body what should never be taken out of the sphere of parliamentary debate. It will turn into a department what ought to be the most constant of political issues. It will compromise the state, as far as can be seen, by the inherent views of only one of the political parties; and by so doing, will be the most effective means of preventing any criticism of those views. All this will be done in the name of practicality by men who have never considered for a moment the bearing of it all upon their constitution and their liberty.