

very grave objections to it mentioned in the report, this Committee cannot be looked upon as a permanent body.

Railways all over the world are becoming such busy and important factors in the commerce of the different countries, that their vast and complex systems will in the future form a separate study by itself, and it is only those who can give the subject the greatest and most continuous attention who can at all expect to grasp this vast mass of apparent incongruities. Canada is comparatively young in railways, but from the experience of our neighbours and the Continental countries, it will be well for us not to sit still and wait until the skein gets too much tangled, so that we may have to damage it in the unraveling. Now is our time; we are in a fair way of doing something, let us do it well, and not have to go back on our work and have to commence *de novo*.

In conclusion, it is most important that the persons constituting the Committee should not be subject to frequent change. They have much to learn which only experience can teach. It will be impossible, moreover, for men occupying the highly important and engrossing positions of Minister of Railways and Minister of Justice to do justice to the work that would devolve upon them. This work must necessarily include much detail, taking and consideration of evidence, etc., and any lawyer knows how unsatisfactory a decision is from facts gained at second hand, and arrived at in a hurry, trusting much to subordinates. Then again, the political aspect of the situation is most important, as no tribunal composed of political leaders can command the confidence of all.

We are not prepared to say that the Commission we speak of would be perfect, nor that the experience in the United States is entirely satisfactory; the public, moreover, as a rule, only know where the shoe pinches, and are not in a position to judge of the remedy—at the same time we trust the Government will shortly see its way to the appointment of some independent tribunal on a well-considered plan.

COMMENTS ON CURRENT ENGLISH DECISIONS.

MANDAMUS—RETURN TO MANDAMUS OF COMPLIANCE—PLEA TO RETURN TO MANDAMUS.

The only point worth noticing in *The Queen v. King*, 20 Q. B. D. 430, is the decision with regard to a point of pleading involved. A mandamus had been obtained requiring the defendants to hold a further adjournment of their annual general meeting, to hear and determine the application of the prosecutor for a certificate to hold an excise license to sell wine by retail. The defendants returned in effect that they had unconditionally complied with the writ; to which return the prosecutor pleaded that the defendants were only entitled to refuse the application upon one or more of the four grounds specified in a statute; but that they had refused the applications on other grounds contrary to