

violently assaulted, and windows and doors broken in with stones by a mob, and the police, instead of resolutely protecting the worshippers and dispersing the mob, hustled the parties thus attacked without shadow of provocation off to the protection of private houses, and failed to arrest any ring-leader of the attacking crowd, the natural inference was that we were to be treated to another exhibition of good justice. We are glad to know that better counsels have prevailed. Though, so far as we are aware, no attempt has been made to punish any of the guilty parties, other steps have been taken to vindicate the good name of the historic city of Canada. The press of the city has vigorously denounced the outrage. The Mayor has, we believe, had the damaged places of worship repaired at the city's expense. By order of the Bishop the priests have condemned the outrage from their pulpits, and it is reassuring to observe that in doing so several of them expounded the principle of religious liberty and free speech in sound and emphatic terms. Prominent public men have done the same with good effect, among them Hon. Wilfrid Laurier and Mr. Israel Tarte, M.P. On the principle of giving honour to whom it is due, we may add that, while Mr. Laurier contented himself, after a single reference to the affair as "a violation of the most sacred rights of conscience," with a strong condemnation of intolerance on the ground of expediency, Mr. Tarte denounced it in the clearest and most emphatic terms, as a violation of the liberty of the subject, and his inalienable right to freedom of thought and speech in every part of Canada.

Of course such differences of opinion in the courts are usually the outcome of different interpretations of statutes which are found to be more or less obscure or ambiguous. This suggests an important question in regard to which, judging from the correspondence in the papers—much of it, no doubt, from the pens of members of the bar—there would be broad differences of opinion among the members of the legal profession. Is the needed reform to be found in improved legislation, or in improved interpretation and administration of the laws? In other words, is want of perspicuity in the laws themselves, or want of acumen in the interpreters, the main cause of this uncertainty in the judgments of the courts? According to the opinion which one may reach upon this point will depend, probably, his view with regard to the related question. Would uniformity in legal decisions be better promoted by stricter adherence to the letter of the law, or by greater liberty in interpreting it according to its supposed spirit, rather than according to the *ipsissima verba*? Some, we observe, seem to look in one direction, some in the other. This is a most important distinction. It makes the issue, as some one—the

*Globe*, we think—has suggested, as between the infallibility of legislators and that of judges. Not believing in the infallibility of the latter we should shrink from giving them too wide a liberty in applying supposed broad principles instead of printed clauses, and in giving judgment according to their notions of equity, rather than according to the words of the law. On the other hand, cases such as one which came under our notice the other day, in which the employee of a certain firm, being absent without notice in consequence of sickness, was unable to collect money fairly earned because of having signed an agreement to give ten days' notice of leaving or forfeit wages due to a certain amount, give us pause. No one could read the evidence in such a case without sympathizing strongly with the judge in his strong expression of regret that the law obliged him to give a decision which was unrighteous. We repeat the question as one which it might be profitable to have discussed in this connection. Would the ends of justice be better promoted by the closest possible adherence on the part of the courts to the strict letter of the law, or by a wider liberty to be guided by the principles of equity in the individual case?

The session of the British Parliament which is just closing has been a remarkable one, and bids fair to become a historical one, albeit very little legislation has been put on the statute book. Its importance arises very largely from the radical character of the measures that have been either brought forward or foreshadowed by the Government. Not merely one but several of these measures are of such a kind that their enactment into law would amount almost to a revolution, in each case. The budget which was passed introduces, or at least carries to an extent hitherto scarcely dreamed of, the new principle of gradation of taxation according to the ability of the individual to bear it. The Home-Rule Bill, the Evicted Tenants Bill, and the Miners Eight-Hours Bill, among the measures actually attempted and defeated, and the bills for the payment of members of Parliament, the disestablishment of the Church of England in Wales, and the introduction of simultaneous elections and the one-man, one-vote principle in the use of the franchise, among those promised at an early session, may be mentioned by way of illustration. Then the new precedent which has been twice created, of mediation by a member of the Government in labour difficulties, is pretty sure to broaden down into a kind of constitutional usage, which may yet have an important bearing upon the settlement of the relations between capital and labour. The prominence these and other bold innovations have now received indicates the presence of a popular demand which will probably prevent any of them from being quietly dropped, while past history leads us to believe that most of

them will sooner or later, by one party or the other, be incorporated, in substance, into the legislative code.

Speaking of measures past and prospective leads our thoughts naturally to the men upon whom the leadership of the radical forces was devolved by the retirement of Mr. Gladstone, in itself an event of sufficient importance to make the session in which it occurred historical. Newspaper and cable reports with reference to the alleged antagonism between the Premier and the Leader of the Liberals in the Commons, must, of course, be accepted with much reserve. They are often the fabrication of an enemy, and are often the forecasts of those in whose minds the wish is father to the thought. Nevertheless, it is impossible to doubt that there is a foundation in fact for the popular rumours. Even at this distance one cannot read the speeches of Lord Rosebery and Sir William Harcourt without perceiving that their modes of thinking, not to say their principles of action, are wide as the poles asunder, and that the possibilities of harmonious co-operation between them for any length of time are few and small. That they will retain their present relations even during another session is extremely unlikely. What will be the upshot it is impossible to predict. The retirement of either would almost surely shatter the Government, or break the feeble hold it now has upon Parliament. Whether from choice or necessity it is pretty certain that the Government must go to the country before the next session is many months old. To do this with rival leaders and divided counsels would be to court defeat. At the same time, Tory rule under present conditions is an almost manifest impossibility. Without venturing upon the bold role of the prophet, one finds it hard to resist the conclusion that a coalition of some sort, or at least a re-union of the less radical with the dis-sentient Liberals is among the possibilities of the not distant future.

*Exceptio probat regulam.* The appearance in the current number of the *Canadian Magazine* of a well-written and thoughtful article on a philosophical subject by the Hon. David Mills, M.P., serves to accentuate the contrast which one is sometimes tempted to make between our Canadian statesmen and those of the Mother Country, in respect to range of studies and interests. While our ablest public men as a rule are politicians, or if we may apply to some of them the term which usage has made more dignified, statesmen, and nothing more, unless it be in a few instances, lawyers and jurists, the magazines and reviews, and the transactions of the literary, scientific, and philosophical societies of Great Britain, are continually reminding us that a considerable percentage of the Parliamentary leaders in the Old Country are devoted to liberal studies, and able to take their part on occasion in learned discussions.