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The Second Reading Debate.

ON Wednesday the 23rd inst. Sir Wilfrid Laurier, leader of the Canadian House of Commons, moved the second reading of the Autonomy Bill, which he had introduced on Feb. 21. The clause over which an attempt was made to agitate the country relating to education, would be struck out in committee, the Premier announced, and a new one substituted. The new clause reads as follows:—

"Section 93 of the British North America Act 1867, shall apply to the said province, with the substitution for sub-section 1 of said section 93 of the following sub-section:

"1. Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this act, under the terms of chapters 29 and 30 of the ordinances of the north-west territories passed in the year 1901.

"2 In the appropriation by the legislature or distribution by the government of the province of any moneys for the support of schools organized and carried on in accordance with said chapter 29 or any act passed in amendment thereof, or in substitution therefor there shall be no discrimination against schools of any class described in the said chapter 29.

"3 Where the expression 'by law' is employed in sub-section 3 of the said section 93, it shall be held to mean the law as set out in said chapters 29 and 30; and where the expression 'at the union' is employed in said sub-section 3 it shall be held to mean the date at which this act comes into force."

This carries out precisely the idea outlined in these columns on two different occasions, namely, that what would be satisfactory to the western members, including Mr. Sifton, would be a clause perpetuating the classes of schools now there and established by the ordinances of the Legislature of the Northwest Territories.

The situation is now made quite clear. The government declare that from the first their intention was simply to continue the schools established by the local authorities of the territories by virtue of Mr. Mackenzie's Act of 1875 by which a constitution was first given to the Northwest. As drafted the clause reverts to theoriginal intention. It is undertood to be acceptable to Mr Sifton and to the other members from the West as well as to practically all the Liberals in the House. Both Mr.

Leighton McCarthy and Mr. Bourassa are independents. And if either of them objects to the clause the government will not seek to control them.

Mr. Haultain is understood to say that these classes of schools shall be continued in the new provinces, and in fact has stated that he would not be a member of a Provincial government that disturbs the separate schools of that country. But, however he claims that the Autonomy Bill should not contain any clause affecting education, except to affirm, what he admits, that section 93 of the B. N. A Act, which is the education section protecting the minority school rights should apply to the new provinces. In other words the issue which Mr Haultain raises is not a school issue, the Ontario agitation to the country notwithstanding. The agitators in Onatrio are leading the public to believe that the bill "fastens separate schools on the new Provinces" against the wishes of the people. This, on the contrary, seems to be a case where the people of the Northwest Territories do not regard the continuance of a school system established by themselves as an evil, nor do they consider it an outrage to confirm a local system that has worked well for many years. There is nothing more to this matter than what has been stated above, although we will be treated to pages of Hansard in the House of Commons when an attempt will be made by some of the members to regard this as a bill forcing separate schools on an unwilling province, which to our mind is an evasion of the question and a befogging of the issue.

Each member of the House is entitled to take his own point of view, but his constituents will expect him when his position is challenged in debate to make good his ground and for this reason he should choose his ground carefully, in that spirit of patriotism without which the various portions of this great confederation cannot be bound permanently together.

Sir Wilfrid Laurier's speech was dispassionate, perhaps it might be described as a chastened tone. At all events it was confined almost altogether to the educational question.. He recalled to the recollection of the House that on this question he had always occupied a consistent and constitutional position. This was no new question. In 1875 the Roman Catholic minority appealed for redress but he had voted with Mr. Mackenzie that Parliament was ousted of jurisdiction. In 1889 he supported the government of Sir John Macdonald on the Jesuit Estates Act issue. In 1895 he opposed the attempt to force Manitoba with regard to a law which the highest judicial authority said was within her legislative jurisdiction. In discussing the question now the leader of the Opposition had adopted on the first reading a moderate tone, but the press supporting him in the country was violent and tried to influence the public mind. On this occasion, as on all others, he stood upon the rock of the constitution of Canada. The premier entered into a constitutional argument, as to whether parliament should not keep the pledge of separate schools given unanimously in 1875 He went into the history of section 93 of the B. N. A. Act, showing that it was contrived at the instance of Mr. Galt for the purpose of protecting the Protestant minority in Quebec in the exercise of their right to separate schools. Whenever a province comes into the Dominion the minority were entitled to the garantees of the constitution. The intention of clause 16 of the bill was to secure these, but some objected that the langugae was too broad and too vague, and might cause trouble in the future. In order to make it clear the new clause incorporated the Ordinance of the Territories as it exists today. The premier spoke for only forty minutes.

Mr. R. L. Borden, leader of the Opposition, who followed the premier abandoned that position at the outset by stating that he spoke only for himself, and that each member of the Opposition would be at liberty to vote as he pleased; in other words that it was not to be a party question so far as the organized opposition was concerned. Having thus surrendered his position as leader Mr. Borden proceeded to speak as the member for Carleton, Ont., a position bestowed upon him in his capacity as leader. This anomalous position

must have given to a man of such keen appreciation and fine feeling as Mr. Borden some embarassment. His argument was long. Summarized in a few words He was opposed to clause 16 as originally drafted, and also to the substituted clause. He thought, following Mr. Haultain's contention, that it was sufficient to apply section 93 of the B. N. A. Act without variation. As it stood clause 16, as proposed, attempted to amend the B. N. A. Act. If it was imperative to apply the B. N. A. Act to the new Territories in respect of education why was it not imperative to apply it to the Maritime Provinces? He forgot that he had just admitted that the B. N. A. Act does apply to the new Western porvinces. Mr. Borden's principal argument was, leave all matters of education to the provinces, subject to section 93. He declined to declare himself on the merits or demerits of separate schools. He would leave that to the new provinces. In amendment he moved a motion to that effect.

Mr. Fielding the leader from Nova Scotia, rose to speak after eleven o'clock, and made the most stirring speech of the day. He is a Baptist, and like all Baptists strongly in favor of one common school, and said so. But, he added, they had to remember that 41 per cent of the population did not agree with that view. They could not govern this country by saying, we the 49 per cent being the stronger will impose our view upon you. He pictured the outcry if the Protestant minority in Quebec were invaded. Then, he asked did the minority elsewhere not possess the same rights He stated that Mr. Haultain in his letter spoke only for himself, and that the government of the Northwest Territories had made no protest against the bill or the education clause. One of the best points made by the minister of finance was to describe the kind of a separate school they had in the Northwest It was really a national public school It was established by public authority, inpscted by public authority, had qualified teachers, and the same text-books as the other public schools. From the hour of opening until half-past three the two schools were absolutely alike. There was then a half hour for religious instruction under the general school law. He did not see very much to quarrel over in that, and he deprecated strongly resolving this question into a religious issue, because that would lead to a critical stage where government would be impossible and instead of harmony, development and prosperity as at present there would be strife and bitterness. Mr. Fielding closed at midnight a speech which drew from the Liberals a tremendous volley of cheers. The public galleries were crowded all day and evening in a way they have not been since the days of the Remedial Bill in 1896.

Dr. Sproule resumed the debate on Thursday, opposing the education clause and contending that the matter should be left entirely to the provinces.

It is understood that the bill as it will be amended has the support of Mr. Sifton.

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ARNOTT J. MAGURN, Editor
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THE Victoria Times of the 13th inst. makes the statement that the McBride Administration has fallen completely into the mesh of the C.P.R. and have adopted the policy of assisting that company to build from Midway to Spence's Bridge, which would connect the company's lines in the Kootenay and Boundary country with its main line.

AN Ottawa lawyer who acts as notary for that branch of the Imperial bank lays down extraordinary law. Every business man knows that nearly all regular commercial accounts are collected by means of bank drafts, and if from accidental cause he allows the bank to close without meeting a draft he has accepted and he telephones the manager that he will send over a cheque in the morning, the manager says all right, and there is no difficulty. In this case the bank closed three hours earlier than the regular hour, it being Saturday. A few minutes after twelve, the usual "no protest" having been torn off by some inexperienced clerk in Toronto, the bank handed the draft to its notary for presentation and, in the event of default, protest. Before the notary could get to the office of his intended victim the bank manager was telephoned that the matter had been accidentally overlooked and that a cheque was drawn for the trifling amount of $21. The manager said that would be acceptable and to tell the notary who was on his way over to accept the cheque and not to protest the draft The notary replied a few minutes later that the bank had nothing to do with it and discourteously refused to accept the cheque In other words the bank could instruct him as their notary to protest but could not instruct him not to protest. If that is notarial law it is time for amendment. But is it? We are informed not. Another question. What is the last legal hour for payment of a note falling due on Saturday? What law makes it twelve instead of one or three o'clock?

IT is instructive to notice the energy with which the Rhodesian interests are trying to fortify themselves in South Africa. There is a good deal of alarm at the prospect of the Government passing into the hands of men who are and will remain independent of the mine owners. Consequently the papers that represent those interests are doing everything they can to work up feeling and alarm at home and in South Africa. Recently, for example, they have been enlarging on the wickedness of General Beyers who is reported to have said that if things continued as they are now there would be a repitition of the Slaghter's Nek Rebellion of 1815. He added that the Transvaal would never let itself be saddled with the contribution of thirty millions. General Beyers' outburst has been repudiated by General Botha and the Boer leaders. Meanwhile the papers that are enlarging on the gravity of this symptom of disaffection are doing their best to threaten the Home Government with disaffection of other interests if a Liberal Government puts an end to the arrangements by which British labour is excluded from the Rand to suit the political ambitions of its Oriental owners.

JAMES M. BARRIE
The well known author.

New Brunswick's Case.

IN the Legislative Assembly of New Brunswick on the 17th inst. a resolution was adopted unanimously respecting the representation of the Province in the House of Commons. The St. John papers give the text of the resolution and the leading speeches in full, and as the subject is important, and involves some points as to the Autonomy Bill now before Parliament, we think it timely to reproduce both.

The resolution reads as follow:—

"Whereas, the judicial committee of the privy council in its recent decision on the appeal in the representation case, left undecided the question whether in computing the population of Canada under sub-section 4 of section 51 of the B N. A. Act, the population of the territories should be included.

And whereas, in the imperial order-in-council providing for the admission of British Columbia as a province of Canada and by the statute which created the province of Manitoba, it was provided that the British N. America Act 1867 should apply to them as if it had formed part of the confederacy as originally constituted, whereby the contention of the government of this province that in construing sub-section 4 of section 51 of said act the words "population of Canada" mean the population of the four original provinces was greatly and justly prejudiced.

And whereas, the northern bonndary of the province of Quebec at confederation was understood and recognized to be the height of land between the waters flowing into the River St. Lawrence and those flowing into Hudson Bay.

And whereas, the parliament of Canada did by the act 61 Victoria, chapter 3, enlarge the limits of the said province of Quebec by the addition to it of a large area to the northward (the area at that time being 193,355 square miles) thereby increasing the territory of the said province to 351,873 square miles, an increase of 158,518 sqaure miles.

And whereas such act was passed under the authority of the imperial statute, being the B. N A. Act 1871 which declares that the parliament of Canada may from time to time with the consent of the legislature of any province increase, diminish or otherwise alter the limits of such province, upon such terms and conditions as may be agreed to by the said legislature, and may with the like consent, make provision respecting the effect and operation of any such increase or diminution or alteration of territory in relation to any province affected thereby.

Therefore it is resolved, 1st, that in the opinion of this house, the earnest attention of the government of Canada should be drawn to the effect of said order-in-council and statute respectively relating to the admission to the union of British Columbia and Manitoba and it should be requested to take such action as may be necessary in order to restore the four original provinces to the position in which they would have been but for order-in-council and legislation passed subsequently to the B. N. A. Act 1867 in respect to whichsuch provinces were not consulted and to which they were not parties. 2nd, that in the act for the creation of the new provinces of Alberta and Saskatchewan it should not be provided that the B. N. A. Act shall apply to them as if they were in the union originally and the rights of the original provinces as to representation should not be affected by the creation of such new provinces. 3rd, that in justice to the other provinces particularly New Brunswick, Nova Scotia and P. E. Island, which have no opportunity for enlargement of their areas, it should have been provided and

should now be provided that for the purposes of representation the boundaries of the province of Quebec, the population of which is the basis of representation, should be deemed to be as they were at the time of confederation or that some just and equitable provision should be made to save the other original provinces and also P. E. Island from loss of representation.

And further resolved, that a copy of the aforegoing resolutions signed by the clerk of this house be forwarded to the secretary of state, with a request that the same be laid before his excellency the governor-general and that a copy be also forwarded to the Right Hon. Sir Wilfrid Laurier.

Premier Tweedie in moving his resolution said: In moving this resolution it is not my intention to speak to the question at any length. Before any action was taken by us or the decision of the judicial committee was announced there were plenty of our people who were quite certain that our contention in regard to that subject was correct. But when the decision was against us it is surprising how many people there were who declared that they knew beforehand that there was nothing in our contention and that we were wrong in endeavoring to sustain it. But I feel that we are able to stand any criticism of that kind, for I hold it to be the duty of any government of this province, as well as of all persons, whether in the legislature or out of it, who have the interests of the province at heart, to see that the rights of the province are preserved. The question in such a case should be what is the duty of the government? For if we do not guard the interests of this province we may be sure they will receive little consideration from the federal authorities. If we had allowed the federal government to do as they pleased, what position would we have been in? In 1867, immediately after confederation, the federal government undertook to deal with our inland fisheries as if it owned them. Fortunately there were some people who held that their rights had been violated, and we fought the government on this issue with the result of showing that the federal government was wholly in the wrong. In what position would Ontario have been if Sir Oliver Mowat had not been there to stand up for the rights of that province? I feel that it was our duty to draw the attention of the government and parliament of Canada to this matter. The resolution sets forth pretty fully the objects which we desire to attain The decision of the privy council in the representation case left undecided whether in computing the population of Canada the population of the territories should be included. Now in erecting these territories into provinces I hold that they should not be dealt with so as to interfere with our rights, as was done in the case of Manitoba and British Columbia I cannot view with indifference the prospect of the representation of New Brunswick in the parliament of Canada being reduced by two or three members, as might be the case in future.

I feel that this is a question which should be discussed by the members on both sides of the house in the fullest manner and with a single eye to the interests of the province. It is worthy of note that sometimes gentlemen who are very hearty in favor of provincial rights when members of the provincial legislature, become strangely indifferent to them when they go to Ottawa. I remember that Messrs. Fielding and Blair were very prominent in urging the rights of the maritime provinces at the Quebec conference in 1887, but when they got to the larger field they apparently forgot that they were pledged to support those interests. It is a very remarkable thing that all the legislation of which we complain with regard to Manitoba, British Columbia and Quebec went through without the slightest opposition or protest. The order in council admitting British Columbia into the union gave that province six members which number could never be reduced, but might be increased by the growth of population. It placed British Columbia in the same position as if it had been one of the original provinces of the confederation. Its position was even better, for while its representation could not be decreased that of the other provinces might be decreased by reason of British

Columbia increase of population. The Manitoba act was in the sameterms of that of British Columbia when the bill was passed extending the boundaries of the province of Quebec in 1898 not a single voice was raised against it.

Dr. Sproule, who asked about the bill, was told that it was merely a matter of form. I think now that the time has come when the attention of parliament shouldbe drawn seriously to these things by which our rights are diminished. At the time of confederation Quebec had certain well defined boundaries. According to the census of 1871 it had an area of 193,555 square miles. Quebec is the province by which the representation of the other provinces is regulated. In 1898 an act was passed which extended the bonndaries of Quebec so that it contained 351,000 square miles, an addition of 158,000 square miles to its territory. This territory thus added to Quebec is through which the G. T. P. will pass and which we may expect to become populous in the future. The result will be to diminish our representation in a way never contemplated by the B. N. A. Act. It cannot be denied that this very seriously affects the interests of New Brunswick and of the other maritime provinces. I do not think that we ought to have been placed in this position. This province has an area of 27,000 square miles, and its area cannot be increased. The territory added to the province of Quebecwould make six provinces like New Brunswick and is certain in the future to contain a large population. When the imperial act of 1871 authorizing the extension of the area of any province was passed it provided that in enlarging any province regard should be had to the rights to the other provinces. But I may ask what consideration was given to the rights of the maritime provinces when Quebec, the key province of the Dominion was thus enlarged? It seems to me that this legislature should assert itself and speak out plainly for the interests of New Brunswick. It is our duty as a government and as a legislature to deal with all matters which affect the interest of the province and to see to it that theseinterests are properly upheld.

Hon. Mr. Pugsley said: I feel that having been called upon as one of the law officers of the crown to consider this question, it is not undesirable that I should express my views upon it. Before going into detail I may say that it is a matter of profound regret to me that the supreme court of Canada and the judicial committee should have decided as they have done. I have never entertained the slightest doubt that the fathers of confederation in framing their scheme of representation intended that it should be confined to the four original provinces of Canada, and that if other provinces were admitted it should be on terms. In that view I was fortified by the statements of one of the greatest statesmen of Canada, who was himself one of the fathers of confederation and who took a leading part in bringing it about. I refer to the late Sir John A. Macdonald, who in his report of the 29th December, 1870 on the admission of the N. W.T. said: "The general purview of the B. N. A. Act 1867 seems to be confined to the three provinces of Canada—Nova Scotia and New Brunswick—originally forming the Dominion." That was my own view of the case and notwithstanding adverse decisions it is my view today. I am pleased to know that many eminent lawyers hold the same view. I think it is only necessary for us to look at the words of the 51st and 53rd sections of the B. N. A. Act to become convinced that it was only intended to deal with the representation of the four provinces. In the course of the argument before the privy council one of the law lords admitted that if Newfoundlandshould seek admission to the union she could have a right to stipulate with regard to terms and respect to representation. How have our rights been taken away by the legislation of the Dominion? The only justification for it is that it was done by authority of imperial orders in council as imperial statutes at the request of the government of Canada. When British Columbia was admitted into the union it was stipulated that her representation should be increased under the terms of the B. N.A. Act and that this act should apply as if she had been one of the original provinces of con-

federation. The same thing was done with respect to Manitoba. Now, what has been the effect of this? It is that you must construe the British North America Act as if those provinces had been in the union in 1867. If that is so, the compact of confederation has been violated by legislation and by orders in council without us being consulted. Surely the authorities at Ottawa should see that this wrong is remedied.

According to my view of the matter any proposal to alter the constitution should be assented to by the legislature, yet we have never been consulted in this matter, by which our rights are so seriously affected. The premier thinks that the present time, when new provinces are being created, is an appropriate time to bring this question before parliament A singular thing happened in connection with the representation case. It was shown in the factum that the justice department at Ottawa doubted whether the supreme court had dealt with the population of the territories The judicial committee declined to decide that question. Now see the anomaly. The effect of the decision was to include the population of the territories, and thus to reduce the representation of New Brunswick. No person who heard the argument before the privy council could fail to have been impressed by the absurdity of our representation being reduced by the unorganized territory of the Northwest. Is it not absurd that we should be thus affected by the increase of the population of British Columbia, while the representation of that province can never be reduced? If the population of the territories and of British Columbia had been excluded, New Brunswick would not have lost a representative. The leader of the opposition has twitted me on my views not being accepted by the privy council, but he should know that sometimes the best opinion does not always prevail and that the decisions of eminent judges are sometimes overruled by other judges who are not so eminent.

One reason why the house should give attention to this matter is that in the Alberta and Saskatchewan bills the same words are to be found that are in the British Columbia and giving these territories the same standing as if they had been original members of the confederation. I cannot see why it was necessary to insert these words in the British Columbia act, or why it is necessary now, but I do say that whatever our legal rights may be at present, they ought to be preserved, and I hope that as a result of this discussion members of parliament who are friendly to us will stand up for our rights and try to do away with the injustice we have suffered in the past. I have no jealousy of the province of Quebec. I desire to see it grow and prosper because I think that the interests of Quebec are largely allied to our own. Therefore, when we raise the question of representation it is not that we are opposed to Quebec but because we desire to preserve our rights and retain some degree of political influence in the east. When New Brunswick joined the confederation the territory of Quebec was not much more than half what it is today. It was bounded on the north by the height of land which divided it from the territory of the Hudson Bay country. The boundary of Quebec was well recognized and is laid down in Arrowsmith's map published in 1815. It is referred to in the work of Bouchette, the surveyor general of Lower Canada, which was published in 1832. This is a book of the very highest authority, and it shows that the northern boundary of Quebec was long recognized to be the height of land which divided the waters flowing into the St. Lawrence from those flowing into Hudson Bay. Now it might have made a very great difference in the willingness of the people of NewBrunswick to join the confederation if Quebec had then been as large as it is now. I submit that when our people entered into the union they agreed to go into the confederacy with Quebec as it was and that the boundaries of that province and our interests safeguarded. As already stated by the premier the imperial act of 1871 provided that when the area of a province was extended the rights of the other provinces should be properly guarded. Yet in 1896 without this legislature being

consulted, the late Dominion government agreed with Quebec to extend that province to Hudson Bay, thus adding to it a territory which will soon be traversed by the Grand Trunk Pacific and which in time will become populous. The bill to carry out this agreement was introduced on the 2nd of June, 1898, by Mr. Sifton. It was introduced in blank and treated as a mere formal matter. On the 8th of June it was read a second time and passed. So far as the records of parliament show, there was no debate whatever on the subject, and this large area was added to Quebec without the maritime provinces being consulted. It does seem to me that in view of the legislation which has already taken place so seriously affecting our interests, and in view of what is now being done in connection with the legislation for the N. W. T. this government is but doing its duty in asking the legislature to express its views and endeavor to undo this great wrong.

JOHN REDMOND

The Irish leader who has been reducing the Balfour majority in the British House of Commons.

Japanese Forecasts of Japanese Peace Terms.

IT is high time that Japan ceased to give herself the airs of a "great moral hero" of "Confucius or a Jesus Christ engaged in a holy war without interested motives," declares the Toyo Keizai Shimpo (Tokyo), an organ which can speak at first hand regarding responsible Japanese opinion. "If we have any intention of acquiring territories, let us take them openly. We should change the language of our diplomacy. It were best that we refrain from constantly invoking sentiments of pity, or morality, of right." This language, characteristic of those Japanese organs which are just now advocating 'Japanese supremacy in the Far East," is taken in France to mean that the Tokyo Government will consent to no peace which does not recognize, in some form or other, the sovereignity of the Nippons in Korea, in Manchuria, and even, it would appear, in China itself. In confirmation of this French interpretation of Japan's attitude to peace, attention is directed in Paris publications to an article in the Revue diplomatique from the pen of Professor Tomizu, who occupies the chair of international law in the university of Tokyo. The writings of this eminent publicist did much, it is said, to prepare the Japanese mind for a warwith Russia. The professor preaches Japanese supremacy in the Far East. The following paragraphs from this article are believed by the Revue de Paris and by a writer in the Nouvelle Revue (Paris), to reflect the official mind of Tokyo:

"China seems now to have lost her opportunity of ever becoming a great power Henceforth it is the interest of Japan to obtain on the mainland of Asia territroy bounding the territory of China. To state the truth more clearly, if we return Manchuria to China as matter of form, it must be in order that Manchuria shall become a Japanese possession in point of fact.

"Were Manchuria to become a Japanese possession, and if later troubles were to arise in the interior of China, Japan would be in a position to calm those disturbances at once. Japan must not shrink if circumstances require it, from sending her army into China. . . . If then, forced by circumstances, Japan should take possession of China, it would not be difficult for her to hold the country.. The very length of the present war may have its advantages. During the period in which her army must remain in Manchuria, Japan will establish friendly relationswith the people, she will set up a military government, protect agriculture, collect the taxes, and the like—things which will permit her to maintain there a large army without excessive expense and to prepare the ground for a future territorial acquisition. The army is now in occupation of that portion of Manchuria which is richest It would be absurd after having expended so much there in lives and in treasure, to return it to China without any indemnity. But with or without an indemnity, it is simply right to restore it to China in name only. If the Japanese had not defeated the Russians, Russia would have retained Manchuria in fact and in form.

"Nor is this the only forecast of Japanese peace terms with which this high authority has enriched the columns of responsible organs. For Professor Tomizu writing in the Tokyo Taiyo, declares that Russia must be asked to cede all Siberia, east of Lake Baikal, to Japan. The fundamental ideas with which Japan approaches the whole subject of peace have been set

forth, moreover, by the conservative and somewhat anti-foreign Nihongin (Tokyo), a periodical which circulates among the educated and aristocratic Japanese:

"While it has been proudly asserted that it is for the peace of the Far East that we are throwing away so many millions, so many lives, and for which we are risking the development of our country, we are neither such weakling benefactors as to rob ourselves of our property and give it to others, nor such slavish creatures of the past as to expend our resources in trying to keep as they are all the institutions of Eastern Asia, thus uselessly prolonging their existence. Unless we had something of moment to gain for ourselves, why did we take this tremendous responsibility upon us? What signifies peace in the Far East?

"The Far Eastern question, in the beginning, was the question of the partition of China. It had a destructive character. Today, on the contrary, it is the integrity of China that means durable peace in the Far East. The question has assumed a constructive character. The explanation is that at first it was pretended that the Far Eastern question must be settled only by the Europeans and the Americans, the peoples who are alien to the Far East. Today the Far Eastern question must be settled by an empire which has risen in the corner of the East, Japan—the Europeans and Americans taking a subordinate position. The peace of the Oriental Far East requires that by a union of the Orientals of the Far East under the transforming influence of Japan, a great empire be formed on the Far Eastern shores of the Asiatic continent, so that militarily, economically, and politically the caprices of Europeans and Americans shall cease to be possible, and that the people in the Far East shall themselves maintain order in every respect.

"Japan's action, since the new era, has always been directed to the attainment of this end. Henceforth we shall no longer tolerate the insults and the acts of violence of the foreigners. If they choose to regard these territories as they regard India or Egypt, if they lose respect for us and, without making any distinctions between races and degrees of civilization, proceed to violence against the peoples which have a right to their existence upon the territories in question, we will heap upon them misfortunes and disasters from which they will not recover. That is what we want the world to understand."

PREMIER TWEEDIE

Mr. Chamberlain's Position.

WHAT is it that deters Mr. Chamberlain from forcing a dissolution?

Some persons think it is the success of the Free Trade campaign in the country. They argue that Mr. Chamberlain knows from his supporters all over the country how much Protection is disliked. There are, it is true, eager and ardent spirits in his party who are impatient for battle and think that Mr. Balfour's Fabian tactics are doing no good to their cause. They have been restless and fretful for some time, and they have made no secret of their opinion that the life of the Government is being prolonged to suit Mr. Balfour's convenience rather than Mr. Chamberlain's. The busy discontent of this section has helped to foster the belief that Mr. Chamberlain himself did not mean to allow Mr. Balfour to remain in office. The celebrated nod at Gainsborough was taken to denote this resolution. But, according to this explanation, Mr. Chamberlain has now discovered how dreadful a fate awaits Protection when it presents itself to the elector, and a genuine fear has reconciled him to Mr. Balfour's tactics. In other words he does not insist on appeal to the country because he knows that the result of that appeal will be a justification of Mr. Balfour's policy of procrastination and a stultification of the advice he gave to hasten the catastrophe of the first election as a means of bringing nearer the reparation of the second.

Other persons argue that the reason is not the Free Traders' success in the country but Mr. Chamberlain's success in his party What could suit him better, they say, than an arrangement under which he can gradually push all the Free Traders out of his party; while they, by keeping the Government in office, are positively assisting in their process, accessories themselves to the conspiracy that sends them into exile? If the election had come soon after Mr. Chamberlain's new departure the Unionist Free Traders would have been too strong for summary expulsion. The election has been postponed and the Unionist Free Traders either did not wish or did not dare to put the Government out. One by one the Unionist Free Traders found themselves face to face with a local mutiny arranged and promoted from outside. They hope to the last that the party is not really to be captured, and their pathetic faith in Mr. Balfour disarms them for the only really effective method of self-protection. The regime most favourable to Mr. Chamberlain's plans in this respect is the leadership of a man whose declarations encourage Free Traders to remain in the party while his actions help Protectionists to drive them out. Mr. Chamberlain, on this hypothesis, is content to postpone the election for the sake of completing the reconstruction of the party as a Protectionist Party. Of Mr. Balfour himself he has good hopes. There are, it is true, some awkward remarks about two elections being necessary before the country could be committed to Protection; but after all Mr. Balfour is far too good a party man to hold his party in practice to any such promise, and these sentences will no more embarass him than the assurances to the electors in 1900 that they were not voting on domestic issues.

There is a third reason, based not on Mr. Chamberlain's fear of the electorate, nor on his plans for acquiring one of the parties in the State, but on the power of the most highly organised interest in modern politics What class or interest has most reason at this moment to dread the accession of a Liberal government? Of course, every class or interest that is threatened in re-

gard to any of its privileges or accumulations by Liberal policy naturally wishes to keep a Liberal government out. But the fear of the Liberal party which animates landlords or brewers or champions of voluntary schools applies to all times and to all occasions. These challenged interests would prefer that the election of a Liberal government, if it cannot be prevented for all time, should come later rather than sooner; but the difference between their dread of a Liberal government today and their dread of a Liberal government tomorrow is scarcely a strong enough consideration to restrain Mr. Chamberlain from arranging an election when he wants it.

There is, however, one interest which is in a different category, which has a direct reason for attaching a vast importance even to a year's delay in the accession of a Liberal government. It is significant that Lord Spencer's statement about the plain duty of a Liberal government to stop Chinese importation when it takes office has set in motion all those processes by which the South African financiers work up feeling and alarm in both countries. What do these financiers associate with the accession of a Liberal government? First of all, the cessation of their supply of cheap labour. Secondly, self-government instead of a plan, as Sir Henry Campbell-Bannerman well put it, for confirming the mine owners in their freehold of the Chinese compound. Thirdly, the revision of the scheme by which Portugal supplies the Rand with its natives and enjoys in return preferential railway rates over the British colonies of South Africa, a scheme under which the British colonels and Britishshipping interests have already suffered very severely. Fourthly, a Factory Act. Fifthly, a High Commissioner whom they may find an independent character. This prospect is quite enough to explain the reluctance of what one Tory paper calls "Imperial interests in South Africa" to agree to an early dissolution; and the same paper adds significantly that Mr. Chamberlain has come to see that those interests are even more important than the strategical considerations which dictate an early election. A year's delay means to this interest much more than it means to the ordinary vested interests that Liberalism automatically attacks. Its power over Mr. Chamberlain must of course be considerable if it can induce him to abandon his own strategy. Until the secret story of the Raid is told nobody can tell all the means by which that power has been acquired. But even apart from the Raid, Mr. Chamberlain is under large obligations to the men and the interests that have subsidized his campaign with a handsome and clandestine generosity. No lists are published, and the only clue we have to the source of this revenue is the reason given by local Conservatives for the assigning of a safe seat to Dr. Rutherford Harris. Possibly the plain truth about Mr. Chamberlain s consent to the postponement of the election is that interests which he dare not disoblige command it.

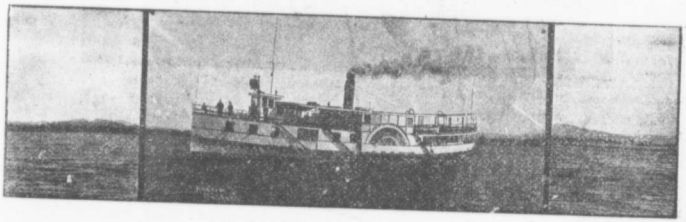
Trade Union Law in England.

(From the London Speaker.)

AMONG the liberties that have gone by the board in the last ten years not the least important is the position so hardly won by the tradesunions during the third quarter of the nineteenth century. A strange series of judicial decisions has robbed them one by one of the immunities supposed to have been conferred upon them once for all by Act of Parliament. These decisions affected the trades unions in two principal directions. In the first place, in legalising trades unions and securing their funds Parliament had had to deal with the question of coercion and intimidation. This question had been the subject of successive statutes, the object of which was by universal admission to draw a fine line of distinction between peaceful persuasionon the one hand and on the other any attempt to deter non-unionists from taking work vacated by strikers by any form of intimidation or physical violence. In the final discussion of the Criminal Law Amendment Act of 1875, which governed and still nominally governs the law upon the subject, the Government objected to further amendments on the ground that "it was clear peaceful persuasion was not illegal, and there could, therefore, be no object in inserting the words in the bill." On the other hand, watching or besetting the house, or works, or place where a person happened to be, with a view of compelling him to abstain from anything which he has a legal right to do, remains an offence, and under cover of this clause the judges by a series of remarkable interpretations have succeeded in establishing the principle, first, that all watching or besetting, though practised only for a short time and on a single occasion, is illegal; secondly, that such watching or besetting need not involve watching or besetting of the works or any other special place; and, finally, that though there must be a "sort of" compulsion to constitute an offence, that does not mean that the compulsion must not be exercised upon the working man who is watched or beset. It is sufficient that there is compulsion of an employer effected indirectly by the persuasion of one of his workmen. Such, as stated by an able legal authority in theManchester Guardian as far back as November, 1900, is the present law as remodelled by the judges upon the subject of peaceful picketing, and these points together clearly cover any attempt to persuade a workman other than one of the actual strikers to leave or decline employment with a view to supporting a strike. The notion of watching or besetting is so transformed as substantially to include being present at any place for any interval of time, and the meaning given to compulsion is so eccentric as to include the most peaceful persuasion of a working man to do that which will indirectly bring compulsion upon employers. No wonder that in the eyes of the same legal authority this is "a curious illustration of our methods of legislation. Regarded by its authors as making it clear that watching or besetting for the purpose of peaceful persuasion was not illegal, it (the Act of 1875) has, by the interpretation of the courts, become a statute whereby such watching or beseting is now a crimin Fence punishable by fine or imprison-

ment and a wrong which gives an employer against whom it is directed a right to an injunction and an action for damages."

Since this account of trade union law was written we have had a still greater revolution. By the Taff Vale judgment the funds of trade unions became liable to attack in payment of damages for any wrong committed by agents of the union in their capacity as agents. Here again the judges deliberately altered the law as everybody had, down to the time of the Taff Vale case, assumed it to stand, and as Parliament intended it to stand. When the trade union leaders sought legal protection for their funds they originally intended to promote a form of bill which would have incorporated the trade unions. They were deterred from doing so by advisers who pointed out that the position of the trade union was materially different from any ordinary corporate body. It includes large and fluctuating membership. The many members are imperfectly under control and some being poor and needy, might be in a position to be influenced by enemies of the trade union, and induced to bring action against it with a view not to satisfy any personal complaint but merely to injure the union in the interests of those against whom it is operating in defence of the rights of the workers. The Act was accordingly passed in a form which made no difference in the corporate status of unions. Nevertheless, the judges decided in the Taff Vale case that they possessed such status, and therefore, like any other corporate body, they might be made parties to any action at law. The effect has been precisely what the advisers of the trade unions predicted. The trade union now finds itself liable to damages if its agents by any pressure upon employers induce them not to employ certain men, even if they have embezzled trade union funds. They are liable to damages for any injury inflicted upon any third party by persuading their workpeople to quit their employment or by persuading any other workpeople to decline employment vacated in the course of a strike. They can be sued by one of their own members who thinks that their funds should not be spent in furtherance of an industrial dispute and can find a loophole for attack in some informality. It does not matter whether such member is acting in the interests of the very party with whom the trade union is in conflict. It does not even matter apparently if he is financially supported by such a party. He has an action against the trade union, and by enforcing his claim can put a stop to a strike. It is even possible that a dissenting minority may be able to divert trade union funds to political purposes.



On the Upper Ottawa.

Guglielmo Marconi

Marconi, the wireless and tireless, whose stations in the Maritime Provinces were under discussion in the House of Commons this week.