

closely associated with the veteran Premier, in different periods of his career. But when the Cornell professor adds, "His (Sir John's) was the organizing spirit that framed the Confederation," the student of Canadian history will, we think, demur. Nor will Sir John himself, we venture to say, claim the full measure of credit assigned him. Certainly Sir John's was not the brain that first conceived the ambitious scheme, nor was his the vigorous hand that first put in operation the forces that ultimately made the conception an accomplished fact. In the maturing of the scheme his services were no doubt invaluable. But Sir John's subsequent relations to the history of the Confederation, and his present position, are such that he can well afford to disclaim a meed of praise which really should be shared with several others.

SENATOR MACDONALD'S speech in the Senate on the trade relations of Canada was forcible and timely. As the speech of a successful business man of high intelligence who has personally investigated the questions with which he deals, his opinions are entitled to much consideration. From his main proposition no one who cares to maintain a reputation for good sense will dissent. Whatever may be the case in a country containing within its own borders so vast a variety of productions as the United States, for Canada, at least, external trade is a prime condition of prosperity. Her foreign commerce must always be the measure of her economic progress. And she has just now reached a point at which the need of enlarged outlets for the products of her people's industry is being more seriously felt than ever before. Nor is what we may call Senator Macdonald's second main proposition less obvious, while it is of even greater practical importance. It is that comparative distance is one of the most essential criteria of the value to us of the world's markets. Mr. Macdonald has little hope of any extensive trade being built up with our fellow-colonists at the Antipodes. Nature has forbidden it. The interposed barrier is too wide to be overcome even by means of steam and electricity. His eyes are turned more hopefully to the West Indies and South America. To the advantage conferred by their being so much nearer, many of these countries add that which is no less essential, that of dissimilarity in climate and productions. There can be no doubt that it will be greatly wise for both Government and people to act on the advice of so competent an authority, and spare no effort to develop close commercial relations with the various peoples of our own continent. It is one of the wonders of the age that North and South America have hitherto had so little intercourse with each other. The day is probably near when a great change will be wrought in this respect.

A CIRCULAR with the signature of Dr. Rosebrugh, Chairman of the Prison Reform Committee, asks, on behalf of the Prisoners' Aid Association of Canada, the co-operation of all good citizens in the cause of Prison Reform. The Association has memorialized the Ontario Government on the subject, and desires that organized societies and private citizens, as well, should join in this endeavour to effect these most needed reforms. The Ontario Government has been asked to appoint a Commission of competent gentlemen to collect information regarding prisons, reformatories, houses of correction, work-houses, etc., with a view to the adoption of the most approved methods of dealing with the criminal classes. The Circular further commends to the favourable consideration of the Government a series of resolutions, embodying a number of much-needed reforms, having the endorsement of the leading penologists of Canada and the United States. These recommendations include the cellular system for county jails; Industrial Schools and Reformatories, conducted solely with a view to the reformation of character, for youthful convicts; indeterminate sentences, with industrial employment, for tramps and habitual drunkards, etc. The praiseworthy efforts of the Committee deserve, and we trust they will receive, the sympathy and co-operation asked for.

THE Bill which the Canadian Pacific Railway Company has before Parliament, to enable it to consolidate its debt and to issue additional debenture stock to a large amount, is naturally attracting a good deal of attention in England as well as in Canada. The measure demands and will, no doubt, receive the closest scrutiny before it is permitted to become law. If the present heavy obligations of the Company can be consolidated into debenture stock at a lower rate of interest, the change is, of course, unobjectionable and desirable, and Parliament will gladly

facilitate it by proper legislation. But when power is asked to issue additional debenture stock for various unspecified purposes of equipment, extension and acquisition, it is time to stop and think. The vaulting ambition of the Company seems to be boundless. Is there not serious danger that if left unchecked it may overleap itself? The peculiar relations existing between the Company and the Government, involving, as they do, the ever-present possibility that the latter may one day be called upon to take over the whole vast concern, make it doubly desirable that the greatest caution should be exercised in regard to new legislation. Nor would it be right to overlook or ignore the tremendous power which such a corporation, if successful in carrying out its grand schemes, must eventually have in the country and over its Government. It was Diogenes, we think, who, when about to be put up for sale as a slave, being asked for what service he was especially fitted, replied that his business was to command men, and suggested that the crowd should be asked if any one wished to buy a master. The story may not be without a moral for Governments in their dealings with great corporations. No one, save perhaps rival companies, could wish to put any obstacle in the way of the safe and legitimate enterprise of the Company, but the immense endowments and privileges it has already received emphasize the right and impose the obligation to examine closely before authorizing and aiding new projects of untold magnitude. In view of all that has been done for the Company in the past, it sounds strange to hear the *Empire* taunting the Opposition with having "eyes always preternaturally sharp to see that no advantage shall be given to the great Canadian railway that can possibly be refused."

SENATOR GOWAN in his able and exhaustive speech in the Senate on the Grand Jury system, makes it pretty clear that that institution, if it has not wholly outlived its usefulness, affords at best but a cumbrous, expensive, and withal not very reliable means of performing an indispensable function in our system of criminal jurisprudence. The ancient origin and honourable record of the Grand Jury give it a prestige which forbids that the ruthless hand of modern reform should be rashly laid upon it. The necessity for some carefully chosen substitute to take its place, in case of its being done away with, is admitted on all hands. In order to determine what kind of substitute is needed, it is necessary to discriminate carefully between those of the offices originally performed by the Grand Jury which are no longer necessary or useful, and those which are still required to subserve the ends of justice. The protection of the citizen from danger of vindictive prosecution by the Crown, or by some oppressor with power on his side, which was in earlier times one of the chief ends for which the Grand Jury existed, is not needed under our constitutional and democratic system. But the necessity for some competent tribunal to stand between the Magistrate's not always very reliable decision and the Criminal Court is still obvious and admitted. The difficulty in finding such a tribunal, satisfactory in all respects not only to judges and members of the legal profession, who are most competent to decide in such a matter, but also to the people who might not unnaturally view with some distrust any transfer of what they may regard as in some sense their judicial prerogative to other functionaries chosen from a special class and by a different method may prolong the life of the venerable Grand Jury for an indefinite period.

MANY and serious objections to the Grand Jury system were urged by different speakers during the Senate debate. The lack of the right of challenge, from which it may result that a near relative or other person deeply interested, or prejudiced, may have a voice in the decision of an important case; the secret investigation, contrary to the spirit of the age, and affording facilities for the play of corrupt influences; the constantly recurring danger of serious miscarriages of justice through mistakes in procedure, or the incapacity of unaccustomed jurymen to determine the value of evidence; these and other defects were forcibly presented. But there is another defect in the system which was scarcely touched upon, so far as we have discovered, which yet seems to us to be of a very serious and even glaring kind. It is this. The jury, composed of a considerable number of individuals residing in various localities and engaged in various occupations, cannot be summoned except at considerable intervals of time. The result is that in many cases a person whom the jury, on investigation, may pronounce innocent, or against whom no *prima facie* evidence of guilt can be produced, has,

nevertheless, been forced to undergo a long term of imprisonment during the interval between his committal by the magistrate and the meeting of the Grand Jury. The prisoner pronounced innocent has ordinarily no available means of redress. Surely the jurisprudence of the age should be equal to the task of preventing the possibility of so flagrant a wrong. Simple justice demands that there be some tribunal which can at once, or within a reasonable time, investigate such cases, and prevent, as far as possible, the law's intolerable delay in the case of men whose innocence may be established by a preliminary inquiry. The County Attorney system of Ontario, which was highly approved by several of the Senators, affords at least a valuable hint for the solution of this part of the problem.

BEYOND a mild surprise the names of the members of President Harrison's Cabinet seem to have excited little emotion of any kind in the United States. The President guarded his secret well, and with the exception of Mr. Blaine, whose appointment as Secretary of State was a foregone conclusion, the general public failed to forestall his announcement. The fact that of all those chosen as the heads of the State Departments, in a nation of sixty millions, only two have had any experience in public life, or any reputation as statesmen, illustrates a peculiarity in United States politics. The theory of American politics seems to be that any intelligent citizen is capable of managing the most important affairs of State, and President Harrison is trying to reduce the theory to practice with unexampled boldness. Canada's chief interest, if she has any, in the matter, is centred in the Secretary of State, in whose hands, subordinate on the one hand to the President, and on the other to the Senate, is the management of foreign relations. Were we to form our opinions from either the past history or the past utterances of Mr. Blaine, we might look with some apprehension upon his appointment. But there are pretty good indications that, in view of the responsibilities of office, and the mistrust of the great body of the most respectable citizens, who love peace and are no Jingoers, Mr. Blaine's attitude towards foreign nations will be friendly. Besides, as the *Philadelphia Record* puts it, "The eminently conservative expressions of President Harrison's inaugural address, with respect to foreign affairs, afford a fair guarantee that Mr. Blaine will not be permitted to cut any fantastic capers in the Department of State."

THE trial now going on at Lambeth Palace before an Ecclesiastical Court, composed of the Archbishop of Canterbury and five associated bishops, bids fair to become memorable in the history of the established Church of England. The jurisdiction of the court having been declared valid by the Privy Council, nothing remains for the Metropolitan but to proceed, however reluctantly, to hear the evidence and a true verdict give according to the canonical law as laid down in the Prayer Book. To the ordinary mind there seems little or no room to doubt that the practices for which the Bishop of Lincoln is on trial are contrary to the teachings of the Prayer Book. The delivery of a judgment to that effect would, however, there seems reason to believe, be fraught with momentous consequences. The ceremonies that would thus be put under ecclesiastical ban are, as is well known, practised regularly in a large and influential section of the Church. It is not at all likely that the great majority of the clergymen officiating in these churches would quietly obey an injunction to discontinue ceremonies to which they attach more or less value as impressive functions of the priestly office. The contumacious clergymen would be backed up by such of their parishioners as are in sympathy with their views, and these are no doubt many and influential. There is, judging from the spirit that has been displayed on previous occasions, little room to doubt that many would prefer even to join the movement, already strong and threatening, for the disestablishment and disendowment of the Church, rather than either forego practices which they make a matter of conscience, or render themselves liable to the pains and penalties presented for violators of Canon law. It may, therefore, be readily conceived that the issue of the trial will be awaited with great anxiety in many quarters.

THE people of Servia have lost nothing directly by the abdication of King Milan. Nor can the brotherhood of European monarchs have anything to regret in the retirement from the stage of so disreputable a representative of royalty. It is hard to conceive of a more pitiable sight than that of one who might have enthroned himself in the hearts of a grateful people, going into obscurity bowed