

political offenders, gained for him immense weight with the public, while his knowledge of law and strong common sense gave him unbounded influence with his brother judges. His humane treatment of political offenders, encouraging them—as in the case of Lord Preston, to interrupt him, had an important political effect. During the reigns of William and Mary and of Anne factions ran high, and were often evenly balanced. Ambition was at least as powerful as patriotism in the minds of many public men. The people, always subject to reactions of feeling, soon forgot the bad deeds of the banished race, and many contrasted the easy manners of a Charles II. with the cold demeanour of William. But when men saw the impartiality and mildness with which Holt conducted the trial of Lord Preston, who was guilty of high treason, if ever man was, and the firmness with which, in the discharge of his duty, he defied even Parliament, they were loth to lend themselves to a counter revolution which might seat a Scroggs or a Jeffreys where a man who was the embodiment of fairness and justice sat.

Holt twice refused the Chancellorship, alleging that he never held a brief in a Chancery suit.

There are some amusing stories connected with his judicial and private life. Having committed John Atkins for using seditious language, Lacy, one of the brotherhood, called on the Chief Justice at Bedford Row. The servant: "My Lord is unwell to-day and cannot see company." Lacy, in a very solemn tone: "Acquaint your master that I must see him, for I bring a message to him from the Lord God." The Chief Justice ordered Lacy in, and demanded his business. Lacy: "I come to thee a prophet from the Lord God, who has sent me to thee, and would have thee grant a *nolle prosequi* for John Atkins, His servant, whom thou hast sent to prison." Holt: "Thou art a false prophet and a lying knave. If the Lord had sent thee it would have been to the Attorney-General, for the Lord God knows it belongeth not to the Chief Justice to grant a *nolle prosequi*; but I as Chief Justice can grant a warrant to commit thee to bear him company."

His wife was a lady of the strictest virtue, but a shrew, and they lived together on the worst possible terms. She fell ill, and Holt was full of hope that she would die. To plague her husband she insisted on being attended by a physician with whom he had a personal quarrel—Dr. Radcliffe. Dr. Arbuthnot, some time afterwards, writing to Swift on account of the illness of Gray, the poet, says: "I took the same pleasure in saving him that Radcliffe did in saving my Lord Chief Justice's wife, whom he attended out of spite to her husband who wished her dead." He established against the Crown his right to appoint the chief clerk of his court, but dared not say a word in the nomination of a footman in his own family. The malicious accounted for his devotion to business by his dislike of the society of Lady Holt.

He died on the 9th February, 1710, at his house in Bedford Row, in his sixty-eighth year. As his shrewish wife brought him no children, his great possessions went to his brother. All parties united in doing honour to the remains of the great Chief Justice, who proved how much, in certain periods of a nation's history, a just and fearless judge may do to merit the lasting gratitude of his countrymen.

NICHOLAS FLOOD DAVIN.

BEYOND THE WINTER.

AH! gone the sunshine and the rapture, gone!
Yet well the heart doth know—beyond the snow,
And dreariness forever, still, Earth's sun—
Like Love's—holds one more summer that shall grow
As splendid on our sight, and be as one
That was the sweetest far a while ago.

GEO. NEWELL LOVEJOY.

COMMERCIAL UNION AS VIEWED BY AN AMERICAN STATESMAN.

LAST Friday Professor Goldwin Smith addressed the Nineteenth Century Club on the political and commercial relations of Canada, the United States, and Great Britain. His facts and arguments, familiar to the readers of THE WEEK, were presented with the grace of expression which places Professor Smith among the masters of those who use the English tongue. To a Canadian, however, it was not Professor Smith's address (which is to appear in full in the *Political Science Monthly*), nor the enthusiastic eloquence of Mr. Wiman, which gave the evening its chief interest. That centred on the comments of Mr. George L. Rives, Assistant Secretary of State during Mr. Cleveland's administration. This gentleman, who cannot be much more than forty, bears some resemblance to the late Mr. C. J. Brydges, not only in features, but in courtliness of manner. There was nothing of the politician in Mr. Rives' discussion of his difficult theme. He had not spoken two sentences before his large audience felt themselves in the presence of a statesman who had mastered his subject and meant to handle it with candour. When he sat down applause of a heartiness rare at the Nineteenth Century Club testified to the deep impression he had made.

Professor Smith, said Mr. Rives, cannot but look at the question of Canada's political future from the standpoint of a Canadian, of a cosmopolitan Canadian undoubtedly, but still a Canadian. Now let us see how the case looks to an American. To begin with we have to admit that the present state of affairs between Canada and the

United States is not quite satisfactory. These recurrent difficulties as to the fisheries, as to the international railroad competition, and the hampering of mutual trade by the customs line, are all evils we should be glad to have abolished—but what is to be the price of their abolition? Either commercial or political union. Now, as to the area and the resources of Canada I think a pretty just idea prevails in the United States; it is otherwise as to her population and wealth. As comparisons in figures do not always impress my mind as they should, I have endeavoured to find some State in the Union which may be fairly compared with Canada—Pennsylvania is such a State. In 1860 her population lacked 160,000 of the Canadian census for 1861; in 1880 she lacked but 40,000 of the Canadian people as numbered in 1881. In wealth, it is but fair to say, Pennsylvania is vastly in advance of the Dominion. Then look at another fact of much importance in the discussion of a prospective partnership, Canada is a country heavily in debt. In the United States the average man, woman and child represents but \$36 of debt, adding national, state, country and municipal liabilities together. In Canada the average is twice this, with resources so far as realized, admittedly much smaller. I see some very formidable obstacles in the path of commercial union as advocated by Mr. Wiman. If Canada and the United States are to have a common tariff, and it becomes necessary to alter that tariff, must we first have Congress enact the changes required and then stand or fall by an appeal to the Canadian Parliament? Is it likely that sixty-five millions of people will endure to have their will negatived by the Legislature of five millions? Then Great Britain must not be left out of the account. How will she like to have her goods discriminated against by a colony which in case of need her army and navy must protect? And apart from this argument of the market it is clear that national pride is strongly concerned in maintaining the integrity of the Empire, in retaining control in its own territory of a highway to its eastern possessions via the track of the Canadian Pacific Railroad.

Interest and sentiment are in the balance; which shall be deemed the weightier is a decision which rests with the Canadian people. Should they conclude it best to cast in their lot with us, it will then be time to consider whether the union is one to be entered into or not. The political union of any two nations having contiguous territory might be urged with quite as much propriety as that now under discussion. To be satisfactory and successful there must not only be willingness on both sides, there must be no wide disparity of institutions, traditions and sentiments. With respect to British Canada, Professor Smith has told us that its population is substantially identical with our own. He has also frankly told us how the religious and national aspirations of French Canada present a difficulty in the way of continental fusion, a serious difficulty, it seems to me, for it is not so much extent of population as incongruity that embarrasses government. We are all, I fancy, very glad that Cuba has never been annexed to the United States, and that when we extended our territory southward we stopped at the Mexican border. Louisiana's French population, and the Spaniards in California, have been thoroughly absorbed, but it must be remembered that they were few to begin with, and that they inhabited States most attractive to the immigrant. I think Commercial Union presents impediments only to be solved by political union, but as matters stand the question of Canada's future seems of much more concern to her than to us. Whether it be a partnership, or a marriage with her guardian's consent, is, therefore, rather for her than for us to concede a point in arranging the terms.

Availing himself of the privilege of the symposium, Professor Smith rose to reply to Mr. Rives. He explained that Canada's paucity of population was largely to be accounted for by its commercial isolation. Were a belt of territory in the United States containing five millions to be shut off from trade with the rest of the country, the same check to advance would manifest itself. This, he said, was particularly impressive in the Canadian North-West, which, naturally more favoured than Minnesota, Montana and Dakota, contained a mere fraction of the population of those States. Then, as to the Canadian Pacific Railroad considered as an imperial highway to the East, Professor Smith pointed out that in its mountain district a few pounds of dynamite, or a snow-blockade, might render it utterly worthless in an emergency.

New York, February 3rd, 1890.

H.

THE NOBLEST WORK OF GOD.

"THE fact is, Donald, when you try to act in any way different from the simple, honest, straightforward fellow I know you to be, you are sure to make fifteen different kinds of a donkey of yourself."

I was in my senior year at college, Percy Winthrop was one of the freshest of the "Freshies," yet there was between us the attraction which is thought to exist between opposite temperaments. Winthrop was impressive, volatile, sensitive, a mimic and a mocker. I was the rock against whose dullness and barrenness this bright wave of humanity loved to disport itself. If antithesis of character is the seal and warrant of soundness in friendship our intimacy was based upon a sure foundation. The boy was young for his years, I was old for mine; he was free of speech and of purse, easily cramming his brain for examinations, and as readily forgetting what he had learned, living intellectually as well as financially from hand to mouth. I was and am plodding, prudent and painstaking.

Nature has not been kind to me, but I believe in the law of compensation. As compensation for defects of appearance and manner I have always cherished a profound conviction that my personal influence, my example and utterances were of far greater weight than those of the average man. This reflection does not tempt me into egotistic illusions. If my opinions are better considered, my mental habits less slipshod than those of the great majority, I am no more likely to be puffed up over it than I am to be cast down by the fact that my nose is uglier, my body clumsier, and my feet longer than those of most men. Let us take the gifts the gods provide, and smile at the notion that one's own self can be greatly the superior or inferior of anybody else. Young Winthrop made a very pleasant morsel for my greed of dominance—that was the chief reason why I liked him. If I wished to regulate, instruct, elevate, exert a powerful influence, here was very plastic human material right to my hand. Little did I dream of the dance that my young man was to lead me. But I am getting ahead of my story.

He who would rule must first learn to serve. Parental influence may be great and wise, but it is not in the ascendancy at the time of life when its object is a mixture of perversity and colic, requiring to be carried about of nights. Percy Winthrop was as self-willed as a baby. By a process of teasing and mocking, mingled with entreaties and cajolery, he forced me to accept an invitation to an evening party, which I suspect he had been the means of having sent to me. Now I detest the idiotic graces and grimaces of polite society, and I told Percy so; but, as I say, I was forced into going, and the result was fully as lamentable as I had anticipated. The mingled effect on me of that aggregate of feebleness, futility and finery was such that I longed for nothing on my return so much as a mental emetic. It's a pity that a thing so useful as that has not yet been invented or discovered. As a substitute, I was endeavouring to brace myself with some pretty solid reading, while Percy's shallow, brook-like babbling went on and on, coming to a slight pause in the remark quoted above.

I looked up then. "Hav'n't you better go to bed, Winnie?" I inquired. Winnie was the name we gave the girlish young fellow.

"Not till I've had my say," retorted the youth, with the easy effrontery that was a part of his nature; "I merely wish to observe that I made a big mistake when I supposed that the refinements and amenities of society would exert any appreciable influence over your roughcast, upright and downright personality. You are not only determined to be yourself—which is an unpardonable sin in a fashionable crowd,—but you are yourself with a vengeance. There's no let-up to you. You are a thousand times too honest, too sincere. You take life with immense seriousness, when it would pay you better to take it as an immense joke. I looked across at you this evening, and I thought: Good heavens! why don't the fellow pretend to be enjoying himself? What makes him look at every lady who speaks to him as though she were giving him a fresh turn on the rack? But it's no use talking; you wouldn't go a hair's-breadth out of what you consider the right way—not for a gold mine. You couldn't tell the very whitest of little white lies to soothe the dying moments of your best friend. But you can't help yourself—you're made that way. As my sainted grandmother used to observe, when speaking of cranks, 'Some pork will bile just so.'"

"I am sure you had better go to bed, Winnie," I replied; and with a queer little laugh he left me.

That was a few months before I was graduated. In our last talk together I asked the boy what he meant to make of himself when he left college.

"Something," he answered emphatically, "I don't know exactly what; but I'm not one of the kind of fellows that plod and plod their whole lives long, and have nothing to show for it at last. I have the notion that when I find out what I'm good for I'll make a tremendous success of it. To be tame, to be passable, to do about as well as the average—ugh! I never could endure the thought. I feel it in my bones that I'm marked out for something great."

At this time my young man was marked out for nothing quite so distinctly as for a consumptive's grave. He had the emaciated frame, brilliant complexion, hollow temples, and the expanded pupil of the eye that denotes the phthisically inclined. He had as little physical as intellectual stamina. Manifestly if he were to distinguish himself he would have to make the very utmost of the meagre time and talents at his disposal.

For some years afterward I lost all trace of my friend, but the memory of his facile, piquant, affectionate nature never deserted me. It was with real pleasure that I discovered by accident on a street of the town in which I had settled as practising physician the veritable Percy Winthrop, still in the flesh, what little there was of it, and as frank in his delight at seeing me as a child of five over a new toy. "Come right in with me," he insisted, as we were about to pass his house, "I want to show you my wife and my home. Lydia!" he called at the foot of the stairway, "Lydia!" Then he joined me in the tiny parlour. "Don't you admire the name of Lydia?" he asked. "My wife's mother calls her Lyddy. Why, it would be no worse to call her Biddy. But Lydia—that's poetic! Just pronounce it a few times to yourself, and see if you don't consider it beautiful."

Whether the name was beautiful or not it is certain that its owner was not strikingly so. She was severely quiet and simple in dress and manner. Her face, though small, had a squareness of contour unusual in a woman,