

# THE WEEK.

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## THE WEEK:

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THE dilemma in which the conscientious member of Parliament found himself placed when called on to choose between the majority and minority reports in the case of Sir Hector Langevin was, as we have before said, very similar to that which confronted him a few days before, in the case of Mr. Cochrane. In the one case as in the other, the choice was really between declaring the accused innocent of complicity or knowledge of certain transactions of which it was almost impossible, under the circumstances, to conceive him ignorant, and condemning him for crimes of which he had not been proved guilty by evidence which would have satisfied a court of justice. There was, however, one important difference between the two cases. Mr. Cochrane did not avail himself of the opportunity of going into the witness box and solemnly avouching his innocence, but left it for his counsel to excuse his failure to do so on grounds which must to every unprejudiced mind appear insufficient and paltry. Sir Hector Langevin, on the other hand, did not hesitate to declare his own innocence in the most solemn and unequivocal manner. Hence it is not strange that the members who pronounced Mr. Cochrane guiltless failed to convict the late Minister of Public Works. It should not be forgotten, though, that Sir Hector's testimony on his own behalf was in direct contradiction of that of more than one of the previous witnesses, and that one of these subsequently reaffirmed his previous statement. The weight of Sir Hector's denial was, consequently, diminished to the extent of whatever measure of credibility may fairly belong to the contradictory evidence. It may further be observed in passing that the late Minister of Public Works was fortunate in his tribunal. Had his trial been conducted before a criminal court, he would have been in much worse case, seeing that his own testimony could not have been given, whereas there can be no doubt that that testimony was the most potent factor in the verdict by which he now stands acquitted by the Commons of intentional and conscious wrong-doing. In regard to that verdict itself it can only be said that, leaving out of view all the positive testimony of the discredited witnesses, and remembering the length of time

during which the "conspirators" had seemingly everything their own way in the Department and plundered the Treasury almost at will; remembering also the utter absence of evidence of any adequate motive on the part of Perley and Boyd, the engineers who, on any other theory than that of the late Minister's guilt, must have most treacherously deceived him, and aided the contractors in robbing the Government; remembering further the remarkable intimacy through long years between the Minister and Thomas McGreevy; remembering, too, the fact that a prominent Quebec newspaper had, so long ago as 1886, stated that such outrages were being perpetrated, it must remain one of the wonders of the session how the one hundred and one members who declared by their votes that, in their opinion, the evidence did not justify the conclusion that the Minister knew of the conspiracy, or that he willingly lent himself to its objects, could have refused to accept the amendment proposed by Mr. McCarthy that the alternative of his guilty connivance can be nothing else than a "blind confidence in the integrity and efficiency of his chief engineer, even in that view scarcely to be distinguished from weakness almost criminal."

WHATEVER may be thought of the action of the Opposition in bringing, at so late a period of the session, an old charge against Mr. Haggart, the Postmaster-General, which both the latter and his alleged partner in the transaction, Mr. McLaren, have repeatedly denied in the most solemn manner, most of those who care for the good name of the country will, we think, deeply regret the action of the Government in refusing the investigation, and will still more deeply regret the argument by which Sir John Thompson supported that action. In regard to Mr. Lister, who brought the charge, and the prominent members of the Opposition who supported it, it is clear that their justification, or otherwise, depends almost wholly upon the kind and amount of the new evidence which the former claims to have discovered but a few days before making the charge. Nothing short of new evidence of a very positive and convincing character could have warranted Mr. Lister's motion, and in the absence of any knowledge of such evidence the public will be slow to believe the two gentlemen in question guilty of deliberate and repeated perjury. None the less, the charge having been seriously made, and the accuser having staked his position as a member of the House on his ability to substantiate it, it was, we believe, a grave mistake on the part of the Government to refuse the enquiry. As the *Pall Mall Gazette* observes, the present is not a time when the Canadian Ministry can afford to pass by such a charge against one of its members without investigation. Still less can Parliament itself, if it really cares to restore Canada's reputation for political morality, afford to dispose of such a charge, however honestly it may disbelieve it, by the too ready aid of the majority vote. But if the action of the Government majority was a disappointment to those who may have hoped that the conscience of the House of Commons had at last become thoroughly aroused, and that it would hesitate at no expenditure of time and trouble which might be necessary to purge itself from suspicion, the speech of the Minister of Justice and leader of the House was we believe to many, as to ourselves, an astonishment—we had almost said a revelation. If there is one man more than another on the Ministerial benches to whom many of the people have been looking for stern and effective measures of purification, that man was Sir John Thompson. One of the most reassuring facts in connection with the conduct of affairs, both in Parliament and in the Privileges and Elections Committee, has been the straightforward and impartial course of the Minister of Justice, who for a time seemed to decide about as often against the contentions of his own less judicially-minded colleagues and supporters as in their favour. That he, of all men on the Government side, should have come forward, not only to refuse a committee of enquiry into a serious charge against a member of his Cabinet—that might have been pardoned under the circumstances—but as the apologist of a theory which, carried to its logical results, might fill the Treasury Benches with Ministers who had violated the laws of Parliament, deceived their fellow-representatives, and forfeited their claim to the respect of upright men—this was unexpected indeed.

LEST any should think we are putting the case against Sir John Thompson's speech too strongly, let us look for a moment at his argument. It must be remembered, of course, that it is based throughout on the assumption that the accusation is true, which implies, be it observed, that the sworn testimony of Mr. Haggart is false, in other words, that he is guilty of perjury. Waiving, for argument's sake, the point whether the offence charged was within the jurisdiction of the House and properly a question of privilege, the Minister of Justice maintained that the violation of the Independence of Parliament Act being a statutory offence and punishable by the penalties prescribed in the Act, viz., fines and forfeiture of seat, and the imposition of these penalties being subject to time limits which have long since expired, so that neither the one nor the other could now be imposed, Parliament could not now take cognizance of the matter. After the penalty had been incurred by any member of the House, he was, Sir John pleaded, completely absolved when a new election takes place and the member acquires his seat by another title. Could it be said for a single moment that any stigma attached to a man who violated the Independence of Parliament Act in 1879 would make him unworthy to sit in the House or unworthy to be a member of the Government now? All which means, if we can understand it, either that a member of the House may not only secretly and stealthily violate a law which the House has put upon the Statute Book—which secret violation is surely in itself morally, if not constructively, a fraud—but may be repeatedly guilty of perjury in denying such violation, and yet have done nothing which makes him unworthy to sit in the House or be a member of the Government! From this it obviously follows that there is no moral guilt in violating the Independence of Parliament Act or any other Act of similar character. The only crime, at least the only one of which the Parliament, which enacts and is supposed to enforce the law, can take cognizance, is that of being found out within a certain limited time! And, be it remembered, in so arguing Sir John Thompson informed the House that he was not to be supposed to be making a legal argument. It is true that he supported his plea by citing as precedents several facts which were crushingly effective as *tu quoque* arguments against the Opposition, but which clearly had nothing to do with the right and wrong of the question. Touching the other part of the charge, that of making contributions from the proceeds of the contract for political purposes at the request of the Government, the Minister's argument was, we are sorry to say, constructed on the same low plane. It was pitched on the same ignoble key. It was to the effect that there was no wrong done in the soliciting or bestowing of such contributions, so long as it was not charged that the decisions of the Government were improperly influenced by these gifts. The best answer to that would be a quotation from Premier Abbott's speech in the Senate in introducing the new Frauds Bill. Making obvious substitutions, would it not still be true that not "one man in ten thousand, or one man in the Dominion, would believe that a contractor, desiring to get favourable terms and decisions from the Government of the day, who makes large contributions to political funds for the support of that Government, has not a desire to ingratiate himself with that Government, and procure larger prices or more frequent contracts, or more favourable decisions, or some other thing inconsistent with the best interests of the country which that Government represents"? The best friends of pure administration are, we repeat, grievously disappointed in the attitude of the Minister of Justice in regard to this question, and will be still more grievously disappointed if, in this thing, the sentiment of the country is not rather with Mr. Laurier in his declaration that the fact that the offence charged is a statutory offence does not make it any the less a moral offence for all time, as well; and that the proper rule to be observed in Canada, as in England, is that the House of Commons will not tolerate as an honourable member any man who has disgraced himself in any manner whatever.

READERS of the correspondence between Lieut.-Governor Angers of Quebec and his First Minister cannot but be struck with the strong family likeness in cer-