

THE WEEK:

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TOPICS OF THE WEEK.

It is deplorable that the domain of public justice should be invaded by faction, and that the decision of the question whether a man shall or shall not suffer the extreme penalty of the law should be allowed in any measure to depend not upon the legality or righteousness of the sentence, but upon the rival interests of political parties. For this, however, we all looked in the case of Riel. To fix on the Head of the Government the responsibility for a determination by which loss of votes may be incurred is naturally the first object of the Opposition. On the Head of the Government, beyond doubt, the responsibility rests. We are to be governed in accordance with the well-known principles of the British Constitution, and no principle of the British Constitution can be better known or more thoroughly established than that which prescribes that the prerogative of mercy shall be exercised like the other prerogatives under the advice of the Ministers of the Crown. The Lepine case, in which the Governor-General personally exercised the prerogative for the purpose of cutting an inextricable knot, was followed by an assertion and recognition of the general rule, and was itself so exceptional in its circumstances that it would be almost as reasonable to cite, by way of precedent, the personal order given at a desperate crisis by George III. to the troops to act in the Lord George Gordon riots. The Governor-General is out of the question, and he will no doubt be wise enough to preserve his constitutional position. On the other hand, what is the extent of the Minister's responsibility? The law which has pronounced the doom of treason is above the Executive; unless the Minister can assign a special cause for interfering with it he is bound to let it take its course; and he is no more responsible for the course which it takes than is any private citizen. That the punishment in the particular case is capital makes no difference whatever in the principle which regulates the Minister's duty. In the present instance what cause for interference can be assigned? The judge evidently was satisfied with the verdict. For the recommendation by the jury to mercy no reason was given, and it was probably nothing more than an expression of the common unwillingness of jurymen to take a man's blood upon their heads. If it had any more

specific meaning, it must be taken to have had reference to the defence, and to have implied a doubt in the minds of the jury whether the prisoner was perfectly sane. But, as we have said before, it is preposterous to pretend that Riel was not answerable for his actions. Supposing that he was really the victim of religious hallucinations, and that his assumption of a prophetic character was self-delusion, not imposture, is every religious maniac—are the believers in Katie King, the "Dancing Rainbows" of the Salvation Army, the visionaries who rave about the Millennium and the Second Advent—to receive a charter of license to cut our throats or get up murderous rebellions on the ground of their insanity? Extenuating circumstances the presiding judge evidently considered that there were none, while the instigation of Indian revolt, which always entails Indian massacre, was as strong a circumstance of aggravation as it would have been possible to devise. Could Riel have been tried for the murder of the two priests not a voice would have been raised in his favour. Yet he was morally more guilty of the murder of the two priests than the ignorant and embruted savages by whose hands they were butchered and mutilated. As to the fairness of the trial no reasonable doubt can be entertained; to put Half-breeds on a jury which was to try the leader of a Half-breed rebellion would have been evidently fatuous and tantamount to a total denial of justice to the country at large and to all whose kinsmen have perished in the insurrection. That the jury by which the verdict was pronounced was not prejudiced against the prisoner seems to be shown by the recommendation to mercy. It lies not in the mouth of the Government, at all events, by which the mode of trial was determined, to say that the proceeding was unfair. There can be but one motive for arresting the course of justice, and if that motive is suffered to prevail it will be manifest that Confederation means French ascendancy.

Few events in ceremonial history have been more significant than the presence of two Confederate generals as pall-bearers at the funeral of General Grant. This, at all events, is the end of the Civil War and of all divisions and combinations which have had their roots and their justification in it. The bloody shirt can be waved no more. And now the question must be faced, on what basis are political parties henceforth to rest? What is it that for the future will give a meaning to the names Republican and Democrat, or make it rational and patriotic for an American citizen to enlist in one of the two organizations and wage political war against the other? Two great questions, and two only, are now before the American people. One is the Tariff, the other the reform of the Civil Service. But on neither of these does the division of opinion correspond, or anything like correspond, with the lines of the established parties. Though most of the Republicans are Protectionists, many are Free Traders or in favour of a reduction of the tariff, and though the Democratic Party has hitherto been reactionary on the subject of the Civil Service, a Democratic President is now the great champion and the hope of Reform. Moreover, each of the two parties is in a state of pronounced though incipient disintegration. The independent Republicans, whose votes turned the day against their party and elected Cleveland, still profess to cherish their party allegiance, and try to persuade themselves that the schism is temporary; but every day it becomes more apparent that a reunion will never take place between them and the adherents of Mr. Blaine. The Bourbon wing of the Democratic Party and all the disappointed votaries of the Spoils System are in arms against President Cleveland, while the Irish, whose union with the Conservative Democrats was a strange anomaly, and owed its origin to the relations of both with Slavery, have also gone their own way and are not likely to return. The Presidency of Cleveland is the triumph of national over party government, and if he goes forward bravely in his present course the hearts of good citizens will turn to him and the triumph will be complete. Thinking men, then, we repeat, will have to brush conventionalism aside and confront with open minds the problem which the course of events has now distinctly set before them for solution. Nobody has proposed, as a correspondent of the *New York Nation* loosely says, "to abolish parties." By party is meant a natural and spontaneous combination of men in support of particular opinions and measures; nor is there any fear that