

# THE WEEK.

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## THE WEEK:

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BEFORE this number of THE WEEK is in the hands of its readers the first session of the new Parliament will have been opened at Ottawa. Whether the session shall prove to be specially eventful or not depends somewhat upon conditions as yet unknown, such as the actual relative strength of parties, which can be known with certainty only by some test vote, the policy of the Government in respect to trade and tariff questions, and its attitude and course with regard to the very serious charges which are to be pressed by one of its former supporters against the Management of the Department of Public Works. But that the Parliament itself will be an eventful period, in some respects almost a decisive period in the history of Canada, there seems but too good reason to believe. In spite of all that may be urged to the contrary by the more sanguine, and by those who, being prosperous themselves, see no reason why all others might not be equally prosperous, if they were equally industrious, wise and patriotic, there can be no doubt, in the mind of anyone who has opportunities for feeling the pulse of farmers and others living in the agricultural districts, that, in the current phrase, "times are pretty hard," in those districts. And these are the people who, by reason both of their numbers and of the relations in which they stand as the chief producers to the rest of the community, give tone to the popular feeling and indirectly but largely influence the course of legislation. Into the special cause or causes of this condition of affairs we do not propose now to enter. Those causes were discussed after our political fashion, *ad nauseam* during the recent campaign, and they will doubtless be discussed in the same fashion, in the House of Commons, as often as opportunity occurs, or can be made. Were Canada differently located, were it more isolated and self-contained geographically, while possessing the same sturdy population and the same rich resources, it would be comparatively easy to predict its future. The great majority of its people would not, probably, think of leaving their country, but would resolutely and patiently set themselves at work to repair its defects, develop its resources, and win prosperity in spite of all difficulties.

But our proximity—we can hardly say our unfortunate proximity—to the immensely wealthy and populous nation which is on our border throughout its whole extent and is our only neighbour, qualifies every consideration, and in spite of ourselves, must have a very large influence in determining our history. In the advantages, real or imaginary, which are offered by the United States, and which are so effectual in drawing large numbers of our people, especially our young men, across the border, is to be found, under existing tariff conditions, the chief hindrance to our national growth. It is not treason to speak freely of this fact, because it is a fact patent to all observers. It would be folly to attempt to deny, or to conceal from ourselves, the further fact that this drain upon our national energies is just now as great as at any previous period. It is the part of wisdom and courage to look difficulties fairly in the face and consider calmly how they are to be met. This is what our legislators, if they are truly wise and patriotic, will do during the coming session. It would be encouraging if we could but hope that some good degree of unanimity might be reached as the result of discussion, but that is, we suppose, past hoping for. Limited reciprocity, unrestricted reciprocity, Imperial federation, will have each its advocates, with the probable result that the scales will be turned by a comparatively small majority, and each party go on advocating its own policy and depreciating that of its opponents. We can only hope that the wisest counsels may prevail, and seek to the best of our ability, as opportunity offers, to promote such counsels.

THE event has shown that we reckoned, to some extent, without our host, in assuming that the main features of the new mining policy of the Ontario Government, as indicated in the Bill now before the Legislature, would meet with general acceptance. It was, as we said, desirable that those having practical knowledge of the business should have opportunity to express their views, and that those views should be carefully considered. It was not, however, to be expected that any policy tending, or seeming to tend, to restrict freedom of purchase of mineral lands, to increase prices, to compel early development, and to extract public revenue from the output of these store-houses of Provincial wealth, should meet the approval of those whose prospects of gaining large returns for labour and money invested might seem in danger of being more or less affected by the proposed changes. It is but just that the rights of those who have made such investments under the old system should be scrupulously regarded. It is also in the highest degree expedient that actual explorers and prospectors should have every reasonable inducement and reward. But it is none the less high time that the interests of the whole people in what is really a national heritage should be more distinctly recognized and better safeguarded than hitherto. Already a large proportion of the mineral lands of the Province have become private property, with too little regard to the public interests. It is at least doubtful whether the lease system should not in the future entirely supersede the sale system. It may be true, as alleged by some, that comparatively few owners of mines or mining lands have hitherto derived large profits from their investments, but there is reason to fear that in too many instances they may have been trusting for returns rather to the increase in value of their properties by the "unearned increment," than to the energetic working which should be made, as far as practicable, the condition of every sale or lease of mineral property. Many who are discussing the question seem to lose sight of the fact that the Government and Legislature are approaching it from the point of view of an expected great development of the mining industry in the near future, especially in the nickel-producing districts. Such a development is, to say the least, probable. The legislators who should now suffer those lands, which, it is reasonable to expect, will one day become sources of great wealth, to pass into the hands of speculators at nominal prices, would surely earn for themselves the just reprobation of the next generation of citizens of the Province. Whatever modifications of the Bill, which has now passed its second reading, may be made in Committee, two objects should be kept steadily in view as the ruling considerations, viz., speedy development of the

mines and the conservation of the public ownership interest. Both these ends can, so far as appears, be best gained by holding to the principles of leasing and of royalties. On one fact the public are to be congratulated. It is an occurrence as pleasing as it is rare that the discussion of so important a matter is carried on irrespective of party considerations. The Leader of the Opposition, in particular, has done himself great honour by resisting the temptation to strive to make party capital, and carrying on the discussion in so broad and patriotic a spirit. His suggestion that the royalty should be collected only when the enterprise has reached a stage at which it can well afford to pay it embodies a principle in accordance with which the strongest objections to the Government policy may be, and no doubt will be, removed or minimized.

THE Presentment made by the Grand Jury to Judge Rose, at the close of the Belleville Assizes, the other day, takes strong ground in support of the view that the Grand Jury system has outlived its usefulness and should give place to some better agency for the accomplishment of its purpose. The summing up of the defects in the system is certainly forcible. Admitting that the system is venerable through age, and was in former times adapted to secure the end in view, the Presentment claims that it does not now perform the functions originally pertaining to it, and that the special function which still remains to it, that of preliminary inquest, could be better performed by some other agency. It proceeds as follows:—

Not only his counsel but the accused himself is debarred from being present at the *ex-parte* enquiry, while as to evidence, for the most part persons composing the Grand Jury without professional advice are unable to distinguish what is or is not strictly legal evidence. An innocent person may thus be made subject to the stigma of a jury's finding and suffer by the harm thus inflicted than actual guilt would demand as punishment. There is no record kept of the evidence on which a finding is made, consequently it cannot be known whether a true bill was found on just evidence, or the bill ignored for want of evidence. No recourse can in any case or in any manner be had against the Grand Jury for misconduct in making an indictment or in refusing to make an indictment. It is answerable to no authority, not even to that of public opinion.

To the first of these objections it may be replied that the question submitted to the Grand Jury is, or should be, treated as one of equity quite as much as one of law, and that the absence of "strictly legal evidence" is not necessarily a proof of innocence. But the secrecy of the enquiry, the debarring of the accused and his counsel from attendance, the absence of a record of evidence, and the fact that the Grand Jurors are amenable to no authority, not even to public opinion, are serious defects, and certainly quite out of harmony with the spirit of modern jurisprudence, as well as with public opinion and feeling. No one has yet, so far as we are aware, suggested a satisfactory substitute to conduct the preliminary investigation. But as soon as that difficulty can be satisfactorily met, it is evident that the old system of Grand Juries may be done away with. But why not amend the Grand Jury itself and make it its own successor, or rather—if we may venture to coin a word for the occasion—supersessor?

SOME of the facts brought out in the Report of the Board of Civil Service Examiners are worthy of attention. At the General Promotion Examination 188 candidates presented themselves, of these 140 passed and 48 failed. The Preliminary Entrance Examination brought out 415 candidates of whom 314 passed and 101 failed. At the Qualifying Examination 179 candidates passed and 185, more than fifty per cent. of the whole 364, failed, while at the examination in Optional Subjects only 53 passed, while 86 out of the whole number 139 failed. These figures seem to show either that the examinations are pretty stiff, or that they attract only an inferior class of candidates. A peculiar fact is that of the total 1,149 candidates, no less than 370, or about one-third, are set down as from Ottawa. The Report dispels the somewhat prevalent notion the official heads of the various Government Departments have in their hands a list of several thousands of successful candidates from which