

clare "not guilty" every one in regard to whose guilt there was the slightest shade of uncertainty, the result would be, in many cases, to defeat the ends of justice, and put a premium upon secret crime. There is, therefore, a good deal to be said in favour of clothing the judge, or some other executive authority, with discretionary power to impose a penalty such as would not be in its nature absolutely irrevocable. Or an argument might perhaps be drawn in favour of restricting by law the capital punishment to cases in which the evidence of guilt is direct and positively unquestionable. Should it be objected that this would go far to do away with the death penalty, the reply is that it might, on the other hand, do more than anything else to stay the agitation for its abolition, seeing that such agitation receives a powerful stimulus from discussions such as that now going on in England. Were a Court of Appeal established and appeal permitted, the force of the arguments in favour of other modifications of the existing law would be greatly lessened, and it is not improbable that the reform may take this shape. It is not easy to see why, in a case of life and death, the convict should not be afforded at least as many facilities for escaping the consequences of possible error, as the loser in a civil suit in which only a few shillings may be at stake.

ANOTHER point that demands earnest discussion is the propriety of permitting those accused of criminal offences to give evidence in their own behalf, as they may now do in civil suits. There can be no doubt that the statement of the woman Maybrick, which was read in court, has produced considerable effect upon the public mind, however little it may have influenced that of judge or jury. It is not to be supposed that the formality of an oath would add much to the weight of such a statement, as the person thought capable of cold-blooded murder would hardly be expected to hesitate at perjury. But it is evident that a sifting cross-examination would have afforded a valuable additional means of determining the truthfulness, or otherwise, of such a statement as that of Mrs. Maybrick. Nor is it easy to see any valid objection to such a procedure so long as the prisoner has the option of going or not going into the witness-box. Whatever may have been the origin of the practice, it is probable that the reluctance to allow defendants in criminal cases to testify in their own behalf now arises as much from a sentimental dread lest they should thus be made to criminate themselves, as from a fear that their concocted testimony may defeat the ends of justice. So far as the latter objection is concerned, the safeguard would be found as it has to be found in the case of thousands of other witnesses, in the jurors' ability to discern character and motive, aided by the results of the cross-examination. Each member of the jury is always bound to determine for himself, in the exercise of his own best judgment, the precise amount of credence to be given to the statements of any individual witness. As to the dread of the prisoner being trapped into self-crimination, it may be observed that in case of actual guilt no injustice can follow, while in case of conscious innocence such a result is hard to conceive. Moreover, the very fact of willingness to testify would in itself tend rather to favour the prisoner by creating a presumption of innocence. On the whole, it is doubtful whether if only prejudices of education and custom could be obliterated any conclusive or really cogent argument against permitting the accused to be examined on his own behalf would be forthcoming.

THERE may or may not be a basis of fact underlying the rumour of an agreement between the American Sugar Trust and an English-German Syndicate for the purpose of controlling the sugar supplies and sugar markets of the world. The question when such wide-world combinations shall effect such monopolies of those of the world's great staples which lend themselves most readily to such a system is manifestly but one of time. The sooner the result is reached the sooner will the nations be forced to set themselves in earnest to find a solution of the complicated problem. It is already pretty clear that that solution is not to be found in any system of repression pure and simple. It is, indeed, seldom that mere repression or suppression is effectual in combating any tendency, however mischievous, which is the outcome of a natural and legitimate impulse. Control and utilization for the general good, rather than direct opposition, seems to be the treatment indicated by a scientific diagnosis. But none the less is society nearing the point when mature consideration and resolute action will have become imperative. The crisis might as well be

precipitated by an artificial sugar famine as by any other kind of monopolists' pinch.

THOSE Canadians, of whom there are, we dare say, not a few, whose ancestors came over in the *Mayflower*, or are believed to have done so, will read with no little interest the descriptions of the monument which was unveiled a couple of weeks since at Plymouth, Mass. The history of this monument is, in itself, deeply interesting. The corner stone of the pedestal which supports the chief figure was laid exactly thirty years before the completed work was dedicated. Not only so, but the Pilgrim Society, through whose agency the work has been accomplished, and which was formed largely for this purpose, was organized in 1820, or almost seventy years before it was able to see its task completed. Such patience and perseverance are not often exhibited in these modern days. The monument itself is highly eulogized as an impressive work of art. The chief figure is a statue representing Faith personified as a woman gazing outward over the Ocean, and upward towards Heaven, towards which she points with one outstretched hand, while the other holds an open Bible. Round about this central figure are four colossal statues in sitting posture. These typify respectively Morality, Freedom, Education, and Law. On each side of their respective thrones are niches containing appropriate symbolic forms. "On the outer ends of the four buttresses which support the symbolic statues are bas-reliefs, pure white tablets, covered with glass. They show the embarkation of the Pilgrims from Delft Haven, their landing on the Rock, the signing of the compact in the cabin of the *Mayflower*, and the treaty which the Pilgrims made with the Indian Chief, Massasoit. On panels chiselled at right and left of the pedestal are the names of all those who came over in the *Mayflower*." The *Christian Union*, to which we are indebted for the above description, says that "the whole conception is exquisite, worthy of the mighty events, and the immortal names enshrined in granite and marble." As if the better to recall the memorable scene suggested, a sudden and furious storm burst forth while the ceremonies of dedication were in progress, and once more "the breaking waves dashed high, on a stern and rock-bound coast." We should not omit to add that the Pilgrim Statue is said to be the largest piece of granite sculpture in the world, the figure representing Faith being thirty-six feet, and the pedestal on which it stands more than forty-five feet high.

CANADIAN ENGLISH.

POPULAR NOTIONS.

IT would probably surprise the average British Canadian to hear it suggested that the language of his people presents any very distinctive features, so widespread are certain half-conscious notions that, excepting a few French, the language of the home-born people of our country is some very British and very un-American and practically uniform dialect, and that, though English, Scotch and Irish immigrants have individually imported their several variations, these never long remain without melting into that uniform dialect. These general impressions, which were not long ago proclaimed unchallenged in the Dominion Parliament by a leading member, are not correct. Neither do our home-born people speak a uniform dialect at all; nor is a very British dialect general; nor is our speech even practically free from Americanisms; nor is the time near when some, at least, of the variants will disappear. It can be shown that there is a possibility of the English language itself bodily withdrawing from more than half the area of the original Provinces; that what remains will be long diversified by traces of dialectic division; and that our daily speech is far more like that current in the United States than we suspect.

FIRST ESTABLISHMENT.

The English language was introduced into the present limits of the Dominion with the cession of Acadia by the Treaty of Utrecht in 1713. Until 1749, when the first permanent settlement was made at Halifax by a body of colonists from England, its only speakers were the British garrison at Annapolis, and a few roving New England fishermen scattered along the coast.

ACADIAN LOYALISTS.

Later on, however, during and at the close of the American Revolution, when the Loyalists, settling all along our border, laid their ever memorable decisive establishment of the race here, the original quarter, Acadia, received so great a share of them as to still largely stamp the character of its people, and on the evacuation of New York at the close of the struggle, a considerable number, many of whom were of high social position, retired thence to Halifax, while others went to St. John, now in New Brunswick, to Shelburne and to some other places. Most of those who came to Acadia hailed originally from the

Eastern States, and from that fact and the fact that a majority of those already settled there sympathized with the rebellion in those States, we should expect to find the New England dialectic peculiarities—"Elizabethan English"—among their descendants.

THE BLUENOSES.

From the centres of first settlement just mentioned a race has spread over the Maritime Provinces which gives to-day by far the greatest portion of the rural population, under the distinctive name of "Bluenoses," its linguistic character. According to Judge Haliburton, who paid close attention to Nova Scotian character, "the accent of the Bluenose is provincial, inclining more to the Yankee than to English, his utterance rapid and his conversation liberally garnished with American phraseology and much enlivened with dry humour." The following specimen is from Haliburton's "Old Judge":

"So you never see a pickinick, sir?"

"No, not here."

"What, are you an entire stranger in these parts?"

"Yes."

"Lawful heart, you don't say so. So be it. I live to the millponds at Yarmouth where I am to home."

"Then perhaps you never see a 'bee', sir?"

"No."

"Nor a 'raising'?" "No." "Nor a 'quilting'?" "No." "Nor a 'husking'?" "No." "Nor a 'berrying'?" "No." "Scissors and pins! Why you hain't seen nothing of our ways yet . . . but here's John; he's generally allowed to be the greatest hand at a 'role' in these clearings—the critter's so strong. No it ain't John, neither! Creation! how vexed he would be."

This is obviously almost pure Yankee. It must be left to local students to discover any differences. There is a probability that Bluenose differs from another Loyalist dialect—that of Ontario—in containing many such words and phrases which the Ontario Loyalists, coming chiefly from colonies outside of New England, would not have imported.

As to the territorial boundaries of Bluenose, they contain nearly the whole of New Brunswick and the greater part of Nova Scotia, outside of Halifax, where British garrisons have very strongly influenced the lower and the society classes. The portions of these Provinces which are to be deducted, because covered by French and Scotch, receive mention further on.

THE ACADIAN SCOTCH.

In Cape Breton and Pictou county a very different and equally interesting body of dialect, which might be called Highland-English, has established itself. Settlement in Pictou county was first made by six families from Philadelphia, "but the immigration which stamped a peculiar character on that part of the Province was the band of Highland Scotch which arrived in 1773. . . . The immigration continued from Scotland, and the great majority of the population are Scotch." (S. E. Dawson's "Hand-book of the Dominion.") At Antigonish the 3,500 inhabitants are nearly all Highland Scotch—many of the older people speak no other language than Gaelic. The same things might be said of the Island of Cape Breton, originally occupied by 3,000 or 4,000 "Associated Loyalists" and a few Acadian French, but now almost entirely by descendants of the latter and of disbanded Highland regiments and immigrant clansmen.

The leading peculiarities of the English spoken in these districts have been given me by a Pictou clergyman as follows:—

"There are considerable districts in Nova Scotia where the Bluenose dialect either does not prevail or where it is perceptibly and even extensively modified by an infusion that is due to differences of race. It is true that in Pictou neighbourhood strong dialectic differences exist, owing to Scottish immigration, . . . consisting in a difference of phraseology, as well as pronunciation, from the Bluenose dialect. . . .

(1) The *s* is often pronounced with the soft instead of the hard sound, as in 'reserve,' pronounced somewhat as if written 're-serve.' (2) The letter *u* is often pronounced as if *y* preceded it, as in 'Jerusalem,' which you will hear pronounced 'Jeryusalem,' or as if *h* preceded, as in 'pursue,' pronounced somewhat as if written 'purshue.' (3) A common and most characteristic turn of speech consists in the use of 'whatever,' sometimes in the sense of 'at any rate,' as in the following sentences: 'The crop is very good whatever.' 'Money may be plentiful, but the times are bad, whatever.' (4) So, too, there is a peculiar use of the word 'altogether,' as meaning much the same as 'very' or 'extremely'; 'He is a good preacher altogether'—i. e., an eminently good preacher. (5) Among the people of Highland descent we find many peculiarities owing to the use of negatives in Gaelic idioms, which are foreign to our English tongue, such as 'It is a long time since I did not see you.' (6) Among those whose knowledge of English is limited there is a great confusion in the use of pronouns. So marked and so common is this that it has given rise to the popular saying that a Highlander calls everything 'she' except his wife, who is always 'he.' The effect is sometimes ludicrous. (7) Again there is sometimes a singular transposition of prepositions. Thus a friend of mine inquired of a stranger whence he came. The answer was 'From Cape Breton over.' (8) Another expression often heard here among housewives is apt to strike a stranger oddly. Bread when heavy is said to be 'sad.' This is a very interesting idiom, inasmuch as it is early English. . . ."