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BENEATH THE WAVE.

This interesting story is now proceeding in large instalments through our columns, and the interest of the plot deepens with every number. It should be remembered that we have gone to the expense of purchasing the sole copyright of this fine work for Canada, and we trust that our readers will show their appreciation of this fact by renewing their subscriptions and urging their friends to open subscriptions with the NEWS.

CANADIAN ILLUSTRATED NEWS.

Montreal, Saturday, Jan. 18, 1879.

MORBID SYMPATHIES.

The law attempts to mitigate the horrors of a capital execution by excluding the general public from the spectacle, but all law is powerless to prevent the manifestation of unhealthy passions which sometimes attend a circumstance of the kind. We have just had a painful and loathsome instance of this in connection with Farrel, who was hanged at Quebec last Friday. The man was charged with a most shocking murder of a neighbour named Conway, whom he mercilessly shot down while the latter was accompanied by his two young children. He was tried by a mixed jury, defended by able counsel, found guilty without a mitigating circumstance and without any recommendation to mercy, and the presiding Judge emphatically approved the verdict. Scarcely had sentence been passed than measures were taken to obtain a reprieve. Naturally and properly the poor wife went to Ottawa on this mission, but the Minister of Justice, although moved by her tears, was unable to offer any hopes of pardon. Then a popular movement was started in Quebec. The matter was brought up in the City Council and next a largely signed petition was confided to Hon. Messrs. MCGREEVY and ROBITAILLE, who presented it in person to the authorities at Ottawa. Proper attention was given to these steps, but upon a re-examination of the whole case, the Minister of Justice was bound to answer that he had nothing to justify his interference with the course of the law. All this pressure may in a sense be excused, but it must be allowed that there was something offensive and abnormal about it. The *Herald* of this city, with its usual judgment, had a most sensible article against the undue interference, and sustained the authorities in their resistance to it. But its wise words were not heeded. Two days before the execution a public meeting was held in Quebec, at which, we are sorry to say, two members of the Provincial Legislature assisted and where, instead of giving such wholesome counsel as was demanded of their responsible position, they lent their countenance to the agitation by declaiming against capital punishment. At that meeting, a City Councillor, Mr. CONVEY, said that though the meeting was very small to what he had anticipated, yet it possessed sufficient influence to warrant him in saying that if the Dominion Government commenced by stringing people up in the manner proposed in this case, they would soon find their career cut short. This was a good beginning, but Dr. BRADLEY, an employé of the Local Government, pertinently, or impertinently, asked how the Marquis of LORNE could visit Quebec, and how those around him at the meeting could receive and welcome His Excellency if he allowed FARREL'S sentence to be

carried out. This covert threat was improved upon by a man named KELLY, who complained that if mercy was not extended to FARREL, it was because he was an Irishman; exactly the same reasons which led to so many of their countrymen being brought to the scaffold in Ireland, for no crime at all, and had caused the execution of a mother having a babe of eight weeks old dependent upon her. Mr. KELLY'S remarks were loudly cheered by some of those present. A series of resolutions were then passed and telegraphed to Ottawa expressing the regrets of the meeting at the failure of petitioners "who have no desire to excuse or lessen FARREL'S crime, but wish to see justice tempered with mercy, and therefore beg His Excellency, in view of his probable early visit to Quebec, to save the city the stain of FARREL'S sentence being carried out." The idea of making a political attack against the Government for their discharge of a painful but necessary duty, of uttering a menace against the Governor-General on his first visit to Quebec, and of pretending that FARREL was not reprieved simply because he was an Irishman, would be comical and ludicrous, if we did not know that it is the expression of a morbid state of feeling fraught with mischief in a mixed community. It was a matter of general satisfaction that the *Evening Post*, of this city, promptly and emphatically denounced these pretensions, and rose to the occasion by putting the whole matter on its proper grounds. We trust that the lesson will not be lost, and that a blow has thus been dealt at fanaticism and demagogy.

A CONSTITUTIONAL QUESTION.

A great deal has been written on both sides of the question relating to the dismissal of the late Quebec Ministry by the Lieutenant-Governor, and perhaps we may add that nothing now remains to be said about it. If the Liberal party had been maintained in power after the general elections of the 17th November, we should certainly have heard no more about it, but with the Conservative restoration, the subject has entered upon a new phase. And this is hardly a matter of regret. We believe it is altogether important that we should learn from some competent authority whether M. LETELIER'S act should be allowed to stand as a precedent or not, and with this view it is necessary to find out where this competent authority is vested. Some hold that it lies with the Federal Government in Council; others that it is a prerogative of the Governor-General as the representative of the Crown, and outside of his Council; and others place it directly in the Imperial Government. Almost all the Conservative papers adopt the first view, while all the Liberal papers naturally hold that the Foreign Office alone is competent to deal with the case. The second view has its advocates, however, chief among whom is M. ERNEST TREMBLAY, one of the editors of *Le National*, of this city, who has published a very able pamphlet on the subject. After laying down the general principles of constitutional sovereignty in regard to the irresponsibility and inviolability of the Head of the State, and the responsibility of Ministers, he enters upon a searching study of the aim and scope of our Confederation scheme, preparatory to upholding a strict interpretation of Provincial autonomy within certain well-considered and clearly defined limits. This, of course, he desires particularly to apply to the Province of Quebec, where the French population is keenly jealous of its traditional rights and where the notion of Legislative Union, as opposed to the present Federal system, is at the present moment very unpopular indeed.

Coming then directly to the heart of his subject, the pamphleteer lays down the principle that a Lieutenant-Governor is responsible to the Queen directly, or as represented by the Governor-General, and not at all to the Federal Government or Parliament. His reasoning is based on the old doctrine of States or Provincial

Rights which was debated for over twenty years by our American neighbours and was only finally decided by the stern arbitrament of the sword. M. TREMBLAY says that the Province of Quebec is not a dependency of the Confederation, but an integral part, and hence the Lieutenant-Governor has above him only the Imperial Government, represented by a Governor-General, acting *without the advice of his Federal advisers*, "the latter having no right whatever to interfere in Provincial matters or to judge of Provincial Governors." It follows, of course, from this, that a Lieutenant-Governor cannot be dismissed by the Federal Government. Here is the whole marrow of the controversy. If the writer can mass proof to establish the distinction between the Governor-General in Council, and the Governor-General acting independently of his Council, in regard to Lieutenant-Governors, his case is irrefragably made out. M. TREMBLAY gives as his proof clauses 58 and 59 of the Constitution, the first of which says that Lieutenant-Governors are appointed by the Governor-General *in Council*, while the second states that the Lieutenant-Governors shall remain in office *during the good pleasure of the Governor-General*. The author concludes that the idea of *good pleasure* naturally excludes the intervention of the Federal Government, and the Governor of Canada can act, on this point, either without or against the advice of his Ministers, just as he thinks fit. Whether the reader will accept this interpretation, as sufficient, or the authority as sufficiently cumulative, this is not the place to inquire. Suffice it that M. TREMBLAY has discovered one way of solving a very ugly problem indeed, and has done it with much ability and in a very fair spirit of moderation. But we repeat what we said at the start that, for the preservation of those institutions which the writer takes so much pains to insist upon, it is necessary that an authoritative judgment of some kind, and from the proper quarter, should be pronounced on the act of M. LETELIER.

A CLERGYMAN DYING OF DESTITUTION.

It is seldom that a more painful impression has been caused in any community than that produced throughout the country by the account of the sad death of Rev. F. W. CHECKLEY, at Toronto. He died of actual want of the necessaries of life. Had such a case occurred in the missions of the North-west, or in some remote station of the backwoods, the surprise would have been less; or if the deceased, fallen away from his high estate, had indulged in habits of dissipation, the regret might have been less poignant, but that a noble-minded clergyman, in the active exercise of his functions, and in a teeming city like Toronto, should have died of want, is a fact that almost staggers belief.

There is no need rehearsing the particulars of the affair, especially as several contradictory statements are sure to go before the public, but the occasion is a fitting one to attack the miserable schedules of remuneration which are draughted for too many of our clergymen in town and country. The new *Canada Educational Monthly* has denounced the beggarly salaries accorded to teachers in the Province of Quebec, but we may with even more reason extend our complaint to the stipends of clergymen throughout the whole Dominion. The painful case of Mr. CHECKLEY has already been made the text of pointed allusions to this subject, and the Bishop-Elect of Montreal, Dr. BOND, used it, a few days ago, as a powerful appeal to the generosity of his diocesan flock. At a late Parochial Missionary meeting of the Church of England, in this city, Mr. BRYDGES followed in the same strain, enunciating some home truths which must effectually arouse the charity of his co-religionists. As a clergyman, writing to the *Mail*, says very appositely: "If \$3,000 is thought necessary in Tor-

onto for a Presbyterian minister and \$2,000 a year for a Wesleyan, on the north side of Bloor street, the inference is that \$800 is starvation wages for a Church of England or any other minister."

The only proper rule to be followed in this matter is that of a guarantee fund in every church for the salary of its ministers, and that salary should be in every way proportionate, not merely, by any means, to the aggregate financial condition of the congregation, but to the dignity of the priestly office, regulated by the standard of the other professions. Surely a clergyman should rank as well, in his material appointments, as the lawyer, the physician, or the Civil Service clerk, and he should never be exposed to the humiliation of haggling about money with his fellowmen. Our ministers do not demand luxury, especially in a young struggling church, but they must have absolute maintenance, or else the efficiency of their service will be impaired, and the Church will sooner or later, be brought into disrepute.

THE FEAR OF DEATH.

Under this strange and yet not unfamiliar title, a recent paper in the *Cornhill Magazine* throws out some ideas which are worth considering, and which we find have attracted considerable attention on this and the other side of the water. Certainly the subject is of deep interest, and perhaps the only one with which every member of the human race has a personal connection.

In the first place, the writer holds that the fear of death does not weigh upon the popular mind to any serious extent, and regards this as a mercy, because, if it did, the development and progress of the race would come to a permanent halt. The real vitality of the world, all that makes it a tolerable place of residence, would perish utterly if a consciousness of impending doom were always hanging over it. In the second place, it is stated that the fear of death is not as universal as is generally supposed. That Nature does not intend the fear of death should assume any other shape than what is termed the "instinct of self-preservation" is said to be proved by the fact that the nearer death approaches the less it is feared. At least such is the testimony of physicians whose extensive practice furnishes the material for intelligent opinion. Horror of death is rarely seen at the bedside of the dying. Nature, as well as religion, smooths the path of the departing spirit much oftener than it roughens it.

So far we can go confidently with the essayist and there is comfort in the teaching, but when he proceeds into the theology of death—if we may so call it—the ground becomes dangerous. It is well, however, to learn what a well-meaning and philosophical writer has to say upon this phase of the subject, from an advanced modern point of view. We do not exactly mean that the ideas are novel, but their production in a new shape is a sign of the times. We are told that the notion of death being the penalty of sin could not have originated in a primitive age. The patriarchs knew nothing of it. Death to them was natural and right. The terms in which they speak of it express their entire consent. They call it a falling asleep, the being gathered to one's fathers.

We are next called upon to inquire why we should pray to be delivered from a sudden death. The fear of death is lost when the stroke falls suddenly, and the stroke is a mercy, provided, as we must suppose all along, that the death is not otherwise "unprovided." SÆTONIUS tells us that CÆSAR deprecated a lingering death, and wished that his own might be sudden and speedy. And the day before he was killed, the conversation at supper in the house of MARCUS LEPIDUS turning upon the most eligible way of dying, he gave his opinion in favour of a death that is sudden and unexpected. Old MONTAIGNE says: "I do verily believe