THE WEEK.

Seventh Year.
Vol. VII. No. 44.

TORONTO, FRIDAY, OCTOBER 3rd, 1890.

$3.00 per Annum
Single Copies, 10 Cents

THE WEEK:

AN INDEPENDENT JOURNAL OF POLITICS, LITERATURE, SCIENCE AND ART

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No advertisements charged less than five lines. Address—T. R. CLOUGHER, *Business Manager, 5 Jordan Street, Toronto.*

C. BLACKETT ROBINSON, *Publisher.*

CONTENTS OF CURRENT NUMBER.

All articles, contributions, and letters on matters pertaining to the editorial department should be addressed to the Editor, and not to any other person who may be supposed to be connected with the paper.

TO CANADIAN WRITERS.

PRIZE COMPETITION.

PRIZES of $50, $30, $20 and $10 will be given for the FOUR BEST SHORT STORIES by Canadian writers only on subjects distinctively Canadian, on the following conditions:—

1.—The MS. must not exceed six thousand words and must be written on one side of the paper only.

2.—It must be delivered at THE WEEK office, 5 Jordan Street, Toronto, not later than 1st November, 1890.

3.—Each competing story must bear on the top of the first page a motto and be accompanied by a sealed envelope marked with the same motto and the words PRIZE STORY COMPETITION, and enclosing the name and address of the writer.

4.—All the MSS. sent in to become the property of THE WEEK.

5.—THE WEEK will award the prizes and will be judge of the fulfilment of the conditions.

Owing to a generally expressed desire THE WEEK has decided to accept MSS. sent in for the Short Story Prize Competition *whether typewritten or not.*

WE are glad to see that the attention of the Minister of Education has been directed not in vain to some serious defects in the working of the educational system of Ontario, and that he is beginning to consider the question of remedies. At an address delivered to a large audience in the City Hall, at Guelph, under the auspices of the South Wellington Teachers' Association, he is reported as having foreshadowed some legislation to secure better enforcement, or, we should rather say, some attempt at enforcement, of the compulsory clauses of the school law. He referred to the fact, which is brought out in his own annual report, and on which we have before commented, that notwithstanding the heavy taxation in Ontario for educational purposes, 235,000 pupils out of 498,000, or 45 per cent., had attended less than 100 days a year, when school was open 200 to 220 days a year. Mr. Ross did not think the people would submit to a compulsory education law like that of Germany, but he considered the present state of affairs unjust to the ratepayers, as if the law taxed every ratepayer for education it should also see that that education was given to those for whom it was provided. The logic of that position is certainly unassailable There is no argument that will justify the taxation of the whole people for school purposes, which will not also require that the end for which the taxes are imposed be secured, by compulsion if necessary. Another point referred to is also one to which we have called attention as a very serious defect in our schools, viz., the immaturity of a large proportion of the teachers employed. It is unquestionably the fact, we believe, that more than half of the Public School teachers of Ontario are less, and a large proportion of them very considerably less, than twenty-one years of age. Mr. Ross now proposes, we are glad to see, to raise the minimum age at which teachers' certificates shall be granted from eighteen to twenty-one. We can think of no reform, short of the perhaps impossible one of a doubling or trebling of the salaries of Public School teachers, which would do more to improve the character of the teaching and management than that thus foreshadowed. Nor should it be left out of the account that this reform will tend indirectly to an increase of salaries, by reducing the number of competitors, which is now out of all proportion to the number of schools. The Minister is also represented as saying that "while the main line of our educational system centres in the University there might with profit be switches, so to speak, in the High Schools, for commercial, industrial and agricultural training." We have always contended that the boasted unity of plan in our school system, a consequence of which is that the Public School work is carried on mainly with reference to the High School, and that of the High School mainly with reference to the University, is really one of its radical faults. The result is, in each case, that the interests of the many are sacrificed, or at least subordinated, to those of the few, for no one can doubt that the courses of both Public and High Schools could be much better adapted to the wants of the great majority in each, whose education proceeds no farther, were those courses arranged with special reference to the needs of those majorities. We are glad to see that Mr. Ross proposes some concession in favour of this common-sense view.

DURING his recent visit to Winnipeg, Sir Hector Langevin made a speech, in the course of which he is reported to have referred in the following terms to the question of disallowance:—

If a Local Legislature affirms a false principle or interferes with the rights of the individual, the power is there on the part of the individuals to appeal to the Governor-General-in-Council and ask to have the Act disallowed, because it is against the constitutional right of the subject or against the interest of the country. Should that be the case, the Governor-General-in-Council would not hesitate a moment to disallow Acts of that kind. Therefore, individuals need not be uneasy about an Act of the Local Legislature.

These are words of serious import. If Sir Hector is correctly reported and if his expressions may be accepted as representing the views of the Dominion Government, we are evidently on the eve of a severer struggle than any which has yet taken place in regard to the question of Provincial Rights. As we have more than once had occasion to point out Sir John A. Macdonald's words in the debate on the Jesuit Estates' Act, and, in fact, the words and attitude of all the members of the Government in regard to that measure, seemed to indicate that they had conceded the broader doctrine of Provincial Rights as opposed to Dominion prerogative. It will never do to have one theory for Quebec and another for Manitoba. And yet we have now the Minister of Public Works affirming the power of disallowance, not only in defence of constitutional rights, but as against the affirmation of "false principles," and in the fancied "interests of the country." We need not just now enter into the merits of the particular Act of the Manitoba Legislature, which was no doubt the measure aimed at by Sir Hector's remarks, but it is clear that the language here ascribed to him asserts the right of the Dominion Government to veto Provincial Legislation, not only on strict constitutional grounds but on general principles, and in defence of what it may be pleased to regard as "the rights of the individual," or "the interest of the country." The reference to "the rights of the individual" reminds us of the chief ground on which the Government sought to justify the disallowance of the Ontario Rivers and Streams Act. The Imperial Privy Council's verdict has surely disposed of that contention. Not much argument would be needed to show that if the views enunciated by Sir Hector should prevail, the word "federation" as applied to the union of the Provinces would be a misnomer. The Local Legislature would no longer be independent within their own spheres, but would be reduced to the position of subordinate councils, under the direction and control of the central authority.

THE great trial at Woodstock is now a thing of the past, and will soon be known only as a matter of history. Persistently and relentlessly the sleuth-hounds of justice have followed the trail left, in spite of all precautions, by the perpetrator of one of the most cold-blooded murders recorded in Canadian annals. Link by link a chain of evidence was forged so strong as to seem, not only to the twelve sworn men to whose hands was committed the power of life or death, but we suppose to nineteen out of every twenty of those who followed the welding process from day to day, practically if not absolutely unbreakable. The verdict has been found and the terrible sentence pronounced. The moral is written large upon the very face of the whole tragedy, the closing scene of which is to be enacted on the 14th of November. Leaving that to be read by all to whom the knowledge of the facts may come, two or three observations growing out of the trial rather than bearing upon it suggest themselves. In the first place, we believe, as we have said, that the evidence must be convincing to almost every mind that studies it. And yet, after all, it is but circumstantial evidence. No one saw the convict commit the crime. He is reported in some of the newspapers as having said that he could explain the whole matter and free himself by a few words. Wildly improbable as such a thing is, who can say that it is utterly impossible? The point is, that though the probability of guilt is of that overwhelming kind upon which we are obliged to act in nearly all the most important affairs of life, it is not absolute certainty. When Birchall shall have gone to the gallows and passed out of life there will still linger in the minds of many a haunting shadow of the possibility that he may have been innocent of the crime for which he paid the penalty. We need not stay to point out that this fact constitutes a strong plea in favour of imprisonment for life instead of death, as the legal punishment, at least in all cases in which the evidence, however strong, is purely circumstantial. Another thought suggested is that of the effect of the purpose or predilection, with which one comes to the study of evidence, in shaping his conclusions. No one can, we suppose, doubt that the eloquent Counsel for the defence became, in the course of his professional duty and the preparation of his final argument, strongly convinced of the innocence of his client, or that the equally learned and eloquent Crown Counsel became as firmly convinced of his guilt. It is no reflection upon these gentlemen, but merely the statement of a fact in the working of that curious piece of mechanism, the human mind, to say that, in all probability, had these gentlemen been engaged on the opposite sides of the case respectively, their convictions at the close of the trial would very likely have been reversed. Whether this fact, if it be accepted as such, constitutes an argument in favour of or against our system of criminal jurisprudence is an open question. To those who take the latter view will fall the difficult task of proposing a better system.

ONE question suggested by such trials as that just concluded at Woodstock is why it should so often be thought necessary by the Counsel for the defence in such cases to browbeat and badger the crown witnesses. We can readily understand the reason for adopting such a course sometimes in civil cases, involving large sums of money, and so affording room for suspicion that some of the witnesses may have been tampered with. In trials involving political issues, too, there may often be good reason for suspecting that witnesses may have been "coached" for the occasion, or that their partisan feelings may have got the better of their consciences. In such cases—whenever, in short, there is reasonable ground for fearing that manufactured or perverted testimony is being given, we can well understand why an effort should be made in cross-examination to confuse or frighten the suspected witness, or to involve him in contradictions which may show the worthlessness of his statements. But in cases involving the life or death