

# TRUTH.

OLD SERIES.—21st YEAR.

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## WHAT TRUTH SAYS

The committee of the House of Lords appointed to enquire into the assertion of Rev. Benjamin Waugh that "in England a thousand children a year are murdered for insurance money" are eliciting the most damaging testimony as to the influence of these societies. Two criminal judges of long and large experience, Justice Day and Justice Wills, while not prepared to say that the sole motive for child murder is the greed for money, have both declared their conviction that it is a principal cause. Two years ago Justice Day, at the Wiltshire Assizes, denounced "those deadly societies which insure children, which seem to be instituted for the destruction of children, for the perpetration of murder." "Those insurance clubs or societies," said Justice Wills at the Derby Assizes last winter, "have their agents all over the kingdom, persuading people to insure the lives of their children for sums which are a great temptation to work their destruction. Oftentimes it would be a much more correct definition of these so-called life insurance societies to say that they are death insurance societies." This witness is confirmed by coroners, clergymen and physicians from all parts of England. The coroner for Northeast London, speaking as an official and a physician, expresses the unqualified opinion that "infantile insurance is an incentive to crime." "The general rule," he explains, "is not to kill the children outright, but to let them die gradually from bad feeding, not having medical attendance, and so on." Such insurance, says a deputy Coroner of the city of London, is "an inducing cause at times, but only one out of many." The Coroner of Whitechapel reports that out of 216 inquests held by him during six months on children under 10 years old dying from violence or neglect, as many as 118 brought money to their parents. Dr. Barwise of Birmingham declares that "every year hundreds of parents are guilty of child murder in this town." The Bishop of Peterborough reports a medical man as having told him that when he was called in children's cases and found out that the children were insured he refused to take medical charge. In general, the vital statistics of the Registrar General show that where child insurance is most common, infant mortality is highest, and where two years was fixed as the age of benefiting from the policy, the mortality after that period was passed rose with a sudden bound. That the crime of child murder is frightfully common cannot, in the presence of such facts, be reasonably denied. And yet, though it is morally certain that many hundreds, if indeed, not thousands, of children are being every year murdered by their unnatural parents, it seems almost impossible to bring home their

guilt, owing to the difficulty in obtaining the requisite legal evidence. Statistics of criminal convictions of the murders show that the crime is rarely punished. As to the business of insuring children, it is not at all improbable that the committee's investigations will result in preventive legislation or at least in the imposition of such restrictions as will render it criminal to do business with any parent or guardian whose present provision for his children would indicate a disregard for their comfort and happiness.

And now it is New York that is disputing the count of the census enumerators and is requesting the President of the United States to order a recount of the population. That the account is incorrect the Council infers from the statistics of the Health Department, of the Department of Taxes and Assessments, the registration of voters and the returns of votes cast at elections, all of which indicate that the recent enumeration is deficient to the extent of not less than 200,000 persons. The principal reason assigned for desiring a recount is that by the omission of so many names a substantial injury and wrong is likely to occur through the deprivation of just congressional representation by an appointment based on such defective census. Whether President Harrison will grant their request which has in view the strengthening of the Democratic party remains to be seen. Having granted the prayer of other cities, St. Paul, Minneapolis, Albany, etc., he cannot with very good grace deny the citizens of New York.

The decision of the Court of Chancery in the important case of the Attorney-General for Canada vs. the Attorney-General for Ontario settles a very intricate constitutional question as to the powers and prerogatives of the Dominion and Provincial governments respectively. The case turned upon a claim set forth in an Act of the Ontario legislature, passed two years ago, to the effect that all powers, authorities, and functions formerly vested in or exercisable by the governors or lieutenant-governor of the several provinces now forming the Dominion of Canada, are and shall be (so far as the provincial legislature has power to enact) vested in and exercisable by the lieutenant-governor or administrator for the time being of the province, in the name of her Majesty or otherwise as the case may require; subject always to the Royal prerogative as heretofore. The particular point of dispute was the interpretation put upon the Act by the government that passed it that it included "the power of commuting and remitting sentences for offences against the laws of the province, or offences over which the legislative authority of the province extends." In behalf of the plaintiffs it was urged that the power to commute and remit sentences is a part of the prerogative of the Crown, and is always exercised directly by the Crown, and is a power which the Lieutenant Governor does not possess, and which the legislature cannot give to him or any other person, that the prerogative of the Crown extends to all offences, not only to crimes but to matters made penal by provincial statutes; that the prerogative power is single and indivisible; that it cannot be engrafted upon without express words of the Imperial Legislature—the words must be clear or the inference must be irresistible; and that the language of the B.N.A. does not confer this power upon the Act iron.

Legislature. On the other hand in behalf of the defendants it was argued that the measure of the executive power is co-extensive with that of the legislative power; that many sovereign powers, such as taxation and the appointment of her Majesty's judges (e.g. Division Court judges and justices of the peace) are within the competence of the Provincial Executive, and an analysis of the B.N.A. Act shows that much of the sovereign power is delegated to the Provincial Executive; that the Provincial Legislatures have functions equal to those of the Dominion Legislature, and their powers in relation to the subjects over which they have jurisdiction are absolute; that there can be no objection to the conferring of powers upon the Lieutenant-Governor, who is a Federal officer and the representative of the Governor-General.

In delivering the judgment of the Court which was in favor of the defendants, that is, that the Act in question is of the constitutional competence of the Ontario Legislature, Mr. Chancellor Boyd explained at length the reasons which led him and his colleagues to conclude as they had done. His arguments went to foundation principles and showed that within certain limits laid down by the Imperial Constitutional Act, the Parliament of the Dominion and the Legislature of the province enjoy each in its own sphere and territory delegations of sovereign powers sufficient for all purposes of effective self-government; and that the power to pass laws implies necessarily the power to execute or to suspend the execution of these laws, else the convenience of self-government in domestic affairs is a delusion. "Every Act of government," he continues, "involves some output of prerogative power. The prerogatives of the Crown may not have been in any sense communicated to the Lieutenant-Governor as representative of the Queen, and yet the delegation of law-making and other sovereign powers by the Imperial Parliament to the Legislature of Ontario may suffice to enable that body by a deposit of power to clothe the chief provincial functionary with all needful commuting and dispensing capacity in order to complete its system of government." This decision which many have been anxiously awaiting, and concerning which the ordinary lay mind did not feel disposed to speculate, is another victory for the Hon. Mr. Mowat, whose legal acumen and sound judgment in respect to the constitutional powers and prerogatives of the provinces have in repeated instances been confirmed by the highest legal tribunals.

Under the plea of self-protection a number of the richest corporations in the United States have formed an alliance against strikes. The report states that among the members of the corporation are the Westinghouse System, Yale Lock Company, Bolt Arms Company, and four other factories in Connecticut. The corporation is that in case a strike occurs, the corporation will employ a sufficient number of men to keep the works running. The corporation is also allowed to employ a sufficient number of men to keep the works running. The corporation is also allowed to employ a sufficient number of men to keep the works running.

from 250,000 to 300,000 persons, exclusive of other interests depending on the earnings of these people. The feeling exhibited by this movement is not one to be greatly rejoiced in, nor does it encourage the hope of a speedy termination of the present industrial war. Were it not for the fact that the condition of things has manifestly improved during recent years, that the rights of employers and employees are being more clearly defined and generally respected; and for the additional fact that advancement has ever been marked by conflict and struggle the pessimists who see nothing but destruction and ruin ahead would have some reason for their faith. As a matter of fact, however, there is nothing in the present situation to discourage hope. Nothing is more certain than that the struggle will quicken the popular sense of even-handed justice, and that that impalpable but omnipotent thing we call public opinion will gradually force both parties to the strife to acknowledge and respect the rights of each other. As serving to show how sensitive the public conscience has already become we have only to take the existing trouble on the New York Central railroad. As first the popular sympathy was evidently with the strikers, but since the investigation into the trouble showed that justice has not been the watchword of those who directed the workingmen's affairs the feeling for the strikers has greatly declined. The day is past when any man or corporation or organization will be upheld in a course of injustice and wrong. Though none can certainly predict when the conflict will come to an end all may confidently entertain the hope that right will ultimately prevail over wrong, and that injustice will give place to that spirit which leads men to do with others as they would that others should do unto them.

According to Mr. E. V. Wright, vendor of the Great Temiscamingue silver mine, Canadian capitalists allowed a princely prize to escape them when they permitted said mine to fall into the hands of Americans. Mr. Wright points out that the wholesale value of the ore is \$110 per ton, and that the cost of production, including freight to tidal water, is not more than \$15 per ton, thus leaving a gross profit of \$95 per ton. He estimates that the mine is capable of producing 100 tons per day for at least five years, which at \$95 per ton, gives the enormous sum of nearly \$15,000,000 gross. "For years," says Mr. Wright, "I have been begging for the mine to be held of it at a price which would make a dollar worth more than a dollar. I have thrown it away, and the mine is now in the hands of Americans."