

# THE WEEK:

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## TOPICS OF THE WEEK.

AGAINST nomination as a means of perpetuating the Senate, Mr. Blake has at last entered a protest. He does not propose to abolish the Senate, but to employ some mode of election, whether direct or indirect he does not say. What he claims is that the people should resume the power of selection; but it does not follow that the power should be exercised in the form of direct election. One of Mr. Blake's objections to the existing constitution of the Senate is that nomination is liable to overthrow the balance of parties, so far as to give everything to one party and nothing to another. This, it seems, was at one time very near coming to pass in Quebec. Mr. Joly, when he took office, had to rely on the services of two dissatisfied Conservatives, without whom he would not have been able to make the wishes of the Government known in the Senate. And the same state of things might happen at Ottawa. Senators, Mr. Blake observes, remain after their creators have lost public confidence. But worse than this happens. Men are not unfrequently appointed to the Senate after having lost, if they ever enjoyed, public confidence. At best, they represent only the party leaders to whom they owe their appointments. They can show no valid title to legislate for the nation. The selection of old men for Senators is the least fault of the system; but the appointment of men whom the constituencies have rejected tends to antagonize the will of the electors. Such appointments are not merely not representative: they are in direct opposition to the natural workings of the representative system. But the Senate is not to be reformed without a vigorous and persistent effort. A chance reference to the subject in an occasional speech will not bring about a change. Will Mr. Blake, now that he has put his hand to the plough, go on till success crowns his exertions?

As much is probably now known of the Conspiracy Case as will be revealed in the final trial. The chief point on which opinions differ is on the propriety of members of the House acting the part of spies for the avowed purpose of obtaining evidence to procure a conviction. To this question, as the facts stand, two different replies must be given. If it be assumed that the offer of a bribe was made to McKim, a crime had already been committed, and two courses were open to him: he could either denounce the crime at once, or wait till the offer was in a shape that would

enable him to go through the form of accepting. He might fairly do either without rendering himself liable to reproach. He chose the latter alternative, and if he had done no more his conduct would not have been open to censure. What he did beyond this is a question for the jury that is to try the case, and it would not be proper while the case is pending to pronounce upon facts on which different constructions may be put. But, if McKim endeavoured to bring others into the plot who had up to that time taken no part in it, he became at that stage of the proceedings a plotter himself; and if he succeeded in inducing these persons to sin, he doubly sinned himself. The originator of a crime is worse than the accomplices whom he gets to share his guilt. A man of high honour would not listen patiently to an assault on his virtue; he would be unable to dissemble so as to appear to entertain the proposal; the natural indignation which he would feel would find immediate and spontaneous utterance. He would end the parley at once and forever. A man so acting would be able to give evidence to which no suspicion would attach, and the conviction of the criminal would be best assured. To hesitate, to entertain proposals, to make promises for a consideration and in a written form, is to go far beyond the passive attitude. If to do all this were permissible for the purpose of obtaining corroborative evidence, it is not the less true that the man who so acts descends to a lower moral level than he would have stood upon if he had repelled the advance the instant it was made. He would have made a promise which he did not intend to keep, and he would have been obliged to justify himself on the ground that faith need not be kept with a political infidel. But when he goes beyond this and solicits parties to join the criminal by whom his own virtue had been assailed, he becomes himself an instigator of crime for which, as a ringleader, he incurs a deeper guilt than attaches to those whom he induced to become his accomplices.

ONE of the consequences of the settlement of the Boundary Dispute on the west in favour of Ontario is that the holders of timber licenses from the Federal Government find themselves in the position of trespassers on the domain of the Province, and without authority to continue their lumbering operations. A proclamation has been issued warning all persons not to cut timber in Ontario without the authority of a license from the Provincial Government. The holders of licenses which have become invalid have no course open to them but to apply to the recognized owners of the territory for new licenses. They may have to compete against others for a title to the limits they have hitherto held; and if they have acted in good faith under a Federal license, and should suffer loss through the decision of the Privy Council, they will have a claim for indemnity against the Federal Government. If any limits were held for speculative purposes by persons who had not utilized them, the holders will not have a strong claim for prospective profits. Timber limits are looked upon by the partisans of both Governments as a prize to be secured. Favouritism in their disposal can be prevented only by offering the limits at public sale, when every one has the option of bidding. This has been the rule in Ontario; and if this rule has recently been departed from to some extent, it is said, by way of defence, that the departure was not intended as a stepping-stone to the adoption of a new policy. It is desirable that the necessary change of license should be so made as to disturb as little as possible the course of the lumbering industry.

M. MERCIER has put in all the evidence he had to offer before the Jacques Cartier election commission, and the enquiry must soon draw to a close. M. Mercier, against whom the proceedings were directed, has not come out of the ordeal unscathed. That he received \$5,000 on condition that he was to drop the demand for disqualification against M. Mosseau is proved beyond all reasonable doubt. M. David, who negotiated the accommodation, says the money would not have been paid unless this end were attained; the associate counsel of M. Mercier says the object of the payment was to prevent disqualification being urged, and M. Trudel, whom M. Mercier sent for to finish the negotiation which M. David had begun, corroborates the evidence of the other two witnesses who were in a position to speak to the point. Against these witnesses the denial of M.