

standard of admission, and to use such tests or safeguards as are necessary to prevent the incoming of those who have marked tendencies to infectious disease, or who have shown criminal propensities. But there is a wide difference in principle between assisting pauper and child immigration from the public funds, and actually prohibiting such immigration or putting serious obstacles in the way of it, when promoted by private philanthropy. Indeed from the philanthropic point of view it is doubtful if there is any form in which the means of the charitably disposed can be used to better present advantage, or with better promise of far-reaching good results, than in rescuing indigent and orphan children from haunts of vice and misery, subjecting them to a suitable course of training, physical, mental and moral, and transplanting them to the fruitful fields and prairies of this wide, Western World. One can neither admire the logic nor envy the spirit of the man who would willingly obstruct such a work. It is true, as observed by one of the Labour Congress delegates, that there are all too many waifs in the streets and slums of our own cities needing to be thus rescued, trained, and cared for. But there is abundant room for all in the agricultural districts of this great Dominion, and the example of those large-hearted men and women who are striving to save the children of the Old Land should but stimulate the generosity of Canadian philanthropists to do the same for the children of their own country.

IN announcing the recent appointment of Dr. Chamberlain, of Dundas, to the important and responsible position of Inspector of Prisons and Asylums, the *Globe* enumerates the following among other qualifications of the successful candidate:—

He has been a fighting Liberal for a quarter of a century. He was an unsuccessful candidate for the representation of Dundas in the Commons, and ran three contests for the seat in the Legislature. In the general election of 1886 he was successful, and, notwithstanding that Dundas ranks as a safe Conservative constituency, he was defeated on other occasions by very narrow majorities. He has fought the battle of Liberalism all through Eastern Ontario, and ranked as one of the best platform speakers in the Province.

We have not a word to say against the gentleman referred to, who, so far as we know, may be well qualified for the position and in every way worthy of it. What interests us and should interest all friends of reform is the *Globe's* peculiarly frank avowal of the principle upon which appointments are made in the Civil Service in Ontario. We do not for a moment suppose that the present Government of Ontario is a sinner above the Governments of the other Provinces or that of the Dominion in this respect, though possibly the *Globe* is a little more outspoken than most of the other organs in its way of putting the thing. But looking at the matter from the point of view of plain common sense one may well wonder what is the connection between fighting-Liberalism, or defeat in a political contest, and fitness for the inspectorship of prisons and asylums. Probably we shall receive a satisfactory explanation about the same time at which we are clearly shown how it is consistent with economy, justice, or good government that a few favourites, the lucky appointees to certain special offices, should be paid by fees for their services at rates which assure them very large incomes, while many other public officers whose duties are no less arduous and responsible are obliged to content themselves with moderate salaries. Were the Province for the time being under the régime of a wicked Tory Government, steeped in traditions of favouritism and trained to regard the public offices as good things in the gift of the rulers for the reward of the faithful, there would be less occasion for wonder. But when we are reminded by the recurrence of the words "Liberal" and "Liberalism," in the brief article quoted, that the principle of appointment exemplified is that acted upon by those who claim to be the legitimate descendants of the old "Reformers" who fought so long and so stubbornly against the iniquities which were begotten and transmitted by the "Family Compact" system of earlier and darker days, the mystery grows dense. Is it not about time that we should have a new Reform Party, composed of genuine Liberals, and having, as one of the planks in its platform, a non-partisan civil service, with appointments on merit alone, and no tempting sinecures or consolation prizes for defeated candidates?

THE near approach of the day fixed for the trial of the man who has been for some months in prison at Woodstock, charged with murder most foul, may well suggest some reflections on our modes of procedure in such

cases. Whether the accused be convicted or acquitted, the evidence, so far as at present appears, will be purely indirect or "circumstantial." Whether evidence of this kind can ever prove guilt with absolute certainty may well be doubted. Yet in a very large proportion of cases it is the only kind of evidence available. That innocent men have sometimes been convicted and executed on circumstantial evidence, seemingly of the strongest kind, can scarcely be questioned. But, on the other hand, to argue that conviction and punishment should never be based upon such evidence is to plead that, in nine cases out of ten of deliberate murder, the murderer shall go unwhipt of justice. This, again, would mean that society should be deprived of its chief safeguard for the protection of human life. It is often said, somewhat thoughtlessly, we suspect, that it is better that a thousand guilty should escape than that one innocent person should suffer. Everything, in such an assertion, depends upon the meaning attached to the word "better," but it would be hard, we think, to define it in any ordinary sense, and maintain the truth of the proposition. Certainly if "better" is used with reference either to the well-being of society or the sacredness of the individual life, it would not be difficult to demonstrate that it is better both for society and the individual that each should suffer the almost infinitesimal risk of becoming the innocent victim of circumstantial evidence, than that all should be constantly exposed to the danger that would result from the impunity on which the assassin who should lay his plans with ordinary cunning could almost surely count, if he could not be convicted on circumstantial evidence. The sum seems then to be this: that among the postulates to which every individual may be assumed to give tacit assent, in order to enjoy the advantages of life in a civilized and orderly community, is that of the right of society to inflict its prescribed punishment upon him, whenever it shall be able to bring circumstantial evidence of a certain degree of strength to bear to convict him of crime. On the same principle alone can the imprisonment of a man, who according to the legal maxim should be accounted innocent as not having proved guilty, be defended; though it is clear that such imprisonment should be for the shortest possible period consistent with the interests of justice. Whether this axiomatic rule is always observed, or has been observed in the Woodstock case, is worthy of serious consideration.

ANOTHER thought of even greater practical importance than either of the preceding will have forced itself, we think, upon the minds of many, in anticipation of the forthcoming trial at Woodstock. It is pretty clear, as we have already intimated, that no human being, save the accused himself, can ever know with absolute certainty whether his hand or that of another committed the deed. So, too, no one but himself can know, with absolute certainty, how his time was spent on the eventful day on which the crime was perpetrated, or whether and for what purpose the journey, if he made the one which will be, we suppose, in evidence, was undertaken. Is it not, then, obvious that the statement of the accused himself might be of the greatest value in helping judge and jury to discover the facts and judge righteous judgment? If conscious of innocence, he would naturally be eager to give the explanation. Is there really any valid reason other than the purely legal one, why he should not be permitted to do so? Any danger that the jurors might be deceived by a flitious story is of the smallest. The cross-examination would almost surely detect the inevitable inconsistencies in the most ingenious fabrication. There is, we believe, a marked trend of thought in England, in the direction of allowing the accused to testify in criminal cases. Will it not be found, in the last analysis, that the hitherto prevailing objection is based largely upon the sentimental notion that there would be something wrong or horrible in allowing a criminal to be convicted out of his own mouth?

THE tremendous question of official precedence is again to the fore, this time in a very concrete form. His Eminence Cardinal Taschereau excused himself, at a late hour, from attending the State dinner given by His Excellency, the Governor-General, in honour of Prince George of Wales, at Quebec, though he had previously accepted the invitation. The Cardinal made no secret, it appears, of the fact that his change of mind was caused by the discovery that his place at table had been assigned, at a remove of three or four seats from that of the Prince. The claim is made on his behalf that, in accordance with the precedent lately set in England, in the case of Cardi-

nal Manning, and, as alleged, in accordance with the English order of precedence, "princes of the Church" should come next after "princes of the blood." The incident certainly does no honour to the unworldliness and self-abnegation of Cardinal Taschereau, and is strangely out of place in this democratic Dominion. It is, perhaps, just as well that the incident has occurred, as it may serve to call public attention to the anomalous fact that the Canadian order of precedence does assign a place—albeit only the fifth—to arch-bishops and bishops. As we have on a former occasion said, the giving of a place to prelates in England is the logical outcome of the existence of a State Church, though that fact gives to dignitaries of the Roman Catholic Church no claim to official recognition. But as the table of precedence is arranged wholly with reference to State occasions and State officials, and there is in Canada no connection between the State and any Church, it follows that to give a place to arch-bishops and bishops is to make an unwarranted and invidious distinction between the clergy of religious bodies which are legally on a footing of equality. The simple and natural remedy is to have the table corrected, leaving clergymen, like other invited guests, to trust the courtesy of their hosts to assign them suitable places.

THE chief subject of discussion during the past week in political and business circles, on both sides of the international boundary line, has been the debate in the American Senate on the Tariff Bill. Space would fail us to describe at length the various propositions that have been made in the direction of freer commercial intercourse, especially with countries to the south. There is little doubt that Mr. Blaine's views, or some modification of them, will so far prevail as to limit, by some condition involving the principle of reciprocity, the provision of the Tariff Bill, as it came before the Senate, for admitting raw sugar free of duty. The amendment introduced by the Senate Finance Committee, the effect of which would be to put the whole matter virtually in the hands of the President by empowering him to suspend the provisions of the Act, in the case of countries imposing duties or other exactions deemed to be "reciprocally unequal and unjust," seeing that it would leave the remission or collection of a total of \$53,000,000 or \$54,000,000 of taxes at the discretion of the President, would probably be endowing the Executive with too much authority, even for the American system. As to the proposals in which Canadians are more directly interested, Mr. Hale's amendment, virtually empowering the President to establish free trade with all American countries, has so little chance of passing that it attracts attention only as one of the straws showing the new direction the wind is taking. The resolution of greatest immediate interest to Canadians, because of its directly practical character, is, undoubtedly, Senator Sherman's proposing free trade in coal between Canada and the United States, and offering to appoint Commissioners, to meet others to be appointed by Canada, to frame a general scheme of reciprocity. There is very little prospect, it is true, that this motion will, under present circumstances, be carried. In all probability tidings of its defeat will have reached our readers before this number of THE WEEK is in their hands. Nevertheless the fact that this and other proposals looking to freer intercourse with Canada have been made and seriously considered is significant. The tide of public sentiment in the matter of restricted trade is evidently turning. The Republicans of the New England States and the great American North-West are in almost open revolt against the policy which not only restricts their commercial freedom, but also prevents them from procuring at the cheapest rates the raw material necessary for their manufactures. Mr. Blaine's shrewd words, "I wish to declare the opinion that the United States has reached a point where one of its highest duties is to enlarge the area of its foreign trade," suggests that, in addition to the demand for cheaper raw material, there is also beginning to be deeply felt the need of wider markets in which to sell the products of their factories, which are now producing goods in many lines far beyond the capacity of their own people to consume.

PROBABLY, then, the day is drawing near when Canadian statesmen may have, if they desire it, an opportunity of seriously discussing with those of the United States some new scheme of reciprocity. It is true that Mr. Blaine, who now represents the most potent and aggressive political force at Washington, is represented as holding that a satisfactory settlement of the fisheries difficulties must precede any negotiations looking to closer trade rela-