

years of the war that he became conscious of his own powers and gained the self-reliance which enabled him to crown other important successes by the splendid march to Atlanta with less than 100,000 men under his command, thus successfully performing the feat which cut the Confederacy in two and was probably the most potent agency in bringing the war to a close. As a man, General Sheridan was singularly unconventional in manner, frank in speech, and magnanimous in disposition. He was brilliant both as a conversationist and as an orator. There was in him much of genuine republican simplicity, and what is better still, of genuine Puritan integrity. The former was demonstrated by his declining to seek the office of President which was probably within his reach; the latter marked his whole career as civilian and as soldier, and enabled him to bequeath to his children the precious legacy of an unspotted reputation.

NOTWITHSTANDING the finding of the Court appointed to enquire into the conduct of Colonel Forsyth in the Wounded Knee fight, acquitting him and his soldiers of blame, and the approval of that finding by the President and Secretary of War, much suspicion and misgiving still linger in the public mind, in the United States, with reference to that tragic event. Some of the most independent and influential papers are placing side by side with the evidence adduced before that Court, the story told by some of the Indians a week or two since to Commissioner Morgan, and corroborated in part by a half-breed Sioux minister of the Episcopal Church. According to a summary of this story published by the *Christian Union*, the Indians were returning to Pine Ridge when they were met by the soldiers, who demanded their guns. These were surrendered. The men were then collected in a group apart from their families and tepees. The massacre was brought about by the act of a young Indian who is described as crazy and very bad and a nobody, who fired his gun and killed an officer. Some other Indians drew knives, whereupon the soldiers commenced an indiscriminate butchery. The Indian men were, as above said, in one place, and their women and children at a different place some distance away. First the men surrounding the Indian who had fired his gun were shot down, then the soldiers turned their guns, the Hotchkiss guns included, upon the women who were in the lodges under a flag of truce. Of course both men and women fled in all directions, and, according to the explicit declaration of the Indians, were pursued by the soldiers and shot down as they ran, even women with infants on their backs not being spared, until their bodies were strewn all along the circular village. Women and children were shot down right beside the flag of truce and at other places as they were fleeing. It seems almost incredible that soldiers, supposed to be brave men, could be guilty of such cowardly barbarities, yet there is evidently a strong disposition on the part of some of the most reliable journals to fear that there is too much truth in the Indian story. Some are urging that a Congressional Committee should be appointed to make a searching investigation. Though it is hardly probable that Congress will go behind the report of the court of enquiry, whose finding is approved by the highest authorities, yet it is evident that unless and until their reputations are cleared by some open investigation such as will command universal respect and confidence, Colonel Forsyth and his soldiers will rest under suspicion of having committed, either through panic, or in a spirit of fiendish revenge, one of the most cruel and dastardly deeds on record.

THE question "Can lawyers be honest?" is far from being a new question, but it is discussed by Homer Greene, in the February number of the *North American Review*, with a frankness and freshness which give it all the charm of novelty. Mr. Greene commences with the statement that the popular opinion in America is that lawyers, as a class, are dishonest; that in the common mind a white blackbird is no more *rara avis* than an honest lawyer. If anyone has a doubt that the same fashion in speech is common in Canada, he has but to ask the opinion of the first one dozen or one hundred men of the people he may chance to meet. It will, of course, be understood that in this both Mr. Greene and THE WEEK are but stating a fact, not endorsing the popular sentiment —if, indeed, it be a real sentiment, and not merely a fashion of speech. Lawyers are, we have no doubt, but too familiar with the current saying in this regard, and though both they and the public are accustomed to treat that current saying as a jest, it must be none the less gall-

ing to those members of the profession who are conscious of perfect rectitude of purpose. It is not long since we heard a prominent member of the Bar, a man of high Christian character, go somewhat out of his way, in an address at a religious meeting, to notice and deny the hard impeachment in behalf of his brethren and himself. Mr. Homer Greene, in his short but pithy article, brings out very clearly the peculiarities of the position in which the lawyer, by virtue of his profession, is placed in relation to his client, out of which the general impression or fashion arises. The nature of these relations may be suggested by a brief summary of a few out of many questions of morals which are continually arising in legal practice. The client's statement of his case convinces the lawyer that said client's case is good in law, but not defensible in morals. Should he accept or refuse a retainer? During the progress of the trial the lawyer becomes possessed of facts, not before known to him, which show that his client deserves to lose his case, and which, if made known, would cause him to lose it. Can he conscientiously suppress these facts and win the case? Or he may discover facts which relieve the client of his opponent of unjust imputations or suspicions; which facts, if known, would essentially increase his opponent's chances of success. Is he justified in concealing these facts? "His (the lawyer's) policy," says Mr. Greene, "is more or less a policy of concealment. But concealment not only leads to—it is in itself—deceit. Yet if deceit is one of the conditions of success in obtaining substantial justice for a client, why may it not, in this instance, be regarded as a virtue rather than as a fault?" Once more. The counsel for the defence in a trial for murder becomes convinced, either by statements of his client, or otherwise, that his client is really guilty. Is he justifiable in concealing his knowledge and securing the acquittal of the murderer? What would be thought of a lawyer who should in any of these, or similar contingencies, which must be constantly arising in practice, give away his client's case "because his strict sense of honour would not allow him to conceal an important fact or precedent"? We remember to have been deeply impressed when young by a rumour current in regard to a certain highly respected judge in a Canadian Province, to the effect that in the course of a long practice at the Bar he had never lost a case, simply because he would never undertake one in which he was not certain that he had right and justice on his side, and, being assured of that, would bring such zeal and acumen to bear that he was sure to win. We now suspect that the story was apocryphal. But assuming its truth, would such a course be counted in accordance with either the etiquette or the ethics of the profession? All these questions are, no doubt, discussed and settled in the law schools to the satisfaction of the profession, but scarcely to that of the public. Mr. Homer Greene shows how the ball of responsibility is tossed back and forth between attorney and client, but does not attempt to fix the blame, or even to say that there is blame. He closes his article as follows:—

In the meantime this is the situation: The profession of the law is, to a certain extent, in ill repute. Lawyers are regarded, as a class, with something more than suspicion, so far as their professional integrity is concerned. More serious still is the fact that this suspicion is not wholly unfounded; and that this lack of integrity, if such it may be called, goes not only unrebuked by the people at large, but is actually placed at a premium by those people when they become prospective or active litigants. For all this there is a remedy. Who will suggest it? Who will rescue a most honourable calling from its present unfortunate environment.

THE INDEPENDENCE IDEA IN CANADA.

The passion of youth for its darling dreams.

If his occasion were not so virtuous I should not urge it half so faithfully.

A "CANADA FIRST" sentiment, it may properly be judged, is widely and warmly cherished throughout the Dominion.

Addressing an immense audience from all quarters of Canada, on the occasion of the recent Toronto Industrial Exhibition, the Earl of Aberdeensaid, amidst applause: "It would indeed be surprising if you as Canadians had not a national ambition combined with your loyalty to the British throne and British constitution. You have reason to be proud of your institutions and of your progress. In some of your chief departments of life you are ahead of us in the Old Country. As, for example, in your complete plan of local government, which we are only beginning to reconstruct; in your admirable educational system, and in your legislation for promoting temperance."

The noble lord spoke truly and struck a chord evoking response in the popular heart. Canadians naturally take pride in their fair, free land and are not too bashful to

admit that in various directions its progress illustrates the old saying:—

Full many a pupil has become more famous than his master.

Nor indeed is this feeling uncombined with love for, and loyalty to, the Old Land. The sentiments are consonant and are entertained in harmonious conjunction by the vast majority of subscribers to the Canada First Idea. Our people as heartily sing

The Thistle, Shamrock, Rose entwined
The Maple Leaf forever,

as they do

Fair Canada, loved Canada,
Home of the brave and free!

We scrutinize the Canada First Party. It really has no organized existence, although effort to form and maintain it has more than once been put forth, and we find its basis to be pure and inoffensive patriotism. If ever there should be—and doubtless some day there will be—a duly organized and working Canada First Party worthy of the name, I judge that no mean or wilful antagonism, either towards Great Britain or the United States, will account for its *raison d'être*, but simply, as regards the former, the natural-born instinct of being old and big enough to stand alone, and, as to the latter, the reasonable promise that there is room on this continent for another "gloriously free and independent" nation. It will, when the time comes, be organized in good temper and from worthy, manly motives; and attainment of its objects will be sought constitutionally, fairly, with moderation and with "malice to none but charity for all."

It is true there may be said to be another and less thoughtful and temperate class who favour independence as the wilful, wayward boy cherishes desire to defy parental restraint and "runs away only to come home again, in most cases, sober and sorry for it." They recognize, in common with their more sober and self-contained fellow-advocates of the idea, that Canada's boasted freedom is not so much that of the eagle, which soars at will, as of the kite, which flies from a long string but is yet held in check and can be pulled in at any time. They "can't abear" to think that Canada, though ostensibly self-governed, is in reality "under Downing Street domination." The notion of "dependency" is obnoxious to them; the name "colony" is even more offensive. These restless, high-strung spirits want, and declare they must have, at once more liberty. That true liberty is consistent with the closest restrictions and the severest prohibitions—that, in fact, only as law and order prevail can real liberty exist, and that when ignorant people repudiate and defy the law they are simply destroying the very bulwark of liberty and precipitating license and anarchy—would seem not to enter largely into the philosophy of this unrestrained espousal of the Canada First, or Independence, cause.

Lord Beaconsfield has laid down the dictum that he succeeds best who has the best information. Accepting this doctrine, the extremists among the Canada First advocates might do well to examine how far they are accurately posted on independence and what it involves of national moment. The moderates are, I feel assured, seized of the subject.

The former say: "Now, one thing we want added to our present pretty fair measure of autonomy is the treaty-making power." Do they contemplate that with this would naturally seem to go the treaty-enforcing responsibility?

"We require further," they proceed, "to choose our own military Commander-in-chief." Is it taken into account that this could fairly be urged to include the assumption of our own military defences?

"We demand the right to appoint our own Governor General." Is it fully comprehended that this might sever the very last link of British connection, and give us our "freedom," with a vengeance?—our "independence," with all that that term implies? "When Canada elects her own Governor General the fisheries question will be easily settled." This blandly observes Mr. Goldwin Smith. But he addresses himself to whom? The Canada First apostles, whose principles and aims are virtuous and loyal as well as patriotic? No. The amiable and erudite Professor, whose sentiments are well known to be anything but philo-British, in addressing a select gathering of the Commercial Union Club, of which he is the revered President, and the members of which have nothing in common with Canada First advocates, except it be in precipitating the independence movement, so that their proposed union with the United States may be more easily and completely consummated.

Come let us possess ourselves of all the information that we may best succeed in reaching the independence goal. Say we cherish ambition for absolute unconditional autonomy, and at the same time scout the idea of denouncing and denying the Mother Land, on whom we would depend as a friend and ally, whose *prestige* and power would always be a source of pride and protection. Is the proposition right and reasonable? Set up shop for ourselves, and still expect the old house to back us! Bid the old folks a final good-bye, "rash and undutiful," without stopping to talk over some other possible arrangement, and yet fancy we are entitled to anything more than a formal parting blessing, coupled with a cold and significant injunction to be sure and take care of ourselves in future!

But assuming Great Britain's readiness to grant, though reluctantly, to Canada unreciprocated indulgences and one-sided concessions, which virtually cut the maternal apron-