

THE WEEK:

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TOPICS OF THE WEEK.

THE awkwardness of an appeal to a court on the other side of the Atlantic is especially apparent in criminal cases. A long delay in the execution of a sentence is undesirable, because, while life under sentence is morally worthless to the condemned, the lapse of time severs in the public mind the salutary connection of the punishment with the crime. Moreover, an appeal to a very distant court cannot be cheap, and few prisoners are, like Riel, provided by partisans with the means of paying heavy fees. In fact, the nuisance will have before long to be abated. But while the jurisdiction exists we cannot complain if advantage is taken of it on Riel's behalf, though it may be only for the purpose of creating a delay, and giving time for the subsidence of public indignation, and for the working of the political influences which are being brought to bear in favour of the criminal. That the Government, in selecting the course of procedure, was playing the nation false, and preparing a trap-door for the criminal's escape, was insinuated by the austere and much-respected politician who was the first discoverer, we believe, of the supposed flaw; but only the author of the insinuation will believe that such men as Mr. Christopher Robinson and Mr. Osler, who were counsel for the Government, could have been induced to sacrifice their professional honour to the foul exigencies of political intrigue. There is nothing to be done now but to await with patience the decision of the Privy Council, in the uprightness, at all events, of which we have every reason to confide, and in the meantime to protest against the intrusion of political influence on either side, as well as against the acceptance of juridical theories which, to make a way of escape for a particular offender, vitiate and falsify the general principles of criminal law. To seek to embarrass the Government in such a matter would surely be nothing less than criminal. Its head is undoubtedly responsible, on constitutional principles, for allowing or not allowing the law to take its

course. But it is equally certain that he is bound to allow the law to take its course in the absence of a definite reason for staying it, and that this reason must have reference not to the interests of Party, or to any interest but that of public justice. The law makes treason a crime: the law, through its tribunal, has pronounced Riel guilty of that crime: the law condemns him to death. The functions of the Executive are ministerial, and the law commands their performance.

THE Convention of Young Liberals has shown that political thought is active, and that political oratory is cultivated among the members of our rising generation. More it can hardly be said to have done. More, under the limitations imposed on its action by Party management, it could scarcely be expected to do. On the expediency of particular measures the judgment of the young can be of no special value: it will differ from maturer judgments, if at all, only in being less surefooted. But the general aspirations of the youth of a country it is always both interesting and instructive to learn. Especially at a time when the future of the country is problematic, and destiny appears to be about to cast the die, we should have very much liked to know in which direction the wishes and hopes of young Canadians pointed. But perfect freedom of utterance was essential to the experiment, and the Party managers obviously could not afford to allow the utterances of a convention called by them, and in their interest, to be perfectly free. If they refrained from ostensible interference, their guiding hand was certain to be felt. Felt it was beyond doubt in the resolution which received the majority of votes on the question of Independence. To those who were present as onlookers it appeared, whenever Independence was informally mentioned, that the sentiment of the meeting was manifestly in its favour; but the formal resolution, by its balanced and evasive phrase, bespeaks the work of cool heads and practised hands. It is rather remarkable that the resolution in favour of Independence pure and simple should have received so many as forty-nine votes against seventy-eight in favour of the resolution recommended by the managers, while there were six votes for Annexation and twenty for Imperial Federation; the net result being a majority of only three votes against radical change. This indicates, to say the least, a wonderful emancipation of opinion since the time when, for contemplating, however remotely, any condition but that of political dependence, for advocating commercial autonomy, for even presuming to speak of Canada as a nation, you were at once shot down not only by Tories but by leaders and organs styling themselves Liberal. One great point has evidently been gained: the country will have henceforth to be led on vital questions by argument, and not by the lash. As no veto was put by the managers on a vote in favour of free trade with the United States, it may be inferred that, in the councils of the Party, Commercial Union is regarded as at least a possible platform, while the indications of its popularity are multiplying in the country at large. On the question of the Party leadership, the feeling of the meeting appeared to onlookers to be warmly in favour of Mr. Blake; so that the Morning Star of Young Canada, in spite of the clouds which, since the time of the Aurora speech, have obscured its rays, is the Morning Star of Young Canada still. Glittering with the beams of eloquence it has long hung in the Eastern sky, but as yet it has not proved the herald of a new day.

FROM the indisposition to enforce a sumptuary law not supported by a clear majority of the population even the magistrates are not always free. The Police Magistrate at Smith's Falls has had his commission revoked, and two magistrates in the united counties of Prescott and Russell have been removed from the Commission of the Peace for taking too favourable a view of the cases of alleged offenders under the Scott Act. There is little reason to doubt that the decisions which led to dismissal were in all three cases contrary to law. A fourth case is now before the Superior Courts in which a magistrate had imbibed the arbitrary spirit of the Scott Act to such a degree that he undertook to inflict a punishment wholly beyond what the law warrants. Here is another case that may possibly require the attention of the Attorney-General, for it is not to be supposed that magistrates who offend in one direction only will merit Executive disap-