

Radicals in the Chamber display a very big split; M. Carnot offered to their two chiefs, Messrs. Brisson and Bourgeois, a free hand, and *sans* conditions, to form a Cabinet, to replace that of M. Perier's; they declined to take office and that has injured them among even their own rank and file. However, when the Radicals decide to close up ranks and join hands with the Monarchists and Socialists they can turn out any Ministry.

If there be any man in this world who ought to be content, in this vale of tears, that man should be Lord Dufferin. He has a splendid public career to his credit, has been laden with honors, and is certain to wear the strawberry leaves in time. As ambassador here, he is the marked object of respect with his colleagues and is in the odour of sanctity with French functionaries. He is popularity itself with his countrymen resident here, and even the Americans claim to share him; indeed they have annexed the British embassy. Lord Dufferin has just had a daughter married—only one remains to be wedded—and the occasion was seized, by the diplomatic world, by all that is distinguished in French society, and by the English colony. The civil ceremony took place in the embassy itself, then the bridal party crossed over to the English church when the religious union was celebrated by the bridegroom's father, Lord Plunket, Archbishop of Dublin, and the embassy's chaplain, Dr. Washington. All the toilettes were very rich, but simple. Not the least notable feature of the wedding was the little pages, the son and daughter of Dr. Washington—a pair of lovely chickens—the sister wore a Kate Greenaway costume, of the same materials as the eight bridesmaids; her little brother, about six years old, with large blue eyes, dressed like a Louis XV marquis, with three corned hat, silk *culotte*, embroidered body coat. He attracted the most notice after the happy couple; indeed, he felt that he was the best man—and not the other fellow.

Although three cases of authentic cholera have been registered, no one feels alarmed. Indeed, the precautions are so well taken that the patients are at once conveyed to the special hospital, and generally successfully treated. If the weather does not become permanently oppressive, so as to reduce strength, there is no danger of any endemic in Paris this season. The new water supply is now working well.

The newest "Olympian" game the Parisians now enjoy, is a troupe of "stilts" of both sexes, from the Landes of Gascony, where the shepherds and shepherdesses, in following their occupation, always walk on "stilts," the better to survey the sheep runs. Australia will please take note. They wear a sheep-skin for top coat, over a scarlet vest, with breeches, like Bryan O'Lynn's, of the same material. They have promenaded along the Boulevard on their native perches, visited the office of a newspaper, when they quit their sticks, nodded to the printers also occupied with their sticks, then enjoyed champagne and indulged in rustic dances in native costume to their shrill life. They give exhibitions at the "Stiltodrome," which is a velodrome when the bicycles are on the roll.

Z.

Too much sensibility creates unhappiness, too much insensibility leads to crime.—*Talleyrand.*

## SERIES OF HISTORICAL REVIEWS.—III.

SOURCES OF THE CONSTITUTION OF THE UNITED STATES—EXECUTIVE, LEGISLATIVE AND JUDICIAL AUTHORITIES EVOLVED FROM ENGLISH PRINCIPLES OF GOVERNMENT—ORIGIN AND MEANING OF CABINET—CONGRESSIONAL GOVERNMENT AND ITS INHERENT WEAKNESS.

Some years ago, one of the most thoughtful students of American institutions, Mr. James Russell Lowell, gave utterance to a truth now generally admitted by publicists, that the men who framed the constitution of 1787 "had a profound disbelief in theory and knew better than to commit the folly of breaking with the past." They were "not seduced by the French fallacy, that a new system of government could be ordered like a new suit of clothes." They would "as soon have thought of ordering a suit of flesh and skin." It is only "on the roaring loom of time that the stuff is woven for such a vesture of thought and expression, as they were meditating."

The thought embodied in these words has found emphatic expression in a book\* recently written by Dr. Stevens on the origin and development of the constitution of the United States. It is true that he has only amplified the thoughts of Mr. Bryce in "the American Commonwealth," of Mr. Hannis Taylor in the introduction to his excellent work on the English constitution, and of various other writers, notably in the Political Studies of Johns Hopkins University, and in the Annals of the American Academy of Political Science. In Dr. Stevens's work, however, we have a well conceived digest of the evolution of the main principles of American institutions from the fundamental sources of English law and government. One author has attempted in two elaborate volumes—the late Mr. Douglas Campbell in "The Puritan in Holland, England and America"—to trace a number of American institutions to Dutch antecedents; but, as Dr. Stevens says, the constitution of the United States, as a legal document, is traceable to the influence of English conditions as worked out in the form of English laws, and "the presence in America, during colonial days, of the representatives of other races than the English has left scarcely a trace in the national constitution." The free school, the use of a written ballot, certain features of the land laws and of the township system, have been confessedly derived more or less from Dutch sources, and "though not included in the constitution, have exercised an influence in moulding the American nation." But otherwise the evidence is unquestionable that the Federal and State constitutions are only the logical sequence of the experience of American statesmen of the operation of English institutions from the establishment of colonial governments in the first half of the seventeenth century down to the formation of the state constitutions and the meeting of the Philadelphia Convention of 1787. That my readers may appreciate this fact to the fullest extent, I give the following summary of the evidence adduced by Dr. Stevens and other authors, as nearly as possible in their own language whenever it is necessary.

The idea of a sharply defined three-fold division of government—executive, legis-

\*Sources of the Constitution of the United States considered in relation to Colonial and English History. By C. Ellis Stevens, LL.D., D.C.L. New York: Macmillan & Co. 1894. Toronto: The Copp, Clark Co. 12mo., p.p. xii+277.

lative and judicial—had its origin in the colonial system; for in all the colonies the separation of such authorities was practically more extended than even in the parent state. When the state constitutions were formed, the same division was continued and the delegates to the Philadelphia convention naturally followed the example of their own states in framing a national system of government. In fact the constitution was not a new creation but naturally an adaptation of old principles of English and Colonial government to existing social and political conditions. The Senate can trace its evolution from the House of Lords, the permanent and grand council, and the Witenagemot of early English days. In the colonies there had been an upper house—as there was in the provinces of Nova Scotia and New Brunswick as late as 1837—combining executive and legislative powers. The constitutions of the majority of the newly formed states also provided for a legislature of two houses, and in seven of them the upper chamber was designated a "Senate." In its early days it was considered primarily a body with executive functions. Its assumption of legislative responsibilities, as important as those of the House of Representatives, has been the result of a long process of development. It now constitutionally possesses executive, legislative and judicial attributes, since it ratifies treaties, confirms appointments, considers, initiates and passes acts of legislation, and tries high crimes and misdemeanors against the nation. The president of the Senate, like the lord-chancellor, who is the official head of the House of Lords, is not chosen by the body itself, but is the vice-president of the United States, and elected by the people. No doubt he derives his office from that of the deputy or lieutenant governor of old colonial usage. Many of the state constitutions made provision for the same functionary to preside over the upper house of the legislature and also to succeed to the governorship in case of a vacancy. In four of the states he was actually named "vice-president."

The House of Representatives was naturally formed after the model of the House of Commons of England, which had always been the prototype, as far as colonial limitations permitted, of the colonial assemblies or lower houses. In several of the state constitutions, the same name was given to the lower house. The Speaker has been always the presiding officer of the House of Representatives, and the basis of its procedure is the parliamentary law of England. But the Speaker of the American house has been gradually forced into the anomalous position of a chief of a party, through the absence in the house of a responsible leader as in England and Canada under the modern system of parliamentary government, and he cannot now be regarded as an impartial officer in whose decisions all political bodies can have complete confidence. The rules of the house also show important divergencies from old usages of parliament, imposing among other things limitations upon debate that do not exist either in England or Canada. The initiation of impeachment rests with the lower house as with the Commons. The initiation of money votes is also the constitutional privilege of the same body.

In considering the origin of the supreme and national courts, which are essentially the guardians of the constitution, since they can decide the constitutionality of any act