

greeted, it was in its logical qualities distinctly inferior to either of those which preceded it. Mr. Mowat spoke from the high vantage ground of the man in power, the man who has been in power so long and with so large a majority at his back that he may regard his position as well-nigh impregnable, and may speak face to face with his audience without throwing even a gossamer veil of modest self-depreciation over his words of self-congratulation. His record of victories achieved over both Local and Dominion opponents is certainly an unusual one, and the evident pride with which he recounts his conquests will, by his party supporters at least, be regarded as of the kind called "pardonable." One thought suggested by the facts of his career is well worth being pondered by the people of the Dominion, who are supporting a costly Senate, and by those of each of the Provinces, Manitoba excepted, with their Legislative Councils. It must be admitted on all hands, less as a tribute to Mr. Mowat than to the system which was successfully used by his predecessor in the premiership as well, that neither the legislation of the Dominion nor that of any other Province has been more wisely conservative, more free from rash experimentation and mischievous blundering than that of Ontario. The bearing of this fact upon the possibilities of the future of other Provinces and of the Dominion in the way of greater simplicity and economy in legislation is obvious. In regard to the one point, however, upon which most persons in the audience would no doubt have been glad to have the light of Mr. Mowat's speech concentrated, he declined to throw any light whatever. We refer, of course, to the much-discussed amendments to the Separate School Act. Mr. Mowat did, indeed, promise to speak at an early day more at length upon public matters of Provincial concern, when he will no doubt enter upon this burning question. In the meantime his auditors and the people generally must content themselves as best they can with his general and emphatic assurance that the amendments in question and all his legislative acts are absolutely fair and spotlessly just to Catholic and Protestant alike. How he proposes to demonstrate the fairness, the expediency or the propriety of giving to the Roman Catholic clergy the immense advantage in the propagation of the doctrines of their Church, which they derive from the enactment which makes it compulsory upon assessors to set down as Separate School supporters, not only all ratepayers whom they may know or think to be Catholics, but all whom any person may assert to be such, must remain in the meantime among the mysteries of party legislation, while we await the convenience of the Premier.

WE have repeatedly called attention to the strange lack of uniformity in the sentences passed by different courts for similar offences, as an anomaly amounting to positive injustice, for which a remedy should be found. A Montreal paper adds another to the long list of illustrations. It informs us that at the recent assizes "in one case a prisoner was sentenced to twenty three months imprisonment, in another the prisoner was sentenced to fourteen years, and in still another the prisoner only received two months, the cases all being for assaults on women. Curiously enough the man who received the fourteen years was not the perpetrator of the crime, but an accomplice, while in the other cases in which the sentences were so light the convicted persons were the actual offenders." "The reasonable deduction from the sentences would be," says our contemporary, "that it is a greater offence to be an accomplice than to be a principal." There may have been degrees of brutality or other modifying circumstances to account in some measure for the disparities in these sentences, but the real explanation must probably be sought, and may probably be found, in the idiosyncrasies of the presiding judges. As we do not even know their names, our remarks are, of course, without the slightest personal reference. The obvious fact is that individual judgments, mental or moral, differ so widely in individuals of different training and temperament that they cannot be relied on to secure that degree of uniformity and certainty which is one of the most potent factors in making punishment effective. The moral influence of such disparities upon the minds of the criminals themselves, as well as upon onlookers with criminal tendencies, must be of the worst possible kind. Instead of leaving the court impressed with the impartiality and majesty of the law as administered, some of the former will leave chuckling over the unexpected lightness of their sentences, while others will gnash their teeth in rage and go to their doom with less horror of their crimes and a deeper hatred of the society which is so unequal in its treatment of offenders.

The spectators, too, can hardly fail to despise instead of reverencing the judicial system which can lead to such results. The remedy, it is clear, must be sought in one or both of two directions. Either the punishment must be more rigidly prescribed for each specific crime—a very difficult matter, no doubt—or a system must be adopted whereby the concurrence of two or more justices must be had in all criminal sentences. The same necessity applies with even greater force to the minor police and magistrates' courts. The haste and consequent arbitrariness of the sentences given every day in our city police courts is positively shocking, if people would but reflect upon it. It is a reproach to our civilization that justice should be so unevenly dispensed, and the public look on with so little concern.

REV. PRINCIPAL GRANT, since his return from a trip to British Columbia, has referred, in an interview, to the case of Mr. Duncan and the removal of the Metlakahtla Indians. He is reported as having spoken very highly of Mr. Duncan and his work, and seems of opinion that they have suffered great hardship and injustice. His suggestion that an independent commission should be appointed to inquire into the matter and report the facts, is a good one and should be acted upon. It is hard to conceive of any objections to such a course, not founded upon the idea that the rights of the Indians in question are of too little consequence to justify so much trouble and expense. Such a view will not commend itself to the people of Canada. The impression is abroad and deeply planted in the minds of many that these poor people have been unjustly and harshly treated. The Dominion cannot afford to rest under such an imputation. The Indians of the Pacific Coast are, we suppose, the wards of the Government, as are all the other Indians, and the Government is in honour, as well as in humanity, bound to protect them from ill-treatment and injustice. We are aware that a good deal is to be said on the other side of the question, and that both Mr. Duncan and his Metlakahtla people are held by some to have been blameworthy, if not dishonourable, in their dealings with the Church of England Missionary Society. It is hardly probable that their conduct was wholly commendable or judicious. But, on the other hand, nothing but a keen sense of injustice and despair of redress could constrain a large body to forsake their land and their claims to treaty compensation, and cross the boundary into another country. The very circumstance that there is difficulty in getting at the facts of the case is the best reason for having it carefully inquired into. It is to be hoped that some good friend of the Indian will take up their case in parliament, and press for full and reliable information. Dr. Grant says it will be difficult now to set right the wrong which has been done. But it is never too late to try to rectify a wrong. If the Indians have been wrongfully deprived of their property restitution can at least be made.

THE recent visit of Mr. Daldy, Secretary of the English Copyright Association, to Ottawa, to urge the objections of British publishers to the Canadian Copyright Act, coupled with the fact that Mr. Daldy also semi-officially represented the British Government, makes it pretty certain that a strong influence is being brought to bear in England to secure the disallowance of the Act. This was, no doubt, anticipated by those who secured the passage of the Bill. Mr. Daldy is represented as saying that it was absurd to suppose that there was any clashing of interests between English and Canadian publishers. This is just where he and those whom he represents are mistaken, and it is likely that after the joint interview had by him and representatives of the Canadian publishers with members of the Government, he will return to England with a very different impression. There is a very considerable clashing between the interests of the English and those of the Canadian book-trade, and the matter must, there is reason to fear, assume the shape of a question as to which of the two interests shall prevail in Canadian legislation. It is, indeed, quite possible that those interests may be capable of being reconciled, but that can only occur as the result of a change of view on the part of English publishers and authors, based upon better information in regard to the state of affairs in Canada, as to what their real interests are. It is not to be wondered at that some clauses of the Canadian Act, especially that which provides that an English copyright book must be republished in Canada within a month of its publication abroad, in order to secure the benefits of Canadian copyright, should appear like confiscation from the English point of view. The chief source of difficulty arises from the peculiar circumstances in which

Canada is placed by reason of her close proximity to a nation which has hitherto been peculiarly unscrupulous in its disregard of the rights of foreign authors and publishers. This fact, which the English parties interested do not seem to take fairly into account, completely destroys the parallel which they seek to draw between the Dominion and the European nations represented in the Berne convention. The situation has been, no doubt, fully explained to Mr. Daldy, by the representatives of the Canadian Association, and it may be hoped that he will in consequence be prepared, on his return, to present the facts to the members of the association of which he is secretary, and to the Government, in such a light as may modify their views and lead to a satisfactory arrangement. Otherwise there must be a direct joining of an issue, the decision of which must rest with the British Government, which will, we think, hardly care to veto the Act of the Canadian Parliament, in such a matter.

THE re-appearance of *The Bystander* in the field of Canadian journalism is an event on which the reading and thinking public may well be congratulated. The moment is opportune. Questions of vital importance to the future well-being of Canada are just now demanding the best thought of its wisest citizens. These questions are sure to be discussed in the columns of *The Bystander* with unsurpassed force, clearness and literary ability, and what is perhaps of even greater value, with the most complete independence. Thoughtful Canadians may dissent from many of the writer's views. They may often question the conclusiveness of his reasonings. Nevertheless they cannot fail to appreciate the great value of *The Bystander's* contributions to current political literature, representing as they do the matured opinions of an author whose culture, scholarship and historical knowledge unite to place him in the very front rank of journalistic writers. We are glad to see that the larger part of the October number is occupied with subjects purely Canadian in character.

A CAUSE, like an individual, has sometimes as much to dread from the advocacy of friends as from the denunciation of enemies. This is the reflection forced upon us by reading the article entitled "Canada and Ireland: A Political Parallel," by Professor J. P. Mahaffy, M.A., of Dublin University, in the October *Charlatan*. The least that could have been expected from so learned and able an exponent of Irish Protestantism was that he should have taken care to acquaint himself thoroughly with the facts of Canadian history before venturing to make such use of them as he has in the article in question. As it is, there is reason to fear that the real force of the Irish-Protestant argument against Home Rule for Ireland may suffer, in the estimation of Canadian readers, at least, by the numerous inaccuracies and the glaring one-sidedness of the so-called Canadian parallel here presented. The mind of the lover of equal rights and British fair play is thrown into an attitude of suspicion at the outset on finding himself in the presence of a thinker who regards the original treaty which "secured to the French inhabitants of the Provinces the right to use their own language and practise their religion" as a "grave blunder in policy." When he proceeds a little further and reads of "the recent change, by which the British possessions in Canada ceased to be a colony and became a Dominion with independent government," he rubs his eyes to assure himself that these are not the confusions of a dream, rather than the words of a somewhat famous professor in a British University. An opinion so narrow, followed by an inaccuracy so glaring, forms a fitting introduction to the *ex parte* description of the Canadian situation which makes up the body of the brief article. Two or three further illustrations will exhaust our space and suffice for the present purpose, which is simply to point out the extent to which even distinguished men are in danger of suffering the materials of their argument to be coloured and warped by the warmth of their feelings. That the Jesuits' Estates Act has "re-endowed the Jesuits with their ancient property," and that "the small Protestant minority in the House at Quebec protested," will be news to Canadian readers; but the lack of information which appears in such statements is, perhaps, less mischievous and more pardonable than the unqualified assertion of what can be at best but an unprovable opinion as if it were a demonstrated fact. This Professor Mahaffy unquestionably does in the following statement, the last sentence of which will be seen to be specially unwarrantable, if not absurd, in the light of Lord Stanley's own explicit declaration. "Sir J. Macdonald," says this intrepid framer of parallels, "and the leader