

The Colonist.

MONDAY, OCTOBER 17, 1898.

RECOMMENDATIONS TO MERCY.

Belle Adams killed Charles Kincaid. What took place in the room just prior to the killing only two persons knew. One was Kincaid and he is dead; the other is Belle Adams, and she has given what she says is a true account of it. The probabilities against its being true are very strong; nevertheless some uncertainty surrounds this essential portion of the case, and under the merciful rule of British law, whereby an accused person has the benefit of every reasonable doubt, a verdict of manslaughter was not an improper conclusion to be reached by the jury. It would not seem right to hang a person without knowing something more about the motive and the provocation for the crime than it is possible to find out in this case. Therefore we think that the verdict is one which can be defended, and wish which the public ought to be satisfied.

The recommendation to mercy is an other matter, and we note that it was a strong recommendation. We submit to the jury that in this they made a mistake. The fact that they found the woman guilty negates the hypothesis of self-defence and establishes that in the opinion of the jury the killing was unjustifiable. We are unable to discover any circumstances in the case which called for such a recommendation. The fact that the victim and his slayer had lived in illegal intimacy does not in any way reduce the nature of the crime. It is a principle of law that intoxication does not excuse crime. A man who commits murder when drunk will be hanged just as surely as if he had been sober when he did the act. The life which the Adams woman and Kincaid were living was a species of intoxication. It does not excuse crime. It ought, indeed, to be considered as aggravating it. A sort of mawkish sentimentality has recently been developed which surrounds the class to which the woman and her victim belonged, with an atmosphere of false sympathy. No matter how flagrantly such people may transgress the laws of both God and man, some one finds excuse for them; but the argument in their favor, reduced to its last analysis, is substantially this: They have brutalized themselves and they, therefore, ought not to be treated like responsible beings. To this we reply that those who deliberately brutalize themselves ought to be treated accordingly. This may sound cruel, but it is a greater cruelty to surround such lives with a glamour of sympathy. A more rugged sense of justice is needed. If society, from mistaken ideas of mercy, interposes to shield the depraved and vicious from legitimate consequences of violations of the law, it is committing moral suicide. Those who choose to live in open defiance of law must be taught that "the way of transgressors is hard." Unhappily things have come to such a pass that crime, when added to moral infamy, appears in the minds of some well-intentioned people to elevate it. The woman who parades the streets, resplendent in her rich dress, is an object for condemnation; but let her, as the consequence of a peculiar gross delinquency, or in the fury of misguided passion, shed the blood of some one, and in the opinion of some super-sympathetic women she becomes something that may be fondled and fussed over, and in the opinion of some men, whose experience of the world ought to have made them wiser, a fit subject for the exercise of the prerogative of mercy.

The Colonist is not so absurd as to suppose that vice and immorality can be driven out of a city. It recognizes certain evils as inevitable. What it protests against is the dulling of public sentiment in regard to the wickedness of vice and the criminality of crime. The sentence which the presiding judge passed reduces this trial to what some will regard as a travesty upon justice. According to Judge Irving, here is a case in which a man is killed when taken by surprise and by the use of considerable violence. The deed could not have been done, he said, without some cunning on the part of the prisoner. She came into court and added perjury to her crime, for she made statements, which, as the judge remarked, the jury did not believe, and he himself did not believe, and yet he thought it sufficient to impose a sentence of five years, which may be reduced considerably by good conduct. We should like to know under what circumstances Judge Irving would feel called upon to impose a heavy sentence. The man was killed by the woman; killed by cunning and violence and when he was taken by surprise; the prisoner came into court and falsely swore that she acted in self defence. Can any one conceive of a worse case? And yet the red-headed criminal will be arraigned again in a little over four years.

THAT \$30,000 WARRANT.

The Times accuses Mr. Turner of having made "a serious misstatement" before Chief Justice McCall in regard to the \$30,000 warrant issued to the contractors for the Parliament Buildings. In using the word "special" in this connection, Mr. Turner did not mean to imply that the warrant was issued in pursuance of the law which authorizes the issue of what are called "special warrants" in cases of emergency. He meant that a warrant had issued specially for this item. This warrant was produced before the Commissioner. It bore date February 1, 1898. The idea which Mr. Turner desired to convey was that the amount was not covered up in other items or included in a war-

rant with other payments, but was paid specially as the "balance for full settlement of contract for mason's work on the provincial building including all claims."

This warrant was made by virtue of a special order in council also made of February 1, annexed to which were full details of the account. The public accounts committee was appointed on February 15, and had access to every warrant issued, including this one. The supplementary estimates to cover this amount, among others, were laid before the house on May 13, but were not taken up until May 16, the Supply bill itself being passed on May 17. From February 15 to May 17, a little over three months, the public accounts committee had every opportunity of eliciting any information it needed regarding the particular warrant or any other warrant. The house was in possession of the estimate to cover this item for three days before being asked to pass upon it. These dates fully bear out what the Colonist said in regard to the means available to the legislature to ascertain everything about this payment.

In its anxiety to make a point against Mr. Turner the Times knocks the pins out from under its own case. It tells Mr. Turner that the payment of \$30,000 was made under the authority of the Parliament Building Act. This is quite true, and being true, we have the anomaly of a commission appointed to inquire into the legality of an act done under a provincial statute in the regular routine of business, after approval by the Lieutenant-Governor in Council and with the sanction of the legislature. We would suppose that if there can be such a thing as finally settling anything it would be about such a payment. The Times also misquotes Mr. G. B. Martin, making him say that certain payments were made "on account of the absence of the architect," and to make this more conspicuous prints the words quoted in capitals. This only serves to accentuate the unreliability of the Times, and there was surely no need to do this. There was not the slightest excuse for misquoting Mr. Martin, for both question and answer can be found on page 188 of the Journals, and are as follows:

Question by Mr. Kennedy: Were any payments made without the architect's certificate? If so what were they?
Reply: Yes; in the aggregate \$31,385, the architect being absent.
There is a very great difference between making a payment "on account of the absence of the architect" and making one without his certificate because he was not here to give one. The impression which the Times seeks to convey is that the payment of this sum above was made because the architect was away. The statement made by Mr. Martin meant that the architect's certificate did not accompany the vouchers because he was not here to give it.

A LEAD BOUNTY.

Has anything been done by the government to bring into operation the act of 58-59 Victoria, Chapter 7, providing for a bounty on ores smelted in Canada? The act provides that certain regulations under it must be made, and for the lack of these it was for some time inoperative. We remember having heard that regulations either were or were about to be made, and would be glad to know what is the exact status of the matter.

The act, which was passed in the year 1895, provides for a bounty of fifty per cent on silver-lead or other ores of silver and gold smelted in Canada between July 1, 1895, and July 1, 1900. Not more than \$30,000 can be paid out in any one year, unless there is a balance left over from the preceding year, when that balance and \$30,000 more may be paid. If the quantity of ore smelted is greater than will allow of the full payment of fifty cents per ton, the bounty must be scaled down accordingly. The act, which was passed in the year 1895, provides for a bounty of fifty per cent on silver-lead or other ores of silver and gold smelted in Canada between July 1, 1895, and July 1, 1900. Not more than \$30,000 can be paid out in any one year, unless there is a balance left over from the preceding year, when that balance and \$30,000 more may be paid. If the quantity of ore smelted is greater than will allow of the full payment of fifty cents per ton, the bounty must be scaled down accordingly.

If this act has not been brought into operation, we submit that there should no longer be any delay about it, and that the whole sum of \$150,000 ought to be made available for future payments. It is interesting to note that this measure was introduced into parliament in consequence of representations made to the late Dominion government by Mr. Turner, who was then Finance Minister, and when on his way to London, in connection with the refunding scheme, stopped at Ottawa expressly for the purpose of urging such legislation.

FEDERAL LINES IN PROVINCIAL POLITICS.

Mr. Foster made a speech at Albert, N. B., a few days ago, in which he defined his position on the relation of local and Dominion politics. We quote his language, as reported by the Moncton Times, a Conservative paper:

The political situation in the province of New Brunswick is a peculiar one. For a number of years we have had what was called a coalition government. Said coalition government, however, was worked in the Grit line, with the cardinal principles that no Conservative was good enough for office, but such Conservative was good enough to continue that government in office. It struck him that a Conservative who was not good enough to fill a position under this coalition government was not good enough to support and keep in office that Grit government. If he was asked if local and Dominion politics should be run on the same lines, he would say no. But when they undertook to run local politics on party lines, they did not mean that the government at Ottawa should run the government in the province. The Conservatives

mean that it was possible to run a government with Liberal-Conservative principles at the back of it, so far as the party's platform belonged to the province. It was the cardinal principle of the Liberal-Conservative party that public expenditure of money should be made by tender, as the only possible way to avoid fraudulent transactions. The Conservatives believed that Liberal-Conservative party principles gave the country a better administration than Liberal party principles, and they would like to have these principles in local as well as in Dominion government. We do not propose, said Mr. Foster, to run Dominion and local politics on the same lines, but we think that Conservative principles are better for any government and country than those of the Liberal party.

Additional interest attaches to this utterance because Mr. Foster, if not the first political leader to advocate this departure, was among the first to do so. The movement in New Brunswick preceded that in this province, and Conservatives here will be glad to learn the view taken of the matter by the ex-finance minister.

THE EIGHTH CRUSADE.

Kaiser William has started for Jerusalem. His trip will probably be as expensive as any one of the crusades in which his ancestors presumably figured to some extent. The difference between his mission and theirs is that he goes under the patronage of the Turk, while they went to expel the whole Mohammedan tribe from the Holy Land. In the language of the Turk, the Turk has proved himself a stayer. The way was paved for his advent by the crusades, and the short story of the unsuccessful termination of the seventh of these expeditions, that Osman founded the dynasty which yet holds sway at Constantinople. Doubtless the terrible conflicts which the Saracens maintained with the crusaders, extending over two centuries, made it easy for this tribe from interior Asia, under Osman's father, to establish itself in Asia Minor. This was in the latter part of the 13th century. Only two hundred years the Turk waxed powerful, until in the 15th century his dominion extended from Hungary to Algiers, including Greece and Egypt as well as modern Turkey and Asia Minor. Since then he has been losing ground, and an apparently well-founded impression is abroad that one of the Kaiser's objects is to persuade him that Asia Minor would be better in the hands of Germany than in those of Russia; and that the latter will absorb it. If some other power does not, seems to be among the recognized eventualities of existing considerations. The Kaiser's alleged object is simply his desire to visit a place of surpassing interest as Jerusalem always has been to Christian nations. He is to be present at the consecration of a church in the sacred city. His whole tour is to be decidedly spectacular. But this is simply his way of doing things. No one need deceive himself with the notion that all he has in mind is a half religious, half pleasure pilgrimage to Jerusalem. The understanding with Great Britain indicates something which will call for British support.

There is much in what the News-Advertiser says regarding any settlement of the questions at issue between Canada and the United States, namely, that a general impression prevails among the people that we can only reach an adjustment by means of a surrender. The feeling is not warranted by facts, for it is not correct, as so many people say, that we have always lost in such transactions with our neighbors. We certainly did not come off second best in the Halifax fishery award. Indeed, many readers will remember that Professor Henry Louis Hilde spent much time and occupied many pages of print to demonstrate that Canada robbed the United States by that treaty. It cannot be said that we lost before the Berlin sailing tribunal. We do not think it will be claimed that we lost before the mixed commission for the adjustment of the sealers' claims. The first-mentioned arrangement was made when the Liberals were in power; the second when the Conservatives held office; the third, though carried out under a Liberal administration, was in the hands of both Liberals and Conservatives. We think they show that Canadian public men can be trusted to hold their own, even when confronted with such sharp bargainers as our next door neighbors.

The Inland Sentinel quotes Mr. Newmann, of Grand Forks, as saying that he went over the Ashcroft trail and saw none of the destruction of which other people have told. From this our contemporary concludes that the reports are gross exaggerations, and that the effort made by the government to relieve any persons who may be in distress is unequalled for. We hope the Sentinel has reached a correct conclusion; but we must remind it that the evidence of a map who says he did not see a thing does not disprove the statements of others who say they did. The prisoner, who told his lawyer that if the prosecution could produce a man who had seen him steal the goods, he could produce any number who could swear they did not, took much the same view of his case as the Sentinel does of the other.

The Daily Mail and Empire is now offered to subscribers at the heavy rate of \$2 a year. The Mail and Empire is an excellent newspaper in addition to being the leading exponent of Conservative policy. It is hardly necessary to add that it is printed at Toronto.

OKANAGAN CIGARS.

Okanagan is the latest rival of Cuba and Manila. Cigars quite up to the usual "three-for-a-quarter" standard have been received from the famed valley—Winnipeg News Bulletin.

Current Comment

CORRUPTION IN THE YUKON.

In another party of this issue we reproduce the account given by Miss Flora Shaw, the colonial editor of the London Times, of the administration of the Yukon territory by the government of the Dominion and its official representatives. It is fortunately a very rare event for the residents in a British colony to be subjected to the mismanagement of having such a state of affairs published throughout the Empire. As an Englishwoman, Miss Shaw found the maladministration and corruption "a painful experience," and it is no less painful for Canadians to hear on unimpeachable authority the condition of things which they feel to be a national disgrace. It is well known that the Yukon territory is a British colony, and the instructions to all its correspondents being that accuracy above all is to be insisted upon, and that the most careful inquiry must be made.

Miss Shaw has been to the Yukon and seen things for herself. Her report is that more people are interested in the Yukon than the system of government and the men who administer it. She says of the main point of Mr. Sifton's Yukon policy—the 10 per cent royalty—that it has only to be seen in operation to be condemned. No industry in the world would stand the imposition of such a tax, and men are leaving their mines unworked rather than submit to it. The reservation of alternate claims by the government and the system of recording claims come in for condemnation no less strongly. The system is not only bad for it is a barrier to the development of the Yukon, but because it gives opportunities for shameful corruption. Men cannot have their claims registered, or even get their claims recorded, unless they pay a bribe to the official. Only those who are not afraid of the law can afford to do this. 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