

# THE WEEK.

Seventh Year.  
Vol. VII. No. 21.

TORONTO, FRIDAY, APRIL 25th, 1890.

\$3.00 per Annum  
Single Copies, 10 Cents.

## THE WEEK :

AN INDEPENDENT JOURNAL OF POLITICS, LITERATURE, SCIENCE AND ART

TERMS:—One year, \$3.00; eight months, \$2.00; four months, \$1.00  
Subscriptions payable in advance.

ADVERTISEMENTS, unexceptionable in character and limited in number, will be taken at \$4.00 per line per annum; \$2.50 per line for six months; \$1.50 per line for three months; 20 cents per line per insertion for a shorter period.

Subscribers in Great Britain and Ireland supplied, postage prepaid, on terms following:—One year, 12s. stg.; half-year, 6s. stg. Remittances by P. O. order or draft should be made payable and addressed to the Publisher.

No advertisements charged less than five lines. Address—T. R. CLOUGHIER, Business Manager, 5 Jordan Street, Toronto.

C. BLACKETT ROBINSON, Publisher.

### CONTENTS OF CURRENT NUMBER.

TOPICS—	PAGE
The Modus Vivendi.....	323
Mr. Blake's Proposed Innovation.....	323
The Esplanade Discussion.....	323
Our School-Book System.....	323
The Bykert Affair.....	324
Newfoundland's Bait Regulation.....	324
Anti-Chinese Legislation.....	324
Mr. Goschen's Budget.....	324
The New Regime in Germany.....	324
Anti-Bribery Legislation.....	324
President Harrison Arraigned.....	325
MONTREAL LETTER.....	Ville Marie. 325
HOMAGE A ALBANI (Poem).....	Amicus. 325
FRENCH FISHERY CLAIMS IN NEWFOUNDLAND.....	325
A CARTHUSIAN MONK IN HIS CELL (Poem).....	Kate Seymour MacLean. 326
PARIS LETTER.....	Z. 326
FUTURE RELATIONS OF THE VARIOUS PARTS OF THE EMPIRE.....	327
APRIL (Poem).....	Seranus. 328
MY BROTHER'S MURDERER.....	Ethelwin Wetherald. 328
THE RAMBLER.....	329
THE RECOMPENSE (Poem).....	C. Mair. 330
CORRESPONDENCE—	
Newfoundland Fisheries.....	David Soloman. 330
A Common and Foundational Fallacy.....	Merchant. 330
ART NOTES.....	Templar. 331
MISUNDERSTOOD (Poem).....	Matthew Richey Knight. 331
MUSIC AND THE DRAMA.....	331
OUR LIBRARY TABLE.....	331
LITERARY AND PERSONAL GOSSIP.....	332
READINGS FROM CURRENT LITERATURE.....	332
CHESS.....	335

All articles, contributions, and letters on matters pertaining to the editorial department should be addressed to the Editor, and not to any other person who may be supposed to be connected with the paper.

THE renewal of the *modus vivendi* with the United States for another year was not unexpected and must meet the approval of all good citizens. It will receive this the more readily, as Sir John Thompson was able to couple with his motion for the second reading of the Bill, the statement that the Government had received an intimation from the United States authorities that when the Behring Sea matter is disposed of they will not be unwilling to renew the negotiations with respect to the Atlantic fisheries. A later American despatch, which ought to be authentic because of its reasonableness, represents Mr. Blaine as having definitely abandoned the contention, if indeed he ever seriously put it forward, that Behring Sea is a *mare clausum*, and having further practically admitted that compensation is due to the owners of the Canadian vessels which were seized by the United States' revenue cutters. Should this report prove correct the chief difficulties in the way of a settlement of the Behring Sea question will have been removed, and the way to a treaty made easy. It is in the interest of Great Britain and Canada no less than in that of the United States that whatever regulations may be necessary for the preservation of the seal fisheries shall be agreed on and enforced. The despatch adds, that "the regulation is to be restricted to whatever provisions indisputable facts may show to be essential to a preservation of the seal herds resorting to Behring Sea, but in the proposed international agreement no consideration can be given to the revenue interests of the United States or the pecuniary interest of the lessees of the seal islands, such consideration lying entirely beyond the scope of international cognizance." This, and in fact the whole despatch, though eminently fair and just, is so unlike the tenor of ordinary Washington despatches that we suspect it of coming from a Canadian source. Nevertheless, we can but hope that it will prove well founded, and that we may soon see this vexatious and exasperating business permanently disposed of. We are less sanguine of any early settlement of the Atlantic Fisheries' question being effected, such as will be at all acceptable to Canada. Nevertheless the consent of a Republican administration to renew negotiations, at so early a stage in the Presidential term, is a favourable omen. In view of all the good that would result from a final removal of this cause

of irritation, it will be the part of wisdom and of duty for Canadians to make up their minds to go to the farthest limits of concession, consistent with their self-respect and sense of justice, and while firmly and inflexibly resolved to yield no jot or tittle of their territorial rights, or national prerogatives, to show in every respect in which these are not involved a "sweet reasonableness," and a sincere desire for a final and friendly settlement of this chronic quarrel.

WHETHER the motion of which Mr. Blake gave notice on Monday, providing for the reference of important matters touching the exercise of the power of disallowance, or of appellate power as to educational legislation, to a high judicial tribunal, for a reasoned opinion on the questions of law and fact involved as a preliminary to executive action, be accepted or rejected, it can scarcely be doubted that some provision of the kind is greatly needed in order to ensure the smoother working of our constitutional machinery. The notice derives, of course, special significance in view of the recent educational legislation in Manitoba, and the probable necessity for decision and action in regard to it, at an early day, by the Ottawa authorities. It seems to be felt, even by those who are most strongly opposed to the new Manitoba School Act and who would gladly see it rendered abortive, that a mere veto by the Dominion Government, on the simple pronouncement of the Minister of Justice, would be very unsatisfactory and no real solution of the difficulty. Such a veto would be almost certainly followed by a prompt re-enactment of the Bill, perhaps after an appeal to the people of Manitoba, who, in their present temper, would be sure to sustain their Government by an overwhelming majority. Thus the last state of the case would be, from the point of view of the friends of Separate Schools, worse than the first. There would also be great danger, in such a case, of a final dead-lock between the Dominion and Manitoba. On the other hand it is easy to foresee that the establishment of a tribunal of reference, such as that contemplated by Mr. Blake's motion, would be attended with peculiar difficulties. The question of finality would at once be brought to the surface. Would the Government be bound to accept the decision of the high judicial tribunal, whether the Supreme Court or some other body specially constituted for the purpose, or would it be at liberty to reject the opinion and use the prerogative? To accept the opinion of the Court as final in every case might be regarded as a shifting of responsibility scarcely consistent with our Constitution, or the British system of responsible government. It would certainly be a virtual acceptance of the Opposition view that the veto can be properly used only in cases in which the legislation is *ultra vires* of the Provincial Legislature. It may be that the Dominion Government is now prepared to accept this view. Some utterances of Sir John A. Macdonald and other members of the Government, during the present session, certainly favour this supposition. Should this not be the case, however, and should the Government maintain, as it has on previous occasions been understood to do, that the British North America Act gives large discretionary powers to the Federal authorities, in matters in which the general interests of the Dominion are involved, the existence of such a court of reference as that proposed might prove a serious embarrassment. It would certainly require a good deal of courage on the part of the Federal Government to disallow, on general principles, an Act of a Provincial Legislature, which had been officially declared by the authorized tribunal to be *intra vires*. On the whole it seems probable that the Government, while maintaining their right to seek such judicial advice as they may desire, will refuse to be bound to take that of a body specially authorized or constituted for the purpose. In that case Mr. Blake's proposition may probably be incorporated as an important and popular plank in the Liberal platform.

DISCUSSION of the Esplanade and related questions is still rife in public meetings and in the city press; and must, we suppose, continue to be so until the matter is finally disposed of by some definite action. It is disappointing to find that the representatives of the citizens and those of the railways seem to be no nearer agreement than they were at the outset. The tendency is, we fear,

in the opposite direction. It is to be hoped that the good sense of all concerned, as well as the magnitude of the interests at stake, will prevent the discussion from degenerating into personalities, or becoming mixed up with personal issues of any kind. The railway solicitors are still disposed to adhere to the original plan of overhead bridges, and will, no doubt, continue to do so as long as there is any possibility of gaining the ends desired by the companies. But if anything has become clear in the course of the agitation, it is that the citizens of Toronto, now that their attention has been drawn to the matter and they have given it earnest consideration, will not consent to be shut out from the water front of the city save at three or four points as far apart as Yonge and Jarvis Streets, access at these points being only by elevated bridges, with more or less steep inclines, at least on the Bay-ward side. Comparison between such an arrangement and that contemplated by the advocates of the viaduct scheme, with not only free access on the level to the shore at all points, but with one or more open parks delightfully situated at the very water's edge, is of such a kind that once the latter is conceived as possible, the thought of the former becomes unbearable. It is not easy to see why a viaduct need be uglier to the view than a bridge; but any lack of attractiveness it may have from an aesthetic point of view would be amply compensated for by the results of the substitution of pleasant parks for the gridiron of railway tracks, with their unsightly box cars, which would be the foreground of the picture should the views of the railway men prevail. Seeing that the safety, convenience and health of all the citizens for a generation to come are more or less involved in the decision of the present issue, the members of the Council, the Citizens' Committee and the representatives of other influential bodies, which have moved in the matter, will deserve well of their fellow-citizens if they stand firm to the position that has been so well taken, until success is assured.

NOTHING in Ontario politics is more surprising than the complacency with which the great majority of the people have accepted the school-book system which has been foisted upon the Province by the present Minister of Education. We refer more particularly to the modes of authorization and of publication which he has adopted—modes which are not only educationally indefensible, but are so completely at variance with the principles of Liberalism, as commonly understood, that it is astonishing they should have been proposed by a so-called Liberal Government, and adopted by a so-called Liberal Legislature. Those modes involve the essential features of the worst kind of monopoly,—a monopoly fostered and protected by the Government and Legislature. The healthful principle of competition is, as we have shown on former occasions, almost entirely eliminated. The Minister of Education virtually chooses the books to be used in the schools, and in some cases even employs or appoints the person to edit the books. The absurdity of this arrangement, from the literary and educational point of view, is equalled only by the absurdity, from a business point of view, of the mode of publication, under which the Department holds the copyright, and enters into a contract with some favoured publisher to produce and sell the books at a fixed price. We make no insinuation against the good faith of the Minister, but it is capable of demonstration, and has in fact been demonstrated, that in the case of different books now in use, the profits made by the publishers are enormous. The single fact that the price of one set of books, of which hundreds of thousands of copies are required annually, was recently cut down from ten to six cents per copy at a stroke, speaks volumes. It is not easy to conceive a system combining a larger number of the worst features. Under it a corrupt Minister would have it in his power to put a small fortune into the pocket of any favourite he might choose to entrust with the compilation of a school-book, or of any publisher with whom he might choose to contract for its publication. All inducement to the production of improved text-books by native authors, or to the publication of such by enterprising publishers, is taken away. The public school teachers who ought, in virtue of their profession, to be the best judges of the