

THE WEEK:

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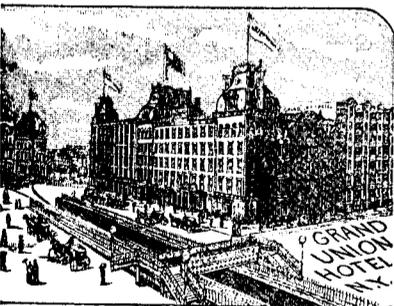
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DICEY ON THE CONSTITUTION OF CANADA.

THE short extract from Mr. Dacey's book on Constitutional Law, which appears in the review of the work in THE WEEK of 17th December, is perhaps as misleading as it is possible for an author to make a period of that length.

The topics referred to in the extract are: (i.) a comparison of the Constitution of Canada with that of the United States, to which the learned writer declares it to be similar, rather than to that of the United Kingdom, as recited in the preamble of the British North America Act; (ii.) the alleged impossibility of changing the Constitution "either by the Dominion or by the Provincial Parliaments"; (iii.) the existence of the powers of disallowance, and the reason for it. In treating of each of these matters the learned writer conveys an entirely erroneous impression. Indeed, it is difficult to understand how one who has read the B. N. A. Act through could have fallen into the manifest errors under which Mr. Dacey labours with respect to the second and third topics. It is intended to point out, as shortly as possible, some of the inaccuracies.

(i.) *The Constitution of Canada as compared with those of the United Kingdom and the United States.* Upon this the learned writer remarks: "The preamble to the British North America Act, 1867, asserts with official mendacity that the Provinces of the present Dominion have expressed their desire to be united into one Dominion, with a Constitution similar to that of the United Kingdom. If preambles were intended to express the truth, for the word *Kingdom* ought to have been substituted *States*, since it is clear that the Constitution of the Dominion is modelled on that of the Union."

This is untrue of the inception or derivative force of our Constitution, of the principle upon which the legislative functions have been distributed, and of the inherent powers of the Canadian Legislatures when acting within the topical limits of their jurisdiction, or when legislating upon subject-matters over which they have jurisdiction. The chief, perhaps the sole points of similarity between the Constitution of the United States and that of Canada are the subordination of the legislatures to the judiciary, and the distribution of legislative powers amongst local and central bodies. The points of dissimilarity are many, and in fact our constitutional lawyers refer to the Constitution of the United States for the purpose of contrasting, rather than of comparing, it with our Constitution. The United States of America, as the name implies, is an aggregation of several sovereign States, which retain their sovereignty subject to the terms of the indissoluble compact (indissoluble, because the right of secession has been demonstrated by force of arms to be unfounded,) into which they entered for the purpose of forming a central or Federal Government.

Canada, on the contrary, is a physical entity, being composed, not of the old provinces of Canada, Nova Scotia and New Brunswick, but of the territory formerly comprised in them, together with that which has been admitted since the passing of the B. N. A. Act. The old Provinces, as constitutional entities, are extinct; physically, their territory is merged in the Dominion. Canada, the Dominion, is not *composed of*, but is *subdivided into*, provinces. Section 5 of the B. N. A. Act is as follows: "Canada shall be divided into four Provinces, named Ontario, Quebec, Nova Scotia, and New Brunswick."

It is this apparently unimportant distinction which forms the basis of the grand fundamental difference between the Constitutions of the United States and Canada. When the North American Provinces formed a Federal Union they had plenary powers of legislation vested in their own legislatures. Certain of these powers they abdicated in favour of the Federal Government, *i.e.*, they agreed that a Congress should thenceforth exercise for the United States certain legislative functions which had formerly been exercised by the individual States for their own benefit. Such powers as were not expressly or by implication granted to Congress were of necessity retained by the several States, and continued to be exercised by the State legislatures. This is, in fact, expressed in the tenth amendment as follows:—"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Thus was formed a Federal Union, *i.e.*, a union founded upon treaty or compact.

The Constitution of Canada forms no analogy whatever to this. The term "Confederation" when applied to the union is a misnomer, as is the term "Federal" when used as descriptive of Dominion functions and powers. The B. N. A. Act is not in any sense a treaty or compact. It is in every sense an Act of Parliament. It is true that it was passed in response to the request of the Provinces affected, which voluntarily surrendered their constitutional powers in order to accept a new form of government. But the very necessity for the passing of the Act was caused by the want of power in the Provinces otherwise to attain the desired end. Again, it is impossible that a treaty, compact, or federation should exist between Provinces which are extinct. The grant of legislative power, then, came, not from the old Provinces, but from the Imperial Parliament; and as the B. N. A. Act was passed for the purpose of bringing into existence the Dominion of Canada, there was thereby granted to the Parliament of Canada power "to make laws for the peace, order, and good government of Canada, in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the legislatures of the Provinces." Whatever, therefore, is not "assigned exclusively" to provincial jurisdiction is within the legislative jurisdiction of the Parliament of Canada. In the United States, as we have seen, whatever legislative power was not granted to Congress by the several States still remains with the State legislatures.

Another, and a more important, difference between the two constitutions is this, that the American legislatures are restricted in their power to legislate upon subjects within their jurisdiction, while the Canadian legislatures are not. For example, by the fifth amendment, "no person shall be held to answer for a capital . . . crime, unless on a presentment or indictment of a grand jury." This alone would have rendered Riel's trial and conviction illegal, had it occurred in the United States, though the trial took place under an Act of the Parliament which had full and undoubted jurisdiction over the criminal law, and which dispensed with the necessity for such a presentment and reduced the number of the jury to six. Take another example. The Constitution of the United States prohibits the passing of any *ex post facto* law, or law impairing the obligation of contracts by any State: Article I, section 10. Any legislative attempt to contravene the provisions of this article would be null and void. In Canada, however, instances may be readily pointed out of *ex post facto* laws. The Exemption Act of Manitoba is still fresh in the minds of lawyers and commercial men. So, with respect to contracts, our legislatures have not hesitated at times to outrage the solemnity of contracts. A familiar instance of this may be found in the legislation which has at various times "adjusted" the entangled affairs of public companies by enabling them to give a preference lien on their assets to those who advance their money last, thus rendering of little or no value their stock and earlier bonds.

It is true that British Constitutional usage forbids the taking of private property except for public purposes, and upon compensation being made that it forbids interference with the private obligations of subjects, except in such a general way as by a bankruptcy law; and that it forbids the passage of *ex post facto* laws, except when injury or injustice would accrue from the want of one. But British Constitutional usage is only a very strong moral obligation imposed upon the sovereign powers; and if the Parliament chooses to disregard it, the law passed in defiance thereof must

be obeyed. So it is with the Canadian legislatures, when acting within the topical limits of their legislative powers. It is this unrestricted power to legislate which makes the Constitution of Canada similar to that of the United Kingdom and not to that of the United States. And what Mr. Dicey declares to be "official mendacity" is as nearly a declaration of the truth as the circumstances permit, *i.e.*, the Constitution of Canada is as nearly like that of the United Kingdom as it is possible for a subordinate system to be like that from which it derives its being.

From what has been said, and for other reasons which need not be enlarged upon here, it is evident that the learned writer's assertion that our Constitution is modelled upon that of the United States cannot be supported.

(ii.) *The impossibility of changing the Constitution.*—Upon this Mr. Dicey says:—"The Constitution is the law of the land; it cannot be changed either by the Dominion or by the Provincial Parliaments; it can be altered only by the sovereign power of the British Parliament."

This is only partly true of the Dominion. It is entirely untrue of the Provinces; and it is inconceivable that one who professes to instruct upon the Constitution of Canada should have fallen into the error. The very first article of the 92nd section of the B. N. A. Act (defining the powers of the Provinces) provides that the legislature in each Province may exclusively make laws in relation to "the amendment from time to time, notwithstanding anything in this Act, of the Constitution of the Province, except as regards the office of Lieutenant-Governor." What the Provinces may or may not do under this article is, as yet, problematical, but it may perhaps be with safety predicated of them that they can neither restrict nor enlarge the topical limits of their jurisdiction. It is apparently certain, however, that they may change the nature or composition of their legislature; thus, a Province having two Chambers might abolish one—a Province having but one might create a second. It is worthy of observation that any constitutional change made under this article would be but a poor safeguard, inasmuch as the Act embodying the change might be repealed at the pleasure of the legislature. The Provincial Legislatures, therefore, are above the Constitution in the sense that they may alter it, though they are subject to it in respect of the topical limits of their legislative powers.

This is, however, not the only constitutional change that may be made without the intervention of the Imperial Parliament. It has been said that Mr. Dicey's assertion is only partly true as respects the Dominion. This is apparent from the 94th section of the B. N. A. Act which was passed with a view to a closer union of the English Provinces. It is as follows:—"Notwithstanding anything in this Act, the Parliament of Canada may make provision for the uniformity of all or any of the laws relative to property and civil rights in Ontario, Nova Scotia, and New Brunswick, and of the procedure of all or any of the Courts in those three Provinces, and from and after the passing of any Act in that behalf the power of the Parliament of Canada to make laws in relation to any matter comprised in any such Act shall, notwithstanding anything in this Act, be unrestricted; but any Act of the Parliament of Canada making provision for such uniformity shall not have effect in any Province unless and until it is adopted and enacted as law by the Legislature thereof."

In the face of these very plain enactments it is inconceivable that it should be said of the Constitution of Canada, "throughout the Dominion, therefore, the Constitution is in the strictest sense the immutable law of the land."

(iii.) *The disallowance of Provincial Acts.*—Speaking of the distribution of powers, the learned writer says: "In nothing is this more noticeable than in the authority given to, or assumed by, the Dominion Government to disallow Provincial Acts which are illegal or unconstitutional. This right was possibly given with a view to obviate altogether the necessity for invoking the Law Courts as interpreters of the Constitution. . . . In Canada, as in the United States, the Courts inevitably become the interpreters of the Constitution."

If the learned writer's attention had been sufficiently occupied with the provisions of sections 56 and 90 of the B. N. A. Act, he would not have left it a matter of doubt for his readers whether the authority to disallow Provincial Acts was actually given to, or only assumed by, the Government of Canada. Such an assumption of power, in the absence of express enactment, would be as illegal, as unconstitutional and as utterly futile as it would be for a Lieutenant-Governor to affect to disallow an Act of the Parliament of Canada. That such an assumption of authority would not be tolerated for a day it is needless to write.

It is an error, though not an uncommon one, to suppose that this authority was given to the Queen and the Governor-General respectively

for the purpose of disallowing Acts which are "illegal and unconstitutional;" and it is at variance with the conclusion of the learned writer that "the Courts inevitably become the interpreters of the Constitution." To make the Governor-General in Council the arbiter of the constitutionality of Provincial legislation would produce the most serious conflict between the Dominion and the Provinces, resulting, probably, in the complete destruction of Provincial independence. If the Governor-General in Council had authority to disallow a Provincial Act on the ground of its unconstitutionality, he would as a necessary consequence have the right to say that the same Act, if passed by the Dominion Parliament, would be constitutional; for if the power to pass a particular Act is not with the Provinces, it resides with the Dominion. The Dominion would therefore be able to usurp all the legislative functions of the Provinces; and as there is no appeal from the disallowance of an Act the power might be exercised in the most despotic manner. This of itself would be a sufficient reason for withholding such a power from the Dominion.

But it is abundantly evident on other grounds that the learned writer does not give the correct reason for the existence of the power of disallowance. An Act which is illegal or unconstitutional does not require disallowance. If it is illegal it is void *ab initio*; it never has any force; it need not be obeyed; it is not a law. It is possible, of course, for the power of disallowance to be exercised in respect of an Act which is said to be unconstitutional or doubtful; and that sets the matter at rest—for the time, at any rate. And perhaps this course would be the most prudent and beneficial one for the public. At present, if any tentative measure is passed into an Act, it disturbs the course of business until some one rich enough to bear the cost of a very expensive lawsuit procures a decision upon its legality. The authority to disallow was created, however, not for this purpose, but for the purpose of preventing the going into force of valid Dominion and Provincial Acts, which would have the force of law, and which would interfere with Imperial or Dominion policy. Other reasons than this have been given for the disallowance of Acts, but it is evident that the reason for creating the power was not to prevent the coming into force of Acts which never could have any force.

EDWARD DOUGLAS ARMOUR.

THE U. E. LOYALISTS' CENTENARY VOLUME.

A FEW weeks ago, on the bi-centennial of the Revocation of the Edict of Nantes, the descendants of the Huguenots celebrated the most illustrious and the most touching of all the heritages of misfortune. They celebrated it in a manner worthy of its character, solemnly, devoutly, without bitterness and without boastfulness, though for bitterness there was excuse enough, and boastfulness might not have been unpardonable, since in the armies which defended the independence of Europe against the common tyrant and aggressor, many a Huguenot found a glorious grave.

Nearly at the same time the United Empire Loyalists celebrated their centennial here, and the report of their proceedings, which they have published, naturally suggests an historical comparison. But the two cases were not exactly parallel. The Huguenots were voluntary exiles for conscience' sake. They gave up all, as their kinsmen had sacrificed their lives, for a principle which they had only to renounce in order to live secure and prosperous in their own country. The exile of the U. E. Loyalists, though honourable, was not voluntary. Most of them would have been content, had they been permitted, to remain in the American Republic, where, we may be sure, many of their descendants are now to be found. To speak of them as having left their homes because they abhorred Republican institutions, and could only live under a Monarchy, is therefore incorrect. They were expelled by acts of attainder, of the folly and cruelty of which all reasonable Americans are now sensible. They claim our historical sympathy, and will always receive it in unstinted measure, not as martyrs to a principle, but as victims of a great wrong.

It can hardly be said even that it was on the grounds of principle, or as adherents of the Monarchy, that they were expelled. Revenge for their conduct during the War, and for the outrages which they were alleged to have committed, appears to have been the principal motive which induced their enemies to shut upon them the gates of mercy. After the first stages of the contest, and when the disastrous folly of the Royal commanders had driven most colonists of the higher class into the arms of the rebellion, the Loyalists were probably for the most part people of the poorer and less settled class, in whom personal attachment is usually stronger than respect for constitutional principles, and who would be apt, when let loose upon rebels, to break the laws of war and fall into the habits of marauders. I have before me a pay-roll of Butler's Rangers, from which

it appears that far more than half of them were unable to sign their names. The Loyalists had also the misfortune of being combined and identified with the Indians whom the fatal folly of the Government employed. That acts such as might well kindle the fiercest exasperations were committed by some of the U. E. Loyalists is too certain, though to give particular instances would be ungracious, as it might point attention to a blot on some escutcheon. There was no lack of atrocities on the side of the Revolutionists, and it might be hard to strike the balance of guilt. One who simply regards with sorrow the fatal schism of the British race can have no desire to undertake this hateful task. But to be driven into exile for acts of atrocity, real or alleged, is a different thing from being driven into exile for a principle. The title of exiles for a principle in strictness more properly belongs to those who were driven from Canada for sympathizing with the Revolution, and to whom, as a paper in a Ohio journal, which a friend has sent me, informs us, the American Government assigned lands in that territory.

Lord Cornwallis (Correspondence, vol. 2, p. 371), after deploring the numberless murders and other atrocities committed by those engaged in the suppression of the rebellion in Ireland, says, "The yeomanry are in the style of the Loyalists in America, only much more numerous and powerful, and a thousand times more ferocious." The judgment thus indirectly pronounced by the most competent of all authorities will probably be regarded by history as decisive. It will be regarded as decisive at least so far as the mass of the Loyalists is concerned; for among them, it is needless to say, were men of the most stainless character, as well as of high social grade.

Still, a remarkable interest always attaches to the faithful followers of a lost cause. A U. E. Loyalist celebration will never fail to awaken general sympathy. But we cannot afford to let a particular set of persons erect themselves into an aristocracy of Loyalty, to look down as a superior caste on the rest of the community, or to treat the country as their own creation and themselves as the appointed masters of its destinies. The descendants of martyrs are not the martyrs themselves; and if all the genealogies could be traced out, we should probably find representatives of the U. E. Loyalists in all political parties, and not a few of them among the seven hundred thousand Canadians now settled on the other side of the line.

Let the U. E. Loyalists, at all events, abstain from attempting to exalt their own worth and importance at the expense of their fellow-citizens, and traducing those whose opinions differ from their own. Fortune, it is true, does not seem to smile on the cause of Canadian Independence. It appears that the French Province, now more French than ever, is likely to be a fatal obstacle to the consolidation of Canadian nationality, and that the vast extension westward, by dislocating the territory and exposing it at several points to external attractions of the most powerful kind, can hardly fail to accelerate the process of disintegration. Yet the desire of nationality, to which Independence is indispensable, is at all events a generous aspiration, and ought to command the respectful sympathy of those who are themselves assembled to cultivate an historical sentiment. It is perfectly compatible with the warmest affection for the Mother Country, though not with colonial sycophancy or title-hunting. Mr. Blake, since his Aurora speech, has always been regarded as the morning-star of Independence, and the recent utterances even of Sir Richard Cartwright are supposed to show a leaning in the same direction. At all events the party, if party it can be called when it has no formal organization, numbers many patriotic and disinterested men among its adherents. To say that it consists only of "tramps," "Bohemians," and "members of the broken-down classes, without a stake in the country"; that its "patriotism is nothing but envy and jealousy"; that its aim is only "to make places for a Yankee office-holding class"; that it wants confusion "in order that the dregs may be brought to the top"; and that it is akin to Catiline's conspiracy, or to the Nihilism and Dynamitism of modern times, is not more consistent with a sense of truth and justice than with a regard for courtesy. It is vain to contend that this vituperation is directed only against a particular editor. The whole Independence party is evidently included, being described as a party the members of which may be counted on your fingers and toes, though it has two morning organs in Toronto. The invective, moreover, was repeated in an aggravated form after its bearing had been pointed out, and is now published by the association with a full knowledge of the construction which cannot fail to be put upon it by the reader.

It is not worth while to notice criticisms of the American Republic, the only object of which is manifestly to keep up bad blood. We might as well examine seriously the criticisms of American Anglophobia upon England. Whether the American Government or ours is the more corrupt is a question which it is neither necessary nor agreeable to discuss.

What is certain, unhappily, is that the head of our Government is not a Cleveland. The indifference to human life shown by the impunity of murder in Kentucky is no doubt scandalous; but it is the moral consequence of slavery, and can hardly be cast in the teeth of the Americans with consistency by any one who showed ardent sympathy with the Slave Power in its struggle against humanity and freedom.

North and South have buried the memory, recent and deadly though it is, of the Civil War, and Confederate generals were among the pall-bearers of Grant. Canadians will hardly be persuaded to cherish a feud with their kinsmen across the line, certainly not more deadly and far less recent, merely for the purpose of lending artificial interest and consequence to a particular group of families.

If the time is ripe for the reconciliation of the English-speaking race upon this continent, we may depend upon it that no one will have sufficient length of whisker, breadth of sabre, or thunder of menace in his voice to turn away Destiny from her mark.

A BRITISH AMERICAN.

CORRESPONDENCE.

TO READERS AND CORRESPONDENTS.

All communications intended for the Editor must be addressed: EDITOR OF THE WEEK, 5 Jordan Street, Toronto.

Contributors who desire their MS. returned, if not accepted, must enclose stamp for that purpose.

JOHN BUNYAN IN GAOL.

To the Editor of *The Week*:

SIR,—There is much misapprehension as to the sufferings of John Bunyan in prison, and your selected article this week [10th December] will hardly serve to clear the atmosphere; for although the biographer, John Brown, admits the exaggeration of William Parry's account, he nevertheless quotes it with considerable approval, and the readers of the article will be generally impressed with the terrible nature of Bunyan's sufferings, and that the cause of them all was his "teaching plain country people the knowledge of the Scripture and the practice of virtue."

Now the persecutions which caused Bunyan the greatest pain were not, I venture to think, those which accompanied his imprisonment, but rather those which preceded it, and which, during his five years of successful preaching, he suffered at the hands of those who are not commonly set down as his persecutors. Thus, to quote another biographer, Rev. James Copner, "Bunyan's popularity was purchased at no cheap and easy rate. When he went out into the surrounding villages to preach, 'the doctors and priests of the country'—who, it is fair to add, were the Presbyterian ministers who, during the Protectorate, were placed in possession of the Church livings—were ever on the alert to frustrate his efforts. The devil, designing to overthrow his influence, 'stirred up the minds of the ignorant and malicious to load him with slanders and reproaches.' He was abused in the most opprobrious terms; was called 'a witch, a jesuit, a highwayman, and the like'; and worse than all—in consequence probably of the power which he exercised over the minds of women—a report was circulated about him which reflected most seriously on his moral character. He was reported to be leading a life of the grossest and most disgraceful sensuality." This last base and infamous charge he "repudiated with indignation, solemnly appealing to God to vindicate his virtue. 'I call God for a record upon my soul that in these things I am innocent.'" Was not such persecution, to a sensitive and God-fearing man, far more painful than the cruellest imprisonment?

And when, at the Restoration, Bunyan was released from the persecutions of his base and cruel slanderers by being cast into prison, it is hardly a fair statement of the case that he was so imprisoned "because he taught plain country people the knowledge of the Scripture and the practice of virtue," or, as it is sometimes put, "because he dared to pray without a Common Prayer-book." Bunyan was imprisoned for breaking the law of the land, and for insisting that he would continue to do so. The law forbade meetings in conventicles, and enjoined upon the people to attend church. This law may seem intolerant, but in the then troubled state of the kingdom it was almost a necessity; for the holding of private religious meetings was often the "cloak, colour, or pretence" for meetings that were political and seditious. And this apparently intolerant law was made, not by the Church which commonly gets the credit of prosecuting Bunyan, but by the gentlemen of the House of Commons who, for many years, had been under the Gospel teaching of Puritan affinities. When the country became more settled, the law was relaxed, conventicles were licensed, and Bunyan was liberated at the express request of a bishop of the Church.

As to the severity of Bunyan's imprisonment, for which our sympathies are sought to be excited, it is to be remembered that if prisons and prison-life were not so luxurious in those times as the editor of the *World* found them the other day, so neither were private houses and domestic life so replete with ease, comfort, and luxury as now. If Bunyan's prison was cold and bare, it was in this respect hardly worse than his own house, in which, he tells us, at the time of his marriage, there was not "so much as a dish or spoon between him and his wife." And instead of living in close confinement at hard labour, he was allowed the utmost liberty in his prison, and even to come and go almost at pleasure. An account of his imprisonment is thus given by the biographer already quoted: "Continuously for twelve years was Bunyan kept nominally a prisoner—nominally,

not really; for his prison life, except just at first, when he was more closely confined, was practically a life of liberty. His incarceration was never combined with severity; on the contrary, he was treated by the prison authorities with the greatest possible indulgence, if not actually allowed the full enjoyment of his freedom. He could come in and go out pretty much as he liked. And, strange as it may seem, it does not appear that he was hindered even from preaching. 'I followed,' says he, 'my wonted course of preaching, taking all occasions that were put into my hand to visit the people of God, exhorting them to be steadfast in the faith of Jesus Christ, and to take heed that they touched not the Common Prayer.' He also informs us how, after this, he had got more liberty allowed him, and 'did go to see Christians at London!' "He had time allowed him for roaming abroad, time for preaching, time for reading and study, time for storing his mind with biblical information, time for familiarizing himself with the Book of Martyrs, time for making—such was his industry—'many hundred gross of long-tagged laces to fill up the vacancies of his time.' He had, it seems, time for all this; and above all—for that is of chief consequence to the world now—time for writing books. It were mere exaggeration to assert, then, that John Bunyan was the victim of any terrible severities during the days of his detention in the gaol. The reverse has been shown to be nearer the truth."

Yours, etc.,

T. W. P.

THE LEGEND OF THE EARTH.

BY JEAN RAMEAU.

(The Prize Poem in the Christmas Number of the Paris *Figaro*, translated for THE WEEK.

WHEN the Creator had laid out the deeps,
The great illimitable fields of sad-eyed space,
A weighty bag upon His neck he threw,
Whence issued sound confused of huddled stars;

And, plunging in the sack His mighty hand,
He traversed all the ether's wondrous plain
With slow and measured step, as doth a sower,
Sowing the gloomy void with many suns.

He tossed them—tossed them, some in fantastic groups,
And some in luminous; some terrible.
And 'neath the Sower's steps, whose grain was stars,
The furrows of the sky, ecstatic, smoked.

He tossed them—tossed them, out of His whirling hand,
Plenteous in every place, by full broad casts
Measured to rhythmic beat; and golden stars
Flew o'er the wide expanse like firefly swarms.

"Away! away!" cried He of worlds the Sower:
"Away, ye stars! spring in the wastes of heaven;
Broider its purple fields with your fair gems;
Tuneful, elated, gladsome, take your course.

"Go, wave of fire, into a darksome night,
And there make joy, and there the pleasant day!
And launch into the depths immeasurable
Quick, quivering darts of glowing light and love!

"I will that all within your bounds shall shine,
Be glad, be prosperous, happy, blest, content,
Shall sing for ever 'Glory be to Thee!
Creator, Father, Sower, who with suns

Hast filled infinity!"

Thus He dismissed the stars, weighted with life,
Careering round their calm Creator's feet
As, in a desert place July has scorched,
The grains of sand may cloud the traveller's steps.

And glittered all, and sang; and, hindered not,
Upon their axes turned, constant and sure;
Their million million voices, strong and deep,
Bursting in great hosannas to the skies.

And all was happiness and right, beauty and strength;
And every star heard all her radiant sons
With songs of love ensphere her mother-breast;
And all blessed Life! and blessed the Highest Heaven!

* * * * *

Now, when His bag of stars He had deplete,
When all the dark with orbs of fire was strown,
The Sower found at bottom, 'twixt two folds,
A little bit of shining sun, chipped off.

And wondering, knowing not what sphere unknown
Revolved in crimson space all incomplete,
The great Creator, at a puff, spun off
This tiny bit of sun far into space;

Then, mounting high up to His scarlet throne,
Beyond the mist of thickly-scattered worlds,
Like a great crowned king whose proud eye burns
At hearing from afar his people's voice,

He listens,

And He hears

The mighty Alleluia of the stars,
The choirs of glowing spheres in whirling flood
Of song and high apotheosis,
All surging to His feet in incense clouds.

He sees eternity with rapture thrilled;
He sees in one prolonged diapason
The organ of the universe, vehement, roll
For ever songs of praise to Him, the Sower.

But suddenly He pales. From starry seas
A smothered cry mounts to the upper skies;
It rises, swells, grows strong; prevailing o'er
All the ovation of the joyful spheres.

From that dim atom of the chipped orb
It comes; from wretches left forsaken, sad,
Who weep the Mother-star, incessant sought
And never found from that gray point of sky.

And the cry said "Cursed! Cursed are we, the lost
By misery led, a wretched pallid flock,
Made for the light and tossed into the dark!

"We are the banished ones; the exile band;
The only race whose eyes are filled with tears.
And if the waters of our seas be salt,
'Twas our forefathers' tears that made them so.

"Be He Anathema, the Sower of Light!
Be He Anathema whom worlds adore!
If to our native star He join us not
Be He accursed, through all creation cursed, for aye!"

Then rose the God from His great scarlet throne,
And gentle, moved, weeping as we, He stretched
His two bright arms over the flat expanse,
And in a voice of thunder launched reply:—

"Morsel of Sun, calling thyself the Earth:—
Chrysalides who on her borders sigh:—
Humanity—sing! for I give you Death,
The Comforter, he who shall lead you back
Safe to your Star of Light."

* * * * *

And this is why—lofty, above mishap,
The Poet, made for stars of molten gold,
Spurns earth; his eyes fixed on the glowing heavens
Toward which he soon shall take his freer flight.

S. A. C.

THE TOMB OF THEODORIC.

THE sun of Theodoric, which for thirty years had shone in mild splendour over the Italian land, set in lurid storm-clouds. Boethius slain, Symmachus slain, Pope John dead in prison, these were the events which every tongue at Rome and Ravenna was discussing with fear, with anger, or with lawless hope, and assuredly the dying king, though he might say few words concerning them, thought of little else; and all his thoughts about them were bitter. According to a story which was told to Procopius (perhaps by one of the lacqueys of the court whom he may have met at Ravenna), one day at the banquet a large fish's head was set before Theodoric. To the king's excited fancy, the object in the dish assumed the semblance of the pallid face and hoary head of Symmachus, newly slain. Then, as he thought, the teeth began to gnaw the lower lip, the eyes rolled askance, and shot glances of fury and menace at his murderer. Theodoric, who, if there be any truth in the story at all, was evidently already delirious, was seized with a violent shivering-fit, and hurried to his bed, where the chamberlains could hardly heap clothes enough upon him to restore his warmth. At length he slept, and when he woke he told the whole circumstance to Elyudius his physician, bewailing with many tears his unrighteous deed to Symmachus and Boethius. In this agony of mind, says Procopius, he died not long after, this being the first and last act of injustice which he had committed against any of his subjects, "and the cause of it was that he had not sufficiently examined into the proofs before he pronounced judgment upon these men."

The ecclesiastical tradition as to the death of Theodoric, preserved for us by the anonymous Valecii, makes the cause of it dysentery, a form of disease which, ever since the opportune death of the arch-heretic, Arius, seemed peculiarly appropriate for heterodox disturbers of the Church. For the secular historian it is enough to remember that Theodoric was now

seventy-two years of age and broken-hearted. They may leave him alone, the orthodox Romans, the righteously indignant friends of Senator and Pope. For that noble heart, hell itself could scarcely reserve any sorer punishment than the consciousness of a life's labour wasted by one fierce outbreak of Berserker revenge.

The body of the dead king was laid in the mighty mausoleum which he had built for himself outside the north-eastern corner of Ravenna. There the structure still stands, massive if not magnificent, no longer now the tomb of Theodoric, but the deserted Church of St. Maurice della Rotonda. It is built of white marble, and consists of two stories, the lower ten-sided, the upper circular. The whole is covered with an enormous monolith weighing two hundred tons, and brought from the quarries of Istria. It is hard even for the scientific imagination to conjecture the means by which, in the infancy of the engineering art, so huge a mass of stone can have been raised to its place. In the centre of the upper story of the building stood, in all probability, the porphyry vase which held the body of the great Gothic king. The name Gothic must not lead the visitor to expect to see anything of what is technically called Gothic architecture in the building. The whole structure is Roman in spirit; square pilasters, round massive arches, a cupola somewhat like that of Agrippa's Pantheon. The edifice, however, of which upon the whole it most reminds us is the great Mausoleum of Hadrian, such as it must have appeared in the centuries when it was still an imperial tomb and before it became a papal fortress. And probably this was the example which hovered before the mind of Theodoric, whose work was not undertaken in the spirit of mere vainglory. Believing that he was founding a dynasty which would rule Italy for centuries, he would construct, as Hadrian had constructed, a massive edifice in which might be laid the bones of many generations of his successors.

As it turned out, the great mausoleum became a cenotaph. Theodoric himself was buried there; but when Agnellus, three hundred years after his death, wrote the story of the Bishops of Ravenna, it was a matter of public notoriety that the tomb had long been empty; and the belief of the chronicler himself was that the royal remains had been cast forth contemptuously out of the mausoleum, and the porphyry urn in which they were enclosed, a vessel of wonderful workmanship, placed at the door of the neighbouring monastery. Why should there have been this mystery about the disposal of the body of the great Ostrogoth? Thereto is attached a little history, which, if the reader has patience to listen to it, links together in curious fashion the name of the Pope who sent St. Augustine to convert the Saxons, and that of the Pope who in our own day wielded and lost the power of the king both at Rome and at Ravenna.

One day rumours are heard of some important discovery made by the workmen and not reported to the Commission. Enquiries are commenced: two workmen are arrested: by coaxing and threatening, the whole grievous history is elicited from them. A few days previously the navvies had come suddenly upon a skeleton, not in but near one of the tombs. The skeleton was armed with a golden cuirass: a sword was by its side and a golden helmet on its head. In the hilt of the sword and in the helmet large jewels were blazing. The men at once covered up the treasure, and returned at nightfall to dig it up again and to divide the spoil. At the time when the slow-moving Commission set its enquiries on foot the greater part of the booty had already found its way to the melting-pot of the goldsmith or had been sent away out of the country. By keeping the prisoners in custody, their share of the spoil, a few pieces of the cuirass, was recovered from their relatives in the mountains. These pieces, all the remains of the whole magnificent "find," are now in the museum at Ravenna. Great precautions were taken afterward by the Commission. A trusted representative was always present at the excavations by day; the city police tramped past the diggings at night. But the lost opportunity came not back again, no such second prize revealed itself either to the labourers or the members of the Commission. Now, to whom did all this splendid armour belong in life? Of course the answer must be conjectural. It was given by the archaeologists of the day in favour of Odoacer, and the bits of the golden cuirass in the museum at Ravenna are accordingly assigned to him in the catalogue. But Dr. Ricci, an earnest and learned archaeologist of Ravenna, argues with much force that the scene of Odoacer's assassination took place too far from the Rotonda to render this probable, and that there has never been a dweller in Ravenna to whom the skeleton and the armour can with more likelihood be assigned than Theodoric himself. We may imagine the course of events to be something like this. During the reign of his grandson the body of the great king in its costly armour remains in the royal mausoleum, guarded perhaps by some of his old comrades-in-arms, or by their sons. Troubles begin to darken round the nation of Theodoric, the Roman population of Ravenna stir uneasily against their Arian lords; monks and hermits begin to manufacture or to imagine such stories as that told to Gregory concerning the soul of the oppressor being cast into the crater of Lipari. The inmates of the monastery of St. Mary, close to the Rotonda, hear and would fain help this growth of legend, so fatal to the memory of the Ostrogothic king. Suddenly the body with its golden cuirass and golden helmet disappears mysteriously from the mausoleum. No one can explain its vanishing, but the judgment of charity will naturally be that the same divine vengeance which threw the soul of the king down the volcano of Lipari has permitted the powers of darkness to remove his mortal remains. The monks of Santa Maria, if they know anything about the matter, keep their secret; but some dim tradition of the truth causes the cautious Agnellus, writing three centuries after the event, to say, "as it seems to me he was cast forth from the tomb." So the matter rests till, thirteen centuries after the deed was done, the pick-axe of a dishonest Italian navvy reveals the bones of Theodoric.—*Italy and her Invaders, by Thomas Hodgkin.*

THE LIFE AND CHARACTER OF SCHOPENHAUER, THE PESSIMIST.

No kind of ratiocination is more vicious than that which seeks to draw conclusions as to the soundness or unsoundness of any philosophical or religious system from the merits or demerits of particular persons who happen to profess it. But the founders of religions and philosophies are in a very different position in this respect. Their teaching is but one expression of themselves—a reflection of their own individuality; or, as Aristotle speaks, an external embodiment of their inner being, and is best judged of, when that is possible, in connection with other manifestations of their personality. Their lives often throw a flood of light upon their doctrines. Let us, therefore, consider briefly what manner of man Arthur Schopenhauer was. His life may be read at large in the pages of Gyinner, Traenestad, and Lindner, and in the instructive little English work which Miss Zimmern has compiled from these and other sources. The son of a wealthy and well-educated merchant of Dantzic, for whom he claimed Dutch descent, and of a clever and vivacious woman, he lost his father at the age of eighteen. Soon after he abandoned the commercial career upon which he had entered, and after passing a short time at Gotha, betook himself to Weimar, where his mother was residing. She, however, stipulated that he should not live with her. "Your way of living and of regarding life, your grumbling at the inevitable, your sulky looks, your eccentric opinions, which you deliver oracularly and without appeal—all this disquiets, fatigues, and saddens me. Your mania for disputation, your lamentations over the folly of the world and the misery of mankind, prevent my sleeping and give me bad dreams." On attaining the age of twenty he entered at the University of Gottingen, where, besides the humane letters, he studied chemistry, medicine, natural history, and the religions and philosophies of the East. In 1811 he quitted the University of Gottingen for that of Berlin. Thence he went to Dresden, and in 1818 he paid his first visit to Italy. In 1820 he returned to Berlin, and began to lecture as a privat-docent, but attracted no audience. In 1823 he went to Italy again, and again came back to Berlin in 1825, and remained there until 1830, when he fled at the approach of cholera, and took up his abode in Frankfort, attracted there by its reputation for salubrity. It was in that city that he finally fixed his residence. He never left it from 1833 until his death.

Such are the principal landmarks in his lonely self-engrossed career. His life, through all that tract of years, was led in a routine of study, *table d'hôte*, flute playing, walking, and sleeping. He never married, and appears to have declined, as far as possible, all the ordinary duties of life. His chief amusements were the theatre and music, and the contemplation of works of plastic and pictorial art. The picture which Miss Zimmern, a professed admirer of him, gives of his manners is not winning. She attributes to him "boisterous arrogance" and "vanity in the worst sense of the word." "Neglect exasperated him, he was easily angered, suspicious, and irritable." "The heavy artillery of abusive utterance characterized his speech." "Loss of fortune was of all ills most dreaded by him." "The slightest noise at night made him start and seize the pistols that always lay ready loaded. He would never trust himself under the razor of a barber, and he fled from the mere mention of an infectious disease." He professed a great respect for the memory of his deceased father, but to his living mother he exhibited "a shocking want of filial piety." In politics he was a strenuous advocate of absolutism. Patriotism he judged "the most foolish of passions and the passion of fools." Like Voltaire, he held the people to be "a collection of bears and swine," and he regarded all pleadings for their liberty, freedom, and happiness as hollow twaddle. Naturally, therefore, the great uprising of 1848 against the crowned oppressors of Germany was detested by him. How strong were his sympathies on the other side may be inferred from the fact that all his fortune was bequeathed to the survivors or representatives of the troops who carried out the murderous task of re-establishing the tottering edifice of Teutonic despotism. In the pleasures of the senses he indulged freely. Wine, indeed, soon mounted to his head. He was obliged, therefore, to content himself with shallow potations. But he was a great eater, and, as Miss Zimmern euphemistically expresses it, "he was very susceptible to female charms," with a preference, as that lady is obliging enough to note, for brown women. His landlady at Berlin, it may be assumed, either was not charming or was not brown, as he distinguished himself by kicking her downstairs with such violence as permanently to cripple her, and was in consequence condemned by the proper tribunal to maintain her for the rest of her natural life. He appears in practice to have approximated to the Byronic standard of the whole duty of man—Lord Byron, indeed, was one of his favourite poets—"to hate your neighbour, and to love your neighbour's wife." "The more I see of men," he writes, "the less I like them. If I could but say so of women, all would be well." His constant aim, as he says in many places, was to acquire a clear view of the utter despicability of mankind, and it must be allowed that he supplied in his own person a strong argument in favour of that doctrine. The sole virtues, using the word in its most elastic sense, with which I find him credited, were love of his spaniel and occasional doles to his poor relations, which, however, could have been no great tax upon his fortune, for at his death his patrimony, in spite of sundry bad investments, had nearly doubled.—"*Ancient Religion and Modern Thought,*" by W. S. Lilly.

LADY TALBOT, while visiting one of the large works in Sheffield the other day, asked one of the men if he were going to vote for her husband, who is a Conservative candidate for one of the divisions of that town, whereupon he replied: "Well, mum, you see we vote by ballot now."

The Week,

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AFTER the experience of last year, it may be expected the Government are watchful of any unusual movement among the Indians; and will be alert to prevent a rising if threatened. That a rising is likely to take place is scarcely credible; yet, according to the *Guelph Mercury*, letters have lately been received in that city from three different points in the North-West—Fort McLeod, Calgary, and Prince Arthur—each speaking of the agitation and turbulent bearing of the Indians. Without concert between the writers, these letters all tell the same tale, and exhibit apprehension of an outbreak in the spring. A clergyman, too, writing to the *Manitoban*, says that within a hundred miles of Fort McLeod there are 70,000 American and Canadian Indians, 27,000 of whom are warriors. They are daily becoming more insolent; and in his opinion also an outbreak is imminent. The presence of so many American Indians on Canadian soil is a danger. The American Government has lately been turning them back into Canada; but however hospitable Canada may be, she has hardly hunting ground for her own Indians, much less for her neighbour's. These Indians must live; and it behooves our Government to see to it at once that every precaution for the safety of the settlers in that part of the country be taken. Although Canada has not behaved too well toward Poundmaker and some other Indians concerned in the late rebellion, we do not believe there is much to fear from the Canadian Indians: the danger lies in the presence among them of so many American. Nor do we think it likely there will be any great rising: there may, perhaps, be isolated outrages by bands—which will be bad enough—but nothing worse.

THE text of the judgment on the Dominion License Act, received last week, leaves little doubt that the power to prohibit the sale of liquor does not belong to the Dominion Parliament. The whole Act, save only the part relating to adulteration, is declared by the judgment to be *ultra vires* of that authority; and the former judgment, in the case of the Queen against Russell, which declared the Scott Act to be within it, is virtually set aside by the present, which gives to the Provinces the sole power to concede the privilege of local option, or, in other words, of adopting local prohibition. It is true the former decision is not *formally* set aside, but yet it is so emasculated by the latter that it must cease to be efficiently operative; and that this is taken to be the effect appears to be the opinion of the *Globe*, which in late issues, while stating that until otherwise decided the Dominion has power to prohibit, adds that "from the unwillingness of the Dominion Government to enforce the Scott Act, that measure has proved disappointing, and from the absolute and proved impossibility of getting any really serviceable amendment through the Senate, the Scott Act is likely for years to come to prove more or less inefficient; and it then, in answer to a supposed question as to what had best be done in the interests of temperance, advises to "make the most that can be made of the Crooks Act, for those places where the Scott Act has not been carried. Make the Crooks Act—already the best licensing act in the world—a perfect measure." Without entering, however, at present into the merits of the Crooks Act, we should like to know what is to be done with the Scott Act in places where it has been adopted. It evidently cannot be enforced—not so much from the causes alleged, or from any fault in the machinery of the Act, but because public sentiment is against it. The arguments against attempting to do more by legislation than to *regulate* the sale of an article in almost universal use are so weighty and have been so often advanced that to restate them is to re-thresh straw. More and more is it growing evident that the Scott Act has been allowed to pass in so many places, not from any merit it may possess, but solely through the persistency of its advocates and the apathy of the mass of voters. In county after county it had an unbroken career of victory, while unopposed by any other organization; but the moment a principle able to cope with it appeared in the field it began to recoil. The institution of the Liberal Temperance Union gave it its death blow. From the moment the Union took the field and drew public attention to its lack of right principle it reeled under diminishing majorities—ending in a series of defeats of which the latest is the postponed contest in Toronto. A year ago its friends felt sure of carrying it here, but to-day they are unwilling to face a contest.

Only last week the Act met with its fourth successive defeat; and before many months elapse, if it be not expressly rescinded, it will be as obsolete an Act as there is on the Statute Book. Already it is obsolete in practice; and no licenses being in force where it has been adopted, the illicit sale of liquor goes on unchecked and without fear of penalties.

THE dictatorial attitude assumed by the Irish leaders is fast producing the desirable result of drawing together the Moderate Liberals and Conservatives. Parnell overshot the mark when some months before the elections he formulated the Irish demands, and promulgated his plan of obtaining their concession; and his ingratitude to the Liberals has further injured his cause by the unexpected result of making the weight of his votes overwhelming only when cast on the side he fought against. The elections have not turned out as favourable to him as might have been; and the little advantage they give him is being thrown away by his lieutenants. Once more it is seen that the very worst enemies of Ireland are the Irish themselves. The manifesto lately issued by the President of the Irish National League of America is causing such irritation in England that Mr. Gladstone's Home Rule project has gone flying loose in the air; and though the subsequent editorial in the *Times* to the effect that perhaps the best thing to do with Ireland would be to place it under martial law, and to expel all the Nationalists from the British Parliament—though this may be somewhat exaggerative, it is still a sufficient indication of a growing feeling among Englishmen—a feeling which, if Mr. Gladstone should fatuously persist in using Home Rule as a stepping-stone to power, will burst with full force on his head, notwithstanding the real respect and admiration the country in general have for him. For ourselves, we look upon the Home Rule demanded by the Nationalists as already gone quite out of their reach. It has eluded their too greedy grasp, and they must now be content with a much more moderate concession—such only, perhaps, as may be granted also to England and Scotland. This cannot in the nature of things go beyond mere local government; for the granting of anything more—of separate legislatures for the Three Kingdoms, for instance—would be a breaking-up of the Imperial Government into a federal system similar to that of the United States. Such a radical change in the institutions is what the Home Rule demanded by the Irish means; but the English people are not yet prepared for this dismemberment of the Empire—nor will they be till the pacification of Ireland by the sword has been tried without effect.

THE list of barkeepers and shopkeepers whom Celtic Ireland has chosen to represent her national aspirations at Westminster is a convincing proof, if any were still needed, of how little fit this people are for self-government. These men are presumably the best that could be found by the leaders, yet the highest intellect among them is under the hats of a sprinkling of gutter journalists. It may reasonably be doubted whether even the barest local government is not beyond their capability; much less does their capacity for agitation and destruction imply an ability for the work of rearrangement and organization that the acquisition of Home Rule would impose on the country. This is a task entirely beyond the capacity of any man at present discernible in the movement, and the simple truth is it is beyond the capacity of Irishmen in general. This is not, however, their fault; it is rather a fault of nature, though with true Irish logic it is usually charged against English misgovernment. Owing to the peculiar formation of Ireland—the absence of mountain ranges and great river valleys which tend to weld tribes into nations; and to the character of the climate—a moist atmosphere and ceaseless rain, which, by spreading the richest pasture before the herdsman and preventing the profitable growth of wheat, hinders the evolution of the shepherd into the skilled farmer—owing mainly to these causes the people of Ireland have in truth hardly yet emerged from the tribal state. In the science of government the Irish of to-day are about abreast with the English under the Heptarchy. The hundreds of bishops that then roamed the island, "with a pet cow at their heels," have been displaced by the Romish hierarchy; but the sceptres of the swarm of independent princes that then held sway in the magnificent indigence of their 'mud huts are among us yet in the shape of the familiar shillelagh. There is, in fact, no principle of cohesion which might form the groundwork of political life among the Irish people. This is clearly shown by the example of the Irish in America. The Continental emigrant there readily becomes an American, but rarely does the Irishman do so. While living under a government which gives him all the rights and privileges of an American, his first and sole thought appears to be to endeavour to subvert that government by domestic treason or to embroil it with foreign nations by his plotting abroad. He has no conception of loyalty to America—will he have to an independent Ireland? The Irish

have an ardent love for an ideal Ireland—that never existed and never can exist. They are battling for Home Rule as a means of realizing that ideal; but, if Home Rule should be won, the first concern of these patriots would be to secure each for himself personally as big a share of the soil of Ireland as he could manage to get hold of. This is at bottom what Home Rule means to the politicians; and if any suppose that altruism has any share in their aspirations for nationality, the Donnybrook that would ensue on the attainment of their object would quickly undeceive them.

THE Irish people have many admirable qualities of heart and temper; and, wherever they spread abroad, the leaven of their presence will by and by vastly improve the flavour of the community. That it has not done so yet is due to their carrying the imagined wrongs of Ireland everywhere with them—to the injury chiefly of themselves. They, it has been said, “make excellent servants and the best soldiers in the world; but they are detestable politicians, unstable, inconsistent, inconsequent, quarrelsome, given to demagoguery and faction”;—if this, the description given by a writer in the *Times*, be true, it is England's duty, at all hazards, to save Ireland from the politicians who are now striving to gain control of the Government of Ireland. And England will do this duty. A glance at the composition of the present House of Commons shows that the new House is as unlikely to grant the sort of Home Rule the Irish agitators are clamouring for as these are to settle into law-abiding citizens when they get it. The great body of the House is composed of Moderate Liberals and Conservatives, Radical Liberals and Conservatives, and Nationalists; the two first-named classes largely exceeding all the rest in number. As these come—the Conservatives from the cities, boroughs, and Home Counties of England, the Liberals from Provincial England, the North, Scotland, and Wales—neither party is likely to agree to the concession of Home Rule; and the Conservatives from Ulster are still less likely. The Radical Liberals are also opposed to it; and practically the sole party that is at all likely to come to the aid of the Nationalists is the Radical Conservative following of Lord R. Churchill. But these will hold back from hopelessness of being able to carry the country with them, just as Mr. Gladstone has been restrained in his ill-advised enterprise; and the decision will rest in Lord Salisbury's hands. He holds the trump card—*two* indeed—and by dexterous play he may easily win the game. Already he has led most skilfully with Fair Trade, which, in case of a new appeal to the country, would undoubtedly bring him a large vote in all the commercial centres; and if Mr. Gladstone should seek to make capital for himself by pushing a scheme of Home Rule, Lord Salisbury may immediately thwart the move by dissolving the House and appealing to the patriotism of Provincial England, Scotland, and Wales, and to the interests of the whole commercial world of Great Britain.

ALTHOUGH in the elections several of the leaders of the Fair Trade movement were defeated, it cannot be doubted that there is a strong under-current of feeling in English commercial centres in favour of Fair Trade. The depression existing in certain branches of industry—although but a natural circumstance of the vast variety of industries in England, and their extended ramifications—is apparent to the ordinary observer mainly as a result of foreign competition; and partly in many cases it is so. If the manufacturer of an article finds himself undersold in the home market by a foreigner he knows that his business is suffering from foreign competition; and it is useless for a political economist to tell him that though this presses hardly on him it is good for the country at large. And if in consequence he is compelled to stop manufacturing, or at best to betake himself to another business, he knows that his idle plant, or the displacement of capital, entails a serious loss on him, notwithstanding that the theoretical Free Trader may with justice maintain that such displacement of capital, however it may damnify the individual, is a gain to the nation, because the capital is diverted to a paying industry from one that can be carried on cheaper by the foreigner. Among the causes of the defeat of the late Liberal Party in most of the great cities in England was a belief that that party is imbued too deeply with inexpansive Free Trade theories. Most people are nowadays suffering in some shape or other from the prevailing depression, and the conviction has become general that they would have a better chance of getting relief from that depression—if only a temporary relief—from the Tories than from the Cobdenites. The Tory Party indeed stand pledged to try some measure of relief. Not only have they appointed a Commission of Enquiry into the causes of the depression, but their leaders have also expressed their approval of the principle of Fair Trade; and in now determining on the adoption of a National Policy, Lord Salisbury simply redeems the pledge of Newport.

WITH the principle of the measure we are in entire agreement. We have sufficient faith in the enlightenment and good sense of the English people to feel sure that there need be no fear of the new fiscal departure leading them into the same mistake that the measure adopted here, for a somewhat similar purpose, in 1878, has led Canada. With England's vast foreign trade there is no fear of that; for the very chief effect of Protection pure and simple is to kill out foreign trade, and England has especially its promotion in view in adopting her National Policy. But, in fact, the proposed policy is not one of Protection at all; although, as in the case of Canada, if England were in similar circumstances, it might easily glide into it. But this is impossible in the case of England—unless she be prepared to retire from her world-business. As compared with all other nations England is much in the position of a merchant with correspondents and markets in every corner of the globe, while his competitors, without these connections, have for sole customers the inhabitants of one town. England has won this commanding position by means of Free Trade; and it is because she finds some of her former markets closing against her that she adopts this new policy. Not Protection but more perfect Free Trade is what she seeks. If she were in the position of Germany, France, or America, seeking to acquire a foreign trade, her new policy might be fraught with danger; for but one or two false steps—too far in the direction of Protection—might easily frustrate her whole design; but as she is now placed, endeavouring to retain an acquired trade, the slightest mistake will produce such perceptible and immediate effects—so contrary to what is aimed at—that the nation may be depended upon not to go far wrong. Lord Salisbury has stated the intention to be not to tax breadstuffs, and so far the position is safe. For anything that would raise the cost of production of commodities—as a tax on the food of the artisan would do—must shut them to that extent out of foreign markets. A tax on the breadstuffs of America would perhaps be the very best means of breaking down the hostile tariff against England; but at present the effect of the increased price to the English consumer, though it would help the farming interest, might damnify the manufacturers. And not the promotion of farming but of trade is now in view. When India, however, is able to supply England's needs in wheat the experiment may be worth trying. Government must exercise great care in the selection of articles for duty. There can be no objection, for instance, in putting a heavy duty on French and Spanish wines; for the extra cost of Green Seal or Amontillado will impose no additional burden on the average English artisan. Care must be taken, too, that the duties, by checking importations from a foreign country, shall not at the same time diminish exportation to that country. That is the natural effect of prohibitory import duties; but in the present case the operation of the law cannot be great or anything more than exceptional, for every nation on earth is indebted to England and must pay the interest on their debts, if not in goods of her choosing, then in bullion. Throughout the whole arrangement of the tariff, the fact should be continually kept in view that when a foreign article comes into competition with a native one in full supply the foreign producer pays the whole duty. If the native article is not in full supply or sufficient for the home demand, the consumer pays a portion of the duty proportionate to the quantity required from abroad. And when the article is not produced at all in the consuming country, the consumer pays the whole duty. This is of the mathematics of the tariff. And so the English duty may with advantage to the consumer be taken off such an article as tea, for the consumer pays the whole duty; and the abolition of the duty would be by increasing the consumption, and the import trade from China and India, tend also to increase the export trade to those countries. Similarly with manufactured goods made in excessive quantity in protected Continental countries and sold in England as a sacrifice market. Just in proportion as they entered into competition with English manufactures would the producer pay any duty imposed, without any increase of cost to the English consumer. And it is here the present Free Trade policy of England is at fault; because under it the Government loses a large revenue from duties on these goods which would be paid by the foreigner; while if that tax be imposed as is now proposed it will fall so heavily on the foreign producer that it may easily have the effect of breaking down Protection in those foreign countries, by shutting producers out from the chief market for their surplus goods. They can generally afford to sell a surplus of commodities at a loss abroad, if by so doing they can relieve their home market and so obtain full prices for the bulk of their production—for the price of the surplus *at home* rules the whole—but an additional loss in the shape of a Government tax may and probably will prove too heavy a burden to bear. And similarly in the contra case: though England from the cheapness of her production can in general compete with foreign manufacturers in their own markets while paying an ordinary revenue tax, she cannot do so if she has to pay anything approaching a prohibitory rate of

duty. The removal of these obstructions to trade is the hope and purpose of the new English National Policy. Speaking as Free Traders from profound conviction; holding as we do that there is not enough Free Trade in the world; and unreservedly condemning the principle of Protection as radically unsound,—while not committing ourselves to an approval of any form the new National Policy in England may hereafter take—or to its every detail,—we regard it in its inception as an eminently statesman-like measure: one likely to prove most beneficial to Free Trade in its broadest and full meaning.

A "GASTRONOMIC feat" performed the other day at New London, U.S., by a retired fisherman known as "Jerry Jones," has excited much interest and admiration in that city and its neighbourhood. Jones, who now keeps a restaurant and is highly respected, made a bet of five dollars that he would eat 100 smelts at one sitting; the time allowed for the performance being twenty minutes. The wager was decided on the evening of the 20th of November, when Jones, in the presence of a large concourse of spectators, swallowed the 100 smelts, heads and tails included, in seventeen minutes and thirty seconds, washing them down with a pint and a half of strong coffee. The smelts weighed, before being fried in crumbs, $3\frac{1}{2}$ lbs.; and as the last of the fish disappeared in his mouth deafening cheers arose from all assembled. At the conclusion of the repast Jones offered for a consideration to eat one dozen boiled eggs; but the crowd was awed by the evidence he had given of his voracity, and no one would bet against him. A touching incident occurred with reference to the feat. A few doors from Jones lived an undertaker, who declined to leave his house that evening to join his weekly whist party; having taken odds that he would be called in before morning, as he expressed it, to "box up" his neighbour.

ST. ANDREW must have been a wonderfully popular saint in his time; if one may judge from the number and importance of the duties which his votaries have laid upon him. Thus he is the patron not only of Scotland but of Russia, of the Order of the Golden Fleece, and of the Royal Society; the last a fact which the scientific men of Charles II.'s time were careful to bear in mind. "This was the first anniversary of our society for the choice of new officers," writes Evelyn in 1663, "according to the terms of our patent and institution. It being St. Andrew's Day, who was our patron, each Fellow wore a cross of ribbon on the crown of his hat." Three years later the saint was under a temporary cloud: so that Pepys, who notes with pleasure the wearing of the crosses, is constrained to add that "most did make a mockery at it, and the House of Parliament, contrary to practice, did sit also; people having no mind to observe the Scotch saint's days till they hear better news from Scotland." It must be confessed that St. Andrew has not been uniformly kind either to Scotchmen or Russians. On his day in 1292 John Baliol was crowned at Scone, as a vassal king, having just sworn fealty to Edward. In 1698 Peter the Great founded the first and principal order of Muscovite chivalry in honour of St. Andrew; and on the 30th of November, 1700, saw himself ignominiously defeated at Narva. The day is also memorable for the birth of Swift in 1667, and the death of Marshal Saxe in 1750.

SELDOM, if ever, has a wedding taken place under more difficult and romantic circumstances than one which came off the other day at Chatham Hill Gaol, a few miles distant from the town of Marion, in Virginia. A few minutes before midnight on the 13th of November a buggy was driven to the walls of the gaol. It contained Miss Mollie Downes, aged eighteen years, one of the most prepossessing young ladies in the district, her brother, Mr. Thomas Downes, and a minister. On arriving at the prison young Mr. Downes stood upon the seat of the vehicle and Miss Mollie Downes climbed upon her brother's shoulders, grasping a strong hand which protruded from between the bars of the gaol-window. The minister then, also perched upon the seat, recited in an impressive manner the marriage service, uniting the young lady to James Fauntleroy, the owner of the hand in the window. When the ceremony was concluded some little inconvenience occurred owing to the bride persisting in kissing and crying over the bridegroom's hand, until her brother reminded her that she weighed 135 pounds and that he was beginning to feel exhausted. Mrs. Fauntleroy at last reluctantly descended from her elevated position, and the buggy was then driven off at a rapid pace. It seems that Mr. Fauntleroy is in prison for an alleged attempt to murder a farmer, by name Dugan, who was his rival for Miss Downes's hand. It was at first thought that Dugan was fatally injured; and as Miss Downes would at the trial be the only witness, it was arranged that she should marry Fauntleroy, so that she could not be compelled to testify against him. It was not until the next morning that the fact of the marriage was made known to the town constable, who was so disgusted at being outwitted

that he at once took to his bed, where by latest accounts he remains in a state bordering on coma.

THE gradual extinction of American wild animals is attracting much attention at present in the United States, owing to a paper just published by the American Geographical Society, in which Mr. Ernest Ingersoll makes some striking observations on the subject. Speaking of buffaloes, which less than a quarter of a century ago literally swarmed upon the great plains, Mr. Ingersoll states that he has himself seen steamboats brought to a standstill on the Upper Missouri by swimming herds of "these finest of wild cattle." They are now becoming scarce, owing, it is said, to the extension of the Pacific Railways; but probably their extermination is due in great measure to the delight which the civilized man takes in killing every wild animal he can lay hands on. The elk, moose, and deer are becoming extinct like the buffalo. The elk, which eight years ago were seen in thousands on the plains of the Sweetwater and in the Wind River Mountains, have now practically been driven to their last refuge in the southern Rocky Mountain plateaus. The not unnatural panic that has induced all surviving wild animals to scamper away as fast as they can from their destroyers has extended from the land to the sea. The seals, once numerous on the Atlantic coast, have wisely retired to the coasts of Newfoundland or Labrador. Even the oyster is becoming alarmed, and is retreating from an inhospitable shore where it is allowed no comfort or repose. As for birds—the prairie chicken, the wild turkey, ducks, and "such-like"—they are being slaughtered without mercy, and they will probably ere long be only conspicuous by their absence. It is suggested that legislation is required for the protection of all these birds, beasts, and fishes; but nothing short of the extinction of man is likely to effect the desired object.

A CORRESPONDENT calls attention to a remarkable fact not generally realized—namely, that America is in truth a part of Kent. This curious circumstance was referred to by Sir James Marriott, in a speech he made in the House of Commons in 1782, as an argument in favour of the right of Great Britain to tax American colonies. After maintaining that the American war was just in its origin, he pointed out "that, although it had been frequently pretended that the inhabitants of the colonies were not represented in the British Parliament, yet the fact was otherwise, for they were actually represented. The first colonization by national and sovereign authority was the establishment of the colony of Virginia. The grants and charters made of these lands and of all the subsequent colonies were of one tenor, and expressed in the following terms: 'To have and to hold of the King's or Queen's Majesty, as part and parcel of the manor of East Greenwich, within the county of Kent, *reddendum* a certain rent at our castle of East Greenwich,' etc. So that the inhabitants of America were, in fact, by the nature of their tenure, represented in Parliament by the knights of the shire for the county of Kent." This, it must be remembered, was the opinion of a high legal authority, Sir James Marriott being the judge who presided in the Court of Admiralty, and therefore not likely to make a mistake on a matter of no slight interest and importance.

IN the *Times* Mr. Robinson tells the world what treasures are still buried in the old Seraglio at Constantinople. They are very much what might have been expected. The Turk has plundered the richest homes of Eastern and of Western art for centuries; but he has robbed without discernment. His treasure-house still holds the booty dear to a barbarous Asiatic soldier. Rare weapons and splendid suits of armour deck the walls. Delicate fabrics from the best days of Eastern design; sumptuous saddle-cloths and horse furniture, stiff with gems and gold, lie piled together. Above all, jewels and precious stones of all qualities and all sizes abound. There are jewelled thrones and jewelled weapons. There is a golden tankard (possibly, says Mr. Robinson, from the spoils of Matthias Corvinus), encrusted with 2,000 large table diamonds. There are turbans and scimitars set with "a bewildering profusion of precious gems." But the Turk has made a clean sweep of all that Mr. Robinson most hoped to find. No trace is left of the ancient treasures of Constantinople, classical or mediæval. With the exception of some rare Oriental china, there is little in the South Kensington of the Sultans which has not been preserved solely for its intrinsic value. Still, amongst the *débris* of successive hoards of plunder enough remains to fill the curators of every museum in Europe with envy, and to bring no inconsiderable sum into the Sultan's coffers.

PROFESSOR HUXLEY'S farewell address as President of the Royal Society was such as he, perhaps, alone amongst English men of science was competent to pronounce. He indicated very briefly a few of the chief achievements of the interpreters of nature within the limits of his own life. Within his memory, he reminds us, men could travel no faster than in the days of Achilles or of Ramses Majmuz. Within his memory the arts

of war and peace have been revolutionized by arms of precision and the electric telegraph. The single discovery of the function of parasites in the animal economy has rebuilt the theory and the practice of medicine from the foundation to the roof. But, vast as are the practical boons already garnered for mankind, they seem poor and trifling to the boundless harvest science promises to yield. In the fertile doctrines of evolution and the conservation of energy Professor Huxley bids us see the assured and certain prospect of a new and immeasurable advancement of learning. The genuine student of science is awed by the immensity of his reward. The prolific labours of his fellows threaten to crush his powers with the multitude of their discoveries. No single mind can in these days hope to master any considerable branch of human learning. The thinker must content himself with specializing on some one minute department of knowledge, and guard against the narrowness of the specialist by broad and general scientific culture.—*St. James's Gazette.*

THE *Economist* can hardly imagine a more intolerable position than that to which the British Government is reduced in Egypt. Lord Salisbury is compelled to keep a garrison in Lower Egypt, as well as on the river, for fear of disaffection; and 14,000 English soldiers are therefore locked up in the Nile Valley, half of them doing police work in a hot rice swamp, often unhealthy, and the other half cantoned in melancholy forts along the Nile, waiting for an enemy about whom the only thing known is, that when he fights, he fights with dangerous energy and determination. The whole force is lost to the United Kingdom; and though its expense is not all borne by the British Treasury, still a great deal of it is, including all transport, invaliding, and the supply of war material; while the burden on the Treasury of Cairo, which is accustomed to cheap troops, who get little wages and live on the country, is very nearly intolerable. If it continues, the finances of Egypt will go wrong again, while there is no visible time which any one can fix for terminating the effort. To follow the Arabs is to undertake an expedition to Khartoum, or even to Darfour; to retreat is to bring the whole host of the desert instantly into the field, flushed with an imaginary victory and a hope of plunder; while to remain still is to garrison a territory of no value at great expense, for a time which we are told experienced officials measure rather by years than by months. That is a lamentable waste of resources; yet the only remedy, the formation of an Egyptian army strong enough to defend the southern frontier for itself, appears to be as far off as ever.

SOME Tory wit makes fun of Mr. Chamberlain's bait to catch voters by offering the Government credit to secure for him three acres of land and a cow:—

O Acres three, O happy Acres three!
 Promised to me!
 (I wonder where exactly you will be,
 My acres three.)
 When Church is disendowed, of course you'll be
 Tithe three, my three.
 Rich loam I choose, nigh to my house and handy
 (Let Smith's be sandy).
 Then you will be, as I am well assured,
 Richly manured.
 Then why are you but three? Oh! why not four,
 Or five, or more?

O Cow! O Cow! that promised art to all
 By orators that every district stump,
 To free the rustics from the landlord's thrall:
 Art thou the same cow that once did jump
 Over the moon? for much I fear, somehow,
 That thou mayst prove all moonshine,
 O my Cow!

THE Bishop of Chichester in a letter he has written to the Secretary of the Incorporated Free and Open Church Association states that the general support accorded by the newly-created electorate of the counties to the Liberal candidates was for the most part dictated by considerations of the positions the voters occupied in relation to the Church. Upon the aggregate result of the county poll the prelate deduces the lesson that the agricultural labourer resents, and justly, his virtual degradation in the Church which is his own. In other words, the exclusiveness too frequently, if not generally, manifested in the apportionment of the sittings in village churches, whereby the poor of the parish are driven, like social pariahs, into corners and distant benches, is the main and direct cause of the expressed resentment. In the country districts the parish church is the common possession, to which the entire community have an equal right and upon equal terms. In the infringement of this right and equality,

which long custom has to a great extent sanctioned, may be discerned a cause of that alienation on the part of the very poor which the Bishops and clergy never cease to deplore and have failed to arrest.

AN Irish correspondent of the *Times* shows how the Nationalist majorities were swelled at the election. In most places in Munster, he declares, the priests and the local officers of the National League were appointed polling-clerks and personation agents for the Parnellites. In the division where the writer acted as Conservative agent, 25 per cent. of the electors declared themselves illiterate. These men had to declare their vote before just the very persons who would be most certain to remember and to punish it. In Donegal another correspondent tells us that 60 to 70 per cent. of the electorate is illiterate, while even in Londonderry more than half the Nationalists voted *viva voce*, and not a few capable citizens could not even remember the name of the candidate for whom the priest had bidden them to vote. Yet even with such help as this the entire Parnellite vote, as "M.P." points out, is only 292,895, against 145,106 polled for the Unionists. Where are Mr. (Herbert) Gladstone's "five-sixths of the Irish people" pledged to Home Rule?

AUSTRIA, of all States in the world, is the one most odious in the eyes of Mr. Gladstone; and here is Mr. Gladstone in his old age trying to transform the British Constitution into the semblance of Austria-Hungary. Says the Vienna *Freie Presse*:

What Mr. Gladstone would offer is no longer Home Rule, but the inauguration of a particularist era in England on the worst model—that which has done so much mischief to Austria—the disintegration of the empire and a breaking away from the traditions which made England great. If this scheme were accomplished, not only would England's international position be shattered, but Mr. Gladstone's name would be associated with the destruction of the organism of the English Empire. He has frequently abused Austria, but now he imitates her where she is weakest. Dublin is to be for Great Britain what Prague and Lemberg are for Austria.

The Austrians have the excuse that their complicated and dangerous system was necessary. They had to make the best of a bad business. They did not voluntarily and gratuitously break an united country to pieces in order to make it a loose and unworkable federation.

CAPTIOUS critics in England fail to see where the reason for the Queen's telegram to General Prendergast can be found, as that General seems to have been quite as unable to grasp the situation at Mandalay as General McNeill was at the Arab zereba. The day after the occupation of Mandalay "a disgraceful scene of riot and bloodshed" occurred, and "more lives were lost than in any engagement during the expedition. The streets were occupied by gangs of armed Burmese, who looted and murdered almost unchecked." In addition to which, it is said that "the military arrangements were very deficient." England still smarts from the gigantic blunders of Lord Chelmsford in Africa, and the infamous mismanagement which sent out to the troops serving in Egypt brick-bats for hay, and plaster of Paris for flour.

It is gratifying to learn that England still enjoys an unapproached supremacy in one branch of industry—though it be only the manufacture of burglar's tools. Vienna has been in a state of great excitement in consequence of a robbery at Herr Granischstadten's, the great court jeweller, who has lost stock to the value of some £25,000. Burglary is rare in Vienna; the manner in which the houses are built and the house-porter system throwing exceptional difficulties in the way of that industry; but what seems really to stupefy the police is the breaking open of the safes. They say they never saw such a piece of work; and one of the detectives remarked, "Those English tools seem to cut through iron as if it were cheese."

THE election to the mayoralty at Toronto has resulted, after a contest of discreditable personality and bitterness, in a large majority for Mr. Howland. The day seems to have been carried by the Trade Union and Women's votes. The success is not claimed for either political party, and, as Mr. Howland upon coming forward renounced the Scott Act, it cannot be claimed for the Dominion Alliance, though the Prohibitionist vote was no doubt given solid for Mr. Howland, and the Prohibitionists were very active canvassers on his side. The constituencies for the Mayoralty and the Scott Act are different, women having no votes in Scott Act elections. The *Globe* itself speaks of the question of the Scott Act as having been dropped by common consent.

LORD TOLLEMACHE attained his eightieth birthday about a month ago, amid the hearty congratulations of all classes. If all landowners were to manage their estates in a similar manner to that of Lord Tollemache there would be no necessity to alter the land laws. His lordship possesses about forty-six thousand acres of land in Cheshire, and during the whole of the agricultural depression, from 1877 to 1885, he had neither a vacant farm nor a tenant in arrears. His estate has, during his lifetime, been cut up into farms averaging about two hundred acres in extent, his lordship considering that a thrifty farmer with sons and daughters could do excellently on a two-hundred acre farm, while he would suffer severely on a smaller holding. In order to break up his estate into farms of that size, he built, or rebuilt, between fifty and sixty farm-houses, at the cost of £148,000, each of these homesteads costing about £2,800. In addition to this Lord Tollemache has built two hundred and sixty cottages for the accommodation of the labourers, which has satisfactorily solved the labour difficulty on the Peckforton Estate.

Modern Society is of opinion that in the event of the return of the Liberals to power there will be brought about a renewal of those strained relations between the Queen and Mr. Gladstone which has of late years made the conduct of State business a trifle difficult at times. Mr. Gladstone, while leaving no room for complaint, made no concessions to Her Majesty nor pandered to her weaknesses in any way. The Queen retaliated by not troubling herself to expedite business. Thus these two excellent elderly persons have succeeded in quietly ruffling each other for several years; and now it seems they are likely to begin again.

THE *Philadelphia Record* says the Prohibition movement is making rapid strides in Kentucky, as in other portions of the South. Nearly thirty counties of the State have put themselves under "local-option" law. But it is related that Prohibition does not prohibit these more than in other regions where the experiment has been tried. While there are no licensed taverns and saloons, "drug stores" abound, and there is no trouble for the citizen to obtain all the liquor that he can buy.

NEW SOUTH WALES has stepped to the front as the chief source of supply of tin for the world's use. As long ago as 1849 the tin ores were found, but they remained undeveloped. Gold mining was the rage, and in digging for the yellow metal the baser metal was neglected. The mistake, however, has been discovered, and the tin mines are now extensively worked; and thirty-five million dollars' worth of tin ore was exported last year.

PRINCESS DOLGOROUKI, themorganatic widow of the late Czar, has now become renowned for the splendour and the style of her dinners, which unite the aristocratic and the literary worlds at her festive board. The return of the Princess to Paris is, therefore, always ardently anticipated, and this time she has, faithful to her wonted custom, immediately issued invitations for a series of grand "dinner receptions."

THE Czar, it is now asserted, regrets that the name of the Prince Alexander of Bulgaria was struck from the Army list. The Czar, it is added, will gladly avail himself of the first opportunity which offers to reinstate the Prince. Prince Alexander's father was punished in a similar manner, after his marriage, by the Emperor Nicholas, but was reinstated by Alexander II.

It is stated that there are 139 medical schools in the United States and Canada, containing about 12,000 students—viz., 10,000 regular, 1,200 homœopathic, 750 eclectic, and 50 physiomedical students. The total number of doctors is about 100,000, or on an average one to every 500 inhabitants.

THE Pope is said to have an income of £300,000 annually, and it is stated on the authority of Monsignor Capel that the Pope's personal expenses are limited to ten shillings a day.

THE Queen, it is said, has expressed her intention of going to London much oftener than she has lately done, and of taking a more prominent part in public ceremonials.

THE rumours that Mr. Goldwin Smith is selling his house and is about to sever his connection with *THE WEEK* are unfounded.

THERE is said to be a rage now in Paris to marry late at night. This teaches the bride to wait up for him.

"MOVE ON!"

'Twas Christmas Eve, and the happy bells
Rang out o'er the glistening snow,
And the north wind blew the golden curls
Which fell o'er a forehead low,
And the flick'ring lamps lit up a face
So haggard, and pinched, and white,
And childish, pleading tones were heard
By the passers of the night.
"Oh! I am so cold, and hungry, sir,
My mother is dead and gone."
But a voice, so harsh and deep, replied
"Move on!" The child moved on.

Wearily she pass'd the joyous crowd,
Heart-broken, alone, forlorn,
No one to pity the orphan waif,
They heeded her rags with scorn.
On thro' the pitiless blast of hail,
Thro' the drifting, blinding snow,
While tears fell from the heaven-raised eyes:
"Oh, mother! where shall I go?"
But as if in answer to the call
Of that homeless little one,
The dreaded voice again she heard:
"Move on!" it said,—*"Move on!"*

The gay Christmas bells rang out *"Move on!"*
As she pass'd by homes of state,
The babyish lips echoed *"Move on!"*
As she neared a churchyard gate.
"Oh, mother! where shall I go?" she cried,
Clasping a grave in the snow;
"I am so sleepy, and cold, and sad,
There's nowhere for me to go."
Then her voice in murmur died away,
Her spirit to home had gone,
Borne heavenward by angelic wings,
Where no harsh voice says *"Move on!"*

NORA LAUGHER.

THE SCRAP BOOK.

THE INFLUENCE OF THE FINE ARTS ON MUSIC.

THE agencies which influence the minds of artists, poets, and musical composers in producing their creations are indeterminable. It is well-known that architecture, sculpture, and painting are governed by certain fixed rules which must be adhered to by the artist; in poetry and music, however, no conception can fathom his deep emotions, nor can the human mind even penetrate the camera obscura of his heart.

To the architect, the sculptor, or painter, the outer world furnishes models according to which he reproduces his work in stone, marble or on canvas. The poet, however, who clothes his inspirations and the emotions of his inner world in words, creates works, which portray, in addition to animate objects, his own feelings. The musician has no words wherewith to express his thoughts, but from the inmost recesses of his heart spring musical sounds and harmonies. In musical compositions material things must disappear. The soul of the musician is the shrine from which emanate all his thoughts, thus music becomes the most sublime of the fine arts.

The question suggests itself, from what outward source does the musician draw his inspirations? Every human mind, no matter how low its rank in the scale of civilization, is influenced by outward impressions, and cannot but become refined by the so-called fine arts. And, as the musician, with his susceptible nature, certainly is no less easily moved by his surroundings, he is thus most prone to yield to the influences which the remaining fine arts may exert upon his soul.

The works of Sebastian Bach bear the imprint of deep religious feeling, and are dedicated to the service of the Omnipotent. In examining his "Passions," his motetts, masses, and organ fugues, it may at once be perceived that they were created in the lofty cathedral, amid the statuary of saints and paintings from Holy Scripture, and while he was yet inspired with the stanzas of the poets of the church. Joseph Haydn, the son of a simple peasant, in his early youth sang as a choirboy in the cathedral of St. Stephen, an edifice most artistic in its construction and filled with magnificent statuary, and with the noblest masterpieces of painters. These certainly must have produced a lasting impression upon his sensitive soul.

Mozart, as a small child, wandered about with his father from one court to another, and beheld the most splendid palaces; he exhibited his virtuosity before the Pope in the Vatican, and worshipped in that temple of the fine arts, the Sixtine Chapel. He was thus impressed with these sublime scenes in his early youth, and much of his great renown and success as a musician may be ascribed to these sources.

Beethoven, the greatest tone-poet, by his works plainly shows that he, too, was deeply stirred by the fine arts. What architect could erect a more lofty structure, what sculptor put more life into the cold marble, or what painter more vividly portray human life than Beethoven did in his symphonies! And what poet could reproduce more feelingly the tender

words of love and devotion, than he does in the music of Lenora and Florestan.

Schubert expresses in melody his poetical nature.

Mendelssohn, in all his works, exhibits his intimacy with the fine arts, and the same may be said of Robert Schumann.

It was the mission of Richard Wagner to unite music with the other fine arts in such a manner that there resulted an *ensemble* representing the musical art drama in its highest perfection. In this connection the efforts of Gluck, Weber, and Marschner must also not be forgotten.

Inasmuch, then, as the composer finds his ideals in the fine arts, it becomes essential that the expounder of musical works shall also be initiated into the sanctum of the arts; he must, therefore, carefully study them, devoting much of his attention to their form and beauty, and by their aid prepare himself to enter the high portals of music. For it is only after he has been thus consecrated, that he shall be permitted to approach the divine muse, music, and, like an humble priest, to sound her hymns of praise.—*M. Steinert.*

THE BOOK FUTURE.

SPEAKING of books generally, though recognizing the special prominence of the lighter works, such as novels, in this respect, it seems probable that the flood of books that has broken loose upon the country will result in raising the average quality of works that shall be published. Works of ordinary power, that would have been widely read at one time, can now be written by thousands of people; in every hamlet resides some one who can write a common story, but who cannot obtain its publication without paying for it, because the public requirements are becoming more difficult to please, and because ordinary works have become a drug in the market. In fact, the competition in the writing of books that are not works of genius has become so great that their publication is considerably overdone, and publishers reject a score where they publish one—that one being often an unhappy venture. The writing of books, of late years, seems to have descended to lower grades of writers than otherwise, and the effect has been so nauseating upon the public that the aliment in the future must be more nutritious than it has been. There never was a time in the world's history when a work of even a little genius stood a better chance of appreciation than at the present time. One needs only to refer to Miss Murcison's success, or Mr. Stockton's, to prove this. The promise of a favourable reception to a good work is a reward that stimulates many people to write nowadays, though they may overrate their writings; this leads to the discovery of sparks of genius in writers who never would or could have ventured to offer their pen's work to the public. As the present commercial age of this country evolves into higher forms, a class of people more intellectual, with finer emotions and a higher literary quality, will come into existence. While there would now seem to be an ebb-tide in letters in this country, the rhythm that pervades all forms of evolution leads to the hope, sustained by the direct promise of better conditions in the future, that a better day in literature, particularly the lighter kinds, is only in waiting. Indeed, the intellectual growth of literature has already begun in the sciences and in philosophy; social science, economics, political science, the physical sciences and philosophy were never so well understood as they now are, and the investigations of many men and the accumulations of store-houses of facts are lending an exactness where all before was speculation.—*Paper World.*

SHAKESPEARE'S POPULARITY ON THE STAGE.

SHAKESPEARE has shown his knowledge of human nature in nothing better than in this that he has taken care that the interest he seeks to arouse shall be aroused for no mean, absurd, or frivolous life and being. His best stories are the most interesting to the highest longings of fancy; while they lend themselves at once to dramatic excitement and theatrical display. The ordinary looker-on is struck between the eyes as it were, awed with the greatness of the exhibition, even of his beggars; while his chief persons are of high worldly, as well as due corresponding mental rank, and are only reduced to the level of natural human beings as they bustle with their difficult spirits in the common world. This, it appears to me, expresses the most real of all Shakespeare's superexcellence of material, and forms the first ground for his paramount popularity in the theatre. He has great persons, and great stakes are played for. Poetry, nor truth to nature, nor life pictures, nor the construction of his plots would have, of themselves, kept him on the stage if he had been content to take the absurd characters and plots of most French pieces, or stories of merely common every-day life, treated accordingly; the difficulties of Manchester bagmen, ticket-of-leave men, weak-kneed Irish landlords, and Scotland Yard detectives. The noble and manly intellect of the son of the Warwickshire wool-stapler in the days of Elizabeth refused to confine his highest imagination to such as the chief stage persons of the Victorian era whose intellects are often little better than those of mere stablers.—*William Spink, in National Review.*

THE LEMMINGS.

"THE lemmings, which are little rodents, certainly do not visit my part of Norway at any recurring period of years; but every third or fourth year they may be expected with tolerable regularity, though in variable numbers. Thus it is quite probable that some migration may have so far escaped notice as to give rise to the old idea that they took place every fourth year.

"They are, however, always directed westward; and thus the theory that they are caused by deficiency of food fails so far that these migrations

do not take place in a southerly direction, by which a larger supply might be obtained. M. Guyne suggested that the course followed was merely that of the watershed. However, this runs east as well as west, and follows valleys, which often run north and south for hundreds of miles, whereas the route pursued by the lemmings is due west. At all events, this is the case in Norway, where they traverse the broadest lakes filled with water at an extremely low temperature, and cross alike the most rapid torrents and the deepest valleys.

"With no guiding pillar of fire, they pass on through a wilderness by night; they rear their families on their journey, and the three or four generations of a brief subarctic summer serve to swell the pilgrim caravan. They winter beneath more than six feet of snow during seven or eight weary months; and with the first days of summer (for in those regions there is no spring) the migration is renewed. At length the harassed crowd, thinned by the increasing attacks of the wolf, the fox, and even the reindeer, pursued by eagle, hawk and owl, and never spared by man himself, yet still a vast multitude, plunges into the Atlantic Ocean on the first calm day and perishes with its front still pointing westward. No faint hearts linger on the way, and no survivor returns to the mountains. Mr. R. Collett, a Norwegian naturalist, writes that in November, 1868 (quoted by Filleburg), a ship sailed for fifteen hours through a swarm of lemmings, which extended as far over the Trondhjemsfjord as the eye could reach."—*Mental Evolution in Animals, by G. J. Romanes.*

MY WOLVES.

THREE gaunt, grim wolves that hunt for men,
Three gaunt, grim wolves there be:
And one is Hunger, and one is Sin,
And one is Misery.

I sit and think till my heart is sore,
While the wolf or the wind keeps shaking the door,
Or peers at his prey through the window-pane
Till his ravenous eyes burn into my brain.

And I cry to myself, "If the wolf be Sin,
He shall not come in—he shall not come in;
But if the wolf be Hunger or Woe,
He will come to all men, whether or no!"

For out in the twilight, stern and grim,
A destiny weaves man's life for him,
As a spider weaves his web for flies;
And the three grim wolves, Sin, Hunger, and Woe,
A man must fight them, whether or no,
Though oft in the struggle the fighter dies.

To-night I cry to God for bread,
To-morrow night I shall be dead;
For the fancies are strange and scarcely sane,
That flit like spectres through my brain,
And I dream of the time, long, long ago,
When I knew not Sin, and Hunger, and Woe.

There are three wolves that hunt for men,
And I have met the three,
And one is Hunger, and one is Sin,
And one is Misery;
Three pairs of eyes at the window-pane
Are burned and branded into my brain,
Like signal lights at sea.

—*Francis Gerry Fairfield.*

THE "PALL MALL GAZETTE" SENSATION.

I HAVE received a most marvellous pamphlet, price sixpence, entitled "The Life of William T. Stead." With fear and trembling I quote the opening paragraph:

"It was five-and-twenty years ago, in the grimy little town of Howdon-on-Tyne—it was on the 'ballist hill,' the playground of the children—that a boy of twelve years old felled to the ground a boy who had gone to look at a girl who had turned aside to tie up her garter. That boy has since become the author of 'The Maiden Tribute of Modern Babylon.'"

If the rev. author, instead of giving us such charming anecdotes as this, had reprinted the recent address of Mr. Justice Stephen to a grand jury, he would have done more service to morality. Mr. Justice Stephen declared that "Modern Babylon" had increased by 50 per-cent. the class of crimes it pretended to expose. Another eminent judge on the following day declared that the baleful influence of this cowardly, lying, and infamous outrage on public decency would not pass away during the present generation. The best thing the friends of Mr. Stead can do is to let him sink back into oblivion.—*Dagonet, in The Referee.*

WHAT THE LACK OF COPYRIGHT CAUSES.

NEVER in history were books prettier, better, or cheaper than they are now. The only drawback about it all is the plain fact that authors, publishers, and booksellers have to be satisfied with a minimum of profit on a maximum of service rendered. The fault lies ultimately in the lack of an international copyright. This want compels all American producers of

literature to compete with the cheap reprints of foreign productions, and has made the American brain-labourer the poorest paid toiler of the kind. The remedy is an international copyright treaty, especially with England, and a treaty under which every author's rights will be secured in this country, provided his book is printed here—with protected type on protected paper, and at protected wages. Even with this point gained, the American producer of literature, whether publisher or author, will have a hard stand against foreign competition. For the protection of booksellers there is no better help than the adoption of the German system, which reduces the bookseller to a commission merchant, who sells only at prices dictated to him by the publisher, and returns what he cannot sell. The sooner we have the treaty, as recommended by the Messrs. Harper and Brothers, and the sooner our booksellers adopt the German system, the better it will be for everybody, including the bookbuyer, who is now quite often guilty of depriving an author of his dues.—*Boston Beacon*.

FOREIGNERS, like schoolboys, are apt at catching the slang of a language which is new to them. "Goddam," it used to be said, was all the English which the old St. Gothard driver caught from his English customers. A German writer, Herr Francis Bromel, has just published a capital essay on the English police. It is studiously exact on the whole, and does more justice to a much-trying order of men than they always obtain from English pens. But he has made a most amusing blunder by attempting, after a truly German method, to discover the real meaning of the slang title "bobby," by exploring the depths of his own consciousness. He has discovered that a "bob" is a slang word for a shilling; whereupon he gravely tells his readers that the English mob calls a policeman "a bobby because a policeman can always be had for a shilling." He seems to fancy that young men are enlisted into the force by taking the traditional "Queen's shilling" from a public recruiter. As this ingenious explanation does not wholly satisfy him, he adds another. "The labours and hardships of the English bobby," says he, "are not paid with sovereigns, but with shillings; his wages are eighteen shillings a week." If Herr Bromel had further attempted to provide an *à priori* derivation of the English policeman's other slang title, "a peeler," the result would probably have been equally delightful. A "peeler" must plainly be one who "peels" off the skin of the criminal with his truncheon. Yet Herr Bromel is historian and economist enough to know all about Sir Robert Peel's work as an English statesman.

MR. GALTON has contributed to the *Journal* of the Anthropological Institute the data upon which the remarks on the law of regression were founded that he made in his presidential address to Section H at Aberdeen. These data consisted of the heights of 930 adults and of their respective parents, 205 of each sex in number, or, altogether, of 1,340 observations. Stature was chosen as the subject of inquiry because the peculiarities and points to be attended to manifest themselves best in it, and because it is the sum of a number of variable elements. Thus it was shown that difference between the heights of the two parents might be disregarded, having on the whole an inconsiderable effect on the height of the offspring. It was also shown that marriage selection takes little or no account of shortness or tallness, the number of marriages in the 205 of short with tall being $12 + 14 = 26$ (stated as thirty-two in the paper, apparently by a clerical error), and those of short with short and tall with tall being $9 + 18 = 27$, or almost exactly the same. In all cases the female height was multiplied by 1.08, to produce a male equivalent. The general result was that where the mean height of the two parents (thus corrected) was greater than mediocrity, their children tend to be shorter than they, and the converse where it was less, and from these materials mechanism may be constructed for forecasting the most probable heights of children from the data of the heights of each of their parents.

OUR LIBRARY TABLE.

TEMPERANCE VERSUS PROHIBITION: An Address on the Scott Act by Goldwin Smith. With an appendix on Alcohol by C. Gordon Richardson. Toronto: C. Blackett Robinson.

The title of this pamphlet indicates its purpose—the upholding of the principle of Temperance against the principle of Prohibition. Although the latter is frequently put forward by well-meaning persons as a means of promoting the former, the two are in fact essentially opposed, and the adoption of Prohibition leads, as may be seen in any Scott Act county, to a result the very reverse of what is desired. This Address gives the substance of speeches delivered by Professor Goldwin Smith on several occasions in support of the policy of the Liberal Temperance Union, and against Prohibitive legislation. In the opening sentences the writer says:

"It will appear, I trust, before the end of this address that its object is to promote temperance, and that it is in that interest that I oppose Prohibition. To us, not to the Prohibitionists, the name Temperance belongs. Temperance means moderate use; Prohibition means total and enforced abstinence. Temperance, as I believe, is rational, practicable, and commended by the gospel, while enforced abstinence is not.

"With the liquor trade I have nothing to do. In England, where it is political and overweeningly strong, I fought against it as a Liberal for many years, though I always declined to commit myself in any way to Prohibition. I would ask for it nothing but justice, respect for which is the soul of the commonwealth, and which it is especially necessary to

uphold in the case of those who are discredited and run down. I do not fear to stand by the side of any man who is wronged, not even if he has come out of gaol this morning; but I fear to stand by the side of the most religious and respectable wrongdoer."

JONATHAN'S HOME. By Alan Dale. Boston: Doyle and Whittle. Toronto: Williamson and Company.

A lively, well-written little book, full of anecdote, giving a description of New York life and American peculiarities, from the point of view of a British visitor.

WE have received also the following publications:—

CENTURY MAGAZINE. January. New York: The Century Company.

LIPPINCOTT'S MAGAZINE. January. Philadelphia: J. B. Lippincott Company.

OUTING. January. Boston: The Wheelmen Company.

CONTEMPORARY REVIEW. December. Philadelphia: Leonard Scott Publication Company.

FORTNIGHTLY REVIEW. December. Philadelphia: Leonard Scott Publication Company.

NORTH AMERICAN REVIEW. January. New York: 30 Lafayette Place.

ENGLISH ILLUSTRATED MAGAZINE. January. New York: Macmillan and Company.

ANDOVER REVIEW. January. Boston: Houghton, Mifflin and Company.

LITERARY GOSSIP.

MR. H. H. FURNESS has nearly completed his long-looked-for edition of "Othello," which will form the sixth volume of his "Variorum Shakespeare," and will be issued shortly by Messrs. J. B. Lippincott and Company.

MR. GLADSTONE will contribute to the January number of the *Nineteenth Century* a rejoinder to Professor Huxley's reply (in the current number) to the "Dawn of Creation." It is entitled "Proem to Genesis—a Plea for a Fair Trial."

MACMILLAN AND COMPANY announce a new edition, in eight monthly volumes, of the Writings of John Morley, uniform with the pretty Eversley edition of Kingsley, issued a year or two since. The first volume, containing Voltaire, will appear in January.

UNDER the title of "BookChat," Messrs. Brentano Brothers, New York, commence this month a monthly paper devoted to the chatty review of current books, informal talks on and about authors, their writings, peculiarities, habits and so forth, in a social as well as a literary light. Their plan, as published, is very comprehensive and attractive.

MESSRS. JANSSEN, MCCLURG, AND COMPANY will publish in a few days a volume with the title "Letters to a Daughter." The Letters are brief, and marked by good sense, sympathy, and a thorough understanding of the subject. The author, Mrs. Helen E. Starrett, has had large experience in the training of girls, and this, joined with her facility as a writer, has rendered her peculiarly fitted for her task.

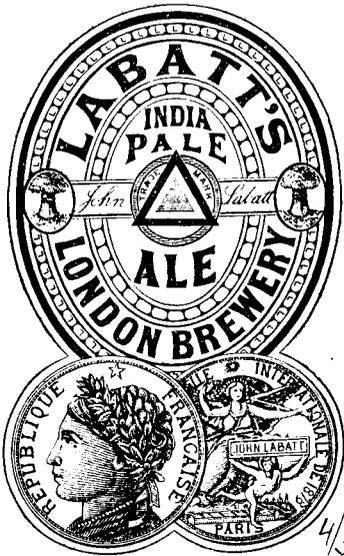
THE one hundred and sixty-eighth volume of *Littell's Living Age* opens with the issue for the week ending January 2. Foreign periodical literature continues to grow not only in bulk but also in the variety, interest, and importance of the topics treated; and it absorbs to a greater extent every year the work of the most prominent authors of the day. Presenting with freshness and satisfactory completeness what is most valuable of this literature, the *Living Age* becomes each year more and more a necessity to American readers.

ST. NICHOLAS for January is both in point of time and contents another Christmas number. W. D. Howells leads off with his long-promised story; Mrs. Frances Hodgson Burnett follows with another instalment of her charming serial "Little Lord Fauntleroy"; Horace E. Scudder, the author of the favourite "Bodley" books, contributes the opening chapters of his story of the life of George Washington; Sophie May has a bright and timely story; and there is another "Ready for Business" paper—this time "An Architect," and the chances for young men in the profession of architecture are practically discussed.

THE January number of the *Atlantic* opens with an unusually interesting table of contents. It begins with the first two chapters of Charles Egbert Craddock's new serial, "In the Clouds." This is followed by a paper on "The Free Negroes of North Carolina," by Mr. David Dodge. The editor of the *Atlantic*, Mr. Aldrich, has a very bright short story called "Two Bites at a Cherry." Dr. Holmes has a paper in the new Portfolio Series, "A Cry from the Study," full of pleasant reminiscences and pungent humour. "The Political Consequences in England of Cornwallis's Surrender" forms the subject of a thoughtful article by Mr. John Fiske. The number closes with the usual *resumé* of books of the month.

CONSPICUOUS among the varied features of the January *Century* are the short stories. A portrait of Verdi, the composer, is the frontispiece, which is accompanied by an entertaining anecdotal paper by Frederick A. Schwab. In his concluding paper on "The Lesson of Greek Art," Dr. Charles Waldstein—the young American who is Lecturer on Greek Archaeology at the English University of Cambridge—treats of the education of the American artist, and advocates general literary and scientific culture, as well as technical art study. And in an article on "A French Painter and his Pupils" a glimpse is given of the company of American and foreign artists who receive instruction from Carolus Duran, the master's ideas of art as imparted in studio talks being the larger part of the article.

"THE Society of American Wood-engravers," we learn from the *New York Times*, has in preparation a volume, which is to be published by Harper and Brothers, in 1886, to be entitled the "Portfolio of American Wood-engraving." This is to be one of the finest specimens of this branch of art ever produced in this country, and is to be prepared entirely by members of the society. Each of the eighteen members is to furnish one engraving, to contain not less than forty nor more than ninety-six square inches, the size of the mount to be fourteen by eighteen inches. Each member is to supply the full number of proofs that will be required for the whole edition, so that he may personally superintend the printing, and reject any impressions that are not to his liking. Appropriate text, not exceeding one page, is to accompany each engraving. There are to be three editions of this work, an *édition de luxe*, an artists' edition, and a popular edition, and it is probable that it will not be ready before the middle or latter part of 1886.



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- British Quarterly.** While discussing all branches of modern thought, is particularly devoted to the consideration of the more recent theories in Theology and Philosophy. Its articles are characterized by a keenly critical spirit, and for fairness of treatment and justness of criticism it stands alone, in its special field, among the periodicals of the world.
- Edinburgh Review.** Numbers among its contributors the greatest names that have moulded English thought for the past eighty years. While its policy admits the discussion of all questions, its conservatism is tempered with a liberalism that marks it as the INDEPENDENT REVIEW of the world.
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- Westminster Review.** Is notable for the latitude of its theological views, many of the most advanced of modern theories in theology having received in its pages their first authoritative support. A distinctive feature of this Review is its "INDEPENDENT SECTION," containing articles advocating views at variance with those of its editors.
- Blackwood's Magazine.** Is the leading and most popular magazine of Great Britain. The tone of its articles, be they fiction, incidents of travel, critical or political essays, is unexceptionable, rendering it most desirable for the Home Circle.

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WHAT IS CATARRH?

From the Mail (Can.) Dec. 15. Catarrh is a mucopurulent discharge caused by the presence and development of the vegetable parasite amoeba in the internal lining membrane of the nose. This parasite is only developed under favourable circumstances, and these are:—Morbid state of the blood, as the blighted corpuscle of ulcer, the germ poison of syphilis, mercury, toxemia, from the retention of the effete matter of the skin, suppressed perspiration, badly ventilated sleeping apartments, and other poisons that are germinated in the blood. These poisons keep the internal lining membrane of the nose in a constant state of irritation, ever ready for the deposit of the seeds of these germs, which spread up the nostrils and down the fauces, or back of the throat, causing ulceration of the throat; up the eustachian tubes, causing deafness; burrowing in the vocal cords, causing hoarseness, usurping the proper structure of the bronchial tubes, ending in pulmonary consumption and death. Many attempts have been made to discover a cure for this distressing disease by the use of inhalants and other ingenious devices, but none of these treatments can do a particle of good until the parasites are either destroyed or removed from the mucous tissue. Some time since a well-known physician of forty years' standing, after much experimenting, succeeded in discovering the necessary combination of ingredients which never fail in absolutely and permanently eradicating this horrible disease, whether standing for one year or forty years. Those who may be suffering from the above disease, should, without delay, communicate with the business managers, Messrs. A. H. Dixon & Son, 305 King St. West, Toronto, Canada, and inclose stamp for their treatise on Catarrh.

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- Tribute to Vice-President Thomas A. Hendricks. Illustrated. Hon. James W. Gerard.
- Operations before Fort Donelson. Illustrated. Gen. Wm. Farrar ("Baldy") Smith.
- From Burnside to Hooker. Transfer of the Army of the Potomac, 1863. Major William Richard Mills.
- Slavery in America. Its Origin and Consequences. General John A. Logan.
- Washington's First Campaign. T. J. Chapman, A.M.
- Princess or Pretender. A Leaf of Old Louisiana History. Charles Dimitry.
- The New Year's Holiday. Its Origin and Observance. The Editor.
- The "Bladensburg" Races (Washington, 1814). Ex-Postmaster-General Horatio King.
- Reprints of Two Interesting Letters of 1781. Original Documents contain General C. F. Smith's Unpublished Report of the Capture of Fort Donelson.
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O'KEEFE & CO.

DOMINION BREWERY,

ROBERT DAVIES,

BREWER AND MALTSTER,

QUEEN ST. EAST, TORONTO,

Celebrated for the Finest Ale, Porter and Lager Beer in the Dominion. 16/26

The large and increasing demand for my Ales, Porter and Lager Beer compelled me to increase my manufacturing capacity to double, and now I can

BREW DAILY 12,000 GALLONS.

The fact that the Dominion Brewery is only seven years in operation, and that it has far outstripped all the old establishments and is now the leading brewery in the Dominion, speaks for the quality of the Ales, Porter and Lager Beer produced, and which is made from the

Choicest Malt, English, Bavarian, American, Californian and Canadian Hops.

No substitutes or deleterious substances ever used, and

CAN ALWAYS BE RELIED UPON AS PURE.

My India Pale Ale and XXX Porter in Bottle surpasses anything made here, and equal to any imported.

One trial is all that is necessary to enroll you amongst my numerous customers.

Be sure you get the Dominion Brands.