



"BOYNE WATER"
ORANGE BAND "RUN IN"

POLICE SUED FOR DAMAGES.

A reader of our leader in last week's issue, "As to British Liberty," so much appreciated its timeliness that he requested us to reproduce the article which called forth our comment:

An interesting sequel to an Orange demonstration which took place at Shotts on the 12th July, 1905, was heard in the Court of Sessions on Tuesday and Wednesday, when Lord Mackenzie and a jury tried an action in which David Carson, miler, Gartness, Airdrie, secretary of one of the bands which took part, sued Captain Herbert John Despard, Chief Constable of Lanarkshire, and Alexander Anderson, Superintendent of the Police, North Bridge street, Airdrie, for £100 damages each for alleged wrongful apprehension. Mr. Wilson, K.C., and Mr. Constable appeared for the pursuer, and the defenders were represented by Mr. Dickson, K.C., and Mr. Thompson.

In opening the case for the pursuer, Mr. Constable, the junior counsel, said that he had raised the action to settle the right of private citizens to assemble and form a procession so long as they were not endangering the public safety, and the general question of whether the police were to be entitled by an arbitrary measure, such as that in the present case, to suppress such right.

The first witness for the pursuer was James Orr Wylie, steel worker, Mossend. He is a member of the Loyal Orange Lodge, and explained that he was in charge of the Orange demonstration on July 12th last, and headed the procession, which was to march through several of the villages in the locality. The demonstration passed off satisfactorily until they were on their way home.

Asked what the demonstration was for, he said he thought it was the anniversary of the battle of Auchrim and the Boyne.

I suppose you had a fancy cloak on that day?

Yes, something similar to what you have (Laughter.)

Mr. John Wilson—But far brighter. (Laughter.)

Witness—Yes; orange and blue and scarlet. (Renewed laughter.) In twenty years there had been no breach of the peace in connection with these processions. Witness described how the lodge assembled at Holytown, accompanied by their bands, in July last.

What are the party tunes?

Well, I know "Boyne Water," "No Surrender," and "Protestant Boys." He only knew that they were good marching tunes. As the Gartness band, of which the pursuer was secretary, was wheeling in from Holytown to Mossend, an inspector of police came forward to the band-major and said, "What tune is that you're playing?" He never gave time to the man to answer, but wheeled him about. All the other policemen did likewise with the other bandsmen and marched them off to the police station.

What tune was the band playing?

I could not swear.

Was each band playing a different tune?

I could not swear to that. (Laughter.)

The other bands in the procession which were playing party tunes were not interfered with. The witness denied the allegation that there was an attempt made to rescue the bandsmen with drawn swords. There were only two swords in a lodge. The swords carried were real swords, good, solid, substantial swords. He did not hear the cry "Swordsmen to the front." He saw no stones or bottles thrown.

A jurymen asked what was the object of the party tunes being played, and the witness replied—"Simply to commemorate the anniversary of the Boyne and the 'Derry'."

Mr. Scott Dickson (in cross-examination)—Do you know the tunes aroused the Roman Catholics to indignation?

On the road we came there were no Roman Catholics.

He could not swear to the fact that the tunes were or were not intended to remind the Roman Catholics of the victories that the Protestants had over them.

He did not know if the tune "Kick the Pope" was played.

What would be the effect of that tune being played in a Roman Catholic district?

I dare say they would not like it.

Now about the swords—I am not a Freemason, but I'm a Gardener and a Shepherd, and all that—do they carry them?

Yes.

Mr. Wilson, K.C. (pursuer's counsel)—You are not an important man, Mr. Dickson. (Loud laughter.) Altogether there were sixteen swordsmen, but he did not see them use their swords.

Re-examined—If an attempt was made properly to put down the playing of party tunes he would be prepared to submit.

The pursuer said it was loyal tunes they were playing—such as "Dan," "Purgatory," and another.

What were the words?

I never saw any words to it yet.

The witness explained that the bandsmen were handcuffed and driven in brakes to Airdrie. There they were put into cells, as many as 16 being in one. They were liberated at midnight, bail of 10s having been paid. They subsequently got back their instruments and their bail money.

The Rev. Canon Hughes, Bridge-ton, said there were certain classes on both sides to whom party tunes were like red rags to a bull, but the bulk of the people simply stood by and laughed.

"Who is Dan?" asked Mr. Dickson of a bandsman witness, and the reply was, "I'm sure I don't know who he is." (Laughter.)

Other witnesses gave evidence for the pursuer, most of them stating that the bands continued the same tunes right along after the arrest, and no notice was taken of them. They declared that the arrest was quite uncalled for.

Captain Despard entered the witness box on Wednesday. He said he had been chief constable for ten years. There were large Roman Catholic and Orange populations in the districts of which he had charge, and each party disliked the tunes of the other.

After receiving a note from Sheriff Guthrie and a telephone message from Father Scannell, Mossend, he gave instructions to Superintendent Anderson on the 12th July last not to allow party tunes to be played, and if the bandsmen persisted to arrest them. His motive was to protect the Orange band from being assaulted. He had no ill-feeling or unkindness towards Orangemen.

In cross-examination Captain Despard maintained that it was a crime to play a tune that was going to insult people just as much as if a person stood in his door and shouted, "To H— with the Pope." Bands playing party tunes were liable to arrest.

Captain Despard added that he was neither a Roman Catholic nor an Orangeman, and there were only three Roman Catholics in the force of 825 of which he had charge.

Superintendent Anderson said he informed the leaders of the procession of the Chief Constable's instructions, and before the arrest he spoke to one of the men, but received no satisfactory answer. They were then playing "Kick the Pope."

Father Scannell, Mossend, said that if he had not informed Captain Despard he would have taken an affidavit that a row would have occurred.

The jury, after an absence of about three or four minutes, returned a unanimous verdict for the defendants.

Thus the police have absolute power to stop the playing of party tunes when there is likelihood of a row being caused.

The philosophy of the movement of this Gaelic League is for Irishmen to proceed on the lines on which they can be successful, and drop the lines upon which they must be imitators, because imitation is always behind the thing imitated. If Irishmen go along the lines that God has set before them, there is no bound to what they can accomplish, but if they try to imitate what does not come natural to them, then they are bound to be failures.

"You often hear an Omanadhaun say that he thanked God, if the English gave us nothing else they gave us their language, and then the boddhock will say that the Irish have no literature! But think of the hosts of the books of Erin, of the thousands of volumes that are scattered throughout the length and breadth of Europe to-day. Think of the number of eminent scholars, Dr. Pederson, a Dane, and Kuno Meyer, a German, among the rest, who have gone to the remote districts of Ireland, far away from their wives and families, and undergone all kinds of privations and hardships in order to learn the language of the people. Think of the time when Ireland was the teacher, the Christianizer and civilizer of Europe, and remember that among the ancient nations she has left a more voluminous literature than any of them, Greece alone excepted, as is asserted by a German savant. So don't mind these boddhocks, when they speak about Irish having no literature."

"I look forward to a further and freer Ireland in the future, but there is no royal road to the recovery of our nationality; it is a road difficult to travel, and it demands self-sacrifice; it demands self-sacrifice not only from us at home, but from all the sons and daughters of Ireland everywhere. If we have your sympathy and support behind us, then we must succeed. If we are only playing at being in earnest, then we shall fail, and the historian will take his tablet and write on it, Finis Hibernia. But we have on our side right, justice, reason, the genius of the nation, the memory of the dead, and believe me, every man in Ireland knows well that the influence of the dead is even more potent than the power of the living, and we have it behind us. We have the good-will of all the well-wishers of Ireland, of all the scholars of Europe, and against us we have nothing except race hatred, bigotry and Trinity College, Dublin. I would earnestly implore that you, too, sympathize with us and support us in our endeavor to

LITERATURE OF IRELAND

"The movement of the Gaelic League is not the movement of a few faddists in Dublin," said Dr. Douglas Hyde in his impassioned address at Scranton last week. "Orangemen and Catholics have buried their differences and have joined hands in support of the movement, and never again forever more will the devouring demon of Anglicization be allowed to swallow up everything that was naturally noble, heroic and grand in the Irish character. Irishmen, like the Archbishop of Dublin, the Cardinal Primate of Armagh, and the Protestant Bishop of Clogher have joined the movement and are among its warmest supporters."

"I mention these things to show you that we are no clique, no party, no faction; we are above and beyond all parties and factions and offend nobody except the anti-Irishman. We stand on the firm bedrock of nationality, and we seek to make Ireland content, self-reliant and self-supporting. We propose that Ireland shall speak its own language, think its own thoughts, write its own books, sing its own songs, play its own games, weave its own coats, make its own shoes; in short, that Ireland shall manufacture all those things that tend to promote the comfort and happiness of mankind. And remember that this great movement which is now pulsating through Ireland is not founded on hatred of England; it is founded on love of Ireland. Hatred is a negative passion; it is powerful, but upon hatred as your base, believe me, you can not build up anything even worth the size of a trancon. Love, on the other hand, is like faith, and faith can overthrow mountains, and faith we have had mountains to overthrow."

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make the Irish race develop upon Irish lines again, because upon Irish lines alone can the Irish people become once more what they were long ago—one of the most brilliant, artistic, literary and successful peoples in Europe."

A Contemptible Scoundrel.

There has happened at the communal boys' school at Yvetot, an event which we want language to denounce as it deserves. A little lad was preparing for his first Communion, and had written out his general confession on a sheet of paper. Having to leave the classroom for a few moments, he put the paper in his desk, from which the nearest fellow-scholar took it. But in doing so, he was caught by the teacher, and had to give the paper up. When the writer returned, the teacher said: "I am going to read you the sins which X— will confess to the priest this evening." And he read them up in a loud voice before the class! We can imagine the confusion of the poor little penitent; but we cannot imagine the foulness of the character of the teacher who was capable of inflicting such pain on a defenceless little lad. We should have thought that the vilest wretch alive would have shrunk from such infamy, and we are glad the low scoundrel who committed so dastardly a crime is as far from us as Yvetot. He is utterly unfit to have charge of a school, and we trust that even the anti-clerical Minister of Education will at once hunt him out of the French teaching profession. He would defile a dunghill.—London Catholic Times.

A Personal Recollection of Michael Davitt.

(By J. T. Dillon, in Donahoe's for July.)

The first time I had the pleasure of the personal acquaintance of Michael Davitt was in the early days of the Land League. An immense meeting was held in Athy, County Kildare, under the presidency of the late Dr. O'Neill, coroner of the county. I went down in the train from Dublin with the party, which included, besides Davitt, Mr. A. J. Kettle, Mr. Gjaham and Father Denis O'Callaghan of South Boston. Davitt was in great spirits that day, and I remember him joking with Mr. Graham, who was an extensive farmer in County Dublin. "How many landlords have you, Graham?" asked Davitt. "Seven," replied Graham. "Well," said Davitt, "my friend, if you start shooting your landlords, you will have your hands full."

The meeting, as the chairman said, was the greatest since Mullaghmast and Davitt made one of his most scathing speeches, denouncing in unmeasured terms landlordism and Castle Rule, which he described as the curse of Ireland. Father O'Callaghan made what I believe was his "mal-den speech" on the cause of Ireland, that day, and was, no doubt, inspired, like so many others, by the sincerity and singleness of purpose of Davitt. We had a banquet at Dr. O'Neill's in the evening, and I could not help remarking the dexterity with which Davitt used his single hand, and that the left. He handled knife and fork without the slightest apparent awkwardness. On preparing to take his leave, the host politely offered to help him on with his overcoat, but he as politely declined, saying he had long ago learned that if a man wanted anything done, he should do it himself. The loss of his arm did not seem to discommodate him. I have seen him give his arm as gracefully to a lady as a courtier of Louis XIV might have done, and his handwriting was like copper plate.

Suffer No More.—There are thousands who live miserable lives because dyspepsia dulls the faculties and shadows existence with the cloud of depression. One way to dispel the vapors that beset the victims of this disorder is to order them a course of Parnee's Vegetable Pills, which are among the best vegetable pills known, being easy to take and are most efficacious in their action. A trial of them will prove this.

A Tonic - Laxative.
Abbey's
Effer-Salt
Nature's remedy for tired, fagged-out, run-down man or woman. It cleanses the stomach, quickens the liver's action and leaves no astringent after effects.

Lord's Day Bill.
Commons Does Not Concur in Senate's Amendments.

Senate Submits and the Bill Only Requires Royal Assent.

When the Speaker took the chair at 8 o'clock yesterday, he announced that the Lord's Day Bill had been received from the Senate with amendments. On motion of Mr. Aylesworth the amendments were taken into consideration, seriatim. The first changed the name of the bill to "An act respecting Sunday." The next Senate amendment had taken the word "public" out of the clause defining a provincial act. The third amendment was to permit the carriage of express matter on Sunday. Should all the amendments be concurred in the bill would no doubt become a dead letter; hence a message was sent to the Senate informing it of the Commons' reasons for not concurring in the amendments. The Senate considered these and decided not to insist on its views. A message to this effect was ordered to be sent back to the Commons. The bill now only requires the royal assent to become law.

ROME AND THE HIGHER CRITICS.

Some of the principal Italian papers have announced during the last week that the coming syllabus of errors will contain propositions from the works of three English writers—and they are right, though they exercise a discretion as rare as it is laudable in not naming the writers. Meanwhile the amateur theologians of the daily papers continue to denounce the reactionary spirit shown by "the Vatican," from the Holy Father downwards. Considering the interest which is so widely felt on the subject, your correspondent this week sought an opportunity for obtaining the views of one of the most distinguished ecclesiastics in Rome on the situation. The prelate began by admitting that there is throughout many countries at this moment considerable religious unrest and confusion, which is especially manifested in matters of Biblical controversy. "But you will observe," he said, "an extraordinary dearth of learning and brilliancy among the authors of the prevailing confusion. One man with a reputation as an exegete wrote a number of volumes in which he seems to have aimed at being more radical than even the most advanced of modern rationalists."

The Church's Re-Conquest of Scotland

The growth of Catholicism in present-day Scotland is one of the most interesting and encouraging features of the reconquest by the Church of the territories snatched from her at the Protestant Reformation. The laying of the cornerstone of a new Church—St. Peter's—in Edinburgh last month was an illustration of the Church's progress in Scotland. The sermon on the occasion was delivered by a priest who fittingly bore the name Stuart—Canon Stuart—and he made a deep impression upon the people when he reminded them that the new church would, when completed, stand on historic ground, for in that vicinity, on the Boroughmuir, the Scottish hosts assembled before Flodden in all their martial glory. In Church history, also, he said, the district had an interesting past, as at one time there were three places of Catholic worship there, St. Roque, St. Catherine, and St. John. The bells in that district had long been silent, continued the preacher. Large numbers of people had forgotten the path of their fathers, and had pursued a course of strange wanderings. The seamless vestures of Christ was torn in the sixteenth century, and Scotland lost many of her ancient landmarks. The event of that day, however, made them happy in the feeling that the centre was again changing. If it could not yet be said that religious peace and unity had wholly embraced the land, at least the blessing of freedom to conscience now brightened every home. It was now their privilege and their joy to walk openly in the old paths, and to worship and to raise up churches as in the days of their fathers of old. In that new church there would be the same faith and discipline of ancient days, and the same holy Sacrament that the troops for Flodden partook and that braced Bruce's soldiers of Bannockburn.

A few days ago some men knocked down at Saint-Jean-des-Guerets (Ille-et-Vilaine), France, a fine granite Calvary, which has stood there by the roadside for more than a century. In the morning one of them was dug out half crushed beneath the fragments, abandoned by his companions.

M. E. Chevrel, the greatest living chemist in the world, is a Frenchman and a devout Catholic. Unlike the men of "little learning" that's a dangerous thing, he says the Apostles' Creed daily and believes every word of it.—Iowa Catholic Messenger.