



TOPICS OF AN OLD-TIMER

Proposition for a Local Parliament for Scotland—Arguments in Favor Thereof Taken from Tate's Magazine for Dec., 1838—Many Points Still Hold Good—What Some Eminent Men Have Said About the Writings of Ireland Long Ago—Most Rev. Dr. Doyle, Dr. Johnson, Lord Byron, Francis I—The Position in Ireland To-day Calling for Home Rule—Nearly all the Offices Held by Protestants.

A proposition for a local parliament for Scotland has recently been made. In "Tate's Magazine" for December, 1838, was published a remarkable article, showing the disadvantages of the union system at that time, which I have pleasure in quoting here, as it applies equally well to Ireland and makes a good argument for home rule and the federal system:

"Repeal of the Union—Necessity of Local Legislation.—The preceding notice of the legislation affecting Scotland at a most important period, shows how little of the time of Parliament is dedicated to our peculiar concerns. Out of a huge folio there are not more than five acts, not exceeding twenty pages in all, in which the name of Scotland is to be found or its existence recognized. In the statute book of Scotland, the old Scotch acts—in three small octo-decimo volumes of 500 or 600 pages each—we find from forty to fifty printed or, as they would now be called, public acts, besides local and personal, passed in a session which lasted a month or six weeks only. And, if we look to these acts, we shall find that they are, at least, as important in every point of view, to Scotchmen as the modern legislation of the three kingdoms. To take, for example, the first year that turns up to us—1696—when the kingdom was in a state of quiet, we find that the Scotch parliament met at Edinburgh on the 8th of September, and adjourned on the 12th of October, during which forty-six acts were passed. What is not the least remarkable part of the matter is that the whole 48 acts are contained in 48 small octo-decimo pages. Nearly the whole of those relating to the law are, to this day, in force, the experience of a century and a half having been able to pass little or nothing to the efficiency of the provisions. And all of them have not given as much trouble in their interpretation to our courts of law, short as they are, as the Judiciary Act, the Cessio Act, or any act relative to the law which has been passed within the last quarter of a century.

"No one, we imagine, will be so absurd as to pretend that the affairs of Scotland can be as efficiently managed by a legislative body sitting hundreds of miles from her territory, and having the interests of an empire dispersed over the whole face of the earth, and containing more than 100,000,000 of human beings to attend to, as by a parliament meeting in Edinburgh. The Imperial Parliament is, in truth, unfitted for that department of legislation called local and personal. Such legislation is best conducted on the spot, or as near as possible to the spot, which is to be affected. Witnesses are then at hand, information can be got with expedition and with little expense; the members of a local parliament can be dismissed and called together with little inconvenience. The expense at present necessarily incurred for a road or harbor, or a railway bill for

Scotland, is intolerable. One thousand pounds a mile, even in long lines, is not an exaggerated estimate for the mere parliamentary expenses of obtaining the bill. The members of an Imperial Parliament, the great majority of whom must naturally feel indifferent regarding the failure or success of any such measure, can with the utmost difficulty be got to attend or even to remain in the House, when the matter is under discussion; and it is even not easily accomplished to get a quorum of the committee to whom the bill is remitted, to go through the routine duties. Then all matters relative to Scotland are slurred over in the reports of the debates—first, because the reporters think a Scotch bill, though vitally affecting Scotland, is of no public importance; secondly, because they cannot intelligibly report what they, in general, do not understand; and third, because Scotch business is generally put off till past midnight, an hour at which, except on extraordinary occasions, the reporters, by a well-organized combination—Whig, Tory and Radical reporters, agreeing on this point—retire from their labor. The consequence is that there is hardly a measure, however important, affecting Scotland, of the grounds for passing which her population are duly informed. All that they see of a long debate, on a subject in which they perhaps take the most intense interest, is a line or two, in which the very title of the bill is probably bungled, and its object misrepresented. We think it full time that this system should be remodelled. The Imperial Parliament has not time, in this age of specification and infinite gabble, were it otherwise qualified, to do anything like justice, or even to get through with decency the business before it. The sessions have, of late years, been lengthened more and more, and the daily period of sitting goes on increasing, till not only the faculties of the members are obviously obscured, but their health impaired and their lives themselves shortened. Besides, the non-residence of the member—the richest and most influential members in society—proves eminently prejudicial not only to Scotland, but to Ireland, and the parts of England itself remote from the metropolis. Hence all the evils of absenteeism. We have not, at this moment, out of eighty-nine Scotch nobility, one resident in Edinburgh, and very few of our considerable landed proprietors. Their visits, even to their estates, are short and far between, whereby the tenantry and peasants on their estates are deprived of their aid and countenance in useful schemes, and excluded from the consumption, in their own district, and among themselves, of those fruits which their own industry and labor have created. Of much, if not all, of these evils, an Imperial Parliament, sitting for three-fourths of the year in London, is the cause. One of the mischiefs attending the present lengthened sitting in Parliament, which ought not to be overlooked, is that it limits the choice of members, and confines it almost exclusively to the landed interest. No person engaged in any extensive business, except in London, can afford to represent a constituency. Nor is it certain that even the payment of members would extend the choice to eligible men, not in independent circumstances. Many fit persons would not choose to give up their business and go into Parliament although assured of £300 or £500 for one year. Were, however, our sessions as short as those of old Scotch parliaments, or of the United States, the encroachment upon the pursuits would be so inconsiderable as not to prevent the most able men, and the best men of business in the country, accepting the office of representative. What is meant by a Repeal of the Union with Ireland, we do not exactly understand; but if all that is intended is that the Irish should have the management of their own exclusive concerns, we heartily wish them success; and we hope that when the people of Scotland shall see the necessity of a legislature in Edinburgh, the Irish will assist them in obtaining it."

The foregoing was written and published after the Reform Bill was passed in 1832, when the "rotten boroughs" were done away with and many other abuses were abolished. It would have been of much more force before that period, but it still holds good in many cases. Ireland and Scotland have achieved a great deal of remedial legislation since 1838 but many points in the above complaint hold good and cannot be remedied until there is a total change in the system. Mixing up local and individual legislation with what belongs to a great empire is not in the

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line of good order and is without the force of reason. The present system is cumbersome and awkward. It is simply in the interest of the city of London and the desire of those who favor the monopoly of that great metropolitan corporation. Parliament is slow and uncertain and a vast amount of time and money is wasted by those who are waiting upon it. The progress is terribly annoying. It encourages absenteeism, which is one of the great and hoary abuses that have withstood the test of time and discussion. In the Imperial Parliament there is a constant congestion of business and local affairs have to give way to those of more pressing importance. Nor is the atmosphere of London favorable to the furtherance of legislation for Ireland, Scotland or Wales. The present system is one of centralization for one favored locality. After the passage of the Reform Bill there were still many abuses left, such as the immense cost of local legislation for private corporations such as railroads and the uncertainty of it on account of the precedence of legislation for the empire at large. The prevailing system is not wise, is not orderly nor is it economical. On the contrary, it is wasteful and expensive, and is not in the line of progress. In 1848 there was a great agitation in favor of further reform. The people in their petition to parliament for a reformed charter, demanded manhood suffrage, biennial parliaments, no property qualification for members of parliament, vote by ballot, equal constituencies and payment of members. With one exception—the payment of members—I believe all those demands in the course of time and the exigencies of ministers—have been granted; but why this exception? Because it is feared it would debase the character of the House by admitting poor men. The poor men are there now at any rate—the home rulers and the labor men especially—but it places an improper and exacting burden on the parties that sent them, as they have to be paid by their fellows for their time and services and it is a fact in the case of the home rulers that much of the money to pay for those services comes from the United States of America. One thing, however, is now certain: the landed aristocracy no longer control the seats and monopolize the legislation.

It would not be amiss in view of the present demand for home rule for Ireland to remind us what some eminent men have said with regard to the wrongs of Ireland in the past. Most Rev. Dr. Doyle, Bishop of Kildare and Leighton, whom O'Connell described as the "Lion of the fold of Judea," said before a parliamentary committee:

"I am an Irishman, hating injustice, and abhorring with my whole soul the oppression of my country; but I desire to heal her sores, not to aggravate her sufferings. In decrying as I do, the tithes-system and the whole Church Establishment, in Ireland, I am actuated by no dislike to the respectable body of men who, in the midst of fear and hatred, gather its spoils. On the contrary, I esteem those men, notwithstanding their past, and still perhaps, existing hostility to the civil rights of their fellow subjects and countrymen. What I aspire to is the freedom of the people, which never can be effected till injustice, or the oppression of the many by the few, is taken away. And as to religion, what I wish is to see her freed from the slavery of the state and the bondage of mammon, her ministers laboring and receiving their hire from those for whom they labor; that their religion may be restored to her empire, which is not of this world, and men once more worship God in spirit and in truth."

Dr. Johnson said he had a kindness for the Irish nation, and thus generally expressed himself (in 1779) to a gentleman from that country, on the subject of a union, which artful politicians have often had in view. "Do not make a union with us, Sir; we should unite with you only to rob you."—Boswell's Life of Johnson.

Lord Byron said in the House of Lords, April 1st, 1812: "Adieu to that Union, so called, as 'lucus a non lucendo' a union from never uniting; which, in its first operation, gave a death-blow to the independence of Ireland, and in its last may be the cause of her eternal separation from this country. If it must be called a union, it is the union of the shark with his prey; the spoiler swallows up his victim, and thus they become one and indivisible. Thus has Great Britain swallowed up the parliament, the constitution, the independence of Ireland."

Memorandum found among the papers of Francis I., Emperor of Germany, after his death, August 18th, 1765: "The more Irish officers in the Austrian service the better. Our troops will always be disciplined. An Irish coward is an uncommon character; and what the natives of Ireland dislike even from principle, they generally perform through a desire for glory!"

Look at the position in Ireland today calling for Home Rule. Of the six great officers of state at the Dublin Castle, five are Protestants. There are sixteen Superior Court Judges and thirteen of them are Protestants. Of the host of highly paid officials in the Local Government Board, Land Commission and Agricultural Department, not one-fourth are Catholics. The Commissioners of Public Works are all Protestants. The resident magistrates and police officers are largely Protestants. In fact through the whole official hierarchy, the story is the same. Leaving salaried offices and coming to positions of trust, what do we find? The Privy Counsellors and Lord Lieutenants of counties and cities are almost exclusively Protestants. The predominance of Protestants in the magistracy is enormous. The office of Lord Lieutenant and Chief Secretary has always been filled by Protestants. Is it any wonder that Catholics complain and that the people of Ireland demand home rule?

The prospect for a change of all this is good. The Irish parliamentary party has a thorough understanding with Sir Henry Campbell-Bannerman. He has pledged his Government to a definite policy, and there is not the slightest doubt as to the sincerity of their intentions. As to how far toward Irish demands their views may go, it is impossible, of course, to say. But it is settled, and is a matter of public pledge, that the government next winter will undertake to deal with the Irish problems. Upon the details of the proposed bill the Irish members will be consulted, probably during the present summer. These conferences will be private. The fact that the Premier intends to submit his programme to them in advance is proof of his sincerity. The outlook is really inspiring. They have in power a government backed by a huge majority and thoroughly committed to give Ireland some measure of the justice for which she has fought during the last century.

WILLIAM HALLEY, Bishop Dowling Better

His Lordship Bishop Dowling returned to Hamilton on Monday from St. Joseph's Hospital at Guelph. Since undergoing the operation the eminent prelate has greatly improved in health and is now able to attend to his episcopal duties.

THE INSTANT OF DEATH

A Question that has an Important Bearing on the Administration of the Last Sacraments

(From the Irish Ecclesiastical Record.)

Rev. Dear Sir,—As the question, When does death supervene? is being much discussed at present, and has an important bearing on the administration of Extreme Unction, I shall feel much obliged if you will kindly state what should be done in case of a person who, to all external appearances, is dead?

SACREDOS.

The importance of the question raised by our correspondent is evident since the eternal salvation of many souls depends on the exact moment of death. When we remember that, leaving aside the case of martyrdom, baptism is absolutely necessary for the salvation of children who have not yet reached the use of reason, and also that sacramental efficacy is required for those adults who are in the state of mortal sin, and who have only imperfect contrition, we can realize the vast importance of knowing how long after life has apparently ceased the necessary sacraments can be conditionally administered. If the dying person can hold converse with the priest, or even if he, though unconscious, still clearly lives, the duty of the priest presents no difficulty which we need delay to consider. But what is his duty when all external appearances of life have disappeared?

That latent life remains for some time is now the opinion of medical science; how long it remains no one can definitely tell. There is a period beyond which latent life does not continue, but it is impossible to point out the exact moment within that period when life finally ebbs away. It is evidently the duty of the priest to conditionally confer the appropriate sacraments until it is certain that death has supervened.

In regard to a newly-born foetus it is held generally by medical experts that death is not certain till putrefaction, not in its incipient, but in its somewhat advanced stages, has appeared. Cases have been known when, after many hours, even after a day or two, infants that were left for dead revived.

It is more difficult to determine the time when death has certainly taken place in the case of adults. Death is a gradual process, and, undoubtedly, life may remain for a more or less lengthened period after its external appearances have ceased. Latent life, according to expert testimony, remains much longer in the case of those who are stricken down suddenly than in the case of those whose death follows a lingering illness, when the constant waste which has already taken place quenches the vital spark at a comparatively early time. Yet life often remains, even in such cases, for more than half an hour.

Whether death is sudden or arises from protracted sickness, it is not certain, even in adults, till putrefaction has appeared in its advanced stages.

The apparent cessation of respiration and of the beating of the heart is not a certain sign of death. Doctors generally hold that when the heart has certainly ceased to beat life is extinct, but it is practically impossible to tell when that has occurred; and, moreover, there are some experts who hold that even after the complete cessation of the heart-beats the soul may still remain to perform the lesser vital functions. It is evident, then, that in this cessation there is no certain sign of death. Congealed blood cannot be looked on as affording a sure indication of death, because there are some who still live, choleric for instance, and whose blood will not flow when a vein is pierced.

Cadaveric rigidity is generally regarded as a certain sign of death, but it is not always easy for the inexperienced to know when that is present, since rigidity coming on after spasms, asphyxia, etc., is often mistaken for the rigor mortis by those who are not experts. There remains putrefaction, which must be considered as the only certain sign of death—not the incipient mortification which sometimes takes place in gangrene for example, but the

more or less advanced putrefaction which is present usually after 24 or 26 hours have elapsed from the moment when, to all external appearance, death has taken place.

If proof of these statements we refer our readers to the many authorities which are quoted by Antonelli: "Medicina Pastoralis," pp. 255-282, Sanford, "Pastoral Medicine," appendix, pp. 223-235; Ferreres, in "American Ecclesiastical Review," August, 1905, January, 1906. Father Ferreres asked the Catholic Medical Society "Academia de los Santos Sosme y Damian," of Barcelona, to express an opinion on the differences between real and apparent death. For our purpose it will be sufficient if we quote some of the conclusions at which the Academy of SS. Cosmas and Damian arrived:

"Resolved 7.—The opinion of Brouardel, which maintains that we possess no sign, or combination of signs, to determine with scientific certitude the moment of death, is correct.

"Resolved 10.—The so-called cadaveric rigor commences at a time more or less removed from the instant of what is commonly called death, as its appearance is influenced by the disease or lesions that caused death, by the surrounding temperature, etc. A statistic study by Niederkorn has shown that in two-thirds of the cases examined rigidity set in from two to six hours after the so-called instant of death; after twenty-five hours it is completely established, and after thirty-six or forty-eight hours it disappears.

"Resolved 11.—Before the appearance of putrefaction, no indication or combination of indications exists that will establish with absolute certainty the presence of death.

"Resolved 13.—The greenish hue of the abdomen, which as a rule appears as the initial mark of mortification, presents itself more or less promptly, according to the medium surrounding the body, and the external temperature, and in the case of newly-born infants, according to their actual previous breathing capacity.

"Resolved 14.—Generally, after twenty-four or twenty-six hours have elapsed from the so-called moment of death the signs of mortification become unmistakable, and putrefactions appear more quickly during the summer." ("American Ecclesiastical Review," November, 1905, p. 491.)

The practical conclusion to be drawn from what has been said is that both in the case of newly-born infants and in that of adults who are apparently dead, the sacraments ought to be conferred conditionally till putrefaction has set in. Conditional absolution can always be given to baptized adults without scandal. As for baptism of children and unbaptized adults and Extreme Unction of baptized adults, there sometimes arises a danger of bringing religious rites into contempt, since people who are present may be in complete ignorance of the medical opinions which warrant the administration of the sacraments in the circumstances. This danger can be averted generally by a few words of explanation at the time, and by the instructions which a priest gives when, on Sundays and holidays, he teaches his flock the doctrine of the sacraments which Christ left for the salvation of men.

J. M. HARTY.

New Head For St. Michael's

Rev. Nicholas Roche has been appointed President of St. Michael's College, in succession to Rev. Father Cushing, who has been obliged by ill-health to relinquish the position. The appointment was made at the retreat for the community of St. Basil's last week, and Father Roche enters on his duties at once.

The new President is a graduate of St. Michael's of about twelve years' standing, and is the youngest to ever occupy that place, being only about 36 years of age. His appointment, however, gives general satisfaction, for he is both popular with his fellow-priests and known as an able speaker. He was born at Wexford, Ireland, but came when still a boy to Canada with his parents, who reside on Dupont street in this city. Since his graduation he has been Superior of St. Thomas' College, Houston, Texas. The position there thus left vacant has been filled by the appointment of Rev. Father Gignac, formerly on the staff of St. Michael's.



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