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HON. J. J. CURRAN

ON THE MANITOBA SCHOOL QUESTION.

THE SOLICITOR-GENERAL GIVES A MASTERLY EXPOSITION OF THIS IMPORTANT SUBJECT...

We take, from the North Sydney Herald report, that part of the speech of Hon. J. J. Curran, recently delivered at Sydney, Cape Breton, which has reference to the Manitoba school question.

The honorable gentleman spoke as follows:— The Manitoba school question, of which so much has been said, ought to be one of great simplicity.

But sir, besides the positive gain of obtaining the best guidance, there are other, and in my opinion, not unimportant gains besides. Ours is a popular government; and when burning questions arise inflaming the public mind, when agitation is rife as to the political action of the executive or the legislature...

If we understand English language surely there was no other meaning to be given to those words of the Hon. Edward Blake than that if he had to decide upon a course of action, seeing the condition of the country, he would decide

SUCH A BURNING QUESTION in the light of the interpretation given to our constitution by the highest tribunal in the land. And, further, he warned the party in power that he was acting in their interest in bringing forward such a resolution in these solemn words:

"I have an absolute confidence that, if my proposal should be declined, the first persons to regret that decision will be hon. gentlemen opposite. My opinion is, that this is a proposal eminently helpful to the executive of the country at this time; but it is eminently helpful to them, because it is eminently helpful to the good government of this country, and it is in this spirit that I move the amendment which I now submit to the judgment of the House."

That resolution was adopted by the House of Commons of Canada without a dissenting voice. Mr. Laurier was present; he accepted that resolution with all its consequences, and never uttered a word of protest; he acquiesced in it, and in acquiescing in it he acquiesced in the line that had been adopted by the Liberal-Conservative party of Canada.

"Such a decision is only for the information of the Government. The executive is not relieved from any responsibility because of any answer being given by the tribunal. If the executive were to be relieved of any such responsibility, I should consider that a fatal blot in the proposition of my hon. friend. I believe in responsible government. I believe in the responsibility of the executive. But the answer of the tribunal will be simply for the information of the Government. The Government may dissent from that decision, and it may be their duty to do so if they differ from the conclusion to which the court has come."

The responsibility of the Government remains and they may be called upon to dissent from the decision of the most

remarkable speeches ever delivered in the House of Commons. He pointed out that he referred not only to questions of "ultra vires" legislation, but to the question of appeal to the Governor-General-in-council by a minority claiming to have a grievance.

"My opinion is, that whenever, in opposition to the continued view of a provincial executive and legislature, it is contemplated by the Dominion executive to disallow a provincial act because it is ultra vires, there ought to be a reference in certain cases where the condition of public opinion renders expedient a solution of legal problems, dissociated from those elements of passion and expediency which are, rightly or wrongly, too often attributed to the action of political bodies.

And having thus defined the extent of his object in covering both the "ultra vires" and the appeal to his Excellency-in-council on the grounds of a grievance from an undue interference by a province with rights acquired under the second branch of the educational clauses of the act, Mr. Blake was particularly careful to indicate what were his reasons for adopting such a course.

"When the questions which surround her case have been decided by the courts, there will be no suspicion on the part of that province that either from religious or political antipathy or sympathy her legislation has been interfered with or her rights invaded; and when the hon. member for Lislet challenges me, as he surely had no right to challenge me, to state in advance what the policy of the Government would be if such and so should happen, I tell him that the answer I can give now and the answer I should give then, would be this, that the province of Manitoba is a constitutional province, and that whether it be in the hands of legislators opposed to us or in the hands of legislators in sympathy with us, we have every reason to believe and to rest assured that she will obey the dictates of the highest tribunal in this Empire as to what constitution is, regardless of consequences, regardless even of the displeasure of the majority; and that, so far as the disposal of this appeal is concerned at any rate, the minority must bow to that decision and the federal executive will advise his Excellency accordingly."

Was that language plain enough? Was there any cowardice in that declaration? The present Government is the successor of Sir John Thompson's administration. They have inherited his traditions; they have declared for his views upon this momentous question. They are bound to stand or fall by the constitution as expounded by the highest court in the Empire, and above all they are bound to respect Parliamentary compacts. The Privy Council, in the reasons they were bound by the statutes to give for the opinion they expressed, declared that the 22nd section of the Manitoba act was "in truth a parliamentary compact."

The people of Canada would uphold a Government that stood out for good faith, and the respect of the pledged word of the Dominion. (Cheers.) Mr. Laurier seems to suggest that, this matter being one of fact, as he says, there should be an investigation—some sort of a commission. The Privy Council had decided the question of fact when it held that the minority had a grievance.

The question of a grievance has been settled beyond dispute, and to suppose that Mr. Greenway, who despises and repudiates the judgment of the Privy Council, would respect the finding of a royal commission, is simply preposterous. The Liberal-Conservative party are not responsible for this wretched question being thrust into the political arena. For twenty years they governed Manitoba, respecting the rights of all classes of her Majesty's subjects. It was the Liberal party that trampled upon the rights of the minority, and when or where has Mr. Laurier appealed to his friend and adherent and co-Liberal, Mr.

Greenway, to undo the wrong he has perpetrated? (Cheers.) If Mr. Laurier were a patriotic man he would join hands with the Liberal-Conservatives in maintaining and enforcing the constitution. The Government have called upon the Legislature of Manitoba to do justice in the premises. Every good citizen hopes they may settle the question on the basis of justice within their own Legislature, but should they fail to do so the Parliament of Canada will not shirk its duty, and remedial legislation will be carried by an overwhelming majority.

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Who differs from the decision of the Privy Council in this instance? The Government does not differ, Mr. Laurier does not differ, Mr. Dalton McCarthy does not differ. The Privy Council has declared that it is impossible to come to any other conclusion than that the minority in Manitoba have had their rights interfered with. What then could the Government do but call upon the Legislature of Manitoba to remedy the grievance? Mr. Laurier may go back upon his vote upon the Blake resolution. Mr. Dalton McCarthy may say "this is a wrong and the statute has provided a remedy, but do not apply the remedy," but the people of Canada who love justice will not stand any such doctrine. The position of Mr. Blake

HAS BEEN DEMONSTRATED, the position of Sir John A. Macdonald has been proved. What was the position of Sir John Thompson upon this question. At the very formation of his Government he went with his colleagues to Toronto, and at a public meeting there, in the presence of thousands in one of the public halls, he made a statement of the policy of his party. Before resuming his seat he was called upon by many voices to speak on the Manitoba school question. He declared that his Government would stand by the constitution, and amidst the ringing cheers of the multitude he declared that the appeal of the minority in Manitoba would be referred to the highest tribunal; and if the decision went against the majority that majority would have to submit, and if it went against the minority they would have to abide by the consequences. (Cheers.) Later on when Messrs. Laurier, McCarthy and Tarte joined in a vote of non-confidence in Sir John Thompson's Government, because the appeal of the minority to the Governor-General-in-Council had been referred for adjudication to the right of his Excellency-in-Council to deal with the matter after the decision in the Barret case, Sir John Thompson was taunted by the member for Lislet with being afraid to announce the policy of the Government in advance of the decision of the Privy Council. Sir John Thompson said:

"When the questions which surround her case have been decided by the courts, there will be no suspicion on the part of that province that either from religious or political antipathy or sympathy her legislation has been interfered with or her rights invaded; and when the hon. member for Lislet challenges me, as he surely had no right to challenge me, to state in advance what the policy of the Government would be if such and so should happen, I tell him that the answer I can give now and the answer I should give then, would be this, that the province of Manitoba is a constitutional province, and that whether it be in the hands of legislators opposed to us or in the hands of legislators in sympathy with us, we have every reason to believe and to rest assured that she will obey the dictates of the highest tribunal in this Empire as to what constitution is, regardless of consequences, regardless even of the displeasure of the majority; and that, so far as the disposal of this appeal is concerned at any rate, the minority must bow to that decision and the federal executive will advise his Excellency accordingly."

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WEDDING BELLS.

On Tuesday, August the 20th, in St. Ann's Church, Montreal, took place the interesting ceremony and happy event of the union in the bonds of holy matrimony, of Mr. James Davin, of this city, to Miss Nora Mullins.

SIGNOR CRISPI.

A writer for whom we have little regard as a rule, the novelist whose well-known *man-duphisme* is "Quida," has lately devoted her pen to a series of attacks on Signor Crispi which really deserve attention.

A GREAT SCHEME.

Montreal to be Adorned With a New Observatory.

The Montreal Daily Witness is responsible for the following interesting piece of information: The Jesuit Fathers of Montreal have always been noted for their progressive and enterprising spirit, and any scheme undertaken by them has always been successfully carried out.

Special accommodation will also be provided for visitors, who can obtain from that elevated point a splendid view of the surrounding country. The work done in the observatory will, it is said, be of a kind to call for grants from both federal and provincial governments.

ST. PATRICK'S NEW ORGAN.

On October 1st and 2nd will take place the inauguration of the new organ of St. Patrick's Church. Mr. Frederick Archer, organist of St. James' Catholic Church, Chicago, one of the greatest artists of America, has been engaged for the occasion, and will render some of the most beautiful and classical compositions for the organ.

A NEW LAW FIRM.

The title of "Devlin & Devlin," once so well known among the law firms of this city, has been revived by the admission to the bar of E. B. Devlin, nephew of the late Barney Devlin, and brother of Rev. Father Devlin, who was formerly a lawyer of this city, and Chas. R. Devlin, M.P. for Ottawa County.

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After the breakfast, amidst the congratulations of friends, acquaintances and well-wishers, the happy young couple left by the C.P.R. for Boston, New York and Philadelphia. The presents were numerous, beautiful and costly. Mr. Davin is employed in the Circuit Court with His Honor Judge Purcell. He is a member of the Y. L. L. & B. Association and one of the most popular young men of the parish.

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A writer for whom we have little regard as a rule, the novelist whose well-known *man-duphisme* is "Quida," has lately devoted her pen to a series of attacks on Signor Crispi which really deserve attention.

Crispi has remained what he was all through his early manhood, a conspirator. There is but this difference: in his earlier manhood he conspired against the people; he now conspires against them. He was, in his prime, a regicide; he is, in his old age, a liberticide.

It is the intention to make the proposed observatory second to none on the continent. Foundations are to be placed at a great depth in order to avoid all possible vibrations, and the observatory proper will rise to a considerable height in the centre of the building, at the place now occupied by the dome, and will be by far the highest point in and around the city.

Special accommodation will also be provided for visitors, who can obtain from that elevated point a splendid view of the surrounding country. The work done in the observatory will, it is said, be of a kind to call for grants from both federal and provincial governments.

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MONSIGNOR O'BRYEN

ON THE TEMPORAL POWER OF THE POPE.

THE POSSESSION OF ROME ESSENTIAL TO THE POPE'S FREEDOM OF ACTION—THE SPOLIATION LAWS A STRIKING EXAMPLE OF THE INJUSTICE OF THE ITALIAN GOVERNMENT—PLEDGES OF PROTECTION BROKEN.

St. Patrick's church was filled to overflowing at High Mass on Sunday last. A great many of the people had come to hear Mgr. O'Bryen, who, it was known, would occupy the pulpit. The distinguished Roman prelate chose for his theme the temporal power of the Pope. He began by going over the foundation of the Holy See and the formation of the Pope's temporal domain. The work was one which took hundreds of years, he said, but the ways of God are slow. It was Constantine who, after his conversion, realized that there should not be two kings in Rome, that the representative of Christ should hold individual sway over the Eternal City. It was for this reason, in order that there might be no conflict between the Pope and the Emperor, that he founded the new city of Constantinople. But the world was not yet ready for the temporal sovereignty of the Pope. It was only after all western Europe had been won to Christianity that the kings of these countries recognized the necessity of having one who would be the king of kings, to interpret the divine law and to lead them in the path of right and justice. It was then that God raised up Charlemagne to enow the Pope with a temporal domain which would make him independent of the petty princes around him. From that day the Popes began to exert effectively the great power which enabled them to check those who governed badly, as well as to teach the respect of authority to the nation. From that day, for a thousand years, no one ever questioned the legitimacy of the title of the Pope to his temporal domain. There were kings who made war against the Pope and who invaded his domain to punish him, as nations do when they are at war, but neither the sovereigns of Germany, nor those of France and England, ever questioned the title of the Holy See to the territory over which it ruled. It remained for a certain sect of Italians of the present time to detach themselves from all the traditions of the past, to make themselves independent of all the laws of God and man, in order to steal the states of the Church. They succeeded; but thirty years after the act, its iniquity was even more apparent than the first day after the struggle. The possession of Rome is essential to the perfect freedom of action of the Pope in spiritual matters. There are those who say that there is no material conflict between the Pope and the new kings of Italy, that there has been no interference in the spiritual sphere of action of the Pope, that he is perfectly free. He, the speaker, had heard that for over twenty years; but living in Rome, as he did, he knew that all the pledges of protection had been broken, and that the power for good of the Pope has been seriously hampered. The spoliation laws were a striking example of the injustice of the Italian government. The property of the religious orders and their money, which was used to support the mission, had been confiscated, and the nuns and monks were left to live or starve on an allowance of 10 cents a day.

These crimes must arouse the conscience of every individual Catholic throughout the world. The day of justice will come. The Italian government might order illuminations with the taxpayers' money to celebrate the capture of Rome, but the Italian nation was not so lost to faith as not to see the injustice. The people may not protest. They cannot. No man would be allowed to speak as he had within the jurisdiction of the Italian tribunal. But the Italians think not the less. The position of the Pope would appeal especially to the Irish people, who have themselves so long been deprived of their rights. Let them all pray that the sight of this great injustice may be soon blotted out of the world.

A GRACIOUS COMPLIMENT.

The editor of the Montreal True Witness is doing much to develop and strengthen the cause of Catholic literature in Canada. Simple justice demands that this should be said. A young man, himself a part of no inconsiderable merit, for months he has been patiently seeking out and calling attention to the merits of his brethren in the fold of Canadian song, sometimes we feel, assured, without much of sympathy or encouragement. Such editors go far toward building the literature of their native land, and certainly they do much to sweeten and freshen the life about them. It augurs favorably for the future of Canadian Catholic letters that the editor of one of that country's most influential Catholic journals devotes one of his editorial columns each week to the literary aspirations of his people. Dr. Foran is the Walter Ledy of Canada.—The Poor 'souls' are all.

Haverly: Does bicycle-riding give people plenty of exercise? Austen: I should say it did. You ought to see the cyclists dodging us on the Boulevard.