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LONDON, SATURDAY, MARCH 6, 1915

A SCHOOL QUESTION

A few weeks ago the Supreme Court of Canada delivered a decision affecting adversely the Separate Schools of Saskatchewan.

We are accustomed to seeing men divide on denominational lines in the Legislative and Executive branches of our various Governments; but it is somewhat startling to see a similar division on the Supreme Court Bench of Canada. Of the five Judges who sat on this case, three are Protestants and two are Catholics. The Protestant Judges decided against the Separate Schools. The Catholic Judges decided in their favor.

The questions involved are two, and to understand these it is necessary to state how the law stands.

When Separate Schools were adopted in Saskatchewan, section 54 of the Ontario Separate Schools Act was copied in its essential features. A company may, by notice to the Secretaries of the Public and Separate School Boards of the school district, require part of the land of such company to be entered, rated, and assessed for the purposes of said Separate school, provided always that the share or portion of the land so assessed for Separate school purposes shall bear the same ratio and proportion to the whole land of the company assessable within the district as the amount or proportion of the shares or stock of the company held or possessed by persons who are Roman Catholics bears to the whole amount of the shares or stock of the company. This provision of the law was found to be unworkable in Saskatchewan as, in fact, the corresponding section of the Ontario law is ineffective. Large companies cannot know what religion their shareholders profess, and it is against public policy for Canadian companies to enquire of foreign shareholders what religion they profess. Therefore, a couple of years ago, the Saskatchewan law was amended by adding a clause to this effect: That in the event of any company failing to give notice, as provided, the Board of Trustees of the Separate school district may give to the company a notice in writing to the effect that unless and until the company gives notice as provided, the school taxes payable by the company in respect of land within the district will be divided between the said Public school district and the said Separate school district in proportion to the value of lands assessed to individuals for Public school purposes and the total amount of the assessed value of lands assessed to individuals for Separate school purposes respectively. That is, we may suppose the properties of the district to be divided into three lists; one list consisting of properties of individual Public school supporters; another list of properties of individual Separate school supporters, and a third list of properties of companies which failed to give notice as provided. Then the taxes assessable upon these companies are divided between the Public school and the Separate school in the proportion of the value of the properties of the first list to the value of the properties in the second list.

The Public School Board of Regina entered a case in Court on two grounds. First, on the plea that the amendment in question of the Saskatchewan Schools Act was not within the powers of the Saskatchewan Legislature, and, secondly, that upon the proper interpretation of the amending section, the Separate schools were not entitled to a portion of the taxes of a number of corporations named in a schedule, these being the corporations which had not given any notice. When this case came

before the Supreme Court at Ottawa on appeal, the Chief Justice and Mr. Justice Anglin held that the amendment was constitutional, and that upon its proper interpretation it entitled the Separate schools to a portion of the corporation taxes which they claimed. Only one of the three Protestant judges expressed an opinion on the constitutional question. Mr. Justice Idington held that the amendment was unconstitutional and allowed the appeal on that ground. Mr. Justice Davies and Mr. Justice Duff distinctly stated that they refrained from expressing any opinion on the constitutional question. In their view the amendment upon its proper interpretation did not apply to the corporations in the schedule and did not therefore entitle the Separate schools to a share of the taxes of these corporations. They argued that the amendment affected only corporations which could properly have given notice under the existing section in regard to the destination of their taxes, and that in the absence of evidence that the corporations named in the schedule were entitled to give such a notice, they were not affected by the amendment. In their view the basis of the right to give a notice was that the corporation should be in a position to show that it had shareholders of the religious faith of the minority supporting the Separate schools.

This case will no doubt be carried to the Privy Council.

A PRESBYTERIAN TRIBUTE

In another column we publish a letter from Mr. W. E. Maclellan in the Presbyterian Witness of Halifax on Cardinal Mercier's famous Pastoral which he characterizes at the outset as "one of the noblest, most exalted and exalting of human documents." Our Presbyterian friend's appreciation of "the spirit of pure and beautiful Christianity which breathes through it" is evidence that the same spirit of pure and beautiful Christianity possesses his own soul. Though he truly says, "to be at all appreciated aright, or its unique merits comprehended as they should, the Pastoral must be read in full and every one of its words and sentiments weighed as they deserve," his excerpts from it evince discriminating judgment. No subject is more timely, none demands more urgently clearness of thought than the extent and limits of the claims of patriotism. And our Presbyterian critic writes: "No more splendid and impressive definition of true patriotism has ever been given than that which Cardinal Mercier embodies in his Pastoral." Taken all in all Mr. Maclellan's review of the great Pastoral is the most remarkable, and in many respects the best that we have seen.

At a time when a noisy and noisome group of Protestants are indulging in scurrilous and mendacious attacks on the Catholic Church it is pleasant to find such evidence of positive Christianity in the columns of a Protestant religious weekly. Here we have faith and hope and that charity which is of the spirit of Christ. It is well that we Catholics at such a time should have before us the proof that not all Protestants are apostles of negation and destructiveness; but that many, like Mr. Maclellan, are united with us, according to their light, in a common love of the common Redeemer.

THE TURN OF THE TIDE

Everyone knows the long and constant drain by emigration on the lifeblood of Ireland. Not only has her population been steadily declining in numbers for nearly seventy years, but the loss of the young and vigorous has left the motherland with an undue proportion of the weaker elements of population. However, for many years there has been a gradual improvement as the following figures will show:

From 1890 to 1900 the average annual exodus from Ireland was 44,741; while in the following decade (1900-1910) it had fallen to 35,886.

In 1913 the same steadily improving condition is indicated by 30,977 emigrants for that year; while last year, 1914, the total number was reduced to 20,814.

1914 was the first year since accurate statistics have been kept (1861) that they have shown a natural increase in Ireland's population. The excess of births over the combined number of deaths and emigrants being 5,000. Had the number of immigrants (returned emigrants) been included, the increase would be 18,000. The significance of the figures does not lie in the size of

the actual increase in population but in the indication they afford of the turn of the tide.

The Freeman's Journal thus justly sets forth that great significance:—"The reduction of emigration to an extent that results at least in an increase in the population is a happy augury for the future of Ireland. The tide of decay has been stayed at long last, and the new conditions will enable the country to rise to a future of thriving prosperity."

THE WHOLE WORLD KIN

We are glad to be able to light up the black record of brutality in war by a couple of instances of humanity and considerate kindness. The head of a religious order whose houses are scattered through the war zone, has exceptional facilities for accurate information. Through the Redemptorists of this city we learn that in Germany the fathers of that order who are prisoners of war are well treated by the officers of the guard who permit them even to receive books from which they turn the long weary days of imprisonment into a time of useful study.

In a part of Galicia occupied by the Russians a lay brother of the order was taken prisoner. On finding that this lay brother was the community's cook the Russians sent him back to resume his duties in the Redemptorist house which was situated in the occupied territory. However unimportant in themselves such little acts of kindly consideration may be, they throw an interesting and welcome sidelight on the humanity of the men who are engaged in the inhuman business of war.

SERGEANT MICHAEL O'LEARY, V. C.

A young Irishman, the son of a Cork farmer, recently performed a feat that might well be considered incredible. However, the Victoria Cross is conferred only when the incredible becomes actual. Michael O'Leary, who formed one of a storming party, rushed to the front and killed five Germans who were holding the first barricade; he then killed three others and took two prisoners. "Thus," says the official report, O'Leary practically captured the enemy's position by himself and prevented the attacking party from being fired upon."

He was promoted to the rank of Sergeant and given the Victoria Cross. Canadians are proud to recall the fact that he spent two years in Canada serving in the Northwest Mounted Police. When the war broke out he returned to join his regiment, the Irish Guards.

THE RELIGIOUS ORDERS SAVE MILLIONS TO THE STATE

Mr. Bird S. Coler was formerly comptroller of New York City, that is to say it was his duty to examine and certify all accounts in the huge expenditure of the American metropolis. A writer in the New York Times says that Mr. Coler's "experience in the financial district, supplemented by his experience in the city government, assures him a respectful hearing."

"A continuation of the present course means confiscation of property" was the emphatic declaration with which the interview opens. It is not, of course, with the finances of New York City that we are concerned; but incidentally the former comptroller deals with some things of general Catholic interest.

For instance: "And whenever New York City does a thing in these days it does it in the most expensive way. The cost of caring for a child in a municipal disciplinary or refuge institution will total three or four times as much as the cost of maintaining a child in a sectarian institution of the same character and probably as good."

"Sectarian institutions" are not necessarily Catholic institutions, but Catholic institutions are sectarian in Mr. Coler's use of the term. And in New York, as elsewhere throughout the world, Catholics assume, in overwhelming proportion, the burden of caring for the aged, the orphan, the sick and infirm, in what are here called sectarian institutions. These institutions are conducted by our religious communities of women who consecrate their lives to the works of charity, and whom this world does not, and can not, remunerate. Thus they actually effect an immense saving to the State.

Again:—"There is suggested a detail of the situation which indicates to me far more than money waste. The social reformers who are very largely responsible for New York's unnecessary and likely to be very dangerous

burden of taxation are harming those whom, theoretically, they wish to help."

If they had their way, and no schools were allowed but State schools, all parochial schools being abolished, at least \$8,000,000 a year would be added to the city's expenditure, (exclusive of the cost of the necessary new buildings,) and I don't believe anything whatever would be added to the advantage of the 160,000 children now being well educated in these institutions without expense to the municipality."

Here again besides the magnificent object-lesson on the vital importance of religion in education, infinitely more effective than resolutions and speeches, Catholics effect an enormous saving to the State. But they are doing much more; they are teaching the thinking people of America that the spiritual element in education is not merely something vaguely to be desired; not something whose absence can be supplied by purposeless resolutions or hazy generalizations. The time will come when Catholic loyalty to Christian education will be recognized as having played a large part in the history of education in America.

The following two extracts are not in juxtaposition in the article we clip them from; but side by side each is an eloquent commentary on the other:

"At least \$25,000,000 of the present budget is devoted to fads masquerading under the banner of what is called 'social service.'"

and, "Heart sympathy cannot be bought with money. You can't bring up a baby by the civil service, rules nor under the eight hour law."

Referring to expensive fads he says: "Perhaps the chief among these have developed in the schools."

But the worst is yet to come. If Mr. Coler were a Catholic a great many people could dispose contemptuously of anything he might say to their own entire satisfaction. Fortunately, however, their "sphere of influence" is getting small by degrees and beautifully less. But Mr. Coler is a Methodist. It will be all the more difficult for the faddists—who are, of course, the sole exponents of educational progress—to get him committed to a lunatic asylum for this extraordinary douche of common sense. Still disrespectfully calling the prophets of educational progress faddists, he continues to enumerate their fads:

"Others have been the addition of special courses, lectures, so-called medical care, &c. All have been expensive."

"In a city whose finances are in a situation as precarious as that which surrounds those of New York, anything which goes beyond the school essential of imparting sound knowledge to the young may properly be characterized as a fad. The assumption of certain duties of the Church and home by the Board of Education may be characterized as a fad. The appointment of a thousand and one committees, each with its salaried secretary attached, is a fad and a costly one. In our schools superintendents are continually increasing in number. Costly fads."

"A school enthusiast of the average New York variety would have no difficulty in showing why the entire budget should be spent on schools. The health enthusiast could show why a similar amount should go to sanitation. And so on. They would be honest, but to follow their lead would be municipal suicide."

With all the fads and all the cost the public schools are so far behind the parochial schools in "school essentials" that in despair the petty envy of the anti-Catholic bigot impels him to a frontal attack on parochial schools. Bird S. Coler is not that sort of Protestant. In "Two and Two Make Four" he relates the story of his conversion from an attitude of hostility to parochial schools to one of genuine appreciation of their utility and necessity.

"I have to study municipal finance. That is my private business. I have kept out of print for years, but I am sure that I am justified in speaking now, for the present riot of spending, as imposed by the faddists, has got to stop or New York has got to stop."

Parochial schools demonstrate the fact that a "riot of spending" is quite unnecessary to attain the object for which elementary schools are supposed to exist; and that is another service which will ultimately though indirectly save the State and its subdivisions many millions of dollars which otherwise the faddists might convince an easygoing public were a useful if not necessary expenditure.

For every life there is a summit. Happy are they who gain it, and sad the lot of those who faint and fall in the struggle. Short or long to the top, it can only be soled by persistent climbing. There must be ambition to do and dare or the prize will not be secured.

SOCIETY, THE PAPACY, AND PEACE

Verily strange and wonderful are the ways of God. But yesterday every scoffing penny-a-liner hailed this world-war as the death knell of Christianity. And lo! to-day men rub their eyes in amazement at the almost miraculous manifestation of faith that has followed close upon this testing time of the nations. According to all the rules of the game the tragedy of August, 1914, should have been the death bed of revealed religion. But it has proved to be its most eloquent apologist. Appalled by this dread catastrophe, men are thrown back upon themselves, and are seeking a reason for the ruin that has befallen the proud edifice of that civilization that they build so exultantly. And day by day it is becoming clearer that the reason lies not so much with the mad ambition of the German war lord, as in the neglect of that which alone gives permanency to society. The world of to-day is but witnessing the logical outcome of the nation's outlary of God.

From out the dread inferno of a world war the omnipotent hand of God is able to point a lesson. And if men do but learn that lesson the dread sacrifice humanity is now making will not have been made in vain. Since the "Reformers" first threw down the gauntlet to Authority the world has striven to get along without God. It is now paying the price of that experiment. Will it learn to remedy its mistake? Already the signs are that it is becoming conscious of the fundamental fact that God has to be taken into account. It is turning to Him as it has not turned to Him for three hundred years. The outstanding feature of this unheard of conflict is the wonderful revival of the people's Faith in God. The bitterest sceptic is compelled to pay tribute to it. It is the one bright page in what is from every other point of view the blackest chapter in all human history.

It is only in the time of misfortune that we really come close to God. It required a disaster of this magnitude to bring the world to its knees. He who is well needeth not the physician, but he who is sick. When things were getting along somehow, the world was content to sit at the feet of its own prophets, and troubled but little about a Higher Power. But when civilization has fallen back into chaos, and the gates of hell are deluging a continent with blood and tears, men turn to God, for there is no one else to whom they can appeal. In the day of trial their prophets have failed them. It seems a bold assertion to make, but since we know that the Providence of God directs all things to His own wise ends, may we not suppose that this destructive war has been permitted by the Almighty in order to bring home to men's minds the consequences of their neglect of Him. They were so busy about planning and contriving that they had forgotten Him. And in their plans He had no part. The civilization that they so exalted was godless. It needed such a catastrophe as the present to bring home to the world how entirely godless it was. We now see, as we could never have seen before, how far we had drifted away from the ideals of the Founder of Christianity.

The Prince of Peace came to found His kingdom in a world which peace had quitted. He came as "the Way, the Truth, and the Life," "Love one another," He said, and "My peace I give unto you." He taught men that Love was the only sure foundation of Peace. It was a strange doctrine to preach to a world that heretofore had worshipped Force. Before His time throughout the pagan world the *jus gladii* was the *jus publicum*. It could hardly be otherwise, for where there was no higher principle defining the rights of men and deciding their controversies, nothing remained but to rule one another by force. Christ declared that right, and not might, should rule. He founded His Church to continue His mission. To her, then, it was given to change the old pagan concept of things. She endeavored to get the world to recognise a *jus gentium*, to which appeal should in the first instance be made for the settlement of international disputes. It was only when all other means had failed that appeal was to be made to the sword. She did not gain her point all at once. To eliminate the spirit of Force that penetrated society was, of course, slow work, but as the sphere of her influence was enlarged the nations gradually assimilated

her principles. They began to look upon her as an impartial court of arbitration to which they could submit their differences in the sure confidence that they would get a square deal. As the leaven of Christianity permeated more and more the mass of society the Church's position as the arbiter of nations became assured. Men began to realize that, whereas Might could never be a just method of settling a dispute, Right could not be otherwise than just. Hence in the new civilization which she had created, her authority was acknowledged, her sanctions feared, her decisions respected by rulers and people. Brute force yielded to Authority. Of course there was now and then an attempt to throw off the restraining influence of the Church, but the Church eventually won out in the trial of strength. The weight of public opinion was upon her side, and many a proud and haughty prince had to make the journey to Canossa. All this time the world was knit together in the unity of faith, and the Church's voice was listened to unquestioningly. If an individual ruler, conscious of his power, did question her right to interfere or dispute her decisions, he soon found himself outside the pale of civilization, and deserted by his following. But the unfortunate schism of the sixteenth century changed this happy condition of things. Christendom was rent in twain, and the Church could no longer speak for the whole people. The "Reformers" had successfully defied the Church, and they in their turn were defied by the secular powers. Civil rulers cared no more for religious sanction. From the revolt of Protestantism to the pan-European war is but the logical sequence of events. It is only when measured by decades that it is a long, long way from Luther to Nietzsche and Bernhardi.

COLUMBA.
TO BE CONTINUED

NOTES AND COMMENTS

WE ARE inclined to believe, says the *Madras Catholic Watchman*, that this war will be the last great war until the next one.

IT TRANSPIRES that Max Pemberton, the versatile and well-known novelist, is a Catholic, and a convert at that. We had not until a few days ago heard of him in this connection. He is but one more of the long line of present day writers whose excursions into the past have opened to them the beauty and consistency of the Catholic Faith, and its adaptability to every phase of human endeavors.

IT WILL be remembered that when the will of the late Duke of Argyll (known better to Canadians as the Marquis of Lorne) was made public, it was seen that all sorts of penalties were threatened to any of his heirs who should become Catholics. The Duke was an ardent Calvinist as was his father before him, and both were obsessed with the same bitter hostility to the old Faith. It is averred that the older Duke bequeathed Iona to the Kirk out of fear lest somehow it might fall into Catholic hands. His son, the late Duke, confirmed the gift and did everything in his power to prevent any other of the Argyll estates from a like contingency. Hence the no-Popery clauses in his will.

BUT THERE is some probability that he reckoned without his host. Unlike his forbears, the new Duke, (brother to the late lamented) is an Anglican of decidedly "high" tendencies, and he has not let many months go by without showing his partiality for things Catholic. He has just published an account of "A Breton Pilgrimage," in which he recently participated, and has therein expressed himself in terms which leave no room to doubt the depth or tenderness of his impressions. The participation of the people in the "Paradon"—the central feature of one of these pilgrimages—filled him with "great enthusiasm," and his "indignation" at the loss by the Reformation, of such gatherings to England rises high. "In England itself," he writes, "legitimate devotion, which once centred round such spots as Our Lady of Walsingham or the Martyr's Shrine of Canterbury, now finds a singularly poor and rather maudlin outlet at what is called Shakespeare's Shrine at Stratford-on-Avon." Such sentiments as these certainly indicate more than a superficial sympathy with Catholic faith and practice, and, in the light of the ancestral church affiliations of the Campbells are significant enough. So too is the Duke's reference to

Luther and Calvin as "self-satisfied heretics"—an expression sufficient almost to make his two immediate predecessors turn in their graves. The future course of this emancipated Argyle will be watched with interest.

AN OVERSEAS contemporary, the *Inverness Courier*, whose editorial comments on the war are singularly sane and lucid, points out as a remarkable fact that at no previous period in history have so many men been clad in the Highland garb as during these eventful months. It is estimated that there are at least 50,000 men in the old and new battalions of the five kilted Scots regiments, and, besides these, there are the London and Liverpool Scottish, and the Highland regiments in Australia, New Zealand, South Africa and Canada, bringing the total up to about 75,000 men. Never in the past have these figures been anything like equalled, and the fact speaks volumes for the sanitary character and practical utility of the kilt however much it may be regarded in some quarters as an anachronism—at least outside of Scotland.

WE HAVE HEARD much about the revival in faith and piety in France since the beginning of the War but we were scarcely prepared for the intelligence that comes to us through a former Baltimore priest, now resident at the Seminary of St. Sulpice, Issy. Writing to a former conferee in Maryland, he tells how one of the Seminary priests who is sharing the soldiers' lot in the trenches, was not only able to say Mass there, but for the space of twenty-four hours actually had perpetual adoration of the Blessed Sacrament, during which the soldiers took turns in watching before the improvised Tabernacle. Further, that on the following morning twenty-five of them, led by their officers, received Holy Communion in what has been called these "new catacombs." Intelligence of this kind is full of consolation to those who, notwithstanding the course of public events in France for the past ten years, have steadfastly maintained their faith in the religious integrity of the French people as a whole and in the ultimate return of the nation to its spiritual allegiance as the "Elders Daughter of the Church."

FROM THE SAME source we learn that of the armies of France in the field three fourths are practising Catholics, and that day by day conversions are recorded of many who in times of peace had ranged themselves under the banner of irreligion. The example set by the clergy of whole-souled devotion to the cause of their country and of selfless effort for the welfare of the sick and the dying has no doubt had much to do with this. But this only partly explains it. The ultimate cause may rather be said to be that Almighty God has looked with pity and compassion upon a race that in the past has reared such noble monuments to His name, has instituted so many works of devotion and piety, and has been so lavish of its sons and daughters and of its treasure in spreading abroad in our day among the heathen nations a knowledge of the True God and of the truths of salvation.

FROM THE Seminary of Issy, alone, we are told, fully a score have already laid down their lives for their country. Something similar is true of practically every religious house in France. There is not one that has not furnished its quota to the ranks. Many of the Seminarians have been instrumental in organizing the perpetual rosary in their regiments and the spectacle week by week of the great hosts who flock to confession and Communion is one of the most inspiring that can be imagined. "I do not believe," writes the priest already quoted, "that there ever was an army so Christian, in which there was so much prayer or so frequent reception of the Sacraments. All of which, if persevered in, spells moral regeneration for the French nation. Even an infidel government must give place to such a spirit."

MGR. BENSON'S BIOGRAPHY

The Rev. Fr. C. C. Martindale, S.J., has accepted the invitation of Cardinal Bourne and Mr. A. C. Benson to write the authorised Life of Monsignor R. Hugh Benson. He will be glad to receive letters from any who are kind enough to lend them. They may be sent him at Stonyhurst College, Blackburn, and will in all cases be returned. No other biography will be authorized by Monsignor Benson's representatives.