

work did not secularize him or dull the keen edge of his spiritual life. On the contrary as his years and work increased he grew in piety. Amidst the sufferings of the closing weeks of his life he was sustained by the hope which maketh not ashamed and rejoiced in the near prospect of joining the higher fellowship of the spirits of the just made perfect, and above all of being in the immediate presence of the Saviour he so long and faithfully served. He died in a good old age and fell asleep in Jesus. His memory will long be cherished by the Presbyterian Church in which, at least as much as any other of its ministers or members, he wielded moulding, controlling and healthful influence. Nor by Presbyterians alone will his memory be cherished. He loved and took a deep interest in the whole Church of God in every land. His was a true Catholic spirit and his name will be honoured by all who knew him and who value genuine Christian worth.

THE CANADA REVUE JUDGMENT.

BY REV. JOHN LAING, D.D.

The public have had before them for more than a month Mr. Fillatreault's appeal for aid in bringing his suit by appeal against the judgment of the Superior Court of Quebec, before the Law-lords of the Imperial Privy Council. Surely the Protestants of Quebec and Ontario will readily find for him the two thousand dollars required, or even four thousand dollars should that be necessary. The question at stake concerns our civil liberty. As Mr. F. says, "This is the second time that our courts have proclaimed that there is something over and above civil law, and that such supreme power is the ecclesiastical power."

The Hon. Justice Archibald's judgment dissenting from the majority of the Supreme Court was published at length in the *Montreal Gazette*, of November 27th. It is long, and many of the grounds on which the judgment rests are given in French. The general public, therefore, will not find time to read the whole paper, important as it is, but the argument without the grounds may be useful in helping Mr. F. in his appeal. The following is, we think, a fair summary of it:

The plaintiff is the corporation of *La Canada Revue*, the defendant Monseigneur Fabre, Archbishop of Quebec. On 11th November, 1892, the Archbishop issued a "mandement," which was read in the churches of the Province, forbidding any one in any way to assist in printing, selling, circulating or reading the *Revue*. The consequence was that "the publication of this circular absolutely ruined the plaintiff." For the ruin thus inflicted damages are sought. The plea in defence is, that "it is the duty of the defendant to protect his 'diocesan' against the reading of books and periodicals, which he judges to contain doctrines contrary to the obligations and doctrines of the Roman Catholic Church; and that in this matter his jurisdiction is exclusive and independent of the civil tribunals." On this the judge remarks: "If this clause is to be interpreted to mean that the relations between the Church and its members are for the decision of ecclesiastical authority alone, I can not accept that doctrine. The Crown is the fountain of justice, and there is no matter concerning which the subject shall be denied judgment and referred for justice to any other than the sovereign has ordained to administer justice." But he adds "with respect to matters concerning faith and doctrine, or of a spiritual character the courts will not interfere to declare that wrong, which the proper ecclesiastical authority, acting both in matter and form, *intra vires*, has declared right, unless the act complained of be so much without colour of right as to induce the conviction of bad faith, or unless express malice be proved."

He next asks (1) was the mandement

intra vires; (2) If so, was it conformed to the requirements of Canon law necessary to give jurisdiction? He then says the intention of the mandement was to inflict punishment by the complete suppression of the journal. Now, "the publication of the journal is, as in itself, perfectly legal . . . and objectionable to the Church only because of certain articles which had appeared therein." Hence he contends "the defendant has imposed upon the plaintiff a temporal penalty, viz., cessation from his business, and all the pecuniary loss which that would involve," etc. Then comes the question: "Has the defendant the jurisdiction to do, as he has done, under the Canons of the Church?" The offense "was not against religion, or against faith or doctrine," but "the persistence of the plaintiff in publishing scandals relating to the members of the clergy." But "fair criticism of a person occupying a public position is not an offense against the civil law. . . . We have a free Church in a free State—not that the Church in any sense exercises a sovereign power. There is only one fountain of justice, that is the Sovereign; and when the ecclesiastical authority administers the laws of the Church . . . the law will assume that justice has been done, provided that there be no evidence of malice," that is, in questions of religion, men may "bind themselves to abide by the decisions of such persons as may be given authority in the matter in all questions of faith and doctrine. But as the civil authority will not infringe upon the province of the ecclesiastical, neither must the ecclesiastical be permitted to infringe on that of the temporal." Again a bishop is limited in the exercise of his power by Canon law. But there is no evidence that "Canon law prevailed in Canada before the cession of 1763, or that the Roman Catholics of the Province have agreed to be bound by any rule which would prohibit them . . . from publishing just and fair accounts concerning the conduct of a priest, as well as concerning any other citizen, within the limits allowed by the law of the land." Again "we have already seen that, under the 'Canon law, as it exists in this Province, no such right' (as to issue the mandement) 'exists in the bishop. He is administrator, not legislator.' Again . . . 'The suppression of a journal is an expropriation without compensation, which is illegal both by the law of England and of Canada. It is a deprivation of a citizen of his property by administrative action, and without due course of law, and is a breach of one of the most constitutional guarantees which limits the sovereign power.' To sum up, the conclusions are: "(1) Publication of fair reports of the immorality of priests not being against the civil law, and not being forbidden by any Canon law that governed the Gallican Church, or that has been proved to have been assented to by the Catholics of Lower Canada, cannot be made a sin or a cause for deprivation of sacraments by mere order of a bishop. (2) A bishop cannot under any Canon law in force in the Province of Quebec forbid the faithful to publish or to help in the publication of a journal under pain of the deprivation of sacraments. (3) The defendant has not complied with the formalities required by Canon law, or with such as are required as essential to the administration of justice." On thing more is argued, viz., that in 1763 according to the treaty, the profession of the worship of their religion was secured to the inhabitants of Canada "as far as the laws of England permit it." But the laws of England never did and do not now permit any interference with the liberty of the press. And both in France and England since A.D. 1881 and 1695 respectively the press has been free. The judgment thus concludes:

"But shall the Church have a wider right than the State? Shall the Church say that shall not be done which the State says may be done, and that in relation to temporal matters?

"It is true to quote the very foundation of our constitutional system, and yet it appears to me to have been so clearly violated in this matter that I must refer to it: 'Nullus liber homo capiatur vel imprisonatur aut alio modo destruetur nisi per legale iudicium parium suorum vel per legem terrae.' Such are the words which the Sovereign addresses to his people in the great charter. Such are the positive assurances which he gives them. In this case the plaintiff has seen his property ruined, has been deprived of the right to continue a lawful business without any form of law whatever, without any charge, without any opportunity of being heard. And shall not the Sovereign—in fulfilment of that solemn pledge, acting by the judges whom she has appointed—cause the plaintiff to be indemnified for the wrong which he has suffered at the defendant's hands. But it is said that the only effect of the mandement is to prohibit Catholics from publishing the journal, and not to suppress it altogether. Even if that were so, the rights of Catholics to the protection of the civil law, concerning matters of a temporal nature, are just as strong as those of any other religion. Catholics cannot be deprived of their temporal rights by the exercise of ecclesiastical intimidation, nor can they be deprived of their rights, as members of the Catholic Church in consequence of having performed acts lawful under the law of the land, and not forbidden by the law of the Church. I am of opinion, then, that the judgment ought to be reversed, and that plaintiff ought to receive damages."

"As to the amount of damages, I would say that the damages proved are large, although I do not agree that they should amount to a capital which would produce an interest equal to the annual profit, which is proved at \$3,000, because that profit is not earned without labor, and it may be assumed that the labor, turned in some other direction, would, at least, partly recoup the loss. The capital stock of the company amounted to \$10,000. This investment seems to have been earning a fair profit, and it has been completely destroyed. I am of opinion to grant damages at \$10,000."

PRESBYTERY MEETINGS.

HAMILTON: Met on January 21st, steps were taken towards transferring the congregation of Delhi to the Presbytery of Paris. Rev. Dr. Denny, of Scotland, was nominated for the chair of Apologetics and Church History in Knox College, and Rev. Dr. Robinson, of Princeton, N. J., for that of Old Testament Literature. The Young People's Societies within the bounds were organized presbyterially. A proposal was considered to reunite Alberton with Ancaster in one charge. The remit from General Assembly anent reduced representation was disapproved. —JOHN LAING, Clerk.

STRATFORD: This Presbytery met at Stratford within Knox Church, on the 14th inst., Mr. W. W. Crow in the chair. Dr. Geo. L. Robinson, now of Orange, N. J., was nominated for the vacant chair of Old Testament Literature and Exegesis in Knox College; and Mr. Gandier, of Fort Massey Church, Halifax, was nominated for the chair of Apologetics and Church History, also vacant in Knox College. The Rev. Prof. Gordon was nominated to the moderatorship of the next General Assembly. The remit from Assembly anent reduction of the representation of Presbyteries in the Supreme Court was considered. The Presbytery agreed to recommend a reduction of the representation, from 4th, as now, to 1/6th, of the members on Presbytery rolls. Mr. Drumm, Convenor of Committee Y. P. S. S., was left to arrange for a convention of Y. P. S. S. under the auspices of the Presbytery at what time would seem best to him. The constitution of Y. P. S. S. was ordered to be printed and circulated. W. M. McKIBBINS, Clerk.

The students of the Presbyterian College, Montreal, held a most enjoyable conversation on the 17th ult., about 700 guests being present. The guests were received by the Rev. Dr. and Mrs. Campbell and Rev. Dr. and Mrs. Warden. The college buildings presented a charming appearance, on every hand being graceful festoons of bunting, and, together with the beautiful oil paintings which adorned the walls, making a very picturesque scene. In the David Morrice Hall Ratto's orchestra discoursed sweet music, while solos were sung by Messrs. Rice, Duquette and Morrison, and Mrs. Emsley, entertained the company with a couple of readings. The whole of the buildings were thrown open for inspection and refreshments were served in the beautiful dining hall. Among those present were representatives of the leading Presbyterian families of the city and vicinity. The students are to be congratulated on the success of one of the best conversations ever held in Montreal.

Teacher and Scholar.

BY REV. A. J. MARTIN, TORONTO.

Feb. 16th. | THE GREAT HELPER | Luke vii.

GOLDEN TEXT.—Luke vii. 16.

MEMORY VERSES.—14-16.

CATECHISM.—Q. 45, 46.

Home Readings.—Mt. viii. 5-13. T. Luke vii. 2-16. W. Mat. xi. 2-19. Th. Ps. xxxiii. F. Ps. lxxxix. 1-29. S. Ps. lxxxix. 30-52. Sm. Heb. iv. 14; v. 14.

There are times in every life when our need of a helper is very strongly realized. There is not a moment of our lives when we do not need a helper, even though we may not realize our need. Indeed, we learn from God's Word, and our experience confirms its truth, that it is only when we are weak that we are strong, only when knowing our weakness and helplessness, we seek our help in Him, whom God has given as our Great Helper. It was that He might be thoroughly qualified to help us in our every need, that Jesus was made like unto us. It is well for us then if we have learned that He is our helper, and to come with boldness unto the throne of grace, that we may receive grace for help in every time of need. In this seventh chapter Luke has grouped together a series of incidents, each independent of the other, and yet all alike illustrating Christ's power to help. The verses of our lesson cover two of these incidents, illustrating Christ's power to help, which are distinctly different in kind, one from the other, yet which, taken together, suggest a most important lesson for us to learn about our Helper. We see in the first incident that Jesus helped because He was asked to do so, or that "Jesus helps in answer to prayer," in the second, Jesus was not asked to help, but when He saw the widowed mother weeping alongside the bier of her son, He was moved through love for her to restore her son to life, from which we learn that "Jesus helps us because He loves us."

I. Jesus Helps in Answer to Prayer.—This Centurion was a Gentile by birth, but one who had come to know and to love the God of the Jews. He had shown his regard for the true God by building a house where His people could meet to worship. He was a man of faith. To convince us of this we do not need even the words of the Master—"I have not found so great faith, no, not in Israel." The act of the man in sending to Christ was a mark of faith. His humility in not daring to come himself, but in sending others to ask that as a matter of grace this wonderful healer will come and heal his servant his humility in striving to save Jesus all unnecessary trouble, his clear grasp of the fact that Jesus had power and authority over all the forces of the universe, even as he (the Centurion) had over the soldiers under his charge all these and other things show us the kind of prayer which calls forth the help of Jesus. If we have a consciousness of our need, a conviction that Jesus can and will help us, and the thought that of His help we are unworthy, but that it must come to us of grace, then we can ask with every confidence that Jesus will help us. It does not follow that Jesus will heal our sick friends, or even ourselves when sick, even though we ask Him to do so. Our asking should always recognize that He knows best, and that the very thing we ask for we are willing to have denied us if He in His wisdom sees that to deny our petition is the best thing for us.

II. Jesus Helps Because He Loves Us.—The widow was a stranger to Him as far as we know. But her grief, and the sadness of her lonely condition appealed to the heart of Jesus, and therefore He stopped the bier and called back the dead son to life. Now, besides showing us the omnipotence of Jesus' help—that He is King over death—and that all the more so that He has Himself continued under the power of death only to break that power forever—besides I say showing us the omnipotence of Jesus to help this second incident furnishes us with the strongest encouragement to ask Him to help us. Why should we ask Jesus to help us? What claim have we upon Him? What plea can we urge as a ground for our approaching Him? There is only one that will give us confidence and make us strong to draw near, and that is that He loves us. It is not for our worth, it is not in return for our services, it is not for anything that is in us but only because of the love that fills His heart for us that He is our Helper. With what boldness! with what confidence! with what full assurance of the help we need should we ask, then that He will help us in every circumstance, and that His mighty power may be put forth for the salvation of our dear ones, and the upbuilding of God's people.