

Northwest Review.



"AD MAJOREM DEI GLORIAM."

THE ONLY JOURNAL DEVOTED TO THE INTEREST OF ENGLISH SPEAKING CATHOLICS WEST OF TORONTO.

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FIAT JUSTITIA.

A Series of Letters on the Manitoba School Question.

The REVIEW reprints a series of interesting letters published in the Northwest on the Manitoba School question. They are written over the nom-de-plume "Fiat Justitia."

To the Editor of the Northwest.

Sir,—The judgment just rendered by the Judicial Committee of the Imperial Privy Council upon the Manitoba School question, brings the matter fairly and squarely into the Dominion political field.

Unfortunately, the Manitoba School question is one upon the niceties of which comparatively few people, indeed, have correct knowledge. For example, how many persons are there not puzzled to understand how it is possible to reconcile the judgment rendered some time ago by this final court of appeal, that the Manitoba School act of 1890 was in violation of the Dominion constitution, with the judgment of a few days since, from this same tribunal, that an appeal would lie from the Catholic minority of Manitoba to the Governor-General-in-Council for remedial measures, against the operation of this act, in so far as it is prejudicial to the interests of said minority? Doubtless, very few. Yet, without explaining at length, or contending for the righteousness or the reverse of either of these judgments, it is not really difficult to understand that there is no incompatibility between the two judgments—in fact, it would be strictly correct to say there is no relationship between them, as the questions decided, though both growing from the common ground of what is popularly known as the Manitoba School question, are quite and entirely distinct.

Substantially stated, the first case was the question "Is the Manitoba School Act of 1890 in violation of the Dominion constitution?" and the answer of the Privy Council was "Yes," and this answer (or judgment) whether right or wrong, disposed of that question forever.

Now for the second case. Be it kept in mind that the Imperial and Dominion act, known as the Manitoba act, is not, as is itself set out, the complete constitution of Manitoba. To get at this to the full, both this act and the British North American, or Confederation act, must be read together, only excepting such provisions of the latter as are inconsistent with those of the former or are obviously inapplicable to Manitoba. Between these two acts, the Catholic minority of the people of Manitoba set up that it was provided to be within their specified constitutional rights to appeal to the Governor-General-in-Council for remedial measures against the School act which had already been held to be constitutional, and this final court gives judgment upholding the contention.

In simple words, the two judgments, taken together, mean that while the Manitoba School act of 1890 was within the enacting power of the Province, yet it is within the constitutional right of the Catholic minority to seek from, and for the Dominion to provide and grant, remedial measures against certain provisions of said act, inasmuch as they prejudicially affect certain rights and privileges which the minority had, prior to its enactment, enjoyed. It will be well to remember, to prevent confusion, that the Privy Council had in mind, as the rights and privileges of the minority prejudiced by the act of 1890, not anything existing in the country before its creation as a Province and conserved by the Manitoba act, but something created after that event, by its own first Legislature at its first session, in 1871, and enjoyed down to 1890—rights and privileges so created, being, by the plain language of the constitution, quite as defensible against violation as though, instead of being a creation, they had been the inheritance of the Province, specifically perpetuated and conserved.

This briefly presents where the School question is today, and how it got there; but with your indulgence I propose to discuss it a little further.

FIAT JUSTITIA.

Jan. 30, 1895.

To the Editor of the Northwest.

Sir,—In my letter of yesterday I traced the Manitoba school question to here the later judgment of the Imperial Privy Council has beyond question placed it—within the jurisdiction of the Dominion, at least to the extent of providing a remedy for the invasion of the School act of 1890, of the rights and privileges enjoyed by the Catholic minority from 1871 to the passage of said act.

What are these rights and privileges, which in the opinion of the Privy Council, have been prejudicially affected, are clearly indicated by the following words from the formal judgment:

Contrast the position of the Roman Catholics prior to and subsequent to the acts from which they appeal. Before these passed into law there existed denominational schools of which the control and management were in the hands of the Roman Catholics, who could select the books to be used and determined the character of the religious teaching. These schools received their proportionate share of the money contributed for school purposes out of the general taxation of the Province, and the money raised for these purposes by local assessment, was, so far as it fell upon Catholics, applied only to Catholic schools. What is the position of the act of 1890? The schools of their own denomination, conducted according to their views, will receive no aid from the State. They must depend entirely for their support upon the contributions of the Roman Catholic community, while the taxes out of which the State aid is granted to the schools provided for by the statute, fall alike upon Catholics and Protestants. Moreover, while the Catholic inhabitants remain liable to local

assessment for school purposes the proceeds of the assessment are no longer destined to any extent for the support of Catholic schools, but afford the means of maintaining schools which they regard as no more suitable for the education of Catholic children than they were of a distinctly Protestant character. In view of this comparison it does not seem possible to say that the rights and privileges of the Roman Catholic minority in relation to education which existed prior to 1890, have not been affected.

The Privy Council decides that the Governor-General-in-Council (in other words, the Dominion) has the power to make the remedy for the full restoration of the rights and privileges of the minority before the 1890 change in the Provincial law. The court is careful to say, "It is not for this tribunal to 'intimate the precise steps to be taken' 'explaining that it is certainly not 'essential that the statutes repealed by 'the act of 1890 should be re-enacted, or 'that the precise provisions of these 'statutes should be again made law,' 'but adding, 'all legitimate ground for 'complaint would be removed if the 'system was supplemented by provisions 'upon which would remove the grievance 'if it were modified so far as might be 'necessary to give effect to those provisions.'"

Herein is clearly indicated to what extent, under the constitution, the Catholic minority may demand from and the Dominion may go in providing a remedy for the invasion of their rights by the School act of 1890.

To this limit, therefore, it follows that a Dominion decree would constitutionally supersede and nullify anything of a contrary nature emanating from Provincial authority; and from this, again, it follows that to this limit no Dominion law or decree could, in any sense, be an invasion of "Provincial rights"—seeing that Provincial rights cannot be other than such as are recognized by the constitution, and the highest court in the empire having interpreted our constitution, in this respect, as meaning that this power of revision and correction is reserved to the Dominion. To argue otherwise, in the light of this judgment, is besetting only the ignoramus or the demagogue.

But it is not to be forgotten that, while this judgment finds it competent for the Dominion to remedy that of which the Catholic minority complains, it is not of the nature of being legally obligatory. Practically, the judgment is of the effect to tell the Catholic minority that it has the constitutional right to appeal to the Dominion for redress; and, as well, to tell the Dominion that it has the constitutional power to provide such redress;—not that it must but that it can, and, inferentially, that it should do so. But when all is said, it becomes, with the Dominion, purely a question of policy whether it will or will not act.

FIAT JUSTITIA.

Feb. 4

TESTIMONY OF THEIR LOVE.

St. Albert Academy Pupils Address Archbishop Langevin.

During his recent visit to St. Albert, Archbishop Langevin was the recipient of many tokens of the love of the Catholics of the Northwest, but of none more loyal than that which the pupils of the Academy at St. Albert addressed to him. It is as follows:

To His Grace the Most Rev. L. P. A. Langevin, Archbishop of St. Boniface.

May it please Your Grace,—I feel happy and privileged to be the interpreter of the English speaking pupils of this Academy, in presenting you our heartfelt felicitations and extending to you a thrice happy welcome to St. Albert.

Princes of the church, from various parts of the Dominion, have deigned to honor us with their gracious presence. One of these illustrious prelates the immortal Archbishop Pache ever entertained in St. Albert, and we, proud of his affection, and most unperishable souvenir of his great virtues and magnificent apostolic works.

This venerated pontiff lives in you. Yes, in your sacred person we recognize his worthy successor, the inheritor of his throne, and the faithful imitator of the zeal which won for him the noble title of "Apostle of the West."

In your presence our joy is supreme; our hearts beat with the liveliest emotions of gratitude, and our prayers are wafted to heaven in grateful accents thanking God for having called you to such a sublime vocation, and beseeching him to inundate your great soul with His choicest gifts of joy and consolation. Our happiness is still more enhanced, since here to-day strengthens the chain of traditional benefits and gratitude that must forever bind us to the Archbishop of St. Boniface, and while offering you our bouquet of congratulations, fresh dignity to which our glorious Pope, Leo the thirteenth, has elevated you, and all fragrant with the filial affection we entertain for our beloved Bishop Grandin, and our devoted Oblate Fathers, we wish you, my Lord, many years of happiness and peace, to rule your immense Archdiocese, and fructify the magnificent works of your illustrious predecessor.

Asking your blessing on each and all of the pupils of St. Albert.

St. Albert, Jan. 23rd, 1895.

The Future American Church.

American Catholics are not alone in the belief that the future American church will be Catholic.

At a meeting of a Chicago club last week the future religious condition of the country was the chief topic considered. One prominent Protestant speaker confidently predicted that the American church of the future would be the Catholic church. This speaker based his prediction chiefly on the fact that Protestantism is nothing more than a collection of disorganized sects, whereas Catholicity is a united body. Unless we are to have religious anarchy in the land, he added, or agnosticism, Catholicity must become the faith of the American people.

A declaration like this, whose reasonableness cannot be denied, should cause American Catholics to redouble their efforts for the conversion to the true faith of beloved country. And good example, it should be borne in mind, constitutes the most potent effort that can be put forth for that purpose.—Exchange.

matter, will it be possible for them to do so. The judgment of the Privy Council is that in so far as it is corrective of intrusions upon the rights of the minority of the Provincial legislation Dominion legislation must prevail. In one particular respect, in which this court finds a wrong is being done, is in the local tax upon Catholics for the maintenance of schools that are non-Catholic. The Province may leave such a law in its statutes, but given a Dominion statute nullifying it, the courts are bound to hold it is nullified and the collection of such a tax could not be enforced. In two other respects the Catholics are also injured: By the enforced contribution of their share of the Local Government grant to the schools that are non-Catholic; and by the entire benefit of the Dominion land endowment to education accruing to the same sort of schools. The Dominion Government is the primary disburser of the funds in both these cases, and Parliament having given the power, as the Privy Council tells it may do, to distribute them in proper proportions, how is the Government to frustrate? It is simply impossible. There are no difficulties whatever in the way of the Dominion carrying out the spirit of the finding of the Imperial Privy Council, no matter how odorous may be the Local Government in its endeavor to perpetuate an imposition upon the Catholic minority, which it only got the power to perpetrate by a specifically false pledge—no difficulties other than would be completely overcome by the plan I suggest of an agreement between Sir Mackenzie Bowell and Hon. Mr. Laurier to take common ground.

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CATHOLIC SOCIETIES.

Mr. A. H. Kennedy Lectures on Their Unity, Before the members of the Catholic Truth Society of Winnipeg.

On Monday evening January 28th, Mr. A. H. Kennedy addressed the members of the Catholic Truth Society, Winnipeg on the "Unity of Catholic Societies." He said:

"You are all aware that there are now in existence in this city five prominent Catholic societies, besides those excellent societies that are composed exclusively of ladies, and those societies are: The St. Vincent de Paul, the Catholic Mutual Benefit association, the Catholic Order of Foresters, the St. Jean Baptiste, and the St. Joseph and Catholic Truth society. Taking each of these associations separately I will endeavor to show how and why there should be a spirit of unity and fraternity always existing among them. The first of the societies existing here at present is the St. Vincent de Paul, which was organized in 1882, after having laid dormant for a few years; it was founded in Paris, France, in 1833, by Ozanam and a few other students, who called it after that great apostle of charity, St. Vincent de Paul, who in 1634 established the glorious institute of the Sisters of Charity, or Grey Nuns. He died in 1660, at the ripe age of 84 years. This society is spread all the world over but so quiet and unobtrusive is its manner of relieving distress that its existence is often not even known in its communities where its labors are most extensive. It courts not publicity nor the Master doing good among the poor the needy, whether that poverty be of soul for spiritual light and truth. The strong, but its work is diligent and effective.

The Catholic Mutual Benefit association is, I believe, confined to Canada and the United States. So far as I know it has not been introduced into any part of Europe. It was first organized at Niagara Falls, N. Y., in the year 1876. On June 6th, 1879, the following gentlemen obtained a charter from the New York legislature, viz: Daniel Barrett, John Clifford, Sebastian Geyer, Joseph McKenna, Patrick Walsh, Michael Powers, James McCran, James Martin, John J. McIntyre and Lawrence J. McParlin under the name it bears. It was incorporated in Canada in 1883 and has been flourishing satisfactorily ever since.

"The St. Jean Baptiste society, although not a beneficiary one does its work equally good in the social ranks of our French-Canadian brethren, thanks to the wisdom and foresight of its founders and promoters. The St. Joseph and Catholic Truth society comes next in order. The St. Joseph's Friendly Union was organized in January, 1890, its object being to promote friendly intercourse among the members, and especially to attract and instruct young men and boys over a certain age, by means of literature, debates, etc., which was carried on for some time with good result. About a year ago it was amalgamated with the Catholic Truth society which had been organized in this city on the 6th of August, 1892.

The speaker then dwelt at length upon the aims and objects of the Catholic Truth society, and concluded as follows: In these few observations I have endeavored to give a resume of the aims, objects and duties of our different societies, and would urge all our young men to enrol themselves under the banner of some one of them. The Catholic Truth society covers the practical part of nearly all the others, inasmuch as it aims at the improvement of the physical, social, mental and spiritual conditions of every member of the human family. There never was a time in the history of our country when the need of unity among our people was so great as it is now. Error in its multifariousness and insidiousness is stalking through the land; our mother church is maligned and misrepresented in every conceivable way and it now behoves us to get out to meet the enemy and rout him with the sword of truth and righteousness, and this can best be accomplished by the mutual support of our Catholic societies standing shoulder to shoulder and working unitedly for God, country and truth."

On motion of Mr. F. W. Russell, seconded by Rev. Father O'Dwyer, a hearty vote of thanks was tendered Mr. Kennedy. Rev. Father Cahill was also present and delivered an interesting and instructive address. Mr. Kennedy is president of the society.

General News.

Our first number of St. Luke's the new English Catholic magazine, appears with a fine portrait and excellent sketch of Cardinal Vaughan as one of its leading features.

The Ave Maria pronounces Bishop Watterson's recent address before the Anti-saloon Congress "a model discourse, earnest, strong and temperate."

The Providence Visitor came out victorious in the suit instituted against it by George Parsons Lathrop, LL. D., who brought an action against the paper for violation of contract.

The Montreal True Witness challenges the "notorious Chiniquy," the apostate priest, to point out one grand idea, one grand sentiment, one elevating thought, or one original or original writing since he was forced to abandon the Catholic Church.

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2. Jan. 1st. The Circumcision.
3. Jan. 6th. The Epiphany.
4. The Ascension.
5. All Saints.
6. Dec. 8th. The Immaculate Conception.
7. Dec. 25th Christmas.

II. DAYS OF FAST.

1. The forty days of Lent.
2. The Wednesdays and Fridays in Advent.
3. The Ember days, at the four Seasons being the Wednesdays, Fridays and Saturdays of
a. The first week in Lent.
b. The third week in September.
c. The third week in Advent.
4. The Vigils of
a. Whitsunday.
b. The Solemnity of St. Peter and Paul.
c. The Solemnity of the Assumption.
d. All Saints.
e. Christmas.

III. DAYS OF ABSTINENCE.

All Fridays in the year.
Wednesdays in Advent and Lent.
Fridays

Thursdays in Holy week
The Ember Days.
The Vigils above mentioned.

CHURCH NOTICES.

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