

THE MANCHESTER MARTYRS.

While almost everyone of our readers is familiar with the story of the Manchester Martyrs—Allen, Larkin, and O'Brien—yet few are aware of how truly their condemnation and execution constituted judicial murder. In as brief a manner as possible we desire to point out in what way the letter and spirit of British law were perverted in order to satisfy the prejudices that existed against these three men. They were accused of having killed a prison guard while attempting to effect the rescue of prisoners from the gaol. There was no direct proof of murder premeditated; the crime—if crime there was—consisted in causing unwillingly the death of a man, while they were in the act of committing a felony. The law, in all criminal cases, must be explained to the judge by the jury; and the jury must accept that interpretation of the law, while being themselves full masters of the facts. A judge cannot declare the accused "guilty," or "not guilty"; his duty is limited to an explanation of the law affecting the case. The jury alone have the right to pronounce the verdict.

So much being explained, we now come to the facts. Mr. Justice Blackburn, who presided at the trial, charged the jury to the effect that this was "a case of constructive murder," and that their verdict must be one of acquittal, or condemnation for murder only. He took all the pains in his power to convince the jury that this "constructive murder" had positively been committed, and that a verdict of "guilty" was expected.

At best, or at worst, the victims of that trial might have been found guilty of manslaughter; but that would not seemingly satisfy the judge. We now come to the point we desire to make—G. Pitt-Lewis, Q.C., of London, says:—"The term 'constructive murder' is an inaccurate and misleading one." And Blackstone says:—"The law of England doth not allow offences by construction, and no cases shall be holden to be reached by the penal law but such as are both within the spirit and the letter of the law."

The meaning of this is: there was no direct murder proveable against the prisoners, so the judge invented what he called "constructive murder;" and Blackstone says that the law of England does not admit of crime by construction, and that the death sentence cannot be legally passed on any one not condemned within the spirit and the letter of the law. Therefore, in order to have a verdict of murder, the judge presented the law to the jury in a false light, and secured a verdict, wherein the word "murder" figured, by adding thereto the illegal word "constructive." He also left the jury to understand that there was no "manslaughter," but that they had either to acquit the prisoner or bring in a verdict of "guilty of murder." Here again he robbed the jury of a legal right of discretion, which they enjoyed. We quote "Russell on Crimes," 15th edition, vol. I., page 800., citing Hale and Coke as authorities:—

"The legal right on the part of the jury to return a verdict of manslaughter on every indictment for murder is unquestionable." Mr. Justice Blackburn told the jury the very opposite.

As late as 1887—twenty years after the Manchester case—Mr. Justice Stephen, one of the greatest criminal authorities of the age, declared, from the Bench at the Old Bailey, that "constructive murder is a phrase which has no legal meaning whatsoever."

We do not wish to load our article with legal authorities; suffice to say that the Manchester Martyrs were found guilty of "constructive murder"—something unknown to the law of England; were executed for an offence "by construction," which was contrary to the spirit and the letter of English criminal law; that the jury were not allowed the alternative of a verdict of manslaughter, although their right to return "on every indictment for murder is unquestionable." In a word the trial was a travesty, and the verdict an outrage, on justice.

FEASTS OF THE YEAR.

The following very useful information we have gleaned from the Liverpool "Catholic Times"—

"The rule of discipline in the primitive Church forbade that any feasting should be practised during the fifty days of Paschal time. But since the fourth or fifth century the Vigil of Pentecost has been an exception to that law, and the faithful have kept it as a fast of precept. That fasting as well as prayer might prepare them for the coming of the Holy Ghost on His own great festival. From the very early time it was customary to administer baptism with solemnity on this vigil as well as on Holy Saturday. As the candidates were, in general, only such as had been able to be present at Easter, the function was not so long. The faithful repaired to the church in the evening, just as on Holy Saturday, and during the preparatory rites six prophecies, instead of the twelve of Holy Saturday, were sung by the lectors. The Paschal Candle was again brought forth and the font blessed as on Holy Saturday. The catechumens were then baptized, and after the chanting of the Litanies Mass began at daybreak on Whit-Sunday.

"On account of the custom of conferring baptism immediately after birth becoming a general law, the Mass of Whit-Sunday, like that of Holy Saturday, began to be anticipated on the previous morning, and now it is the general custom for the prophecies, blessing of the font, and litanies to precede the Mass at the usual hour Saturday.

"Whit Sunday bears in ecclesiastical records the title of Pentecost, a word signifying 'fiftieth' since it is celebrated seven weeks, or fifty days, after the Feast of Easter. It is one of the three principal festivals of the liturgical year, commemorating as it does the descent of the Holy Ghost upon the Apostles, the promulgation

of the Gospel and establishment of the Church.

"Some of the ceremonies which marked this great Feast in the Middle Ages were very striking and dramatic. The beautiful prose or sequence 'Veni Sancte Spiritus,' which is sung between the Epistle of the Gospel of the Mass, was introduced into public use by Pope Innocent III., who is generally thought to have composed that most tender and loving supplication to the Holy Ghost. At the singing of this sequence it was customary in some churches to express the joy which is one of the fruits of the Spirit by the ringing of bells and sounding of trumpets. In some places sweet-scented flowers—roses and lilies and the like—were showered down from the roof of the church upon clergy and people to typify the sweetness of the graces bestowed by the Holy Ghost. Another custom was to shower down small pieces of tow, previously lighted, to represent the tongues of fire which descended upon the hundred and twenty in the Cenacle. In some places a live dove was let loose to fly about the church. These customs, calculated to instruct and edify the simple faith of the Middle Ages, have been wisely set aside in these later times of doubt and criticism.

"When we join in the invocation of the Holy Ghost, which occurs so frequently in the Mass and Office of the Festival let us fervently adore that Divine Spirit and invite Him to enter our hearts. Should there be no obstacle on our part He will take full possession of our souls; they have been sealed by the indelible characters of Baptism and Confirmation, may He now defend His own work. May He also, in answer to our prayers, pour out the abundance of His graces on those souls who are longing for the truth, as He did on the first Pentecost, and gather them into the unity of the Church of which He is the Guide and Ruler."

The Peace Conference.

In our last issue we gave expression to our views regarding the probable, and even the almost certain outcome of the great Peace Conference. As some may have thought that we were a little premature in forming such an opinion as that expressed by us, and as we are always pleased to find strong corroboration, of our views on

any subject, we take the liberty of reproducing what the Liverpool "Catholic Times" has to say on the same question. These are that important organ's notes:—

We strive as best we can to look at things from various points of view; but there are certain affairs, the holiness and hypocrisy of which,

look at them how you will, only strike you all the more. So it is with the so-called Peace Conference. We do not know of any finer instance of irony than what took place during the conversation between the convenor of the Conference and Mr. Stead, as reported in Tuesday's papers. Mr. Stead wore a troubled look as he made his salaam to the great autocrat. The Czar congratulated him on "developing" his ideas, and thought it strange that the editor of the "Review of Reviews" did not break into an outburst of enthusiasm at the compliment. But Mr. Stead's expression was still blank. Gradually he brought out of his pocket a copy of the lately deceased "War Against War." He watched the effect upon his majesty, for he expected that it would be looked upon as a sort of avenging shock by the Czar, having been mauled and maimed and kept out of the country by the Russian authorities. But acts such as that are no matter of surprise in Russia. The Czar laughed heartily and remarked, "Well, I received my copy." And then Mr. Stead begged his Majesty that he might be allowed to assemble on that day "a kind of peace conference," and his Majesty graciously gave his consent. If the Czar wants peace it is peace with chains, and for a free-born man peace is too dear at the price."

"We have received from the Poles of the United States a copy of an address which they have been addressing to all civilized peoples in connection

with the opening of the Peace Conference. They contend that the first condition to a partial disarmament should be the redress as far as possible, of wrongs perpetrated by certain governments. Acting on this principle the American Poles, who describe the infamous dismemberment of their country, declare that they can only expect the triumph of justice from the nations which through their sympathies aided the Greeks to regain their freedom, which condemned Napoleon the Great when he tried to destroy the liberties of Spain, Italy, Sweden, Austria, Prussia, and Russia; which looked on with abhorrence when North Schleswig was taken from Denmark, Savoy from Italy, Alsace Lorraine from France, which have also evinced their sympathy for the oppressed in the struggles of the Irish people and the Balkan Slavonians to secure their deserved rights, and which hold Washington, Lincoln, and Gladstone higher in their esteem than Napoleon the Great, Metternich, or Bismarck. But the Poles protest in vain. The nations do not trouble themselves now about morality—only about appearances. The Czar's action is like that of the thief who puts his hand in our pocket and at the same time keeps assuring us that he is an honest man. He is all for peace at the Hague, but, as Lord Charles Beresford tells us, he is likewise all for the grabbing of China. This "Note of the Week" will of course be "blackened out" in Russia, but not so in Holland."

The Advantages of Wealth.

Any ordinary man if asked to state what he considered the advantages of wealth to be would be ready, off-handed, to mention a full score of them. While we can fully appreciate—possibly on account of our lack of wealth—the many advantages that might be derived from its possession, still we are inclined to believe that wealth has some very great disadvantages. Some words, recently pronounced by Lord Rosebery, who is a son-in-law of Rothschild, have attracted considerable attention. It is amusing to note how a man—who has never had any experience of life's struggles, and who has rolled in wealth from his cradle—can dogmatically pronounce upon such a subject; and doubly amusing to read some of the criticisms that his words have created:—

Lord Rosebery said:—"The sole great advantage the rich have over the poor is this, that when those you love are sick, or weak, or aged, you can, if you have wealth, call to their assistance the best medical advice, and you can make a change of climate."

One comment upon this strange assertion says:—"This analysis and its conclusion have advantage of novelty. They are well worth thinking about. They remind one of the story of the famous and rich man of genius who was being congratulated upon his success in life. He said:—

Ten years ago I was miserably poor, starving with my wife and invalid child in a garret. A few dollars would have saved my wife's life, and would have prevented my child from being an incurable cripple and invalid. The fame and the wealth I have now never permit me to forget but remind me every day and every hour."

"Is not Lord Rosebery right?" The writer of the following does not appear to think so:—

"These surely are not one but two great—immensely great—advantages. Can the poor, under our present system, in any way be made partakers of them? That really is the interesting question.

"As to change of climate that could be partly remedied by nationalizing the railroads. Now it costs what is practically a fortune for a poor man to go from New York to Southern California, or even Florida. With railroads, under national control it would be possible to make such a trip for a five dollar bill.

"As to medical aid, that is more intricate. We often hear of cases where a beloved wife or child has been at the point of death, and where the father has appealed in vain for aid to a reputable physician.

"But these, Lord Rosebery to the contrary notwithstanding, are not the sole great disadvantages of wealth. There are such advantages as education and travel, but there is another still more important. It is this, that the rich man is free, the poor man is unfree. To be sure, the rich and the poor in our country enjoy civil liberty, but there is really a great difference between that sort of liberty and real freedom.

"To be at liberty means not to be restrained, to do what you please. But the poor can do so very little of what they please the rich man can do practically everything he pleases.

"The poor absolutely must have a share of the wealth in the hands of the rich, and hence they must solicit employment from the rich, and humbly consent to their terms. This gives the rich a power over their fellow-men. It gives some power over thousands, and others powers even over millions of poor men. This power is really the great attractiveness in wealth; this is what furnishes the motive to men like Rockefeller to amass their hundreds of millions.

"This tremendous power of wealth is the mischief of modern civilization. It makes our boast that our country is the land of the free a lie. If not stopped it will once more make us into a nation of masters and slaves. "But Lord Rosebery does not know this, because he has never experienced it. He knows the pangs of losing a beloved, but he does not know the pangs of lack of freedom."

It would need a large volume to detail all the real advantages and all the undeniable disadvantages of wealth. But we cannot imagine a clearer, or better summary of these than what is conveyed in a few words once spoken to the writer by one of the very wealthy men of today, and one whose wealth has been the source of countless benefits in this Dominion. He said: "The great advantage a millionaire has is in the power he possesses of making others happy; the great disadvantage he labors under is that he is either unable through want of proper information to carry out such designs. If he be willing to do all the good that his wealth will reasonably permit, and to do it for the glory of God, he has the greatest advantage that man can enjoy; but if he be unwilling to do so, he carries the most crushing load that adversity could pile on the shoulders of one individual." In other words wealth properly used is a blessing, wealth improperly used is a curse.

A Suicide's Legacies.

As an evidence of the hopelessness to which men without real faith may be reduced, we clip the following peculiar will of a man who recently committed suicide at Hackney, London. He was in his forty-fourth year and in good circumstances, but had evidently fallen into despair on account of a severe and incurable malady from which he suffered. There was no hope, no courage, no manhood left, simply because there was a lack of faith and

a consequent lack of grace. The will reads thus:—"Bear up, my noble and heavenly sister. Pray look after yourself, and Priscilla, and the boy. Help each other after your years of secret fretting. I have done this . . . but be brave. I leave no debts unpaid and my will is in Mr. Baker's bank. The furniture and all my belongings I give to you. Please add this codicil to my will: £20 to Priscilla, £10 to 'General' Booth's scheme for homes for

SEVENTEENTH
Annual Irish Catholic Pilgrimage,
To STE. ANNE DE BEAUPRE and to CAP DE LA MADELEINE,
UNDER DIRECTION OF
The Redemptorist Fathers of St. Ann's Church, Montreal
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For Ladies and Children only.
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N.B.—A Pilgrimage to Ste. Anne de Beaupre for MEN by Steamer Three Rivers shall take place on SATURDAY, July 29th, at 6.30 p.m.

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poor respectable girls, £10 to the Lock Hospital, £10 to the fatherless boy (Pris Lawrence's son); this must be put in the bank until he is twenty-one years old; £5 each to all of my nephews and nieces. My loan at bank and one other to repay. May we meet in heaven. Sad, sad. My jewellery divide. Give my Hornet cottagers £1 each. Orphan Home, Bristol, £1, and Dr. Barnardo's Homes £1; Dr. Stephenson's Homes also £1.

Jacob Goodrich Peachey.
In this case there may have been real insanity, but what are we to think of the next one?—

"A Maryland millionaire, Mr. Thos. Orme, has bequeathed his body to an hospital, and planned a unique burial service, which his lawyer is to read. The sermon was written by him as a part of his will, and no clergyman is to be permitted to attend his obsequies. Though indifferent as to the future of his body, as to his soul he says, 'If I have one so have my horses. What becomes of their souls?' Even the possession of millions cannot prevent their owner dying a horse's death, any more than they can prevent him from having to pay that last debt of nature."

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A. O. H. DIVISION No. 6.

THE ANNUAL MEETING

For reception of reports and election of officers will be held on Wednesday, the 14th of June, at 8 p.m., sharp, in the "Barry Hall," Corner of St. Dominique and Rachel Streets. Every member is urgently requested to attend.
By order,
P. O'NEILL, Jr., Rec.-Sec.

MONTREAL CITY & DISTRICT SAVINGS BANK.

NOTICE is hereby given that a dividend of Eight Dollars per share on the Capital Stock of this Institution has been declared, and the same will be payable at its Banking House, in this city, on and after

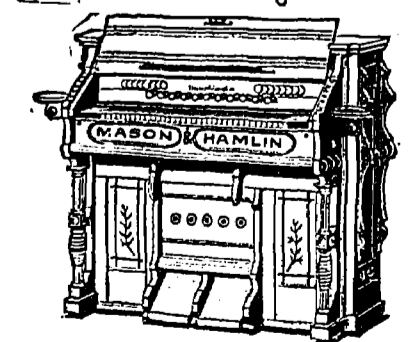
MONDAY, the 3rd day of July next

The Transfer Books will be closed from the 15th to the 3rd July next, both days inclusive.
By order of the Board.

H. V. BARBEAU, Manager.
Montreal, 31st May, 1899.

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PROVINCE OF QUEBEC, DISTRICT OF MONTREAL. No. 997.
SUPERIOR COURT.
Dame Helen Kiseock Lloyd, wife common as to property of Horace Benjamin Lambie, of the City and District of Montreal, Grocer, duly authorized to sue in justice, Plaintiff, vs. the said Horace Benjamin Lambie, of the same place, Defendant.
An action in separation of property has been instituted in this cause.
Montreal, 27th April, 1899.
SMITH, MARKEY & MONTGOMERY, 45-5 Attorneys for Plaintiff.

PROVINCE OF QUEBEC, DISTRICT OF MONTREAL. No. 1140.
SUPERIOR COURT.
Dame Sarah Trudel, wife of Philias Monette, of the City and District of Montreal, Plaintiff, vs. the said Philias Monette, Defendant.
An action for separation of property has been instituted in this cause.
Montreal, 10th May, 1899.
BEAUDIN, CARDINAL, LORANGER & ST. GERMAIN, 46-5 Attorneys for Plaintiff.

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