

The Catholic Record

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THE HOME BANK INQUIRY

Section 56A of the Bank Act empowers the Minister of Finance to appoint an auditor to conduct an independent investigation into the affairs of any bank when there is reason for so doing.

Obviously if these allegations were true the depositors' claim for compensation rested not on compassionate consideration, but on the strong moral ground of justice and right.

Wise, therefore, Mr. Justice McKeown was appointed to ascertain the facts of the case.

It may serve our readers to reproduce here some paragraphs of this report.

The questions are those that were referred to Judge McKeown; and the answers thereto are taken verbatim from the interim report.

"Question No. 1: Whether in the years 1915, 1916 and 1918 representations were made to the Department of Finance of the Dominion of Canada respecting the condition of the Home Bank of Canada, and, if so, what representations were made?"

"Answer: (a) In the year 1915 no representations were made to the Department of Finance of the Dominion of Canada respecting the condition of the Home Bank of Canada.

"(b) The following important representations were made to the Department of Finance concerning the Home Bank of Canada during the years 1916 and 1918:

"1. That an amount more than double the total paid-up capital and reserve of the bank was locked up in four accounts the securities for which could not be realized upon."

"2. That loans wholly disproportionate to the assets of the bank had been made on inadequate security from which large loss was likely to occur."

"3. That amounts representing unpaid interest on at least three large accounts were carried into profit year by year and dividends declared on the basis of such fictitious earnings."

"4. That arrangements agreed upon at a meeting of the Board of Directors with a view to passing upon all credits and making an early statement showing the bank's position, with recommendations, were not carried out."

"5. That false returns were made by the directors of the bank to the Department of Finance."

"6. That specific instructions given by the Minister of Finance in 1916 forbidding the capitalizing of unpaid interest were disobeyed."

"7. That the President and some of the directors were indebted to the bank in large sums upon personal account and through companies in which they had an interest."

"8. That the auditor employed by the bank from year to year was incompetent, and important matters were concealed from the Board of Directors and from Mr. Lash, the bank's counsel."

"The condition of the bank, as revealed by the representations made, was such as to justify an investigation under the powers conferred upon the Minister of Finance by Section 56A of the Bank Act."

"Question No. 4: What effect would an audit under Section 56A of the Bank Act, if made in 1915, 1916 and 1918 have had upon the conduct of the affairs of the said bank and upon the position of the present depositors?"

"Answer: For the reasons above set out, I think an effective audit under Section 56A of the Bank Act made in 1916 or 1918 would have resulted, as far as concerns the conduct of the bank's affairs, in either:

"(a) Liquidation immediately following such audit, or,
"(b) Amalgamation with another bank."

"And the effect of such audit upon the position of the present depositors:
"If made in 1916, the present depositors would have suffered no loss."

"If made in 1918, I do not think any loss would have fallen upon them."

In answer to a further question as to what steps, if any, could have been taken by the Government to save the situation in 1916 or 1918 the commissioner says:

"The only steps that the Government could have taken to save the situation would have been to make thorough investigation into the bank's affairs, which would have resulted:

"(a) In forcing the liquidation of the bank; or,
"(b) Bringing about its amalgamation with another bank."

These findings will, we feel assured, simplify the whole question of compensation.

Sir Thomas White naturally would like to exonerate himself from blame in the matter but his weak defence is rather a confirmation of the Commissioner's report.

"Puerile and evasive as this it demonstrates the wisdom of having a judge, whose honesty and ability no one will question, pass upon the facts of the Home Bank case rather than leave it to Parliament.

The Commissioner is a man accustomed to interpret the law, to weigh evidence, to see clearly when facts are fully established. Therefore when he brings all his judicial qualities and experience to the investigation of the facts and the application of the law in this case his definite and unqualified conclusion is not "a mere expression of personal opinion, devoid of judicial weight or value."

It will carry great weight and be of much value for those charged with the responsibility of deciding whether or not the Home Bank depositors have a moral right to compensation for their losses.

Those who read Judge McKeown's enunciation of the representations made to Sir Thomas White will need no judicial decision that action under section 56A of the Bank Act was fully justified. It is difficult to imagine a case where such action could be more clamantly demanded.

Sir Thomas in his many public references to this matter has never been able to discuss it in a way either impersonal or impartial; always he tends to generate heat rather than light. He seems obsessed with the idea that it is he, Sir Thomas White, that is being tried and investigated.

Witness this from his comments on Judge McKeown's report:

"The statute is not mandatory but permissive. And for the exercise of this purely discretionary executive action the minister is responsible only to Parliament, and not to any commission or other tribunal whatsoever."

It is well known that section 56A of the Bank Act is permissive and not mandatory. But that does not mean that the Minister may do just what he darn pleases. This power was conferred on the Minister of Finance to protect the people who deposit money in banks. He is morally bound to use this power when the conditions obtain that were contemplated when such power was conferred on him.

It was within the discretion of the Minister to exercise this power or not to exercise it; in any

case no matter what the conditions. So Sir Thomas White contends. The contention is unreasonable, absurd. It was left to the discretion of the Minister to decide whether or not conditions justified an independent audit in any particular case.

If the Home Bank conditions did not justify an action then it will never be justified. Read over again the representations that had been made to the Finance Minister in the case of the Home Bank.

To stretch the discretionary limits so far as to say that the Minister is never bound to exercise the powers conferred on him if for any reason or for no reason he doesn't want to do so is to insult common sense.

Finance Ministers come and go. Governments succeed one another; but government goes on all the time. The Finance Department is continuous despite the change of personnel. The question now before Parliament is not affected by the fact that there has been a change in the personnel of Government or of the Finance Department.

It has been clearly established that had the Minister of Finance in 1916 or 1918 exercised the power which was vested in him for just such purpose that the Home Bank depositors would have been safeguarded from the losses that his inaction brought upon them.

The Department of Finance cannot shuffle off the responsibility for that dereliction of duty on to the ex-Minister. Nor can the Government of today rid itself of responsibility for the acts of its predecessors. Government and Parliament are responsible for the way banking is carried on. They make the Bank Act, they revise it every ten years. They are responsible for its provisions, they are responsible for its administration.

The failure of Sir Thomas White to act when he was made aware of the condition of the Home Bank is a legacy and a responsibility that the present Government and Parliament cannot refuse to accept.

Sir Thomas White has referred to War conditions and to his fear that action with regard to the Home Bank would affect public credit and confidence. If such considerations of public policy led to his decision, then it is an additional and a cogent reason why the Home Bank depositors should now be reimbursed for their losses.

In the light of Judge McKeown's report we have every reason to believe that neither the Government nor Parliament will seek to evade responsibility for action before the end of the present session.

CIVILIZATION AND HOMICIDE

By The Observer

There is no surer sign of a decadent civilization than disregard or a light regard for human life. No development of mere book learning will ever give the stamp of real and genuine civilization to a nation which is characterized by a prevalent disregard of any of the very greatest and most important of the divine prohibitions.

And it ought to go without saying that no piling up of worldly possessions can ever entitle a nation to call itself truly civilized while that same nation practices any pagan evil on a great and general scale.

It is well to see that the Catholic press of the mighty nation to the south of us, the United States, refuses to be blinded by the material greatness of that nation to the facts which indicate a real and serious decadence in the civilization of that nation.

Canadian social and moral problems are not much different from those of the United States, and such discussions are therefore of deep interest to us in this country. There is no country, not even Great Britain, today, which has so great an effect on this country as has the United States. In everything but our laws and our political constitution we are more American than British.

Our able contemporary in New York recently discussed the homicide record of that country. A well-known statistician, Dr. Frederick L. Hoffman, has been giving some figures concerning homicide in that country; and they are quite sufficient to cause any student of social morals and conditions to think long and anxiously. Incidentally Dr. Hoffman's figures dispose finally, if demonstration can make a final disposition of such a matter, of the old idea, originating in prejudice, that "foreigners" and the descendants of races that are not "Nordic,"

to use the favorite shibboleth of the past, are responsible for the greater portion of the murders in the United States.

In the year 1923 there was one murder for every 10,000 of the population. This is about three times the murder rate of Italy; a fact which may or may not suffice to prevent the people of Italy from being henceforth represented as the most murderous race in the world.

The City of New York is not, bad as its murder record is, the worst community in that respect. The highest murder rate belongs to Memphis, Tennessee, where the rate is 6.5 for every 10,000 of the population. The East, with its high proportion of immigration, is the best; the West with an almost wholly native white population, is in second place; and the South is the worst.

The total American record for homicide is twenty-five times as bad as that of Great Britain; due allowance made for the difference of population.

The cult of the "Nordic" strain is not boasted by the researchers on these matters. New York, which is a city composed of a great many races, is not as high in murder figures as some sections of the country where the "Nordic" strain is paramount. A western university presents figures to show that the crime rate of native white Americans is nearly three times as great as that of the foreign-born.

"America" remarks on an aspect of this matter which is so important that it dominates all other considerations save that of the actual moral guilt itself; and that is the failure to punish these murders. From figures we have seen elsewhere we think it is true that in the last ten years there have been 85,000 homicides in the United States, and our readers know pretty well how few persons have been prosecuted to conviction for that huge number of killings. This is a matter of the utmost gravity. If it were merely that eighty odd thousand killers had succeeded in baffling justice, the case would be grave enough; but who can suppose that reasonable efforts were made to punish the guilty when only a few hundred persons, if that many, were punished at all for that vast number of killings?

We in Canada have an interest in this matter; for we are travelling the same path, though not so fast. In this country, too, there is a distinct tendency to refrain from punishing even the gravest crimes. Only one thing can result from that had policy; and that is an increase in murders and all the worst crimes; and we have already had some proof that such results are beginning to manifest themselves. When a man is convicted of murder now in Canada, very often a sort of political fight begins; members of Parliament are overwhelmed with petitions, tears and supplications. Some very bad results have already followed such procedure. That procedure is taken in other cases besides murder; and in these other cases, very often the criminal is allowed out of jail when no real reason exists why he should not serve his term.

WE HAVE devoted thus much space to the Club because we consider it one of the very worthwhile institutions in Canada. The sailor's life under the best of conditions is one of hardship and isolation, and his days ashore are beset with temptations. Deprived of the Sacraments during long voyages he has evils to contend with unknown to the average landsman. To be welcomed, therefore, on shore by those of his own Faith, and made to feel that he is in the best sense a brother, is a peculiar boon. How many, long estranged by the force of circumstance from their religion, have found spiritual rejuvenation in the Catholic Sailors' Club of Montreal will never be known in this world. But that they form now a considerable host is certain. And they will go on increasing.

NOTES AND COMMENTS

WE ARE pleased to note the continued success of that most worthy institution, the Catholic Sailors' Club of Montreal. From a very humble beginning in a little garret, over a tobacco factory, where a few sailors gathered to smoke, sing, and exchange experiences, the Club has grown into one of the largest institutions of its kind anywhere. "Years of careful, watchful and business-like economy," says the Montreal Star, "have made it possible for the Club to entirely remodel and re-equip their old quarters, and the construction of a new Sailors' Club in almost every sense of the word, is now being undertaken. No appeal to the public has been necessary in order to make these substantial alterations and additions."

It was the present writer's privilege to visit this institution many years ago, and he recalls with pleasure the evidence available on every side of the successful grappling with the problem of caring for the spiritual and social welfare of the sailor-man ashore. The Club was then under the spiritual guidance of the late Father John Coffey, S. J., ably assisted by a corps of zealous ladies and gentlemen, representative of the best Catholic families of Montreal. What struck us particularly then was that while every facility and encouragement was given to the sailor to conform to the precepts of his religion and to avail himself of the Sacraments, there was none of that obtrusive, officious meddling characteristic of most sectarian institutions of the kind, and the air of sactimoniousness was entirely lacking. The sailor was first of all made to feel at home, and the spirit of the place was such as to bring out all the best that was in him.

IN PLANNING the new building, we are told, every need and comfort of the mariner has been thought of. Larger and more attractive common rooms, billiard rooms and rest rooms have been provided; tiled bath rooms, equipped with both plunge and shower baths, are being installed; the concert-hall has been enlarged and decorated, and the platform or stage raised and extended on both sides and in front. This commodious room is to serve the purpose of both concert-hall and chapel, the stage being transformed on Sunday morning and other necessary occasions into an altar and sanctuary. Further, the entire building, which formerly had been leased in part to other organizations, is now to be devoted to Club purposes. A large entrance is being built in St. Peter street, while an entirely new stone front will transform the concert-hall.

WHEN THE Club was first organized its operations, as we have already said, were begun in a little garret. But even this was, under direction of a committee of zealous women, made comfortable and cheerful. The membership increased, however, and these quarters were soon outgrown. An old factory on the present site was then leased, and in 1900 the Club was incorporated. Since then its progress has been steady. One of the guiding spirits in those early days was the late Mr. F. B. McNamee, contractor, who not only gave freely of his wealth for the maintenance of the institution, but devoted much of his time to its work personally. Lady Hington, too, who is President of the Club's Committee, has been one of its most active supporters, and the Catholic Truth Society has all along had much to do with its development and extension.

THAN THE present site of the Catholic Sailors' Club there is no more historic site in Montreal and Montreal is a city with a real history. The very spot was established as a trading post by Champlain in 1611, and as a fort by Maisonneuve in 1642. Towards the end of the seventeenth century the beautiful gardens of the Charron Freres were situated here, and these later passed into the care of the Grey Nuns. There is everything inspiring, therefore, in its past associations, and its present custodians may well pride themselves upon carrying on the tradition.

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TO RESTORE POPES' PALACE AT AVIGNON

Paris, May 30.—Several rooms of the Palace of the Popes, at Avignon, were converted, about fifteen years ago, into barracks for engineer troops. Wooden partitions and floors had been put in, dividing several of the rooms into smaller quarters. These partitions and floors are now to be removed, and the Consistory rooms, in particular, will be restored to their former magnificent proportions.

This restoration is due to the efforts of a group of artists and of the Catholics who have long been anxious to have this venerable monument restored to its original aspect.

WORLD PEACE PLAN

COUNCIL FOR INTERNATIONAL STUDY AND ACTION TO BE ORGANIZED IN LONDON

By George Barnard (London Correspondent, N. C. W. C.)

London, May 21.—The council for International Study and Action which was inaugurated at an important conference at Reading last autumn has secured the approval of the English Hierarchy. The work of organization will now begin, and towards that end a meeting has been called for June 19, at which Cardinal Bourne will preside in London. Invitations are being issued to all Catholic societies which are, or could be, concerned with the education of public opinion along the lines of the council's plans. At this meeting delegates will be appointed to the joint council.

PROGRAM OF STUDIES

The declared policy of the council is to organize the Catholics of England in order to give effect to the Pope's plea for the restoration of the "Peace of Christ."

It will begin its work by encouraging the study of:

(a) The application of Catholic principles of morality to relations between nations.
(b) The value and shortcomings, for this purpose of existing international institutions.
(c) The extent of the citizen's responsibilities for the conduct of his country's foreign policy and the fulfilment of her international obligations.

To render effective the convictions formed by such study. The far-reaching effect of the council's policy is seen in a resolution passed at the Reading conference last October.

After affirming its allegiance to the Holy Father, "the Guardian of the Moral Law," the conference put itself on record as follows:

"In view of the responsibility of the individual citizen for the morality of government action, it is advisable—in the opinion of this conference—that there should be established in each State a competent tribunal, independent of the executive and of domestic politics, whose considered decision on the morality of the issue should be required prior to a declaration of war."

This, it will be seen, is an effort to make it impossible for nations to go to war for the selfish reasons which in the past have sent millions of men to a battlefield death. International disputes would be considered by an international body, outside the political arena, which would weigh the rival claims in the balance of morality.

Before so comprehensive a scheme can be put into operation, a vast amount of spade work will have to be done in order to form public opinion in its favor. It is this work which the council proposes to begin by a systematic attempt to get the Catholics of England to study the moral law in its application to nations, and the citizen's responsibility for the conduct of his country's policy.

PLAN APPROVED BY POPE

The scheme has secured the approval and blessing of Pope Pius XI, who, in a message to the Reading conference, said: "The August Pontiff praises in a special manner this movement that you have set on foot. It is his prayer that you will successfully accomplish the end you so much desire."

Cardinal Bourne is the patron of the movement and the Bishop of Portsmouth its president. Having reached the preliminary stage as the result of the initial conference, the whole scheme came before the Hierarchy of England and Wales at their recent annual meeting at Westminster.

The scheme was approved by the bishops, and Cardinal Bourne has instructed the acting secretary, Mr. John Eppstein, to issue invitations to all recognized Catholic societies which are capable of participating in the movement to attend the conference on June 19.

The scope of the council is set out in an extract from the scheme as it was laid before the bishops:

"This national committee shall be free to cooperate with any organization—British, foreign or international—from whom it can obtain or to whom it can offer useful assistance in educating public opinion upon the requirements of international morality, in furthering any particular measure of reconciliation or cooperation advocated from time to time by the Holy Father."

That each society, accepting the invitation to collaborate with the national committee, be invited to state in what way and to what extent its cooperation can be utilized.

"In acting upon this information the committee shall coordinate activity in such a manner as to promote and not hinder the free development of the organization concerned, and to avoid causing friction between the various bodies."

DENIES LEAGUE IS BEHIND IT

Mr. John Eppstein explains that there is no desire to lay down in any cut and dried form the ways in which existing societies will be invited to collaborate through this joint council.

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Obviously, he says, all such organizations must retain their independence, and only by common

agreement can their various programs of work be developed or modified for this particular purpose.

Further, Mr. Eppstein makes it clear, it must lie entirely with the bishop of each diocese to decide whether or not it would be wise to make use of the committee in any way within that diocese.

Of course, a large scheme has been criticized. Suggestions have been made that the whole movement has been engineered and paid for by the League of Nations. But this is denied by Mr. Eppstein, who declares that no financial assistance has been given by either the League of Nations Union or by the League itself.

NATIONAL CONGRESS

OF CATHOLIC EDUCATION IN SPAIN

By Rev. Manuel Grana (Madrid Correspondent, N. C. W. C.)

Madrid, May 12.—The National Congress of Catholic Education is over and it is now possible to tell of accomplished facts. The success of the Congress was expected but as a matter of fact it exceeded all expectations. Hundreds of religious orders and a great number of private institutions took part in it together with many professors from the official schools, thus proving the solidarity which exists among Catholic educators, be they professors in private or public schools. A whole week was devoted to sessions, conferences, excursions, study and propaganda. The Military Directorate took part in the solemn opening session in the Teatro Real, which was attended by the King and Queen. The closing session, also held in the Teatro Real, was no less impressive, being attended by all the Cardinals and Metropolitans of Spain, by a large number of prelates and by the Nuncio of His Holiness. Never has Spain witnessed such an important manifestation in favor of national culture. The Congress may be said to mark an epoch in the history of modern Spain.

EXPOSITION OF SCHOOL WORK

The most important feature of the Congress was the Exposition, which was a remarkable record of work and effort. Samples of work, books, texts, methods, buildings and equipment and every kind of school material was displayed on a large scale. The great rooms of the Palace of the National Library, granted by the Directorate for the Exposition, were unable to hold all the objects exhibited, and exhibits had to be arranged up and down the great staircases. The Exposition is still open and is visited by thousands of persons. The faculties of public institutions have been unable to conceal their astonishment, but it may be said that the greatest surprise of all was that of the Catholics themselves. The Catholics knew that their schools were good, but were amazed to find them so good and so numerous. In his address at the close of the meeting, the Bishop of Madrid declared that while this undertaking had been a tremendous work, nevertheless it was only a trial, and that in about two years time another Congress and another Exposition would be held.

The resolutions studied and passed by the different sections will be presented to the Military Directorate for consideration in the new system of education which is now being elaborated.

MISSIONARY WORK IN AFRICA

Dublin, May 26.—The Rev. H. Gogarty, C. S. Sp., bishop-elect of the vicariate of Kilimanjaro, in East Africa, relates some interesting things of the Vicariate, its people, its trade and its characteristics.

The vicariate is about the size of Ireland. It is about three degrees below the equator, and it takes its name from the highest mountain in Africa, which rises 30,000 feet and is crowned with eternal snow, although beneath the blazing rays of the equatorial sun. This mountain has a population of 100,000.

The population of the entire vicariate is 500,000 of whom 450,000 are pagan, 40,000 are Mohammedan and 10,000 are Catholics. Evangelization is done through the medium of native languages. The Christians are really fervent, and rarely does one fall back into pagan customs.

The missions are favourably received by the chiefs of the various tribes. The schools number about 230, and to these go thousands of children both of pagan and Christian parents. The natives are intelligent. Some are smiths and do really good iron work. Others cultivate the land successfully and open irrigation works, running canals down the slopes of the mountains for distances of from ten to twenty miles.

In parts of the Vicariate, one can make use of steamship or railway to get about, but in other parts travelling has to be done on foot, and going from one mission to another, the missionary has to pack his tent, camp bed and kitchen utensils.

"It is a mistake to look upon these tribes as savage," says Father Gogarty. "Primitive they may be called, but they certainly have a native culture of their own. The Catholic missionaries, while teaching