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Messenger and Visitor.

WEDNESDAY, JAN. 29th, 1896.

THE POWER OF JESUS.

This is the suggestive title of next Sunday's lesson in the Sunday Schools.

Jesus was wonderful as a teacher. There were in His words an illumination and an authority which profoundly impressed every honest hearer. He possessed a wisdom which His enemies were not able to gainsay or resist. Such a man as Nicodemus, the Pharisee, felt and confessed the heavenly character of His doctrine and the people generally hung upon His utterances, because He taught them as one having authority and not as the Scribes.

But the need of the world was larger and deeper than could be met by a teacher merely, though he were "come from God." The Redeemer of the world must bring to it more than the illuminating power of truth however powerfully presented. The world's Saviour must be able to meet the world's profoundest needs. The power that was in Jesus was not only that of the prophet or teacher but that also of the priest. The world had felt its need of prophets, and every true prophet and prophecy found their completion in Him. The world had also, and more keenly, felt its need of priests, and all truth foreshadowed in human priesthoods found its realization in Him, the Great High Priest of Humanity.

Wherever therefore Jesus sat as teacher or stood forth as preacher, there was present a power and an authority which was more than that which pertained to the prophet alone, glorious and divine as that power was in Him. It is the power of the one and only High Priest who mediates between the sinner and his God. This power to heal is ever present where the Great Teacher is. It reaches forth with all the tenderness of a mother's touch, with all the authority of an answer from God and all the power of the Almighty Arm in answer to the most trembling petition of faith. Over the upturned face of the speechless paralytic, whose pleading silence and helplessness make mute but eloquent appeal, it bends in infinite grace and infinite authority, saying, "Man, thy sins are forgiven thee."

No lesson than we can learn or teach is more important than this of the authority of Jesus as the Priest of humanity, that He has power to forgive sins, that, by virtue of the sacrifice which He offered once for all, He is able to accomplish His divine mission of reconciling men to God, and that no one who truly comes to Him for help shall come in vain. To the hoarse cry of the leprous sinner, loathing his impurity, the voice of Christ rings out in prompt compassion, "I will, be thou clean." His divine virtue wells forth to meet the timid touch of the fainting soul and to every true penitent the gracious response comes, "Man, thy sins are forgiven thee."

The healing power which especially claims our attention here is that which has reference to spiritual needs. The physical ills of humanity are great, they cry out for healing, they touched the heart of Jesus and called forth His sympathy and help. But it was not to bring physical but spiritual healing that He came. "He was manifested to take away our sins." Behold Him as "the Lamb of God that taketh away the sin of the world." It is only through spiritual healing that health comes. "He whose sins are not forgiven is not yet made whole. Better that the poor paralytic who was carried on his bed into the presence of Christ had gone back as physically helpless and hopeless as he came, if only he carried back with him the peace and joy of pardon, the light of God's love shed abroad in his heart and the power of a holy spiritual purpose controlling his life—infinitely better this than that he should have gone forth carrying his bed and rejoicing in perfect physical soundness, if withal his soul remained untouched by penitence or faith or love.

The New Brunswick Legislature will meet on Feb. 13.

THE RED CROSS MISSION.

Miss Clara Barton, president of the Red Cross Society, sailed on Wednesday morning last from New York for Southampton, en route for Constantinople, where she will seek permission to enter Armenia to administer relief to the suffering and needy of that afflicted country. Miss Barton is accompanied by Miss Lucy Graves, stenographer; Mr. Ernest Mason, linquist; George H. Pullman, private secretary to Miss Barton, and Dr. J. S. Hubbel, general field agent of the society in America. From Southampton the party will proceed to London and thence by way of Paris, Geneva, Baden and Vienna to Constantinople. According to certain statements lately published which are supposed to reflect the views of the Turkish Government in the matter, Miss Barton is not likely to gain the permission of the Turkish authorities to carry out her plans in regard to philanthropic work in Armenia. The Red Cross Society, it is true, holds no commission to help Christians rather than Turks. It is formed upon the broadly humane principle of affording help to the suffering, of whatever country or whatever religion they may be. But though the Sultan knows this perfectly well, he is not likely to permit, if he can well avoid it, the entrance into Armenia of people who may be expected to know and report accurately to the world the events which are taking place in that country. It is stated that in England, France and Germany, Miss Barton will confer with the heads of all the Red Cross societies there, as well as with the members of the international branch at Geneva, with a view to securing intelligent co-operation. Should the situation justify it, she will establish Red Cross hospitals at Alexandretta on the Mediterranean and at Trebizond and Sassoun on the Black Sea. Miss Barton is reported as saying that she was not starting on her mission in any spirit of bravado. She would make use of all diplomatic efforts to accomplish her mission. If she gained admission to Armenia, all who needed help whether Christian or Mohammedan should be assisted. We can but hope and pray that God may bless this mission in its philanthropic work so that at least something may be done to mitigate the horrors which the whole civilized and christian world seems to confess itself unable to prevent. Considerable sums of money have been contributed to aid Miss Barton in her work and if it is found that an effective agency for the relief of the suffering we cannot doubt that liberal means will be provided.

WHAT HAS MANITOBA DONE?

It seemed to us right to present, as we did last week, our views as to proposed remedial legislation in the Manitoba school matter. We have no desire however to press our opinions on any whose study of the subject leads them to different conclusions. The article from the pen of J. Parsons, Esq., of Halifax, which appears elsewhere in this issue, will, we doubt not, receive from the readers of the Messenger and Visitor the consideration to which it is entitled. We cannot, however, but feel some surprise at the views which Mr. Parsons enunciates. Much of what the article contains might certainly be endorsed if one were able to accept what seems to be the grand underlying premise of it all, that, when Manitoba came into the confederation, there was a solemn compact and a constitutional provision which secured separate state aided schools to the Roman Catholics of the province in perpetuity. But it must be evident that Mr. Parsons has not even attempted to establish that premise, nor do we know of any one who has been able to supply this missing but most essential link in the logic of those who would have us believe that Manitoba cannot be justly and safely trusted to deal with her own educational concerns.

It was indeed supposed by many persons that the right of Separate Schools was secured to the Roman Catholics under Sec. 22, sub Sec. 1, of the Act of Union. When the present Manitoba School law was enacted, Roman Catholics contended that it was unconstitutional, inasmuch it deprived them of rights which they had at the entrance of the province into confederation. But everyone knows that this contention was negatived and the constitutionality of the school law fully established by the decision of the Imperial Privy Council. We do not know whether or not Mr. Parsons would hold it possible for that august tribunal to render an incorrect judgment, but, right or wrong, there can be no question that the judgment was decisive and that it stands as a part of the unwritten constitution of Canada.

If then the people of Manitoba, acting within their constitutional rights and in accordance with regular constitutional methods, have enacted a law on a subject placed by the constitution under provincial control, who has a right to charge the province with unfair dealing and with having violated a solemn compact? If the Legislature of the province, in giving effect to the will of nine-tenths of its people, was acting simply and strictly within the rights secured to British Colonies wherever responsible government obtains, the comparison of the situation in Manitoba, to that of a weak party illegally oppressed by a stronger (to say nothing of Armenian horrors) does not seem to fall in happily with the facts of the case.

We are not saying that the Manitoba School law was, in view of all facts and contingencies, a superlatively wise and wholesome piece of legislation or that the Protestant majority in its treatment of the R. C minority has acted altogether wisely and generously. That we have no call to discuss. But to admit that the law was not the best possible, and that the majority did not act generously is one thing, and to charge that the law is in violation of constitutional and legal obligations is quite another. A policy of non-interference in this case seems to us in the farthest degree removed from "cowardly acquiescence" in wrong doing. It is simply a recognition of Manitoba's right and ability to deal with its own particular affairs in accordance with what a very large majority of its people conceive to be the best interests of the province.

With what Mr. Parsons says in respect to the force of the deliverance of the Privy Council on the right of the R. C. minority to appeal to the Governor-General in Council we quite agree, except as to the one word, "unfairly." If, however, the Judicial Committee of the Privy Council did go so far beyond what they were asked to go as to express or to imply the opinion that the R. C. minority had been unfairly deprived of rights or privileges, that did not mean that these had been taken away illegally or unconstitutionally. In any case, such an opinion must pass for what it is worth, and Parliament must consider whether there would not be a far greater unfairness in reimposing a system of Separate Schools upon Manitoba in opposition to the will of a very great majority of its people. If it is said that justice to the Roman Catholics demands that the School law shall be disallowed, then it appears that justice would forbid the enactment of a common school law in any province in which Roman Catholics had once enjoyed the privilege of Separate Schools, and according to Mr. Parsons, it would seem that the smaller their numbers the more they are entitled to consideration. In this view of the case, an injustice must have been done to the Roman Catholics of New Brunswick when the Common School system was established—an injustice which was only less grave than that which it is now proposed to remedy in Manitoba, because the R. C. minority in N. B. was larger. We, however, are convinced that the policy of non-interference in the case of the latter province was a wise and wholesome one and we believe that it will be an equally wise and wholesome policy to permit Manitoba to manage its own school affairs.

The Committee of a Baptist Church Before a Court of Law.

It is not common to find reports of courts of law in the Messenger and Visitor. No complaint, so far as I know, has been made on account of it. This, however, is a rule to which there may be an exception; and I think your readers will be interested in the account which I hereby give of an action at law virtually against a Baptist church for the exclusion of one of its members from membership.

THE CASE STATED.

Some three or four years ago a member was excluded from the said church. The expelled member resented the expulsion, and set at naught the church for its act of withdrawing fellowship from him. This defiance manifested itself in various ways, but chiefly by his inspiring the publication of an article in a newspaper, reflecting seriously upon the church. A committee of seven men was appointed to interview the member in question, and to report on his conduct. His case was examined by this committee in his presence. A report was brought in by it, detailing the result of their investigation, and expressing the opinion that the newspaper article was not according to the facts of the case and that his conduct had been "unbrotherly" and "unchristian." In view of this report and as a result of it the member was expelled. He then took action at law against the seven men composing this committee, because the report of this committee had resulted in his expulsion. The main count in his declarations was that he had suffered on account of his expulsion, brought about by the malicious slanders of these men in their report, suffered in his health, in his standing in the community and in his business. These threatened proceedings were suspended over the heads of the members of this committee for two or three years; but at last they came to a head in a trial before a Supreme Court at one of its regular sessions.

THE TRIAL.

Able counsel was employed both by the plaintiff and the defendants. With due form the case was called, a jury of seven men was selected and the proceedings went forward. Witnesses were called examined and cross-examined. All papers connected with the case and the books of the church were demanded and produced. Had this Baptist church been a creation of the State, and not a church of Christ, free and independent in a free country, it could not have given up more willingly every thing in its possession to the court to aid in its own prosecution, than it did on this occasion. The books, minutes of all meetings and reports of committees were in excellent form and order. With all this material at command the case was heard for two whole days and a part of a third. By the help of witnesses, including the expelled member himself, and a member of the church, and all the records of the church and of its committees which bore on the case, the learned gentleman for the prosecution and the defence made thorough work in these legal investigations. The court did not limit its examination to the doings of the committee and the action of the church, directly connected with the expulsion of the member, but it was ruled that the court had jurisdiction to go back and examine the acts of the church which offended the excluded member, and which was his alleged reason for opposing the church. This seemed to be done with the purpose of ascertaining whether the expelled member had had good and efficient cause to protest against the decision of the church in a case of discipline, which was made by him the ground of his public resistance to what the church had done. To do this, witnesses, who had been before the church four or five years ago, were called and re-examined as to what their evidence was when they were before the church. Here the examination of the witnesses was made by the legal gentlemen on both sides most thorough, as if the settled purpose was to know assuredly whether the church had done right or wrong, wisely or unwisely in its action alleged by the expelled member as good ground for the resistance to his church, which resistance resulted in his expulsion. The court, therefore, seemed not to limit its right to investigate the doings of the church directly connected with the expulsion in question, but also to decide whether the church had done its duty in a prior act which led the member to publicly condemn his church.

THE DECORUM OF THE COURT.

The presiding judge was patient and fair in his hearing counsel, in helping witnesses and in his rulings. The counsel on their part were respectful to each other and to the judge. The jury patiently listened to all that was said, and looked as if they intended to be true and just in the verdict which they might be required to give. Granting the right of a civil court to try a Baptist church for its doings, as a church of Christ, and either pronounced its conduct good and right or condemn its doings and inflict penalties accordingly, no better tribunal than this court could be desired. Judge, lawyers and jury bore themselves well in this matter as worthy administrators of British law.

SOME THOUGHTS OF A BAPTIST PRESENT AT THE TRIAL—ABOUT THE RESPONSIBILITIES OF THE JUDGE AND JURY.

A Baptist church is now on trial for administering discipline to two of its members. The essentials in the constitutions of the church are the following: All the members of the church respectively profess to have been born again of the Holy Spirit; to have voluntarily united themselves together as a church after baptism, in the name of the Trinity, to have pledged themselves to obey in all things the Lord Jesus Christ; and among these promises that of administering the discipline of his church, according to the words of his special commandments. Now for doing what they, as regenerated men and women in their church capacity, were bound in conscience, in judgment and solemn pledge to do, they were summoned to the bar of a civil court, and there required, through civil processes of a most searching investigation, to give an account of themselves; and all this with a view to their justification or condemnation by a civil court. This was something new, compromising and attended with grave difficulties.

The judge, no doubt, for the first time in his life was guiding an examination into the doings of a Baptist church—a body of regenerated men and women who, being illuminated by the Holy Spirit, had enforced the rules and regulations of Christ the head of their church. This was a heavy duty for the judge of a civil tribunal. He felt it so, I imagine. Then there was the jury, taken irrespective of their religious convictions or connections. Not so! One was rejected because he was a member of a Baptist church. Well, if a Roman Catholic, the juryman would say to himself—"the priests and bishops in my church attend to church discipline and I have had no experience in this business; the Presbyterian could not but be reminded that the Sessions, Synods and Assemblies of his denomination looked after such matters; into the mind of the Episcopalian the fact would come that the rectors and bishops were judges of affairs of this kind in his sect; the Methodist juryman would reflect that the ministers looked after discipline in his church; and the juryman of no religion could not but be reminded that he had no religion, and was not qualified to be a judge in a matter of which he was wholly ignorant.

For more than two days these seven honest men of the jury followed the court through a labyrinth of evidence, gathered from the reading of documents and the words of living witnesses, and presumably did their best, as British subjects, to discharge their duties, heavy in their character, and solemnised by sacred oaths.

They anticipated the end—declaring in a secret chamber on the right or wrong doing of a Baptist church, and if the latter, how much damage the excluded member had suffered in health, good name and business; for his delarations had alleged these points as the grounds of his claim. To judge in these matters involved crushing responsibilities.

SOME THOUGHTS OF THE BAPTIST PRESENT ABOUT LIBERTY OF CONSCIENCE FOR A BAPTIST MEMBER AND A BAPTIST CHURCH.

Is not soul-liberty—liberty of conscience—a citizen's right in Canada? Does not a Baptist church enjoy the right to hold and express its own belief of doctrine and church usuage? Does not each member, when uniting with a Baptist church agree, either by what is implied or stated, to hold the essential doctrines of the church, to maintain them and to aid in enforcing the standard of its christian morals, laid down by the great Head of the Church in his holy word? To believe and propagate the doctrines of the bible, to live under its rules of conduct, and to aid in their inculcation and administration, free from all state control or interference, had always been the belief of the Baptist, a spectator in this court. But it seemed that he had been in error.

Is it possible that a court of law, an organization of the State, has authority to call the officers and members of a Baptist church before its tribunal to give a strict account of themselves in what they have done as members of the church in the ordinary proceedings of the discipline of the church, when no charge has been made that they had departed from the usage of the church, or any proof given that they had violated the laws of natural justice? Has a court of law in Canada the authority to call for evidence, documentary and oral with a view to acquit or condemn a committee of a Baptist church in a matter of this kind, and if a committee, by construction, the church as well?

So far as it appeared from anything said by the presiding judge or the learned council for plaintiff or defendants, and this throughout the proceedings extended through two whole days, Baptist churches hitherto have been masquerading in Canada as independent of the State, and have had their independence only by the sufferance of civil authority.

These apparent assumptions suggested to a Baptist that a free church in a free State was yet to be fought for in this Dominion and that Baptists had not yet got to the end of their work in contending for liberty of conscience. So far as appeared at the end of the second day, no law existed to protect them in the enjoyment of their religious rights and privileges. This too at the end of the nineteenth century was astonishing. The accounts of the ancestors of the Nova Scotia Dimocks paying fines and suffering imprisonment in the old colony of Connecticut for conscience sake naturally came up as a memory. The sound of the reverberant lashes on the back of Obediah Holmes, received under the elms of Boston common, because he claimed the right to worship his Maker as his conscience and judgment dictated, echoed in the ears of this spectator during this trial in court. The click of the old lock that, in colonial days fell upon the ears of Baptist ministers, shut out from liberty, and shut into the narrow confines of Virginian gaols, like distant echoes seemed again to fall distinctly upon the organs of hearing.

In these puzzled cogitations it was suggested as a possibility that some demon had got his hand on the crank of the universe and had turned the world back a few centuries, making the past, when thumbscrews, the stake, fines and lashes were ordinary means of grace the present. But this sad aspect of the trial came to an end at last. After the plaintiff's attorney had examined his last witness and put in his last bit of documentary evidence, the defendant's attorney quietly came to his feet, looked the Judge fully in the face, and told him that the court had no jurisdiction in the matter—none whatever, not the slightest. Whether or not the Judge was surprised, whether or not the plaintiff's council was or was not surprised, I do not know, but they appeared to be.

To sustain what he had asserted the defendant's attorney turned upon the hearing of the court such a flood of authority as to make the opposing counsel attempt at once to change his ground or rather to get his case on some kind of a foundation. Courts of law, as was shown by the authority of many decisions in England, have no authority to examine the discipline of voluntary societies when they have kept within their usage or rules, and have not violated the law of natural justice. Men expelled from *clubs* even were thereby debarred from getting redress for alleged wrongs. Much more, said this learned attorney for the defendants, would a Baptist church, a voluntary society, be protected in administering its discipline. He would defy any court in any part of the British empire to find jurisdiction in so calling a Baptist church to an account for its doings.

The clouds vanished, light came full and bright. English law guarantees the rights and privileges of Baptist churches.

The Judge took the night to examine the authorities adduced before giving his ruling in the matter. The morning came, the plaintiff's attorney asked leave to change his "counts" so as to make them libelous without including the act of expulsion on the part of the church. This was to exclude the church from the allegations altogether, and hold the seven members of the committee accountable for reporting to the church alleged malicious slanders of the plaintiff. The plaintiff's attorney seemed to take it for granted that his case had been resting on thin air, and not on the jurisdiction of the court. The Judge granted him the right to change his "counts" as stated above.

But the defendant's attorney had already said that the committee's report did not contain even the shadow of slander of any kind. He had read it over paragraph by paragraph, asking the court after the reading of each passage, is that libelous? is that libelous?

But the defendant's attorney said, that as the committee was acting for the church its report was *privileged* and could not be touched by any court. Furthermore, said he, the chairman of this committee, acting on my advice, given in the light of the declarations of the plaintiff's attorney, has gone with his family to a warm climate, and cannot be got here to answer to the new charge made in the changed declarations; all plaintiff's witnesses have been examined and cross examined in the light of the first form in which the charges appeared, and to go on would be manifestly unfair. The Judge then dismissed the jury and adjourned the court, saying that he reserved the matter of fixing costs.

Thus ends the first chapter and it is likely it will be the last.

E. M. Saunders.

Shall Manitoba Deal Fair?

Mr Editor,—Your remarks last week giving your opinion on the School Question naturally require that the views of others shall appear in the columns of the Messenger and Visitor. Public education and separate schools have had my careful attention since 1856, when I began teaching. I was and am opposed to separate (denominational) schools. It was regrettable when Manitoba came into Canada, that mainly during the first Reil rebellion, certain terms had to be made giving separate schools. My regrets were largely for the Roman Catholics themselves, believing as I do that they stand better chances for happiness, success and good citizenship by having the sturdy public school training. But it is a historical and legal fact that they had and enjoyed certain privileges under the Manitoba Act of Union. Nearly six years ago the Manitoba Legislature enacted a general school law and repealed the then separate school clauses. When two make a bargain they should adhere to it until both agree to change—it is not considered honest for one party to back out. Because one of the parties is weak, (or few in number) is such a peculiar reason that its is better not mentioned. If an individual tries such, there is a law to compel him to keep his word. It is not called "coercion," it is merely compelling fair and honest dealing. That country is in a sad plight where law is backed so poorly by public opinion as not to restrain the power of might. A dark illustration of such is seen at present in Armenia.

Two courses were open when Manitoba in 1890 annulled the separate schools,—(1) the Act could have been disallowed by the Dominion Government. (2) It could stand, and the questions concerning it could be carried into the courts. The latter was wisely adopted. We thereby got the decisions of the highest courts of the British Empire. It gave time and opportunity for examining every phase and fact of the question. Nothing new has been elicited the past year or two, except Rev. Geo. M. Grant's discovery that the Mennonites, (or some sect) were receiving public money for sectarian schools; but some consider this not very important nor surprising. While the "school cases" were pending the prevailing public feeling was, to abide by the verdict, and if the courts should say the Roman Catholics have lost no rights, not to give an inch; but if the Privy Council should say the Catholics were deprived of privileges which by solemn bargain and use had become rights, then the grievance must be remedied. We all thought Manitoba would bow to the decision of the Privy Council and hasten for the sake of high principle to undo the wrongs committed.

The decision of the Privy Council given last year in legal phraseology, meant two things. (1) The Legislature of Manitoba unfairly deprived the Roman Catholics of certain beforeheld rights or privileges. (2) If the Manitoba Legislature will not restore, or agree on satisfactory terms, the parliament of Canada is the only power in the world to provide a remedy.

The acts and facts of the past six years and especially the recent local election, show plainly that neither legislature nor people of Manitoba are clear or dispassionate enough to hold to what they no doubt consider a bad bargain. "No concession to Catholics," has been the withering, and I regret to say, successful cry. This may be because the Roman Catholics of that province "constitute a small minority of the population." However, I cannot believe that the good sense and christianity of *all* Canada are so tinted that Manitoba would be upheld in her unfair dealing.

The Dominion Government more than once, I think, invited Manitoba to confer with the Roman Catholics and effect settlement, but Manitoba always declined. After the decision of the Privy Council there was only one of two courses for Canada,—(1) remedial order which if not obeyed, followed by action in shape of a Dominion Act of Remedy, or (2) silent, cowardly acquiescence in the wrong.

I would blush with shame, if a nation even though young, born and educated in British freedom should adopt the second course. Next to freedom and fair play for myself, I as a Baptist and a Canadian, must lift my voice and influence for the same blessings for others. Giving back the rights which the Roman Catholics formerly possessed by solemn compact is certainly fair dealing and not "foisting." There is no special difficulty enforcing remedial legislation as will be seen when the bill is published. Silent non-interference on the part of the Dominion would in my opinion be unjust and perilous.

Halifax, Jan. 23. J. Parsons.