

name. The Church alone, under the guidance of the Holy Ghost, possesses the key to Divine Revelation and to the Written Word.

THE LIVERPOOL CATHOLIC TIMES comments in a recent issue upon the changed attitude of Scotland in recent years to the feast of Christmas. The comment is timely. A generation ago Christmas was to all intents and purposes a thing unknown to the great mass of Presbyterian Scotsmen. With other great feasts solemnly observed before the Reformation, Christmas was relegated to the region of "Popish Superstition by the so-called Reformers, and from that time on, was, by the governing bodies of the Kirk, held to savor of popery and idolatry. The old pagan Yuletide was revived, but to the mass of Presbyterians centred in New Year's Day, and the beautiful commemoration of the Birth of Christ put altogether in the background. In this, Scotland, so sadly trampled to earth by a coarse and brutal Calvinism, was isolated from the rest of Christendom and to the outside world gloom and sadness became associated with the very name of the country. With the increasing intercourse with other countries this isolation has to an extent broken down, and while Christmas is by no means generally observed, even as a day of relaxation, the old antagonism has in a measure departed, and a more rational spirit is making itself felt. The children of Scotland, certainly, have reason to hail the change with gladness.

THE DEATH of Bishop Verdagner, Vicar Apostolic of Brownsville, Texas, recalls a life of quite exceptional devotion and consecration. His field of labor was the lonely district of the Rio Grande, covering an immense area inhabited principally by Mexicans and Spaniards. These settlers are widely scattered, homes few and far between, and chapels located on ranches many miles apart. The venerable Bishop had for years laboriously travelled over this territory, and was once again in his seventieth year, worn out by fatigue and privation, making a visitation of his scattered flock, when death overtook him. At one place he had confided 300 persons, at others 220, 75, 90, 200 and 140 respectively, and so on up and down the river valley, speaking often four and five times a day, hearing confessions, and performing the other duties of a missionary priest.

THE DAY before his death the Bishop had had a fainting spell due to weariness and exhaustion, but on the following morning had confirmed one hundred candidates and then boarded an ambulance to continue his journey to Mercedes, a point on the Mexican frontier. It was on the open prairie, several miles from his destination, with no medical aid at hand and attended only by his secretary, that the end came. A spell of weakness came on again and the old apostle fell into a state of coma. Rousing himself by a supreme effort of the will, he had but time to say to his faithful attendant, "My son, give me absolution," when his soul took its flight. "Duty is the sternest word that was ever written across the human heart," says the New Orleans Morning Star, commenting on this incident, "but it is also the most beautiful. In his sublime example of devotion to duty, even when death had laid its hands upon him, Bishop Verdagner has left a precious legacy to priests and people." He has done more; he has given another saint to the court of heaven, and another intercessor there to the Church militant.

CHARGES of papal aggression in these early days of 1912, says Rome, make curious and suggestive reading. In Canada we are undergoing quite a siege in this respect, and in Ireland the drum is being beaten to the breaking point. Yet in certain European countries the Church is being persecuted and plundered, and her priests turned out penniless upon the highway, or deported to other shores. And all this as a testimony to their fidelity to the charge committed to them.

IN FRANCE and Portugal, in effect says Rome, the Church has just been plundered and enslaved. She has been persecuted in various ways in Italy during the past fifty years, and her Supreme Pastor is in very truth imprisoned in the Vatican. New laws are being forged against her in Spain and she is being strangled in Russia. In Germany full liberty is denied to her, and even in Austria, she cannot do what she will with her own. In Great Britain a Catholic cannot sit upon the throne, nor be chosen as the Royal representative in Catholic Ireland. In the United States even, where in other respects she enjoys something like liberty, her children must pay a double school tax for conscience sake. "Anti-clericalism," adds our Roman contemporary, "is rampant all over continental Europe—and this is the moment chosen to make charges of Papal aggression. Forsooth!"

NO OBJECTION of the community is making a louder outcry against the Ne Temere decree than the Presbyterians. We are persuaded that they are doing so in the extremity of their blindness. They are, too, if they would only stop to reflect, flying in the teeth of the very charter of their existence. The Westminster Confession of Faith rises up as a witness against them, and since none amongst themselves seems to realize this we will do them the service of quoting for their edification that much discussed document.

"MARRIAGE," says the Confession (chap. xxiv, sec. iv), "ought not to be within the degrees of consanguinity or affinity forbidden by the word, nor can such incestuous marriages ever be made lawful by any law of man." Further, on the subject of mixed marriages, the Confession says: "It is lawful for all sorts of people to marry who are able with judgment to give their consent. Yet it is the duty of Christians to marry only in the Lord. And therefore such as profess the true reformed religion should not marry with infidels, Papists, or other idolaters." The classification of the poor Papist with infidels and idolaters is one of those excessive kindnesses and courtesies made fashionable in Presbyterian Scotland by the amiable and benevolent John Knox. But let that pass. Presbyterians should be grateful that the Catholic Church is doing everything in its power to save them from such alliances, and is, besides, standing alone as a witness, in their behalf, against the supremacy of the State in the domain of conscience. That in the present juncture they have cravenly abandoned their principles is but another evidence of the all corroding power of bigotry in matters of religion. It is not that the Ne Temere decree is wrong, but that the Pope is the author of it.

OH! LOYAL ULSTER!

The papers are filled every day with despatches concerning the state of affairs in the Province of Ulster. The Manchester Guardian is quoted as condemning Sir Edward Carson's loud-mouthed sedition, in strong terms; but the Conservative or Unionist papers are, in general, preserving a sympathetic silence; whilst some of their leading papers are giving open encouragement to the open treason and the felonious threats that emanate from the Orangemen of Ulster.

The fact is that the history and traditions of the Orange Lodges in Ireland lead them to expect that treason will be praised, and felony forgiven when they are committed by Orangemen. The dark history of Orangemen, on every page, the most unscrupulous favoritism which English statesmen have shown towards it; and it is, no doubt, hard for the present-day Orangemen to realize that times have changed; and that, even should they be allowed, for this once, to outrage law and justice and loyalty in Ulster, their success will assuredly result in their ultimate ruin. We have come to the point, in the history of this Empire, when fanaticism and religious spite may be safely permitted to undo themselves; and, very possibly, the best course to pursue is to allow them to complete their mad and deluging exhibition they have now set out to make of themselves. The occasion is suitable for a few words upon the record of this "loyal" body, who are just now so intent upon a course which proves to all fair-minded men that their boasts and professions are, and always have been, a mockery and a sham. The Orange Society had its beginnings about the year 1784. There was then a Parliament in Ireland, in which, however, no Catholic could sit. We quote from Mitchell's History of Ireland. Mitchell was a Protestant, an Ulsterman, and the son of a Protestant minister.

"The attention of the public began at this moment to be turned away from the futile Parliamentary contests to scenes which were taking place in the northern county of Armagh. The Catholics, once almost exterminated from that and some neighboring counties, had again increased and multiplied there. This had been caused in a great measure by the large emigration of Protestants to America, leaving extensive regions nearly desolated. Many Catholics, with their families, who had been starving on the bare mountains of Connaght and Donegal, began to venture back to the fertile valleys where their fathers had dwelt, and offered to become tenants to deserted farms. Landlords accepted these tenants for want of Protestants, and they were followed by others. Protestant farmers were thus exposed to competition to the manifest injury of the Protestant interest, and much ill-feeling and some violent collisions had been the consequence. At length, in 1784, the Protestants formed themselves in Armagh County, into a secret association, calling itself 'Peep-of-Day Boys,' in allusion to their custom of repairing at that hour to the houses of the Catholics, dragging them out of bed, and otherwise mistreating them. Even the furious Protestant partisan, Sir Richard Musgrave, gives this account of the bandit in question: 'They visited the houses of their antagonists at a very early hour in the morning to search for arms, and it is most certain that in doing so they often committed the most wanton outrages, insulting their persons, and breaking their furniture, etc.' Of course, human nature could not endure this treatment, and the Catholics of Armagh formed a counter association, which they called by a name quite as descriptive as the other, 'The Defenders.'—Mitchell's History, Cameron, Ferguson edition, Part 1, p. 171.

The newly-arrived Catholics were very poor, Mitchell tells us, and could scarcely procure any arms, and, moreover, it was unlawful for them to possess

arms. These conflicts swelled into a religious war of a whole district. Mitchell continues: 'These Protestant Peep-of-Day Boys were called also 'Pretestant Boys,' and in some districts 'Wreckers.' The Association of these plundering banditti afterwards developed itself into the too-famous organization of 'Orangemen,' which in our day has counted among its accomplices an uncle of Queen Victoria, has made riots in Canada, and has wrecked Catholic churches and burned convents in the United States.'—p. 172.

It is plain that their present acts and words are worthy of the origin of their association. But, just a few notes further on the original record of this ill-judged body:

"The Defenders, that is the luckless Catholics of those northern counties struggling only to live by their labor, surrounded by a larger population of insolent and ferocious Protestant farmers remained almost as their names imports, strictly on the defensive. They never were mad enough to become aggressors at all; and Mr. Plowden falls into the not unusual error of Catholic writers who are so determined to be impartial that they lean to the party which they abhor."—p. 183. (Italics in original.) That is the verdict of a Protestant historian, and one of great ability, on the Catholics and Protestants of Armagh, at that time and upon the Catholic historians. The period he speaks of is nine or ten years before the unfortunate Irish insurrection of 1798. Catholics were then not eight to the acre, and Parliament and crown did not possess arms; were excluded from practically all positions of honor and trust; and were exposed to a constant torrent of vindictive abuse and cruel slander, beside which the scurrility of the orange papers of to-day is the language of espousing compliment. If any man cares to understand the years that preceded that outbreak of 1798, he must post himself on the record of that period.

The following is a remarkable utterance, from a man who lived and died a Protestant, and who knew Ireland with the knowledge of one who has traversed the whole of it and gathered the deepest love of his heart:

"It is right to understand once for all—and we shall have but too many occasions of illustrating the fact—that in all the violent and bloody contentions which have taken place between the Catholics and Protestants of Ulster, and in the present without any exception, the Protestants have been the unprovoked aggressors. It was with the utmost difficulty that Catholics could procure arms; but they knew that their Protestant neighbors were all armed. They knew also that if there were to be any exhibition of the facts before justice of the peace, or at the assizes, they were sure to meet a bitter contemptuous hostility on the bench and in the jury-box, and witnesses ready to swear that a Popish funeral was a military parade, and a faction fight an insurrection. Therefore it was not in the nature of things that such an oppressed race should voluntarily seek a collision, or should resort to violence, save in the utmost extremity of almost despairing resistance."—p. 183.

Those who are now reading everyday in the papers the ferocious threats which the Orangemen of Ulster are uttering because an English statesman intends to address a political meeting in Belfast, may, if they wish, test this statement of the historian by the character of those threats; the contempt of law, and the manifest fanaticism of those who threaten.

More than that, we are gravely assured that if martial law has to be resorted to in Ulster, it is doubtful whether certain bodies of the military will fire "on their co-religionists" when ordered. They never could fire as quickly as they wished to when Irish Catholics were before their rifles. No doubt there are yet in the military forces, many who would like to see a recurrence of the good old times when the military rode through Irish villages, knocking at the cabin doors, and shooting the men who opened them. The encouragement and excuses offered in the present case, have tradition behind them. Hear Mitchell:

"It is true also, that from the very origin of Peep-of-Day-Boys (who afterwards ripened into Orangemen) down to the present moment (1867), of the greatest proprietors in Ulster, peers and commanders, have carefully stimulated the ferocity of the ignorant Protestant yeomanry by their insolent behaviour towards the oppressed people, and especially by incultating and enlarging upon all the dreadful details of that bloody fable, the 'popish massacre of 1641.'—p. 183.

Archdeacon Armitage had a statement in one of his letters last winter, that 1500 heretics were killed between 1641 and 1645; and we should not be surprised if his statement is a fragment of this 'bloody fable,' or a continuation of it by some enterprising person. Mitchell says further of this 'fraud':

"Sir John Temple's horrible romance was a fifth gospel to the 'Ascendancy' of the North, and was often enlarged upon, like the other four, by clergymen in their pulpits to show that it is the favorite enjoyment of Papists to rip up Protestant women with knives; to murder the mothers and then put the infants to their dead mother's breast; to divide men out of houses by offers of quarter, and then to cut their throats; and so on. Indeed when the conscientious Dr. Curry published his examination of the histories of that pretended massacre, his friends feared for his life; and he held proof positive in his day of its being a fraud."—p. 184.

If one presumed to deny or doubt the terrible drowning of Protestants at Portadown Bridge, or to question on the fact of their ghosts appearing in the river at night bright high in the water, and shrieking, 'Revenge, Revenge,' such historical literature as we were directed the former of Catholics by Peep-of-Day Boys, and by their worthy successors the Orangemen. The baleful seeds of hatred an iniquity, sown in the minds of benighted Protestants by those who ought to have taught them better, and fell in congenial soil, and shall soon have to narrate in a harvest of bloody fruit."—p. 183-184.

This scathing exposure of the beginnings of Orangism, written by a Pro-

testant, who was born in a Protestant manse, and brought up in Ulster, shows us the origin of the traditions from which we are now beholding the latest distillation of treason, felony, and religious hate. The Protestant press of the world has practically no words of condemnation, or even of reproach, for the Orangemen of Ulster.—Casket.

IMPRESSIONS OF IRELAND

The Nuovo Antologia, the leading Italian Review (writes "Italiano") has a most inspiring article on Ireland from the pen of Signor Bonaluti, a man of uncommon learning and keen intellect. He deals with the glorious religious history of Ireland, la veneranda isola dei Santi e dei Dottori; as he calls it, and gives an account of the wondrous progress made by the Gaelic League. The following reflections are from the Tablet: Truly in order to get an insight into the profoundly religious spirit of the Celts in Ireland, it is not necessary to cross that country from east to west, and reach, after passing through the barren county of Donegal, the inlet of Derg Lake. It will suffice to set one's foot in the Green Isle, and to take oneself in the morning, after having landed in Kingstown, to any of the Catholic churches of Dublin. At once you will feel that you are in the true land of faith, and that the hour of the morning, the hour of the morning, the church, whether it be the aristocratic pro-Cathedral or the Church of the Franciscans, along the bank of the Liffey, or that of the Dominicans, is one of the poorest quarters of the city, you will find that it is peopled with people in the most fervent and most beautiful, nor are they the largest in the country. Smaller towns in the provinces, like Sligo, Armagh, Killarney, have finer ones. But aesthetic considerations are here out of the question. In fact, the most attractive sight of the visitor who has come from a distant country are not the domes or the facades, but the assembly of the people absorbed in prayer, on whom hovers, sensibly, the living and permanent experience of the divine. And if after Dublin, the capital pretty well neglected, you come to the provinces and the west, Cork, Limerick, Galway and Westport, and you scrutinize everywhere the manifestations of religious life, the Christian spirit which breathes in the daily life of the people, you will not be long in persuading yourself that you are in the midst of the most Catholic nation of the world; nay, perhaps, whilst to-day the preoccupations of material life have absorbed everywhere human energies even to stifle every value of spirit—the only Catholic nation in the world. We of the Latin race are perchance prone to believe that the most fervent and the most beautiful of the religious life, the Christian spirit which breathes in the daily life of the people, you will not be long in persuading yourself that you are in the midst of the most Catholic nation of the world; nay, perhaps, whilst to-day the preoccupations of material life have absorbed everywhere human energies even to stifle every value of spirit—the only Catholic nation in the world.

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How, then, are we to ascertain what precisely are the provisions of the Canon Law in this matter? The best way is to ascertain the extent of the prohibition mentioned in the Constitution of 1869? We could, no doubt, find it all in the voluminous treatises of the canonists. But the Canon Law is a highly developed system of law, and it can hardly need to be pointed out that the making of a legal test by a person of no professional training in the system of law with which the treatise dealt is one of the surest ways of going hopelessly astray. By far a better way is to take the considered opinion of an expert in Canon Law, and it fortunately happens that in this particular matter, expert testimony of admirable clearness and of unquestionable authority is at our service.

CELEBRATED CASE OF FATHER O'KEEFE That provision of the Constitution of 1869 which relates to the bringing of ecclesiastics before the tribunals of lay judges came into great prominence in the celebrated case of O'Keefe v. Cullen, tried before the Lord Chief Justice (Whitehead) and a special jury of the county, in the Court of Queen's Bench in Dublin in May, 1873. The main point at issue in the case was whether certain ecclesiastical censures inflicted by his Eminence Cardinal Cullen upon Father O'Keefe, then parish priest of Callan, in the Diocese of Ossory—the Cardinal acting in the matter as delegate of the Holy See—were or were not valid in Canon Law. How such a point came to be determined in the Court of Queen's Bench is no consequence as regards our present purpose, and it could not well be explained here without a lengthened and probably confusing digression from the main subject of this letter.

Father O'Keefe, it should be explained, had got into trouble with his Bishop in a variety of ways, and had even gone so far as to bring the Bishop into the civil courts in more than one action, to answer for acts done by him in the discharge of the duties of his episcopal office. This, for a priest, was a grievous canonical offence, treated as such by the law of the Church from the earliest times and down to our own day. He was thereupon suspended, but he openly disregarded the suspension, and the Cardinal dealt with the case, upheld the suspension and confirmed it. When the trial came on, Father O'Keefe's counsel, amongst whom were several of the ablest lawyers at the Bar, were at an obvious disadvantage. The information supplied to them by their client as to various important points of Canon Law involved in the case was of the most meagre description. Worse still, it was in many respects wholly inaccurate, and perhaps the most inaccurate and misleading feature of it was the result of Father O'Keefe's deep-rooted and ineradicable conviction that the only provision of Canon Law that could possibly be relied upon in support of the action of Cardinal Cullen in declaring him validly suspended was the provision in the Constitution of 1869 which inflicts the censure of excommunication upon those who bring ecclesiastics before the secular courts.

ARCHBISHOP WALSH EXPLAINS

A CLEARING UP OF THE MANY MISCONCEPTIONS PREVAILING ABOUT THE PAPAL DECREE "QUANTAVIS DILIGENTIA"

N. Y. Freeman's Journal Archbishop Walsh, of Dublin, has written to the Freeman's Journal the following letter regarding the Papal Decree regarding the summoning of an ecclesiastic before a civil court:

Archbishop's House, Dublin, 29th December, 1911. Dear Sir,—I write this letter with the view, not of giving a general exposition of the meaning and purpose of the Decree recently issued, 'Motu Proprio' by his Holiness, but of calling attention to some few points of importance connected with the Decree, which do not seem to have come to the knowledge of the numerous amateur canonists who for the last week or ten days have been contributing their amusing disquisitions upon the Decree to the newspapers.

The Decree, as to its meaning, is a very simple one. But to get at the meaning of it we have to bear three things in mind:

1. It is not an enacting decree, in the sense of its enacting or prescribing that something shall be done, or shall not be done. It is an important word in an earlier Pontifical Constitution,—the Constitution 'Apostolicæ Sedis,'—issued forty-two years ago, in 1869. In this respect, then, the decree finds its parallel, not so much in the enacting sections of an Act of Parliament, as in the interpretation section which is unusually inserted in order to define with authority how certain words occurring in the enacting sections of the Act are to be understood. 2. The provision of the Constitution of 1869 that is thus interpreted for us is as follows:

"Cogentes, sive directe sive indirecte, iudices laicos ad tractandum ad sum tribunalis personarum ecclesiasticarum canonice dispositiones."

The canonical offence, then, in question in this provision is that of compelling, or obliging, lay judges to bring ecclesiastical persons before lay tribunals.

3. When the Constitution was first issued, the view commonly taken of this provision was that it applied even to the case of a private individual taking any proceeding that involved the bringing of an ecclesiastic into a secular court. Afterwards, however, a question was raised as to whether the provision referred to all private individuals, and it was suggested that the provision should be understood as referring only to persons in authority, who, by an exercise of their authority, obliged lay judges to bring ecclesiastical persons before the secular courts. This view of the provision became for a time the authoritative one, but it has now been authoritatively displaced. The recent 'Motu Proprio' decides that the provision in question applies to the case even of private individuals bringing ecclesiastics before a lay tribunal.

'THUNDERBOLT FROM ROME' Now, this is the 'Thunderbolt from Rome,' which has been the subject of so much ill informed comment in some of our newspapers for the last ten days,—comment which, I must add, was in one instance helped out by means of a glaring mistranslation of three very simple Latin words.

It will be observed that the provision of the Constitution of 1869 dealt with in the recent Decree contains the important words, 'præter canonicas dispositiones.' The matter, then, dealt with in that provision is the bringing of ecclesiastics into court contrary to the provisions of the Canon Law. If the Constitution of 1869 was a canonical enactment forbidding the bringing of ecclesiastics into court, the insertion of such a clause would be strangely out of place. But the Constitution is nothing of the kind. It forbids nothing. It gives, as anyone can see for himself, a classified arrangement of ecclesiastical penalties and also of known canonical offences, assigning to each offence the penalty to be incurred by an offender. But we should look to it in vain for any detailed description of the canonical offences enumerated in it, and, in particular, for any detailed description of the canonical offence in question here. For a detailed description of the offence, the Constitution simply refers us to the provisions of the Canon Law.

Now that I have made plain the purpose of the clause 'præter dispositiones canonicas,' I may call attention to the mistranslation of it which I have already referred to. I find it in a recent issue of a Dublin newspaper, where it is set under a number of sensational headings about 'Rome's Latest Aggression,' and so forth. But, in the so-called 'translation' there given, the meaning of the clause is wholly perverted by the marvellous rendering of 'dispositiones' as 'dispensation!' Thus the words 'præter canonicas dispositiones' are recklessly translated 'without canonical dispensation!'

How, then, are we to ascertain what precisely are the provisions of the Canon Law in this matter? The best way is to ascertain the extent of the prohibition mentioned in the Constitution of 1869? We could, no doubt, find it all in the voluminous treatises of the canonists. But the Canon Law is a highly developed system of law, and it can hardly need to be pointed out that the making of a legal test by a person of no professional training in the system of law with which the treatise dealt is one of the surest ways of going hopelessly astray. By far a better way is to take the considered opinion of an expert in Canon Law, and it fortunately happens that in this particular matter, expert testimony of admirable clearness and of unquestionable authority is at our service.

As regards the United States, indeed he was able to add an interesting illustration of the view that he had been putting forward. "In the Synod of Baltimore," he said, "a few years ago, the Bishops there made a decree, and a very strong one, forbidding any person to bring ecclesiastics before lay tribunals. Before this law could have any force, it was necessary to have it examined by the Roman See. A decree of national and provincial synods must be examined in Rome before they have force. "This decree," he continued, "was examined, and the Cardinal Prefect of the Propaganda ordered it to be struck out, and to limit the prohibition to the clergy, bishops, and nuns, by bringing actions against the other." And, moreover, as his Eminence went on to say, the prohibition was furthermore restricted by order of Propaganda, for it was restricted to actions taken on matters "strictly ecclesiastical."

There could hardly have been a striking illustration of the truth of the principle formulated by his Eminence in the following words: "In countries where there is no concordat, such as this country, England, and the United States of America, the Holy See has declared that breaches of ecclesiastical immunity are to be overlooked." Asked in cross-examination whether such a breach of ecclesiastical immunity was not after all, a breach of the ecclesiastical law, he answered: "It is a breach of the law as it was, not a breach of the law as it is now brought down by custom."

So this, after all,—so far as Ireland is concerned,—is what the 'Thunderbolt from Rome,' and 'Rome's Latest Aggression,' amount to. I am, dear sir, faithfully yours, WILLIAM J. WALSH, Archbishop of Dublin.

P. S.—It can hardly be necessary for me to say that, in the Canon Law, as in the Law of England, the opinion of a lawyer even of the highest authority, whilst it may well justify the action of anyone who relies upon it, is not, of course, an authoritative decision of the point in question. Such a decision can be given only by a judgment of the supreme tribunal. The opinion of the most eminent lawyer at the Irish or English Bar, or even an unanimous decision of the Court of Appeal, whether in England or in Ireland, decides nothing finally until it has been upheld by a decision of the House of Lords. So it is with canonists and the Holy See. W. J. W.

Now, the Cardinal, in the course of his examination and cross-examination, had no difficulty in showing that references to that Constitution were altogether irrelevant to the matter in hand.

PRIVILEGIUM FORI Asked, for instance, in his direct examination, whether the provision of the law of the Church upon which he had acted in Father O'Keefe's case was different from "the general law that existed in the middle ages, giving ecclesiastics immunity from lay tribunals"—the immunity known as the "privilegium fori"—his Eminence answered that it was "altogether" different.

In answer to another question, he explained that the only law which he had administered in the case was "a very limited law, one for clergymen in reference to other clerics, and about matters amongst themselves." As to the old law of ecclesiastical immunity, declaring ecclesiastics exempt from the jurisdiction of the civil courts, he pointed out that under the influence of the two causes that law had become very restricted in its operation—restricted, that is to say, as to the countries in which it was any longer in force.

"In nearly all the countries of Europe," he said, "and in all the Catholic States of South America, the law had been changed in this way, that all cases of debt, of wills, and other cases like that, all such cases of ecclesiastics may be brought and decided upon by a civil tribunal." This, as he explained, was provided for by the civil authorities in the Holy See and the governments of the various countries. The matters thus provided for by concordats he elsewhere described as including "all cases" of "temporal concern."

To the question, then, "Is there not at this moment an actual universal law in the Church that on laymen shall bring a cleric before a lay tribunal?" he answered, "No." This was in cross-examination, and when asked whether that law was not laid down in the Constitution of 1869, the Cardinal answered that it was, but that, as he had already explained, that law and in most countries been abrogated by concordats.

But there were cases in which there was no concordat. There was, for instance, no concordat with the government of Great Britain, nor with that of the United States of America, and he was then asked: "Is it not the law of the Church in those countries that who compel or who draw ecclesiastics before a lay tribunal incur excommunication?" His answer, the only answer that any competent canonist could give to the question, was an unqualified negative.

Deeming, may I suppose, this particular branch of the case to be of special importance on account of its application to Ireland, his Eminence quoted as an authority Pope Benedict XIV., "a great canonist," and, as a canonist, "a great authority in the Church."

Speaking of the gradual encroachments by the civil authorities of various countries upon the ancient immunities of the clergy, Benedict XIV., in his work, "De Synodo Dioecessana," says that Popes and Bishops resisted those encroachments as long as resistance was possible, but that eventually, to avoid greater evils, they shut their eyes, as it were, to what was going on, and then tolerated the continuance of customs that had thus been introduced: "Innocentium contra ecclesiasticam jurisdictionem consuetudines dissimulant et tolerant." This, in Canon Law, actions of course, to a withdrawal of the obligation against which the custom had prevailed. Thus, as the Cardinal explained, any difficulty that the Constitution of 1869 might be supposed to present as regards these countries, or as regards the United States, is disposed of.

REGARDS THE SYNOD OF BALTIMORE

As regards the United States, indeed he was able to add an interesting illustration of the view that he had been putting forward. "In the Synod of Baltimore," he said, "a few years ago, the Bishops there made a decree, and a very strong one, forbidding any person to bring ecclesiastics before lay tribunals. Before this law could have any force, it was necessary to have it examined by the Roman See. A decree of national and provincial synods must be examined in Rome before they have force. "This decree," he continued, "was examined, and the Cardinal Prefect of the Propaganda ordered it to be struck out, and to limit the prohibition to the clergy, bishops, and nuns, by bringing actions against the other." And, moreover, as his Eminence went on to say, the prohibition was furthermore restricted by order of Propaganda, for it was restricted to actions taken on matters "strictly ecclesiastical."

There could hardly have been a striking illustration of the truth of the principle formulated by his Eminence in the following words: "In countries where there is no concordat, such as this country, England, and the United States of America, the Holy See has declared that breaches of ecclesiastical immunity are to be overlooked." Asked in cross-examination whether such a breach of ecclesiastical immunity was not after all, a breach of the ecclesiastical law, he answered: "It is a breach of the law as it was, not a breach of the law as it is now brought down by custom."

So this, after all,—so far as Ireland is concerned,—is what the 'Thunderbolt from Rome,' and 'Rome's Latest Aggression,' amount to. I am, dear sir, faithfully yours, WILLIAM J. WALSH, Archbishop of Dublin. P. S.—It can hardly be necessary for me to say that, in the Canon Law, as in the Law of England, the opinion of a lawyer even of the highest authority, whilst it may well justify the action of anyone who relies upon it, is not, of course, an authoritative decision of the point in question. Such a decision can be given only by a judgment of the supreme tribunal. The opinion of the most eminent lawyer at the Irish or English Bar, or even an unanimous decision of the Court of Appeal, whether in England or in Ireland, decides nothing finally until it has been upheld by a decision of the House of Lords. So it is with canonists and the Holy See. W. J. W.

FLOWER AND FRUITAGE OF CATHOLIC FAITH

It is well at times that Catholics should pause and consider what their faith stands for and what is its flower and fruitage in the civilization that encompasses us. We Catholics are not nearly insistent enough in this. We often permit our faith to be misrepresented and its flower and fruitage to remain hidden from the eyes of those who are always quick and ready to lay bare and expose any human weakness that may mark the government and life of the Catholic Church.

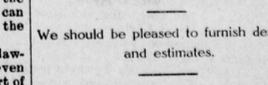
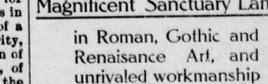
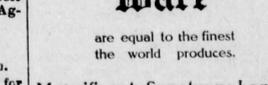
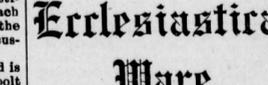
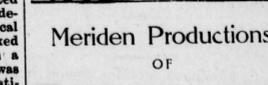
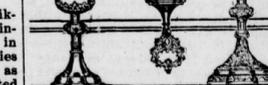
In the first place, the Catholic Church is the only institution, divine or civil, that no matter what may be the pressure brought to bear, can say "non possumus." Again it is the only institution that throughout the centuries has remained logical in its life and teachings—the same yesterday, to-day, and forever. It is the only institution in its teachings and government, which will not compound with sin—which does not think and act at times within the orbit of the immoral. It cannot compound with sin for its life and teachings in a word, it combats and vanquishes the world, the flesh, and the devil—a learned president of a Catholic university aptly said recently, regards as almost holy. It is the safety of civilization, the safety of government, the safety of our homes, the safety of our souls.—New World.

Its service, too, to the state is incalculable. It holds it in its moral orbit and makes stable its moral life by its indissoluble of the marriage tie. It brands suicide as a moral crime, and refuses Christian burial to the man or woman guilty of the moral cowardice. In a word, it combats and vanquishes the world, the flesh, and the devil—a learned president of a Catholic university aptly said recently, regards as almost holy. It is the safety of civilization, the safety of government, the safety of our homes, the safety of our souls.—New World.

SUBSCRIBER, BUFFALO.—An excellent antidote to Pascal's Provincial Letters is "Thoughts of Blaise Pascal," by C. Keegan Paul, (a convert.) Your bookseller could procure it for you. It is published by Keegan Paul, Trench & Co., Dryden House, 43 Gerrard St., Soho, London, England. The price is 15 shillings in England. If you desire us to get it for you we will advise you as to the net cost delivered, less duty to the United States.

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