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THURSDAY, SEPT 18, 1902. ____

AN IMPORTANT JUDGMENT The Toronto dailies of Saturday last in blished extended reports of an interesting judgment delivered to the aligh Court of Justice by Mr & A Anglin, K. C., sitting for Mr. Justion Forguson The case, which is known as the "lee Lake School case" was heard at Gore Bay towards the end of August, the evidence taking several days and presenting many features of general pub-Tic interest, as there was revealed a rarely complicated fight among rate payers and trustees over the site of a new school house. The legality of minutes of board proceedings and tho power of ratepayers and school officlals were searchingly tested

The lucidity and value of the judgment delivered by Mr Anglin are widely, and on every hand approvingly, commonted upon The Manitoulin Helormer, for instance, says: 'Mr Anglin has won golden opinions from the Bar, here and those of the public who attended the court, for the patience, uniform courtesy and the emiment ability he has displayed in the

It is, indeed, a great pleasure to The Register to observe such signal and hearty appreciation of one of our leading Ontario Counsel learned in the law. It is also an almost unique fact in connection with so important a judgment that it was entrusted to a King's Counsel by the Vice-Chancelfor of the High Court, who was himself mable, through illness, to bear the strain of hearing and silting the great mass of evidence prepared in the matter on behalf of the litigants It is we believe, twelve years since alliko responsibility was passed over to a member of the Bar of Ontario By any of the Superior Court, Judges. his distinguished conduct of the case wholly died but as nothing in this world the reliance placed upon his judgment imowiedge of the law by the Judges. It is not, we think, too match to expect that Mr. Anglin may, moon grace the High Court Bench of this Province.

IS PARTY GOVERNMENT ESSEN-TIALT

Mr. A. J Balfour is the father of the sectrine that government by one in the record of their proceedings is of two political "Parties" is essential to the maintenance of strong administration in British countries, if and in all nations recognizing the America and throughout the British principle of representative instituthens. It will not be denied that Firsty is the most practical plan for Beitish Tories, who have their properry, and privileges to preserve as against the increasing influence of the common people. In their case Party mimply amounts to a trust or com-Bination, just as railways and manu-Cacturers in the United States comhine to keep up rates and prices Wherever such a class exists there must, of course, be a Reform Party. mtherwise the landed and privileged copes would always have things their own way. So that as long as land-Bordism and aristocracy hold together in the form of a political com-Dination in the British Islands, the Barty System must stay there, as in it alone, the people have the means not rocking out their ultimate salva-Min. Mr. Balfour's doctrine is there-More quite unassallable in its application to the politics of the United Ringdom. In Canada, however, our problems of government are very dif-Begelf class in our society. There is danger that sue may be created; but we stand everyone in the country, has a fair chance. The late Sir John A. Mattennid not only denied but membel the British idea of Party mat for Canada when he name mil his governing force the "Liberal-Monographie: Party.". In a liboral the combination suggested by who sitic is unmaturel; considered as se joss to cents rielcule upon any Canmiles Party that would limit itself class deficitions.

the distill of Sit John A.

ada, though happily they are a very insignificant minority, who would detach the first part of the name so long borne by that political division of citizens whose opinions they profees to espouse There are few who would be "Conservatives" mire and simple, who would apotheosize Sir John Macdonald as another Disraeli, and offer homage to his memory by an imitation Primrose League With the collapse of Impertalist propaganda this little group has practically sunk out of sight

Common sense would, accordingly estimate the respective merits of the two nominal parties in the Dominion and Province by endeavoring to discern wherein their policies conflict Is there really any conflict? Some emmently clear-sighted persons tell us they are unable to see it. When The Globe talks with a light heart of the prospects of coalition in. On tario, many must be forced to the conclusion that even the straight outand-out professors of Partyism do not know what they should do if a deadlock be presented at the meeting of the Legislature

GERMAN CATHOLIC ORGANIZA

On another page we publish a summary of the resolutions and debates of the German Catholic Congress What in inspiration there is in the triumph of these strong German Catholics! They formed their organization with its parliamentary executive at a time when the state was officially arrayed against the Church, at a moment when the nation had its strongest leader, Bismarck, at a moment when "man of blood and iron" was at the pinnacle of his power and when his word was law to the army and the Legislature For years an apparently unequal struggle was maintained but in the end justice was vindicated and the weak prevailed

To-day there is no life and death combat. The Pope and the Kaiser are acclaimed with the one voice of loyalty and confidence But the organ:zation is sustained unfalteringly Other opponents have arisen who are as much the foes of the State as of the Church Against these the Cath-

olic ranks are maintained solidly, The German lesson cannot but be profitable to all earnest Catholics throughout the world It is true that in most countries the fites of sectarian rancor have died out Perhans they may never again be rekinwith the spirit of fanaticism on the state rather than the Church Make the state irreligious That is the idea. That is the object of German and French Socialism England and America will have their turn The faithful in Germany see the splondid opportunity thus offered to earnest Catholics The dominant note that loyalty to the Church and to the state are one and inseparable As it is in Germany, so it is in

EDITORIAL NOTES.

Empire

Hon Charles Fitzpatrick, Minister of Justice, who is making a tour of the west has been banqueted by the Catholic Club of Winnipeg

The Associated Press' Rome correspondent says the Vatican has definitely decided to send the Most Rev Diomede Falconio, the Apostolic Delegate for the Dominion of Canada, to Washington as Papal Delegate in the United States

In life and death a priest So was the late Father Hinchey of Hamilton, whose estate is valued at \$4,-320, \$4,000 of which is life insurance. His library is valued at \$1.-000. Most of the money was left to charity He willed \$1,000 to his mother in Arthur

The litrarian of the Royal Irish Academy writes to The Tablet supporting the theory that the tradiditional accounts of Cromwell's massacre at Wexford are overstated, if not entirely false. He mentions that Hamilton, after a few days' illness a collection of letters, formerly in the possession of the late Mr. John Hardiman, have recently come into the possession of the Academy which go to support the view, but it must be said that none of the documents which he quotes at all materially strengthens his argument. There is a letter from Mr. John Lingard, dated 31st May, 1847, admitting his inability to recall the authorities on which and nothing else. Use it promptly to the statements in his shirtory are cure cramps, distribuca and all other penals. Tories, have arisen in Can- based, as he had parted with the pan bowel complaints in summer.

pers utilized by him There is also a letter from Dr. Kelly, of Maynooth, who investigated the subject at the suggestion of Dr Lingard, and who says that he could find no authority for the massacre of the women around the Market Cross, but that "one very old man said be heard when a boy that two or three nuns were massacred there, but the general tradition points out a certain spot between the Ci ss and the place where Cromwell's soldiers entered as being the very point where the indiscriminate massacre ccased "

A. O. H. CONDOLENCE

Whereas, It was with feelings of deep regret that we the officers and members of Div 1, A O H learned of the sad death of Bro Francis Ruttedge, brother of the President of Div. 1, and himself, when in life,

member of Div 5, A O H, and Whereas, By his sad demise our order has lost a true and faithful member, and one when in bealth, by his regular attendance at the meetings of our order, demonstrated his zeal and enthusiasm in the work of our organization

Therefore, be it, Resolved, that we the members of Div 1, A O H, tender to Bro Jos Rutledge and the members of his family our sincere sympathy and sorrow for the sad affliction that has come upon them and trust that God who in His in finite mercy and wisdom, knows all things best, may comfort them in their sad hour of pereavement, be it further

Resolved, That a copy of this reso lution he forwarded to Bro Rutledge, spread on the minutes of this meeting, and forwarded to our National Hiberman, Catholic Register and Record for publication

Vincent McCarthy, Joseph Marshman, George J Deven, Committee on Ro-

RYAN-SEEA

A wedding of great interest both in Toronto and Hamilton took place in the latter city last week bride was Miss Ruby Shea, daughter of James Shea, the known merchant, and the groom M P. Ryan, merchant, Toronto It was a very pretty wedding, though attended only by relatives and a fev very intimate friends of the bride and groom, the groom's family being in deep mourning owing to the death of relatives

His Lordship Bishop Dowling performed the ceremony that made Mr Rvan and Miss Shea man and wife, and he was assisted by the cathedral

The bridesmaids were Miss Margaret McGuire, Chicago, and Miss Alma Daley, St Catharines. The flower g.:!s were Miss Marian McGuire, New York, and Miss Louise Voi ard, St Catharines. The quartet of assisting ladies were cousins of the bride. The groomsman was T Rigney, Kingston Frank Coffee, Frank Burns, Jack O'Sullivan, Toronto, and Robin Shea, brother of the bride, were ushers

The music was especially pleasing, and J L Chernier was the organist. He played wedding music from Lohengrin while the wedding party was entering the cathedral, and on the departure therefrom he played selections from Mendelssohn A feature of the music was the singing of Mrs W A McGuire, of Chicago, sang O Salutaris A harp band playod an Ave Maria

The bride was exceedingly attractive in white duchess satin with heavy lace and chiffon trimmings. She wore bridal veil and orange blossoms, and carried lilies of the

OBITUARY

MR WILLIAM O'BRIEN, HAM-

Hamilton, Sept 5-There passed away, in St Joseph's Hospital yesterday, at the age of 72 years, a citizen who had made Hamilton his home a great many years, and who had merited and received the respect of all who knew him Mr William O'Brien died in St Joseph's Hospital after an illness of five weeks' duration He is survived by a widow and grown up family, consisting of Messrs J F O'Brien, of the Inland Revenue Department, Dundas, Mr E C O'Brien, of the Inland Revenue Department, Guelph Mr H L O'Brien, of the Meriden Britannia Works, this city, Mrs Barrett, wife of Mr J. K. Barrett, Inspector of Inland Revenue, Winnipeg. Mother Augustine, of New Bedford, R I, Mrs J R Freeding and Miss Ada, of Providence, and Miss Maud,

DEATH OF MISS BURKE, HAMIL-

TON. Miss Nellie Burke, only daughter of Mr. Martin Burke, of Dundas, dled last week in St Joseph's Hospital. of typhoid-pneumonia Her bother Michael died on Monday, Sept. 1, in Dundas, of the same disease, and also actor a few days' illness. Miss Burke was 36 years of age and was beloved by all She was a sister of Mr John W. Burke and of Father

KEEP YOUR EYES OPEN and be sure, that when you ask for Perry Davis' Painkiller you get just that

FATHER CONWAY ON IRISH AFFAIRS

He Presents Mr. John Reumond's Speech as a Convincing Statement of Ireland's Grievances

full Text of the Deliverages-As Eloquent and Instructive Statement of the Existing Situation

Rev Father Conway, of Norwood, Peterborough diocese, recently returned from an extended visit to Ire 1 emnly declared as follows "Be it en land, called upon the editor of The Register this week and was asked to people of Ireland to be bound only give his opinion upon present conditions among the Irish people Father Conway said Things are

in a better condition than he over saw them before and money more plentiful. The cause of the ease of money is the good crop, but if it were not for the effect of the land reform laws all the money would have gone into the pockets of the landlords and the people would be as poor as ever Especially in the case of those who have been able to take advantage of the Land Purchase Act are the signs of improvement evident, though they are seen in lesser degree in all cases upon which the Land Courts have fixed the rents. The sperience of the benefits derived from the partial reform, impresses all sensible people throughout the Island that Home Rule would bring

thing more determined in consequence The other side of the picture is, of course, the uncalled for application of martial law practically to the whole country, including the capital In this connection Father Conway said he would like to see Mr John Redmond's "coronation speech" in Dublin in the hands of every citizen of Canada. By request The Registr publishes the important deliverance

nothing but good, and the demand

for Home Rule has become if any-

MR REDMOND'S SPEECH The Chairman, Mr Redmond, who on rising was received with applause, said This meeting of the Nationalist representatives of Ireland in the capital of our country on the day when the King of England is being crowned in London is an event of National and historical importance (hear, hear) This Party as a body has formally withdrawn from all participation in the Coronation celebrations, and we are assembled here to-day to place once more upon record the protest of our people against the usurpation of the government of Ireland by the English Parliament (hear, hear) Gentlemen, the event which is being celebrated today in London is one of great historic significance and importance (hear, hear). The Monarch of this

mighty Empire is being crowned, and

there are assembled in London re-

presentatives from all parts of Empire to acclaim Edward VII es the Constitutional Monarch of these THERE IS ONLY ONE ANSENTEE -Ireland (applause) Gentlemen, in Ireland Edward VII. is not a Constitutional Monarch (applause) No English Sovereign has been a Constitutional Monarch in Ireland since the Union, and to-day the Nationalist representatives of Ireland renew the protest-which has never been allowed to die for one hundred yearsagainst the desiruction of our Con-

stitution and the usurpation of the

government of our country by Eng-

land (applause) One of the unfortun-

ate facts of the political situation of the day is that, notwithstanding the of Parnell to accept such a settlediscussions on the Irish question which have been going on continually for the last twnety years at any rate in England — I fear the bulk of the English people, and very many of the most powerful of England's statesmen do not yet understand the crue nature of the Irish demand or the grounds upon which it rests (applause) And I trust, gentlemen, that I may be forgiven if on an occasion of the peculiar character and extraordinary importance of the present occasion, I briefly recapitulate the main historical and constitutional grounds on which Ireland's assembled here in this room these points are only too plainly familiar (applause). Now, we claim that Ireland is not bound, morally or legally, by any laws which are made by the Sovereign, Lords and Commons of Ireland (applause). We specifically deny the moral or legal and consti tutional rights of the English Parliament to legislate for Ireland (applause) Upon what does this claim rest? The Irish Parliament-people certainly in England seem quite oblivious of the fact-the Itlsh Parlia-

ment was almost coeval with and absolutely co-ordinate with the Parliament of England, and THE FIRST IRISH PARLIAMENT of which we have any authentic records, sat in 1295, and from 1295 until 1495 that Parliament was absolutely supreme, a sovereign Parliament, and no law made in England. was binding in Ireland, and although in 1495 what was known as Poyning's Law was passed, which provided that the heads of all Bills to be introduced into the Irlah Parliament were first, to be approved by the King and Privy Council of England, still that law was an Irish law (hear. hear), passed by an Irish Parliament, and did not sacrifice the inlependence of the Irish Parliament or recognize England's right to make laws for Ireland (applause) It reserved a co-ordinate authority with the English Parliament, and this condition remained unbroken-ave, remained unquestioned until the reign

of George I., and then; in 1710, "an

English Act was passed which en-acted that the English Parliament had power of making laws for Iroland Now, that clause was always resisted by this country (applause) Ireland never for one hour, ceased to protest against it, until at last in 1782 the freedom of the Irish Parliament was obtained by the great measure which Grattan, backed by the Irish Volunteers, passed into law

(applause) The Act of George I was repealed, and the English Act of the 23rd of George III, Chapter 23, sol acted that the right claimed by the by laws enacted by His Majesty and the Parliament of that Kingdom in all cases whatsoever, shall be, and is hereby declared and ascertained for ever, and shall at no time bereafter be questioned or questionable (applause) Well, we know that eighteen years after that solemn declaration it was disregarded, and the Irisl Parliament which tasted for five hundred years was destroyed by the Act of Union Gentlemen, the Act of Union was carried by force and fraud,

by treachery and falsehood (applause) Speaking to an ordinary Irish audience it is unnecessary for me to labor these facts, but I hope you will forgive me if I attempt in a few observations to place our case upon record just as if we were making our case to England and not speaking here upon Irish soil (hear,

MR LECKY IN THE SECOND VOL

UME OF HIS HISTORY SAYS The sacrifice of Nationality wa extorted by the most enormous corruption in the history of representative institutions It was demanded by no considerable portion of the Irish people, it was effected without a dissolution, in opposition to the universali majority of the representatives of the counties and considerable towns, and to innumerable addresses from all parts of the country The Union was a crime of the deepest turpitude, which by imposing with every circumstance of infamy a new form of Government on a reluctant and protesting nation has vitiated the whole cause of Irish opinion" Lord Grey, speaking after the Union in England, pointed out that there were 300 members in the Irish Parliament. Of that number 120 members strongly opposed the Union, and 162 voted in favor of it, and of these 162, 106 were placemen in the pay of the English Government (applause) Now from that day to this IRELAND HAS NEVER CEASED TO PROTEST

against the usurpation of the Government of Ireland by the English Par liament. She has nover ceased to protest according to the circumstances and the opportunities of the moment She has protested by means of armed insurrections, and generation after generation has witnessed brave and gallant men sacrificing their lives in prison cell or on the scaffold in defence of Irish freedom (applause) She has protested against it by agitation-never ceasing agitation-protested against it from gen eration to generation, on the floor Irish representatives have been sent (applause) It is quite true that Ireland has from time to time been willing to compromise her claim for the restoration of Grattan's Co-ordinate Parliament. For example, she was willing in the days of Isaac Butt to accept a place in a federal union She was willing at the time ment as Gladstone offered And I say here to-day-and I claim that I am entitled to speak on this point with authority (hear, hear)—I claim today that Ireland and the Irish Party stand, on this question precisely, where Parnell stood in '86 (hear, hear) Although that is so, Ireland has always denied and

IRELAND STILL DENIES THAT THE UNION WAS BINDING upon her either legally or morally (applause) And here on this historic

occasion we have assembled to renew our protest and to place it upcase rests, even though to all of us on record Well, England thus destroyed our Constitution in 1800 What has she given us in return? Has she given us in return her own Constitution? Nothing of the kind Never for one single hour since the Union was passed has Ireland been a constitutionally - governed country (hear, hear) Never, for one hour has the Sovereign of England been the Constitutional Sovereign of Ireland Ireland, in effect, has since 1800 been governed as a Crown Colony, with certain empty forms and pretences of Constitutionalism Never for one hour has the English Government of Ireland obtained the assent, or approval or confidence of the people of Ireland Never for one hour have the elected representatives of the majority of the Irish people had the control or even a potent voice in the government of this country Never for one hour since then has the English government of Ireland rested upon anything except naked force and unabashed corruption. Never for one hour has the British Constitution been in force in this country, whose Constitution was destroyed. Why, the mere fact that in one hundred years, eighty-seven Coercion Acts have been passed by the English Parliament for Ireland, in spite of Irish protest, is sufficient to establish the facts that I have adduced. Martial law, suspension 'of 'the lishess Corpus Act, suspension of trial by jury, suppression of free speech these have been the permanent blessings conferred one Ireland by the destruction of the Irish Con-

form, largo or small, has ever been outsined by purely constitutional methods (applause) Let any Englishman who questions that, answer this question. Let him

POINT TO ANY SINGLE ACT OF JUSTICE OR REFORM WHICH HAS NOT BEEN EXTORTED

in one way or another from the Bri tish Parhament by force or by fear (applause) Catholic Emancipation, falsely promised before the Union, granted, in the words of Wellington, to avoid civil war The Church Act and the Land Act, produced by the influence of Fenianism (applause) 1 was interested the other day in lead ing an article which appeared in the ear 1881 in The Nincteenth Century, written by the late Lord Derby Mr Gladstone has in these recent times often been censored by declaring that the Church Act and the Land Act were the result of Fenianism Let me quote the words of the late Lord Derby, who cannot be questioned as an adequate and representative exponent of English Unionist opinion He said "The Fenian movement agitated Ireland from 1864 to 1867, producing among other results the Clerkenwell explosion Mr Oladstone's statement as to the effect of this and similar attempts on the public mind of England, though too significant to be ignored, is too familiar to be repeated. I have too often heard this speech consured as un wise For me it has always seemed that the exact and naked truth should be spoken without now regretting the Disestablishment of the Irish Church, or the passing of the Land Act of 1870, but it is to be regretted, that for three times in the century an agitation accompanied by violence should be shown to be the most effective instrument of redressing Irish wrongs" (bear, hear) The Land Act of 1881 was carried by the agitation of the Land League, and what is our experience to-day? The Chief Secretary for Ireland declares

A SETTLEMENT OF THE LAND QUESTION

on the basis of purchase is an urgert necessity He declares that the delay of justice is a denial of justice (cheers) And, yet, because the movement in Ireland is not strong enough and overwhelming enough-I suppose because it is not violent enough and unconstitutional enough (cheers)-the Chief Secretary introduces a halting and miserably inadequate measure (hear, hear) And even for this measure he cannot obtain from the Government adequate time for discussion (cheers) No Ireland is not a constitutionally governed country. Having robbed us of our Constitution, England has given us none instead of it in Ireland (cheers) English rule to-day rests solely on force and corruption, and we, the Nationalist representatives of the people, decline to stultify ourselves or abate our principles by participating in the celebration of the Coronation of King Edward VII as a Constitutional monarch (loud cheers) Allow me for a moment to turn to another aspect of our case. The suppression of the Constitution in Ireland has been followed by disasters unparal-

(Continued on page 8)

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