

The Catholic Record

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THOS. COFFEY, L.L.D., Editor and Publisher

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When subscribers ask for their mail at the post office it would be well were they to tell the clerk to give them their Catholic Record. We have information of carelessness in a few places on the part of delivery clerks who will sometimes look for letters only.

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LETTERS OF RECOMMENDATION

Apostolic Delegation, Ottawa, June 13th, 1905.

My Dear Sir—Since coming to Canada I have been a reader of your paper. I have noted with admiration and above all, that it is imbued with a strong Catholic spirit.

Yours very sincerely in Christ, DONATUS, Archbishop of Ephesus, Apostolic Delegate

UNIVERSITY OF OTTAWA, Ottawa, Canada, March 7th, 1909.

Dear Sir—For some time past I have read your estimable paper, the Catholic Record, and congratulate you upon the manner in which it is published.

Yours faithfully in Jesus Christ, D. FALCONE, Arch. of Larisa, Apos. Deleg.

LONDON, SATURDAY, MARCH 9, 1912

MR. BOURASSA AND PROVINCIAL RIGHTS

The agitation for Federal interference with provincial jurisdiction over all that concerns the solemnization of marriage may have very far-reaching results.

The United States were at first only a loose aggregation of sovereign states with the consequent right of any state to secede from the Union.

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which whose jurisdiction might be attacked or weakened by the decision. This contention has since been recognized as just by the Federal Government, which, through the Minister of Justice, has invited all provincial governments to be represented by counsel if they so desire.

Misrepresentation with regard to mixed marriages makes this quotation from Mr. Bourassa's speech very opportune:

"In this question of mixed marriages, how many know that in the history of Quebec never has a single marriage between a Protestant and a Catholic, as performed by a Protestant minister, been declared invalid."

With regard to the possible effect the Ne Temere might have on mixed marriages Mr. Bourassa said:

"When the case was finally decided, if any doubt existed in the minds of anyone as to the validity of their marriage that it was the duty of the Legislature to find some remedy for it, as it was unfair to exact of anyone not a member of the Church to be submitted to the jurisdiction of another church and his opinion was that if finally there was any doubt on this question it would be the duty of the government of Quebec to confer with the Catholic Church authorities so as to remove the doubt, as had been done in other countries, for example Germany. But as to the marriage of two Catholics, neither John Dougal, Mr. Lancaster, or Bishop Farthing should put their nose into that affair. Those who were attacking so much the position of the Catholic Church and the sanctity of marriage as performed by that church should look to their own glass house and put a stop to the divorce scandal."

This pronouncement of the Nationalist leader, who is regarded as "ultra-montane" in his views, should convince fair-minded Protestants that though Quebec may not tolerate Protestant interference with Catholic marriages, the fullest liberty and the most ample security will be extended to Protestant and mixed marriages.

If Quebec Protestants have any grievance their appeal lies, at least in the first instance, with the Legislature of the Province. Not until such appeal for redress is rejected should the matter be brought into the arena of Federal politics.

JUDGE CHARBONNEAU'S DECISION

The decision of Judge Charbonneau reverses that of Judge Laurendeau and declares the Hebert-Cloutier marriage valid and binding in the eyes of the civil law.

The widest possible interest centred in this case and we have before us newspaper comments from Halifax to Vancouver. The tone of these comments is indicated by La Presse:

"The judgment has brought joy to the full into the camp of the adversaries of the Ne Temere decree. It is acclaimed as a Protestant victory over the Catholic Church. And as a matter of fact the Protestant ministers are the one people to benefit by gaining in this case the power to marry Catholics, and to make a breach among the followers of the Church of Rome. The guarantees which surround marriage are not increased, they may even be considerably diminished."

This, unfortunately, but too accurately describes the spirit which animates the widespread public interest in the case. The Manitoba Free Press says that Judge Charbonneau's decision, if upheld by the higher courts, "will make church annulments of marriages worthless in the eyes of the law."

As a matter of fact there is no such question at issue. The canonical impediments invalidating marriage are recognized by the civil code section 127, and it is their interpretation of that section of the civil code, that impelled five Quebec judges to decide that two Catholics cannot be legally or civilly married before a Protestant minister. Judge Charbonneau and the two judges who reached a contrary decision, all agree with the other five judges as to the law they were called upon to interpret and apply in the marriage cases that came before them. This was in all cases the civil law of the Province of Quebec. The decrees of the Church have no civil effect except in so far as the civil power recognizes their value and incorporates them in the civil code.

In this respect Quebec does what all the other provinces do; the legislature uses its own judgment as to how far it will give civil effect to Christian laws. In all parts of Canada bigamy is a crime punishable in the civil courts. Why? What right has the state to decide how many wives a free born British subject may have? The state in Turkey does not thus restrict individual liberty. Still the state does prohibit bigamy and polygamy, thus "outraging" the conscience of Mormons and others. Again, with regard to Sunday observance, the state steps in and imposes the Christian idea, sometimes the Puritan idea, of the Sabbath on Jews, Seventh Day Adventists and others who do not share the idea of the Lord's Day Alliance.

What is the justification? Simply that the sentiment of the country is overwhelmingly in favor of Catholic marriage laws for Catholics, with entire liberty to non-Catholics, why may not the Legislature enact laws that

effect? It is not the encroachments of Rome, but the free exercise of her civil powers by the Province of Quebec, that our over-zealous Protestant friends are attacking.

Of course Judge Charbonneau's decision settles nothing; other learned judges hold the very opposite view of the bearing of the civil law of Quebec as it stands. And even if the highest court should finally decide that the latter are wrong and Judge Charbonneau is right there is still no reason why the Quebec Legislature, if it deem it advisable, should not make the provisions of the civil code perfectly clear and unequivocal.

In the meantime the matter is, undecided and we commend to clergymen like the Rev. E. I. Hart, of Montreal, who says he never hesitated to marry Roman Catholic couples, the following editorial comment of the Quebec Chronicle:

"So far, however, as it is a question of the Hebert case itself, we have always considered that every Protestant minister should make it a point of honor never to celebrate the marriage of two Catholics, even though it should be legal to do so. Where both parties belong to the same church, they should not go to the clergy of another faith to be married. To do so implies something radically wrong, and the Protestant minister who unites two Catholics is liable to be abusing the law and encouraging immorality."

In the Province of Quebec the competence of a Protestant minister to marry two Catholics is still undecided. What then can be thought of those ministers who, with doubtful jurisdiction, persist in intermeddling with Catholic marriages? Perhaps the marriage question at Niagara Falls and Windsor may suggest the answer.

FAVORS CELIBATE OF THE CLERGY

Rev. Byron H. Stauffer, of Toronto has some interesting things to say about the celibate, as compared with a married clergy. Commenting on the statements in a Globe editorial that "the tragedy of the Church is the unrecognized creeping paralysis of the pulpit," he said that a celibate clergy was preferable to a lifeless one.

"Bad as the idea of a celibate clergy may be," said Mr. Stauffer, "if fear of loss of position and consequent loss of adequate support of wife and children stands in the way of outspokenness on moral issues, it is better that the twentieth century preacher be untrammelled by temporal necessities and go out free from the power of money, to preach the gospel that this age assuredly needs."

"We are so dependent upon the influence of money, the age is so material, the cost of living is so high and the loss of income consequently so serious that an outspoken pulpit in the circles of society where outspokenness counts is well nigh an impossibility."

"Bad as the idea of a celibate clergy may be! To understand fully the meaning of this we must forget our own experience as Catholics with many, vile priests faithfully corresponding with the grace of state, and remember the Protestant conception of the celibate clergy. Still it is better than the dumb dogs whose god is their belly."

The tongues of these dumb dogs are loosed only when they join the yelping pack in pursuit of some Papist game. This requires no moral courage; indeed it takes considerable courage for the average minister to refuse to join the pack.

In the meantime, with newspapers and even clergymen fearlessly voicing the opinions long held by the Protestant multitude, who no longer sit under the lifeless pulpit, it behooves our friends to set their own house in order and let Popery alone.

NO HEAVEN HERE

Some of the wise philosophers who reject revelation labor to make a heaven upon earth. It is true, indeed, that inventions, a better knowledge of nature's laws and regard for hygiene, are responsible for a greater measure of well-being. But it is also true that, despite the conquests of genius, sorrow is the inseparable companion of man. Man has breathed into marble and canvas sublime thoughts and visions of beauty; he has freed himself from the bonds that once attached his soul to earth, but he has done nothing against the kingdom of sorrow. Every generation has seen the weep eyes of men and women. Hygiene will not banish it. Nor will the efforts, however well-intentioned, of philanthropists make the dream of terrestrial happiness an assured fact. We can and we should endeavor to alleviate the wretchedness that is man-made. Some of the conditions under which the very poor live are a disgrace to our civilization. The tenements that are finding places for disease and sin: the foul rookeries which are a testimony to the rapacity of landlords and to the inertness of civic authorities, should be demolished. Now and then disease breaks out in these foul and loathsome hovels and forthwith there is clamor and sapient directions about the use of chloride of lime. And then we have dissertations on the housing problem. Speeches are made, and then there is a lull and forgetfulness until the next danger to health. We may say, by the way, that some individ-

uals, who are more impetuous than conversant with the housing problem, advocate the erection of a number of buildings in a certain quarter of the city for the very poor. They would make it a refuge for those who wish to escape the exactions of the tenement landlord. We fear, however, that these houses would be shunned by the very people for whom they are planned. An expert is a safer guide on this matter than a philanthropist who talks. He ought to be able to furnish a plan that would commend itself to the self-respect of the poor, and moreover, have it supported by legislative enactment. We can also make our fellow-wayfarer a neighbor by helping him. The man out of work, the urhins who run the streets, they who are stumbling along with their burdens—these are by our doors and are our brethren. We may be able to do but little, but anything is better than inaction and the following of the don't care policy of the pagan. A little thought, a little self-sacrifice will benefit us far more than the recipients of our brotherly love. Our brethren with tear-stained faces are round about us and we can minister unto them. We can shut our eyes, and shirking our duty, let Christ pass by unheeded. Work for our brethren is the best answer to the arguments of the socialists.

In the early ages of the Church sin was hated with a deep and abiding hatred, and was punished rigorously and at length. The records of these ages make us blush for our own. Our forbears in the faith were enthusiastic in their piety; they realized the objects of their faith and recognized the necessity of penance. They were warriors: we are oftentimes cowards. They understood what it meant to offend God: we are apt to forget that unless we do penance we shall perish.

There were four degrees of canonical penance. The first degree comprised those who were called the weepers. They remained outside the Church, begging for mercy, lamenting with tears their transgressions. Their trial lasted from one to five years according to their sins. The second degree of canonical penance embraced the hearers, who were allowed to listen to the instructions. For a period of from one to five years they were obliged to fast and to remain in the vestibule of the church. The third degree consisted of the penitents who were allowed to enter the church but were not adjudged worthy to assist at the Holy Sacrifice. The fourth degree took in those who were not permitted to receive the Body and Blood of Christ for a period of time prescribed by the Bishop. When their ordeal was over they confessed publicly and were absolved. The apostle fasted on bread and water for ten years. Drunkenness was punished with a rigorous fast. We might go on, but these facts will serve to show the spirit that animated the Church, and the docility of her children.

AN OBSTACLE

The great obstacle to the progress of the Church is not the machinations of hostile governments, not the anti-Christian propaganda of men who have quarreled with God, but the indifferent Catholic who places the world and self in the first and God in the second place. He is inclined to rail at authority. When a prelate makes some pronouncement he is one of the first to play the critic and to air his superior wisdom born of an un-Catholic heart. He seeks to pose as being independent and broad-minded because it helps him in business or enables his wife to enter the sacro-sanct land of society. Any legitimate exercise of authority is deplored as either unnecessary or calculated to provoke the animosity of the non-Catholic. He loves peace so much that he will swallow any insult against the Church with a surprising alacrity. This, however, he calls prudence, to the amazement of those who have any regard for manhood. He hides his principles, goes through life with bated breath, represses any guidance of priest or prelate and gets the contempt of Catholic and non-Catholic alike. He may be used for this or that purpose, but he is placed in the category of those who are spineless. The Protestant, however he may view the faithful and ardent Catholic, will respect him as a man unshamed of his beliefs and ready to defend them. The shuffling Catholic, with his pose of wisdom, his cheap criticism, his strivings to please others at any cost, his pitiful efforts to cloak his ignorance with the vesture of broad-mindedness, is a living affront to decent men.

HOW THEY DO IT

The Antigonish branch of the C. M. B. A. has given \$1,000 to St. Francis Xavier College in that town. Antigonish is certainly in the forefront so far as Catholic education is concerned. Its college represents a world of devotion, work and self-sacrifice, and is to-day one of our best assets. With professors trained in America and Europe, it is a factor in the educational world and will in the near future be acknowledged as one of the most efficient halls of learning on this continent.

WHYRE WAS BEATTIE NESBITT?

Mansey Hall, where was held the Orange demonstration in Toronto to protest against the granting of Home Rule to Ireland, was, according to the Globe, comfortably filled. Three thousand is given as the number of those present, but as the hall accommodates five thousand there must have been a large measure of comfort. The speakers on the occasion were Mr. H. C. Hocken, Mr. J. S. Willison, editor of the News, Hon. Wallace Nesbitt, K. C., and Dr. A. W. Thornton. The chaplains of the meeting were Rev. Canon H. O. Dixon and Rev. Dr. W. H. Hincks. It is customary for clergymen who have small congregations to attend meetings of this character. The speakers were all in sympathy with and over-ready to glorify that portion of the population of Ireland confined to Ulster who throw rotten eggs, bags of flour, mud and other missiles at Lord Pirrie, hitting him several times on the face and bespattering Lady Pirrie and the policemen who were escorting them. Would they not likewise give three cheers and a tiger for the same people who offered gross insult to Mr. and Mrs. Winston Churchill when they recently visited Belfast. There was an air of stupidity, buttressed by dense bigotry, in the utterances of all the speakers. Mr. Willison, editor of the News, said that "what we demand is that the legislatures of Canada shall not again join in a conspiracy against Ulster and that the machines we have taken up to merge the scattered provinces of the Dominion of Canada into a single commonwealth shall not be used to separate Ireland from the empire and subject her to restrictions and perils to which we in Canada would never submit." As Ireland will in the future bear pretty much the same relation to England as the Province of Ontario does to Ottawa, we may take it that Mr. Willison trimmed his sails to evoke an Orange cheer. It was a typical Orange argument—common sense hibernating in the cold outside. But Mr. Wallace Nesbitt, K. C., gave us a serious joke on the occasion. It may not be looked upon as a joke in the Queen City but will be laughed at everywhere else in the Dominion. The King's Counsel recently met Sir Edward Carson, who had expressed surprise when "he (Mr. Nesbitt) had told him that the unanimous opinion in Canada was not in favor of Home Rule. He hoped Sir Edward would be in Toronto as his guest next September and the Toronto people would have an opportunity of hearing him then." The interpretation clause applied to this statement would read thus: "Come to Mansey Hall, Toronto, and we will call a public meeting to discuss the Home Rule question. You will then see that the people of Canada are against Home Rule." Toronto is a great city and rapidly increasing in population. A pity it is that there are so many within its limits who are saying and doing things to bring it into disrepute elsewhere.

Another "Ne Temere" echo comes from our local dailies: G. W. Watson advertised a few weeks ago in the columns of the Free Press for a wife. Among the replies he received a letter signed Annabelle Russell. The letter favorably impressed him, and for some days the two corresponded regularly. In her letter Miss Russell hinted at some grave fears for the future, implicating a physician whom she named as Cady. She said she had inherited a fortune of about \$12,000, and that the doctor was trying to force her to carry him so that he might secure the money. Miss Russell emphatically stated that if she did not marry Watson on Saturday that she would be forced to leave the city for Chicago, and that Watson would then not have a chance to wed her. Actuated by this, Watson agreed to meet Miss Russell in a drug store, and told her to wear a red rose so that he might distinguish her from other women in the store at the time of the meeting.

It appears that Miss Russell became tired of waiting for Watson, and left, throwing the rose on the floor in disgust. Previously, however, she confided in another girl, and the latter, in a romantic spirit, picked up the rose, and impersonated Miss Russell and was married. The ceremony was performed by Rev. Dr. Eber Crummy. Within twenty minutes after the wedding the girl vanished and her husband could not locate her. Subsequently she made an arrangement to meet him yesterday afternoon. She went with Watson to his rooming house, where he detained her for hours, and the police were called. The girl then retained T. R. Ferguson to look after her interests, and to try for an annul the marriage on the ground that she went through the ceremony as a jest.

It was precisely to prevent these rash marriages that the Catholic Church four years ago promulgated the "Ne Temere" decree, which has caused an uproar in this country. If Dr. Crummy had had a "Ne Temere" decree, or some such legislation to guide him in this matter, he would have saved himself, to say the least, a lot of cheap advertising.

According to the Free Press, Dr. Crummy states that he made no inquiries before performing the ceremony, because it is not customary to do so. Of course it is not customary to do so, and that is why we hear of so many runaway marriages, which generally end up in separation or in the divorce court. We suppose Dr. Crummy made Mr. Watson and his lady repeat the old phrase, "until death do us part," it being understood of course that it has no other meaning than: "until we grow

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COMING TO THEIR SENSES

We ask our non-Catholic fellow-citizens to give careful study to the following article from the Winnipeg Saturday Post, a secular paper published by non-Catholics. Surely the prevailing conditions ought to turn people's minds to a more kindly feeling towards the Pope because of his having given us the Ne Temere decree. Our Protestant fellow-citizens will, we feel sure, come to the conclusion sooner or later that Rome is wise after all, and that the severe criticism indulged in against the Catholic Church was both ill-considered and unjust:

That marriage mix-up, of which we have heard so much in Winnipeg during the past week, is not only absurdly silly, but it also has a serious side. A man who would marry a girl under such circumstances is deserving of no sympathy. A girl who would play the fool to the extent to which this simpleton played it is not to be pitied either. A preacher who would marry two total strangers, and have witnesses present who knew neither of them, not only deserves no sympathy, but deserves to be roundly censured. The Free Press, which published the yellow advertisement that led to all the trouble, must now feel proud of itself! No reputable paper on the continent publishes advertisements of this nature. Only papers that do not hesitate to play the part of agent for procurers and others with questionable motives lend themselves to this service.

The whole mix up is one that reflects mighty little credit on the condition of our marriage laws, and also little credit on our social conditions. The only people really to be pitied are the members of the unfortunate girl's family. They, at least, are innocent. Everyone else in the transaction is guilty of criminal folly or worse. The girl herself has received her punishment by being lawfully married to a man whom she does not even know. The minister in the case is punished in the same degree. The minister in the case is punished by having made himself supremely ridiculous. He will also have the satisfaction of knowing, as a minister and a man familiar with the law, that the only manner in which this man and this woman can have their marriage annulled within seven years will be by the committing of another offence.

The chief value of the whole absurd incident is to be found in the fact that it has called public attention to the dangerous ease with which persons may be married in this province by ministers