

## THE CATHOLIC RECORD

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**LETTER OF RECOMMENDATION.**  
UNIVERSITY OF OTTAWA,  
Ottawa, Canada, March 7th, 1900.  
The Editor of THE CATHOLIC RECORD,  
London, Ont.  
Dear Sir: For some time past I have read  
your estimable paper, THE CATHOLIC RE-  
CORD, and congratulate you upon the man-  
ner in which it is published.  
Its matter and form are both good; and a  
truly Catholic spirit pervades the whole.  
Therefore, with pleasure, I can recommend  
it to the faithful.  
Blessing you, and wishing you success,  
Believe me, to remain,  
Yours faithfully in Jesus Christ,  
J. D. FALGOUT, Arch. of L'Assom-  
ption, Apost. Deleg.

London, Saturday, August 17, 1901.

## THE KING'S ACCESSION OATH.

The force of Lord Salisbury's effort to change the King's accession oath is ended, and it is now decided that no change will be made in it this year. The Government has admitted all along that the oath is an insult to Catholics which ought to be abolished, and this sentiment was universal among the Peers who made the first movement toward its repeal. But the committee of Lords and the Government, in the fear that the ardor of the North of Ireland Orangemen in support of the Government might be cooled if the oath were to be abolished just now, would not go further than to propose to omit the declaration that the doctrines of transubstantiation, invocation of the Blessed Virgin Mary and other saints, and the sacrifice of the Mass, are superstitious and idolatrous, and the insinuation that the Pope is in the habit of giving dispensations permitting persons to take evasive or equivocal oaths, or to take false oaths with some mental reservation, an insinuation which is both false and insulting.

The Catholic Peers very properly objected to the statement in the proposed oath to the effect that Catholics adore the Blessed Virgin Mary and other Saints, and declared that they desire no change in the oath unless this insulting clause be omitted. Hence the Government have dropped the measure, as they have found it unsatisfactory for the purpose for which it is intended.

The situation is this, that the Orangemen of Ulster, and the Presbyterians of Ireland have united in sending in protests against any change. The Government, however, being aware that the oath is so glaringly false as well as insulting, wishes to moderate it somewhat that the absurdity may not be so palpable. They are not afraid to run counter to Orange sentiment to some extent, as they could plead their strong Protestantism in the retention of some of the odious features of the oath, and they might thus rely on not offending the Irish Protestants so far as to lose their support in a general election, even with the new oath on the statute book; and it would be a positive gain if they could obtain even some modicum of Catholic good will.

But they have discovered that they cannot please the Catholics by such a delusive measure as was proposed, and notwithstanding that an overwhelming majority of the House of Lords showed itself to be in favor of removing the insult, at least in part, it would be useless to pretend to do this, when it is seen that the Catholics are not to the slightest extent pleased with the half-way measure proposed, and therefore the change will not be made at present, though we have no doubt a more radical change will be made before many years elapse.

The despatch of date Aug. 5, which gives the news that the measure has been dropped for the present says:

"Lord Salisbury, the Premier, referring to the statement of Catholic people, said that the Government now realizes that the Catholics do not wish the offensive words of the original declaration to be withdrawn unless the Government at the same time withdraw the declaration regarding the security of the Protestant succession. The Government never had the slightest intention of withdrawing that the Catholics regret that they must be prepared to see the declaration stand in its present form."

We say it unhesitatingly that Lord Salisbury here asserts a falsehood to cover his duplicity. We do not wish to hide the fact that Catholics would wish the Protestant character of the oath to be entirely abolished; for it is but natural that we should wish all Catholic disabilities to be removed. But the present agitation has not had for object the setting aside of the Protestant succession, as Lord Salisbury asserts. Catholics fully realize that the Protestants of England, and indeed of all the British Isles, are bent upon retaining the Protestantism of the Sovereign, and that no effort to open the throne to a Catholic would be successful now. But there was, and is, a belief that the Protestantism of the Sovereign could be maintained without unnecessarily wounding the feelings of twelve million British subjects over the whole Empire; and the purpose of the agitation on the part of Catholics was nothing more than to have the insulting language eliminated, the Protestant succession remaining untouched. There was no attempt looking any further than this. An injustice has, therefore, been done to Catholics even by several Canadian papers which have stated in connection with this matter, that Catholics have "thrown off the mask" by demanding that the security of the Protestant succession should be made weaker. There was no such mask worn, and it could not, therefore, have been thrown off.

We have already before now explained that to attribute to Catholics the practice or doctrine of the adoration of the Blessed Virgin and the saints is a falsehood as well as an insult, and we supposed that Protestantism could be maintained without putting forth this insulting falsehood. The Government, however, by the plea on which it defends its inaction, practically asserts that Protestantism can be supported only by falsehood; and Parliament takes the same view. Well, if this is the case we prefer to see that the falsehood which so wise and learned a tribunal as the British Government and Parliament insists upon as being the foundation of Protestantism, should be so glaring that he who runs may read.

The proposed oath on which the Lord's Committee settled contains only one falsehood, that which makes Catholics adorers of created beings. But the oath as it stands, and which the British Government has decided shall be still the test of fitness to occupy the British throne, contains half a dozen falsehoods.

We have no doubt the time will come soon when Protestants will themselves be ashamed of this oath which is a relic of the barbarous days when Titus Oates and his associates in infamy were heroes apotheosized by the British people, because by the grossest perjuries they swore away the lives of English Catholics.

We cannot do better than quote here from Sir Walter Scott's "Peveril of the Peak" the words which that celebrated author puts into the mouth of King Charles II. in reference to the prevailing sentiment of the people of England at the period in question.

Charles thus rebukes the Duke of Buckingham for encouraging the bar-  
barities of that period:

"Now Heaven forgive thee thy hypocrisy, George. I would rather hear the devil preach religion than thee teach patriotism. Thou knowest as well as I that the nation is in a sear, let fever for fear of the poor Catholics, who are not two men to five hundred, and that the public mind is so harassed with new narrations of conspiracy, and fresh horrors every day, that people have as little real sense of what is just or unjust, as men who talk in their sleep of what is sense or nonsense. I have borne, and borne with it—I have seen blood flow on the scaffold, fearing to thwart the nation in its fury—and I pray to God that I or mine be not called on to answer for it. I will no longer swim the torrent, but to stem—I will cut the part of a Sovereign, and save my people from doing injustice, even in their own despite."

Would that these same noble sentiments were to be found in the breasts of King Edward VII. and Lord Salisbury! We do believe that in his soul the king entertains such sentiments; but the Premier, politician as he is, is influenced more by the effect which his professions will have upon his party in the House of Commons.

The many friends of the Rev. Father Flannery, D. D., of St. Columban, who was very sick, will be rejoiced to learn that he is rapidly recovering. For some time past he has been able to drive out every day with his attending physician, Dr. McGinnis of Seaforth.

## DISHONORABLE TACTICS.

The various Protestant missionaries in the Philippine Islands have agreed upon a means of throwing dust into the eyes of the natives by making it appear that they constitute only one Church. To effect this they have called all their Churches by the one name, "the Evangelical Church." The Boston Congregationalist, an American Church organ, announces this agreement as follows:

"Christians may continue to know one another as Presbyterians, Methodists, Baptists, etc. but they will stand before those to whom they bring the gospel simply as members of *La Iglesia Evangelica*."

## THE LAW OF ASSOCIATIONS.

The French Infidel press is jubilant because the Holy Father, after due deliberation in regard to the action which should be taken by the French Religious Orders under the Law of Associations, has decided that "in order to avert the grave consequences which would follow the extinction of these orders which are doing so much good, he permits unrecognized institutions to apply for authorization under conditions specified in his letter addressed to them on this subject."

The Courrier du Soir, an official paper of Paris, comments upon this announcement of the Pope as follows:

"These pontifical instructions constitute the first victory for the new law. They imply the submission of the congregations, while the conditions specified leave absolutely intact the fixed rights of civil society over religious associations."

It was never denied by the Pope or any Catholic authority that the Government has the power to persecute, and the Holy Father acts wisely in permitting the congregations to bend before the storm, but this fact does not justify the action of the Government in forcing through the two Chambers a persecuting measure the purpose of which is to impose heavy penalties upon associations simply because their objects are to promote religion and to benefit the nation.

It is a short-sighted policy on the part of the Government to pass anti-religious laws, and is calculated to inflict on the nation a permanent injury which will not be repaired for many years. Yet this is no reason why the religious orders should beat their heads against a rock. We must add, however, that we have still this much confidence in the French people that they will in due time punish these anti-religious legislators who have played into the hands of the infidel factions of France. In the meantime it is well that the religious orders should submit even though the laws are unjust.

The Holy See declares, however, that "the provisions of the law which impair the rights, prerogatives, and religious liberties of the congregations are to be condemned as unjust." This vindicates the principles of right and justice, even though the principles themselves may not be manifestly triumphant for a time. We believe that the triumph of infidelity will be short-lived.

The Associations Law as finally passed may be summarized as follows:

Religious Associations are divided into two classes:

1. Authorized Religious Associations, which are not interfered with by the bill, and which, therefore, continue to exist. These number 70,000 members, and possess property to the amount of \$120,000,000.

When it is borne in mind that this property includes schools, hospitals, asylums for the infirm, insane, deaf and dumb, orphans, and penitent women, as well as residences for the religious, it will be understood that the amount of property held is moderate. The cry, therefore, which has been raised against all religious orders, on the ground that they hold too large an amount of property, is but a flimsy pretext for their persecution.

2. The unauthorized associations are those which consist of voluntarily associated members, usually of different nationalities, who from the nature of their community cannot be regularly incorporated under the French

Law. It is against these communities that the Associations Law is chiefly directed. If these do not ask authorization or fail to obtain it, the members will be obliged to disperse, and will be forbidden to teach. Their property will be sold, and will be disposed of partly for the support of individual members of the dissolved communities, and partly in such way as the Government will deem proper.

Among the orders against which the Law is aimed are the Dominicans, Assumptionists and the Jesuits, none of which orders would be recognized by the Government, owing to the fact that they are obnoxious to the infidel rulers of France, so that a pretext for not recognizing them would be easily found in the fact that their membership is not limited to Frenchmen.

The Jesuits and Dominicans are preparing to leave France in consequence of the final passage of the law, but many, especially of the Jesuits, will remain as private or secular preachers and teachers, being prohibited to live in community. Other congregations are also preparing to leave. These will for the most part establish their headquarters at Brussels or other Belgian cities; and in consequence of this determination, many millions of francs have already been withdrawn from the Bank of France, to be transferred to the banks of those countries to which the religious orders are about to withdraw.

But there is another side to the passage of this law, arising out of the international character of the Catholic Church. It was foretold that the position of France in the East as "protector of the Church" would be impaired by this law attacking the religious orders. The Government appears to have thought that this anticipated result was visionary, but it has already proved to be a reality to some extent, and it is certain that the evil consequences to France will be much greater than the Government has yet anticipated. Already the Italian minister at Pekin, Count Raggi, has invited the Italian missionaries in China, most of whom come from San Calocero Seminary in Milan, to place themselves under the protection of Italy, and renounce that of France. The Franciscans have agreed to do this, and France must lose prestige in China in proportion to the number of religious orders which will cease to be under protection of the French Government.

The Government has always regarded its position as Protector General of Christians in the East as one of great importance, but as matters appear at present this position will be soon forfeited, unless the attitude of the Government be changed before the Christian Protectorship be irretrievably lost.

There is no doubt that the next general election will be fought on the issue of the Law of Associations. The Government may be very sanguine that its policy will be approved by the people, but the religious press on their side give quite a different forecast of the result.

The Holy Father, Pope Leo XIII., in a letter of encouragement addressed to the religious orders persecuted for Christ's name's sake, says:

"They are to remember the words of Jesus Christ: 'Blessed are ye when they shall revile you and persecute you, and speak all that is evil against you, untruly, for My sake.' The true reason why they are persecuted is the capital hatred of the world against the City of God, which is the Catholic Church. The real end of it is to drive out from human society, if possible, the restorative activity of Christ so universally beneficent and salutary. Religious of either sex are the elite of the City of God, since they especially represent the spirit and the mortification of Christ, tend in their practice of the evangelical counsels to carry the Christian virtues to the highest possible perfection, and in many ways powerfully aid the action of the Church. It is not strange, therefore, that the City of the World rises against them, especially the men who are by sacrilegious compacts more closely bound and servilely submitted to the Prince of this world himself."

The Pope then reminds the religious that when God allows right to be for a time overcome by violence, "He permits this in view of a greater good; and He is used to succor in unexpected ways those who suffer for Him, and resign themselves to Him." He therefore bids these religious to meet their persecution with courage and virtue, and to take a firm and dignified attitude amid the trials to which they are subjected, meeting them with the charity which knows pity but not anger, recalling the magnanimity of the Apostle: "We are reviled, and we bless; we are persecuted, and we suffer; we are blasphemed, and we entreat; and to repeat the prayer of our Lord: 'Father, forgive them.'"

## LEGACIES FOR MASSES AND CHARITABLE PURPOSES.

The question whether or not legacies left by will for the purpose of having Masses celebrated for the repose of the soul of the testator or for other persons living or dead, are valid, has been many times discussed in the newspapers, the only result being so far that there still remains a doubt as to what would be the decision of the courts in Canada on this matter.

Recently in Louisville, Kentucky, a case arose in which such legacies were left by Mr. John D. O'Leary, a highly educated and prosperous business man who died on May 14th, 1893, leaving an estate valued by the executor at \$65,000, but which Thomas F. Coleman, one of the heirs to the estate, valued at about \$200,000.

Mr. O'Leary left \$8,000 to Rev. James M. Hays, S. J., of Chicago, for Masses for Mr. O'Leary and his family, and \$1,000 to the Cathedral of Louisville for the same purposes. Three thousand were also left to the Bishop of Louisville, and a like sum to the Bishop of Cork for purposes of education and religion as they might deem advisable.

There were other legacies also for charitable purposes, and the balance of the estate was willed to the Bishop of Louisville, and three other persons to be selected by him as trustees for the establishment of a home for poor and infirm Catholics.

A suit was brought by Thomas F. Coleman, one of Mr. O'Leary's heirs, to have these legacies set aside as invalid on the ground that they were too indefinite and uncertain, or that they were for superstitious uses.

The suit thus brought forward was entered on the plea that it was on behalf of the heirs, but it was shown that the heirs had not authorized Mr. Coleman to act on their behalf, or at least it was not shown that he had received any authority to act for any of the heirs. In fact, the Rev. Father Hays, one of the heirs, would be entitled if the will were upset to a larger sum than was left him for Masses.

In the evidence given by the executor, and by Bishop McCloskey, the meaning of the Mass was explained to be a religious act, or an act of worship of God for the benefit of the living and the dead. It was shown that the Masses are offered publicly in the Church, and that all Catholics may assist at them, and that prayers are said for the intention of the person who contributes in this way for the support of the Church and the maintenance of public worship. The nature of the Mass was explained, and was shown to be in conformity with the teachings of Holy Writ, and of the Church of Christ from the beginning.

Judge Toney, who tried the case, explained that in England, where the Church of England is established by law, all religious rites which are contrary to the doctrines of the Church of England have been pronounced to be superstitious, and legacies founded thereon are invalid. Such legacies would be invalid if they were for the support of Presbyterian, Methodist, or Baptist ceremonies or tenets, but under the constitutions of the United States, and of the State of Kentucky, there is no State Church, or Church established by law. The ceremonies, tenets, and beliefs of one Church are just as sacred in the eyes of the law as those of another. The Mass, preaching, praying, Communion, and other forms of religious worship are not superstitious in the eyes of the law, whatever may be the Church which makes use of these practices. The belief in Purgatory, also, is as sacred, true, and valid in the eyes of the law, as the creeds of any religious denomination.

The judge decreed, therefore, that "a bequest for the saying of Mass is a bequest for an act of religious worship, as much as a bequest for preaching, or putting memorial windows in a Church, or for supporting religious music in a Church. The money directed to be used for such purposes is not considered as the purchase price of the Mass, but as an aid in the maintenance and performance of a religious ceremonial by the clergy or priesthood." It is therefore held in the case of Schouler's petition 184, Mass. 426 that a bequest of money for Masses is a good charitable bequest of the testatrix.

The Court added:

"Masses are religious ceremonies, or the observances of the Church of which the testatrix was a member, and come within the religious or pious uses which are upheld as public charities."

Judge Toney stated that in Alabama a case had been decided, wherein a bequest of this kind had been declared invalid, but he believed this decision

had been wrongfully reached. In another case in Wisconsin, a similar decision to that in Alabama had been given, but this arose out of special State legislation invalidating such bequests, and the decision would not have any authority in States where there was no such legislation.

So far as we are aware, there is no decision of a Canadian court in regard to the case in point. The testators usually bequeath their contributions absolutely to the priest whom they wish to offer Masses for themselves or for any other purpose, and thus danger of future litigation on the matter is avoided. However, we see no reason why the argument of Judge Toney should not be of force in Canada to validate such bequests as might be made in this manner, as we have no State Church in the Dominion. But, to avoid the possibility of dispute in a matter so closely allied to religion, it is advisable, when such legacies are to be left, to make them absolutely.

## A NOTABLE PERSONAGE.

Amongst those who attended the funeral of the late Patrick Boyle of Toronto, was Mr. Teefy, Esq., P. M., of Richmond Hill. Mr. Teefy is perhaps the oldest postmaster in Canada, and we might also state about the oldest printer, as he was a member of the craft over sixty years ago. The familiar faces of the old timers are fast disappearing. Although Mr. Teefy has attained a good old age, we trust it will be many years before we will be called upon to announce his departure from amongst us. He stands in the front rank of the old guard whose lifework reflects credit on faith and fatherland and on their adopted country.

## AERONAUT SANTOS-DUMONT.

The Brazilian aeronaut, Santos Dumont, on the 9th inst. made his third attempt at accomplishing the task set by the Swedish savant Mr. Deutsch, and for the accomplishment of which Mr. Deutsch had offered a prize of 100,000 francs, (\$20,000). The object Mr. Deutsch had in offering this prize was to encourage the construction of a balloon or airship which should be perfectly under control of its manager. The conditions annexed are such that they can be fulfilled only with an airship perfectly under control. The aeronaut must leave the vicinity of the Aero-club at St. Cloud, sail to the Eiffel tower, which it must go round three times, and then return to the starting-point, and all must be done within half an hour.

In the first attempt to fulfil these conditions, Mr. Santos-Dumont succeeded in all except the limit of time, which was somewhat exceeded. But he proved nevertheless that he had solved the problem of a perfectly dirigible balloon. In both first and second attempts, adverse winds prevented the experiment from being successful.

The third attempt was made on the 9th inst., when the brave aeronaut succeeded in rounding the Eiffel tower as required, and though the despatch does not state that the three circuits were made, we presume this was the case, as the balloonist had begun his return to St. Cloud, 9 minutes and 34 seconds after starting, when a strong gust of wind struck the machine, turning it to one side and causing it to rebound for fifty yards. The sudden expansion of the hydrogen gas caused the machine to dip. The screw touched the steel cords and broke them, whereupon M. Santos Dumont stopped his motor and began to descend. The airship then came into contact with a six-story building and burst with an explosion like a cannon-shot, but most providentially, as the machine coped the frame caught on the coping of the building, and remained suspended in mid air. Thus the balloonist's life was saved, and after about half an hour he was rescued from his perilous position.

Mr. Deutsch was present, and was so affected that he told the balloonist he would give him the prize rather than let him endanger his life again. Mr. Santos Dumont, however, declares that he will make the attempt again, as his motor is uninjured, and he is himself unharmed.

Mr. Deutsch says that this form of balloon will always be at the mercy of the winds, and is therefore not the machine he had hoped for when he offered the prize.

The strong religious faith of the aeronaut M. Santos-Dumont, was made manifest, as he attributes his escape to the intercession of St. Benedict, a medal of whom had been given him a few days ago by the Countess d'Eu, and which he wore during the

descent, attached to a bracelet on his wrist. As he referred to his conviction on this point, he reverently kissed the medal.

It is a noble example that M. Santos-Dumont proclaims his faith in this age of humanism, and in Paris where the want of any faith in God or the supernatural is now at a premium.

## THE TERRIBLE EVILS OF DIVORCE.

History Repeatedly Shows that Whenever the Unity of the Marriage Contract is Tampered with Every Avenue to Wickedness is Open, and the Foundations of Society Shaken.

Divorce may be considered from three aspects: Firstly, a *vinculo*, or a complete dissolution of the marriage contract, whereby the parties become as if they had never entered into such contract; secondly, *ab initio*, or a complete separation because the parties had never, in fact or law, entered into the marriage relations owing to disabilities rendering a contract impossible; thirdly, a *mensa et thoro*, or a separation as far as common life is joined by the contract is concerned, but the contract, as before, indissoluble. The distinction between these classes must be observed to gain an understanding as to the doctrine of the Church; and to some seeming difficulties from time to time advanced from history against the constancy of that doctrine this distinction will be a solution. In the latter case it is evident that divorce may be legal and laudable; in the second a separation can take place because in reality there is no contract, hence no marriage, only an external ceremony. In the first the dictum of the Church is: "What God has joined let no man put asunder." Not only does the Church deny the State any such power to dissolve the marriage contract, but she herself asserts she has no power to do so.

## HISTORY OF THE SUBJECT.

Divorce is the never failing attendant on the demoralization that always accompanies and precedes the ruin of nations and peoples. Sensuality seems unable to compass the destruction of man until it makes inroads upon the unity and sanctity of the marriage contract. Man, in his rudest state, has an innate sympathy with these qualities of marriage, and it is only when luxury has crept in and extravagant attention shown to the animal nature in man that a disregard is shown them. The mythological history of some Pagan people give us an idea of the sanctity in which the marriage contract was held, and the direful penalties attending the desecration of it in any way. At the very time when the vast empire of Rome was being undermined by the lust and luxury of the nobles and people the fidelity to husband and wife among the rude tribes conquered by the Romans was the surest guarantee that the conquered should soon be their conquerors. Tacitus informs us of married life was strictly observed by the Germans, and one who had broken fidelity was driven from the home, and the hair having been shaved from the head, was beaten through the village. There was no question at all of remarriage. Such was the rule of life among the rude warlike tribes who, when the Romans saw the empire of the Caesars fade into nothingness. The historians of Rome gave evidence of a similar spirit among the Gauls.

## THE DECLINE OF THE ROMANS.

Among the Romans themselves, who they were laying the foundations of their subsequent greatness, there was no mention of divorce. From the time of Romulus marriage was considered *vinculo* indissoluble. When the East came into the hardy warrior returned from the Oriental campaigns enervated by sensuality through enriched with plunder, then it was that the steady dignified Roman matron degenerated into a frantic courtesan and the hardy warrior a worthless sensualist. The unity of the marriage contract, tampered with, every avenue to wickedness was open, the foundations of social society were shaken, and the sphere was contaminated, and the virginity of the Vestal virgins came the byword for half-civilized crime. The literature of the age reflects the attitude of the people, morality, and those who read would how man could fall so far. Marriage had lost all sanctity and was a contract, but nothing more, dissolved by mutual consent or by whim of a party. It was quite fashionable to have divorced six or eight wives. St. Jerome mentions one lady who had been married to twelve husbands, and who was the twenty-third wife of her twenty-third husband. Emperors and legislators were doing a morality they did not practice; they knocked down barriers they never set up again, and the nation hurried to certain Philosophy, in the person of Socrates, its principles and precepts, its anathemas while the polished baubles admired the rounded curves of the language used, but continued as before.

## THE CHRISTIAN ERA.

When our Divine Lord began His mission the marriage contract lost all its sanctity, but was inspired by the law of Moses. According to the law of Moses as Christ said, was a consecration of the heart of the man and to avoid worse evils, "If