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LONDON, SATURDAY, JULY 2, 1921

EFFECTS OF TRANSFERRING DIVORCE CASES TO THE CIVIL COURTS

In all that the Protestant Episcopal Bishop of Sacramento has so ably, so forcefully, and so fearlessly written on the Divorce evil in the United States nothing is truer or more worthy of serious consideration than the simple statement of the obvious trath contained in this paragraph :

"Easy divorce even among the best intentioned people is a standing invitation to magnify trivial differences, an invitation to selfishness and discord, an encouragement to hasty or impulsive unions. Experience shows that if divorce courts were abolished, as in South Carolina, or divorce made difficult as in Canada, New York, District of Columbia and elsewhere, the majority of those seeking divorces would find it not impossible to live together contentedly, and that many of them would find the full happiness and reward of faithful married life."

The legislation which was proposed for Ontario, and which is not backed by public sentiment, would make Divorce one of the ordinary cases which would be tried by the civil courts. People would become familiarized with Divorce actions and Divorce proceedings. To seek release from marital difficulties and marital responsibilities would come to be looked upon as the right thing to do, because clothed with "legal" respectability.

Already ministers of the Gospel have gone far to prepare the way : they have insisted not on the essential sacredness of Christian marriage; but they have exalted the "legal" marriage above every other consideration. If or when the courts dissolve "legal" marriages another "legal" marriage may be contracted though Christ has said that such

ago in which he favored publicity in guilty parties still drags its unclean in Europe. length along. A recent scene connected there-

with is thus described in the New York Times : "A larger crowd than usual gath-

hearing was begun this morning. writes. Of course war has grown to be a colossal affair in recent Main Street, between Washington and Market, was crowded with men, years and the problem has correswomen and even children, and the pondingly increased in msgnitude as crowd became so dense that some of | well as in urgency. "I have been much shocked,"

the bank officials complained to Chief of Police McCabs that custo- writes Newman, "at the weekly the afternoon session.

themselves, but in nothing short of "Mrs. Stillman's gypsy like costume of Wednesday, which was topped by the British Constitution itself. . . ." a bright colored bandanna as a head-

dress, seems to have set a style in Poughkeepsie. A number of young for war. .. "I say that this Constitutional girls wore bandannas today, and present to Mrs. Stillman a bouquet war. . . ." of flowers several of them wore

bandannas." the British Constitution . . . One does not need to be a pyschol ogist to appreciate the effect of all will this on the minds and on the emonot only doubles prices and taxes, tional nature of the "women, old but which may bring about a sudden and young," on the "children," on infringement and an irreparable the bandanna wearing "young girls " injury of that remarkable polity, who do themselves the honor of prewhich the world never saw before, senting a bouquet of flowers to their or elsewhere, and which it is so heroine attired in gypsy-like costume. pleasant to live under. . . All must perforce discuss the alle-In Discussions and Arguments gation made by her husband that Newman deals at great length with this woman bore a son to a half. the problem of reconciling the cafebreed guide. And the other equally guards of ordered liberty with notorious fact that she has entered autocratic requirements of war; and an affirmative defense." which he, like the modern writers we have means that she accuses her husband quoted above, finds them irracon-

of misconduct quite as bad or worse. cilable. One need be nothing more than an Newman was not a baliever in average Canadian with average democracy as we understand and ganity and sense of decency to extol it. But there it is today ; and resolve that no interested clique there is no doubt that it enormously shall make our courts the medium of intensifies the problem of which he producing similar scenes to debase was so acutely conscious. Canadian ideals of marciage, to Neither in England nor in France, degrade Canadian womanhood, and nor in the United States, nor, for to infect with their poison the minds that matter, in Canada have the even of little children. powers that be entirely relinquished

DEMOCRACY AND WAR Major · General Sir Frederick Maurice, in an article on Napoleon in the London Daily News of May 5th, personal liberty restored. comes to this very interesting and very practical conclusion :

"A study of Napoleon's career leads to the conclusion that supreme generalship is only possible when with it is associated supreme control

THE CATHOLIC RECORD

It will be noted that General However, let us grant, for argu- bien no concerted effort to restore Maurice speake of a League of ment's sake, that it would be well to the practice to its pristine place even should scathingly condemn the Nations, not the League which is continue the appeal, in questions of there, and if the movement headed rejected in America and discredited constitutional law; questions involv- by the Benedictines can, by reviving The keen intellect of Cardinal Parliament or legislature. Such a further so laudable a purposs they

Newman discerned this same crucial reservation would cover most of the will have earned the gratitude of difficulty nearly seventy years ago cases of wide public interest, in posterity. when the conduct of the Crimean which deep and passionate feeling is

War developed the very problem likely to be aroused; school ques-Trust Company Building before the of which Sir Frederick Maurice tions, for instance. The final interpreting of the British North America Act, which is an Act of the English killed Catholic congregational sing-Parliament, may, possibly, be more fitly done by the English 'Privy Council; at least, there is some argument to be made for that view. Such a statute as the British North extracts you have made from the America Act, conferring a constitu-Sergeant Patrick McGovern and correspondents of the daily prints, tion on a country, and dividing the Patrolman J. G. Hendricks cleared a descriptive of the British army in powers of legislation between Parlia- primitive Church. Dom Mocquereau, space in front of the trust company. the Orimea ; and a conviction has ment and the legislatures, may, I con- a collaborator of Dom Gaeranger, the trucks and automobiles for a glimpse has been formed, in my mind, which land than here; because the inter- a representative of the New York of Mrs. Stillman, who has become the the ranning comments of the Press pretation of such a statute involves Post who had interviewed him on chief local attraction. An even larger continually strengthen, that we a conception of English State policy; the subject, that the Gregorian is more school children, waited to see the root of the evil, which lies, not it is conceivable, and arguable, that gical music, and, being unison music, her leave the building at the end of in the men in authority, nor in the it is well to place the final power of can be sung by all the people, even system of administration simply in interpretation, in such a case, in the by young children. The chant is as Privy Council.

demonstrate the necessity, or the same authority, and it is the only admirably adapted for peace, but not propriety, of continuing the general form of music that has been officialright of appeal to England. When I ly recognized by the Church.

refer to a general right of appeal, I Government of ours shows to do not wish to be understood to the home of John E. Mack, special extreme advantage in a state of mean that there is now a right of guardian for Guy Stillman, came to peace, but not so in a state of appeal in all cases. There is no restore all things in Christ, issued a longer an appeal to England in crim-

"Any one, then, who like myself, inal cases. That is a very important is thankful that he is born under limitation. The greatest stake a man can have in court is his life; . . . look with great jeal. and though his life be at stake, he ousy on a state of things (was) which | cannot appeal to the Privy Council. Such appeals as these are had by leave of the court; by leave of the provincial court, if the appeal is to go direct; and leave from the Privy Council when the appeal is from the Supreme Court of Canada.

There cannot be an entire abolition of the right of appeal by force of any Canadian legislation; for the King in Council; that is, the Privy Council, will always have the right to grant leave to appeal, until and unless the English Parliament expressly forbids if.

In the great majority of cases in which appeals can still be taken, the average, ordinary citizen of Canada is not interested because it is beyond his reach. Great railways, great corporations, municipal or commerman cannot.

NOTES AND COMMENTS

the autocratic powers necessarily THE ADVENT to Canada of Dom conferred on them during the War, Auguste Eudine of the Franch Beneand though democratic forms will be dictines, on a mission in the interests of Gregorian chant, "the parest and has been hushed. Now the Church must come from the Governments of infantry at an advanced trench preserved it is doubifal if our gener. sweetest of divine praises," is an is restoring to them their original which had denounced their former dugout the night before in preparaation will see the old safeguards of event of quite exceptional import- musical birthright. Since the Rs with Sir Frederick Maurice and Elihu ance. The congregation to which naissance public worship has suffered. Dom Eudine belongs, was exiled a gradual deterioration. Music has must sincerely cooperate to devise from France by the Combes Govern. been treated as an end rather than some means basides war of settling ment, and is now domiciled at Farn- as a means, and both music and meant to the Allies in the War, and international disputes if civilization borough, England, the residence of prayer have suffered. The liturgy, the late Ex Empress Eugenie, widow of Napoleon III. It is an integral through words, through gesture, part of the great Benedictine Order, through color, through sound, is the but distinct as a province from the most powerful means towards con-English congregation, of which Car-THE PRIVY COUNCIL AND dinal Gasquet is the head. As DOM EUDINE explained to repre- ing itself with the exact form and Government. N ally two years later, sentatives of the daily papers, the spirit of liturgy." The late Pope Premier Taschereau of Quebec, in his speech on receiving his honorary ultimate object of the restoration of Pins X. recognized this when he the Gregorian chant is to give back declared that these qualities are to be the caconization of Joan of Ary at to Catholic congregations the beauti- found in the highest degree in Gre. St. Peter's. In the following October, find some other means of settling referred to the question of continuing to Catholic congregations the beautiful and time honored practice of congregational singing, of which through

ing the validity of legislation by Gregorian music, do anything to

ACCORDING TO & writer in the New York Times it was unquestionably the difficulties of modern music that ing. Originally the entire ritual of the Church was intoned or chanted in the form of music known as Gregorian, so called because of the fact that St. Gregory the Great collected. edited and revised a great body of musical compositions used by the Women, old and young, climbed on been steadily growing, or rather ceive, be better interpreted in Eng- great liturgical authority, raminded influential Deputy from the Dapartcrowd, reinforced by a hundrad or must go very deep indeed to get at if it is to be interpreted broadly; and the simplest and purest form of litur- the German hordes inflicted on the ignored the cloth, but many were "But I should like to hear someone as the liturgy itself, according to the

PIUS X., of holy memory, in pursuance of his memorable purpose to decree in 1904 in which a return to the mediasval style and the clerical conception of church music was commanded. That decree was an event of far-reaching importance as it restored the Gregorian chapt to the highest place of honor in liturgical services. That it was not immediately acted upon, and has not been is due entirely to unfamiliarity on the part of priests and people with its intricacies, and the lack of competent instructors. This state of things it is the mission of Dom Mocquereau and Dom Eudine, commissioned by their Order, to remedy. And that is why their mission may

IN THE Middle Ages people were liturgical drama. On the contrary, we are assured by a competent authority, no less than Dom Guer-

portance.

generations the voice of the people the complex of public worship

THE POPE AND FRANCE SOLDIER PRIESTS KILL ANTI-

CLERICALISM .- DIPLOMATIC RELATIONS RESUMED Walter Littlefield in 1

The re-establishment of diplomatic elations between France and the Vatican brings the Pope one step nearer a seat in the Council of owner of half a dozen beautiful chateaux, a man of the world, a states. man and a diplomat, has been accredited to the Holy See as Ambassador Extraordinary. Mgr. Bona-ventura Cerretti, Archbishop of Corinth and Secretary of the Congregation of Extraordinary Ecclesiastical Affairs, has been sent to represent his Holiness Pope Benedict XV. near" President Millerand at Paris. M. Jonnart is not only very wealthy himself, but he has a rich wife, the daughter of M. Aynard, the

Deputy and then Senator from the Pas de Calais-thus he knows from he was selected by the Entents to settle the Greek business. This he in society. did so effectually that King Constan. | rades in arms have revealed this. tine with his family was soon on his

way to Switzerland. The diplomatic correctness of the attilude of the Vatican during the all priests at the front so-in his the Mother Church, the Pope could not questions which were beyond his jurisdiction. And so the worst was

believed. At the close of the War Catholic bodies all over the world, whose even yet to any appreciable degree, voice could not be heard during the conflict, began to interpret what had been the status of the Vatican. With this interpretation came its rehabilitation in all but intransigeant minds. And even these tended to recognize "Monsieur l'Abbe has been pre the fact that, although the moral that his shot might go straight? of the Vatican had been pre force vented by conflicting political forces from exerting itself fully during the War, peace gave it a free field, where more difficult. I pray for the repose be termed one of the highest im- its moral influences were, as always, available for those who desired them.

Among the Allies, France and Italy most needed this influence-not only against Bolshevism, but also in orde: not always silent beholders of the to contend against the Catholic blo ; in Central Europs. Individually, France needed it for the Catholic France needed it for the Catholic of France. Many of them are to be elements in recovered Aleace and of France. Many of them are to be Lorreigne for her political program found in "La Guerre vue d'une Lorraine, for her political program anger himself, "their part was in the Near East, where she had Ambulance," by that brave and good cial, can appeal; but the average originally akin to that of the chorus been, until the rupture of the Conto the prayers of the priest with a Catholics"; bat, above all, she Pasteur institution, established by shoutofapproval, 'Amen;' with aburst otic prisets. Individually, Italy of joy, 'Alleluia.' The Kyric was needed the influence of the Vatican their own plea for mercy, the Credo in order to mold the religious and their own act of faith." "But for political sentiment of her people Prebres Soldate de France." Here it into a single national thought. In each case, however, the initiative Sergeant, was in charge of a section relations with the Vatican and not from the Vatican.

France, with the realization of

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Chamber in November and by the Senate last April, and diple relations were at once resumed. Now, whatever benefits may be

derived from the reconciliation, whether of added prestige to the Vatican on its way to secure a seat at the Council of Nations, or of those countries, the friends of France, where the destructive organization of internationalism must be over-Nations. Charles C. A. Jonnart, a come by a constructive international wealthy and devout Catholic, the organization, the credit of the initiative must be given to France-to France inspired with gratitude for her patriotic priests. Nothing but the great work they did in the War could have wrought such a change in the conscience of the nation, which less than a score of years ago, believed, or at least acted as though it believed, that the Vatican was in a conspiracy with the Royalists to destroy the republic. Then it drove out the religious associations, confiscated Church property, and left the priests to shift for themselves, refus ing the protection of the State and denying them that of the Vatican. There were 20,000 priests in the French army. It may be said that personal observation and loss what this was due to conscription, which occupied regions. Having given volunteers. Some, too aged to be in prestige, both social and financial, to the ranks, bors stretchers. The more halt a dozen Ministrier, and having aged still took cars of the sculs of been suggested for President of the the dying. Some who gave, in Republic, in the Summer of 1917 scordance with their ability or gifts were highly placed in the Church or in society. Letters of their com-

> There is the letter of a poilu to his mother in Brittany, who describes a "Moneieur l'Abbe"-the poilus called 'Moneieur l'Abbe'

War was not fully appreciated by the company, who carried a rifle differ-Allied and Associated Nations at the ent from the others, because "it was end of the conflict. Time and reason heavier and had a tube with a glass have taught them differently. Then in it near the breech and could only they could not understand how, as take one cartridge at a time and was Spiritual Head of a Great carefully kept in sheepskin." The officers did not call him " Monsieur intervene except in a spiritual way without st rring up grave political him as "Monseigneur," and he was constantly being "invited" to "listening posts " where French soldiers had been killed by German snipers.

Once the poilu, who wrote these things to his Breton mother, surprised the priest at prayer istening post," where three French watchers had been successively slain He waited until the priest had crossel himself and then asked : Monsieur l'Abbe has been praying

"No, my son," replied the priest, as he opened the breech of his rifle of the boche's soul I have just sent

home. Before all, the French priest in the War was a French soldier. deeds he did, the spirit of self-sacrifice he taught those around him in the terrible Winter trenches, form one of the most precious memorials man, Abbe Felix Klein, who at one time was the Chaplain of the new Louis Phillippe, close to the Paris. Bois. Other episodes are told by the Comtesse de Courson in

Suddenly, above the men who were lying low, the Sergeant abbe saw the what her loss at the diplomatic head of a French soldier appear. representation at the Vatican had "Are you there, Monsieur l'Abbe?" Yes, but look out. If the boches see you, you are done for." toward her priests, could more read. but in our trench we have no Cure, and I want to go to confession. Can

The Comtasse de Courson aleo

tells about a little band of priests.

This matters nothing. They tucked up their black skirts and

sleeves and set to work to wash the

wearing their cassocks, bec their uniforms were not ready :

remarriage is adultery.

When adultery is "legalized" these ministers must become dumb dogs On the other hand, the combination who dare not bark.

Referring to a particularly revolting case which has had a place on leads to muddling through, for the the front pages of the newspapers for months, a New York Baptist minister in a sermon to his people said : Sickening as the details are, I am

glad the newspapers are publishing them. Let those who are guilty of these infamies be brought to the bar of an enlightened and righteous public opinion."

But "enlightened and righteous public opinion" is a negligible factor in such cases. Public opinion quite naturally regards them as purely "legal" proceedings, and finds the salacious details interesting reading. This is evident by the amount of space and prominence given to these cases by all the newspapers.

The ideal of Christian marriage is completely submerged ; the contract which the law makes or breaks sinks to the level of any other civil contract in the general estimation. Hence Bishop Moreland writes : "What makes the situation alarming

is the unconcern with which the average citizen views this evil."

"sickening details" because it brings "those who are guilty of these istic ambitions, the danger of war infamies to the bar of enlightened and righteous public opinion" is living in a fool's paradise. It is not righteous public opinion that shames the unclean divorcees into decency ; ness of policies ?" but it is the familiar divorce proceedings that debauch public opinion and public conscience.

Straton's sermon a couple of months | bunals."

Unlimited of the State. . . . is to endure. power is too much for mortal man. An honest League of Nations may be the only salvation. of the democratic statesman and the

soldier in war almost invariably two men do not think in like terms or even speak a common language. The combination may produce victory, but at an enormous cost.

"This being so, democracy must degree from Toronto University. international differences than war Canadian appeals to the Privy it it is to endure. Democracy must | Council.

accept the plain fact which the history of the war teaches vary plainly, that it is an inefficient Tarchereau, who is of a family long ing countries, been diprived for instrument for the conduct of war. If at long intervals it produces the at the Bar, in Canada, remarks Eudine attributed mainly to the perfect soldier, he becomes its upon the interesting fact that the difficult character of modern music, master and an autocrat. This is one present movement to abolish the but it may also be attributed, at least of the reasons why I believe that appeal to the Privy Council, is in among English speaking peoples, to a League of Nations is a necessity if Ontario, and not in Quebec. That is the necessity through the centurice the civilization of Europe, as we true. It was Mr. Raney, Attorney. of persecution of carrying on worship Pentecost. know it, is to be preserved."

annual meeting of the American for this purpose; and it was he who attention of hostile civil powers. Society of International Law, touches startled an ultra loyal audience in Like the Christians of the Catacombz. another but closely allied phase of the ball room of the Chateau Laurier the Catholics who adhered to their the same question :

direction of foreign relations under and cf Lord Cave, he told the Cana- turies, found in secrecy their only The Baptist minister above quoted the ultimate control of multitudi. dian Bar Association that the appeal security against extermination. as welcoming the publication of the nous, ill informed and ill-trained ought to be abolished. Premier Taschereau takes the democracies. In place of monarch.

CANADIAN APPEALS

BY THE OBSERVER

There is, of course, no monopoly of force of circumstances they have, Church. arguments on this question. Premier more particularly in English speak distinguished on the Bench and several centuries. This disuse Dom

General of Ontario, who introduced by stealth and eliminating every Elihu Root, in his address at the a bill in the Ontario House last year feature which might attract the at Obtawa last summer, when, in the religion at the time of the Reforma-"The exis of autocracies leaves the presence of the Duke of Davonshire tion and through the succeeding cen-

CONGREGATIONAL SINGING has been is now to be found in popular mis-understandings and resentments. religious passions affect public How are these democracies to be rightly informed as to the rights and the judgments of our courts. That, made to revive if. In English speak. position that questions are likely to practically unknown in the United tired received Holy Communion in rightly informed as to the rights and the judgments of our courts. That, made to revive if. In English speakwrongs of controversies and the fair- of course, is true. But in such a ing Canada the same conditions case, would Canadians all be satisfied have largely prevailed, but in the He believes that the solution lies when they had heard final judgment Province of Quebec congregations

version and sanctification. Music must be primarily prayer, and, furthermore, liturgical prayer, vast-

gorian chant, which is consequently the proper chant for the Catholic

3.000 FRENCH VETERANS MAKE LIESSE PILGRIMAGE

Paris, June 1 .- Three thousand former combatants of the Diccese of Spissons made an unusual pilgrim. age to the sanctuary of Notre Dame de Liesse on the Monday after Orient.

Bishop of Soissons, making his the outcome of the great War so that pilgrimage to Liesse, 48 kilometers international tranquillity may be away, entirely on foot. The route made to prevail as quickly as des possible. followed the famous Chemin

Dames for a considerable distance and on the way the men recited relations does not imply on the part prayers for the legions of soldiers of France any change in the existing who died on that terrible battlefield.

vaterans were waiting.

Mons. Binet is himself a veteran of the great War.

Almost on the very day, July 18, 1918, that Foch began his great series of counter-offensives which ended the War. M Denie Cochia bend your head over the edge of the ended the War, M. Denis Cochin was trench, and speak low. for a resumption of diplomatic rela-tions between it and the French his ear close to the other's lips, and after hearing his confession gave

in May, 1920, the distinguished him absolution. This done, the statesman and historian soldier crapt back into his trench headed a delegation to take part in without attracting the enemy's fire. Franch M. Noblemaire outlined a formula arriving in barracks at Verdun, still for the French Government on the wearing their cassocks, because

basis of which diplomatic relations might be resumed, including these items : 1. The relations must have a normal and permanent character and

floor, sweep the court, and groom the borees with such a will that from be assured on the one hand by an Ambassador properly accredited from that time on they were firmly estab lished in the hearts of their com-France and on the other by a Nuncio properly accredited from the Vatican. rades.

2. France reaffirms her desire to continue her traditional policy of protection of the Catholics in the

3. France will expect the Vatican Solssons on the evening of Pentecost, to use its influence in pacifying all prisets of France who came back at 7 o'clock, headed by Mone. Binet, revolt against the treaties which are after their work was done had won

4. The resumption of diplomatic legislation which governs worship. schools and religious associations. At 11 o'clock they made a first schools and religious association halt of one hour. The second halt However, the Roman Curia is

most favored nations in regard to

prejudice to the latter.

this last demand unnecessary by f the great War. One of the most prominent of the allowing the heads of Catholic States Papacy has grown remarkably," says

eedings that debaued public onscience. The same divorce case that was and impartial international tri. the final court of appeal for all the of the final court of appeal for all the of the final court of appeal for all the of the final court of appeal for all the of the final court of appeal for all the of the final court of appeal for all the of the final court of appeal for all the of the final court of appeal for all the of the final court of appeal for all the of the final court of appeal for all the of the final court of appeal for all the of the final court of appeal for all the of the final court of appeal for all the final court of appeal for all the of the final court of appeal for all the final cour The same divorce case that was public right applied by competent both of whom are now mentation of the Church as well as in their the conquest of the famous victory A bill, based on the foregoing the Republic in Venice. It has the final court of appeal for all the of the famous victory and impartial international tri- the final court of appeal for all the native tongue. There has, however, of Malmaison in October, 1917.

The young Breton priest who. wrote to the Countess, "I am full of joy. I see so many beautiful sights, expresses poetically what many soldiers felt in prose, and the soldier

recorded in the history of the War, although all went to make the great victory possible.

ANTI CLERICAL TRIBUTE TO THE PAPACY

Acknowledgment of the present was at Loan, where those who were restore France to the category of the and prospective moral inflaence of the Papacy has come from a quarter from which hereicfore only attacks have The Vienna Neue Fraie time has been foremost in Europe as an anti-

clerical organ, is the source of this testimony to the Church's strong

The Pope, however, had rendered position. The Pope, however, had rendered "The moral authority of the "The moral authority of the