THE JESUITS VS. THE MAIL.

The Hearing of the Appeal from the Interlocutory Judgment Delivered by Judge Loranger.

The case of the *Mail* Printing Company (defendants in court below) appellants, and the Society of Jesus (plaintiffs below), respondents, came on for hearing, Thursday last, before Chief Justice Dorion, Judges Tessier, Cross, Church and Bossé. This was an appeal from an interlocutory judgment striking out portions of the appellants exception to the form to an action for $50,000 damages for libel.

Mr. Laflamme, Q.C., and Mr. Smith, appeared for the appellants, and Messrs. Curran, Q.C., Geoffrion, Q.C., and Lamothe for the respondents.

Mr. Laflamme, Q.C., in opening the argument for the appellants, said the question at present was one of procedure. The action was brought by the Company of Jesus against the *Mail* Printing Company of Toronto, to recover $50,000 damages for alleged libel. The plaintiff was described in the writ as "The Company of Jesus, a body politic and corporate having its principal establishment in the city and district of Montreal." The defendant pleaded an exception to the form, denying the quality assumed by the plaintiff and disputing its right to sue as a body politic and corporate for the reasons enumerated at length in the exception, which alleged the plaintiff's act of incorporation, 50 Victoria, chapter 28 (Quebec), to be unconstitutional and *ultra vires* of the Legislature of the province of Quebec. The exception to the form was as follows:—

The said defendant without entering into the merits of the present action and demand for exception to the form, saith: that the summons and declaration in this cause are irregular informal, null and void, and ought to be so declared by this honorable court and be set aside, and the defendant freed from further answering the same for the following among other reasons:—

1. Because the said plaintiffs, the so-called Compagnie de Jesus, or Society of Jesus, is not a body politic and corporate as is falsely alleged in the writ and declaration in this cause.

2. Because said society hath no right to and cannot appear in this court and plead in said name of Compagnie de Jesus.

3. Because the act of the Legislature of this province (50 Victoria, chapter 28), under which alone the said plaintiff can make any pretence to be a corporation, was and is *ultra vires* of the said Legislature, and was never of any legal force or effect.

4. Because all the members of the said society whom the said act purports to erect into a corporation are, by the laws of the British empire in force in this province, and by the laws of the province absolutely without civil rights, and by the solemn vows which they have taken as such, including a vow of unconditional, absolute and passive obedience to the general or superior of their order or society, and by the rules and regulations of their society they are incapable of exercising any civil rights in this province, or of performing any of the necessary functions of members of an aggregate corporation such as the said act purports to create, and the said legislation is incompetent to constitute them a corporation or declare them a body in this province.

5. Because the rules and regulations of the said society to which the said act purports to give the force of law, and the ecclesiastical rules binding upon said society and all the members thereof, prevent the said society or any of its members from holding property or exercising any of the functions or franchises which the said act purports to confer upon them.

6. Because the said act is repugnant to Imperial statutes and laws having the force of law in this province and *inter alia* to the statutes relating to and affecting said society, and to the statute relating to the Queen's supremacy (1st Elizabeth, chapter 1,) and to the Quebec act (George 3rd, chapter 83,) and in effect purports to give the force of law to rules and regulations of the said society which require all the members thereof to give primary allegiance and obedience to a foreign power and authority, to wit, to the General of their Order and to the Pope.

7. Because the said Legislature has only the right to incorporate "Companies with Provincial Objects," and the objects of the said society are not provincial.

8. Because the said Legislature not having the general right to incorporate companies or to create corporations, but only the above mentioned limited or restricted right, the objects of corporations purporting to be created by it should appear in the act or instrument of incorporation; and the said act (50 Victoria, chapter 28) does not disclose, define or set forth the objects of the said society, and does not in any way restrict it to provincial objects, but on the contrary, impliedly purports to authorize it to follow and pursue objects that are not provincial.

9. Because the said act purports to declare a foreign and alien society whose objects are necessarily extra-provincial, a corporate body.

10. Because the objects of the said society are not provincial but extend beyond the province of Quebec and even beyond the Dominion of Canada and the British Empire, into every quarter of the globe, and the said society by its constitution and the rules which govern its very existence has a solidality among its members throughout the world, and an indivisibility which prevents its being in any sense "provincial" within the meaning of the British North America act. And the said society and every member thereof, by solemn vows and obligations, and all that it or they can possess, are unconditionally subjected to a head or General who is an alien, and not resident within this province or the British Empire, and who under the rules and regulations of said society, could now become a British subject, or conform himself to the laws of the Empire in force in this province.

11. Because the constitution and objects of the said society are inconsistent and incompatible with the constitution of this Province and of the Dominion of Canada, which is similar in principle to that of the United Kingdom of Great Britain and Ireland.

12. Because the objects of the said society are the teaching, promulgation and propagation of the *following doctrines and principles*, which are inconsistent and incompatible with, and contrary to and subversive of the constitution of this province, and of the Dominion of Canada, and of the United Kingdom, and of the supremacy and prerogative of the Queen, and which said Legislature is not competent to authorize, that is to say, *inter alia*:

A. That the Church of Rome is superior to the State and that the Legislature of Quebec has no right to legislate upon all the subjects assigned to it by the British North America act, and the constitution, without the permission and consent of the authorities of the said church.

B. That the Pope of Rome has the right to depose sovereigns and that he has the right to absolve subjects from their allegiance.

C. That the Legislature of this province has not the exclusive right to make laws as to "The Solemnization of Marriage in this Province," as assigned to it by the British North America Act, but that it is subject with respect thereto to the Church and the Pope of Rome.

D. That the Legislature of this province has not the exclusive right to make laws relating to civil rights in this province subject to the constitution of this province and to the Dominion of Canada, and that, so far at least as affects the rights of those professing the Roman Catholic religion, and especially the clergy of said church and the members of said society, the said Legislature is subject to said Church and to the Pope.

E. That the Legislature of this province has not the exclusive right to make laws for the said province relating to education, subject only to the provisions of the constitution and specially to section 93 of the British North America Act, but that it is still further subject with respect thereto to the said Church and to the Pope.

F. That the Dominion Parliament has not the exclusive legislative authority to make laws for Canada as to "Marriage and Divorce," but that it is subject with respect thereto to the said Church and to the Pope.

G. That in case of conflict between the civil laws in force in this province and those of the said Church, the latter must prevail.

H. That as to the subjects mentioned in the forgoing clauses—C. D. E. and F., the authority of the said Church and the Pope is above that of the civil power, and is supreme, and in so far as the legislation of the latter conflicts with the former, it is not legally binding.

I. That in case of conflict or dispute between the civil power and the said Church as to their respective domains or jurisdictions, the said Church and the Pope have authority to decide each conflict or dispute and such decision is binding upon the civil power.

K. That the said Church has the right and power to avail herself of force, and to supply external coercion, to enforce the foregoing subjects, doctrines and principles.

Ig. Because the objects of the said society are the teachings and promulgation throughout the world of the doctrines and principles set forth and animadverted upon in the printed works, defendants' exhibits A B C D and E herewith filed, which said four last mentioned exhibits entitled "Compendium Theologiae Moralis," and "Casus Conscientia," were and are a recognized guide and text book of said society everywhere, and said doctrines and principles were and are contrary to the Imperial statutes: 1 Elizabeth, chapter 1: 14; George III, chapter 83, the British North America act, and other Imperial acts and laws in force in this province, and are moreover subversive of the rights and prerogatives of Her Majesty the Queen, and of all moral principles which form, the foundation of civil society and laws.

Wherefore defendant prays that the said pretended act of incorporation, 50 Victoria, chapter 28, be declared ultra vires of the Legislature of the province of Quebec, and null and void, and that defendant's present exception be maintained, and the plantiff's action hence dismissed, etc."

After reading the allegations of the exception, Mr. Laflamme proceeded to say that the court below had struck out the portions italicized as informal, irregular, vague, indeterminate, and not sufficiently *libelles*. In his view the allegations could not be described as vague, but were as precise and formal as possible. Take number four, for example; it was surely sufficiently explicit.

Mr. Justice Cross—Suppose the allegations are all true, do they prevent the plaintiff from having a standing in the court?

Mr. Laflamme—Our first answer is: Can such a question be raised upon a motion? If the facts alleged in the exception are not sufficient to take away the status of the plaintiffs, that is a matter of demurrer; but it is not a matter of such slight importance that it can be attacked and thrown out on motion.

Mr. Justice Cross—Suppose the Legislature incorporated thieves and vagabonds?

Mr. Laflamme—They are living beings. The Legislature has authority to incorporate any one it pleases, but they must be existing beings; they must be answerable to the law. But here our contention is the Legislature has incorporated persons who have no civil existence and who are incapable of performing any of the functions of members of a corporation. By their vows and their rules they cannot possess property; they have no will of their own; they are subject to the will of another person who is not a subject of this realm. It must be inferred that they have deceived the Legislature; that they obtained their act of incorporation by fraudulent pretences. The party really incorporated, though not intended to be, is a foreign power. The courts, we contend, are entitled to see whether the Legislature has not been deceived.

Mr. Justice Church—You speak of these individuals as being civily dead. Under what article of the Code do they come?

Mr. Laflamme—We allege that they are civilly dead, and for the present it must be assumed that our allegations are true. We don't think the merits come up at all now—only the sufficiency of the allegations. The Legislature has before it five individuals—three of them British subjects—who claimed to be incorporated, and they were incorporated, and naturally too, for the Legislature could not know that they were civilly dead.

The Chief Justice—How are they civilly dead?

Mr. Laflamme—It is alleged they have made a vow never to own any property.

The Chief Justice—Supposing they have made such a vow, if one of the members leaves the society and buys land in Montreal, will he not have a title to that property?

Mr. Laflamme—Then he is no more a Jesuit.

The Chief Justice—We have several examples of corporations composed of persons civilly dead, such as the Hotel Dieu; yet they are incorporated by the Legislature.

Mr. Laflamme—Yes; but they are incorporated as having their principal seat within the province.

The Chief Justice—I don't suppose the Act of incorporation of the Jesuits authorized them to purchase land in Russia or elsewhere out of the province.

Mr. Laflamme—The question is not that. Our religious corporations are in the position of corporations within the province. But these persons are members of a foreign corporation, who have renounced all civil rights and who cannot hold any real estate.

The Chief Justice—Is there any law to prevent a member of the society from breaking his vows?

Mr. Laflamme—No.

The Chief Justice—Then the vow is binding only so long as he remains in the order.

Mr. Laflamme—I admit that. He can marry if he likes. But to return to my argument. I say the Legislature was deceived. These individuals pretended to act as corporators, but they are civilly dead.

Mr. Justice Church—If the rules of the order are inconsistent with the power given by the statute, which would prevail? The statute creates the society a corporation, and if the rules succumb to the provisions of the statute, the statute would prevail.

Mr. Laflamme—Then my argument comes in, that the Legislature was deceived.

Mr. Justice Church—Can we investigate that? Of course that is aside from the question whether it was right to throw these allegations out of your plea. It seems to me it was competent for you to speak of those regulations in your plea, the Legislature having recognized them.

The Chief Justice—It seems to me that the rules and regulations referred to in the statute are not those which regulate the Order of Jesus, but that they are the rules which shall be passed by this corporation then constituted. It is not the existing rules at all. I wish to ask you Mr. Laflamme, suppose two or more outlaws without civil rights are incorporated, could a court of justice set aside that incorporation?

Mr. Laflamme—I say, yes.

It being past 4 o'clock, the hearing of the case was adjourned.

Mr. Laflamme, in resuming on Friday said his clients did not contest the right of the local Legislature to create any corporation whatever, but here there was error or complete ignorance as to the capacity or qualification of the persons who were to be incorporated. The appellants had a right to show that the legislature had been deceived, and they wished to show this by reference to the vows taken by members by the order. In answer to the question put of the Chief Justice yesterday, he would say that if the Legislature incorporated three persons who were expressely stated to be outlaws, it would be difficult to contest their right to do so. But if the legislature incorporated three persons by name, and it was afterwards shown that they were outlaws, that the statute would remain without effect. There was another point which he considered very important. No. 10, which had been struck out, declared that the objects of the society were not provincial, but extend beyond the province and the Dominion and the British Empire, and the society has an indivisibility which prevents it being in any sense provincial within the meaning of the B. N. A. act. Now, who were incorporated? The preamble of the "act to incorporate the 'Society of Jesus,'" reads as follows:—Whereas the Reverend Fathers of *the Society of Jesus* have prayed to be constituted into a corporation; and whereas it is expedient to constitute such religious community into a body politic corporate like the other religious communties of this province, etc." The act, then, purports to incorporate the Society of Jesus, which extends over the whole world. It was not such a society as the local Legislature had a right to incorporate within the meaning of the B.N.A act. The local Legislature had no right to incorporate all the members of the Society of Jesus, with their rules and regulations,—a society where the soldiers are nothing and the General is everything.

The Chief Justice—It is another Salvation army.

Mr. Laflamme—Yes, it is a good deal like the Salvation army. The learned counsel proceeded to read from several authors to show that the Jesuits had not been favorably regarded in France, and had been refused incorporation. The members were entirely subjects to an alien head, and at a word from him the persons who had applied for incorporation might disappear.

Mr. Geoffrion—We would liquidate them them.

Mr. Smith followed upon the same side, and cited the case of Low vs. The Montreal Telegraph Company, 4th *Legal News*, page 381, in which this court laid down the rule that the merits of a plea cannot be tested upon a motion to reject it. The only question presenting itself now was whether the exception to the form was sufficiently libelled. That was all that was raised by the motion, and the appellants therefore submitted that the question was not whether the allegations of the exceptions were sound or unsound as propositions of law, but merely whether they were stated with sufficient clearness to enable the plaintiffs to answer them. It was plainly stated in the exception that by the constitution and rules there was an absolute solidarity and indivisibility among the members of the society, which would prevent a section or portion of it from being validly incorporated as a provincial company; that this was emphasized by the relation of absolute subjection of all its members by solemn vows and obligations to a General, who is an alien, and not resident within the British Empire. These allegations were sufficiently explicit to permit the plaintiffs to answer in law and in fact, and the parties should have been allowed to go to proof upon them.

Mr. Geoffrion, Q. C., for the respondents, observed, as to the question of procedure, that it had been the practice to allow certain grounds of preliminary exception to be raised by motion. The plaintiffs complained of the vagueness of certain allegations of an exception to the form. It was preferable to raise a question like this by motion, rather than file an exception to this exception. Art. 135 of the Code seemed to sanction this practice. On the merits, he contended that it was not fair to say that the act incorporated all the members of the Society of Jesus all over the world, with all their rules and regulations, but the plaintiffs were entitled to know which vows and which rules were referred to. It was impossible for the plaintiffs to answer in law and in fact where the allegations contained nothing precise.

Mr. Curran, Q.C., followed for the respondents, and in his argument raised a new objection, viz., that a legal existence of a corporation duly incorporated by an act of the Legislature could not be attacked or questioned by an incidental proceeding such as a plea or an exception to the form. The statue C S L.C., chap. 88, sec. 9, had provided the only remedy for the case of an association as a corporation without any right so to do: "Whenever any association or number of persons act within Lower Canada as a corporation, without having been legally incorporated, it shall be the duty of Her Majesty's Attorney General for Lower Canada, &c., to apply by an information or petition, *requete libelle*, complaining of such contravention of the law." This was the only proceeding which could have any value in a case of this kind. The application to reinstate the allegations which had been struck out, and which denied the legal existence of the corporation, could not therefore be entertained. This point had been decided in the case of the Union Building Society vs. Russell, 8 L. C. R., p. 276, in which it was held that the legal existence of a corporation cannot be questioned by an incidental proceeding, such as a plea in a cause, but must be attacked by means of proceedings under the statute cited above. This statute was embodied in Art. 997 of the Code of Procedure. The learned counsel also referred to 2, Q. L. R., p. 258, a decision by Chief Justice Meredith.

The Chief Justice remarked that the law provided a mode in which illegal corporations might be attacked, but he did not think this prevented a person who was sued from pleading, "you are not legal corporation," but as a person who was sued by a minor had a right to plead that the plaintiff was a minor.

Mr. Curran submitted a that the authorities cited bore out his proposition.

The Chief Justice referred to the case of Desbarats, in which the validity of a corporation was questioned in a suit.

Mr. Curran replied that foreign corporation was attacked in that case.

Mr. Beique then briefly addressed the Court on behalf of the Attorney-General, arguing on the side of the respondents, and supporting the contention of Mr. Curran.

Mr. Trenholme proceeded to reply on behalf of the appellants. The point now raised by Mr Curran for the first time, he submitted, did not present itself upon a motion to strike out certain allegations. But to show that the mode in which an act could be attacked, he referred to sec. 5856 of the Revised Statuets of Quebec, requiring notice of questions as to the constitutionality of statutes raised before the courts, to be given to the attorney-general. Mr. Trenholme then replied briefly on the merits of the appeal, and the case was then taken *en delibere*.

Boulanger Calls It Brigandage.

PARIS, September 28.—General Boulanger has issued an address to the electors of Monmartre in which he says they have replied to the iniquitious charges of the Senate by electing him to the Chamber. The Government, finding its trickery of no effect had resorted audaciously to the annulling of votes. This, the General declares, was an act of sheer brigandage. The rights of the electors and their privileges had been trampled under foot. The Republicans ought to see that the rights of the voters were restored.

President Carnot received the members of the Commercial Congress to-day. In a speech he referred to the happy result of the elections. He said the destinies of Republican France are now assured. It behooved the Chamber to attend less to speculative politics and to devote themselves to practical business and pacific developments.

The following is the result of the ballots cast for the Manitoba council of physicians and surgeons: Marquette, Drs. Roach, Macklin and Lundy; Selkirk, Drs. Thornton, Macdonald and Husband; Lisgar, Drs. Young, Corbett, Lynch and Gillies. Homeopathic representation, Dr. Clark. Three other members are Drs. Good, Jones and Gray. No member was elected for Provencher.

News of the Week.

EUROPEAN.

Five cotton mills at Blackburn, running 120,000 spindles, have resumed work.

M. Goblet has abandoned the contest for a seat in the chamber of Deputies.

De Giers, the Russian Foreign Minister, will go to Berlin during the Czar's visit.

The Mexican Consul at Antwerp, who committed suicide recently, was ruined by losses at the gaming tables.

A theatre at Mantua was burned on Wednesday. Two workmen were killed. The fire was incendiary.

The German Government has decided that no measures shall be taken in retaliation for the increase of Russian duties.

Wm. H. Smith first lord of the treasury, has anonymously paid for a church recently erected at Portsea, which cost $22,000.

The Duke of Coimbra, brother of the King of Portugal, is dead. He was 42 years old. He was a general of division and inspector general of cavalry.

Despatches from Crete say the Christians are fleeing to the mountains. Their cattle and other property are being stolen by the Turks. Many Christians have been imprisoned.

The stevedores on the East India dock, London, who quitted work on the ground that the dock companies were not engaging the old hands as they agreed to do, have gone back to work.

Mr. John Long, Liberal, has been elected to fill the vacancy in the House of Commons for Dundee caused by the death of Joseph F. B. Firth, also a Liberal. Mr. Long was not opposed.

The owners of the steamer "Teutonic" intend to substitute a smaller propeller for the one now in use on that vessel. It is believed that with a smaller propeller the speed of the steamer will be increased.

At the Sunday Observance congress at Paris a letter was read from Mr. Gladstone, who wrote that he attributed his long life and preserved faculties in great part to the privilege of Sunday rest.

Thirty thousand persons at Berne, the number required by the law, have signed a petition demanding a plebiscite to decide the question of the creation of the office of public prosecutor to assist the Swiss federal police.

A teacher at Odessa named Sause committed suicide. His wife was so much affected that she lost her reason, killed her five children, carried their bodies to the third story window and threw them to the ground. She then threw herself out, receiving fatal injuries.

Prince Bismark received over 1000 telegrams of congratulation on the twenty-seventh anniversary of his appointment as President of the Prussian Cabinet. The streets of Friederichsruhe were decked with bunting in honor of the occasion. At night there were illuminations.

M Ristics, one of the Servian regents, presided over a ministerial council Thursday to consider the threat made by ex-King Milan to come to Belgrade to protect his paternal rights against ex-Queen Natalie in the event of the regency being unable to do so. It was decided to telegraph to the ex-Queen asking her to postpone her visit to her son, King Alexander.

The *Cologne Gazette* says: General Obroutcheff, the chief of the general staff of the Russian army, urged that a second line of rails be laid to the western frontier. In spite of the opposition of the Minister of Finance the proposal is being carried out. This measure completes the strategic network of Russian railways, increasing their capacity to mass troops on the German frontier.

At Monor, Hungary, Tuesday the Emperor Francis Joseph thanked the people coldly for their welcome and referred almost angrily to an insult offered during the recent manœuvres to Austria and her flag. He hoped the miscreants guilty of the insult would be punished. During the manœuvres some discontent was observed over the honoring of the Austrian instead of the Hungarian flag. A similar incident occurred at Ullo. The leading papers condemn the insult.

A story is reported in London from St. Petersburg, on what appears to be credible authority, that just previous to the Czar's departure for Copenhagen, a chest of dynamite exploded at the Peterof station. The station was badly wrecked and a railway signalman was killed. It is fully believed that it was intended to have the explosion take place when the Czar passed through the station on his way to the train, but through some miscalculation it occurred before the time of His Majesty's departure.

AMERICAN.

The ex-Surgeon-General of the Navy, Joseph Beale, is dead.

Gold has been found almost within the city limits of Tacoma, Washington territory.

Pagenstobher & Co, exporters of petroleum, etc., of New York, have assigned. The firm's liabilities are $300,000.

Secretary Tracy, in his forthcoming report on naval matters, will recommend the advisability of constructing ten additional steel cruisers.

A number of prominent ladies at Chicago have formed an association and have hired a lawyer to prosecute the gamblers of the city under the State law.

A fire at Buckley & Douglas' mill, Manistee, Mich., on Tuesday, destroyed over a million feet of lumber and 300 feet of docks and tramways. Loss, $125,000.

J. J. Heffernan, wanted by the police in connection with the Cronin murder, has been found at Seattle W. T. He denies that he had anything to do with the murder.

Pleuro-pneumonia has broken out among the cattle of Chester county, Penn., and adjoining counties and is necessitating the destruction of great numbers of valuable cattle.

An agitation is on foot to obtain the free importation of lead from Mexico into the United States, on the ground that the duty interferes with the smelting business and is detrimental to trade.

Thirteen unlawful cohabitors, violators of the Edmunds Law, have received sentence in the first district court at Utah. They refused to promise obedience to the law, and were sent to the penitentiary for terms of from two to six months.

The Laflin and Rand powder mills at Cressona, Pa., blew up Friday morning. William Shropp, Samuel Stotaf and Henry Reed were killed and a number of workmen injured. Nearly all the window glass in Cressona was shattered.

The schooner "Alpha," Captain Hammil, having on board the owner, J. J. Kuehu, formerly special deputy collector, his son and a crew of Indians, sailed from Yakutat for Sitka twenty-three days ago. Terrible gales have been experienced, and the schooner with all hands is supposed to be lost.

R. W. Dean was arraigned in the Police Court at Chicago, charged with selling a stolen bicycle. The hearing was continued. The prosecuting witness asserts that Dean's real name is William Reid and that he was forced to flee from his home at Albany, N. Y., for forging his grandfather's name for $6,000

The *Farmer's Review* says that present indications point to a much larger corn crop than was anticipated by statisticians. The quality, however, will not be equal to that of 1888, except in Iowa, Missouri, Kentucky and Kansas. The *Review* estimates the total crop for 1889 at 2,258,292,088 bushels, against, 1,937,790,000 in 1888.

The west bound Denver & Rio Grande train was robbed by two masked men near Thompson's Springs. Twenty officers with bloodhounds scoured the country and arrested one Curniss, and thought they had conclusive evidence of his guilt. At the trial, Joseph May and Edward Dayton, in gaol here, charged with the daring robbery of a gambling house in this city, learnig that Curtiss was likely to be convicted, confessed that they were the train robbers, and declared Curtiss innocent.

M. M. Southworth, one of the early settlers of Niagara County N. Y., [illegible] in his law office at Lockport, on Wednesday. He was alone and had been dead three or four hours when found. A paper was found dated 11.40 o'clock, saying he "was doing wrong but could not stand the pressure." It is thought he was temporarily deranged.

Bishop Abraham A. Kimball died on Thursday last at Kanosh. He was prominent in the Mormon church and had a number of wives. He was sent to the penitentiary last November to serve six months, but was pardoned by President Cleveland in December because he was a consumptive. His father had fifteen wives and used to refer to them as heroes.

Several hundred Blackfeet Sioux have arrived at Fort Abraham Lincoln, Dakota, and held a grant ghost feast. Among the Sioux, the ghost feast is held in great reverence. It will soon be abolished by order of the Indian agent and, like the great sun dance, will be buried with the traditions of the past. This feast is given by the relations of those who have died or been killed in battle.

A man named Kukendal became insane at Roesville, N.Y, and shot his wife. The insane man shut himself up in his room, declaring he would kill anyone who attempted to capture him. The Sheriff armed himself with a bottle of chloroform and a horse syringe and fired a charge of chloroform at him through the transom and succeeded in capturing his man without further trouble. The prisoner did not awaken for some hours and then found himself in the county gaol.

Edward M. Walworth, aged 24, of Ilion., went up from Cooperstown fair ground, near Utica Wednesday. He stepped into the iron car attached to the parachute and ascended to the height of about a mile and was carried out over the lake and was seen to descend rapidly into its waters. Help was immediately sent and the ballon was floating in the lake about half way across, about a mile and a half from the Cooperstown shore. No trace of the aeronaut was visible and it was evident that he had been drowned.

Charleston, Virginia, is in a state of terror through the evident determination of unknown incendiaries to destroy the place. Tuesday morning the first attempt was made, and by noon the fire department had been called out four times. Again by three o'clock four fires were started at once, all under such circumstances as to leave no doubt of incendiarism. Property valued at over $100,000 was destroyed. A number of men are patrolling the streets with Winchester rifles, and every suspicious character is made to give an account of himself. So far no arrests have been made.

The schooner Alice of Provincetown, Mass., is fitting out at that place for a voyage to the South African coast in search of mackerel fishing grounds. "The scarcity of mackerel on our coast of late years," said Captain Chase, "has caused me to look for places where they may be more plentiful. I have been collecting information and studying up this thing all summer, and have decided to go to Cape Town. Cap. J. W. Small, of the barque "Samar," first gave me the idea. When he stopped at Cape Town for repairs on his vessell, tons of mackerel were thrown out of the dock in which she lay, of the same kind as those found on the Atlantic coast."

CANADIAN.

The store and residence of W. Owens, M.P., P., Montebello, were destroyed by fire Thursday. It was the work of an incendiary. Loss, $3000; fully insured.

The Halifax City Council have appointed a committee to enquire into the question of Halifax buying its own electric plant and lighting its streets independent of any company.

One of the wheel provers on the Grand Trunk Railway at Harrisburg, Ont., named Archibald Spence, was killed by a passing engine while in the performance of his duties Wednesday last. He was instantly killed.

The Rev. Mr. Burfield, who recently disappeared in a mysterious manner, sailed on the steamer Sardinian, which left Liverpool on August 29 for Montreal, and which arrived at the latter place on September 8. He was booked among the steamer's passengers under the name of Wilson.

Two of the prisoners charged in connection with the "Baltic" outrage on Lake Superior, which resulted in the suicide of a young man, have been admitted to bail at Toronto. Two were refused by Chief Justice Sir Thomas Galt, who spoke severely of the conduct of the people who committed the outrage.

Michael J. Spellman was arraigned at Toronto at the general sessions, charged with the theft of 15,000 postage stamps, 20 post cards and $100 from John D. Howden, postmaster at Whitby, last January. Spellman is one of the prisoners who escaped from the Toronto gaol this week and was captured at Sharbot lake. He pleaded not guilty and asked through counsel that his trial be postponed till next sittings, owing to public prejudice against him. Judgment was reserved.

A New Trick to Steal.

CHICAGO, September, 29.—At the office of Eggleston, Mallette & Brown, contractors and manufacturers of crushed stone, here yesterday, a clerk placed $287 on his desk and sat down with the pay roll to count out and put in envelopes the sums due the workmen. The only other persons in the office, Mr. Eggleston and Mr. Mallette, were busy writing letters. As the clerk began counting the money a well dressed young man came in and engaged in conversation with Mr. Eggleston. A minute later another man came in through a different entrance and spoke to Mr. Mallette. The first stranger concluded his conversation with Mr. Eggleston, and passing by the clerk's desk went out. Mr. Eggleston went on with his writing. Then Mr. Mallette's caller withdrew. The clerk came out of the telephone closet and told Mr. Mallette that a prominent firm had a package for him and had called up to know where the package was to be delivered. Mr. Mallette did not understand what was meant and went to the telephone himself. The clerk then returned to his desk, but the money was gone. He was soon convinced that it was stolen, that the two young men were the thieves and that the man who rang the telephone was their confederate. Efforts to trace the thieves have thus far proved fruitless.

Over a Million Stolen.

NEW ORLEANS, September 29.—O. B. Steel and W. H. Pipes, auditors of the state, have made a report to the Governor on the subject of the illegally issued bonds stolen from the treasurer's office during the incumbency of Burke as state treasurer. The report says that under the act of 1880 the governor caused to be engraved and printed "constitutional" bonds amounting to $7,500,000. Of this issue bonds amounting to $671,000, duly signed and sealed, were delivered to the state treasurer. In exchange for the consolidated bonds surrendered constitutional bonds amounting to $217,600 were issued by the state treasurer. This left in the hands of ex-Treasurer Burke constitutional bonds amounting to $453,400. These bonds were not mentioned by the legislative committee and were not turned over by ex-Treasurer Burke to his successor. Coupons cut from fourteen of the bonds which should be in the treasurer's office were paid in January, showing that the bonds are on the market.

The statement is now made upon what appears to be good authority that nearly all the "Baby" bonds above No. 102,000 are fraudulent. The state auditor and treasurer will soon take up this branch of the investigation. Attorney-General Rogers admits that the "Baby" bonds have been abstracted or otherwise tampered with to the amount of $400,000. According to Judge Rogers' figure the defalcation already in sight will reach more than $1,200,000.

INFANTILE Skin & Scalp DISEASES cured by CUTICURA Remedies.

FOR CLEANSING, PURIFYING AND BEAUTIFYING the skin of children and infants and curing torturing, disfiguring, itching, scaly and pimply diseases of the skin, scalp and blood, with loss of hair, from infancy to old age, the CUTICURA REMEDIES are infallible.

CUTICURA, the great Skin Cure, and CUTICURA SOAP, an exquisite Skin Beautifier, externally, and CUTICURA RESOLVENT, the new Blood Purifier, internally, cure every form of skin and blood diseases, from pimples to scrofula.

Sold everywhere. Price, CUTICURA, 75c; SOAP, 35c; RESOLVENT, $1.50. Prepared by the POTTER DRUG AND CHEMICAL CO., Boston, Mass.

Send for "How to Cure Skin Diseases."

Baby's Skin and Scalp preserved and beautified by CUTICURA SOAP.

KIDNEY PAINS, Backache and weakness cured by CUTICURA ANTI-PAIN PLASTER, an instantaneous pain-subduing plaster. 30c.

CORRESPONDENCE.

Homes in the West.

To the Editor of THE TRUE WITNESS:

SIR,—I desire through your paper to call the attention of all persons looking for homes in the west to this portion of Kansas, one of the richest and most fertile valleys in the United States, with a climate as good as can be found. All kinds of farm produce grown in abundance, and general farming, fruit-growing, gardening, stock raising and culture of sorghum, for sugar making can be engaged in with as little labor and as large profits as in any place where these industries have been tried. Hutchinson is the county seat and is now a city with a population of fifteen thousand and is rapidly growing. It is one of the leading cities of Kansas. There is a Catholic church here and four others in the county. Land now is cheap, and good homes and farms on which not only a living but an abundance can be made are easily obtained. In a few years these rich lands will be beyond the reach of persons of small means. This country is rapidly filling up, and I would like to have our Catholic people secure their share of the land before it is too late. I desire to have Catholics come here for their own good and for the benefit of the Church in this part of the country. There is an immigration society here that will assist all persons desiring in getting well located and in selecting good land. This society has prepared a pamphlet, truthfully describing this valley and its advantages, and telling how to come, how to get land, how to begin work and how to prosecute it to successful results. I recommend all persons wanting the information to write to the society for its pamphlet and for any further information desired. All letters of inquiry will be cheerfully answered. Each letter, however, should be accompanied by a small sum to help pay expenses of stationery, printing, postage, etc. Address the Catholic Immigration Society, Hutchinson, Kansas.

JOHN F. KELLY,
Pastor St. Theresia Catholic Church.
Hutchinson, Kansas, September 26, 1889.

In Heaven We Know Our Own.

We shall rise again with the same persons, with the same countenance, only freed from all defects and made light by the light of Jesus; with the same characters, only with a perfection *coming from God; the same as we are in* childhood and manhood we shall be; and we shall know each other. Every one will know every one they have known in this life. Not only shall we know each other and all the saints, but, moreover, we shall know all the saints who are not yet born; we shall all know each other in the light of God's countenance. Therefore, do not mourn for those who are dead as those who mourn without hope. Do not ask, "If we meet, shall we know one another?" Fathers and mothers, children who are gone before you, you will meet them; they will know you, and you them in the kingdom of God. Brothers and sisters, they will know each other. Do you think that Martha and Mary and Lazarus do not know each other?—that Andrew and Peter are not brothers still?—that Peter and James do not know one another? One great proof is this, that Jesus, the Son of God, and Mary the Mother of God, are side by side in the Kingdom of God, in all the perfection of maternal love, and in all the perfection of filial love, and will be for all eternity. These bonds and the spiritual sanguinity of pastor and flock, all these will be eternal in the kingdom of God. Then, lastly, there is an eternal home for you. This earthly home is passing away. To you that are young, and think little of death, it is like the great ocean which is far off, and the sound of which you cannot hear. But as life goes on the sound comes to you, as the sound of the sea when you are drawing near it. It is like going to the seaside. First we hear the distant murmur, and this grows and grows until we hear the full dash of the waves. The home that is now so full of bright faces, of memories of the past and hopes of the future, all that will be gone before long. But when the day of desolation comes, and you may be all alone in that home which is now so full of happiness, say to yourselves, I have an eternal home which will never pass away. My Father's house has many mansions, and in that Father's house is the home of all His children. They will meet once more in perfect identity, perfect recognition. That home will never be desolate, and none shall evermore go out, for it shall be full of the children of God to all eternity.—*Cardinal Manning.*

Sisters Run a Fire Engine.

The new and splendid system of water works introduced at St. Clara Academy, Sinsinawa Mound, Wis., the mother house of the Dominican Sisters, was tested Tuesday, Sept. 3rd, in the presence of a number of invited guests, and worked admirably. The exhibition was a most novel one. The plant and everything connected with its management and operation was in the hands of the Sisters, who performed their duties with the skill and promptness of a well drilled corps of men. The hose was unreeled and attached to the hydrants, the nozzles were adjusted, and while two of the Sisters grasped each of the nozzles and braced themselves for action, others opened the hydrants, causing the immense pressure to flood the vast buildings and to force streams of water completely over and beyond the observatory. While some of the Sisters where thus manipulating the hose, others were filling equally responsible positions. One was feeding the boilers and maintaining a steady pressure, and another had her eyes on the machinery, keeping up a steady pumping into the reservoir, which is cut out of the solid rock on top of Sinsinawa Mound, 125 feet above the building. The system of water works at St. Clara is one of the finest in the Northwest, and certain it is that no other plant of the kind in the country is managed and operated entirely by women.

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