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THE IRISH ECCLESIASTICAL RECORD.

JANUARY, 1881.

THE FRUITS OF IRISH FAITH IN MODERN TIMES.

I.—SCOTLAND.

ON a golden summer's day, a few months ago, hundreds of devout pilgrims assembled to witness a joyous scene on the green shores of Lough Ness. It was not mere holiday enjoyment, nor was it the scenery of the surrounding hills that, on the 24th of August, attracted them to Fort Augustus. They had a higher and holier purpose; they had come to offer the tribute of their devotion at St. Benedict's shrine. For the first time since the sad era of the Reformation, a Benedictine Monastery was to be inaugurated amid the strongholds of Calvinism. And the ardour of the pious pilgrims was intensified in that it was not a lowly structure which was to be dedicated to the service of God, to make the children of the Church to weep when they thought of the days of old, but a majestic pile of buildings, worthy of the ages of Faith, and rivalling in completeness and perfection of detail the proudest monasteries that, centuries ago, had adorned and sanctified the rugged hills and rich vallies of Scotland.

When the church festivities had ended on that memorable day, a small knot of pilgrims set out to pay a religious visit to the Holy Well of St. Columba, situated at the foot of a little hill, crowned with trees, about four miles from the new monastery. Amid the solitude of these mountains an air of sanctity seemed to linger around the spot once hallowed by the footsteps of our great missionary Saint; and the waters of his well were as limpid

and as fresh as when first blessed by him thirteen centuries ago. The visitors who thus came to pay the tribute of their piety to St. Columba were the Most Rev. Dr. Strain, first Archbishop of St. Andrew's, in the renewed Hierarchy of Scotland; the Right Rev. Dr. Reynolds, Bishop of Adelaide, in South Australia; the Right Rev. Abbot Wolf, of the Benedictine Monastery of Kansas, in the United States; and the Very Rev. Sub-Prior Murphy, of Fort Augustus, Titular Abbot of one of the olden great monasteries of England. The pilgrims were thus not only representatives of the Churches of England and Scotland, in which the countrymen of St. Columba have renewed the glory of the ancient Hierarchy, but they represented also the great continents of the distant East and West, to which the exiles of Erin have brought a full measure of the light and the blessings of divine faith. And yet it was not through any preconcerted plan, that these worthy representatives of so many different peoples in the English-speaking world, thus met together to honour the memory of the great Irish missionary of the sixth century. Providence had its own lessons to teach, and in thus grouping together these representatives of so many Irish Hierarchies in far distant lands, it wished to bring home to every Catholic heart throughout the length and breadth of the Scottish Church, that the missionary spirit of Ireland is not extinct, that it still lives, and is as vigorous in its zeal to-day, and as fruitful in its results, as it was when it first led St. Columba to the Caledonian hills.

In the decorations of the Monastery, our great countryman has not been forgotten. In the front of the noble collegiate buildings, facing the wide expanse of the placid lake, there is a life-size statue of St. Columba standing in his little coracle, and, with uplifted hand, imparting his blessing once more to the regions which he evangelized.

Towards the middle of the last century far different scenes were witnessed on the shores of Lough Ness. The battle of Culloden had broken for ever the hopes of the followers of the Stuarts, and now an avenging military camp was formed at Fort Augustus. Instructions were given to the soldiers to spread ruin and devastation around them on every side; and so faithfully did they execute these orders that, within a range of twenty miles, neither house, nor man, nor beast, was to be seen. The same policy of revenge, almost with the same severity, was

carried out in other Highland districts. The Highlanders were subjected to a thousand annoyances and persecutions, and every house which had served for a chapel, or which was known to have harboured a priest, was levelled to the ground. Since the close of the sixteenth century, this was perhaps the darkest period in the history of the Scottish Church, and it has been calculated that the total number of Catholics in Scotland at this time was reduced to about fifteen thousand.

The Penal Laws in Scotland continued in full force, almost without interruption, from the death of Mary Queen of Scots till the year 1778. Notwithstanding their severity, Ireland, and it may be added Ireland alone, never failed to stretch out a helping missionary hand to the suffering Scottish Church, and Irish priests were, at all times, ready to face the terrors of imprisonment and death, that they might console with the Sacraments of the Church the scattered Catholic families in the Highlands, and in the islands lying off the coast. In the beginning of the seventeenth century, the illustrious Peter Lombard, Archbishop of Armagh, had the special charge of the Scottish Missions assigned to him by the Holy See. A little later; they were under the care of Dr. Fleming, Archbishop of Dublin, and, subsequently, of Dr. Magennis, Bishop of Down and Connor, and in the year 1670, Oliver Plunket, the martyred Archbishop of Armagh, received a special commission to visit them.

The Irish Franciscans were among the most zealous labourers in this missionary field. In the year 1619, Fathers Edmund Canna and Patrick Brady set sail for Scotland. The former was soon arrested and thrown into a filthy prison, where he suffered the greatest hardships. In 1623, three other Franciscan Fathers—Cornelius Ward, James O'Neill, and Patrick Hegarty—braved the storm of persecution, and were rewarded by winning back several Calvinists to the fold of Christ. Their letters to Propaganda give many interesting details of the privations they had to endure, and of their hair-breadth escapes on the Highland Mission. Frequently, for months together, some oaten-bread, with milk or water, was their only food. When the oaten-bread was exhausted, roots or herbs had to be substituted. The missionaries travelled on foot from place to place, under various disguises, and it was only under the shadow of the night that they could venture to assemble the faithful, and offer the Holy Sacrifice, and administer

the Bread of Life. Father Ward writes, in 1637, that their labours and privations were incredible, and that there was then only one Scottish priest in all the Highland districts. His name was Reginald M'Donell. He lived in a remote part of the Island of Uist, and, by cultivating with his own hands a patch of ground, and, by fishing and collecting sea-shells, he endeavoured to make out some means of subsistence.

Many conversions rewarded the zeal of the devoted missionaries. Father Hegarty, Prefect of the Franciscan Missions, attests, in 1640, that, during the preceding eight years, he had himself received four thousand converts into the saving fold.¹ This good Father seems to have been particularly noted for his Apostolic labours. When, about this time, some friends of the Scottish Church urged the Holy See to appoint a Bishop for Scotland, Father Hegarty was the person recommended for that arduous post. The Rector of the Scotch College at Madrid thus wrote :—

“ I have desired for many years to see a Bishop in the wild islands of the Hebrides, to instruct and form the priests, to settle disputes among the Catholics, and to administer the Sacraments of Orders and of Confirmation, distinguished in his preaching, in his life, in his manners, in his influence, and possessing the same authority as the Bishops of Ireland. I am aware that the scheme is opposed by many, from motives of private advantage, or from excess of timidity ; but the glory of God, the public good, the custom and the advancement of the Church, call for it. I know of no one better fitted for the office than the Prefect of the Franciscans in the Scotch Mission, in whom all the characteristics of a good pastor are found.”

In the year 1654, St. Vincent de Paul, at the request of the Chieftain of the MacDonallds, sent two Irish priests of his Congregation, Father Francis White, and Father Duggan, to keep alive the spark of the faith on the Scottish hills. Father Duggan, overcome by the fatigues of the mission, was forced to retire from it in 1656. Father White, when worn out by his labours, sought repose, at intervals, among his countrymen in Ireland, or among his religious brethren in France, yet he never forsook the

¹ For documents connected with the Mission of the Irish Franciscans in Scotland, see “*Spicilegium Ossoriense*,” I., 223, 244, & 251 : and “*The Archbishops of Dublin*,” vol. i., chap. 15.

Highland Mission, and he died at his post there in 1679.¹

“It was no sinecure to undertake such a mission as was offered these poor priests. The privations of poverty, and the imminent risk of detection, equally tried their fortitude and their charity. They travelled on foot about their wide district, attired as common peasants; and frequently through bye-paths, over mountains, and along sequestered glens, for the sake of privacy.”²

On one occasion, as they pursued a mountain path, after a long day's toil, they saw a house in the distance. Approaching it, they observed two young men standing outside, who were engaged in serious consultation, and seemed to be overwhelmed with affliction. When the missionaries asked what caused their sadness, they replied that their aged father was lying sick within, and, to all appearance, at the point of death. “He will not believe that he is to die at this time,” they added, “he will not make any arrangement about his property, which is very considerable, and we fear that many family law-suits shall ensue.” One of the missionaries replied: “My companion here knows something of medicine, and will be able to judge of your father's state. If we can give you any help in this difficulty, we will be happy to do so.” The young men led the strangers to the bed-side of their father. When they saw the emaciated frame that lay on the bed of sickness, they were surprised that life was not extinct. The aged man was quite conscious however, and when they assured him that he had not an hour to live, he peremptorily said he would not die so soon. They asked him why he spoke with such confidence. “Well, then, I will tell you,” he replied, “I am a Catholic, and, for the last seven years, I have prayed fervently to God, that he would not let me die without the Sacraments. I know that, in His mercy, He will hear my prayer; but there is no priest to be found here, and I shall not die till I shall have seen one.” “O, my friend,” said one of the missionaries with emotion,

¹ In a Scottish document of the last century, published by Charles Butler, in his “Historical Memoirs,” iv., 84, it is stated that; the Irish Franciscans suffered severely from the inclemency of the climate, “particularly in the southern parts of the island, where the cold makes life a burthen.” It styles Rev. Mr. White “a pious and zealous missionary,” and adds: “Aided by the charity of Lord MacDonal, he caused the faith to revive in the mountains of Scotland, and restored to it, almost without difficulty, some families, which the misfortune of the times had alienated from the religion.”

² *Stothert*, “R. C. Mission in Scotland,” page 16.

"God has indeed heard your prayer, and has directed us this way, without our knowing why, in order to grant you the blessing you have so perseveringly asked for. We are priests from Ireland." The old man at once exclaimed, "Out with you, my sons, till I make my Confession," and, raising his hands to heaven, thanked God, that now, indeed, his hour had come. After his Confession, he received the Holy Viaticum; he then made the arrangement of his property, and, having received Extreme Unction, gently expired.

Dr. Winster, Superior of the Scottish Mission, announcing to Propaganda the death of Father White, in a letter of 25th September, 1679, declares that "he might justly be styled the Apostle of the Hebrides and neighbouring districts."

In the commencement of the 18th century, we again meet with several Irish priests labouring with disinterested zeal among the Highlanders. Thus, Father MacLennan and Father James Casey were missionaries at Knoydart. Father Wynn was in South Uist from 1715 to 1730. Father Colgan, Father Conan and Father Kelly resided for the most part in Moidart. Father Patrick O'Haran had the spiritual charge of the Islands of Canna, Rum and Muck. Father MacPhee, after toiling for thirty years among the faithful Highlanders, was thrown into prison in 1758, and soon after was banished the kingdom, never to return, under pain of death. Thus, priest succeeded to priest, and the line of zealous Irish missionaries continued unbroken down to the close of the century.

If we inquire why it was that the labours of the Irish priests were so fruitful in these missions, we will find one special reason to be that the Highlanders still retained the language and the traditions of their Celtic forefathers. "The Scotch have but few ecclesiastics of their own nation" (writes Dr. Burgatt, Archbishop of Cashel, in 1668), "fruitful missions, however, have often been given there from Ireland; for they freely receive instruction from the Irish priests, on account of their having the same language as well as the same origin. In particular, the Scottish Islanders so hate the English, that they even seem to shun those who speak the English language."¹ On the other hand the Lowlanders hated alike the Highlanders and the Irish missionaries, and before the close of the 17th century they had almost

¹ "Memoir of Oliver Plunket, &c.," page 174.

entirely lost the light of the faith. The Superior of the Scotch Missions in 1678 reports to the Holy See, that having made most accurate inquiries he could find no more than two thousand Catholics in all the Lowland districts, whilst in Glasgow and its neighbourhood the total number of Catholics was only fifty.

During the reign of James the Second some rays of sunshine lit up for awhile the gloom of the Highland hills, but they were soon lost again amid the clouds and storms of the following reigns. The Penal Laws aimed at nothing less than rooting out every trace of Catholicity from the kingdom.

It was a capital offence to say Mass, or even to hear it or to conceal it. No Catholic could succeed to an estate, nor, if a convert, could he retain the estate which he had possessed before his conversion. If a Catholic ventured to purchase a house or a field, the deed of sale was null and void, and the late proprietor was authorised to re-occupy the property thus sold, and at the same time to retain its purchase money. It was not even legally permitted to a Catholic to reside in Scotland, unless he signed and accepted as his own the official Confession of Faith.

The first relaxation of these Penal Laws in Scotland dates from 1778. The disasters in America, and the threatening attitude of France, made the British Government desirous to secure the services of the brave Highlanders, and to conciliate the Catholics throughout the whole kingdom.

The few Catholics at this time in Glasgow had no chapel or regular place of worship, but assembled in the house of one of their body named MacDonald, where they recited their prayers, and where a few times in the year a priest from Edinburgh came to say Mass for them. On one of these occasions, Sunday the 18th October, 1778, the priest had scarcely finished the Holy Sacrifice when the mob burst into the house, assailing the handful of poor Catholics with the most savage cries and imprecations, and threatening them with the worst vengeance for attempting to introduce Popery into that Presbyterian city. They smashed the windows, tore the doors off their hinges, and rifled the house of everything that could be carried away.

In Edinburgh there were two chapels. The mob, however, inflamed by the violent harangues of the Presbyterian ministers, made no secret of their determination to allow no toleration to Popery. At noon of Tuesday, February 9th, 1779, armed with hatchets and stones, they burst into the

chapel-house at Chalmers'-Close, and, having reduced it to an utter wreck, introduced straw and barrels of tar, and burned it to the ground. Next day the other chapel shared the same fate. During one of these conflagrations, Dr. Hay, the illustrious Bishop of the Lowland Vicariate, arrived in disguise in Edinburgh, returning from one of his missionary excursions. Seeing the street filled with an infuriated mob, he stopped an old woman and asked her what it all meant, "O sir," she replied "we are burning the Popish chapel; and we only wish we had the Bishop to throw into the fire." A few years later some compensation was made for the outrages thus committed against the unoffending Catholics, still nothing was left undone by the Presbyterians to keep alive the irreligious passions of the Scottish mob.

Some official returns made about this time enable us to form a correct idea of the deplorable state to which the Catholics were now reduced. The total number of Catholics in Scotland was between 17,000 and 20,000, whilst the total population was about 1,300,000. Throughout the seventeenth century several of the chieftains and old nobility of the kingdom had professed the Catholic faith. In 1778 there was only one Catholic noble family in the whole of Scotland, and it was calculated that there were not twenty Catholics whose revenue amounted to £100 a year. Thirty years before, there had been a considerable number of Catholics in Forfarshire, now they had dwindled down to thirty grown persons. And as Catholic influence had thus been reduced to the lowest ebb, their opponents had become more determined in their enmity. Dr. Cleland, in his "Annals of Glasgow," states that there were at this time no less than eighty-five different societies in that city, having 12,000 members, and all associated for the avowed purpose of preventing any relief being given to the Catholics.

In Glasgow only about twenty Catholics used to assemble in a room in High-street, where Dr. Hay came at times from Edinburgh to celebrate Mass, and administer the Sacraments. When that room was wrecked, and its altar destroyed, they met together at Mr. Bagnal's house in Gallowgate-street, but even here the malice of their enemies pursued them. On the 9th of February, 1779, the mob plundered and set fire to that house, and destroyed all the Catholic property on which they could lay their hands. A small room, up a narrow turnpike stair, in a close in the Salt-market, directly opposite the Bridge gate, was next used for divine worship, but only about a score

of "poor people, who went in and came out by stealth," ventured to assemble there. This continued till 1791, when, peace being somewhat restored, the Tennis Court, in Mitchell-street, was rented for a few years, and fitted up as a temporary Catholic church.

But a great change was now to take place in the position and attitude of the Catholic body. A tide of emigration had set in among the Highland population, and some of the leading capitalist manufacturers of Glasgow were anxious to secure their services. As an inducement to the Highland Catholics to come to Glasgow, security in the exercise of their religious worship was promised them. Six hundred Catholic Highlanders accepted the employment that was offered, and, with their families, and having with them their Chaplain, Rev. John MacDonell, settled in Glasgow. In a few years, however, trade decayed, and these Highlanders being thrown out of employment, Father MacDonell induced the Government to enrol them as a distinct corps under the name of the "Glengarry Fencibles." After eight years' service, this fine regiment was disbanded in 1802. Most of the Catholics, with their families, accepted grants of land in Canada, that thus they might be able to enjoy the free exercise of their religion.

But, if the Highland Catholic element was thus almost entirely removed, another still more vigorous Celtic element was now about to be introduced into the Scottish Church. In the year 1800, there were only two Vicariates, and about a dozen poor churches in all Scotland, and the total number of Catholics was not more than thirty thousand. There were no convents, or religious houses, and but few schools. The total number of the clergy was not more than forty. At the present day, we see a flourishing Hierarchy, with two Archbishops, and four Bishops, who guide the faithful in the paths of salvation. In the diocese of Glasgow alone there are about 230,000 Catholics, whilst the other dioceses of Scotland reckon, at least, 150,000. There are, moreover, 200 churches, in which 300 priests minister to the wants of the faithful. Besides all this, there is a large number of primary schools, with industrial schools and orphanages, and other institutions of Religion and Charity.

The reader will ask, whence came this happy change? I reply that it is mainly due to Irish piety and Irish faith. The rapid increase of manufactures and of trade in Glasgow and other towns of Scotland, which set in towards

the close of the last century attracted the exiles of Erin to the Scottish coasts, and wherever they went the Catholic Church was sure to take a firm hold.

The Right Rev. Dr. Hay was at this time Vicar Apostolic of the Lowland District. He was a man eminent for piety, zeal, and learning, and his letters, several of which have happily been preserved, supply authentic data as to the influence exercised by Ireland in gathering together the stones of the sanctuary throughout Scotland. When the influx of the Irish Catholics into the Lowlands commenced, their spiritual prospects were discouraging to the last degree. At the moment that an urgent demand was made for more churches and more missionaries, the continental colleges, which were the main resource for the supply of missionaries, had to be closed, and, at the same time, the generous friends of the Scottish Mission in England were compelled to devote all their resources to relieve the distress of the French exiles. In this extremity Dr. Hay bethought himself of Ireland, and though she was herself overwhelmed with afflictions and miseries, yet she made a generous response to his call. Writing to Archbishop Troy on the 13th July, 1795, he sketched the many difficulties that pressed on the Scottish Church, and their inability to provide for themselves a college at home. He added:—

“The case was represented to our friends in England and Rome in the strongest manner, but all in vain; all we got was good wishes of success, and acknowledgments of the necessity, and regrets that their own difficulties in the present distressing times put it out of their power to help us . . . All other resources having failed us, perhaps kind Providence has reserved to your Grace’s piety and the charity of the Irish Catholics, the merit of supporting and preserving our holy faith in a nation, which in ancient times was so much united with them in origin, religion, and saints.”

In April 1796, Dr. Hay again wrote to the Archbishop of Dublin, soliciting his aid for the Lowland Missions, and enclosing a statement drawn up by the Rev. John Farquharson, who, having miraculously escaped from Douay, where he was superior, had been appointed to the charge of the Glasgow Mission. Dr. Hay attests the accuracy of the statement of this zealous priest, and adds:—

“I have been at Glasgow several times since we had a settlement there, which was begun in the year 1792, and has since increased so much by a number of Irish and Highlanders, who have flocked there for employment, that on a survey lately made,

they amounted to upwards of 500 souls in and about that city; and, as Mr. Farquharson remarks, will increase more and more if we can get a fixed settlement for keeping a missionary constantly among them. This our own inability makes it impossible to do, without the help of others. and Mr. Farquharson has already applied to some of his friends in England, but without effect."

The statement of Father Farquharson is dated Glasgow, 14th April, 1796, and is addressed to Dr. Hay :

"You will, no doubt, recollect, my Lord (he thus writes), that the lease of our present chapel is on the point of expiring, nor do we mean, nor are we able, to renew it, without a considerable diminution, which will not be granted. £40 sterling a year is too great a sum for a congregation three-fourths of which pay nothing at all. What then is to be done? A lease of another is liable to the same objections, nor will any be given us, but on exorbitant terms. We are dissuaded by Protestant well-wishers from building, which would set all our bigots for a whole summer a-speculating, and might be productive of bad consequences. To purchase a furnished house is nowise dangerous, and, to render it the more secure, several of my Protestant friends request my making use of their names; but to make such a purchase and to fit it out afterwards, from between four to five hundred pounds will be required, and you are well aware the congregation here cannot give much, upwards of two-thirds of it being composed of indigent Highlanders and Irish . . . The Irish nation is, of course, our main, and I may say, sole resource. Those of our persuasion there are numerous and rich, and I trust will prove well-disposed towards the very existence of a congregation, which contains upwards of two hundred of their countrymen, and whose number will be daily on the increase in this great and trading town: for our chapel of late is much crowded and does not prove too large, as many Irish families in the neighbourhood, on seeing constant attendance given, and that they can come unmolested, regularly resort thither. What a pity it would be, after thus getting a footing, to see all dispersed, and several hundreds here and hereabout, at most, occasionally served, four or five times a year, as was the case some years back. Was all this properly exposed to Archbishop Troy of Dublin, I make bold to say considerable assistance might be obtained; and this, within a few years, would prove one of the most numerous congregations of your Lordship's district."

That the Catholics of Dublin gave a generous response to the appeal in favour of the Glasgow Mission, is sufficiently manifest from Dr. Hay's letter on 15th August, 1796, in which he writes :—

"I this day received your Grace's most agreeable favour. I cannot express the sentiments of gratitude and affection which your

sincere friendship excites in my heart on the present occasion. All I shall say is, that I trust in God, who knows the necessity which our poor people in Glasgow have of a place for the exercise of religion, and our inability to provide one among ourselves, will be himself your eternal reward, and amply recompense those who co-operate with your Grace in assisting us."¹

In the memorable year 1798, while so many anxious thoughts for the welfare of his flock pressed themselves upon the mind of Archbishop Troy, we find Dr. Hay again addressing him, commending to his kind patronage the petition of the Rev. James Robertson, a learned Benedictine, who was at this time living as chaplain with a Catholic family near Dumfries. Father Robertson, as far back as 1792, had written to Archbishop Troy from Edinburgh, soliciting permission to reprint the Holy Bible as published in Dublin by the Archbishop, and engaging on his own part that "the profits arising from the sale in Ireland, should be applied to the numerous poor come from Ireland to our country, whose children are almost all lost." The subject of Father Robertson's petition in 1798 was entirely different. Its main object was to secure the succour of an Irish priest for the scattered Catholic congregations south of Glasgow and Edinburgh, for whose spiritual wants no provision had been as yet made. Dr. Hay's letter, dated from Edinburgh 13th April, 1789, gives some interesting particulars of the Lowland Mission at this most trying period. He thus writes:—

"In these dismal times in which we live, a considerable number of people have come over from Ireland to the counties of Ayr and Galloway, on the south and west parts of Scotland. The Rev. Mr. James Robertson, O.S.B., who is the nearest to them, informs me that they are in great distress for want of a clergyman or two among them, and he sent me a memorial in their name, begging me to send a missionary to their assistance; as this is impossible for me at present, not having a sufficient number to serve my own people, they wished me to see if I could get any among the French emigrants who had learned the English, or to apply to your Grace to see if some proper hand could be got from Ireland. On seriously considering all circumstances, I am not of opinion that any of the former would answer their purpose, and do not see any way of getting them taken care of, but by getting help from their own country. Indeed, whoever can be got, would need to be a person

¹ Among Dr. Troy's MSS. I find an imperfect list of subscriptions with the heading: "The Roman Catholics of Glasgow, unable to erect a house of religious worship for their congregation, humbly solicit the pious aid of their fellow-subjects in the City of Dublin." Then follow sixteen names with subscriptions amounting to one hundred guineas.

of zeal and piety, and such an one will not, I fear, be easily spared from where he is; especially as it is not in my power to maintain him, having now lost all we had from Rome, as well as what we had in France, and, on this account, were obliged last summer to reduce the small pittance our funds allowed to our missionaries from £12 to £10 yearly for their maintenance, and I wish we may be able to continue even that, which I fear we will not be able to do long. In these distressing circumstances, I flatter myself that your Grace will take the case of these poor people into your serious consideration, and, if it be possible to procure the necessary help for them, it would be a very great charity indeed. The poor people themselves, sensible of my inability to support a clergyman among them, are willing to contribute what they can for that purpose. The most of them can work for their bread, and, I understand, a Protestant gentleman, where they are, proposes to employ them in the manufactory business."

To this letter, Rev. Mr. Robertson, writing from Munshes, near Dumfries, in his appeal, adds:—

"Nothing can exceed the want and desire of these poor people for instruction, especially for an Irish priest and school. They offer each four shillings yearly to the amount of £12: but can that be depended on? There are two hundred souls in ten parishes of the Stewartry of Kircudbright; but there are many thousands in all. There is no priest south of Edinburgh and Glasgow to the English borders but myself, and two more hard by, and very near to Dumfries. We are family chaplains, and so can be of little or no use to them. May I presume to suggest to your Grace to send, at least for a visit of some weeks, a priest of prudence and experience. If agreeable, I should receive him at Port-Patrick, and conduct him through these unknown regions, introducing him to some of the best gentlemen, and assisting him to find out the objects of his mission. By this means, your Grace and colleagues would procure more full and certain information, and, were nothing further to be done immediately, many of these desolate souls would be consoled."¹

Ten years later, another earnest appeal was made to Irish Catholics, by the Rev. Andrew Scott. This zealous priest subsequently became the first Bishop of the Western District, and, for his zealous untiring labours, has been justly styled the Modern Apostle of Glasgow. Dr. Cameron, Coadjutor Bishop of the Lowlands, commended Father Scott to Dr. Troy, Archbishop of Dublin, in the following words:—

"The Rev. Andrew Scott goes to Ireland to solicit the charity of the Irish in their own country, in favour of their countrymen dispersed over all the west coast of this district. . . . My

¹ Dr. Troy's MSS. in the Diocesan Archives, Dublin.

utmost exertions cannot procure them chapels. I am most sincerely attached to them, and have sacrificed many private considerations to their good. My money and credit are pledged for one chapel (in Paisley), but we must have five or six more, if we mean to see our Irish Catholics keep up their character of attachment to the religion of their fathers and of their country."

Among the papers of Right Rev. Dr. Lanigan, who was Bishop of Ossory in the beginning of the present century, I have met with a copy of the printed circular addressed on this occasion by Father Scott to the Catholics of Ireland, dated the 22nd March, 1809. It thus begins:—

"The Rev. Andrew Scott from Glasgow, having come to Ireland to solicit the charity of this liberal nation in favour of their distressed fellow-countrymen dispersed over the west coast of Scotland, takes this opportunity of stating their case to a generous public. There are at this moment in the contiguous counties of Lanark, Renfrew, and Ayr, upwards of forty thousand Irish Catholics. They are almost all destitute of the comforts and blessings of their holy religion. The numberless calumnies thrown out by ignorant or evil-designing men against their religion and their country, totally preclude us from procuring for them temporary places of worship in the different towns where they are employed. Without chapels where they may receive instructions, no exertions of any number of priests would be able to preserve them from the many dangers and temptations of every kind to which they are constantly exposed, arising from the strong religious, but still stronger national prejudices which there exist against them. The scantiness of our means renders it absolutely impossible for us to provide them with the necessary places of worship; and such is their own poverty, being frequently obliged to wander from place to place, in search of employment, that they are for the most part unable to contribute the smallest mite for that necessary purpose. We are also sorry to add that experience has proved that the prejudices run there so high against them, that no subscriptions have been received, or can be expected, from our brethren of other persuasions in that part of Scotland. The predilection shown by the Right Rev. Dr. Cameron, Vicar-Apostolic of the district, to the distressed Irish Catholics, in providing them with pastors, withdrawn from old established missions, in other parts of the country, has contributed not a little to prevent our Scots Catholics from coming cheerfully forward on the present occasion, with the small subscriptions which their general poverty could in any case enable them to bestow."

Father Scott then inserts the commendatory note of the Bishop above cited, and adds:—

"The chapel for which Bishop Cameron's money and credit are pledged is erecting at present in the populous town of Paisley,

where, and in the immediate neighbourhood, are collected several thousand Irish Catholics. But we have been obliged to discontinue the building for want of means. The places where, according to his letter, more chapels are absolutely necessary, are Glasgow, Greenock, Dumbarton, Ayr, Kilmarnock, Irvine, and in almost every other town in the counties of Lanark, Renfrew, and Ayr."

When Father Scott took charge of the Mission in Glasgow in 1805, the only place then used for Catholic worship was more a garret than an oratory, in a dingy lane leading off the Gallowgate, and his list of Easter communicants was only 450. In a few years that list had increased to about 3,000. With the aid of the subscriptions received in Ireland, a new church was erected in Great Clyde street, and the thousands of Irish Catholics, who came streaming from its portals, told more eloquently than words how great a change had come over that Presbyterian city. Scotch bigotry continued indeed to show itself for a time. The windows of the new church were repeatedly smashed with stones whilst Father Scott was engaged in celebrating the Divine Mysteries, and when the Sisters of Mercy began to appear in the streets of Glasgow, they were subjected to a thousand insults. Charity, patience, and perseverance, however, after some years, overcame all this prejudice.

During the episcopate of Dr. Murdoch, who succeeded Dr. Scott in the Western District, a great deal was done to meet the ever increasing wants of the Irish congregations. No fewer than forty new churches were erected throughout the Western Vicariate, and the number of priests was increased ten-fold. We will be enabled to form an idea of the difficulties amid which all this progress was made, by the following extract from a letter addressed by Dr. Murdoch to Most Rev. Dr. Cullen, Archbishop of Dublin, from Glasgow, the 24th January, 1854 :—

"There is here a very large amount of Catholics, but they are all of the poor and labouring classes, and are subjected to the same evil influences which your Grace is so anxious to counteract in Ireland. Every effort is made, and no expense spared, to proselytize the poor people, who, from strikes, want of employment, and the violent prejudice against their country and their creed, frequently and in great numbers labour under great hardships and destitution. Our little ones, in an especial manner, are fearfully exposed to unceasing attacks from wolves of both genders. Food and clothing are constantly held out as baits to allure them to Presbyterian schools, in which every exertion is made to fill their young minds with a horror of their religion. All the endeavours

of the priests and many zealous lay-persons cannot save a considerable number of children from falling a prey to the enemy. Many of our factories have schools attached to them, and attendance at these schools is often made a condition of obtaining employment. We find it a work of the greatest difficulty, I may safely say of impossibility, to provide schools and free education, so as to leave parents without excuse in sending their children to inimical schools. In the matter of food and clothing we are utterly incapable of competing with our adversaries. Such, my Lord Archbishop, is but a faint, a very faint sketch of our melancholy condition in Glasgow and neighbouring towns and villages."

Since Dr. Murdoch's time, Ireland has given an illustrious Prelate to the Western District of Scotland in the person of the Right Rev. James Lynch, who was appointed Coadjutor Bishop in 1866. At the time of his appointment, Dr. Lynch held the important office of President of the Irish College in Paris. As a compliment as well to Scotland as to Ireland, on the day of his consecration the richest tapestries and chandeliers, and everything that could add to the splendour of the occasion, were forwarded to the Irish College from the Imperial Chapel in the Tuilleries. Of this distinguished Bishop, still living, I will only say that during the three years that he laboured in Scotland, till he was translated by the Holy See to another Episcopate in his native land, he left nothing undone, in season and out of season, throughout the vast extent of the Western District, to evangelize the poor.

And so too, under the wise rule of the present Archbishop of Glasgow, the number of Irish Catholics has gone on increasing every year, and, with their increasing numbers, schools and religious institutions and churches have been multiplied, and those dangers set forth in Dr. Murdoch's letter, which seemed so threatening a quarter of a century ago, have almost entirely disappeared.

• (To be continued.)

STUDIES ON ENGLISH LITERATURE.—I.

THE ELIZABETHAN PERIOD.

OF course the Elizabethan period ; but why ? How is it, we say to ourselves, that this especial time presents itself first when our thoughts turn to the long life of English Literature ? With Horace, we may say—

“ Vixere fortes ante Agamemnona
Multi.”

there were intellectual giants before Shakespeare, and surely there has been a Milton since ; there have been groups too, round which whole schools of literature have clustered, writers with whose works we are certainly more familiar than with those of all but the greatest minds of the period to which we are inevitably drawn. Is it that “ distance lends enchantment to the view,” and, seeing them through the haze of time, they loom out in more than their natural grandeur ? Perhaps “ omne ignotum pro mirabili ” still holds good, and so we are content to take at second hand the exaggerated praise of those who profess to have explored the far distant land, which we are too busy or too idle to visit and judge for ourselves. There may be something, but not much, in these surmises, certainly not enough to answer our query. Look at it how we may, we cannot but see that there is a vigorous life in the period to which we refer : a strength of intellect and a power of thought which have not only sufficed to live on through the rough, varied times which have intervened between us and them, but have brought them, giants still, into the midst of a very different generation, and enabled them to claim and hold their own, and that the very first place in the ranks of English Literature.

Granting this, which few, if any, would venture to deny, it becomes an interesting question to consider why is it so ; what were the external circumstances which, as it were, developed the internal powers, and made of the men of the time of Elizabeth the mighty intellectual heroes we all acknowledge them to be. Poets are born and not made, and yet times make men. There is no real contradiction in these two sayings. The circumstances and opportunities which time puts in the way have no small share in the result of the human career. What he might have done is rarely balanced by the outcome of a life. The delicate plant and the mighty oak were once seeds which a child could

destroy, and how many specimens of both perish in the growth, how few comparatively survive to realize all of which they are capable. So, if we consider briefly the Elizabethan period we shall, perhaps, be able to see what it had itself to do in the development at least, if not in the formation of the great intellects of that day. The revival in learning set in at least a century before the time with which we have more immediately to do. It had to work its way from Italy through France and Spain before it told with full effect upon England; but when it came it found minds fit and ready to receive it. A work of a very different character had been achieving its end amid civil strife and bitter persecution. The religious revival, as some considered it, but what we know to have been the uprooting of the Faith from the land and the spread of spiritual desolation in its place, had, for a while, distracted the minds of most people from intellectual pursuits and the studies which come of peace and order.

Men's minds and hearts were moved to their lowest depths by questions which touched the Faith and their hopes of heaven. We all know how great excitement stirs up the mind and often develops latent powers which will show themselves, if not immediately, yet when reflection has had time to work. Earnest thought will strengthen the mind, and brace it for greater efforts than otherwise it could make; and how terribly men were in earnest in those days the persecutions on all sides bear witness. What was the natural outcome of all this? Writers became, in its truest and highest sense, men: earnest, thoughtful and truthful. Literature was no mere trade for the needy nor a recreation for those in better circumstances. It was recognised as a kind of vocation, and men took it up almost religiously. What kind of writing should we expect from such men and under such circumstances? We may be sure that it will be strong, vigorous and hearty, often coarse in expression, rude in its emphasis, and but little subject to rule and discipline. And when we find it such, we should bear in mind what has produced it, and so, not judge it harshly, but do justice to what is in truth a young literature.

We talk justly of rude health, and why? because it often makes its possessors boisterous and noisy; at times it fatigues and worries us—it is like the play of boys and upsets orderly arrangements. It annoys, and yet we would not wish it to be exchanged for silent mopishness; and for this reason that we rejoice in the health which shows itself in these inconvenient ways.

Studies on English Literature.

So is it with many of the writers of the period of which we write. They are conscious of powers which they hardly know how to use; they are often extravagant in expression, violent in action, and very indecorous, and much more so to modern ears than to those of their contemporaries, who listened very quietly to words and phrases which to us are positively intolerable.

There is no denying this: to conceal it would be unfair to new readers, while to defend it would be untrue to ourselves. Such a caution is in many cases necessary, for the walking in these ways becomes dangerous: indeed, as we all know, there are writers of this period, as indeed of every other, not excluding our own, whose works are quite unreadable for these reasons.

But this foul blot upon literature was then, as now, absent from the writings of the greatest: thus if we remove what was then considered unbecoming from the writings of Shakespeare, we shall be perhaps surprised to find how little is left to blot out. Literary garbage is the food upon which only vulgar minds batten; that which panders to the vilest appetites is generally provided by minds but higher up in the same low order; an intellect is not really great when it can find its nourishment in such thoughts, no more than the heart is really manly that can find its pleasure in what such a debased intellect produces.

In the midst of the political and religious turmoil of the period we must not look for literature. It was the seed time, the harvest had yet to come. The ground was being ploughed up, the iron was entering into the soul, for the mind was to receive the intellectual gift broadcast. Men thought of other matters, and had neither time nor inclination for what is the outcome of thoughtful peace.

England had to pass through the fierce strife and terrible convulsions which marked the reigns of Henry, Edward, and Mary, before peaceful times dawned upon it in the latter days of Elizabeth. Henry's tyranny in one direction, the rule of the extreme Protestant party during the brief reign of Edward VI. in another, the upsetting of this and the replacing of the Catholic rule under Mary, and the subversion of this once more on the accession of Elizabeth, each in its turn, tossed the country from side to side; over and over again does the religious controversy rage, prevail and fail, until men are glad of peace at any price, and hail a monarch who is strong enough to hold her own, be the price they pay what it may.

Of course in this tumult, literary work is nowhere: men wrote then only of necessity; each, as it were, with a halter around his neck, or an axe glittering over his head, according as he was of high or low degree, this was pretty nearly all the difference.

But the minds which passed through such times, or that sprung up towards their close, with the living traditions ringing in their ears and the marks of the battle fresh on every side—such minds were all the stronger for the ordeal through which they had passed; and so when peace and a settled government came—as they did in time under the long and firm rule of Elizabeth—then the harvest was reaped, and the closely pruned vines yielded abundant and richly flavored clusters.

But this harvest was not of rapid growth. Indeed it is one of the significant signs of what terrible convulsions the country had passed through, that the outcome was so long delayed. It was a kind of intellectual famine that had passed through the land, which required many a good and favorable season before it could smile with abundance and prosperity. Elizabeth came to the throne in 1558, yet in 1586 Sir Philip Sydney complained of the want of poets in England. It was not until 1590 that Spenser published his first three books of the "Faerie Queene." Shakespeare's first play, "The Two Gentlemen of Verona," appeared in 1586; Bacon's *Essays*, not till 1597; and Hooker's *Ecclesiastical Polity* in the same year.

What names are these! Truly, if the harvest was late it was abundant; such, indeed, as no country before or since ever showed at one reaping. Each a representative man, and each perhaps the foremost in his especial line.

We have already mentioned the revival of learning which sprung up abroad, and especially in Florence, a century or more before the period of which we write. Let us say a word or two about its influence. Men like Chaucer, Dante and Petrarch arose and did great things in their generations, but these did not appear as an ordinary growth but individual and exceptional. They seemed to have no place in any regular succession, they were not the natural outcome of the prevailing literary life. Thus their influence upon their times was not so great as it would have been had the times been better prepared to receive them. So after them there seems to be a falling back—or at least a pause. But the intellectual as well as the physical world is never idle: at that period it may be said to be laying a

new and better foundation whereon to build; it is going to school, and Antiquity is the schoolmaster. When the conquest of Constantinople by the Turks drove the Greeks with their art and literature into the West, the study of the ancient language revived. Florence received the gift as though a sacred deposit, cherished it at home and sent it to found Universities throughout Europe. So the literary world, such as it is, goes to school, and, of course, while learning, can produce little other than school exercises.

The marvellous literature of Greece is unfolded to wondering eyes, and claims, as it must ever do, the loving admiration of the greatest and best; and with it comes its sister, Art, which can never be long separated from it. This period, which is justly called the Medicean time, seeing what the princes, lay and clerical, of that line did for it—this period is well worth a careful study, so full of interest is it, at once so pleasing and so painful, full of enthusiasm and with much going astray; full of great and of little things; of high aspirations and of sad shortcomings. Paganism seems reviving in aspect at times distressing but as often ludicrous. There is comedy and tragedy, frequently degenerating into melodrama and farce.

So the whole movement may be regarded with very different feelings, as we look at it from different points of view: there is so much to admire and so very much to condemn.

It is very difficult, if not altogether impossible, for us in the present day to realize the feelings with which the scholars of that time received the great gift of Grecian Literature. We are so accustomed to deal familiarly with those classic gems, dimmed it may be by our careless handling, that we know not, and indeed care not to know their preciousness. School discipline and the weariness which comes of daily tasks create a distaste for what has been the unwitting instrument of our sufferings; and so, when we have worked our way to a comprehension of what has been our instrument of torture, we have little inclination for the examination of the ingenuity of its structure or the beauty of what has been so hard upon ourselves. But these mediæval scholars, to whose ripe minds the treasures were first revealed; these men to whom the needful study was a labor of love, and who had hearts to cherish and intellects to comprehend the classic revelation, what must they have felt when Æschylus or Sophocles first revealed the drama

to them, or when Homer first sang to them the tale of Troy?

For a time it was enough for them to live in that bright intellectual light, to bask in the rays of that eastern sun; little wonder if at times it dazed them; and men, with show of reason, thought them mad. In very truth they were mad with delight and drank deep of the intoxicating draught. But, as time went on, the new-old learning did its work. The ancient teachers produced not only apt scholars, but men who could themselves go forth and carry into new writings the spirit which had dominated in the old. At first it was but a faint, childlike copy of the great originals, but in time powerful minds arose which thought for themselves and used their native tongue, strong in the influence of the mighty dead, and, while owing much to them, worked out what they had given in their own way and to a nobler, because a Christian, end. But we must not let this inviting theme draw us away from our immediate object; though the revival of learning had a great share in the glory of this period, its influence being shown in the great central figure of the group which rises up before the mind's eye when the Elizabethan period is contemplated.

The Queen herself was no mean scholar, as is well known: indeed it could hardly have been otherwise, seeing what a preceptor she had in Roger Ascham. The greatest Greek scholar of his day had the skill of inspiring his pupils with no small portion of his enthusiasm. We all have read how, when hastening through Leicestershire on his way to the German Court, on an embassy to Charles V., he called upon another royal but less fortunate pupil than Elizabeth, and found Lady Jane Grey, then only fifteen, reading the *Phædo* of Plato in the original Greek, while the members of her family were out hunting. So it was with the Queen herself: he instructed her in the learned languages we are told, while she was yet the Princess, and when she ascended the throne, he was continued in office as Latin secretary and made tutor in Greek to Her Majesty, and during the rest of his life was a constant resident in court. We may be sure he allowed his tutorship to be no sinecure, and so we find it recorded that he spent some hours every day in reading Greek and Latin authors with the Queen. He had his views upon the method of teaching languages, and quotes triumphantly the example of Elizabeth, educated on his own system, and whose especial proficiency in Latin was universally acknowledged. We

wonder whether Elizabeth read the *Phædo* as Lady Jane Grey did; and, as we handle a volume now our own, we think it not unlikely that such was the case, for she certainly possessed this copy. Here it is; a goodly folio, richly bound and emblazoned, the whole works of Plato in the original Greek, with crabbed contractions which would repel many a modern student. It is a new year's gift from Sir John Mason to Queen Elizabeth; and the Ex-Chancellor of Oxford has written on the first page an autograph dedication, which is not without an historic interest for more reasons than one. As in all probability the dedication has never before been printed, we give it (with its peculiar punctuation) as a literary curiosity and as a specimen of the style in which a grave courtier—for he was also Treasurer of the Queen's Chamber—addressed his Queen:—

“*DIVÆ ELIZABETÆ &c. :*

“*Ibeuntem hunc annum. et multos deinceps annos felicissime ducere. Connubio nimis iam diu desiderato, votis bonorum satisfacere. Remp:^{cam} in omni felicitate conservare. et a cunctis imminentibus periculis, prudenti dextra defendere. Justiciam communem universis, suum ius singulis. Sartum tectum tueri. Pena, malorum audatiam a vitiis avertere. Premio, bonorum mentes ad virtutem accendere. Et omnia cum timore dei et ad eius gloriam.*

“*Votis multis*

“*JOANNES MASONIUS.*”

It is difficult to think or write of the Queen without strong political and religious feeling: her long reign made itself too deeply felt not to have left a sting behind it. But we have here to deal only with a literary question and to consider the influence of Elizabeth in the intellectual movement of her day.

That it was great no one can question: and this for other reasons than her own personal scholarship and love of literature. She was the Queen, the reigning monarch, in an age when kings and queens were something very different from what they are now, and, moreover, she was a Tudor, and as such carried her royal power and influence to the uttermost.

It may give some idea of the awe and reverence which (at least in those days) did hedge a king, and the way in which court ceremonial sustained it, if we quote what may be called a royal rubric from the journal of a German

traveller, Heutzner, who describes what he himself witnessed in the preparation for the dinner of the Queen :—

“ A gentleman entered the room bearing a rod, and along with him another bearing a table-cloth, which, after they had both kneeled three times with the utmost veneration, he spread upon the table, and, after kneeling again, they both retired; then came two others, one with the rod again, the other with a salt-cellar, a plate and bread; when they had kneeled as the others had done, and placed what they brought upon the table, they too retired with the same ceremonies performed by the first; at last came an unmarried lady (we were told she was a Countess), and along with her a married one, bearing a tasting knife; the former was dressed in white silk, who, when she appeared, prostrated herself three times in the most graceful manner, approached the table, and rubbed the table with bread and salt, with as much awe as if the Queen had been present. When they had waited there a little while, the yeomen of the guard entered, bareheaded, clothed in scarlet, with golden roses upon their backs, bringing, in each turn, a course of dishes, served in plate, most of it gilt. These dishes were received by a gentleman in the same order they were brought, and placed upon the table, while the lady taster gave to each guard a mouthful to eat of the particular dish he had brought, for fear of any poison. During the time that this guard (which consist of the tallest and stoutest men that can be found in all England, being carefully selected for this service) were bringing dinner, twelve trumpets and two kettledrums made the hall ring for half-an-hour together. At the end of all this ceremonial a number of unmarried ladies appeared, who, with particular solemnity, lifted the meat from the table, and conveyed it to the Queen's inner and more private chamber, where, after she had chosen for herself, the meat goes to the ladies of the court. The Queen dines and sups alone, with very few attendants; and it is very seldom that anybody, foreigner or native, is admitted at that time, and then only at the intercession of somebody in power.”

From this, which was done in the Queen's absence, we may judge of the form and state which attended her actual presence. If we would understand the effect of all this upon the people high and low alike, we must not look at it with modern eyes, nor criticize it with nineteenth-century ideas. If we succeed in doing this—which is no easy thing—we shall have some perception of the effect of her favor and influence in the advance of literature in her day.

Sir Walter Scott, in “*Kenilworth*,” has sketched a well-known scene, in which Sir Walter Raleigh first wins the royal notice and favor; and points out, with his usual skill, the contest then raging between the brutal sports of the

day and the refined literature which was trying to supersede it in the favor of the educated classes; and shows how all hang upon the slightest words and actions of the Queen, knowing how much depends upon them for the final issue.

We may be sure the poets and dramatists knew it too. They felt that they had her woman's nature on their side, and more than this, because established on higher grounds, her learned and accomplished mind. She could understand and sympathize with them, which many of the great and influential about her could not do, so they paid her court, not in the rude flattery which less refined minds offered, but with a felicity and sometimes with a delicacy which she thoroughly appreciated.

The greatest poet of the age, Spenser, dedicated his "Faerie Queene" to her—which, indeed, is itself in name and subject a compliment to Elizabeth—and calls her "the most high, mighty, and magnificent Empress, renowned for piety, virtue, and all gracious government," and says "her most humble servant, Edmund Spenser, doth in all humility dedicate, present and consecrate these his labors to live with the eternity of her fame."

To us such language, of course, sounds extravagant, if not worse; but it was not so in those days when compliments were rich if not rare, and the spirit of chivalry yet survived; when men felt grateful for what the Queen had done for literature, and gave free expression to their feelings, without any dread of that miserable bantering spirit of ridicule which checks and chills so much that is good and noble in our days.

Shakespeare himself has paid his tribute of gratitude to his royal patron, in lines whose beauty commends them to our hearts quite apart from consideration of the royal lady for whom they were intended; and how must she have valued their grace and delicacy, touching her in her tenderest feelings.

"That very time I saw, but thou could'st not
Flying between the cold moon and the earth
Cupid all armed; a certain aim he took
At a fair vestal, throned in the west.
And loos'd his love-shaft smartly from his bow
As it should pierce a hundred thousand hearts;
But I might see young Cupid's fiery shaft
Quench'd in the chaste beams of the watery moon,
And the imperial votress passed on
In maiden meditation, fancy free."

The poets gained the day, for the royal favor was with them, and lines like these had no small share in the victory.

We all know how skilfully Sir Walter Scott has turned them to this account in that scene to which we have alluded ; and he wrote history in its truest sense, giving us its spirit, which often conveys a truer impression to the mind than the mere facts themselves can do.

“When the speaker had ceased [the recitation], she murmured over the last lines as if scarce conscious that she was overheard ; and as she uttered the last one she dropt into the Thames the supplication of Orson Pinnit, keeper of the royal bears, to find more favourable acceptance at Sheerness, or wherever the tide might waft it.”

But not alone with the Queen did the encouragement and patronage of literature rest. We may be sure the courtiers in their different degrees followed the royal leading. It became a fashion to dabble in literature, and even those who could least appreciate it pretended to do so, and thus gave it a helping hand ; and do not let the reader grow indignant at the language we are using, and flash up at the idea of such people, or, indeed, of any people, lending a helping hand and encouraging Shakespeare ! But so, indeed, it was, and perhaps must ever be. The greatest dramatist the world ever knew was an actor, and part proprietor of a theatre, who supplied his plays as a matter of course, and wrote most probably to order, and as the time required them.

Had the world not flocked to the Globe Theatre, it would have closed, and where would the plays have been ? those which he wrote while in active management, and those which he sent up from New Place at Stratford, when he had become a country gentleman out of the profits of those earlier works. Men, even the greatest, do not live apart, whatever poets may say to the contrary ; at any rate those who write for the pleasure of their fellow-men live much on sympathy. One success encourages to another effort, and those who hailed the first feel a fresh interest in the second, and their applause urges to a third production. So the author and his public depend upon one another, and, if large-hearted, rejoice in that bond of union.

So it was that the revival of learning did its work alike in those who wrote and in those who read and saw. Poets and dramatists had higher models set before them in the Greek literature, which came to them directly or indirectly in the intellectual advance ; and, what they produced, as

the outcome of this growth, created a taste in those around them for better things than had before contented them; and through that higher spirit of criticism, which readers and auditors thus unconsciously acquired, the authors were spurred to greater exertions, and so nobler works were the fresh result, alike the fruit and the reward of the nation's intellectual growth. Shakespeare himself well illustrates this. If we compare his earlier works, his adaptations of other plays, which served the immediate purpose of his first theatrical ventures, with those which came of his later days, we may observe how even he, greatest of dramatists as he was, grew greater and nobler under the popular applause; how his large heart responded to the acclamations of his much loved countrymen; and how his mighty genius rose to its highest in answer to their increased appreciative power.

And what a literature it was which educated the English people, and rewarded them for their encouragement and sympathy! Shakespeare, rare Ben Jonson, Beaumont and Fletcher, Marlowe and Philip Massinger, as its dramatists; Shakespeare again, Spenser, Chapman, Daniel, Drayton and Donne, as its poets; Bacon, a host in himself, and well-nigh a whole literature, so varied are his thoughtful works; Burton, whose "Anatomy of Melancholy" Hallam calls "a great sweeping of miscellaneous literature;" and then the theologians, with the "judicious" Hooker at their head, in right, if not of orthodoxy, at least of profound learning, and with Cardinal Allen and the ever-fresh Parsons among their number. Then, again, the annalists, with Bacon and Camden and quaint Stowe and Holinshed—that Holinshed whom Shakespeare conned so zealously and loved to quote, as he did still more fully from Cavendish's *Wolsey*.

Look where we will, in every department of literature we find the intellectual giants of this period leading the march which since has never ceased; and so, when we trace our way backward through each path, we find ourselves at what we may call the great starting point of all, the Elizabethan Period.

GERALD BARRY, THE ARCHDEACON OF BRECKNOCK, AND HIS LATE EDITORS.

WE flatter ourselves we owe our readers no apology for inviting them to join us in the study of Gerald Barry, the Archdeacon of Brecknock, widely rather than popularly known by the Latin designation Giralduſ Cambrenſis. He is beyond all question, the moſt famous, or, if the reader prefers, the moſt notorious of all our hiſtorians: he early choſe Ireland as the great ſubject of literary labour for himſelf, his works upon it became the great authorities for foreigners for ages, and aroſed in Ireland an almoſt unrivalled earneſtneſs of refutation. And yet, to tell the truth, it ſeems to us it would be a pity for our country, if Archdeacon Gerald's credit were completely overthrown. It is true he has ſet down moſt monſtrous charges againſt our anceſtors, but it is alſo certain that ſome of the nobleſt proofs of the virtue of the Iriſh Mediæval Church would diſappear, if Archdeacon Gerald's teſtimony were to be lightly caſt aſide. No doubt it may well be ſaid that an enemy is alwayſ a good wiſneſſ in our favour and not againſt uſ. But this is only true as to one of the characteristics of a good wiſneſſ, namely that he be not miſleading of hiſ own accord. Gerald Barry, as one who had no love for Ireland, is aſſuredly not miſleading of hiſ own accord, when he bears teſtimony in favour of iſ clergy. But if he was really a man of no ſenſe and judgment, he might be, though not willingly miſleading, actually miſled. If he really was ſo ignorant and careleſſ and ſelf-ſufficient, that hiſ opinion would evidently be lightly formed, then even though by ſome accident it might be on the ſide oppoſed to prejudice, it could carry with it very little weight indeed. It is therefore very important to know how far Archdeacon Gerald deſerved the hard things that have been ſaid of him.

The queſtion ſeems difficult enough to ſettle. One who was unqueſtionably among the very beſt of Iriſh hiſtorical critics, the late Dr. Matthew Kelly of Maynooth College, did, it is true, in an article on the Round Towers, call our Archdeacon, the great father of anti-Iriſh lies. But in the notes that Dr. Kelly furniſhed to the edition of "Cambrenſis Everſuſ," Dr. Lynch's famous refutation of Gerald, published by the Celtic Society, Dr. Kelly himſelf often appears to ſome extent a defender of Cambrenſis,

against the powerful attacks of Dr. Lynch. The latest editor of Cambrensis's own works alludes to this curious circumstance as follows, referring to the "*Cambrensis Eversus*"¹ of the Celtic Society.

"No small portion of Mr. Kelly's notes on the anti-Giraldus parts of the work are devoted to prove that Giraldus is right and Dr. Lynch wrong, at any rate that Giraldus is not so far wrong as Dr. Lynch would make out."

What we are to think of the authority of Gerald is, as we must admit, a point that seems hard to settle, and yet we are satisfied, that there are few things in history that can be settled so conclusively.

We have it in our power, if we will, to study and gauge and come to know Archdeacon Gerald of Brecknock, with a thoroughness denied us in the case of men amidst our own circle of acquaintance. For Archdeacon Gerald had an eventful life, which displayed his character in a thousand ways. He wrote numerous works, now in our hands, and in them he seems to have poured forth his very soul, besides supplying abundant information about his acts. We really believe that, in spite of Boswell, we know Dr. Johnson himself less perfectly, than we may, if we choose, know this extraordinary Archdeacon of the Middle Ages. We know of course a hundred little external circumstances about Dr. Johnson's ways, that we cannot match in the case of our mediæval dignitary. But then, the Johnson whom we know is, as Macaulay well said, "Johnson grown old, Johnson in the fulness of his fame." It is Johnson leading one settled regular undisturbed course of easy life. We may read his books and almost listen to his after-dinner conversation, they will teach us his views on a variety of subjects, but they will scarcely throw much light on his own doubtless once ardent aspirations. We may indeed form an idea of what he would have done in one way or in another, if the quiet tenor of his existence had been suddenly disturbed by great

¹This does not prevent the editor from justly calling *Cambrensis Eversus* "the work of a great Irish Scholar, very learned, and elaborate and valuable; not at all confined to the mere upsetting of Giraldus, but entering largely also into Irish history of all periods down to the time he wrote." It seems very odd that the editor should not have seen a copy of Father White's book against Giraldus, the *Apologia pro Hibernia*, though he refers to its composition as follows: "Stephen White, a learned Jesuit, a correspondent of Archbishop Ussher, and spoken highly of by him, was the first to enter the lists."

hopes or fears, but all we can form here is only an idea. The spirit, the ambition, the tastes, the courage of the man are not tested for us, as in the case of Gerald Barry. With such means at our disposal and such an object to be attained by making use of them, we should scarcely need to apologize for directing our readers' attention to Cambrensis. But the truth is, we could scarcely submit to their notice any subject more interesting, more entertaining in itself. Had we no ulterior end in view, it would be worth while to run over Cambrensis's many works, for the sake of knowing the marvellous man who wrote them, and who has stamped his likeness, in some guise or other, on almost every page.

We proceed therefore without further preface to cast a first glance on his works, as they are now presented to us. We have now seven volumes of them, published by the Treasury according to the plans of the Master of the Rolls. The matter is here evidently abundant. And of course there are editorial views put forward which it would be ill-judged indeed on our part, in the first place to overlook. We must begin with Gerald's editors before coming to himself. Indeed one of the first questions that will suggest themselves to our readers' thoughts will be, what is the verdict passed upon our author in this latest and completest edition of his writings? To this we must answer that the jury disagree. They are not very numerous. The seven volumes have not had twelve or even seven editors: but they have had two, and the two were not of one mind. Happily, however, these are not jurors who give their views without explaining them, and we shall be able without much trouble to form some tolerable estimate of the value of their opinions.

The editor of the volumes I., II., III., IV. was the Rev. J. S. Brewer, Professor of English Literature at King's College, London; and he looks on Gerald's "History of the Conquest of Ireland," as really a very fine work, "whose only drawback is the recurrence of artificial orations." "No efforts," he adds, "have been wanting which the most rigid historical fidelity could demand." And as complete proof of this last weighty assertion, Mr. Brewer tells us, in a note appended to it, that "the narrative of Giraldus has been thoroughly confirmed by the Anglo-Norman description of the same events by Morice Regan, himself an eye-witness." Unfortunately these statements are almost categorically denied by the editor of the fifth and following volumes. In his preface to the fifth, after mentioning a

discrepancy between the chronology in the Archdeacon's "History of the Conquest," and that of the Irish annals, this second editor remarks, "There can be no worse authority than Giraldus wherever a date is concerned; he very seldom condescends to give a date, and when he does is quite as likely to be wrong as right, and the Irish annals at this period of history at all events are very accurate in their chronology." As for the description by "Morice Regan himself," we learn from our new editor, that "by a misunderstanding of the original, Sir G. Carew, in his abstract, seems to have believed Regan to have been the actual author rather than the principal informant of the author;" and the same editor remarks further about the work called Regan's, "In rhyme though it be, its history, I have not a doubt, is far more accurately true than Giraldus's poetical prose. Sometimes it gives a strong general confirmation to Giraldus's narrative, but the particulars often are very different." It seems plain, not only that Giraldus, even in his "History of the Conquest," is not quite the trustworthy guide that Mr. Brewer makes him out to be, but that Mr. Brewer himself was sometimes a little too ready to make assertions. Obligated to notice the editors, we cannot help dealing somewhat fully with this point. Unfortunately a careful examination of his work thoroughly confirms the view that Mr. Brewer as editor of *Cambrensis* is an unsafe guide to follow. As professor of English Literature he may have been worthy of considerable praise, but he ought not to have attempted to edit the mediæval works before us.

In the first place he was not sufficiently at home in Latin. This is surely no disgrace to a devoted student, whose attention was fixed on other objects; but disgrace or not, the fact is what we state. He gives us as a story in Giraldus of some "historical interest, as showing Richard I. in a new light," the following passage, which we quote from the preface to the fourth volume:—

"It happened on one occasion that Richard I. was speaking in Latin and made use of the following expressions 'Volumus quod istud fiat coram nobis.' The archbishop who stood by among other nobles and prelates, wishing to correct the king, cried out 'coram nos, my liege, coram nos.' On which the king, casting a glance at Hugo, Bishop of Coventry, a man of learning and eloquence, replied, amidst much laughter: 'Stick to your own grammar, my Lord Archbishop, because yours is more valiant than mine (plus valet).'"

This is indeed showing the bluff Cœur de Lion in a new light, as the maker of what at best must be pronounced a ridiculously confused and subtilizing pun for even a grammarian or a pedagogue. Can "valiant" grammar mean audacious, daring grammar? Can *plus valet* mean "is more valiant" and even "is more daring"? Admitting all these things, why should Richard tell the archbishop to keep to his bad or daring grammar. The point ought clearly to be *not* to keep to it. It is good grammar, not daring grammar, that is to be kept to. And this is precisely what is meant in the story. The king's grammar is good, it is better than the archbishop's, *plus valet*, and his majesty is naturally told by "Hugo Bishop of Coventry, a man of learning and eloquence" to keep to it, to "stick" to it, and not mind the archbishop's correction. The whole thing is perfectly clear in the Latin, to which Mr. Brewer refers and which we subjoin:—

'Accidit aliquando quod Anglorum rege Ricardo Latinis verbis in hoc modo proponente; 'Volumus quod istud fiat coram nobis;' praedictus archiepiscopus, qui cum aliis multis et magnis viris tunc praesens extiterat, regem corrigere volens, ait: 'Domine, coram *nos* coram *nos*. Quo audito cum rex Hugonem Conventrensem episcopum, virum literatum et facundum respiceret, ait ille: 'Ad vestram, domine, grammaticam quia plus valet, vos teneatis;' risu cunctorum qui aderant subsecuto."

Common sense cannot more positively require the translation we have given, than does Latin usage itself. If "respiceret" and "ait" were, as Mr. Brewer imagines, to have the same subject, it would be un-Latin to express that subject both as noun and pronoun. In simple sentences, like our "When the king saw his enemy he trembled," or "The prince beholding his foe attacked him," it is not the Latin way to express the pronoun "he" in addition to the noun "king," or "him" in addition to "his foe." The subject or object once named is sufficient for both verbs. Introducing a pronoun in addition points out simply that there is question of some second individual. The "ille" with "ait," while "rex" goes with "respiceret," shows that when the king looked at Bishop Hugh, it was that second individual, Bishop Hugh, that spoke. It is rather hard to have King Richard I. shown up in a new character, because Mr. Brewer does not construe properly. But it is remarkable as showing Mr. Brewer's self-confidence, that in such a case as

this, where the sense he makes out appears so lame, no misgivings, but actually introduces his strange translation to the reader in his preface. It seems as if it had been hard for this Professor to harbour the suspicion that he, an Oxford man of the Nineteenth Century, ought to make himself up on some points before attempting to edit an archdeacon of the Middle Ages.

Even where the words of the author would seem to suggest at first sight that there is something to be looked up, something referred to that is not explicitly mentioned, Mr. Brewer goes on contentedly, as if there could not possibly be anything for him to investigate. We give an example from the same third volume. In the fourth chapter of the first book *De Invectionibus* (King Richard's story occurs in the next chapter), Mr. Brewer prints as Gerald's "reply to Master Andrew's objections in the Consistory," several sentences, the first of which is as follows:—

"Magister Andreas promisit vobis et cotidie promittit mirabilia; sed si ordine psallendi non saliendo incesserit prius ad vilia defecerit quam ad mirabilia perveniet."

Farther on, in the third *Distinctio de Jure et Statu Menevensis Ecclesiae*, we have the same sentence in a better form, requiring, in order to be quite perfect, only the change of one *i* into *e* and the correction of one plainly typographical or clerical error. This second form differs from the first only in the last clause which is printed as follows: "prius ad *Deficit* quam ab *Mirabilia* perveniet." *Ab* of course we take to be a mere slip for *ad*. *Deficit* is we fear a wrong reading of Mr. Brewer's for *Defecit*, which is of course the proper word. No priest in Ireland, no one who reads the Roman Breviary, requires the explanation which for the sake of our lay readers we subjoin. The 118th Psalm is read in the "Little Hours," the part read at Sext commences with the word "Defecit," that read at None with "Mirabilia." Thus in the order of psalm-chaunting, "Defecit" comes before "Mirabilia." And Gerald's funny remark is this, that if Master Andrew, who is always saying "Audietis Mirabilia," goes on according to the regular order of psalm-chaunting, he will come to a full stop, he will come to where people must say *Defecit*, "he has failed," before he gets to the *Mirabilia*, the wonderful exposure that

he promises. We do not expect Mr. Brewer to know the Roman Breviary, though it would certainly be an advantage for Gerald Barry's editor to know it and the Vulgate well. But we should have expected that the words "si ordine psallendi" would have made any editor see, that a peculiar allusion was here made, and that he must notice it, either by explaining it, if possible, or by declaring that he had tried in vain to do his duty in throwing light upon the point. Mr. Brewer, in spite of the way he very properly prints *Deficit* and *Mirabilia* in the second quotation, simply refers us in a note appended to it, to the passage in *De Invectionibus*. He seems to have no idea of any "deficit" or any "mirabilia" in himself as editor.

On the contrary, he rather looks down on poor Archdeacon Gerald as a Latinist. When he cannot understand him, and perceives that he cannot, he abuses him for writing badly. At page 166 of vol. iv. he gives us the following note on one sentence. "The sense is left in this suspended state, the author having inextricably involved himself in a labyrinth of parentheses." The sentence is one of those commencing with "How;" which we sometimes see set down as titles to chapters. If a full stop be put at the end of it, it may be maintained of course that it is only a dependent sentence and incomplete, for want of some such phrase as "We well know," or "It is clearly understood;" a phrase which can be easily supplied and to which "how" and all that follows it should be tacked on. If a note of admiration be appended, the sentence cannot even be called incomplete or ungrammatical. As for the "sense" being "left suspended," the sense is perfectly clear, but for the misplacing of a comma; the main points are, Qualiter etiam literas detulit Qualiter etiam depositus fuit

Around these main points there are plenty of parentheses or complements, but not parentheses that run into one another; no one of them begins till the preceding one is finished, and consequently there is no labyrinth of parentheses, and Giraldus was not inextricably involved. Mr. Brewer, indeed, seems to have involved himself inextricably by throwing the "fuit" into an immediately preceding parenthesis (*sed in ipso fere articulo*). Instead of putting a comma after "articulo" before "fuit," he puts one after "fuit" and joins those words. His imperfect mastery

of Latin indeed leaves much to be desired in his text.¹ But his self-confidence or assurance leads him, as we shall see,

¹ The following example will illustrate our meaning with respect both to punctuation and to knowledge of the Vulgate.

PUNCTUATION ADOPTED
BY Mr. BREWER, vol. ii., p. 297.

¹ Promovebat, dicens et quasi rationem assignans, quod hi per probitatem suam satis sibi ubique sufficerent, illi vero per ignaviam suam, nisi provisum esset eis, deficiendo perirent. Illi sicut videbatur auctoritati apostoli innitens, inhonestiora membra nostra abundantiori circumdamus¹ honore.

Note appended by Mr. Brewer,

¹ Illi . . . circumdamus. So the passage stands in the MS.

NEW PUNCTUATION PROPOSED.

Promovebat, dicens et quasi rationem assignans, quod hi per probitatem suam satis sibi ubique sufficerent, illi vero per ignaviam suam nisi provisum esset eis, deficiendo perirent, illi (sicut videbatur) auctoritati apostoli innitens: Inhonestiora membra nostra abundantiori circumdamus honore.¹

Note suggested.

¹ Et quae putamus ignobiliora membra esse corporis, his honorem abundantiorum circumdamus. 1 Cor. xii. 23.

Here is an example about punctuation alone.

Mr. BREWER, vol. iii., pp. 236-7.

. . . publico praeipientes edicto, ne quis clericus aut laicus absque literis ipsorum transveheretur. Similiter et per portus omnes totamque maritimam praeceptum fuit; praecipue vero de Giraldo, ne transveheretur, edictum exiit; qui etiam per singulas domos de Sandwich quaesitus ut caperetur si reperiri posset, praeceptum fuit.¹

Note appended by Mr. Brewer.

¹ praeceptum fuit. So in the MS.

EMENDATION.

. . . publico praeipientes edicto, ne quis clericus aut laicus absque literis ipsorum transveheretur; similiter et per portus omnes totamque maritimam praeceptum fuit.¹ Praecipue vero de Giraldo ne transveheretur edictum exiit. Qui etiam per singulas domos de Sandwich quaesitus, ut caperetur, si posset reperiri praeceptum, fuit.²

Note.

¹ praeceptum fuit "ne quis . . . absque literis . . . transveheretur;"

² "ut caperetur si inveniri posset" Giraldu.

The reader may here possibly exclaim, "And Wharton! did he not publish the latter extract? Surely he must have understood it; and what of his punctuation?" Wharton, of course, understood the passage: he was no Nineteenth Century Latinist. His punctuation sufficiently shows he caught the meaning, but it does not make that meaning very manifest, as we see from the perplexity which Mr. Brewer's note ingenuously confesses, though Mr. Brewer had long had Wharton's edition before his eyes.

Wharton's punctuation is the same as Mr. Brewer's, with the exception of a single comma which makes a capital difference. The main point in translating here is to make *ut caperetur* the complement not of *quaesitus* but of the final *praeceptum fuit*. Wharton marked this by placing a comma after *quaesitus*. Mr. Brewer omits the comma, joins *ut caperetur* to *quaesitus*, and then does not know what to do with the *praeceptum fuit* that remains over at the end, till he finally decides to write a note, protesting that this troublesome *praeceptum fuit* exists in the MS. and he must not be held answerable for it.

into considerably graver errors. We mean, of course, his self-confidence or assurance as a scholar proud of the Nineteenth Century, in dealing with a writer of the "dark" Middle Ages. We have no wish, or right, or ground to accuse him of the slightest undue assumption with regard to his own fellows and contemporaries.

J. J. O'C.

LITURGY.

How to make many Commemorations which are to be taken from the same Common Office.

REV. SIR,

Be good enough to explain how one is to make the Commemorations in Vespers and Lauds, when two or more Saints of the same order (say Confessor-Pontiffs), and with no proper antiphons or versicles, are to be commemorated? Only the other day I had as many as three such Commemorations to make at Vespers. It is unnecessary to describe what I did; but I know that I was embarrassed. The Vespers were "*2 Vesp. a cap. de seq. Com. diei inf. Octavam;*" all being Confessor-Pontiffs and to be taken from the Common.

The case which our respected correspondent brings forward is only one of many difficult combinations which may occur in connection with this matter. To make the answer more generally useful, we will briefly explain the whole question so as to meet the ordinary cases of perplexity that are likely to occur in the course of the year.

The embarrassment respecting the manner of making these Commemorations arises, as every priest knows, from the prohibition to repeat in a Commemoration an antiphon or versicle, or prayer, which has been already used for this purpose in that part or Hour of the Office.¹ Of course, they may be repeated in different Hours; we use in Lauds antiphons that were said in Vespers, so that repetition is forbidden only in the same Hour. Thus, in the Commemorations at Vespers we are not allowed to use for the second time the same antiphon, or versicle, or prayer. The same ruling applies to the Commemorations at Lauds.

¹ Rub. Brev. tit. ix. 8.

Moreover, according to Cavalieri,¹ the same antiphon or versicle may not be used in Vespers and Lauds when commemorating *the same Saint*, unless it be specially ordered otherwise. For example, if at Vespers I make use of the antiphon "*Euge, serve bone et fidelis, &c.*," in a Commemoration of St. Colman, Confessor-Pontiff, I may not repeat the same antiphon in the Commemoration of St. Colman at Lauds. Cavalieri relies for the correctness of this opinion on the decree of the Sacred Congregation, 5 May, 1736, in *Einsidlen*,² where the order prescribed for the Commemorations can be explained only on the principle he has laid down.

What, then, is to be done in order to avoid repetition, when many Commemorations are to be made at Vespers or at Lauds from the same Common Office?

The rubrics of the Breviary make provision for only one such Commemoration. We read there³:—

"Si antiphona et versus festi, de quo fit Commemoratio, sumenda essent ex eodem communi unde sumpta sunt in Officio diei, in festo Commemorationes variantur, ita ut in Vesperis sumantur ex Laudibus, et in Laudibus ex primis Vesperis ejusdem communis, nisi aliter signetur."

Here we have a general rule determining, in the circumstances described, where we are to go for the antiphon and versicle of the first Commemoration. The rule is this: When a change of antiphon or versicle is necessary, in order to avoid repetition we go from Vespers (either first or second Vespers) to Lauds; and when the case occurs in Lauds we pass from Lauds to first Vespers. This order is to be observed, except in so far as it must be modified by other fixed principles. Let us illustrate what we mean, by taking an example where another fixed principle enters in. Suppose the Directory to order "*in 2 Vesp., Commem. diei infra Octavam.*" Here we follow the order of the Breviary so far as to take the antiphon of the Commemoration from Lauds. But we do not say the versicle of Lauds, because it is the same as that of second Vespers; for this we pass to first Vespers.

Again suppose we read in the Directory "*in Laudibus Commem. diei infra Oct.*" It will be borne in mind that the rubric of the Breviary told us to pass from Lauds to first Vespers. In this case we do not observe this order, because,

¹ Cap. xxxii. dec. 286. n. 2. ² *Apud Cavalieri, loc. cit.* ³ Tit. ix. n. 8.

as every priest knows, the "dies infra Octavam" has no first Vespers. We pass from Lauds to *second* Vespers for the antiphon, but because the versicle of the second Vespers is identical with that of Lauds, which has just been read, we are obliged to seek elsewhere a versicle.¹ This we find in the first Vespers.

We cannot doubt that this is the correct order in the case submitted, as we have for it the authority of the Sacred Congregation of Rites:—

"Quando recitatur de S. Confessore, et in Laudibus fieri debet Commemoratio de infra Octavam alterius Confessoris propriam non habentis, quaeritur, unde desumenda est antiphona: ex primis Vesperis an potius ex secundis, cum infra Octavam primas non habet Vesperas."

S. R. C. respondit: "*Negative quoad primam partem, et affirmative quoad secundam, scilicet, pro Laudibus sumendam esse antiphonam de secundis Vesperis, et pro secundis Vesperis de Laudibus; in utroque tamen casu cum versu de primis Vesperis.*"—18th Dec. 1779 (4395).

In order to avoid confusion of thought regarding this question, it should be clearly understood that the rubric we have quoted from the Breviary supposes that the antiphon, or versicle, or both of them, which but for the rule prohibiting repetition would have been used in making the Commemoration, have been read in the Office of the day. The rubric regards only the case of displacement. Because, if the Commemoration belongs to a different Hour (for instance to second Vespers, when we are saying the first Vespers of the day, or *vice versa*), and the antiphon and versicle there are available, or either of them, they must be taken. Here are examples of what we mean:—

Suppose we read in the Directory "*Vesp. de seq. festo, Commem. S. Albei, Ep. et C.-Simp.*"—We would say: (1) For the Office of the day, the versicle and antiphon of first Vespers; (2) For the Commemoration, the antiphon and versicle of Lauds.

In this case we follow the order described in the Breviary. The reason is, a simple Office has first Vespers, and only first Vespers. Only that it is put out by the other Office, the Commemoration would be taken from the first Vespers, and the order, in *case of displacement*, is from Vespers to Lauds.

¹ We suppose the Office of the day to be a "Confessor-Pontiff," and also the Octave to be of a Patron, Con.-Pontiff; and both to be taken from the Common.

Let us now take a different case. Suppose we read in the Directory, "*in 2 Vesp., a capitulo de seq., Commem. praeced.*;" or again, "*Vesp. de seq., Commem. diei infra Octavam.*" The rubric does not apply to either of these cases. The order would be in the first case:—*for the Office of the day*, versicle and antiphon of first Vespers; *for the Commemoration*, antiphon and versicle of second Vespers. Here we pass not from Vespers to Lauds, but from first to second Vespers, because the Commemoration belongs to second Vespers, and the antiphon and versicle there are available, that is, they have not been already read in this Hour. In this case there is no displacement. The same applies to the case of the "*dies infra Octavam*;" its Commemoration is part of second Vespers. It may be well to remark in this place, that the Commemoration of the patron of the church among the "*Suffragia Sanctorum*" belongs also to second Vespers and not to the first.

Leaving the cases where only one Commemoration is to be made, we come now to consider what is to be done when two or three are ordered, and all of them from the same Common Office. We will take in succession the different combinations that are likely to occur, and we shall continue to use, as suggested by our correspondent, Confessor-Pontiffs, as the typical class. This selection of a particular Common will help to make the matter more clear, by enabling us to give the first words of the antiphons and versicles referred to. Finally, touching these cases of two or more Commemorations the rubrics of the Breviary are, as we said, silent, but we have for our guidance some decisions of the Congregation of Rites, and the teaching of rubricists of recognized authority on the rules of the Breviary. We will begin with Vespers.

FIRST CASE. Suppose the Directory to order "Vespers of the following, with Commemorations of three Simples." What antiphons and versicles are to be said?

The order to be observed in this case has been fixed by a decision of the Congregation of Rites.¹

1. *For the Office of the day*: versicle and antiphon of first Vespers. (*Ver.* "Amavit eum," &c. *Ant.* "Sacerdos et Pontifex," &c.)

2. *For the first Commemoration*: antiphon and versicle of Lauds, in accordance with the rubric of the Breviary. (*Ant.* "Euge, serve bone," &c. *Ver.* "Justum deduxit," &c.)

¹ 5 May, 1736, in *Einsidlen*, apud Cavalieri. *loc. cit.*

3. *For the second Commemoration*: antiphon of second Vespers and the versicle of the second nocturn of Matins, which is the same as that of Terce. (*Ant.* "Amavit eum Dominus," &c. *Ver.* "Elegit eum Dominus," &c.) The reason for not taking the versicle from the second Vespers is because it is the same as that of Lauds, which has been already in use in this Hour.

4. *For the third Commemoration*: the first antiphon of the third nocturn and the versicle of the same nocturn, which is identical with that of Sext. (*Ant.* "Domine iste sanctus," &c. *Ver.* "Tu es sacerdos," &c.)

This case has been, as we said, decided by the Congregation, and the order pointed out in it is to be observed when the Commemorations we are discussing occur at Vespers, unless in so far as it must be modified to avoid repetition, and by those other fixed principles to which we referred, when treating of one Commemoration only. According to this order we pass from Vespers to Lauds for the antiphon and versicle, thence to Vespers (first Vespers, if we began with second, and second Vespers, if we began with the first), making use of the versicle of the second nocturn, when it is necessary for change, and finally to the first antiphon of the third nocturn with the versicle of the same.

SECOND CASE. We read in the Directory: "second Vespers, a *capitolo* of the following, Commemoration of the preceding, with two other Commemorations."

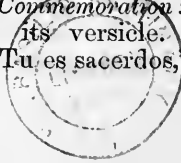
Here the order would be:

1. *For the Office of the day*: versicle and antiphon of first Vespers. (*Ver.* "Amavit eum," &c. *Ant.* "Sacerdos et Pontifex," &c.)

2. *For the Commemoration of the preceding*: antiphon and versicle of second Vespers: because this Commemoration properly belongs to second Vespers, and the antiphon and versicle here are still available. (*Ant.* "Amavit eum Dominus," &c. *Ver.* "Justum deduxit," &c.)

3. *For the second Commemoration*: antiphon of Lauds with versicle of the second nocturn or of Terce. (*Ant.* "Euge, serve bone," &c. *Ver.* "Elegit eum Dominus," &c.) The versicle of Lauds is identical with that of second Vespers, and cannot, on this account, be read again.

4. *For the third Commemoration*: first antiphon of the third nocturn with its versicle. (*Ant.* "Domine, iste sanctus," &c. *Ver.* "Tu es sacerdos," &c.)



THIRD CASE. We read in the Directory: "second Vespers, Commemoration of the following Semi-double, and of two Simples."

The order in this case would be:

1. *For the Office of the day*: antiphon and versicle of second Vespers.

2. *For Commemoration of the following*: antiphon and versicle of the first Vespers.

3. *For the second Commemoration*: antiphon of Lauds and versicle of second nocturn.

4. *For the third Commemoration*: first antiphon of the third nocturn with its versicle.

Finally we come to the case into which the Commemoration of the "dies infra Octavam" is introduced, as given by our correspondent.

FOURTH CASE. We read in the Directory "in 2 Vesp. a cap. de seq. Comm. diei infra Oct." Here the order will be:

1. *For the Office of the day*, which is just begun with the capitulum of Vespers: versicle and antiphon of first Vespers.

2. *For the Commemoration of the preceding*: antiphon and versicle of second Vespers: because this Commemoration belongs to second Vespers, and the antiphon and versicle there are still available.

3. *For the day within the Octave*: antiphon of Lauds with versicle of second nocturn.

4. If there was another Commemoration of a Confessor-Pontiff, say of St. Patrick, in the "Suffrages of the Saints," it would consist of the first antiphon of the third nocturn with its versicle.

It is hardly necessary to consider what should be done if more than three such Commemorations occurred. It is barely possible, but most unlikely, that the Offices of more than four Saints of the same class, and all Common Offices, should meet on the same day. Cavalieri suggests, if such a thing should happen, to make use of the remaining antiphons of the third nocturn, and for versicles he sends us to the nocturns of kindred Offices: for instance, in this case of Confessor-Pontiffs, to the Office of the Confessor non-Pontiff.

To sum up, we deduce the following principle as to the order to be observed *in Vespers*, in Commemorations of the kind we are considering. From Vespers we pass to Lauds, from Lauds to Vespers (first Vespers if we

began with the second, second Vespers if we began with the first), making use of the versicle of the second nocturn for change, when necessary, and finally, to the first antiphon and the versicle of the third nocturn.

Having described the order to be followed at Vespers, we come in the next place to treat of the Commemorations at Lauds.

The rubric of the Breviary tells us,¹ as we have seen, that when a Commemoration is to be made at Lauds from the Common, and the antiphon and versicle are not available, because they have been already read in the Office of the day, we are to take the antiphon and versicle of *first* Vespers. This rule is subject to the limitations we noticed, when treating of Vespers; in fact, it supposes that the Office which is commemorated has *first* Vespers. Now this is not, for instance, the case with the "dies infra Octavam." It has not first Vespers, so that the Commemoration of it at Lauds would be taken, not from first, but from second Vespers, the versicle, however, of first being substituted for that of second Vespers,² when this is necessary in order to avoid repetition.

In the rubrics of the Breviary, as we said already, provision is made for only one Commemoration. The question before us now is, what is the order when we have two or more?

FIRST CASE. Suppose we read in the Directory, "In Lauds three Commemorations of Simple Offices." The order will be as follows:

1. *For the Office of the day*: versicle and antiphon of Lauds.

2. *For the first Commemoration*: antiphon and versicle of first Vespers.

3. *For the second Commemoration*: first antiphon of third nocturn, and versicle of the same nocturn.

4. *For the third Commemoration*: antiphon of second Vespers and the versicle of second nocturn, or of Terce.

It will be remarked, probably, as something strange that the antiphon and versicle of the third nocturn are called into use before the antiphon of the second Vespers and the versicle of the second nocturn. But this is made necessary, as Cavalieri explains, to avoid repeating an antiphon and versicle in a Commemoration of the same

¹ Tit. ix. n. 8.

² S. R. C. 18 Dec., 1779 (4395).

Saint in the same Office. By referring to this first case at Vespers, it will be seen that in commemorating the second Simple Office we made use of the antiphon of the second Vespers, and the versicle of the second nocturn.

This order is to be observed at Lauds, regard, however, being had to the certain fixed principles referred to when we were speaking of Vespers.

Here is a case where one of those modifying principles enters in :

SECOND CASE. "In Lauds, Commemoration of the day within Octave, and of two Simples." Here the order would be :

1. *For the Office of the day*: versicle and antiphon of Lauds.

2. *For the Commemoration of the "dies infra Octavam"*: antiphon of second Vespers, and versicle of first nocturn, which is identical with the versicle of first Vespers. The antiphon of the first Vespers is not taken, contrary to the rule of the rubric in the Breviary, because the "dies infra Octavam" has no first Vespers. The versicle of the second Vespers cannot be selected, for it has been read in Lauds, and accordingly we go for a versicle to the first nocturn, where the versicle is identical with that of first Vespers.

3. *For second Commemoration*: antiphon of first Vespers with versicle of second nocturn.

4. *For third Commemoration*: first antiphon of third nocturn with its versicle.

To sum up, we deduce, from what we have written, the following principle to regulate the order to be observed in Commemorations of the kind we have being considering: namely, Commemorations displaced from the Hour to which they properly belong, by the previous use of the antiphon or versicle, or of both of them to be found there.

AT VESPERS.

1. *For Office of the day*: versicle and antiphon of Vespers (first or second, according as we are saying the one or the other).

2. *For first Commemoration*: antiphon and versicle of Lauds.

3. *For second Commemoration*: antiphon of Vespers (second, if we began with the first, first if we began with the second) and versicle of second nocturn, when the avoidance of repetition necessitates a change.

5. *For the third Commemoration*: the first antiphon of third nocturn and its versicle.

AT LAUDS.

1. *For Office of the day*: versicle and antiphon of Lauds.

2. *For first Commemoration*: antiphon and versicle of first Vespers.

3. *For second Commemoration*: antiphon of second Vespers, versicle of second nocturn.

4. *For third Commemoration*: first antiphon and versicle of third nocturn.

This order is subject to modification from the other fixed principles we explained.

The chief modifying principles which require to be attended to are:—1° Repetition of antiphon or versicle in the same Hour is not allowed. 2° Repetition of the same antiphon and versicle for a Commemoration of the same Saint is not allowed in Lauds and Vespers. 3° The antiphon or versicle is to be taken from the part of the Office to which the Commemoration properly belongs, when either is there available. But, regard being had to these principles, as little deviation as possible from the order set down above is allowed.

THE PRAYERS.

It is also prohibited to use the same prayer more than once in the Commemorations made at the same Hour of the Office. What must, then, be done to avoid repetition, when two or more Commemorations are to be made from the same Common?

For the Office of the day we say the prayer assigned to it, and for the Commemorations we take the other prayers, in order, to be found in the same Common. If the prayers in this place are not sufficient, Cavalieri tells us to pass to a kindred Common Office—from the Confessor-Pontiff to the Confessor non-Pontiff or to the Martyrs—omitting, however, the unsuitable designation and inserting a suitable one in the prayer to be found there. Thus we should omit the word “Martyris” and insert “Pontificis” or *vice versa*.

Prayers are considered to be the same, when they are identical in the purport of the petition, and practically identical also in the words. The same is the test applied to antiphons. The mere insertion of the name of a Saint

does not make them different. On the other hand, the antiphons at the "Benedictus," in the Offices of Confessor non-Pontiff and of Confessor-Pontiff, are considered to be different, though the only words which are not the same, are: "dicit Dominus" and "intra in gaudium Domini tui;" because these words show the purport or scope of the prayers to be different.¹

R. B.

CORRESPONDENCE.

MIXED MARRIAGES.

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

MY DEAR SIR—Having had painful experience in the past, as in the present, of the disastrous consequences of mixed marriages, I perused with a peculiar interest, the valuable exposè on that subject, in the December number of the RECORD, giving, in a lucid and intelligible form, a summary of the conditions required by the Canon and Civil Laws, for the valid and licit celebration of such marriages. The vital importance of the subject must plead my excuse, for a doubt as to the perfect accuracy of one or two statements there set forth.

The learned writer, referring to the solemn promise as to the education of the children, required from the non-Catholic party, suggests the execution of a *deed* as "the most efficacious way of procuring the desired result. For the parent cannot afterwards, in any circumstances, claim the right to educate the children as non-Catholics, when, by marriage deed, he authorised them to be educated in the Catholic faith."

Now, if this view of the legal effects of a deed of settlement be not strictly accurate, it would be merely adding one other to the many pitfalls and dangers, which surround mixed marriages, especially in these countries. Permit me to say, with much diffidence, I entertain grave doubts as to its accuracy; until I read the article in the RECORD, I was always under the conviction, that the law of England looked upon the rights, as well as the duties, of guardianship of his children, as inherent in the parent. And as he is incapable, by any act of his, of divorcing himself from the duties which guardianship impose, so also is he incapable of divesting himself of the natural rights attaching thereto. According to my recollection, this principle has not merely been again

¹ See Cavalieri, Cap. xxxii. Dec. 284. n. 3.

and again asserted in our law-courts, but made the very basis of several judicial decisions adverse to Catholics, both in the Irish and the English law-courts, including the Agar-Ellis case, to which allusion is made. In my very humble opinion therefore, it would be a fatal error, to permit the Catholic party to rely on either promise or deed, when there is question of mixed marriages. The latter has, as I believe, no legal effect in the case, while I know the former to be habitually disregarded.

I would also beg leave to suggest that the Act 34 and 35 Victoria, extends to Catholic Bishops the same authority to issue "licences," which was previously vested in the Protestant Bishops alone, and by virtue of which they were empowered to authorise the celebration of marriages *in any place or at any hour*. If this be so, it is competent for a Catholic Bishop to permit the celebration of a mixed marriage in a house other than "one set apart for the celebration of divine service," and thus avoid any infringement of the Ecclesiastical Law on that matter.

Permit me in conclusion to remark, that when the Act above cited expressly defines a "licenser," to be a person "nominated by a Bishop of the Roman Catholic Church, *by writing under his hand,*" it would be a dangerous venture to substitute any ordinary parish priest, without any such nomination, especially as the issue involved is the legal validity of such marriages.

Trusting the importance of the questions involved, as well as their novelty, may excuse the intrusion of my doubts and friendly criticisms.

Believe me faithfully, &c.

December 4, 1880.

P. CANON O'NEILL, Clontarf.

We are thankful to our Very Reverend Correspondent, for calling further attention to the important interests involved in the due celebration of mixed marriages, both from a canonical and purely legal point of view. The doubts to which he refers in the above letter were before our mind; and with a view of getting, if possible, some authoritative decision on these very points, we sent the proof sheets of the article on Mixed Marriages before its publication, to the Registrar General, whose predecessor had issued a pamphlet on the new marriage laws, for the guidance of all concerned. But the Registrar General declined to pronounce any opinion on the questions here raised. We had then no resource but to interpret the Act for ourselves, with what judicial assistance was at our disposal. We believe that no legal decision has, as yet, been pronounced on any of the *exact* questions at issue. We have been indirectly informed by a lawyer of high authority, that a deed executed at the time of the marriage,

and permitting the offspring to be brought up as Catholics, will be maintained in law as valid. On the other hand, it is said, the *reasons* assigned by the judge in the Agar-Ellis case for setting aside the *parole engagement* would apply equally to a *deed*. The reason for a judgment is a very different thing from the judgment itself, just as a deed is very different from a *parole* promise; and, pending a decision of the courts on the exact point at issue, we prefer to hold with our informant that a marriage deed, authorizing the education of the children in the Catholic faith, will not be declared invalid by any court in this country, on the ground of its being opposed to public policy. We may add that it is, at least for the present, the most efficacious means to procure the desired result.

With regard to the second point there can hardly be any doubt about the matter. The words of the Act *in the case of mixed marriages*, requiring them to be celebrated "in a building set apart for divine service, according to the rites and ceremonies of the religion of the clergyman solemnizing such marriage," under penalty of its "*being void to all intents*," where the parties knowingly and wilfully intermarried in a building not so set apart—these words are to our mind so clear as to admit of no doubt as to their meaning, and must be understood as limiting, *in the case of mixed marriages*, the power of issuing a licence for their celebration in any other place.

With regard to the third point, the words of the law at first sight seem to require that even the Parish Priest be licensed in writing under the hand of the Bishop; but we endeavoured to show from the context of the Act that the Parish Priest, by his appointment as such, may be considered as licensed under the hand of the Bishop for the celebration of mixed marriages, as he certainly is for the celebration of other marriages. We confess however on this point, here, as we did in the article, that we are by no means certain, and can only await an authoritative decision from a legal tribunal.

J. H.

ON THE ADVENT FAST.

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

SIR.—I have just read with usual pleasure, and, I hope, profit, the latest of the many able contributions by the Very Rev. President of Maynooth College to the RECORD. I refer to that on the Advent Fast. It occurs to me, however, that in p. 749, there is a misstatement, made on the strength of the *O'Renehan Collections on Irish Church History, &c.*, that the Advent Fast has been known in Ireland only since the year 1778.

If I read Irish MSS. correctly, that Fast had been in use in Ireland more than a thousand years previously. Thus in the Rule for the Culdees its existence is implied. "Skimmed milk on Sundays of the *great* Lent to the people of severe penance."¹

So again in the *Vision* of Adamnan, born in 624, the Advent Fast is not only implied but expressly mentioned as the Winter Lent. After speaking of the manner in which the *Triduum* should be observed, the holy writer proceeds to define *when* each of the four Triduums was to take place.

"The first Triduum then, unless necessarily to be transferred, should usually begin on the Wednesday after entering on the Winter Lent; the second Triduum on the first Wednesday of the Spring Lent."²

These entries leave no doubt as to the prevalence of the Advent Fast in Ireland. Of course Dr. Walsh's solid theological grounds are not at all affected by the historical aspect of the question.

In conclusion, I may remark that the Irish loan-word for Lent is *corgais*, a contraction for *quadregesima*, that is forty, the fast of forty (days). By and by a fast of a shorter nature was called *Corgais* from a familiarity with the *Quadregesima*; and thus proves not only that a conventional meaning of a word may be different from, but even essentially contradictory to, the original derivative signification of the word.

I remain, yours, &c.,

S. MALONE.

[At the request of the Editor, I have read the foregoing interesting note contributed by my friend, Father Malone.

¹ "Lomn napp in domnic in chorpáir maí oo oer ouphenoí."—*Leabhar Breac*, p. 11, col. 2.

² "Ír ann trá, oleáir in ceolna tpeoan oo zper munar umfcaigro ecen, eáoon, in ceolna ane iarnníc corpáir zhempro. in tpeoan tanaicrú trá in cheolne iarnníc chorpáir eppáiz."—*Leabhar Breac*, p. 259, column 1. [This passage is printed, word for word, as furnished to us by our Reverend Correspondent. It is not easy, however, to identify some portions of it with the corresponding portions of the passage in the *Leabhar Breac*, as recently printed. We regret that time does not allow of our affording our Correspondent an opportunity of revising the extract as it stands. It will be seen, however, that the points in question are not such as to give rise to any substantial difficulty.—[Ed. I. E. RECORD.]

As I should be most unwilling to have it supposed that in any statement of mine, theological or otherwise, I was misled by my reliance on the work referred to in my Paper, in the last number of the RECORD, I think it well to add a few observations in further explanation of the point to which F. Malone calls attention.

1. In the first place, I should say that the Advent Fast which I had in view when writing—or, to speak more accurately, the Advent Fast to which I wished to confine my remarks—was that which is now observed in Ireland and also in other countries throughout the Church. I took it for granted that not a few readers of the RECORD might possibly be under the impression—as I confess that I myself was until a few years ago, when I was set right by the learned editor of Dr. Renehan's *Collections*—that in Ireland the Advent fast had come down to us like the fasts of Lent, or of the *Quatuor Tempora*, or of the various Vigils throughout the year. Every student of theology is, of course, aware that the Advent fast is not one of the fasts imposed, as those others are, by common ecclesiastical law. But I thought it not unlikely that many were of opinion that, at least in Ireland, this fast had come down to us from the early ages of our Church as a portion of that specially rigid discipline in fasting, for which our forefathers were so remarkable from the very beginning. Hence I considered it would interest many to learn that such was not the case—that, even in Ireland, the Advent fast, instead of being a remnant of ancient discipline, was of very recent institution—that it had no existence among us even at that period, two hundred years ago, when the extreme rigour of the Irish discipline of fasting is attested by that most interesting collection of ecclesiastical documents, for the collection and publication of which the Irish Church is indebted to Dr. Renehan and Dr. M'Carthy—and that, in fine, as set forth in one of the documents of that collection, its institution dates from a time, barely a hundred years ago, the year 1778. As to the existence of an Advent fast of a very different kind, which existed in Ireland at the interesting period of our history to which F. Malone refers, I had no thought of explicitly referring. In fact I thought it better not to do so, as it seemed to lie altogether outside the drift of my Paper.

2. The footnote referring to the article in Ferraris' *Bibliotheca*, in regard to the Advent fast of ecclesiastical antiquity, indicated, I thought with sufficient plainness, that

I distinctly marked off that aspect of the question as altogether omitted from my discussion of the practical question regarding the present fast of Advent, which alone I had undertaken to consider. But as it is a point of no little interest, and as F. Malone has so kindly contributed the important evidence set forth in his letter, regarding the observance of this more ancient fast in Ireland, it may be well to add, that as regards the Western Church generally, this fast, as stated by Ferraris, fell into disuse about the twelfth century. So that, whether as regards the ancient observance of the fast, or the subsequent disuse and abrogation of it, the Irish Church was by no means singular.

3. In reference to the Irish word *corgais* (from *quadragesima*) as used to designate the ancient fast of Advent, I would suggest for Father Malone's consideration, and possibly investigation, a point which may prove to be of some interest. Is it quite certain that the word *corgais*, as thus applied, furnishes an instance of a word employed conventionally in a sense different from its derivative or etymological signification? The Advent fast of our present discipline is no doubt a fast of much shorter duration than the forty days fast of Lent. But is it quite clear that this was true of the earlier fast to which Father Malone refers? He has done so much for the elucidation of questions concerning our ancient ecclesiastical usages, that I venture to hope he will be able to throw some light on this point. It is one, I need not say, which lies altogether outside the range of my reading.

4. My reason for raising the question is that, as regards ecclesiastical antiquity generally, there is no doubt that, in many countries, the ancient fast of Advent, was, like that of Lent, a fast of *forty days*. Ferraris quotes several authorities on this point. So also does Benedict XIV., in his erudite Instruction on the time of Advent, contained in one of the Pastoral Letters which he published for the diocese of Bologna, when he was Archbishop of that See, before his elevation to the Chair of Peter. "Multis saeculis," says Ferraris, "Adventum 40 diebus . . . constasse indubium est. . . Hinc Adventum vocatum fuisse *Quadragesimam*, in Vita B. Dominici Loricati legimus, et in Sacramentariis Ratholdi, abbatis Corbiensis." It is, in fact, still observed as a fast of forty days in many of the Churches of the East. Even in the Western Church, this ancient usage is still to some extent preserved in more

than one religious order, in the fast of forty days in preparation for the feast of Christmas. It would be interesting to ascertain if a similarity in our ancient usage may not prove to be the true explanation also of the term *corgais*, or *quadragesima*, as applied in Ireland to the fast of Advent.

W. J. W.

THE FAST DAYS IN THE LAST WEEK OF ADVENT.

St. Patrick's College, Maynooth,
23rd December, 1886.

VERY REV. AND DEAR MR. EDITOR,

I have just received from a friend the interesting letter which I enclose. He is anxious to have it inserted in the forthcoming number of the RECORD, and he asks me to obtain its insertion. I am aware of the editorial rule you have very properly made, not to admit into the RECORD, unless signed by the writer, any communication in the form of a criticism on any paper which you may have published with the writer's name. My friend does not formally authorize the publication of his name. I am sure, indeed, he would make no difficulty in doing so. But as the day of publication is rapidly approaching, I think the best course is to ask you to publish the substantial parts of his letter, as enclosed in this letter, from me. The writer, as you will see, is of opinion that in a case such as we have had this year, the days of the Advent Fast in Ireland are Wednesday and Friday in the first, second and third weeks of Advent, but only Friday (and not Wednesday) in the fourth week.

Against this view, as suggested by a question from a correspondent, I stated in your last number the considerations that occur to me as showing that the new arrangement, sanctioned by the Rescript of 1876, is, that, instead of Friday and Saturday, *the Advent Fast Days are now*, as they were before 1830, *Wednesday and Friday*—the Saturday fast, which had hitherto been one of the obligations of Advent, being thus suppressed, and a Wednesday fast being substituted for it. This is my reading of the document in which our Bishops, at the Maynooth Synod, applied for the change, subsequently granted in the Rescript in question, "*ut loco Sabbati feria 4ta fieret dies jejunii*," and again, "*ut jejunium Sabbati tempore Adventus transferatur in feriam 4^{tiam}*." It is, however, only fair that your readers should be put in possession of what can be said in favour of another view.

I do not like, however, to ask you to publish the enclosed, especially as thus forwarded by me, without saying that, although, of course, I could have no thought of setting up my judgment as any sort of standard in the matter, the question is altogether one of the

interpretation of a Rescript. In putting forward, in your last number, the interpretation which I regard as the true one, I had fully before my mind the considerations set forth in the following Statement of Reasons, and indeed several others besides. I ought, perhaps, to add—as indeed I should have stated in your last number, if I had thought it possible that any other view could be taken of what I wrote—that in this, as in any other theological decision I have ever given on any question proposed to me, I had no thought of going beyond a statement of my theological opinion, and of the reasons which influenced me to adopt it. In the absence of an authoritative exposition of the document in question here, it would plainly be very presumptuous for me to undertake, in any other sense, to put forward an interpretation of it. And it so happens that, as might indeed naturally be expected when there was question of the interpretation of a document, which possibly might be understood by others in a different sense from that which I regarded as the true one—I was more than usually careful to indicate throughout my paper, that I was merely putting forward my *opinion* on the question proposed to me, and not in any way laying down my view as *certain*. Whether, in point of fact, I regard it as certain, is another question. But for the present, I do not see any reason to undertake the defence of a thesis which, as yet, I have not laid down.

I subjoin the statement of reasons as forwarded to me, inserting in brackets [thus], at the close of each paragraph, any observations that occur to me as advisable to be made in regard to it.

I remain, dear Mr. Editor,

Most faithfully yours,

WILLIAM J. WALSH.

*Statement of Reasons against the Certainty of the Opinion that
Wednesday in the Fourth Week of Advent is a Fast Day.*

1° That opinion rests on the assertion that the Papal Rescript, as read by the petition of the Irish Bishops, did not make an exchange of *individual Wednesdays* for Saturdays in Advent, but instituted a *new order* of fasting by which *Saturday* as a fast day is *abolished*, and *Wednesday* made a fast day instead.

To that I venture to reply that it is only an assertion. No doubt the words of the Rescript *admit* that interpretation, but certainly they do not *demand* it. And as there is a question of imposing an obligation *sub gravi*, the *onus probandi* rests on those who assert its existence.

[Unquestionably the *onus probandi* lies on those who assert the existence of an obligation, whether *sub gravi* or *sub levi*. But it must be remembered that the “proof” required in cases where the question re-

guards the *interpretation* or *construction* of a document, is of a different kind from that which is required when there is a question, say, of its *existence*. In questions of *construction*, the appeal to what Cardinal Newman in his *Essay on Assent*, so happily terms "the illative sense" can rarely, if ever, be dispensed with. And does it not frequently happen that we thus have fully satisfactory assurance that a certain construction of a document is the true one, although ingenuity may suggest some other interpretation which possibly might be engrafted upon the text without any such distortion as could fairly be called actual "violence"? For a reason which will be apparent as we proceed, I think it useful to lay down this preliminary canon before undertaking to discuss *seriatim* the reasons here set forth as regards the case before us.]

On the other hand I presume to think that the terms of the petition of the Irish Bishops, and the circumstances of the case, point in the opposite direction.

Let me cite their words :

"Tempore Adventus Feria 6^{ta} et Sabbatum sunt dies jejunii. Jamvero minus molestum esset et huic regioni magis accommodatum si, loco Sabbati, Feria IV. fieret dies jejunii; quapropter episcopi petunt ut jejunium Sabbati tempore Adventus transferatur in Feriam IV."

The Concession of the Holy See is :

"Quoad translationem jejunii Sabbati Adventus in Feriam IV. supplicandam Ssmo. pro gratia juxta petita."

As the Concession is made *juxta petita*, we may fairly argue the case from the terms of the Bishops' petition.

1° The petition of the Bishops is limited in its extent by the statement of fact with which it opens, that is to say, that "in Advent, Friday and Saturday are fast days." Now that fact does not hold good *next week*, and, therefore, next week does not come within the scope of the Bishops' petition.

[As to this first reason I shall merely note that I see nothing in it inconsistent with my view. Previous to the granting of the Rescript, every Friday and Saturday that could possibly occur in Advent were fast days. The Bishops then asked to have Wednesday substituted for Saturday:—"Tempore Adventus feria 6^{ta} et Sabbatum sunt dies jejunii. Jamvero minus molestum esset . . si, loco Sabbati, feria 4^{ta} fieret dies jejunii. . . Quapropter petunt ut jejunium Sabbati tempore Adventus transferatur in feriam 4^{am}." My reading of the Rescript, granted *juxta petita*, is that the transfer of the Saturday fast to Wednesday was in fact then made in compliance with this prayer, so that thenceforth the fast days of Advent were to be—not Friday and Saturday—but Wednesday and Friday. The Rescript does not speak of the Wednesday and Friday of any particular week or weeks, but of the whole time of Advent "tempore Adventus"—that is to say, from the first Sunday of Advent to Christmas Day.]

2° The terms of that petition imply that the Bishops merely sought a remedy for the practical grievance of having two fast days running in each week, "*minus molestum esset et huic regioni magis accommodatum si loco Sabbati Feria IV. fieret dies jejunii.*" All that is true only *up to the end of the third week*, when Friday and Saturday come together as fast days, and no doubt it is in these weeks *minus molestum* to fast on Wednesday. But in the last week of Advent the inconvenience did not exist at all, and, consequently, the Bishops could have had no reason to include it in their petition.

[No doubt another arrangement *might* have been made which would have avoided the inconvenience, without the absolute transfer of the Saturday fast to Wednesday during the entire time of Advent. The Wednesday of the last week *might* have been specially exempted. But I fail to see that it was exempted as a matter of fact. A further observation which occurs to me here will probably come in more appropriately in connexion with the next reason.]

3° They would rather have had reason to exclude it, for, otherwise, they would increase the number of fast days in Advent. I don't suppose that for the sake of shifting the fast of two Saturdays to the Wednesdays preceding them, the Bishops would have asked *to create a new fast day* each year in the last week of Advent, giving nine fast days in Advent instead of eight as heretofore.

[It seems to be assumed throughout, as indeed it is here expressly stated, that the last week of Advent had previously but one fast day, and that if my view be correct, the result of the change is "*to create a new fast day each year in the last week of Advent.*" Here at all events we have an issue of fact—and, as it so happens, a substantial one—for, the additional obligation, thus supposed to be created, is made the groundwork of an argument to which much importance is not un-naturally attached.

Now, in the first place, as regards the fact, the question of the introduction of an additional fast day cannot possibly arise except in those years when Christmas Day falls on Friday, Saturday, and possibly, Sunday—that is to say, *in only two, or at most three, years out of every seven.* This then is a very different result from the creating of a new fast day every year.

Secondly, as regards the practical inconvenience which it was intended to diminish by the substitution of Wednesday for Saturday, I should say—but, as this is a matter to be determined chiefly by the practical experience of missionary priests, I make the observation with considerable diffidence—that in regard to the grave inconvenience which was found to result from the occurrence of *two consecutive fast days, immediately preceding Sunday, for three weeks in succession*, the arrangement substituting Wednesday for Saturday as the day of the Advent fast may fairly be regarded as very notably *minus molestum*,

even though it should involve the obligation of an additional fast day, on the Wednesday in the fourth week, in those years in which alone, as I have said, this question can arise—that is to say, on an average *in only two, or at the most three, years out of every seven.*]

4° Looking at the words of the petition, they indicate an exchange *day for day*: that is implied by the phrase “*si loco Sabbati Feria IV. fieret dies jejunii.*” As also by the phrase “*transferatur,*” which cannot be well verified by a new order of fasting, suppressing Saturday and instituting Wednesday as a fast day.

[Here I can only say that, as I read the document, the phrases in question plainly imply the establishment of the Wednesday fast, so that in future the Wednesday, and not the Saturday, should be, in addition to Friday, the fasting day in each week of Advent.]

5° Not only the wording but the *matter* of the petition leads to the same conclusion. “*Tempore Adventus,*” it says, “*feria 6^{ta} et Sabbatum sunt dies jejunii.*” Again “*episcopi petunt ut jejunium Sabbati tempore Adventus transferatur in feriam IV.*” But none of this applies to *next Saturday*, that is the Saturday after the fourth Sunday of Advent; it is not a fast day, nor is it in Advent, and there is no fast to be transferred to the preceding Wednesday.

[It is here assumed that the petition deals individually with each week of Advent. I cannot see that this is so. It begins with a general statement regarding the whole Advent time. It then applies, in the most unrestricted terms, for the substitution of Wednesday for Saturday, or, in other words, for the *transfer of the Saturday fast of Advent to Wednesday.* Does not this in any reasonable construction of the document imply that every Wednesday in Advent should be a fast day? No doubt, in the last week there is no fast on the following Saturday; and if *each individual Wednesday* could become a fast day only by the anticipation of a fast *from the following Saturday*, this line of reasoning would be conclusive. But I cannot discover the slightest ground for the assumption that the introduction of the Wednesday fast was to be limited in this peculiar way. Certainly there is nothing in the document to imply it.]

6° That Wednesday in the last week of Advent was formerly a fast day in Ireland, is, I venture to think, beside the question, as there is no evidence that the Bishops asked the change, nor that the Holy See granted it, as a *return* to that old system. I think it is pretty plain from the whole case that the Bishops merely wished to meet a particular inconvenience, which *in three weeks* of the Advent was found to press severely upon the people of this country, and, without considering different systems of observing

Advent, suggested a practical remedy which was allowed by the Holy See. It is fair then to limit their application by that inconvenience, to presume that they asked for a change only in so far as it was necessary, and while we can interpret their 'words' in that sense without violence, we are bound to do so. Especially when, in the other opinion, we must suppose the Bishops in seeking to get us a something "minus molestum," doing the very reverse, and adding a new fast day to our permanent burdens.

[This sixth reason suggests more than one observation.

In the first place, I would observe that my statement of the arrangement which existed previous to 1830 (in which Wednesday and Friday were the fast days of Advent), was not put forward in the sense here suggested. I merely showed from it that Wednesday and Friday were, in fact, the *normal* days of the Advent fast in Ireland. This being so, it seems to me that it puts a strain upon the recent Rescript, to interpret it so as to exclude one of those Wednesdays from the arrangement of the fast now in force.

Secondly, as to the inconvenience of the arrangement existing from 1830 to 1875, which the Bishops were anxious to have removed, I have already stated, in my note on the second reason, that this is no way inconsistent with the substitution of Wednesday for Saturday as a day of Advent fast. It is indeed plain that the Bishops merely wished to meet the practical inconvenience referred to. It is equally plain that this inconvenience did not exist in the fourth week. But on the other hand it is no less plain that neither in the petition, nor in the Rescript, is the Wednesday of the fourth week exempted from the new arrangement, in which *Wednesday is substituted*, throughout Advent, for Saturday, as a day of fast.

Thirdly, I have stated at the outset that even if I were to concede that the interpretation I am discussing was one the adoption of which might be regarded as something short of actual "violence" to the text, it would by no means follow that we were at liberty, much less that we were "bound," to adopt it.

Finally, in regard to the observation in the closing sentence of the paragraph, I have already stated (in my note on the third reason) that I am satisfied the present arrangement is *minus molestum*. I have also pointed out that it is obviously a mistake to regard it as adding "a new fast day to our permanent burdens," in the sense of my friend's letter. He, as we have already seen, regards it as creating a new fast day "each year" in the last week of Advent. It is, as I have pointed out, obvious that this is not so.]

Finally, I presume to think that this interpretation of the petition and concession is at least *probable*. Unquestionably the view advocated in the last number of the RECORD is not evident, nor certain; and, consequently, as there is question of introducing an obligation, in *dubio possidet libertas*, it is quite possible that if the Holy See were

consulted on the point, it may decide that all the Wednesdays of Advent are fast days now for us. But the question at present is, has the Holy See so decided already, and in terms so distinct as to leave no room for reasonable doubt? In my humble opinion the case is very doubtful. The interpretation of the Papal Rescript in your last number was so skilful and reasonable, that no one can resist its influence; yet on the other hand, the circumstances of the case, and the words of the Bishops' petition by which alone we can be guided, lead to an opposite conclusion, or at least make it probable.

If that be so, the practical obligation of fasting does not exist until an authoritative interpretation distinctly imposes it.

E.

[I do not see that it is necessary for me to add anything more. My friend, in sending his paper, has asked me, in the event of its insertion in this number of the RECORD, to answer it. I have done so to the best of my ability. When there is a question of the interpretation of a document which is at all capable of been understood in opposite senses, it is not likely that any amount of reasoning will result in the abandonment, by the advocates of the two interpretations, of their respective views. I do not expect then that he will fully enter into my views. I must also claim the liberty of not regarding his interpretation as fairly admissible.

Authoritative expositions of official documents are no doubt the only thoroughly satisfactory standards in such cases. But they are not always available. And in their absence we must endeavour to make the best use we can of theological reasoning.

I have little doubt of what the authoritative exposition will be in this case, if it should ever come to be thus decided. But perhaps if the decision were now to be given, I might find myself not far from furnishing an illustration of that pregnant remark, which, to bring these notes to a close, I may venture to transcribe from that marvellously suggestive work already quoted¹:—

“Can we doubt that many a confident expounder of Scripture, who is so sure that St. Paul meant this, and that St. John and

¹ Cardinal Newman's *Essay in aid of a Grammar of Assent*, Part ii. Chapter 6. § 2.

St. James did not mean that, would be seriously disconcerted at the presence of these Apostles, if their presence were possible, and that they now feel an especial 'boldness of speech' in treating their subject, because there is no one authoritatively to set them right, if they are wrong."]

W. J. W.

NOTICES OF BOOKS.

Maynooth College Calendar for the Year 1880-81. Browne & Nolan, Dublin, 1880.

SOME short account of the contents of the "Maynooth College Calendar" for the current academical year, will, we feel assured, be of interest to a very considerable number of our readers. There is an unnumbered page in the middle of this year's Calendar which will attract special attention, and excite deep and sorrowful interest, as it tells how rich a harvest death has reaped during the past year amongst the old and venerated chiefs, as well as amongst the young and promising students of the College. This page asks a prayer, which will not be refused, for the departed souls of the following Superiors and Students of Maynooth:—

"Orate pro Animabus

A. R. D. CAROLI G. RUSSELL, Presbyteri Dunensis, S.T.D., ex Int.
Cubic. SS. D. N. Pii IX., Collegii Praesidis;
A. R. D. ROBERTI FF. WHITEHEAD, Presbyteri Tuamensis, S.T.D.,
Vic. Gen. Limericensis, Collegii olim Propraesidis ac Bibliothecarii;
MICHAELIS GALVIN, Lectoris, Alumn. Waterfordensis;
STEPHANI M'KENNA, Alumn. Armacani;
MICHAELIS MORAN, Alumn. Tuamensis;
GULIELMI KENNEDY, Alumn. Fernensis;
JOANNIS M'DONNELL, Alumn. Laonensis;
JACOBI KEANE, Alumn. Kerriensis.

qui anno Academico MDCCCLXXIX-LXXX. pie obierunt."

Amongst the Appendices will be found the much admired obituary notice of Dr. Russell, contributed to the July number of the IRISH ECCLESIASTICAL RECORD by his life-long friend, the present esteemed Lord Chancellor of Ireland, Lord O'Hagan.

In another Appendix is reprinted the appreciative obituary notice of Dr. Whitehead, which appeared in the *Freeman's Journal* of the 2nd January, 1880.

The first Appendix, which contains "Resolutions, &c., regarding the Dunboyne Establishment," will serve to remind the readers of the Calendar of the re-establishment, in full working order, of an institution to which the College is largely indebted for its prestige.

The last of the Appendices is devoted to a very interesting account of the second visit of the Empress of Austria to the College (15th February, 1880), and of the exquisite gifts presented to the College by Her Imperial Majesty, as a memorial of both her visits. The magnificent memorial of her first visit in 1879 is thus described:—"It is a statue of solid silver, representing the conflict of St. George and the dragon, and weighs 460 ounces. The figure of the rider is exquisitely wrought, holding a drawn sword in act to strike; beneath, the writhing dragon with open jaws and scaly folds is vividly reproduced. The horse is in itself an admirable work of art. It seems as if it were leaping lightly from the pedestal over the prostrate form of the writhing monster. It is moulded with the greatest care, and in perfect proportion, with all that attention to detail which bespeaks the genuine artist, even to the swelling veins of the muscular fore-arm, and the rounded tendons of the clean, flat limbs. The whole figure is three feet high, and is mounted on an ebony pedestal curiously inlaid with silver." Furthermore, in reference to her Imperial Majesty's second visit, we are told that "not many weeks had elapsed after her return to Vienna, when she sent once more a beautiful and costly present to the College: a suit of vestments, most tastefully wrought, of the richest cloth of gold. The embroidery—all but exclusively of shamrocks, worked in green silk—is of the chastest description. The fringes are of gold lace, through which again tiny shamrocks, to be counted by hundreds, are deftly interwoven. In front of the chasuble, beneath the cross, stand three shields, bearing the arms of Austria, Bavaria, and Lorraine, richly wrought in appropriate heraldic colours, and surmounted by the Imperial crown in gold. Within, on the satin lining of the chasuble, are embroidered, in green and gold, the name of the Imperial donor, and the date of the visit so graciously commemorated—"Elizabeth, 1880."

Another item of special interest in this year's Calendar is a carefully tabulated statement of the distribution of free student-ships amongst the various dioceses in Ireland, and of the number of students at present in the College from each diocese. Besides the number of free places at present allotted to each diocese, we find set down in parallel columns the corresponding number that existed before the Parliamentary grant was increased in 1845, the number existing after the increase of grant from 1845 to 1870, the diminished number that, after the re-establishment of free places in 1873, existed in 1873-4, the addition made in 1874, the further increase made in 1879-80, and, in fine, the still further increase made in the present Academic Year.

From this comparative statement we learn that the number of free places is now for each diocese, as nearly as possible what it was before the increased grant of 1845. We find, too, that the number of students, which decreased rapidly after the withdrawal

of the Parliamentary annual grant in 1871, has been steadily increasing during the last few years, until it has now all but touched the highest level of former years. Thus the whole number of free places, exclusive of Burses, is at present 250, while the number of students has reached 490.

We understand that the President has been successful recently in securing a considerable number of the Irish Belgian Burses for students studying in Maynooth. At the present time and in the present circumstances of the country, every additional free place added to the existing number is, it is needless to say, of vital importance. Indeed it seems to us that if the existing circumstances of the College were more generally and accurately known, many persons who have money to devote to pious purposes would regard the foundation of a free studentship in the College, as an act of the highest piety and of the soundest patriotism. In looking through the list it strikes us as a noteworthy fact that one diocese—that of Kerry—has set down to its credit no fewer than *eight* Burses of private foundation, established in Maynooth for its students. If every other diocese in Ireland could point to so noble an endowment, thus founded by the piety and generosity of its people, a burden that now presses heavily upon the straitened resources of many a Catholic family would indeed be lightened.

We have received for Review the following Books, which we shall notice in some of our future early numbers:—

Messrs. GILL & SON, Dublin.

Lessons in Gaelic. Book I., Part III.

The Practice of Interior Recollection with God. By FR. PAUL SEGNERI, S.J.

Manual for Communion.

Erin: Verses, Irish and Catholic. By Rev. MATTHEW RUSSELL, S.J.

Messrs. BURNS & OATES.

The Mission of Woman. By MONSEIGNEUR MERMILLOD.

The Parochial Hymn Book. New and Revised Edition.

Challenger's Meditations. New Edition by Very Rev. MONSIGNOR VIRTUE.

Messrs. BROWNE and NOLAN, Dublin.

Browne's Diaries, 1881.

THE IRISH ECCLESIASTICAL RECORD.

FEBRUARY, 1881.

THE FRUITS OF IRISH FAITH IN MODERN TIMES.

I.—SCOTLAND—(CONTINUED).

WHEREVER the sons of St. Patrick find a home, the work of church-building and of multiplying religious institutions, no matter what difficulties may stand in the way, is sure to prosper. In the *Glasgow Herald* of May 26th, 1880, there is an interesting account of the ceremony performed the day before, of blessing the corner-stone of a new church at the south side of Glasgow. On that occasion a venerable priest stated, that when he came to the city, the territory to the south of Glasgow was quite a waste:—

“There was no church,” he said, “between Govan and Rutherglen, except the old Church of St. John—there was no church at Govan, none at Kinning Park, none at Rutherglen, none in Cumberland-street—one might walk along the river to Greenock on the one side, or to Lanark on the other side, and find no church there. They had only to look around now to see how the district was being taken possession of by the faithful. There was a beautiful church at Govan, there would soon be a fine church at Kinning Park, they had a very workable church in St. John’s, they had just laid the corner-stone of a fine new church in Cumberland-street, and further down, there was a very good church at Rutherglen. Formerly they were under the necessity of worshiping in hiding-places in Glasgow and elsewhere, but now, thank Providence, they occupied the territory not merely in their hundreds, but in their hundreds of thousands; and he hoped they might go on increasing in numbers until they had banished Calvinism altogether out of the country.”

On the preceding Sunday another new church had been dedicated at Ballieston, under the invocation of

St. Bridget. The reverend preacher, on that occasion, dwelt at some length on the wonderful religious change that in a few years had come over the greater part of Scotland. The hold of Presbyterianism was everywhere being relaxed, and the Catholic Faith, ancient in years, but ever new in the freshness and bloom and vigour of perpetual youth, was making itself known even in the remotest parts to those who had been its bitterest enemies. And as to the numerical increase in the Catholic body, he added:—

“Everyone knows that the great increase in the number of Catholics in Scotland, during the last fifty years, is to be attributed almost exclusively to the Irish immigrants, countrymen of the early Apostles of Scotland, who have settled in certain districts in the country, and have here, as everywhere else, brought their faith and its ministers with them. In the parts of Scotland where nothing attracts the Irish immigrant, the Catholic Church has made but little progress in point of numbers during the present century.”¹

This estimate of the fruits of Irish Faith is not overdrawn. It has been calculated that in the City of Glasgow almost the whole Catholic population is Irish: for instance, in the important Parish of St. Joseph’s, which is under the care of the zealous Jesuit Fathers, and reckons about 12,000 in its congregation, there are not five Catholic Scotch families. How striking is the religious change that is thus brought home to us. The 200 poor Irish strangers, of whom Father Farquharson wrote in 1796, forming little more than one-third of the whole Catholic population of the district, have increased in the city alone to 110,000; whilst the little garret in a back-lane, which was their only place of worship in the beginning of the present century, has been exchanged for fifteen beautiful churches, with a large number of flourishing schools and convents, and other religious institutions.

This wonderful growth of the Church is not confined to the City of Glasgow, it extends throughout the whole diocese. It has been calculated that in addition to those in the city, no fewer than 120,000 Catholics are scattered through its various towns and country districts, and almost all are Irish. A few instances may serve to illustrate the accuracy of this statement.

I will commence with Greenock, which is so well known among us for its ships and steamers, its paper-mills and

cotton-mills, its foundries and its fisheries. This extensive seaport is built on a narrow strip of land, on the southern bank of the Frith of Clyde. From the summit of the hills which bound it on the south, there is a view of shipping and of scenery which cannot be surpassed in the British dominions. In the beginning of the century, an exiled French priest seems for a while to have administered the Sacraments to the faithful in this district; but the first resident missionary was not appointed till the year 1808. As late as 1830, the territory of which the Greenock priest had sole charge comprised the present distinct districts of Greenock, Port-Glasgow, Gourrock, Inverkip and Largs, Dunoon, Dumbarton, Duntocher, Alexandria, and Helensburgh. In 1808 about 100 persons used to assist at Mass in Greenock, and the only place where the Holy Sacrifice could for many years be offered was the Star Hall Inn. In 1815 Old St. Mary's Chapel was built, and it continued for a long time to be the only place of Catholic worship. As late as the year 1830, there was only one small Chapel and one priest in Greenock, whilst the Catholic population of the whole vast district was not more than 3,100. At present, in Greenock alone, there are seven priests and three churches, with a convent and a Catholic population of 10,000; whilst its off-shoots, now distinct districts, have eight priests and eight churches, with an aggregate Catholic population of about 9,000. The new Church of St. Mary's, with its fine parochial residence, was built in 1862, whilst on the site of the old church, magnificent schools have been lately erected at a cost of about £7,000. The building now known as St. Lawrence's Church, was originally used as an "Old Light Antiburgher" meeting-house. It subsequently became the property of the Caledonian Railway Company, from whom, in 1855, it was purchased for the Catholic congregation, and dedicated to St. Lawrence, who in Catholic times was the patron of this district. During the past twenty-one years, accurate statistics of the Catholic population of Greenock have been drawn up by the clergy, the census having been made no fewer than fourteen times, and hence we are able to pronounce with precision as to the relative proportion of its Scotch and Irish Catholics. In all the Catholic population of 10,000, the non-Irish by birth or descent through both parents do not number 150. Among these, however, are classed the French, Spaniards, Italians, and other foreigners, some of whom are always to be found either as lodgers or as

residents in this great seaport town; so that a dozen Scotch Catholic families can with difficulty be registered in all Greenock. There is another important fact which has been proved by the accurate detailed statistics to which I have referred. It is, that even among the converts who have been received into the Church during the past twenty years, nine-tenths have been Irish.

It may not be uninteresting to note here the gradual formation of new missions which is so well illustrated by this district. In 1830, Dumbartonshire, comprising Dumbarton, Duntocher, Alexandria, and Helensburgh, with a Catholic population of 450, was detached from Greenock. Duntocher, with a congregation of 400, became a separate mission in 1841; Alexandria with 1,500, in 1859; and Helensburgh with 500, in 1865. At the present day Dumbarton alone has more than 3,000 Catholics. In 1846, Port-Glasgow was formed into a distinct mission, with a Catholic population of 1,500. In 1862, Largs and Inverkip on one side of the Frith, and Dunoon on the other, became a united and distinct mission, and continued so till 1869, when they became two separate missions, with congregations respectively of 360 and 250 Catholics, which have since considerably increased. But we must cite a few other instances to illustrate the subject now before us.

Paisley is, after Greenock, the most important town in Renfrewshire. Its Catholic population is 8,000, and the overwhelming proportion of the Irish element is not less than in Greenock. The Irish labourers who were attracted thither to the factories in the beginning of the century, were for a considerable time in a sad state of spiritual destitution. Dr. Cameron, Coadjutor Bishop of the Lowland District, writes to Archbishop Troy on 25th November, 1808, soliciting aid to provide his Catholic flock with churches and schools, and mentions the case of Paisley as proof of their extreme want. "In Paisley," he says, "there are about two hundred Catholics, principally Irish, and they have neither a pastor nor a place to assemble."

Before the close of that year, however, a church was begun, through the exertions of that zealous Prelate, and it was very soon filled to overflowing with an ever-increasing congregation of Irish exiles. In the year 1843, however, several of the factories were closed, and the people being left without employment, the greatest distress prevailed. The Scotch Presbyterians refused to give aid towards the relief of the Catholic sufferers, but when the local clergy solicited

the charitable assistance of the Archbishop of Dublin, he left nothing undone to succour them in their dire distress. The Western District had been at this time erected, and its first Vicar Apostolic, Dr. Andrew Scott, of whom we have already spoken, thus writes to the Archbishop, from East Shaw-street, Greenock, February 24th, 1843 :—

“ I was this forenoon honoured with your Grace’s letter of the 22nd current, covering an order for £41 to be given to the Rev. John Bremner for behoof of his persecuted Catholic flock of Paisley. The money shall be duly remitted to him. I have heard of your Lordship’s former remittances, and Mr. Bremner was certainly much to blame for having so long delayed to thank your Grace for your generous contribution to his poor flock. I know that of late his door has been besieged by hundreds of poor starving creatures, and that his time was much taken up in distributing to them the donations he had received, and in striving to ascertain who were proper objects of charity . . . Since the public resolution passed by the Paisley Relief Committee to exclude all *Irishmen*, that was the word, though Catholics only were meant, for in this country Irishmen and Catholics are synonymous terms, he has got a good deal of money for the relief of his poor flock. But the really destitute are so numerous that unless he doles it out in small quantities his stock will soon be exhausted. The other Relief Committees in Glasgow and other neighbouring towns were about to act upon the same principle, but the glaring injustice of the Paisley Committee Resolution, and the noise it made in the country, has prevented them as yet from doing so. A number of Protestant Liberals and even of moderate Tories condemned the resolution, still acted on it to the very letter, for not a single Protestant, either Liberal or Tory, that I have heard of, has contributed a penny for the relief of those who were so unjustly and so cruelly cut off from all assistance . . . Here (in Greenock) and in Glasgow, though no excluding resolution has been passed, a variety of pretexts are found out to give the Catholics nothing, or to put them off with less than one half of what is given to others in the same circumstances. Hundreds of our poor Catholics here are as ill off as they are in Paisley. When one of the priests here went to the distribution of the subsidy to inquire why such and such a person was refused, the only answer he got was, ‘we do not want to see any of your people here.’ . . . A poor old Catholic woman in Glasgow, legally entitled to parochial relief, and who was almost dying from hunger, got nothing, and the only thing said to her was, ‘go home, ye w—, to the Island of Saints and die there.’ While trade is good, and their services required, they flatter and cajole them; but should they fall into misery and their services be no longer required, in place of getting any relief, they meet only with insult. According to the law of Scotland a person wherever born,

if within her Majesty's dominions, is entitled to parochial relief if he has been three years a residenter in any parish. But the minister and his elders are the distributors of that relief, and the law fixes no particular sum as adequate relief according to the circumstances. They publicly, many years ago, in Glasgow, refused all parochial aid to Catholics born in Ireland. To establish the principle I carried it before the Sheriff and the Court of Session, and it was decided in favour of the poor applicants, a man and his wife unable to work. The lawsuit cost £30, and the poor applicants were put off with 2s. a week. They know well that poor people are not able to enforce their claims at law, and it would cost us more to do so, than to maintain these poor people for some years. Hence their refusal to give aid, even when the applicant has the clearest claim. Every Catholic even born in Scotland, if his parents were from Ireland, is treated in the same way, though by law they must be considered Scotch."

I have given these long extracts from this invaluable letter of the first Vicar Apostolic of the Western District, as it suffices to illustrate in how wonderful a way the Catholic Church and the Irish people were identified as well in the hatred of the Calvinists as in the love of the true Pastors of Christ's fold. I will only add that the Rev. John Bremner, the priest in charge of this district, and his assistant, Rev. John Carolan, in their letters addressed to the Most Rev. Archbishop Murray, attest at the same time the extent of the distress and the gratitude alike of clergy and people for the aid forwarded by their generous Irish benefactors:—

"During the week (writes Father Bremner on 19th February, 1843) more than 1,200 persons have received a scanty allowance from me, and 100 children have got shoes and stockings." "The poor people here (writes Father Carolan, 4th March, 1843) can never evince sufficient gratitude for the good deeds you have done them." "The united prayers of priests and poor congregation, whom you have so generously contributed to relieve (he writes in another letter) shall be always offered for so liberal and distinguished a benefactor."

A few miles from Glasgow we meet the town of Pollokshaws, picturesquely situated on the Cart, a short distance from the spot where, three hundred years ago, the decisive battle of Langside brought ruin to the Catholic cause. At the close of the last century there does not appear to have been a single Catholic in this town. In the year 1802, two Catholic families came to live there. In 1808, however, the number was considerably increased, as

several Irish Catholics came to seek employment at the Glasgow and Paisley Canal Works, which were then begun. In 1820, the Rev. J. Murdoch, afterwards Bishop of the Western District, took charge of this mission, not residing there, however, but only visiting it at stated times from Glasgow. With the permission of the magistrates, a Sunday Christian Doctrine School was successfully organized: but when a Catholic day school was opened, it very soon dwindled away and had to be closed for want of sufficient support. It was not until 1849 that Pollokshaws had the advantages of a resident priest. The first chapel was an old smithy. Father Galletti (of Italian descent, but born in Scotland), when entering on the charge of the district in 1849, estimated the whole number of Catholics at 800 souls, and he added:—

“In this little heretical stronghold of petty tyrants, what noble sufferings and sacrifices had not the faithful to undergo in order to support their families and at the same time rear them up uncontaminated by heresy! To say the half would be to repeat what is well known here, and is so glorious to the Catholic and honorable to the Irish heart.”

Ten years later a census of the whole missionary district was made by Father Bonnyman; he reported the Catholic population at about 2,000: two-thirds of these being born in Ireland, and the remainder being the immediate descendants of Irish parents. Through the exertions of the Rev. Bernard Tracy, a beautiful church with presbytery was erected in 1865. In a printed appeal to the charity of the faithful, dated 21st September, 1865, the following passage occurs:—

“The history of the locality is fraught with events of Catholic interest. The new church stands on the top of a hill, within a gun-shot of, and looking over upon, the fatal battle-field of Langside; where, three hundred years ago, the death-knell of Catholicity in this country was said to have been sounded, on the occasion of the final defeat of its Catholic queen, the devoted Mary. This defeat left Calvinism in the ascendant, by whose infatuated followers the old parish church was razed to the ground, and almost every local vestige of the ancient worship obliterated. Now that the Catholic religion is, by God's great and singular mercy, restored to Scotland, a new church, in the parish in which the nation may be said to have signed and sealed the decree of its banishment, is just the monument which suggests itself to celebrate its second advent amongst us, and to testify our gratitude to God. To this end the long since demolished “Parish Church” must be rebuilt,

its venerable and sacred precincts, too long desecrated, must be consecrated anew, its altars re-erected, and a holocaust of Reparation and Expiation offered thereon for the nation's apostasy. God's eternal truth and wisdom must be vindicated there, and the glory and prestige of the old, imperishable Faith be once more loudly and solemnly proclaimed, even on the spot where that same Faith was ignominiously denied and rejected by a whole people. *Adorabimus in loco ubi steterunt pedes ejus*: 'We shall adore in the place where his feet have stood.'

The venerable Bishop, Dr. Murdoch, when sanctioning this appeal, thus wrote:—

"Long and earnestly have I desired to see your mission provided with a suitable temple of Divine worship, and also with a commodious presbytery. I have now to bless God that, thanks to your energetic endeavours, my wishes are fully gratified. You have erected a church, and enlarged and fitted up a priest's house, which do the greatest credit to your taste as well as to your zeal. Your good people, God bless them, though almost all of the poor and labouring classes, have generously contributed, and still continue to contribute, to the good work."

In the year 1867, for a Poor-law inquiry, it became necessary to make an accurate census of the Catholics in the town of Pollokshaws, and the districts immediately adjoining. The number of Catholics was found to be 2,108, and of these 1,090 were born in Ireland, whilst 1,018 were born in Scotland of Irish parents. At the present day the number of Catholics in the entire parish is estimated at 3,000, and all, with the exception of one solitary Highlander, are Irish.

The town of Lanark, so favoured by nature, and so beautifully situated near the Clyde's falls, amid scenery which is not surpassed in Scotland, was, in a spiritual way, till our own days little better than a dreary waste. When old Father Forbes, who only a short time ago was gathered to his fathers, first came to the Scottish Mission before the year 1830, he and another were the only priests in Glasgow, and their care included Lanark which is thirty miles distant. Occasionally they visited the few Catholics scattered here and there through the country, but Mass was not said in Lanark, and the children had to be brought to Glasgow to be baptized. Even thirty years ago there were not in Lanark and two neighbouring villages more than ten Catholic families. At this time a priest was resident in Hamilton, and the faithful went thither, a distance of fourteen miles, to receive the Sacraments. It was

not as yet even safe for a Catholic to be known as such. A respectable labourer is still living who, when it became known that he was a Papist, was without ceremony dipped in the Clyde for the amusement of his Presbyterian neighbours. A little later, the first priest that was stationed here, was frequently hooted in the streets, and pelted with stones, and otherwise treated with the greatest contumely. All this however has long since passed away: the desert has bloomed with gladness, and there are few districts of Scotland on which the blessings of God's mercy have been so abundantly poured out as on Lanark. Four priests of the congregation of St. Vincent de Paul attend to the spiritual wants of the district, and give missions and conduct retreats. The Sisters of Charity instruct the children in the schools, and have also an orphanage in which there are at present about five hundred orphan children. Besides these orphans the Catholic population has increased to more than one thousand; and thanks to the munificence of a distinguished convert, who has proved himself a most generous benefactor of this mission, the Church of St. Mary's and the presbytery, and the schools, and the convent of the Sisters of Charity, with the hospital under their care, and the orphanage, are so many religious monuments of which the most Catholic country might be justly proud. If in this district Calvinistic prejudice has almost entirely melted away, this is mainly to be attributed to the true charity and kindness shown by the devoted nuns to the children, and to the sick, and to all classes of every creed in their frequent intercourse with them. The proportion of Irish in the population of Lanark, including the children of Irish parents, who never fail to call themselves Irish, is as one hundred to one; and the venerable priest who favoured me with many of these details, and who had laboured for years on the mission in Lanark, and in several other parts of Scotland, adds that "the same proportion may be accepted as a fair criterion of the relative numbers of the Irish Catholics throughout the greater part of Scotland."

If we pass from the Frith of Clyde to the Frith of Forth, we enter the Diocese of St. Andrew's, and in the Scottish capital so replete with historic memories, and so proud of its national institutions and monuments, we meet with the Catholic Church, not in the decay of old age, but in the renewed vigour and comeliness of youth. Within the city, the proportion of the Irish element in the Catholic body is greater than in some of the country districts, but taking

the whole diocese together, the Irish Catholics form, at the lowest estimate, 95 per cent. of the whole congregation. I may be allowed to name two Institutions whose Irish features none can gainsay, and which, nevertheless, have contributed so much to promote the interests of religion in Edinburgh. One of these is the Lauriston Convent, so favoured in its beautiful site and scenery, but still more remarkable for its fruitfulness in works of mercy. The other is the Young Men's Society, with its thousand energetic members who vie with each other in the manliness of their faith, in their love of temperance, and in their zeal to correspond to every wish of their loved spiritual director. As the Scottish Church owes so much to faithful Erin, it does not surprise us to find an Irishman chosen in the ways of Providence to be the first Archbishop of St. Andrew's in the renewed Hierarchy. A few years ago when the Cathedral of Armagh was solemnly dedicated in the presence of most of the Irish Bishops, and of representatives from England and Scotland, the Most Rev. Dr. Strain, then Bishop of the Eastern District, was also present, and among the motives which, as he alleged, impelled him to pay this compliment to Ireland's Primate See, not the least was his being himself one of St. Patrick's sons, for though he was not actually born in Ireland, yet it was only a short time before his birth that his parents quitted their native hills of Armagh to settle in the capital of Scotland.

On the 13th of June, 1878, the Catholic Institute of the Young Men's Society in Edinburgh witnessed a most gratifying demonstration of reverence and affection towards the Right Rev. Dr. Rigg, the newly consecrated Bishop of Dunkeld. This illustrious Prelate had laboured for many years in Edinburgh, and for almost half a century had been a prominent figure in the Catholic body throughout the Eastern District, and the Catholics of the city, now assembled in the presence of the Archbishop, and of the secular and regular clergy, to offer him an address of congratulation on the high dignity of first Bishop of Dunkeld in the restored Hierarchy, to which the Vicar of Christ had elevated him. In his reply, Dr. Rigg dwelt on the blessings which God in His mercy had poured out on Scotland, and he did not omit paying a graceful compliment to his Irish friends:—

“How is it (he said) that the Catholic body has increased in this country? How is it that we have now eighty priests in this part of

Scotland, instead of eleven, which we had in 1838? How is it that we have so many additional chapels and churches? It has not been through any intrigues or through any secret machinations. It has simply been by Catholics settling themselves in these parts of Scotland, and by its thus becoming necessary to provide for their spiritual wants, and to give them the same liberty of conscience which was claimed by their fellow-men. Catholics have increased in Scotland, because, in a great measure, the Irish population, driven from their native country, have sought employment and an asylum in Scotland, and have thus raised the number of the Catholic population of this land. It is true that a few Scotchmen, who were formerly of a different religion, have joined the Catholic Church; but everyone knows that the great increase in our numbers is owing to the Irish Catholics who have come amongst us."¹

The City of Perth, the ancient capital of Scotland, is the episcopal residence in the Diocese of Dunkeld. Twenty-five years ago Dr. Rigg had charge of the mission in that city, and writing to the Archbishop of Dublin to solicit his co-operation in the establishment of a Religious Community, he said:—

“If I see no prospect of obtaining a Religious Community, I must endeavour to devise some other means of providing instruction for the young people here. At present we have only one school, hardly deserving the name, under a master, and matters cannot be allowed to remain as they are.”

Returning now to Perth as Bishop, Dr. Rigg finds that his earnest wishes have long since been realized. Besides the parochial clergy it has a numerous community of Redemptorist Fathers, whilst the Ursuline Sisters attend to the education of the female children in two excellent schools.

But though Perth is the episcopal residence, Dundee, with its busy port and stirring people, has a larger Catholic population, and is in many respects the more important city. Fifty years ago, when the Rev. Stephen Keenan received the charge of this mission, it was regarded as one of the chief strongholds of Presbyterianism, and its Catholics were only a handful, without a church and without a school. That zealous priest was a native of the north of Ireland, and was remarkable for his writings no less than for his fruitful labours among his countrymen in Scotland. By his efforts the Church of St. Andrew was built in 1836, though as yet there were scarcely a hundred Catholic families in the district. The mission however grew apace,

¹ *Catholic Opinion*, June 21st, 1878.

and a second church was soon found necessary. The learned Bishop of the Eastern District, Dr. Gillis, visited Ireland towards the close of the year 1853, and being struck by the manifold blessings resulting from the missions given by the Vincentian Fathers, he, on his return to Edinburgh, addressed a letter to the Archbishop of Dublin, earnestly requesting that two of these zealous priests might be sent to conduct a mission for a few weeks in the town of Dundee. He added:—

“It is the principal town of this vicariate after Edinburgh: there is a very large congregation, and exclusively an Irish one.”¹

Having received no favourable response to this letter, he urged his request again in the following month:—

“I wrote to your Grace about a month ago, to implore of you to procure for us the blessing of a fortnight’s mission in the town of Dundee, where there is a large and almost exclusively Irish congregation, and where many agencies are now at work to injure seriously the interests of religion. . . . The fiendish energies that are now being everywhere exerted against us poor Catholics in Scotland, and the number of our people who are every day falling victims to the same, make it absolutely necessary that more than ordinary zeal be brought into action, or the result must ere long be a fearful one.”²

In Dundee there are at present three fine churches, and the Catholics are reckoned at about 20,000. Ten priests devote themselves to the spiritual care of the flock of Christ, and the Sisters of Mercy and the Marist Brothers attend to the instruction of the children, in some of the finest schools that are to be found in Scotland. The proportion of Irish Catholics in the congregation has not changed since the time that Dr. Gillis addressed his letters to the Archbishop of Dublin. Indeed here, as in most other parts of Scotland, to be a Catholic and to be an Irishman, is considered as one and the same thing. Not many months ago, on a Sunday evening, a well-dressed Scotchman called at the house of the parochial clergy of one of the churches, and after some preliminary conversation with the clergyman whom he met, asked to be received into the Church. In conveying this request, however, he made use of the peculiar phrase—“Your Reverence, I want you to turn me Irish”: so true it is, that in popular feeling the Catholicity of the country is identified with its Irish population.

¹ Letter dated from Edinburgh, 16th January, 1854.

² Letter from Edinburgh, 18th February, 1854.

One of the first diocesan works inaugurated by the Bishop of Dunkeld after his consecration, was the opening of a new school at Arbroath. About forty years ago a considerable Catholic population had gathered here, and through the exertions of Bishop Carruthers, a commodious chapel and presbytery were erected in 1848. From that time the number of the faithful went on gradually increasing, and the want of a Catholic school was severely felt. Through the exertions of Father Fay, this good work was also accomplished, and the new school was solemnly inaugurated on the 5th of August 1878. It is a large handsome edifice, solidly built, and will long be a source of the greatest blessings to the faithful of Arbroath. A circular in which the respected clergy of that mission solicit aid towards paying off the debt incurred, now lies before me. It makes the clear distinct statement: "the Catholic people here are all Irish."

In the town of Alloa, so picturesquely situated amid the Clackmannan Hills, there were, thirty years ago, only a few Catholics, and when the priest visited it, he was obliged to say Mass in a loft which was known as the Masons' Hall. Religion is now bearing excellent fruits in its Irish congregation. A beautiful church, dedicated to St. Mungo, was first erected, then a presbytery was built, and last of all, in the autumn of 1878, an excellent school was completed, to the great joy of the Catholic population.

To illustrate the difficulties that at times beset the missionary when endeavouring to impart instruction, and to administer the Sacraments to his scattered flock, I may take an instance from the town of Lochgelly. It has at present about 800 Irish Catholics, and, till the erection of the present Church of St. Patrick, Mass was said in a hall attached to a public house, and confessions were heard in the house of some one or other of the people:—

"In the hall, more than once, the stage and scenery of a strolling company of actors have stood face to face with the temporary altar. At other times the hall has been shared with auctioneers, whose goods were in full view during Holy Mass. On week evenings, the clergyman has often been glad to get the use of the hall for catechising, in the interval that a dancing master employed in taking his tea."¹

In the Diocese of Aberdeen, which corresponds to the former Northern District, the Catholics are but few, the

¹ Circular in the Catholic Directory for Scotland, 1877, page 75.

whole number being under 15,000, but the proportion of the old Highland families is greater than elsewhere. On the other hand, the southern Diocese of Galloway is so thoroughly Irish in its Catholic congregation, that we might suppose it to be a small Irish diocese that had been wafted, clergy and all, from the sister Isle.

The Diocese of Argyll comprises the islands lying off the Western Coast, which, in olden times, were peopled with Irish Saints. Even at the present day, if the Irish were withdrawn from this diocese, all its Catholics would find accommodation in a small room. The Cathedral is at Oban, and, like the structures of the old Celtic missionaries, is of wood. Even in its dimensions it corresponds to the churches erected by St. Columba and his disciples, being about 30 feet in length and 18 feet in width. The devoted missionary who is now stationed there, made during the autumn of last year an excursion to some of the outlying islands, which for years had not been visited by a priest. He found scattered through them eleven Catholic families, and of these, nine families were Irish. Iona too, so fallen from its ancient glory, has had for some years past one Catholic family. The head of this family, a devoted countryman of the great Saint whose blessing so long sheltered the island, used at times to make the journey to Glasgow in order to approach the Sacraments. His means would not allow him to bring his family with him. Nevertheless, when the priest visited his house last year he found the children admirably instructed, and eagerly desirous to receive the Sacraments, for they had been taught to devoutly recite the Rosary, and with it every day they had received a lesson in the Catechism.

This reminds me of the saying of the late venerated Rector of the Scotch College in Rome, whose friendship I enjoyed for many years in the Eternal City, and who was summoned to his reward at the very moment when the Hierarchy, for which he had so long sighed, was about to be restored to his country. He used to say that the Scottish Church of modern times was indebted to its Irish Catholics for a most tender devotion to the Blessed Virgin, and he added that should Ireland have conferred no other blessing on Scotland, yet for this alone his countrymen would owe us a debt of everlasting gratitude.

The instances which I have given will, I trust, suffice to show how fruitful has been the faith of our Irish people in renewing the blessings of religion throughout the length

and breadth of Scotland. Churches and schools have sprung up wherever they have gone, and no matter how poor they may have been in the eyes of this world, yet fervent piety, and the teaching of Divine Truth, and the Sacraments of Life, and the offering of the Holy Sacrifice, were sure to bless the district in which they settled. Not long ago, I asked an illustrious Prelate who had laboured for some years on the Scottish Mission, what part did he allot to Irish Catholics in the renewal of the Faith in Scotland:—"The whole Church in Scotland," he replied, "is Irish." There are to be sure, he added, some old Scottish Catholic families, and there are some illustrious converts who have shown a princely munificence to the churches and missions of Scotland, but taking the Scottish Church as a whole, it may well be styled an off-shoot from Ireland, and almost everywhere you go, the churches and their congregations, the schools and their children are Irish.

P. F. M.

IRISH THEOLOGIANS.—No. III.

JOHN DUNS SCOTUS.—(CONTINUED.)

IN a previous paper we gave a sketch of the leading events in the life of Duns Scotus; we now propose to examine his writings with a view to ascertain not only the place he held in the Schools of Theology, but also the characteristic principles of his system, as well as the influence of his teaching in the development of the Sacred Sciences. This however we can do only very briefly and in mere outline.

In order to understand Duns Scotus it is first necessary to sketch the history of Scholastic Theology before his time.

Scotus Erigena, who flourished in the ninth century, is generally and justly regarded as the precursor both of Scholastic and Mystic Theology. These two branches of Sacred Science are indeed very different—the theology of the *intellect* which strives to ascertain truth by ratiocination, and the theology of the *will* which strives to reach God by contemplation—yet to the erratic Scotus we owe the origin of both. "He was," says Alzog, "the first man in the West, and the only one in any country for three centuries, who, travelling beyond the traditionary limits of logic and dialectics, built up a strictly coherent system of metaphysics."

Elsewhere he is described as "the forerunner of the Mysticism of the Schoolmen, or the union of contemplative piety with scientific theology, and led off in the controversy on Universals." His method, aims, and objects, were altogether different from those of the Positive School who preceded him. In the exposition of doctrine and the refutation of error they, for the most part, appealed to the authority of Sacred Scripture and the testimony of the Fathers; they wrote in a loose rhetorical style; they spurned dialectics, and eschewed philosophy. Not so Scotus, and the new School of which he is the primal type. He was by nature a logician, by study and inclination a Neo-Platonist; he combined dialectical accuracy with brilliancy of exposition, but, trusting too much to his genius in his bold and original speculations, he brought upon himself the anger of his contemporaries as well as the censures of the Church. But the seed was sown and produced its fruit, whether good or bad, in due season.

The real origin of Scholasticism¹ dates from the middle of the eleventh century, and must be traced to the famous dispute between the Nominalists and Realists regarding the nature of Universals. This question was not, as is sometimes supposed, discussed by Aristotle himself. It was raised however by Porphyry in his Introduction to the Categories, but not answered till Boethius attempted a solution, tending however rather to the Nominalist than to the Realist view. In the eleventh century² the question for the first time began to assume a doctrinal importance. The arch-heretic Berengarius, who appealed to Scotus Erigena as his authority, accepting the Nominalist view of the essential and absolute unity of the individual body, and consequently the absolute impossibility of separating the substance from the accidents, denied the doctrine of Transubstantiation. Lanfranc refuted Berengarius, not only on authority as a positive theologian, but also by maintaining the distinction between substance and accident, which the other had ignored. Hitherto, however, the Nominalist doctrine

¹A "Scholasticus" meant in Rome a teacher of a rhetorical school; in the middle ages it meant the head-master of a school of philosophy or theology: hence the name *Scholastic*.

²"Quo tempore verisimile est primum in Scholis monasteriorum auditas esse controversias Nominalium et Realium."—*Brucker*.

"Occasione vero numerice disputationum et altercationum Berengarianarum ortae sunt in Academia Parisiensi duae sectae philosophorum, Nominalistarum et Realistarum."—*Du Boulay*.

had not been formulated; but now the famous John Roscelin, canon of Compiègne, appears upon the scene, and declares that Universals have no objective reality, that they are mere words, *fatus vocis*, and boldly applying his principles even to the doctrine of the Trinity denied not the distinction of the Persons, but rather the unity of the Divine Essence: his system inevitably led him either to one or the other extreme. The discussion now waxed warm, the monastic schools were thrown into commotion, Roscelin was attacked from every quarter but stoutly defended himself, and even ventured to appeal in support of his opinion to the writings of Anselm, who was just then preparing to cross over into England in order to take possession of the See of Canterbury. Anselm, justly indignant at the audacity of Roscelin, emphatically disavowed the imputation, and wrote his famous treatise "De Fide Trinitatis" against the "blasphemies" of Roscelin, in which he clearly and effectively refutes the Nominalist view, leaning however, as some think, too much to the Realist opinions. Anselm's theory was approved of in the Council of Soissons held in 1092, and Roscelin was ordered to retreat. From this controversy many persons date the origin of Scholastic Philosophy and Theology. After the death¹ of Anselm, William of Champeaux, who is regarded as the first professor of the new theology in Paris, took up the gauntlet on the same side. But he went much further than St. Anselm, and maintained the objective existence of the Universals, quite independent of all the individuals which belong to the species. The Realists, absurd as it may now seem to us, appear to have been gaining ground in the Schools, when Peter Abelard came to the rescue of their opponents. He was a disciple first of Roscelin, and afterwards of William of Champeaux, so that he had the exceptional advantage of knowing the strong and weak points of both the contending parties. He was naturally a man of quick parts, both eloquent and keen witted, and he loved dialectics as he loved his own soul. He was never easy except when he was wrangling; and his foremost delight was to set up in opposition to his teachers and draw away their pupils. Abelard was a far abler metaphysician than either Roscelin or William of Champeaux. He attacked them in turn,

¹ Anselm as a philosopher preceded William of Champeaux by about twenty years. William died in 1121, Anselm in 1109, Lanfranc in 1089. Dupin dates the first period of Scholasticism from Anselm to Albert the Great.

although himself inclined to be a Nominalist, and, it must be confessed, utterly demolished them by a series of arguments which are admirable specimens of close and cogent reasoning, seasoned here and there with sarcasm, irony, and wit.

But Abelard was not content with his fame in metaphysics ; he must rashly venture into the domain of theology. He himself admits¹ that he was but little versed in Sacred Scripture and Patristic learning, and, as might naturally be expected from such a combination of pride and ignorance, he soon came to grief. He undertook to expound, in his "Theologia Christiana," the greatest of all mysteries—the mystery of the Holy Trinity—according to his own peculiar metaphysical principles. He was accused of introducing degrees, *gradus*, between the Persons of the Trinity, by limiting the Omnipotence of the Son, and denying the Consubstantiality of the Holy Ghost. His writings were carried to St. Bernard, who asked him to retract his errors. Abelard refused to admit himself in error, and challenged the Saint to a discussion in the Council of Sens in 1140. Saint Bernard was at first reluctant to engage with so renowned a disputant, yet yielding at length in the interests of truth, he went to the Council and demolished Abelard (who had not the courage to meet him), as completely as Abelard had demolished William of Champeaux. It was the final conflict between the Old and the New Schools ; St. Bernard was the last of the Fathers, and Abelard may be regarded as the first of the Schoolmen, of whose wordy wars the Saint speaks with anger and contempt. In a letter to Innocent II. he bitterly censures the presumption of Abelard, who from his boyhood, he says, trifled in dialectics, and now plays the fool in theology.² But when St. Bernard was laid in the vault of Clairvaux,

¹ He went to Laon to study theology under Anselm, a professor in that city, but he undertook while still, as he admits, "lectionis expert" to teach it himself, and with so much success that he drew all the students from his master. Elsewhere he says, "pride, not ignorance, is the root of heresy." But although he led a somewhat erratic life, both in theory and practice, he was no heretic ; and we know from the Venerable Peter of Cluny, that he died a holy death in a convent of that Order. "It has not been my fortune," he said of Abelard, "to meet a more humble man than he." He died at Chalons, on the Saone, on the 21st April, 1142.

² "Habemus nunc in Francia novum de veteri magistro theologum qui et ineunte aetate in arte dialectica lusit, et nunc in Scripturis Sacris insanit"—*Litterae ad Innoc.*

the Old Theology was buried along with him, and the New School grew by degrees in strength and pride, trusting perhaps at times too much to reason and Aristotle, and too little to authority, but rich in the promise, which was not falsified, of a glorious future both for philosophy and theology.¹

Du Boulay, in his "History of the University of Paris," divides Scholasticism into three periods: the first from Lanfranc (or according to others from Abelard), to Albert the Great, the second from Albert the Great to Durandus, the third from Durandus to the Renaissance; which three periods respectively correspond to its rise, glory, and decline. During the first period, from the beginning of the twelfth to the middle of the thirteenth century, Peter Lombard, Bishop of Paris, the famous Master of the Sentences, was the central figure. And yet the Master of Scholastics can hardly be regarded as a Scholastic himself. He did a great and necessary work indeed, but it was the work of a theologian of the old Positive School. He saw the errors into which many of the earlier Scholastics—Roscelin, Abelard, Gillebert de la Parrée, as well as many others—had fallen. He saw strife and disunion in the Schools, strange opinions put forward, new subtleties invented, and, fearing lest the doctrines of the Church might suffer in those dangerous times of intellectual revolution, he resolved to collect a body of authentic decisions regarding the more important questions at issue. These decisions were for the most part "sentences," or passages quoted from Sacred Scripture and from the Latin Fathers, especially from St. Hilary, St. Ambrose, St. Jerome, and St. Augustine. Hence this great work was called the "Book of the Sentences," and its author was known as the "Master of the Sentences." It became the Gospel of the Scholastics, they never questioned its authority; and every great teacher undertook to explain its obscurities, or supplement its deficiencies. It is said that four thousand commentaries have been written on the Master of the Sentences: certainly a greater number than any

¹"Tunc ergo, ut philosophorum, ita et theologorum plures erant sectae. Una veterum qui fidei dogmata S. Scripturae et SS. Patrum auctoritatibus et argumentis confirmari contenti erant. Altera modernorum (qui et Scholastici dicebantur) et illis regulis Aristotelicis et dialecticis, nimis fortasse plus quam theologos decuisset, confisi plurimas propositiones curiosas et inutiles et ad errorem potius quam ad veritatem inducentes dictabant et conscribebant."—*Buleus, His. Univ. Paris. ii.*

other book except the Bible has had. Hardly a single theologian of eminence can be named in those days, who did not write his "Commentary on the Books of the Sentences;" the huge and dusty tomes still burden the shelves of all our great libraries. Such was the estimation in which Lombard was held, after the publication of this great work, that Philip, Archdeacon of Paris, the son and brother of a king, although elected by the Chapter of Paris to the bishopric of that city, resigned his place to the friendless stranger whose only claim was his learning. His death on the 20th of July, 1164, marks an epoch in the history of theology.

Another noteworthy fact is the scant acquaintance with Aristotle enjoyed by those early Scholastics. They were acquainted, through wretched Latin translations, with portions of the "Organon," or logical writings of Aristotle; but they knew nothing of his physics or metaphysics. We have on this point the express testimony of Abelard,¹ who says that in his time there were in all only seven treatises on logic in the Schools, and these written in Latin: two of Aristotle, "The Categories," and the treatise *Περί Ἑρμηνείας* Porphyry's "Introduction," and four of Boethius—"De Divisione," "De Differentiis Topicis," "De Syllogismo Categorico," and "De Hypothetico." It was with these scanty materials the early Scholastics constructed their ingenious theories. Abelard himself knew Greek; in his letters to Heloise, he exhorts her and her nuns to the study of both Greek and Hebrew, which may be regarded as a sufficient proof of his own acquaintance with these languages. But hitherto they had no Greek copies of any portion of Aristotle's works in the Schools of the West; and hence even the few persons then acquainted with Greek had no opportunity of consulting the original works of the "Philosopher." But that defect was soon to be remedied.

The thirteenth century, perhaps the most interesting in the history of the human mind, as it certainly is in the history of the Church, the century of great Popes, great Orders, great theologians, and great cathedrals, opens with three remarkable events, the incorporation of the University of Paris,

² "Septem codicibus omnis in hac arte eloquentia Latina armatur. Aristotelis enim duos tantum *Praedicamentorum* scil. et *Περί Ἑρμηνείας* libros usus adhuc Latinorum cognovit; Porphyrii vero unum Boethii autem quatuor, vid. *Divisionum* et *Topicorum*. Cum Syllogismis tam Categoricis quam Hypotheticis."—*Œuvres Inédits*, fol. 132.

the foundation of the two Orders of Dominicans and Franciscans, and the introduction into Western Europe of the principal works of Aristotle. Each of these events gave a new impulse to the literary activity of the age.

It was in the year 1200 that Philip Augustus formally constituted the great school of Paris a "Studium Generale;" and bestowed so many franchises and privileges on both masters and scholars, that this University in a short time included sixty-eight colleges, and became the seminary for all European nations.

In 1204 Constantinople was taken by the Latins, and a Latin Kingdom established at Jerusalem. The frequent intercourse thus established between the East and West contributed much to the literary culture of the latter. The victorious Crusaders, amongst other literary treasures, brought home copies of the *Physics* and the *Metaphysics* of Aristotle. About the same time they received better Latin translations, and fuller commentaries on most of the writings of the Stagirite from another source. The Arabians, under the dynasty of the Abbassides, had acquired a great taste for the arts and sciences; through the Nestorian Christians, whom they patronized, they became acquainted with the works of Aristotle. Avicenna (1036) in Bagdad, and later on (1198) Averrhoes, in the beautiful city of Cordova, promoted the study of the Aristotelian philosophy by free translations into Arabic of the principal writings of the Stagirite. These were re-translated into Latin, and through the agency of Spanish Christians, and Jewish merchants from Montpellier and other cities, they were soon carried into the great university cities of Paris, Oxford, and Cologne.

Masters and scholars perused them with the greatest avidity. Heretofore the Stagirite was an authority; now he became an oracle. The bishops were alarmed; the *Physics* of Aristotle especially contained many errors, and they feared the doctrine taught by these new lights. Councils were convened, and many stringent prohibitions against the reading of the *Physics* and *Metaphysics* were issued. In 1209, a Council held in Paris ordered the *Metaphysics* to be burnt, because they caused heresy in the past, and were likely to do so in the future also. In 1215, the legate of the large minded Innocent III. forbade the study of the *Physics* or *Metaphysics* under penalty of excommunication; and even so late as 1231, Gregory IX. prohibited the reading of the *Physics* until they were purged

of their errors.¹ Yet all these severe enactments were in vain, and we find both saints and scholars writing commentaries and making new translations of the forbidden books.

It was just at this very time, when the leaven of the Aristotelian philosophy was fermenting in the intellect of the Schools, that the two new Orders, the Dominicans and the Franciscans, were founded. They had both established themselves at Paris so early as the year 1218, and at once came to the front in the University. To teach and preach was the primary duty of the sons of St. Dominick, and the Minors were their rivals in the discharge of that high duty. In 1221 Albert the Great joined the Friars Preachers in Paris; the next year Alexander De Hales, a no less distinguished theologian, entered the Order of St. Francis in the same city. Thus, from the very beginning, the two new Orders entered into a silent and holy rivalry in the cause of sacred science. Albertus was the teacher of St. Thomas, and although it is not expressly stated, we may fairly assume that Bonaventure was a pupil of his great rival, Alexander De Hales, the Irrefragable Doctor. It has been said by many writers, that Scotus, too, studied under the same master; but, as Luke Wadding remarks, the facts of chronology cannot be reconciled with this statement. De Hales had died at Paris in 1245, some years before Scotus was born. But the history of the times naturally led up to a rivalry in theology between the two great Orders, and this rivalry was productive of the very greatest advantage for the cultivation of the sacred sciences.

We now find the two Schools face to face in the university cities towards the close of the 13th century: St. Thomas being the leader of the Dominicans, and Scotus the head of the Franciscans. Here we may observe that it is impossible to understand Scotus without a knowledge of St. Thomas, and impossible to understand St. Thomas, if we knew nothing of Aristotle. He was the common master of both; both were familiar with his philosophy in all its branches, and wrote extensive commentaries on the works of Aristotle.

These works, as we have already intimated, may for our purposes be sub-divided into four classes. First, we have the "Logical Treatises," including under the general name of the "Organon" in the "Categories," the treatise on

¹ See Lanouius "De varia Aristotelis in Academia Parisiensi fortuna." Tom. iv. cap. i.

propositions called *Περὶ Ἑρμηνείας*, the four books of the "First and Second Analytics," the eight books on the "Topics," or sources of probable knowledge, and lastly the treatise on "Sophisms." With these Aristotelian works, the Scholastics from the beginning were all perfectly familiar.

The second class includes Aristotle's treatises on speculative philosophy, namely his "Physics" in eight books, to which may be referred his smaller works, "On Heaven," "On Production and Destruction," "On Meteorology," "On the Universe," and "On the Soul."

The "Metaphysics," in fourteen books, treats of all those great questions which are now generally included under the term, and are too well known to need recapitulation here.

The "Mathematics" regard the two attributes of matter, quantity and extension; and contain some of Aristotle's peculiar views relative to the laws of motion. This treatise was not much studied in the Middle Ages.

The third class includes three treatises on practical philosophy: the "Ethics," in ten books, with some smaller treatises on the same subject; the "Politics," in eight books; and the "Oeconomics," in two books, of which the second is considered spurious.

Leaving out of consideration Aristotle's "Rhetoric" and "Poetics," the immense treatises on natural history, and his numerous miscellaneous writings, it will be seen that the Scholastics had a sufficiently large field of labour in the investigation of all the problems raised by the mighty mind of the Stagirite. Of the twenty-one folio volumes which contain the works of Albert the Great in the Lyons edition of 1651, the first six are devoted to commentaries on the logical and physical writings of Aristotle. From his master, Albert, St. Thomas inherited the greatest admiration for the Peripatetic philosophy in all its branches. Aristotle had given a *rationale* of the whole natural world, a complete and scientific exposition of every branch of human knowledge. St. Thomas had a mind framed in a similar mould, he loved order, he traced it in all things, and he grouped the branches of supernatural knowledge into one harmonious whole. On the lines traced out by the genius of the Greek philosopher, he built up in his *Summa*, with materials furnished by reason and revelation, the noblest and most enduring scientific edifice ever constructed by the mind of man. The works of St. Thomas are contained in

seventeen volumes folio; of these, as in the case of his master, Albert, the first five contain his commentaries on Aristotle, certainly the best and most exhaustive hitherto written. Besides, with the aid of the monk William of Moerbeek, he prepared a new Latin translation of most of the writings of the "Philosopher" after the Greek originals. This is known as the *Vetus Translatio*, and its admitted accuracy in the most minute particulars places it on a level with the very best original MSS. in the estimation of critics.

Of course Scotus too followed the example of those who had gone before him, and wrote his commentaries on Aristotle, and an exposition of the Master of the Sentences. He simply wrote what he had taught in his lectures at Oxford and Paris, and that course of lectures included all the philosophy and theology then read in the Schools. His first treatise is what he calls a "Grammatica Speculativa seu de Modis Significandi," and was published at Venice in 1499. By some writers this work is attributed to Albert of Saxony; unjustly, however, for it bears unmistakable signs of the acute genius of Scotus. It is a treatise preparatory to the study of logic, in which he undertakes to explain the "genuinam vim verborum, et veram sermonis proprietatem, et veram vocum etymologiam, quae adhiberi solent in logica et metaphysica."

This was preparatory to his treatises on Logic, Physics, and Metaphysics. After these we have the "Meteoræ," a work in which the author expounds, along with some new views of his own, the Mathematics, Astrology, and Optics of Aristotle. He discusses, in a fashion which would considerably astonish our modern physicists, the nature of the sun and moon, of the tides, of rain, hail, and snow, of thunder, lightning, and earthquakes, those questions which ancient Philosophy so longed and tried in vain to solve:—

" Me vero primum dulces ante omnia Musae
Quarum sacra fero ingenti percussus amore
Accipiant, coelique vias et sidera monstrent,
Unde tremor terris; qua vi maria alta tumescant,
Objicibus ruptis, rursusque in se ipsa residant,
Quid tantum oceano properent se fingere soles
Hiberni, vel quae tardis mora noctibus obstet."—*Virg., Georg.*

In the treatises "De Rerum Principio" et "De Primo Principio," we have his cosmology, and the foundation of his peculiar metaphysical system. Lastly, we have his commentary in twelve books on the Aristotelian Meta-

physics, in which he goes over all the ground covered by St. Thomas and by Aristotle, submitting every statement made by either to the keen analysis of a mind that in subtlety, at least, is almost universally admitted to be superior to either. It is in this work that he lays down those metaphysical principles of his own, which profoundly modified both the philosophy and theology of the Middle Ages.

In theology proper he wrote two distinct commentaries on the Master of the Sentences, the first at Oxford, which is the fullest and best of the commentaries on Peter Lombard, if we except St. Thomas alone. The authenticity of the second treatise, usually called the "*Reportata*," has been called in question. It is probably a recast of the larger work, with additions by a disciple of Scotus, unduly attributed to the master himself. Besides the *Questiones Quodlibetales*, of which we have spoken in our previous paper on Scotus, he also wrote several smaller theological works, considerable commentaries on the Gospels and Epistles of Saint Paul, as well as a collection of sermons on many of the Saints and Feasts of the Church. The entire writings of Scotus, with commentaries by Lychettus, were published at Lyons in twelve folio volumes by Luke Wadding in the year 1639. Portions of his writings, too, have been separately published at various times and in various places.

For the present we must pause here; in our next number we hope to examine the leading principles of the Scotus philosophy and theology.

J. H.

CATHOLIC TRANSLATIONS OF THE BIBLE INTO ENGLISH, AND EDITIONS OF THEM.

AS the partial coincidence of the invention of printing with Martin Luther's new doctrine of the private interpretation of Scripture, produced his German Bible, so also on the part of the innovators in England it produced various translations and versions in the English language which were printed here and on the Continent. The principal of those were by Tyndale, Coverdale, Matthews, and that, known as Cranmer's, or the Bishop's Bible. There were others besides

these, but one and all were falsely and corruptly translated, heedlessly and carelessly printed, so as to give, to several of the editions, by-names derived from the printers' errors in them. It is true that in 1541 a Bible was printed in London by Grafton, which is stated to have been "*oversene by Cuthbert (Tunstall) Bishop of Duresm, and Nicholas (Heath) Bishop of Rochester,*" Catholic Bishops in the time of Henry. Of its quality we do not know anything. It soon disappeared amid the increasing number of editions, all favouring the growing heresy and the popular outcry of the time. Some half dozen copies of it may still be found in the great national libraries. But the others continued to pour out a flood of corrupted text, false doctrine, and familiarly irreverent treatment of the Sacred Word.

Such was the state of this matter when Elizabeth succeeded to the throne, when the Universities were closed against those who held true to the Catholic faith, and when William Allen, afterwards Cardinal Allen, was inspired to try to preserve the priesthood and the faith in England. He sought to do this by gathering around him some of the learned men who had been expelled from the Universities, and by founding a college or seminary at Douay in Flanders for the perpetuation of the priesthood in England.

Amongst the subjects which would engross their attention at such a time, it is natural that this, the vernacular edition of the Scriptures, should be foremost, and that they should be anxious that the Catholics, who were surrounded by these corrupted versions, should have a faithful translation of the authentic Vulgate, accompanied with such notes for their guidance in the understanding of the text as would give them the teaching of the Catholic Church, and preserve them from the errors and wanderings of those who were misled by the corrupted versions and the prevailing teachings of the day.

This is the origin of the translation known as "*The Rheims Testament*" and "*The Douay Bible.*"

The uncertainties of life and of possession which prevailed in those troublous and perilous times, have left but little record of the deeds of the Catholics, and of the men who did them. Their great works in the mighty struggle are written fully in the Book of Life, but they are only scantily written here. The period at which the translation was made is itself an uncertainty. I shall endeavour to throw some light upon this, to give some information about its little known authors, and also a list of the principal

editions of it, and of other Catholic translations, which have been issued to the present time.

The first publication was of the New Testament, in the year 1582, whilst the college was resident at Rheims. It has a preface to it, the opening words of which are these:—

“ The Holy Bible, long since translated by us into English, and the Old Testament, lying by us for lacke of good means to publish the whole in such sort as a work of so great charge and importance requireth, we have yet through God’s goodness at length fully finished for thee (most Christian reader) all the NEW TESTAMENT, which is the principal, most profitable, and comfortable piece of Holy Writ.”

A question might be raised as to the time in which this translation was made. The preface states that, at the date of its publication in 1582, it had been “long since” made. A marginal note in the Douay Diary, date, October, 1578, says, “October 16, or thereabouts, the licentiate Martin began (auspicatus est) the version of the Bible into the English language” . . . , and “that our president, Dr. Allen, and our master, D. Bristow, diligently revise (perlegunt) it.” This is only four years before publication.

It appears from this that Martin had been long engaged upon the translation, probably before he left England—whilst first at Douay, and afterwards whilst at Rome, and that it was after his return from Rome in 1578, that he, along with Allen and Bristow, began the revision of his work, preparatory to its publication in 1582.

A few words about the translators may not be out of place here. They are but little known in these days, and their work but inadequately prized.

Gregory Martin, who is here given as the translator, was one of the most accomplished and perfect scholars of his day; a man in all ways fitted for the work which, in his zeal for God and truth, he undertook. He was the especial friend, and had been the fellow-student, of Father Campion, the martyr. They took their degree of Master of Arts together in the year 1564, as students of St. John’s College, Oxford. Gregory Martin sometime afterwards entered the family of Thomas, “the mighty Duke of Norfolk,” as tutor to his son Philip, the Earl of Surrey. Such was the esteem that he was held in by his college, that when it was visited by the Duke of Norfolk, and, according to the manner of the time, a Latin speech of congratulation was delivered by one of the college

before him, the speaker said, in reference to Martin and his position in the Duke's household, "Habes, illustrissime Dux, Hebraeum nostrum, Graecum nostrum, Poetam nostrum, Decus et Gloriam nostram."

When, in order to propitiate the rising wrath of Queen Elizabeth, and in the vain hope of averting the fate which soon afterwards befel him, the Duke permitted prayers to be read by a Protestant minister in his household, Martin withdrew, and retired to the Continent. He soon went to Douay and entered on the study of theology, of which he became licentiate in 1575. On the 9th November, 1576, he went to Rome, and returned in May or June, 1578, to Rheims, where he recommenced those lectures in Hebrew and Greek which had been discontinued by his visit to Rome. As it is in the October of this year that he is said to have begun the English version of the Scripture, it is quite legitimate to infer, from these dates and employments, that the great work of translating the Sacred Scripture had been carried on by him during all those years, and that when he settled down at Rheims in 1578, he, along with Allen, Bristow, and Rainolds or Reynolds, began to prepare his work for the Press, so that when the New Testament was published four years after, in 1582, it was truly said that "the Holy Bible *was* long since translated by us into English."

Richard Bristow was an eminent scholar, theologian and controvertist even whilst a Protestant in Exeter College. Becoming convinced of the error of Protestantism, he left England in 1567, and went to Louvain, where he met with Dr. Allen. He was made the first Prefect of Studies at Douay. His name is the first entered in the diary of that college. He was ordained priest along with Gregory Martin in March, 1573. He is the reputed author of the celebrated "Rhemish Notes" to the New Testament, the trenchant arguments of which have given so much uneasiness to Protestants.

Of Dr. William Allen, afterwards Cardinal Allen, the founder and president of Douay, the preserver, under God, of the faith and priesthood of England, nothing beyond his name need be said. His life, his learning, and his labour are well known.

William Rainolds, or Reynolds, a native of Exeter, and a minister eminently skilled in philosophy and disputation, earnest and zealous for the Protestant cause, became convinced of the error of Protestantism, through translating

Bishop Jewell's Book into Latin, "but before he had passed half over he found such stuff as made him greatly mistake of the whole religion, and so he, leaving his hopes and commodities in England, went over the sea; and in the last year of Jubilee, to wit, 1575, he came to Rome. . . . He returned to Flanders, and there lived many years, with singular edification, for his rare virtue, learning, &c." He was ordained priest in 1580.

The task of carrying the New Testament through the Press was assigned mainly to him.

But see the uncertainty of life. Richard Bristow died 14th October, 1581, the year before his long-famed notes were published.

In April of 1582, the year in which the New Testament was being conducted through the Press by Reynolds, Gregory Martin, borne down by pulmonary disease, went to Paris in hope of some recovery. On September 24th he returned to Rheims, and on October 28th, in the same year, probably before the last sheets of the first portion of his great work were struck off, he departed to his reward.

Reynolds lived until 24th August, 1594, and Cardinal Allen until 16th October in the same year.

The death of Cardinal Allen was a severe affliction to the suffering English Catholic Church at that time. It is but a tribute to his memory to quote the words of his contemporary, Pitsaeus, in his Book "*De Illustribus Angliae Scriptoribus*," "Hujus Praestantissimi viri obitum, quotquot fidei causa persecutionem patimur, adhuc lugemus, et tanquam orphani, periisse nobis communem parentem, magis ac magis in dies experimur," or, as given in the *Historical Introduction* to the Douay Diary, "All we who suffer persecution for the faith still mourn the death of this most excellent man, and, as orphans, we feel more and more every day that we have lost our common father."

It may be stated here that the notes to the Old Testament, 1609, are by Dr. Thomas Worthington.

The text and notes of the Old and New Testaments remained unaltered until 1750, when Bishop Challoner issued a new version, in which many words that had become obsolete were replaced, but in which much of the original strength, terseness and beauty of expression in the language was sacrificed to more modern form.

From that date Dr. Challoner's version has been usually printed. In some instances other *improvements* have been introduced.

SUBJOINED IS A LIST OF THE PRINCIPAL EDITIONS OF THE
CATHOLIC TRANSLATIONS OF THE OLD AND NEW
TESTAMENTS INTO ENGLISH.

- Date.
1582. The New Testament, translated by Gregory Martin, aided and annotated by Allen, Bristow and Reynolds. Published by the English College, then at Rhemes. Printed at Rhemes by John Fogny 4to.
1600. The New Testament as above. Printed at Antwerp by Daniel Veruliet 4to.
1601. The Text of the New Testament, translated out of the Vulgar Latin (the Rhemes Translation) with the translation in use, *at that time*, in the Church of England, in parallel columns. This is Dr. Fulke's publication issued at the end of nineteen years to controvert Dr. Bristow's notes. London: Impensis G. B. *Folio.*
1609. The Old Testament, translated, &c., as above, but now published by "the English College of Doway," in two volumes. Printed at Doway by Laurence Kellam, *at the signe of the holie Lamb* 4to.
- The translator, Gregory Martin, had died on October 28th, 1582, and this part of his work had lain unpublished until this date. "*The cause of delay in setting forth this English Bible*" is thus accounted for in the opening of the preface in the first volume:—
- "TO THE RIGHT WELL BELOVED ENGLISH READER, GRACE AND GLORIE IN JESUS CHRIST EVERLASTING."
- "At last, through God's goodness (most dearly beloved), we send you here the greater part of the Old Testament; as long since you received the New; faithfully translated into English. The residue is in hand to be finished, and your desire thereof shall not now (God prospering our intention) be long frustrate. As for the impediments which have hitherto hindered this worke, they al proceded (as manie do know) of one general cause, our poor estate in banishment."
- 1617 and 1618. In these years there were three editions of the New Testament published in London by Fulke and Cartwright, Protestants, for the purpose of criticism and censure.
1618. New Testament printed at Rhemes. Printer's name not known. A copy said to be in the Baptist Mission at Bristol 8vo.
1621. New Testament. Rhemes translation. Printed at Antwerp by James Seldenslach 12mo.
1630. New Testament. Antwerp, by James Seldenslach; probably a re-issue of that of 1621 12mo.

1633. New Testament. Rhemes translation. "Enriched with pictures." Printed (place not given on the title page) by John Cousturier; he was a printer at Rouen 4to.
1635. Old Testament, Douay translation, 2 vols. Printed at Rouen by John Cousturier ... 4to.
1718. New Testament translated from the Latin Vulgate by C. N. (Cornelius Nary). He was P. P. of St. Michan's, Dublin. No printer's name or place given; supposed to be Dublin ... 8vo.
1719. The same; probably a re-issue with new date on title 8vo.
1730. New Testament translated from the Latin Vulgate by R. Witham, with annotations, two volumes. No printer's name or place, probably Douay, as he was president of that college, and died there in 1737. The second volume is dated 1733 ... 8vo.
1738. New Testament. Rhemes translation. Printed at London by W. Rayner ... *Folio*.
 The Rev. J. Barnard, in his life of Bishop Challoner, says in page 154, that this edition was published by him in conjunction with the Reverend Mr. F. Blyth. He describes it as "a fine edition, in folio, with annotations and proofs of the doctrines of the Catholic Church."
 It is called the fifth edition, and the first in folio.
1749. New Testament, newly revised according to the Clementine Edition, 2 vols. This is the first edition of Bishop Challoner's New Testament, very rarely seen now 12mo.
1750. New Testament; a revised issue of the last ... 12mo.
1750. The Holy Bible, "translated from the Latin Vulgate; first published by the English College at Doway, Anno 1609; newly revised and corrected according to the Clementine Edition of the Scriptures;" four volumes. No printer's name or place. This is Bishop Challoner's edition, generally so called. The title page is rubricated 12mo.
1752. New Testament, translated out of the Latin Vulgate; first published by the English College at Rhemes, &c. No name or place. In two volumes, generally bound in one. The title page is rubricated. This also is Bishop Challoner's edition ... 12mo.
1764. Holy Bible and New Testament; another edition of Bishop Challoner's, five volumes ... 12mo.
1772. New Testament; Rhemes translation. Bishop Challoner's version. London. No printer's name. A copy said to be in the Bodleian ... 8vo.
1783. The New Testament. Rhemes translation, revised and corrected anew, by the Reverend Bernard MacMahon, with the approbation of Right Rev. Dr. Carpenter, Archbishop of Dublin. Dublin ... 12mo.

1788. The New Testament. This edition contains the original Rhemes translation, and the full notes of the edition of 1582. It is styled "the sixth edition," and the second in folio, "adorned with cuts." Liverpool: Printed and sold by R. Ferguson, Bookseller, in Dale-street ... *Folio*.
1791. Holy Bible; Old and New Testaments: Printed by Hugh Fitzpatrick for Richard Cross, 28, Bridge-street, Dublin. This is a revision by Rev. Bernard MacMahon of his edition of 1783, with the approbation of Most Rev. Dr. Troy, Archbishop of Dublin *4to*.
1793. The Holy Bible, "translated from the Latin Vulgate, and first published by the English College at Doway, Anno 1609." Manchester: Printed by J. Radford in Hanover-street *Folio*.
The preface of the New Testament of 1582 is prefixed to the Old Testament. In this edition the notes and treatises of the edition of 1609 are given at length. Many of the changes in the text which were made by Bishop Challoner are inserted in this text.
1794. The Holy Bible, Old and New Testament, another edition of that of 1791. By Rev. Bernard MacMahon, with Archbishop Troy's approbation. James Reilly, 9, Aston's-quay, Dublin *Folio*.
1796. The Holy Bible, translated from the Vulgate and first published in Douay, Anno 1609; four volumes. This is known as Bishop Hay's edition. Dr. Gordon's Journal and Appendix to the Scotichronicon contains, at page 288, some very interesting details connected with it. It was printed by John Moir, Paterson's-court, Edinburgh. A most accurate copy of Dr. Challoner's edition of 1750. 3,000 copies were printed *12mo*.
1797. The New Testament. An edition similar to that of 1796 was printed by Moir, Edinburgh *12mo*.
Of this edition "the two English Bishops took 1,350 copies; the Rev. Thomas Eyre of Crook Hall took 100; and 'Honest Coghlan the Bookseller,' 100."
1803. The New Testament. The Rev. Bernard MacMahon's version. Dublin *12mo*.
1805. The Holy Bible; Old and New Testaments. John Moir, Edinburgh. Probably a re-issue of the editions 1796 and 1797, with new title page and date *12mo*.
1810. The New Testament. Rev. B. MacMahon's version, with Archbishop Troy's approbation. Dublin *12mo*.
1811. The Holy Bible. The "remainders" or unsold copies of Moir's Bible were issued with new title page in Dublin *12mo*.
- 1811-14. Holy Bible; Old and New Testaments; by George Leo Haydock; two volumes. Printed by T. Haydock, Manchester *Folio*.

1812. New Testament. Edited by Rev. John Worswick, Newcastle-on-Tyne 12mo.
1813. Old Testament of 1609 and New Testament of 1582; one vol. Printed by Oswald Syers, Manchester ... *Folio.*
1815. New Testament, with valuable and copious Notes, Errata of the Protestant Bible, and Epitome of Ecclesiastical History, &c.; edited by James A. MacNamara, with Archbishop Troy's approbation. R. Coyne, Dublin, Publisher 4to.
1815. New Testament, according to the edition of 1749 (Bishop Challoner's), London. Known as Bishop Poynter's edition. 1,250 copies only of each size were struck off. It was reprinted by Coyne in 1826. Large paper 8vo.
1816. Holy Bible; Old and New Testaments; one volume. Printed by Nattall, Fisher and Dixon, Caxton Press, Liverpool. With Bishop Gibson's approbation *Folio.*
1817. New Testament. Belfast. The "Belfast Press" has issued many editions since this 12mo.
1818. New Testament. Rhemes translation. Edited by M. Sidney, and carefully revised by Rev. R. Horrabin. London: printed by P. and F. Hack, and sold by P. Fagan, Virginia-street, Wellclose-square. 12mo.
1818. The Holy Bible; printed for the proprietor J. A. MacNamara, by Healy, Cork 4to.
1820. New Testament, without notes. Dublin. One of Coyne's many editions 12mo.
1822. The Holy Bible. Fisher, Dixon & Co., London *Folio.*
The Caxton Press at Liverpool, which issued the folio edition in 1816, was burned down in January, 1821; the business was transferred to London, where this edition was issued, still with the approbation of Bishop Gibson, V.A., of the Northern District, on the title page.
1823. New Testament. Rhemes translation. Dr. Challoner's version. London: S. Bagster. "Remainders" of Dr. Poynter's edition of 1815, with new title page 8vo.
1824. The New Testament, translated from the Latin Vulgate, first published by the English College at Rheims, A.D. 1582, newly revised and corrected from the Latin Vulgate. Dublin: Printed by William Pickering & Sons for Thomas Haydock, David Wogan, John Coyne, and for James Lynch, Liverpool 8vo.
1825. The New Testament. Another edition of Dr. Poynter's Testament of 1815 8vo.
1825. The Doway Bible and Rhemish New Testament. R. Coyne, Dublin. This is Coyne's first stereotyped edition, issued with the approbation of Archbishop Murray ... 8vo.
1825. New Testament with annotations. Belfast: J. Smith. The text of this edition is said to approach that of the "Authorized Version" more than is found in others. 12mo.

1826. New Testament. A stereotyped edition of Dr. Poynter's of 1815, published at the expense of the Commissioners of Irish Education, with the approbation of the four Archbishops of Ireland. Dublin 12mo.
1829. The Holy Bible. Another edition of the transferred Caxton Press of 1816-1822, with the approbation of Bishop Bramston, V.A. London District. London ... *Folio.*
1833. The Doway Bible and Rhemish New Testament. Coyne, Dublin. Another issue of the edition of 1825, but on larger paper 4to.
1834. The New Testament, professing to be an exact copy of the Rhemes edition, 1582, issued by a Protestant editor, in New York, with the same design with which Fulke and Cartwright issued theirs in England, 1601, 1617, 1618. New York.
- The Holy Bible. Old Testament of 1609 and New Testament of 1582. Glasgow, Denis Kennedy, Printer to the Catholic Bishops and Clergy in Scotland *Imp. 8vo.*
There is no date to this edition. It has the approbation of the four Bishops in Scotland and the four in England. As one of these, Bishop Briggs, was consecrated on June 29, 1833, and another, Bishop Penswick, died January 28, 1836, it is just to infer its date to be about 1834-5.
1835. The Holy Bible. Coyne, Dublin *Imp. 8vo.*
The approbation of Archbishop Murray which is printed in this edition is dated 2nd September, 1829, though the edition of 1825 is said to have had that approbation.
1835. A new version of the Four Gospels; with notes critical and explanatory; by a Catholic (Dr. Lingard). London: Joseph Booker 8vo.
- 1845-8. The Holy Bible. A reprint of Haydock's text and notes. Edinburgh and London 4to.
1852. The Holy Bible; published with the approbation of Archbishop Crolly. Belfast *Royal 8vo.*
1856. The Holy Bible; Doway and Rhemes version, With the approbation of Archbishop Hughes. New York 4to.
1861. The Books of the Old and New Testaments, translated from the Latin Vulgate, &c. By Francis Patrick Kenrick, Archbishop of Baltimore. Five volumes. Baltimore: Kelly, Hedian & Piet *Royal 8vo.*
1863. The Holy Bible; the Doway and Rhemes versions, with annotations and references. Boston, N.E. ... 8vo.
Besides these there are many other American editions as Dunegan's, 1852; Sadleir's, 1859, &c.
1853. The Holy Bible. Haydock's text, the notes abridged by Very Rev. Dr. Husenbeth 4to.

1871. The Book of Psalms. "Translated from the Vulgate, being a revised edition of the Douay Version," principally by the late Cardinal Wiseman, with the approbation of Archbishop, now Cardinal Manning. Burns, Oates & Co., London 12mo.
- The splendid edition, text and notes, recently edited by the late Canon Oakeley and Rev. T. Law, London 4to.
- The many editions and reissues recently published in Dublin, Belfast, Glasgow, Edinburgh, and London need not be specified, they are in the memory of all.
1872. The Vulgate New Testament with the Doway version of 1582, in parallel columns. London: Bagster and Sons.
- The preface to this edition, which is from a non-Catholic publisher, is very free in its use of the designations "popish" and "papist." It contains some account of the work of Fulke and Cartwright, in the editions referred to in this list under the dates 1617 and 1618. It professes also to give a summary of the preface to the original edition of 1582 4to.
- L. F.

GERALD BARRY, THE ARCHDEACON OF BRECKNOCK, AND HIS LATE EDITORS.—II.

ONE of the most important topics treated of by Gerald Barry, which Mr. Brewer notices, is beyond question the non-celibacy of priests in Britain. Archdeacon Gerald was throughout a vigorous denouncer of this offence, which he repeatedly tells us disgraced the Church of Wales, and which he in one passage assures us was general in England. Indeed, nothing is better known about him than the remarkable testimony he bears to the extraordinary purity of the Irish clergy, which produced on him all the striking effect of contrast. Mr. Brewer treating, in his first preface, of Barry's description of the Welsh priests, writes as follows:—

"Among other irregularities of the Welsh clergy was their marriage and its inevitable consequence in those times, the conversion of ecclesiastical benefices into hereditary property. 'The churches,' says Giraldus, 'have almost as many incumbents and partners (*personae et participes*) as there are principal men in the parish. The sons at the death of their fathers succeed to the living by inheritance, not by election, and so pollute the sanctuary.'"

And in his preface to the second volume of *Cambrensis*, Mr. Brewer points out plainly that the non-celibacy of Welsh priests must have scandalized the faithful of their own time and country. He remarks :—

“Of course no marriage rites could be celebrated between the parties in the face of the Church. Though ecclesiastical authority winked at, it would not openly sanction the practice. It is not necessary to point out the evils that ensued; it is needless to show how the clergy who pronounced the blessing of the Church on the marriage of the laity were in this respect of lower account than the laity over whom they were placed. The injurious reproofs levelled against such clandestine connexions by the Canons lost nothing of their effect on the minds of the laity.”

All this appears clear enough. The latter passage is indeed introduced by some inexact observations about the Eastern Church, which Mr. Brewer's self-confidence makes him venture on, but which need not concern us here. The really important point appears plain, that priests' marriages were held to be unlawful amongst *Cambrensis*'s countrymen, that those who lived as priests' wives were not, and were not considered real wives.

After this we are not surprised to read further on in the same preface, that our Archdeacon “holds up to contempt and ridicule the clergy who burthened themselves with the society of a woman;” and that “Giraldus will not vouchsafe her the name of wife.” It seems most natural. On the other hand, it would appear to require the most extraordinary assurance for Mr. Brewer to inform us suddenly, by accident as it were, not in any preface, but in a footnote to a passage in a later volume, that the unions of the British priests of Gerald's time were real marriages, and that Gerald himself admits that it was only through party spirit he denied it. Yet this is what we find Mr. Brewer actually doing at page 129 of the next volume, the third of his edition of *Cambrensis*.

He is there editing his author's dialogue, “*De Jure et Statu Menevensis Ecclesiae*.” In the text, Barry makes the Inquirer ask why there is such anxiety to have a Welshman made Bishop of Menevia, while the Menevian Church is a mixed one of both nations, Welsh and English, and while it is well known that the French and English are superior as well in morality as in education? To this Barry's Answerer replies, that almost all the canons of Menevia, but especially the Welsh ones, are non-celibates, and keep up family succession in benefices, that they know their con-

duct is abominable and detestable in the eyes of good and learned men, and therefore desire to have prelates of their own nation who will not be opposed either to family succession in benefices, or to ordinary immorality amongst both laity and clergy. On this painful text Wharton wrote a remarkable note in his *Anglia Sacra*, and Mr. Brewer reproduces it approvingly, with an additional very startling observation of his own.

Wharton first quotes Giraldus to show that it was the custom in England, just as in Wales, for secular priests to live openly with women as their consorts, "more sacerdotum parochialium Angliae fere cunctorum¹ damnabili quidem et detestabili." Then after referring to a particular case related by Gerald, Wharton says it is quite clear that the union between the woman mentioned there and a priest was really matrimonial, that such was the common union of priests in Wales, and that though Gerald will not allow that there was any proper marriage of priests at all, and uses "invisum concubinarum nomen," yet that must be attributed to party spirit. Mr. Brewer after quoting this, assents to it virtually, and confirms it by adding the following words and nothing more: "In fact Giraldus admits this. See Opera, ii. 248."

The question here raised appears to us far too important to be so easily dismissed. It is of great moment to know whether Mr. Brewer is right, when in his preface he represents the priestly unions in question as known to be crimes, or when in his foot-note to the Menevian Dialogue, he tells us it was only party spirit, according to Giraldus himself, that gave them a bad name. We shall have to say something first about Giraldus's text, and secondly about Wharton's commentary, and last of all about Mr. Brewer's note.

We are half tempted to suspect that Wharton did not interpret the sense of the text quite accurately. We are half tempted to suspect he thought that when the Inquirer said French and English were superior to the Welsh in morality

¹ We surely need not remind our readers that Archdeacon Gerald could not know *fere cuncti sacerdotes parochiales* in Wales, and certainly much less in England. The word *fere* shows that even in his limited circle of acquaintance, he found exceptions to his general rule. Moreover, nobody will deny that he could easily exaggerate. How far he was capable of pure invention is a question that will give us some trouble later. At present we have to deal rather with his editor than himself, and examine not so much his statements in themselves, as what Mr. Brewer makes out of them, and adds to them.

he meant to speak of French and English clergymen, as opposed to those of Wales. We think it not unlikely that it was with this idea before him, that Wharton brought up Giraldus's own testimony with regard to English churchmen. But Gerald's Inquirer speaks of two nations, *duobus populis*, namely the Welsh and English, and later on again of two nations, French and English, without any limiting of his observations to ecclesiastics. In the Answerer's speech, as we have already seen, it is declared that prelates were desired who would not be opposed to immorality amongst both laity and clergy; "fornicationis in populo fere toto sicut et in clero crimen." A moment afterwards there is further explanation about this *populus*; "apud quem nempe spurii et nothi et contra legem nati ac geniti, sicut et legitimi, hereditatem consequuntur." And a little further on in the same speech there is a pointed allusion to marriages between cousins within prohibited degrees. Very nearly the same exact words occur in Cambrensis's work, entitled the "Description of Cambria," and they are there followed by the long passage from the thirteenth Psalm, which St. Paul introduces in his Epistle to the Romans, to describe the depravity of men.

In the chapter of the "Description of Cambria" or Wales, where all this is found, we are told that the people high and low marry cousins, their relatives in the fourth and fifth degree, as a matter of ordinary usage; and even in the third degree very generally, that is, even second cousins. We give Gerald's words:—

"Crimen autem incestus adeo apud omnes tam minores in populo quam etiam majores enormiter invaluit, quod in quarto gradu et quinto passim, in tertio quoque plerumque, quia non est timor Dei ante oculos eorum, consanguineas ducere nec verecundantur nec verentur."

Gerald adds, what is still graver, that the Welsh were wont to marry upon trial, paying money to their wives' parents, and being bound to pay still more if they sent them back to them on finding that they did not suit. These things are in the sixth chapter of the second book of his "Description." The subject of that second book is the dispraise of Wales, while the subject of the first book is its praise. But even in the first book, in its tenth chapter, the famous one on Welsh hospitality, there occurs an observation which though put forward in a complimentary form we can scarcely look upon as praise of Wales. Barry

remarks that while no nation has more of the vice of jealousy than the Irish, no nation has less of it than the Welsh.

We are satisfied that it is to such national features in social life as we have just quoted, that allusion is made in the already noticed statement of the Inquirer; namely, that English and French are better than the Welsh in morality as well as education.

It is very true that Gerald tells us expressly that an extreme immorality was unknown in his days in Wales; and in his *Descriptio Belluæ Multiformis*, he tells us such wickedness was peculiarly Norman, and even called Norman crime. We suspect that when Lord Lytton in *Zanoni* compared the Normans to the ancient Greeks, he scarcely knew how far the comparison might be pushed. With regard to any monstrous excesses, no doubt, the Welsh are described by Barry as far less guilty than the Normans, nay, as innocent, while the others are criminals. But in the statement of the Inquirer there is not question of the extraordinary crimes of individuals of any race. The subject to which he refers is the moral and social state of the generality in different nations, and in that point of view he finds both French and English generally superior to the Welsh, with their marriages on trial and almost universal disregard of certain prohibitions of wedlock between cousins. With regard to morality, however, it is only in the strictest sense of the word, as explained above, that Barry finds the social condition of the English better than that of the Welsh. The English are of course for him the Anglo-Saxons, as the French are the Norman settlers. And while, as already mentioned, in extravagant individual excesses he finds the Normans beyond comparison worse than the Welsh; at the same time in ordinary respectability of life, apart from purity, in those good qualities which present prejudice ascribes to the Anglo-Saxon Englishman, he sets the Englishmen, the Anglo-Saxons of his time, below all other nations, as well as most expressly below the Welsh. The explanation of the proverb, *Untrue Sax*, "Untrue faithless Saxon," is given at length and applied to Englishmen by Barry in the first book of his *Invectives*, at the same time that he speaks of them as employed in the most menial work in Wales. Wharton did not know that book, he is rather put out when he finds Barry, later on in the *De Jure*, speaking very contemptuously of the English, and he writes a long helpless uncertain

note. Mr. Brewer published the first book of the *Invectives* in the same volume with the *De Jure*; but far from making any use of it to throw light upon the passage which puzzled Wharton, he simply republished poor Wharton's undecided note.

Oddly enough, it is in reply to the same unlucky man against whom Gerald made his joke about Defecit and Mirabilia, that we find him not satisfied with the joke, passing on immediately after it to abuse the poor Englishman's nationality in the following very earnest way:—

“Sed qua fronte genti nostrae Britannicae gentem Anglicanam praefere ausus est vel et conferre, puta nationum omnium quae coelo sunt vilissimam, a Normannis quippe subactam et in servitutem perpetuam belli jure redactam, attestante quoque Merlini nostri vaticinio, etc., etc. In terra sua Normannorum servi sunt Anglici, et servi vilissimi. In terra nostra bubulcos, opiliones, sutores, pelliparios, mechanicos, artifices canicularum nostrorum quoque, ne cloacarum dicamus purgatores, praeter Anglicos¹ non habemus. Taceo quod proditores Britonum ab initio fuerunt ad stipendia vocati, nec fidem unquam nec foedera respicientes, quod prae aliis gentibus adhuc quoque proditionibus dati clandestinorum scelorum et caedium auctores extant cruentissimi; unde et in Teutonico regno quotiens enormiter quis delinquere videtur, de natione quacunque, quasi proverbialiter in suo vulgari dici solet: *Untrive Sax*, hoc est ‘infidelis Saxo.’”

So much for Gerald's views of the nationalities in England. Now for Wharton's observations about the clergy.

It is of course no contradiction of the foregoing to say that the clergy lived like married men in England, no less than Wales. What Wharton quotes to that effect from Gerald's other work, is in no way opposed to what Gerald puts forward in the speech of his Inquirer. Perhaps, indeed, Wharton did not mean it to be regarded as any real

¹ “Haud satis conjectari possum quid sibi velit Giraldus, Anglos magis quam Wallos ad servitutem natos asserens. Puto illum subinuere Anglos pariter ac Wallos (Angliae jamdudum subactos) communi regi magis servili conditione subdi, quam suis olim principibus Walli subdebantur. Vel forsitan collimat ad servitutis consuetudinem a Normannis in Angliam introductam atque illo adhuc tempore retentam, qualis apud Walliam non obtinuit. De servorum Anglorum conditione ista habet Gervasius Tilberiensis in libro MS. de Scaccario nigro paulo ante haec tempora conscripto, cap. 36. *Jam cohabitantes Anglicis et Normannis et alterutrum uxores ducentibus, sic permixtae sunt nationes, ut vix discerni possit hodie (de liberis loquor), quis Anglicus quis Normannus sit genere; exceptis dumtaxat ascriptitiis, qui villani dicuntur, quibus non est liberum obstantibus dominis suis a sui status conditione discedere.*”—Wharton (564 in *Anglia Sacra*, vol. ii.), apud Brewer, vol. ii., 222, 223.

contradiction. It is possible he brought it forward merely and solely to show that the state of things was the same in both Wales and England with regard to the secular clergy, to argue that it was thought lawful in England, and to argue from what was thought lawful in England to what was considered so in Wales.

Wharton certainly tries to set up such an argument, but is quite unable to establish even the first necessary proposition, namely, that any union with a priest was held in England to be a marriage. He quotes in an abridged form a story from Gerald's *Speculum Ecclesiae*, and says that from that it is perfectly clear that a certain English priest was united to a woman in marriage. He cries out "*clarissime constat.*" We need only observe that there is nothing whatever in the story to show it, unless people believe that there can be no fidelity outside marriage, and that fidelity consequently proves wedlock. Fidelity is the only thing the story proves, and *that*, in a case where Gerald expressly states that marriage did not exist!¹

¹No good argument for or against the marriage can be deduced from the circumstances of the story. But it seems to us that what Wharton refers to as proof of the affirmative, could be used much more plausibly to maintain the negative. Fidelity was shown and that demonstrates that there was no marriage. For fidelity was shown because an effort was made to secure infidelity under most unpromising circumstances, and no such effort would have been made under such circumstances had the real marriage tie existed. We think this little piece of sophistry of ours a great deal more conclusive than Wharton's "*clarissime constat.*" We are sorry, very sorry, to have to go into such matters. But if what Wharton, the author of the once famous Treatise on Celibacy, wrote two centuries ago, is reprinted under the auspices of the Master of the Rolls, we really must be allowed to say something on the subject.

We must add that a very different man from Mr. Brewer, Mr. (we believe it is not usual to say Dr.) Freeman seems to us to have been to some extent, like Wharton, led strangely astray by his admiration of fidelity. We allude to his valuable articles on St. Thomas Becket against Mr. Froude, and the passage in them that here concerns us is a note in the June number for 1878 of the *Contemporary Review*. Surely "a woman who altogether shrank from unfaithfulness to her husband" has been sometimes known, in our own times, when she believed him dead, to enter into a connection most certainly not tolerated. How can the fact of her having been faithful to her husband while she believed him alive, prove that every connection she entered into afterwards was "tolerated"? Mr. Freeman, however, does not by any means, like Wharton, think the marriage of a mediæval priest the simplest thing in life, and cry out "*clarissime constat.*" The learned historian calls it irregular, and applies to it, with the word "tolerated," a very severe name.

We come now to Mr. Brewer. Instead of setting the former commentator right where he is evidently puzzled by Gerald's contempt for the English, instead of throwing light on the old text, with the help of the new documents, (documents in fact discovered during Mr. Brewer's editorship), and showing that the English here are the despised Anglo-Saxons in contradistinction to the Normans, he simply catches up here the charge about church-discipline made by the commentator, a charge which he himself had discountenanced in his first preface, and endeavours to support it by a peculiar argument.

Mr. Brewer, as we have seen, declared that Gerald admits he only refuses the name of marriage out of a kind of party spirit. To prove this Mr. Brewer, like Wharton, jauntily indicates an argument, and Mr. Brewer's indicated argument certainly vies in assurance with Wharton's "*clarissime constat.*"

We proceed to examine it. Wharton had quoted, as we have already remarked, from the *Speculum Ecclesiae*, that great book or libel written by Gerald against religious orders, of which, as Mr. Brewer tells us, "there never existed more than one copy, and that was the author's own." Mr. Brewer quotes from Gerald's *Gemma Ecclesiastica*, the book which the author wrote as a guide for the secular clergy, and refers to a story in it about a man who is said to have been married, but is not said to have been a priest at all. Mr. Brewer, however, no doubt assumed that this man is the same as the priest spoken of in the other work, and considers that he thus finds Gerald practically admitting that a priest might fairly be described as truly married. To this we must demur. We have grave doubts as to the assumed premiss of the identity of the two persons. We have no hesitation in any case about rejecting the conclusion.

In the first place, with regard to the identity necessarily supposed in order to establish any argument, though there is a striking similarity of circumstances in the middle of the two stories there is a very striking difference in the two endings. In one case the cry raised is Thieves, *Fures*, and the would-be evil-doer runs away, to all appearance as impenitent as ever. In the other a dignified warning is addressed to him, "Errastis, pater;" and he takes the warning to heart upon the spot and exclaims humbly and bitterly "Erravi," and thenceforward is a real penitent. It requires certainly some confidence in his own sagacity on mediæval

subjects for Mr. Brewer without more ado to treat these two stories as one.

But even if the actors in them were really the same, it would not follow that Gerald thought the priest was really married. Even when speaking of unions that are null and void marriages, we use sometimes for the sake of brevity or other reasons, the terms wife and husband, without binding ourselves to any opinion on the matter. Mr. Brewer is himself a case in point. In his preface already noticed to Volume II., the volume containing the "*Gemma Ecclesiastica*," where the story to which he alludes occurs, he himself, dealing with the question of the marriage of Welsh priests, in two consecutive sentences describes the same state as "married" and as "uncanonical concubinage." Here follow his own words (pp. xlii, xliii.)

"Though in his earlier days Giraldus had signalized his youthful ardour for ecclesiastical reformation by removing from his charge a married [*sic*] archdeacon, he never appears to have visited any of his inferior clergy with similar degradation, or even to have threatened it. Yet we learn from his own explicit declaration, that a number of them lived in this uncanonical concubinage [*sic*]."

It would be hard we believe to charge Mr. Brewer with admitting that he uses the latter painful words from mere party spirit, because he happens to have called the archdeacon "married." But it is very hard to find Mr. Brewer who writes this way himself, maintaining this very charge against Gerald on no stronger grounds. To do so was indeed in him a master-piece of assurance, a brilliant example of that strange self-confidence with which men of the refined and accomplished nineteenth century conceive they may treat the writers of the middle ages. The fact is, of course, that Gerald does not even lay himself so much open as Mr. Brewer to Mr. Brewer's own accusation. When Gerald speaks of a man as married, he does not, like Mr. Brewer, tell us at the same time that the man was a clergyman. If the man in question really was a priest, it is plain enough and will soon be plainer, that for a moment, for the sake of point and brevity, Gerald chose to sink that important circumstance, and consequently also to omit every statement about the union being no real marriage. On the contrary, when he describes the man as a priest, he is careful to protest in the energetic language which Wharton quotes, that the man was not really married.

But the truth is, we need only measure the length of the two stories. If the two refer really to the same persons,

the one to which Mr. Brewer refers is clearly an abridgment of the fuller statement which Wharton quotes. In the case to which Mr. Brewer refers us, the story takes up only eighteen lines of his volumes, while what Wharton refers to occupies no less than forty-eight.

To torture what should seem at most an innocent effort to be brief, into an admission on Gerald's part, that it was only party spirit that made him refuse a priest the name of husband, and to tell us so while it must remain uncertain whether the man who is called married was actually a priest at all, is something for which we fancy Mr. Brewer will not be easily forgotten.

J. J. O'C.

(*To be continued.*)

THE ADVENT FAST IN THE IRISH CHURCH.

[We publish with much pleasure the following interesting paper on a question started in the last number of the RECORD.

With reference to the apparent diversity between his quotation and the text of the *Leahbar Breac*, Father Malone says, "the difficulty arises from the contractions which had to be expanded, and for which no type is available with the printer. Besides that difficulty, there is another from the occurrence (and it is not a rare one, as even in the page referred to it occurs six times) of what is familiar to readers of Irish MSS. It is known by the names of *ceann fa eite* (head under the wing), or *cor fa chosan*, i.e. turn under the path. The effect of this is, that after reading a line, instead of coming down, one has to read the upper line, or rather part of it marked by a *ceann fa eite* (as it never occurs at the beginning of a line), and then come down to the third line. This occurs in the quotation given by me, which consists of two lines and a part of a third."

It is almost unnecessary to add, that between Father Malone's view regarding the very ancient observance of some Advent fast in the Irish Church, and the view put forward in the last number of the RECORD regarding the recent introduction of the present form of the Advent fast, there is no real opposition.

Having thus taken the liberty of curtailing Father Malone's paper to some extent, we now present to our readers his statements in favour of this ancient Advent fast, which was observed in Ireland as well as in other parts of the Church.—ED. I. E. R.]

He says :—

In my hurried note to the RECORD, I alluded to two references as indicating the lines on which an argument might be constructed in proof of Advent fasts prevailing from the beginning in the Irish Church, and I now hasten to open up these lines, and complete the argument.

St. Adamnan, born in the year 620, in warning the Irish people of the visitations which in vision he saw impending over them because of neglect of religious duties, recommends, among other remedies, the observance of a *Triduum* four times a year. The first *Triduum* was to take place on the first Wednesday of the Winter Lent, the second on the first Wednesday of the Spring Lent.¹ In the first place here there is question, I contend, of the Advent fast. Irish writers, when explaining the fasts of the year, state that there may be a "relaxation on the eves of the principal festivals of the year, to wit, Christmas and the two Easters."² The second Easter was to take place in summer. Its date was thus fixed: "The 17th of the month of July takes place, and the Sunday next in succession to it is the Summer Pasch."³ Now as we learn that among other reasons for Lent one was in order "to prepare for the reception of the Body of our Lord,"⁴ we may clearly infer then, as the Spring and Summer Paschs had fasts preceding them, that Christmas, classed as the third fundamental solemnity of the year, also had its Lent. Hence the relaxation of the fast on the eve of Christmas. Because if the fast had not been of unusual duration there would not be need of relaxation, and because otherwise the fast preceding it, though one of the three chief ones of the year, would not equal the fasts that preceded minor feasts.

The relaxation at the end of the Winter Lent or Advent above referred to is only an application of a general Canon. An Irish writer, after speaking of various kinds of fasts, of the besetting temptations attendant on them, and of the other weapons to be used by Christians in the spiritual

¹ *Leabhar Breac*, p. 259, col. 1.

² *Ibid.* p. 90.

³ *Ibid.* p. 9, col. 2.

⁴ *Ibid.* p. 48, col. 1.

warfare, goes on to speak of a *tempered fast*:¹ "A tempered fast is one which grants release at the endings of high celebrations, or noble solemnities, or on grand festivities, or Sundays." Surely if any solemnities had noble endings it was Advent—the eve of one of these three festivals declared to be the most fundamental in the Calendar.

Nor need we be surprised at the term Winter Lent; for there was even the Summer Lent. The venerable *Leabhar Breac*, after speaking of Ascension-Thursday and Pentecost, which was preceded by fasts, says, "the Sunday next following the 25th of June is the Sunday on which begins the Summer Lent."² *Quadrages* or Lent was the term applied to the fast of Advent, Easter, and Summer, indifferently, and its peculiarly distinctive meaning was determined by the adjunct specifying the season at which the Lent occurred.

That this designation of Advent was not peculiar to the Irish Church is made abundantly evident. Almost contemporaneously with its use in the ancient *Vision* of St. Adamnan we find Advent referred to, as in Irish manuscripts, so also in the annals of the Continental Church. For instance, there was question of seeking a relaxation of the observance of Advent, for which a fine had to be paid. Thus a diploma, dated 735, required forty *Lucii* (coins) from the monks of Nomantula for the *Lent* of St. Martin. Martene assures us that by this was understood the Advent.³ And St. Peter Damian, who lived in the 11th century, speaks of "the *Quadrages* or Lent which was usually observed by the faithful before the birthday of our Lord."⁴ If then in other churches Advent was understood as designated by the name of St. Martin's Lent, surely there can be no difficulty in understanding what Irish manuscripts meant by the Winter Lent.

Now that we are certain of the existence of the Advent fast from the earliest ages in the Irish Church, our inquiry shall be as to its duration. At present it is of uniform length through the Church, but it was not so in earlier times. It lasted for a month here, for six weeks elsewhere, and in some places extended to nearly two months, beginning on the first of November. In looking

¹ *Leabhar Breac*, p. 258, col. 1.

² *Ibid.* p. 90. "xxv. ερημικον εν βομναχ ηρ νεφρον ηρε βομναχ μετ χορηγαιρ γαμπαο.

³ *De Antiq. Ecclesiae Discip.*, cap. 10. n. 5.

⁴ *De Reformatione Canonicorum Veliterni.*

into a ninth century Missal, the Irish *Corpus* Missal, all we learn from it is that there was a Mass for the first Sunday of Advent, thus implying that there was at least a second Sunday. The Epistle is the same as we have now for the first Sunday of Advent, but this should not lead us to pronounce that its duration then was the same as now : for the Gospel is that of our present third or fourth Sunday. But in looking into the Festology of Aengus, Cele De, the question is at once settled. Under the 13th of November, I read :—

“ On the Ides (of November) the death of Eutaic, a martyr was he whom you praise near Christmas, high and all prayerful festival, at the appearance of the beginning of Lent.”¹

This entry puts beyond question the fact that the Advent fast had a place among the observances of the Irish Church. Its duration then was nearly commensurate with that in the Ambrosian Liturgy.

And while the Festology written before the end of the 8th century gives a very high antiquity to the Advent fast, a still older date may be vindicated for it by the *Vision* of St. Adamnan already referred to. The Saint, in warning the people of Erin against impending woes, prescribes the fasts of the Tridua during the Winter and Spring Lents, and in doing so, says that he only urges on them the observance of the “covenants left them by God and St. Patrick.”² Here we have the authority of a Saint and Irishman for tracing the Advent fast to the days of St. Patrick. Those who witnessed the death of St. Patrick could have lived to see the birth of St. Adamnan. Such testimony must render quite improbable the opinion of Martene³ and Benedict XIV.,⁴ which attributes the origin of the Advent fast in the sixth century to St. Gregory.

The opinion then which attributes the institution of the Advent fast to St. Martin of Tours in the fifth century, derives some countenance from its introduction by his nephew, our national Apostle, and from the tenacity with which the Irish Church adhered to its observance till after the Reformation.

Notwithstanding the mention of the Advent fast in connexion with the Ides of November, there is reason for judging that it did not begin invariably on the thirteenth

¹ ԲՈՐՈ ԱՇԽԵՇ ԵՄԻՆ ՄԱՐԿՐ ԵՎ ԻՄՊՈՐՏԱՐ ԲԵՈՒՆԱԶ ԸՆԴՈ ԱՄԲՆԱՐ ԵՍ ԶՆԵ ԻՄԵ ՇՈՐՅԱՐ.

² *Leabhar Breac*, p. 259, col. 1. ³ *Antiq. Eccles. Discip.* cap. 10, n. 6.

⁴ *Instit.* xi. n. 7.

of the month, but on the following Sunday : for the other Lents began on Sunday. We have seen already a rule laid down for finding the Sunday on which the Summer Lent began : the Easter Lent began also on Sunday. This we can infer from the rules for the Triduum in the *Vision* of Adamnan, which prescribed the second Triduum on the first Wednesday of Lent. Now, if the Lent began on Wednesday, as at present, the writer would have spoken of the first of Lent, rather than of the first Wednesday in Lent.

Besides, we know as a matter of fact, that the present four days' fast before *Quadragesima* was not usual before the middle of the ninth century. If the Summer and Easter Lents began on Sunday, it is inferrible that the Advent Lent also began on a Sunday.

Now, if we suppose, as there is reason for doing, that each day in Advent was a fast day, it would consist, abating the six Sundays, of an average of thirty-four fasting days. In my calculation I presume that the Advent did not begin till the Sunday following the 13th of November ; because the entry in the *Festology* states that the fast did not begin, but that its commencement appeared or approached, on the Ides of November ; and because it was on a Sunday Advent began in other churches.

The duration of the Summer Lent could not have been more than three weeks ; because it began on the Sunday next succeeding the 25th June, and the Summer Pasch began on the next Sunday following the 17th July : now as the Spring Lent ended on Easter Sunday, so should we conclude that the Summer Lent closed on the Sunday of the Summer Pasch. Its length then, was, by this calculation, half that of the Spring Lent.¹

It is quite certain that the length of the ancient Advent dwindled down to that of the Advent at present before the Reformation. For the *Sarum Use* and, what is more to the point, a Breviary written in the closing years of the 15th century, by a Killaloe priest, give only four Sundays to Advent.

As in regard to the length, so too in regard to the character of the Advent fast, there was a variety of practices in different countries. In some places the Advent preparation consisted of abstinence, in others fasting formed a part of it ; and some of those who fasted confined their fast to special days in the week.

¹ Vid. *Leabhar Breac*, p. 90.

The Irish Church, which yielded to none in Christendom in the strictness of its fasts, in all probability extended the fast to the entire six weeks of Advent.

We must bear in mind that the three Lents in the Irish Church were designated by the common name *Corgais* or *Quadragesima*. Whenever an adjunct followed the word it was in order to determine its duration, and the season in which it took place.¹ Therefore, by an acknowledged canon in the use of language and that of common sense, it is only reasonable to attribute, without notice to the contrary, the same meaning to the common word *Lent* when used by the same writers and applied to the same matter. On that account we are to infer that the character of the Lent was the same in each of the three Lents.

This view of the matter is confirmed by those writers who spoke of the fast on Christmas Eve: "thick milk and honey are mixed on the eve of the chief solemnities; to wit, at Christmas, and the two Easters."² The greatness of the solemnity led to the above indulgence, which supposed a fast like the Easter and Summer fast, but different from the mere three days' fast of the Triduum.

I remarked before that a distinction had been kept up between the several Lents not merely as belonging to different seasons, but as qualified by the intervening festivals. Thus during the Easter Lent, in which occurred St. Patrick's festival, rather liberal fare was allowed on his festival, unless it fell on Friday.³ But with the exception caused by the accompanying festivals, all the Lents were treated as of the same character.

There is, it must be admitted, a distinction sometimes made between the food allowable in Lent and out of it. The expounder of the law on Lent says "that fleshmeats may be used in the great Lent;"⁴ but this distinction of the great from the other Lent does not establish a difference in the ordinary character: for the writer assigns a reason for the distinction, because then "other things are scarce."

¹ At the end of the fourteenth century, the *Leabhar Breac* twice in page 48, col. 1, in page 45, col. 2, in page 47, col. 2, speaks of the *Corgais ceta*, Crucifixion Lent, as opposed to the other Lents; and at the end of the fifteenth century a rule is laid down for determining the annual occurrence of the *Corgais samrae*, the Summer Lent. Vid. *Leabhar Breac*, p. 90.

² *Leabhar Breac*, p. 9, col. 2.

³ *Ibid.*

⁴ βίβλις να φαλα ήι κοργαί μαρτυσαν ήιρ ιν τερε μαρτιλλε.

¹ VOL. II.

The writer takes care to assign the reason of the indulgence in the great Lent: because other necessaries, milk, honey, vegetables, were more scarce then than during the other Lents.

But in general the same character was assigned to the various Lents. Hence in the very next line it is stated that "on the high festivals which fall on Thursday or Tuesday during the *Lents* half selanns" are given.¹ Here the same character and treatment are given of the several Lents.

The Advent fast did not, as stated in a reference to *Ferraris*, fall into disuse in the twelfth century. It lingered on not only in Ireland but in other countries. Alexander III., writing in the thirteenth century, says, that "the fast is observed by us during the Advent of the Lord."²

The Advent fast which prevailed in the Church through most of the Middle Ages fell into disuse in the fourteenth century. The custom of fasting fell into desuetude now in one country, and by-and-by in another; but it was only in the year 1370 that it may be said to have been repealed by Pope Urban V., at Avignon.³

And though not generally binding, the fast, however, was subsequently observed in some countries; but in no country was it more warmly cherished than in Ireland. That Irish Church which was among the first to receive it, was the last to give up the Advent fast. On that account we find the distinction kept between the various Lents to the end of the Middle Ages. Nothing is so common to writers of the fifteenth century in Ireland as the use of the Crucifixion Lent, or Easter Lent as contradistinguished from the Winter and Summer Lents. Hence writers in the fifteenth century lay down rules for determining the recurrence of the latter.

The same reverence for Advent fasts made the Irish Church cling to their observance as to the observance of holidays, even when retrenched. This is so certain that Dr. French, Bishop of Elphin, writing in 1803 to Dr. Moylan, states that the feasts of the Purification, Nativity, and Conception were kept holidays of obligation, though not so in other dioceses, because the Church of Elphin, in

¹ *Ṗḗḉ Ṗṛṛṇṇṇṇ Ṗṛṇṇṇṇ Ṗṛṇṇṇṇ Ṗṛṇṇṇṇ Ṗṛṇṇṇṇ Ṗṛṇṇṇṇ.*—*Leabhar Breac*, p. 9, col. 10.

² *Cap. Concilium de Observatione Jejunii.*

³ Raynaldus, *Annals*, sub. an. 1370, n. 21.

previous years, did not avail itself of the Indult extended to the rest of the Church.¹

Hence, too, when Clement VIII. issued an Indult in the year 1598, exempting the Irish from abstinence, they did not avail themselves of its privileges. The bishops of the Dublin Province met at Kilkenny in 1614 and promulgated anew the Indult. Even then the faithful did not avail themselves of it. And in sixty years subsequently,² Clement X. had to issue another Rescript, and another synod had to promulgate it, in order to convince the people that the fasts thitherto binding were relaxed by the Papal Indult. Even this did not prevent the faithful from observing the fasts.

After sending my hurried note to the RECORD, I took an opportunity of looking the *O'Renehan Collections* through, and failed to see in them a proof against the existence of Advent fasts in our Irish Church. On the contrary, I found an allusion, and only once, in them to Advent in connexion with fasts. The passage runs thus:—

“ Besides on all Fridays of the year, as on the Vigils of the Nativity, Conception, and Annunciation, and likewise of the Purification of the B. V. M., a fast is observed by the more devout³ everywhere] (as some fast even in the Advent season), which is set down by others to devotion rather than to a strict obligation; but whether the custom arises from mere devotion or strict obligation, the Vigil of the Purification is transferred by a Decree of the Synod of Armagh in favor of St. Bridget.”

Now this entry would rather prove than otherwise the existence of the Advent fast in Ireland before the year 1778. It is a statement made out in the year 1649 of a representative meeting of the priests of the Province of Armagh, which took place in the year 1614.

The fast on the Vigil of the Purification was set down by some to mere devotion; but the provincial synod judged it unsafe to deny the existence of a strict obligation, and therefore transferred the Vigil fast.

The parenthetic clause, asserting the Advent fast, is not spoken of either as observed by the devout merely, or as of

¹ *O'Renehan Collections*, p. 319.

² Dr. Moran, *Archbishops of Dublin*, p. 271.

³ “Necnon et Purificationis B. M. Virginis jejunatur passim a devotioribus (prout a quibusdam etiam tempore Adventus jejunatur), quod ab aliis tribuitur devotionis magis quam obligationis esse; quodcumque autem fuerit illa consuetudo sive obligationis sive devotionis ex decreto synodi Ardmachanae transfertur Vigilia, &c.”—*Collections*, p. 132

doubtful obligation. The synod had no idea of qualifying that clause by what follows, as it did not contemplate legislating for the Advent fast as for the Vigil fast; nor did the synodal statement, on the observance of the Vigil fast by the rather devout, affect the Advent fast in the succeeding parenthesis—as *some fast even in Advent time*—because the agents in fasting in the latter case are different from those in the former. It is not said *jejunatur a devotioribus* (*prout jejunatur etiam tempore Adventus*); but the form given, *jejunatur a devotioribus* (*prout a quibusdam jejunatur tempore Adventus*), shows that the Advent fast spoken of as observed is implied to have been of obligation.

For those who observed the doubtfully binding fast of the Vigil are not the same as those who observed the Advent fast, the former were the devout, the latter were different; and we all know it is only a penitential observance of obligation that is respected by the indevout. On that account we may fairly infer the fast of Advent in the seventeenth century to have been regarded as the continuation of an immemorial custom of obligation. And even granted the Advent *then* to have been of mere devotion, still it militates for my contention.

But though the authority of the Synod at Drogheda is unexceptionable as vouching for the existence of the Advent fast, its conduct in regard to legislation on the holidays is more open to exception. It appears to have acted on its own responsibility in transferring Vigils, specially composed as it was of only the second order of the clergy, and thus practically to have recognised condemned principles of the famous Synod of Pistoia in 1786.¹ However their loyalty is unquestionable.

I may observe that though there is no general law by which the Advent fasts prevail through the Church, yet they are more general than is commonly believed.

There is scarcely a country, to my knowledge, in which they do not obtain. The Supreme Pontiffs took an opportunity, in issuing Rescripts as to the suppression of Vigils and fasts, to restore the old discipline of the Church. Not only in Europe but even in America where no Indult was required, because there had been no suppression of feasts, a fast of one or two days in Advent prevails.

¹ Prop. lxxiv. “Quatenus adstruit Episcopo fas esse jure proprio transferre dies ab Ecclesia præsriptos pro jejuniis celebrandis,” *falsa*, *Concil. Gener. et Summorum Pontificum læsiva, scandalosa, schismati favens*. Bull. *Auctorem fidei*, 28 August. 1794.

Each theologian, imagining that the Indult in regard to the Advent fast was peculiar to his own country, and it may no doubt be subject to special conditions, did not think it well to discuss its nature on principles of universal application. But the absence of allusion to the fast in the text of theological treatises is no proof that it does not prevail in the country of their writers.

For instance, I refer to Scavini¹ who, though a canon of the Church of Novara, omits all allusion to Advent in his text, but in a note quotes the Indult of Pius VII., which made the same concessions under like conditions to Savoy as to Ireland.

Notwithstanding the various incidental points touched on, the principal aim of this article has been, as well to supplement the few remarks in my last note, as to evolve the suppressed premiss of an enthymeme. On the former occasion I glanced at the existence of several Lents in the Irish Church, and on the present have shewn, at least to my own satisfaction, that these Lents were of different durations, and as such were expressed by the common word *corgais*, forty.²

I therefore feel entitled to repeat as an unquestionable fact now what was only an assertion a while ago, at the close of a short note, when my argument had been incomplete, that *corgais* supplies a remarkable instance of the conventional signification of a word becoming not only different from, but essentially contradictory to, its etymological and original meaning.

S. M.

¹ Tom. i. tract ii., disp. cap. 11.

² From the same root comes, I suppose, the French word *carême* = *carême*.

NOTES ON THE RETRENCHED HOLIDAYS OF OBLIGATION IN IRELAND.

In a recent number of the RECORD, I took occasion to note that the fast of Advent as now obligatory in Ireland—as indeed very generally throughout the Church—is barely of a hundred years' standing. As regards Ireland, it was established in 1778, by Pope Pius VI., as a compensation, or commutation, when he removed the obligation of hearing Mass and of abstaining from servile work on a number of holidays of obligation (22), the Vigils of several (8) of which had been fast days.

As a short statement of the discipline of the Irish Church since the beginning of the last century, in regard to holidays of obligation and their retrenchment, may not be without interest to some readers of the RECORD, I may venture to transcribe for publication in these pages a few extracts from some works of authority, which I find I had, some time ago, set down in one of my note-books, intending to turn them to some account in my work as Professor of Moral Theology.

1. In the first place, relying on the kind permission of the learned and venerated Editor, I shall transcribe from the erudite work, to which I referred in the last number of the RECORD—Dr. Renehan's *Collections on Irish Church History*¹—the document which records the introduction into Ireland of our Advent fast:—

“*Ex audientia SS^{mi} habita die 29. Martii, 1778. Illustrissimus Dominus noster Pius Divina Providentia P. Pius VI., me infra scripto sac. Congregationis de Propaganda Fide referente, attentis peculiaribus circumstantiis Catholicorum in Hiberniæ regno degentium, eos benigne dispensavit a praecepto audiendi sacrum, et abstinendi ab operibus servilibus per dies festos cujuslibet anni, exceptis tamen Dominicis et . . . [here follows an enumeration of the holidays of obligation at present in force, with three others, which have, as we shall see, been abrogated since the date of this document—Easter Monday, Pentecost Monday, and St. John's Day, the 24th of June]. . . .*”

“*Vigilias autem festis ut super dispensatis adnexas Sanctitas sua mandavit transferri in 4^{am} et 6^{am} feriam uniuscujusque heb-*

¹ *Collections on Irish Church History*, from the MSS. of the late Very Rev. Laurence F. Renehan, D.D., President of Maynooth College, edited by the Rev. Daniel M'Carthy [now the Bishop of Kerry]. Vol. I. Irish Archbishops. Dublin, 1861.

domadae Adventus, in quibus jejunium idem servandum erit quod in Quadragesima et quatuor Temporibus anni servari debet.

“Quoad vero ecclesiastica officia, Sanctitas sua declaravit ea sicut antea retineri oportere tam in Missae celebratione, quam in horis canonicis recitandis.

“Datum Romae ex aedibus S. Cong. de Propaganda Fide, die et anno praedictis.

“STEPHANUS BORGIA,

“Sac Cong. de Prop. Fide Secretarius.”

2. That we may fully appreciate the extent of the modification thus introduced, as regards the removal of the obligation previously in force, it may be well to set forth, as in the following Table, a list of the holidays from which the obligation was thus removed. The same Table will furnish the most convenient means of representing the various modifications that have taken place since the year 1755, in regard to this important branch of ecclesiastical discipline.

TABLE OF HOLIDAYS OF OBLIGATION,

EXHIBITING THE VARIOUS CHANGES THAT HAVE TAKEN PLACE IN REGARD TO THEM, IN THE DISCIPLINE OF THE IRISH CHURCH, SINCE 1755.

The following Table sets forth:—

A. The full list of holidays of obligation as laid down in the Canon Law. This is the list drawn up by Urban VIII. (CONST. *Universa*, 13 Sept., 1642), with the addition of the feast of the Immaculate Conception of the Blessed Virgin, instituted by Clement XI. in 1708. The holidays thus enumerated are 35 in number. I have of course included in the list the feast of St. Patrick, as holding in Ireland the place of the “festum unius ex principalioribus Patronis in unoquoque Regno sive Provincia,” mentioned by Urban VIII. in the constitution of 1642.

B. The modification introduced by Benedict XIV. in 1755, when the obligation of abstaining from servile work was removed as regards 18 of those feasts—the obligation of hearing Mass remaining, however, as before.

C. The further modifications introduced by Pius VI. in 1778, when the number of holidays was reduced to 13—the retrenchment thus extending to four days not included by Benedict XIV. On this occasion the obligation of hearing Mass was removed, as well as the obligation of abstaining from servile works.

D. The subsequent changes in 1829 and 1831, when the list of retrenched holidays was still further increased by 3—thus reducing the remaining number of days of obligation to 10.

	List of Holidays as laid down in Canon Law.	As modified in 1755 by Benedict XIV.	As modified in 1778 by Pius VI.	Subsequent modifications in 1829 and 1831.]
1	CIRCUMCISION ..	Full obligation	Full obligation	
2	EPIPHANY ..	Full obligation	Full obligation	
3	<i>Purification of B. V. M.</i> ..	Full obligation	Abrogated	
4	St. Matthias, Ap. ..	Mass ..	Abrogated	
5	St. Patrick ..	Full obligation	Full obligation	
6	St. Joseph ..	Mass ..	Abrogated	
7	<i>Annunciation</i> ..	Full obligation	Full obligation	
8	Easter Monday ..	Full obligation	Full obligation	Abrogated (1829)
9	„ Tuesday ..	Mass ..	Abrogated	
10	SS. Philip & James, App. ..	Mass ..	Abrogated	
11	Finding of Holy Cross ..	Mass ..	Abrogated	
12	ASCENSION ..	Full obligation	Full obligation	
13	Pentecost Monday ..	Full obligation	Full obligation	Abrogated (1829)
14	„ Tuesday ..	Mass ..	Abrogated	
15	CORPUS CHRISTI ..	Full obligation	Full obligation	
16	St. John Baptist ..	Full obligation	Full obligation	Abrogated (1831)
17	SS. Peter & Paul, App. ..	Full obligation	Full obligation	
18	St. James, Ap. ..	Mass ..	Abrogated	
19	St. Anne ..	Mass ..	Abrogated	
20	St. Lawrence, Mart. ..	Mass ..	Abrogated	
21	<i>Assumption of B. V. M.</i> ..	Full obligation	Full obligation	
22	St. Bartholomew, Ap. ..	Mass ..	Abrogated	
23	<i>Nativity of B. V. M.</i> ..	Full obligation	Abrogated	
24	St. Matthew, Ap. ..	Mass ..	Abrogated	
25	St. Michael ..	Mass ..	Abrogated	
26	SS. Simon & Jude, App. ..	Mass ..	Abrogated	
27	All Saints ..	Full obligation	Full obligation	
28	St. Andrew, Ap. ..	Mass ..	Abrogated	
29	<i>Immac. Concep. of B. V. M.</i> ..	Full obligation	Abrogated	
30	St. Thomas, Ap. ..	Mass ..	Abrogated	
31	CHRISTMAS DAY ..	Full obligation	Full obligation	
32	St. Stephen ..	Full obligation	Abrogated	
33	St. John, Ap. ..	Mass ..	Abrogated	
34	Holy Innocents ..	Mass ..	Abrogated	
35	St. Sylvester ..	Mass ..	Abrogated	

NOTES ON THE PRECEDING TABLE.

1. The modification introduced by Benedict XIV. in 1755, was of a character then very usual. The later volumes of the Bullarium, especially during the Pontificate of Pius VI., contain numerous documents in which similar modifications—removing the obligation of abstaining from servile work, without affecting the obligation of hearing Mass—were granted for various dioceses and districts.

2. In cases where the modification was of the more extensive kind, as in that granted to Ireland by Pius VI. in 1778, it was usual to transfer the obligation of fasting on the Vigils of the suppressed holidays to some other days. Most frequently the Wednesdays and Fridays of Advent were the days to which the transfer was thus made. Sometimes, however, the obligation of fasting was altogether removed, no substitute being imposed for the Vigil fasts thus abrogated. Thus, for instance, we find in the *Bullarium* of Pius VI., a reference to a concession of this extensive nature, which had been granted to the dioceses of Lombardy in 1786. But the more usual form of the concession was that in which it was granted to the Irish Bishops.

3. It is hardly necessary to add that, in the case of many of the twenty-two holidays abrogated, as regards Ireland, in 1778, no obligation had existed of fasting on the Vigil. I may mention, for instance, the Vigils of the feasts of the Immaculate Conception, of the Nativity, and of the Purification of the Blessed Virgin. Ferraris, in his article VIGILIA, gives, as usual, a lucid statement of the extant information on the subject. The number of those Vigils to which the obligation of fasting had been attached, was in fact but *eight*—these being the Vigils of the feast of St. Laurence the Martyr (August 9th), and of *seven* of the *nine*¹ suppressed feasts of the Apostles. No fast, it may be observed, had been prescribed on the Vigils of the other two Apostles' feasts, that is to say, on the Vigil of St. John's feast (December 26th), or on that of the feast of SS. Philip and James (30th April). The former was exempted on account of its occurrence during the festive season of Christmas, the latter on account of its occurrence in Paschal time.

4. Some curious details are mentioned by the learned editor of Dr. Renehan's *Collections*, in one of the many interesting notes with which he has enriched that valuable work. Thus, for instance, we learn that the dispensation granted by Pius VI. was not universally acted upon throughout Ireland. "In parts of the south and west particularly, the

¹ The total number of Apostles' feast days in the Calendar is *ten*. Of the *thirteen* Apostles—including of course St. Matthias and St. Paul—thus venerated, the feasts of SS. Peter and Paul are celebrated on the same day (June 29th); so also the feasts of SS. Philip and James (May 1st); and those of SS. Simon and Jude (October 28th). Thus the number of distinct feast days is but *ten*. Of these, but *one*, the 29th of June, is now of obligation in Ireland; the remaining *nine* were abrogated, as above stated, in 1778.

old usage prevailed for many years after. In 1826 the late Bishop of Kerry found it necessary to apply again for the same privilege to the Holy See, because the feasts of the Purification, Nativity, and Conception, continued to be observed as before by the faithful of that diocese. The reply, declaring the people free from all obligation of hearing Mass or abstaining from servile work, is dated 24th June, 1826."

5. In the same note, a letter is quoted which was written in 1803 by Dr. French, the Bishop of Elphin, and from which we learn that at that time in Elphin, not only "the three retrenched Lady-days, viz., the Purification of the Blessed Virgin Mary, the Nativity, and the Conception," but also "the two days immediately after Christmas, St. Stephen's and St. John's Day," were observed as days of strict obligation. "When the abrogation of the above feasts took place, my worthy predecessor," says the Bishop, "signified to the Holy See his reason for not availing himself of the discretionary indulgence; first, as to the Lady-days, because the diocese was dedicated to the Blessed Virgin; and secondly, as to the days after Christmas, in honour of that great festival, which fell in the dead part of the year, when no labour was being carried on."

6. Full details concerning the suppression of the three holidays—Easter Monday, Pentecost Monday, and St. John's Day (24th June)—suppressed since 1829, are to be found in the same work. In answer to a petition from the Irish Bishops for the concession of this relaxation of the law, Pius VIII., in 1829, granted the relaxation as regards the two Mondays; as regards St. John's Day he declined to remove the obligation of hearing Mass, but granted the dispensation as regards servile work, provided, however, that the Irish Bishops were *unanimously* in favour of the change. A subsequent petition presented in 1830 was not more successful. In 1831, however, the concession was made by Gregory XVI. Since then no further changes have taken place in Ireland in regard to this important branch of ecclesiastical discipline.

W. J. W.

LITURGICAL QUESTIONS ANSWERED.

Decrees relating to the public veneration of our Lady of Lourdes and of la Salette.

REV. SIR—Am I justified in erecting in my church a statue of our Lady of Lourdes for the public veneration of the people? There is a difference of opinion on this point among my clerical brethren in this immediate neighbourhood.

C.C.

You are justified in erecting this statue, provided you acquaint your bishop of your intention and obtain his sanction for what you are about to do. The Congregation has decided the point:

“An possit ab ordinariis permitti vel saltem tolerari ut ad publicam fidelium venerationem exponantur in ecclesiis imagines seu simulacra B. M. V. sub titulo de Lourdes et de la Salette, nec non Immaculatae Conceptionis lucis radios e manibus emittentis.”

S. R. C. resp. *Affirmative*, servatis tamen cautelis, praesertim Decreto Sacrosanctae Tridentinae Synodi de invocatione, veneratione, et reliquis Sanctorum et sacris Imaginibus (sess. xxv.) praescriptis et sa. mem. Urbani VIII. Constitutione “Sacrosancta Tridentina Synodus” diei 13 Maii 1642 confirmatis.”

12, May, 1877 (5692).

The Sacred Congregation has issued other decrees relating to Lourdes and la Salette, to which it may be useful to invite attention in this place.

1. In reply to a question, the Congregation has answered that the Apostolic See has neither approved nor condemned these apparitions or revelations, but only allowed them to be believed as objects of human faith, on the veracity of those persons who have testified to their reality.

Bishops are reminded to deal with these topics after the example of the Holy See; and, moreover, in case any books should be written about them, to require that the declaration or protestation spoken of in the decree of Urban VIII. should be printed in the beginning of the book.

2. Bishops are allowed to sanction the erection of sodalities in honour of our Lady of la Salette; but the full title of the sodality must be that adopted in the Church of the Holy Redeemer at Rome, namely, “the Confraternity of the Blessed Virgin Mary, the Reconciler of Sinners, commonly called ‘de la Salette.’”

3. A feast and Mass of the Blessed Virgin under this

title, and celebrated as a double of the first class, with an octave, are forbidden, except by a special and express concession of the Holy See.

4. Special Litanies of our Lady of la Salette are forbidden.

The following are the decrees referred to:—

“ Num ab Apostolica Sede approbatae fuerint apparitiones, seu revelationes, quae contigisse perhibentur, quaeque cultui B. M. V. sub memoratis titulis causam praebuerunt?”

“ An pium sodalitiū B. M. V. de la Salette dictatum ab Ordinario dioecetano admitti valeat?”

“ An Festum B. M. V. sub eodem titulo cum Missa et ritu duplici primae classis cum Octava ibidem celebrari possit?”

“ An Litaniae speciales Apparitionis B. M. V. de la Salette ibi recitari valeant?”

Resp. S. R. C. Ad I. “ Ejusmodi apparitiones seu revelationes neque approbatas neque damnatas ab Apostolica Sede fuisse, sed tantum permissas tanquam pie credendas fide solum humana juxta traditionem quam ferunt, idoneis etiam testimoniis ac monumentis confirmatam. Nihil proinde obstare quin Ordinarii pari ratione se gerant: facta desuper (si de opere typis vulgando agatur) in eodem sensu opportuna declaratione seu protestatione, ad tramitem Decretorum praeaudati Urbani Papae VIII.

Ad II. “ Affirmative; sed in admissione dicti sodaliti stetur, quoad titulum, praxi adhibitae in approbatione ejusmodi Confraternitatis Romae erectae in Ecclesia Sancti Salvatoris in Thermis, nimirum, ‘ B. M. Virginis, Reconciliatricis peccatorum, vulgo de la Salette.’ ”

Ad III. “ Negative; nisi de speciali et expressa Apostolica facultate.”

Ad IV. “ Negative.”

12 May, 1877 (5692).

“ Quaeritur utrum Episcopus Maurianen.mittere possit ut in sua dioecesi erigantur Confraternitates, Altaria, Oratoria, tam publica tam privata, sub nomine Dominae Nostrae vulgo de la Salette expresso hoc nomine.”

Resp. S. R. C. “ Affirmative; sed in approbatione Confraternitatum sub titulo B. M. V., vulgo de la Salette, servetur conditio expressa in superiore decreto, 12 May, 1877 (5692).”

7 July, 1877 (5698).

R. B.

CORRESPONDENCE.

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

REV. DEAR SIR.—The Clergy of this Diocese wish to know, whether the “pitiful Appeal by the Irish Nation” to Pope John XXII., A.D. 1317-18, does not furnish a conclusive proof that the Bull of Pope Adrian IV. is spurious? The petitioners were Donald O’Neill, King of Ulster, and lawful heir to the throne of Ireland; the nobles and great men, with all the people of Ireland. In their Petition they remind His Holiness, that “his predecessor, Pope Adrian IV., transferred the sovereignty of Ireland to Henry King of England, under whom, and perhaps by whom, St. Thomas of Canterbury had been murdered for his zeal in defending the interests of the Church; instead of punishing this prince, as his crime merited, and depriving him of his own crown, the kind Pontiff has torn ours from us to gratify his countryman Henry II.” Now, it is an historical fact that Pope Adrian IV. had died twelve years before the murder of St. Thomas. And unless His Holiness had risen from the grave, he could not have transferred the sovereignty of Ireland to Henry II., at the date assigned to his Bull by the Irish Nation. Yours respectfully,

✠ VALLISPRATENSIS.

[A contributor who takes a special interest in Irish historical questions has kindly furnished the following reply.—ED. I. E. R.]

The above communication, from the respected Bishop and Clergy of the Diocese of Grass Valley, California, in the ecclesiastical province of San Francisco, with which we are honoured, at once proposes a *question* and states an *argument*.

1. In reply to the *question*, and with reference to the appeal of Donald O’Neill and the Irish princes to John XXII. (1316-24), it may with much reason be asserted that this Appeal, so far from being a conclusive proof of the spuriousness of the so-called Bull of Adrian IV., supplies an argument in support of the authenticity of that instrument.

2. Touching the *argument*, it is to be observed, that the historical fact referred to, with a certain air of triumph, cannot be interpreted in a sense subversive of the alleged genuineness of Adrian’s Rescript, if other historical facts, bearing on the question, are to be taken into account.

True, that Adrian died several years before the martyrdom of St. Thomas à Becket. It is also true that the invasion of Ireland, by Henry II. in person, was subsequent to the martyrdom. And yet His Holiness, Pope Adrian IV., had no occasion to rise from his grave to confer the so-called

grant of Ireland upon the English King. And why not? Because, before he passed away he had already given, by the instrument in question, a power to Henry to enter Ireland for certain purposes and under certain conditions. Henry did not at once use that power: for English and Norman politics kept him fully engaged, and prevented him from immediately entering upon his mission to Ireland. Thus will they argue, who hold Adrian's Rescript to be a genuine document.

DOCUMENTS.

[Although these Resolutions will be familiar to our readers before the present number of the RECORD reaches them, still for the sake of future reference we deem it necessary to preserve, by inserting in our pages, a Document of such national importance.

For the same reason we hope to be able to publish, in our next number, the Letter of His Holiness Leo XIII. to the Archbishop of Dublin on the present position of Irish affairs, together with the reply sent by the Bishops recently assembled at Maynooth to that Letter.—ED. I. E. R.]

DECLARATION OF THE IRISH BISHOPS ON THE LAND QUESTION.

At the Meeting of the Bishops of Ireland, called to transact business connected with the College of Maynooth, the following resolutions, in reference to the Land Question, were unanimously adopted by the Prelates present:—

“1. That inasmuch as we are charged by Almighty God, not only with the guardianship of the faith and morals of our flocks, but also with the care of the poor and oppressed members of our fold, we feel constrained, by a solemn sense of our obligations, to declare once more, that the present state of the Land Code in Ireland is intrinsically dangerous to the peace and happiness of our people; and that mutual confidence between the various orders of society can never be firmly established till our Land Code shall have undergone a searching and thorough reform.”

“2. That being thus convinced of the necessity of such reform, we earnestly deprecate all faltering legislation on this vital question; and we hereby record our conviction that such legislation, no matter how well intentioned, so far from allaying the universal discontent, will intensify existing evils and lead to a prolonged and angry agitation.”

“3. That our confidence in the good sense and generous feelings of our flocks being unshaken, we are persuaded that the immediate introduction into Parliament of a Land Bill, framed on principles of justice to all existing rights, would be the signal to call back peace, and a sense of security, to all classes; and that we cannot refrain from giving expression to the fears entertained by many, that should order seem to reign by the power of coercion, the branch of legislature, which is regarded as unfavorable to popular rights, may either totally reject or substantially nullify any measure of practical utility submitted to its consideration; a result which we cannot contemplate without serious alarm.

“✠ EDWARD, Archbishop of Dublin, *Chairman.*”

“College, Maynooth, Jan. 25th, 1881.”

NOTICES OF BOOKS.

New Views on Ireland, by CHARLES RUSSELL, Q.C., M.P.
Dublin: M. H. GILL, and Co.

ALTHOUGH the RECORD has no politics of its own, we think it right to notice Mr. Charles Russell's "New Views on Ireland." The writer modestly observes that it was not himself, but the Editor of the *Daily Telegraph*, who prefixed that title to his letters. The title, at any rate, is a most appropriate one; these letters do furnish "new views" of the relations between landlords and tenants in Ireland—views that are not only clear, definite, and striking, but proven to be just. The Irish tenants certainly owe a great debt of gratitude to Mr. Russell for educating the English mind on the fairness of their claims; and that debt of gratitude is enhanced by giving the "views" a permanent form in the present volume, as well as by the author's eloquent advocacy of the tenants' cause on a recent noteworthy occasion on the floor of the House of Commons. We venture to call the special attention of our readers to Mr. Russell's admirable sketch of the "Remedial Measures," that in his opinion are most likely to bring that peace and prosperity to the country which she sorely needs. Mr. Russell speaks with the authority of a judge, not with the partiality of an advocate. He ranks amongst the first men at the English bar; he has no personal interest to serve. Great lawyers are naturally conservative, and thus his opinions are entitled to all the weight that knowledge, high place, and perfect impartiality can give. His principles are sound, his reasoning just, and, we venture to think, his conclusions, if carried out, are as likely to prove beneficial to the landlords as to the tenants. We commend the personal of the book to the Irish clergy who, we feel certain, as a body, are proud that the nephew of the late venerated President of Maynooth is the foremost champion of the Irish tenants before the Senate and people of England.

Erin, Verses Irish and Catholic. By the Rev. M. RUSSELL, S.J.
Dublin: Gill and Son.

YET another volume of poems from Father Russell! and one, too, that is certain to be eagerly welcomed by all who are familiar with "Emmanuel" and the "Madonna." What is more, we venture to predict that on closer acquaintance the welcome will ripen very soon into love. Hitherto we have known Father Russell chiefly as a sacred poet; in the present volume he appears in a more homely, and perhaps in a more lovable, because more human, character. There are, indeed, very many beautiful sacred poems in this volume too, but we confess that it is those more homely, and scarcely less holy, effusions of his muse that pleased us most. We learn that, after all, this austere Jesuit has human nature like ourselves, a heart that is warm and tender, genial and kind, and brightly humorous. As he himself says of the skylark, in that "Prose Idyl" which is poetry without rhyme, "these songs are not a triumphant burst, or agonizing spasm, but gushes of love and gratitude, musical, fresh, and meekly joyous." The first poem is "The Irish Farmer's Sunday Morning," which at once suggests favourable comparison with the "Cotter's Saturday Night;" for even if the Irish *Soggarth* were not the poet he is, he has the advantage of a loftier theme and holier inspiration. It is wonderfully true to nature, overflowing with humor, yet touching and graceful. We have also a rare poetic gem, "In Memoriam C. W. R." whose "ripened wisdom" and "reverend form" so long adorned the College of Maynooth. In "Yarra-Yarra Unvisited," the reader will find feats of rhyme unequalled since poor Clarence Mangan went boating down the Bosphorus of this world. We may well say to Father Russell, what he himself says to T. D. Sullivan—

"The birds for whom thou pleadest have no such gift of song,
As God has lent thee, poet, O be not silent long!

We have received for Review the following Books, which we shall notice in some of our future early numbers:—

From Messrs. BURNS & OATES—

The Life of Mother Frances Mary Teresa Ball. By HENRY JAMES COLERIDGE, S.J.

The Standpoint of Ritualism. By FRANCIS HERBERT NASH, A.M.

From WILLIAM RIDGWAY—

Ireland: Portions of a Letter on the Land Question addressed to Earl GREY in 1868. By Cardinal MANNING.

Bodington: On the Deep-seated Causes of Irish Adversity.

From ELLIOT STOCK—

The Antiquary. A Magazine devoted to the Study of the Past.

From PUSTET—

Praelectiones Dogmaticae de Deo Uno. By FERDINANDUS ALOIS STENTRUP, S.J. Ratisbonae, 1880.

THE IRISH ECCLESIASTICAL RECORD.

MARCH, 1881.

THE PRINCIPLES OF '89

I.—INTRODUCTORY.

HISTORY has its epochs, and one of the most memorable of them is that which witnessed the outbreak of the Great French Revolution. Never, perhaps, did any human event work such astounding changes within an equally brief period; and we may scarcely name another whose influence has been more widely felt, or is likely to prove more enduring. Its name and its results have been so long familiar to us, that we have almost come to regard it as a portion of Ancient History; and yet there are many men still living who were born before Robespierre and Danton, Marat and Siéyès had been summoned to another world, to answer for their appalling crimes in this.¹ Ninety years have gone by since, like some terrific volcano, it poured out its desolating lava-tide over Europe, sweeping away in its fiery course landmarks that had stood for centuries, and institutions that seemed imperishable; and, though the crater has long since abated its activity, rumbling noises are still heard, which show that the fire within is not wholly extinct, and make us tremble lest we witness in our day a renewal of the terrible visitation. The social upheavings, the maddening orgies, the wholesale confiscations, the hellish murders, the legalised atheism, the apotheosis of lust, the titanic wars, the infamies and outrages innumerable, which accompanied the rise and progress of the French Revolution are, indeed, things of the past; but the Principles which

¹ Siéyès did not die until 1836. The others perished in the "Reign of Terror."

gave them birth survive, and, unfortunately, have been consecrated by the approval of modern society.

In truth, the Principles of '89 are the Evangel of the nineteenth century. Turn where we will, we find these Principles shaping the political philosophy of modern Europe, and we hear zealous apostles preaching "the Rights of Man," "Liberty," "Equality," "Fraternity," "the Sovereignty of the People," "Progress," and other like doctrines which constitute the symbol of the popular creed. Fine phrases these, no doubt: they read well, and they sound pleasantly in the ears of those day-dreamers, who are satisfied with mere sound. But how many of those who hear them or speak them lightly, have ever thought them over with sober, earnest purpose; or have inquired into the circumstances to which they owe their birth and popularity; or have probed their meaning thoroughly, to discover how much solid gold may lie beneath the glittering surface; or have calculated the consequences to which they must lead, when applied as the masses have applied them in the past, and are sure to apply them again in the possible occurrence of similar circumstances? There *are* popular leaders, indeed, who are thoroughly acquainted with the full significance of these phrases, and who, regardless of the public weal, employ them to work upon popular prejudices, and to rouse the passions of the people, laying hold of popular wrongs to advance their own private interests, under the alluring mask of patriotism and humanity. But the majority applaud these principles without really understanding them, until they learn, all too late, that specious names may be availed of to trick out the most revolting doctrines, and to consecrate the most atrocious crimes. Mainly in the popular ignorance, then, lies the secret of the hold which the Principles of '89 have gained upon modern society: they need but to be thoroughly known to become comparatively harmless. And here I must remark that I would not be understood as pronouncing a sentence of universal condemnation on those principles; or as asserting that all of them, equally, are false and mischievous. On the contrary, some of them are mere truisms, while others are capable of receiving an interpretation in strict conformity with the teaching of the Catholic Church. But herein lies their chief danger—that truth is mixed up with falsehood; that most of them may bear two meanings; and that the interpretation usually put forward by the so-called guides

and leaders of popular thought, is both false in itself, and pernicious in its application to the wants of society. I propose, then, with the kind permission of the Editor of the RECORD, to examine, in a series of papers, the leading principles of '89; to seek out their meaning with the aid of history and of the ordinary canons of criticism; to estimate their rational value; and, above all, to inquire how far they are in accordance with Catholic doctrine, and to what extent they may be adopted by Catholics, in dealing with the momentous social and political questions which agitate society in this age in which we live.

But where shall we find an authoritative statement of the Principles of '89? We are naturally led to seek it in the famous "Declaration of the Rights of Man and of the Citizen," voted by the National Assembly in August, 1789, and prefixed to the New French Constitution of September, 1791. In this document we find, either stated explicitly, or deducible as necessary corollaries, those doctrines commonly received as "the Immortal Principles of '89;" and for this reason I shall make it, as it were, the text on which my future papers on this subject shall be based. The Declaration itself shall be given later on; but as it would be extremely difficult, if not impossible, to grasp the full meaning of that Document without understanding the spirit and the circumstances which produced it, I shall devote the present paper to a rapid, and necessarily meagre, sketch of the chief causes which led up to the Great French Revolution, and the formal promulgation of the Principles of '89.

If we would trace the Principles which are identified with the French Revolution to their very source, we must go back to the Protestant Reformation; for in Wittemberg was cradled, in the sixteenth century, the new philosophy, which eventually produced the Reign of Terror in Paris, at the close of the eighteenth. "L'esprit nouveau," writes Cousin, "a fait son apparition dans le monde vers le XVI siècle; son but final est de substituer au moyen âge une société nouvelle. De là la nécessité que la première révolution moderne fut une révolution religieuse . . . C'est l'Allemagne, c'est Luther, qui l'ont véritablement produit, et qui lui ont donné leur nom."¹ And, in truth, the Principles which modern society has inherited directly from the French Revolution, are but legitimate conclusions drawn

¹ Cousin, "Cour de l'Histoire de la Philos.," page 7. Paris: 1841.

from the fundamental doctrine on which the entire system of Protestantism is based. It is an utter absurdity to pretend that the religious rebellion of the sixteenth century was merely a revolt against a few doctrines or practices of the Catholic Church. It was something far more than all this. It was the uprising of human pride, claiming absolute independence for individual human reason, and *protesting* solemnly against control, in whatsoever manner and from whatsoever source. This protest did not confine itself to religious matters; it extended to politics, to philosophy, to all that concerns the social relations of man. It was, as its panegyrists vauntingly love to call it, "The Emancipation of the human mind," whereby each individual might boldly claim for his every word and thought absolute independence from control both of God and man, and emblazon on his banner the blasphemous watchword of modern Rationalism—" *Labia nostra a nobis sunt : quis noster Dominus est ?*"

In its inception, the Protestant movement of the sixteenth century aimed merely at setting aside authority in matters of belief; but its very fundamental principle bore within it, also, the germ of democratic upheaval; and not many years had passed until it had shattered European society into a thousand fragments, and had produced a war of creeds and classes in every country in Europe. On the 10th of December, 1520, Luther burned the Bull of Pope Leo at Wittenberg; and within five years, the German peasants, already maddened by the new doctrine, uprose to overturn the civil power, and to claim for themselves in temporal affairs that licence which they already enjoyed in matters spiritual. The contagion spread rapidly; and for the greater part of nearly two centuries afterwards, revolutions and civil wars devastated Germany, France, England, Scotland, Holland, Denmark, and Sweden. Factions usurped the place of government, and torrents of blood drenched the scaffold and the battlefield. Yet in all these civil commotions the name of religion was respected, at least outwardly, and in terms; while, for a variety of reasons, which it would be outside the present subject to mention, monarchical institutions were apparently rather strengthened than weakened in the final issue. But seed, nevertheless, had been sown, which was fast ripening into fruit, and the time was rapidly approaching when avowed infidelity would supplant belief; when anti-social ideas would undermine civil authority; and the fiery spectre of Democracy would set its heel upon

the necks of kings. This was, after all, but the logical development of the premises laid down by the Reformers; for once we establish the supremacy of human reason in doctrinal matters, men will glide naturally, and by easy stages, into unbelief; once we recognise the claims of individuals to insist upon their abstract rights, society must necessarily plunge headlong into the abyss of anarchy.

This new philosophy, born of the Reformation, first saw the light in England. The stirring events which took place in that country, during the sixteenth and seventeenth centuries, directed men's thoughts to the study of religious and social questions; and, in many instances, their thoughts took a materialistic and infidel turn. Lord Herbert of Cherbury and Hobbes, Matthew Tindal and Toland, Collins and Chubb, Shaftesbury and Bolingbroke, not to mention others of less note, were the men who laid the foundation of that system of irreligion to which the finishing touch was subsequently given by Voltaire and his compeers. These men had learned to subject everything to the ultimate analysis of reason; until, at length, almighty analysis led them imperceptibly, but naturally, into universal scepticism.

From England the new doctrines passed over to the Continent, where, indeed, they could already reckon not a few adherents, but where they were soon to attain the dignity of a recognised school of philosophy. To ensure their complete success, in a society already torn by conflicting sects, and partially disgusted with all forms of positive religion, there was needed but a man skilful enough to weave into some system the tangled skein of irreligious ideas, that already lay scattered in the works of the free-thinkers who had preceded him, and to present them to the world in an attractive dress. Such a one was Peter Bayle, whose celebrated "Historical and Critical Dictionary" became the armoury whence the philosophers of the eighteenth century fetched their weapons to attack revealed truth; and, from the publication of this work, in 1679, we may date the solemn inauguration of "free-thought" as a recognised philosophical school in Europe.

The Dictionary of Bayle was received with immense applause, and was eagerly read in every part of the Continent, but nowhere with more avidity than in France. Indeed, society in that country had long been prepared for the reception of the new ideas. Etienne de la Boétie and Ramus, Rabelais and Montaigne had already paved the

way for the more systematic infidelity that was to follow, and, even before the reign of Louis XIV., the upper classes in France were not only pagan in morals, but to a large degree sceptics in matters of belief. The publication of Bayle's work, however, gave an immense impulse to the new doctrines, and diffused them among classes that had hitherto escaped their blighting influence. During the long reign of the "Grand Monarque," these ideas were held in abeyance; for, whatever may have been his personal faults in the earlier portion of his reign, Louis was, withal, a sincere Catholic, and would not connive at any attacks upon religion; while his pronounced absolutism in political matters was a sufficient guarantee that he would not tolerate any theories subversive of the civil power. Nevertheless, the new philosophy contrived to keep its ground all the while; and, though avowed infidelity dared not parade herself, the cancer was secretly eating away the heart of French society, even while Louis "Le Grand" was king. Louis died on the 1st September, 1715, and thenceforth the philosophers threw off the mask, and openly preached doctrines subversive alike of the altar and the throne. During the regency of Philip, Duke of Orleans, and the reign of Louis XV., France was deluged with moral corruption. The most unblushing profligacy characterised the court, the nobles, the literati, and the monied classes; while a regular system of irreligion had been established, which was industriously propagated throughout the country by means of a literature, polished, indeed, and brilliant, but audacious, impious, and anti-social, to a degree hitherto unapproached in the history of the human mind. It was the carnival of obscenity, blasphemy, and unbelief.

The apostles of irreligion were divided into two well-defined classes. The first aimed solely at the destruction of the altar and the throne; the second laboured in the insane endeavour to evolve a substitute for them from the mazes of their foolish philosophy. Voltaire was the recognised leader of the first; Jean Jacques Rousseau marshalled the ranks of the second.

Voltaire could not construct anything, but he was mighty to destroy. Animated by a demoniac hatred of Christianity, the efforts of his life-time were directed towards its destruction, and "écraser l'infame" was the favourite watchword by which he rallied his followers round his standard. But he did not stop here: he spared nothing that was venerable or respectable upon earth, and

he would even wipe out the very name of the Creator from the language of men. The weapon which he chiefly used was one likely to prove effective with Frenchmen; for he was a master of ridicule, and his bitter raiillery, like some deadly poison, blighted whatsoever it touched. "He venerated nothing. Neither in the masterpieces of art, nor in the purest examples of virtue; neither in the Great First Cause, nor in the awful enigma of the grave, could he see anything but subjects for drollery. The more solemn and august the theme, the more monkey-like was his grimacing and chattering."¹

He had a whole host of imitators. Diderot and D'Alembert started the famous *Encyclopædia*, in which natural philosophy and grammar, literature and science, metaphysics and poetry, theology and politics, were all jumbled together in one confused mass, distinguishable only by the alphabetical arrangement of the subjects; while, through the entire work, there ran the one steady purpose of employing every branch of knowledge for the destruction of Revelation, and the establishment of pure rationalism and materialism in the hearts of men. The success of this work was marvellous. Thenceforth, Continental Europe went mad with the new philosophy, and could think, or speak, or rave of nothing else. "Everything gave way to the zeal and activity of the new reformers. In France, every man distinguished in letters was found in their ranks. Every year gave birth to works in which the fundamental principles of the Church were attacked with argument, invective, and ridicule . . . Orthodoxy soon became a synonyme for ignorance and stupidity. It was as necessary to the character of an accomplished man that he should despise the religion of his country, as that he should know his letters."²

Simultaneously with the attack upon religion, the philosophers proceeded systematically to undermine the civil power. D'Holbach and Helvetius, who gathered nightly to their *petits soupers* the chief spirits of the new school, and the most abandoned women of the capital—those most active agents in all revolutionary schemes—poured out a tide of the most fierce invective against all monarchical institutions; and Diderot, in a moment of

¹ Macaulay; "Essay on the Life and Writings of Addison." Essays, p. 725.

² Macaulay; "Essay on Ranke's History of the Popes." Essays, p. 567.

prophetic inspiration, foretold of the Model French Freeman, whom he and his compeers were labouring to create, and to educate in the principles of "free thought" and "the rights of man," that—

" Ses mains ourderaient les entrailles du prêtre,
Au défaut d'un cordon, pour étrangler les rois."

Indeed, it needed no sybil to forecast the inevitable result of the doctrines that were being sown broadcast by the philosophers. Voltaire saw it at a glance, and wrote in a spirit of fiendish glee, "a revolution will infallibly come, and I shall not have the pleasure of seeing it."

Amidst the ruin and devastation which Voltaire and his school were spreading everywhere, the more thoughtful of the philosophers felt the necessity of laying the foundation of some system of positive doctrine, and Jean Jacques Rousseau was the man to whose lot it fell to formulate the new creed. As violent as Voltaire in his hostility to Christianity, he would still admit the existence of God, and the immortality of the soul; while, as the embodiment of his theories of government, he gave to the world, as Carlyle says in one of his most sneering moods, "his new Evangel of a *Contrat Social*, explaining the whole mystery of government, and how it is contracted and bargained for to universal satisfaction."¹

Visionary as the famous *Contrat Social* of Rousseau undoubtedly is, his book exercised a wonderful influence upon the men of his time, and that influence is even still felt moulding the theories of modern revolutionists. The very first chapter of the work opens with the statement, "man is born free, and he is everywhere in bondage."² In this sentence we have the key-note to all that follows. We see Jean Jacques approaching the task he had proposed to himself, not in the calm spirit of the statesman and the philosopher, but armed with the torch of the incendiary, ready to set the world on fire with his revolutionary ideas, by appealing to man's pride—the most powerful of all human passions. To emancipate mankind, Rousseau proposes to himself this problem: "to find a form of association which shall defend and protect with all the common strength the person and property of each associate, and by which each one, being united to all, shall, nevertheless, obey

¹ "French Revolution," vol. i. chap. vii.

² "L'homme est né libre et il est partout dans les fers."—*Contrat Social*, chap. i.

only himself, and remain as free as before." To solve this singular and self-contradictory problem, the philosopher of Geneva proceeds as follows. He starts with the hypothesis that man's natural state is that of a wild animal in the forest, and that, were he so minded, he might elect to live, during the entire term of his existence, as a "wild man of the woods." Instead of doing so, however, man, by the free exercise of his individual will, prefers to unite with other members of his species, and thus society is formed *by contract*. A government is necessary to the existence of this society; but this government rests on mere arbitrary convention. The sum of the individual wills of the associates makes up the general will of the society, and this general will is the only true law. Whence it follows, that the individual or individuals who hold the supreme authority in any state are, in reality, merely the servants of the people; that a *legitimate* monarchy is nothing else than a republic;¹ that the real sovereign is the people; and that, since law and government derive their validity solely from the expression of the popular will, both can be made and unmade, changed or set aside capriciously, as often as it shall seem good to the dominant faction among "the sovereign people."²

Such was the theory of government and social order evolved by Jean Jacques from the depths of his philosophic soul; and all France believed in it, for it was not only flattering to human pride, and soothing to human passions, but it was, moreover, presented to them in a brilliant dress, by one who was skilled in the art of sophistry, and was a finished master of style. Little did delirious France then dream of the terrible conclusions that were soon to be drawn, by legitimate logical inference, from the wild theories of Rousseau. Jean Jacques philosophised; and Robespierre,

¹ "Alors la monarchie elle-même est république."—*Contrat Social*, liv. ii. chap. vi.

² "De ces éclaircissements il résulte que les dépositaires de la puissance exécutive ne sont pas les maîtres du peuple, mais ces officiers; qu'il n'est point pour eux question de contracter, mais d'obéir, et qu'en se chargeant des fonctions que l'Etat leur impose, ils ne font que remplir leur devoir de citoyens, sans avoir en aucune sorte le droit de disputer sur les conditions.

"Quand donc il arrive que le peuple institue un gouvernement héréditaire, soit monarchique dans une famille, soit aristocratique dans un ordre de citoyens, ce n'est point un engagement qu'il prend; c'est une forme provisionnelle qu'il donne à l'administration, jusqu'à ce qu'il lui plaise d'en ordonner autrement."—*Contrat Social*, liv. iii. chap. xviii.

his avowed disciple and admirer, reduced his principles to practice during the fearful days of the Reign of Terror, when "the Sovereign People," returning to that primitive state of savage freedom so much admired by Rousseau, drank deep and deep again of human blood, till it was madly drunk; yet still craved further draughts to allay its unslakable thirst, reminding one of Lucan's lines:—

"Utque ferae tigres numquam posuere furorem;
Sic nullus semel ore receptus
Pollutas patitur sanguis mansuescere fauces."¹

The influence of Rousseau upon the future of France and of modern society, was decidedly greater than that of any of the other philosophers of the eighteenth century. For the *Contrat Social* supplied, as it were, the text-book from which were drawn the Principles of '89; and the hallucinations of such men as Barbés, Louis Blanc, Proudhon, Ledru Rollin, as well as of the Socialists and Communists of our own day, may be surely traced to the wild theories of government popularised by Rousseau, and handed down from sire to son by his irreligious and visionary disciples.

But here the reader will naturally ask, what of the Church of France all this while? Was she, the divinely-commissioned guardian of Faith and morals, powerless to stem the torrent of infidelity and anarchy which inundated France, and threatened the entire world? Alas! the Church of France had lost much of her ancient glory, and was shorn, to a great extent, of her former power. No Bossuet was there to raise his mitred head among the ranks of the clergy, and crush the sophists who were sapping the foundations of the altar and the throne. No Fenelon opened his angel lips to point out man's duties as well as his rights, and show how authority in the ruler might be combined with the truest liberty and most perfect happiness of the subject. The dissolute court of Louis XV., far from encouraging, banned ecclesiastical learning, and bestowed its favours, instead, on the promoters of the new philosophy. The once mighty Sorbonne was mute; its lights were gone out; and in the hour of the Church's distress, it sat soulless and voiceless, a chained slave at the feet of court Absolutism. Moreover, the bond of union with Rome having become weakened by the pretensions of Gallicanism,

¹ Lucan, "Pharsalia," i. l. 327-32.

Ecclesiastical discipline had become relaxed. High birth and interest were of more avail than piety and learning in opening the path to preferment; and thus it came to pass that, in the ranks of the clergy, were to be found men who were neither irreproachable in morals, nor orthodox in belief.¹ Add to all this, that the forces of the Church were weakened and divided by the formidable and long-continued attacks of Jansenism; and some of the keenest intellects in France were more busily occupied with the controversies of Port Royal, than with the atheistic principles of Voltaire and the Encyclopedists. There was, indeed, one Order of men in whom the Church might still have placed hope. Tried and trusted veterans were they, whose faces were seamed with the scars of many a desperate conflict; men who had ever been in the forefront of the Church's battles, and the very terror of whose name was in itself worth whole hosts of inferior combatants. Had it been possible for man to have saved France from the Philosophers, *the Jesuits* would have done it. This the enemies of religion knew well; and, by intrigue and calumny, they brought about the suppression of that noble Order—more glorious even by the devotion and splendid discipline displayed in calmly receiving the sentence of its doom, than ever it had been in the flush of its most brilliant victories.

Not only had the French Church lost much of her prestige, but her power was also diminished. The suspension of representative institutions during the reign of Louis XIV., and subsequently, had weakened the influence of the clergy; and even the exercise of their spiritual jurisdiction was hampered by the action of the Parliaments, and more especially of that of Paris, which was

¹ The statement in the text must be taken as applying only to a comparatively small minority among the French clergy. As Edmund Burke bears eloquent witness in his celebrated "Reflections on the Revolution in France," the majority of the French Ecclesiastics were men of blameless lives, and thoroughly devoted to the Church. Were confirmation of this wanted, it might be found in the fact that, out of 135 Bishops, only four betrayed their trust by taking the so-called "Constitutional" oath; and of the inferior clergy but a comparatively small number followed their example, while whole thousands braved confiscation, imprisonment, and exile (not a few even suffered death), rather than incur the guilt of schism. In truth, in one respect, the Revolution unwittingly served the French Church, by winnowing the chaff from the sound grain, breaking the power of Gallicanism, and drawing closer the bonds of union with Rome, "the Mother of all the Churches."

deeply tinged with Jansenism, and often worried the Church by wanton acts of tyranny. Thus it was that a variety of causes, acting some from within and others from without, co-operated to render the Church of France, in the eighteenth century, feeble to resist the anti-social and irreligious Revolution, which was daily growing and gathering strength beneath her very eyes.

Hitherto I have alluded solely to the moral and religious causes, which were preparing the way for the solemn promulgation of the Principles of '89; but there were also grave political causes at work, which hurried on the fatal catastrophe. The space at my disposal does not permit me to bestow on these more than a passing glance.

It would be folly to deny that the political situation of France, in the eighteenth century, was deplorably bad. This was not the result of the French Constitution as by law established; for, as Edmund Burke remarks and proves, the French, under their old monarchy, possessed "the elements of a constitution very nearly as good as could be wished." This constitution, however, had been partially suspended, and a system of Absolutism substituted for it, from the time of Richelieu and Louis XIV. The new system exercised a baneful influence upon all classes in the state. We have already seen how it affected the Church; it acted no less injuriously upon the Nobility. By the indefinite suspension of the States-General and the partial suppression of the States-Provincial, the nobles were deprived of all political power and local influence, whereby they were induced to abandon their estates, and take up their residence in the vicinity of the court, where they gave themselves up to lives of indolence and sensuality. In this manner, not only were the natural duties imposed by property neglected, but the Order of nobility itself became the object of hatred and contempt; and thus a serious blow was aimed at the true liberties of France. For in every state, the nobility constitute a strong bulwark of national freedom, acting, on the one hand, as a check on the abuse of the royal prerogative, while, on the other, they become a guarantee for the maintenance of social order against the turbulent spirit of Democracy.

As to the *third estate*, or commonalty, the same causes which impaired the influence of the clergy and of the nobles, produced disaffection among them. Deprived of any share in the government of the state, by the suspension

of the Constitution, they became estranged from the other two orders; and utterly devoid of political experience, they fell an easy prey to active and crafty demagogues. The members of this third estate—lawyers, physicians, men of letters, manufacturers and traders—were peculiarly circumstanced. Possessed of wealth and culture, they were nevertheless utterly despised by the nobles, who looked down upon them as beings of quite an inferior order; while, at the same time, they were forced to bear heavy taxation, from which the privileged classes were exempt. One would suppose that, under such circumstances, the “Bourgeoisie,” as they were contemptuously styled, must have made common cause with the masses of the population beneath them. But it was otherwise. They had not the slightest sympathy with the bulk of the community, whom they despised and insulted when opportunity offered; forming by themselves a separate “caste”—powerful, rich, haughty, irreligious, discontented, desperately ambitious, and craving for any change that would throw the control of public affairs into their own hands.

And how fared it with the masses—the millions in France? Nothing could well surpass the utter wretchedness of their condition. The agricultural classes were ground down by heavy, vexatious, and unequal taxation; while, in addition to the severe burdens imposed upon them by the state, they had, likewise, to meet the exorbitant demands of absentee landlords, who squandered in riotous debauchery at Versailles enormous sums, squeezed out of a peasantry well-nigh bordering on starvation. It is true that peasant proprietary prevailed largely in France—even more so then than now—and that in some districts, especially in the north, farms were held under long leases. In these districts the people were comparatively happy: yet even here the evil of unequal taxation pressed heavily, and the peasants were subjected to a thousand vexatious annoyances, which made them fret and chafe under the tyranny of absentee lords—all the more so, probably, because their condition made them more sensitive and independent than their less fortunate countrymen in other districts. But in by far the greater portion of France the agricultural classes were sorely tried, being weighed down by terrible rack-rents, so that their condition was only one degree removed from actual starvation. These were the districts which afterwards furnished the half-naked, famished, ferocious soldiery, who wreaked a fearful

vengeance on the persons and property of the great lords, to whom they attributed all their previous sufferings and wrongs. As regards the population of the towns, their condition was, if possible, still more deplorable. Herding together in the great centres of population were dense multitudes of human beings, steeped in poverty, ignorance, immorality and unbelief; sullen and discontented; regarding all those who were placed above them in the social scale as their natural enemies; and burning with a savage longing for the moment when they could break loose, and realise in fact those maddening theories of *Liberty* and *Equality*, which the philosophers had so long, and so systematically, been instilling into their diseased minds.

Such, in brief, was the pitiable state to which France was reduced at the outbreak of the great Revolution. Society was broken up into discontented factions, which, so far from co-operating to promote the common weal, were animated with feelings of hatred and distrust towards one another. Add to this atheism rampant, the principle of authority undermined, an impoverished treasury, and twenty-five millions of starving people, and we find little difficulty in accounting for the Reign of Terror, which had long been foreseen by thoughtful men. It does not concern us to trace the history of the French Revolution; we shall merely, in a few sentences, record the chief events which led up to the celebrated Declaration of the Rights of Man, with which we propose to deal in subsequent papers.

Although the social condition of France, at the close of the eighteenth century, did not need a violent Revolution to remedy its disorders, it certainly did call imperatively for measures of reform, and reform of a thorough and sweeping character. Louis XVI., a really good but weak monarch, who had to suffer for the sins of his predecessors, felt this; and, after a lapse of more than 170 years, once again summoned the States-General to deliberate upon the affairs of the nation. The King's chief minister, Necker, wished that the Estates should occupy themselves principally with matters of finance, in devising means to replenish an exhausted treasury; but it had been decided that the general affairs of the nation were also to be brought under their notice, and steps taken to repair the previous injuries which Cæsarism of the very worst type had inflicted on the liberties of the people, during a period of nearly two centuries. In the royal mandate convoking the States-General a concession had been made to the

members of the third Estate, which was intended merely to conciliate that body, but which resulted, contrary to all expectation, in throwing into their hands the entire power of the Assembly. Their number was increased from three to six hundred; nor were any fears entertained that this would impart a democratic character to the States-General. For it was intended that, according to ancient precedent, the votes in the Assembly should be reckoned, not by the number of *individuals*, but by the number of *Orders*, voting for any measure. It was, not unreasonably, presumed that the nobles and the clergy would coalesce in supporting the measures of the Crown; and as there would thus be two Orders against one, the commons, no matter how numerous, would be powerless to carry any bill without the assistance of either the nobility or the clergy. This well-devised scheme proved an utter failure, as subsequent events showed that the commons were determined not to permit their voice to be stifled in this summary fashion.

The States-General assembled at Versailles on the 5th May, 1789. It was a magnificent sight—the king welcoming the 1,200 deputies who represented the three Estates of his kingdom; and the late Thomas Carlyle has left us a glowing word-painting of the scene, in a brilliant chapter which will repay perusal.¹ Before proceeding to business, the preliminary question had to be decided as to the manner of voting. The commons, resolved not to be reduced to mere cyphers, proposed that while the three Orders should deliberate apart, the votes on any question should not be given, as heretofore, by Orders, but by heads; and that the majority of voices in the *collective* Assembly of all the Orders should be final and decisive on any question. The nobles and clergy were resolutely opposed to this arrangement, which would make their united votes barely equal to those of the commons; and, in the case of the slightest defection from their own ranks (a contingency which seemed by no means improbable), would render the commons all-powerful in the Assembly. This critical question formed the subject of angry debate for several weeks, each side adhering to its own views with a dogged obstinacy which seemed to forbid the possibility of compromise. At length, on the 17th of June, the commons took a bold and decisive step, which sealed the future

destinies of France. Strengthened by the accession to their ranks of some liberal nobles, as well as of many of the inferior clergy, they resolved practically to ignore the existence of the other two Orders; boldly proclaimed themselves "The National Assembly of France;" and announced their determination "to begin the work of national regeneration." Three days later (June 20th), finding the hall of assembly closed against them by order of the Court party, they met in an old tennis court at Versailles, and there swore a solemn oath, "that they would never separate until they had set the Constitution on a sure foundation."

Such was the origin of that most revolutionary Parliament, which under the several successive names of *National Assembly*, *Constituent Assembly*, *Legislative Assembly*, and *National Convention*, wrought incalculable evil to France and to Europe. It would be entirely outside the scope of this paper to record those stirring events—the insurrection in Paris, the mutiny in the army, the storming of the Bastille, the rising in the provinces, the flight of the nobles—which followed, almost immediately, on the high-handed action of the commons. We come down at once to the month of August, 1789, when the Assembly resolved to frame a new Constitution for France; and, instead of devoting itself to practical measures, began its labours by putting before the world, as the ground-work of future legislation, the famous "Declaration of the Rights of Man and of the Citizen," which has ever since been regarded as the authoritative embodiment of those doctrines commonly received as "the Immortal Principles of '89."

The following is the full text of this important document, to which we shall have occasion constantly to refer in our future papers on this subject.¹

DÉCLARATION DES DROITS DE L'HOMME ET DU CITOYEN, VOTÉE EN 1789.

Les représentants du peuple français constitués en Assemblée nationale, considérant que l'ignorance, l'oubli ou le mépris des droits de l'homme sont les seules causes des malheurs publics et de

¹That none of the force and precision of the Declaration may, possibly, be lost in translation, it has been judged expedient to present it to the reader, in the first instance, in the original French. Such extracts as we shall have occasion to make in future papers shall be rendered into English.

la corruption des gouvernements, ont résolu d'exposer, dans une Déclaration Solennelle, les droits naturels, inaliénables et sacrés de l'homme, afin que cette Déclaration, constamment présente à tous les membres du corps social, leur rappelle sans cesse leurs droits et leurs devoirs; afin que les actes du pouvoir législatif et ceux du pouvoir exécutif, pouvant être à chaque instant comparés avec le but de toute institution politique, en soient plus respectés; afin que les réclamations des citoyens, fondées désormais sur des principes simples et incontestables, tournent toujours au maintien de la constitution et au bonheur de tous.

“ En conséquence, l'Assemblée nationale reconnaît et déclare, en présence et sous les auspices de l'Être Suprême, les droits suivants de l'homme et du citoyen :

“ ART. 1. Les hommes naissent et demeurent libres et égaux en droits. Les distinctions sociales ne peuvent être fondées que sur l'utilité commune.

“ ART. 2. Le but de toute association politique est la conservation des droits naturels et imprescriptibles de l'homme. Ces droits sont la liberté, la sûreté et la résistance à l'oppression.

“ ART. 3. Le principe de toute souveraineté réside essentiellement dans la nation; nul corps, nul individu, ne peut exercer d'autorité qui n'en émane expressément.

“ ART. 4. La liberté consiste à pouvoir faire tout ce qui ne nuit pas à autrui.

“ ART. 5. La loi n'a le droit de défendre que les actions nuisibles à la société. Tout ce qui n'est pas défendu par la loi ne peut être empêché, et nul ne peut être contraint à faire ce qu'elle n'ordonne pas.

“ ART. 6. La loi est l'expression de la volonté générale. Tous les citoyens ont droit de concourir personnellement ou par leurs représentants à sa formation. Elle doit être la même pour tous, soit qu'elle protège, soit qu'elle punisse. Tous les citoyens, étant égaux à ses yeux, sont également admissibles à toute dignité, place et emplois publics, selon leur capacité et sans autre distinction que celle de leurs vertus et de leurs talents.

“ ART. 7. Nul homme ne peut être accusé, arrêté ni détenu que dans les cas déterminés par la loi, et selon les formes qu'elle a prescrites. Ceux qui sollicitent, expédient, exécutent ou font exécuter des ordres arbitraires, doivent être punis; mais tout citoyen appelé ou saisi en vertu de la loi doit obéir à l'instant; il se rend coupable par la résistance.

“ ART. 8. La loi ne doit établir que des peines strictement et évidemment nécessaires, et nul ne peut être puni qu'en vertu d'une loi établie et promulguée antérieurement au délit et légalement appliquée.

“ ART. 9. Tout homme étant présumé innocent jusqu'à ce qu'il ait été déclaré coupable, s'il est jugé indispensable de l'arrêter, toute

rigueur qui ne serait pas nécessaire pour s'assurer de sa personne doit être severement réprimée par la loi.

“ART. 10. Nul ne doit être inquiété pour ses opinions, même religieuses, pourvu que leur manifestation ne trouble pas l'ordre public établi par la loi.

“ART. 11. La libre communication des pensées et des opinions est un des droits les plus précieux de l'homme ; tout citoyen peut donc parler, écrire, imprimer librement, sauf à répondre de l'abus de cette liberté dans les cas déterminés par la loi.

“ART. 12. La garantie des droits de l'homme et du citoyen nécessite une force publique ; cette force est donc instituée pour l'avantage de tous, et non pour l'utilité particulière de ceux auxquels elle est confiée.

“ART. 13. Pour l'entretien de la force publique et pour les dépenses d'administration, une contribution commune est indispensable ; elle doit être également répartie entre tous les citoyens en raison de leur facultés.

“ART. 14. Tous les citoyens ont le droit de constater, par eux-mêmes ou par leurs représentants, la nécessité de la contribution publique, de la consentir librement, d'en suivre l'emploi, d'en déterminer la quotité, l'assiette, le recouvrement et la durée.

“ART. 15. La société a le droit de demander compte à tout agent public de son administration.

“ART. 16. Toute société dans laquelle la garantie des droits n'est pas assurée, ni la séparation des pouvoirs déterminée, n'a point de constitution.

“ART. 17. Toute propriété étant un droit inviolable et sacré, nul ne peut en être privé si ce n'est lorsque la nécessité publique l'exige évidemment, et sous la condition d'une juste et préalable indemnité.”

Such is the full text of the famous Declaration of '89, and it needs but a glance to see that it raises up a number of questions, which possess a deep interest in the present state of society. The discussion of these questions, however, we must reserve for future numbers of the RECORD.

W. H.

THE CECILIAN MOVEMENT IN IRELAND,

“And now, Ireland, Catholic Ireland, the ancient home of song, hears with welcoming ears the revival of the pure chant of the Church in her temples. Even as our fathers, fifteen hundred years ago, received with joy the Ambrosian melody from our glorious Apostle, so in our day their children will accept with equal gladness the grand old sacred music of the Church at the hands of the Cecilian Society, under the blessing and approbation of the Bishops and Pastors of Ireland’s holy Catholic Church.”¹

SUCH were the words in which the great Irish Dominican proclaimed the full meaning of the late Cecilian Festival in Dublin, and in which he gave expression to the enthusiasm and emotion of all, Bishops, priests, and laity, who then heard the silence of long centuries broken by that first great outburst of jubilant Catholic song. But, indeed, no eloquent words were needed to point out the interest to all Irish Catholics of that Cecilian Festival. The sanctuary and church of Westland-row spoke plainly and eloquently enough. It was no ordinary occasion that brought together into that sanctuary two Archbishops, seven Bishops, with the Canons and Dignitaries of the diocese; or that thronged that church with priests from all parts of Ireland, and with a lay congregation, including not only all the leading Catholics of Dublin, but also many from far distant cities, and several well-known Protestant musicians. It was, indeed, a great national meeting, and we felt that what the preacher so eloquently said was true; that we were listening to our national Catholic song, and that the *Te Deum*, that burst from the hearts and voices of that great choir, was the thanksgiving song of our people that “the winter is passed, and the voice of the turtle is heard in our land.”

It may interest the readers of the RECORD to know something more of the Irish Cecilian Society, and how far this reform, so welcomed by the Irish Bishops, and so successful in one diocese at least, is likely to spread through the land, and work in Ireland the change it has wrought, within the last few years, in other countries of Europe. In this, and a subsequent paper, it is hoped that some explanation of the scope of the Society’s work may be given, and some further inducement to co-operation with a reform that has begun under the blessing of Pope

¹ The remarkable sermon from which this passage is taken may be found fully reported in the current “*Lyra Ecclesiastica*.”

and Bishops, and that, in its earliest effort, has awakened national interest, and achieved a national success.

Two great abuses called for Cecilian reform; or rather, a disuse, and an abuse. The disuse of the Plain or Gregorian Chant, the proper Church song: the abuse of harmonized, or, as it is sometimes called, figured music.

The grand chant of Ambrose, which had flooded with tears the eyes of Augustine, and so won the heart of Patrick, that he brought it to Erin, to win her bards and music-loving people to the faith of which it sung; "the old chant, grave and musical, with which Augustine greeted Ethelbert in the free air upon the Kentish strand;"¹ the chant with the power and sweetness of Christianity, winning the nations, and, developed and enriched, binding together, in one great unison song, people with people and age with age: the chant that had so entered the Irish hearts, taught as it was in every school, from the times of St. Patrick, that their joys and sorrows came to be expressed in the strains of the Church, and the voice of Ambrose and Gregory to be heard in the melodies of the Irish bards: that chant, so potent and precious in Ireland and in the Church, had fallen, and died away in our land, leaving but a feeble echo in one or two religious choirs; or worse than death, found a hideous parody of life in the mumbled droning which was understood to be the Catholic Solemn Requiem song for the dead. Reformers are prone to overstatements. But it is no exaggeration to say that, despite the efforts of a gifted few, Gregorian Chant was dead in Ireland, or, if heard at all, was as the voice of

"Worse than worst

Of those, that lawless and incertain thoughts
Imagine howling!"

To restore that song of prayer to life, beauty, and power, is the first work of Cecilian reform; to make it known and loved as it was by our fathers, not sung by those that hate it, and hated by those that hear it. In the centuries that have passed since it drew tears from St. Augustine, Plain Chant has gained rather than lost its power of moving Christian hearts; and, with God's blessing, many an Irishman may yet be able to add his testimony to the touching words of our Dominican orator. "It has been the song of my life since the days of early youth. I have listened to it and joined in it daily for many years, and in

¹ Newman, "Second Spring."

many lands; and now, in the evening of my life, I can say, with truth, that I love it more dearly than ever, and that it unfolds to my mind, day by day, new graces of depth and of beauty."

The second object of Cecilian reform is to correct the abuse of harmonized or figured music, by silencing what has been composed independently of, and is now sung in opposition to, the spirit and ruling of the Church, and by replacing it by harmonized music, equally rich and glorious, equally the work of master minds, but far more suited to Catholic worship of prayer and sacrifice, and far less closely allied with the melodies of the theatre and ball-room.

While the Irish Church was being persecuted, and her song silenced, in the seventeenth and eighteenth centuries, a great abuse had crept into the music of the Church. At the time that her vestments got into the hands, and were made to suit the tastes, of French milliners, and her altars and churches had been delivered over to worldly decorators and upholsterers, her music was taken in hand by children that knew her not, nor loved her; children of the world, writers of operas, with the tastes, genius, and education of the theatre. They established a school of so called ecclesiastical music, and wrote masses which, when Ireland emerged from her trial, were taken by her as the modern and fashionable substitute for the music she had lost. This music was an outrage on taste. Schlegel has called architecture "frozen music," and if we would see this church-opera music "fixed and frozen to permanence," let us visit the Continental churches, for instance, St. Stephen's at Vienna, or the Cathedral at Amiens, and see there the gaudy pagan-looking altars, the nude figures, and sensuous colouring, the painted clouds and tinsel sunbeams, which, regardless of Gothic arch or glorious window, disfigure and disgrace the noblest churches in the world. There, in stone, and wood, and paint, the eye sees what in sound the ear may hear, the worldly, flimsy, and voluptuous, taking the place of what was Catholic, grave, and pure; the abomination standing in the holy place, as, until quite lately, the Archbishop of Dublin himself confessed, it stood in the holy places of the Irish Capital.

But such music violates the decrees and ruling of the Church, no less than the canons of taste. Benedict XIV. forbids the introduction into the sacred services of music "profane, worldly, or theatrical;" and long before Pope Benedict, and often since his death, the Church, by Bishop,

Pope, and Council, has declared that the light and worldly music, that has so often dared to enter her churches, and mix in her sacred liturgy, is not there by her bidding, but against her will, a profane intruder, "alien to her rites, and not without offence to the Divine Majesty, and scandal to the faithful." It is directly against abuses such as these that the Synod of Maynooth, following in the lines of the Synod of Thurles, which in this matter but enforced the decree of the Council of Trent, declares that nothing shall be sung in the sacred offices, save what is "grave ecclesiastical song." It is to aid in conforming to the spirit of the Church, to condemn what she condemns, to expel from her sanctuary what she declares unholy there; it is to carry out these decrees of the Bishops and Councils of the Church, that there has been formed in this country, as elsewhere, a great national organisation, embracing Bishops, priests, and people, and fitted by its rules to provide for the services of the grandest Cathedrals, as well as of the simplest country churches of the land.

The fountain-head of all ecclesiastical reform is, of course, Rome. The present Pope, just before Christmas, in an audience granted to the President of the Irish Cecilian Society, gave it his special praise and benediction, and by his close inquiries into the aim and working of the rules, and the music sung, showed that the Cecilian reform was no new subject to him, but one that had long engaged his study, and received his warm support. The Bishops, the natural leaders of all ecclesiastical reform, have without exception become the patrons of the Cecilian Society. Their attendance in such numbers at the festival and meeting, and the letters of those who could not come, though they would, together with the promises made by so many to take a leading part in the movement, all this points to an important fact, that their Lordships, recognising the necessity of this reform, and the strength of the Society that undertakes it, have determined to take up the matter themselves, and to let their clergy see that they are earnest in the work, and confident of its success. The priests of Ireland are the officers of this movement, and on the way they follow those that lead, and marshal, and encourage the forces under them, depend, almost entirely, the advance and triumph of our Society, and the realization of its hopes.

When Bishops and priests are seen united in this ecclesiastical movement, the laity will surely follow, glad

¹ Alexander VII.

as they always are in Ireland of such a lead. Organists with their choirs, school-teachers with their children, the great musicians of the country, and those of humbler capacities and attainments, all will join, and strive in their own spheres to carry out the work blessed and begun by their Bishops and their priests.

Nor must the fear be entertained that, as a rule, Cecilian music, Gregorian or other, is beyond the reach of country choirs. Of course difficult Cecilian music would be; though, when country choirs try, as is not unknown, to sing the masses of Mozart and Haydn, there is no reason anything should not be attempted. But simple music, really good, and by the greatest masters of Church song, is provided by the Society, and parts are to be had for choir use, at a very moderate cost. This is a great point; for a priest, though himself no musician, could immensely assist the Cecilian work in his parish by procuring easy music for the members of his choir, masses or benediction music in one, two, or three simple parts, and by asking that it should be well practised, and thus given a fair trial.

And Plain Chant could easily be sung, and well and devoutly sung, by many choirs, who would now shudder at the idea of it, and possibly make others shudder at their first attempt. We should remember that anyone that can read Latin well, with true accent and emphasis, can give the first and most important lesson in Plain Chant. Where is the priest that cannot do this? And where is the priest who, seeing the churches rising in the grace and beauty of revived art all over the land, would not gladly do anything in his power to revive also the sacred song that was once among the glories of the Irish Church, and that alone is worthy of those noble Irish temples to God?

In towns and cities of course much more is possible than in the country, and there great things may be expected. We have seen in Dublin an example of what can be done when Bishops, priests and laity unite to carry out the reform. By a single diocesan decree the unseemly, worldly music was for ever banished from Dublin Churches, where it had certainly been to many a scandal and a grief. Priests, led by one whose energy and abilities fitted him to be the founder and first President of the National Society, pushed on the work. In sitting after sitting, and with all care and discrimination, the Committee, at the command of the Archbishop, drew up the list of music fitting to be sung in Church, and in accordance with the synodal decrees.

Summer trips were organised to the Cecilian festivals of Germany, where the working of the Society was studied, and where sacred song was heard that can never cease to haunt the memories of those that heard it. Unless indeed it be driven thence by the later and almost more glorious festival song in Dublin: for there we have heard Church music as thrilling as any in the cities on the Rhine or Danube. The united choirs in Dublin, twenty in number, gave one hundred and forty voices to the great Festival choir, whose rendering of the sacred music has indisputably placed the Irish Capital in the front rank of European cities claiming to be the homes of true ecclesiastical song.

What union of action has done in Dublin, it can do elsewhere, and the success and credit of our diocese will soon be shared by the entire nation, if only the same means are, as far as possible, adopted in other parts of the country. We have musical forces enough in Ireland to carry any measure of revival and reform, were those forces only united and well led, and were their leaders to consult together, as the Society enables them to do, concerning the general plan of action. Our colleges, for example, are in themselves an immense power.

The colleges and higher schools of Ireland are the natural homes of this reform. Even listening to good music is an education, while it can scarcely be doubted that a sufficiency of barbarous sound, will go a long way towards rearing up barbarians. Since the interpretation of the sacred words is nearly the whole science of Church song, and since the sound to which those words are wedded, has been attuned to their spirit by the greatest saints and most gifted sons of the Church, it will be seen what a wide range, both of religious and intellectual training, is embraced in the study of Catholic Church music, and the high place in any education that goes beyond the mere down-cramming of "dead vocables," that must be taken by the classes for intelligent Church song.

It is most satisfactory to hear that the great Irish College is astir, and has already achieved success. Without *that* voice the Irish choir would be weak indeed, and its dissolution imminent. Far behind Maynooth in numbers and influence, but not so far behind in honest effort, other colleges, notably the diocesan seminaries of Dublin and Cashel, are joining in the movement, and giving fullest promise that in the next generation of Irish priests will be found taste not unworthy of their talent, and a knowledge that will fit them to carry into every part of the

country the work they are now learning to understand and to value in college.

In the convents of Ireland, we may soon hope to find powerful agents for the spread of the taste and training we require. Surely, our Bishops and priests may justly be indignant if the girls of this country, full of musical talent as they are, come back from their convent schools accustomed to, and therefore craving for, the silly singing that is too often the only Church music they hear, and, in consequence, unable and unwilling to help in the Cecilian parochial choir. If the good sisters only knew the vile sources from which much of the music published for their use is drawn, and could hear the words that originally inspired the airs now sung before Our Lord, they would for ever banish music so defiled from their chapels and their schools. They are capable of higher and better things. It was by Ursuline school-girls, that some of the most perfect Church song we ever heard in Germany was rendered: it was by eight members of a convent choir, that the visitors to the Augsburg Festival last summer were given the richest treat of Cecilian harmony; and, in a convent of Dominican nuns by the Boyne, we have listened to Plain Chant and Psalmody as perfect as any we ever heard by the Rhine or Danube. Great work is being already done in the convents of Ireland, and to them we look for powerful and persevering help, in training the girls under their charge in the principles and practice of good Church song.

Is it hoping for too much, then, to look forward to seeing all these musical forces working together towards the desired reform? We think not. We think that much will be soon done to unite all the choirs in each diocese, as is contemplated in the Cecilian plan, into one diocesan branch of the National Society. Isolation seems the greatest obstacle to the spread of this movement; once that disappears before the powers of organization, the road is clear that leads to final triumph. There are few dioceses in Ireland, if there are any, where there are not some priest to be found competent and willing to push on this reform. One such priest, chosen it might be by the Bishop, could soon find out the powers of the diocese; and every priest, musical or not, could help the work by carrying out the suggestions of those chosen to lead; while none certainly would be found to oppose a movement begun by their Bishop, and undertaken by their fellow-priests for the glory of God in the Irish Church.

IRISH THEOLOGIANS.—No. III.

JOHN DUNS SCOTUS.—(CONTINUED).

ALTHOUGH Duns Scotus walked in the path of his predecessors, at least, as far as his method is concerned, he was in other respects by no means either a servile imitator or obsequious disciple. He had the courage of his opinions, and boldly attacked the fundamental principle both of St. Thomas and Aristotle, namely the doctrine of *primal matter* and *substantial forms*. He dared not, indeed, nor did he wish to reject this doctrine of matter and form, as a whole, but he maintained that their analysis was defective and unsatisfactory, and consequently inadequate to explain the nature of individual being. The Aristotelian system undertakes to furnish a *rationale* of the whole universe of mind and matter; its fundamental principle is this theory of matter and form, which St. Thomas carries into theology, applying it to the physical and moral world, to the natural and supernatural, to the Sacraments as well as to man and the visible universe. When Scotus attacked them in this principle, one can easily see how far reaching were the consequences of his assault against the very citadel of human knowledge. Aristotle began with external objects, he submits them one by one to observation and analysis, and he finds everywhere unity in variety. Earth becomes wood, wood becomes coal, coal becomes fire; plants become food, the food is changed into blood, the blood again into flesh and bone and sinew; the flesh in its turn moulders into clay to become new food for plants and animals. So the ever changing cycle rolls, nothing is created, nothing is lost. But in all these things there is an element that always remains, and an element that always changes. The former is the *ύλη*, the *materia prima*, a passive element, an incomplete substance, in a state of mere potentiality, indifferent to all forms of being, capable of receiving any, and always necessarily united to some one in particular. This primal matter is essentially one and simple and incorruptible, incapable of generation, and, according to Aristotle, eternal; in which last point alone he was contradicted by St. Thomas.

On the other hand there is in all bodies an *εἶδος*, or *forma substantialis*, not therefore a mere accident or outward shape (*μόρφη*), but a formative principle, which gives to matter actuality (*ἐνεργεία*), determination, and the completeness of

perfect being (*ἐντελεχεία*). St. Thomas accepts this analysis as a complete explanation of the essence of beings both *in specie* and *in individuo*. Here it is precisely that Scotus joins issue, and declares that the principle of individuation cannot be found either in matter, or in form, or in both. Peter, he says, is not James; yet both Peter and James have specifically the same human nature, therefore the same matter and form of human nature, therefore they are not individuated by either matter or form, or by the union of both. Neither can any or all the accidental qualities in a man be the principle of his individuation, for they may be changed one and all, and in progress of time, indeed, are changed one and all, yet the individual remains the same: therefore the principle of his individuation and identity remains the same, and consequently does not consist in changing accidents, but like the matter and form must belong in some sense to the essence of the man. In what then does principle of individuation consist? The question was answered in many different ways. It is the form that gives individuality, said Abelard; it is the matter, said Albertus Magnus. St. Thomas placed it in the *materia signata*, which expression has been variously explained by his disciples. Henri de Gand declared it was a pure negation, the negation of actual union or the exigence of actual union with any other being. Scotus rejects all these solutions of the question, and says this principle of individuation or subsistence is a *modus substantialis* which he calls *haecceity*, superadded to both matter and form, making Peter an individual, a person, and differentiating him from James and from every other human being in existence. It is not our purpose to criticise but to endeavour to explain the characteristic principles of the Scotist doctrine, and this principle of *haecceitas* was undoubtedly the most important of them all in itself, and the most pregnant in its consequences.

We may incidentally observe, that although this doctrine of matter and form has been ridiculed and assailed by many philosophers, who know very little about it, and is now generally regarded as an altogether exploded system, yet it offers quite as satisfactory a solution of the nature of bodies, and one as much in accordance with the known facts of modern science, as any other theory formulated by Descartes, Leibnitz, Locke, or Huxley. For after all, what is this *primal matter* in the Scholastic philosophy? It is simply a convenient name for the aggregate of atoms, monads, or elements, of which chemical analysis goes to

prove that bodies are composed. And what is the *form* but the aggregate of the forces, the sum total of the energies of these atoms, which taken together, atoms and energies, make up material substances. Aristotle says that the form is the energizing principle, and *energy* is quite as good a word as *force*. We may add that the Scholastic idea of the essential unity of *matter*, is strongly borne out by the opinion of those scientists who hold that all bodies will, in ultimate analysis, be found to be composed of homogeneous atoms, if chemists can ever procure heat sufficiently intense to affect the resolution of those substances which are now considered simple elements.

That the opinion of Scotus on the principle of individuation was preferred by contemporary scholars to that of St. Thomas was shown in a very significant way. If, said Scotus, *materia signata* be the principle of individuation, how will disembodied spirits be individualized, when there is no matter to give determination to the form—the human soul? How are the angels to be individually distinguished, who have the same angelic nature, or will it become necessary to hold that no two angels can belong to the same species?—a proposition that seems to have been maintained by St. Thomas. At least his teaching on this point had, even during his lifetime, caused great excitement both at Oxford and Paris. The Franciscans were strong at Oxford, and pretended to be greatly scandalized at the assertion that each *species angelica* was composed of a single angel, the whole University was in commotion, the theological faculty assembled, and after a stormy discussion the proposition was condemned. The dispute was then revived in Paris; Ægidius Colonna was a strong and earnest Thomist, and defended the teaching of his master with vigour, still the proposition was condemned by the University and the Bishop of Paris in the year 1278.¹ It was maliciously added to the condemnation that it was “*contra fratrem Thomam*,” which shows the bitter spirit that inspired the victorious party. When, however, St. Thomas was canonized these words were expunged, but the condemnation was allowed to remain. These things, however, took place before Scotus became a master in the Schools, but decidedly influenced his opinions on

¹ “*Error est dicere quod, quia intelligentiae non habent materiam, Deus non possit plures ejusdem speciei facere. Contra fratrem Thomam.*” Yet the proposition, at least in these words, is, as far as we could ascertain, not in St. Thomas.

this subject. It would far exceed our limits to trace the consequences of this fundamental disagreement between the two Schools. We hasten to note another principle of divergency, which is now very intimately connected with that to which we have already referred. St. Thomas and his entire School teach that there is no *real* distinction of any kind between the Divine essence and the Divine attributes, or between the Divine essence and relations in God. But Scotus, as he held that the principal of individuation or personality in intelligent beings is a *modus* superadded to the matter and form, so he also holds that a distinction which he calls *formalis*, and *formalis ex natura rei*, exists between the Divine nature and the Divine relations. He speaks, indeed, obscurely, for although he asserts that the distinction precedes every act of the created and uncreated intellect, he adds that it is not a real actual distinction in the ordinary sense, and that it may be also called "differentia rationis," and a "differentia virtualis." St. Thomas is, however, emphatic in asserting the identity of the Divine essence and Divine relations *secundum rem*, and that a distinction exists only "secundum intelligentiae rationem." The latter part of this statement formally contradicts the statement of Scotus, that the distinction precedes every act of the created or uncreated intelligence. Suarez, however, asserts that the doctrine of Scotus is sound in faith, and we may add that it has been accepted by many theologians not only of his own great School, but even by several theologians of name who belonged to neither Thomist nor Scotist School. This *distinctio formalis seu modalis* necessarily modified many other opinions of the Scotist School, both in philosophy and theology. The purpose of Scotus in laying down this distinction was to escape from the logical difficulties involved in the Thomist doctrine of the Holy Trinity—"Pater generat, Essentia non generat;" it is not easy to see how these two propositions can be both true, and also the third proposition, *Essentia est Pater*. Scotus then, by his formal distinction between the Paternitas and the Divine Essence, seemed to make the mystery more intelligible; if there were no logical difficulties in the way, there would be no mystery at all in the matter. The warmest discussions of the rival Schools centred round this point, and continued unabated down to the time of Suarez, who virtually declares that both opinions come to the same thing.

Another question raised by these ingenious Scholastics was : is it possible in the future life to have a vision of the Divine Essence, and yet not of the Persons, or to have the vision of one Divine Person, and not of another? St. Thomas declared it was absolutely impossible : but Scotus held, in accordance with his own principles, that it did not seem by any means to be absolutely impossible. I refer to this discussion only to show how the formal distinction necessarily gave rise to many other points of difference between the two great Schools, as well as the little practical importance of the questions that were sometimes agitated with great warmth between the contending parties.

We now return to the philosophical discussions between Thomists and Scotists.

Aristotle wrote a valuable treatise, "De Anima," which was in the hands of all the Scholastics. St. Thomas accepts his teaching in psychology without any important modification. Its fundamental principle is enunciated in the famous maxim : "Nihil est in intellectu quod non prius fuerit in sensu." Even admitting that the axiom, in these words, is not to be found in St. Thomas, the doctrine which it enunciates is certainly there, and widely differs from the materialistic ideology of Locke and Condillac.

According to St. Thomas, the mind is originally a *tabula rasa*, a sheet of white paper ; by the agency of the external senses a *species sensibilis* is impressed on the "internal sense." Thereupon the *intellectus agens* comes into exercise, and *spiritualizes* the *species sensibilis* into a *species intelligibilis* ; this latter stimulates the *intellectus possibilis* to action ; the *intellectus possibilis* thus stimulated produces thought or conception. By a further process of abstraction and generalization we get the notions of *genus* and *species*, and thus arrive at science. This system, so severely attacked by the Cartesians, describes, at least as accurately as any modern system, the mental procedure in as far as we can clearly trace it. The image (*species impressa*), in the case of vision for instance, is not only drawn but *painted* on the retina of the eye, *sensus internus*. The optic nerve conveys the impression to the brain, and the brain thus stimulated spiritualizes this image into *species intelligibilis*, which in turn produces thought or ideas, from which ideas as before we arrive at the universal, the proper object of science.

Scotus, however, greatly modified, in accordance with his principles on matter and form, this mode of procedure.

St. Thomas held the mind to be a *tabula rasa*, not only destitute of ideas, but utterly incapable of acquiring them, except through the senses, and in virtue of the *phantasmata* supplied by the inward sense. How then, said Scotus, do angels, how can separated souls, acquire knowledge; or are these latter incapable of acquiring any new knowledge of things in a *natural* way? In their case there can be no *species impressa*, and, therefore, no idea, no knowledge. He holds, consequently, that the Aristotelian maxim must be modified, that the mind can, independently of all sensible impressions, and in virtue of its own intrinsic power, obtain ideas and acquire knowledge, that it does not *necessarily* need either the agency of the senses, or the stimulus of the *phantasmata* to call it into action. In other words, in the Thomist system a *medium* is necessarily required between the subject and object to stimulate the former to action, because the mind is a pure form, and as such necessarily incomplete; in the Scotist system no such medium is *necessarily* required, because the mind is not a pure form, and therefore not incomplete, but with a potentiality reducible to action, altogether independent of things external. St. Thomas seems to hold that the separated soul can acquire knowledge only in a quasi-angelic, and to it *super-natural*, manner; while Scotus holds that it can and does acquire knowledge in a natural way, because there is in the soul, although it is the form of the body, a *potentia et actus*, corresponding to matter and form in material things, which make it a substance sufficiently complete to acquire knowledge in a *natural* way. It is not difficult to see how many pregnant consequences in philosophy and theology follow from this fundamental difference in the ideology of the Thomists and Scotists.

We now come to the peculiar physical system of the Scholastics. It was admitted, as one of the fundamental principles of Scholastic physics, that there is an essential difference between the nature of *sublunary* and *celestial* bodies. The former are gross and corruptible, the latter are ethereal and incorruptible. The natural motion of the sublunary bodies is rectilinear; the natural motion of the celestial bodies on the other hand is curvilinear. On these two principles they built up their entire system of terrestrial and celestial physics.

It was contrary to the very nature of things, for instance, that the earth could move *round* the sun, seeing that its *natural* motion is rectilinear: it could only move in a

straight line if it moved at all. The sublunary world is, in their system, composed of four simple elements, fire, air, earth, and water; into these all sublunary bodies are resolvable. Two of them have a *natural* motion upwards, fire and air; and two have a *natural* motion downwards, earth and water. Hence the former have no weight, *summe levia sunt*¹, but the latter have necessarily weight, either *in summo gradu, ut octo*, as they said, or *in gradu inferiori*. To these four elements the four primary qualities correspond, the hot, the cold, the dry, the humid; the *humid* being the characteristic quality of air, and the *cold* belonging to water. In accordance with the *predominance* of any element and its characteristic quality, they divided men's temperaments into four kinds; the melancholic, in which the earthly element predominates; in the phlegmatic it is water; in the sanguineous it is air; while in the choleric, fire is the ruling element. In accordance with these principles, and by purely *a priori* reasoning, Scotus gives very ingenious, and to our notions very amusing, explanations of the various natural phenomena that take place in the world around us.

In the first place he makes a marked distinction between "vapours" and "exhalations." The "vapour" is educed from water and other bodies of a *humid* nature by the heat of the sun, and by the virtue of the stars; and these vapours so generated produce clouds, rain, hail, snow, and dew. On the other hand, "exhalations" are derived from the earthy or dry bodies, by the same solar and stellar influence; and cause meteors, comets, winds, thunder and lightning. First he discusses the tides and currents of the sea. The sea, he says, is the natural abode of the water: hence it ought to be at rest, if strong external influences did not act upon it, and produce *violent* motion. Two causes produce a current from the north to the south: first, the greater elevation of the north, and water seeks the lowest place; this indeed can hardly be called a violent motion. Secondly, the north is naturally cold and humid, hence more water is produced there, while the south is hot and dry, and thus evaporates a greater quantity, leaving the vacuum to be filled by currents from the north.

With regard to the tides, he rejects the theory that they are caused by submarine gulfs, which at one time swallow up and afterwards eject vast quantities of water. With

¹ According to the Scholastics, a body is *light* by nature that has a natural tendency to fly from the centre (the earth), and the body is *heavy* that naturally flies to a centre.

the Bishop of Lincoln he holds that they are caused by the moon: when it is low in the horizon, its slanting rays are weak, and therefore able to raise, but not able to dissipate, the vapours of the sea. These vapours cause a swelling or boiling of the mass, and thus we have the flow of the tide. When, however, the moon reaches the meridian, its rays approach the perpendicular, and thus becoming stronger, are able to dissipate the vapours which they excite, causing thereby a lowering and reflux of the swollen element.¹ That the moon has an influence over the sea, which is a humid element, cannot be questioned, seeing that it exercises a similar sway over the brain, marrow, blood and humours of the human body, as experience, he adds, abundantly testifies.

In explaining the causes of earthquakes, he says that there are within the earth immense caverns whence rivers and fountains flow. The solar and stellar heat generates in these caverns great quantities of humid "vapour;" in cold weather the vapours are condensed; when more moisture gains admittance, with the returning heats, the new as well as the old moisture is converted into vapour of very high pressure. This vapour, in its efforts to escape, shakes the earth until at length it finds a safety valve by bursting violently through its prison walls.

Thunder, according to Scotus, is caused by "exhalations" which the solar heat educes from earthy and dry bodies. These exhalations being thus by nature dry and warm, seek the higher regions; in their upward course they meet with watery clouds, which being of an opposite nature surround and imprison them. In their efforts to escape the pressure of the clouds, they make loud rumblings, striking against the "sides" of the opposing clouds, until at length they break through with the loud explosion, or thunder clap, which resounds in our ears. The lightning is simply the flash of light generated by the high pressure and rapid motion of the escaping "exhalation;" it is only instantaneous, however, as the exhalation is at once diffused when the pressure is removed.² Comets are the same exhalations in still higher regions of the heavens, lit up by rapid motion and reflected light.

It is not at all a matter of surprise if these ingenious theories found ready acceptance in the minds of men, who

¹ *De Meteoris*, Lib. ii. quaest. ii. art. 2.

² *De Meteoris*. Lib. ii. quaest. 8.

unhesitatingly admitted as physical axioms the doctrine of the four elements, primary qualities, and natural motions on which they are founded.

We can only say very few words about the beautiful but unreal system of the heavens, which the Scholastics accepted from Aristotle and Ptolemy. We refer to it chiefly in order to point out in what respect Scotus and his School rejected and refuted the generally received doctrine of the Scholastics, and at the same time made the first step in the road that led to the brilliant discoveries of Copernicus, Newton, and Laplace.

This theory of Aristotle, and of the Scholastics generally, established the doctrine of an incorruptible heavens, a region of beauty, serenity, and repose. It was the most perfect work of God in the natural order, not like the sublunary world, a mixture of the baser elements in various proportions; it was exclusively composed of a fifth element, not indeed, immaterial, but pure, simple and unchanging, with a nature and a motion of its own, and by God's design expressing an influence of its own over all sublunary beings, animate and inanimate.¹ In one respect only, where faith compelled them, did the Scholastics disagree with Aristotle. He taught that, at least the upper orb, the first heaven, was eternal like God himself. He was the first *immovable mover*, but the heavens were the first *movable mover*, moved itself by God, and moving in turn the inferior universe, with which the principal and purely Spiritual Being could not be brought into immediate contact. The eternity of the heavens the Scholastics rejected, but its incorruptibility and influence over the inferior world they unanimously admitted. Hence the inevitable tendency of the age to judicial astrology,² to the admission of this all-pervading, but not always inevitable, influence exercised by the stars and planets over the tangled web of human destiny. It was not by any means the blind inevitable fate

¹ In answer to the question "Utrum stella comata significet mortem principum?" Scotus answers affirmatively from the authority of Albertus Magnus, and all astrologers, that is, all astronomers, and the reason is: "Stella comata signat universaliter mortalitates et epidemica omnium venientium super terram, potius dicitur signare mortem principum, quia magis notatur quam aliorum."—*Met. Lib. i. quaest. 19. art. 2.*

² "Verum est tamen quod corpus coeleste agit in voluntatem nostram quasdam inclinationes, mediantibus quibus facilitatur aut difficilatur in operando. Unde sapiens astrologus multa mala prohibere potest quae secundum stellas essent ventura et juvat opus stellarum sicut seminatio vires herbarum."—*De Meteor. Lib. i. quaest. 3. art. 3.*

of the ancients, superior to Jove himself, but a secondary causality, created by Divine power, the subject and the instrument of the designs of an all-ruling Providence. It was a beautiful, and, in what we should now call an unscientific age, a not unnatural theory. These nine encircling heavens encompassed the earth all round; they were the fountains of light and heat, of vegetable and of purely animal life; they affected the elements, and the elements affected the temperaments, the passions, and therefore, at least indirectly, the powers of the human will. It was impossible with their ideas, to look up at night to the expanding heavens with its brilliant stars, and Milky Way, and planets of uncertain course, and not feel their influence over the poor inferior world within their bosom. Were not these crystalline heavens always radiant with light? Were they not always pure and calm, swiftly and silently pursuing their eternal round? Where was there any trace of stain, or change, or death? Were they not the footstool of God himself, and the radiant mansions of the just made perfect?

It was Scotus who first ventured to throw a doubt on the physical reality of this enchanting picture. The question was asked by St. Thomas, as it is asked by Suarez, are the heavens, like the sublunary world, made up of matter and form; and is the matter of the same nature as the *materia prima* of this lower world of ours? The whole Thomistic School—in fact, all the Scholastics before Scotus—answered in the negative. But he said, yes; and thereby laid the axe to the root of the tree. He does not, and he dare not, in those days, deny the doctrine of an incorruptible heavens; but by asserting the identity of its primal matter with that of the corruptible world, he virtually denied it, and sapped the foundations of the unsubstantial fabric, leaving an easier task for Cusa, Kepler, and the rest, for whom it was reserved to prove with certainty the bold thesis which he first advanced. In this, as in other respects, Scotus directed the current of philosophic thought from its Aristotelian channel, and greatly influenced its future direction. For instance, Dante was the bard of Scholasticism, the poetic expression of its philosophy and theology, in as full and perfect a sense as St. Thomas and Scotus are its logical expression. It is impossible for any one who has even a slight acquaintance with the immortal Florentine not to feel this truth, which is indeed admitted by all his

profounder critics. He expresses, it is true, more than once his contempt for mere logic, and even makes the demon a logician;¹ but it is from the ethics² and physics of the Scholastics that his poetry gets life and inspiration. Yet, as M. Ozanam has pointed out in his able and eloquent critique on Dante, he always inclines to the Franciscan School, the School of Bonaventure and Scotus, rather than to the Thomist side. As Ptolemy and the Scholastics made nine heavens, so does Dante put nine circles in his *Inferno*, and makes nine sciences complete the cycle of human knowledge. He gives expression to a hesitating faith in astrology; and clothes, more than once, in poetic language the metaphysics of the primal matter and substantial forms. But it is, above all, in his conception and description of the heavens, that he gets his inspiration from the Scholastic theories.

As Tennyson has shown us what conceptions of beauty float around the revolving orbs of Copernicus, so Dante, in language of loftiest imagery, describes the Milky Way glowing with starry gems; and far beyond all material orbs, he places the highest empyreal heaven itself, describing it as radiant in light inaccessible, and like the gods of Epicurus, resting in serene repose:—

“Where never creeps a cloud, nor moves a wind,
Nor ever falls the least white star of snow,
Nor ever lowest roll of thunder moans,
Nor sound of human sorrow mounts to mar
Their sacred everlasting calm!”

In conclusion, although we certainly are not expected to accept the doctrines of the Scholastics in physical science, we venture to remind our readers of the language applied to Scholastic Theology by our present venerated Pontiff:—

“*Divino illius munere* qui solus dat spiritum scientiæ et sapientiæ et intellectus, quique ecclesiam suam per sæculorum aetates, prout opus est, novis beneficiis auget, inventa est a majoribus nostris, sapientissimis viris, *Theologia Scholastica*, quam duo potissimum gloriosi doctores, angelicus S. Thomas et seraphicus S. Bonaventura . . . ornarunt, eamque optime dispositam multisque modis praeclare explicatam posteris tradiderunt.”³

¹ “Forse
Tu non pensavi ch'io loico fossi.”—*Infer.* xxvii. 41.

² “Cessando la morale filosofia, le altre scienze sarebbero celate alcun tempo; e non sarebbe generalizione nè vita de felicità.”—*Covvito*, ii. cap. 15. We may perhaps return to this subject hereafter.

³ See the Encyclical “*Æterni Patris*.”

These words were first used by Sixtus V., and are now repeated by our present Pope, who then goes on to extol the wonderful benefits conferred on the Church by the teaching of St. Thomas, both in philosophy and theology. St. Thomas has, indeed, no equal in divine wisdom among the Scholastics, but certainly Scotus comes next to the Angelic Doctor. It must be borne in mind also that the teaching of St. Thomas is, in many respects, both in philosophy and theology, widely different from the doctrines of the Thomist School; and the Scotists, not altogether without reason, declare that in many points, in which the disciples differ widely, the masters themselves are quite in accord. The Thomist doctrine on grace is a case in point. For great theologians, who belong to neither school, maintain with good reason that St. Thomas never taught the doctrine of the *promotio physica*, which is so strenuously maintained by most of his disciples. At all events Ireland has good reason to be proud of her son; and we hope that the day will never come when the name of Duns Scotus will be forgotten in the halls of the *Alma Mater* of the Irish priesthood.

J. H.

SCIENTIFIC NOTICES.

THE LONDON FOG.

HAS the "gentle reader" ever had his gentleness sorely tried by a real London fog? Did he ever awake on a winter's morning in the great metropolis and find that opening the shutters and drawing up the blinds made scarcely any change, and that what he sarcastically calls the light of day is at best but darkness visible? Has he ventured out for a new sensation, and found the palpable yellow thing clinging to him and affecting every sense, so that he sees it—and scarcely any thing else—he tastes, he smells, he handles, and should he be rash enough to make the attempt, so thick become his words that it may be said, he talks it?

A thin coating of a nearly opaque yellow paint on the windows will give some idea of the aspect this special fog has, but not a complete one; for that will be wanting in depth,

if not in substance, and will hardly reveal the red lights which at times flash—no, struggle—through the darkness. Imagine such a fog as this, not overhanging but filling up the largest and busiest city in the world, stopping its traffic and paralyzing its very life, and this not for an hour or two, but for several successive days; and then we may easily understand why Londoners should resolve upon internecine war with their great enemy.

The fog, of course, is interesting from a scientific point of view; like the Colorado Beetle, the Influenza, and the Phylloxera. It is, like them, a subject for thorough investigation, and as such occupied many hours of Professor Tyndall's time in 1873, when he was making those important experiments on fog-signalling, which led to such unexpected and interesting results. But London looks upon its fog as the vinegrowers do upon the phylloxera, and is anxious only to get rid of it.

Every one knows what an important part smoke plays in the vile concoction, and so the first thought is to get rid of the smoke—but how? An act might be passed, say the hasty and irritable, to bid all chimneys to consume their own smoke. As well bid the householders to do so, common sense replies. They take it, it is true, in fog, but you might as easily compel them to take it unmixed, as to use a particular kind of grate, or burn a special sort of non-smoke-producing coal. Every man's house is his castle, and his domestic hearth is his palladium. So a sensible man, like Dr. Siemens, who is at once a philosopher, a manufacturer and a mechanic, devises a smokeless gas stove, which, unlike less perfect specimens of its kind, that are grim and cheerless, and apt to make their presence not only felt but smelt, will give a bright and companionable flame: a fire that can be kindled in a couple of minutes and extinguished in still less time, merely by turning off the gas.

We need not trouble our readers with a description of this excellent open grate, which is already coming into extensive use: enough if we record this new attempt against the common enemies, smoke and soot.

But, after all, an attack like this upon the ubiquitous foe is little more than random shooting; it may do, like skirmishing in the preliminary movement, but will avail nothing when the whole army is at hand: so Mr. Scott Moncrieff next comes forward with a far more important attack, which promises to secure a complete rout if it can be

carried out. The Londoner may refuse to adapt his open grates to Dr. Siemen's designs, and he may shake his head at anthracite coals, which he connects in his mind with factories and workshops, and not with the comforts of home; but Mr. Moncrieff will supply him with his old familiar coal, little changed in appearance, but happily robbed of its smoke-producing powers, which he may burn in his old fireplaces with as much warmth and brightness as ever. In short, the family will find nothing new but the unwonted absence of occasional inroads of smoke, which sudden gusts of wind used to produce, and the entire disappearance of that grim, murky personage, the sweep, whose regular visits have been marked by the removal, from the chimney to every article of furniture and decoration in the room, of the wasted coal which took the now banished form of soot.

This seems a wonderful devise, and not very difficult to be carried out, provided only the gas companies can be brought to co-operate.

Without going into details, we may briefly say that he proposes that *all* the coal to be consumed in London should be sent to the gas-works and be burned there. One third (about two millions of tons) of the present total consumption is manufactured into gas, the other four millions are burned in houses. Send the whole six millions to the Gas Companies, but allow them only to make from them the same quantity of gas as at present is made from the two millions. Thus the gas in the coals will be only partially extracted. The coals, in this condition, are to be supplied to the householders at, of course, a reduced price, and the fires kindled and fed by them will be smokeless! There are calculations made to show how everybody will save money by this arrangement, but, leaving that out of consideration, the plan seems feasible enough, and one which will interfere as little as possible with the much prized "liberty of the subject."

But will the old enemy, the fog, be destroyed when the smoke is got rid of? Certainly not, for that is but one ingredient in the foul combination. Much would certainly be done in the right direction when so powerful an element is eliminated, and so we wish all success to the contrivers; for fogs, if not so abominable as that of London, are not altogether unknown on this side the Channel; while smoky chimneys, blacks, and soot are domestic enemies from which most households suffer.

But apart from smoke which combines so readily and so effectively with it, what is fog?

An excellent and interesting answer to this question was given last December by Mr. John Aitkin, in a paper read by him to the Royal Society of Edinburgh, of which an abstract is given in *Nature*, Vol. 23, No. 583.

He treats of Dust, Fogs, and Clouds, and begins by showing that "Dust is the germ of which fogs and clouds are the developed phenomena." The experimental illustration is simple but very striking. He had two large glass receivers; the one filled with common air, the other with air which had been carefully passed into it through cotton wool, and thereby filtered of all dust. Upon admitting steam into the former, it mixed with the ordinary air, and gave the usual and well-known cloudy form of condensation, such as we observe when steam escapes into the open air, and we say that we see the steam, though steam as such is invisible. But when the steam entered the filtered air no cloudiness whatever appeared. The air remained supersaturated and perfectly transparent! Mr. Aitkin explains the difference in the behaviour of the steam in the two cases, by corresponding phenomena in freezing, melting and boiling. "It was shown that particles of water-vapour do not combine with each other to form a cloud-particle, but the vapour must have some solid or liquid body on which to condense. Vapour in pure air, therefore, remains uncondensed or supersaturated, while dust-particles in ordinary air form the nuclei on which the vapour condenses, and form fog or cloud-particles."

So then dust is the material out of which our fogs are made, or rather the minute particles, round each of which some little portion of vapour condenses and makes itself visible. Of course the effect will vary with the quantity of dust-particles present in the air; when there is much dust the vapour has to distribute itself over a greater number of individuals, and so each particle receives a smaller share, and can float more easily than when it is more heavily weighted in a less dusty atmosphere, and then sinks like rain.

The conclusions drawn are obvious enough, but none the less strange before the experiments are made.

1. Whenever water-vapour condenses in the atmosphere it always does so upon some solid nucleus.

2. Dust-particles in the air form the nuclei on which the vapour condenses.

3. If there was no dust there would be no fogs, no clouds, no mists, and probably no rain; and the super-saturated air would convert every object on the surface of the earth into a condenser on which it would deposit.

4. Our breath, when it becomes visible on a cold morning, and every puff of steam, as it escapes into the air, show the impure and dusty condition of our atmosphere.

This discovery throws light upon a hitherto obscure matter, namely, why snow-water is never clean, however pure the snow itself may appear to be. Evidently the discoloring of the water is due to the presence of these minute particles of dust around which the moisture accumulated ere it was frozen into snow, and which are sufficiently numerous to make themselves seen at least to this small extent of staining.

And now with regard to our old enemy the fog, what is the outcome of these experiments in his regard? Evidently it will not be enough to get rid of, or consume the smoke, for the air-dust will suffice to make a fog though not so opaque and offensive as that of London.

Get rid of the dust, exclaims a hasty reader, but that is not only a more difficult task than the other, it is simply impossible. To "kick up a dust" of this kind, it is enough to heat any substance and off flies the cloud, to generate fog when combined with steam. It is sufficient to heat the hundredth part of a grain of iron-wire, to send dust enough into the glass receiver to form a distinct cloudiness. We talk of the motes in the air which a ray of light reveals, as specimens of what is small, and Professor Tyndall has often burnt them, until the beam whose path they illuminated by their reflection becomes invisible, and the space is a black vacancy; but the burning of the motes only turned them into dust—ashes of motes—and that dust will raise a cloud. Thus we see how hopeless is the task of ridding the open atmosphere of its fog-compelling particles of dust.

So while science tells us what we can do in purifying our fogs, it renders no less valuable a service in pointing out the limit beyond which we cannot go. It is no small thing to learn how to economise our time.

THEOLOGICAL QUESTIONS REGARDING THE
LENTEN FAST.

I.—ON THE USE OF LARD AND DRIPPING DURING LENT, AND
ON DAYS OF FAST AND ABSTINENCE.

The following questions have been raised in reference to the concession granted by the Holy See in 1877, in compliance with the petition of the Synod of Maynooth.

1. Is the concession granted by the Holy See, in 1877, which allows the use of lard, &c., during Lent, to be regarded as a dispensation granted directly to the faithful, or as an authorization granted to the Bishop of each diocese, enabling him to grant the dispensation if he should think fit to do so, or, in the contrary event, to withhold it?

2. For what days of Lent is the concession available? The petition of the Synod contains the clause, “exceptis *solemnioribus* [jejunii diebus].” How is this exception to be understood?

3. Does the concession of the Holy See regard days of fasting throughout the year, as well as during the time of Lent?

4. Does it regard days of abstinence, as well as days of fast? My reason for asking this last question is, that I have heard it stated very confidently that the concession is available for days of abstinence; whereas I observe that in the petition of the Maynooth Synod, by virtue of which this concession was made, only days of fasting are mentioned.

Before proceeding to answer the foregoing questions, —in which I have taken the liberty of embodying a number of *dubia* that have been forwarded for consideration—it may be well to set forth the principal Documents on which we shall have to depend in coming to a decision on the interesting points thus raised.

I.

The first of these is the *Postulatum* of the Irish Bishops, sent forward to Rome, in 1875, from the Synod of Maynooth, by his Eminence the late Cardinal Archbishop of Dublin. Among the *Postulata* was the following:—

POSTULATUM QUARTUM.

Episcopi Hiberniæ in Synodo Maynutiana nuper congregati, cum animadverterent, propter peculiaria hujus regionis adjuncta, legem jejunii nunc in Hibernia vigentem observatu difficilem esse, statuerunt sequentes dispensationes a Sancta Sede petere.

1. 2. 3.

4. Denique Episcopi petunt ut diebus jejunii, exceptis solemnioribus, usus laridi tanquam condimenti permittantur.

✠ PAULUS CARD. CULLEN, *Archiep. Dublin.*
Praeses Synodi ut Deleg. Apost.

II.

The answer to this Petition, dated 2nd May, 1877, is as follows:—

“ AD QUARTUM. 1. . . 2. . . 3. . .

4. Quoad usum laridi et sagiminis supplicandum SS^{mo} pro extensione Indulti, dati die 20 Februarii 1853, Eminentissimo Archiepiscopo Dublinensi, ad omnes Hiberniae Dioeceses.

EADEM DIE AC FERIA, SS^{mus}, audita relatione, ut supra, benigne annuit pro gratia juxta DD. Emorum suffragia.

J. PELAMI,

S. Rom. et Univ. Inquis. Assessor.

III.

To ascertain the purport of this Rescript it is necessary to look back to the Indult of 1853, to which it refers. Although this Indult has been printed in our Irish *Ordo* or Directory for 1880, it will hardly be deemed superfluous to set it forth here in connexion with the foregoing Document for the interpretation of which it is plainly essential.

It is as follows:—

BEATISSIME PATER,

Paulus Cullen, Archiepiscopus Dublinensis ac Hiberniae Primas, ad pedes Beatitudinis Tuae provolutus humillime exponit non parum incommodi experiri a Catholicis Hiberniae diebus abstinentiae et jejunii ecclesiastici, ab iis praesertim qui pauperioris conditionis sunt. Etenim cum oleum in Hibernia non habeatur nisi ab exteris pro divitum commoditate allatum, alio condimento uti non possunt nisi butyro, quod, cum plurimi valeat, vires pauperiorum nimis excedit. Quapropter Beatitudinem Tuam orator enixe orat, ut facultatem illi concedere digneris indulgendi fidelibus suae dioeceseos usum condimenti ex adipe vel pinguedine animalium confecti, diebus abstinentiae vel jejunii quibus usus butyri ipsis permittatur. Quare, &c.

EX AUDIENTIA SSmⁱ habita die 20 Februarii, 1853, SSm^{us} Dominus Noster Pius Divina Providentia PP. IX., referente me infrascripto Sac. Congregationis de Propaganda Fide Secretario, benigne annuit pro gratia ad normam Indulti Emi. Urbis Vicarii pro currente anno 1853 et Tempore Quadragesimae.

Datum Romae ex Aed. dict. S. Congregationis die et anno ut supra.

Gratis sine ulla solutione quocunque titulo.

AL. BARNABO a Secretis.

IV.

Thus then, to ascertain the extent of the Dublin Indult of 1853—on which, as we have seen, that of the General Indult of 1877 depends—it is necessary to bear in mind the terms of the Roman Indults thus referred to in Cardinal Barnabo's letter.

I am not aware that these have hitherto been published in a form accessible generally to the readers of the RECORD. Thanks to the kindness of a friend, I am enabled to insert them here. It will, I dare say, be sufficient to insert those paragraphs which refer more immediately to the dispensation thus granted. And it may be well also to subjoin a translation of those portions of the documents in which the actual provisions of the dispensations thus accorded are set forth.

The documents are as follows.

First, the Indult regarding the year¹ generally:—

NOTIFICAZIONE.

COSTANTINO DELLA S. R. C. CARD. PATRIZI, DELLA SANTITÀ
DI NOSTRO SIGNORE VICARIO GENERALE, EC.

La Santità di Nostra Signore PAPA PIO IX. secondando gl' impulsi del paterno suo cuore verso la popolazione di Roma e suo Distretto, in vista ancora delle attuali circostanze, si è degnata di accogliere le istanze sulla continuazione dei condimenti di grasso nei giorni, nei quali sarebbe proibito l'usarne, e benignamente ne ha accordata la proroga per un altro anno. Per conseguenza nei giorni delle *Tempora*, ed in tutti i Venerdì e Sabati dell'imminente anno 1854, compresi anche quelli del Sagro Avvento (nei quali però resta ferma la legge del digiuno) continua ad esser permesso l'uso dell' Unto e Strutto pei condimenti. Non sono però contemplati in questo indulto quei Religiosi dell' uno e dell' altro sesso, che per voto trovansi obbligati ad astenersi da qualunque cibo e condimento di grasso.

Si eccettua da questa concessione il tempo quaresimale, per il quale si riserva la SANTITÀ' SUA di prescrivere ciò che crederà espediente al bisogno; come ancora restano eccettuate le viglie della Purificazione in forza del voto solenne, da cui è legata nostra

¹ The friend whom I have to thank for procuring for me the Indults of the Cardinal Vicar, as set forth above, was unable to obtain a copy of the General Indult for the year 1853. I am, however, in a position to state that the Indults as published from year to year are practically identical, so far as regards all the points that have any bearing on the questions we are now considering.

Citta, della Pentecoste, della Natività di S. Giovanni Battista, della festa dei Santi Apostoli Pietro e Paolo, della gloriosa Assunzione di Maria Santissima, di tutti i Santi, e del Santissimo Natale.

Dat. dalla Nostra Residenza li 20 Dicembre 1853.

C. CARD. VICARIO,
Giuseppe Canonico Tarnassi, Segretario.

Secondly, the special Indult for Lent :—

EDITTO

SULL'OSSERVAZIONE DELLA QUARESIMA PER L'ANNO 1853,
CON INDULTO APOSTOLICO.

COSTANTINO DELLA S. R. C. CARD. PATRIZI, DELLA SANTITÀ
DI NOSTRO SIGNORE VICARIO GENERALE, EC.

“Il Sommo Pontifice Ci ha ordinato di dichiarare, che in questa Quaresima (ferma sempre restando la legge del digiuno per quelli che vi sono obbligati) sarà permesso a tutti gli abitanti di Roma, e suo Distretto, compresi i Religiosi dell'uno e l'altro sesso, non astretti da voto particolare a maggior astinenza, il cibarsi di qualunque sorte di carne ; restando egualmente permesso l'uso del Unto e Strutto pe' condimenti.

Da questa benigna concessione sono eccettuati il Mercoledì delle Ceneri *in capite jejuniæ*, la Vigilia di S. Giuseppe, e gli ultimi tre giorni della Settimana Santa. In questi cinque giorni non si potrà far uso che di cibi di stretto magro, ed il condimento di Strutto ed Unto sarà in essi parimente proibito.

Nei tre giorni delle Tempora è proibito il cibarsi di carne, ovi, e latticinj, ma sono permessi i condimenti di grasso come sopra.

Negli altri Venerdi e Sabati, non compresi nei giorni sopraindicati, si permetti l'uso dell' ova, e latticinj, ed il condimento di Strutto ed Unto.

E' proibito in tutto il tempo della Quaresima, comprese anche le Domeniche, la promiscuità de' cibi, vale a dire, l'unione di carne e pesce in una medesima commestione.

Le persone obbligate al digiuno non potranno (eccettuate le Domeniche) usare de' cibi di carne, ova, e latticinj, se non nell' unica commestione ; possono però servirsi de' condimenti di grasso nell' altra piccola refezione tollerata oltre il pranzo.

Dato dalla Nostra Residenza li 3 Febbrajo 1853.

C. CARD. VICARIO,
Giuseppe Canonico Tarnassi, Segretario.

I subjoin a translation of the paragraphs that directly regard the point under consideration.

In the general notification for the year 1854, then, the arrangement laid down is the following :—

“The permission previously granted for the use of condiments is continued for another year.

“Hence the use of lard and dripping, as condiments, is allowed on the days of the *Quatuor Tempora*, and on all the Fridays and Saturdays of the year, including those of Advent (the obligation of fasting however remaining in force)

“From this concession is excepted the time of Lent—in regard to which a special Indult is to be issued;—and also the Vigils of the Purification of the Blessed Virgin (in virtue of the solemn vow by which the City of Rome is bound), of Pentecost, of the Nativity of St. John the Baptist, of the Feast of SS. Peter and Paul, of the Assumption, of All Saints, and of the Nativity of our Lord.”

As regards the Lenten Indult, its provisions in this respect are as follows:—

“During the Lent of 1853 the use of lard and dripping, as condiments, is allowed except on Ash Wednesday, the Vigil of St. Joseph, and the last three days of Holy Week. On those five days the faithful are restricted to strict meagre fare [the use of lacticinia, as well as of meat and eggs, being prohibited.]

“On the Wednesday, Friday and Saturday of the Lenten week of *Quatuor Tempora*, the use of meat, eggs, and lacticinia is forbidden, but the use of lard and dripping as condiments is allowed. . . .

“Except on Sundays, persons who are bound to fast can take meat, eggs, or lacticinia, only at the principal meal; they are, however allowed to use lard and dripping as condiments at the collation.”

We are now in a position to examine the various points raised in the questions set forth on page 166.

I. In reply to the first question, then, I would say that I can see no reason to regard the Indult of 1877 as a dispensation granted directly by the Holy See to the faithful of the various dioceses of Ireland.

This Indult merely extended to those dioceses the concession which had been made in favour of Dublin in 1853. Now it is obvious that the extension of a privilege from one diocese to a number of others cannot change its purport. And it is no less obvious that this privilege as originally granted, was not a dispensation granted directly to the faithful of the diocese of Dublin, but an authorization granted to the Archbishop of the diocese *empowering him to grant the dispensation.*

“Quapropter,” are the words of the Petition of 1853, “Beatitudinem Tuam orator enixe orat, ut facultatem ILLI concedere digneris indulgendi fidelibus suae dioeceseos usum

condimenti, etc." And the concession was made "*pro gratia*," that is to say, it granted the favour which was applied for.

Indeed, some readers of the RECORD, among the Dublin clergy, must no doubt remember, that as a matter of fact the Archbishop did not, for some time, exercise to its full extent the power which he had thus received, but, yielding to the representations of some parish priests, abstained from inserting the general dispensation in the Lenten Indult, and merely empowered each parish priest, who wished to do so, to grant the dispensation to his own parishioners.

II. To ascertain the days to which the concession does not extend, it is necessary to refer, not merely to the petition of the Maynooth Synod, and the Rescript of 1877, granting the concession therein sought for, but also to the earlier Documents of 1853, by which the extent of the Rescript of 1877 is to be determined.

The Rescript of 1877 merely extends to the rest of Ireland the concession made in favour of Dublin in 1853, and that concession was made in accordance with the terms of the Roman Lenten Indult of the same year.

Now in the Roman Indult we find (1) that the only days excepted are days of *strict* abstinence, such as is observed in Ireland only on Good Friday, and on one or two other days in the first and last weeks of Lent; (2) that the days of strict abstinence are much more numerous in Rome than in this country—the Cardinal Vicar enumerates them as follows:—Ash Wednesday; the Wednesday, Friday, and Saturday, of the week of *Quatuor Tempora*; the Vigil of St. Joseph (18th March); and the Thursday, Friday, and Saturday of Holy Week—making *eight* in all; and finally (3) that not all those days of strict abstinence, but only *five* of them, are excluded from the concession allowing the use of lard and dripping. The days thus excluded are Ash Wednesday, the Vigil of St. Joseph, and the three last days of Holy Week.

From this statement of the Roman discipline it is plain, as regards Ireland, that no question can arise as to Ash Wednesday and Good Friday. Obviously the concession does not extend to these.

It may, however, be asked whether it extends to the Vigil of St. Joseph, and to the Thursday and Saturday of Holy Week? I do not suppose that there should be any hesitation in answering this question in the affirmative. No doubt those days are excluded in Rome. But as a matter of interpretation it seems reasonable to accept the Roman

Indult as our *norma*, not in the sense of its specifying the actual days to be comprised or exempted, but that it indicates the principle on which this point is to be regulated. And plainly it is a fundamental principle of the Roman Indult, *not* to exclude any days but those of strict abstinence.

Then a further question may arise as to the Wednesday of Holy Week, which, in the great majority of the dioceses of Ireland, is a day of strict abstinence. Of course there can be no difficulty with regard to those dioceses—if, indeed, there are any others in Ireland—such as Kerry, where it is observed only as a day of ordinary abstinence. In such a case no possible reason can exist for regarding the day as excluded from the concession. But in regard to those dioceses in which it is observed as a day of abstinence similar to that of Ash Wednesday and Good Friday, are we to regard it as excluded from the concession?

No doubt this is a matter in regard to which some difference of opinion may not unreasonably exist. But it would seem to me that on a fair interpretation of all the documents bearing on the case, we should regard the Wednesday of Holy Week—wherever it is observed as a day of strict abstinence—as one of the days to which, according to the *norma* of the Roman Indult of 1853, the concession does not extend.

III. Before proceeding to answer the third question, it may be useful to make a few preliminary observations, to guard against a possible, and indeed by no means unnatural, misconception of the answer to be given.

The following points then are to be borne in mind:—

1° The use of lard and dripping is allowed only as a condiment. Thus the question of their lawful use can arise only in cases where other kinds of food are allowed, in conjunction with which they are thus serviceable.

2° Although frequently overlooked, it is unquestionable, and is, indeed, a fundamental principle in the matter of fasting, that at the collation no kind of food can be taken, the use of which is not sanctioned by custom. The collation itself—even when only bread is eaten at it—is, of course, allowed only by virtue of custom, which has thus tempered the rigour of the law. Hence theologians lay down that both as regards the *quantity* and the *kinds* of food which may be taken, it is of obligation to keep within the limits which established custom has defined.

“Per consuetudinem,” says Laymann, “introducenda sunt . . . collatiuncula; quae quum nullo jure scripto, sed sola, ut dixi,

consuetudine nitatur, ab eadem quoque regulari et definiri debet, tam secundum *qualitatem*, quam secundum *quantitatem* sumendorum.”¹

Lacroix thus lays down the same principle :—

“Hoc principie advertendum est quod quum collatio sit per consuetudinem introducta, in ea non liceat aliud circa *quantitatem*, *qualitatem*, et *tempus*, quam habeat consuetudo hominum timoratorum in unaquaque patria.”²

And St. Alphonsus :—

“Hic ante omnia advertendum attendendam esse consuetudinem locorum.”³

3° In Rome, as we learn from the Lenten Indult of the Cardinal Vicar, already quoted, the concession authorizing the use of lard, &c., extends to the collation, as well as to the principal meal. But their use, as a substitute for oil, is allowed only in the cooking of certain kinds of food, vegetables, &c., the use of which had previous to this concession been sanctioned by usage.

Thus we find this point explained in the well-known Treatise of Righetti, who has written with special reference to the usages of Rome. Dealing with the question on general principles, and altogether independently of any express clause regarding it in the Lenten Indult, he explains that, *per se*, in the absence of a restrictive clause, confining the concession to the principal meal, the permission to use lard, &c., as condiments, comprises not only the principal meal but also the collation.

He then proceeds to explain the point as follows :—

“This question could not have arisen so long as usage had not as yet authorized the collation, nor even subsequently, while the collation was as yet so restricted, both in regard to the quantity, and the kinds of food allowed, that the question of condiments did not arise. Now, however, that a legitimate custom, observed even by persons of tender conscience, allows us at collation to eat certain small fish, or a small quantity of vegetables cooked with oil, the case contemplated in this question may easily arise.

“I answer, then, that in the circumstances thus set forth, the use of lard, by way of condiment, is lawful. For, inasmuch as the Sovereign Pontiff allows the use of this condiment as a substitute for oil, it must be regarded as lawful to use it in all cases where oil itself may be used; but in the collation this use of oil is

¹ LAYMANN, *Theologia Moralis*, Lib. 4, tract. 8. cap. 1. n. 8.

² LACROIX, Lib. 3. part 2. n. 1297.

³ S. ALPHONSUS, Lib. 4. tract. 6. n. 1025.

allowed; therefore we are at liberty to use that which is allowed in the Indult as a substitute for it.”¹

And that this is the principle on which the use of such condiments is, in the absence of a restrictive clause, allowed at collation, is plain from the following Answer of the Sacred Penitentiary, confirmed by Leo XII. :—

“ Sacra Poenitentiaria, die 16 Jan. 1835, de expresso sanctae memoriae PP. Leonis XII. oraculo respondet quod ii qui ad jejunium tenentur licite uti possunt in serotina etiam refectioe condimentis in Indulto permissis, quia illa, vi Indulti, olei locum tenent, dummodo in Indulto non sit posita restrictio, quod ea condimenta adhiberi possint in unica comestione.

“ Dat. Romae, in S. Poen. die 16. Jan. 1834.

“ E. CARD. DE GREGORIO, M.P.”

Subject, then, to the restrictions laid down in the preceding observations, there can be no doubt that as a matter of ecclesiastical legislation the use of lard, &c., as condiments, when allowed at the principal meal, is also, in the absence of a special restriction, allowed, in similar circumstances, at the collation.

IV. The answer to the fourth question must unquestionably be in the affirmative.

The petition of our late Cardinal, when he applied for this concession in 1853, in favour of his own diocese of Dublin, made no distinction between the Lenten fast, and other fasting days throughout the year. And, as we have seen, the Indult, issued in compliance with the petition, so far from restricting the concession to the time of Lent, expressly granted it “ ad normam Indulti . . . Urbis Vicarii *pro currente anno* . . . ET tempore Quadragesimae.”

But it must be borne in mind, as I have explained in answer to the first question, that the Indults of 1853 and of

¹ “ Ora poi che una consuetudine legittima seguita da persone pure di timorata coscienza permette nella refezione qualche pescetto, o un poco di erba cotta in olio, non può dispizzarsi il dubbio nel caso proposto . . . Ho detto dunque, che può benissimo usarsi lo strutto per condimento nella circostanza di che si parla.

“ Dappoichè lo strutto dandosi *precisamente* per condimento in luogo dell’ olio. devesi intendere che il pontefice nell’ accordarlo a questo titolo, conceda che possa usarsi in quella guisa stessa che si usa l’olio; ma nella refezione della sera non è proibito condere con questo; dunque neppur con quello che ne è per indulto una sostituzione.” RIGHETTI, *Del Digjuno*, Lettera Seconda, n. 11.

1877—by which this concession has been granted, first to the diocese of Dublin, and then, generally, to the Irish Church,—are not to be regarded as dispensations granted directly by the Holy See to the faithful, but as Indults empowering each Bishop, so far as in his wisdom he may deem it expedient to do so, to grant this dispensation to the faithful of his diocese.

V. Subject to the explanation set forth in the preceding answers, this question also must be answered in the affirmative.

We have already seen that, to ascertain the extent of the Indult of 1877, we must look back to the Indult of 1853, and to the petition of the Archbishop of Dublin, in reply to which that Indult "*pro gratia*" was granted.

Now the petition distinctly specifies the days of abstinence, as well as those of fast:—"Orator enixe orat ut facultatem illi concedere digneris indulgendi fidelibus suae dioceseos . . . diebus ABSTINENTIAE vel jejunii, etc." And the Roman Indults, in conformity with the terms of which the petition of the Archbishop of Dublin was complied with, distinctly refers to days of abstinence as well as to days of fast. Thus we find that not only the Sundays in Lent, but also the Fridays and all other days of abstinence throughout the year, are distinctly specified in the Edict of the Cardinal Vicar.

II.—THE CRUSTULUM THEOLOGICUM.

The following question is of practical interest, especially at this season:—

"Theologians (as for instance Gury, *De Jejunio*, n. 493,) speak of an almost universal custom now authorizing the faithful, on fast days, to take "in the morning," a small quantity—two ounces—of solid food, as, for instance, of bread.

"If applicable to this country, the permission thus given would regard the *evening*; as, with us, the ordinary collation, about which no question can arise, is taken in the morning.

"But is it applicable to this country at all? At least in many parts of Ireland, it would be difficult to say that any such custom generally exists; and if so, should not the faithful be instructed that it is unlawful to introduce it?"

Without touching upon the question of fact involved in the query thus proposed, it will probably be sufficient to transcribe the following answer of the Sacred Penitentiary,

which was given in 1843, in reference to Canada, where the circumstances were precisely the same as those stated in the question of our correspondent.

“ BEATISSIME PATER,

“ N., sacerdos, exponit usum sumendi mane diebus jejunii, parva quantitate, caffaeum aut ciocolatum cum frustulo panis, qui invaluit in multis regionibus, atque etiam in diocesibus Statuum Unitorum Americae Borealis, . . . *nondum in Canada fuisse introductum.*

“ Quare ut aliquid certum respondere valeat illis qui interrogant an liceat quoque in Canada, dictus orator supplex rogat Beatitudinem Vestram ut benigne dignetur declarare, utrum tuta conscientia tolerari aut permitti possit in memorata regione Canadae, ut mane diebus jejunii, parva quantitate, sumatur caffaeum aut ciocolatum cum frustulo panis? ”

“ S. POENITENTIARIA, mature perpensis expositis, respondendum censuit, eos qui talem usum sequuntur *non esse inquietandos.*

“ C. CARD. CASTRACANE

“ Die 21 Nov. 1843.

W. J. W.

LITURGY.

Baptism in Private Houses.

REV. SIR—Kindly give a subscriber the benefit of your opinion on the following question:—

Has the Synod of Maynooth withdrawn the permission granted in the Synod of Thurles, of conferring Baptism with all the ceremonies in a private house, when a priest is called on to baptize an infant in danger of death, or at a great distance from a church?

There is no doubt that the Synod of Maynooth has made important changes touching the administration of Baptism in private houses, its desire being to bring the usage of the Irish Church into stricter conformity with the Roman Ritual. To understand exactly the changes made on this question in the legislation of Thurles by that of Maynooth, it will be very useful, if not necessary, to have the text of both Synods before us for the purpose of comparison. Accordingly we here print the passages in parallel columns:

SYNOD OF THURLES.

Ob praeteritorum temporum calamitates usus in hanc regionem inductus est Baptisma in domibus privatis conferendi. Cum sine magno incommodo in pluribus locis haec consuetudo aboleri nunc possit, praecipimus ut in locis praedictis hoc sacramentum in ecclesiis in posterum conferatur. Quod si infantes in periculo mortis sint, aut si longe degunt ab ecclesiis, ita ut ad eas tuto ferri non possint, tunc morem jam inductum necessitas mutari non sinit.—*De Baptismo*, n. 7.

SYNOD OF MAYNOOTH.

Ob praeteritorum temporum calamitates usus in hanc regionem inductus est Baptisma in domibus privatis conferendi. Cum sine magno incommodo haec consuetudo aboleri nunc possit, praecipimus ut hoc Sacramentum in ecclesiis in posterum conferatur, nisi infantes ob magnam distantiam ab ecclesiis vel ob gravem aeris intemperiem ad eas tuto ferri non possint. Si vero urgente mortis periculo, sive parvulus sive adultus, sacris praecipibus ac caeremoniis praetermissis, fuerit baptizatus, ubi convaluerit vel cessaverit periculum et ad ecclesiam delatus fuerit, omnia suppleantur (*Rom. Rit.*). Ex decreto vero Sac. Cong. Rituum, Sept. 23, 1820, cum sacerdos in casu necessitatis infantem privatim baptizat, caeremoniae quae subsequuntur ablutionem, scilicet, chrismatio, traditio vestis candidae atque lampadis ardentis, statim post ablutionem adhibendae sunt.—*De Baptismo* n.33.

The following observations occur to us after a close examination of these texts,

1. Both Synods begin by admitting, and in the same words, that there existed a custom in this country of conferring Baptism in private houses. There is no controversy or doubt as to the character of this old custom. It included the administration of Baptism with all the ceremonies. "This Decree," writes O'Kane, when commenting on the text of Thurles, "must be understood of Baptism with the ceremonies before, as well as after, the application of the matter and form, for this is the Baptism which was conferred in private houses according to the old custom."¹

2. After this first point the legislation begins to change. The Synod of Thurles enacts that the old custom is to be abolished in *many* places (*in pluribus locis*), and the Baptism

¹ Notes on the Roman Ritual, chap. iv., § xxvii. n. 387,

to be conferred in the churches, since, in its judgment, the old usage can be discontinued without great inconvenience in the districts referred to. Thus Thurles allowed by implication, the old custom to continue in some places or districts where it could not be set aside, *sine magno incommodo*.

On the other hand, the Synod of Maynooth omits the clause "in pluribus locis;" it makes no exception in favour of a place or district as such, and orders that the Sacrament be administered in the churches, since in its judgment the old usage can be now removed without great inconvenience.

3. The Synod of Thurles allows the old custom, viz., of administering Baptism with all the ceremonies in a private house, to continue in three cases: 1° in those places where it cannot be discontinued without great inconvenience, as we have just explained; 2° when a priest is called to baptize a child in danger of death: 3° when the house is far away from the church, so that the child could not be brought to it with safety.

Now, the Synod of Maynooth certainly abolished the custom in the two former cases. 1° It does not recognise the circumstances of any district to be such as would justify any longer the old custom, and exempt the locality from complying with the arrangements of the Ritual. 2° It withdraws the use of the old custom in the second case also, namely, when a priest is called to baptize an infant in danger of death. The Synod of Maynooth insists on strict conformity to the provisions made in the Roman Ritual and the decision of the Sacred Congregation for this case. It embodies these arrangements of the Ritual and Congregation in its own decree. According to them, the priest should begin with the application of the matter and form, and then go through the ceremonies that follow to the end; but the ceremonies that precede the application of the matter and form must be kept for the church whither the child is to be brought when the danger is past. 3° As to the third case—where the house is at so great a distance (*ob magnam distantiam*) from the church, or when the weather is so very inclement (*vel ob gravem aeris intemperiem*), that the infant cannot be brought with safety to the church—we notice that the Synod seems to deal with it in a different way from the case of danger of death. The Synod does not positively enact that the custom tolerated in Thurles is abolished in this case. Rather it seems to indicate plainly enough that in these circumstances the permission granted in Thurles is not withdrawn. Here is the sentence: "*Cum sine magno incommodo haec consue-*

tudo aboleri nunc possit, praecipimus ut hoc Sacramentum in ecclesiis in posterum conferatur, nisi infantes ob magnam distantiam ab ecclesiis vel ob gravem aeris intemperiem ad eas tuto ferri non possint."

Nor does the Maynooth Synod seem to abolish the custom indirectly, by expressly extending to this case the order of the ceremonies which the Ritual and the Congregation lay down for the Baptism given in danger of death, or in a case of necessity. In this respect there is a remarkable difference in the way both cases are dealt with in the Decree. While in Thurles both cases are mentioned in the same sentence, in the Synod of Maynooth they are in separate sentences. Moreover, in the Maynooth Synod, the one case is inserted as the exception to the total abolition of the old custom, and the other in a sentence apart is provided for in the very words of the Ritual.

We think that these marked differences are not without a meaning. The meaning we attach to them is that the Synod, while insisting on what is found in the rubrics of the Roman Ritual, regarding the case of imminent danger of death, did not wish to withdraw the permission granted by Thurles to follow the old custom of the country when it is necessary to baptize in a private house, "ob magnam distantiam ab ecclesiis vel ob gravem aeris intemperiem."

To sum up. The Synod of Maynooth enacts, 1°. That the old custom of conferring Baptism in private house with all the ceremonies, is abolished not merely in *many* places, but through the country generally. 2°. That, when a child is baptized in a private house in danger of death, the ceremonies preceding the application of the matter and form must be reserved for the church. 3°. We are of opinion that the Synod did not, as a matter of fact, withdraw the permission granted in Thurles to follow the old custom when a priest is called on to baptize in a private house, from which the child cannot be brought with safety to the church, "ob magnam distantiam ab ecclesiis vel ob gravem aeris intemperiem."

Is the Priest to wear the Surplice when hearing Confessions?

Should not a Surplice as well as a Stole be worn in administering the Sacrament of Penance? The Ritual says: "Superpelliceo et stola violacei coloris utatur;" but the Maynooth Synod is silent as regards the Surplice, saying only, "Stola violacea et vestis talaris." Even the latter is sometimes, I fear, discarded.

Our correspondent does not quote the rubric of the Ritual in full. He omits an important clause. The words

of the Ritual are "Superpelliceo et stola violacei coloris utatur, prout tempus vel locorum feret consuetudo."¹ Again, when describing how the priest is to be habited for the administration of the Sacraments, the Ritual has the following: "In omni sacramentorum administratione (sacerdos) superpelliceo sit indutus, et desuper stola ejus coloris quem sacramenti ritus exposit, nisi in sacramento poenitentiae ministrando occasio vel consuetudo vel locus interdum aliter suadeat." (*De Sac. administratione.*) Now, it is not the custom in this country to wear the surplice when one is hearing confessions.

The stole, however, ought to be worn. The following decisions of the Sacred Congregation seem to state that custom, even immemorial custom, does not justify priests who hear confessions in a church in not wearing a stole:—

I. "In Cathedrali Patavina ex immemoriabili consuetudine in publica administratione sacramenti Poenitentiae, sacerdotes confessarii interdicuntur ab usu stolae a Rituali Romano praescriptae: Quaeritur an standum sit hujusmodi consuetudini?"

Resp. "Negative, sed standum omnino Rituali et aliis decretis." S. R. C. 1844 (5,000).

II. "Quaeritur an Confessarii in ecclesia cathedrali (Patavina) in actu confessionum assumere debeant stolam, qua non utuntur."

Resp. "Affirmative juxta decreta." S. R. C. 11 Sept. (5,107).

When more than two Candles are allowed at a Low Mass celebrated by a Priest.

Priests are not allowed more than two candles at Private Masses. A decision of the S.R.C. in 1857 says, "permittuntur plus quam duo cerei in diebus solemnioribus pro Missa lecta parochiali aut communitatis;" thereby implying that on other days, only two should be used at these Masses. What are the *dies solemniore*s on which you may use more than two candles? Do Greater Doubles come under that denomination? What about ordinary Sundays? What are the private Masses spoken of?

By private Masses in this decree are plainly meant those which are not parochial or community Masses. At no such Mass, even though the feast be of the first-class and of obligation, is a priest allowed to have more than two candles.

The concession given in this decree regards public or congregational Masses. The "*dies solemniore*s" include, we have no doubt, feasts of obligation, Sundays and all other occasions, even though not of obligation, when the people or community celebrate the day with more of ceremonial pomp and solemnity than usual.

¹ Ordo ministr. Sac. Poenitentiae.

The decree regards not so much the rank of the feast in the calendar of the Breviary as the external celebration among the people or community. Our correspondent does not quote the decree quite exactly. We give it as found in Gardellini, and the text suggests the correct interpretation.

Dubium IX. "Utrum diebus solemnioribus pro Missa lecta parochiali, aut communitatis, prout supra, accendi possint plusquam duo cerei? Resp. "*Provisum in VII.*"

The answer to the 7th question is as follows:—

"Servanda esse quidem decreta quoad Missas stricte privatas, sed quoad Missas parochiales vel similes diebus solemnioribus, et quoad Missas quae celebrantur loco solemnibus atque cantatae occasione realis atque usitatae celebritatis et solemnitatis, tolerari posse duos ministros Missae inservientes, servatis ordinationibus Sacrae Congregationis in una Tuden." 7 Sept. 1816. R. B.

CORRESPONDENCE.

THE DIOCESE OF ARGYLL AND THE ISLES.

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

REV. DEAR SIR—I have been favoured with a letter from his Lordship the Bishop of Argyll and the Isles, in which that venerated Prelate complains that full justice was not done to his Catholic Highlanders in the papers on "The Fruits of Irish Faith," which appeared in the RECORD of January and February. Although the whole Catholic population of the Diocese is very small, yet it comprises about two thousand Highland Catholic families, many of whom are scattered through the Islands off the western Scottish coast. The Cathedral, too, at Oban, though it is of timber, is much more Cathedral-like in its proportions than would appear from the RECORD. I hasten to mention these interesting facts, lest any of your readers should be betrayed into error on the subject.

It is scarcely necessary that I should assure his Lordship that it never entered into my mind to disparage in the least the merits of those brave Highlanders, whose devotedness to the faith, amid so many persecutions, is beyond all praise; and I will endeavour on another occasion to do them more ample justice.

It may not, however, be out of place to remark, that Mr. Skene, the ablest of the Scottish writers of the present day on Celtic questions, asserts, and proves, that all the families known as Highlanders in the Isles and in Argyll, are a comparatively recent Irish colony, and that their leaders, though they sometimes assumed strange names, were in reality the kinsmen of the MacMahons and the other chieftains of Ulster. I may be permitted to refer in particular to Mr. Skene's introduction and notes to the Gaelic poems of the Dean of Lismore's collection, for the proofs of this

assertion. As it is so, the fidelity of the two thousand Highland families in Argyll and the Isles, which his Lordship attests, is an additional illustration of the steadfastness and the fruitfulness of the Irish faith.—Your faithful servant,

✠ PATRICK F. MORAN, Bishop of Ossory.

ADVENT FAST IN THE IRISH CHURCH.

[Father Malone sends the following correction of a statement in his paper in our last number.—ED. I. E. R.]

“In the last number of the RECORD a conjecture was hazarded on analogical grounds, that the Advent fast formerly began on the Sunday immediately following the Ides of November. Such sometimes, but not invariably, was the case.

“The fast began invariably on the 15th of November. This is made abundantly clear by an entry opposite the 17th of the Kalends of December, in the Irish Festology. This entry, given in the following stanza, matches for pretty imagery and rhythm the sweetest among the Greek Ephemerides in the Eastern Church:—

D. XVII. KL.—“*‘*Λα σερὰσ ρεκυνη, κορλογυα σερη οαθη,
κορσυρ μαρτυβοθη τιμορσαν ζρημ αχαθη.” S. M.

[We publish the following letter from Canon Toole, whose very interesting paper on the Translations of the Bible into English appeared in our January number.]

St. Wilfrid's, Manchester, February 14th, 1881.

REV. DEAR SIR—In turning over the pages of Kohl, the Russian or German traveller, who visited Ireland in 1842 or 1843, and published his pamphlet, “Ireland,” in 1843, I find it stated on page 201 that Belfast had not a printing-press before 1696. He adds, “yet Belfast was the town in which the first Bible ever printed in Ireland was published in 1714.” In my list, under the date 1718, the New Testament of Cornelius Nary is mentioned, with the notice, “no printer’s name or place given, supposed to be Dublin.” The proximity of these dates gives some ground for the suggestion that there *might be* some connection between the two.

Perhaps your acquaintance and influence in that northern city might enable you to learn whether this publication, which is mentioned by Kohl, was that which was issued by Cornelius Nary.

Archbishop Newcombe of Armagh published his translation of the New Testament in Dublin in 1796. This is the only Testament that I can find printed in Ireland, except our Catholic editions. It appears to me, that either Kohl has been misinformed, or that Father Nary had his New Testament printed in Belfast, away from the centre of hostility.

I am, Rev. dear Sir, &c.,

LAU. TOOLE.

DOCUMENTS

I.—LETTER OF THE SOVEREIGN PONTIFF TO HIS GRACE THE ARCHBISHOP OF DUBLIN ON THE IRISH LAND QUESTION.

LEO PP. XIII.

VENERABILIS FRATER, SALUTEM ET APOSTOLICAM BENEDICTIONEM,

Epistolam tuam, quam Nobis cum Romae esses coram exhibuisti, ad clerum populumque Dublinensis Dioeceseos proxime datam libentes perlegimus. In ea quippe agnovimus prudentiam et aequitatem animi tui: propterea quod, commota nunc Hibernia partim rerum desiderio meliorum, partim incertorum eventuum metu, ipse consilia praebes tempori admodum opportuna.

Nos quidem sollicitat atque angit misera conditio, in qua Catholici homines ex Hibernia versantur: multumque eorum virtuti tribuimus, quam res adversae vehementer exercent, nec brevi intervallo, sed aliquot jam saecula et aetates. Ipsi enim fortitudine et constantia summa quoslibet perferre casus, quam avitam religionem deserere, aut ab antiqua fide erga hanc Apostolicam Sedem vel minimum discedere maluerunt. Propterea eximia est et usque ad hanc aetatem continuata laus, numquam apud eos reliquarum virtutum nobilissima exempla defuisse. Quae Nos causae impellunt ut paterna illos benevolentia complectamur, maximeque optemus, ut, quibus affliguntur, incommodis modus aliquis celeriter imponatur.

Eodem tamen tempore omnino judicamus cavere eos magnopere debere, ne genuinae et domesticae probitatis suae opinio minuatur, nihilque temere admittere, quo debitam legitime imperantibus obedientiam abjecisse videantur. Atque hujus rei caussa, si quando Hibernia in rerum suarum tutelam ac defensionem gravius exarsit, Pontifices Romani incitatos animos continuo flectere ad lenitatem monendo exhortandoque contenderunt, ne scilicet justitia violaretur moderatione posthabita, neu caussa, quantumvis aequa, interjectis cupiditatibus, in seditionis flammam erumperet. Quae sane consilia eo spectabant ut Catholici Hiberni in rebus omnibus magistram ac ducem Ecclesiam sequerentur, et ad ejus praecepta, sese affatim accommodantes pravaram doctrinarum incitamenta respuerent.

Itaque Gregorius XVI., Pontifex Maximus die 12 mensis Martii, anno 1839, et die 15 Octobris, anno 1844, per Sacrum Concilium Christiano nomini propagando Archiepiscopum Armacanum admonuit, nihil agere nisi moderate et juste. Nos autem exemplo Decessoris Nostri, superiore anno Kalendis Junii, ut probe nosti, cunctis Episcopis Hiberniae recta monita pro rerum opportunitate danda curavimus, nimirum Hibernos dicto audientes Episcopis esse oportere, nullaque in re a religione officii declinare. Ac paullo serius, mense Novembri, aliquot ex Hibernia Episcopis

qui Romam ad sepulcra Apostolorum adierant, testati quidem sumus, Nos Hibernorum caussa omnia cupere; verumtamen illud etiam adjunximus perturbare ordinem non licere.

Talis in sentiendo agendoque modus institutis praeceptisque Ecclesiae Catholicae maxime congruit; neque dubitamus, quin ipsis Hiberniae rationibus sit profuturus. Etenim aequitati confidimus virorum qui summam imperii tenent; in quibus certe magnus esse solet rerum usus cum civili prudentia conjunctus. Multo tutius ac facilius fieri poterit ut ea, quae vult, Hibernia consequatur, si modo via quam leges sinunt utatur, caussaque offensionis evitet.

Quapropter et Tu, Venerabilis Frater, et tui isthic in Episcopatu Collegae date operam ut gens Hibernorum in his tam trepidis rebus aequitatis justitiaeque fines ne transiliat. Plura profecto testimonia observantiae et amoris ex Hiberniae Episcopis, a clero, et populo accepimus; quod si nunc iidem hisce consiliis auctoritate nostrae, uti pro certo habemus, docili ingenio paruerint tunc demum sciant, se et officio suo et Nobis cumulate satisfecisse.

Nos denique ex animo Deum exoramus, ut Hiberniam volens propitius respiciat; atque interim caelestium munerum auspiciem Tibi, Venerabilis Frater, ceterisque Hiberniae Episcopis, necnon universo clero et populo Apostolicam Benedictionem peramanter in Domino impertimus.

Datum Romae apud S. Petrum die 3 Januarii, 1881. Pontificatus nostri anno tertio.

LEO PP. XIII.

Venerabili Fratri EDUARDO MACCABE,
Archiepiscopo Dublinensi, Primati Hiberniae,
Dublinum.

II.—REPLY TO THE LETTER OF HIS HOLINESS.

BEATISSIME PATER—Episcopi Hiberniae in Collegio Maynuttiano, illius negotia administrandi causa, congregati, officii ducunt, Beatitudinem Vestram per epistolam adire, ut sensus simul amoris et venerationis. quibus erga Sedem Apostolicam semper affecti sunt, exhibeant, et gratias Beatitudini Vestrae agant pro litteris paterna benevolentia refertis, quas iisdem per Archiepiscopum Dublinensem recenter dedisti.

Superfluum forte videatur iterare et Beatitudini Vestrae confirmare, Sancti Patritii filios consiliis omnibus et monitis, a Petri Successore profectis, alacri animo parere et obedire semper paratos esse. Summum namque studium in Romanam Sedem singularis est Hibernorum gloria, et clarissima annalium nostrorum pagina est illa, quae narrat firmitatem et constantiam invictam, qua praedecessores nostri, inter gravissimas persecutionum procellas, cum Petri Successore indissolubili nexu consociati permanserunt. Patris vero amorem filiorum pietatem adaequasse testis est cura illa

vigilans et vere paterna, qua Summi Pontifices, praeteritis saeculis, patriae nostrae indesinenter consuluerunt et prospexerunt. Novum testimonium paternae illius sollicitudinis, nec primum quod afflicta gens nostra a Beatitudine Vestra experta est, in litteris nuperrime receptis exploratum habemus.

Leges iniquae et perniciosae, quae jam per plura saecula Hiberniam nostram lacerabant, greges nostris curis concreditos ad summam inopiam et miseriam adduxerunt. Pulcherrimas nostras regiones, natura uberrimas maximeque fertiles, fames statis temporibus devastat; et saepe coacta est patria nostra, mendicae instar, manum ad stipem porrigere, et subsidia ab exteris Christiani orbis nationibus implorare. Incommoda haec saepius repetita Patri misericordiarum non sunt impie adscribenda: Ipse enim nobis dedit terram adeo fecundam, ut fertilitas eius iamdudum in proverbium transierit. Neque sunt tribuenda segnitiei et inertiae populi nostri: Hiberni enim in alienis terris exules clarissima exempla laboris indefessi et magnae industriae semper et ubique praebuerunt. Sed legibus iniquis sunt referenda, quae virorum fortium brachia domi enervant, eisque, sensu salutis et securitatis sublato, spem omnem et vires adimunt.

Impraesentiarum vero Hibernorum gens, e veterino, quo tenebatur, exurgens, legum crudelium quibus affligitur, abrogationem firmiter et fortiter efflagitat; et enixe Deum obsecramus, ut iustis conatibus propitius benedicat, eosque ad felicem exitum et optatum finem perducatur. Celari tamen non potest ex factis et dictis quibusdam, quae nos omnes deflemus, umbras quasdam in causam nostram, ceteroquin iustissimam, cecidisse. Attamen dum haec, uti par est, damnamus, eorumque auctores habemus tamquam infensos hostes patriae, oblivisci non possumus afflictionum et angustiarum, quae populum nostrum a saeculis ad desperationem iustitiae et aequitatis adduxerunt.

Cum itaque ex corde approbemus finem, quem praesens concitatio de legibus agrariis abrogandis sibi proponit assequendum, quaedam tamen in illius finis assequitione adhibita fuisse media, quae probari non possunt, intime sentimus. Qua propter mense Junio proxime elapso, nos omnes simul in comitiis congregati, monita et consilia de periculis caussam minitantibus, gregibus nostris dedimus, nostramque operam contulimus, ut intra aequitatis et moderationis tramites concitatio ipsa contineretur. Profecto nunc officio nostro non deerimus, neque omitemus hisce consiliis a Beatitudine Vestra datis parere:—"Quapropter et tu, Venerabilis Frater, et tui isthic in Episcopatu Collegae date operam, ut gens Hibernorum in his tam trepidis rebus aequitatis iustitiaeque fines ne transiliat."

Caeterum, Beatissime Pater, diffiteri non valemus in quibusdam, quae in Anglia evulgantur, ephemeridibus, plura circumferri, quae, calumniis et mendaciis unice innixa, in Clerum nostrum et patriam maxime iniuriosa sunt. Ut huiusmodi et fidei et nominis hostibus nullam aurem praebas enixe Te, Beatissime Pater, deprecamur.

Interim, Beatissime Pater, ad pedum oscula provoluti, et Apostolicam Benedictionem petentes, omni obsequio et veneratione subscribimus.

Datum Maynutiae die 25 Januarii 1881.

Sancitatis Vestrae humillimi et devotissimi servi,

✠ EDUARDUS MACCABE.

Archiepiscopus Dublinensis et Praeses Conventus, qui nomine omnium Archiepiscoporum et Episcoporum, qui in Conventu adsunt, et de eorum mandato subscribit.

III.—LETTER OF THE CARDINAL PREFECT OF PROPAGANDA TO THE ARCHBISHOP OF OREGON, ON THE CASE OF PERSONS DISPENSED FROM THE OBLIGATION OF FASTING.

We are indebted to the kindness of Mgr. Seghers, the Coadjutor Archbishop of Oregon (Canada), for the following interesting and important letter regarding the law of fasting. This letter, dated 22nd August 1876, was addressed by the late Prefect of Propaganda, Cardinal Franchi, to Mgr. Blanchet, the Venerable Archbishop of Oregon, in reply to a question proposed by his Grace for authoritative decision. The question thus proposed was whether persons who are merely *dispensed* from the obligation of fasting are at liberty—like those who are *exempt, ratione aetatis vel laboris*,¹ to eat *toties quoties* whatever is allowed by the Diocesan Regulations to the faithful generally at the principal meal. The answer is in the *negative*.

The following is the text of the letter:—

ILLME ET RME DOMINE,

In epistola quam ad me dedisti sub die 10 Julii nuper praeteriti dubium proponis circa jejunium quod sic se habet: “Utrum Fideles qui sive ab Episcopo, Apostolica auctoritate, sive ob aliam rationem a lege jejunii *dispensantur*, sint eo ipso a lege abstinentiae ita dispensati, ut licite vesci possint carnibus pluries in die omnibus diebus quibus esus carniū conceditur jejunantibus?” Subdis autem quod non eadem sit hac de re Episcoporum sententia, cum nonnullis applicanda videatur dispensatis regula quae afficit fideles qui ratione aetatis vel laboris jejunare non tenentur, aliis vero non item.

Respondeo igitur absque ulla haesitatione quaesito a Te proposito, *Negative*. Alia est enim ratio *dispensatorum*, alia vero illorum qui legi jejunii non subjiciuntur. Primis enim indultum non suffragatur nisi pro unica comestione, quemadmodum docet

¹ See IRISH ECCLESIASTICAL RECORD (Third Series) Vol. 1, n. 1, (March 1870), pp. 36-42.

Benedictus XIV. in nota Encyclica diei 10 Junii 1745, super jejunio, aliis vero (scilicet a lege exemptis) licet uti cibis ab indulto concessis, quoties in die utuntur jure quo pollut manducandi.

Precor Deum ut te diu incolumem servet.

Romae ex aed. S. C. de P. Fide die 22 Augusti 1876.

Ampl. Tuae, ad officia paratissimus,

A. CARD. FRANCHI, Praef.

R. P. D. FRANCISCO BLANCHET,

Archiepiscopo Oregonopolitano, Portland, Oregon.

[In publishing the foregoing, we beg to thank the venerable writer for the friendly interest he has manifested in the success of the current series of the RECORD.]

NOTICES OF BOOKS.

Catechism: Doctrinal, Moral, Historical, and Liturgical. By the Rev. PATRICK POWER. Fourth Edition. Dublin: JAMES DUFFY & SONS.

WE have been anxious for a considerable time to direct the attention of such of our readers as have not read and re-read any previous edition of this work, to its solid and singular merits. But in this, and in many other instances, pressure on our space has compelled us hitherto to limit our notice to the bare mention of the name and author of books we have received for review.

Perhaps we could not give in the short space within which our remarks must be confined, a better idea of the value of Father Power's Comprehensive Catechism to missionary priests, as well as to the faithful in general, than by quoting the deliberate judgment of a priest who has used it with practical effect. "I have," he says, "a large collection of books, near a thousand volumes, and there is not a work in the entire I value more than the 'Catechism: Doctrinal and Moral;' nor do I know any work from which I have derived more ready and useful information."

This appears to us to be the highest testimony that could be borne to the merits of a book of this class, and to this testimony we unreservedly and most cordially subscribe.

Maria Monk's Daughter; an Autobiography. By Mrs. L. ST. JOHN ECKEL. Dublin: M. H. GILL & SON.

THIS book does not contain as much about the notorious author of the "Awful Discoveries" as the title would lead one to expect. However, it contains enough, considering that the history of Maria Monk could not be very edifying. It contains the confession of Maria Monk to her own daughter, that her book was a "lie."

With the exception of the few chapters in which is given an account of Maria Monk, the book is the personal history of Mrs. Eckel, one of Maria Monk's daughters. It is a wonderfully

interesting history, quite as interesting as the history of Becky Sharp in Thackeray's great novel, "Vanity Fair," to which, indeed, to our mind it bears a most striking resemblance. The only substantial difference that we can see between the two histories, is that Mrs. Eckel describes herself as free from that malicious desire of inflicting injury, which is so detestable in the character of Becky Sharp.

The author's intention in publishing her life to the world seems to have been good. She says: "I would have told more of my miseries, if it could have served any good purpose; and I would not tell less, because I would encourage those, who have suffered, and groped and wandered and sinned like me, to seek pardon and peace where I found them." But we fear very much that she has made a mistake. Here is the account which the Viscount de Le Aferrière, her most devoted admirer, gives of her: "Read Boileau and he will tell you that, if he should marry a covetous woman, she would not ruin him; a gambler, she might enrich him; a blue-stocking, she might instruct him; a prude, she would not disgrace him; a shrew, she would exercise his patience; a coquette, she might wish to please him; a woman of gallantry, she might go so far as to love him; *but a devotee!* what could he expect of a woman, who wishes to deceive God and who only deceives herself?"

"Said I: 'Under which category of women do you place *me*?'"

"He replied: 'You have the imperfections of the whole eight but what redeems you is, that you never try to conceal them.'"

We are sorry to be obliged to agree with Le Aferrière's description; and though we admire the earnest efforts and ultimate success of Mrs. Eckel in embracing a more honourable course of life, we do think that no good purpose can be served by publishing her career to the world. To us it seems that the follies and frivolities of the author's life are too mildly condemned in the book. We, therefore, regret that we must verify the author's prediction: "The critics of the book will find severest things to say of the personal history of the author and from her own showing. But they will not make me out as bad as I know myself to have been." We do not wish to condemn the author, but the book.

We have received for Review the following Books, which we shall notice in some of our future early numbers:—

Messrs. GILL & SON, Dublin—

Lessons in Gaelic. No. 4. Second Gaelic Book. Part I.

Land Reform. A Letter to the Council of the Irish National Land League. By MATTHEW HARRIS.

Musings by the Barrow. By MICHAEL DOYLE.

Phædrus's Fables. Translated. By JOHN BURKE.

From WALTER SMITH (Late MOZLEY & SMITH).

Note-Book of an Elderly Lady. By ELIZABETH M. SEWELL.

From F. PUSTET—

Opusculum Spirituale NICOLAI LANCISII, S.J. Novam editionem curavat CAROLUS MOSER.

THE IRISH ECCLESIASTICAL RECORD.

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CANON BOURKE AND OUR PRIMITIVE IRISH MONASTIC RULES.

“THE Life and Labours of St. Augustine, Bishop of Hippo Regius, with an account of the Canons Regular, and the Augustine Hermits,” forms the title of a recent publication from the pen of Ulick J. Canon Bourke, P.P., M.R.I.A. The little volume is unpretentious, and purports to be merely a panegyric of the Saint, preached in the Augustinian Church of Ballyhaunis, and published at the request of many of the preacher’s lay and clerical admirers. It suggests many thoughts flattering to the piety, the industry, and seeming familiarity of the author with his interesting and important subject; and so far we cordially offer to Canon Bourke the tribute of our admiration.

We trust, however, we may be permitted respectfully to direct attention to certain views, which the writer incidentally advances, regarding the Monasticism of our early Irish Church; and to examine dispassionately, to what extent those views may be consistent with historical truth. He tells us how St. Augustine, having founded an Order of religious men, whom he called “Hermits,” and having founded a Community of women, whom he placed under the direction of his sister, turned his “episcopal palace into a powerful monastic centre, which soon made its influence felt

‘ Even in our island home, bathed by the Atlantic wave.’ ”

The quotation is from page 26 of the work before us. He adds, “this was the third religious Order which he (St. Austin) founded, and it is known by the name of

‘*Canons Regular.*’” In page 29, we are informed that St. Patrick, our National Apostle, after his captivity in Ireland, spent eight years with the “*Hermits of St. Augustine:*” and the writer adds, on the authority of Ware, that all the monasteries founded in Ireland by St. Patrick “*were Canons Regular.*” But the writer assigns no reason for St. Patrick’s implied preference for the rule of the Canons to that of the Hermits, with which, according to the statements advanced, he should have been more familiar.

Those opinions regarding the connection of the Canons Regular with Primitive Irish Monasticism, advanced in the foregoing passages, and in others that shall be cited, are, we are well aware, the opinions of Ware and Archdall. As they are here adopted by Canon Bourke, we shall assume they are seemingly well founded; but we are forced to add that they appear to us untenable.

The persecution of the Vandals is the cause to which he attributes the introduction of the Augustinian Order to France. The spiritual children of the holy Bishop of Hippo fled for protection from Africa to the opposite coasts of the Mediterranean. The rule of St. Augustine would have been thus introduced by the exiled monks into Lernis; and from Lernis into France, by St. Martin, the celebrated kinsman and teacher of our Apostle.

But though the persecution of the Vandals must have fallen heavily on St. Augustine’s Congregations in Africa, it could hardly have been severely felt, if felt at all, at the period when St. Patrick was the pupil of the holy Bishop of Tours. As St. Augustine himself retained possession of his see till 430, it does not seem probable that many of his Congregations had been previously dispersed. The year 428 is the date usually assigned for the invasion of Africa by the Vandals; and they do not appear to have laid siege to the City of Hippo for two years after. Hence such Augustinian monks as found it necessary to flee from the barbarians to Europe, could not have arrived at Lernis or Tours until St. Patrick had completed his studies in those celebrated schools; certainly not till long after his saintly master, St. Martin, had been summoned to his reward. We therefore find it difficult to accept, on Canon Bourke’s authority, that St. Patrick lived with the “Hermits” either at Tours, or at Lernis, for eight years.

We know, on the authority of Probus, that it was from St. Martin our Apostle received his “learning and doctrine.” But as the death of St. Martin is fixed by Tillemont and

the Bolandists, at the year 397, it is difficult to understand how he could have received a rule from exiles, who do not appear to have come to Europe till long after his death. In truth, the so-called rule of the Canons Regular does not appear to have been written for many years later. St. Martin, therefore, when establishing his famous monastery at Marmoutier, A.D. 360, could not have introduced there the rules of the Canons. In the following passage we fancy we can see that Canon Bourke regards with some doubt the theory he advances with so much apparent certainty:—

“ His uncle, St. Martin of Tours. was the first to introduce the religious Orders into France, St. Augustine’s Hermits *very likely.*”
(p. 29.)

And though St. Patrick, soon after the death of St. Martin, proceeded to Lennis to continue in that famous sanctuary his preparation for his future Mission, the monastic rules with which he became familiar there, could not have been, for reasons just assigned, the monastic rules of St. Augustine. They were rather the rules introduced there by St. Honoratus, the founder of religious life at Lennis, who, with Cassianus, was father and founder of Monasticism in Gaul. Indeed, Cassian’s Monastery of St. Victor became the successful rival of Lennis, in the fame of its sanctity, and in the number of its monks. But both there and at Lennis, the Monasticism of the East was carefully followed. It must be unnecessary to remind our readers, that Cassian was familiar with monastic life in the Thebaid, and through the East; that he was the friend of Chrysostom, and of Pope Leo the Great. We cannot, therefore, be surprised to see him introduce into the West, those observances to which the lives of the Eastern monks had given a holy sanction. And the adoption of the Eastern rules at Lennis, will appear all the more natural, when it is remembered that many of its monks, in the days of Cassian and Honoratus, were exiles driven by the *Goths* from their peaceful monasteries in *Italy*. Hence we confess ourselves at a loss to see, with Canon Bourke, how St. Patrick could have, at Marmoutier, or Lennis, acquired any knowledge of Augustinian monks, or of their rules.

No doubt, religious life has been ever the same in its essential features, no matter under what rule it may be practised. It is essentially based on the observance of the Gospel councils. Hence the observance of voluntary poverty, of chastity, and self-renunciation, has formed

an integral part of monastic observance from the beginning. We are therefore to attend only to matters of detail, when endeavouring to ascertain what gives distinctive features to any particular form of rule. And we think that in an examination of our early Irish Monastic rules, we could clearly trace the influence of the Thebaid, with which St. Patrick became familiar at Lernis. The author of the "Monks of the West," who certainly gave to this subject a large share of his enlightened attention, distinctly states, that our early Irish Saints, when drawing up rules for their monasteries, took "their authority from the *writings* or *examples* of the *Eastern Fathers*."

Assuming, on the authority of Canon Bourke, that the singing of the Divine Office together, formed an important part of the daily duties of the Austin Canons, we would naturally expect to find that our early Irish *Liturgy*, should resemble that of the Augustinians, if the rule of St. Augustine were the rule introduced by St. Patrick into Ireland. Indeed the Canon seems to imply so much, when in language, which we fear, rigid criticism shall pronounce more florid than lucid, he speaks of "the choral developments of melody and lofty poetic power, introduced at first by St. Ambrose, at Milan, copied and improved at Hippo, by SS. Augustine." Fortunately the learned researches of Dr. Moran have placed before the student of Early Irish Church History, amongst many others, a document of great authority and antiquity, which bears directly on this question. It is a tract on the "Various Liturgies," in which our early Irish Liturgy is referred to, under the title "*Cursus Scotorum*," and in which the Liturgy of SS. Augustine and Ambrose, is referred to as entirely different from the Irish Liturgy, both in character and origin. Some quotations from this ancient and important document shall, we hope, throw light upon our inquiry, and prove at the same time interesting to the reader.

"Blessed Jerome writes, that the Liturgy which is now called the Irish Liturgy, was that chanted by St. Mark, and used subsequently by St. Gregory Nasianzen, whom Jerome styles his master; also Blessed Basil, brother of the same St. Gregory; with Anthony, Paul, Macarius, and Malchus, used it according to the rule of the Fathers.

"Subsequently, too, the most Blessed Cassian, who had the Blessed Honoratus as his associate in the Monastery of Lernis, and after him the first Abbot who was Blessed Honoratus, and

St. Cassianus, who was Bishop of Arles, and the Blessed Eucherius, who was Abbot of the same monastery, continued to use this Liturgy; and they had as monks in their monastery the Blessed Lupus and Germanus. These, too, *under the guidance of their rule*, chanted there the same Liturgy; and subsequently in the Episcopal dignity, were regarded with the greatest respect through reverence for their sanctity.

“Afterwards they preached in Britain, and in Ireland, as is commemorated in the lives of St. Germanus, Bishop of Auxerre, and of Lupus. These were the spiritual masters of Blessed Patrick in sacred literature, and the same Bishops, by their commendations, had been appointed Archbishops of the Irish Britons and chanted there the *same Liturgy*.”

No words could more clearly convey that the Liturgy introduced into France by Cassian and Honoratus, was of Eastern origin: and that this was the Liturgy in which St. Patrick was instructed by St. Germanus. It is also clear from the quotation just given, that St. Germanus regarded himself as bound by rule to the practice of this Liturgy. However, were additional proof necessary, the following quotation from the same ancient document would authoritatively decide that the Irish Liturgy of which we speak was entirely distinct from that of St. Augustine.

“There is also *another Liturgy* commemorated by St. Augustine, and which was composed by St. Ambrose on account of the conflicting order of the heretics.”

Hence we can fairly conclude, that the Christian Irish of the fifth century, knew little or nothing of “the choral development of melody and lofty poetic power introduced at first by *St. Ambrose at Milan*, and copied and *improved at Hippo* by St. Augustine.”

We can, we think, consistently assume that St. Patrick, while imparting to the founders of religious houses in Ireland a knowledge of the broad and essential features of monastic life, with which he was himself familiar, left them entirely free to regulate details, as in the East, *each for his own Community*. Had St. Patrick introduced a fixed rule into Ireland, we may conclude it would have been retained. The love and constancy with which the Irish adhered to the practices introduced among them by their national Apostle, is clearly illustrated by the action of a great portion of our national Church, during the painfully protracted controversy on the Paschal celebration. Hence any fixed rules which would have been given by St. Patrick for the guidance of religious Communities, would have been

universally and reverently adhered to by his spiritual children. Here then we may naturally inquire, do we find among the immediate successors of St. Patrick such uniformity of monastic discipline, as would prove the observance of a universally or commonly accepted rule? Or, may we not find on careful examination, that St. Patrick's immediate successors adopted different monastic rules?

Canon Bourke, answering our first inquiry in the affirmative, tells us that St. Patrick's immediate successors, *i.e.* the holy men who founded monasteries in the sixth century, did adopt the rule of the Austin Canons. He writes at page 29.

“All the monasteries founded by St. Brendan, St. Columba, St. Brendan of Birr, St. Kevin, St. Jarlath, St. Finnian, St. Kieran, (Ciaran) St. Maeartin, St. Colman, and others, were peopled by priests, who lived according to the *rules laid down by the holy Doctor St. Augustine for his Canons.*”

A little patient inquiry will satisfy the reader that this comprehensive statement is absolutely untenable. The names quoted are those given by Usher in his Catalogue of the Second Order of Irish Saints, and are nearly identical with those published from Fleming's text, in the IRISH ECCLESIASTICAL RECORD of 1871. In this ancient catalogue, however, we are distinctly informed that the saints of the Second Order *had different rules.* Nay, the very men who are quoted by Canon Bourke as followers of “the rules laid down by the holy Doctor for his Canons,” not only practised different rules, but were *themselves the authors of different rules*, drawn up for the guidance of their respective monasteries. The same may be said of some saints of the Third Order, and even of some of later times.

Among the most remarkable of our saints, of whose monastic rules we fortunately possess some knowledge, are Saints Brendan, and Ailbe, and Ciaran, and Comghall, and Columba, and Molua, and Coman, of the Second Order; St. Columbanus, St. Carthagh, and St. Maelruain, of a later period, may also be referred to as authors of remarkable and well-known monastic rules. The labours of O'Curry and others have thrown much light on those very important subjects; and not alone have those scholars been able to ascertain the character of those rules, but in many cases they have been able to reproduce the *actual text.*

St. Brendan wrote a rule which he is said to have received from an angel. It was this rule that was adopted by the monasteries which he had founded: and such was

the esteem in which St. Brendan's rule was held, that its holy author was enumerated among the *eight great founders of monastic life in Ireland.*

The rule of St. Ailbe, of Emly, which has reached us, is fortunately one of the most complete, though one of the oldest of extant Irish monastic rules. A full translation of this most interesting and important document was first published in the IRISH ECCLESIASTICAL RECORD of 1871. It is written in metrical form, and consists of sixty-nine strophes. "It tells us the principles which guided the monks in their practices of religious perfection; it sets before us the daily routine of the community life; it mentions the various superiors, the spiritual duties, the virtues to be practised, the faults to be shunned; it descends to the minutest details connected with the religious, and gives even the quantity and quality of the food to be used at their frugal repasts."

As St. Enda was the companion of Ailbe at Rome, on the occasion of his pilgrimage to the shrines of the Apostles, it may be assumed with some show of probability, that if he did not himself compose a rule, he adopted at Aranmore that which his friend had composed for the guidance of his monks at Emly.

St. Columba is represented by the Venerable Bede as the author of a monastic rule; though O'Curry and Montalambert speak of it as a rule for Hermits only. However that may be, it is a short piece "of about three pages quarto in prose." It may be interesting to quote in this place the opinion of the author of the "Monks of the West," regarding the rule of life actually followed by St. Columba and his disciples, in their island sanctuary in the Hebrides:—

"A conscientious examination," he assures us, "of the monastic peculiarities which can be discovered in his biography, reveals absolutely nothing, in respect to observances or obligations, different from the rules borrowed by all religious of the sixth century from the traditions of the Fathers of the desert."

St. Ciaran, the holy founder of Clonmacnoise, was also author of a celebrated rule. He is styled by Dr. M. Kelly "one of the eight founders of the monastic institute in Ireland." His rule is a poem of sixty-four lines, on clerical and devotional duties.

St. Comghall is the author of a rule consisting of one hundred and forty-four lines, addressed to monks and

devout Christians. Dr. Moran, in his "Essays on the Early Irish Church," quotes the following regarding this saint from one of our ancient records: "St. Comghall, of Bangor, sent Beoan to Rome, on a message to Pope Gregory, to receive from him order and rule." The object of Beoan's mission seems to have been to obtain the Pope's approval of the rule which Comghall had already written.

St. Molua also seems to have written a rule for his followers. The following passage occurs in his life:—

"The Abbot Dagan, going to Rome, brought with him the rule which St. Molua *had drawn up and delivered to his disciples*; and Pope Gregory having read the rule, said, in the presence of all, 'the saint who composed this rule has truly guided his disciples, even to the very threshold of heaven.' Wherefore St. Gregory sent his approbation and benediction to Molua."

I might, if space permitted, adduce additional evidence to show that the saints of that period followed different rules; and that the founders of religious houses usually determined for themselves the peculiar rules under which they were to live.

And this system, as Lanigan justly observes, continued in Ireland much longer than in any other country. What we have proved regarding the saints of the "Second Order," we could also prove regarding the saints of a much later period. Most students of the history of the Early Irish Church must know that the founder of the great Monastery of Lismore, was also the composer of a celebrated monastic rule. Though he studied in the Schools of St. Molua and St. Comghall, he considered himself at liberty to draw up a rule different from theirs, for the special use of his religious in his famous monastery. His rule is mentioned by Usher. It is fortunately preserved, and has been translated by O'Curry, who gives an interesting sketch of this remarkable and important composition:—

"It is a poem of 583 lines divided into sections, each addressed to a different object or person."

The descriptive details into which the writer enters, though extremely interesting, are too long to be quoted here. It is enough to know that after inculcating the observance of the Commandments, the several duties of Bishops, Abbots, Priests, especially as Confessors, are referred to. The duties of monks are pointed out. The rules regulating the prayers and feasts of the year, the recitation of the Office, and order of the refectory are also referred to in detail.

Somewhat more than a century later, we find St. Maelruain, founder of the celebrated Monastery of Tallaght, drawing up a rule for the Culdees of that monastery. It is described by O'Curry as a "minute series of rules for the regulation of their lives, their prayers, their preachings, their confessions, their communions, their ablutions, their fastings, their abstinences, their relaxations, their sleep, their celebrations of the Mass, and so forth."

I cannot close my observations on the monastic rules of our Early Irish Saints, without a reference, however brief, to the rule of the holy founder of the Monastery of Bobbio. "This rule, consisting of ten chapters, is at once shorter and more severe than that of St. Benedict, agrees with it notwithstanding in its essential particulars, as the Benedictine rule approaches in many points to the *rules of great solitaries of the East.*" This rule was not for Bobbio alone; but, as Montalambert beautifully puts it, "for the use of the monastic nations which he had collected under his crosier." It may be superfluous to add that those Monastic Nations were numerous indeed, extending from the "Loire to the Danube, from the Vosges to the Alps." It seemed, indeed, for a period, as if the rigid rule of the heroic and austere Irish Missionary were destined to lead Christian Europe captive. It was only when Benedict, from his seclusion in the Appenines, promulgated a rule more in harmony with the needs of nature, that the rising tide of purely Celtic Monasticism began to recede.

Though the diversity of monastic rules in Ireland seemed to have become notably less towards the eighth century, the fidelity with which purely Irish rules were observed, continued unabated. Writing under date A.D. 780, the Four Masters tell us that the "Law of Ciaran was then promulgated among the Connaughtmen." Towards the close of the ninth century, the rules of SS. Cairan and Coman seem to have been universally adopted throughout Connaught. The rule of St. Ailbe had, at the same period, been universally adopted throughout Munster; while the Columban monasteries of the north seem to have jealously adhered to the rules of the great Patriarch of Iona. Indeed we know that the monastic practices consecrated by St. Columba at Iona, were generally observed by the Caenobites of Ulster and Scotland to the times of Adamnan.

Not satisfied with endeavouring to establish the indebtedness of the Irish Nation to St. Augustine for its Primitive Monastic Rules, Canon Bourke furthermore desires to

establish that its missionaries are also indebted to him for their "*fervent Christian Faith.*" What then, we ask, becomes of the authority of all the published lives of St. Patrick, from those of Evin and Jocelyn, to those of Father Morris and the Nun of Kenmare, according to which we owe our Christian Faith not to St. Augustine, but to St. Patrick? Possibly the Canon did not mean this. Lest we misrepresent him, we shall quote his words and invite to them the reader's particular attention :—

"It was from this holy Doctor (St. Augustine) that the Irish Christian Missionaries derived the spirit of holocaustic sacrifice of stability and fervent Christian faith."

None can be more convinced than we are of the rectitude of the writer's intentions. None can more sincerely rejoice to find, that his opinions on this important matter are in harmony with those to which centuries have lent their venerable sanction. But while we do not presume to interpret what the writer means by the phrase, "holocaustic sacrifice," we must be permitted to assert that the Irish Christian Missionaries derived neither their "fervour" nor their "faith" from St. Augustine.

Though the authority of Archdall and of Sir James Ware, may seem to lend a partial authority to such opinions as those referred to, it must be remembered that the circumstances of the period to which those writers belonged, rendered it particularly difficult for them to secure reliable information on such subjects. In any case, their authority can have no weight against the vast array of modern authority which may be cited against them; or against the unanswerable authority of the ancient rules themselves, still extant and for some time before the public rules for the most part written and practised by the very men who are represented by Canon Bourke as living "according to the rules laid down by the holy Doctor for his Canons."

Indeed, the learned Dr. Lanigan ridicules such opinions; and both he and our most eminent historians, seem to maintain that the Canons Regular of St. Austin were introduced to Ireland by St. Malachy. The decadence of Irish ecclesiastical discipline, and the injurious consequences to religion, resulting from the turbulence of the long period of Danish occupation, impressed the holy Primate with the urgent necessity of adopting all practical means for the purpose of restoring primitive fervour, as far as

possible. In the Irish monasteries which happily survived the sacrilegious incendiaries, discipline was sadly relaxed, and much of the penitential spirit of a brighter past seemed to have perished. But St. Malachy was careful to temper his ecclesiastical reforms, with a moderation which suited the spirit and exigencies of the period, and with a caution worthy of his zeal. Despairing of introducing the rigid discipline of our early Irish Monasteries, he undertook to establish a new Order which would resemble them in many respects; and indeed the similarity between the rules which regulated our early Irish Monastic Institutions, and those practised by the Canons Regular, served to remove much of the hostility with which the incipient reform was likely to be regarded. The Canons, though living in Community, and faithfully practising the duties of Community life, also zealously discharged the laborious duties of the Mission. They appropriated, as far as circumstances permitted them, the rule which St. Augustine wrote for the direction of his sister, and of the nuns under her care. Writing of this rule, Montalambert tells us that it was divided into twenty-four articles, and originally destined for simple African Nuns; it was resuscitated under Charlemagne, and became the fundamental code of an immense branch of the Monastic Order. It has served as the basis of a multitude of Congregations, and *principally of "the Canons Regular,"* who have borne up to our day the name of St. Augustine. Writing of St. Dominick and his age, the eloquent Lacordaire tells us "that for about *a century and a half* prior to the period we are speaking of (the age of St. Dominick), the priests who subjected themselves to the new rule of life have the names of 'Canons Regular.'" Dr. Lanigan says expressly, that the Canons Regular were unknown in the Church (!) till the eleventh century. Dr. Wilde clearly refers their introduction to Ireland, to exactly the age in which St. Malachy was engaged in carrying out these reforms. In his beautiful work on the Corrib, he writes:—

"Among the splendid ecclesiastical ruins of Cong, *the twelfth century* advocates may revel, and defy us to prove an *earlier date* than that of the introduction of Augustinian Order into Ireland."

And with those high authorities the opinion of Dr. Carew, formerly Professor of Ecclesiastical History in Maynooth, coincides. Nay, he entirely supports the opinion which we have ventured to advance, and clearly attributes the

introduction of the Canons to St. Malachy. His words are so apposite that I may be permitted to quote him here :

“ *The great similarity between the monastic instituté which, from the conversion of the Irish people, prevailed among them, and that which is called the Order of the Canons Regular of St Austin. made it advisable for St. Malachy to introduce into Ireland the members of the latter, rather than of any other religious institute. The code of laws which the institute of St. Austin sanctioned, while it excluded every indulgence that interfered with the Sacred Ministry, did not prescribe the austere exercises which were enjoined by the rules of other religious Orders. The moderation of the rule observed by the Regular Canons of St. Augustine seemed to adapt that institute to the existing circumstances of the Irish Church.*”

It seems to us, therefore, that Canon Bourke may be unjust to Irish Catholics, when he says (p. 30) they “do not appear sufficiently grateful to the sons of St. Augustine, simply because they do not bear in mind all they owe to those illustrious teachers.”

We believe our fellow-countrymen shall always retain a grateful recollection of the great services of the Augustinians in Ireland; but we trust that this gratitude shall be consistent with justice to our National Saints, and a due appreciation of their wonderful labours. And we also sincerely hope, that an honest endeavour to prevent historical misrepresentation, may not be regarded as a proof of this alleged ingratitude. We do not desire to rob our saints of what was theirs, in order to attribute even to St. Augustine that to which St. Augustine seems to have no claim.

J. A. F.

THE PRINCIPLES OF '89.—II.

IN the last number of the RECORD, we placed before our readers, in the original, the text of the famous “Declaration of the Rights of Man,” which is regarded as the embodiment of those doctrines popularly known as “the Immortal Principles of '89.” In the present paper we shall confine ourselves to some general remarks upon that Declaration as a whole, as well as to a more detailed examination of the views put forward in the Preamble.

As the reader may perceive at a glance, the “Declaration of the Rights of Man” consists of a preamble and seventeen

articles, which are nothing more than a series of vague and indefinite propositions, dealing with questions of natural law, and the prerogatives and limits of the Civil Power. Their vagueness is one of their most striking characteristics, and it is impossible to believe that it was not premeditated. For, while truth is ever fearless and courts the most searching investigation, it is a favourite device of error to wrap itself in the mantle of obscurity, that, thereby, it may the more easily escape detection, and impose upon the unwary. The one thing which it detests above all others is definition. It shrinks with instinctive horror from statements that are precise. It lives upon equivocation; and were it to define itself, it would in that instant commit an act of self-destruction.

In dealing, then, with this remarkable document, either of two courses is open to us. Firstly, we may consider it as a whole and in the precise meaning of its terms, keeping in view at the same time the spirit in which it was drawn up, and the sense in which it is accepted by its panegyrists: or, secondly, we may affix to the several propositions, regarding them as mere abstract theses, a meaning of which indeed, absolutely speaking, they are susceptible, but which, nevertheless, would be quite foreign to the spirit, the context, and the entire history of the Declaration.

Taken as a whole, and interpreted by the ordinary canons of criticism, the Declaration of '89 must be reprobated: not by any means because each and every doctrine set forth in it is false—for such is not the case—but because most of them are so, and these give a complexion to the entire document. Moreover, the spirit which breathes through it is the evil spirit of Rationalism, which would ostracise Religion from any interference in the civil affairs of men; while, if we view it with the light of history, we must regard it as a signal triumph of the Encyclopedists and their school. To dethrone Faith and to seat pure Reason in her chair, had for long years been the darling object of the Philosophers, and the "Declaration of the Rights of Man" was the crown of their patience and their toil. Hence the words "Liberty," "Fraternity," "Equality," which, in the mouth of a Christian, are expressive of the most lovely and the holiest characteristics of the Religion of Jesus, lose all their holiness and innocence when they drop from the lips of those revolutionary atheists, and become the watchwords of anarchy and blasphemy. For this reason, though the Declaration of '89 has never been

condemned by the Church formally and in terms, the principles contained in it, as understood by its authors, and promulgated by modern revolutionists and philosophers of the "Free-thought" school, have repeatedly called forth the emphatic censures of the Sovereign Pontiffs. We shall not crowd our pages with quotations; but we may refer the reader, for declarations of the Holy See on this subject, to the Brief addressed by Pius VI. to Cardinal de la Rochefoucauld and the French Bishops, March 10th, 1791; to the Allocution of the same Pontiff in the Consistory of June 17th, 1793;¹ to the Encyclical of Pope Gregory XVI. "Mirari vos," under date 15th August, 1832; to the Allocution of Pope Pius the IX. in the Consistory of March 18th, 1861; and, above all, to the *Syllabus* of modern errors condemned by the same illustrious Pontiff.

But, abstracting altogether from the general tone and spirit of the Declaration, as well as from the character and well-known views of its authors, it may be asked whether it be possible to interpret its words so that they may fall within the lines of Catholic Truth? We must reply that, owing to the vague and abstract nature of the several propositions, this is absolutely possible; and that, moreover, it may be, for practical reasons, permissible, is evident from the fact that the Holy See has never censured the Catholics of France and Belgium, who swear allegiance to the Constitutions of these states, in which the Declaration of '89 is formally accepted.² Nay more, the Holy See has sanctioned the publication of works composed with the express purpose of endeavouring to reconcile the several propositions of the Declaration with the teaching of the Catholic Church.³ However, it is evident that those who attempt this

¹ Both these documents will be found in the collection published by the late learned and indefatigable Archivist of the Vatican Library, Father Theimer, entitled "Documents inédits relatifs aux affaires religieuses de la France, 1790 à 1800." Paris (Didot) 1857.

² The first Article of the French Constitution at present (and since 1852) is as follows:—"La Constitution reconnaît, confirme et garantit les grands principes proclamés en 1789, et qui sont la base du droit public des Français."

³ An able and ingenious work of this kind is that entitled "Les Principes de '89 et la Doctrine Catholique," by the Abbé Goddard, Professor of Ecclesiastical History in the Grand Séminaire at Langres. The aim of the learned author is to show that, in obedience to the civil law, French Catholics might accept the Principles of '89; interpreting them, however, as mere abstract propositions, in a sense not only allowed by the Church, but in strict harmony with the constant teaching of leading Catholic theologians. The first edition of this work was

difficult, but, under the circumstances, laudable task, are compelled to consider the several propositions apart from their context, distorting them from their natural sense, and attaching to them a meaning possible, it is true, but strained to the last degree.

Whilst we are very far, indeed, from condemning those who, being forced by circumstances to accept the Declaration of '89, do so on the avowed understanding that they interpret its meaning in a sense conformable to Catholic truth and to the dictates of conscience, we cannot, ourselves, pursue that course in the present series of papers. To do so would be to miss the object which we have in writing them. For the advocates of the Principles of '89, against whom we write, do not profess the slightest anxiety to interpret them in an orthodox sense. On the contrary, they utterly repudiate any such interpretation, and adopt them in their literal, *popular* meaning, as understood generally by the men who formulated them, and as expounded by the leaders of modern revolutionary movements. In this sense, as has been already observed, they have been repeatedly condemned by the Supreme Pastors of the Church, and it is in this sense, exclusively, that we propose to discuss them in future papers on this subject.

Having thus indicated the system which we mean to pursue in treating of the Principles of '89, we shall now proceed to examine the preamble, which contains the pith, and fairly represents the spirit of the entire Declaration. It is as follows:—

“ The representatives of the French people, who constitute the National Assembly, taking into consideration that the ignorance, forgetfulness or contempt of the rights of man, are the sole causes of public calamities, and of the corruption of governments, have resolved to set forth in a solemn declaration, the natural, inalienable and sacred rights of man, in order that this declaration, held up perpetually before all the members of the social body, may ever recall to them their rights and duties; so that by rendering it possible at any moment to compare the acts of the legislative and

censured at Rome, but the author was permitted to revise and correct it. The revised edition received the “*imprimatur*” of the Roman censors, and their Dean, writing to the Bishop of Langres, testified that the work, as amended, contained nothing contrary to Catholic dogma. It is needless, however, to remark that the Principles of '89, as interpreted by the Abbé Goddard, differ *toto cælo* from the same principles as propounded by modern revolutionists and political writers of the so-called liberal school. We shall have occasion to refer to the Abbé's work again.

of the executive powers with the end of all political institutions, they may, thereby, be more respected; and that, likewise, the demands of the citizens, being based upon simple and indisputable principles, may always tend to the maintenance of the Constitution and the happiness of all; wherefore the National Assembly, in the presence and under the auspices of the Supreme Being, recognizes and proclaims the following rights of man and of the citizen."¹

1. The first observation which presents itself to us on reading this preamble is, that the end which the Declaration proposes to itself to accomplish, would render the task of civil government altogether impossible. For what do the authors of the Declaration profess to effect? To furnish men with a text-book, setting forth their "inalienable and sacred rights;" so that rulers shall have perpetually set up before them a warning document, telling them that their powers extend thus far and no farther; while every citizen, with his text-book of natural law in hand, may be always in a position to criticise the acts of the legislative and executive powers, and forthwith challenge them, if, in the exercise of his unbounded wisdom, he should judge them to be an infringement of what he is pleased to call his "natural rights." Was theory so monstrous ever broached before by any body of sane men?—a theory which, reduced to practice, must inevitably lead to anarchy.

For, what do the authors of the Declaration and their modern Socialist disciples mean, when they talk of the Rights of Man? Do they mean the rights of humanity—of abstract man? If so, we must inform them that man, thus stripped of all *actualizing* conditions, is a mere intellectual conception, which has no existence outside the brain of the metaphysician. Political philosophy does not, and cannot, busy itself with man considered merely as a *species*; it deals with the *individual* man—the actual man of flesh and blood, born into and living in society—in a word, *social man*; and the only "natural rights" of man that it can recognize, are those which belong to him as a member of the social body.² Now, in the actual world of fact, rights may

¹For the original, see IRISH ECCLESIASTICAL RECORD, March, 1881, p. 140.

²To the disregard of this most important distinction, we must attribute many of the false Principles of '89. Take, for instance, the doctrine that all men are *equal*. There is no doubt that if we consider man *specifically*, all men are equal; for the essential attributes of humanity are precisely the same in the king and in the beggar. But if we consider men *individually*, this equality of man with man no longer exists. So far from it, that we find *nature herself* establishing marked inequalities among men, in size, health, physical strength, mental endowments, passions, &c. While it is true, then, that men are equal specifically, it is likewise true that they are, *by nature*, unequal *in individuo*.

collide. I have a perfect right as a member of society to secure my own good, according to the dictates of reason ; but if, in doing so, my right comes into collision with the rights of others, *order*, which is the basis of all right, requires that the weaker right should yield ; because it is impossible that two opposing rights could both exist *actively* at the same time. This by no means implies that the weaker right perishes or is annulled ; it is merely *suspended*, by force of circumstances, in favour of the stronger right.

Let us apply this principle to the every-day working of society. The Roman historian expressed with remarkable terseness a truth as old as the world, when he wrote, "*Vitia erunt donec homines.*"¹ Man, such as he actually exists all the world over, and will exist to the end of time, is subject to passions, which, if uncontrolled, tend not only to his own destruction, but also to the injury of society and the infringement of the rights of others. Therefore, as it is the duty of government to provide not only for the good of each individual, but in a still greater degree for the good of the multitude, the governing powers must of necessity pass laws, from time to time, which will curtail, and sometimes altogether suspend, what are called the natural rights not only of individuals, but of the entire community. This takes place daily in every well-ordered state, and all persons possessed of right reason acknowledge the justice of such proceeding. Let us illustrate the matter by a few familiar examples. Nature has given to man the right of self-defence ; yet, for the common good, society insists that this right be not exercised by any individual, except in cases of extreme necessity ; for, were it otherwise, and were each man to constitute himself the avenger of his own quarrel, anarchy must be the inevitable result. Again, each one has a natural right to dispose of his property at death, in whatsoever manner it shall please him ; yet, society interferes with a *stronger* right for the protection of its own interests, and will not recognize the validity of any testamentary disposition which does not comply with certain conditions imposed by law. As a last example : Each man has a natural right to take to wife any woman with whom a union is not forbidden by the law of nature ; yet, here again, both the Church and the State step in, and, on various

¹Tacitus, "Historiæ," Lib. iv. cap. lxxiv.

public grounds, prohibit several conjugal unions, which otherwise would be perfectly lawful.

We conclude then that man, by the very fact that he is a *social being*, ceases to have any *absolute* natural rights independent of society. Whatever rights he does possess are *relative*, not absolute; and the very *existence* of society demands that he should surrender the exercise of these whenever the common good requires it. But when, and how, and to what extent, this surrender is to be made *cannot possibly be regulated by any abstract principle* or rigorous rule; for jurisprudence is a practical science, and the legislator must always be influenced by circumstances.

This point has been put so admirably by the illustrious Edmond Burke, that I cannot do better than transfer his words to these pages: "Government" he writes, "is not made in virtue of natural rights, which may and do exist in total independence of it; and exist in much greater clearness, and in a much greater degree of abstract perfection: but their abstract perfection is their practical defect. By having a right to everything they want everything. Government is a contrivance of human wisdom to provide for human *wants*. Men have a right that those wants should be provided for by this wisdom. Among these wants is to be reckoned the want, out of civil society, of a sufficient restraint upon their passions. Society requires not only that the passions of individuals should be subjected, but that even in the mass and body as well as in the individuals, the inclinations of men should frequently be thwarted, their will controlled, and their passions brought into subjection. This can only be done *by a power out of themselves*; and not, in the exercise of its function, subject to that will and to those passions which it is its office to bridle and subdue. In this sense the restraints on men, as well as their liberties, are to be reckoned among their rights. But as the liberties and the restrictions vary with times and circumstances, and admit of infinite modifications, they cannot be settled upon any abstract rule; and nothing is so foolish as to discuss them upon that principle."¹

2. Our next observation on the Declaration of '89 has reference to a leading idea which runs through the entire document, and finds formal expression in the preamble,

¹ Reflections on the Revolution in France, p. 70, Ed. Payne (Clarendon Press Series).

viz., that the obedience of a citizen to the law ought to be based upon the reasonableness of that law; and that the citizen himself (text-book in hand, as usual), is to determine whether the law be justifiable or not, and framed so as to claim or forfeit his obedience.

Were this principle once admitted, no government could continue to exist for four-and-twenty hours; and anarchy, would become the normal condition of society. It is true indeed, that laws ought to be founded upon reason, and he is the wisest legislator whose decrees commend themselves most readily to the intelligence of his subjects; but it is equally true, on the other hand, that obedience on the part of the subject ought to proceed from *duty*, and not merely from a conviction, more or less strong, that what is commanded is reasonable. Were it otherwise, society must perish. For, let me ask, how many persons in any community are possessed of the intelligence, the education, the knowledge of mankind, the comprehensive experience in mixed affairs, and the many other endowments of a statesman, which would qualify them to pronounce upon the necessity, the utility, or the justice of a law? Is every tinker or cobbler, who in the village pothouse prates platitudes about "the rights of man," competent to define these rights, and to decide "ex-cathedra" the delicate question where the rights of rulers cease, and tyranny begins? Let us for a moment apply this principle to more limited spheres of government, and see how it would work. What opinion should we form of the condition of a family, the head of which could not secure obedience to the regulations made for its government without obtaining the assent of his wife, and children, and domestics? What would be the fate of an army on the eve of battle, if every private might criticize the motives of the general's orders, and require a justification of them? How would it fare with a vessel in mid-ocean, if the captain could not enforce obedience to his commands, unless he were fortunate enough to convince every blockhead sailor among his crew of their expediency? The answers to these questions are self-evident, and force us to conclude *a pari* (or rather *a fortiori*, since there is question of procuring the assent of much larger numbers), that, while it is advisable that the legislator of a state should, as far as possible, endeavour to *persuade* his subjects of the wisdom of his laws, it would be a fatal mistake to make this wisdom the groundwork and motive of their loyalty and obedience. It would be, as the learned

Father Taparelli well remarks,¹ to seem to *beg* the assent of the people because of the reasons proposed to them, and thus undermine the principle of *authority*, which ought to enforce itself in its own name, instead of seeking a very uncertain obedience from the feeble and passion-clouded reason of a mob.

3. The authors of the Declaration, furthermore, state in the preamble that "the ignorance, forgetfulness or contempt of the rights of man are the sole causes of public calamities and of the corruption of governments."

This proposition, which furnishes a constant theme for the rantings of modern revolutionists, is monstrously false. As regards the two first causes assigned, it is *not* a fact that ignorance and forgetfulness of the rights of man have ever been the sole, or even the chief causes of the tyrannical invasion of these rights. The rights of individuals, and of communities, are daily and hourly assailed by those who are fully aware of their existence. Our own experience proves this. The history of the world, likewise, furnishes innumerable examples of the fact, but not a single one, perhaps, more convincing than that which is supplied by the French Revolution itself. Surely, if ever there existed men whom we must suppose fully enlightened on all that appertains to the rights of man, these ought to have been the leading characters in the great drama of the French Revolution—the men who had learned their philosophy from the lips of Jean Jacques Rousseau and the Encyclopedists; the men who took an active part in formulating this very Declaration which we are now examining. Yet, when power was placed in the hands of those men, how did they respect the rights of their fellow-men? Hear it, not from a Catholic priest, but from a Protestant, one of England's most celebrated historians:—

"Then came those days when the most barbarous of all codes was administered by the most barbarous of all tribunals; when no man could greet his neighbours, or say his prayers, or dress his

¹ "Sarà dunqueo grand'arte del governante il persuadere ai sudditi la saviezza dei suoi ordinamenti: ma conviene evitare uno scoglio in cui potrebbe urtar di leggeri, se nel dimostrarne ai sudditi l'aggiustatezza egli paresse in certa guisa mendicarne il consenso com' elemento della loro obbligazione. Egli è chiaro che scemerebbe in tal caso la forza dell' *autorità* che a tutti si raccomanda da sè, per ottenere dal *discorso* un sussidio *incerto, incertissimo*; giacchè le leggi ancor più giuste si appoggiano talor sopra motivi al volgo quasi inaccessibili or per grossezza d'ingegno or per malignità di umori." Taparelli. *Saggio Theoretico di Dritto Naturale*. Dissertazione iv. cap. iv. n. 924.

hair, without danger of committing a capital crime; when spies lurked in every corner, when the guillotine was long and hard at work every morning, when the jails were filled as close as the hold of a slave ship, when the gutters ran foaming with blood into the Seine, when it was death to be great-niece of a captain of the royal guards, or half-brother of a doctor of the Sorbonne, to express a doubt whether assignats would not fall, to hint that the English had been victorious in the action of the first of June, to have a copy of one of Burke's pamphlets locked up in a desk, to laugh at a Jacobin for taking the name of Cassius or Timoleon, or to call the Fifth Sansculottide by its old superstitious name of St. Matthew's day. While the daily wagon-loads of victims were carried to their doom through the streets of Paris, the Proconsuls whom the sovereign Committee had sent forth to the departments, revelled in an extravagance of cruelty unknown even in the capital. The knife of the deadly machine rose and fell too slow for the work of slaughter. Long rows of captives were mowed down with grape-shot. Holes were made in the bottom of crowded barges. Lyons was turned into a desert. At Arras even the cruel mercy of a speedy death was denied to the prisoners. All down the Loire, from Saumur to the sea, great flocks of crows and kites feasted on naked corpses, twined together in hideous embraces. No mercy was shown to sex or age. The number of young lads and of girls of seventeen who were murdered by that execrable government is to be reckoned by hundreds. Babies torn from the breast were tossed from pike to pike along the Jacobin ranks. One champion of liberty had his pockets well stuffed with ears. Another swaggered about with the finger of a little child in his hat. A few months had sufficed to degrade France below the level of New Zealand.¹

Let any one read this harrowing description, from the pen of Macaulay, of what took place under an Oligarchy who prided themselves on a special knowledge of, and reverence for, the rights of man, and then assert, if he dare, that public calamities and the corruption of governments have their sole cause in ignorance or forgetfulness of these rights. Nor can it be said with truth that such crimes as have just been mentioned spring from *contempt* of the rights of man. Contempt for these rights does undoubtedly coëxist with the violation of them; but it by no means follows that it is, therefore, the efficient cause of that violation. In truth, if we would discover the real cause of the violation of human rights, we must seek it outside the philosophy of the Encyclopedists, and we shall find it in human passions uncontrolled by the influence of religion

¹ Macaulay, Essay on Barère. Miscellaneous Writings and Speeches, pp. 310-11.

and the practical dictates of conscience. It is to the absence of this practical sense of responsibility to an Unseen Power that we must trace all the social crimes that have been perpetrated whether by single despots, or by bands of despots, by whatsoever name they may choose to style themselves. The irreligious man knows no duties and recognizes no rights. His one great object in life is to gratify his own desires, at whatsoever cost to others. He would look on calmly at the destruction of the entire world, if he himself could only remain unharmed, and he ever blindly follows the guidance of his own passions—fatal source of all disorders. This was the cause which produced the despotism of the Oligarchy who swayed the destinies of France in the Reign of terror; which subsequently produced the despotism of Napoleon and the First Empire; which, in our own day, produced the shortlived despotism of such demons as Rochefort, Clemenceau, and the *citoyenne* Louise Michel, with her *petroleuses*, during the Communist rising of 1871, and which will most certainly reproduce similar results again, should power chance to fall into like hands. Wisely did our great countryman, Burke, write ninety years ago: "All persons possessing any portion of power ought to be strongly and awfully impressed with an idea that they act in trust, and that they are to account for their conduct in that trust to the one great Master, Author and Founder of society."¹ This truth cannot be too strongly insisted upon now-a-days when men of no religion, or rather scoffers at all religion, by sheer force of impudence and bluster, push themselves to the front in every political movement, and seek to grasp the control of power. I, for one, would be sorry to entrust my rights to the guardianship of men who had emancipated themselves from all religious control, and I should be slow to place confidence in any movement, however righteous in itself, whose leaders would not hesitate to seek the aid of atheists and communists.

4. We have reserved for the close of this paper what is, after all, the most striking feature in the Declaration of '89—we mean its utter exclusion of religion from any part in the direction of society. Surely it was the place of the men who formulated the Declaration, to have recognized the dependence of society upon God; for it professes to be a Declaration of the *Rights* of Man. Now what do we mean

¹"Reflections on the Revolution in France," p. 109. Ed. Payne (Clarendon Press Series).

by *rights*? As applied to persons, *right—jus*—is “the moral power or faculty to have and to keep what is one’s own because one’s own. Therefore it follows that *absolute* “right” exists in God alone; and that all the rights which man possesses are *dependent* rights, free gifts from God. Now, a dependent “right” necessarily supposes and founds some *duty* from the receiver to the giver of that gift. Yet the philosophers who drew up the Declaration of the Rights of Man absolutely ignore the Author of all right, nay openly proclaim (Art. 10) that men are free to deny his very existence should it so please them.

It may be objected that the authors of the Declaration expressly state, in the preamble, that they act “in the presence, and under the auspices, of the Supreme Being.” To this we might reply, in the first place, that we cannot admit as philosophically correct a definition which simply places God as *first in the category of beings*. God is *Essential* Being; and though the term “Supreme Being” might be allowable in the mouth of a Christian, who understands it in an orthodox sense, it is no guarantee against atheism, when employed by men like those who drew up the Declaration of '89. As a matter of fact, several *avowed* *atheists*, who belong to the Masonic Society, profess in words a reverence for “the Supreme Being,” or, as we believe He is called in the language of the craft, “the Grand Architect.” But even supposing, for the sake of argument, that the term “Supreme Being” conveyed to the minds of the authors of the Declaration, all that the term *God* conveys to a Christian, what part do they assign to Him in the government of society? Merely that of a complacent looker on. (We shudder even to write the words). They recognise no duties towards Him; they do not acknowledge Him as the source of their authority; they do not invoke His assistance on their labours; they do not claim His sanction for their laws. They proceed to the execution of their appointed task on the lines of pure rationalism; acting on the theory, which has since become so popular with their modern disciples—that purely human wisdom, aided by the civil force, is sufficient to create, to organise, and to preserve civil society, quite independently of any moral and religious influences whatever.

Now, we shall not at present enter upon any lengthened refutation of this theory, as it will be more fully discussed in a future paper: but we may briefly state that it is out of harmony with the ultimate end of all society; that it directly

leads to anarchy; and, lastly, that it is at variance with the universal sentiment of mankind. To develop the first of these three points would require more space than is at our disposal, and, moreover, we shall have an opportunity of treating it on another occasion. We shall therefore content ourselves with a passing glance at the other two.

How, we ask, will it fare with society if religion be ignored? To whom will the legislator look for the sanction of his laws? If they be based on purely human authority they can have no binding force on the *conscience* of man; therefore they will be obeyed solely through motives of fear, or of interest; and if motives of interest should suggest resistance to the law, or if the pressure of external force be removed, a revolution and social anarchy become at any moment possible.

Again, society becomes impossible where there is no mutual *trust* among citizens. Where this feeling of trust does not exist, *security* is wanting, and thus the immediate end of all society is missed. Now, no one can enjoy this feeling of trust, and of consequent security, in a society of atheists. For self-love is ever powerful in the human breast; men have a natural tendency to seek their own interests and pleasures; and if this passion of self-love be uncontrolled by religious motives, how can anyone be secure that his neighbour may not at the first opportunity trample upon his rights? What practical benefit is it to one that the 17th article of the Constitution of '89 guarantees him a "right" in his property, if, the moment that the policeman's back is turned, his more powerful, or more crafty, neighbour takes that property to himself. Persons may say that the arm of the law is strong to punish. We grant it, as far as isolated cases are concerned; but the law is powerless to punish an entire nation of men uncontrolled by fear of punishment in another life.¹ Without the controlling aid of

¹ Recent deplorable events fully bear out this statement. While these sheets were passing through the Press, the world was shocked by the appalling intelligence of the assassination of the Czar. On Sunday, 13th March, the master of over a million of splendid soldiers was literally blown into fragments in the heart of his own capital, while surrounded by his troops. The Nihilists have been striving for years to achieve this, and they have at length succeeded. This detestable sect has honeycombed the Russian Empire, and though the military dictator, General Melikoff, has had *all the power of all the Russias* placed at his disposal, the Nihilists defy him and baffle all his efforts to crush them. Evidently, something more than brute force is required to preserve order among men.

religion, then, we cannot expect moderation in the ruler, nor loyalty in the subject, nor purity in the family, nor integrity in the public tribunals, nor good faith in the making and keeping of contracts. Remove from society the idea of future rewards and punishments, and you open the path to every crime, you destroy that security which is the very essence of the social system, and you bring back again that iron age so graphically described by the Roman poet:—

“Non hospes ab hospite tutus,
Non socer a genero, rara est concordia fratrum;
Imminet exitio vir conjugis, illa mariti;
Lurida terribiles miscent aconita novercae;
Filius ante diem patrius inquit in annos:
Victa jacet pietas.”¹

This truth has been acknowledged in all times past; and, until the legislators of 1789 made their appearance before the world, we read of no nation attempting to legislate for society without placing its laws under the protection of heaven. “Omnibus,” says Seneca, “de diis opinio insita est, nec ulla gens usquam est adeo extra leges, moresque projecta, ut non aliquos Deos credat” (Epist. 117). Nor is this astonishing; for, as the greatest of the Roman philosophers remarks, “Religion is the basis of all society.”² His countrymen were well assured of this fact; since, as Valerius Maximus informs us, they regarded everything else as secondary to religion.³ And so, when those stern old republicans went forth to battle for the liberties of their loved country, the watchword that rang from line to line of their serried ranks, was “*Pro aris et focis*”—God first, and next their Native Land.

But we shall not waste time in proving the consensus of all countries and ages on this point—a fact so well established that no candid person can venture to call it into question. Let us rather direct attention to the force of the argument which is derived from it. When we find men of different ages and nations, uninfluenced by any interested motives, unanimous in proclaiming religion to be the basis of society, what are we to conclude? That it is a primary

¹ Ovid, *Metamorph.* Lib. 1. l. 144-49.

² “Atque haud scio an pietate adversus deos sublata, fides etiam et societas humani generis, et una excellentissima virtus justitia tollatur.”—Cicero, *De Natura Deorum*, Lib. i. cap. ii.

³ “Omnia namque post Religionem ponenda semper nostra civitas duxit, etiam in quibus summae majestatis conspici decus voluit.”—Valerius Max. Lib. i. cap. i. *De Religione*, n. 9.

and fundamental truth—the judgment of Nature herself; for, as Cicero well says: “omni in re consensio omnium gentium lex naturae putanda est.”¹ We doubt not but that, with the modesty which so eminently characterizes them, the modern lights of “Free-thought” would tell us that on this point, as on many others, the world had been mistaken for several thousand years, and that it was reserved for recent times to discover that society can get on very well without God. We hardly think, however, that this view will find acceptance with men endowed with ordinary reasoning powers; and until the Philosophers bring forward some more convincing argument, we may content ourselves with replying in the words of St. Augustine: “Consultius est, si errandum est, ut cum ipso genere humano errare videamur.”²

Here we close this paper; and we fancy that the reader has already perceived that all the false principles contained in the Declaration of '89 have their source in an utterly erroneous idea of the origin and nature of society. Before we proceed further, then, in the examination of these principles, we must establish the true doctrine on this all-important question, and to this task we hope to address ourselves in the next number of the RECORD.

W. H.

GERALD BARRY AND HIS LATE EDITORS.—III.

THE PROCEEDINGS BEFORE INNOCENT III.: THE PREPARATORY INTERVIEW.

WHAT we have already considered is far from being the only important matter of which Mr. Brewer treats in his preface to his first volume. He there undertakes to deal, at his own discretion, with the character of a mediæval pope, who is no less a person than the great Innocent III. himself. He tells us that—

“The transcendent genius of Innocent III. is conspicuous, not only in the changes which he wrought in the whole system of European politics, but still more in his successful mastery of all opposition from contemporary sovereigns. If Alexander desired to find kings as competitors in the race, Innocent was surrounded by monarchs as able as himself, accustomed not to render, but to receive homage—capable of resenting any infringement of their dignity.”

¹ “Tuscul. Disput.” Lib. i. cap. xii. ² De “Utilitat. Credend.” Cap. vii.

It is, to say the least, odd, that though *surrounded* by such monarchs, quite "as able as himself," Innocent III. should have been distinguished by "his successful mastery of *all* opposition from contemporary sovereigns." But this is a curious point that need not detain us. There is something of more importance coming. After regretting that the author has not been more detailed in his description of the extraordinary Pontiff, whose court he visited more than once in prosecuting his own claim to the bishopric of Menevia (or, in other words, St. David's), and the claim of that see to the primacy of Wales, our editor undertakes as follows to give us, at any rate, some idea of the little that may be learned about the pope from the archdeacon :

"In the pages of the professed historian we catch only a solemn glimpse of this Pontiff in his tiara and scarlet shoes. In the pages of Giraldus we see the man himself under his formalities ; courteous, affable, witty ; condescending, but never tripping ; unreserved, but never off his guard ; piercing at a glance the characters of those who approached him, our poor bishop elect in particular ; whose vanity he flattered, whose hopes he pampered with unmeaning compliments, whose ambition he soothed with visionary mitres, praised his scholarship, lamented his hardships, urged to fresh exertions, condoled with ill-disguised laughter, and deluded at the last."

Mr. Brewer had a kind of presentiment that somebody would object to this. He adds immediately :—

"The admirers of Innocent will impeach the accuracy of this narrative."

But he disposes rather cavalierly, it must be owned, of the impeachment, on the spot. He says of the "accuracy of this narrative :

"It may be urged in its favour that Giraldus has no intention of maligning or misrepresenting the pope, as he was certainly innocent of all suspicion that the pope was deluding him. His vanity was an ox-hide shield and buckler against the attacks of all such unpleasant surmises."

The reader will here, doubtless, have noticed that the arguments for the "narrative" supplied by Mr. Brewer are merely a defence of the original narrative of Giraldus. It seems never to have entered Mr. Brewer's thoughts that any one might admit the credibility of Gerald's story and deny that his story was accurately represented by Mr. Brewer. That was an "unpleasant surmise" from which the editor was somehow preserved. And yet that is exactly our present case. We do not impugn the mediæval

archdeacon's narrative, but we venture to find fault with the description that has been built upon it as a foundation in the nineteenth century. We say, and we will try to show, that the narrative "in the pages of Giraldus" is quite inconsistent with the account of Pope Innocent's conduct given by Mr. Brewer in editing "the pages of Giraldus." We believe, indeed, that to demonstrate this successfully it will be necessary to go little outside of what Mr. Brewer himself prints in his own first preface.

Two pages beyond what we have quoted last, the editor gives us an account taken from his author of a conversation between Gerald himself and Innocent, which we think it important to lay before the reader. We would first premise, however, that it appears from the tract *De Jure et Statu Menevensis Ecclesie*, 540, to have taken place soon after the archdeacon's first arrival in Rome, and that he introduces it with the observation that while he was always accustomed to find the Pope kind and gracious enough (*benignum satis ac benevolum*), on this particular occasion he happened to find him more friendly and affable than usual (*nunc forte praeter solitum amicabilem magis et affabilem*). The interview took place in the pope's own room, his *camera*, where Gerald paid the great Pontiff a visit in the evening. This is clearly the occasion when, if ever, we shall find Innocent *pampering Gerald's hopes with unmeaning compliments, and soothing his ambition with visionary mitres.*

It certainly seems to us the reader will find him doing nothing of the kind. Innocent was, indeed, as Mr. Brewer says, "courteous" and "affable," but he was, it strikes us, singularly off-handed and straightforward too—in fact what a mediæval pope might be expected to be, who received visits in his room from an Archdeacon of Brecknock in the evening. Let us judge from Mr. Brewer's own account. He says, referring to Gerald at this interview:—

"As he was insisting on the metropolitan privilege of St. David's, the pope ordered the register to be brought, in which all the names of the different metropolitan churches are entered, with their suffragans. Turning to the Kingdom of England, he read as follows:—'Canterbury, the Metropolitan Church, has for its suffragans, Rochester, London,' and so on. Then came the rubric: "*De Wallia.* 'In Wales are the churches of St. David's, Llandaff, Bangor,' etc. 'See,' said he, with an air of triumph, 'St. David's is reckoned among the suffragans.'"

We do not object much to the "air of triumph," but it is a poor equivalent for the playful Latin "*quasi insultando*

et subridendo." An air of triumph is something very different from a mock insult offered with a smile. The pope seems to us to be trying whether Gerald really has anything like a plausible case to go before the tribunals. Gerald has amazed the court of Rome by reviving a plea long unheard of for a Welsh Primacy independent of Canterbury. The pope, though dealing with no criminal business, is acting the part of a kind of *juge d'instruction*, or grand jury; he wishes to see whether there is any ostensible ground why such a novel plea should be entertained at all as a matter to be discussed. He asks if Gerald must not be put out of court at once with his extraordinary claim. He puts forward against it merely the broadest and most sweeping arguments. He does so as one who asks a friend whether he can reply to the first objections that are sure to be raised on the other side, whether he is not involving himself in a hopeless mess, whether the case is not clear against him. This is surely equally far removed from, on the one hand, *pampering hopes with unmeaning compliments, and soothing ambition with visionary mitres*, and, on the other, from triumphing when the pleader is discomfited.

Gerald understood Innocent better we think than Mr. Brewer could understand either one or other. After the pope's objection that St. David's was reckoned among the suffragan sees of Canterbury, according to Mr. Brewer:

" 'Yes,' replied Giraldus, 'but not in the same way as the others, for the grammatical construction of the passage differs. Otherwise it would be as your Holiness says.' "

We may remark here that, according to himself, Giraldus did not say "Yes" at all. His answer in the Latin reads much more like a denial. "*Sed non eo modo connumeratur illa vel aliae de Wallia, per accusativum scilicet, sicut suffraganeae de Anglia.*" But we may let this pass. At any rate it is admitted on all sides that the answer satisfied the pope. We continue our quotation from Mr. Brewer's preface:—

" 'That is a sound observation,' replied Innocent; 'and there is another thing which supports your view. The register never passes from one rubric to another, except when it passes from one kingdom or one metropolis to another.' 'That's true,' said Giraldus; 'Wales is a part of England, and not a kingdom by itself.' "

The reader may well be cleverer than we are, and see

at once the point of the last speech. We humbly confess that when we read it, it seemed to us as if Giraldus was beginning to lose himself in the depths of geographical erudition. The wise remark was to our dull comprehension much what we believe our old friend Artemus might have called a promiscuous observation. We did not at the moment see (we confess it with a certain amount of humiliation) how Wales's being a portion of England was to help Giraldus in claiming for it an independent primacy. We had to go to Giraldus's own Latin to have our difficulty cleared up. There we were soon satisfied. Giraldus has the knack of making things much clearer than Mr. Brewer.

We have read we think in De Quincy that the use of conjunctions is a great test of a man's logical perceptions. Giraldus in the case before us made use of a few conjunctions which rendered us the greatest help. Instead of making the pope say smoothly like Mr. Brewer "from one kingdom or one metropolis to another;" he makes Innocent form a regular dilemma, and wind up his sentence laying rough stress on the word *metropolis*. He makes him say that the register never introduces the line in red called the rubric, except when it passes *either* from kingdom to kingdom *or* from metropolis to metropolis. When the matter is put this way, it is easy for us all to see at a glance why Gerald instantly points out that in the case of Wales, at any rate, "et Wallia quidem," there can be no transition from a kingdom to a kingdom. The other horn of the dilemma must be submitted to; in passing from England to Wales, the papal register passes from one ecclesiastical metropolitan province to another.

The pope, however, hesitates about fully accepting all this geography and logic. Perhaps he deems that Wales, even as a kingdom, might have been considered separate from England. But it is clear at least that the papal register may be appealed to on Gerald's side, and is not unmistakably against him. With this acknowledgment, his Holiness closes this portion of the conversation. "Our register is not against you." "Unum sciatis quod non est contra vos registrum nostrum." This acknowledgment of the Pontiff is completely omitted by Mr. Brewer. It certainly does not go far enough to prove *panpering hopes with unmeaning compliments, and soothing ambition*—the reader already knows and must be tired of the rest.

But we are sure the reader is not yet tired of the conversation with Innocent. It is too business-like, too

practical, too straight to the point to be so soon fatiguing. Let us see how it continued according to Mr. Brewer.

“The pope then inquired what muniments St. David’s possessed in confirmation of the dignity thus claimed for it by Giraldus. He was told that formerly it had many, but . . . it was frequently visited by pirates. . . .¹ In consequence of such visitations, Sampson, one of its former Archbishops, had fled into Brittany and, by his self-imposed exile, its dignity as a metropolitan church had been lost.”

Innocent had already heard about Sampson. There was a great question of identity connected with Sampson. Innocent brings it forward. We go on with Mr. Brewer still:

“‘But,’ said the Pope; ‘that Sampson of whom you speak was Archbishop of York.’ ‘Not so,² saving your reverence.’”

The pope here, of course, avoids all argument of detail. He now falls back on the great general argument of all—the prescription of Canterbury. He inquired from Gerald the date of Archbishop Sampson’s emigration, and learned that it had taken place in the days of St. Gregory the Great, who sent St. Augustine, the first Prelate of Canterbury, to convert the Saxons! This surely interesting point for us as well as Innocent (however Barry’s chronology may have been at fault) is omitted by Mr. Brewer. He gives, however, what followed:—

“‘That’s a long time back, and the Canterburians are safe by long prescription,’ was the pope’s answer. ‘As to our claiming the pallium, it is so; but with regard to its privilege as metropolitan, please your excellency, it is otherwise. Until the subjugation of Wales by Henry I., the Church of St. David’s, like the Church of Scotland, owed subjection to no other church but immediately to Rome.’ The conversation ended by the pope requiring evidence from Giraldus of what had been alleged.”

¹“In consequence of such visitations!” Those mentioned by Mr. Brewer are piracies, and it was *not* in consequence of those piracies, which destroyed muniments, that Archbishop Sampson, according to report, emigrated from Wales. Giraldus describes him as “*fugientem ictericiam cladem et ob hoc in Armoricam Britanniam transfretantem.*” Could Mr. Brewer be ignorant that *ictericia clades* means destruction by plague not pirates? Our dictionaries quote the sixth Satire of Juvenal for *ictericus*, *ill of the jaundice*.

²“Saving your reverence!” A queer translation certainly for the *Salva Reverentia* of a disputant, which means exactly “with great respect to you;” as we are wont to hear it used in philosophical and theological argumentation! “Saving the reverence due to so great a man” would of course be fine English in the same sense: but “saving your reverence” does not seem entitled to the same praise, does not even seem to have clearly the same meaning.

Surely all this is very unlike "pampering" or "soothing." If Gerald, instead of going to the pope, had gone to an advocate, to one scrupulously just and high-minded and unwilling to take advantage of an over-eager client, surely the fair and clear-headed lawyer would and ought to have spoken like Pope Innocent the Third. It is thus he should have pointed out the first points that every honest judge would require to see established. It is thus he would have reminded his consultor at the end that the points so touched on would need to be strictly proved when the case was to be justly tried. Assuredly, if any lawyer held such a conversation as Innocent's with Gerald, it might be said by some that he was careless about getting business, discouraging trial, frightening his client though only by putting forward difficulties that must be faced; it might be maintained by others that he was practically pointing out the only possible fair line of pleading to pursue; but no one would venture to assert that he was pampering hopes with unmeaning compliments or soothing ambition with any visionary object.

Mr. Brewer himself, if he had been told of a layman in the nineteenth century what he has read of a Roman Pontiff in the twelfth, would never have dreamed of saying that unmeaning compliments were offered, or useless hopes pampered, or visionary ambition soothed. Why could he not, with all his honest intentions and good-nature, take the trouble to be fair to one who was a mediæval pope? Nothing can be clearer than that, according to his account, the conduct of Innocent was very downright and very full of meaning, capable of making any one feel the very serious nature of the contest in which Giraldus had engaged, the various things it would be necessary to prove, the great labour required to accumulate the proofs. The conduct was kind no doubt, but it was the kindness of a very superior mind, of a great man. It was kind, not because it was pampering and soothing, but because it was bracing and exciting. It would have made a man of ordinary incapacity, of ordinary pusillanimity, abandon the whole case as a bad job. It nerved a man of Gerald's capacity and of Gerald's earnestness to extraordinary exertion, because it made him feel that if he really proved his case, his pleadings would be appreciated.

Were we merely arguing against Mr. Brewer, we might stop here, for he certainly has failed to establish his charge against Pope Innocent. But though the charge has not been

proved, it has been made; and as we are interested in the glory of the great Pontiff, we are not satisfied that the decision with regard to Mr. Brewer's accusation should appear to be nothing beyond the cold suspicious Scotch verdict of Not Proven. We must show that throughout, the pope was kind and just and noble as at the outset. Mr. Brewer's strongest arguments, indeed, have been shown to be something worse than unsatisfactory, but we must demonstrate that no good ones are possible upon his side, and that the story of Giraldus's trial not merely does not warrant, but positively disproves the allegations made by Giraldus's editor against Giraldus's judge, Pope Innocent the Third.

J. J. O'C.

STUDIES ON ENGLISH LITERATURE.—II.

THE ELIZABETHAN PERIOD.—SHAKESPEARE.

AS the Elizabethan period stands out with peculiar prominence in the series of pictures which the mind forms for itself when studying English Literature; so, we imagine, among the great men who figure in that unrivalled group, the most illustrious, the foremost man in all that world, is William Shakespeare.

Others among them have made their mark in certain walks of literature, finding "fit audience though few," and so have their hold, and that a firm one, upon lovers of poetry, or investigators into the thoughts of men. For the one class Spenser is all in all; for another the deep searchings, alike into men and things, of Francis Bacon, have a power before which even the greatest minds bow in reverence; and so with others the "judicious" Hooker is a name of power. Each in his own sphere shines with the brilliancy of a star of the first magnitude, and is, it may be, without his parallel therein. But Shakespeare is, as it were, the sun in the midst of all; and perhaps it may be for much the same reason. Science tells us that there are many stars larger in magnitude than the sun, and yet we esteem them less, and even think them but small in comparison; because the sun comes infinitely nearer to us than any other star; and sheds light, life and heat upon us in such a far greater degree. It is our own sun with whom

we have to do; who seems to know us; and to be, by its influence, among us; and so unlike those distant worlds, which are beyond our sympathy, as being apart from our lives. They roll on in majestic grandeur, and we hear the little that science can tell us about them, but they are beyond our circle, outside our sphere, and so, as things apart, we calculate, but do not feel how great they are.

Thus we think it is with Shakespeare and his great cotemporaries. He is proper to no one class of minds, his influence is limited to no one range of thought. He belongs to the philosopher, who can read him with advantages which others lack, but he belongs as much to the man of the world, who has no patience with philosophy nor with its teachers. He is for the learned, who test him by their professional skill and knowledge, and in wonder draw lessons from the great dramatist, scarcely believing that Shakespeare had not been educated as a lawyer, a physician, or a divine: but he is just as much for minds untaught in any especial department. His is the "boy's own book," wherein he best and most successfully studies the history of his country, and learns besides to understand those great heroes of Homeric verse, whose deeds he has to toil through with scant pleasure in his school hours, and in puzzling Greek. What generations of tender women have read their own hearts, and solved many a domestic enigma of life in the characters that his wonderful hand has drawn: and by all, men and women, young and old, simple and gentle alike, are his plays studied, loved, read, and re-read, until his phrases have grown into our very language, and we think and speak Shakespeare, so thoroughly have we made him our own.

It is scarcely calculable the extent to which this study of Shakespeare has spread; but some idea may be formed from the fact that in the great catalogue of the British Museum, two thick folio volumes are devoted exclusively to "Shakespeare's Works and Works upon Shakespeare."

And who was this wonderful man who has so made his own the hearts and minds of the educated world; whose writings are familiar not only to those who speak his native tongue, but by admirable and various translations into every known language, are a household treasure everywhere? Who is this William Shakespeare? Where are his manuscripts preserved, what are the incidents of his life, that we may see the man, and by that knowledge understand, perhaps, more completely the works he has

left us? We all know how unsatisfactory is the answer to these natural questions: and what is said by one of his editors, Steevens, is very significant:—

“All that we know with any degree of certainty concerning Shakespeare is—that he was born at Stratford-upon-Avon—married and had children there—went to London, where he commenced actor, and wrote poems and plays—returned to Stratford, made his will, died, and was buried.”

This is not quite all, but it is not far from it, and shows us how very little is really known.

Now this is curious in more respects than one: he was baptized April 26, 1564, and was buried April 25 (St. George's Day), 1616. His time was not very long ago, little more than two centuries and a half have since passed. It was in an age when men kept diaries and printed small gossip, and yet this is well nigh all we know of Shakespeare!

Again, it is not for want of interest about him, nor through lack of consequent research: never perhaps has so much trouble and pains been taken about the details of the life of any person; and yet what is the outcome? No scrap of his writings has been found, and only three times has even his signature been brought to light. A book once in his possession, a copy of “Florio's Montaigne,” is now in the British Museum, and therein is his autograph; there is a mortgage deed, the treasure of the City of London Museum, which he has signed, and his will in Doctors' Commons bears his signature in three places. This is all we have in his handwriting—simply his name and nothing more: and as if to complete the puzzle, in each document that name is differently spelled. So we know not if it should be Shakspeare as in the book, Shaksper as in the deed, or Shakspeare as it looks to be in the will; and then, to crown all this confusion, the folio edition of his works in 1623 makes it Shakespeare.

All the researches of men like Halliwell and Payne Collier, to say nothing of predecessors in the same inquiry, nor of those to whom private collections and the revelations of the Roll calendars have been since laid bare, all have brought to light scarcely half-a-dozen notices, and these the most meagre among the cotemporaries of the great dramatist.

Piecing these together we may say: John Shakespeare, his father, resided at Stratford-upon-Avon, and was a respectable yeoman, a well-to-do small landed proprietor, farming

his own and other land, and living in the town where he duly filled the usual civic offices, and rose to the highest. He is said to have been a butcher, a wool-merchant, and a glover, which varying descriptions may perhaps be combined into the meaning, that he sold the produce of his own farm, flesh, skins and all, as people of his class used to do. He married Mary Arden, of a family from which sprung also the great John Hampden, who was a law student in the temple when our Shakespeare died.

At Stratford, William was born, in the world-renowned house that is still standing, and which is known by his name.

What a place of literary pilgrimage is that modest, timber-framed, gabled house. How jealously is it preserved, and how is every spot within its few small chambers reverentially visited.

Some years ago an American speculator—some Barnum of that day, and as far as our memory serves of a now distant period, it might have been the veritable Barnum himself—wished to purchase the house “right out,” and to carry it off for exhibition to the United States. What a national feeling did the mere suggestion raise in England. Good came of it, as not unfrequently happens when a stranger’s estimate makes us think more highly of a treasure we possess. A subscription was raised to purchase the house, and to ensure its remaining at home, and some even suggested that it should not only be taken due care of, but that it should be put in a glass case, which of course meant that a glass covering should be built over it. This however has not been done, but it is legally, as well as substantially rooted in the soil, and so pilgrims from America, as well as from other lands, must be content to visit Stratford-upon-Avon, if they would see the simple dwelling wherein Shakespeare once lived.

There is one room which receives especial honor, and bears the too common mark of public respect. Its simple white walls are no longer white, nor are they likely ever again to assume that pure color, for they are written over and over again with the names of visitors. Autographs of much interest are, or were, among them, and these seem to give a kind of sanction to what is at best a queer token of respect. It marks of course a kind of yearning to connect one’s own name with Shakespeare’s; and perhaps the room may be regarded as a sort of visiting book in which the callers inscribe their names. When we were there in long past years, the custodian was laboring under the impression

which an American pilgrim had just made upon her. She had seen many strange exhibitions no doubt in her time, but this last seemed to surpass the rest in novelty and fervency.

"Is this the room in which Shakespeare lived, did he walk upon this identical floor?" he exclaimed; and then, without another word, he laid himself down at full length, and rolled over and over, backward and forward, about the room, that, as he afterwards explained, he might touch the very spot upon which Shakespeare's feet had trod.

There is still the Free School near at hand, to which doubtless the poet went, and there he must have learned at least the usual modicum, "smalle Lattine and lesse Greeke," says Ben Jonson. Coventry is not far from Stratford, and the great dramatist must have often witnessed the representations of the Mystery Plays for which that town was so celebrated.

Kenilworth, again, was quite near enough for the bright boy of eleven to find his way thither, when Elizabeth made that famous visit to the Earl of Leicester, which Walter Scott has immortalized in the celebrated novel that bears its name.

He married, when he was but eighteen, Anne Hathaway of Shottery, whose house still exists there: a kind of minor shrine for those who "do" the pilgrimage completely. Two years later, in 1584, he leaves Stratford for London. The once popular legend of his prosecution for deer stealing by Sir Thomas Lucy of Charlecote, being the cause of his departure from Warwickshire has nearly faded away. The boyish prank may have taken place—at least at Charlecote belief in it is unshaken, for do they not show you the very Hall in which the trial was held?—but other and more reasonable motives are not wanting to account for this serious step in life. We know that Shakespeare was intimate with Robert Green, the dramatist, and with Richard Burbage, the English Roscius of his day, who were both Warwickshire men; and they would quite naturally urge the young married man, who had such dramatic instincts, to try his fortune in the great Metropolis: so up he went to the Blackfriars Theatre, to which both his friends belonged.

This at once shows the absurdity of the story of Shakespeare beginning his life in London by holding horses at the door of the theatre; which, indeed, is itself improbable enough, even without our knowledge of the

influential friends who brought him into the midst of the theatrical world. For the theatre at Blackfriars was on a bank of the Thames, to which people went by what was then the great highway, the river itself, and so the few people of rank who visited it, before Shakespeare made it famous, came not on horses but in boats. What his real position was soon becomes apparent; for his name is on the list of the shareholders of the theatre, and we read in 1598 of twelve of his plays, and these seem to be mentioned by Meres only as specimens of his dramatic works.

He was also an actor. His name occurs on at least one of the lists of the *Dramatis Personæ* in the plays of Ben Jonson; but nowhere after 1603, when he retired to Stratford. We do not know what characters he performed, for in those days the most we have recorded are the names of the principal actors without their assigned parts. Tradition says that he played the Ghost in *Hamlet*, and Friar Laurence in *Romeo and Juliet*; and the following anecdote assigns another character to him:—

“One evening when Shakespeare was acting the part of Henry the Fourth, the Queen (Elizabeth) sat behind the scenes,” (which means that she occupied a chair of state upon the stage on one side near the front, as other patrons did until very recent times). “In the course of the play, while Shakespeare was speaking, Her Majesty crossed the stage, but he took no notice. Presently she returned, and, as she passed him, dropped her glove; the poet stooped, picked it up, and said (in character)—

‘And though now bent on this high embassy,
‘Yet stoop we to pick up our *cousin’s* glove.’

The words so immediately followed the conclusion of his speech that they seemed to belong to it. The Queen was greatly pleased.”

Upon the death of Elizabeth and the accession of James the First, he retired from the stage, and passed the thirteen remaining years of his life where he had began it, at Stratford.

The twenty years which Shakespeare spent in London never separated him entirely from his home in Warwickshire. There at Stratford were his wife and three children, and thither must he frequently have gone for rest and comfort in his wearisome life as author and player. Of this there is plenty of evidence, which diligent search among civic and legal documents has in late years brought to light. His father had passed through great vicissitudes during those twenty years. His property had diminished, and then in brighter days increased again. Through

poverty he lost his position among the magistracy, and then in time rose up once more into a prosperous yeoman, and onwards until he claimed his coat of arms, and was John Shakespeare, Gent. Doubtless the success of his great son, had no small share in this renewed and enlarged prosperity; and we find the poet himself making extensive purchases in Stratford, until in 1597 he became possessor of the "Great House" (as it was called), and which was the New Place in which he died. But there was at least one cloud which overhung the joy when all were once more united in this pleasant mansion. One bright face was missing from the family circle, and that which a prosperous gentleman, now taking position in his county, could least afford to spare. His only son, Hamnet, had died in 1596, the two daughters alone remained. One of these married, and died childless; the other left an only daughter, who, twice married, left no offspring, and so there were no more direct descendants of the great poet.

But what of the man, William Shakespeare himself? Can we decipher him out of these rough notes and meagre facts? Can we picture him to ourselves from what he did in the uneventful life which is but dimly shadowed forth? Perhaps we may, with the help of a few brief notices which we find recorded by his cotemporaries.

That old gossip Aubrey tells us that Shakespeare was "a handsome, well-made man, very good company, and of a very ready and smooth wit;" and Ben Jonson, who knew him well, and who loved him heartily—who, indeed, did everything with a fierce energy which made his loves and hatreds alike intense,—bears fuller testimony which we must quote at length, seeing how characteristic it is of "rare Ben Jonson," and of the still rarer genius he knew so well how to estimate. It occurs in that curious book which cannot be better described than in the author's own words—"Timber: or Discoveries made upon Men and Matter, as they have flow'd out of his Daily Readings, or had their Reflux to his Peculiar Notions of the Times." And here is what he writes, "De Shakespeare nostrate," as he phrases it in a marginal heading, in his usual pedantic manner:—

"I remember, the Players have often mentioned it as an honour to Shakespeare, that in his Writing (whatsoever he penn'd), he never blotted out a Line. My answer hath been, would he had blotted a thousand. Which they thought a malevolent speech. I had not told Posterity this, but for their ignorance, who chose that

Circumstance to commend their Friend by, wherein he most faulted. And to justifie mine own Candor (for I loved the Man, and do honour his Memory (on this side Idolatry) as much as any.) He was (indeed) honest, and of an open and free Nature; had an excellent *Phantasie*, brave Notions, and gentle Expressions; wherein he flowed with that Facility, that sometimes it were necessary he should be stop'd: '*Sufflaminandus erat*'; as Augustus said of Haterius. His Wit was in his own Power; would the Rule of it had been so too. Many times he fell into those things, could not escape Laughter: As when he said in the person of Cæsar, one speaking to him; 'Cæsar, thou dost me wrong.' He replied, 'Cæsar did never wrong, but with just Cause,' and such like; which were ridiculous. But he redeemed his Vices with his Virtues. There was ever more in him to be praised than to be pardoned."

It is worthy of notice, in passing, how this quotation from Julius Cæsar corrects the absurd reading generally given of the passage, wherein Cæsar is made to say—

"Know, Cæsar doth no wrong; nor without cause
Will he be satisfied,"

Whereas, Ben Jonson shows how it originally stood, as thus:

Cass. Cæsar, thou dost me wrong.

Cæs. Cæsar did never wrong, but with just cause."

Which perhaps after all is not so ridiculous as the severe critic thought, if we interpret "wrong" by what is often considered to be such, namely, punishment which of course requires "just cause." Fuller, in his "Worthies," gives a quaint picture of some of the characteristics which distinguished these two great men, that made them, as it were, the complements of each other, and to which may be attributed, in some measure, the warm friendship which united them for life. Speaking of Shakespeare he says:

"Many were the wit-combats between him and Ben Jonson, which two I behold like a Spanish great galleon, and an English man-of-war; Master Jonson (like the former) was built for higher bearing, solid but slow in his performances; Shakespeare with the English man-of-war, lesser in bulk, but lighter in sailing, could turn with all tides, tack about and take advantage of all winds, by the quickness of his wit."

No wonder that Jonson at times felt that the ready wit and quick repartee should indeed "be stop'd"; yet did he thoroughly appreciate the brilliancy which not unfrequently condescended to show itself in mere fireworks, in very wantonness of strength. This is one side of the character of the great dramatist; it has another, and that a much more serious one. We find him working away at his plays

with a steadiness and diligence which are sometimes supposed to be characteristic of anything but genius. Their number and the order of their production show this. And all the while we must remember that he is a player as well as a kind of manager of a theatre. He has to study and realize the writings of others, and has to declaim verses very different from his own; while his judgment has to be formed, from time to time, upon plays submitted to his theatre, and to determine as to their worthiness for production. It is said that in the exercise of this judgment he made the acquaintance of Ben Jonson, whose *Every Man in his Humour* he justly admired, and the production of which he insisted upon, when other less true critics had already rejected it. He is evidently a steady man of business, realizing money, and investing it in a house and another theatre (the Globe) in London; but ever with his mind and heart upon Stratford-upon-Avon, and the family growing up there, for whom and for himself he is preparing a home and an estate to which he hastens, as soon as circumstances enable him to do so with credit. Cold legal documents warm up into life, and become somehow almost a portion of literature, when in their quaint, ungainly language they tell us that Shakespeare has purchased this field and that house, all about the old place; how he looked out for a piece of land at Shottery, his wife's native village; and when he made the greatest purchase of his life, of the lease of the Tithes of Stratford, Old Stratford, Bishoptown, and Welcombe, the very parchment becomes a treasure for posterity, and is carefully preserved in the Museum.

Shakespeare, we may be sure, had his friends among the wits and literary men of London, to say nothing of his royal and noble patrons, and by them his qualities were well understood; and how do they characterize him? When Michael Drayton, Leonard Digges, George Chapman, Nathaniel Field, John Marston, and such like men, speak or write of him, it is ever in terms of warm affection. He is Gentle Shakespeare, Sweet Will, Swan of Avon, or Gentle Willie. There is quite a consensus of authorities. So it generally is, the really great are really humble, and think of themselves far less than others think of them.

When the time comes for him to quit London, the scene of his labours and many anxieties, to go back to what has, in truth, been his real home during these twenty years of not unfrequent absence, he brings as far as may be his family about him. Hamnet is dead, but his wife, the

beautiful Anne Hathaway, is still in the prime of life, not being yet fifty. His eldest daughter, Susanna, is already married and settled at Stratford, with a prosperous husband, Dr. John Hall, Physician, and so is close at hand, and, of course, a constant visiter at New Place, where still remains a second and unmarried daughter, Judith, the twin sister of poor Hamnet. It was Shakespeare's last family duty in life to give her in marriage to Thomas Quiney; for, two months after that festive February, the great poet and dramatist was buried in the same parish church which had witnessed the marriage. What pleasant years must those have been which Shakespeare spent quietly at Stratford, after his life in London was over, and ere the eternal life began.

We may be sure that it was an active life; the *dolce far niente* could have no charms for a mind such as his: the *otium cum dignitate*, a literary life with leisure from worldly care, and so dignified by intellectual pursuits, marked his remaining too few days. The theatre—at least as far as acting and managing were concerned—was given up, but that which had raised the stage from a low level into a great moral teacher, his dramatic writings, were yet continued. Indeed, as we should expect, some of his best plays were now written: that noble Roman series, *Coriolanus*, *Julius Caesar*, and *Antony and Cleopatra*, together with *Lear*, *Macbeth*, *The Winter's Tale*, *Cymbeline*, *Troilus and Cressida*, and *Henry VIII.*, and 'last scene of all,' *The Tempest*, make up the ten which crowned those thirteen years of life at Stratford. Old friends, like Jonson and Drayton, came down to see him, and right merrie days, and nights too, must have been spent in New Place amid such brilliant and learned wits.

We wonder what the people of Stratford thought of the London actor and writer of plays, who had come home to them again, in such different circumstances from those in which he left them twenty years before. Did they understand his marvellous greatness, or was he in their eyes but little more than a successful speculator? And when they were told that he was, in one respect at least, "the greatest man of all the world," did they see that greatness in the modest and simple middle-aged gentleman, who took his place so quietly in the limited circle of the country town, and devoted himself to his family and the daily pursuits of ordinary life? Did they understand him—did Shakespeare

understand himself? Did he know his own greatness? perhaps not; most great men do not. The Duke of Wellington never could understand why "people made such a fuss about him."

He appeared to care little about his plays after he had produced them, for he seems never to have edited one of them. Why was this? It is a question which deserves at least a brief consideration. He may have thought meanly of them; not as being poor of their class, for that his mind would not allow him to do, but because his estimate of the drama was so high, that nothing even he wrote came up to his own standard, and so his highest and most successful efforts were thrown aside, as men will laugh at and undervalue their youthful productions.

Or, again, he may have looked upon his plays as mere shop articles in which he dealt, supplied to order at so much a piece and so many a year, as his contribution to the theatre, which paid him (as we are told) an annual sum.

Dr. Johnson seems to entertain some such idea; and yet it is hard to believe it, knowing what those plays were and how much intellectual labour they must have cost him. But there is another reason which has been given for this apparent neglect, which seems more probable and is certainly more satisfactory. It is, that Shakespeare considered his plays, when once written and paid for, as belonging to the theatre; and that to publish them would be injurious to their success on the stage. There is good ground for this opinion. Thomas Heywood boasts of his own conduct in this respect, "Though some have used a double sale of their labours," he says, "first to the stage and after to the press; for my part I here proclaim myself ever faithful to the first, and never guilty to the last."

Again, there is an admonition from the Lord Chamberlain to the Stationers' Company, against the printing of plays to the prejudice of those that have bought them.

In accordance, then, with this honorable understanding, Shakespeare, while he carefully revised and published his poems, left his plays to the players. And thus it is that the early quarto editions were brought out in separate volumes, at different times, and by various publishers, and with play-bill titles at which Shakespeare himself laughed, and joked at in the *Midsummer's Night Dream*, where he makes the poor mechanics of Athens offer for Duke Theseus' entertainment "a tedious brief scene of young Pyramus

and his love Thisbe, very tragical mirth." Thus we have

"A most pleasant and excellent conceited *Comedy of Sir John Falstaffe and the Merrie Wives of Windsor*. Entermixed with sundry variable and pleasing humours of Sir Hugh, the Welsh knight, Justice Shallow, and his wise cousin Master Slender, with the swaggering vaine of Ancient Pistol and Corporal Nym."

That all Shakespeare's manuscripts have perished we have too much reason to fear, for not one fragment has as yet rewarded the most diligent search. All that can be said in explanation is that Shakespeare's theatre was burnt down during a performance of *Henry VIII.*, the wadding from a gun (chamber) fired in the grand procession, catching the roof, when all was consumed, and most probably the copies of Shakespeare's plays. As for his private papers that he left at New Place, they are said to have been carried away by his last lineal descendant, his grand-daughter, upon her marriage with Sir John Barnard, to his house at Abington near Northampton, and of these we have no further record.¹

Turning from the author to his works, the question naturally suggests itself: why are Shakespeare's plays so popular, and those of his great cotemporary, Ben Jonson, so little read, though both were in their own day equally esteemed, if indeed "rare" Ben did not outshine the Swan of Avon? It is worth consideration, for it may throw some light upon the characteristics of the plays of Shakespeare.

They are intelligible, which Jonson's are not. His were written for a time, his own time, but Shakespeare's are written for all time.

Dr. Johnson, who is no great authority on what requires poetic feeling to appreciate, is perhaps unequalled as a

¹Hitherto there has been a hope that some particulars of these Shakespearian relics might be brought to light, but this has now fled for ever. It is disappointing, indeed, to read (*Academy*, February 19, 1881) that at Somerset House, Mr. Furnivall has found among the old inventories that of Sir John Bernard, wherein the only entries relating to property at Stratford are, "a Rent at Stratford-upon-Avon, at iiiij^{li}," and again "old goods and lumber at Stratford-upon-Avon, at iiiij^{li}," unluckily there are no particulars of "all the books in the studdy, xxix^{li} xj^s," or of "all the pictures in the parlour (v^{li} x^s), the bed-chamber and the little chamber," which Lady Bernard left to her husband when she died in February, 1669-70. How would the dry record have brightened into life, had the hasty scribe but taken time to catalogue all those books and pictures, which must have revealed Shakespeare to us in a way which nothing else can do.

critic in matters which correct judgment and excellent common sense can deal with, in his preface to Shakespeare's plays, says upon this point, though he had not before his mind the purpose for which we are now using his authority, that :—

“Shakespeare is, above all writers, at least above all modern writers, the poet of nature ; the poet that holds up to his reader a faithful mirror of manners and of life. His characters are not modified by the customs of particular places, unpractised by the rest of the world, by the peculiarities of studies or professions, which can operate but upon small numbers, or by the accidents of transient fashions or temporary opinions ; they are the genuine progeny of common humanity, such as the world will always supply, and observation will always find. His persons act and speak by the influence of those general passions and principles by which all minds are agitated, and the whole system of life continued in motion. *In the writings of other poets a character is too often an individual, in those of Shakespeare it is commonly a species.*”

This is a noble testimony, grandly expressed, and throws a flood of light upon the inquiry, why is Shakespeare so popular? Every reader who has common intelligence and ordinary education can understand him. There is no need of external help, no other books have to be read, no other history to be studied, to know what the play is aiming at. How many works are full of allusions to what must be sought elsewhere, if we would clearly understand them. There is little or none of this in Shakespeare's plays. It is true that critics, commentators and editors have often loaded the text with explanatory notes, which, sometimes, are of use when an obsolete word has to be explained, but too often they have managed to obscure what was before clear enough, or muddled and confused a difficult passage until it has become “confusion worse confounded.”

The most enjoyable way to read Shakespeare is, we believe, to take the simple text without note or comment.

One consequence of this style of writing is, that it is altogether free from what so many authors aim at, and achieve, but with serious damage to the general effect ; there is no local colour in Shakespeare.

By local colour we mean, of course, the use of forms of expression which are peculiar to any place or period. It is an attempt to make characters speak, as far as may be, in the language of their own day, and if Greeks and Romans may not talk in classic tongue, the text is sure to be crowded with proofs of antiquarian knowledge, with turns

of phrases and with allusions which drive the ordinary reader to his classical dictionary, or leave him altogether in the dark as to what the foreigners are about.

Nothing of this kind is to be found in Shakespeare's classical plays. Why? Because he knew that men were then what they are now. So his Romans are Englishmen of the time of Elizabeth, and, indeed, Englishmen of all periods. The Roman costume may be on the body, but the thoughts, as well as the tongue, are our own. This is why we understand them, why we sympathize with them; why these Romans are to us men of flesh and blood, and not the cold abstractions which they become when authors try to carry us back and to throw us, all unprepared, into an unfamiliar past.

In Julius Cæsar we think only of the characters and not of Shakespeare; in Cato we think of Addison, and of Addison only. The former has all the living interest which a play should have to deserve and secure success, the latter is a beautiful but dead essay. And this suggests another characteristic of Shakespeare which, we think, is also another proof of his greatness. He does not show himself in his plays: we never see the author thrust forward: it is Othello or Hamlet, Macbeth or Falstaff; it is never Shakespeare.

Smaller minds are not thus self-repressing: perhaps they cannot afford to be so. Cato is Addison, Manfred is Byron, and so on. Perhaps this has much to do with the fact of our knowing but little about this great man; about his religion, about his personal character, and about his opinions—because he will not

“ Weare them on his sleeve
For daws to peck at.”

When he writes a play he puts himself aside, or, as Hazlitt so beautifully expresses it:—

“ He has only to think of any thing in order to become that thing, with all the circumstances belonging to it. When he conceived of a character, real or imaginary, he not only entered into all its thoughts and feelings but seemed instantly, and as if by touching a secret spring, to be surrounded with all the other objects, ‘ subject to the same skyey influences,’ the same local, outward and unforeseen accidents which would occur in reality.”

What is the result of this upon the reader or spectator of one of his plays?—and perhaps more upon the former than upon the latter, for the stage is too often a greater

hindrance than a help to our realization of the poet's intention—What is the result? We do not merely learn what his characters say, we see them in reality, and most truly "with the mind's eye."

We do not say to ourselves, how well Shakespeare has drawn this character, how cleverly he has devised and wrought out that plot, or how wonderfully poetical is his language. Not at all: we are living in the scene itself; we are carried away in the whirl of passion, and should as soon think of stepping aside and coldly criticizing the real actions of our own life, and the passions of joy or grief in which we have our part, as of applying such rules to what, for the time at least, is to us quite as real; though we are permitted to take no active part in the life which is living and breathing before us.

His characters are expressions of the passions and not descriptions of them. They are real beings of flesh and blood—it is Macbeth, Lear, Othello, Hamlet,—it is not Shakespeare. So strongly has this power of self-annihilation been felt, that some people have brought themselves to imagine that there never existed a Shakespeare: they could not believe that any one could make himself so many, and lose himself altogether in his creations. A folly this in itself, but yet a fresh testimony to his greatness.

Observe, again, what essays and dissertations have been written, not upon Shakespeare and his delineation of character, but upon those characters themselves. Just as men examine and scrutinize living beings; write their lives and weigh their motives, looking at them from all points of view, in order thoroughly to understand them, and then dispute among themselves as to their greatness or littleness: so Hamlet is treated, so Othello, and so are many other characters.

No question is raised as to what Shakespeare meant, no doubt is suggested as to his possible failure in the delineation—no one dreams of that; the only inquiry is, do we understand which is before us, can we grasp the circumstances, and sound the mental depths that are there? No question of their real life, more than of that of Napoleon or Chatham.

Thus his plays become a real study. Our interest in the personages grows as the action proceeds; not merely in the plot, but in the development of character. A few lines from some one else, or a few words of his own, put the man before us; then circumstances not only work out

the plot, but absolutely form the individual. We watch him in action, speculate upon what he would have been under other circumstances, see him grow strong or weak, feel ourselves moved with hope or fear; are satisfied when he does what we expected, and are only made more curious and thoughtful when we find ourselves mistaken. Throughout there are no misgivings in our mind respecting the author, for indeed we never think of him: if we did, the illusion, the charm would be destroyed. If we are critical, it is with the player who falls short of his work, or it is with the character before us, who fails, as so many men do in real life, to come up to our expectations.

And now just one word in conclusion upon a question which naturally occurs to the minds of Catholics, when we are dwelling upon the life and works of this the greatest ornament of our literature. Does he, in the highest and holiest sense, belong to us? Can we claim him, as we should wish to do, for his sake as well as for our's, as our own? What about the religion of Shakespeare? Was he a Catholic or a Protestant? Did he cling to the old religion, which was suffering so much in its children in those days of trial and confusion, or had he gone over to the new faith, which had been forced so ruthlessly upon weak minds and timid hearts? From time to time the question has been raised: in truth we have never gone into it, nor do we purpose doing so now. But it may be worth while quoting one single testimony, and examining very briefly another which is somehow considered a kind of refutation of the former.

A certain Rev. W. Fulman, who died in 1688, bequeathed a collection of manuscript notes, which he had made from time to time, to a friend, Rev. R. Davies, the Rector of Sapperton in Gloucestershire, upon whose death in 1708, they were presented to Corpus Christi College, Oxford, where they are now preserved.

Mr. Davies published the original collection, adding in brackets notes and additions of his own, and here is a passage which seems to decide the question we are now considering. "He (Shakespeare) died April, 23, 1616, ætat. 53, probably at Stratford, for there he is buried and hath a monument"—and then follows in a bracket this additional note by Mr. Davies—" [on which he lays a heavy curse upon any one who shall remove his bones. *He dyed a Papist*]."

This is the testimony we produce, and what is its value? The note is made by a Protestant rector, who certainly

would not make, without sufficient reason, so decided a statement.

Shakespeare was buried in the parish church, because he could be buried nowhere else in Stratford, and lest that fact should be misunderstood, as it doubtless has often been, into a profession of the Protestant faith, the careful and honest clergyman adds, "He dyed a Papist."

Now, what is the other testimony to which we have alluded, and which a very painstaking editor can produce alone out of all the documents, parish records, and state papers which he has searched with untiring zeal for many years, and which he has accumulated into the most complete life of Shakespeare ever published? He finds in the Stratford accounts, under date 1614, the following:

"Item for one quart of Sack, and one quart of Clarrett Winne, given to a preacher at the Newe Place xx d."

And this is the refutation of the plain statement that Shakespeare "dyed a Papist."

He assumes that the preacher was a Protestant, upon the evidence (we presume) of the amount of wine consumed. None but a "painful" minister could require and drink the two quarts, it seems, and we may fairly allow that the parish would not pay for the liquor for any but a divine of the "new learning." The sending the preacher and the expense incurred show, indeed, a zeal for the spiritual interests of the great dramatist. But what was the especial mission of the preacher? Was it to confirm Shakespeare in the Protestant creed, or was it not rather an attempt to convert the Papist? Had the visitor been welcome, we may be sure the generous host would not have sent him away "sackless;" it was evidently an intrusion which the Papist naturally resented, and so the ranter of his day was sent back again to the Corporation to slake his spiritual and temporal thirst at the expense of the Borough. Of course we cannot be sure that this was the case; but it seems to us quite as fair a conclusion as any that can be drawn from the obscure item. So, until other evidence can be brought to light, we may accept without scruple the testimony of the English clergyman, recorded as it must have been against his own sympathy, and so solely in the cause of truth—"He dyed a Papist."

THE CONDITIONS REQUIRED FOR GAINING THE PRESENT JUBILEE.

IN the present number of the RECORD we find it impossible to print the full text of the Apostolic Letter of His Holiness Leo XIII., granting an extraordinary Jubilee to the universal Church. But a brief statement of the conditions required for gaining the Jubilee, and a selection of such extracts as bear on these conditions, will not be unacceptable to our readers.

I. The Jubilee continues in force, throughout Europe, from the 19th of the present month—the Feast of St. Joseph, till the Feast of All Saints—the 1st of November, 1881.

II. The conditions required to be fulfilled by those who undertake to gain the Jubilee in this country are:—

1. Confession.
2. Communion.
3. One day's *strict* fast, to be observed on some day when a strict fast is not otherwise of obligation.
4. Alms given for some pious purpose.
5. Six visits to be made to certain specified churches.
6. Prayers to be said during these visits, according to the intentions of His Holiness, for the following objects:—
 - (a) For the prosperity and exaltation of the Catholic Church, and of the Holy See.
 - (b) For the extirpation of heresies, and for the conversion of all who are in error.
 - (c) For concord amongst Christian princes, and for peace and union amongst all the faithful.

III. These works may be performed at any time within the prescribed limits, *i.e.*, from the 19th of March, to the 1st of November inclusively.

IV. The indulgence may be applied by way of suffrage to the souls in purgatory.

V. Bishops may reduce the number of visits, in case of Sodalities, Confraternities, Congregations, &c., whether secular or regular, provided the visits be made to the church or churches in processional order.

VI. Confessors may, in cases of necessity, prolong the time for gaining the Jubilee, and may commute the prescribed works for other pious exercises, in case of those who, by reason of their religious state or physical condition, are unable to perform any, or all, of the required works.

In case of children who have not as yet made their First Communion, and who are not prepared to do so, power is given to *dispense* in this condition.

VII. The usual permission is given to penitents, lay and clerical, secular and regular, to select any approved priest as confessor for the Jubilee confession.

In case of nuns, the confessor selected must be one who is approved for hearing the confessions of nuns.

VIII. Confessors are granted the same faculties (and with the same restrictions) as were given by the present Pontiff during the Jubilee published by him in 1879.

It may be useful to reprint these faculties here:—

“Insuper omnibus, et singulis Christi fidelibus tam laicis quam ecclesiasticis Saecularibus, et Regularibus cujusvis Ordinis, et Instituti etiam specialiter nominandi, licentiam concedimus, et facultatem, ut sibi ad hunc effectum eligere possint quemcumque Presbyterum Confessarium tam secularem quam regularem ex actu approbatis (qua facultate uti possint etiam Moniales, Novitiae, aliaeque mulieres intra claustra degentes, dummodo confessarius approbatus sit pro monialibus) qui eosdem vel easdem intra dictum temporis spatium, ad confessionem apud ipsum peragendam accedentes animo praesens Jubilaeum consequendi, et reliqua opera ad illud lucrandum necessaria adimplendi, hac vice et in foro conscientiae dumtaxat ab excommunicationis, suspensionis, et aliis Ecclesiasticis sententiis, et censuris a jure, vel ab homine quavis in causa latis, seu inflictis, etiam Ordinariis locorum et Nobis seu Sedi Apostolicae, etiam in casibus cuicumque ac Summo Pontifici et Sedi Apostolicae *speciali licet modo* reservatis, et qui alias in concessione quantumvis ampla non intelligerentur concessi, nec non ab omnibus peccatis et excessibus quantumcumque gravibus et enormibus, etiam iisdem Ordinariis ac Nobis et Sedi Apostolicae, ut praefertur reservatis, injuncta ipsis poenitentia salutari aliisque de jure injungendis, et, si de haeresi agatur, adjuratis prius et retractatis erroribus, prout de jure, absolvere; nec non vota quaecumque etiam jurata et Sedi Apostolicae reservata (castitatis, religionis, et obligationis, quae a tertio acceptata fuerint, seu in quibus agatur de praejudicio tertii semper exceptis, nec non poenalibus, quae praeservativa a peccato nuncupantur, nisi commutatio futura judicetur ejusmodi, ut non minus a peccato committendo refrenet, quam prior voti materia) in alia pia et salutaria opera commutare, et cum poenitentibus hujusmodi in sacris ordinibus constitutis, etiam regularibus super occulta irregularitate ad exercitium eorundum ordinum, et ad superiorum assecutionem, ob censurarum violationem dumtaxat contracta, dispensare possit et valeat.

Non intendimus autem per praesentes super alia quavis irregularitate sive ex delicto, sive ex defectu, vel publica, vel occulta, aut nota, aliave incapacitate, aut inhabilitate quoquomodo contracta dispensare, vel aliquam facultatem tribuere super praemissis dispensandi, seu habilitandi et in pristinum statum

restituendi etiam in foro conscientiae; neque etiam derogare Constitutioni cum appositis declarationibus editae a fel. re. Benedicto XIV., Praedecessore Nostro, quae incipit *Sacramentum Poenitentiae*, neque demum easdem praesentes, iis, qui a Nobis, et Apostolica Sede, vel aliquo Praelato, seu iudice Ecclesiastico nominatim excommunicati, suspensi, interdicti, seu alias in sententias et censuras incidisse declarati, vel publice denunciati fuerint, nisi intra praedictum tempus satisfecerint, et cum partibus ubi opus fuerit, concordaverint, ullo modo suffragari posse, aut debere. Quod si intra praefinitum terminum, iudicio confessarii, satisfacere non potuerint, absolvi posse concedimus in foro conscientiae ad effectum dumtaxat assequendi Indulgentias Jubilaei, injuncta obligatione satisfaciendi statim ac poterunt."

IX. Several practical decisions were given by the Sacred Penitentiary on the 26th February, 1879, regarding the works prescribed for the Jubilee of that year, which, together with decisions regarding the Jubilee of 1874-5 by the same tribunal, will prove a useful guide in determining similar questions regarding the present Jubilee.

1. With regard to the Confession and Communion, it was decided that one Confession and Communion would *not* suffice to fulfil the Paschal precept, and to gain the Jubilee. But *one* Confession with *two* Communions will suffice for both purposes, in case of those who have already complied with the precept of annual confession, or who purpose to do so within the year.

Those who neglect to receive Communion within the time allowed for the fulfilment of the Paschal precept, cannot afterwards satisfy the Paschal precept, and gain the Jubilee, by one Communion.

2. With regard to the fast required, it may be made within the Lenten time, but it must be a strict fast which excludes meat, eggs, and lactinia, and it cannot be made on Good Friday, nor on Wednesday in Holy Week, where lactinia are prohibited on that day.

3. With reference to the alms, no particular amount, nor any special object is specified. The words used are "*. . . atque eleemosynae nomine in pium aliquod opus quidquam conferant.*" The Holy Father, however, strongly recommends three objects of charity, the Association for the Propagation of the Faith, the Institute of the Holy Childhood, and the Society for promoting the Schools of the East.

4. Regarding the *visits*, they must be six in number, that is, two visits to each of three churches (or chapels, or public

oratories, provided Mass is usually celebrated in them), or if there be not three churches, &c., then three visits to each of two churches, or, finally, six visits to one church, chapel, or oratory. The churches, &c., in each case, must be determined by the Bishop of the diocese, or by his Vicar, or, in their absence, by the Ecclesiastic who may have pastoral charge of the diocese, or district, for the time being. These visits may be made on the same or on different days. But in making the different visits it is necessary to leave the church after each visit, before making another.

5. The Jubilee of 1879 could be gained as far as the indulgence was concerned, as often as the prescribed works were repeated, but the special faculties given for absolution from censures, reserved cases, commutations, and dispensations, could be used only on the first occasion. The same appears to be the wish of His Holiness in granting the present Jubilee.

6. Special facilities are given to those who, while the Jubilee lasts, may be journeying by sea or land. They may postpone gaining the Jubilee till their return home, or they may, by visiting the parochial or principal church six times in any town, or other resting place, at which they arrive, and performing the other prescribed works, gain the indulgence of the Jubilee.

ED. I. E. R.

LITURGICAL QUESTIONS.

I.

How Baptism is to be conferred in certain cases of necessity.

REV. DEAR SIR—The lucid and instructive exposition of the Decree relating to Baptism in private houses, which appeared in the last number of RECORD, suggests an inquiry as to what is to be done where a child is to be baptized, and some other cause besides distance from the Church or inclemency of the weather, prevents it from being brought to the font. It is, unhappily, too common in many parts of Ulster, where Catholics are mixed up with Dissenters, that infant Baptism is deferred for weeks and months, and, in the end, a great risk is incurred that it will be neglected altogether, unless it be administered in the private houses. This pernicious practice is learned, I believe, from the bad example of the non-Catholic sects, who make so little account of infant Baptism.

The evil of mixed marriages also furnishes a numerous class of

troublesome cases. A Catholic mother guarantees that she will rear up her child in her own faith, but the Protestant husband will not allow the infant, on any account, to be brought to the Catholic Church for Baptism, and unless the Sacrament be administered to it soon, there is the two-fold danger, that it may die unbaptized, or that all chance of its being reared in the Catholic Faith may vanish with delay in this matter. In such cases, Baptism in private houses seems to be the obvious course, and the experience of many years has convinced me that it is the safer one in practice. As the cases I have mentioned may be a remnant, or the out-come, of the "praeteritorum temporum calamitates," and cannot easily be reduced to conformity with modern discipline, I have hitherto, when such occurred, acted on the olden usage, and accompanied the administration of Baptism with all its solemnities.

Have I been wrong in doing so; and does the legislation of Maynooth Synod require me to discontinue any part of the ceremonies in future cases of this kind? ARMACANUS.

We said in a former number of the RECORD¹ that the Synod of Maynooth has not, in our opinion, withdrawn the permission, granted in the Synod of Thurles, to confer Baptism with all the ceremonies in a private house in two cases, viz., "*ob magnam distantiam ab ecclesiis, vel ob gravem aeris intemperiem.*" But these are the only cases to which this privilege extends; in others, the directions of the Roman Ritual are to be followed. Accordingly, we are of opinion, that in the two cases of necessity put forward by him, our respected correspondent should conform exactly to the Ritual by conferring Baptism with the ceremonies that follow the application of the matter and form in the house, and reserving the ceremonies that precede the Sacrament for the Church when the infant can be presented there for the purpose. We believe that these and all similar cases of necessity are covered by the clause of the rubric "*vel alia cogente necessitate.*" The whole rubric referring to this point runs thus:—"Cum urgente mortis periculo, *vel alia cogente necessitate*, parvulus, sacris precibus ac caeremoniis praetermissis, fuerit baptizatus; ubi convalescerit, *vel cessaverit periculum*, et ad Ecclesiam delatus fuerit, omnia omnia suppleantur."²

As the obligation of supplying the ceremonies is, according to St. Alphonsus,³ *sub mortali*, the priest should inform

¹ March, 1881.

² Ordo supplendi omnia super infantem baptizatum.

³ St. Lig. lib. vi., n. 141.

the parent of her duty to bring the child to the church where the ceremonies are to be supplied, as soon as a suitable opportunity of doing so presents itself.

Moreover, the Baptism should be entered in the parochial register as a private Baptism, and, when the ceremonies are supplied, an entry of this fact should be made in the form prescribed by the Roman Ritual in its chapter, "Formulae scribendae in libris habendis a Parochis."

We need hardly add that it is the duty of the priest to labour to make this administration of Baptism in a private house unnecessary by frequently explaining to the people in his instructions the obligation of getting their children baptized soon after birth, and of bringing them to the church for this purpose.

II.

The "Hebdomadarius" in the matter of Indulgences.

1. Must the priest be a "Hebdomadarius" to gain the plenary indulgence attached to the "*En Ego*?"

2. What is meant by a "Hebdomadarius" in this matter of indulgences? Does it mean that one is to go to confession within every eight days, or is it enough to go every week (from Monday to Sunday), so that a Hebdomadarius might be frequently away from confession for twelve or thirteen days?

I. Confession and Communion are enumerated among the conditions for gaining the plenary indulgence attached to the "*En Ego*." Consequently, confession must actually precede the Communion, in the sense commonly understood for gaining an indulgence, or else the person must be a "*Hebdomadarius*."

II. We can find no decree of the Sacred Congregation of Indulgences, defining the meaning of the "*Hebdomadarius*." But we read in Father Maurel's "*Christian instructed in the Nature and Use of Indulgences*," a book of high authority, the following very strong statement, to the effect that the Hebdomadarius is one who confesses, not once in every eight days, but once in every week, between Monday and Sunday. "Observe," he writes, "the expression '*once a week*;' it is not said '*once in every eight days*.' Thus, agreeably to the terms of the Indult, a person may go to confession on the Monday of one week, say, and not again until Saturday of the ensuing week, which would be the thirteenth day after his last confession.

Yet, it would be true to say, he had confessed every week, or once a week, which is all that the Rescript requires.

“In February, 1868, I again submitted this note to the Sacred Congregation of Indulgences. The reply was, that it gives the true sense of the clause, ‘*Saltem semel in hebdomada,*’ and that those who interpret it otherwise, confining it solely to an interval of eight days, are quite mistaken.”¹

III.

The Soutane with a Cape.

What priests are entitled to wear a Cape to the Soutane? Is there anything against its being adopted generally?

We have consulted one who, having lived there many years, is well acquainted with the usage of Rome on this point. He writes: “According to the Roman custom the Soutane with Cape is used by all who exercise parochial or quasi-parochial authority, such as the superiors of colleges, parish priests, and curates, &c.” In the absence of any positive decree on this point, of the existence of which we are not aware, the custom of Rome is our best guide.

IV.

Questions concerning the Viaticum.

REV. DEAR SIR.—I should feel obliged by your answering in the next number of the RECORD the following questions:—

1. In this diocese it is ordered by the statutes to carry the pix, when one is going to the sick, in the inside left pocket of the vest. This seems to be forbidden by the decree of S. C. R. quoted in O’Kane’s “Notes.” May we, notwithstanding, conform to the statutes and custom of the diocese?

2. Seeing that it is permitted here to keep the Blessed Sacrament in the priest’s house, is it reprehensible to carry *many* particles in one’s pix, when going to *one* sick-call?

3. In this latter case, if you administer Extreme Unction after the Viaticum, is the blessing with the pix to be given with the violet or white stole?

4. In many large institutions, *e.g.*, infirmaries, workhouses, hospitals, &c., it is sometimes required to give Communion on Sundays, after Mass, to bed-ridden patients in different wards, and in different houses of the same institution, male and female; is it allowable to go through the “*ritus communicandi ad infirmos,*” given in the Ritual, up to the end of the Confiteor in the chapel,

¹“The Christian instructed in the Nature and Use of Indulgences.” Translated by Rev. P. Costello. Page 69.

then to withdraw the ciborium from the tabernacle, carry it processionaly to the wards, administer Holy Communion, and return to the chapel to say, "Domine Sancte," and finish with the blessing?

I. You should comply with the direction contained in the decree of the Congregation of Rites. The diocesan statutes do not require, and have not, of course, received the approbation of Rome. The decision you refer to is an express disapproval of the custom of carrying the Blessed Sacrament in the way you describe. Hence the correction in O'Kane's "Notes."

II. Where it can be avoided without inconvenience, it would be better not to carry in the pix more particles than are necessary for the number of sick-calls. The reason why the Roman Ritual allows the priest to carry more Hosts than he knows to be necessary for the sick, is that he might bring back the Blessed Sacrament to the church, in the same kind of solemn procession in which he bore it to the house of the dying.¹ It is on account of the difficulty of observing this external respect, when the distance is long or the way difficult, or when the priest must ride, that the Roman Ritual itself suggests, that in these cases only one Host be carried, when not more than one is necessary for the sick.

Now, in the circumstances of our country, the reason supposed in the Rubrics for carrying in the pix more Hosts than are necessary, never occurs, since we do not accompany the Blessed Sacrament with the ceremonial the Ritual prescribes.

¹"On prend une Hostie," writes Le Vaseur (vol. i. p. 10, sec. i., chap. iv., art. iii. § 2. note); "de plus pour pouvoir revenir solennellement à l'église. On ne la fait pas si le chemin est difficile, et si l'on ne pouvait donner à cette fonction toute la solennité désirable."

"Unica tantum Hostia non est assumenda pro delatione SS. Sacramenti ad infirmum, sed semper aliquot et saltem duae in pixidem sunt ponendae ut semper una supersit, cum honore ad ecclesiam deferenda." De Herdt. *Praxis Litur. Rit. Romani*.

S. Carolus statuit (1. *Con. Prov. Mediolanensi*) ut duas sacras Eucharistiae particulas deferant ad aegrotantes, ne eis ad ecclesiam redeuntibus populus inane vasculum adoret.

In the Second Council, the same St. Charles ordered, "ubi Episcopi judicio, vel loci distantia, vel itineris temporisve difficultas, vel alia causa impedit quominus illud praestari possit, tunc licebit sacerdoti eam SS. Eucharistiae particulam solam deferre quam aeger percepturus est."

In this second case, the priest, when returning, is not to carry the pix *palam*, or to wear surplice or stole, or to be accompanied by acolytes.

Apud Calalani, Rit. Rom.

We believe that it is no longer necessary to call the attention of any priest to the stringent prohibition to carry with him, through his parish, the Pix containing the Blessed Sacrament, unless when he is called to visit the sick. All have become familiar with the letter of the Cardinal Prefect of Propaganda, and the sentiment of the Congregation of Rites on this subject, through the medium of Father O'Kane's book.

III. The blessing with the pix is to be given after Extreme Unction¹ has been administered, and, we believe, with a white stole.

IV. Consult O'Kane (cap. xiv. n. 841), who is plainly of opinion that the whole ceremony should be performed in each ward.

"If the Viaticum be administered to two or more at the same time, as may happen in a hospital, or even in a private house, where several members of the family may be prostrated by fever or some other infectious disease, it may be administered to them successively, just as Communion is administered in the church, provided they be in *the same apartment, or even in adjoining apartments opening into each other.*"

"In this case, the salutation *at entrance*, the sprinkling of holy water, &c., &c., may serve for all in common."

V.

Statues in the Sanctuary.

REV. SIR.—Will you kindly say, in your next number of the RECORD, whether it is allowable to have statues in the sanctuary of a parochial church, which is not sufficiently large to have any but one altar?

We know of no reason which makes it unlawful, provided the statues are not placed in front of the tabernacle containing the Blessed Sacrament.

VI.

Good Friday and no pre-consecrated Host: What is to be done?

REV. SIR.—If the celebrant, on Holy Thursday, forgets to consecrate a Host for the Mass of the Presanctified, how is it to be provided for the following day?

The question supposes that the Mass cannot be conveniently omitted, by reason, *at least*, of the general disappointment of the laity, who would be otherwise numerous present at the ceremony.

It presumes, moreover, that there is no other Mass on Holy Thursday at which the Host can be specially consecrated for Good Friday.

¹ De. Herdt, *Prax. Liturg. Rit. Rom.* cap. v. § ix. 4.

Might the celebrant, on Friday, use one of the small Hosts consecrated on Thursday, or even on any other day of the week, for the faithful? Or could he use a Host that had been consecrated for Benediction, and that happens to remain over? Or, finally, ought he, or could he, use half the Host obtained from a neighbouring church, and specially consecrated for Good Friday?

The case brought forward by our correspondent is discussed by three eminent theologians: Gobatus, Sporer, and Lacroix. All three are practically of the same opinion:

(1) They say that it would be better to omit the Good Friday celebration than consecrate at the Mass of the Presanctified; and this for two reasons: first, it is forbidden to consecrate on this day, and, secondly, it is unlawful to consecrate bread without wine.¹

(2) They all admit that, in the circumstances, the priest might make use of one of the small Hosts reserved for the sick. Of course, it would be more appropriate to employ the large Benediction Host, which our correspondent supposes to be available. They justify this deviation from the rite prescribed by the Church for this day, by the obligation of avoiding scandal, or causing much disappointment, displeasure, and commotion among the people generally.²

(3) If it should happen that not even a small Host is reserved from Holy Thursday, what is to be done? Even in this case, they do not require that the Good Friday ceremonial should be omitted. They suggest that a priest, different from him who is to say the Mass of the Presanctified, should celebrate privately, in the morning, the Mass of the Cross or of the Passion for the purpose of consecrating a Host for the Mass of the Presanctified.³

If a second priest cannot be had, what is to be done? Even here they allow the one priest to say the Mass of the Cross or of the Passion privately in the morning early, omitting, of course, the taking of the ablution, and to celebrate the public office of Good Friday later on.

These solutions seem to us to turn upon the scandal or very serious annoyance given to the people generally by the omission of the Good Friday ceremony. The people are not obliged to hear Mass on Good Friday, so that there is no obligation arising from this source. Now, if such an accident were to happen amongst us, we believe that our people would not be scandalized, if the matter were fully

¹ Gobatus, Tract. iii. Casus vii. 217. ² Sporer, Pars ii. cap. vi. sec. v. n. 452.

³ Lacroix de Sac. Missae, Lib. vi. pars iii. dub. 3. 233.

explained to them, and the priest were to substitute some devotional exercise for the Mass of the Presanctified, such as the Stations of the Cross, and Passion Sermon. Accordingly, in ordinary cases, where such an omission would occur, an explanation of the mistake and of the requirements of the liturgy for the day, followed by some suitable exercise of devotion, would seem to us to be the practical solution for our country.

We append the extract from Gobat, as it must be interesting to our respected correspondent :

“ Quid si parochus feria v. non consecrasset hostiam pro sequenti feria? An hac sequenti feria eam licite consecraret? ”

“ Respondeo non esse tunc sacrificandum, sed loco grandioris accipiendam unam e particulis (reservatis pro infirmis). ”

“ *At populus mirabitur quando attolletur tam parva Hostia?* Resp. E duobus malis minus est eligendum; est autem minus malum facere hoc, quam non habere ullum officium. ”

“ *At ne quidem parva Hostia suppetit?* Resp. Ergo non parva poena imminet ob tam periculosam negligentiam. Interim videbitur non nemini, esse tunc penitus omittendum officium illius diei ob varia incommoda, quae sequentur ex celebratione. Puto, tamen, ea esse minoris considerationis quam omissionem illius officii; omittendo enim agitur contra legem naturalem de vitando scandalo et gravibus ob murmurationibus, non omittendo sit transgressio solius legis humanae, utpote postponendae naturali. ”

“ Distinguo autem casum illum hoc modo: Contingit is vel in urbe vel in pago. Si in urbe, facile habebitur sacerdos, qui privatim faciat Sacrum de Passione aut Cruce, consecretque Hostiam pro officio publice celebrando ab alio. Si in pago, faciat ipse parochus privatim ejusmodi sacrum, omissa sumptione ablutionis; publico peragat consuetum officium diei, acturus quidem contra duplex praeceptum ecclesiae, unum de non communicando bis, alterum de non conficiendo sacramentum illo die; sed quia est fas facere etiam die profesto bis Sacrum, ut satisfiat devotioni populi; quia etiam prohibitio non conficiendi eo die sacramentum, cedere debet legi naturali de non dando scandalum. ”

Sporer and Lacroix discuss the question from the same stand-points, with the same results, and almost in the same words.

VII.

The “ Oratio imperata ” at Benediction.

When the Bishop prescribes a prayer in the usual way, viz.: “ to be said at Mass until, &c. ” should this prayer be sung at Benediction of the Most Holy Sacrament in addition to the prayer or prayers proper to the occasion; and, if so, why, and when?

This form of order expressly restricts the *oratio imperata* to the Mass; and we know no reason why the Mass should be made to include Benediction of the Most Holy Sacrament or any other exercise of devotion.

VIII.

The use of the Stole and Surplice when the priest is hearing Confessions.

May I ask you whether the very satisfactory answer given in the March number of the RECORD to a question concerning the use of the stole, when a priest is hearing confessions, is to be modified regarding the necessity of its use by Regulars vested in the habit of their Order?

If the practice of not wearing the stole, when they are hearing confessions in the church, exists among Regular priests of any Order, we presume that it is sanctioned by a special privilege. We cannot say what their privileges are.

According to the following decree of the Congregation of Rites, Regular priests are obliged to conform to the rubrics of the Ritual:—

“In hac congregatione resolutum fuit ab EE. PP., si SS. D. N. placuerit, ‘etiam Regulares cujuscumque Ordinis et Instituti, etiam Societatis Jesu teneri in Missis solemnibus adhibere Diaconum et Subdiaconum, et in Vesperis Sacerdotem pluviali indutum, ac in reliquis omnibus praefatos tenere exacte observare Rituale, Caeremoniale et rubricas Missalis Romani.’ S.R.C. 5 Oct., 1652 (1653).

As to custom, the following decree expresses the opinion of the same Congregation on its value in this matter:—

“Utrum consuetudo ministrandi Sacramentum Poenitentiae absque stola, etiam in Ecclesia et sede confessionali, servari possit, cum Rituale Romanum, dum praescribit usum stolae in administratione Sacramentorum, addat: ‘nisi in Sacramento Poenitentiae ministrando occasio, vel consuetudo, vel locus interdum aliter suadeat,’ et alibi idem Rituale subdat: ‘stola violacei coloris utatur, prout tempus, vel locorum consuetudo feret.’” S.R.C. resp: “Conveniens est, ut in Ecclesia adhibeatur stola, juxta S.R.C. decreta,” 31 Aug., 1867 (5382. iii.)

In our last number we said that it was not the custom of our country to wear the surplice, when one is hearing confessions. Since then we have been honoured by a letter on this question from the Bishop of Limerick, from which, with the kind permission of his Lordship, we make the following important extract:—

“Your correspondent, on this subject, says, ‘that the Maynooth Synod is silent as regards the surplice,’ but he does not add, nor

do you mention, that Cardinal Franchi, in his letter to Cardinal Cullen, conveying to him the wishes of Propaganda regarding our Maynooth Decrees, alludes to the use of the surplice in hearing confessions in the church, and declares it to be the *wish* of Propaganda that the surplice should be worn. His words are: 'In administratione Sac. Poenitentiae Emi. Patres censuerunt commendandum esse usum superpellicei, cum, videlicet, confessiones excipiuntur in ecclesiis, ac praesertim diebus festis.'¹

"As soon as I saw this letter, which is dated 1st September, 1876, I expressed a wish—not a command—that the clergy would conform to the wishes of Propaganda, wherever it could be done without inconvenience, and it became at once the very general practice."

CORRESPONDENCE.

ADMODO REV. EDITOR.—PONATUR CASUS ALIQUANDO OCCURRENS.

Petrus viduus cum Anna defunctae sororis sorore Matrimonium inire vult, sed obstat impedimentum Affinitatis oriens ex consummatione Matrimonii et quoque ex copula illicita quam ante nuptias cum defuncta uxore habuit. Parochus per suum Episcopum a Sac. Cong. Prop. dispensationem, tacitâ copulâ illicitâ, obtinuit; sed nunc dubius est utrum decretum Gregorii XVI., 29 Martii 1842, in quo annuntiatur in gratiam Episcoporum Belgii, necessarium non esse in libello supplici ut explicetur haec affinitas contracta ex copula ante Matrimonium habita, his regionibus applicari possit.

When the Bishop of Utrecht applied, in 1855, for faculties in a similar case, the concession was given in this form: "Dentur litterae Apcae, die 29 March, 1842."

Are we, then, to infer that this decree of Gregory XVI. is *universal*; and that, accordingly, in Ireland one would be safe in acting according to its provisions?

Bened. XIV., Inst. 10. n. 6., teaches that this is the meaning of the formula "Dentur litterae." Soglia and Van de Burgt regard the decree as universal.

W. RICE.

[We feel little difficulty in saying that we agree in the opinion which is obviously held by our esteemed reverend correspondent. In support of this opinion, we shall quote a few modern authorities of weight in addition to those referred to by him. Feije, in his learned work, *De Impedimentis et Dispensationibus Matrimonialibus*, cap. xiv. n. 371, holds this opinion without any reserve. "Omnia

¹ This letter is not published in the volume containing the Acts and Decrees of the Maynooth Synod, with various appendices.

autem et singula ejusmodi vincula sunt in supplici libello memoranda, ut valeat dispensatio; in quarta tamen supra indicata hypothesi [the one we are dealing with] *hodie non requiritur* multipliciter expressio eo casu, quo ante matrimonium copula habita fuit cum defuncta comparte, cum qua dein fuit consummatum."

Elsewhere, n. 704. c., he says, "*hodie* tamen ea multipliciter species exprimi amplius non debet, quae oritur ex eo quod ante matrimonium copula habita fuit cum defuncta comparte, cum qua dein fuit consummatum matrimonium, ut constat ex S. Poenit. 29 Mart. 1842." As this decision was given to the Belgian Bishops, he adds in a note: "*Imo ubique* valere patet ex rescriptis ad alios episcopos. Episcopo Harlemensi . . . rescriptum fuit. Pro gratia juxta petita quatenus opus sit, et detur declaratio S. M. Greg. XVI. 29. Mart. 1842."

"Episcopo Ultrajectensi, 9 Sept. 1851, fuit rescriptum *Dentur litterae Apostolicae de die 29 Mart. 1842.*" He then quotes Van de Burgt to the following effect: "Post editum hoc rescriptum SS. DD. N. Pius Papa IX. expressis verbis Antistiti in Neerlandia significari fecit, Sedis Ap. voluntatem esse, ut Greg. XVI. dispositio Belgii Episcopis communicata in aliis etiam servatur regionibus."

Konings, De Mat. n. 1588, quotes Cardinal Soglia in favor of this opinion, and approves of it . . . "quas [litterae 29 Mart. 1842] Soglia merito affirmat *ubique* valere."

The same opinion is held in the Mechlin Treatise de Matrimonio n. 99. n. vi.]

ED. I. E. R.

NOTICES OF BOOKS.

* *Handbook of Essentials in History and Literature*, by the
Rev. D. GALLERY, S.J.

THE book before us is the second edition of a little work, the first edition of which was received with universal and unqualified approbation. We have great pleasure in expressing our approval of this edition, which is even an improvement on the first, being carefully revised and enlarged.

The work is the result of an experience which every one has had, who has been entrusted with the teaching of boys. It is impossible to teach boys History and Literature from the ordinary treatises, without imposing on them an insupportable task. Father Gallery, therefore, drew up historical tables, in which are set forth only the principal events, with as brief a statement of the various circumstances of each, as was compatible with clearness.

These tables comprise:—(1) History, Ancient and Modern; (2) History of Ancient Literature and Philosophy; (3) History of Modern Literature. The notices in the third part of the English and American writers are all that could be desired in a rudimentary handbook.

The work has been subjected to the great test of experience. Father Gallery assures us that boys between nine and twelve years of age, having been obliged to learn the Historical tables, in the same manner as spelling, grammar, and geography, soon mastered them so thoroughly, that they could not be mistaken about the date of an event, or the events of a given year. The dryness of this system Father Gallery gets rid of by advising the teacher to expand and explain and dress up for pupils the naked events which they have learned.

We are sure that all teachers who use this book in a proper way, will be as well satisfied with the results as Father Gallery himself has been.

We have received for Review the following Books, which we shall notice in some of our future early numbers:—

From Messrs. GILL & SON, Dublin—

An Eviction in Ireland and its sequel. By ELLIS CARR.

The Name of Jesus. A Sermon preached in the Church of the Sacred Heart, Limerick. By FATHER FINLAY, S.J.

A Fair Exchange is no Robbery. A Drama. By MARY WINTER. *The Position of Catholics in the United States.* By the Right Reverend J. W. Spalding.

St. Laurence O'Toole and his Contemporaries. By EBLANA.

The Intermediate Education Act: How it has failed in its Chief Object. By THOMAS LAFFAN, M.R.C.P.

A Short Easter Mystery Play. By the Reverend H. FORMBY.

Lessons in Gaelic. No. 4. Second Gaelic Book. Part I.

The Gaelic Union Report for 1880.

Stray Leaves from my Notebook. By M. L. N.

From KEGAN PAUL & Co.

History of the Holy Eucharist in Great Britain. Vol. II. By Rev. T. E. BRIDGETT.

From R. WASHBOURNE—

Kainer: or the Usurer's Doom. A German Tale, Translated.

From BURNS & OATES—

Workings of the Divine Will. By PERE CAUSADE, S.J.

The Three Tabernacles. By THOMAS A. KEMPIS. Edited by Rev. M. COMERFORD. New Edition.

The Jesuits. A Sermon preached in the Church of the Holy Name, Manchester. By Reverend W. H. ANDERDON, S.J.

The Refutation of Darwinism. By T. WARREN O'NEILL, Member of the Philadelphia Bar.

THE IRISH ECCLESIASTICAL RECORD.

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THE PAPAĆY AND CATHOLIC ENGLAND.

GREAT social and religious changes, like convulsions in the natural order, are the result of influences only fully unfolded in their effects, yet seldom altogether unforeseen. However silently they grow, they are rarely without their premonitory signs—interpreted by clear but usually unheeded voices of prophetic warning. Such beyond all other events was the French Revolution. The fancied security of the French Monarchy was scarcely ruffled by the threatening tones heard from within and from without, nor was their import understood until the deluge had subsided, and the curious had time to gather up the scattered auguries of impending doom. So it was too with that other great upheaval—the forerunner of the French Revolution—the rise and spread of English Protestantism. The religious revolution in England was, no doubt, precipitated by a series of accidents dissociated from remote causes, and owed much of its success to an event so purely political as the Wars of the Roses. These fatal feuds substituted the absolute rule of what Mr. Green calls the “New Monarchy,” for the well-ordered balance of the ancient constitution; and, by destroying the safeguards of freedom, left England a prey to despotic sovereigns, and a race of adventurers who had everything to gain from the spoliation of the Church. The interests of the Seymours and the Russells, in their bearing upon Protestantism in England, deserve at least as much attention as the plea of some English Catholic writers, amongst them Cardinal Manning, that the people were beguiled into heresy, under the deceptive guise of the Catholic forms of worship,

preserved by the policy or convictions of Henry VIII. But, after making due allowance for these and other theories, we feel instinctively that they offer an inadequate explanation of a disastrous event. At most they concurred with causes more powerful than themselves. Protestantism was, in truth, the result of forces lying deep in the spiritual condition of England—too deep to be ascribed to the accidents of political change, still less to a passing fancy, or a personal quarrel. These forces had slowly, but surely, loosened the hold of the Church on the minds of the English people, and derived their strength in England, as elsewhere, from moral excesses, and from the decay of reverence for the sacred ordinances of religion. The circumstances of its origin gave its peculiar character to the Anglican Church, but neither in England, nor in any country, desolated by Protestantism, were irreligious influences the growth of an hour. In England, more than in any European State, except some parts of Germany, had they given fatal proofs of their existence. They inspired the socialist and doctrinal errors of Wickliffe, and imprinted themselves on the enactments of successive parliaments. But above all, the literature of England was, for many generations, instinct with the spirit of evil. It would, no doubt, be easy to infer too much from the literary tone of any age, and it might be plausibly maintained that even popular writers have more frequently reflected the views of limited classes, now of patrons and again of cliques, than the average political or religious sentiments of their contemporaries. No writer of our own day got a wider hearing than the late Mr. Carlyle, yet who would assert that he represented the prevailing opinions of his fellow-countrymen? Again, large abatement has to be made for the greater freedom of criticism when all were Catholic, and, perhaps, yet more for the prominence Protestant prejudices have given to satirists, from Langland to Skelton, as well as for the suppression of every work based upon Catholic principles. But when we consider how few these works were, and that the ablest advocates of the Church, like Pecocke and Udall, assumed the role of apologists, we must still admit that such poems as "Piers the Plowman" reflected only too truly the current of ideas that ultimately bore England away from the centre of Catholic unity.

Among the most marked of these influences was the attitude of England towards the Holy See. In earlier ages she was as devoted to Rome as Ireland is now. Her

hospitals and schools were among the most ancient foundations of the Eternal City. The greatest of her kings were drawn to Rome by a sacred attraction. Ina, after laying the foundations of English law, ended his days in the calm seclusion of one of its monastic homes. The piety and wisdom of Alfred were enkindled at the feet of the Pope before he commenced his mission of civilization; and it was from the tomb of the Apostles that Canute wrote the memorable letter in which he reversed the unjust policy of his life. In later times, whatever were the faults of the Normans, Cardinal Newman was speaking within the strict limits of historic truth when he described them as the right arm of the successors of Gregory VII. in re-asserting the claims of ecclesiastical discipline. But the tide had long turned. For many generations before the revolt of Henry VIII., England had been withdrawing herself more and more from her ancient attachment to Rome. The doctrinal position of the Pope was not, indeed, impugned; on the very eve of the final outbreak it was sustained with persuasive eloquence by Henry himself. But homage is never so formal as when it is unreal. While the Holy See was the object of outward devotion, it was really regarded with jealousy and suspicion. The Popes were credited with unreasonable pretension, and though their jurisdiction was much freer in its exercise than it is to-day in many Catholic countries, France for instance, or Belgium, it was still fenced round with galling and troublesome restrictions. Perhaps it was yet more impeded by that spirit of lawless defiance which made it possible for an angry peer to tell Wolsey, in the fulness of his power that "Cardinal never boded good to England." Careful inquirers are able to assign special motives for each of the series of enactments under the later Plantagenet kings, but it is not so easy to determine the causes of the hostile feeling which underlay them. We are puzzled to reconcile the control of the Church under Edward III. with the sudden agitation against papal appointments to benefices. We are still more puzzled to find the Parliaments of Richard II. and Henry IV. displaying more zeal against Lollardism than the bishops, and the same Parliaments, with no less zeal, framing and enforcing the Statute of Præmunire. At first sight opposition to Rome would naturally be referred to the struggles between the Popes and the Normans and early Angevin kings. Nowhere had the Church been involved in more dangerous conflicts. The disputes on

investitures and on the immunities of the clergy were calculated to wound the sensitive pride of haughty monarchs, and were probably not without a permanent influence. When Henry II. cited St. Thomas as a traitor, his main purpose was unquestionably plunder, but he was also avenging the most memorable triumph of the Church over despotic power. The same causes, however, which tended to alienate royal sympathy, enlisted the active support of the other estates of the realm. The struggle maintained by so many Popes was a struggle for rights which came home to all conditions of men. The heart of mediæval England responded to their efforts. The deepest emotion in its whole history was the religious sentiment which sent, for so many ages, crowding pilgrimages, rich in all the picturesque varieties of life immortalized by Chaucer, the reeve and the priest, the lawyer and the merchant, the yeoman and the man of gentle birth, to the sacred shrine of Canterbury; and this intense feeling was elicited because the martyrdom of St. Thomas was the crowning event in a conflict for civil freedom as well as for the independence of the Church. Nor was the dispute with John an exception. The unbridled licence of that vicious ruler was first checked by the Holy See. The vigorous action of Innocent III. made him pause when all other means had proved unavailing. His subsequent acknowledgment of the Pope's suzerainty has been credited with evoking an enthusiastic resistance. But this is a later fancy. Shakespeare, writing for once in the Protestant tone of his day, probably too to catch the ear of a princess who brooked no rival, boldly transferred the spirit, and almost the words of a famous statute of Elizabeth to the thirteenth century, and by a hardy anachronism created a popular delusion. The protest he puts into the mouth of John

"That great supremacy

Where we do reign, we will alone uphold,
Without the assistance of a mortal hand:"

represents no dominant feeling in that stormy time. The act itself, by which England was converted into a fief of the Holy See, was an ordinary incident of feudalism, submitted to by German emperors, French kings, and the predecessors of John himself in similar contingencies, as of little more than ceremonious significance; and in any case had the warm concurrence, certainly of the nobility, and most probably of the nation. No doubt, the transaction had, under the

pressure of unusual circumstances, the unfortunate result of throwing Innocent III., a defender of freedom in every part of Christendom, into temporary opposition to the Barons of Runnymede. But the great Charter itself, by securing the rights of the Church in its very first article, bears evidence—an evidence confirmed by the records of succeeding years—of the unimpaired influence of the Popes. In all the great measures which then agitated England, the rise of municipalities, the abolition of villenage, the infancy and growth of representative assemblies, the Church had so large a share, that we could not expect to find in those times the origin of anti-papal feeling. The thirteenth century was one of those great eras, when the Catholic Church renews her youth like the eagle; and, while displaying all the resources of her spiritual life, affects incidentally the multiplied relations of human society. Europe, as it was left by the Roman Empire, was finally passing away before nations called into existence by the Church, whether formed out of barbarous hordes or from the relics of a decayed civilization. Her influence was the moving principle of Christendom, and no country derived more lasting advantages than England from the wise agencies directed by Rome. Under John, the Church had given a leader to the Barons; the scion of a Provençal house, renowned for its devotion to the faith, became an English Earl under Henry III., and created the English Parliament. The same age saw, on the one hand, the rise of the Mendicant orders, the growth of the universities, and the triumphs of ecclesiastical architecture; on the other, the moulding of Norman and Saxon, the conquerors and the conquered, into one harmonious people, under the assured sway of justice and law. These movements were not merely parallel. Professor Stubbs recognises in the unity and energy of the Church the true safeguards of English society, and in her various institutions the models of the legislative reforms completed by De Montford.

From this brief review we can fairly infer that the Church never held a more commanding position in England than when Edward I. ascended the throne. A little more than fifty years elapsed before the murder of his hapless son, no long period in the history of a nation. But within that interval, reverence for Papal authority was exchanged for distrust and suspicion, if not for active hostility. The well-known statutes, directly limiting the jurisdiction of the Popes and furnishing ample resources of persecution

to the enemies of the Church, began with Edward III., as did also those literary excesses to which we have already called attention. What was the cause of this revolution of feeling? What fatal events wrought a change so momentous in its consequences? We cannot find the explanation in the character of either of the princes who then governed England. Edward I. had signalized his attachment to the faith on the plains of Palestine, and was profoundly impressed with the wisdom of strengthening his influence by the support of the Church. Edward II. was involved in the difficulties of an inglorious reign, but showed his devotion by some noble foundations. Nor can we find a clue in the domestic transactions of the time. The constitutional reforms of Edward I., above all the great principle of personal freedom, were largely effected by Archbishop Winchelsea, who displayed qualities worthy of Langton himself. In the ignominious dissensions of the reign of Edward II. the Church had no share. But England was just then entering on a new policy, in which we think we can discover the origin of her bad relations with the Holy See. She was laying the foundation of that career of conquest which, with little interruption, has lasted to our own day. The claim of the English kings to the throne of France began to take definite shape. Wales was subdued. The independence of Scotland, often threatened in the past, was directly attacked. The complete conquest of Ireland was designed. To none of these projects could the Holy See be indifferent. Rome was then the arbiter of nations, the centre of the "federation of the world." The ideal dream of peace-societies and poets, of substituting gentler methods for appeals to force, was then more nearly realized than it is likely to be in the future. But it was the inevitable result of the powers conceded to the Popes by opinion, and the public law of Europe, that their interference would sometimes rouse the passions of dominant states. Such conjunctives were the real trials of the Church in the Middle Ages. In curbing the power of Henry IV. or Philip Augustus, the Popes had enlisted on their side every sentiment of freedom and morality; and, in the long run, their action was sanctioned by the universal voice. But there were other struggles, in which prince and people were united in the same acts of injustice or spoliation, and in which the authority of the Pope could not be exercised without some consequences dangerous to that authority itself. Such we believe to have been the

interference of Boniface VIII. in the affairs of Scotland, and the appeal of John XXII. for Ireland. These incidents are well known to the readers of general history, but as they have rarely been considered in reference to their bearing upon the subsequent attitude of England towards the Holy See, we shall briefly narrate them in that connection.

In 1387 an event of great importance in the annals of Scotch monarchy took place. Alexander III., the last male representative of William the Lion, was killed at Kinghorn, in Fife. His granddaughter, the Maid of Norway, was summoned from her northern home to govern Scotland. She had scarcely touched the Orkneys, when she too died. All Scotland was thrown into confusion. A host of claimants sprung up. Among these the eyes of the kingdom were turned to the descendants of the Earl of Huntingdon, in the female line, especially to Baliol and Bruce. By an arrangement of the Scotch peers the decision was left to Edward I. This able king seemed peculiarly fitted to determine a knotty point in the law of succession. The decision ultimately given does not detract from his reputation; but we are only concerned with a separate issue. For, when Edward proceeded to the Border, he revived a claim which, for a time, threw the rival pretensions of the contending parties into the background. A shadowy right of suzerainty over the realm of Scotland, preferred by more than one English king, was suddenly renewed; and Edward sought to decide not as an arbitrator voluntarily chosen, but by the inherent right possessed by a sovereign over his vassals. This claim scattered dismay amongst the Scotch nobility. Edward was surrounded by a powerful and chivalrous army, elated by recent trophies won in Gascony and Guienne. He was not without a party among the Scotch themselves. His pretensions were gradually admitted by a section of the Scotch estates headed by Bruce. But the great body remained firm. After the fall of Baliol, they maintained a heroic struggle, which has naturally lent itself to the fictions of romance. During the government of Wallace they appealed to Rome. The Chair of Peter was then filled by Boniface VIII., a Pontiff who brought to his exalted position the highest gifts. The rival statements submitted to the Pope curiously reflect the spirit of the time—that strange mixture of argument and legendary inference which passed current before the facts of history were subjected to searching criticism. The fables of Geoffry of Monmouth,

ascribing the colonization of Great Britain to Brute the Trojan, were gravely met by tales borrowed from the Irish annalists, tracing the Scotch race to the Pharaohs. But both parties soon descended to more tangible proofs. Edward cited the acts of submission made by many Scotch kings. The Scots either restricted these confessions to the English fief of Cumberland, long attached to the crown of Scotland, or they treated them as acts extorted by violence or fraud. They appealed to their ancient independence and to the untrammelled liberty enjoyed by Scotland until it was, in an hour of national weakness, rudely assaulted by Edward himself. On this broad ground the Pope, disregarding blandishments and threats, commanded Edward to abandon his pretensions. The decision was received as a charter of freedom by the Scotch, but aroused the liveliest indignation in England. From his accession Edward was involved in formidable contests with his subjects. But for once the estates of the realm were in full accord. The feelings of Englishmen, of every grade, against Scotland were deep and bitter. The Border forays had already commenced. More than one Scotch king had swooped down upon the north of England; while the English standards, in turn, were repeatedly borne across the Tweed. The alliance, lately formed between Scotland and France, intensified the bitterness of domestic feuds. We can easily imagine how cordially king and people welcomed the opportunity, presented by a war of succession, of reducing such a rival to the dependence of a vassal, and how acutely they must have felt the blow struck by the Pope. The king disavowed his authority, and, to give the disavowal the highest national sanction, summoned a parliament.

The parliament sat at Lincoln in 1301 and was marked by more outward display and a graver attention to formalities than any other assembly in that age. Famous jurists were called up from the universities to give more weight to its deliberations. The very monasteries were ransacked for documents bearing an issue. The Pope's claim to decide—a claim based upon the general consent of Christendom—was solemnly repudiated. "It is, therefore," declared the parliament, "and by the grace of God, shall always be our common and unanimous resolve that with regard to the rights of his kingdom of Scotland, or other his temporal rights, our aforesaid Lord the King shall not plead before you, nor submit in any manner to your judg-

ment, nor suffer his rights to be brought into question by any inquiry, nor send agents or procurators for that purpose to your court." In this pronouncement we hear the first mutterings of the revolt, which ultimately severed England from the Church. Though the language is carefully balanced, we can discern the style and tone only fully developed, more than two centuries afterwards, in the statutes of Henry and Elizabeth. The seed was sown, which was destined to bear abundant fruit. For the first time Englishmen, not a party or a section, but the whole people, King, Lords and Commons, were taught to measure their allegiance to the Holy See, to limit their loyalty by subtle distinctions, and to accept or reject the authority of the Pope according to the canons of political expediency.

The intestine feuds between the favourites of Edward II. and the nobility diverted for a time the attention of the people from the conquest of Scotland. But the energy of Robert Bruce sustained the cause of his country through misfortune and defeat; and after many romantic adventures secured its independence on the field of Bannockburn. The issue of this long struggle, which they had watched with the deepest interest, revived the spirit of the people of Ireland. Over the crowd of Irish chiefs one towered by his intellectual gifts still more than by his power. The famous clan of O'Neil was then represented by the first of the three great men it produced. Donald O'Neil saw an opportunity in the circumstances of England, humiliated by a crushing defeat, of raising Ireland up from her dependent condition. But he equally saw how hopeless concerted action was among the Irish leaders themselves. He knew that his own claims to supremacy would be rejected by some of the most powerful septs. He therefore looked abroad, and conceived the purpose of uniting them under one whose name bore the halo of victory, while he was too much apart to rouse the jealousy of warring clans. He called in Edward Bruce. Robert Bruce himself had found a refuge in Ireland. He was largely indebted to the bravery of his Irish followers for his success at Bannockburn. The Bruces, moreover, like the Stuarts, centuries afterwards, had the prestige attached to their descent, whether real or imaginary, from the ancient princes of Ireland. Edward Bruce, therefore, entered upon his enterprise under conditions which seemed to promise a happy issue. While the contest was still undecided, O'Neil addressed his memorable letter to Pope John XXII., a powerful and argumentative

indictment against English rule in Ireland. He recalled the conditions of the grant of Adrian IV., and showed in a brief, but comprehensive summary, how shamefully they had been violated. Of the issues involved, the Pope took a clearer view than O'Neil. He probably saw how unequal Ireland was to grapple with England. The conduct of Bruce's army too was little calculated to conciliate the Pope. The march of the Scotch was marked by atrocities which are indignantly detailed by our Irish annalists, and which converted not only the Anglo-Normans, but many of the Irish southern clans into active foes. But, notwithstanding their disregard of religion and morality, the Pope was deeply moved by the appeal of O'Neil. He enclosed his letter to the English king, and endorsed his complaints in a grave and earnest remonstrance. The original of this remonstrance was published by O'Sullivan Beare, but has been lightly glossed over especially by that class of writers who give undue prominence to the grant of Adrian, but carefully suppress the active exertions of so many Popes in the Irish cause. We quote the most salient passages from the "Church History" of Father Malone, who has admirably dealt with the incidents of this period. After referring to the complaints of English rule, the Pope goes on:—

"These letters we have read; and, amongst other things, we saw how our predecessor of happy memory, Pope Adrian, gave to your illustrious progenitor the kingdom of Ireland, as is specified in the Apostolic letter to him. To the object of these letters, neither Henry nor his successors paid any regard; but without cause or provocation, heaped on the Irish unheard of grievances, and forced on them an unbearable yoke. Though their cries have reached your ears they were not heeded. Thus no longer able to bear the tyranny, they have called in another to rule them. Our advice therefore is, that you look in time to these things; and delay not to conciliate them, lest the evil may become greater, and the Lord may transfer your kingdom to another. Remove the cause of their sufferings by honourable dealing; so that the Irish, having no cause of complaint, may obey you as lord. And if they (which God forgive) continue in rebellion, which they describe before God and man as justifiable, then by removal of the cause the rebellion will become unjust."

In these words, the voice of Rome was again raised to protest, in no doubtful tones, against the licence of unbridled authority. No parliamentary vote, it is true, condemned this remonstrance. But we cannot doubt its

effect. So much sympathy could not be shown for the people of Ireland, without confirming the impression created by Boniface VIII. Both together gave convincing proof that the Holy See would not connive at injustice or wrong; and though other motives may have contributed, and undoubtedly did contribute, to the same result, we believe that the feeling they excited largely influenced the anti-papal legislation of Catholic England.

J. E.

RELIGIOUS EXAMINATIONS IN PRIMARY SCHOOLS.

[Our readers, we are assured, will take a deep interest in any communication relating to the movement which has been recently set on foot in favor of more systematic religious instruction in our primary schools. It is a development of Catholic and clerical zeal peculiarly suited to the wants of the present time. We feel much pleasure, therefore, in publishing this paper, written by one of the zealous clerical examiners of the Diocese of Dublin. We hope to be able, within a short time, to give an account of the good work that is going on in the same direction in some of the other dioceses of Ireland.—ED. I. E. R.]

“Tis gold that makes the true man kill'd.”

Cymbeline, Act ii. Scene 3.

IT is now many years since England's greatest poet uttered these memorable words, and to-day, after centuries of labour and turmoil in the world's history, they bear the same significance as they did in the days of William Shakespeare. The institutions of life which civilization has raised as evidences of intellectual power and labour, the various professions as the result of culture and experience, all, have had their spirit and scope marred or influenced by the all-absorbing power of gold. Medicine, law, diplomacy, all the learned professions, even the Church itself has, at one time or other, felt the almighty influence it commands. In our own day it has entered into our schools, and threatened dreadful havoc to the little ones of the fold, who are lisping the elements of Catholicity during the tender years of childhood. Religious education appears:

to our rulers not the sacred thing it was to our Catholic fathers. For years the spirit of Robert Lowe has pervaded the educational institutions of the empire; and the party who espouse secular education are rampant in England, and would feign overthrow all religious knowledge. England will not now endow any system of education, any school or college having any distinctive religious belief. Verily, Religion is threatened with banishment from the school, and the little ones of Christ are left to systems of education which treat of science, or art, or poetry, or romance, but seldom of the "Science of the Saints," or the Faith of Christ, without which "it is impossible to please God." We live in terrible times, when the Chief Pastor of the Church, the Vicar of Christ, is a prisoner in his own palace, and the Autocrat of all the Russias, the mighty monarch whose sway extended over half the Continent of Europe, is murdered, barbarously murdered, in noon-day, in his own capital by his own people! Evidently the wave of irreligion sweeps over Europe, and infidelity, the offspring of indifference to all religion, threatens the very basis of society, unless religion arrests its evil influence. Religion alone, true religion—the knowledge of God, His attributes, His providence, His omnipotence, if rooted in the soul from the first dawn of reason, and made, as youth grows to adolescence, to guide life's progress, can stem this onward tide of destruction.

Accordingly, it is with much concern we observed the religious education of our schools not duly encouraged in some instances, and the time that should be given to it devoted to subjects of secular knowledge, likely to win money.

It was a deep feeling of similar concern that induced the Catholic Hierarchy of Great Britain, on the occasion of the introduction of the system of payment by Results into the English schools, to appoint examiners to go through the schools and report upon their religious teaching. It is a similar feeling that now actuates the Irish Prelacy to have their schools visited and examined by recognised examiners. The Bishop of Down and Connor, always in the van of practical business-like reform, has for some years the religious examination of the schools of the diocese ably conducted by one of his priests. And, within the past few months, the Archbishop of Dublin has formulated a scheme of religious examination, likely to be of incalculable value to the important and great diocese over which he so worthily rules. But it may be asked, are

our schools in Ireland, so long the nurseries of religion, thus secularized by this all-absorbing greed of gold, and is religion made to stand aside for literature; is the Catechism hidden that the lesson-book may be taught? Any one travelling in the neighbourhood of a school in Ireland, where an examination for Results is approaching, will observe the children late in the evening on their way from school; and, if asked why it is they are so late, seeing the hour for dismissal has long passed away, he will be told that they were preparing for the examination. And, if asked whether the Catechism had been taught that day, or the previous day, or the previous week, or fortnight, while this Results' examination loomed in the distance, he may be shocked to find the answer in the negative! Nor is it in the secluded country schools alone that this practice is prevalent. More favoured schools, we fear, some at least, must plead guilty to the ugly insinuation. We have reason to believe that success at the Results' examinations is often a very insecure guide to the amount of attention paid by particular schools to religious instruction. Indeed, in some cases, we know that the two vary inversely. Our remarks are confined within narrow limits, but we think they are capable of much more general application. Unless we are misinformed, all through Ireland there is more or less of this apathy on the part of teachers to teach the Catechism. I must not be understood as decrying the Irish National teachers as a body: far from it. I believe there are men among them as moral, as religious, as worthy in every way of respect, as in any other calling or profession; but I do say, that owing to the cause I have mentioned, as well as their efforts to obtain a competent salary, the tendency of their lives is not favourable to the successful teaching of the Catechism. No wonder, then, that the Bishops in their respective dioceses, in obedience to the Council of Trent, should be solicitous about the teaching of the Christian Doctrine, should enforce what the Fathers of Thurles and of Maynooth held to be essential to its success, and adopt the means and the agencies prescribed: the weekly school visit and instruction, the periodical examination, the monthly approach to the Sacraments, &c.

The arrangements prescribed for the Metropolitan See of Dublin, admirably bear out the teaching of our National Synod. In the circular issued by the Archbishop to the school managers of his diocese, occur the following passages in

reference to the time for religious teaching throughout the diocese, and the periodical examination of the schools:—

“It is intended that all schools in the diocese shall be visited and examined by the School Visitor *once* in each year, with a view of testing the proficiency of the children, and reporting upon their knowledge of the Christian Doctrine. This examination is supposed to extend to every child, and, though not intended to embarrass, must yet be sufficiently searching to elicit the knowledge of the child. Another examination or two may be incidentally made during the year, at the convenience of the School Visitor, for the purpose of observing the religious progress of the school, and stimulating, if necessary, the teachers in their good work.

“It is requested that uniformity as to time and instruction shall be observed throughout the diocese, in the all-important teaching of religious instruction. With this view, it is desirable that the day’s labours shall begin and end in prayer: morning prayer when the children assemble, immediately *before* secular or literary teaching; catechetical or doctrinal teaching of religious subjects later on, for some specified time, not less than *half*, not more than *one* hour; and in the evening when the children are about being dismissed, the reciting of portion of the Rosary of the Blessed Virgin, the Litany, or some short prayers. The instruction given within school hours should be directed by the clergyman in charge, and should be catechetical or doctrinal, according to the requirements of the school. No opportunity should be lost of making the religious truths of Christian Doctrine known to the children in a manner so as not only to be instructive, but to be instruments of forming their young minds to virtue and morality. Accordingly, the subjects should be prepared with great care, and rendered to the children in a simple and attractive form, by the officiating clergyman; and the catechists who teach under his direction should be prepared by him at intervals for this all-important duty. It should not be forgotten that the school is the great nursery of childhood, and that the instruction there received will mould the mind and give it a direction for good or evil, according as it is imparted; and that the lessons of wisdom and of virtue there acquired, shape our destinies in after years. Nor should it be forgotten that the *school* is the battle-field of Faith in these modern ages of scepticism and unbelief, and that to be victorious, we must put on the “armour of God” thus early, and arm ourselves with the “breastplate of salvation,” by a sound and thorough knowledge of the great truths of the Christian religion. Monthly confessions, or at periods suitable to the tender years of childhood, should be provided for by the parochial clergy.”

Here it will be observed that the Archbishop of Dublin is in accord with the great departed Bishop of Orleans,

Monsignor Dupanloup, in his estimate of catechetical instruction. Like him, his Grace maintains that catechetical instruction is the Christian education of the soul; that its three features are, the *recitation*, the *explanation*, and the *practice*. The successful recitation of the Catechism, the clergyman in charge confides to his catechists, having trained them for the work from time to time. The explanation he himself gives to the children, in "a simple and attractive form," preparing for it as he would for Sunday's instruction to his people; and the practice is seen in the exemplary tenor of the children's lives, but especially, in their frequent and edifying reception of the Sacraments.

In this simple arrangement consists the work of catechetical instruction throughout the diocese. Its introduction has evoked great enthusiasm, and the weekly visits of the priests tend to make attendance regular and permanent. The complaint heretofore sometimes heard, that the priests seldom visited the schools, can no longer be made, at least in Dublin; and the blessings that must arise from their teaching in the schools, will be valuable. The examiners selected to test the efficiency of the instruction thus given, in Great Britain and Ireland, are men of character and ability: some, as in English dioceses, having small but central parishes which require of them not much missionary labour; some, as in Down and Connor, being exclusively devoted to this work; while in Dublin the expedient has been resorted to of appointing priests from each deanery to examine its schools. The work is already entered on, and bids fair to advance and prosper. The religious element must henceforth be regarded as not less important than the literary studies; and the fear of the neglect of religious instruction must necessarily diminish day by day. We, in Ireland, can scarcely realize the danger, as seen in other lands, of neglecting the Catechism, of giving literary instruction a prominence over religious teaching; but the social and political history of those countries tells its tale of disaster, as the terrible outcome of such neglect of religious education. While I am on this subject, I am tempted to quote a very remarkable passage in the evidence of the late Bishop of Cloyne, before the Royal Commission on Primary Education, in 1870. Dr. Keane is interrogated by Master Brooke, one of the Commissioners, (Question 15601,) in reference to the management of schools in France. The Commissioner urges that what is done in France might be done in

Ireland, without any detriment to the Faith, and his Lordship replies:—

“Do not take France as a model. France has not seen as yet the end, the ultimate consequences of that system of education that was introduced into it, and became established there very nearly one hundred years ago; and there is scarcely a generation educated under that system which has not brought about a revolution. I was about to allude to the bill adverted to by Professor Sullivan just now, the bill promoted by Mons. de Fallard, when he was Minister of Public Instruction. One of the committee who sat upon that bill was Mons. Thiers, who had been minister in different capacities under Louis Philippe. I have not his report before me now, but I remember distinctly having read it, and he said in his report to the *Corps Legislatif*: ‘We have been up to the present moment developing the intelligence of young Frenchmen; we have been imposing no restraints on the passions of their hearts, and the result is that France is in a state of constant revolution. The generation trained from 1772 to 1792 brought about a revolution. The generation trained from 1792 to 1815, brought about a revolution; another revolution in 1830; another revolution in 1848, and you may be quite sure that France has not done with revolutions yet. ‘But,’ Mons. Thiers said, ‘gentlemen, we must retrace our steps; we must make education more religious than it has been up to the present moment; we must put it upon the former basis; and if we do not, I tremble for the future of France.’”

We, too, in Ireland must make education more religious, if we are to preserve the Faith and the religious character of our people. We must watch a system already but tolerated, and wanting in its constitution many of the safeguards of Catholic education. The greed for gold tempts the teacher to inaction in the prosecution of his duty as a catechist, while the class-books tell little of religion or morality. Verily, in no period of our history is the admonition of St. Paul to his disciple Timothy, regarding earnestness in the prosecution of his mission, more applicable to us than in the present: “*Preach the word: be instant in season, out of season: reprove, entreat, rebuke in all patience and doctrine.*”

E. R.

THE PRINCIPLES OF '89.—III.

AS we remarked at the close of our last paper on this subject, the entire political system embodied in the Declaration of '89, and adopted by modern revolutionists, is based on an utterly erroneous conception of the origin and nature of Civil Society, and, consequently, of Civil Government. Viewed from the standpoint of history, this system is known to be the outcome of Rousseau's theory of a *Contrat Social*; and, as we read through the several articles of the Declaration, the conviction forces itself upon us more and more, that the dreamy fancies of the Philosopher of Geneva were ever uppermost in the minds of its authors.

We have already explained, at some length, the theory of the *Contrat Social*;¹ but, for the convenience of our readers, it may be advisable to recapitulate briefly its leading features. Proposing to himself, then, to lay down the true origin and nature of Civil Society and the Civil Power, Rousseau starts with the supposition that man is not *by nature* a sociable being; that his natural condition is that of savage isolation from his fellows; that at some early period of the world's history, mankind, by a perfectly spontaneous act, surrendered this savage independence of theirs, and agreed to constitute themselves in the social state for purposes of security and defence;² that this

¹ See IRISH ECCLESIASTICAL RECORD; March, 1881.

² This view of the origin of society cannot boast even the merit of novelty, as we find it current among the pagans of old. Every school-boy is familiar with the lines of Horace:—

Quum prorepserunt primis animalia terris,
Mutum et turpe pecus, glandem atque cubilia propter
Unguibus et pugnīs, dein fustibus, atque ita porro
Pugnabant armis, quae post fabricaverat usus;
Donec verba, quibus voces sensusque notarent,
Nominaque invenere, dehinc absistere bello,
Oppida coeperunt munire et condere leges;

Jura inventa metu injusti faterare necesse,
Tempora si fastosque velis evolvere mundi.

(Satires, Lib. i. 3, l. 99-105, 111-12.)

We find the same doctrine set forth in Lucretius:—

Glandiferas inter curabant corpora quercus;

Necdum res igni scibant tractare, neque uti
Pellibus, et spoliis corpus vestire ferarum:
Sed nemora atque cavos montes, sylvasque colebant;
Et fructices inter condebant squalida membra.

(*De Rerum Natura*, Lib. v. l. 937, and 951-54.)

It is worthy of remark, however, that while the pagan philosophers

agreement has been perpetuated and renewed, at least implicitly, by all succeeding generations of men; and, consequently, that the entire superstructure of Civil Society rests upon no more solid foundation than a *contract* or pact, freely entered into by men for their own convenience, and binding only so far as they may wish to bind themselves. Such is the foundation of Rousseau's famous theory, which would make Civil Society nothing more than a purely human association, formed for purely human purposes, something after the manner of a Club, or of a Banking Company on large a scale.³

and poets invariably attributed to the gods man's ultimate deliverance from this savage condition of life, some modern philosophers would refer it solely to man's own action, in accordance with their favourite idea of the universal supremacy and all-sufficiency of human reason.

³This erroneous view of civil society has become so widely prevalent in our times, that we find it put forward even by men who are very far, indeed, from sympathising with revolutionists or their school. Thus, for instance, Lord Macaulay, in reviewing Mr. Gladstone's first literary work: "The State in its Relations with the Church," argues as follows, to prove that (according to his judgment), it is not laudable in a civil ruler to seek the spiritual good of his subjects. "Look," he writes, "at banks, insurance offices, dock companies, canal companies, gas companies, hospitals, dispensaries, associations for relief of the poor, associations for apprehending malefactors, associations of medical pupils for procuring subjects, associations of country gentlemen for keeping fox-hounds, book societies, benefit societies, clubs of all ranks, from those which have lined Pall Mall and St. James's-street with their palaces, down to the free-and-easy which meets in the shabby parlour of a village inn. Is there a single one of these combinations to which Mr. Gladstone's argument will not apply as well as to the State?" And then he goes on to argue that, as it would be an injustice and an impertinence on the part of the manager of any of these associations to meddle with the spiritual affairs of the members, so a civil ruler does not act laudably in striving to promote the spiritual interests of his subjects. (Macaulay, "Gladstone on Church and State," Essays, p. 475. Here the distinguished essayist is constructing a fallacious argument upon a false assumption. There is no parallel between the associations mentioned and civil society, except in so far that all of them are composed of men. The governing body of a commercial company, for instance, derives its authority from a human source, the shareholders; and for purely temporal purposes. The governing body of the State, on the other hand, is not merely the delegate of the people, hired to do a certain work. It receives its authority from God, as we shall prove; and though the *immediate* end of that authority is the preservation of external order, it may not on this account exclude the *ultimate* end for which all society was instituted; any more than the individuals who compose society may leave altogether out of consideration the ultimate end of their being, even when the immediate end of any particular action is purely temporal. But this *par parenthese*: we shall return to this subject in a future paper.

Now let us note carefully the consequences which legitimately follow from this doctrine of a *Contrat Social*—consequences, be it remembered, which Rousseau himself boldly adopted,¹ and which form the leading feature in the Declaration of '89. If Civil Society be a mere arbitrary, contingent creation, springing solely from man's will, and not a Divine Institution, it legitimately follows, (a) that all civil authority is of purely human origin; (b) that the real sovereign of any State is the people; (c) that the nominal sovereign may not lawfully exercise any authority without the consent of the people; and, lastly, that the Sovereign People may change the form of government at their mere whim, and as often as it may please them. These doctrines have received the unqualified approval of the modern revolutionary school; and if we would refute them to any purpose, we must at once proceed to sap the very foundation on which they rest, by establishing the true theory on the origin of Civil Society and of Civil Government, tracing both to nature—that is to God—as their author, and showing how utterly absurd is the visionary assumption of a social pact. To this task we shall devote the present paper; but before addressing ourselves directly to the question at issue, it is imperative that we premise one or two remarks, to prevent any possible misconception of our meaning.

To begin with, we must not be understood as denying that the first Civil Societies which were established in the world, sprung from a pact of some kind or other. History does not inform us, with any degree of certainty, how they were actually formed; but, howsoever their formation was effected, it is clear that in the transition of society from the Patriarchal system, or that of Chieftainship, to Nationalities, it was necessary that families, hitherto independent of each other, should, for their mutual advantage, have consented to become united, and be ruled by some authority, which had no title antecedently to such consent. But what we contend is this: that such compact was not absolutely discretionary; that it sprung from a necessity of man's nature; and that, when it was once entered upon, and society became thus constituted on the basis of authority, the person entrusted with the authority held it from God, and independently of the will

¹ See quotations in IRISH ECCLESIASTICAL RECORD for March, 1881.

of the people:¹ just as, for instance, the consent of two contracting parties is required to constitute conjugal society; but once that consent is given, the essential rights and duties annexed to the conjugal state follow *ipso facto*, not in virtue of the consent, but in virtue of the *natural law*; and these rights and duties continue to exist, even though the contracting parties should wish ever so much to renounce them.

Again, in this paper we have no controversy whatsoever with those Catholic theologians who, while strenuously defending the divine origin of Civil Society and the Civil Power, trace that power from God *immediately* to the community, and *mediately*, through the community, to the head of the State. In the opinion of these divines, (and they are both numerous and eminent), the limits of the power entrusted to the head of the State may, under certain circumstances, be defined by compact between him and the people. Nay more, they may stipulate for its reversion to them under specified conditions, or at a determined period. But this is rather a political than a social contract; and those who hold this view rigorously maintain the divine right of the civil government, fixing that right, however, rather in the office, than in the individual who fills the office for the time being.

These two kinds of pacts of which we have just now made mention, are quite different from the social pact of Rousseau and his modern disciples; and the precise difference between the followers of the Philosopher of Geneva and ourselves is this—that in tracing the formal

¹This holds true, not only of the first formation of Civil Society, but, likewise, of the formation of all bodies politic at subsequent periods of the world's history, and to the end of time. In the case, for instance, of new colonies, the union of the people in a body politic presupposes some kind of voluntary agreement among themselves, for men are free, intelligent agents; but, once this union is effected, the authority to govern them does not exist simply in virtue of the agreement, as Rousseau maintains, but it springs *necessarily from the very nature of things*, and consequently from God, the author of nature. So that the very moment the people agree to constitute themselves a civil community, that moment, and *ipso facto*, authority to govern themselves exists among them, even though, *per absurdum*, they should wish their community to exist without any such authority. This is the teaching of Suarez, who writes: "Prius est tale corpus politicum constitui, quam sit hominibus talis potestas, quia prius esse debet subjectum potestatis quam potestas ipsa, saltem ordine nature. Semel autem constituto illo corpore, statim, ex vi rationis naturalis est in illo haec potestas—per modum proprietatis resultantis."—*De Legibus*, Lib. iii. cap. iii. n. 6.

reason of the existence of Civil Society to a pact, they base the *moral value* of authority and law on a purely human convention, whereas we base it on the law of *nature*, which proceeds from God, and, therefore, claim for authority a moral power *superior to the human will*, and capable of imposing on it a moral obligation.

Having thus removed the possibility of misunderstanding our meaning, we shall now proceed to prove—first, that Civil Society is a necessity of man's nature, and consequently ordained by God, the Author of nature. From this it will follow legitimately, as a corollary, that civil authority, which is an *essential* property of a body politic, and without which Civil Society is *impossible*, is, also, ordained by nature, that is, by God, the Author of nature. Next, we shall prove, in the second part of this paper, that Rousseau's invention of a social contract not only has no foundation in fact, but is, moreover, impossible; and from this we may infer that the various revolutionary theories based upon this hypothesis are equally untenable.

I.

Since Domestic Society is unquestionably *more natural* to man than Civil Society, to avoid confusion, and ensure greater method in our demonstration, we shall divide it into two parts: showing, first, that the social state, simply, is a necessity of man's nature; next, that of all social states, civil or political society alone adequately satisfies man's natural requirements. We may, therefore, state the whole *general argument* in the form of a syllogism, of which we shall prove the premises, thus: Man is by nature a sociable creature: But Civil Society is the only social form which adequately satisfies the requirements of man's nature: Therefore, it is a necessity of man's nature that he belong to Civil Society.

A. In proving the major proposition of this argument, we must remind our readers, that our knowledge of the nature of anything can be derived only from a study of the actions or external manifestations which make that nature known to us, according to the old axiom of the school-men, *modus agendi sequitur modum essendi*. If, therefore, we find all men, *as a species*, agreeing in these things which render society necessary for them, we may legitimately conclude that society is natural to man; since, as St. Thomas says, "all men do not agree except in what is

natural to them."¹ Now, it is no difficult task to establish conclusively that all men *do* agree in these things which render society necessary to them.

(a) In the first place, society is *physically* necessary to man for the acquiring and preservation of his existence. Man cannot begin to exist without the consent of two intelligent beings, who enter into a union for this express purpose. Here we have at once conjugal society, the most elementary and the most natural of all social forms. But not only does man stand in need of society to acquire life, in the first instance, but without its aid and protection he could not continue to exist, at least during his early years. It is a fact which needs not demonstration, that of all animals born into this world, man is, at his birth, by far the most helpless, and the least provided by nature with the means of self-preservation. Nature furnishes the irrational animals with clothing through the operation of purely natural laws; she endows them with an unerring instinct to guide them in the selection of proper food and suitable dwelling-places; and in countless wondrous ways she supplies them with the means of self-defence. No such provision has been made for man; and, for many years after his birth, he is absolutely dependent on the experience and love of his fellows, for the means of preserving his physical existence. It follows, then, that the social state is necessary to man by a physical necessity of his nature, altogether independent of his own will.²

(b) But even were we to suppose that, at some period of his life, man could become absolutely independent of society, as regards his physical wants, yet would the social state remain still *morally* necessary to him, because of the affections with which he is endowed by nature. These affections vary with the different stages of life; but at no period, from the cradle to the grave, is man free from these natural tendencies which make him shrink instinctively from solitude, and draw him towards his fellow-man, with

¹ "Non enim omnes homines conveniunt nisi in eo quod est eis naturale." 2. 2. q. 57. a. 3.

² The argument here put forward has been employed by St. Thomas, with his usual marvellous lucidity and force, in his work, "*De Regimine Principum*," lib. i., cap. i. But, in truth, the train of thought is such that it must suggest itself naturally to any reflective mind; and, long centuries before the time of the Angelic Doctor, we find Plato putting the self-same observations, in almost identical terms, into the mouth of Protagoras, when expounding the fable of Prometheus and Epimetheus on the origin of mankind. (See "*Protagoras*," cap. xi.)

an inclination so powerful, that any ordinarily-constituted individual, who may choose to withdraw himself altogether from the society of his fellows, cannot do so without supernatural aids. In youth, there are the intense natural affections which bind together parents and their children, as well as the collateral members of the same family. With manhood there comes a natural feeling, stronger still, which impels man to form a conjugal union with one of his own species; while at this time, also, he is very susceptible of ambition, and longs for wealth, position, and power, all of which pre-suppose society. Finally, when old age comes on, the decay of physical strength not only renders man once more incapable of providing for his own wants, but, by removing him from the sphere of active existence, produces a sense of helplessness, loneliness, and dependence, which can find its only natural solace in the sympathy and loving solicitude of relatives and friends. The existence, then, of these affections, which nature has implanted in the human breast, forces us to conclude, that the social state is for man a natural necessity.¹

¹ Father Taparelli has described the ties which bind man to society, in a passage of such singular beauty that we owe no apology to our readers for transferring it to our paper:—"Osservate come l'intento del creatore si manifesta efficacissimo insieme e soavissimo in modo che l'uomo quasi non può transviare. Nascendo sarebbe egli incapace di vincoli morali, ma lo tiene in società la debolezza, il bisogno. A seconda che scema il bisogno, si accende nel suo cuore l'amor filiale e la riverenza suggerita dalla superiorità ch'ei comincia nei parenti a ravvisare; e in un cuore ancor tenero qual forza hanno mai questi sensi! Ma s'accendono a poco a poco altre passioni; onore, amore, risentimento, indipendenza, mille affetti diversi cominciano a straziargli il cuore, e corrispondenti all'ardor giovanile crescendo le forze sembrano allettarlo a spezzare il giogo paterno . . . Sarebbe questo il momento in cui già ingagliardito di mente e robusto di corpo, potrebbe isolarsi, abbandonar la società, spezzarne le leggi; ma appunto questo è il momento in cui la ragione sbocciando dal germe incomincia a mostrargli il *dovere*. Gli riescono gravi e inutili gli ammonimenti di si augusta Maestra? a proporzione che egli vi insordisce pungono le passioni più ardenti; e se il dovere non riesce a domarlo ciò avviene appunto perchè si dà vinto a passioni che lo incatenano bene o male in società. Al piacere, alla gloria succederà l'amor di comandare o di arricchire nella virilità: e finalmente passato il fiore del vivere, o per amore dei figli e degli amici, o per apprensione di una abbandonata vecchiezza verrà trattenuto nella società, finché essa raccogliendone le ossa in un sarcofago, continuerà a beneficiarlo ancor dopo morte col pianto di che lo consola, colla tutela che concede al suo genere, cogli onori di cui lo circonda, colla amorevolezza onde rassa da le sue ultime volontà. La società è dunque istituzione del Creatore, che vi trae l'uomo con ugual forza e soavità."—*Saggio Teoretico di Dritto Naturale*, Cap. ii. n. 334.

(c) Even in his face we can read man's nature. The conformation of the human countenance is such as indicates that man was intended by nature to hold communication with his fellows, since there is no feeling of the human soul which cannot be extimated by the expression of man's features and look, and which is not of itself calculated to excite corresponding feelings in others. No effort of art is required to do this: for nature herself effects it, even among the most untutored savages, and everywhere in a uniform manner. Now this natural power of manifesting one's feelings would be useless, were not man intended by nature to live in society.

(d) But, above all, the faculty of speech, with which nature has endowed man, conclusively proves that he is created for society. For, while brutes can utter merely a few confused and inarticulate sounds, mostly expressive of pain or pleasure, man is gifted with the power, not only of giving adequate expression to every feeling of his soul, but even of conveying to others a clear perception of the most delicate operations of his own mind. Now this faculty would be perfectly useless if man were not destined for society: nay, more, the very power to exercise it presupposes society, since we learn to speak only by hearing others speaking. Therefore, we legitimately conclude that man, by the design of nature, and without any concurrence of his own will, is a sociable being.

Before we proceed to demonstrate the second portion of our argument, viz.: that not only Domestic, but Civil Society, is natural to man, it may be well to reply here to an objection sometimes put forward against the truth which we have been proving up to the present. The objection is this: that, if the social state be natural to man, the life of a hermit or anchorite would be opposed to the natural law.

To this objection we might reply, in the first place, by denying that there ever could exist a man so entirely cut away from society as to have no relations whatsoever with it, either past or present, actual or habitual, physical or moral. But even taking it at its utmost value, it amounts to no more than this: that exceptions to the physical and moral laws of nature are possible—a position which we freely admit. However, lest we may thus seem to be rather shirking the difficulty than supplying an honest solution, we shall come more directly to the point. We must distinguish, then, in human society, that which is *essential*,

and therefore universal, from that which is *accidental*, and therefore particular. That men, *as a species*, and *collectively*, are necessitated to live in society is an *essential* provision of nature, *which is ever certain to be satisfied*, because of the affections and inclinations which she has implanted in man; but that this or that other *individual* in particular, lives in society, or belongs to this rather than to another community, is an *accidental* circumstance depending upon various fortuitous combinations, and in nowise affects the general law. We may illustrate this by a familiar example. It is a law of nature that, to provide himself with the means of sustenance, man must labour, and cultivate the earth. Will any one pretend to infer from this, that, therefore, every *individual* member of the human species is bound to take spade and shovel in hand, or, failing to do so, violates the law of nature?

B. Having shown that the social state is natural to man, primarily by the fact that, without any concurrence of his own will, he is born a member of the family, we now proceed to demonstrate the minor proposition of the argument set down at page 273, viz: that Civil Society alone adequately satisfies the requirements of man's nature; in other words, that man is naturally formed for a wider social sphere than is to be found in domestic or family society; and that his natural sphere is Civil or Political Society, by which we understand: "a sufficiently large community of men, composed of different families, united for the common good, under one supreme authority, and bound together by the same laws."

(a) In the first place, Civil Society is *physically* necessary to man, though not in the same degree as the Family. For it would be impossible for single families, if completely isolated, to acquire all that knowledge, or to discharge all those duties, which are necessary to supply perfectly the physical wants of man; while, at the same time, nature, which *per se* always tends to what is more perfect, impels man to provide *amply* for his physical wants, so as not merely to exist, but to *exist well and comfortably*. Therefore, it must have been the design of nature that several families should unite, so as to ensure a division of labour and duties, some devoting themselves to one and others to a different pursuit, yet all affording help to one another, and co-operating towards the common good.

(b) But, setting aside his physical necessities altogether, man has other wants which render Civil Society *morally*

necessary to satisfy the requirements of his nature. Some of these have reference to his reason, others to his will.

The specific essence of man consists in that he is a *rational* being, and it follows, consequently, that the most important natural function of his existence is to develop his intellectual powers. Now, though all men possess, from their birth, the germ of reason, it is evident that the due growth and full development of this germ must be almost exclusively the work of society. For what, as a matter of fact, is the object towards which the human mind is ever tending with a craving which refuses to be satisfied? It is the knowledge of *Truth*. Now, without the interchange of ideas between men, any individual could not obtain more than an extremely limited store of knowledge; and the human race would consequently be doomed to a condition of perpetual infancy. It is society which preserves to man the inheritance of the wisdom of past ages, and freely places it at his disposal, when his mind has attained sufficient strength to take in its meaning. It is society which stimulates him by praise, by rewards, and by countless other incentives, to put forth his full intellectual vigour. It is society which collects and transmits to posterity the accumulated researches of its individual members; thus securing the regular, unbroken continuity of human thought from age to age, until the crude speculations of one century become, after long ages of patient investigation and unremitting mental toil, the perfected and demonstrable discoveries of another. Therefore, from that irresistible impulse, which man feels to acquire knowledge, we may legitimately infer that he is intended by nature to hold unlimited communication with his fellow-men; and this, of itself, pre-supposes the existence of Civil Society as necessary to supply a *natural* want.

Not only does the perfectibility of man's reason demand the help of society, but the perfectibility of his will, likewise, stands in need of the same powerful assistance. As *Truth* constitutes the natural object of man's intellect, so *to do good* is the natural object of man's will. Now, society furnishes man with powerful aids and incentives to good. Not only does it present to him objects on which to exercise his natural inclination towards beneficence, but it stimulates him in the performance of good, by praise, reward and example; while it deters him from evil by various motives, which could not exist outside of society. Indeed, without the help afforded by society, the moral

condition of mankind would be deplorably bad. Even as it is, notwithstanding all the restraints imposed by education, by considerations of public decency, by natural affection, by the fear of punishments, by public opinion, and by religious and social influences, man is still capable of sinking to a condition of moral degradation, which lowers him even below the brute creation. What, then, would become of him if all the restraints imposed by Civil Society were removed? Again, man's will naturally tends to love his fellow-man, and to exercise this tendency by deeds of beneficence and generosity; nor is this feeling confined to the members of his own immediate family, but it extends to the entire human species, uniting all men in the bonds of an universal sympathy. Now this propensity of our nature cannot be gratified except in Civil Society. Therefore we are forced to conclude, that nature, which does nothing without a purpose, intended man to live in a body politic.

(c) Furthermore, that man was created for Civil Society, is proved by the fact that it is the only social system which adequately secures to him his natural rights. Without the aid of the public force, individuals could not effectively ward off unjust aggression; nor could disputes regarding the rights of property be satisfactorily determined without the assistance of the public tribunals.

(d) Lastly, the voice of nature is sufficiently declared in the *fact*, that ever since men became sufficiently numerous to form communities, they have lived under some form or other of political government. This is a universal fact, to which history does not furnish an exception even among the most barbarous nations. Therefore, Civil or Political Society is natural to man, since, as Cicero truly observes: "Omni in re consensio omnium gentium lex naturae putanda est."—*Tuscul. Disput. Lib. i. cap. xii.*¹

¹ "It must be borne in mind that the arguments put forward in the text, are intended to prove merely that men *in general*, or considered as a *species*, are necessitated by nature, and independently of their own will, to unite in Civil or Political Society. The immediate cause why this or that people *in particular* formed themselves into a Political Society, must be sought in some antecedent *fact* connected with their history; and thus the question belongs to the domain of the historian rather than to that of the philosopher. However, following the order of nature, we may directly trace Civil from Domestic Society as a natural growth, and a consequence of that impulse whereby man is urged to propagate his species. For when, in the infancy of the world, brothers married and had offspring, the family became too numerous to be contained

COROLLARY. *Since human nature requires that men should live in society, it follows of necessity that the Author of nature must have provided men with the means of making society possible. But society cannot be possible without the establishment of Civil Governments. Therefore the authority of the Civil Government is derived from the Author of nature, that is, from God.*¹

We might, if we chose, support by the authority of revelation the doctrine here deduced from reason alone, but we refrain from doing so, for two reasons: First, because our adversaries in this question are not the men to attach much importance to proofs derived from Scripture; and, secondly, because it is unnecessary. For, as we have proved, the Civil Power is *natural* to human society, and, therefore, like the law of nature, its existence ought to be

any longer under the same roof. Hence new dwellings had to be constructed; yet not at such a distance from one another as that all social relations should be broken off; for mutual love and mutual wants would still bind the families together. With the gradual increase of population, houses, also, would continue to multiply; and thus, by degrees, villages towns and cities would spring up, all still maintaining social relations with one another, but requiring some central authority to preserve the bond of unity, and secure the co-operation of all towards the promotion of their common interests. It is thus that St. Thomas explains the *de facto* origin of Civil Societies (*Politic.* lib. i. lect. 1); and, long before the age of the Great Doctor, Cicero put forward the same view in the following passage: "Prima societas in ipso conjugio est: proxima in liberis: deinde una domus, communia omnia. Id autem est principium urbis, et quasi seminarium reipublicae. Sequuntur fratrum conjunctiones; post sobrinorum sobrinarumque: qui, cum una domo jam capi non possint, in alias domos tamquam in colonias exeunt. Sequuntur connubia et affinitates ex quibus etiam plures propinqui. Quae propagatio et soboles origo est rerum publicarum."—*De Officiis*, Lib. i. cap. xvii.

Though this is the explanation suggested by nature herself, to account for the first origin of civil societies, yet we may readily admit that particular nations may have been originally formed under other circumstances: for instance, by the accidental meeting in one place of several families, bound together by no ties of consanguinity; or by the arrival of several strangers in some territory, hitherto occupied by a single family; or by the right of conquest, when several independent families were subdued by some one more powerful than themselves; or, in a word, by many other accidental combinations, which need no special mention.

¹ We must beg the reader to remark that, for the present at least, we do not enter, however remotely, into the question of the *manner* in which the Civil Power is transmitted from God to the head of the State. Neither does the doctrine laid down in the text imply by any means that the *form* of the Civil Government is divine, since it is unquestionable that it is purely a matter of human choice; but once the choice has been made, the authority to rule comes from God, and not at all from the will of the people.

evident to us by the light of reason alone, and without the assistance of revelation. As a matter of fact, the divine origin of the Civil Power was known to pagan nations from the earliest times. We need not multiply proofs of this statement, but one of them is worth special attention. If we except the Bible, there is no book extant which carries us so far back in the history of the world, and gives us such varied and interesting information regarding its early inhabitants, as Homer. Now, Homer everywhere represents the people of the age of which he sang, as firm believers in the divine origin of the Civil Power. After explaining the Achaian polity as described in the "Iliad" and the "Odyssey," the greatest living Homeric scholar writes thus: "This simple polity is founded under a sanction distinctly divine. It is Zeus, who gives to the ruling office the power that it enjoys. His wrath descends upon the men who pervert justice. We find in Homer the idea expressed, so prominent in the Old Testament, that the sin of the ruler brings suffering on the country."¹ And again, speaking of the functions of the king, he says: "In honour his position was higher still: *the titles Zeus-born and Zeus-nurtured appertained to his office.*"²

II.

Having demonstrated that the state of Civil Society is a necessity of man's nature, it is not necessary that we should lose time in refuting the theory of Rousseau, who traces the origin of Civil Society and of the Civil Power to a free pact, entered into by men for purposes of protection and security. We shall, therefore, dismiss the subject with a few brief remarks.

(a) In the first place, if this pact were ever made, it certainly would have been one of the most momentous occurrences in the history of the world, inasmuch as it involved the surrender of all that man holds dearest—liberty, property, life itself. All social rights depend upon it. A fact of such supreme moment could not have been passed over in silence in the record of the world's annals. Now, where, we ask, is the proof that any such pact, as Rousseau and his school defend, was ever entered into? It is not forthcoming: nay, all proof tends in an opposite

¹"Homer," by the Right Hon. W. E. Gladstone, chap. ix., p. 114 (Macmillan).

²Ibid. p. 115.

direction. Therefore, we are justified in treating the *social pact* as a gratuitous assumption.

(b) Again, the powers essential to the Civil Government are such that they could not possibly have proceeded from a pact such as Rousseau supposes. Balmez puts this point so much better than we could expect to do, that we shall quote his words:—

“The faculties with which the Civil Power is, and always has been, considered to be invested, are of such a nature that they cannot have proceeded from a pact. The right of life and death can have come only from God. Man is not in possession of this right. No pact merely human could invest him with a power which he has not either in relation to himself or to others. I will endeavour to demonstrate this point with all possible precision. If the right of taking away life emanates not from God, but from a pact, it must have originated in the following manner: Every member of society must have said, expressly or tacitly, ‘I consent to the establishment of laws to decree punishment of death for certain crimes; and if I should at any time transgress them, I am willing from that moment to forfeit my life.’ In this manner, every individual will have given up his life, supposing that the conditions specified are realised; but no individual having a right over his own life, the resigning of it becomes radically null. The joint consent of all the members of society does not obviate the radical and essential nullity of each one’s right to give up his life; the sum of their resignations is, therefore, equally null, and consequently incapable of producing any right whatever. It will be said, perhaps, that man, properly speaking, has no right over his own life, when an arbitrary right is implied, but that when he chooses to dispose of it for his own advantage, the general principle should be restricted. This reflection, at first sight plausible, would lead to the terrible consequence of authorising suicide. In reply, it will be said that suicide is no advantage to him who commits it; but if you once grant to the individual the right of disposing of his life, provided he reap an advantage from so doing, you cannot constitute yourselves judges to decide whether or not this advantage exists in any particular case. . . . What will you answer, if he tell you that he prefers death to misery, to *ennui*, to grief, or to such and such misfortunes which torment him?”¹

(c) Furthermore, the nature of the various hypotheses, to which Rousseau is forced to have recourse in order to construct his theory of a social pact, is such as reveals its utter absurdity. For he supposes (1) that the natural condition of man is that of a wild and independent savage

¹ Balmez, “European Civilization,” chap. i.

in the woods, and that, under no circumstance, is the social state natural to him—a position which, in the first portion of this paper, we have shown to be manifestly false. He supposes (2) that wild and savage men, living lives of unfettered independence, could of themselves have conceived the idea of Civil Society, and become so fascinated by it as to resign, without a murmur, all their natural freedom, and, of one accord, submit tamely to the many restraints imposed by society—an assumption which makes too great a demand on human credulity. He supposes (3) that all men enjoy from nature independence: a doctrine which is perfectly true, if it mean merely that no man is born the slave of another; but is false, if it mean that man is independent in his operations. For, to go no farther, nature herself makes man, in domestic society, *subject* to those who gave him life, and imposes on him by the dictates of the Natural Law *the duty of obeying* them. He supposes (4) that, in making this pact, individuals transferred all their rights to society. Now, this is not only false, since there are several rights of individuals which, by the law of nature, are inalienable; but it would, moreover, lay the foundation of a most intolerable system of tyranny, whereby the State would absorb all private rights. Such being the main props with which Rousseau sustains his *Contrat Social*, we may easily infer the inherent weakness of the theory based upon them.

(d) Finally, if we consider the consequences which necessarily follow from this system, they are such as forbid any rational man to entertain it seriously for a single moment. These consequences have been already noticed in the early part of this paper, and have unfortunately become only too familiar to the world, through the periodical outbursts of revolution and anarchy which have convulsed society, with more or less frequency, during the greater part of the present century. The thinkers of the revolutionary school proclaim the sovereignty of the people as the surest bulwark of liberty; but history proves, beyond the possibility of doubt, that the very worst forms of despotism, which ever oppressed the world, have proceeded from the Sovereign People; or, perhaps, we might say with more truth, from self-constituted representatives of the people, assuming to act in the people's name.

Having now established, we hope satisfactorily, the true doctrine of the origin of society, the false nature of many of the Principles put forward in the Declaration of '89,

will be apparent to every one. However, we shall not, on this account, dispense ourselves from a detailed examination of them; and, in the next number of the RECORD, we propose to examine the first article of the Declaration, which propounds the doctrine of the revolutionary school on the vital questions of *Liberty and Equality*.

W. H.

SCIENTIFIC NOTICES.

AFTERNOON SCIENTIFIC LECTURES.

WE must thank the Royal Dublin Society for the course just completed. Like its predecessors, it has special characteristics which we shall briefly note, for it is a chronicle of the present state of science, and a kind of landmark by which we may observe our progress from year to year. This fact is, in itself, no small testimony to the value of these popular lectures, showing how thoroughly alive the Society is to its duties to science, and its obligations to the world in the midst of which it flourishes. In the rapid advance of scientific investigation it is, of course, exceedingly difficult to avoid being left behind; so varied are the subjects and so numerous the inquiries which contribute to the rush forward. But when a Society undertakes not only to have a fair share in the work in its meetings and private studies, but to set before "outsiders" in public lectures the outcome of all this, it is, indeed, to be congratulated when it can, year after year, fulfil this voluntary obligation in a satisfactory manner. Of course there are subjects of investigation which can hardly be treated in this popular style, but what can be so handled is scarcely ever neglected by the lecturers who take this somewhat difficult matter in hands.

Last year Dr. Crookes was induced to bring his apparatus, and his personal explanation of Radiant Matter, before us; while this time we have had the greatest and most renowned philosopher of the day, Hermann Helmholtz, to wind up and give additional eclat to a course of no ordinary interest. We know not what special considerations induce the Society to give the course on the Wednesdays and Fridays in Lent: so we venture to suggest one, which, to us at least, seems sufficient. We

have grown accustomed to regard them as the contribution of science to the work of the holy season; a kind of Lenten Exercises, with their appropriate moral. We hope it is too late in the world's "day," for it to be necessary for us, or any one else, to defend real science from the charge of infidelity; or to show that scientific investigation is the handmaid to religion, and as such always regarded by Holy Church. It is just, then, that science should put in its claim to notice in the season, when religion is inviting special attention to man's relation with his Creator; and should raise its voice in vindication of eternal truths, when infidels, whom the Scripture calls "fools," are misusing science by misinterpreting it, to just the opposite end.

This seasonable motive of science appears to have made itself felt by the lecturers in the course just completed. No one can have heard their united testimony to Christianity, and their recognition of the divine foundation upon which science is raised, without observing this. Not, of course, that there was any affectation of "preaching" directly, which would have been out of place; but the professed recognition was there, which surely was all that could be desired.

Our duty is obviously not one of criticism: it will be enough, in the brief space at our disposal, to note one or two of the special features of the course.

The Astronomer Royal, Dr. Ball, opened with two lectures on "The Distances of the Stars." Here at once we came upon what is deservedly so highly prized in the present day, original research. Dr. Ball can, of course, speak well and learnedly upon any branch of astronomy; but, like most great men, he has his own especial field of investigation, his own peculiar province in the wide world of celestial space. Indeed, he may be said to have inherited it with the other traditions of the Dunsink Observatory, from his distinguished predecessor, Dr. Brunnow, whose renown is chiefly built upon this curious and difficult study. The long and close observations, and the delicate measurements which are involved in such inquiries, would scarcely have availed to bring about such satisfactory results, had not Dr. Ball had the original genius to devise new methods of observation which could check, correct, or (as it proved) confirm what he had before elicited. These conclusions the audience had to draw for themselves; for the clear exposition and modest style of the lecturer kept back, for the time at least, all thought of him who had

done the work in the contemplation of what he had achieved.

Next came Dr. Emerson Reynolds, with one of the most startling and popular discoveries of the day—Hot Ice! He prepared his audience by passing, pleasantly and cleverly enough, through the better known region of cold ice. Dwelling awhile upon that curious and most beneficial law of Providence, which causes water to condense into heavier and smaller dimensions as it passes downward in temperature towards the freezing point, but suddenly stays that process, and changes it into its very opposite, when it arrives within four degrees of that point, and causes it to expand, until at freezing point itself it bursts into still greater volume, and floats as ice upon the liquid surface. He himself has proved chemically, as the new Provost of Trinity has done physically, that no change in the constitution of water takes place on either side of this mysterious point of 4° C., and bows reverentially before the Divine Will, which so disposed for man's special advantage.

But what is hot ice? the reader may ask; and so, with similar impatience it may be, the audience waited to see. At last was brought in a large copper vessel buried in what was found to be a bath of freezing mixture, a bed of mingled salt and snow (which the late inclement season provided abundantly enough). A glass tube, slightly bent in the middle into a very obtuse angle, projected from one side, and in the bend was a quantity of ice.

The powerful flame of a Bunsen burner of gas was at first cautiously applied to the glass elbow, inside of which the ice rested. No effect was produced; the ice remained ice, and seemed to laugh to scorn the fiery action of the flame: it was evidently very obstinate ice. The tube was now sufficiently heated to bear, without any danger of cracking, more continuous heat; and so the burner was left underneath, and the flame attacked the glass; but no impression was made upon the ice, which quietly rested on the adjacent inner surface of the tube. It was a thing, as Byron said of water under other circumstances—"It was a thing to see, not hear." The glass had reached a white heat, and now motion was observed in the incorrigible ice: it gave a start, a sort of kick, and then rested; to kick again, but not to melt. No drop of water showed itself from first to last, but the ice gradually grew smaller; sublimating, as chemists say, which means, passing at

once from ice to steam, without troubling itself with going through the intermediate stage of water. That is what we saw; but perhaps the reader may wish to hear some explanation of what had taken place before the copper vessel came before us, and how this strange result of hot ice was brought about.

We suppose the usual way of making the experiment was followed in this highly successful instance. A quantity of water is poured into the copper vessel through the bent glass tube, and sufficient is left in the bend nearly to fill it. The water is then boiled in the copper, and passes off, of course, in steam through the tube, until nearly all the water in the copper is boiled away. Then the end of the glass tube is sealed up, and nothing can afterwards enter or escape.

The copper is now buried in a freezing mixture (as we saw it), whereupon the steam, which fills the vessel, cools down into water, and is reduced to the freezing point. But the steam is water expanded, in the proportion of one cubic foot of steam from one cubic inch of water; that is to say, it occupies about seventeen hundred times the space the water would fill; and so, when it cools down into its dimension as water, it occupies only one seventeen hundredth part of its former space, and thus the copper vessel is comparatively empty—empty, that is, in a strict sense, and not with the emptiness which implies the presence of air. What comes of this with respect to the water which was left in the bend of the glass tube, and which is surrounded, if we may so say, by an atmosphere of next to nothing? It freezes at once, and ice it must remain. Why? Because it is ice under unusual conditions. It has no atmosphere or other pressure upon it. Warm it: it cannot turn into water, because water cannot exist as water without a sufficient pressure upon it to keep it from boiling, and so passing into steam. This is shown by the jerking motion of the ice which we observed. The flame being applied to the glass, sends its heat through that glass to the under side of the ice, which rests upon and sticks to it. The action of that heat is to melt some of the ice into *liquid*, because the surrounding ice presses upon it, and keeps it for a moment in that form; but as soon as that pressure is sufficient to move the ice, the morsel of liquid flashes into steam in the surrounding vacuum, and the ice steadies itself again. The temperature to which ice can thus be raised, and still remain ice, has been carefully

measured and found to be 122° Centigrade, that is to say, 22° C. above boiling point, or taking the Fahrenheit scale, with which people are more familiar in these countries, seventy-one degrees above boiling point!

After one of Professor Barrett's amusing lectures on "Phosphorescence," in which the enthusiasm of the experimenter communicated itself to the audience, who shared his anxiety in the success of the clever experiments, we had Mr. Howard Grubb on his "Great Refracting Telescope," which he has just completed for the Vienna Observatory. Of course we do not mean that he rode his great instrument, or otherwise brought it into the theatre of the Royal Dublin Society. He described its character and dimensions, its peculiarity of construction, and interested us in the personal history of his great achievement. But he did more than this. On the principle that if the mountain will not come to Mahomet, Mahomet must go to the mountain, he invited us, one and all, to visit him in Rathmines, and showed us the enormous instrument in what we may call its gigantic cradle. Infant it can hardly be called, save in the Woolwich sense, where the greatest of guns is called by that endearing but preposterous name. We saw its marvellous mechanism, and tested it. It moves in any required direction with the least possible amount of pressure: but when rest is required it stands as firm and immovable as if it could never more stir, so exquisitely and yet firmly is it balanced. It would require a whole paper—not to say a whole RECORD—to describe it fully: indeed a good sized octavo has been devoted to this work, to which we refer the inquiring and requiring reader. We were specially privileged, through Mr. Grubb's good nature, to use the telescope on a clear moonlight night, and to approach by its means so near our Satellite that we had its surface presented to our view on a very grand scale. *Tycho* came out with wonderful effect, with its diameter of fifty-four miles, shut in by circular walls, sinking some three miles into the lunar surface: a wonderful cavity. Dublin has indeed reason to be proud of the possession of the most renowned telescope-maker in the world. No wonder, after the complete success of his great reflecting telescope for Melbourne, Vienna should send to Dublin its scientific men, who, having searched the world and made the fullest personal investigation, chose Mr. Howard Grubb to devise and construct the greatest equatorial refracting telescope yet manufactured. Its

length is 36 feet 6 inches; it is 3 feet 6 inches in diameter at its centre, whence it tapers towards both ends. The diameter of the object glass is 27 inches, the largest yet made; while the weight of the telescope and compensating balance is between seven and eight tons. Yet so exquisite is its construction, and so perfect its balance, that it can be turned by the pressure even of a finger. There are arrangements for viewing the graduated circles of Mr. Grubb's invention, which must be seen to be appreciated. The magnifying power of the instrument is, of course, very great, extending to two thousand seven hundred: but this could only be used in a very different state of atmosphere from that we have at Dublin, where four hundred is about the limit. The former would bring the moon within less than a hundred miles of the earth, the latter within about six hundred. But the real value of so very large a telescope, when applied to the moon, is not in its power of magnification, but in the different character of the picture it presents to the eye, compared with what an ordinary large one gives. The greater the instrument the finer and more minute is the image which each point in the moon makes in the corresponding point in the picture; and as, of course, the whole image is made up of these points, the result is that in the very large instrument the picture is delicately drawn, and in greater detail than in the comparatively rough sketch which the other gives. Mr. Howard Grubb has very happily expressed this by saying, it is all the difference between a drawing with a sharp pencil, and one with a blunt point.

Dr. Haughton's lecture excited no small interest: it was announced as "An Answer to Claud Galen's question: Is man the wisest of Animals, because he has hands; or, has he hands, because he is the wisest of Animals?" Many people thought that Claud Galen was some dangerous modern sceptic, whom the brave Professor of Geology was about to encounter; and these perhaps were somewhat disappointed to find that the questioner was no other than the old Greek Physician, who had uttered his interrogatory some seventeen centuries ago. The amusing lecture began with an assault upon Archdeacon Paley, and served up a somewhat stale piece of scandal about the unacknowledged indebtedness of that celebrated writer (or compiler), to a Dutch writer, Nieuwentyt, for his well-known treatise on "Natural Theology." He might have said much the same respecting Paley's "Evidences of Christianity," which was compiled from the larger work of Lardner.

The appositeness of the story to the question in hand was not quite obvious, unless, as the lecturer frankly acknowledged, that most people now-a-days imitate the example of the Archdeacon, but suck the brains of Germans instead of Dutchmen; what followed was intended as a case in point.

We did not hear much about Galen and his long unanswered question, nor do we remember if it was left as it was found; but Dr. Haughton gave a very thoughtful and interesting account of the muscles of birds and animals, and showed how they were striking proofs of *design* in their remarkable illustration of the most powerful adaptation of means to their required end; compressing the greatest power into the smallest space, following most completely the recognized laws of mechanics, and obtaining the result with the least possible exhaustion of muscular fibre. So those who came to hear a refutation of infidelity were not sent away unsatisfied; and might connect in due order Nieuwentyt, Paley and Haughton, as illustrators of design, from the celebrated watch which the second borrowed from the first, to the bird's wing and lion's hind leg, which the third, perhaps, took from his favorite Zoological Gardens.

Professor Noel Hartley brought us again into the field of individual research, in his two lectures on "Air and Ozone, and the blue tint of the Atmosphere." Here we had clearly set before us the outcome of the labour of several years in a new, interesting and important department. Ozone is in one sense in everybody's mouth, would that it were so literally as well as figuratively, and that we breathed ozone as much as we talk about it. We saw its generation before our eyes, and watched the column of oxygen contract under the influence of the electric current that played about it, until the molecules passed from one combination to the other, that is to say, until the atoms, whose union into groups of *two* had hitherto constituted molecules of oxygen, were forced into groups of *three*, and so became molecules of ozone. So we, outsiders, could thereby easily understand what power there is in these new molecules to eat away, among other things, the living matter in the air, and therefore why so little ozone is left for our consumption in these lower regions, and in crowded localities so full of noxious ingredients. We saw also the blue color of ozone even in the narrow limits of a glass tube, and thence learned the meaning of the blueness of

the sky, the pure region of ozone; and why it is that western winds are so rich in it, seeing from Maury's maps how the upper regions pour down upon us its pure breezes, vanquished, as we may say, in those blue heights, in their march above from the equator to the pole, by the fiercer current which meets them face to face with its chilling influence, and hurls them downwards in those fresh, invigorating, and yet balmy breezes, so unlike the ozoneless eastern chills, with which we are all just now so unhappily familiar, and which have deprived us of one of our very greatest statesmen.

Dr. Molloy came next with two of those crystal-clear lectures, on "Lightning and Lightning Conductors," which have made his name famous among Dublin audiences. No one grasps his subject more firmly than this Catholic University Professor, who can hold his own so well among the Protestant men of renown. He is ever careful to bear in mind the requirements of the people before him; and while his expositions are interesting to those who are familiar with the subject of which he treats, he has a really extraordinary power of bringing them within the reach of others who are strangers to philosophic investigation. He never fires over the heads of his audience, and thus secures the attention of all alike.

We content ourselves with this bare mention of Dr. Molloy's lectures, in the hope that we may soon see them in the pages of the RECORD, as we did those of last year upon Latent Heat.

The last, and crowning lecture of the course, was given by Hermann Helmholtz, the renowned Berlin Professor, who is confessedly one of the most remarkable men of the present day, whether we regard the wide fields of science which he has made his own, their number and far divergence, or the completeness with which he has well nigh exhausted such inquiries, and the consequent amount of light he has been enabled to throw upon them.

As the one who, among a brilliant and learned audience, could perhaps best appreciate the merits of Helmholtz, by his own profound investigations, Mr. Johnstone Stoney seemed to feel that it would have been a much simpler and shorter task to say what the great Professor does not know, than what he has made his own. Our present duty is rather to record very briefly the subject of the lecture which Helmholtz delivered, than to dwell upon the greatness of the man whose name is, above that of all other living philosophers, of world-wide renown.

To see and hear the lecturer was enough to bring a crowded audience, without considering in addition what he had to say.

Lecturing in English is no small trial to a foreigner, be his knowledge of the language what it may. Of course Helmholtz felt and showed this, not much indeed in the delivery of the written lecture, but in the extemporaneous explanations and the reply to Mr. Stoney's introductory remarks. Fortunately for many among the audience an abstract of the lecture, prepared by Helmholtz himself, was published in *Nature* (April 7, 1881), a few days before, and to this we must refer those among our readers who desire to study the subject for themselves. Some eight columns in that scientific journal hardly suffice for the close and pregnant abstract, which Helmholtz alone could make comparatively clear in that limited space. The lecture was written, and first delivered in London in April 5, 1881, as the Faraday Lecture of the Chemical Society; and, being intended for a special and learned audience, has not all those popular elements which characterize so many of the great Professor's lectures, and which have made his name so renowned beyond scientific circles. This will explain why it was difficult to follow; the time not sufficing for popularizing it for a general audience.

The Faraday Lecture must, of course, treat of Faraday; and while his predecessors, in the discharge of that duty, had regarded the subject from their own various points of view, Helmholtz devoted himself to the consideration and exposition of "The Modern Development of Faraday's Conception of Electricity." His opening words tell us what this implies.

"The majority of Faraday's own researches were connected, directly or indirectly, with questions regarding the nature of electricity, and his most important and most renowned discoveries lay in this field. The *facts* which he has found are universally known. Nevertheless, the *fundamental conceptions*, by which Faraday has been led to these much-admired discoveries, have not been received with much consideration. His principal aim was to express in his new conceptions only facts, with the least possible use of hypothetical substances and forces. This was really a progress in general scientific method, destined to purify science from the last remains of metaphysics. Now that the mathematical interpretation of Faraday's conceptions, regarding the nature of electric and magnetic force, has been given by Clerk Maxwell, we see how great a degree of exactness and precision was really hidden behind his words, which, to his contemporaries, appeared so vague and obscure; and it is astonishing in the highest degree to

see what a large number of general theories, the methodical deduction of which requires the highest powers of mathematical analysis, he has found by a kind of intuition, with the security of instinct, without the help of a single mathematical formula."

Faraday saw from Oerstedt's discovery (of the motion of magnets under the influence of an electric current) "that a motion of this kind could not be produced by any force of attraction or repulsion, working from point to point," that is, like gravitation, from a *distance*; and this led him on to his own discoveries of magneto-electricity, and subsequently to the proof that "all ponderable matter, and even space devoid of such matter, is magnetisable." So "he saw with his mind's eye, that all these systems of tensions and pressures, produced by the dielectric and magnetic polarization of space which surrounds electrified bodies, magnets and wire-conducting electric currents, all the phenomena of electro-static, magnetic, electro-magnetic attraction, repulsion and induction, could be explained without recurring at all to forces acting directly *at a distance*."

Then followed "the second fundamental problem" aimed at by Faraday, the connection between electric and chemical force. But space, unfortunately, will not allow us to follow this inquiry through its several stages, which Helmholtz pursues with exact investigation, and his usual carefully building-up until he finishes the complete edifice, and presents his audience with what Professor Roscoe calls "a new electro-chemical theory, which reveals to chemists conclusions of the utmost importance." So we must take his summary of the lecture, wherein he says:—"He (Helmholtz) tells us as the results of the application of the modern theory of electricity to Faraday's great experimental law, that the atom of every chemical element is always united with a definite, unvarying quantity of electricity. Moreover—and this is most important—that this definite amount of electricity, attached to each atom, stands in close connection with the combining power of the atom, which modern chemistry terms *quantivalence*. For, if the amount of electricity belonging to the monad atom be taken as the unit, then that of the diad atom is two, of the triad atom three, and so on."

We conclude, as we began, by thanking the Royal Dublin Society for a course of lectures at a merely nominal price, of such value as those to which we have briefly alluded. It is a great privilege, of which the people of Dublin do not fail to avail themselves.

THEOLOGICAL QUESTIONS.

MATRIMONIAL DISPENSATIONS.

A correspondent, referring to the matrimonial case discussed in the last number of the RECORD, requests an answer to the following questions regarding matrimonial dispensations:—

1. When the *Sponsus* and *Sponsa* happen to belong to different dioceses, is it necessary to apply to the respective Bishop of each for a dispensation in an existing diriment impediment?

2. When applying to a Bishop for a dispensation, what form is necessarily to be observed in order to secure the validity of the dispensation?

3. What is the practical value of the opinion of St. Alphonsus, in which he teaches that in a case of extreme necessity, when all preparations are made for a marriage, and neither the Sovereign Pontiff, nor the Bishop, can be applied to without postponing the marriage, any existing occult diriment impediment, imposed by ecclesiastical law, ceases to exist, and that the Parochus or Confessor may, therefore, declare the celebration of such a marriage both valid and licit in the circumstances?

First question: To whom is application to be made for a dispensation, when the Sponsus and Sponsa belong to different dioceses?

1. In answering the first question proposed by our reverend correspondent, it is necessary to distinguish the different classes of diriment impediments that may exist. Of these some are, of their own nature, common to both the contracting parties; so that they cannot be contracted by one without being communicated to the other. Impediments of Consanguinity or of Affinity, for instance, obviously belong to this class. Other impediments are purely personal, and may, therefore, be peculiar to one or other of the contracting parties. Such, for instance, is the impediment of *Votum* or of *Ordo*. In this latter case, it may happen that each of the parties has contracted a purely personal impediment. Each, for instance, may have made a vow of chastity.

2. Again, we must distinguish between the two classes of faculties which a Bishop may exercise in granting a dispensation. For, although Bishops cannot dispense in diriment impediments *potestate ordinaria*, inasmuch as these

impediments have been established by superior authority, still they can dispense in occult impediments, in cases of necessity, when certain conditions are present, by virtue of a *quasi ordinary* power that is inherent in their office.

The reason is well and briefly put by Reiffenstuel (Append. ad lib. iv. decret. § 11):—

“Ratio petitur ex pastoralis officio Episcopi, quod requirere videtur, ut possit animabus concreditis, urgente gravi necessitate, subvenire . . . ratio etiam ex eo, quod urgente necessitate, potest in casu particulari, saltem pro foro conscientiae, dispensare contra Sacros Canones, imo et contra Concilium Generale . . . accedit longaeva Episcoporum consuetudo, quae contra legem ecclesiasticam praescribit, ac etiam jurisdictionem tribuit.”

But the fundamental reason is supplied by Van de Burgt, after quoting the above extract: “hisce rationibus addi potest ratio fundamentalis, videlicet, tacita concessio Summi Pontificis.” Pars. iv. cap. i. n. 131.

3. By virtue of this *quasi ordinary* power, Bishops can dispense, not only in *doubtful* impediments, but also in *matrimonii contrahendis pro foro conscientiae*, where the impediment is certain, provided:—

(a) That the impediment is one in which the Holy See usually dispenses.

(b) That the impediment is *occult*.

(c) That marriage cannot be postponed without very grave inconvenience.

(d) That the dispensation cannot be obtained from the Holy See in sufficient time to obviate the inconvenience.

4. In *matrimonii contractis* a Bishop may also exercise this *quasi ordinary* power, provided:—

(a) That in contracting the marriage there has been *bona fides* on one side at least.

(b) That the marriage has been celebrated with the prescribed solemnities.

(c) That the parties cannot be separated without grave inconvenience.

(d) That a dispensation cannot be immediately obtained from the Holy See.

(e) That the impediment is *occult*.

5. Now from this *quasi ordinary* power, which a Bishop enjoys by virtue of his office, we must distinguish the *purely delegated* faculties, which he receives on the occasion of his appointment to his See, or which he may subsequently obtain. These faculties are more or less extensive, according to the particular *Formula* in which

they are contained.¹ The faculties of our Irish Bishops are contained in the *Formula Sexta*.

6. It may not be uninteresting to some of our readers to transcribe the faculties this *Formula* usually contains for matrimonial dispensations.

1. "Dispensandi in 3^o et 4^o [consanguin. et affin.] simplici et mixto tantum in contrahendis; in contractis vero etiam in 2^o simplici et mixto dummodo nullo modo attingat primum gradum, cum his qui ab haeresi convertuntur, et in praefatis casibus prolem susceptam declarandi legitimam.

2. "Dispensandi super impedimento publicae honestatis justis ex sponsalibus proveniente.

3. "Dispensandi super impedimento criminis, neutro tamen conjugum machinante, et restituendi jus amissum petendi debitum.

4. "Dispensandi in impedimento cognationis spiritualis praeterquam inter levantem et levatum."

7. Now, if the impediment be common to both the *sponsus* and *sponsa*, as, for instance, if they are related to each other within the forbidden degrees of Consanguinity or Affinity, and if the Bishop in dispensing exercises his purely delegated powers, as he always does, except in cases of necessity, where the conditions already enumerated are present, there can be no practical doubt that it is *not* necessary to have recourse to each of the two Bishops for a dispensation. Either the Bishop of the *sponsus* or the Bishop of the *sponsa* can grant the necessary dispensation for both; but a legitimate and reasonable custom has determined that the dispensation should be obtained from the Bishop of the *sponsa*.

8. The reason of this is, that in granting the dispensation the Bishop exercises faculties delegated to him by the Supreme Pontiff, who has supreme jurisdiction over both contracting parties, no matter to what particular dioceses they may belong.

In support of this opinion, now universally adopted, may be cited a decision of the Sacred Penitentiary, dated 4th September,, 1839:—

"Quilibet Ordinarius agendo cum facultate non Ordinaria, sed a Sancta Sede, absolute, simpliciter, et absque ulla conditione delegata, dispensando cum suis dioecesanis, potest dispensare super aliquo canonico impedimento, etiam in casu in quo una persona ab

¹ There are, or were, in use ten different *Formulae*. The lower the number of the *Formula*, the more extensive the faculties it contains.

impedimento ligata, est suae dioecesis, altera vero, alienae, quia ea facultas a Papa procedit, et sublato impedimento ex una parte cum qua dispensare valet, etiam pars altera libera evadit, quum ligamen non amplius inter utramque partem jam existat.”

9. Towards the close of the last century, a clause in which the necessity of having recourse to each of the two Bishops was asserted, was struck out of the Decrees of one of our Irish Provincial Synods,¹ and was ordered to be expunged from the Statutes. Cardinal Antonelli writing to Dr. Troy, who was then (1782) Bishop of Ossory and Administrator of Armagh, says:—

“The fourth resolution, however, cannot be softened by any interpretation. That resolution prescribed that every dispensation, in prohibited degrees of relationship, should be granted by the Ordinary of each of the contracting parties. And yet the Bishops ought to have reflected, that relationship being a bond which affects two persons, and prevents them from contracting marriage one with the other, the moment one of these persons becomes free from this bond, the other, by a necessary consequence, is also set at liberty, it being impossible that one can be free whilst the other remains bound.

Whenever, therefore, the bond of relationship between a man and a woman has been removed by lawful authority, either of the Holy See or of one of the Ordinaries, no second dispensation is required, nor is it necessary to have recourse to the other Ordinary to obtain such dispensation.” (For the original see the IRISH ECCLESIASTICAL RECORD, for May, 1865.)

10. Secondly, if the dispensation is granted by virtue of the *quasi ordinary* faculties which a Bishop enjoys, although there is still some controversy on the matter, still it seems to be a solidly probable opinion, that even then it is not necessary to have recourse to more than one of the Bishops concerned. The reason given by the Sacred Penitentiary, at the close of the decision already referred to, adds considerable weight to this opinion: . . . “et sublato impedimento ex una parte cum qua dispensare valet, etiam pars altera libera evadit, *quum ligamen non amplius inter utramque partem jam existit.*” The letter of the Cardinal Prefect of Propaganda to Dr. Troy is even more explicit in favor of this view.

11. Thirdly, if the impediment be of a purely personal character, and hence peculiar to one or other of the contracting parties, the dispensation should, of necessity, be

¹ This meeting of the Suffragan Bishops of the Province of Armagh was held at Drogheda, on the 8th and 9th August, 1781.

As the requisite solemnities were not observed, Propaganda refused to recognise it as a Provincial Synod properly so called.

got from the Bishop of the person who has contracted the impediment. Should it so happen that both the *sponsus* and *sponsa* have each contracted such an impediment, then the Bishop of each must be applied to for a dispensation.

12. It is almost unnecessary to add in conclusion, that in this whole matter attention must be paid to custom legitimately established, and to any arrangement that may have been entered into by the Bishops of a nation, or of a province, regarding such dispensations.

ED. I. E. R.

[We find it necessary, owing to pressure on our space, to postpone the answers to the remaining questions. A paper received from the Very Rev. Canon Bourke in reply to an article which appeared in our last number, must, we regret, be held over for the same reason.]

LITURGICAL QUESTIONS.

I.

The Custom of Fixing a Chalice in the Hands of a Deceased Priest during the Exequiae is tolerated.

REV. SIR—What is to be thought of, the custom, which prevails in many parts of our country, of fixing an empty chalice in the hands and on the breast of a deceased priest, when he is laid out for the obsequies before burial? During my college course I was present at the funeral offices of more than one of my superiors, and on those occasions this rite was not observed.

Our respected correspondent is, we presume, aware of the provisions of the Roman Ritual for the "laying out" of deceased ecclesiastics. It enjoins that they should be habited in the dress of their order, before they are brought to the church for the Exequiae. Thus the priest is to be vested, as for Mass, in soutane, amice, alb, cincture, maniple, stole, chasuble and birretta; the deacon and subdeacon in dalmatic and tunic, respectively, over the other vestments worn by them at High Mass; and the other clerics in soutane, surplice and birretta. There is no reference to the use of the chalice, missal, or any other emblem of their office; the Ritual speaks of the vestments only. The college practice to which he refers is, then, in strict conformity with the directions of the Roman Ritual.

But what is to be thought of the custom to which he refers. May it be continued?

It cannot be considered out of place to state that this custom is not peculiar to Ireland, and is by no means of recent origin. Amalarius,¹ quoting Bede, states that St. Cuthbert was laid out "habited in his priestly vestments, and having on his holy breast the 'oblata' or chalice;" and it is related, on the authority of Surius, that the body of St. Birinus was found "with the chalice placed on his breast." The custom is mentioned by most of the older writers on this subject, such as LAVORIUS, SARNELLUS, CAVALIERI, BARUFFALDUS and others. Moreover, it is plain from their writings that, besides fixing the chalice in the hands of the deceased priest, it was also the custom to place a missal at his feet.

Sarnellus condemned the custom as opposed to the rubrics, and attended with irreverence to a sacred vessel that was connected so intimately, as the chalice is, with the Sacrifice of the Mass. He quoted from the Council of Auxerre, which forbade the use of the altar-cloths to envelop the bodies of deceased priests, and he drew from this fact an *a fortiori* argument.

On the other hand, Cavalieri defended the custom. It is not, he says, opposed to the custom, but only an addition to them: "non contra sed praeter legem." It is a laudable custom, inasmuch as its object is to testify respect for the priestly character by pointing out, by means of its most distinctive emblem, the highest and noblest duty of a priest. He met the objection of irreverence by suggesting that a wooden chalice might be used, and he quotes with approval Beyerlinck, who states that it was formerly the practice in Belgium to use for this purpose chalices made of glass or wax or some plastic material. As to the legislation of the Council of Auxerre, he says that it refers to altar linen which was to be used again in the celebration of Mass. This would be manifestly irreverent, and not without danger of communicating disease.

The opinion of Cavalieri was approved by the Sacred Congregation in 1846, which decided that the custom may be tolerated. The case submitted to the Congregation was the following:—

"Cadavera sacerdotum in hac diocesi deferuntur induta paramentis sacerdotalibus, atque in manibus habentia calicem cum patena intra cuppam elevata. Sunt qui contradicunt, volentes

¹ Apud Cavalieri, *De Sepultura Ecclesiastica*. Dec. xix. 2, 3.

² *Ibid.*

quod cadavera sacerdotum perinde ac cadavera laicorum habeant duntaxat manus ante pectus conjunctas, interque digitos parvam crucem cum imagine Crucifixi. Queritur an liceat consuetudo in hac dioecesi servata ponendi calicem cum patena in manibus cadaverum sacerdotum, dum a domo sua deferuntur ad ecclesiam. et in ea expleuntur exequiae, vel talis consuetudo eliminanda sit?"

S. R. C. resp.: "*Tolerandam esse utpote antiquitati conformem.*"
23 May, 1846 (5050).

It will be remarked, 1° that the Congregation does not require that recourse be had to the use of a chalice of wood, or glass, or plastic material, as suggested by Cavalieri, to escape from the alleged danger of irreverence; and 2° that the placing of the missal at the feet is not contemplated in the case put forward.

II.

Questions regarding the Tabernacle.

REV. SIR.—In O'Kane's admirable work on Rubrics, he mentions a decree of the Sacred Congregation, which "strictly prohibits a vase of flowers, or anything of the kind, to be placed immediately in front of the tabernacle" (p. 277, n. 609). May I ask whether the words, "anything of the kind," refer equally to an *altar-lamp*? And, if so, whether it would make any difference, if the feet of the lamp be so constructed that no part of the lamp would rest upon the altar-stone or relics? Also, whether such a prohibition is extended to vases of flowers, or lamps, placed before *side-altars*, in the tabernacles of which the Most Holy Sacrament does not repose? I believe the latter is often seen in churches.

1. The lamp of the Blessed Sacrament should be placed before the tabernacle, and not very far from it, so that persons, on entering the church, may easily recognise the altar where the Most Holy Sacrament reposes. The words of the Congregation of Rites are: "*lampadem esse retinendum intra et ante altare SS^mi Sacramenti, ut continuo ardeat.*" The word "*intra*" is directed against an abuse, which prevailed in certain churches, of placing the lamp at the remote end of the church, so as to serve a double purpose, namely, as a lamp to the Blessed Sacrament, and as a light to a room that was immediately connected with the church.

2. The lamp should be attached to chains hanging before the altar. The *Ceremoniale Episcoporum* thus describes how it is to be fixed: "*Hae (lampades) adhibendae sunt ante altare vel locum ubi asservatur Sanctissimum . . . quibus in locis lampadarios pensiles esse decet plures sustinentes lampades.*"

3. The Sacred Congregation of Rites issued a decree forbidding the placing of oil lamps directly over or on the table of the altar: "nec lumina nisi cerea vel supra mensam altaris, vel eidem quomodocunque imminencia adhibeantur." This prohibition is founded on the danger of soiling and staining the altar-cloth with the dropping of oil from lamps arranged in this manner. "Haud decet," writes Gardellini in his note on this decree, "ut in altari ad offerendam Deo immaculatam Hostiam erecto, in quo cuncta munda sint oportet, lumina ardeant ex oleo, cujus decidentibus guttibus, tobaleae supra mensam extensae sordidis persaepe maculis inficiuntur. Idcirco si lampades accendi velint in honorem alicujus sancti, cujus imago in medio altaris sita est, vel lateraliter extra mensam ponendae sunt, vel pensiles e conspectu altaris."¹ This prohibition, understood in the sense explained, manifestly regards all altars on which the Sacrifice of the Mass is offered, and has no special reference to the altar-stone or the relics of the saints.

4. The Congregation has declared it unlawful to place a vase of flowers, or anything of the kind, before the door of the tabernacle containing the Blessed Sacrament, in such a way as practically to shut out from view the little door itself. But it does not object to the use of flowers before the tabernacle, provided they are placed on a lower level, and in a more suitable place than the plane of the altar, in front of the tabernacle door. This is the decree to which O'Kane refers.

"An ante ostium tabernaculi SS^{mi} Sacramenti retinere possit vas florum, vel quid simile, quod praedictum occupet ostium cum imagine Domini Nostri in eodem insculpto?"

S. R.-C. resp. "*Negative, posse tamen in humiliore et decentiore loco.*"²

5. The Congregation has also prohibited the placing of the relics of saints before the door of the tabernacle, when they are exposed for the veneration of the people.³ In this and the previous case, the tabernacle is supposed to contain the Blessed Sacrament; and the prohibition does not apply to any others.

The clause, "anything of the kind" (*quid simile*), includes pictures, statues, or emblems that would be likely to divert attention from the Blessed Sacrament. We are inclined to think that it does not apply to a lamp; but, for the reasons given above, this is not the place for the sanctuary lamp.

¹ Note to Decree, 31st March, 1821 (4578). ² 22 Jan., 1701 (3575).

³ S. R. C. 6 Sept., 1845 (5033).

6. While we are engaged on this subject, it occurs to us that this is the suitable place to call attention to a few other decrees of the Congregation concerning the care of the Blessed Sacrament.

(a) It is forbidden to fix a light directly behind the Host, to make it appear the more brightly during the exposition of the Blessed Sacrament.¹

(b) It is forbidden to use the tabernacle, containing the Blessed Sacrament, as a base for the relics or images of saints.²

(c) It is forbidden to shut up in the tabernacle the relics of saints, or the holy oils, or the little glass containing the water in which the priest may have purified his fingers after touching the Blessed Sacrament, or the sacred vessels when purified, or anything, no matter how holy, except the vessels containing the Blessed Sacrament,³ and the corporal or pall on which these vessels rest.⁴

(d) It is forbidden to place on the altar, where the Blessed Sacrament is exposed, the relics or images of saints, or representations of the souls in purgatory.⁵

(e) It is ordered to cover the image or statue which may happen to be fixed over the altar on which the Blessed Sacrament is exposed for the *Quarante Ore*.⁶

III.

How to say the Confiteor, when two or more Priests recite the Office privately, "per modum chori."

I occasionally recite the Office in company with a brother priest. Ought we on these occasions to say the Confiteor twice, as is done in choir, at Prime and Compline?

You may recite the Confiteor twice, as is done in choir,

¹ "An liceat in expositione SS. Sacramenti lumen aliquod eo artificio collocare a parte postica sphaerae, ut recta illuceat in ipsam Sacratissimam Hostiam, quae exinde lucida appareat?"

S. R. C. resp. "Negative, et servetur instructio jussu S. M. Clementis, XI., PP., 21 Jan., 1705, 31 March, 1821."

² "An toleranda vel eliminanda sit consuetudo, quae in dies inualescit, superinponendi sanctorum reliquias pictasque imagines tabernaculo, in quo Augustissimum Sacramentum asservatur, ita ut idem tabernaculum pro basi inserviat?"

S. R. C. resp. "Assertam consuetudinem tanquam abusum eliminandam omnino esse." Ibid.

³ Rit. Rom. *De SS. Euc. Sac.* S. Cong. Episcop. 3 May, 1693.

⁴ *Quarti in rub. Missae*, p. 2. t. 2. sec. 4. Gardellini in Inst. Clemen. § v. n. 45. De Herdt.

⁵ Instructio Clementina.

⁶ Ibid.

but you are not obliged to do so. This is the meaning of the following decree:

“Cum duo vel plures officium divinum recitent, debentne ad Confiteor omittere verba illa, vobis fratres et vos fratres: misereatur tui et misereatur vestri, sicut quando unus tantum illud recitat.”

Resp. S. R. C. “Possunt et non debent.” 12 Nov. 1831.

IV.

Spy Wednesday and Low Sunday: the Origin of these Names.

In some places Wednesday in Holy Week is popularly called “Spy Wednesday.” I have never come across the word in any book. Can you inform me if such an expression is generally known, and what is its origin?

Another correspondent asks a similar question regarding the epithet “Low,” applied to the first Sunday after Easter, or Quasimodo Sunday.

Neither of these names is found in the works on Liturgy. They are old English names for the days to which they refer. “Spy Wednesday,” writes Dr. Brewer,¹ “is the Wednesday before Good Friday, when Judas bargained to become the spy of the Jewish Sanhedrim.” “Et ait illis: Quid vultis mihi dare, et ego vobis eum tradam? At illi constituerunt ei triginta argenteos. Et exinde quaerebat opportunitatem ut eum traderet.” *S. Matt.* xxi. 15.

“Low Sunday is so called,” says the same author, “because it is at the bottom of Easter, which it closes.”² “Low Sunday,” writes Orby Shipley, “is probably so called from the contrast between the high solemnities of the festival of Easter and the lesser rites of its octave.”³

V.

The “De Profundis” after Mass.

Is there any obligation to say the “*De Profundis*” after Mass? The Maynooth Synod speaks of it as a “*consuetudo pia*” only.

The saying of the “*De Profundis*” after Mass is not ordered by any Rubric. It is a practice brought in only by custom, and peculiar, we believe, to this country. But, then, it is a good custom, legitimately introduced and continued, and accordingly the Synod of Maynooth wishes that all Irish priests should observe it: “*consuetudines pias illas omni cura servandos et providas existimamus*” (*De cura Defunctorum.* n. 355.) Consequently we think that a priest is not free from fault who would omit it *pro libitu*.

¹ “Dictionary of Phrase and Fable.”

² *Ibid.*

³ “Glossary of Ecclesiastical Terms.”

The few following decrees of the Congregation of Indulgences relating to Scapulars are likely to be interesting and useful to our readers. We give them in reply to questions that have been sent to us:—

I.

A priest, who has received in the ordinary form the power of enrolling the faithful in the Scapular of Mount Carmel, can enroll himself also:

“Quidam parochus diocesis Camaracensis facultatem habet imponendi Scapulare B. M. V. de Monte Carmelo: quaerit a Sac. Congr. utrum sibimet illud possit imponere?”

S. Congregatio. resp.: “*Affirmative*, quatenus haec facultas habeatur indiscriminatim, minime vero taxative, e.g., pro aliqua Monialium communitate tantum, etc.”—7th Mar. 1840.

II.

The material for Scapulars must be composed of wool. Cotton or any similar material is not allowed:

“Utrum ad Scapularia conficienda necessario et exclusive adhibenda sit *materia ex lana*, vel utrum sumi etiam possit cylinum (cotton) aliave similis materia.”

S. Cong. resp. “*Affirmative ad primam partem. Negative ad secundam.*” 18th Aug. 1868.

III.

The Scapular must be a piece of woollen cloth, and not merely woollen thread worked by the needle into the form of a Scapular:

“Utrum vox *pannus, panniculus*, ab auctoribus communiter usurpata sumi debeat in sensu stricto, i.e., de sola lanea textura reticulata (lavoro di maglia, tricotage), an de quocunque laneo opere acu picto (ricamo broderie), adhibito tamen semper colore praescripto?”

S. Cong. “*Affirmative ad primam partem. Negative ad secundam.*” 18th Aug. 1868.

IV.

It is allowable to ornament Scapulars with other woven pieces or with needlework, even though the ornamentation be of a different colour from that of the Scapular. It is essential, however, that the necessary colour of the Scapular should predominate. The ornamentation need

not be worked in woollen thread; silk thread, or silver or gold, or thread of any other kind, is allowed:

1. "Utrum validum sit Scapulare ex panno laneo coloris praescripti, quod intexta vel acu picta habet *ornamenta* pariter ex lana sed diversi coloris?"

2. "Utrum validum sit Scapulare ex panno laneo coloris praescripti, quod intexta vel acu picta habet *ornamenta* ex materia non lanea, v.g., ex serico, argento, auro, &c.?"

S. Cong. resp. "Ad 1^{um} *Affirmative*, dummodo *ornamenta* talia sint ut color praescriptus praevaleat.

"Ad 2^{um} *Ut in praecedenti.*" 18th Aug. 1868.

V.

Scapulars should be oblong or square, in accordance with the custom hitherto observed in making them, and should not be changed into an oval or round or poly-angular shape:

"Hucusque generalis viguit usus conficiendi Scapularia formae oblongae, vel saltem quadratae. Nunc autem quibusdam in regionibus introducitur usus conficiendi Scapularia formae rotundae vel ovalis, imo et multangulae. Quaeritur itaque utrum alia forma praeter oblongam et quadratam obstet validitatis Scapularis?"

S. Cong. resp. "*Nihil esse innovandum.*" 18th Aug. 1868.

VI.

When many Scapulars are worn together (per modum unius), each Scapular must consist of two separate and independent pieces of woollen cloth; one lying on the breast, and the other between the shoulders. One piece of cloth, on which are ornaments either woven or worked by the needle of different colours to represent the different Scapulars, cannot be validly used for many Scapulars:

"Permultis in regionibus laudabilis viget usus a S. Sede approbatus gestandi per modum unius plura simul inter se diversa Scapularia, quo in casu variorum Scapularium panniculi alii alii superpositi duobus tantum funiculis assuuntur, ita tamen ut singularium Scapularium panniculi dependeant tam a pectore quam a humeris. Non raro autem haec Scapularia unita sic conficiuntur ut loco plurimum panniculorum diversi coloris, unicus tantum in utraque funiculorum extremitate panniculus habeatur, in quo conspicitur *ornamentum intextum*, vel *acu pictum* ex diversis coloribus ad significanda plura diversa Scapularia."

"Quaeritur utrum haec Scapularia sint valida?"

S. Cong. resp. "*Negative.*"

VII.

Many Scapulars may be validly connected with only one string. The Scapular consists of two pieces of woollen cloth; one of which must be worn on the breast, the other between the shoulders. It will not do to wear both pieces on the breast, or both between the shoulders:

“Presbyter quidem facultatem habens Scapulare B. M. V. de Monte Carmelo et Scapulare Caeruleum Conceptionis Immaculatae compluribus dedit personis. Quae duo Scapularia ita confecta et aptata fuerant, ut ambae partes unius Scapularis cum partibus alterius adunarentur, eademque chorda jungerentur. Per errorem vero ambo Scapularia ita male confecta fuerunt ut nullum constituerent determinatum Scapulare, binae enim partes ejusdem coloris ita componebantur, ut pars pectoralis nonnisi caerulea esset, et pars quae ad tergum descendebat nonnisi coloris lanaei vel viceversa.

“Unde Sacerdos Franciscus sequentium dubiorum supplex postulat solutionem:

1. “An Scapulare dictae formae pro utroque Scapulari valeat?”

2. “Nunquid supplendum; vel emendandum sit?”

S. Cong. resp. “Ad. 1. *Negative et ad mentem*: Mens est valere dummodo partes uniuscujusque Scapularis ita disponantur ut una ab humeris, altera a pectore dependeat, licet omnes uno funiculo connectantur.

“Ad. 2. *Provisum in primo.*” 29th Aug. 1864.

R. B.

CORRESPONDENCE.

I.—LETTER FROM THE BISHOP OF ARGYLL AND THE ISLES.

BISHOP'S HOUSE, OBAN, N.B.

Easter Monday, 1881.

REV. DEAR SIR—I have no wish to enter the lists against the learned Bishop of Ossory, especially in a field in which he justly enjoys so high a reputation. Still less would I seek to ignore or depreciate the great and lasting services which have been rendered by Irish Missionaries to the cause of Catholicity in the Highlands of Scotland. But I trust that I shall not be thought wanting in courtesy towards his Lordship, or in gratitude towards his countrymen, if I venture to dissent from certain statements put forward by him in two recent numbers of the RECORD.

In the issue for last February, there appeared a contribution from Dr. Moran on "The Fruits of Irish Faith in Modern Times," giving a detailed account of the manner in which the faith has been, in recent times, revived and spread in the south of Scotland, owing to the immigration of Catholics from Ireland. Towards the end of the article, a short paragraph is devoted (p. 74) to the Diocese of Argyll [and the Isles]; in which the following statement is made: "Even at the present day, if the Irish were withdrawn from this diocese, all its Catholics would find accommodation in a small room." The only natural inference from this statement, taken in its context, was that in this diocese, as in the south of Scotland, Catholicity had all but died out after the Reformation, and that what now existed of Catholicity in it, was almost entirely a recent importation from Ireland. On reading it, I lost no time in writing to the learned Prelate to correct what I knew to be a most unintentional misrepresentation. Perhaps I may be permitted to give a short extract from my letter:—

"Some of the mistakes are, after all, immaterial; but I think it worth while to make a short statement of the actual facts, which will cover the ground traversed in the paragraph in question. I shall keep as far as possible the same order.

"1. The Diocese of Argyll and the Isles comprises (a) all the islands (except the Cumbræes) lying off the west coast: these were all evangelized by Irish saints; (b) the County of Argyll; and (c) the southern half of Invernesshire.

"2. At the present day, the Catholic population of this diocese is almost entirely native, i.e. Highland. The County of Argyll is an exception; yet even in it there is a native congregation, at *Glencoe*, of fully 150 souls; and of our small congregation at *Oban*, about one-half is made up of Highlanders. In *Invernesshire*, the missions of *Lochaber*, *Badenoch*, *Moidart*, *Arisaig*, and *Morar*, are all peopled with native Highland Catholics, to the number, in all, of about 2,700 souls. In *Eigg* and *Canna* there are about 200 Catholics, all natives. Between *Barra*, *South Uist*, and *Benbecula*, in the outer Hebrides, there are about 6,000 native Catholics. Putting the whole Catholic population of the diocese at 10,500, the Irish element (found almost entirely in Argyllshire) will not amount to more than 1,300 at most.

"3. The dimensions of our Cathedral (such as it is) are 60 feet by 28 feet.

"4. My worthy assistant, the Rev. Michael Sheehan, recollects no excursion made by him to any islands, except one visit to *Kerrera* (just outside *Oban Bay*), and another to *Mull*. The latter island is regularly attended, and has always been, by the priest most conveniently situated for the purpose Altogether, between *Mull* and *Kerrera*, Father Sheehan came in contact with three Catholic families only, and all these three were Highland.

"5. There is no Catholic family, as far as we know, in Iona. There is, however, a respectable Irish family in Tyree, of the name of Slaven, and it is it, probably, which is intended. This family has been regularly visited, once or twice a year, by the priest of Morvern, the Rev. D. M'Kay."

Dr. Moran, in the next issue (March) of the RECORD, makes a brief acknowledgment of my letter, and adds, what all must feel to be quite unnecessary, that he had no wish "to disparage in the least the merits of these brave Highlanders whose devotedness to the faith, amid so many persecutions, is beyond all praise"—(p. 181).

Apparently his Lordship concedes that the Catholicity of the West Highlands at the present day, is not an instance of the "Fruits of Irish Faith in *Modern Times*," in the same sense as the Catholicity of the south of Scotland. He considers, however, that from another point of view, it is still "an illustration of the steadfastness, and the fruitfulness of the Irish Faith." For it is proved (his Lordship alleges) by Mr. Skene, in his introduction and notes to the Gaelic Poems of the Dean of Lismore's collection, "that all the families known as Highlanders, in the Isles and in Argyll, are a comparatively recent Irish colony."

Now, I have consulted the authority to which we are here referred, and I beg respectfully to submit that, speaking of the present Diocese of Argyll and the Isles as a whole, Mr. Skene's authority is altogether against the view expressed by Dr. Moran. From the "Introduction" in question I gather:—

1. That the present County of Argyll, and the islands opposite it, Mull, Islay, Jura, &c., were, indeed, permanently occupied by the Scots from Ireland, early in the sixth century. The mainland and islands north of these still continue to be inhabited by the native "Cruithne."

2. In the ninth century we find the two populations united into one kingdom, under a Scottish dynasty. "Of the events which brought about this great change" (Skene says) "authentic history tells us nothing."—(Intro. p. xxvii.) He considers it, however, most improbable that the change of dynasty was accompanied by a displacement of the original population.—(*Ib.* p. xxviii.)

3. In the islands north of Argyllshire, the element most largely blended with the native was, probably, the Norwegian.—(*Ib.* p. xxx.)

4. It is quite doubtful whether Somerled, Lord of the Isles, was of Irish extraction or not; but, admitting that he was, there is nothing to show that the population of the islands over which he held sway ever ceased to be, in the main, the descendants of the original natives.

5. Tradition says that on the marriage of a Lord of the Isles with a daughter of the great Irish house of O' Cathan, towards the close of the thirteenth century, twenty-four families followed this lady from Ulster to the Scottish Highlands, and founded as many

houses there. It is not stated in what part of the Highlands these families settled. I can find no further trace, in Skene, of the introduction, to any extent, of the Irish element into the West Highlands.

I trust I have not omitted any point of importance bearing on this subject. If I am correct in my interpretation of Mr. Skene's view, it follows that the only portion of the West Highlands and islands which can be said to have been occupied and colonized, or to any great extent blended with the Irish element, is the present County of Argyll, with the adjacent isles, and that the mainland and islands north of these continued to be inhabited by a mainly native population, with (in the islands) probably a considerable infusion of the Norwegian element.

Now, it is in Argyllshire, and the islands belonging to it, that the faith most completely died out after the Reformation. The districts which have always preserved the faith lie, almost without exception, north of the limit beyond which, according to Mr. Skene (*Introd.* pp. xxiv., xxvii.), the Scottish colony from Ireland never extended.

It is not my intention to attempt any sweeping inferences of a national character from the above statements. In the absence of more certain and detailed information, such deductions would, I think, be hardly justifiable. It is certain that the Highlands lie under a deep debt of gratitude to Ireland, first for St. Columba and his zealous followers, and next, for the devoted Missionaries, who, in later times of peril, assisted materially in keeping alive the faith in Scotland. All honour and praise to her for this! But I think that this is all that history asks us to admit. Ireland may well be proud of the part her children have taken in the spread and maintenance of religion in the Highlands, and she may leave to us the credit of acknowledging the value of the benefit conferred, and of proving our appreciation of it by the fidelity with which we have ever cherished it. Her children sowed the good seed; but the scanty records of our earlier history do not appear to show that they found it necessary also to import the fruitful soil.

In conclusion, the present Catholic population of this diocese will probably appear small to many, as it does to his Lordship. Yet we need not go back two centuries to find it numbering about 30,000 souls! To the unfortunate results of the rising of '45, and to evictions, persecution, and emigration, we owe it that Highland Catholics are not even more numerous in the Highlands at the present day.

I regret that my absence in a remote part of the diocese during nearly the whole of March made it impossible for me to write in time for your April number. Apologizing for the extent to which I have trespassed on your indulgence.

I remain, Rev. dear Sir, yours truly in Christ,

✠ ANGUS MACDONALD, Bishop of Argyll and the Isles.

II.—CONDITIONS REQUIRED FOR GAINING THE JUBILEE.

The Alms to be given.

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

In your short paper on the Jubilee in the last RECORD, you set down the condition as to alms as: *alms given for some pious purpose.*

In the Jubilee Bull the words are *pium aliquod opus*, which would seem to designate some work, or institution, or public charity, as distinguished from mere almsgiving to beggars. Am I to understand you as saying, that an alms given to a poor person would fulfil the condition? Your translation of the *pium opus* would, I think, indicate this: for the relief of a beggar is “a pious purpose.”

L.

[In reply to this practical query, we desire to state:—

1. That we translated the *pium aliquod opus*, mentioned in the Apostolic Letter, by the comprehensive expression “some pious purpose,” so as neither to exclude, nor to pronounce definitely on the sufficiency of alms given to a poor person, in order to comply with the prescribed condition for gaining the Jubilee.

2. We observe that there is a noticeable peculiarity in the form of expression used on the present occasion, as compared with former Jubilees. In granting the Jubilee for 1879, the words used by the present Pontiff were:—*et aliquam eleemosynam in pauperes VEL in pium aliquod opus, prout unicuique devotio suggeret, erogaverint.*

In the Jubilee proclaimed by Pius IX., in 1869, there was no alternative work proposed; the only exercise of charity mentioned regarded the poor exclusively. The words were:—*et pauperibus aliquam eleemosynam, prout unicuique devotio suggeret, erogaverint.*

But in regard to the present Jubilee, as we have already noticed, the expression used is:—*atque eleemosynae nomine in pium aliquod opus quidquam conferant.*

Comparing this with the other forms of expression, to which we have called attention, we may observe (a) that there is no alternative proposed; (b) that the act of charity is not designated *eleemosyna* simply, but is referred to as done *eleemosynae nomine*; and (c) it is required to be done not *in pauperes*, but *in pium aliquod opus*.

Moreover, the Holy Father clearly indicates the direction which he wishes the alms given during the present Jubilee to take, by naming three public works of charity, and earnestly recommending them to the consideration of the faithful.

It is obvious, therefore, that pecuniary aid, given to either of these works recommended by the Holy Father, or to any kindred charitable institution, will certainly suffice for gaining the Jubilee, and for removing all doubt about the proper allocation of the Jubilee alms. But, at the same time, we are not at all prepared to say, that alms, given to the poor privately, would not answer the same purpose. We believe that such alms constitute a *pium opus*; and we know that in former Jubilees such alms were either expressly stated, or held by common consent to be sufficient. We cannot hold, therefore, in the absence of some official declaration, that the manner of fulfilling this condition has been, on the present occasion, substantially altered.

But on this, as on all other points connected with prescribed conditions, the safest course the faithful can adopt is to attend to the instructions given by their respective Bishops in announcing the opening of the Jubilee.—Ed. I. E. R.]

DOCUMENTS.

I.—DECISIONS REGARDING THE JUBILEE.

[The following are the decisions of the Sacred Penitentiary to which we referred in our last number, in giving the conditions for gaining the present Jubilee. They were originally issued for the Jubilee of 1879, but they have been renewed and confirmed by order of His Holiness Leo XIII., for the present Jubilee. It will be observed that, as we anticipated before the re-publication of these decisions, the Indulgence of the Jubilee may be gained as often as the prescribed works are repeated, but the special faculties can be used only once, *i.e.*, the first time . . . *semel vero idest prima tantum vice quoad favores &c.*—Ed. I. E. R.]

EX S. POENITENTIARIA APOSTOLICA.

SACRA POENITENTIARIA INFRASCRIPTA DECLARATIONES, JAM ALIAS EDITAS OCCASIONE JUBILAEI ANNO 1879 INDICTI, ETIAM PRO JUBILAEO VERTENTIS ANNI 1881, DE MANDATO SSMI DOMINI NOSTRI LEONIS PPAE XIII. RENOVAT ATQUE CONFIRMAT.

I. Jejunium pro hoc Jubilaeo consequendo praescriptum adimpleri posse etiam tempore quadragesimae, dummodo fiat extra dies in Litteris Apostolicis exceptos et adhibeantur cibi tantum esuriales, vetito usu, quoad qualitatem ciborum, cujuscumque indulti seu privilegii etiam Bullae Cruciatuae.

II. Christifidelibus cum Capitulis, Congregationibus, Confraternitatibus, nec non cum proprio Parocho, aut Sacerdote ab eo deputato, Ecclesias pro lucrando Jubilaeo processionaliter visitantibus, applicari posse ab Ordinariis Indultum in Litteris Apostolicis iisdem Capitulis, Congregationibus etc. concessum.

III. Una eademque Confessione et Communionem non posse satisfieri praecepto paschali et simul acquiri Jubilaeum.

IV. Jubilaeum quoad plenariam Indulgentiam, bis aut pluries lucriferi posse, injuncta opera bis aut pluries iterando; semel vero, idest prima tantum vice quoad favores eidem Jubilaeo adjunctos, nempe absolutiones a censuris et casibus reservatis, commutationes aut dispensationes.

V. Ad injunctas visitationes exequendas designari posse etiam Capellas et Oratoria, dummodo sint publico cultui addicta et in iis soleat Missa celebrari.

VI. Visitationes ad lucrandum Jubilaeum indictas, dummodo praescripto numero fiant, institui posse pro lubitu Fidelium sive uno sive diversis diebus.

VII. In hoc etiam Jubilaeo locum habere, sine ulla exceptione, resolutiones dubiorum ad ipsa s. Poenitentiarum pro Ordinariis Italiae editas sub dei 1 Junii 1869.

Contrariis quibuscumque non obstantibus.

Datum Romae in sacra Poenitentiarum die 25 Martii 1881.

A Card. BILIO Poenitentiarius Major.

Hip. Can. Palombi s. Poenitentiarum Secretarius.

II.—SALE OF SPURIOUS RELICS.

[We have been favoured with a copy of the following Document which has been recently sent to some of the Irish Bishops, warning them against the recognition of those spurious or unauthenticated relics from which a new development of modern infidelity is seeking to derive an iniquitous gain.—ED. I. E. R.]

ILLME ET RME DOMINE,

Vigésimus jam fere annus est, ex quo nullum beatorum martyrum corpus e coemeteriis romanis, quae Catacumbae dicuntur, in lucem extractum, piae fidelium venerationi, legitima auctoritate propositum est. Quapropter, licet penitentibus multis, ut sibi aliqua martyrum corpora concederentur, nullo modo piis eorum desideriis satisfieri potuit. Sed proximis his praeteritis annis, ejectis e suis aedibus tum viris religiosis, tum virginibus sacris, effectum est, ut plures ecclesiae diruerentur vel publicarentur, et Sanctorum reliquiae, quae jamdiu e coemeteriis extractae et arculis ligneis reconditae intra monasteriorum claustra vel sub altaribus delitescerant, una cum reliqua ecclesiarum suppellectile per Italiam publice venundarentur. Non defuerunt homines a fide alieni et vel ipsis infidelibus christiani homines pejores, qui spe

lucri eas emerent, earumque veluti monopolium constituere adniterentur.

Quod execrabile commercium statim ac innotuit Sanctissimo Domino Nostro Leonî XIII., Pontifici Maximo, venditores pariter atque emptores ab incepto deterruit eo decreto, quod ejus jussu sacra Congregatio Indulgentiis et sacris Reliquiis praeposita edidit die 21 Decembris anno 1878. Attamen, quae temporum perversitas est, homines pecuniae tantum inhiantes animaeque negligentibus, cum non amplius in Pontifice Maximo eam potestatem revereantur, qua a re tam nefaria coerceri potuissent, occulte ac majori studio ab incepto opere minime destiterunt.

Interim vero plures Christifideles, ignorantia hujus decreti, Dei et religionis amore ducti, recte se agere putantes si ex infidelium manibus reliquias Martyrum redimerent, arculas ligneas quibus illae continebantur, ingenti etiam pretio, sibi comparaverunt, easque ad lipsanothecam urbanam, ut probarentur, detulerunt. Earum igitur nonnullae veteres litteras authenticas secum afferebant, aliae autem iis prorsus carebant; omnes cum signis, tum ceteris indicîis, antiquitatis speciem praeseferebant. Instituto examine retentisque arculis, quae dubiae fidei visae sunt, quidquid iis continebatur in subterranea coemeteria delatum est. Ac dolendum profecto plures hujusmodi reliquias Romae emptas, quin ad iudicium deferrentur Cardinalis in Urbe Vicarii (qui solus de reliquiis in suburbanis hypogaeis veterum christianorum repertis, rite ac legitime judicare potest), in dissitas terras perlatas fuisse, ea forte spe ut ab exterarum regionum Episcopis probarentur.

Quum vero perditî homines ex hoc sacrilegò commercii genere, non modica lucra assequerentur, novam fraudem moliri coeperunt. Etenim arculas ad instar veterum et legitimarum, cum ossibus suppositiciis, cum signis ex antiquis expressis, ita composuerunt, ut legitimis similes essent; neque veriti sunt ipsas authenticas litteras eadem fraude et arte confingere, quo pacto plures in dolum induxerunt. Has insidias et fraudes non semper licuit detegere, imo timendum est ne ipsi sacrae lipsanothecae ministri, dolis irretiti, in falsariorum fallacias quandoque inciderint. Quapropter diligenti investigationi nunc acta conficiuntur, quibus inquiritur, qui sceleris auctores et qui illis adjutores fuerint. Interim ab ipso Pontifici Maximo munus mihi demandatum est monendi Episcopos, ut martyrum corpora, quae e romanis veterum Christianorum coemeteriis prodiisse dicuntur, quaeque utcumque recognita Ecclesiarum praesulibus nunc exhibentur, generatim suspecta habeant, neque fidelium culti proponi permittant, donec novis litteris moneantur qua ratione, circa ea, se gerere debeant.

Quae res cum magni momenti sit commendatur prudentiae Amplitudinis Tuae, cui fausta omnia ac felicia precor a Domino.

Datum Romae ex aedibus Vicariatus XVI. Kalend. Februar.
1881

Addictissimus servus. &c

A. CARD. VICARIUS.

NOTICES OF BOOKS.

I.—*Mrs. Ball; a Biography.* By the Rev. W. HUTCH, D.D.
Dublin: Duffy & Sons. 1879.

II.—*Life of Mother Frances Mary Teresa Ball.* By the Rev.
H. J. COLERIDGE, S.J. London: Burns & Oates. 1881.

The memory of Mrs. Ball is by no means likely to fade away in a few years. The great spiritual family to which she has given birth, the thousands of young girls in high and low station, whom the nuns of the Loretto Convents have educated, both at home and abroad, are not likely to forget the lesson of her noble life and eloquent virtues. But Mrs. Ball has, besides, been specially fortunate in her biographers; we have two lives, within two years, from men who are both accomplished writers, and are specially qualified for the task they have undertaken; and although we are convinced that Dr. Hutch's book contains a complete, accurate, and admirably written record of Mrs. Ball's life and labours, we dare say that the shorter and less detailed account in the limpid and graceful style of Father Coleridge will find numerous readers. Both biographers give us also a sketch of the life of Dr. Murray, the "Great Archbishop" of Dublin, who was the guide and zealous co-operator of Mrs. Ball in all her labours. Indeed, if Father Coleridge had devoted the whole book to the "Great Archbishop," whose life is still to be written, and leave Mrs. Ball's biography to Dr. Hutch, we should have gained much, and lost little. An account of the life and labours of that truly wise and gentle prelate, written by Father Coleridge, would be gladly welcomed by numerous readers.

Mrs. Ball was born in Dublin, in the year 1794, and at an early age was sent to be educated by the "Ladies of the Bar," at York, in England. It was an old convent of the Blessed Virgin Mary, that subsisted throughout the days of persecution. She was, however, summoned home at the age of fourteen, on the death of her father, but again returned a few years later to St. Mary's Convent to train herself in the religious "Institute of the Blessed Virgin Mary," with a view of founding a branch of that ancient Community in Ireland. She returned, August, 1821, to carry out her purpose, landing at Dunleary, on the very same day on which—

"The Fourth of the fools and oppressors called 'George'"

came to our shores. It is unnecessary to remind our readers of the labours, and the success that crowned the labours, of Mary Frances Ball. The noble cloisters of Rathfarnham, the convents of Navan, Bray, Fermoy, Gorey, as well as several others in Ireland, Canada, Africa, India, and Australia, are the lasting fruit of her prayers, and toils, and genius. The Loretto convent schools are the first in Ireland; this was known even before the Intermediate Examinations of last year proved it. Dr. Hutch bears eloquent testimony to the *solid, practical, and thorough*

education given by the Loretto nuns. This is precisely what is wanting, and what is not always to be had; not *mere* accomplishments, which are but the ornamental *fringes* of a good education, and are more likely to feed vanity than serve any useful purpose. We heartily congratulate the Loretto nuns on their success, as well as on the literary honours paid to their great and holy foundress; and we venture to express a hope that they will continue to labour successfully in this holiest sphere of highest utility, training up the daughters of Ireland to be gentle, and wise, and good, whether it be their lot to serve God in the school, the cloister, or the well-managed homes of happy families.

Evidence given before the Royal Commission on the Irish Land Act, by the Very Reverend Dr. WALSH, President of St. Patrick's College, Maynooth. Dublin: Gill & Son, 1881.

THE political and social questions which Dr. Walsh's most interesting and timely Pamphlet is sure to suggest to the mind of every thoughtful reader, we leave to others to discuss.

We have to notice it only in as far as it contains a statement of facts in which every well-wisher of our National College will take a deep interest. A simple enumeration of its contents will be sufficient to show at a glance to what a wide circle of readers it appeals at the present moment. It contains:

1. An Introduction setting forth the circumstances connected with its publication.
2. The Evidence given before the Land Commission of which Lord Bessborough was chairman. This evidence principally regards the eviction of the Trustees from the College farm, but necessarily deals with various incidental questions of vital importance.
3. A Copy of the Leinster Lease, which by this time has acquired such unenviable notoriety.
4. Some Letters addressed to the *Freeman's Journal*, relating to the evidence, and to questions growing out of it.
5. A decisive and crushing reply to the Thirteen Statements contained in the "rebutting" evidence of the Duke of Leinster's Agent—Charles R. Hamilton, Esq.

For obvious reasons, we are anxious to be as moderate in our praise of Dr. Walsh's Pamphlet as possible, but we feel bound to say that under each of these five heads will be found matter that may well command the earnest attention of every man who wishes to see the hereditary feud between landlord and tenant extinguished, and the reign of law and of social progress re-established in Ireland.

Catholic Sermons. By Rev. J. B. BAGSHAWE.

WE ask the attention of our readers to these Sermons. As a rule, "Sermons" are not very pleasant reading. They suggest the idea of a ponderous volume written in a cumbrous or stilted style, and smelling strongly of the midnight oil. They bear the same relation to the spoken word, that the richly furnished but close

and stately chamber does to the open, green, and exhilarating fields. No wonder, therefore, that they are not much in favour. But in Father Bagshawe's Sermons all this is changed. Instead of a ponderous volume, we have a weekly serial which costs but one penny. Instead of a stilted style, we find the matter printed, apparently just as it was, or would be spoken.

The first number of this very interesting serial was published on the 18th March, 1881. It contains a general introduction to the COMMANDMENTS, which are to form the subject of many future numbers.

We heartily recommend this short but practical publication to priests and people alike.

We have received for Review the following Books, which we shall notice in some of our future early numbers:—

From FRIEDRICH PUSTET—

Rituale Romanum PAULI V. Pont. Max. Jussu Editum et BENEDICTO XIV. auctum et castigatum.

Cui novissima accedit Benedictionum et Instructionum Appendix. Editio secunda accuratissima, a Sac. Rituum Congregatione adprobata. Ratisbonae, 1881.

Officium Majoris Hebdomadae, a Dominica in Palmis usque ad Sabbatum in Albis juxta Ordinem Breviarii et Missalis Romani cum Cantu pro Dominica Palmarum, Triduo Sancto et Paschate. Quam curavit S. Rituum Congregatio. Ratisbonae, 1881.

Psalmi Officii Hebdomadae Sanctae, quos Meditationum et Ferialium Initiis distinctis in Psallentium usum edidit JOSEPH MOHR. Ratisbonae, 1881.

From BURNS & OATES—

Spiritual Exercises of St. Ignatius, for general use. New Edition. London, 1881.

Life of St. Frederick, Bishop and Martyr. By FREDERICK G. MAPLES, Missionary Apostolic. London, 1881.

Among the Lilies, and other Tales, with a sketch of the Holy House of Nazareth and Loretto. By EMILY MARY SHAPCOTE, Tertiary of St. Dominic. London, 1881.

The Confraternities—their Obligations and Indulgences. By Rev. W. J. B. RICHARDS, D.D., Oblate of St. Charles. Second Edition. London, 1881.

From GILL & SON—

The Outcome of Land Reform:—The happy Peasant Proprietors of Europe. By Very Rev. HENRY E. DENNEHY, Canon of Cloyne.

The Jubilee of 1881:—Instructions and Devotions. By Sister M. FRANCIS CLARE.

Evidence given before the Royal Commission on the Irish Land Act. By the Very Rev. Dr. WALSH, President, Maynooth.

From BROWNE & NOLAN—

Lina: An Italian Lily. Translated from the French of Mrs. AUGUSTUS CRAVEN, Author of the "Récit d'Une Sœur." By The Hon. FEDERICA SPRING RICE.

THE IRISH ECCLESIASTICAL RECORD.

JUNE, 1881.

WHAT FORCE HAVE INFORMAL WILLS IN CONSCIENCE ?

THIS is an interesting and very practical question, which has been often asked, and not always satisfactorily answered; and missionary priests would do well to endeavour to solve it for themselves, when occasion arises, on clear and definite principles. Yet there is very great diversity of opinion on the subject even amongst theologians of the greatest name; hence we venture, with some hesitation however, to offer a practical solution.

A will has been defined by the Roman lawyers to be :— “*Voluntatis nostrae justa sententia de eo quod quis post mortem suam fieri velit;*” that is to say, it is the authentic expression of a man’s last wish regarding the disposal of his property after his death. The word “*justa,*” which we have translated “*authentic,*” may be understood either of the *legally* authentic, that is, formal will, or, in a wider sense, it may be taken to include the genuine and authentic expression of the testator’s last wish, regarding the disposal of his property, even when not executed with the legal formalities. It is in this wider sense we are to understand the word for the present.

The legal formalities required by our municipal law, as it stands at present, are very simple, although mistakes are sometimes made even in these formalities.

1. The will must be *in writing*; except in the case of wills made “by mariners at sea or soldiers in actual service.”

2. It must be *signed* by the testator, or the signature, if previously made, must be *acknowledged* by the testator as

the signature of his last will and testament, in the presence of two or more witnesses present at the same time.

3. The witnesses must themselves *sign* the will in presence of the testator, and (at least for caution sake) in presence of each other.

No particular *form* of attestation is necessary, provided it appear on the face of the document that the persons signed their names as witnesses to the will. Hence the word "witnesses" before their names would be sufficient for the validity; but it is always safer to add a clause of attestation to this effect:—"Signed, published, and declared by the said A. B. as and for his last will and testament, in presence of us, present at the same time, who at his request, in his presence, and in presence of each other, have hereto subscribed our names as witnesses."

As to the *position* of the testator's signature, by the 15 & 16 Vict. c. 24, it is enough if "it be placed *at or after or following or under, or beside, or opposite to* the end of the will, in such a manner that it shall be apparent *on the face of the will*, that it was intended to give effect by such signature to the writing signed as the will; but this signature is not sufficient to give effect to any disposition *underneath or following it, or inserted after* the signature is made."¹

Codicils must be executed with the same solemnities as the will itself; and the instrument once duly executed is revocable only by (a) *the marriage* of the testator or testatrix; or (b) by the execution of a new will of later date;² or (c) by the burning, tearing, or other destruction of the will (*animo revocandi*) by the testator himself, or by some other person *in his presence* and by his direction. A case has been recently decided, in which the court gave effect to the dispositions of a will that was admitted to have been destroyed by order, but not in presence, of the testator.

The question now arises, if we have the authentic expression of the testator's last will, regarding the disposal of his property after his death, but legally invalid, from the non-observance of one, or more, or all, of these formalities, what force, if any, has this informal will in conscience? The greatest theologians are divided in answering this question; and in order to understand this diversity of opinion it is necessary to bear in mind that there is another question, on the answer to which the solution of this mainly

¹ Stephens, chapter 20th, note page 599 (eighth edition).

² Or other instrument executed like a will, and revoking the former one.

depends, namely—in virtue of what law has a man the right of disposing of his property after his death? We shall discuss this last question in the first place.

I. What law gives the right of disposing of property by will?

Some canonists and theologians declare that we enjoy this right by the natural law;¹ others² of great name derive it from the civil law; and consequently with us it would be derivable from the municipal law of these realms. Haunoldus is very strong in favour of this opinion, declaring that it is “*simpliciter vera*.” A third party takes a *via media*, and derives the right of making a will from the *jus gentium*; which is true, this far at least, that it is a right recognised and conceded by all nations that have had any pretensions to civilization. We cannot enter into this discussion, first, because it is of very little practical importance; and, secondly, because we think that while apparently differing from each other, the three parties are very much in accord on the main question, at least for all practical purposes.

Regarding the first opinion it is clear that the natural law, strictly speaking, cannot give this right, and for a very obvious reason. Property is not transferred by will until a man is dead; hence a testator, whilst he is living, does not wish his property to pass from him, and when he is dead, he is incapable of dominion, and therefore of transferring it. “*Vivens non vult, et mortuus non potest, dominium transferre*.” Some *positive* law therefore is necessary to enable a man by his act, whilst living, to give effect to any disposition of his property after death.

Now this positive law cannot be the municipal law of any nation; the municipal law may restrict and regulate the exercise of this power for the public good, but it cannot abrogate it, and therefore never granted the substantive right; and its attempted abrogation would be invalid, because fatal to the welfare and happiness of society. It is therefore independent of (as far as the substantive right is concerned), and anterior to the municipal law; its roots are fixed in the soil of society itself. When men began to form states it was found by experience that the peace of families, and the general good, required that industrious men should have this power of disposing of their property. Otherwise they should either transfer it during life, and

¹ Molina, Vinnius, &c.

² Haunoldus, Zallinger, Schmalzgrueber, &c.; with some restrictions however.

thus reduce themselves to beggary, or a general scramble would take place for a man's goods after his death, at least when he had no definite heir to succeed him. Either alternative would be disastrous to the best interests of society, and hence we say this power of making a will is derived from the law of nations.

“Est autem hoc jus gentium minus proprie dictum; quia ad jus gentium proprie dictum, ea duntaxat pertinent quae gentes servare tenentur inter se (international law), et quae omnium, aut fere omnium, gentium usu ad earum commune bonum et felicitatem promovendam, recepta sunt.¹ Atqui testamenti constructio, licet plerumque gentium moribus recepta sit, ipsam tamen communis boni et felicitatis promotionem, et societatis inter eas conservationem immediate non respicit.”

The power of making a will therefore is entirely conformable to the natural law; the substantive right is directly traceable to the law of nations; the municipal law in the public interest can regulate the conditions of its exercise, but may not wholly abrogate the right, which is derivable from a higher source. We can now discuss with greater ease the second question:—

II. How far has an informal will any binding force *in foro conscientiae*?

It is admitted by most theologians that after the just sentence of the proper authority declaring its invalidity *in foro externo* the will can have no force in conscience. For the law requiring the observance of certain solemnities is both just and necessary, hence when the law pronounces its judgment in any particular case, the parties are bound in conscience to give effect to the sentence. The legatee under an informal will must in all cases hand over the legacies to be distributed according to law by the administrator, and cannot under any circumstances, when the sentence is a just one, make himself occult compensation.

The question then is not what force has the informal will *post*, but *ante sententiam*. As might be expected, the theologians give different answers to this question, according to their different notions about the nature of the will.

Those who hold that it transfers property by the natural law will consequently hold, that the instrument, informal merely by municipal law, really transfers the dominion in

¹ Schmalzgrueber. In Lib. 3, Decret. De Test. n. 5.

all cases until the law declares the contrary by its sentence.¹ Hence, if this opinion were true, even a son disinherited by an informal will would be bound to give up the property of his father to the legatee although a stranger, at least when there was an authentic instrument which he knew expressed the testator's *real* will, and had not been yet declared to be invalid by competent authority.

On the other hand, there is the opinion of those who derive the testamentary rights exclusively from the municipal law, and who naturally hold that the will, if not executed with all the formalities of the law, is nothing but waste paper, and therefore if a man is certain of its invalidity he cannot even *ante sententiam* lay any claim to any property, even in his possession, by virtue of the informal will. This opinion, although speculatively probable, is not safe in practice.

The third opinion, adopted by Suarez and St. Liguori, applies the principle, *melior est conditio possidentis*, to the holders of the goods of the deceased, until the sentence of the law is definitely pronounced.² Hence, if the heir-at-law or the representatives of the deceased are in possession, they can hold the property with a safe conscience, until the judge declares in favour of a doubtful will, and grants probate of the same. On the other hand, if the legatee should happen to be in possession, or should obtain possession without fraud, or other injustice, as for instance, from the executor of an informal will, he can retain the property until the will has been declared invalid, by the proper authority; and if, from any cause, the case never comes before the court, he can act as lawful owner. Neither is the legatee or executor bound to give any information to the heir-at-law, or other representative, of their own defective title, under the informal will; let the interested parties find it out for themselves. Of course in this country, probate will not be granted, if the instrument is manifestly invalid on the face of the document; but sometimes probate has been granted when the will was, although apparently a valid instrument, really invalid, and known to be such by one of the parties, because, for instance, both witnesses did not sign in presence of the testator,

¹ Lugo seems to hold this opinion and to permit occult compensation even *post sententiam judicis*; but he merely quotes others and in reality holds that the will is of no force even *ante sententiam*.

² This opinion is also held by Sotus, Layman, Billuart, Pirhing, Gury, Ballerini, Croll, and several others.

or from some similar cause. This opinion is the safest in practice, and is well founded in reason and authority, besides having the advantage of leaving things as they are, until the law, when it is invoked, settles the controversy. We suspect it is the opinion that sensible men, no matter what their speculative views, always followed in practice.

But here a very important question arises—what is meant by this informal will in virtue of which *ante sententiam* the *bona fide* possessor can hold the property until the law declares the will invalid? Are any formalities necessary for this instrument? Must it be at least in writing, or must it also be signed by the testator and by the witnesses, so as to be apparently a valid instrument? The late learned Dr. Crolly of Maynooth, whose opinion on these questions is entitled to the greatest respect, declares very distinctly that the will, in order to have this force in conscience, must be *apparently* a valid will, and must have been regarded by the testator as valid; and he adds furthermore, that a manifestly invalid will has no force whatsoever in conscience.

“Suppono testatorem putasse testamentum minus solemne ratum et validum esse; quia si ipse scienter testamentum fecerit quod in foro civili nullum et irritum esse cognoverit, hoc nullo modo testamentum dici potest &c.” De Contr. n. 388. And again, n. 389. “Puto testamentum manifesto irritum nullam vim habere, ne in foro quidem conscientiae, *quia* praescripta, quibus observatis, testamentum prima facie in foro civili ratum esse censebitur, sunt *simplicissima*.”

With this very clear and emphatic opinion we are sorry to say we cannot agree. We venture to think that the principle, *melior est conditio possidentis*, applies not only to the apparently valid will, but to every *authentic* expression of the last will of the testator regarding the disposal of his property after his death. By *authentic* we mean, not only that it is the genuine expression, but also that it is capable of satisfactory proof; otherwise there would be no security against fraud. And it must be the expression of the absolute, ultimate, and efficacious will of the testator, not the mere expression of a future purpose, or conditional desire, not a *vellem* but a present *volo* to which he wishes, as far as he can, to give effect. We think an informal will, in this sense of the word, need not be an apparently valid instrument, nor signed by either the testator or the witnesses, nor reduced to writing at all, provided it is otherwise capable of proof. The reason is because, as we

have seen, the will really derives its power of transferring property from the *jus gentium*; now the *jus gentium* requires no particular solemnities beyond the authentic expression of the testator's wish. This is sufficiently evident from the great variety of legal solemnities employed at different times and in different places. The civil law required for a *testamentum clausum*, or written will, no less than seven male witnesses of the age of puberty, summoned for the purpose; and required moreover, that the testator subscribe the will in his own handwriting, or if not, that an eighth witness subscribe the name in his stead, and that all the other witnesses should afterwards subscribe *per se* or *per alios*. Yet for a *nuncupative* will the civil law only required seven legal witnesses to *hear* the testator declare his intentions by *word of mouth*, or assert that the written document was his will.

The canon law only requires the parish priest and two or more witnesses to the testator's *verbal* declaration, in order to make it a valid will, and even our municipal law, in the case of soldiers and sailors, admits the validity of a verbal will. The *jus gentium* therefore never required writing as a necessary condition of validity, but the laws of all nations required satisfactory proof of some kind regarding the disposition of the testator's property. It is not because the *volo* was expressed in writing, or signed by the testator or by others that it acquired, *jure gentium*, the power of transferring property, but because it was the genuine wish of the testator and provable as such. This may be illustrated by a case that actually occurred.

A dying man, after receiving the last Sacraments, emphatically expressed his will in the presence of the priest and several other persons, to leave his house and land to his illegitimate daughter, then married and living in the house. He was advised, for caution sake, to get a will duly made and executed to that effect, and actually sent for a clerk to write the will, but before his arrival the man became unconscious and died. The brother of the deceased was his heir-at-law, and, hearing that a will was made, at first took no steps to recover the property; but when he learned the truth, he at once took steps to eject the niece and her husband and family. Now was not that woman in conscience justified in remaining in the possession of the house and land as long as the law allowed her? And if her uncle had never learned the truth regarding the will, we think she could, with a safe conscience, continue in the

enjoyment thereof. Many similar cases might be made, in which the making of a formal will is omitted from ignorance, or from negligence, or from inability to have it made and executed in time; and yet in these cases we may have an authentic declaration of the genuine, absolute, efficacious *volò* of the testator. Whenever there is satisfactory proof of this will in the sense explained, we are decidedly of opinion that St. Liguori's principle applies, and that the parties in possession can, with a safe conscience, retain possession until the law decides against them.

It has been said that if there were a real genuine *volò* in the sense explained, the testator would take care to make a legal will. This, however, is by no means always the case. Like many other things, making a legal will is neglected until it is too late, the consequence is that there is no will of any kind, or some informal will is unduly executed, even when the testator is most anxious to have a formal will.

The reason assigned in the paragraph quoted above is, that a manifestly informal will should have no force in conscience, as the requirements of the law are *so simple*. They have not always been so simple, and they are not now so very simple for rude, ignorant people, many of whom cannot write at all, and very few of whom know how to make a valid will, simple as it is. Besides, the records of the law courts make it abundantly clear that, even in point of form, very intelligent people sometimes make grave mistakes in this matter, so that the lawyers have good grounds for toasting the memories of those who undertake to make their own wills. But really this is not the question, whether it is easy or difficult to make a valid will, but whether, by the law of nations, a will transfers property because it is a written document, or because it is the genuine expression of the testator's wish? We think the latter is the true reason. When all the legal formalities are not exactly complied with, the instrument can have no force in virtue of municipal law; whatever force it has is derived from the natural law, or from the law of nations, and, in regard to either one or the other, it is quite immaterial whether the will of the testator be written or not, provided it is genuine and provable. The natural law, or the law of nations, never required writing as an indispensable condition for ascertaining either one or the other of these points.

We therefore think an informal will has this force in conscience, that a legatee under the will can lawfully acquire or retain possession of his legacy, when no unjust means are resorted to, until the judge declares the will to be invalid; on the other hand, the representative of the deceased is not bound to yield possession of the goods to the executor or legatees until the will is proven to be valid, at least when he has any reasonable ground to question its validity. And by an informal will we mean the authentic expression of the genuine, ultimate, and absolute wish of the testator regarding the disposal of his property, whether destitute of any or all of the requisite legal formalities.

J. H.

GERALD BARRY AND HIS LATE EDITORS.—IV.

THE PROCEEDINGS BEFORE INNOCENT III.—THE EPISCOPAL ELECTION COMMISSION.

IT happens, that in reviewing the law proceedings of our author, in the course of his appeal to Rome, we shall be able to have but little assistance from our editor, and must have recourse to the tract *De Jure et Statu Menevensis Ecclesiae* itself. Mr. Brewer tells us in his first preface, that “the suit lingered on for four years, but it cannot be followed here in all its intricate minutiae.” We have no wish, certainly, to follow it in its minutiae; but, unfortunately, Mr. Brewer goes curiously astray, as we shall see, with regard to its main course. For the trial we cannot adopt the report he gives, as we have done with regard to the great interview between Innocent and Gerald. Far from merely requiring a rectification here and there, like his long story of the audience, his account of the trial needs a thorough fashioning anew. We will, however, lay before the reader his general complaint with regard to the legal proceedings in question, and examine afterwards how far it is borne out by the narrative on which he founds it, the account of facts left us by Giraldus himself, in the already many times mentioned Dialogue.

Mr. Brewer acknowledges in his preface to his third volume, the volume in which the Dialogue is printed, that—

“For a history of the main events in the life of Giraldus, and especially of his long and arduous struggle in defence of his own election, and the independence of St. David’s, this Dialogue is the most valuable of his writings.”

What general idea of the trial Mr. Brewer formed, had best be learned from his own words in his preface to his first volume. In his preface to the third, he makes himself the following statement:—

“In the preface to the first volume of these works, I have referred so fully to the second tract published in this volume, *Dialogus De Jure et Statu Menevensis Ecclesiae*, that little needs to be said here beyond what relates to the text and the MSS.”

To the first preface, consequently, we have recourse, and copy the words that there immediately follow the sentence already quoted about the “intricate minutiae” of the famous suit. The editor says:—

“It exhibited every phase of legal chicanery, such as the Roman court could alone exhibit in the thirteenth century, or an English Court of Chancery in its unreformed phase, when the original trunk can scarcely be distinguished from the rank tanglements of a vicious aftergrowth; and dilatoriness and delay arising from the dread of doing injustice, have passed into the worst forms of injustice.”

The reader will notice here, that Mr. Brewer is far from imputing the desire to do wrong wilfully, as the source of what he calls the legal chicanery of Rome. He believes, on the contrary, that the real source was in great measure the desire to do right; the fear of deciding unjustly. We really must acknowledge, and we are happy to have this opportunity of doing so, that it is no desire to misrepresent—nay, that is saying little—it is not even a desire to be able with truth to speak ill of Catholics, that appears to be at the bottom of Mr. Brewer’s strange misrepresentations. He seems quite as glad to say anything in our favour as against us. We read in a note to his first preface, with regard to the Roman cases of appeal:—

“It is not to be denied, that these disputes at Rome were productive of great good, in making churches and monasteries careful and scrupulous in the preservation of their charters, muniments, and local histories. Without these, the history of Europe for ten centuries would have been little better than a blank.”

In a note to the preface to his second volume, Mr. Brewer says of certain stories in his author:—

“These anecdotes are of importance, as showing the popular impressions of Church history before the Reformation. We have not much to boast of now, for they are scarcely more correct after five centuries. Modern prejudices are just as vulgar, and equally ill-founded.”

Our editor is clearly not one of those men who feel as if they had discovered a treasure, when they have laid hold of a story against Catholics. Our poor author, Giraldus, has many scandalous little tales that Exeter Hall orators (if there are still such men) might use with great effect, and that would, we fear, be welcomed¹ even by historians of the type of Dr. Mant; petty points, that would prove nothing for the main contention to a judge or a philosopher, but which a common-law advocate, or a mere controversialist, would ring the changes on with ridiculous delight. We are afraid that Gerald himself had much of the Nisi-Prius man about him; that, without exactly inventing things himself, he was ready to bring forward anything that made for his views, on very slender evidence indeed, and was terribly prone to exaggerate its importance and its drift. But Mr Brewer did not hold any brief against us. He was rather a kind of careless Gallio with regard to us and all our mediæval ways.

He had, no doubt, prejudices, but not animosity against our Church. He was, we are convinced, perfectly ready to do us justice, whenever he believed that justice was on our side. But he, in the nineteenth century, looked down so impatiently, and from such a dizzy height, on the far-off chasm and abyss of the Middle Ages, that he could really distinguish nothing nicely there, and could no more do justice to those distant times, than the first honest gentleman we chance to meet can safely undertake to administer Scotch law.

It is wonderful how helpless Mr. Brewer considered people in the Middle Ages to have been. He explains his views with regard to the Papal courts most fully and most amusingly of all, in the following passage of his first

¹ In the *Dublin Review* for April, 1880, Father Bridgett complains that, “In a chapter devoted to the state of the clergy in the time of St. Hugh, Canon Perry has gathered out of a treatise of Giraldus a long list of possible, or actual, abuses or irreverences committed against the Blessed Sacrament of the Altar.”

preface ; it occurs just before his compendium of Gerald's famous interview about the register with Innocent ; indeed, that whole interview is brought in by Mr. Brewer as an illustration of the difficulties of cases of appeal in mediæval times.

“ The prosecution of the suit was inexpressibly tedious, even for Rome.” [The reader will remember that, as we have already seen, Mr. Brewer says it “ lingered on for four years ; ” really not quite the length usually assigned to a case in Chancery “ in its unreformed phase.”] “ In that quarter, the genius of Innocent III. had neither attempted nor desired reform. Such delays were profitable to the Roman chancery ; but they might, and doubtless did, arise in a great degree from ignorance, on the part of the judges, of the rights of the litigants who appeared before them, and the difficulty of arriving at a just decision.”

Mr. Brewer now proceeds to submit to the reader a number of difficulties, for a solution of which, it seems to us, the reader might fairly have referred him to his lawyer, or even to an attorney's clerk. We set down his extraordinary difficulties in his own words :—

(a) “ How was it possible for the Papal court, or the Pope, to know the bearings of a case which turned not unfrequently on territorial or prescriptive titles ? ”

(b) “ How could they, at such a distance, summon, or even examine, the witnesses necessary for discovering the truth ? ”

(c) “ How decide on the value of the evidence tendered ? ”

(d) “ How could they even remember the names of the thousands of bishoprics, with their exemptions and non-exemptions, their intricate net-work of ecclesiastical jurisdiction, or local privileges, in the different parts of Christendom ? ”

We fear, now that we have copied this last question, that we had ventured to form too high an idea of the capacity of an attorney's clerk. The three first difficulties such an official could, of course, reply to, by explaining the usage of receiving depositions. He might possibly even go the length of suggesting that the Bishops, or even certain members of the inferior clergy, might, in different parts of the world, act in ecclesiastical cases as Commissioners for Affidavits. But the fourth question (d) would, we must admit, be too much, not only for a solicitor's clerk to answer, but even for any one, except a regular professor of mnemonics, who perhaps might be expected to declare that the whole long list might really be most easily remembered. Unfortunately, during the Middle Ages, the Papal courts had no professor of

mnemonics, and we are afraid they never got so far as to know glibly even the names of all the dioceses, much less the exemptions and the non-exemptions. What might have been a great deal more surprising to Mr. Brewer, even under our own constitution, down to our own century, we fear that no judge of the old Prerogative Court ever knew quite perfectly even the names signed to all the wills deposited at Doctors' Commons, together with the full amount of all the legacies due and lapsed, and the intricate net-work of all the settlements and inheritances involved.

It must be admitted that the old prejudice, *Littera scripta manet*, was strong in Rome as well as England; all courts of law have, indeed, been generally more famous for registers than mnemonics. We have already seen from Mr. Brewer that in the days of Gerald there was kept a register of bishoprics in Rome. Without it we believe that Innocent III. himself, with all his "transcendent genius," would have found himself at his wits' end, if required to repeat the names of all the dioceses. With it, the Pope seems to have got on, issuing summonses and commissions, admitting evidence brought forward, allowing it to be discussed and criticised, granting occasionally time for further testimony to be produced, on the whole pretty much as courts of judicature act to day. It was rather a surprise to us certainly to find of all men a Reader at the Rolls, as Mr. Brewer honourably entitled himself, appearing to lose sight of the possibility of records, appearing, moreover, to do so at the very time that he was going to speak of a Roman register; in fine, appearing to expect that, before a case has been regularly opened, judges should be acquainted with every thing that may be laid before them during its hearing, or established at its close.

We have now to turn from our editor's strange ideal of a judge, to contemplate the actual conduct of Pope Innocent in Gerald's suit, as Gerald himself describes it for us.

After the famous interview about the register, the first thing Gerald did about the claim of independence for the see, was to write and present an historical memoir on the subject. It is needless for our purpose to criticise this merely *ex parte* statement. The Pope having received it, and, as would appear from Gerald's words, heard it read, observed, as was proper, that Gerald must wait for his adversary to appear, and that then neither audience nor

justice should be denied¹ to Gerald. All this is dignified and kind, and what ought to be expected, and above all it is very intelligible. But what Mr. Brewer really thought about the business, it is decidedly a puzzle to make out. He tells us, on the faith of his own modern discernment, without the least authority from Gerald, that "the most effective part of the whole argument was an engagement undertaken by Giraldus, that if his petition were granted, and St. David's subjected immediately to Rome, the Welsh should freely submit to the payment of Peterpence," &c. From the word "effective" it should seem as if Mr. Brewer really believed that Innocent thought seriously of Gerald's case. From the way we have already seen Mr. Brewer represent the unlucky archdeacon as a kind of deluded live plaything of the Pope, we should have imagined that any notion of earnestness in Gerald's cause on the Pontiff's part, was considered by Mr. Brewer as a quite preposterous idea. Fortunately it is easier to know what the Pope did, than what exactly Mr. Brewer thought about it.

At last "the adversary" appeared. He was a cleric of Hubert Archbishop of Canterbury, the powerful Prelate who had, from the first, protested against Gerald's election to St. David's; but this cleric was the reverse of a plenipotentiary. He said nothing about the claim of independence, he was simply commissioned by the archbishop to explain to the Pope that there had been a new election for St. David's, when the royal assent had been refused to the election of our archdeacon. Even this he was only told to say in case he found Gerald at Rome. This was scarcely the kind of representative the Pope thought the archbishop should have sent to the trial of an appeal at Rome. The good cleric had fine presents, Gerald says, "ut creditur," from the archbishop to the Pope. But any presents he may have had, and from whomsoever he had them, notwithstanding, Innocent at once pronounced everything done in England against the election of the archdeacon, after the archdeacon had appealed to the Holy See, to be simply null and void. Turning to the archdeacon, who was present, he declared that if he did not soon hear some other message, he would, without fail, proceed to other measures. Mr. Brewer seems to have had no idea that in all this, Innocent, the great

¹ "Quibus auditis, Papa respondit, quoniam adversarius expectandus erat, qui cum venerit, audientia tibi justitiaque non negabitur."

Pontiff, who held the power of Rome so high, was anxiously asserting the rights of his tribunal of appeal. Mr. Brewer thought the Pope was only acting a part, soothing ambition with visionary mitres, or, if he was in earnest, could be so only in expectation of Peter-pence.¹

¹ It is to us very wonderful what a difficulty English Protestant writers seem to have about admitting that a pope acts from high theoretic principle. Even Mr. Gladstone, when he found himself accused of having misrepresented texts in his famous "Expostulation," replied, in "Vaticanism," that his summary account of them gave their real meaning, set forth in fact "what the Pope intended to condemn." He wrote with an air of slightly subdued indignation: "We are asked to believe that what the Pope intended to condemn was a state of things which never has existed in any country of the world." It appears then that Mr. Gladstone had positively a difficulty about admitting that the dogma-loving Pope could really set about condemning a state of things that did not actually exist. Even though that unreal state of things might be publicly maintained to be a worthy ideal, a proper aim for nations, Mr. Gladstone had still a difficulty about believing that the Pope's condemnation could be directed against it before it became an "accomplished fact." The mere defence of it as right in theory was something so very abstract that our minister was of opinion that the Pope could not have chosen to interfere therewith. So strongly does this strange idea seem to have taken possession of the illustrious statesman's mind, so clear does it appear to have been to him that popes exert themselves about material interests only, that he proceeded to really strange lengths; he allowed himself to bring forward in defence of his views a remarkable quotation, which if only completed would prove very plainly the direct contrary. The reader shall judge whether we exaggerate.

Mr. Gladstone continues his remarks about the Pope, as follows: "Now he," (the Pope) "says he is condemning one of the commonly prevailing errors of the time, familiarly known to the bishops whom he addresses "Probè noscitis hoc tempore non paucos reperiri, qui," &c. "Encycl. December 8, 1864." Really this quotation even in its unfinished state . . . "non paucos . . . qui" looks to an ordinary mind as referring rather to individuals than states, and would suggest that "the state of things" alluded to by the Pope as well known was that of doctrines becoming broached by not a few persons, rather than that of states formally and practically admitting objectionable principles of law. After the sentences we have quoted from Mr. Gladstone, which he himself unites without a single intervening word, he brings in immediately a final and triumphant sentence, where he quietly confounds the "state of things," in which "commonly prevailing errors" are merely broached, with the "State," [*sic*] in which such doctrines may be legally acted on; he cries out: "What bishop knows of a state which by law allows a 'perfectly free course to blasphemy, filthiness, and sedition'?"

Though bishops happen to know of no such "STATE," they surely, nevertheless, may know of a "state of things," in which it is publicly asserted that such a perfectly free course ought to be allowed by law. But, according to Mr. Gladstone, the Pope cannot have been talking of anything of this kind; he must have been speaking of a ruling State,

If the appeal was to go on at all, and to be seriously tried, it seemed natural that a commission should be issued to take evidence in England with regard to Gerald's disputed election. It could not be expected that everyone with important evidence on either side would come to Rome. Such a commission was accordingly issued. Evidence was to be taken in England in proper cases and reported by the Commissioners to the Supreme Pontiff.

All this appears very natural, but it was a great disappointment to our archdeacon. The truth is, that he had begun to hope strongly that the appeal for his election would not have to be tried at all. He tells us he had been told by a cardinal, who was a friend of his, that he had made so favourable an impression on the Pope, that His Holiness was quite determined to put aside the whole question of election, and out of the plenitude of his power appoint him Bishop of St. David's; thus exercising the prerogative which Mr. Brewer might have once himself heard of in the case of the appointment of our own Cardinal Cullen to our Primatial See.

Disappointment generally makes people cross, and our

where principles which he condemns are permitted by law to be regularly carried out in practice; the Pope cannot, according to Mr. Gladstone, have been treating of such slight things as mere doctrines publicly put forward! The philosophical statesman really shrinks from admitting that a pope cares about false principles as long as they are merely taught, the Pope's anxiety, according to him, would seem to be necessarily always about some very practical material interest, and the "state of things" known to the bishops can be nothing short of a sovereign State legalizing the realization in practice of the objectionable doctrines broached! There is a plain answer to all this. Cardinal Newman very gently and kindly remarks as to the "state of things," which the Pope says is known to the bishops, "I do not find anything to show that the Pope is speaking of States and not of writers." But in reality the verbs in the Encyclical which Mr. Gladstone leaves out after "*non paucos . . . qui*" are "*audent docere*," words which leave no doubt possible as to the "state of things" in question.

Just as Mr. Gladstone would not admit his contemporary Pope was condemning theories, but found out something more material for him to aim at; in like manner Mr. Brewer suspected that the ancient Pope *he* had to deal with was less influenced by considerations of dignity and discipline than money. Yet we cannot help fancying that Mr. Gladstone and Mr. Brewer, if they had been asked whether dignity and discipline and dogma and doctrine were matters of extraordinarily great interest for popes, would both have answered in the affirmative. Nevertheless, they wrote what we have seen! What will the twenty-first century say of the state of criticism amongst us in the middle of the nineteenth? What of Mr. Brewer's carelessness? And what of Mr. Gladstone's indignation?

archdeacon seems to have been no exception to the rule. On finding that the Holy Father would not make the expected exercise of his power, that he would simply appoint a commission to take evidence in England, and have the final pleadings heard at Rome, Gerald began to explain this arrangement as the result of an offer on the part of the archbishop, through his messenger, to procure a large grant of money from the English clergy to the Pope. Of course in itself the appointment of the commission was unimpeachable. But to a man full of the high hopes, which Gerald declares he had, it must have been a grievous disappointment, and the suddenly disappointed candidate, unable to blame the arrangement in itself, would be naturally only too prone to try and blame it in its cause.

As to the Pope's original intencion, we know really nothing. It is different with regard to the matter, which, Gerald says, came under his own immediate observation. The archdeacon was, no doubt, much inclined to exaggerate. If a cardinal had told him that there was question of appointing him irrespective of election, he might, we believe, have easily brought himself to look on that appointment as a settled thing. We believe, too, that he was very ready to suspect, and we know that he made damaging statements against others on slight grounds. If he found anybody making a statement that seemed useful to him, he had little difficulty, we fear, during a considerable portion of his life about putting it forward as a fact. Later on, indeed, his conscience made him write retractions both with regard to this very Archbishop of Canterbury, and with regard to his own account of Irish history. In those retractions the extraordinary archdeacon humbly declares he had made statements on the faith of reports which might not have been the most trustworthy. But with this peculiar confession he stops short, and, we hold, not with reason. We do not believe that he used to set down cold-blooded circumstantial inventions of his own as truth.

It seems to us that we can bring forward remarkably strong confirmation of this view, of far more weight, indeed, than even the implicit testimony of Gerald himself at a time when he came forward as his own accuser. There are, be it remembered, a number of exploded fables in his works with regard to Ireland. Not one of those exploded fables is a matter which he refers to, as of his own knowledge. Amidst all the incredible wonders he relates of Ireland, Gerald never once pretends to have seen a single

one of them himself. This is, of course, a point that we shall develop further later on. We now add, that in this very case of the trial, while he represents the Pope as swayed by interested motives, of which he could not have clear evidence, he never once pretends to possess direct knowledge of anything really unworthy on the Pontiff's part. He may attribute motives; he avers no damaging fact. He never accuses Innocent of having made any positive promise and broken faith, of having at any of his many private interviews done any of those things which a downright calumniator could easily have invented, not, indeed, without danger of being disbelieved, but at least without the possibility of being refuted. Innocent, who finally rejected Gerald's suit with regard to the election, is never charged by the disappointed archdeacon with any fault, except some one of which Gerald himself could have no certainty. We are, consequently, well satisfied upon the whole, that the main circumstances set down in Gerald's books, *wherever Gerald himself must have known the truth*, may possibly be exaggerations, but are never thorough-going lies.

We feel sure that a cardinal said something to him from which he understood that he was to be nominated Bishop of St. David's directly by the Pope. And we are certain that he consequently felt the appointment of the English Commission as a great blow, not from any idea that it showed that his case was to be unfavourably tried, but because it showed that his case was to be tried at all. Gerald never once attacks the appointment of the Commission in itself. On the contrary, he appears to have been highly pleased with it as connected with his trial, though he would certainly much rather have been nominated bishop without being required to plead his cause.

Pope Innocent, in appointing the Commission, took a proper and important step for having the case which was brought before him, fairly tried. Whether he had ever thought or not of himself nominating Gerald to the bishopric, has in itself nothing to do with the Pontiff's character for rectitude. He had a right, if he thought it fitting, to exercise that authority. He had equally a right to reject all idea of doing so, and determine that no one should be Bishop of St. David's who had not been, in the ordinary and regular way, elected by the clergy, to the see.

J. J. O'C.

THE HOLY CHILDHOOD.

THIS pious Association, established now close upon forty years ago in France, for "The Redemption of Pagan Children in China and elsewhere," is annually achieving such splendid results for the spiritual and temporal welfare of thousands of destitute little ones so specially dear to the Heart of the Saviour, that it has long filled, in the mind and heart of the Catholic world, a larger space than any other, the Propagation of the Faith alone excepted. The Holy Childhood—till recently almost unknown in these countries, and with but a small number of zealous workers in its service amongst us—is just now happily taking root in our own country, and will, we doubt not, take kindly to a soil where no goodly plant of religion was ever known to fail; but being as yet but little known or spoken of, we have it in charge, on behalf of the Very Rev. the Director-General of the Society, to bring it under the notice of the readers of the RECORD, in the earnest hope of enlisting their active sympathy and zeal in so noble and deserving a cause. Begun in the year 1843 by Mgr. Forbin-Janson, Bishop of Nancy, this noble work of charity was at once taken up by all the other French Bishops, who in the warmest and most earnest manner recommended it to the clergy and faithful of their dioceses; and it further received, in 1856, the supreme sanction of the Holy See, by a brief in which His Holiness Pius IX., of venerable and glorious memory, enriched it with many indulgences, and recommended the work and its interests to all the Bishops of the Catholic world. More than once has the present Sovereign Pontiff also manifested the lively and special interest he takes in the concerns of the Holy Childhood, notably in his recent Apostolic Letter, in which, when prescribing, as one of the conditions necessary for gaining the Indulgence of the Jubilee, an alms-offering in favour of some pious work, His Holiness singles out this Association as being, with the Propagation of the Faith, the most deserving object of the alms of the faithful, "an Association," adds Leo XIII., "which We have much at heart, and which We purpose to establish and propagate in the most distant and barbarous countries, so as to enable it, in some measure, to supply all wants it may find existing." As was observed above, the good work is now well under way amongst ourselves, the Committee formed last December, in Dublin, to manage the affairs of the Holy Childhood for Ireland, having given a

great stimulus to the zeal of the subscribers, and added considerably to their number.¹

The aim and mission of this charitable Association is to rescue, baptize, and educate pagan children in China and elsewhere. What nobler work, what more meritorious mission could any one engage in? Not to speak of the more immediate wants of the little doomed innocents themselves, the experience of centuries proves that it is only *by the children* that China and its congeners can ever be won over to the sweet yoke of Christ. To most people China is, indeed, an unknown land, "that empire that, as if in sport, had taken to itself the title of 'Celestial,' because its genius is so eminently and so exclusively material. Look along those brimming rivers, which are made to irrigate a myriad gardens, and to spread incessant verdure over plains almost tapestried with ornamental patterns of minutest cultivation. Look at those quaint mountains delved into slopes and terraces, with every basketful of earth economized, and every trickling moisture curiously hoarded. See how the realm teems with human life, till there is scarcely any room left for any other life than that of man! We ponder in a puzzled way over that enormous hive of human life, where age has followed age, and God is still unknown."² The poet has truly said,

"Jealous China, strange Japan—
You are but dead seas of man."

It is known that in China, with her incredible masses of population, a father possesses the power of life and death over his own children! With what cruel and shocking results, may be gathered from the well-ascertained fact, that in the City of Pekin carts are employed by order of the authorities to remove the hapless little infants exposed on the streets and byways during night—not to speak of the multitudes cast into the rivers to perish—which are then hurled pell-mell, not excepting even such as may still have life in them, into one common hole! And the thought of such innumerable souls, souls that are single to the eye of God, perishing without the grace of Baptism! Here then is the much-needed and glorious mission of the Holy Childhood. Consider that each Baptism "is a greater, a diviner, a more magnificent work than the creation of the material world." And it is chiefly through the resources and efforts of the

¹ Already twenty-six convents, colleges, and schools, have enrolled themselves in the Society of the Holy Childhood.

² "Bethlehem," p. 124.

apostles of the Holy Childhood, that even in heathen lands, amid the dense population of China, the life-giving stream "moves visibly to God's eye like a sweet silver brooklet. It has made the national atrocity of child-murder the channel in which its beautifying love might ingeniously run. Children in fair France, and in green England, and in German towns, and over the Atlantic, contribute to keep up this characteristic work of Christianity. European and American children send their baptismal missionaries to take up the exposed and dying children from the fields and from the dung-heaps, and to baptize them in thank-offering to God for the grace of Baptism, to which they themselves have reached. European and American mothers send to purchase of Chinese parents the children they would slay, or at least to purchase permission to baptize the doomed innocents, in thank-offering for their own children having attained to the grace of Baptism."¹ Glorious, consoling, heaven-inspired work! Who would refuse any sacrifice or effort to become a sharer in its assured and abounding recompense? On an average, the Holy Childhood baptizes yearly above 400,000 children, and supports and educates nearly half that number.

What are its means, its resources, to accomplish all this? None other absolutely, pious reader, than the alms of Catholic children, who, as the special apostles of this work of charity, make it their duty and glory to induce as many of their friends and acquaintances as possible to join and co-operate with them in their holy league. "If it is given us to do any good here," writes Mgr. Bax, Vicar-Apostolic of Mongolia, "it is thanks to the prayers and inexhaustible alms of that beautiful work, one of the glories of our age. It covers with its protecting wing entire Mongolia; from the frontiers of Manchooria to the desert of Gobi, the Holy Family offers an assured shelter to hundreds of unfortunate children, whom it rescues from a double death. It watches over them with the tender solicitude of a mother; not content with clothing and nourishing them, it procures them the priceless blessing of a Christian education, and, when the time is come for settling them in the world, it continues to them its protection, guidance, and encouragement. And when one considers that this miracle of charity is constantly being realised, not in Mongolia only, but in all the eighteen provinces of China—provinces vast as kingdoms—is there not good reason to exclaim, 'God

¹ "The Precious Blood," p. 257.

hath made use of the weak things of this world to confound the strong!" For ages back, hundreds of Missioners have watered with their sweat and with their blood, the barren soil of China; powerful fleets and war-inured armies have, at various times, striven to sweep away the obstacles which in China lie in the way of Christian civilization, but alas! all to no purpose. But now there comes over the way this army of Catholic children, with a prayer on their lips and a small alms in their hands, and behold the walls of Jericho are tottering! Obstacles are being quietly but surely surmounted, against which the power of the mightiest peoples was ineffectual. Ah! well may they be proud of their noble victories, those valiant little soldiers of Christ; and may they carry on successfully and untiringly the great work they have so well begun." Indeed the little children in France show a most admirable zeal in organizing their little circles or sections, and collecting alms for the Holy Childhood; but need we add the resources, though steadily on the increase year by year, are still totally inadequate to the many ever-increasing demands upon them.

We ought not perhaps wholly to omit noticing here an objection which is sometimes urged by even well-intentioned persons against works of this character. 'Is not this new Association an encroachment upon the claims of an older and more necessary work; a let and hindrance to the success of the Propagation of the Faith?' We answer in the words of the Brief of 1856 already referred to, "This new work of Christian charity, far from being in the least an obstacle to the work of the Propagation of the Faith, is shown on the contrary to help it marvellously. For, kindling as it does in the hearts of children the first feeble sparks of charity, and awakening in them sentiments of tenderness and compassion for the helpless outcasts, it moves and stimulates them thus early to labour for the salvation of souls, and so later on to take their place also in the ranks of the Propagation of the Faith."

A word in conclusion on the organization of the Holy Childhood. It is divided into sections or circles of twelve members each, one of whom is appointed collector for the circle. Twelve of these groups form a sub-division, and twelve sub-divisions a division, having each a sub-treasurer and treasurer respectively. The spiritual director of the society is the local Parish Priest, or another priest appointed by him. The subscription due from each member is a halfpenny a month, or sixpence a year. We

have referred above to the great zeal of the little Catholic children of France; will not the children of Catholic Ireland display a like zeal in so noble a cause? Will not they too, with their mothers, and sisters, and friends, enrol themselves under the standard of this holy league, to do battle for the Lord, to get together all the alms they can, in order to save those millions of little ones who are at this moment crying to them for help from China, from the islands of the Pacific, and from the dark demon-bound land of Africa? "The little ones are crying for bread, and there is none to break it unto them." We appeal then most earnestly to all, but more especially to our venerated brothers in the Priesthood, on whom must ultimately depend the success of this movement. We appeal to them in the name of those millions of little ones who shall never see God except by their help, that by their zealous efforts and exhortations with their flocks they would do what they can in favour of this glorious cause. The warm heart of Catholic Ireland, ever "open as day to melting charity," cannot fail to make a generous response.

M. H.

[As some of our readers may be anxious to know who constitute the Central Committee for Ireland, we give the names and addresses. We are sure that any communication sent to any of the Members of the Committee will receive immediate attention. The *Annals of the Society* are published every alternate month.—ED. I. E. R.]

CENTRAL COMMITTEE FOR IRELAND.—Rev. P. Fee, C.C., Marlborough-street, Treasurer; Lady O'Hagan, 34, Rutland-square, President; Miss D'Alton, 49, Lower Gardiner-street, Secretary; Mrs. Clarke, Frankfort House, Blackrock, County Dublin; Mrs. Edward Hussey, 21, Belvidere-place; Miss Rafferty, Frankfort House, Blackrock, County Dublin.

THE PRINCIPLES OF '89.—IV.

“Men are born and remain free and equal in their rights. Social distinctions cannot be based save on common utility.”—*Declaration of the Rights of Man, Art. I.*

“LIBERTY” and “Equality” were the watchwords of the French Revolution, and, ever since, have been the talisman by which revolutionary demagogues have striven to gain an ascendancy over the masses, and seduce them from the side of social order, to take part in violent and anarchical movements. And, assuredly, no more winning words could have been chosen for the purpose, as they appeal directly to the strongest of all human passions—pride—which will scarcely endure an equal, much less tolerate a superior. The selection was judicious for the further reason, also, that liberty and equality, if rightly understood, are among the unquestioned rights of man; and it was a brilliant stroke of policy, on the part of the authors of the Declaration, to foist upon an unsuspecting public their own spurious wares, under the cover of a sterling and universally respected trade-mark.

Liberty! To what burning thoughts and aspirations does not that single word give birth in the soul of man? Through all time, it has been a name to conjure with. Poets have sung of it; orators have made it the theme of their most exaggerated rhetoric; philosophers have theorized on it, until their various systems pass reckoning; saints have prayed for it; patriots have toiled for it; soldiers have died for it, often in the face of hopeless odds: in a word, it has formed the goal of individual and national aspirations in every age and clime. And yet, strange to tell, never were words more truly spoken than those which fell from the lips of the celebrated Madame Roland, as she stepped upon the scaffold:—“O Liberty! Liberty! how many crimes are committed in thy name!” Clearly, there must be some misunderstanding, somewhere, in connection with this magic word; the universal voice of mankind proclaims liberty the most priceless of blessings, and yet crimes are daily perpetrated in its name! But the simple explanation of this seeming contradiction lies in the fact, that the enemies of social order have stolen the sacred name of liberty, and affixed it to *licence*, in the hope of thus finding some apology for their crimes. There is, then, a true and a false liberty—a genuine and a spurious equality;

and we cannot undertake a more interesting, or, in our days, a more useful investigation, than to discover which is which, and to define clearly the nature and characteristics of each. This we propose to do, partially, in the present paper, while examining the first article of the Declaration of '89; but, inasmuch as it would be impossible to condense into the space at our disposal all that we mean to say on Liberty, reversing the order followed by the authors of the Declaration, we shall first discuss the subject of "Equality," that we may the more conveniently resume our observations on "Liberty," in our next paper.

"EQUALITY." "All men are born, and remain equal in their rights." So say the authors of the Declaration of '89; but since, as we remarked in our second paper on this subject, the most distinguishing feature of the Declaration is its studied vagueness, the truth or falsehood of this proposition will depend entirely on the meaning which we attach to its terms.

The Abbé Godard, whose laudable efforts to reconcile the Declaration with the conscientious belief of French Catholics have been elsewhere noticed,¹ takes up this first article as a purely philosophical thesis, and interprets it to mean nothing more than that all men, considered in the abstract, and divested of those special conditions which belong to them as individuals, are equal, and have equal rights.² But, most certainly, this was not the doctrine which the men of '89 wished to propound. For, of what use would it have been to enunciate this abstract metaphysical truth? The Declaration of '89 professed to be an introduction to a *practical* code of legislation for Frenchmen; could anything, then, be more absurd than to speculate upon the abstract rights of abstract man—things that have no existence outside the brain of the philosopher? The rights of the actual, living men, whom we meet in society, are not derived from the abstract nature of humanity; they spring from the various relations in which individuals are placed; nor do they cease on this account to be *natural* rights, for they still proceed from nature, but from nature as acted upon by *facts*. This, surely, was not unknown to the men who framed the Declaration of '89; and, therefore, we must conclude that, in proclaiming the equality of the rights of man, they did not mean of the

¹ See IRISH ECCLESIASTICAL RECORD for April, 1881, p. 202.

² "Les Principes de '89 et la Doctrine Catholique," par M. L'Abbé Godard, iv., pp. 28 seq.

abstract man, but of the *concrete*, actual man, such as we find him every day in this world of ours. Again, if we suppose that the members of the Constituent Assembly wished merely to proclaim the natural specific equality of mankind, we may well ask, where was the necessity for this pompous Declaration? Why, the doctrine was as old as Christianity! No sane man in France doubted it. From the days of St. Paul, the theologians of the Catholic Church, without a single exception, had taught it in unequivocal terms; though they reject with horror the corollaries which revolutionists would draw from it. What need, then, of a fresh revelation of an old, old truth, from the lips of the disciples of Jean Jacques Rousseau? especially, after having informed us in the preamble, that they meant to bring forward only these rights of man which, hitherto, had been either unknown, or forgotten, or despised.¹ But, in truth, we do an injustice to the authors of the Declaration, in supposing them, for a moment, capable of such silliness. They attached to the first article a meaning far different from that which the Abbé Godard would affix to it, and the meaning is simply this—that all *individual* men have equal rights; that all social distinctions ought to be abolished; and that every one ought to be entitled to a share in the government. That this is the true meaning of the article is evident from the history of the time; from the whole tone of the Declaration; and from the interpretation that it has always received from the revolutionary disciples and successors of the men of '89. Let us, then, examine the truth of the article in this its only legitimate interpretation; and, even at the risk of some slight repetition, probe fully this interesting question regarding the equality of the rights of men.

If we consider man in the *abstract*, simply as “a rational animal,” it is indisputable that any two men in the world, taken at random from the mass of humanity, are in this respect equal; for, when we say that two men are thus specifically equal, by this we mean no more than that the essential attributes of human nature are in them twice repeated. Under the same respect, their abstract rights are also equal. But, unfortunately for the patrons of the levelling system, this abstract man and his abstract rights have no real existence; we don't meet them in the work-a-day world: they are pure concepts of the metaphysician's brain.

¹ See IRISH ECCLESIASTICAL RECORD for April, 1881, p. 203.

If we take the actual men of flesh and blood whom God has placed upon this earth, we shall find in them, superadded to the essential attributes of humanity, certain individualizing circumstances, which are contingent on some *facts* or other, and which vary both in quality and degree in different men. Now, men taken thus *as individuals*, are not equal by nature; and though their rights are equal, in the sense that a poor man, for instance, has as much right to his shilling as a rich man to his pound, yet they have not "a right to equal things." In brief: *the rights of all men are equal, but all men are not equal in their rights.*

This doctrine seems self-evident, but we shall proceed to demonstrate it, nevertheless. We need only cast the most cursory glance around us, to be convinced that all men have not equal *ability*. There exists a well-marked inequality among men, as regards physical and mental powers, and the energy to develop both in action. Now, a man has a *strict right* to whatever he can acquire by the legitimate use of his natural faculties. If, therefore, A has natural powers of mind, body, and energy, let us say, in the proportion of 100, while B has the same powers only in the proportion of 20; it will follow that, all other circumstances being equal, the rights of A will exceed the rights of B, in the same proportion that 100 exceeds 20.

Again: as there is unequal ability in different men, so, also, do we find in them *disparity of disposition*. We must take men as we find them. They are endowed with widely different moral qualities; and they are, moreover, perfectly free agents in determining their powers to act. No amount of metaphysics will prevent one man from being wise, and another foolish; one from being prudent, and another a ne'er-do-well. Now, will anyone pretend that, in any State, the good and the bad, the indolent and the active, the selfish and the self-sacrificing are to be placed on a footing of equality? The proposition is too monstrous to be entertained for a single moment; for common sense dictates, and justice imperatively demands, that merit should be honoured and rewarded, while evil-doers ought to be punished according to their deserts. It is thus, only, that society can attain its immediate end—the common good of all. Therefore, we may legitimately conclude that, since individual men have varying abilities and varying dispositions, so too, must they, as members of the social body, have varying rights.

But here it may be objected, that this doctrine, of the

inequality of individual men, is irreconcilable with the universally-admitted truth that *all men are specifically equal by nature*. To this I reply, with the learned Fr. Taparelli,¹ that, so far from any opposition existing between these two truths, the inequality of individuals is, in fact, founded upon their specific equality. For, let us recall to mind, for just one moment, what relation those individual differences among men bear to the specific qualities in which all men are equal. They are simply *additions* to them; additions, be it remembered, resulting from the different manner in which different men put in action the forces which they have received from nature. Now, if unequal quantities be added to equal, the result must be inequality. Let us put an example: B stands to A in the relation of a son; therefore, he stands to A in the relation of *debtor*; for the being "son," implies having received life, as the being "father" implies having given it. Now, if we regard A and B specifically, or simply as creatures endowed with all the essential attributes of humanity, both are perfectly equal, and neither owes anything to the other; but, inasmuch as in becoming an individual, B receives something from A—life, namely—A has a right, in order that equality be preserved as far as possible, to receive some return from B, which he does (though inadequately) in the shape of dependence, reverence, and love. It is simply the law of compensation, dictated by Nature herself; and we find it affecting men in all their social relations, and controlling all their rights and duties. Therefore, we see that the specific equality of men is actually the basis of the inequality which exists among them as individuals; just as the *unity* of a common nature in mankind is the basis of these infinite varieties, which we observe among individual members of the human family.

This entire subject of the rights of men, as individual members of the social body, which we have been discussing in a somewhat abstruse and unattractive fashion, has been briefly summed up, in a popular style, by Edmund Burke, in the following passage:—

"If Civil Society be made for the advantage of man, all the advantages for which it is made become his right. It is an institution of beneficence; and law itself is only beneficence acting by a rule. Men have a right to live by that rule; they have a right to justice, as between their fellows; whether their fellows are in

¹ "Saggio Teoretico di Dritto Naturale," Dissert. ii., cap. iii.

politic function or in ordinary occupation. They have a right to the fruits of their industry; and to the means of making their industry fruitful. They have a right to the acquisitions of their parents; to the nourishment and improvement of their offspring; to instruction in life and to consolation in death. Whatever each man can separately do, without trespassing upon others, he has a right to do for himself; and he has a right to a fair portion of all which society, with all its combinations of skill and force, can do in his favour. *In this partnership all men have equal rights, but not to equal things.* He that has but five shillings in the partnership, has as good a right to it, as he that has five hundred pounds has to his larger proportion. But he has not a right to an equal dividend in the product of the joint stock; and as to the share of power, authority, and direction, which each individual ought to have in the management of the State, that I must deny to be among the direct original rights of man in Civil Society; for I have in my contemplation the civil social man, and no other. It is a thing to be settled by convention."¹

But here I anticipate an objection. The more ardent admirers of the principles of '89 will probably say: "We don't object to inequality between man and man, when it arises from the disparity of merit between both; but we do decidedly object to an Aristocracy, and the more so if it be hereditary."

Here, again, we have metaphysical theories working upon human passions, and giving birth to doctrines that are every day producing social convulsions. Let us, leaving the abstract out of our calculations, look at the concrete, social man, and we shall quickly perceive how utterly groundless is the position, which is taken up by these modern reformers of society. I, by no means, intend to become the apologist of any particular *form* of aristocracy; but I maintain that, if by an aristocracy we mean a certain privileged class, elevated by rank and influence above the masses, aristocracy is inseparable from human society; since it results from the very nature of things, and from those rights which are the outcome of *facts*, combined with the eternal laws of justice. In truth, taking aristocracy in the sense just explained, let us ask ourselves, whence does it spring? From the inequality of condition produced among individual men, by the great diversity of intellectual power, physical strength, manual skill, and character, with which nature has endowed them, as well as from the

¹ "Reflections on the Revolution in France," p. 69, Ed. Payne (Clarendon Press Series).

circumstances of their birth, in relation to some *antecedent fact—founding right*. Is it not natural that the man of ability and energy will amass more wealth than he who lacks ability, or industry, or both? Unquestionably. Is it not, also, natural that the man who has accumulated most, will have most to bequeath to his descendants? This, likewise, is indisputable. Does not the possession of property bring with it, in society, respect, position, influence and power? It is impossible to deny it. Therefore, since there must always exist among men inequalities of condition, so must there ever be subordination of ranks; and, in this sense, we find aristocracies under republican, no less than under monarchical systems of government. The old Republics of Venice and Genoa had their aristocracies. In the United States—the most republican nation that the world has yet known—the planters of Georgia, Virginia, the two Carolinas, and Louisiana; form a proud and powerful aristocracy; and even in more democratic New York, there is an aristocracy of wealth, as haughty, exclusive, and lavish in their luxuries, as any that ever thronged the courts of kings in the old world.

But I will go further, and maintain that not only an aristocracy of wealth and influence, but an aristocracy of title and privilege, is, to some extent, natural to society. For, what can be more just or more natural, than that a man who brings splendid talents to the service of his country, and consecrates a life-time to the advancement of her interests, should receive from that country some recompense commensurate with his merits? Not only does justice dictate such a course, but the interests of society demand it; for such honours and rewards stimulate others to exert themselves for the public weal. Now, these rewards must take the shape either of material wealth, or of title, rank, and privilege. But it so happens, that the very men who by their position are best qualified to do good service to their country, are, as a rule, already sufficiently endowed with the goods of fortune; and, even were they not so, being men of lofty and ambitious views, they would place far higher value on title, rank, and influence. Therefore, what can be more equitable, or more serviceable to society, than that the recompense bestowed upon them should take this form? Nay, in bestowing it thus, the State is but acting on the old principle, already insisted upon, of equality and compensation, by returning what alone would be regarded as an equivalent for services received. But why should any class

enjoy a special privilege? say the levellers. I reply, because it is both just and natural that they should, *provided the privilege be based on merit, and be conducive to the public good*. It is in this sense, only, that the Catholic Church defends privilege¹; and in this sense, there is not in the entire world, nor could there be, a civilised community without its privileged classes. What, I ask, are Banking Companies, Railway Companies, Mining Companies, Steam-packet Companies? Are they not *privileged* corporations, having special laws framed for their management, and enjoying special privileges and exemptions, because that they should do so is believed to be conducive to the common interests of the Statè? Is there a civilised community in which there is not a law regarding patents? And what is a patent, except a grant from the Crown, conferring upon a person certain exclusive rights and *privileges* for a given number of years, because he has enriched the State with some new invention? And why is it right to give such patent to a man who has invented, perhaps, a new "insecticide" powder, yet refuse, because of an antipathy to privileges, a patent of nobility to the man who has won or saved an empire, or endowed a university, or spent a princely fortune in founding hospitals, or other institutions of beneficence? I am very far from denying that, in practice, gross abuses may sometimes exist in connection with this distribution of honours, rewards, and privileges. The recipients may occasionally be very unworthy persons; and the misplaced favour may serve only to lower in the eyes of his subjects the sovereign who confers it, and to breed contempt and discontent in the community. But, then, it must be remembered that a principle is not the less sound and true, because it may occasionally happen that its practical application is attended with abuses.

¹ On this point theologians are unanimous: so much so, that they will not admit that privilege is in any sense opposed to law, which of its very nature must aim at the common good. Thus Suarez, speaking of privilege, says: "Assero ex parte boni communis non repugnare quin sit lex, quia licet proxima ejus materia sit speciale bonum alicujus familie, vel domus, vel aliquarum personarum . . . , nihilominus formaliter etiam debet respicere bonum commune. Nam illud bonum per privilegium concessum ita debet esse aliquorum proprium ut in bonum commune redundet" (De Legibus, Lib. i. cap. vii. col. 162. Cursus Completus Theol.) The teaching of Saint Thomas is also most explicit: "Quando cum aliquo dispensatur ut legem communem non servet, non debet fieri in prejudicium boni communis, sed ea intentione ut ad bonum commune proficiat." (1^a, 2^æ, ques. 98, art. 4.)

The levellers, however, have one other objection to urge: why, they say, make these titles and honours *hereditary*? To this I reply, in the first instance, that we can readily conceive several cases in which the reward would not be at all commensurate with the services rendered, if it were not to descend to the heirs of the man who earned it; for the power of perpetuating these titles and honours in one's family is, perhaps, the most interesting and valuable circumstance in connection with them. In the next place, a State is not a thing established for the service of the hour, and to be, like an Arab's tent, set up and taken down in the twinkling of an eye, and at pleasure. It grows; and centuries are required to bring it to maturity and perfection. It must regard not only its present, but its past and its future; and so intimately connected are the two last-mentioned, that, as Burke well remarks, "People will not look forward to posterity, who never look backward to their ancestors." *Tradition*, then, enters largely into the life of a nation; and must it not, therefore, follow that an institution like an aristocracy, which links the centuries together, which is, in a measure, a living epitome of the national recollections, traditions, and spirit, is well calculated to promote the ends for which a State exists? Moreover, the deeds and the wisdom of her great departed worthies are the lawful inheritance of a nation; and as there can be no greater stimulus to patriotic exertion on the part of her citizens, than the prospect of handing down a name to afterages, so the prestige of a great name already won, entails on the inheritor the responsibility of emulating the achievements of his sires. Add to all this, that titles and property, by being hereditary, form a strong bond of conservatism in a State, tending to preserve it whole against the various disintegrating elements, which are sure to appear, from time to time, in the history of every State, and threaten its existence. These, surely, are motives of "common good," which may well justify in a social body the distinction of hereditary rank; and though it has happened in every age that individual nobles, far from being a service to the State, have proved but a useless burden cumbering the land, these exceptions in no wise affect the soundness of the general principle.

But, even if we consider the subject on the very lowest grounds, we would ask the enemies of hereditary nobility, whether rank and position have not a real value, just like wealth? They must admit that such is the fact. Therefore, the possessor of rank has a *right* to transmit it to his

heirs, just as he does his property, unless some positive law, founded on the common good, steps in to prevent this. But if the original possessor has a *right to transmit* his titles and rank to his heirs, it follows, necessarily, that the heirs, on their side, have a corresponding *right to receive and to hold them*; for one right creates the other.

We have already said more on this subject of equality than we originally proposed to ourselves, when we sat down to write this paper; much more we still could say; but we have written enough to show that (a) in this actual world of stern facts, individual men are not, and never can be equal—and this by a provision of nature; (b) that social distinctions are inseparable from society, and cannot be dispensed with, unless human nature be first subjected to a radical change; and (c) finally, that even a hereditary aristocracy is not only consistent with strict justice, but is conducive to the good of a state.

W. H.

(To be continued).

THEOLOGICAL QUESTIONS.

MATRIMONIAL DISPENSATIONS.—II.

“When applying to a Bishop for a dispensation, what form is necessarily to be observed in order to secure the validity of the dispensation?”

This is the second question proposed under the above heading in the last number of the RECORD. We now proceed to answer it as briefly as possible. Besides the distinction we have already laid down between the purely delegated, and the quasi-ordinary, faculties which Bishops exercise in granting matrimonial dispensations, we must, in answering the present question, also bear in mind the distinction between what the *common law of the Church* on the one hand, and the *Stylus Curie Romanæ* on the other, require to be expressed in the application for a matrimonial dispensation.

1. In applying for a dispensation which a Bishop is to grant by virtue of his purely delegated faculties, derived from some special papal grant or indult, the same form is to be observed, and the same circumstances are to be

expressed, as if the application were made to one or other of the Roman tribunals. Hence attention must be paid not merely to what is demanded by the common law, but also to the special requirements of the *Stylus Curiae Romanæ*.

The reason is, that in this case the Bishop, who dispenses in the name of another, is bound to conform to the established practice of the Court with whose authority he is invested.

Some diversity of opinion prevailed on this point, but by a decision of the Sacred Penitentiary, dated 1st June, 1858, all doubt was removed. The Vicar-General of a certain diocese set forth, that in his diocese many of the parish priests acted on the supposition, that in applying to the Bishop for a dispensation, which could be granted only by virtue of his purely delegated faculties, it was not necessary to attend to what the *Stylus Curiae Romanæ* required over and above the requirements of the common law of the Church.

He therefore asks for a decision on each of the two following questions :

1. "An episcopus, quando, vi specialis cujusdam indulti Apostolici, in aliquo impedimento matrimonium dirimente dispensat, necessario, et ad valorem dispensationis, sequi debet easdem illas regulas quas in Curia Romana observant, ubi ipse Summus Pontifex in eodem impedimento, iisdemque impedimenti gradibus, dispensat?"

2. "An copula incestuosa, quae inter dispensandos consanguineos aut affines in tertio vel quarto gradu tantum, vel etiam inter cognatione spirituali conjunctos, intercesserit, necessario et ad valorem dispensationis est exprimenda, quando in iis consanguinitatis, affinitatis, vel cognationis spiritualis impedimentis non ipse Summus Pontifex immediate, sed episcopus vi specialis cujusdam indulti, quod a Summo Pontifice est adeptus, dispensationem impertitur?"

The answer to both of these questions was in the *affirmative*. Moreover, a dispensation *in radice* was granted in regard to all the marriages which were invalid, owing to the non-observance of the necessary formalities in the dispensations previously obtained.

"Die 1 Junii, 1858, S. Poenitentiaria, mature perpensis expositis, ad utrumque propositum dubium respondet, *affirmative*. Ad matrimonia autem quod attinet, quae vigore dispensationis sic uti praefertur impertitae contracta fuerunt, eadem S. Poenit. de speciali et expressa Ap. auctoritate, dilecto in Christo officiali oratori facultatem concedit eadem matrimonia in radice sanandi et consolidandi, prolesque, sive susceptas, sive suscipiendas, legitimas decernendi et renunciandi."

If the Bishop dispenses by virtue of his quasi-ordinary faculties, then, unless the Bishop specially requires it, nothing more need be expressed in the application beyond what the common law enjoins, such as the particular impediment *in specie infima*, the cause on account of which the dispensation is sought, and the other circumstances which may render the dispensation notably more difficult. But as Feije well remarks, (cap. xxxii. § 3. *De exprimeendis in Libello Supplicii*, n. 697), inasmuch as it is often difficult to distinguish the special circumstances required to be mentioned by the Stylus Curiae, from those which the common law requires to be stated, the safest rule to follow is to include both, even when the dispensation is to be granted by a Bishop in virtue of his quasi-ordinary faculties. The same author adds that in truth it is difficult to see why a Bishop should not observe the Stylus Curiae when he dispenses by virtue of his quasi-ordinary faculties—that is, in reality, by virtue of the tacit consent of the Sovereign Pontiff—as well as when he dispenses by virtue of his purely delegated faculties.

ED. I. E. R.

QUESTIONS REGARDING THE JUBILEE.

1. Is it possible to gain the Jubilee within Paschal time before fulfilling the Paschal precept? In other words, may a person offer the first Communion received within the Paschal time, for the purpose of gaining the Jubilee, and postpone the fulfilment of the Paschal precept to a later date?

2. May a Confessor commute the prescribed works, *toties quoties*, in favor of a person who desires to gain the Indulgence of the Jubilee more than once; or is the same rule to be applied to the commutation of the prescribed *works* as to the commutation of *vows*, and to the exercise of the other special faculties granted to Confessors during the Jubilee?

With regard to the first question, our reverend correspondent refers to the general principle sanctioned, if not formally enunciated, by St. Alphonsus, *De Legibus*, n. 164, and *De Horis Canonicis*, n. 176, which may be summed up in the words of Busembaum:—"Praecepta tantum obligant ad substantiam operis injuncti: ergo illa posita, non est in potestate operantis ut non satisfaciatur."

If we were to apply this principle in its full extent, we should give a negative answer to both parts of the question proposed. We should hold, that though a person may

postpone the fulfilment of a vow, or the payment of a debt, even though he performs the work promised, or gives to his creditor the exact amount due, still, where there is question of the fulfilment of an obligation imposed by the Church, and not by one's own will, it is impossible to perform the prescribed work and leave the obligation unfulfilled:—
 “At cum obligatio officii pendeat a voluntate Ecclesiae, non potest clericus sponte sibi imponere, quapropter dum illam implet, nequit velle non implere.” St. Alph. (loco cit.)

But as a matter of fact many hold that the fulfilment of the Paschal precept may be postponed in favor of the Jubilee. This view receives a noteworthy confirmation from a decision of the Sacred Penitentiary regarding the Jubilee of 1875:—

“Ex S. Poenitentiariae responsis, certum est haud satisfieri posse praecepto paschali et Jubilaeum lucrari unica confessione et unica communione; potestne unus et alter attingi finis duabus communionibus et unica confessione?”

Resp. “*Affirmative, firma tamen remanente obligatione satisfaciendi si nondum quis satisfecerit praecepto annuae confessionis.*”

Now if the fulfilment of the *annual confession* can be postponed in favor of the Jubilee, there seems to be a solid argument *a pari* in favor of the possibility of postponing the fulfilment of the Paschal Communion.

II. In reply to the second question, we see no sufficient reason to limit the power of the confessor to commute the prescribed works *toties quoties*. The same rule, therefore, does not apply to the commutation of the prescribed works, as applies to the commutation of vows, &c. These latter faculties can be exercised only once in favor of any penitent during the Jubilee. Whether they can be exercised at all, in favor of a penitent who has already gained the Jubilee, without needing their exercise, is a question on which we can pronounce no certain opinion till some authoritative decision is given on this point.

ED. I. E. R.

CORRESPONDENCE.

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

BISHOP'S HOUSE, MONAGHAN,
7th May, 1881.

DEAR REV. SIR—In the May number of the RECORD, under the head of Theological Questions, some very useful information is given respecting Dispensations in the Impediments of Matrimony. Speaking of certain impediments, common to both the contracting parties, it is properly laid down that dispensations in such impediments may be validly granted by the Bishop of either party; and then you go on to say that “a legitimate and reasonable custom has determined that the dispensation should be obtained from the Bishop of the *sponsa*.” Now, I venture to question this last statement, both as regards the matter of fact and the reasonableness.

First, I question the existence of such a custom. All my own experience leads me to believe that the custom is to obtain such dispensations from the Bishop of the *sponsus*.

Secondly, I would question the reasonableness of a custom, such as you describe, if it did exist. In the common practice of mankind, the steps and advances towards marriage are expected to come, and usually do come, from the side of the *sponsus*. Thus, to go no further back, in the preliminaries of matrimony, when the Banns are to be proclaimed, it is always the *sponsus*, or some one in his behalf, who asks for the publication—at least when both parties belong to the same parish. Likewise, when a dispensation in the Banns is desired, this is always asked for by the *sponsus*, or some person in his name. I think, on a little reflection, you must see that such an arrangement consults better for the modesty and retiring character of the *sponsa*. And, if it be the practice, as it is, for the *sponsus* to seek a dispensation in the Banns, when desirable, it would seem to be his business also to procure any needful dispensation in a diriment impediment, seeing that all such dispensations should have been obtained before asking the *Licence*, as it is called.

If, however, the practice really be, after all, such as you allege, I shall rejoice to be disabused of my misapprehensions.

I remain, dear Rev. Sir, very faithfully yours,

✠ JAMES DONNELLY.

We must in the first place express our grateful acknowledgments to our revered correspondent, for the kind and practical interest he has manifested in the discussion of this question through the pages of the RECORD. We desire nothing so much as to have the attention of our clerical readers directed to these practical Theological Questions;

and we know of no means so certain to attain this end as an occasional word of instruction, advice, correction, or suggestion, on the part of some member of our venerated Episcopacy.

Before proceeding to give the reasons on which our statement, regarding the existence and the reasonableness of the practice of applying to the Bishop of the *sponsa*, for a matrimonial dispensation, when the contracting parties belong to different dioceses and the impediment is common to both, we desire to make two observations which appear to us to bear materially on the present question.

First, we know that in granting matrimonial dispensations, it is for the interest and convenience chiefly of the *sponsa* that the Church desires to consult. Hence so many of the canonical causes for granting a dispensation—such as, “angustia loci,” “aetas oratricis,” “incompetentia dotis,” “vidua filiis gravata,” “pupillae conditio,” “infamatio oratricis,” &c., are derived from the circumstances of the *sponsa*, and not of the *sponsus*.

“Causae dispensandi canonicae fere semper,” says Feije (*De Imped. et Disp. Mat.* n. 688) “sumuntur a parte oratricis.”

And Van de Burgt puts the matter still more clearly :

“Ecclesia potissimum favet oratricibus ob sexus majorem fragilitatem, majoremque difficultatem suis providendi necessitatibus. Unde plures causae petuntur ex conditione puellarum ; plures causae valent dumtaxat quando existant in puellis, non autem quando in juvenibus.” (*Tractatus de Disp. Mat.* n. 31.)

The second observation we desire to make is, that though in Ireland it is seldom necessary to have recourse to Rome for matrimonial dispensations, owing to the extensive faculties granted to the Irish Bishops, both in the Formula Sexta and in the special grants made to them for a certain number of cases, still it is very important in asking and in granting dispensations, to be guided by the practice and the Stylus of the Curia Romana.

Now, where the *sponsus* and *sponsa* belong to different dioceses, it is usual that the application should be made to Rome by the Bishop of the *sponsa*, and not of the *sponsus*. In the exceptional cases in which the application may, owing to particular circumstances, come from the Bishop of the *sponsus*, it is necessary to mention this departure from the ordinary practice. Otherwise it will be taken for granted in Rome that the application is made by the Bishop of the *sponsa*, to whom the dispen-

sation will be forwarded, and there will therefore be considerable delay and difficulty in applying the dispensation to the parties.

“Passim autem notavimus, Sedem Ap. consuevisse mandatum [dispensationis] committere *sponsae* Ordinario vel hujus Vicario Generali seu officiali . . . *Sponsi* Ordinario cet. literae non facile committuntur, quare, *si per eum recurratur*, addatur hujus rei ratio,” (Feije, n. 731.)

“Bulla vel Breve dispensationis ordinarie mittitur exequenda ad oratorum Episcopum vel ejus Vicarium Generalem, et ad Ordinarium quidem vel Vicarium *oratricis*, si oratores ex diversa diocesi sint oriundi.” (Heiss. de Mat. 57.)

This brings us to the case under consideration, in which the *sponsus* and *sponsa* are supposed to belong to different dioceses, and in which either Bishop is supposed to have power to grant the required dispensation without applying to Rome. Regarding this case, then, the modern authorities appear to us to speak with no uncertain sound. It will be sufficient to cite a few of them. We may remark, that, as many of the older theologians and canonists held that a dispensation should be obtained from *both* of the two Bishops concerned, they do not contemplate the case we are now considering.

“*Sponsae* autem Episcopum, et veri praesertim domicilii, dispensare convenit, nisi urgens necessitas aliave gravis ratio eum adire non permittat,” says Feije (n. 638), speaking of the case we are contemplating. And again: “Convenit tamen ut regulariter dispensatio detur ab Episcopo *sponsae*, imo ab hujus Episcopo domicilii, nisi peculiaris ratio obstet.” (Feije, n. 731.)

The advantage of this arrangement is suggested by the same author in another place (n. 628):—

“Quamquam autem tunc sufficit ut ille nupturientium cum quo directe dispensat episcopus, aliquo ex supra indicatis modis sit ejus diocesanus, seu ei subjectus, *convenit tamen* ut dispensatio detur ab episcopo *sponsae*; ideoque ad hunc pro dispensatione obtinenda nupturientes remittantur, nisi peculiaris ratio obstet, *in sponsae enim dioecesi matrimonium celebrari solet.*”

Now in these last words it appears to us, we may find a solid reason for the practice which is here recommended.

The marriage is usually celebrated before the parochus of the *sponsa*. He is the person therefore specially charged to see that the causes alleged, and the statements contained in the application are true, and therefore, that the dispensation has been legitimately and validly obtained. Most of these causes, too, as we have already seen, regard the *sponsa*, with whose circumstances her own parish priest is much

more likely to be acquainted than the parochus of the *sponsus*.

The custom, therefore, of applying to the Bishop of the *sponsa*, rather than to the Bishop of the *sponsus*, appears to be legitimate and reasonable.

II. In the *Nouvelle Revue Theologique* (Tournai, 1869, p. 451), we find a very decided expression of opinion in favor of making the application to the Bishop of the *sponsa* :—

“ Pour les empêchements relatifs, il convient de s'adresser à l'Evêque de la future [*sponsae*] pour en obtenir la dispense. ‘ Conventit, ’ dit encore M. Feije, ‘ ut regulariter dispensatio detur ab Episcopo sponsae. ’ C'est aussi la règle tracée par le Concile de la province de Bourges :—‘ Hanc dispensationem ab Ordinario mulieris *juxta constantem Curiae Romanae praxim* concedi decet. ’ M. Caillaud (*Manuel des Dispenses*, n. 343. tom. II. pag. 269), rend aussi témoignage de l'usage sur ce point :—‘ Lorsque les parties sont de différents diocèses, chaque Eveque peut valablement dispenser en vertu de l'indult ; mais l'usage est que ce soit l'Ordinaire de LA SUPPLIANTE ; c'est l'usage de la Cour de Rome. ’

III. In the Mechlin Treatise (*De Mat. Mechliniae*, 1872, n. 101), dealing with the case in which the *sponsus* and *sponsa* belong to different dioceses, and the dispensation is to be granted by virtue of the *quasi-ordinary* faculties which Bishops possess, the author states, that though the opinion which maintains that a dispensation obtained from *either* of the Bishops will be *valid*, is, speculatively, the more probable opinion, still many of the French Bishops, to remove all doubt about the validity of the dispensation, have entered into a formal agreement that the application, if made to the Bishop of the *sponsa*, should be regarded as certainly both valid and legitimate. “ Equidem inter plures Episcopos Galliae conventum est, ut in casu sufficiat consensus Episcopi *sponsae*. ”

Coming now to the custom of our own country, it is evident, from the observations of our venerated correspondent, that over a large extent of Ireland it is usual to make application for a dispensation to the Bishop of the *sponsus* rather than of the *sponsa*. But from our own knowledge, and from inquiries we have made regarding the practice prevailing in different dioceses in Ireland, we feel we can safely say that in the majority of cases in which a double dispensation is not insisted on, the application is made to the Bishop of the *sponsa*.

But this practice, wherever it prevails, is subject to certain exceptions, and hence in recommending it the

theologians usually add some limiting word or clause, such as "regulariter," or "nisi gravis ratio eum [Episcopum sponsae] adire non permittat." If, in observing this custom, it became necessary in a particular instance for the *sponsa* to sacrifice her modesty or her retiring character, without doubt, the custom should in such instances be departed from, and the application should be made by the *sponsus*, or some person on his behalf, to his own Bishop. But as regards ordinary cases, where it is unnecessary for the *sponsa* to interfere, and where all the arrangements are made by her parents through her parish priest, we trust we have succeeded in showing to the satisfaction of our Most Rev. correspondent, that there is sufficient authority for asserting that the custom of applying to the Bishop of the *sponsa* is both legitimate and reasonable. In any event, we feel deeply indebted to the venerated Bishop of Clogher for his friendly and valued contribution towards the solution of a practical theological question.

ED. I. E. R.

THE CANONS REGULAR OF ST. AUGUSTIN.

TO THE EDITOR OF THE IRISH ECCLESIASTICAL RECORD.

CLAREMORRIS, EASTER MONDAY.

18th April, 1881.

DEAR SIR—It is not usual for one preaching a panegyric to give reasons in support of the various views which must necessarily arise, while he pours forth for his hearers the life and labors of the saint, or hero, whose praise he pronounces. On this head, however, the Rev. J. Fahy finds fault with the discourse preached and published by me on the "Life and Labours of St. Augustin, Bishop of Hippo-Regius and Founder of the Augustinian Order."

The reference made in that discourse to primitive Irish Monasticism was purely incidental. Father Fahy finds no fault with the dogmatic and moral teaching conveyed in its pages, while he pronounces those views regarding early Irish Monasticism and its connection with St. Augustin as "untenable;" "absolutely untenable;" "historical misrepresentation." And yet, those views expressed by me are the opinions held by distinguished writers on Irish Ecclesiastical subjects, namely, by Thomas De Herrera, Alemand, Ware, Harris, Archdall, MacGeoghegan, Camden, Zeuss, St. Pius V., and the authors and compilers of the Breviary which is in the hands of the Augustinian Fathers: "Breviarium ad usum Fratrum et Monialium Ordinis Eremitarum Sancti Augustini juxta formam Breviarii Romani ordinatum Ex Typis Cong. De Prop. Fide." A host of able writers, from the ninth century to the nineteenth have held the same opinions, which are

now pronounced by one man, as "untenable," and as "historical misrepresentation."

In making this pronouncement, on what certainty does he rest, and on what authority does he rely? On his own wisdom, and on the authority of Dr. Lanigan, Sir William Wilde, on special views of Liturgies, and chronological puzzles.

I will pass by the name of Sir William Wilde for the present, in dealing with a question which regards early Irish ecclesiastical discipline. But Father Fahy ought to have known that the opinions and views of Dr. Lanigan are not worth much on questions connected with St. Patrick and Primitive Irish Monasticism.

Of Dr. Lanigan the Most Rev. Dr. Moran writes:—"He abandoned the straight road of facts, and, wishing to establish a favourite theory, he involved in inextricable confusion the necessary labours of St. Patrick."

And Father Morris: "Dr. Lanigan took upon himself to reject the supernatural life of the Saint: he wanted to separate the Saint from the man, and the result is, the Apostle of Ireland in his hands vanishes."

The learned and lamented Dr. Matthew Kelly, Professor of French, Belles Lettres and History, in the College, Maynooth, speaks of Dr. Lanigan in terms much stronger, and deservedly, for common sense and common piety are very necessary even for a learned man.

Some of the best Irish writers of the present day, members—most of them—of the Royal Irish Academy, have expressed similar opinions of Dr. Lanigan, whom Father Fahy, with a strange fancy, presses to his bosom and prefers to all others.

One would naturally expect that Rev. J. Fahy in pronouncing the views and opinions of Rev. Canon Bourke "untenable," should tell out his own opinions clearly and positively. But he does not. Thrice over have I read his notice or review in the April number of the *IRISH ECCLESIASTICAL RECORD*, and I fail to find any expression of opinion directly opposed to the views on Irish Monasticism, contained in the pages of the "unpretending little volume" which he criticises.

He acts like the heretics in denouncing the teaching of the Catholic Church. They assert nothing definite; they are content with protesting against her teaching. Father Fahy asserts nothing clearly or positively; he "does not see this or that," or he "is at a loss to know why." But what he really thinks, he does not tell. He appears, however, to think, that Irish Monasticism came (in part) from the East: I do not deny that. The fact is, as Alemand observes, it came from Africa, and it came in part from the East. And it is on this account that Rev. Father Fahy's negative pleading appears plausible. Even granting so much, his brilliant reasoning is calculated, in my humble opinion, to upset his own theory, for he assigns as a reason, that many Irish founders of monastic institutions were not Canons Regular, or the spiritual

sons of the holy father and founder of religious life, St. Augustin, because they themselves drew up new rules for monastic living, and laid the foundations of many splendid communities of monks in Ireland and on the Continent. Therefore, he says, they had no connection with St. Augustin or with the Canons Regular. Therefore, say I, you upset by such reasoning your own theory such as it is.

1. But does Rev. Father Fahy really deny that St. Patrick spent eight years with the Hermits of St. Augustin?

2. Does he really deny that St. Patrick was a Canon Regular?

3. Does he deny that St. Patrick founded establishments of Canons Regular and of Eremites of St. Augustin in Ireland?

4. He says that he "is at a loss to see how St. Patrick could have acquired any knowledge of Augustinian monks, or their rules."

If he allow me, I shall show him the way I have come to see how St. Patrick acquired this knowledge. But Father Fahy must not, however, be peeping through a hole in the wall of his own choosing; he must look at the question broadly and fully and openly, and not from some pet position, which he has selected, not in the dim and shadowy lights of conflicting chronological dates; not in the rere of the Vandal hordes; not from the rocky heights or sandy mounds north of the Loire, and looking down towards that majestic river, as sweet a spot as ever solitary chose—selected by St. Martin for his monks—Marmoutier. Further, Rev. Father Fahy must draw in his mind a distinction between the fact that St. Patrick lived with the Augustinians, and the place where he dwelt with them, or the special time in which the event occurred. The leading fact may be true, although the special time and place may be at this date unknown to ecclesiastical writers. Take, for instance, the adoration of the Magi. It is certain that they came from the East to adore the New-born King of the Jews; uncertain the precise time and place. Take the flight of Christ into Egypt. The fact is certain; uncertain when; and where, while in Egypt, the Divine Child abode with His Mother and St. Joseph. Take the place of St. Patrick's birth, and the precise date. It is certain that the son of Calphurnius was born; where and when uncertain still.

First, then, I affirm that St. Patrick lived eight years with the Eremites of St. Augustin.

The authorities to support the truth of this statement are, the Augustinian Breviary, Thomas De Herrera, Alemand, St. Pius V. (Bull of).

From the Breviary, 17th March, I quote the following:—

"Post, angeli jussu solitudinem petens (was it Marmoutier? it is not stated) *Eremitarum contubernio octo annis usus; eodem quoque angelo monente, Tyrrheni maris insulas monachis tunc temporis PRAESERTIM Augustiniani instituti, refertissimas visitavit, quibuscum aliquandiu convixit.*" Observe the words in italics.

Thomas De Herrera, A.D. 1639, writes:—" Canonici Regulares Patricium inter suos computant, et ordinis propagatorem appellant. Faverant huic placito Joannes de Nigravalle, &c., &c. . . . Quis autem ambigat B. Martinum illud monasticum institutum nepoti Patricio servandum dedisse cujus ille professor existebat? At Monachatus S. Martini Turonensis sive regulare institutum *idem* fuit cum eo quod S. Augustinus ex Italia in Africam invexit et in Ecclesia Hipponensi plantavit."—*Alphabetum Augustinianum*, p. 232., A.D. 1644.

To close the quotations from the Augustinian Breviary and Herrera, I give the following regarding St. Patrick (17th March): "*Sanctum Patrem Augustinum* imitatus, miraculorum gloria ac futuri praesentia illustris, plenus dierum ad superos recessit." Having imitated the manner of life of his holy father Augustin, and illustrious now by the splendour of his miracles and the foreknowledge which he showed of future events, full of days, he departed to the abode of the saints above.

Through media morally unerring such as those, exponents of a truth-telling tradition, we of the present day are assured that St. Patrick spent eight years with the Hermit Friars of St. Augustin; that he visited the islands in the Tuscan Sea; that numbers, who lived according to the Rule of St. Augustin, dwelt in community in those islands, and that with them our National Apostle abode for some time; that the Augustinian Canons claim St. Patrick as their own, and as the propagator of their institute. The conclusion thus come to is confirmed by the researches of Alemand (read p. 1, of his *Histoire Monastique du Royaume d'Irlande*), by Ware, Harris; by Archdall, even in the new edition of the *Monasticon Hibernicum*, lately published by the Most Rev. Dr. Moran, and other distinguished antiquarians.

To render this reasoning stronger still, I will give one other authority. I am of opinion that it ought to satisfy scholars of even more advanced views than the Rev. Parish Priest of Peter's Well, Galway. It is nothing less than the declaration of Pius V. of Blessed Memory, who, in a Bull, pronounced St. Patrick to be one of the saints of the Order of Canons Regular of St. Augustin.

Herrera, in proving that St. Patrick himself was a saint of the Order of Canons Regular, adds:—

"Ad id (namely that he was a saint of that Order) conspirant multorum auctorum testimonia qui B. Patricium in Catalogo Sanctorum Canonicorum Regularium recensent; sufficit pro omnibus, *Unus* Romanus Pontifex, Pius V., in Bulla approbationis officiorum Sanctorum Ordinis S. Augustini, quae recitantur in congregatione Lateranensi, in qua S. Patricium signanter et nominatim inter Sanctos Ordinis Canonicorum Regularium numerat, et illius historiam quae legitur in ejus officio sub die 17 Martii, similiter probat."

Herrera devotes four pages quarto to show that St. Patrick was not only a Canon Regular and an Eremite of St. Augustin,

but that he established houses of Canons Regular and of Hermit Friars in Ireland.—“*Patricius Canonicum Ordinem in Hibernia propagavit.*”

And again: “*Duos in Hibernia regularium ordines instituisse; alterum clericorum, et alterum monachorum, utrumque sub regula Augustini.*” Herrera gives very good reasons and authorities for this opinion. L. Augustin Alemand names the very monasteries; and Harris, in twelve pages quarto, specifies the various foundations throughout the four provinces; those monasteries established by the Saints Brendan, Colman, Jarlath, Kiaran, Columba, Comghall.

Is all this historic misrepresentation?

It is difficult to imagine that so many different writers, in different times and places—Frenchmen and Spaniards, Belgians and Italians, Englishmen and Irishmen, Catholics and Protestants—have, for centuries past, conspired to misrepresent the history of Primitive Monasticism in Ireland. Canon Bourke thinks and acts in company certainly with scholars of the highest research and learning, their opinions are his opinions; and if Father Fahy is pleased to pronounce those views historical misrepresentations, one must only leave it to the learned of the present and coming age to judge.

From the testimony of writers and authorities worthy of credit, it has been shown that much of the seed of Primitive Irish Monasticism germinated under the fostering care of St. Augustin, at Hippo-Regius; and that same saving seed was by his spiritual sons sown in Ireland. It follows, that the zeal of our early Irish Missionaries, who were taught by St. Patrick, or his pupil priests and Prelates, was, in no small measure, derived from the teaching of the Prelate of Hippo-Regius. St. Augustin was, to an extraordinary degree, remarkable for the spirit of holocaustic sacrifice; he was like another Abraham, or Moses, or Elias. So was St. Patrick; so were the early Irish Missionaries.

From Zeuss and Gavanto and Merati, it is plainly seen that the hymnology and melody, practised by St. Augustin and St. Ambrose, were identical in rhythm, in form of versification, with those hymns and psalms composed and sung in the monasteries of Ireland. It was not by mere accident that St. Secundinus, St. Columba, St. Columbanus, and other Irish poets of the period, composed poems and psalms in the very same measure, and with the same poetic beauties of alliteration, assonance, and parallelism that were practised by St. Ambrose and St. Augustin. Witness the hymns composed by St. Secundinus and St. Columbanus, and the Alphabetic Psalm from the pen of St. Augustin, against the Donatists. Sameness of results point to identity of cause; and hence it is not very illogical, to conclude that Secundinus and Columba must have been taught by masters who learned from St. Augustin.

LITURGY.

Privileged Altars.

We have received of late several questions relating to Privileged Altars. These numerous questions suggest to us, as a useful subject for an exposition, the more important questions regarding altars of this kind.

1.

Origin of the Indulgence of the Privileged Altar.

The origin of Privileged Altars is traced to a remote date in the history of indulgences. It is admitted on all hands that altars of this kind were in use in the time of Gregory XIII. (1572–1585). The text of the Indult in which this Pontiff, in the year 1579, declared the Altar of St. Nicholas in the church of St. Augustine at Bergomus to be privileged, is still preserved.¹ But at this point the opinions of the writers who have discussed the question begin to diverge. There are some, like Thiers,² who hold that Gregory XIII. was the first to publish this indulgence, while others³ carry back its origin even to the Pontificate of St. Gregory, in the end of the sixth century. Between these two extremes we may expect to find the truth. There is abundant testimony to prove, that Privileged Altars were known in the Church before the time of Gregory XIII. This very Pontiff, when granting the privilege to the Cathedral of Narni, states that the church of St. Gregory at Rome was already in the enjoyment of this indulgence;⁴ and, as a matter of fact, the original of a similar Indult granted by his predecessor, Julius II., in 1552, was found in the archives of the Congregation of Indulgences.⁵ Amort⁶ tells us that Cardinal Lawrence, Bishop of Albano, writing in 1524, actually mentions the Churches of St. Sebastian, St. Lawrence, Ara Caeli, St. Gregory, and St. Potentiana, as having Privileged Altars; and Pope Leo X. is quoted by the same writer, as referring, in the Indult in which he extends this favour to Monte Cassino, to the Privileged Altars of St. Gregory and St. Sebastian as already existing.

¹ *Apud Cavalieri.* Tom. iii. cap. xiv.

² "Traité des Superstitions," Tom. iv. l. 7, c. xviii. p. 291.

³ Bordonus: *apud Cavalieri.* ⁴ Amort. *De Orig. Indul.* p. 1, sec. 7.

⁵ *Melanges Theol.*, Vol. ii. p. 92. ⁶ *Ibid.*

Bellarmino¹ and Gabriel Biel² date the introduction of this indulgence from the ninth century and from the Pontificate of Paschal I. (817-824). This Pope built the church of St. Praxedes. In a chapel of this church, the chapel of St. Zenon, the pillar at which our Lord was scourged, was said to be preserved. In honour of this memorial of the Passion, Pope Paschal privileged the altar of the chapel; and Biel relates that by order of the Pontiff a slab was erected to commemorate the event, on which was written the following inscription:—

“Quicumque celebraverit, vel celebrari fecerit quinque missas pro anima parentis vel amici existentis in purgatorio: dictus Paschasius dat remissionem plenariam per modum suffragii tali animae.”³

2.

What is meant by a Privileged Altar?

Every priest understands in what sense an altar is said to be privileged. The privilege is just this:—that the Pope attaches to an altar a plenary indulgence which is exclusively applicable to the souls in purgatory. As to the conditions to be complied with, in order to gain this indulgence, suffice it for the present to say that there is but one necessary condition, namely, the celebration of Mass for the departed soul at the altar which is duly declared to be privileged.

Altars are privileged sometimes in perpetuity, sometimes for only a term of years, and sometimes for particular occasions, as for All Souls' Day, or the celebration of the Quarante Ore. It will be seen in the Rescript authorizing the erection of the Privileged Altar, whether the privilege is perpetual or only temporary.

This privilege is *local* and *personal*: local when it is attached to a particular altar; personal when it is granted to the priest himself, no regard being had to the altar at which he says the Mass. We shall treat, first, of the local, and afterwards of the personal privilege.

3.

In what sense this Indulgence is Plenary.

It is usual to print over the Privileged Altar the inscription “Altare Privilegiatum pro Defunctis,” or simply “Altare Privilegiatum.” This is the inscription recommended by the Congregation of Rites, but it is not an essential observance, so that its omission will not be

¹ *De Indulg.* Lib. i. c. xiv, tom. ii. *Controvers.* ² *In Canone Missae.*

³ *Ibid.*

visited with the loss or suspension of the indulgence. Formerly it was not unusual in some churches, which had a Privileged Altar, to post on the door of the church the inscription, "Indulgences for the Dead," and over the altar itself or on a slab near it, "Liberatio Animae Unius a Purgatorio;" or again, "The Sovereign Pontiff has granted the deliverance of one soul from Purgatory to every Mass said at this altar." Such inscriptions the Congregation strictly forbids.

These latter inscriptions are either false or misleading. Because, as a matter of fact, we cannot be absolutely sure that the soul for whom the plenary indulgence is gained, is freed from purgatory. The obstacle is not indeed on the part of the departed soul, who is confirmed in grace and retains no affection for any venial sin. Neither does the uncertainty proceed from any want either of resources or of the will to apply them, on the part of the Church, to pay to the last farthing the debt of atonement still due to God by the soul in purgatory. For, the Pope, in granting this indulgence, presents to God from the *Thesaurus Ecclesiae* satisfactions fully sufficient to free the soul at once from the pains of purgatory. From this point of view the indulgence is *plenary*. Finally, the uncertainty does not, we suppose, result from want of compliance with the conditions necessary to gain the plenary indulgence, which include only the offering of Mass at a Privileged Altar for the departed soul. But the uncertainty comes from the manner in which the Church applies this and other indulgences to the dead. The indulgence is granted *per modum suffragii*, that is to say, the Church presents full satisfaction to God for his acceptance, but we cannot be absolutely sure in what measure God accepts this offering, or that he applies it, if accepted, to the relief of the particular person according to the intention of the Pope. This depends on the good pleasure of God.¹

¹ The Congregation of Indulgences has itself explained the meaning of this plenary indulgence of the Privileged Altar:

"Episcopus S. Flori in Gallia quaerit utrum per indulgentiam altari privilegiato adnexam intelligenda sit Indulgentia Plenaria animam statim liberans ab omnibus purgatorii poenis, an vero tantum Indulgentia quaedam secundum Divinae Misericordiae beneplacitum applicanda?"

S. Congregatio resp. "Per Indulgentiam altari privilegiato adnexam, si spectetur mens concedentis, et usus clavium potestatis, intelligendam esse Indulgentiam Plenariam quae animam statim liberet ab omnibus purgatorii poenis: si vero spectetur applicationis effectus, intelligendam esse Indulgentiam cujus mensura Divinae Misericordiae beneplacito et acceptationi respondet.

28 Jul. 1840.

See also Van de Burgt, *De Celebratione Missae*.

From the definition just given of a Privileged Altar, it is manifest that, in order to gain this plenary indulgence, we have need, in the first place, of an altar that is duly privileged, and, secondly, we must celebrate Mass at that altar. We will arrange under these two heads our notes on this subject.

4.

The conditions usually required for a Privileged Altar.

Compliance with certain conditions is always insisted on, before an altar can be privileged. The conditions may vary from time to time, so that in each case the most trustworthy source of information as to what they are, is the document authorizing the erection of such an altar. Even after the conditions are known, a question might arise as to their interpretation, and we hope to anticipate the answer to difficulties of this kind by explaining the conditions that are ordinarily found in the Indult granting a Privileged Altar.

The usual conditions are two, namely:

1. That the altar is itself fixed. 2. That there is not already in the church or chapel a similarly Privileged Altar. Formerly it was usual to add a third condition requiring a certain number of Masses to be said at the Privileged Altar.¹

5.

The Privileged Altar must be Fixed, or rather a Fixture.

A Privileged Altar is always understood to be a fixture unless the contrary is expressly stated. This point has been decided by the Congregation of Indulgences:

“Quaeritur si a S. Sede indultum locale altaris privilegiati conceditur, neque ulla facta sit mentio nec in supplici libello, nec

¹ The following is a copy of a Rescript, granting a Privileged Altar to a certain convent in Ireland. It was obtained, as will be seen by the date, less than a year ago:—

“Ex Audientia Sanctissimi habita die 21 Novembris, 1880.

“Sanctissimus Dominus Noster Leo Divina Providentia PP. XIII., referente me infrascripto Sacrae Congregationis de Propaganda Secretario benigne declaravit in perpetuum privilegiatum altare majus sacelli Monialium a Presentatione in civitate — diocesis — dummodo aliud altare privilegiatum non adest, pro cunctis Missae Sacrificiis, quae in eodem altari a quocunque Presbytero Saeculari vel cujusvis ordinis Regulari celebrabuntur.

“Datum Romae ex aedibus dictae Sacrae Congregationis, die et anno, etc.”

in rescripto de qualitate altaris, sitne fixum scilicet, vel portatile ; an altare censi possit privilegiatum, etiamsi sit portatile ?”

S. C. Indul. resp “*Negative*, excepto casu indulti altaris privilegiati personalis, quo frui potest sacerdos in quocunque altari sive locali sive portatili celebraturus.”¹ 15 Dec. 1841.

It is not necessary that the express statement of the portable nature of the altar be contained in the Rescript granting the privilege. It suffices to mention it in the petition, provided that what is asked in the petition is granted in the Rescript. This point also has been decided by the Congregation.¹

The reader will remark that we speak of the altar as a *fixture* rather than as *fixed*; because it is not necessary that a Privileged Altar should be, in the strict liturgical sense, a fixed altar. In a fixed altar, properly so-called, the slab and the base on which it rests are equally essential parts, and it is, moreover, necessary that both these parts should be permanently united. Accordingly, they must be anointed at their juncture, to signify that they, when thus united, form the altar. Now a Privileged Altar need not be in this sense fixed. This has been decided by the Congregation of Indulgences :

1. “An in resolutione, data a S. Congregatione Indulgentiis Sacrisque Reliquiis praeposita, die 15 Dec. 1841, per verba *altare fixum* seu *locale* intellexit altare *fixum* prouti supra ex scriptoribus de rebus liturgicis definitum est ?

“Et quatenus affirmative ?

2. “An vox *altare portatile*, in eadem resolutione habet eandem significationem quam ex iisdem scriptoribus superius indicavit orator ?”²

Resp. S. Cong. Indulgentiis, &c.

Ad 1. “S. Congregationem intellexisse *altare fixum* quidem quod a loco demoveri non possit, sed non tamen eujus superior pars sive mensa sit ex integro lapide, vel adeo calce conjuncta, ut lapis consecratus amoveri non possit ; secus enim, diruto altari, quod privilegiatum concessum erat ob alicujus sancti imaginem, post novam constructionem, novo indigeret privilegio.”

Ad 2. “Intellexisse altare, ut dicitur, *viaticum*, quod constat tantum ex unico lapide integro tantae magnitudinis ut calcicis pedem cum patena, saltem quoad majorem partem, capere possit, vel quod de uno in alium locum transfertur.” 20th March, 1846.

¹ S. C. censuit declarari : “Constare de privilegio, etiamsi mentio de altaris portatilitate in supplici tantum libello sit expressa, minime vero in concessionis rescripto.” 31 Jan. 1843.

² The decision referred to is the one quoted above. (15 Dec. 1841.)

It is certain, then, that this condition requires, not that the altar should be fixed in the strict liturgical sense, but that it be a *fixture*. By this is meant that the structure, whether of stone or wood, is to be of a permanent kind, such as is ordinarily to be seen in most of our churches, and which we commonly speak of as the altar. The fixture is opposed to a mere temporary altar, that is raised for a particular feast or occasion, or for a passing season of devotion, such as the month of May, and which is removed as soon as it has served its purpose.

6.

The Privilege is not attached to the Altar-stone, but to the Fixture.

Having distinguished between a *fixed* altar and one that is a *fixture*, we must now call attention to the difference between the *fixture* and the *altare portatile*, or altar-stone. In the ordinary Privileged Altar, it is to the fixture, and not to the altar-stone, that the indulgence is attached. The altar-stone is, of course, necessary for the celebration of the Mass, but by no means necessary for retaining the privilege. Accordingly, the removal of the altar-stone is not followed by the loss of the privilege. As soon as its place is supplied by another, so that Mass can be said, the indulgence can be gained as before.¹

7.

In what sense the Privileged Altar must be a Fixture.

We have spoken of the altar structure as permanent, or a fixture. It must not, however, be supposed that the privilege is attached to a particular structure in so exact a sense, that if it were very much damaged or totally destroyed, and another altar substituted in its place, the privilege would be necessarily lost.

To explain what we mean, we will make some practical cases :

¹“ An indulgentia seu privilegium altaris a S. Sede concessum sit lapidi consecrato plerumque portatili in quacunq[ue] ecclesia et cuicunq[ue] altari fixo imposito, an vero determinato altari fixo, quod proinde alio consecrato lapide imposito, privilegium minime amittat ?”

S. Cong. resp. “*Negative quoad primam partem : affirmative quoad secundam, videlicet, privilegium, de quo supra, datum est altari determinato et in honorem alicujus sancti specialiter dicato, ita ut privilegium ipsum altari fixo exclusive inhaerent nec ad aliud altare etsi fixum transferendum.*” 27th Sept., 1843.

1. Suppose an old church to be replaced by a new one. The Privileged Altar, which was in the old church, is preserved and re-erected in the new church. Is the privilege lost by this change?

In this case the privilege is not lost, provided the new church is built in the same place as the old one. The Congregation of Indulgences has decided these points:

1. "An idem dicendum erit (id est, utrum reviviscat privilegium) si ecclesia funditus destructa sit et deinceps, ea in eodem loco reaedificata, altare olim privilegiatum sub eodem titulo denuo erigatur?"

4. "Quid tandem si ecclesia non in eodem loco, sed alibi reaedificatur?"

S. Cong. resp. Ad. 1. "*Affirmative.*"

Ad. 4. "*Negative; ut in die, 9 Aug., 1842, 30 Aug., 1847.*"

2. What, if the Privileged Altar itself is much changed, the church remaining unaltered in other respects?

Generally speaking, the privilege is granted to an altar having a certain title, that is to say, to an altar dedicated to some mystery or saint, for example, to the Altar of the Sacred Heart, or of the Blessed Virgin, or of St. Aloysius, or of any other saint. This title is mentioned in the Indult. Now this title must be retained in order to preserve the privilege. Accordingly, a privilege granted to the Altar of the Blessed Virgin lapses, if the priest changes the title and makes it the Altar of the Sacred Heart.

Again, a privilege is sometimes granted to an altar on account of its having a statue or picture of special devotion. If this special object which, in this case, is mentioned in the Indult, is destroyed or removed, the privilege lapses.

Finally, very frequently the privilege is granted to the high altar of a church. Of course, the particular structure ceases in this case to be privileged, if, in consequence of alterations made in the church, it ceases to be the high altar.

But, these conditions being observed, the mere change in the altar is not followed by the loss of the privilege. This is true even to the extent of removing the altar altogether and substituting another in its place. The substituted altar might be different from the former one in shape, and size, and material, and yet it continues to be the Privileged Altar. It is not even necessary that the new altar should hold the same place as the old one in the church. Finally, this is the case even though the church

is new as well as the altar, provided the new church is built in the same place as the former one.

These conclusions are plainly contained in the following decrees of the Congregation of Indulgences:—

“Episcopus Nancejensis exponit quod anno 1835 altare majus ecclesiae parochialis de Bening privilegiatum in perpetuum declaratum fuit: cum vero idem altare marmoreum hodie constructum sit, supponitur quod privilegium peremptum sit, supplicatur hinc pro opportuna declaratione?”

S. Cong. resp. “Dummodo altare sit iterum sub eodem titulo constructum, non amississe privilegium ab Apostolica Sede constructum.” 24 Ap., 1843.

1. “Utrum, diruto altari privilegiato, privilegium non pereat, sed, reaedificato altari sub eodem titulo, reviviscat?”

3. “Quid, si praefatum altare non eodem sed in diverso ecclesiae loco denuo erigatur, licet sub eodem titulo?”

S. Cong. resp. Ad. 1. “Affirmative, ut in die 24 Ap., 1843.”

Ad. 3. “*Ut in primo*, ut in die, 9 Ap., 1842.¹ 30 Aug., 1847.”

II.

Second Condition: that there is no other similarly Privileged Altar in the church.

It is usually required as a condition for receiving the favour of a Privileged Altar, that there is no other altar of the kind in the church or chapel.²

Writers of authority³ commonly teach that this clause refers only to altars that are privileged in a precisely similar manner, that is to say, for the same class of persons. Thus, the presence in a church of an altar that is privileged for the departed members of a particular society or confraternity would exclude, under this condition, the erection of a second altar for the same class, but it would not be a bar to the erection of an altar that is privileged for the faithful departed generally, or *vice versa*. For example, suppose that one of the altars of the church is privileged for the deceased members of the Confraternity of the Holy Family. Later on, the pastor applies to Rome for an altar privileged for the faithful generally, without restriction to

¹ See also Decrees of Congregation of Indulgences, 13 Sept., 1723; 16 Feb., 1730; 30 Aug., 1847, 2, 4.

² The clause in the Indult usually runs thus: “*Dummodo tamen in ipsa ecclesia nullum aliud altare privilegiatum adest.*”

³ Gobat. *Thesaurus Eccles. Indulg.* Tr. iv., cap. xxvi, n. 519.

Collet. *Traité des Indug.* cap. vii., n. 16.

Sporer. *De Indulg.* n. 133.

St. Alphonsus. *Lib. vi.*, n. 339.

this or that class. The petition is granted, but in the Indult is found the usual clause: "Dummodo tamen in ipsa ecclesia nullum aliud altare privilegiatum existat." Here the question arises, does the presence of the Privileged Altar of the Holy Family Confraternity nullify this grant? The Congregation of Indulgences answers that it does not, because the altars are not similarly privileged, that is, for the same class of persons.¹

If the grant of the Privileged Altars differed only as to the length of time for which they are conceded, the decision of authors is that these Indults are considered to be similar. The case is this: a Privileged Altar for all the faithful departed is erected in a church. The grant, however, is for only seven years. Long before the seven years are expired, the church receives a Privileged Altar in perpetuity for the same purpose, but in the Indult is the clause: *dummodo, &c.*

In this case, it is the opinion of the authors that the grant of the perpetual altar is invalid, if the existence of the other privileged altar was not mentioned in the petition. If it was mentioned, with the date at which it ceases, then the temporary privilege is supposed to be annulled by the grant of the perpetual privilege; otherwise two similarly privileged altars would exist in the church at the same time.

Another and a rather common case occurs to us. A church has a Privileged Altar to continue for seven years. In order that the privilege may not lapse, the priest applies to Rome for a renewal of the altar, before the seven years are out; but in his application he does not state the fact that a portion of the seven years remains unexpired. The request, however, is granted at Rome, but with the clause: *dummodo, &c.* Does the presence of the former altar nullify the grant? Authors are divided on this question. The weight of authority seems to incline to the opinion that it does not nullify the second grant, but suspends its operation until the seven years are past.

It is hardly necessary to remind our readers that the application of the probable opinion cannot be extended to the matter of Indulgences. To gain an indulgence we

¹ An existentia Altaris privilegiati certo personarum coetui concessi obesse possit concessioni alterius similis Privilegii indefiniti pro omnibus in eadem ecclesia, ratione clausulae in posteriori privilegio exaratae "in qua aliud altare privilegiatum non reperitur concessum."

S. C. Ind. resp. "Non obesse," 21 May, 1742.

must actually comply with what are, as a matter of fact, the prescribed conditions. If from any reason we do not observe the necessary conditions, though in our action we are influenced by a very probable opinion, we lose the indulgence. Accordingly, in the two cases of privileged altars we have just considered, and in all others where any doubt can enter in, we recommend a full statement regarding the Privileged Altar which happens to be already in the church, and by this means we shall secure a plain statement in the Indult of the intentions of the Pontiff as to the mode of granting the altar.

III.

Third Condition: a specified number of Masses to be celebrated at the altar.

This condition is not now commonly inserted. If it is, it is to be strictly kept, except in the following circumstances:—

(a) When religious, who assist in celebrating the Masses, are absent for a time, with the leave of their superior, to preach a Lenten or Advent course of instructions, or to attend at some ecclesiastical function, and the consequence is that the full number of Masses cannot be said: in these circumstances the privilege is not lost but only suspended.

(b) When the priests who say the Masses, are absent from sickness, the privilege is not even suspended, but continues in full force.

(c) When the Canons or secular priests are absent for a short time (*per aliquot dies aut menses*) the privilege is not interrupted.

R. B.

DOCUMENTS.

THE NEW PAPAL CONSTITUTION "ROMANOS PONTIFICES."

WE can only publish in our present number the first part of this most important and interesting document, which authoritatively determines the future relations of the Bishops and Regular Clergy in England and Scotland. It contains, indeed, no new legislation; but it gives a luminous exposition of the principles of the common law which bear on the questions at issue, and applies them with admirable clearness and precision to the special circumstances of the English Church. Inasmuch as these prin-

ciples are clearly applicable, *mutatis mutandis*, to the Church in our own and in foreign countries, the careful perusal of this Bull must be instructive to all classes of our clerical readers.

The questions at issue are arranged under three heads:—

(a) What relates to the exemption of the Regular Clergy from episcopal jurisdiction.

(b) What regards the ministrations performed by Missionary Regulars.

(c) Thirdly, what concerns temporal goods, and the uses to which they are to be devoted.

At present we can only give the first part; our readers, however, in this and the next two parts will find the following points carefully reasoned out and definitely decided:—

1. Regulars, living in houses on their missions, are yet exempt from the jurisdiction of the Ordinary, no less than their brethren living in the cloisters, even when less than six in number, except in those things that relate to the cure of souls and the administration of the Sacraments.

2. They are, however, bound, both Rectors of Missions and Vicars holding missionary faculties, to attend the conferences of the clergy and the diocesan synods.

3. They can, like other clerics, appeal to the Pope from the episcopal interpretation of synodical decrees; but only *in devolutivo* (without arrest of judgment), when there is question of decrees that by common law, either ordinary or delegated, affect Regulars. In other cases they can appeal with arrest of judgment—*in suspensivo*.

4. The Bishops are at liberty to divide and dismember missions, that are not “parishes” canonically erected, according to the decree of the First Provincial Synod of Westminster; but in the case of regularly constituted parishes, new or old, if any, they must act in accordance with the decree of the Council of Trent (C. 4, Sess. 21, *De Refor*).

5. In case of dismemberment, the Bishop need not give a preference to the members of the Religious Body already in charge, when making a new appointment.

6. The Bishop has the right to visit pious establishments and cemeteries under the care of Regulars, when the cemeteries are not exclusively reserved for the interment of Religious Communities.

7. The Bishop has also the right and duty, *per se aut per alios*, of visiting primary or parochial schools; but not other schools and colleges under the care of religious men.

8. It is unlawful for Regulars to create for themselves new establishments, whether churches, monasteries, colleges, or schools, or to convert existing institutions to other uses, without the express licence of the Ordinary, and of the Apostolic See.

9. Members of the Religious Bodies are bound to give an account to the Bishop of all monies received for the uses of the

mission, and of the purposes to which they have been applied, just as the Missionaries of the Secular Clergy are bound.

We now give the first part, which regards the exemption of Regulars. The two remaining parts will appear in future numbers. At another time we may enter into a detailed examination of some of the practical questions suggested by this important papal document.

SANCTISSIMI DOMINI NOSTRI LEONIS DIVINA PROVIDENTIA
PAPAE XIII CONSTITUTIO QUAE NONNULLA CONTROVER-
SIARUM CAPITA INTER EPISCOPOS ET MISSIONARIOS
REGULARES ANGLIAE ET SCOTIAE DEFINIUNTUR.

LEO EPISCOPUS SERVUS SERVORUM DEI AD PERPETUAM REI
MEMORIAM.

Romanos Pontifices Decessores Nostros paterno semper caritatis affectu inclytam Anglorum gentem fovisse, et monumentis suis testatur historia, et felicis recordationis Pius IX., in Litteris *Universalis Ecclesiae* iii. kalend. Octobris anno Incarnationis Domini mdccl. datis, graviter ac diserte demonstravit. Quum autem per eas Litteras episcopalem hierarchiam idem Pontifex inter Anglos restitueret, cumulavit quodammodo, quantum temporum ratio sinebat, ea benefacta quibus Apostolica Sedes nationem illam fuerat prosequuta. Ex dioecesium enim restitutione pars illa dominici gregis ad nuptias Agni caelestis jam vocata, ac mystico Ejus corpori sociata, pleniorum veritatis atque ordinis firmitatem per Episcoporum gubernationem et regimen rursus adeptam est. *Episcopi quippe*, inquit S. Irenaeus,¹ *successionem habent ab Apostolis, qui cum Episcopatus successione charisma veritatis certum, secundum placitum Patris, acceperunt*; atque inde fit, quemadmodum S. Cyprianus monet,² *ut Ecclesia super Episcopos constituitur, et omnis actus Ecclesiae per eosdem Praepositos gubernetur*.

Huic sane sapienti consilio mirifice respondit eventus; plura nimirum Concilia provincialia celebrata, quae saluberrimis legibus religiosa dioecesium negotia ordinarunt: latius propagata in dies catholica fides, et complures nobilitate generis et doctrina praestantes ad unitatem Ecclesiae revocati: clerus admodum auctus: auctae pariter religiosae domus, non modo ex regularibus ordinibus, sed ex iis etiam recentioribus institutis, quae moderandis adolescentium moribus, vel caritatis operibus exercendis optime de re christiana et civili societate meruerunt: constituta pia laicorum sodalitia: novae missiones novaeque Ecclesiae quamplures erectae, nobili instructae divites, egregio cultu decorae; permulta etiam item condita orphanis alendis hospitia, seminaria, collegia et

¹ *Adv. Haer.* Lib. iv., cap. 26, n. 2.

² *Epist.* 29 *ad lapsos*.

scholae, in quibus pueri et adolescentes frequentissimi ad pietatem ac litteras iustituuntur.

Cujus quidem rei laus non exigua tribuenda est Britannicae gentis ingenio, quod prout constans et invictum est contra vim adversam, ita veritatis et rationis voce facile flectitur, ut proinde vere de ipsis dixerit Tertullianus *Britannorum inaccessa Romanis loca, Christo subjecta*.¹ At praecipuum sibi laudis meritum vindicant cum assidua Episcoporum vigilantia tum Cleri universi docilis ad parendum voluntas, prompta ad agendum sollertia.

Nihilominus quaedam ex ipsa rerum conditione ortae difficultates dissensusque inter sacros Antistites et sodales ordinum religiosorum obstiterunt, quominus uberiores fructus perciperentur. Illi enim, cum praescripta fuisset per memoratas Litteras Praedecessoris Nostri communis juris observantia, rati sunt se posse omnia discernere quae ad ipsius juris executionem pertinent, quaeve ex generali Ecclesiae disciplina Episcoporum potestati permissa sunt. Plures contra gravesque causae prohibebant, ne peculiaris missionum disciplina, quae jam inveteraverat, repente penitus aboleretur. Ad has propterea difficultates avertendas et controversias finiendas Angliae Episcopi, pro sua in hanc Apostolicam Sedem observantia, Nos adiere rogantes, ut suprema auctoritate Nostra dirimerentur.

Nos vicissim haud gravate eam postulationem excepimus tum quia nobilem illam nationem non minore quam Decessores Nostri benevolentia complectimur, tum quia nihil Nobis est antiquius, quam ut sublatis dissidii causis stabilis ubique vigeat mutua cum caritate concordia. Quo gravius autem et cautius a Nobis iudicatio fieret, non modo iis quae ultro citroque abducebantur juribus et auctoritatibus diligenter animum adjecimus, sed etiam sententiam perrogavimus Congregationis specialiter deputatae aliquot S. R. E. Cardinalium e duobus sacris Conciliis, quorum alterum Episcoporum et Regularium negotiis expediendis praeest, alterum christiano nomini propagando. Hi, cunctis accurate exploratis quae in deliberationem cadebant, et rationum momentis, quae afferebantur utrinque, religiose perpensis, fideliter Nobis exposuerunt quid aequius melius de singulis quaestionibus discernendum sibi videretur in Domino. Audito itaque memoratorum Cardinalium consilio causaque probe cognita, supremum iudicium Nostrum de controversiis ac dubitationibus quae propositae sunt per hanc Constitutionem pronunciamus.

Multiplex licet varietate impleta sit congeries rerum quae in disceptationem vocantur, omnes tamen ad tria potissimum capita commode redigi posse arbitramur, quorum alterum ad familiarum religiosarum exemptionem pertinet ab episcopali iurisdictione; alterum ministeria respicit, quae a regularibus missionariis exercentur; tertium quaestiones complectitur de bonis temporalibus deque usu in quem illa oporteat converti.

¹ Lib. *adv. Judaeos*, Cap. 5.

Ad regularium exemptionem quod attinet, et cognita sunt canonici juris praescripta. Scilicet quamvis in ecclesiastica hierarchia, quae est *divina ordinatione* constituta, presbyteri et ministri sint inferiores Episcopis, horumque auctoritate regantur;¹ tamen quo melius in religiosis ordinibus omnia essent inter se apta et connexa, ac sodales singuli pacato et aequabili vita cursu uterentur; denique ut esset incremento et perfectioni *religiosae conversationis*² consultum, haud immerito Romani Pontifices, quorum est dioceses describere, ac suos cuique subditos sacra potestate regundos adtribuere, Clerum Regularem Episcoporum jurisdictione exemptum esse statuerunt. Cujus rei non ea fuit causa quod placuerit religiosas sodalitates potiore conditione frui quam clerum saecularem; sed quod earum domus habitae fuerint juris fictione quasi territoria quaedam ab ipsis diocesisibus avulsa. Ex quo factum est ut religiosae familiae, quas jure communi et Episcopis propter hieraticum principatum, et Pontifici maximo propter primatum Pontificium immediate subesse oporteret³ in Ejus potestate esse perrexerint, ex Episcoporum potestate per privilegium exierint. Quum autem re ipsa intra fines dioecesium vitam degant, sic hujus privilegii temperata vis est, ut sarta tecta sit dioecesana disciplina, adeoque ut clerus regularis in multis subesse debeat episcopali potestati sive ordinariae sive delegatae.

De hoc itaque privilegio exemptionis dubitatum est num eo muniantur religiosi sodales, qui in Anglia et Scotia missionum causa consistunt: hi enim ut plurimum in privatis domibus terni, bini, interdum singuli, commorantur. Et quamvis Benedictus XIV. in Constit. *Apostolicum Ministerium*, iii kalen. Junii anno Incarnationis Dominicae MDCCLIII. memoratos missionarios regulares privilegio perfrui declaraverit, subdubitandum tamen Episcopi rursus in praesens existimabant, eo quod, restituta episcopali hierarchia, rem catholicam ad juris communis formam in ea regione gubernari oportet. Jure autem communi⁴ constitutum est, ut domus, quae sodales religiosos sex minimum non capiant in potestate Episcoporum esse omnino debeant. Insuper ipse Constitutionis Auctor visus est ponere privilegii causam in "publici regiminis legibus . . . quibus coenobia quaecumque prohibentur;" hanc vero causam compertum est fuisse sublatam, quum plures jam annos per leges illius regni liceat religiosis sodalibus in collegia coire.

Nihilominus haec tanti non sunt, ut reapse privilegium defecisse judicemus. Nam quamvis hierarchiae instauratio faciat, ut res catholica apud Anglos ad communem Ecclesiae disciplinam *potentialiter* revocata intelligatur: adhuc tamen res ibi geruntur

¹ Concil. Trid. sess. 23, de Sacram. Ord. can. 7.

² S. Gregor. M. Epist. III., lib. ix.—Bened. XIV., Epist. Decret. *Apostolicae servitutis*, prid. Idus Mart. 1742.

³ Concil. Vatic. Constit., *Pastor Aeternus*, Cap. 3.

⁴ Innocent X., Constit. *Instaurandae*, die 15 Octob., 1652, Constit. *Ut in parvis*, die 10 Februar., 1654.

eodem fere modo atque in missionibus geri solent. Jamvero sacrum Concilium christiano nomini propagando pluries declaravit, Constitutiones Clementis VIII. *Quoniam* ix. kal. Julii MDCIII., Gregorii XV. *Cum alias* xvi. kalen. Septemb. MDCXII., Urbani VIII. *Romanus Pontifex* v. kalen. Septemb. MDCXXIV., itemque Constitutiones Innocentii X. non esse de domibus atque hospitibus missionum intelligendas¹. Ac merito quidem; nam quum dubium jamdudum fuisset propositum Clementi VIII., utrum religiosi viri ad Indos missi in culturam animarum existimandi essent quasi vitam degentes extra coenobii septa, proindeque Episcopis subesse Tridentina lege juberentur, Pontifex ille per Constitutionem *Religiosorum quorumcumque* vi. Idus Novembris MDCL. decreverat eos "reputandos esse tamquam religiosos viventes intra claustra" quamobrem "in concernentibus curam animarum Ordinario loci subesse; in reliquis vero non Ordinario loci, sed suis superioribus subjectos remanere." Neque aliud sensit indicavitque Benedictus XIV. in suis Constitutionibus *Quamvis* v. kalen. Martii MDCCXLVI.; *Cum nuper* vi. Idus Novembris MDCCLI., et *Cum alias* v. Idus Junii MDCCLIH. Ex quibus omnibus liquet, etiam hospitia ac domos quantumvis incolarum paucitate infrequentes hujus, de quo agitur, privilegii jure comprehendi, idque non in locis solum ubi Vicarii apostolici, sed etiam ubi Episcopi praesunt; de Episcopis enim in Constitutionibus, quas memoravimus, agebatur. Apparet insuper rationem potissimam exemptionis missionariorum regularium in Anglia non esse exquirendam in legibus civilibus, quae coenobiis erigendis obsessent; sed magis in eo salutari ac nobilissimo ministerio quod a viris apostolicis exercetur. Quod non obscure Benedictus XIV. significavit inquitens, "regulares Anglicanae missioni destinatos illuc proficisci in bonum sanctae nostrae religionis." Eandemque causam pariter attulerat Clemens VIII., cum de sodalibus religiosis ad Indos profectis docuerat ipsos, antistitum suorum jussu illuc concessisse, ibique sub disciplina praefecti provinciae versari "ad praedicandum sanctum Dei evangelium et viam veritatis et salutis demonstrandam." Hinc post sublatas leges sodalitiis regularibus infensas, et hierarchia catholica in integrum restituta, ipsi Britannorum Episcopi in priori Synodo Westmonasteriensi testati sunt, rata sibi privilegia fore "quibus viri religiosi suis in domibus vel extra legitime gaudent" quamvis "extra monasteria ut plurimum degant"

Quamobrem in praesenti etiam Ecclesiae catholicae apud Britannos conditione declarare non dubitamus: Regulares, qui in residentiis missionum commorantur, exemptos esse ab Ordinarii jurisdictione, non secus ac regulares intra claustra viventes, praeter quam in casibus a jure nominatim expressis, et generatim in iis quae concernunt curam animarum et sacramentorum administrationem.

¹ S. Cong. de Prop. Fide 30 Januarii, 1627; 27 Martii, 1631; 5 Octobris, 1655; 23 Septembris, 1805; 29 Martii, 1834.

Praecipuam hanc quam definivimus controversiam altera excipiebat affinis, de obligatione qua teneantur Rectores missionum creditam habentes animarum curam, eorumque vicarii, alique religiosi sodales, facultatibus praediti quae missionariis conceduntur, ut intersint iis Cleri conventibus, quos *collationes* seu *conferentias* vocant, neque non Synodis dioecesanis. Cujus quaestionis vis et ratio ut intelligatur praestat memorare quod in Concilio Westmonasteriensi Provinciali iv. praecipitur his verbis: "Si duo vel plures sint sacerdotes in eadem missione, unum tantum primum designandum, qui gerat curam animarum et administrationem Ecclesiae. . . . ceteros omnes curam quam habent animarum cum dependentia a primo exercere."¹ Comperta itaque natura facti de quo agitur, et semota tantisper ea quaestionis parte quae Synodos respicit, ambigi nequit, quin Rectores missionum adesse debeant iis Cleri coetibus, qui *collationes* dicuntur. Namque eorum causa eadem ferme est ac parochorum; parochos autem etiam regulares ea obligatione adstringi et docuit Benedictus XIV. Constit. *Firm audi* § 6. viii. Idus Novembr. m. ccxliv., et sacrum Concilium Tridentinis decretis interpretandis pluries declaravit.² Recte igitur in praedicta Synodo Westmonasteriensi fuit constitutum "Ad suam collationem tenentur convenire, respondere parati, omnes sacerdotes saeculares et regulares, salvis eorum juribus, qui curam habent animarum." Aliter dicendum videretur de vicariis, aliisque religiosi viris apostolica munia obeuntibus. His enim integrum quidem est de *jure constituto* a memoratis collationibus abstinere, prout alias fuit a Sacra Congregatione Concilii declaratum.³ At Nos minime praeterit Concilium Romanum habitum anno mdccxv. auctoritate Benedicti XIII. jussisse confessarios omnes etiam ex ordinibus regularibus intra fines provinciae comorantes coetus illos celebrare "dummodo morales in eorum conventibus lectiones non habeantur." Quum autem quod sine effectu geritur id geri nullo modo videatur, sacrum Concilium christiano nomini propaganda merito existimans domesticas regularium collationes in quibusdam missionum locis parum fructuosas ob exiguum sodalium numeram futuras, cunctis et singulis illic munere perfungentibus imperavit, ut Cleri conventibus interessent. Hisce igitur rationibus permoti declaramus, omnes missionum rectores Cleri collationibus adesse ex officio debere, simulque decernimus ac praecipimus ut iisdem intersint vicarii quoque, alique religiosi viri missionariis facultatibus concedi solitis instructi, qui hospitia, parvasque missionum domus incolunt.

M De officio conveniendi ad Synodum explorata Tridentina lex est:⁴ "Synodi quoque dioecesanae quotannis celebrentur, ad quas

¹ Dec. 10, n. 10.

² *Fofosempronien.* 5 Septemb., 1650, Lib. 19, Decret.

³ *Fofosempronien.* 12 Maii, 1681, Lib. 53, Decr. fol 258, *Aqupendien.* VV. SS. LL. 12 Martii, 1718.

⁴ Sess. 24 cap. 2, *de reform.*

exempti etiam omnes, qui alias, cessante exemptione, interesse deberent, nec capitulis generalibus subduntur, accedere teneantur. Ratione autem parochialium aut aliarum saecularium ecclesiarum etiam adnexarum, debent ii qui illarum curam gerunt, quicumque illi sint, Synodo interesse.” Quam legem egregie illustravit Benedictus XIV.¹ Neque vero putamus cuiquam negotium facessere decretum Alexandri VIII., iii. kalen. Aprilis MDCXCI., quo cavetur, ut ad synodum accedant Abbates, Rectores, Praefecti, omnesque antistites domorum religiosarum quas Innocentius X. Episcoporum potestati subjecerat. Quum enim Innocentianae Constitutiones viros Apostolicos, qui in sacris missionibus versantur, non attingant, facile intelligitur, neque decretum Alexandri VIII. ad eos, de quibus modo apud Nos agitur, pertinere. Quare huic posteriori quaestionis parti hoc unum respondemus: standum esse decretis Synodi Tridentinae.

Proxima est quaestio quae respicit appellationem ab interpretatione, quam Episcopi ediderint, decretorum synodalia. Namque hisce decretis pareant oportet etiam religiosi sodales in iis quae ad curam animarum et sacramentorum administrationem referuntur,² ceterisque in rebus “in quibus eos Episcoporum jurisdictioni subesse canonica praecipit instituta.”³ Profecto dubitare non licet quin ab iis interpretationibus ad Sedem Apostolicam provocatio sit; “siquidem, Gelasio I.⁴ et Nicolao I.⁵ auctoribus, ad illam de qualibet mundi parte canones appellari voluerunt: ab illa autem nemo sit appellare permissus.” Quare hujus appellationis tantummodo vis et effectus potest in dubitationem adduci. At haec dubitatio facile tollitur, si apta fiat causarum distinctio. Fas est nimirum Regularibus appellare in *devolutivo* tantum, quoad interpretationem decretorum, quae de jure communi, sive ordinario sive delegato, Regulares etiam afficiunt: quo vero ad interpretationem aliorum decretorum etiam in *suspensivo*. Authentica namque interpretatio quae manat ab Episcopis, qui Synodorum auctores sunt, tanti profecto est, quanti sunt ipsa decreta. Ex quo illud omnino est consequens, licere religiosis sodalibus a primo decretorum genere appellare eo jure et modo, qui licet cuilibet e diocesi appellare a lege communi scilicet in *devolutivo*.⁶ At vero ad reliqua decreta quod attinet, ea certe lata contra regulares vim rationemque legis amittunt: quare constat illos sic exemptionem a jurisdictione episcopali possidere uti ante possederint; donec Pontificis maximi auctoritate indicetur, jure ne an secus cum iis actum sit.

¹ De Synod. Dioec. Lib. 3, cap. 1, § ii.

² Concil. Trid. sess. 25, cap. ii., de regular.

³ Innoc. IV., cap. i., de privileg. in 6.

⁴ Epist. 7, ad Episc. Dardan. ann. 495, Tom. 2, collect. Harduini.

⁵ Epist. 8, ad Michael-Imperat., Tom. 5, collect. Harduini.

⁶ Bened. XIV., de Synod. Dioec. Lib. 13, cap. 5, § 2.

NOTICES OF BOOKS.

Rituale Romanum Pauli V. Pontificis Maximi jussu editum et a Benedicto XIV. auctum et castigatum; cui novissima accedit Benedictionum et Instructionum Appendix. Editio secunda accuratissima a Sac. Rituum Congregatione adprobata. Ratisbonae: Pustet. 1881.

The name of the publisher of this new edition of the Roman Ritual is, no doubt, in itself a sufficient guarantee to our readers that the work has been executed not only with correctness, but also with that elegance of typography, for which the books of liturgical chant, printed at Ratisbon within the last few years, have made the name of the old Free City on the Danube so justly renowned throughout the Western Church.

But the edition of the Roman Ritual now before us has a stronger and a higher title to recommendation. It is stamped with the special approval of the Sacred Congregation of Rites, and this not for its accuracy merely as a reprint of the authentic text hitherto approved by the Holy See, but as an edition modified and amended by the Sacred Congregation itself. "Scientes insuper," are the words in which the Bishop of Ratisbon gives the diocesan approval for its publication, "singula ejusdem Ritualis folia ad Sac. Rituum Congregationis Secretariam esse transmissa, et mutationes in eo contentas ab hac Congregatione esse factas et adprobatas, nos libentissime concedimus ut illud Rituale Romanum in lucem emittatur."

The first part (pages 1 to 398) contains the revised text of the Roman Ritual as usually published. In the second part (pages 1* to 228*) is a most useful collection of Liturgical Instructions, Forms of Blessings, Forms for investing in various Scapulars, for receiving into various Confraternities, &c., &c. This second part, no less than the first, is formally approved by the Sacred Congregation, by a decree, dated 28th January, 1881.

We have no doubt that the signal mark of favour, with which the supreme liturgical authority has thus rewarded the zealous energy of the Ratisbon publisher, will have the result of bringing this new edition of the Ritual into general use.

Officium Majoris Hebdomadae a Dominica in Palmis usque ad Sabbatum in Albis, cum Cantu pro Dominica Palmarum, Triduo Sacro, et Paschate, quem curavit S. Rituum Congregatio. Ratisbonae: Pustet. 1881.

We must express our regret that this useful little work did not reach us in time to enable us to bring it under the notice of our readers before the Holy Week of the present year.

It is a compendium of the well-known *Officium Hebdomadae Sanctae* published a few years ago by Herr Pustet. Like the

larger work, it contains not merely the full text of the liturgy for the public services of the Holy Week, and of the Masses of Easter Week, but also the music for those portions of the liturgy, according to the approved text which has been so signally commended by the Holy See. "Hanc ipsam editionem," are the words of the Sovereign Pontiff, speaking of this version of the Gregorian melodies, "tuis sumptibus et laboribus exaratum, Reverendissimis locorum Ordinariis, iisque omnibus quibus Musices Sacrae cura est, magnopere commendamus; eo vel magis quod sit Nobis maxime in votis ut cum in ceteris quae ad Sacram Liturgiam pertinent, tum etiam in cantu, una cunctis in locis ac dioecesibus eademque ratio servetur, qua Romana utitur Ecclesia."

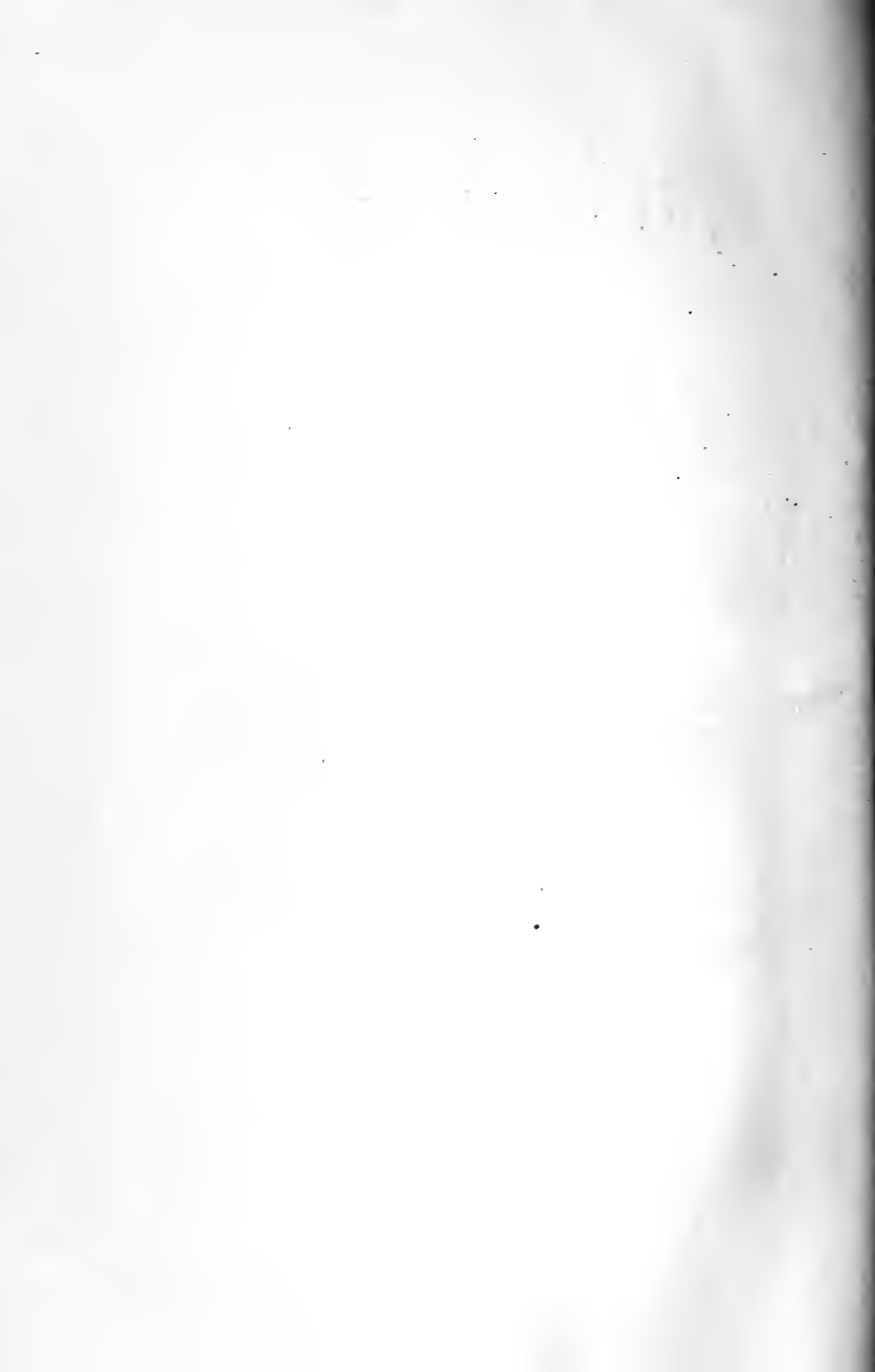
It is probably known to our readers that, as the most suitable recognition of the enterprise with which Herr Pustet placed the resources of his now renowned establishment at the service of the Commission, who have laboured so successfully in diffusing throughout the Church the text of the Gregorian chants as sung in the Roman Basilicas, the Holy See has conferred on him, for a long term of years, the exclusive privilege of printing this version of the chants. It is specially worthy of notice, then, as a fact no doubt unprecedented in the history of monopolies, that the book before us is published at a price in all probability lower than that of any other edition containing any version of the music, and, we may add, at a price almost as low as that of any edition containing the words of the liturgy alone.

Psalmi Officii Hebdomadae Sanctae quos Mediationum et Finalium. Initia distinctis in Psallentium Usus edidit Joseph Mohr. Ratisbonae: Pustet. 1881.

The contents and object of this useful *brochure* are sufficiently indicated by the note which the author has prefixed to it.

"Quum SS. Rituum Congregatio distributionem Syllaborum in cantandis Psalmorum melodiis arbitrio cantorum permiserit, eamque ob causam prohibuerit ne in libris choricis qui ipsa curante eduntur . . . signa ad indicandam syllabarum distinctionem adjiciantur, Psalmos Officii Hebdomadae Sanctae in libellum collegi, in quo *Mediationum* et *Finalium* initia in psallentium usum . . . distinxi."

The works in which the revered author has executed a similar task for the Psalms of the Offices of Vespers and Compline, are now so familiar to all who take an interest in the suitable rendering of the psalmody of the Church, that it is unnecessary to add even one word of commendation of the little work before us. It cannot fail to come into universal use in those choirs where the liturgical music of the Holy Week is sung in its integrity, and where any regard is had for the observance of that uniformity in chanting which is so essential not only for the decorum, but even for the decency of public worship.



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