

Brazil were called 'Perpetual Defenders'; and Austria's sovereign is addressed as 'His Apostolic Majesty'—the full title of his office runs as follows: 'His Imperial and Royal Apostolic Majesty the Emperor of Austria, King of Bohemia, and Apostolic King of Hungary.'

The Jesuit Libel Case.

The full accounts given in recent exchanges of the libel action brought by the Rev. Father Bernard Vaughan, S.J. (brother of Cardinal Vaughan), against *The Rock*—a London Protestant paper run by the notorious Kensit—make most interesting reading. Kensit's lawyer, who tried to 'work off' the regular stock calumnies against the Jesuits in the form of questions to Father Vaughan, was completely beaten at every turn and it is impossible to read the report of the trial without enjoying his repeated discomfiture. The libel itself was a particularly silly and offensive piece of writing. Kensit, knowing that under the Emancipation Act of 1829 any Jesuit was liable—at the instance of the Attorney-General—to be sentenced to banishment from the United Kingdom and stupidly imagining that Jesuits were therefore *ipso facto* 'outlaws' who might be libelled with impunity, admitted to his paper a letter in which Father Bernard Vaughan was specifically described as 'one of the infamous sons of Loyola . . . one steeped in sedition . . . an outlaw having no legal rights' etc., and in which other papers were significantly reminded that no matter what was said against the Jesuits the Order could not be libelled. Father Vaughan accordingly issued a writ against *The Rock*, on receipt of which the paper tendered a so-called apology, but an apology so lame and offensive that Father Vaughan could not possibly accept it and the matter had to be threshed out in the Courts. At the trial the defendant set up as his defence that the words were not defamatory, that they were published *bona fide* and without malice, and were fair comment on matters of public interest.

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As we have said, Father Vaughan was subjected to a lengthy cross-examination, and he took full advantage of the opportunity thus afforded to publicly deny and refute the foul charges that are so frequently brought against the Order. He was closely examined, for example, as to the alleged claim of the Church to the right, applicable to the present day, to punish heretics by persecution and even death, and he gave to the Court and the world a splendid vindication of the Church from this odious charge. We quote from the report:

'Counsel put to witness passages from "The Institutions of Canon Law," by Marianus de Luca, Professor of the Text of the Decretals in the Gregorian University, Rome, and bearing the imprimatur of the then Provincial, since deceased, Professor Carini. (To plaintiff)—In the view of your Society the Church has the power to punish heresy?—Speculatively, yes.

'And by punishment, I suppose, is meant censure, excommunication, fine, exile, and, it may be, death"—I beg to say publicly, and I am glad of the opportunity, that in practice, I reject and repudiate all these speculative theories and views in Father de Luca's book as monstrous anachronisms. I beg to state that Father de Luca is Professor of the Text of the Decretals; that is, he explains to his pupils the text and meaning of the Decretals which form a main part of the Canon Law of the Church. These Decretals are derived, many of them, from the Theodosian and Justinian Codes. They were first gathered into a *corpus juris* in 1153, and were finally republished, with additions, in 1313 by Clement V. In these Decretals were embodied the provisions of the Theodosian and Justinian Codes, making heresy punishable by death as a civil crime. I beg to say, therefore, that these Decretals formed part of the common law of Christendom 200 years before the Jesuits ever came into existence, and, therefore, Father De Luca is bringing up nothing new, nothing original, and the Provincial did not refuse his imprimatur, because there is nothing new put into the book. It is simply a compilation of the old laws which regulated the relations between Church and State in a bygone day, and can never have any practical existence in the future. So that I say, with Cardinal Manning, that since the unity of Christendom was broken up, the use of persecution for those who hold religious opinions contrary to ours would be a crime and a heresy.'

There was some attempt, says the report, at applause in Court, but the Judge ordered it to be stopped.

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Father Vaughan also got in a very neat and conclusive reply to the suggestion that the Jesuits are disloyal and seditious. He was asked:

Do you think it fair to describe you as 'one of the infamous sons of Loyola'?—It is very painful to me to be told that I am disloyal to my King. I would never allow anyone to stand between me and my King. For a thousand years my family have lived here, true to their King and country, and it is a painful thing that I should be brought into Court to clear myself of these foul imputations. I reject them entirely.

As to the loyalty of the students of your colleges, how many of the students of Stonyhurst College have fought during the recent war?—More than 100, and three students of that college have at various times received the Victoria Cross. That is what we have taught them to do.

How many from Beaumont College?—More than 100. And many have lost their lives?—Yes.

This was of course a 'clincher' and furnished a final and unanswerable vindication of the patriotism and loyalty of the Order.

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The very satisfactory result of the trial is known to our readers and has been already commented on in these columns. The Judge, Mr Justice Wills, gave an excellent summing up, urging the jurymen to administer the law 'free from sympathy, free from passion, and free from prejudices,' and the jury, after only half an hour's deliberation, returned with a verdict for Father Vaughan, including damages to the amount of £300. Judgment was accordingly given for that amount, together with costs of the trial, costs of a certificate for a special jury, and costs of an application for interrogatories prior to the trial. Altogether Kensit will have a very pretty little bill to pay and will have been taught a lesson which he and his followers are not likely to soon forget.

High Church Anglicans and the Coronation Service.

One cannot help respecting the earnestness and zeal which usually characterise the clergy of the High Church persuasion, but we confess that our admiration is tempered by a feeling of chronic wonder at the tenacity with which they cling to a theological position which all the world, except themselves, can see to be utterly untenable. They remain members of a Church which is manifestly and unquestionably Protestant both in name and in reality, and yet manage to make themselves believe they are Catholic, and make pathetic attempts to persuade the rest of the world also of their Catholicity. Their latest effort in this direction has been made in connection with the Order of Service recommended by the Bishop of London for use on Coronation day. In connection with this Order the following letter has been sent to the London Press:—

'Sir,—We ask you of your courtesy to allow us to say that, with the deepest regret, we shall be unable to use the Order of Service recommended for use on the Coronation day, as it now stands. In this Order, the minister is directed to inform the people, amongst other details, that the King has taken the Oath to maintain "the Protestant Reformed Religion established by Law." Whatever may have been the significance of the term "Protestant," either originally or at the period when it was first introduced into the Coronation Oath, it has acquired an extended meaning, in which it is popularly taken as opposed to "Catholic."

'To inform the people that the King has taken an Oath in the above terms will, probably, create an erroneous impression that the religion of the Church of England is in some way opposed to Primitive and Catholic antiquity. It should be remembered that the term "Protestant" was not introduced into the Oath at the time of the Reformation, but at the coronation of William and Mary in 1689—more than a century later. It nowhere occurs, either in the Prayer Book, the Thirty-Nine Articles, or any other authoritative formulary of the Church of England to which we have given our assent.

'We are, Sir, your obedient servants,
'T. W. Belcher, Willoughby Carter, E. Vernon Collins, Edward Denny, S. Baring Gould, F. F. Irving, W. H. H. Jervois, G. Arthur Jones, G. Kemp, T. A. Lacey, G. C. Ommanney, C. J. Ridsdale, G. Bayfield Roberts, W. J. Scott, W. Frank Shaw, R. A. J. Sucking, H. N. Thompson, Lincoln S. Wainwright, Harry Wilson, Edmund G. Wood.'

This repudiation, however well-meant it may be, will deceive nobody, and will, of course, pass without any practical effect, except to emphasise the inconsistency of the signatories in trying to profess Catholic principles and yet remaining members of a Protestant Church. All roads, it is said, lead to Rome, and it is just possible that this Accession Oath and Coronation Service, like the famous Gorham judgment of 50 years ago, may serve to bring home to advanced Anglicans the essentially human origin of their Church and the hopeless inconsistency and illogicalness of the position they are in.

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