

Messenger and Visitor.

THE CHRISTIAN MESSENGER,
VOLUME LXIII.

Vol. XVII.

ST. JOHN, N. B., WEDNESDAY, APRIL 10, 1901.

THE CHRISTIAN VISITOR
VOLUME LII.

No. 15.

The Kaiser's Apprehensions.

A few weeks ago in Bremen, an assault was made upon the Emperor of Germany as he was riding in his carriage. The account which the despatches gave of the affair at the time, did not indicate that it was of a serious character. It was said that a man named Weiland, had thrown a piece of iron which had struck the Emperor's face and had inflicted a somewhat painful, but not dangerous injury. The fact that the man Weiland was known to be subject to fits of insanity was supposed to relieve the occurrence of any connection with anarchists, or anything of the nature of an inspired plot against his Majesty's life. It appears, however, that the Emperor himself has taken quite a different view of the affair, and sees in it evidence of a plot, and therefore of popular conditions which cause him much alarm. Some of the Emperor's public utterances in reference to the matter, have caused much surprise, especially a speech at the dedication of a new barracks, in the course of which he strongly intimated to the soldiers the possibility of their being called upon to defend the person of their sovereign from danger at the hands of the people. Such utterances must be considered most unwise and impolitic were the danger of attempts upon the life of the Emperor as great as he seems to believe, for hardly anything could wound the feelings of loyal subjects more keenly than an intimation on the part of the sovereign of distrust in the goodwill and affection of his people. But the police authorities, and for the most part the press, of Germany are said to take the view that there is nothing in the circumstances to call for alarm on the part of the Emperor, and much surprise is expressed at the views and feelings to which he has given expression. Some of the newspapers explain his Majesty's utterance on the ground of an undue mental depression occasioned by the assault upon his person and to the representation of irresponsible advisers. The Augsburg 'Abend-Zeitung,' a semi-official paper, says the speeches fill every patriot with deepest regret and greatest fear for the future, and adds significantly that they awaken the fear that the Bremen incident has fixed images in the Emperor's mind which are the product of an over exerted fancy.

Russia and China.

Despatches from Peking announce that the Chinese Government has formally notified Russia that, owing to the attitude of the other powers, China is unable to sign the Manchurian Convention, so called, whereby Russia expected to secure from China certain exceptional and valuable concessions. In the formal notification on the subject China tells Russia in effect that, however much she might desire to comply with the wishes of the latter in this matter, it is impossible for the sake of making one nation friendly she should alienate the sympathies of all others. It is charged against Russia by other powers that she has not acted honestly in seeking these special concessions from China, inasmuch as she had undertaken with the other powers to avoid any such private arrangement involving the acquisition of Chinese territory. It cannot be said that China's refusal to sign the Convention decides the question whether Russia will continue to occupy Manchuria. What it settles is that Russia will not continue to do so with China's formal consent. But it is intimated by what would seem to be an inspired despatch from St. Petersburg that Russia will continue in Manchuria in any case, and that the only question is whether or not her position there shall be recognized by China and by the other powers. If this correctly expresses Russia's position the meaning of it is that nothing short of war will persuade her to withdraw from Manchuria. Russia would hardly take this position were it not that Great Britain has her hands full with her South African war.

Prospective Changes in the British Government.

In view of statements previously made in reference to Lord Salisbury's failing health, the attack of influenza from which his lordship has suffered has naturally led to exaggerated reports of the seriousness of his illness. An Associated Press despatch now contradicts on the authority of Mr. Schomberg McDonnell, Lord Salisbury's private secretary, the report that the Premier was suffering from a serious form of kidney disease. While still weak from the attack of influenza, it is denied absolutely that Lord Salisbury's condition is one to cause alarm. This more favorable view of the Prime Minister's condition of health is not however to be taken, in the opinion of the London correspondent of the New York Tribune, as constituting any probability that the reports as to Lord Salisbury's intended retirement are not well founded. On the contrary it is asserted that his retirement from public life is much nearer than is generally supposed, and that there will be a new Prime Minister before the end of the present session of Parliament. According to the same authority Lord Salisbury's successor in the leadership will be Mr. Balfour, the present leader in the Commons, who will be raised to the Peerage. In connection with this change it is expected that Mr. Chamberlain will succeed Mr. Balfour as Government leader in the Commons, which he may do while still retaining his present position as Colonial Secretary. Under Mr. Chamberlain's leadership the aggressive force of the Government in the Commons would doubtless be increased. Sir Michael Hicks-Beach may remain Chancellor of the Exchequer. His high ability and his disposition to husband the national resources inspire general confidence in his management, but the expenditures, both present and prospective, involved in the South African war are of such volume that the Chancellor's speech is anticipated by the British tax-payer as a very bitter dose, and its effect cannot possibly be to increase the now waning—popularity of the Government.

The Delpit Case.

The judgment of Judge Archibald of the Superior Court of the Province of Quebec in the Delpit case—to which we made brief reference last week—is of sufficient importance to deserve a more extended notice. It will be remembered that Delpit, the plaintiff in this case, married Miss Coté, May 2nd, 1893, the ceremony being performed by Rev. William S. Barnes of the Unitarian church at Montreal. The action before Judge Archibald was for the confirmation by the civil court of the judgment of the Roman Catholic ecclesiastical court in the Province of Quebec, annulling the marriage, the plaintiff asking that "the said pretended marriage having been declared illegal and null by the ecclesiastical authority, should now be declared null as to its civil effects and that the decree of said ecclesiastical authority should be confirmed and recognized for all legal purposes." The demurrer of the defendant pleaded that, "supposing both parties to be Catholics, yet they could be validly married by a Protestant minister; that the sentence of the ecclesiastical tribunal set up in the declaration was null and of no effect; that there existed no ecclesiastical tribunal in this country having jurisdiction to annul a marriage tie." The judgment of the civil court affirms the validity of the defendant's plea and denies the suit of the plaintiff. The grounds upon which this decision was reached were presented by Judge Archibald in an argument of great length, and the considerations on which the court bases its decision is summed up as follows:

"(1) Considering that there exists in this Province no established church, but that all denominations of Christians are perfectly free and equal; (2) considering that marriage is a contract of natural law, and belongs to the

whole body of the population, without distinction of religious belief; (3) considering that our law relating to marriage was enacted without reference to the religious beliefs of any section of the population, but as a general law to secure the publicity of marriage and the authenticity of its proof; (4) considering that neither the code nor the authority of England since the cession of this country, nor of this country under the French regime, required any religious ceremony as an essential of the validity of marriage; (5) considering that marriage is a civil contract, the obligation of which, however, has, with most Christian nations, been enforced by considerations relating to religion; (6) considering that in the interpretation of any law relating to marriage, every presumption must tend towards the validity of marriage; (7) considering that articles 128 and 129 of the civil code require that marriage be solemnized publicly and before a competent officer, and that all persons authorized to keep registers of civil status are competent officers, and that the literal interpretation of these articles would exclude any limitation such as that set by the plaintiff; (8) considering that there is no ground to limit the general application of the articles in question, except such as would be based upon the supposition that the law intended to confer upon the particular religious bodies an obligatory jurisdiction over their members, which is absolutely contrary to the complete freedom of religious professions prevailing in this country; (9) considering therefore that the said Rev. William S. Barnes was not an incompetent officer to receive the consent of the parties to the marriage in question; (10) considering that at the cession of this country the functions of all courts in previous existence absolutely ceased and determined, and could not be revived or re-established without the ex resson of the will of the new Sovereign; (11) considering that since the said cession the new Sovereign authority has never constituted any ecclesiastical court in this country, and that no such court has existed or does exist therein; (12) considering that all the different religious organizations in this country are purely voluntary associations, free and independent of the State, with regard to all matters of faith and doctrine, but having no coercive jurisdiction over any of their members; (13) considering that actions for annulment of marriage are civil actions, and are specially confided to the courts of civil jurisdiction; (14) considering therefore the decree of the ecclesiastical authority pleaded by the plaintiff as being null and void, and of no legal effect; (15) considering plaintiff's action wholly unfounded and defendant's demurrer well founded, [the Court] doth maintain said demurrer and dismiss plaintiff's action with costs."

The judgment delivered by Judge Archibald, which is directly contrary to the position taken by the ecclesiastical court and Archbishop of Bruchesi, may be said to mark the second stage in the history of the case. It will now probably go to the Court of Appeals where it will be argued before the full bench, and it may be expected that for its final decision it will go before the Judicial Committee of the Privy Council.

Damage by Freshets.

The freshets resulting from the melting snows and the heavy rains during the latter half of last week and on Sunday, have caused great damage to bridges, mills and other property along the rivers of New Brunswick and Maine, and at present writing there seems much reason to fear that the list of losses from this cause is not by any means complete. The mill of Fred Moore & Sons on the Meduxnakik creek in the vicinity of Woodstock was carried away on Saturday, and a railway bridge at the same place also fell. The loss involved in the mill is estimated at \$15,000. At the Union mills on the St. Croix a boom of 250,000 logs struck against the American end of the Union bridge carrying away part of it. The logs went over the dam and many of them went out to sea involving heavy loss to the owners, F. H. Todd & Sons. The water at Fredericton is reported very high and still rising. There is an ice jam a few miles above the city, and much anxiety is expressed for the railway and highway bridges. Heavy freshets and rapidly rising waters on the rivers of Maine are reported. A good deal of damage has been done in places and much more is apprehended. Later reports from Fredericton say that the ice started about 2:30 Monday afternoon and went with a rush, the current being about seven miles an hour, hundreds of people watching the wonderful sight, and, in spite of warning notices, thronging the side walks of the bridge. The bridges have sustained some damages, the railway bridge suffering most. The running ice knocked out of place, the timbers upon which the running gear of the draw span rests, and trains will not be able to cross until the damage is repaired. Some warehouses just below the city were badly damaged, and the old railway station was destroyed. It is said that not since 1846 has the ice run out so early.