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SATURDAY, SEPT. 30, 1905.

Mistaken.

Last week the Catholic Union and Times copied from a Rochester contemporary an article dealing with the "Sargent" and "Lima" cases in which the mistake was made of predicting a decision in the latter case favorable to the contention of Father FitzSimons because the issue presented there was "precisely the same" as that involved in the Sargent action.

The contemporary in question stated that the issue in the Sargent case was that of religious garb. That is not correct. It is all there is at issue in the Lima case. But in the Sargent case the issue was: Where and how shall the Catholic wards of the state, committed by the state to Catholic institutions, receive the secular education which the compulsory education law of the state, expressly provides that they must receive? Shall they be marched out to a secular school to learn their A B C's or shall they be instructed in the institution? If in the latter, by whom? Mr. Sargent raised the question of garb but that had no real bearing on the case. The question was whether the Sisters were duly qualified to impart secular instruction to the wards committed to their care. The courts decided that they were and the payments by the city for their salaries came inside the scope of Article VIII, section 14 which reads: "Nothing in this Constitution shall prevent the legislature from providing for the care, support, maintenance and secular education of the inmates of orphan asylums homes for dependent children, or correctional institutions, whether under public or private control."

The nub of the contention in the Lima controversy is over Article IX, section 4 of the state constitution which reads: "Neither the state nor any sub-division thereof shall use its property or credit or any public money or permit either to be used, directly or indirectly, in aid or maintenance, other than for examination or inspection, of any school or institution of learning wholly or in part under the control or direction of any religious denomination or in which any denominational tenet or doctrine is taught."

It will be seen that there was no escape from the decision as rendered by all the courts, except the County Court of Monroe in the senseless litigation precipitated by a senseless litigant, but it was well that the question were settled judicially which has been done.

It need surprise no one if the courts rule differently in the Lima case and we say this with no intention of conceding the justice of the position taken by the state. Morally speaking, there is no disputing the justice of Father FitzSimons' contention that the sisters are entitled to their salaries. But courts are wont to lay great stress upon "intention" and there can be no successful denial that the enemies of religious schools were in the aggressive majority in the constitutional convention of 1904 and that it was their intention to absolutely prohibit for twenty years—the period between conventions—any diversion of the public funds to any school "wholly or in part" under the control of any religious denomination—viz: any Catholic school—and if we claim

that the school in Lima is not under Catholic control we surrender the vital point for which Bishop McQuaid has so long contended—Catholic parental schools in which children may be educated in secular branches and also in the principles of our holy religion.

If the courts decided favorably in the Lima controversy no one will be more gratified than the Journal. But in case of an adverse decision our course is clearly to keep on agitating the injustice done us under present conditions and to endeavor to so awaken the public sense of fair play that in 1914 the state constitution may be so amended that justice will be done us.

Burlesque

Why is it that Irishmen will go to a theater and applaud hideous caricatures of their own race while they will not give even half way decent support to a stage portrayal of the Irish of to-day?

Andrew Mack in the "Soldier Boy" gave a fine presentation of the clean, sprightly, up-to-date Irish young man as he appears before the public to-day—minus knee breeches green tie, flaming county Antrim whiskers, shovel hat and the ever-present dhudeen—and it received but a cool reception.

Last week Irishmen prominent in politics and in Irish circles journeyed from New York to Rochester, to witness "In Tammany Hall". In this burlesque the Irish characters were depicted as blathering, vulgar, outlandish personages, whose notion of personal honor is low, whose only ambition is to get on the police or to run a saloon. The Irish women are portrayed as unspcakably vulgar. Yet Irishmen of Rochester clapped vigorously, while those who were not Irish went away with the belief that such stage caricatures represented accurately the Celt in America.

Incidentally, it should be a matter of regret that New Yorkers would send such a play as "Tammany Hall" out of New York. It is such a gross burlesque, such an extravaganzas on actual conditions. New Yorkers might recognize the burlesque and so no harm would be done. But New Yorkers should realize by this time that the Americans who do not know New York make up their minds about the metropolis from plays and comic papers. When they see a play like "Tammany" approved by Tammany leaders and New York critics, the belief becomes ingrained that it portrays New York conditions as they exist. Really, the play is a gross libel, both on New York and Tammany Hall and if Tammany leaders wish to allay the suspicion that the Wigwam is rotten to the core, they should exert their powerful influence to retire the play at as early a date as is possible.

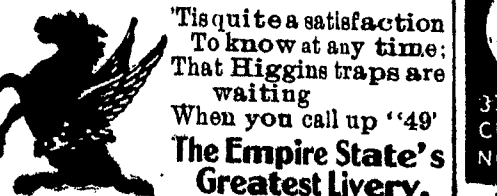
Significant.

Bishop McQuaid pointed out in plain and emphatic language at the ceremonies incident upon the cornerstone laying at Holy Redeemer's new parochial hall, the benefit of Catholic schools to the moral atmosphere of the community.

On Thursday Coadjutor Bishop Hickey made public the registration of pupils in the twenty parochial schools, the orphan asylums and the other Catholic educational institutions of Rochester. In all there are 11,032 pupils whose education does not cost the non-Catholic tax payers of Rochester one penny, even the school buildings are paid for by the voluntary contributions of individual Catholics. If the taxpayers were called upon to pay for these pupils at prevailing rates of \$25 per pupil the cost would be about \$275,000. It costs on an average, \$6 per pupil for education in the Catholic schools.

In effect this means that the Catholic schools represent to Rochester Catholics themselves a net saving of \$25—\$6 or a total of about \$200,000.

Catholic schools are a good business investment for us.



The Rosary.

October is the month dedicated to the Holy Rosary, a devotion which has brought comfort, blessing and peace to thousands of Catholics, past and present, and undoubtedly will be practiced with profit by thousands of Catholics in the future.

In all the churches special devotions will be held upon which Catholics should make an effort to attend. But there is no excuse for Catholics not reciting the Rosary during the month to come. In this way we can all do honor to the Blessed Mother and bring blessings upon ourselves.

Queer.

Revelations made to the Armstrong committee of the blunted sense of honor which possesses officials of insurance companies are calculated to make honest men of the old school set up straight.

If a cashier in a business house has what he calls "a straight tip" and borrows a few hundred dollars from his employer's till with which to speculate on the races, meaning to replace it the following day, he is branded as a thief if he loses and fails to make good.

Officials of an insurance company coolly put their hands into the till, abstract therefrom a million or two of the policyholder's money, with which they speculate on "a straight tip" from Wall street friends. If the speculation yields a profit, the speculative officials put it in their own pockets. If a loss results, the officials do not make it good. They just charge policyholders with a loss.

Perhaps we are old-foggyish; but we must confess we are unable to see any difference whatever between the action of the cashier and the insurance official, except that the official is guilty of a greater crime, both morally and legally.

To our mind the official is just as much a thief as the cashier and should serve just as long a term in state prison.



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