

Pattern of Brothers seeking church permission for fundraising: lawyer

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Correspondence between the 1950s indicates there was a pattern of the Christian Brothers seeking approval from the archbishop for activities like bingos, fairs, garden parties, collections and the Christmas Raffle, suggested lawyer Geoff Budden this morning at the Mount Cashel civil trial in Newfoundland Supreme Court.



Newfoundland Supreme Court Justice Alphonse Faour is presiding over the Mount Cashel civil trial. — Photo by Barb Sweet/The Telegram

He is continuing to cross-examine today historian John FitzGerald, expert witness for the RC Episcopal Corp. of St. John's.

But FitzGerald noted the archbishop of the day was concerned with being proper and not having his congregation put upon. FitzGerald has said the seeking of permission speaks to the lay order

Christian Brothers and other groups within the faith trying to avoid conflicting fundraising events, so as not to appeal to the parishioners all at one time.

But Budden, who is seeking to establish a role of the archdiocese in the operations of the orphanage, noted the flow of the permissions either denied or approved was one way — from the archbishop to the Brothers.

Budden also questioned FitzGerald on what correspondence exists between the archbishop and the Brothers' superior from the orphanage founding to pre-1950. There is little, the court heard. Budden said there are three possible reasons why — either it doesn't exist, it couldn't be found or it got lost over time.

The John Doe lawsuit against the RC Episcopal Corp. of St. John's seeks compensation and involves four test cases that claim the church should be held liable for the physical and sexual abuse of boys at the orphanage by certain Christian Brothers during the period late 1940s to early 1960s. The test cases represent about 60 claimants in the case being pursued by Budden and Associates.

The church contends it did not run the orphanage, therefore is not responsible for actions of the lay order Christian Brothers there.

FitzGerald, who reviewed historical documents and wrote a report on the relationship between the archdiocese and the Christian Brothers, has said the Brothers was a separate incorporated entity.

The trial continues this afternoon.

Follow on Twitter @bsweettweets and #mountcashelciviltrial for live tweets from court. Look for full story online and in print Saturday.