

The True Witness.

CATHOLIC CHRONICLE.
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We beg to remind our Correspondents that no letters will be taken out of the Post-Office, unless prepaid.

MONTREAL, FRIDAY, JULY 8.

OFFICIAL.—In the *Toronto Freeman* of the 30th ult., we find under the caption "*Lower Canada and the Constitutional Changes*," the following remarks upon the Hierarchy and Clergy of the Lower Province:—

"We learn that the Hierarchy and Clergy of the Lower Province, are quite reconciled to the contemplated changes. They are indifferent regarding the introduction of the principle of representation by numbers into the popular branch of the Legislature so long as they have the control of their own local affairs. They are also satisfied that, in arranging the details of the bill to be submitted at the next Session of Parliament, the interests and rights of Lower Canada will be amply protected. On those points, the most satisfactory guarantees have been given."—*Toronto Freeman*, June 30.

We have been instructed to ask the *Toronto Freeman* to indicate the source from whence he has learnt the opinions and feelings of their Lordships the Bishops of Lower Canada, and of the Catholic Clergy of this section of the Province, with respect to the contemplated Constitutional changes? A prompt, full, and straightforward answer to this question is expected, and will oblige.

NEWS OF THE WEEK

The *Arabia* brings later papers, but no additional news. All is uncertain as to the settlement of the Danish question: but the problem to be resolved is now only one of boundaries, whether in short Denmark shall have a particular line as its future boundary. The principle is settled that Denmark must give up territory, and the only question still at issue is, how much?

The other European news are void of interest; but our Irish readers will learn with regret that Smith O'Brien died on the 17th ult. In him Ireland has lost an honest man, and a true patriot.

It is still impossible to glean so much as a grain of truth from the telegrams which the Yankees keep incessantly sending us. Grant still menaces Richmond, and every day we are in expectation of hearing tidings of a great and decisive battle before the walls of the capital of the Confederate States. From time to time the enemy throws a few shells into Petersburg thereby of course inflicting much suffering on non-combatants, but by no means advancing the purpose of the campaign. Chase has resigned, and his office has been given to a Mr. Fessenden.

The *Baltimore* reports the sinking of the Confederate man-of-war *Alabama* by the *Kearsage* after a smart action off *Cherbourg*. Captain Semmes is safe, and we hope soon be in command of another *Alabama*, and the terror of all Yankees who go down to the sea in ships.—The news from Europe is gloomy, indicating war.

It seems that whilst Grant is menacing Richmond, a detachment from Lee's army is threatening Washington. On the whole the prospects of the Confederates are very encouraging, and the past week has been, we are happy to have it in our power to say, fruitful of disaster to the Federals.

PERSONAL.—We greatly dislike personal explanations: they savor of egotism, they cannot be of any general interest, and yet the necessity of making them is sometimes imposed upon us. Our readers will pardon us, therefore, if we enter upon an explanation personal to ourselves.

"Is it not unjust?" it has been asked by one whom we respect, and who would not unintentionally misrepresent us—"Is it not unjust for the TRUE WITNESS of the 24th of June to accuse the present Ministry of having sacrificed the interests of religion, morality and the autonomy of Lower Canada?" To this we would reply by moving a previous question—Did the TRUE WITNESS of the 24th June make any such charge against the Ministry? We reply, No—nor can we conceive how such a construction can have been put on its language. Let us refer to our own columns of the date indicated.

We argued that history showed that all coalitions were fatal to those who became parties thereunto, because they shook or destroyed all confidence in public men. We argued that as the physical laws cannot be violated with impunity, so neither can the laws of public morality be violated without retribution on the offenders. And therefore, speaking hypothetically, as of a case that might indeed arrive, we concluded that, if the Ministry were to be guilty of certain dereliction of principles: were they to sacrifice the moral and religious interests of Lower Canada, swift and speedy punishment would inevitably find them out. And immediately after this argument, and by way of showing that we accused the Ministry of nothing, because we were

in total ignorance of their acts and intentions, we added:—

"As we write, the results of the negotiations are unknown." How then, if we admitted that we were perfectly ignorant of the results of the negotiations—negotiations which at the time of writing we hoped and firmly believed would be broken off—could we have been such fools as to have pretended that we were acquainted with those same results? This simple consideration must in the opinion of every impartial person acquit us of injustice towards, or prejudging the conduct of, the Ministry, in an issue referred to. Surely if any one in this business has the right to complain of injustice, or having been misrepresented, it is the editor of the TRUE WITNESS. But he does not complain, because he is confident that he has only been misunderstood, and that they who have so misunderstood him, will be the very first to do him justice, when their involuntary error is pointed out to them. Here are our very words which we reproduce from the TRUE WITNESS of the 24th ultimo:—

"The laws of morality can no more be violated with impunity than can the physical laws. Political vigor and endurance are impossible to any party in the State, which outrages the canons of political morality."

This was our thesis, or general proposition, which we proceeded to apply hypothetically. Therefore, we argued, if the Ministry do so and so, though we do not pretend to affirm what they will do, and we know nothing of their intentions—if they pursue a particular line of policy, they will be driven from office by an indignant people.

"Thus, though we do not pretend to affirm, that the present Ministry and Mr. George Brown will not concede, will not agree to certain terms and mutual dereliction of principles—the one consenting to sacrifice the independence of the Catholic Church, the interests of religion, of morality and education and the autonomy of Lower Canada; the other suppressing for the nonce his obscure rivalry against our Clergy &c.,—we have no hesitation in expressing our firm assurance that a Cabinet so formed will be of but short duration."

And then we added:—

"As we write the results of the negotiations are unknown;" thus showing that we pretended not to hazard any opinion whatsoever of the actual conduct or intentions of the Ministry, since that conduct and those intentions were altogether unknown to us. All that we affirmed was this: that if they behaved in such and such a manner—of which, however we pretended to affirm nothing—their fate as a Ministry would be quickly sealed.

If we are told that such an hypothesis was an act of injustice to the Ministry, we beg leave to differ in opinion on this point. The doctrine of the "*inamissibility of justice*" may be held by Lutherans, but it is certainly condemned by the Council of Trent, *Sess. VI. can. xxiii.* The holiest and most mortified of saints, whilst in the flesh, is liable to fall into mortal sin; and were he so to fall, and in that state to die, he would assuredly be damned. This is a truth of the Catholic Church, and no one should deem it an insult to be told that he is liable to fall, and to be warned against the consequences. The best of men must still work out their salvation with fear and trembling: how much more then may we fear for men involved in the distracting conflicts of party politics, and therefore under the greatest temptations to go astray! Of the most rigid of ascetics we would not dare "to affirm" that he would never yield to the lusts of the flesh: of the most perfect of Christians we would not dare to affirm that, his salvation was certain, so long as he was upon earth. "*Nemo quaque, quam diu in hac mortalitate vivit, usque adeo presumere debet, ut certo statuat se omnino esse in numero predestinatorum.*"

Conc. Trid. Sess. VI. c. 12: how then can any one dare to affirm of a Minister, whilst still in office, and exposed to all the allurements of ambition, that he will never lapse, never fall into grievous political sin—and sacrifice the interests that he was appointed to guard?

These considerations we respectfully submit to our critics, in full confidence that they will admit the error into which they have been led, perhaps because want of clearness in our language. But our intention in our article of the 24th June is, and must be obvious from the fact that at the time of writing we confessed our utter ignorance of the acts and intentions of the Ministers; and that our words were meant solely as a warning—and a warning considering the circumstances, not uncalled for—will also be obvious from the context with which they should be taken.

It is also been objected to us that we have reproached one member of the Legislative Council, by name for not voting against the Divorce Bill; but have neglected to censure the far more reprehensible conduct of M. Panet, a member of the Legislative Council, and reputed a Catholic, who actually voted for the Bill.

We reply that M. Panet's vote had escaped our notice, but that we cheerfully avail ourselves of the opportunity now presented to us of repairing our neglect by making public, and holding up to reprobation a vote disgraceful to a Catholic.

For the rest, and in justice to ourselves, our consistency and impartiality, we will only observe that in 1859 we failed not to denounce the timid and un-Catholic policy of those of our Ministers and representatives who—the Parliament then

sitting in a Protestant City—allowed the McLean Divorce Bill to pass without an energetic protest. To the best of our recollection only one member of the Cabinet at that time—M. Langevin—spoke out boldly, and in terms becoming a Catholic gentleman, against that Bill which established a dangerous precedent; and by condemning the Ministry of that day—as we did—for their dereliction of duty, we not only acquired the right, but we contracted the obligation to censure a similar dereliction in others. We have but one standard of right and wrong which we apply impartially to all men, whether in or out of office: and indeed considering that the former, or Ministers, have been more trusted, than have others; and that we have therefore the right to expect from them more even than we expect from those to whom we have not so specially committed the care of our interests, it seems to us that dereliction of duty on the part of a Minister should by us be more severely censured than we censure the short comings of non-official members of the Legislature.

It is not our wish however to stir up old grievances. At the present moment all Catholics, all French Canadians especially, should be united: and forgetting all ancient quarrels, should combine to defend their laws, their language, and their religion—in a word their Church and their nationality. These, if we but true to ourselves, may well be secured; but we must be united, vigilant, and disinterested. This is no time for party squabbles.

It is one thing to criticise, and pass unfavorable judgment upon a measure affecting the interests of the community; another, and very different thing to impugn the motives, and to condemn the moral conduct, of its authors. The one is a right which every citizen of a free country, which every British subject is entitled to exercise; the other belongs of right to God alone, Who alone can judge of motives, and read the hearts of man. We make these preliminary remarks in order that, however decidedly we may in the TRUE WITNESS express our opposition to the measure proposed for arranging a new basis for the Canadian Constitution, we be not accused of personal attacks upon the members of the Government by which that measure has been adopted. The question of Federation is a question in which every Canadian is interested: one which it is the right of every Canadian subject of Her Majesty to discuss; one which every Canadian and Catholic journalist is in duty bound to discuss; and which therefore we would desire to discuss, calmly, dispassionately, and in the same spirit as that in which the seaman, anxious to ascertain his longitude at sea, would address himself to the calculation of a lunar distance. Above all would we desire to discard all thoughts of the result of the discussion upon parties, or office-holders; and to keep our attention intent only upon one consideration—how will the solution of this question affect the interests of Lower Canada, and of the Church? for these two are in a great measure inseparable. In this spirit let us approach the question of Federation, the question *par excellence* of the day.

We, of Canada, are a people of about Three millions. Already we enjoy the blessings of two Governments—The Imperial Government, and the Provincial Government. As if this were not enough, it is proposed to endow us with a third, or Federal Government; and the problem to be resolved is this:—

Given an Imperial Government, to which of right belongs the control of our Foreign Affairs in the most extended sense—and a Provincial Government to which belongs control over all our domestic or internal affairs—to interpolate betwixt these two, a third or Federal Government, which shall not interfere with, or curtail the functions of either. This is the problem—neither more nor less.

To assist us in solving it, let us consider, first what are the legitimate functions of a Federal Government. They are these:—

To manage all the external affairs of the Federation, and its relations with foreign countries. To declare war, and to conclude peace: to make Treaties, and alliances; to provide for the material defence of the country, of the lives and properties of all its subjects, against foreign aggression; to maintain an Army and a Navy for this purpose; and to have such financial control as shall enable it efficiently to fulfil these its legitimate functions. A Federal Government is, and should be, simply an Agent for the management of all Foreign Affairs. Anything more than this confided to the Federal Government is *de trop*, and incompatible with the autonomy of the several States of which the Federation is composed.

Let us next consider what are the legitimate functions and attributes of a State Government—if its liberties and its autonomy are to be maintained, and if it is not to be degraded to the level of a mere municipality.

The functions of a State Government comprise the management of, and control over, all its internal or domestic affairs, in the most extended sense of the word. Every thing in short, not expressly given over to the Federal Government,

not absolutely necessary to the latter to enable it to provide for the defence of the Federation against foreign enemies, and to fulfil its sole legitimate functions as Agent of the Federation with Foreign Powers, and its Representative to the outer world—belongs necessarily and essentially to the several States of which the Federation is composed.

And to this we will add one remark. That—as the good and learned Montalembert in his discourse at the Congress of Malines pointed out—the greatest dangers to which liberty is exposed at the present day, that the two cankers of political and social life are "*centralisation*," and "*bureaucracy*," and that therefore the lovers of liberty and of morality should always be on their guard against every tendency towards centralisation, or towards increasing the numbers of salaried officials under the Government.

This premised—and these our premises we are prepared to maintain against the world—we conclude that a Federation of Colonies or Provinces, holding from, and under, the Imperial Government is impossible, without encroaching either upon the legitimate functions of the Imperial Government, or upon those of the State or Provincial Government. Any encroachment upon the functions of the first, we oppose as loyal British subjects, anxious to maintain, and to strengthen the ties which bind us to the British Empire. Any encroachment upon the functions of the latter, we oppose as Catholics, and as Lower Canadians; because we are naturally averse to giving to a people so hostile to us as are the Protestants of Upper Canada any control however slight, direct or indirect, over any of our domestic affairs—that is to say, affairs which are not properly and actually the subject of Imperial Legislation. The functions actually exercised by the United Legislature of the Two Canadas, do not exceed the functions which the Government of every State, member of the proposed Federation, should exercise: the powers of our actual Provincial Government are but the powers which every Government above a mere municipality must necessarily exercise; and to limit in the slightest degree those functions, to curtail in the least those powers in the case of the several local or State Governments which it is proposed to establish under the Federal Government, would be to deprive the former of all the essential attributes of a Government, and to degrade them to mere municipalities.

And if there be, as some pretend, affairs and interests common to the several States or Provinces, but upon which none is competent to adjudicate separately, for which the local Legislatures are incompetent to legislate—then in the name of common sense, and in the interests of Lower Canada in particular, let us leave those affairs to be adjudicated upon by our common Imperial Government, and to be legislated for by the Parliament at Westminster. That there are such matters we do not admit. We believe that on every question, on every matter, not already the legitimate subject of Imperial Legislation, the several Provinces should legislate, each for itself, and God for them all; and that every question upon which any particular State or Provincial Government has not the right to legislate for itself, is *ipso facto*, the legitimate subject of Imperial Legislation, so long as we remain British dependencies.

Of the Imperial Government we have no fears, no jealousy; but we have great dread, great jealousy of Upper Canada, and of all interference by Upper Canada with the affairs of the Lower and Catholic Province. Rather would we entrust our liberties, civil and religious, to Westminster than to Toronto; to the Lords and Commons of Great Britain, than to the Clear-Grits, to the Protestant Reformers and the Yankees of Upper Canada. If we must sacrifice our autonomy in whole or in part, rather would we make the sacrifice in behalf of Queen Victoria, than in behalf of President George Brown.

For stripped of all verbiage, and in its last analysis, to what does the scheme for legislating upon all matters common to the two Provinces, by a Legislature in which, according to the conditions of its construction, Protestant Upper Canada would have a constant majority, amount? To this: That, henceforward, all such matters shall be settled in a manner repugnant to the feelings, and opposed to the interests, of Catholic Lower Canada. Such in its naked deformity is the proposal to which our assent is coolly asked. And more than this; we are virtually requested to accede to this hostile Legislature the right of determining what matters shall form the subject of its legislation; in other words, we are requested to entrust ourselves, and our dearest interests to the tender mercies of our avowed foes.

Rather than do this, we repeat, would we commit ourselves and those interests to the Imperial Government, to the British Legislature, as to a more impartial judge and a less hostile tribunal. If we must part with any of our rights of self-government—and we see not the necessity if we be but true to ourselves, our country, and our Church—but if we must part with them, it

would be more prudent, and more honorable, to transfer those rights to the custody of our common Sovereign, than to the hands of such men as those who will be all powerful, in case the proposed scheme of Federation be carried out.

We have said enough for to-day. Our objections to a Federation, in so far as we have urged them in this number, are these. That, so long as the Canadas remain British Dependencies it is impossible to interpose betwixt our Imperial Government, and a Provincial Government, a third or Federal Government which shall not interfere with the existing functions of either. That such a third Government must encroach upon the legitimate functions either of the Imperial, or of the Provincial Government; that such encroachment would, in the one case be injurious to the monarchical principle and British connection; in the other case to State autonomy, and to Lower Canada especially, which it would degrade to the level of a mere municipality. That if there be matters common both to Upper and Lower Canada as separate States, but upon which neither is competent to legislate separately, it would be safer for Lower Canadian interests to transfer all such matters to the Imperial Government, than to a Federal Parliament with Representation by Population; as the Catholics of Lower Canada are more likely to obtain justice and fair play from a British Parliament, than from one in which the Clear-Grits, the Protestant Reformers, and the Yankees of Upper Canada would have a constant majority.

We object also to Federation, because it tends to Centralisation; because it necessarily implies or carries with it a great increase in the number of Government officials, and thus tends to promote the growth of the two curses and cankers of modern society "*Centralisation* and "*Bureaucracy*." We object to it as freemen, as Catholics and as British subjects, because it is a move towards Yankeeifying our institutions; because it is most menacing to the autonomy of Lower Canada; and because Federation is, and can be, but the pedagogue to bring us ultimately unto Washington, even as according to St. Paul the Law was our pedagogue to bring us unto Christ.

By the Parliamentary Report of the *Montreal Gazette* we learn that the third reading of the Divorce Bill before the Lower House has been carried by a majority of sixteen, only nineteen members voting against it. This shows that on this most important occasion many Catholic members had deserted their post, and proved false to the interests committed to them. That our readers may judge for themselves, and give censure and credit, where credit and censure are due, we publish the division list from the Votes and Proceedings of the Legislative Assembly:—

Mr. Scoble moved, that the Bill do pass; which was agreed to on the following division:—

Yeas.—Messieurs Auld, Bell (North Lanark), Bowman, Bown, Buchanan, Cameron, Cowan, Dickson, Dunkin, Dunsford, Ferguson (Frontenac), Holton, Jackson, Jones (North Leeds and Grenville), Macdonald, (Cornwall), Macfarlane, MacIntyre, Mackenzie (Lambton), McConkey, McDougall, Morris, Mowat, Norman, O'Halloran, Parker, Rose, Ross (Dundas), Scoble, Shanley, Simpson, Sturton, Thompson, Walbridge (North Hastings), Walsh, and Wilson.—35.

Nays.—Messieurs Beaubien, Bellerose, Blanchet, Attorney General Cartier, Chapais, De Boucherville, Denis, Durion, (Drummond and Arthabaska), Duckett, Gaudet, Geoffroy, Huot, Labreche-Viger, Lejolle, Langevin, Raymond, Ross (Champlain), Rymal, and Tasse.—19.

The Bill was then passed, but has been reserved for Her Majesty's assent.

The Brown-Cartier, or Cartier-Brown—(we know not by what name it should be called)—Ministry is now complete. On Wednesday Mr. George Brown was appointed President of the Council, Mr. Oliver Mowat to be Post-Master, and Mr. William McDougall to be Secretary and Registrar of the Province of Canada. To make room for the above, the following are reported as "*resigned*;" Messrs. Isaac Buchanan, Michael Foley, and John Simpson.

We offer no comments upon this arrangement; but we seek not to conceal our regret and our sense of shame at a Coalition which we fear cannot but prove detrimental to the best interests of the country, and which must be injurious to the reputation of the Conservative party to which as loyal British subjects and as Catholics our sympathies were naturally given. We will await however the measures of this strange Coalition Cabinet. If these be good, in spite of our strong and invincible aversion to the men of whom it is in part composed, we shall be agreeably disappointed, and not a word of opposition shall escape our lips. By their acts, not by their promises of amendment will we judge them; but we confess that the political antecedents of Messrs. Brown, Mowat and McDougall are not such as to inspire us with confidence, or to allay our apprehensions for the future of the community over whose destinies they are called upon to preside. All that they are entitled to ask from us, is not confidence or respect, but a fair trial, as men against whom there are strong suspicions.

The Treasurer of the St. Patrick's Orphan Asylum acknowledges with thanks, the receipt of \$2, amount of a prize won by Mr. James Menogue, at the late Picnic held by the St. Patrick's Society.