

## The True Witness.

AND  
CATHOLIC CHRONICLE,  
PRINTED AND PUBLISHED BY FRIDAY  
At No. 686 Craig Street, by  
J. GILLIES.  
G. E. CLERK, Editor.

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MONTREAL, FRIDAY, APRIL 23, 1869.

## ECCLIASTICAL CALENDAR.

APRIL—1869.

Friday, 23—St. George, M.  
Saturday, 24—St. Fidele de S. M.  
Sunday, 25—Fourth after Easter.  
Monday, 26—SS. Cletus and Marcellinus, P. M.  
Tuesday, 27—Of the Feria.  
Wednesday, 28—St. Vital, M.  
Thursday, 29—St. Peter, M.

## NEWS OF THE WEEK.

Mr. Gladstone has had another victory in the House of Commons. On the night of the 15th inst. he moved that the House go into Committee on the Irish Church Bill. Mr. Newdegate moved the usual six month's amendment, and a lively debate ensued, which lasted six hours. Towards the close, Mr. Gladstone made a long speech in defence of his Bill, and attributed the opposition that it encountered, to the influence of the Protestant clergy in Ireland. Mr. D'Israeli followed: and then the division took place, which resulted in a majority of 126 for going into Committee,—the numbers being 355 for the motion: and 229 against it. It is said that all the Protestant Bishops in the House of Lords with the exception of three, have come to the determination of not voting at all on the measure when it shall be before the Upper House.

War rumors are still abundant, and according to some, it is not impossible that hostilities may break out in Europe before the French elections are concluded. On the other hand, it is affirmed with confidence that the policy both of France and of Prussia is peace. From Italy we hear of extensive conspiracies against Victor Emmanuel, concocted in the interest of the revolutionary party. What is certain is, that the man is very unpopular amongst, not to say despised by, all classes, and by men of all shades of politics. The Carlists in Spain seem to be active, and to be giving much anxiety to the revolutionary authorities.

The Alabama treaty has been rejected in the U. States Senate almost unanimously, only one member voting in favor of accepting it. Mr. Sumner made a long and bitter speech against England. What this may portend, it is impossible to say. Under ordinary circumstances one would naturally conclude that war was inevitable. But the commercial ties that bind together London and New York, Great Britain and the U. States, are so many and so strong, that it is difficult to realize the idea that either of the Governments of the respective countries will be so rash as to provoke it. We do not think that there is any expectation of immediate hostilities on the part of the British authorities, from the fact that they still keep up a military establishment in Canada. So long as a British force is maintained in Canada, in U. Canada especially, we may be sure that the danger of war is not in the eyes of British statesmen, imminent: for the first step the military authorities would have to take, if there were any real apprehension of hostilities, would be to concentrate all the scattered regiments, and to fall back upon Quebec, so as to keep open their communication with their base—that is to say with the sea. Great Britain would never keep a few regiments in Canada, if there were any real apprehension of a war with the U. States; that is certain.

Winter is slowly breaking up: and though the country is still buried deep in snow, and the ice still covers the rivers, Spring cannot be now very far off. In a few days we may expect the return of the long looked for joyous season of vegetation, when the horrors of our long dreary winter shall be forgotten, or remembered only as a hideous dream. There is great distress in many of the rural districts from want of fodder. Farmers are killing their cattle to prevent them from starving, and hundreds of our *habitans* are said to be weekly fleeing from the country to more genial climes.

On Wednesday last week, Sir George Cartier returned from England, and was received with hearty welcome by quite a large number of his friends and political supporters at the Bonaventure Street depot. In the evening of the same day, he started for Ottawa to be present at the opening of the Colonial Legislature.

It is strikingly significant of our peculiar, not to say unhappy geographical conditions, that

a leading member of our government, on his way from the Metropolis to attend to his duties as a Canadian statesman, and legislator, should be compelled to pass through a foreign country, and a country which may in a few weeks be in fact a hostile country: that there should be in fact no means of direct communication during the winter time, or except during the few weeks of Summer when the St. Lawrence is a navigable river, with Great Britain. It is the same with the several component parts of our Dominion; which, though politically united, are geographically separated. The members of Parliament on their way from Nova Scotia to Ottawa must, to reach their destination, pass through a foreign land: and in fact during the winter, the different sections of the Dominion maintain communication with the Mother Country, and with one another, only by the sufferance of the U. States. This is certainly very humiliating, and very prejudicial to anything like a permanent political union of the several British North American Provinces. To overcome this material obstacle to Union, the Intercolonial Rail Road has been projected; but doubts are entertained by some, whether when this road shall have been completed, it will be possible to keep it constantly open during the winter, when alone it will be wanted, and when indeed it will be indispensable. This year's experience of the difficulty, not to say impossibility, of maintaining uninterrupted communication even betwixt Montreal and Quebec, is certainly not encouraging. We must hope however that the Engineers who have been entrusted with the great work of making the Intercolonial Rail Road, will find in science means of overcoming the obstacles opposed to rail road travel by snow storms, and the other concomitants of our semi-Arctic climate.

Trouble seems to be brewing in the U. States. The insurrection in Cuba is likely to provoke filibustering from its dangerous neighbor: and the Spanish military authorities by their high-handed proceedings have given valid cause of offence to the U. States government. They have been in short acting a sort of Trent affair on their own account: and as the U. States have two contradictory codes of right and wrong, one for themselves, and the other for their neighbors, it is likely that serious results will ensue. Great naval and military preparations are said to be on foot in the States: gun boats are being fitted out, and the cry is for war.—Anyhow Cuba seems to be lost to Spain.

UNDER THE LASH.—The first crack of the legal whip, sounding in his ears, has effected a mighty change in the attitude of the Editor of the Montreal Witness. No longer snarling and defiant, he crouches like a well whipt hound at the feet of him whom but the moment before he had menaced with his fangs.

In our last we hinted that this change might be looked for. In his issue of the 19th inst., the editor of the Witness justifies our prediction; for, having recapitulated his several slanders against the Catholic Deaf and Dumb Asylum published by him on the 10th inst., he confesses that from first to last they were a tissue of falsehoods, and concludes with the following apologetic whine:—

"The statement that no coroner's inquest had been held, was, as we have before explained, entirely erroneous, and there appears to have been no question about property at all in the case; some of the other statements appear to have been greatly exaggerated, so that the writer of the communication, who, we are convinced, is thoroughly honest, and so far as matters come within his own cognizance, reliable, appears to have been in some respects led astray. For being instrumental in throwing unmerited blame on the managers of the institution in question, we desire most amply and publicly to apologize, more especially as our wish is to aid every good work, and especially such efforts as those of Mr. Bellanger, as much as we can; and we must add that one object of anything we have inserted about this one from first to last, has been the good of the institution, and nothing was put in except what was believed to be strictly correct, although in the case of the above paragraph, that belief was, as now appears, not well founded."

As this apology was dictated solely by fear, and extorted by the crack of the whip, it must not be confounded with the reparation which a generous man bestows to render to him to whom, ignorantly, unintentionally, and above all, in good faith, he has done a wrong. In the case of the Witness against the Deaf and Dumb Asylum, the hypothesis of good faith is out of the question; for "good faith" presupposes a careful inquiry, and the use of every precaution which to an ordinary intelligence can suggest itself. Now, what inquiry did the Witness make into the truth of his infamous libel against the teachers of the Catholic Deaf and Dumb Asylum?—What single obvious precaution did he take to assure himself that in publishing a report to their injury, he was not publishing a cruel lie? And yet in morality, as well as in law, this every man, even if he be a newspaper editor, is bound to do; for only after having to the best of his opportunities assured himself of the truth of a story reflecting upon his neighbor, is any man at liberty to publish it. In the case in question, had the editor of the Witness made a single inquiry—of Mr. Coroner Jones for instance—he would have seen that, from first to last, the tale he published about a "Suspicious Death" was a cruel and unmitigated slander.

And who is the "thoroughly honest" man, his informant? Is he a mere creature of the

imagination, as some pretend? or is it the fact, that the Witness keeps in his employment salaried moral assassins, and hiring slanderers, on whom devolves the task of inventing, and putting together the libels which he afterwards publishes, but from the responsibility for which he subsequently tries to sneak? These questions we cannot pretend to answer: but this we can tell him—That knowing as they do know, the motives both of his persistent slanders against our Catholic institutions, and of the retraction which under fear of the lash he tenders them—the objects of his calumnies scorn his apologies, spurn his proffered regard for the good of their institution, and defy his malice. Nothing more graceful than an apology from a brave man, from an honest man, from a gentleman: nothing more worthy of honor than the unprompted, spontaneous utterances of a generous heart writing under the sense of having done wrong, and inflicted pain on others: but on the other hand, nothing more contemptible than such an apology, then such a retraction, when extorted from such a one as the Editor of the Witness, and tendered by him only under abject dread of the lash.

The Evening Telegraph will we hope pardon our apparent lack of courtesy in delaying to reply to the notice with which he honors us in its issue of the 9th inst. We do so now; in the first instance to vindicate our consistency, which our contemporary impugns on the ground that, whilst we denounce the secularisation of Church property by the State in Italy and in Spain, we advocate the same mode of dealing with Church property in Ireland: and in the second place, to justify our application of the term Penal Law, to the Ecclesiastical Titles Bill.

With regard to our consistency, we challenge the Telegraph to convict us of having ever advocated the secularisation of Church property in Ireland. This it must do, or abandon the charge of inconsistency which it urges against us. We have contested the title of the present holders of that property to any part thereof, save that which they have acquired since the Reformation: but we have never in any manner advocated its secularisation. Still we might well do so without inconsistency, on the ground that the title of the Protestant Church is bad.

The Evening Telegraph pleads indeed prescription for the present holders of the said property: and for the sake of argument, granting that a title defective in its origin, may in course of time, or by prescription, become valid—we contend that this can only be the case under particular conditions: amongst which conditions, one—that the said title should never have been questioned in the interim, and that no rival claimant should have presented himself, may be considered a condition *sine qua non*. So to the plea of the Telegraph that—

"after a peaceful possession of two hundred years the original title cannot be questioned, according to the system of jurisprudence of any country in the civilised world,"

we reply—That,

Though the Protestant Church in Ireland has held *forcible* possession of the property belonging to the Catholic Church for a long period, it has not had peaceable, in the sense of unchallenged, possession of that property for one hour. Always the Catholic Church has stood forward asserting herself the original, and therefore the sole rightful owner of the property in question: and though by brute force, her claims have been silenced or disallowed, she has never ceased to protest against the wrong done her. One condition therefore essential to valid prescription is here wanting, and the plea of the Telegraph is therefore worthless.

Nor is this our private opinion only: it is the view maintained by many Protestants. Thus the London Times in its review of Sir Roundell Palmer's speech against the second reading of Mr. Gladstone's Bill, says:—

"It is not true that we are precluded by lapse of time from examining the circumstances under which the Endowments passed from Roman Catholic to Protestant use. The argument founded on the principle of Prescription altogether fails to support this conclusion." \* As against the Roman Catholic Church, the Protestant Establishment has no title whatever to its Endowments of a nature to preclude the interference of Parliament.—London Times.

In short the argument comes to this. If the State had the right to transfer, a certain number of centuries ago, the property then held by the Catholic Church, to a Protestant Establishment, it was because Church property, so called, is not private property, but is at the disposition of the State: and therefore the State to-day has ample right to transfer the property now held by the Establishment, to any other purposes which to it, the State, may seem to be best for the interest of the community.

If, on the contrary, Church property be private property: as sacred, as exempt from State interference as the property of an individual, or of an ordinary body Corporate—then the State, a certain number of centuries ago, had no right to transfer the property then held by the Catholic Church, to the Protestant Establishment by it set up: therefore the original title of the said Establishment was bad from the beginning; and as its title has never been unchallenged, as the

\* "forcible" not "peaceable" possession.

oust proprietor has never ceased to put forward his claims, and to protest against the wrong, the originally defective title has not subsequently become valid by prescription.

And if to-day, and for the sake of peace, the Catholic Church in Ireland consent to waive her claims, upon the condition that the property in dispute be left to her and the Protestant Establishment be in part secularised, she certainly does not condone the original wrong done to her, to the sense of ratifying the title of the Protestant Establishment. For our own parts, we are no advocate of secularisation, in any form, or at any time. We think still, that the only satisfactory, as certainly the only just, arrangement of the Irish Church question, consists in the unconditional restoration to the Catholic Church, of all property belonging to her prior to the Reformation; leaving the Establishment in undisturbed, undisputed possession of all that it may have acquired subsequently from the zeal and devotion of its own members. But we have not the presumption to insist upon this our view of the matter. To others better qualified than we possibly can be to judge, it has seemed otherwise; and though we are still no advocates of secularisation, we submit to, or accept the measure, when carried by others. We only thank God that because of our humble position, we are not constrained to take action in the matter at all: that we have no share, direct or indirect in secularising property once devoted to the service of God: and that we are not in any manner called upon to decide betwixt the secularizers and the non-secularizers. Non nostrum tantas componere lites.

With all deference to the opinions of our respected contemporary, we still contend that the term "*Penal Law*" is applicable to the Ecclesiastical Titles Bill, since it imposes pains and penalties, for an act purely spiritual, not contrary to the laws of God, and which inflicts no injury either upon the State or the individual. It is therefore as much a Penal law, as would be a law imposing penalties upon a priest for saying Mass, or on a Bishop for ordaining a Priest.

The Evening Telegraph errs—it must pardon us for saying so—in his Constitutional law, in that he makes the conferring of Ecclesiastical titles, or purely spiritual dignities—the equivalent of conferring peerages. The territorial title conferred on a Bishop was no such thing, but merely a title determining and limiting the district within which the said Bishop might, according to Canon Law, exercise spiritual jurisdiction. The peerage, or right of a Bishop to sit as a Peer in the Parliament of England, as one of the barons of the realm, was not the necessary consequence of the Episcopal dignity, but of the lands which the Bishops held of the King. He sat as a Peer, not because he was a successor of the Apostles, but as one of the great feudatories of the Crown. It was not even necessary for a cleric to be a Bishop, in order to be a Peer; for the mitred Abbots and Priors, in virtue of their lands, sat in the House of Lords—though they were not Bishops. This shows that there is no necessary connection betwixt a Bishop with a territorial title, and a peer.

The agitation on the Ecclesiastical Titles Bill was therefore absurd; because the act of the Pope was no encroachment on the acknowledged rights of Cæsar. It did not profess to confer upon the bishop any claims to secular rank or privileges, since it conferred no temporalities in virtue of which, as Peers of the realm, Bishops, mitred Abbots, and Priors were summoned to Parliament. The temporalities no doubt are in the gift of the Crown: but the Telegraph must remember that by mutual arrangement, if investiture by sceptre, or temporalities belonged to the Emperor—investiture by ring and crozier, or spiritualities belonged exclusively to the Pope.—When the latter restored to England its long lost Catholic hierarchy, he did but what he had an acknowledged right to do: and since the temporalities of a Bishopric were no longer attached to the spiritual dignity, he was guilty of no encroachments upon the prerogatives of the civil magistrate. The whole argument of the Telegraph is based upon the false assumption that it is in virtue of their spiritual office that Bishops sit as Peers in Parliament, whereas it is in virtue of temporalities, to which the Catholic Bishops put forward no claims. The whole argument of our contemporary, being erected on a false basis, falls to the ground on the lightest touch.

What we should say to the act of the Queen, appointing a Bishop of Rome, would be, therefore, this:—That it would be as absurd, and as much an usurpation on her part, as it would be on the Pope's part, were he to appoint a Chancellor of the Exchequer for England, or to interfere with the Admiralty in nominating the Admiral of the Channel Squadron.

We are always happy to have it in our power to recognise the services in the cause of morality of those from whom upon questions of dogma we greatly differ. We feel it our duty therefore to bear our humble testimony to the zeal, ability, and eloquence displayed by a Protestant clergyman, the Rev. Mr. J. Carmichael, in his denun-

ciations of that concentrated essence of iniquity, "The Modern Fashionable Novel." Every father of a family, every Christian is indebted to the reverend gentleman for the noble course he is pursuing: a course in which we heartily wish him God-speed. Mr. Carmichael is a public benefactor, and worthy of all honor from men of all creeds. What he is doing we may learn from the annexed paragraph from the Montreal Witness of the 16th inst.:—

MR. DEAN FASHIONABLE NOVELS.—LECTURE.—Last evening the Rev. J. Carmichael delivered in the Mechanics' Hall, a lecture on "Modern Fashionable Novels." This was the last of a series of four lectures delivered during the past winter, in the same place, in aid of the Library of the Institution. The Hall was filled, and the speaker was listened to with deep attention, and received frequent and well deserved applause as he closed his derisively periodical (fraught with mingled humour and elegance. He took three examples of the modern fashionable novel, developing the plot or story of each, and showing that the hideous moral of them all was a rebellion against the divinely appointed institution of marriage, and a disregard of family ties, when they laid a check upon the passions. A more scathing exposure of these demoralizing productions could not well be. The lecturer in order to speak knowingly of the subject, had read several specimens of these works, which had been handed to him for that purpose. He had read them, and confessed that in doing so he had been subjected to the Mohammedan curse, "May you eat dirt, may you eat dirt." In short, under all their disguise of fine language, any young lady should be ashamed of so much as touching them! Were he to translate them into plain English, on the principle of calling a spade a spade and not an agricultural instrument; and did he dare to read them from that platform, the audience would deservedly hiss him from the place. His Worship the Mayor presided, and a well deserved vote of thanks was given to Mr. Carmichael for his lecture, which was beyond question, one of the best that has been delivered during the season.

Miss Rye, a lady who has taken much interest in the matter of emigration, threatens to inundate our shores with a flood of what are called "gutter children," that is to say the young Arabs of the large cities of England. We know not at whose instigation Miss Rye does this; but we can tell her, that of these "gutter children," there is not a large City in the United States or in Canada, but what has its fair share, and far more than it knows how to deal with.—We do not therefore require any recruits to their numbers from the juvenile depravity of London and Manchester: and we trust that our authorities, ere it be too late, will take the proper steps to prevent this very officious and ill-advised Miss Rye from landing her dangerous cargo of "gutter children" upon our shores. It is, perhaps, a very philanthropic act for Great Britain to discharge its moral filth upon Canada: but we entertain very decided objections against being made a place of deposit for that kind of impurity. The Telegraph has the following sensible remarks upon the subject:—

"The Telegraph warns Miss Rye that if she deliberately proposes to scour our kennels, and deport them to America, she will find, a most formidable obstacle—by the immigration laws of New York and Massachusetts. Miss Rye may plead that she will not take out a single shipload of gutter girls until 'comfortable homes' have been secured either in the States or in Canada. Are we to understand that Miss Rye expects the immigrant children to be received into American schools or asylums; or that private persons will receive a certain number of importations from English gutters? The cities of New York, Philadelphia, and Boston are already crowded with 'gutter children'; similar little ragamuffins may be found, only too plentifully, in Montreal and Quebec; and the American Commissioners of Charities and Correction, and the Admirable Orphanages and Sisterhoods of Mercy in Canada, have quite enough to do in attempting to cope with the destitution which lies at their own doors."

SIGNIFICANT.—We find in the London Times and in a Review of a recent work by Mr. Dilke, the following significant remarks, indicative we doubt not, of British policy towards its North American Colonies:—

"Look at the increasing strength of the Irish on our Canadian frontier, in connexion with the capabilities for defence of that straggling indefensible boundary line, and we cannot help asking with Mr. Dilke, might it not be well to draw off, while we can yet do it with a good grace? Nations, no more than individuals, are bound by their honour to the impossible. It may be that four millions of Canadians, allied to Generals January and February, entrenched behind long leagues of water, waste and forest, can hold their country against their neighbours. But it is certain any handful of troops we can spare them can give but slight material assistance, and equally sure that the prospect of inflicting humiliation on England would be in certain circumstances the strongest arguments American agitators could use to incite their countrymen to hostile action."

CAUTION TO EMIGRANTS.—The subjoined paragraph should be read and meditated by all who propose abandoning Canada for the U. States:—

"Horace Greeley recently declared in the Tribune that there are 500,000 paupers within sight of Trinity steeple. A mechanic who has returned from a visit to Boston, further says in a letter to a contemporary:—'I never saw such misery in this Province as I saw in Boston among the working people there. It is worse in New York, as I was told by those who saw it. There are, or were, in Boston when I left it, 349 families receiving support from public soup kitchens, and it was said to see respectable people thus reduced to beggary. Our people can get their food and clothing for their labour and some money too, but there I saw hundreds who get neither.'"

On Sunday the river commenced rising rapidly, the ice below the City holding fast. In consequence by Monday afternoon, a large portion of the low lying grounds in Griffintown were flooded, and much suffering caused to the inhabitants of that part of the City. At about 4 p.m. the water fell a little; but at the time of writing it still continued very high. Much of the snow melted under the influence of the heavy rain that fell on Monday.