

ing the History of England, and the Statute Book, during the reigns of George I. and George II. If unfortunately, the "Maineacs" should prevail in Canada, the same, or still greater evils may be expected to follow: for surely, the Executive is not stronger in Canada than it was in England at the period alluded to, and the facilities for smuggling, illicit distillation, and sly grog-selling, are much greater. It is for the *Canada Temperance Advocate* to show how, if the Executive in Canada is too weak to enforce the partial restrictions upon the importation, sale, or manufacture of spirituous liquors, now on the Statute Book, it will be strong enough to enforce the provisions of a prohibitory law; how, if it cannot do the less, it will be able to accomplish the greater. When the government shall be able to put an entire stop to sly grog-selling, under the present system, then, and not before, will we believe in its power to put a stop to all grog-selling; but it does seem to us absurd to call upon the government to do the latter, because it is notoriously incapable of performing the former.

CAPITAL PUNISHMENT.

We read in the city papers that the Governor General has remitted the sentence of death passed upon Thomas Therien, and John Cole, convicted of murder, the one at Three Rivers, and the other at St. Francis, at last assizes. A few months ago, a brute who cut his wife's throat in a back bed-room, had a similar indulgence accorded to him; and in fact it may be said, that for all practical purposes the "Death Penalty" has been abolished in this happy land, and full license given to every man to commit murder, with comparative impunity. But our Philanthropists are not content with this: so long as the law, authorising the infliction of the "Death Penalty," remains upon the Statute Book, they seem to dread, lest the returning common sense of governors, and governed, should lead to the re-establishment of the old system, and they therefore seek to prevent this by calling for the formal repeal of the obnoxious law. Now seeing that this law is but a dead letter, that our Executive dare not do their duty by enforcing it, seeing that every brutal and blood-thirsty scoundrel, who cuts his neighbor's throat, or knocks his wife down, and then deliberately proceeds to kick her to death, is sure—poor fellow—of a reprieve, we do not see why a law, thus degraded into a solemn mockery, should be retained, or why judges should be compelled to enact the farce of pronouncing a sentence—which they know—and which the prisoner at the bar knows—and which the villain who is plotting against the life of his victim very well knows—and which every body else knows—will never be carried into execution. We have shams enough in every direction, in Church and in State, without keeping up any longer such a monstrous sham in our Penal code—it is a dead letter—a humbug—away with it.

We regret that it should be so; we regret that the moral cowardice of our rulers, that their base subserviency to popular clamor, and their criminal neglect of duty, should have furnished the advocates of the abolition of Capital Punishment, with such an excellent argument for its repeal. We regret it, because—in spite of the namby-pamby declamations, so much in fashion, against the barbarity of "choking a man"—we know that Capital Punishment, when firmly and consistently enforced, has ever been found the most effectual, and indeed the only effectual, safeguard to life and property, which human laws can devise, and that its repeal has always been attended with a rapid increase of crimes against the person; because we know that it is the *only* punishment of which the hardened scoundrel has any dread, the only punishment of whose dread the most hardened scoundrel can never divest himself—no, not even when he cracks his obscene jests on the scaffold, in order to impress his "pals" with the idea that he "dies game;" for the criminal is always a coward in the prospect of death, and is then most craven, when he most effects to despise it. We regret this practical repeal of the "Death Penalty," because we know that, if the government will not do its duty—the only duty for which it exists, viz., the protection of the lives and property of its subjects—the subjects will, sooner or later, be compelled, in self-defence, to take the law into their own hands and protect themselves: because we know that if we discard Jack Ketch, we shall very soon be compelled to call in Judge Lynch. Aye! bad as Lynch Law is, better by far that the murdering ruffian should be hung by Lynch Law, than that he should not be hung at all.

We speak not without warrant. Capital Punishments have been partially suspended in most countries, altogether abolished in some—and what has been the result? The Grand Jury of Maine County, Michigan, will give us an answer, which our friends the Philanthropists, would do well to ponder. In a late presentment of the Grand Jury, Michigan, at a session of the Court in Detroit, we read—

"The increase of the crimes of murder, and manslaughter, since the abolishment of Capital Punishment, not only amongst us, but throughout our State, has become more manifest and alarming. The records of the Court of this County show that at each of the terms, there has been at least one case of aggravated murder—and at one town, two cases, WHEREAS, previously to the existing law, and since our State organisation, no conviction of murder had ever been had by any of the Courts of the State.—These we regard as a proof of an alarming disrespect, and an undervaluing of human life, legitimately referable to a change in the legislation upon this subject."

We have seen the experiment tried elsewhere; in Australia, and in Norfolk Island which bears to Botany Bay, the same relation that Botany Bay long bore to England, and always with the same results. Every mitigation of the "Death Penalty" for murder, was always attended with a fearful increase of crime. The only case in which we ever knew a mi-

tigation of punishment accompanied by a diminution of crime was an exception in appearance only, but in reality a confirmation of our assertion—that the "Death Penalty" is the only punishment which the hardened scoundrel dreads, the only punishment of whose dread the most hardened scoundrel can never divest himself. The case was this:—The country had long been infested with Bushrangers, or runaway convicts; these men had no means of existence, save what they could obtain by pillage, and it used always to be the rule to hang the Bushranger who had been guilty of robbery, or who was found with arms in his possession. In accordance therefore with the old proverb, "that it is as well to be hung for a sheep, as a lamb," our friends used almost invariably to murder where they robbed, in order to leave no witnesses against them, on the same principle as pirates generally scuttle the ships which they plunder. Thus murders became so frequent that by way of putting a stop to them the Executive made it a rule never to hang a Bushranger if his hands were unstained with blood; in that case he was merely well flogged, and sent to an iron-gang; but if he had been guilty of murder, he *inevitably* swung for it. Now this soon effected a change in the tactics of the Bushrangers; they absconded as much as, perhaps more than, ever; they robbed just as much as, perhaps more than, before, but they seldom murdered—because they knew, that if they murdered, their lives were surely forfeited, but, that if they only abstained from murder, they ran no risk; and so long as they could keep their necks out of the noose, they cared not one fig for any other punishment that the law could inflict. So that in this case, though a mitigation of punishment was followed by a diminution of crime, it was not so much because of the mitigation, but because of the certainty that the "Death Penalty" for murder would in every case be enforced.

But it is vain to argue with Philanthropists, or to hurl facts at their heads; they have their theories, and their theories must be carried out; they have their character for benevolence to support, and that character must be sustained. Alas! they do not think that all their maudlin sympathy for the blood-stained ruffian is but a proof that they have no sympathy for the innocent victims of that ruffian's crimes; that their Philanthropy is but a loathsome cant, under which they seek to hide their cold-blooded selfishness, their callous indifference to human wrongs, and human sufferings, so long as their eyes are not assailed by the sight, so long as the groans of the sufferers are too far off to reach their ears. They would weep over a man hung in Montreal for cutting his wife's throat, because that would disturb their mental tranquillity, but they would listen unmoved to a tale of brutal murder committed at Gaspe, provided only that no—"untaught knaves, unmannerly,"

"Should bring the slovenly unhandsome corpse Betwixt the wind and their sentimentality."

If our Philanthropic friends only proposed a relaxation of the "Death Penalty," in so far as they were themselves more particularly concerned—that is, in cases which they were the sufferers by the violence of the criminal, we should have no objection. If, for instance, it were proposed to enact that no crime against the person or property of one who signs the petition for the abolition of Capital Punishment, should be punished with more than a few days' imprisonment, or that their houses might be burned, their wives and daughters outraged, and their throats cut, with impunity, we should offer no opposition; none, whatever. But we do object most strongly, that they should have it in their power to place other men who are not Philanthropists, in a similar awkward predicament; we do object that they should have it in their power, to exercise their Philanthropy to the ruin of the community, and to be so mighty generous at our expense. But we forget—generosity at other men's expense, is now, as it ever has been, and ever will be, the grand characteristic of the true Philanthropist.

"THE QUESTION OF QUESTIONS."

The *N. Y. Freeman's Journal* publishes the following extract from the *Mercersburg Review* of September, edited by Dr. Nevin, and calls upon his readers to pray for the speedy conversion of its author. Dr. Nevin has been long known to the American public as one of the ablest writers of whom Protestantism can boast; of late he has been seriously examining the claims of Protestantism to be the religion established by Jesus Christ, and preached by the Apostles, and the result of these enquiries has been to produce the conviction in his mind, that whether true or false, Protestantism is *not* the religion of the Christians in the first ages. "Evangelical Puritanism, the sect system generally, is at war with what was considered to be Christianity in the first ages." The writer then continuing his investigations, comes to the conclusion that the whole controversy betwixt Catholicity and Protestantism is summed up in the following question:—Did Christ establish an Institution, with a Divine constitution, as the means of preserving and propagating His religion, to the end of time? "All falls back just to this," says Dr. Nevin:—

"Has there ever been in the world such a Divine constitution as the Holy Catholic Church, in the sense of the ancient creeds? It is another question, which we need carefully to distinguish from this, whether there be any such Divine organisation, with supernatural functions and powers, actually at hand in the world now. We may dispose of this second question afterwards, as shall seem best; before it, comes plainly the other: Was there ever any order of this sort in Christian history? Were the first ages right, or were they wrong, in making the existence of an article of faith, and in grounding upon it the entire weight of the world's salvation? Here it is, that the chasm which yawns so fearfully between the past and the present comes fairly and fully into view. Puritanism

does not believe, what was believed most firmly in the days of Ignatius and Polycarp, that the Church stood among men as an actual polity, created by Divine commission, and endowed with corresponding heavenly powers for its own ends. What was a foundation mystery of faith in the one case, is scouted as a dangerous unscriptural 'figment' in the other.—In this way, Puritanism breaks with the universal Christianity of the first ages; turns its *Creed* into a grand *Lie*; for all must go together if any regard is to be had to the original sense of the symbol; and so literally converts the course of church history into a wholesale radical apostasy and delusion from the very start.

"Such is the simple historical fact. Who will deny, that it is full of unutterable solemnity and interest? Here is the question of questions surely at this time, for all who can rise above the paltry prejudices of party and sect, so as to take any interest in the truth for its own sake. Alas, that the number of such should be so few! Is the old church doctrine of the Apostles' Creed—or was it rather—fact or figment, a reality or a dream? Was it a true 'heavenly vision' to which fathers, martyrs and saints, did well, 'not to be disobedient;' or must it be regarded, on the contrary, as the most melancholy hallucination that ever took possession of the human mind, the art of Satan playing himself off as an angel of light, the mystery of iniquity 'leading captivity captive,' in a new downward sense now, most horrible to think of, for at least fourteen hundred years? What are all other questions, with the everlasting din that is made about them in our Babel of sects, as compared with this?"

"Was there ever among men a Church, in the sense of the Creed, a Divine constitution, carrying in itself real grace as an order of existence *above nature*, and rightly challenging in such view the 'obedience of faith?'"

"This is the first question. Only where it is answered in the affirmative, of course, can there be any room for the second; which then, however, cannot fail to come home with like awful solemnity—as a waking, and not merely sleep-walking interest—to every mind that is seriously bent on being saved:

"Is the mystery of a Divine Church in this old sense still at work in the world? Are the glorious things once spoken of Zion yet true and real, as they were held to be in the first ages? Or has that heavenly vision dissolved long since into thin air and mere Gnostic idealism, like the baseless fabric of a dream which leaves no wreck behind?"

Truly, as Dr. Nevin says, this is "the question of questions," and one upon which the candid enquirer after truth can only come to one conclusion; for it is not because they doubt that Christ *did* establish a Church that Protestants protest against her, but because they know that if they once admit that fact there is no help for them—they must either become Papists, or renounce all Christianity—that is if they are capable of reasoning logically. If ever there was a Church, with a Divine constitution, there must be a Church now, unless the gates of hell have prevailed against her. If there be a Church now with a Divine constitution, that Church must be the Roman Catholic Church, for no other Society on earth so much as pretends to be that Divinely constituted Church; for a Church, Divinely instituted, with a Divine constitution, with a Divine commission to teach, and as such "claiming the obedience of faith," must needs be infallible, and therefore conscious of her infallibility. Now, every society on earth, calling itself a church, save the Roman Catholic Church, acknowledges its fallibility, and thereby proves itself fallible, and *not* to be the Church Divinely constituted and Divinely commissioned to teach.

THE IRISH BAZAAR.

The annual Bazaar for clothing the children of the Irish poor will open on Tuesday next, the 19th inst., in the St. Patrick's Hall, corner of the Place d'Armes, the rooms being kindly placed at the disposal of the Ladies conducting the Bazaar, by the Committee of the Catholic Institute. We hope sincerely that the charitable exertions of the ladies of St. Patrick's Congregation will be attended with ample success, and that they will meet with prompt and ready support. It is now the season when the winter clothing has to be provided for our poor children, not only those in the Asylum, but a number of others who cannot attend school during the winter, without something to shield them from the inclemency of the weather. The Irish Bazaar lately held in Quebec, made *Six or Seven Hundred Pounds*; there is an example for us, and we hope it will not be lost upon us. The way to receive a large sum is, for every one to go there and spend whatever they can afford—little or much—as the old Scotch proverb says—"every little makes a muckle"—and it is by the seven-pence-halfpenny, and quarter dollars of those who cannot spare more, that the hundred of dollars and of pounds are chiefly made up. In Kingston there was a Bazaar held this summer by the Catholic ladies, which produced about *Four Hundred Pounds*. Let it not be said that Montreal—the real metropolis of the provinces—will be behind both the sister cities. Let every one of us put his shoulder to the wheel, and help on the good work with a cheerful heart, assured that God will repay whatever is bestowed on his "little ones." The ladies who kindly undertake to manage this Bazaar are doing all in their power—they are giving their time, their money and their labor, and if the result be not satisfactory, it will be our fault, not theirs. Let us encourage them by every means at our disposal.

The consecration of Mgr. Cooke, as Bishop of Three Rivers, is to take place on the 18th instant, the Feast of St. Luke, at the principal Church of the district; and that of Mgr. La Rocque, as Bishop of Cydonia, *in partibus infidelium*, and coadjutor of his Lordship the Bishop of Montreal, on the 28th instant, at the parish Church of Chambly, the native parish of the new Prelate.

DR. BROWNSON.

The Committee of the St. Patrick's Orphan Asylum, in the name of the children of that institution, beg to tender their best thanks to Doctor Brownson for the very handsome relief accruing to them, from the lecture given by him on the 29th ult., for their benefit. We beg at the same time to express our deep obligations to Doctor Brownson for his very great generosity in coming from Boston, unsolicited, on such a mission of charity. We cannot forbear adding, that our obligations are much increased by the advantage and pleasure we derived from his Christian and energetic eloquence. We do no more than echo the sentiments of the crowded audience, whom his words both delighted and instructed, when we say, that the orphans were not the only, nor perhaps, the chief gainers by the visit of the learned and charitable Doctor. May we soon see him amongst us again.

THOMAS BELL, Sec. of Committee.

LIFE OF OUR LORD AND SAVIOUR JESUS CHRIST.

Translated from the French of the Rev. Father Jesuit De Ligny, by Mrs. J. Sallier. D. & J. Sallier, New York and Montreal.

We noticed, as they appeared in monthly parts, the early numbers of this excellent translation of Father De Ligny's celebrated work, and endeavored to give them the praise which they deserved, for the elegance and fidelity with which the text of the author is rendered. The work is now complete, and is bound up in one handsome volume, embellished with copper-plate engravings from the paintings of the best masters. The publishers are, we understand, preparing to issue "The Life of the Blessed Virgin," as a companion to the "Life of Christ," and we are confident that no Catholic will consider his library complete without them.

REMITTANCES RECEIVED.

St. Bridget, O. Donnelly, 12s 6d; Calumet Island, P. McNally, 12s 6d; Belleville, J. Donoghue, 12s 6d; Richmond, T. Bartley, 6s 3d; St. John Chrysostom, T. Lynch, £1 5s; Gananoque, Rev. J. Rossier, 10s; St. Athanasie, Rev. Mr. Hubertault, 12s 6d; Williamsstown, M. Heenan, 11s 3d; Isle Aux Noix, Sergt. McGinness, 12s 6d; N. Lancaster, J. A. McGillis, 12s 6d; St. Raphael's, D. M'Pherson, 12s 6d; Sand Point, D. McDonell, 6s 3d; Kingston, J. G. Harper, Esq., 15s; Peterboro, T. M'Cube, £1 10s; Mosa, T. Fitzpatrick, 15s; Durham, M. Brady, 6s 3d; Cornwall, Dr. M'Donald, 6s 3d; Prescott, M. Tracy, 12s 6d; T. Buckley, 6s 3d; Bytown, J. O'Meara, 12s 6d; S. Monaghan, M. Cooney, 6s 3d; S. Mountain, J. Morrow, 6s 3d; W. Roberts, 6s 3d; St. Andrews, Ottawa, T. Fitzgerald, 12s 6d; Isle Perrot, Rev. Mr. Aubry, 6s 3d; Williamsburg, A. M'Donnell, £1 5s; Beauharnois, H. Rogue, 15s; Perth, J. Doran, 18s 9d; St. Andrews, C. W., Rev. Mr. Hay, £2 10s; Godefrich, Dr. M'Dougall, 8s 9d; Granby, M. Gannon, 12s 6d; Cornwall, A. Stuart M'Donald, £6 6s 3d; Toronto, P. Keena, 10s.

ACCIDENTS.—We regret to learn that, on Thursday last, a fatal accident occurred on the unfinished part of the Champlain and St. Lawrence Railroad, by the running off the track of one of the cars of a sand train, which carried with it all the following cars. There were six men (laborers) on the train, three of whom escaped unhurt: of the three others, Nicholas Bateman, aged 30 years, was instantly killed, and John Hasting had his left ear and part of the cheek torn off, and had his lower jaw fractured, and the third, Walter Webb, had his left foot so severely bruised (crushed) as to require amputation of three of his toes. Hasting and Webb were both brought to the Montreal General Hospital in the afternoon, and are both doing well. Neither of them is dangerously hurt. We were also yesterday, sorry to hear of another fatal accident, which occurred on the same line, at St. John's, on Monday last. In making some excavations, the earth "caved-in" upon two men, who were at work, and sad to relate, both were found dead, on their being extricated. We did not learn the names of the sufferers.—*Herald of Tuesday.*

LATE REV. MR. M'MAHON.—On Monday, 4th instant, a grand Pontifical (anniversary) service took place in St. Patrick's Church, Quebec, for the late Rev. Mr. M'Mahon the now lamented, and while living, the esteemed pastor of that church. His Grace the Archbishop was present, and was assisted by the Rev. the Superior of the Seminary, the Curés of the R. C. parishes of Quebec and St. Roch, Grand Vicar Cazeau, and many other clergymen. Notwithstanding the unfavorable state of the weather, the congregational attendance was most considerable, and immediately after the service a beautiful mural tablet, the handiwork of Mr. Morgan, Sculptor, St. John Street, (Without) Quebec, was, for the first time, exposed to view.—*Montreal Pilot.*

YOUNG MEN'S ST. PATRICK'S ASSOCIATION.



The above Association having made arrangements for the delivery of a COURSE OF LECTURES during the ensuing winter, feel great pleasure in announcing to the public that THOMAS D'ARCY M'GEE, Esq., will deliver the Opening Lecture on TUESDAY EVENING, NOVEMBER 2, and a Second on THURSDAY EVENING, NOVEMBER 4, at the ODD FELLOWS' HALL, GREAT ST. JAMES STREET.

Subject first Evening:—"THE CELTIC RACE." Second Evening:—"CHRISTENDOM." To commence at EIGHT o'clock precisely. Admission—1s. 3d.

(By Order) R. P. REDMOND, Secretary. Montreal, Oct. 13, 1852.