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THE TRUE WITNESS AND CATHOLIC CHRONICLE,

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THE TRUE WITNESS AND CATHOLIC CHRONICLE.

MONTREAL, FRIDAY, SEPT. 23, 1853.

THE IRISH BAZAAR.

We are requested to announce that the ANNUAL BAZAAR, for the clothing of destitute Irish children, will open on THURSDAY, the 29th inst., being a few days earlier than was at first intended. The change has not been made without good reasons, and it is hoped, and earnestly requested, that all who are either working for the Bazaar, or interested in its success, will, in the meantime, re-double their exertions. It will be held, as usual, in the ST. PATRICK'S HALL, under the guidance and patronage of the Ladies of the St. Patrick's congregation.

NEWS OF THE WEEK.

The Irish journals are taken up with accounts of Her Majesty's visit, which seems to have given very general satisfaction, both to the royal visitor, and the visited. To enliven the tedium occasioned by the prorogation of Parliament, English Protestantism has found a new grievance, in the intolerance of the Spanish Government with respect to Protestant internments in Madrid. In giving permission to the English residents to have a Protestant burial ground, the Spanish authorities have imposed certain conditions—of which the principal are, that the said cemetery shall be subject to the hygienic rules usually required in similar establishments; and that the internments shall be conducted without any public parade, or display of religious ceremonies.—It is against the latter, that the objections are made by the Protestant press of England, which seems to forget, that the clause, imposing restrictions upon Protestants in Spain, is but a literal transcript of the famous Derby "Proclamation" of last year; and that the Government of the Queen of Spain, has, in this respect, but followed the example set it by the Government of Queen Victoria. In England, it is a misdemeanor for the Catholic to follow the remains of his deceased relative to the grave, with the rites, and ceremonies prescribed by his religion. Only the other day, the funeral procession of the Earl of Shrewsbury, though upon lands of which, in his lifetime he was lord and master, had to be disbanded, because contrary to the law of Protestant England, which forbids a Catholic clergyman to appear in public in his ordinary attire; and punishes as a high crime, the parade of the crucifix before the remains of the dead. And yet, if these arbitrary measures of a Protestant Government are but feebly copied by Catholic powers, as a politic measure of retaliation for the indignities inflicted on Catholics in England, Protestant hypocrisy treats us to lengthy dissertations on the intolerance of Popery, and its love of persecution! The only proper answer for the Spanish Government to give to the remonstrances of Lord Howden, the British ambassador at Madrid, would be, the demand for the immediate repeal of the Ecclesiastical Titles Bill, and for the issuing of a Royal Proclamation in London, authorising Catholic processions, in public. Until the British Government rescinds all its enactments against its Catholic subjects, it has no right to complain of any retaliatory measures which Catholic Continental Governments may adopt against Protestant aliens; and we trust that its remonstrances to the Spanish Government will be treated with contempt.

His Eminence the Cardinal Archbishop of Westminster delivered his long-announced lecture, upon the connection betwixt "Commerce and the Arts," on the evening of the 31st ult., to a crowded audience, in the Philharmonic Hall, Liverpool. From this it would appear that the health of this illustrious Prelate of the English Church, has been restored; and that there is no longer any cause for the uneasiness upon this subject to which the *Tablet* lately alluded. Large numbers of the Catholic Clergy, as well as lay, were present upon the occasion; and amongst the crowd were to be seen many members of the various Non-Catholic sects, attracted by the eloquence of their distinguished visitor, in spite of the warnings of a rabid No-Popery man called O'Neil, who, it seems, had cautioned the frequenters of his conventicle against attending the Archbishop of Westminster's lecture, on pain of excommunication.

The Eastern question is settled one week, only to be unsettled the next. The difficulty arises now, not from Russia, but from Turkey, which, naturally enough, feels that, throughout the negotiations, it has been betrayed, and made a tool of. Nothing can exceed the contempt felt by the Turks, for England, and Englishmen; and in their disgust for the cowardice of the power from which they looked for protection, it would not be wonderful if they threw themselves into the arms of Russia; for a bold foe is always less

odious than a cowardly, and treacherous ally. The *Times* professes great indignation at the obstinacy of the Turkish Government, in not submitting quietly to the dismemberment of its Provinces; but the general feeling throughout Europe is, sympathy for Turkey, and contempt for the vacillating policy of Great Britain, which can speak out bravely enough when bullying a Grand Duke of Tuscany, but tamely truckles to, and submits to be snubbed by, an Emperor of Russia.

By the *Arctic* we receive no additional news of any importance. The Eastern question was still the cause of much uneasiness. One or two cases of Asiatic cholera had declared themselves at Liverpool.

JURY PACKING AND BRIBERY.

On our seventh page will be found a report of the proceedings of the extraordinary term of the Court of Queen's Bench at Quebec. The necessity for this extraordinary term was occasioned, as our readers will remember, by the gross misconduct of Mr. Sewell, the Sheriff of Quebec, who, in striking the Jury Panels, took care to substitute the names of Protestants, for those of Catholics; thus ensuring the conviction of the parties accused of rioting during the course of Gavazzi's lectures, at which the Sheriff occupied a very prominent position, unbecoming the dignity of his office, and receiving for his pains, a few of the blows which were freely interchanged during the *melee*. This scandalous attempt on the part of the Sheriff to defeat the ends of justice—and the still more scandalous attempt to hush the matter up by bribery—having been detected—the business of the Court, which should have been transacted in July, was brought to a stand still—at an enormous expense to the country,—to the serious loss and inconvenience of the suitors—and, above all, to the ineffable, and we fear, almost ineffaceable, disgrace of our Canadian Courts of Justice.

From the letter of an "Observer," which will be found below, it will be seen that the government is doing its best to screen the guilty Sheriff from the punishment due to his misdeeds; and instead of prosecuting him vigorously, is, through its tool, the new Solicitor-General, endeavoring to set up a defence for attempted jury-packing and bribery; whilst, at the same time, it is proceeding most actively against the parties accused of rioting and disorderly conduct. This dishonest procedure on the part of the government, at the present juncture, when it is so highly important that every member of society should be taught to look up with respect to the tribunals, and to rely, solely upon the upright administration of the laws of his country for redress and protection, is most unfortunate, and we fear will, if persisted in, lead to deplorable results. For, who can place any confidence in these tribunals?—who can expect that justice will be administered—when, in the high places, in the very precincts of the sacred Courts of Justice, the falsifier and suborner is allowed to walk about, with head erect, glorying in his successful villainy, and laughing at the cry of his victims for redress? In vain will it be that we have equitable laws—in vain that we have learned and upright Judges on the Bench—if Sheriffs, neither learned, nor upright, to suit their political purposes, and to wreak their malice upon individuals, are left at liberty to cram the Jury Box with their creatures, and thus to secure the condemnation of the innocent, and the acquittal of the guilty. In spite of just laws—in spite of the wisdom and integrity of the Judges—we can but look upon the Courts, where such things are tolerated, or allowed to pass with impunity, with contempt and abhorrence—and upon trial by Jury, as a convenient instrument, for the perpetration of injustice—for upholding the rich wrong-doer in his iniquity—and for persecuting and trampling upon the poor and friendless. Irishmen and Catholics, whilst the crimes of Jury-packing and bribery are left unpunished, can have no respect for, no confidence in, the legally constituted tribunals. The consequences will, we fear be, that they will be compelled to look elsewhere for redress.

But though the government be indifferent to the crimes of Jury-packing and bribery—though with the view of making a little political capital for his Megantic election, the Solicitor General forget the duties of his office, and employ his influence to protect his wealthy friend, from the punishment which should long ago have been inflicted upon him,—there is one who is bound—in justice to himself—in justice to his clients whose cause he was solicited to betray—to proceed immediately, and vigorously against Mr. Sheriff Sewell. We mean Mr. O'Farrell, the lawyer, by whom the falsification of the Jury Lists was brought to light, and to whom the Sheriff's deputy tendered a bribe, with his own hands, in order to induce Mr. O'Farrell to keep silent upon this iniquitous transaction. That the bribe came from the Sheriff's office, there is no doubt; Mr. Sewell's deputy was himself the bearer of it; and from what we have heard, we have reason to fear that this was not a solitary instance of attempted corruption, by the officers of the Court. Mr. Sewell indeed, by affidavit, asserts that he did not *authorize* the tender of a bribe; and as to the extent of the latter's criminality, we offer no opinion, leaving it to the common sense of our readers to decide how much credit is due to those exculpatory documents. It is as well however to remember—that Mr. Sewell's deputy—through whose hands the bribe was sent—was neither legally, nor morally, responsible for the falsifying of the Jury Lists; and had no personal interest whatever in having the matter hushed up;—whilst, on the other hand, Mr. Sewell, and Mr. Sewell alone, was both morally, and legally, responsible for the wrong done, and was most deeply interested in having the wrong concealed. Against Mr. Sewell, then, it is Mr. O'Farrell's duty immediately to proceed; and though it

may chance, that, by means of packed juries, legal quibbles, and bribed witnesses, the accused may obtain an acquittal, Mr. O'Farrell is none the less bound, to bring the matter to a speedy issue. No compromise—no hesitation—no lukewarmness—no blunders can, in a matter like this, be overlooked, or forgiven; without serving Mr. Sewell, these would be fatal to Mr. O'Farrell himself, whose first object should be to clear his character from the reproaches which the *Quebec Chronicle*, and other journals, have, we believe most unjustly, cast upon it. If Mr. O'Farrell neglect his duty, then will it be for the Catholic citizens of Quebec to take the matter in hand, and appeal to the Legislature for redress against the criminal apathy of the Executive, and the dishonesty of the officers of our Courts of Law; so only shall they be purged from the foul dishonor that has been brought upon them by Mr. Sheriff Sewell. Jury-packing and Bribery are crimes against society, which must be exposed and punished.

The following is the letter from our Quebec correspondent: in a private note he assures us that "there is not a single Catholic speaking the English language on the Grand Jury." Of course this is the result of accident.

Quebec, Sept. 19, 1853.

Sir,—Any person who attends the proceedings of the Court of Queen's Bench, now sitting at Quebec, must immediately come to the conclusion that, the appointment of the present Solicitor-General, Dnabar Ross, must have been made with the express view of screening the guilty Sheriff of this district, from the punishment due to his crimes, and for the commission of which, it is the duty of the Solicitor-General to prosecute him without favor or affection. Mr. Ross' conduct clearly shows that he is determined to keep his friend, the Sheriff, harmless at all hazards; and that he is equally unscrupulous in the means which he adopts to secure a conviction of the persons charged with being concerned in the Gavazzi riot here. Will it be believed that the Crown Officer actually refused to give communication to the Court of an affidavit, offered to him in support of the charge laid against the Sheriff; and that instead of proceeding as a proper sense of duty would direct, he only rose to address the Court for the purpose of palliating the offence? It is unfortunate that the Government were not aware of one circumstance, in relation to Mr. Ross, ere they appointed him to his present post, viz—that he had expressed himself to the effect, that he was so much prejudiced against the Catholic individuals, charged with being concerned in the Gavazzi business, that he could not conscientiously undertake to defend them, when asked by a *confere* of his to do so. It is strange that his conscientious scruples would not interpose to disqualify him from acting against them; I would have thought that being, by his own confession, prejudiced against these persons, he could not be expected to discharge the duty of Crown Officer, with that impartiality, which is required of that functionary, as well towards the accused, as the Crown, and the public—I am, Sir, Yours, &c. AN OBSERVER.

As we anticipated, from its composition, the Grand Jury, at Quebec, have found True Bills against the following persons charged with attempting to destroy Chalmers' church:—Hearne, Giblin, Bowen, Donohue, McNamara, Charlton, Kelly, Foy, Redmond, O'Brien, Gallagher, Burns, Mater, and Roach. It is not difficult to calculate the amount of justice which Catholics may expect from Jurymen made up by Mr. Sheriff Sewell.

The remarks of the *Transcript* of Saturday last compel us, however reluctantly, to return to the case of Mr. M. Morrison. It is not true, as stated by the *Transcript*, that the threats uttered by the said gentleman, occurred in the course of any private conversation: they were made publicly, and were not addressed to any person in particular. We should have brought the matter to a very simple issue long ago, by having Mr. Morrison bound over to keep the peace, but for one little difficulty. The law requires that some one shall swear that, he or she, is in bodily fear on account of threats uttered. Now in all Montreal, there is not a man, woman, or child, who is afraid of Mr. Morrison, or who cares a pinch of snuff for him, or his threats.

Why then mention the circumstance at all? we may be asked. Because this is not the first, or only, occasion since the 9th of June, upon which threats of assassination have been held out towards Catholics. It has been the custom of late to annoy the latter with anonymous letters; betwixt the style of which, and Mr. Morrison's language in Court, there is such an extraordinary family resemblance, that it can hardly be looked upon as the result of accident. Mr. Morrison was incautious: he allowed himself to be thrown off his guard in the excitement of the moment: but we have no doubt that he only gave utterance to the sentiments of the Orange body of which he is, we believe, a prominent member, and a shining light.—At the same time, we must not be understood as attributing to him the authorship of the anonymous letters to which we allude; we only say that betwixt his threats, their contents, and the language of the *Protestant Times*, there is an extraordinary family resemblance.

The *Transcript* seems inclined also to take up the cudgels in behalf of the *Montreal Gazette*, a journal which has been, on several occasions, publicly denounced as lending the aid of its columns to the circulation of beastly publications. The *Transcript* asks us,—“What amount of blackguardism entitles a man to be kicked out of society?”

Ans. The editor of a public journal of extensive circulation, and which obtains general admission into families, who, for the sake of putting a few dollars into his pocket, takes advantage of his position, to facilitate, recommend, or countenance the dissemination of beastly and immoral works, which teach the art of procuring abortion, and, by instructing the young of both sexes how they may indulge their passions without danger of pregnancy, show how young men may seduce young girls—(the female relations of the patrons of the *Montreal Gazette* perhaps)—with impunity—is a filthy blackguard, a mercenary scoundrel, for whom the vilest epithet in the vocabulary of Billingsgate is all too good, and who richly deserves to be kicked out of society. It behoves too, every member of society—every father—every husband—every brother—every man to whom female purity is dear, and with whom chastity is in repute—to denounce such a villain, and join with us in calling upon heaven:—

"To put in every honest hand a whip To lash the rascal naked through the world."

That the publications recommended in the columns of the *Montreal Gazette* to the attentive perusal of the wives, mothers, and daughters of Montreal, are of the beastly and immoral nature described above—and that the editor of the said *Gazette* was well aware of their infamous tendencies, whilst continuing to advertise them—we are, if called upon, in a position to prove. Upwards of a year ago our attention was called to these works; but, as we then believed that no man in Canada could be such a beast, so utterly dead to every sense of decency, as publicly to recommend them, we thought it more prudent to say nothing about them. Since then the matter has been brought under our notice by the *Montreal Herald* which, in its issue of the 8th inst., mentions the fact that the book or pamphlet advertised by the *Gazette* is a work—"many copies of which were, some time ago, seized at the Post Office as coming under the designation of immoral and lascivious publications." The *Herald* adds:

"Our attention was some time since called to the publication of this advertisement, by a leading physician in this city, who stated that he had remonstrated with the publishers of the *Gazette*, but without effect, on the subject of their thus sending to make, as they call it—a 'trifle of money'—by selling in the circulation of this infamous corrupter of the youth of both sexes."—*Montreal Herald*, Sept. 8.

Although the phrase is but a "vile phrase" in the estimation of the editor of the *Transcript*, we shall here repeat what we said last week—"the above requires no comment." If our cotemporary is prudent, for the sake of the *Montreal Gazette* he will keep silent on this matter: the more it is stirred, the less pleasant will be the odor thereof.

REPORT OF THE INSPECTORS OF THE PROVINCIAL PENITENTIARY.

(Printed by Order of the Legislative Assembly, Quebec, 1853.)

We have already given some extracts from this "Report" showing the relative number of the Catholic and Non-Catholic convicts, undergoing sentence in the Penitentiary. We would to-day say a few words upon the conflicting opinions of the gentlemen by whom this official document has been drawn up.

On one side we have Dr. Nelson, and the Rev. Angus McDonnell, the Catholic Chaplain; on the other, Mr. Dickson, and the Rev. Hannibal Mulkins, Protestant Chaplain of the Penitentiary; and the Report, though professing to be a joint document, is made up of the conflicting statements, and counter-statements of these two parties—we would call them, only we should be sorry to insinuate that party feeling had any thing to do with causing the clashing opinions, as to the proper mode of treating convicts, which at every page meet the eye.

The Report commences with a letter signed by both of the Inspectors of the Penitentiary—Dr. Nelson and Mr. Dickson—but to several passages in which the latter gentleman objects, in a supplementary letter signed by himself alone, and which again calls forth a rejoinder from his colleague, Dr. Nelson. We have also two letters from the respective Chaplains, in which the Catholic Divine sides with the last named gentleman—and the Protestant, with Mr. Dickson. The point upon which these gentlemen chiefly differ is—as to the amount and quality of secular education that, in the interests of society, should be imparted to convicts undergoing sentence. Dr. Nelson's opinions on this important point, are expressed as follows:—

"While the Inspectors would advocate education for every class in society, as well as for the destitute and vagrant child, they would feel reluctant to contribute further than to impart to them the mere elements of a Common School education."—p. 4.

The Rev. A. McDonnell coincides in opinion with Dr. Nelson—

"Some persons to whom I give credit for their humane feelings, but on whose sound judgment I do not rely much in this respect, would wish to see the Penitentiary converted into a real Academy, and the convicts employed, instead of at hard labor, in the study of the arts and sciences. It is all very well to treat convicts with all the kindness and leniency, compatible with the strict fulfilment of the rules of the Institution; to show the greatest attention to them during the time of sickness, and to provide for all their necessary wants; but anything beyond this, in my opinion, instead of leading to their moral reformation, would have the effect of inducing them to believe, that they would owe their present comfortable position to the commission of their former crimes, and once out of the Penitentiary would become an incentive to the commission of new ones. I am not convinced that even the limited education that some of them now receive, is not attended, to a certain degree, with this result; for, it is well known that some of those who regularly attend the schools, have, on the eve of being discharged from the Penitentiary, boasted to their companions, that they would soon see them return in order to receive, what they called, a finished education. It would be dangerous also from the effect it would have upon the great mass of the community, that it should go abroad, that the condition of the convicts (deprivation of liberty alone excepted) is better, and the means of acquiring knowledge greater, than that of the majority of the children of honest and industrious farmers in many parts of the country. As to their being already better fed and better clothed, no one who knows anything of the state of the country, can for a moment doubt. The great object, never to be lost sight of, is to impress strongly upon the minds of the convicts, both by words and actions, that they are undergoing a severe punishment for a certain offence committed against society, and to inflict that punishment upon them in such a way that, if not morally reformed, the very dread of it will become a salutary check upon their evil propensities, and deter others from the commission of the same, or similar, crimes. This becomes almost impossible, so long as the maudlin sentimentalities of our prison law reformers are ever ready to yield to the insane clamour of the ignorant conductors of an ignorant press, ever ready to espouse the cause of the criminal at the expense of the community; and to this