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THE TRUE WITNESS
 AND
 CATHOLIC CHRONICLE.
 MONTREAL, FRIDAY, JULY 21, 1854.

NEWS OF THE WEEK.

The Niagara brings European news to the 8th inst.; but nothing of great importance had occurred during the previous week. Sir C. Napier, with his fleet, was lying off Cronstadt on the 27th of last month; but up to that date the attack had not been commenced. In the Black Sea, eight Russian steamers had ventured out from Sebastopol, and had kept up for some time a running fight with the *Furious*, the *Terrible*, and the *Zscartes*. The first-named of these vessels had sustained some serious injuries.—Omar Pasha attacked the Russian rear-guard on the 22nd ult., and inflicted some severe losses upon the retreating enemy. The Czar has professed his readiness to abandon the Principalities, simultaneously with the evacuation of Turkey by the allied troops; and is willing to abandon his claims to the exclusive Protectorate over the Greek Church; he insists however upon retaining possession of Moldavia. Peace seems as unlikely as ever. The allied troops are concentrating at Varna; but the plan of the campaign is kept a profound secret. In Asia, the Turks have met a serious check.
 In Spain, an insurrection has declared itself; and the abdication of the Queen is hinted at. It is certain that Her Majesty is very unpopular.

THE SCHOOL QUESTION.

The Catholics of Upper Canada are almost unanimous in demanding separate schools for their children. For years, Catholic Clergy and laity have been unremitting in their efforts to procure from government the recognition of their rights. If then, Catholic separate schools do not increase and multiply, it is not owing to any indifference on the part of Catholics, either to the inestimable advantages of a sound religious education for their children, or to the dangers to faith and morals arising from the mixed, or common school system.
 In his last official Report, the Methodist Chief Superintendent of Education tells us that there are only eighteen Catholic separate schools in all Upper Canada! Surely there must be strong causes at work to thwart the wishes of our Catholic brethren of the Upper Province! So many hundreds of thousands of Catholics, all insisting upon their right to separate schools! A law which professes to recognise this right! The admonitions of a zealous and faithful clergy, calling upon their people to avail themselves of the provisions of the law, and warning them of the danger to which they expose the faith and morals of their children by sending them to mixed schools! And yet only eighteen Catholic schools in Upper Canada! The causes of this extraordinary phenomenon are well worth enquiring into.
 We have indicated two. One social; proceeding from the illiberality of the Protestant majority, who throw every obstacle in the way of their Catholic fellow citizens. Another, proceeding from the injudicious appointments made by Government; by means of which the administration of the School Laws in Upper Canada has been entrusted to the most venomous foes of our holy religion.
 A third cause, to which we purpose alluding today, proceeds from the unjust provisions of the Law itself. This cause can, and must be, remedied in the approaching Parliament. Catholic voters throughout the country, should vote for no candidate who will not pledge himself to oppose any ministry that will not at once accord to the Catholic minority of the Upper Province, every privilege enjoyed by the Protestant minority in the Lower.
 The Rev. Mr. Ryerson does indeed tell us that we have no cause of complaint. According to that respectable Methodist minister, the law as at present existing—"secures all that is granted to the dissenting minority of any municipality in Lower Canada, all that can be equitably asked for by such minorities in any municipality of Upper Canada."—*School Report*, p. 21. The first part of this statement is positively false. The second we consider erroneous; and, in our private opinion—which is as good and as worthy, the consideration of the Legislature as the private opinion of Dr. Ryerson, or of ten thousand Dr. Ryersons—the Catholic minority of Upper Canada does not enjoy all that it can equitably ask. At all events it does not enjoy all that is by law secured to the Protestant minority of the Lower Province.
 Let us, in support of our proposition, contrast the clauses of the Lower, and Upper, Canada School Acts; respectively, which provide for the establishment and maintenance of the separate schools of the respective dissenting minorities; and we shall

see how well founded is the complaint of our Catholic brethren—that, though the law distinctly recognises their right to separate schools; that right has in practice been disallowed by the numerous petty and annoying conditions which the same law has imposed upon its exercise. Firstly—immense difficulties have been thrown in the way of obtaining separate schools: at all; secondly—when obtained the Catholic minority are harassed at every turn by thousands of paltry annoyances, from all of which the Protestant minority of the Lower Province are perfectly free.

For instance, whenever "any number whatever" of our Protestant brethren, in Lower Canada feel inclined to have a separate school, all that they have to do, is, to signify that desire in writing, to the Chairman of Commissioners, giving in the names of any three persons, whom they, the dissentients, may think fit to appoint, as Trustees of the said separate schools. On these Trustees are conferred all the powers and duties of the Commissioners for the other schools; by their intervention, and without the possibility of any interference from the Catholic majority, the Protestant minority can establish as many schools as they please, and have the right to constitute and circumscribe their own school districts as they think fit—"independently of the School Districts established by the Commissioners aforesaid."—12 *Vict.*, C. 50., Sect. 18; and are entitled to receive, directly from the Superintendent, their proper share of the School Fund—*Id.* There are no restrictions of any kind whatever, as to numbers, or time of application, or religion of the teacher of the school of the majority.

Now let us turn to the Upper Canada School Act, and observe how many obstacles are thrown in the way of the Catholic minority in that section of the Province, when seeking to establish separate schools for their children.

In the first place, the application must be signed by at least twelve resident heads of families; or else—if the application be signed by only eleven, or if one be not a resident—no separate schools for the Catholic minority of Upper Canada. We have shown that no such conditions are imposed on the Protestant minority of the Lower Province: the Law expressly says that the application is perfectly valid, if made by any number whatever of the inhabitants professing a religious faith different from that of the majority of the inhabitants of such municipality."—9th *Vict.*, C. 26. Sect. 26.

Again, the clause of the Upper Canada School Act authorising the establishment of separate schools for the use of the Catholic minority, prohibits the erection of any such school "except when the teacher of the common school is a Protestant."—As we have already shown, no such restriction is imposed upon the Protestant minority of the Lower Province. Let us consider its effects.

Our readers may most probably remember Gavazzi, and his profession of faith. He did not indeed pretend to be a Catholic; but at the same time he always protested that he was not a Protestant. Now just fancy—not so improbable a case—Gavazzi, or a man professing the principles of Gavazzi, employed as the teacher of one of the common schools of Upper Canada. What then?—what would be the effect of the above proviso of the XIX section of the School Act? Simply this; that Catholics would be compelled to pay for his support, and the support of the school in which he disseminated his slanders against their faith; and that every application on their part for leave to establish a separate school would be met with the objection that "as the teacher of the teacher of the common school was not a Protestant, no Catholic separate school would be allowed." And so, with many professions of liberality, the Methodist Chief Superintendent would reject the demand of the Popish applicants, with as much contempt as the poor-house overseer treated Oliver Twist's memorable application for "more" oatmeal gruel.

Trifling and unobjectionable as the above proviso may appear on paper, in practice, it may easily be so construed as to render nugatory all the other and more favorable provisions of the XIX clause. There are alas! plenty of bad Catholics in the world: men who, in all but name, are Protestants: who never approach the Sacraments, and who habitually violate all the precepts of the religion which they profess. These men though, or rather because, a scandal to the Church, and an insult to morality, are special favorites with the Protestant world. They are flattered, courted, caressed, and held up as specimens of liberal Catholics; as men of enlightened and progressive views. What though they be impure or drunkards, liars, thieves, or adulterers, hypocrites and blasphemers, they are not priest-ridden, they have thrown off the yoke of ecclesiastical tyranny, and are to be esteemed as good fellows in the main—as brands, if not altogether out of the fire, yet in a fair way of being speedily extinguished, and of at last assuming their proper position as props and ornaments of the evangelical Zion. One of these fellows is always looked upon as a great catch by the Protestant community: and is more useful to them perhaps, in that he still retains the name of Catholic, than if he had openly declared himself, in theory, as in practice, a Protestant. Now, to render it impossible for the Catholics in any school division of Upper Canada to establish a separate school, all that is required, is, to appoint one of these "liberal" Catholics as teacher to the common school. As an instrument for corrupting the faith and morals of his Catholic pupils—the great object after all of Protestant liberality—he will be found quite as convenient as, perhaps even more so than, an ordinary evangelical professor; whilst, as, "not being a Protestant," in the eyes of the law, "no Catholic separate

school will be allowed" in the school division in which he is employed as a teacher. Thus by a little finessing on the part of the proper authorities, the Protestant majority of Upper Canada have it always in their power to prevent the establishment of separate schools by the Catholic minority. Now as no such insidious provision exists in the Lower Canada School Act, we have the right to demand that it be expunged from the School Act of the Upper Province.

The third, and last, difference to which we shall allude to-day, is to be found in the same XIX clause of the Upper Canada School Act; which provides that, on application by twelve resident heads of families to the Municipal Council of any Township, "it"—the Municipal Council aforesaid, which as Protestant will certainly not consult the interests of the Catholic applicants for separate schools—"shall prescribe the limits of the divisions, or sections, for such schools;" and shall make provision for the election of the Separate School Trustees. Contrast these restrictions with the entire liberty accorded to the Protestant minority in the Lower Province; whose Trustees, nominated by themselves, without any intervention of a Catholic Municipality, have, according to the law, "the right to constitute their own School Districts, independently of the School Districts established by the Commissioners."

And the Rev. Mr. Ryerson, in his official report, has the affrontery to declare that the law secures to the Catholic minority in Upper Canada, "all that is granted to the dissenting minority of any municipality in Lower Canada"!!!

THE CLERGY RESERVES.

The Diocesan Synod of the Anglican Church has put forth an address, embodying the views of its members upon this important question. From the following extracts, it will be seen that the Synod proposes an equitable division of the funds amongst all the denominations; so that neither the Anglicans nor any other Non-Catholic sect in Upper Canada, would have the right to claim to be considered as the Protestant Church, *par excellence* :—

"It cannot be denied that the Crown of England at the time it made provision for the Clergy Reserves had the title to and the sole control of the property so reserved; neither can it be denied that all who came subsequently to the province came here subject to the disposition of the lands as already made. It will be admitted that no individual in the country has sustained any wrong from the disposition thus made for the Reserves; for it might be as well argued that each man who had come, or afterwards came to Canada, was aggrieved by the free grants of land which were from time to time made to individuals, and which, if not so made, might now be as available for public purposes as the Clergy Reserves; yet no one pretends that it would be just or fair to touch these grants to individuals, however imprudently made.—Then why should the Reserves be touched? Oh! say the Secularizers, it is a recognition of alliance between Church and State: it is State support to the Church! The Church of England in this colony claims no alliance between Church and State: it desires none, and would have none: but a gift to it of land from the Crown is a very different thing. The greatest voluntary admits, nay argues, that the Church should be supported by gifts from individuals. If so—if gifts of land or money may be taken from individuals, why not from the Crown, especially when at the time it was made the Crown might without dispute have granted the whole lands of the country as it pleased?"

Do not be deceived. The secularization scheme now proposed by the government will not, supposing they are able to carry it, set that question at rest, which was supposed to have been finally disposed of in 1840. Writs have been issued for a new election at such short notice, and at a time when all agriculturists are engaged in their harvest, that no time is allowed fairly to discuss the merits of the bill; if it were carried by such unworthy means the country would never accept it as a final disposition. Such an agitation would be at once commenced as would compel the government, sooner or later, to repeal it.

All parties are anxious to have the matter finally settled; and this may be easily done, and to the satisfaction of all right-thinking people. Let the lands be again valued, and the government issue debentures for the amount, payable at a given period. Let each denomination receive such a proportion of the debentures as will be equivalent to the share to which it is entitled. Those then who would devote the proceeds to the maintenance of religious instruction would be enabled to do so; and on the other hand, those who would apply them to secular purposes can do so, and the province not be responsible for their acts. There will then be no Clergy Reserves: the lands will belong to the Province, and may be sold under the same regulations as other public lands, and in a few years they must increase so in value that the province at large will, in a financial point of view, be greatly benefited by the settlement."

Mr. Sherwood, in his address to the electors of Toronto, still further develops the same views:—

"If the present division of these lands, as made by law for the support of religion, is not equitable and just, I am prepared to support one that is so. It is my opinion that a valuation of these lands, should be again made, and that they should be taken by the Government at such new valuation, and become to all intents and purposes Crown Lands. That for the amount at which they are so valued and taken the Government should be authorised to issue debentures, payable in twenty years, at 6 per cent. interest, and that these debentures should be divided among the several denominations recognised by law in proportion to their ascertained numbers, to be established by a new census, if required, and to be by these denominations appropriated as they may determine most beneficial to their respective bodies. In this way the long vexed question of the Clergy Reserves can be finally set at rest, and the lands so taken by the Government at their present value will before the debentures become due, yield sufficient to pay them off with a very large balance to be expended for general purposes in Upper Canada in such a manner as may be deemed most wise by the Legislature of the country."
 To this proposal for a settlement of the "Clergy

Reserves" question, by an equitable division of the property amongst all denominations, Catholics should certainly offer no opposition. In the first place, it emanates from the Anglicans, who, of all the Non-Catholic sects, have hitherto received the greatest share of these revenues; and who are therefore the most deeply concerned in their distribution. Upon the principle that "*volenti nulla fit injuria*," no wrong would be done to the Anglicans by accepting the plan which they themselves propose. In the second place, an equitable partition of the "Clergy Reserves" funds amongst all the different denominations would silence the clamors against the partiality and undue favoritism of the Government towards some one or two highly privileged sects; and whilst State Assistance would be forced on none, yet as, according to the above given proposals, it would be accompanied with no onerous or degrading conditions, all, without dereliction of principle, would be able to accept it; nor, if they refused it, could they afterwards complain of wrong having been done them. In the third place, the principle of the inviolability of religious endowments would be preserved, and the dangerous precedent of secularising property set apart, by competent authority, for religious purposes would be avoided. There may be doubts as to whether it was the original intention to make over that property to a particular person, or persons; but there can be none as to the intention of the Imperial Government to devote it to a particular purpose; and for that purpose, viz., the support of religion, we contend it should be held inviolate.

We are happy to see that our esteemed cotemporary, the *Catholic Citizen* of Toronto—who may be taken to speak the sentiments of the independent Catholic voters of Upper Canada—perfectly agrees with us as to the propriety of accepting the settlement proposed by the Anglican Synod. The *Citizen* says:—

"There can be no question but that the above extracts are an exposition of the views of the Anglican body, and as such we cannot but receive them. The principal opposition to the Clergy Reserves, as at present existing, has doubtless arisen from a dread of their ultimately leading to the building up in this colony of an Ecclesiastical establishment, which would tend to secure to its supporters exclusive privileges in contravention to the principles of the Constitution."

"The settlement now proposed by the parties most interested entirely precludes the possibility of such a result, and completely deprives the most zealous advocates for secularisation of any further grounds for agitation on the question."

"We cannot consider any legislation which would go beyond this proposition, in any other light than dishonest, and one subversive of every idea of recognised right."

We would remind the *Montreal Freeman* that there is a wide difference betwixt "admitting, for the sake of argument"—and absolutely recognising—a "right." We never have denied the legal right of the Legislature to secularise; because with a Legislature "legal rights" and "might" are synonymous; and to deny to it the "legal right" to do a thing, is to deny to it the power of doing it at all. Now, a vote of the Legislature, under our form of government, would suffice to secularise the "Reserves;" and as there is no Law prohibiting such an exercise of power, it has the legal right, or right conferred by law, to secularise, not only the "Reserves," but all other ecclesiastical property, as well. God forbid that we should admit, however, that it had any moral right so to do, or that in either case, secularisation was expedient. The story is somewhat the worse for wear, but we would refer our cotemporary to Burke's fable of the wolf and its wool. To compare great things with small, there was in the circumstances which gave rise to this famous aphorism, something analogous to this same "Clergy Reserves" question. Burke never denied, nay "for the sake of argument," was prepared to admit the legal right of the Imperial Parliament to tax the Colonies; but he did not the less condemn such taxation, as arbitrary, unjust, and highly inexpedient. In fine, we do not attempt to deny the legal right of the Legislature to do what it pleases in all things; for, as the Legislature makes the law, so also to it alone does it belong to determine the limits of its own powers. Yet as the Legislature is certainly not infallible, it may often happen that that which it declares to be legally right, may be morally wrong. Without any "logical absurdity" therefore, we may admit "for the sake of argument," the existence of a "legal right" or power; and yet condemn the exercise of that "legal right" as involving a great moral wrong.

We learn from the *Toronto Mirror* that the 12th passed off quietly at Toronto. There was a procession as usual, and much strange melody; but says the *Mirror*—"The Catholics contemplated the scene with the utmost indifference."

"This is the only proper way of treating these silly displays. If Englishmen, Scotchmen, and Irishmen will persist in commemorating the invasion and conquest of their respective countries by the Dutch, and the treachery of their ancestors—who unlike the stout Anglo-Saxons, who offered a bold, though ineffectual resistance to the gallant Normans, bowed down like well lashed hounds beneath the yoke of the vilest miscreant whom, in His inscrutable purposes, God ever permitted to bear rule upon earth—the disgrace is theirs; and little need the sons of the brave true-hearted Irish Catholics, who fought to the last, in defence of their lawful sovereign, and the independence of their native land, care. Orangemen indeed do well to make a demigod of their Dutch William; for truly the idol and the worshippers are worthy of one another; but every honest Irishman, and true-hearted Scotchman, will for ever execrate the memory of the author of the massacre of Glencoe, the most detestable crime recorded in history."