

REMITTANCES

ENGLAND, IRELAND, SCOTLAND & WALES.

SIGHT DRAFTS from One Pound upwards, negotiable at any Town in the United Kingdom, are granted on—
 The Union Bank of London, London.
 The Bank of Ireland, Dublin.
 The National Bank of Scotland, Edinburgh.
 By HENRY CHAPMAN & Co.,
 St. Sacramento Street.
 Montreal, December 14, 1854.

THE TRUE WITNESS
AND
CATHOLIC CHRONICLE.

MONTREAL, FRIDAY, MARCH 30, 1855.

NEWS OF THE WEEK.

The *Atlantic's* mail confirms the rumor of the death of the Czar Nicholas, who has been tranquilly succeeded by his son Alexander II. In ascending the throne, the new Emperor issued a proclamation declaring his intention to carry out the policy of his father; but sanguine hopes are entertained that he will be willing to conclude peace on reasonable terms. As an earnest of his intentions, he has despatched Prince Gortschakoff as his plenipotentiary to the Vienna Conference, now in session. The demands of the Allies are said to include the destruction of the fortifications of Sebastopol.

The news of the Czar's death was received in chivalrous and thoroughly Protestant England with every demonstration of tumultuous joy. At the principal theatres and places of public resort, the noble, generous people burst forth into loud and long continued cheering when the death of their enemy was publicly announced to them; reminding one forcibly of the old fable about the "Jack-ass and the dead Lion." In France, on the contrary, all indecent allusions to the catastrophe were at once vigorously repressed by the police; and in respectful silence did the Parisians learn that their antagonist was no more. But the people of France have not had the benefit of "sanctuary privileges" like the Protestants of England; and their conduct therefore is perhaps excusable. To be sure, ill-natured persons will say that to crow over the death of a gallant enemy is a sign that he was feared when alive; and that the rejoicings over the body of the dead Nicholas, are but the outward and visible signs of the terror with which the living Czar had inspired the people of England.

Symptoms are not wanting that the *entente cordiale* betwixt the Allies is drawing to an end. Napoleon plainly tells the people of England that, if they will persist in their enquiry into the conduct of the Crimean campaign, his army can no longer act together with theirs—while Lord Clarendon, it is said, has received instructions to remonstrate with the French Emperor on his meditated trip to the seat of war. Neither French nor English will much relish this kind of mutual interference; and a coldness between the two great nations will very soon be succeeded by open hostility. Should the death of the Czar lead to terms of peace betwixt France and Russia, the people of England may perhaps find out to their cost, that a Napoleon may be a more dangerous enemy than a Nicholas. France has a Waterloo as well as a Moscow to avenge; and it is well known that Napoleon the second regards himself as the inheritor of the wrongs, as well as of the thrones, of his uncle. *Nous verrons.*

In the Crimea, the health of the troops is said to be improving; but nothing decisive has occurred before Sebastopol since the arrival of the last steamer. It is said that the Allied Governments have given instructions to their generals to push the siege with vigor. Lord Lucan has arrived in England, but his application for a Court Martial on his conduct at Balaklava has been refused.

THE FRENCH EMPEROR AND CANADA.—The *Moniteur* has published the reply of the Emperor to the communication made to him by Lord Elgin of the letter addressed to her Majesty the Queen by the Legislative Assembly of Canada, notifying the contribution of Canada to the Patriotic Fund, for the widows and orphans of the men, French and English, who have fallen in battle. His Majesty says:—

"Moved like myself, believe me, by the eloquent testimony of so vivid a sympathy, our country will not see without gratitude that remembering French origin, the population of Canada has not wished to separate, in its congratulations and its offerings, those who are so nobly united by a community of danger."

From Australia, we learn that a serious fight had occurred at Ballarat "diggins" between the military and the miners. Of the latter, 26 were killed, and 183 taken prisoners. Rumors are rife of an outbreak on the part of the Caffres, at the Cape of Good Hope.

COURT OF QUEEN'S BENCH.

THE GRAY MURDER CASE.

In the month of October last, there resided in the village of Huntingdon, a discharged soldier of the name of William Gray, a Protestant, married to Anne Reilly, a Catholic, and many years younger than himself; a brother of the woman, John Reilly, lived in the same house with the Grays. The union seems to have been an unhappy one; both man and wife seem to have been in the habit of drinking; quarrels, resulting in blows, were of common occurrence; the neighbors were often disturbed by shrieks issuing from the house which they occupied; and on more than one occasion the husband had been heard to declare his intention of "killing" the unhappy woman, his wife. Thus lived the family of the Grays; when, on the 24th of October, about eight o'clock in the evening, the neighbors were aroused by the report that William Gray had murdered

his wife. The following are the particulars as elicited on the trial, which took place last week.

John Reilly, brother of the deceased, swore, that—on the evening in question, about seven o'clock, being in the garden, he heard a scream from some person in the house—that, running to the door, he saw Gray, the husband of the deceased, kneeling on her, with both his knees on her chest, one hand on her mouth, and the other grasping her by the throat immediately beneath the chin—that he at once taxed Gray with having murdered the unfortunate woman—and that having lighted a candle, and examined the body of his sister, thus assuring himself that she was dead, he rushed out, and gave the alarm—first to his brother, James Reilly, and then to several others of the neighbors, who accompanied him back to the house, where, in the meantime, Gray had been left with the body of the deceased. Here again, and in the presence of numerous witnesses, John Reilly openly taxed Gray with murder; to which the latter replied by the remark—"you may hang me, or send me to the Penitentiary, but I am out of Purgatory"—or words to that effect. This evidence of John Reilly was not only not shaken upon cross examination on the trial, but was most remarkably corroborated by the testimony of the other witnesses—of whom several swore to having noticed dark marks, as if of violence, on the deceased's throat. It is to be regretted however that the *post mortem* examination of the body was most imperfectly made by Dr. Sheriff, who was brought up as a witness on the trial. His evidence, therefore, was little worth; for, for reasons best known to himself, he had taken the precaution not to know anything that it might be unpleasant to know. He had carefully studied the aspect of the deceased's lungs, of her thighs and her breasts; but he had been equally careful not to examine into the one thing which it was his first duty to examine—the state of her *larynx* and *trachea*. He had also, like a cautious man who wished to keep things pleasant, very prudently abstained from dissecting the integuments of the neck; and thus, though he could testify to everything that was perfectly irrelevant, he was unable to throw any light on the immediate cause of the woman's death. She had died, he said, of *asphyxia*; but how *asphyxia* in her case was produced, he knew as little as a three year old babe. "Where ignorance is bliss, 'tis folly to be wise."

For Huntingdon is, it seems, an eminently Protestant and Orange district; a regular nest of Orangemen, of Orange lawyers, and Orange Magistrates, all bent upon screening their friend, William Gray. Thus when James Reilly commenced making certain unpleasant revelations—going so far as to assert that his sister had been murdered—he was at once committed to jail as a very troublesome sort of a person, whom it was necessary to put out of the way, in order to keep things pleasant. And when at last, after many delays, a warrant for the apprehension of Gray was issued by the Montreal Magistrates, and entrusted to the hands of M. De Lisle, the Chief Constable, threats were openly held out of a rescue; threats which no doubt would have been carried into execution, but for the precautions taken, and timely display of force made, by the energetic officer above mentioned. At last William Gray was arrested, brought down to Montreal, and last week was put upon his trial, charged with the murder of his wife.

We need not recapitulate the evidence. Suffice it to say, that, after a long and patient investigation before the Hon. Justice Duval, the prisoner, who was most ably defended by Mr. Mack, was found guilty by a Jury, of whom the great majority were Protestants; and, on Monday last, was sentenced to death by His Honor Judge Aylwin. We have no intention to say anything to prejudice the unhappy man's fate. He is an old man, and has not at the best many years to live. We know not what provocation he may have received from his wife; and would fain hope that his cruel act was rather the result of sudden passion, than of deliberate malice. If there be any extenuating circumstances in his case, in the name of the God of Mercy let him have the benefit of them, and thus have another chance of making his peace with Him Whom he has offended, but Who is ever ready to forgive the penitent sinner. Gray's fate is in the hands of the Executive, who, we have no doubt, will give it their serious and merciful consideration.

It is not then, our readers will perceive, for the sake of making out a case against the convict that we have entered upon the above details; but rather with the view of vindicating our Courts of Law from the scandalous imputations east upon them by a foul mouthed, mendacious press. Because Gray was a Protestant, and his victim a Catholic, and because the Judge, before whom the case was tried, was also a Catholic, the *Montreal Gazette*, and *Commercial Advertiser*, have not hesitated to attribute Gray's conviction to religious prejudices—though the Jury which found him guilty was composed, for the most part, of Protestants, the co-religionists of the accused—and to impute to the upright magistrate who presided on the Bench, the same unworthy motives as those by which they are themselves but too evidently actuated. And yet we have but to read the "Charge" of Judge Duval to the Jury, as reported in the *Montreal Gazette*, to see at once how utterly unfounded are these attacks upon the honor of one who is esteemed by those who best know him, as an ornament to his profession, and a credit to the Bench. But we forget. Judge Duval is too highly esteemed, and too well appreciated by the public, to need any defence from our hands against the vile insinuations of his calumniators, which have provoked not only the well merited strictures of the *Montreal Herald* and *Transcript*, but have aroused the disgust and indignation of every honest man in the country.

We blame not our contemporaries that they have

made themselves the defenders of Wm. Gray. We blame them not for this; but for that, in their advocacy of his cause, they have not scrupled to profane the precincts of the temple of justice with their sacrilegious broils: seeking to introduce therein the foul fiend of polemics. Quarrels in the name of religion are sad enough at all times, and in all places—in the streets and on the hustings, at the polling booths, and in the Courts of Legislature. For heaven's sake let us try and keep one spot, our Courts of Law, clear of them. Look to it in time. If once confidence in the pure and impartial administration of justice by our legal tribunals be shaken—should, unfortunately for the peace of the community, the *Montreal Gazette*, and *Commercial Advertiser* succeed in impressing upon the minds of their miserable dupes that the judges on the Bench are religious and political partisans—farewell, we say, to the peace and prosperity of Canada. The reign of lawless rowdism will have been inaugurated; and instead of relying confidently upon the laws of the land for protection under all circumstances, an infuriated populace will soon learn to execute a rude justice with their own hands. We say it with regret; but it is only too notorious that in our large cities we have too many loafing ruffians as it is, ready upon the least hint, to proceed to acts of violence. Let us beware, we say, lest we encourage such pests of society. Judge Duval may be attacked to day; some other member of the Bench will be the victim to-morrow; until at last Judge Lynch be installed supreme arbiter of our lives and liberties. All men, of all origins, of all denominations, are then alike interested in resisting the first assaults upon the honor and independence of our legal tribunals; for all are alike interested in upholding the supremacy of law and order over brute force. But this supremacy cannot long be asserted, if the atrocious calumnies of the *Montreal Gazette* and *Commercial Advertiser*, are allowed to go unpunished, unrebuked.

One word as to the evidence upon which our above named contemporaries base their arguments in favor of Gray's innocence; and thence conclude—not only to the perjury of John Reilly, a legitimate and most logical conclusion—but to the partiality and partisanship of His Honor Judge Duval—a most illogical and groundless assumption. And here we arrive at one of the most singular circumstances connected with this deplorable tragedy.

From the report we have given above of the trial, it will be seen that John Reilly was the *only* witness whose evidence directly convicted the prisoner of murder. It was therefore the interest, and the duty, of the counsel for the defence to impugn his testimony if they could; and to show to the jury that little, or no reliance, should be placed on his statements. To convict John Reilly of perjury, or even to throw doubt upon the value of his evidence, was, almost, to absolve Gray of the charge of murder. Now, though during the trial, no attempt was made on the part of the defence to do this, immediately after it was over, the *Gazette* announced to its readers the startling fact, that the witness, John Reilly, had, immediately after the occurrence of the 24th of October, made two depositions—one before the Coroner's Inquest on the 25th of the same month, and the other on the 2nd of November, before Messrs. John Morrison and William Lamb, Justices of the Peace for the district of Huntingdon—in which the deponent, not only gave a version of the circumstances attendant upon the death of his sister, quite at variance with his evidence before the Court of Queen's Bench, but explicitly acquitted Gray of all participation in her death. In one deposition, he, John Reilly, is made to say—"I did not see Gray use any violence to deceased;" and in the other—"When I found her dead I had no suspicion that she had come to her death by an unfair means." Of course, if these depositions had been produced in Court, and if it could have been shown that they were *not* forgeries, and that John Reilly had knowingly sworn to the truth of their contents, his evidence upon the trial would have been put on one side; he himself would have been handed over to stand his trial for perjury; and Wm. Gray might in all probability have been fully acquitted, as the intended victim of a most nefarious conspiracy. Why then—it will be asked—were not these depositions, or attested copies of them, laid before the Court?

Not because Mr. Mack, counsel for the prisoner, failed in his duty towards his client; for he is universally admitted to be a clever and upright member of the Bar. Not because, as the *Gazette* would have us believe, "on account of the magistrates who drew up the depositions, having bungled some matter of form;" because, though a defect in the legally required formalities might have been sufficient to clear John Reilly of the legal consequences of perjury, that defect of "form" could not in the slightest degree have affected the value of the said depositions, if produced merely for the purpose of impugning the damning evidence adduced by him against Gray on the trial. A private letter, even, from John Reilly to a third person, containing the statements said to have been sworn to in his depositions, might have been produced in Court, to show that, immediately after the death of his sister, he had told a story respecting it, at variance with that which he had sworn to before the Jury; and this letter, if proved to have been written by the witness, would have had its full effect with the Court. It would not indeed have legally convicted him of perjury; but it would have been amply sufficient to discredit his whole evidence against the prisoner. Now the object of the counsel for the defence was, not to convict John Reilly of perjury, but to absolve Gray of the charge of murder. Why, then, did they not produce the depositions before the Court? Not because they were ignorant of their existence or contents; for Mr. J. Morrison, one of the magistrates who professed to have taken them, was present in Court, and mani-

festated a lively interest in behalf of the prisoner.—We can only conceive of two reasons then, why these all important depositions, upon which the *Gazette* lays so much stress, were not produced. One is—that no such documents exist: the other, that if they do exist, they are forgeries, or at least interpolated—and therefore, unfitted to bear the rigid scrutiny to which they would have been exposed, if produced in Court. Upon no other hypothesis is the non production of these depositions, explicable.

A heavy suspicion—it may be, an unfounded one—hangs over the magistrates whose names appear as attached to the documents quoted by the *Gazette*; and it is the duty of the Government to institute an enquiry into their conduct. If, indeed, such documents *do* exist—and are *not* forgeries, and are *not* interpolated—the said magistrates, whose duty it was to transmit them to Court, with all the requisite formalities, but who did not do their duty, are a pair of bungling incompetent blockheads, who, by their neglect of duty, have put an innocent man's life in jeopardy; and ought therefore to be at once dismissed from the Commission of the Peace. If, on the other hand, no such documents exist—or, if existing, they have been forged or interpolated—it is easy to understand why they were not produced in Court;—and it is equally easy to perceive what is the duty of the Government towards the magistrates whose names appear as appended thereto.

On the last day of the term, the Grand Jury found a "True Bill of Indictment" for perjury, against André Poussaint, one of the converts of the Grande Ligne mission we believe, or of some other Protestant proselytising society. The man Poussaint had, it seems, been attacked in his own house on the evening of the 31st of October last, by a gang of disguised ruffians, who have hitherto, unfortunately, baffled the pursuit of justice. This at least is Poussaint's story; and, if true, he has been grossly wronged, and would but for his subsequent conduct, have obtained the sympathy of every respectable person in the community—whether Protestant or Catholic. But, unluckily for himself, André Poussaint—whether *proprio motu*, or at the instigation of the reverend shepherds to whose fold he belongs, we know not—taxed a most respectable resident of the district, Mr. George McGill, with the outrage; although he—Mr. McGill—was many miles distant from the spot at the time when the assault occurred, or was said to have occurred. Having clearly established his own innocence, and consequently the falsity of the depositions sworn by André Poussaint against him, Mr. McGill obtained a warrant against his calumniator; who was thereupon committed to jail, and, at the next term of the Court of Queen's Bench, will have to stand his trial for malicious perjury. In the meantime, he has been bailed out by some of the saints; and as the infamous conspiracy against Mr. McGill has been defeated and publicly exposed, we do not suppose that there exists any desire to inflict any further punishment upon the accused. We must however congratulate Mr. McGill on his escape from the foul plot that was laid for his destruction. Many an innocent man has been ruined by the oaths of men like André Poussaint.

Craven—the man who at the late municipal elections was the cause of the death of the driver John Kelly—was tried and acquitted on the charge of murder. We trust that severe measures may be taken by the Civic authorities to put a stop to the dangerous and disgraceful practice of carrying firearms concealed about the person, especially in election times. Craven was defended by B. Devlin, Esq.

"A MARE'S NEST."

"Then she called for sword and pistols,
Which did come at her command."

[*Billy Taylor. A very doleful ballad.*]

Mister George Brown of the *Toronto Globe* has just discovered another of these remarkable productions. The man is always finding "mare's nests;" but his last is a "stunner"—containing nothing less than a live young lady imprisoned in a nunnery, and almost rescued by an elder sister, with a loaded pistol and a parasol; who, we suppose, was anxious to renew in Toronto the awful tragedy of "*Billy Taylor*." But we must put our readers in possession of the facts of the case.

Miss Sarah Bolster, the younger daughter of a Protestant father, but, we believe, of a Catholic mother, was admitted sometime ago into the Catholic Church, with the knowledge and full consent of her elder brother, her natural guardian. The young lady having manifested a strong desire to embrace the religious life, was sent by the same brother to the Sisters of St. Joseph at Toronto; whose schools she had previously attended, and with whom she resided as boarder, for several weeks. In reply to her reiterated intreaties to be admitted as a member of the Community, the Sister Superior told her plainly that she could not be permitted to enter even upon her novitiate, without the consent of her natural guardians; but that she might remain as a boarder until such time as that consent had been obtained, or decidedly refused. On the 30th of January last, the elder brother accompanied by another, and younger, brother of Miss S. Bolster, visited the Convent; upon which occasion the elder, in opposition to the younger brother, expressed his desire that his sister should remain with the Nuns. To avoid all disputes, however, the Sister Superior sided with the younger brother; and at her request, Miss S. Bolster left the Convent with her relatives. We may add too, that the younger brother was earnest with His Lordship the Bishop of Toronto, that he would not allow Miss Bolster to become a Nun without the consent of the family. His Lordship told Mr. Bolster to make his mind easy on that point; for that, even if the relatives of the young lady gave their consent, he, the Bishop, would not give his, nor comply with the young lady's request, for the space of two years.