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## TRIAL OF FATHER PETCHERINE.

We (*Tablet*) give a full report of the proceedings of this memorable trial, including the splendid speech of the most able and eloquent counsel for the defence, Thomas O'Hagan, Q.C., to whom we owe the expression of our best acknowledgments for a revised report of his great speech, very much more full and accurate than what has appeared in the morning papers. The importance and permanent interest attaching to this trial will, we hope, fully justify us in devoting to it so much of our space.

OBBLIN COMMISSION COURT, FRIDAY, DEC. 7TH.

The trial of the case against the Rev. Mr. Petcherine, one of the Redemptorist Fathers, for the alleged offence of "Bible-burning," having been fixed for this morning at ten o'clock, the neighborhood of the courthouse, in Green street, and the approaches to it, presented a crowded appearance for a considerable period before that hour. The greatest anxiety was manifested to obtain admission to the court, for the purpose of witnessing the proceedings, which excited the utmost interest. Admission was only allowed upon tickets from the Sheriff, yet, notwithstanding that arrangement to prevent inconvenient crowding, the court was densely thronged, so great was the desire to be present. A large number of ladies occupied seats in the gallery.

At shortly after ten o'clock the judges, Mr. Justice Crampton and Baron Greene, took their seats on the bench.

The Attorney-General, the Solicitor-General, Mr. Plunket, Q.C.; Mr. Corballis, Q.C.; and Mr. Beaghy, appeared for the prosecution. Agent—Mr. Kemmis.

Mr. O'Hagan, Q.C.; Sir Colman O'Loughlin, Q.C.; Mr. J. A. Curran, Mr. James Kernan, and Mr. James Coffey, with Messrs. Kernan and Tracy, as agents, were for the defence.

The following was the jury:—

Samuel Jackson, Foreman; Clement Codd, John Brennan, Edward Broderick, James Lambert, Christopher Brown, Patrick Casey, John Lynch, Wm. M'Mahon, James Kavanagh, Francis Criswill, Pat Buttery.

The following were ordered to "stand by" by the Crown, on the general principle, as stated by the Attorney-General, in answer to Mr. Curran, that they were publicans, viz.—Messrs. Patrick Cahill, Patrick Hackett, Joseph Egan, Patrick Murray, Joseph Dillon, James McCann, and James Howard.

The Clerk of the Crown having read over the indictment of the Rev. Mr. Petcherine, which contained eight counts,

The Right Hon. the Attorney-General then proceeded to state the case for the prosecution.

The witnesses on both sides were ordered out of court.

Christopher Duff, a young boy, examined by the Solicitor-General—I live at Kingstown-avenue;—knows Father Petcherine; knows where he lodged in Kingstown, at Miss Kelly's boarding house in Murray's-lane; recollects when the books were burned in the chapel at Kingstown; saw the Rev. Mr. Petcherine four days before the burning; he asked if I had a wheelbarrow; I said I had; he said he would want it to wheel up books on the Monday morning following; was at Kingstown Chapel with other boys; saw Father Petcherine there; saw a boy ask him something; then went home for a wheelbarrow, which I brought to Kelly's boarding house in Murray's-lane; there were two wheelbarrows brought there; Thomas Doyle had the other barrow; that was about eight o'clock in the morning; saw Father Petcherine there (identifies Father Petcherine); he opened the hall door of the boarding house; I and another boy went in, and a number of boys rushed in; we went into a room in the house; saw Father Theunis there; he is not one of the Clergymen of Kingstown; saw a servant there also; heard Father Petcherine say to the servant to hand the book out; the books were under the table; there was a large heap of them there; the books were then put into the barrows by the boys; the servant man handed them out; some of the books were put on my barrow; had an opportunity of seeing what these books were; did not open them; can read and write; could see them sufficient to know what they were; some were the "Family Herald" and the "Mysteries of London"; saw a book with a black raised cover; thinks it was a New Testament; did not open it; from its general appearance I thought it was a Bible; it was a small book; got directions from Father Petcherine to bring the books to the chapel yard; there were books also put on Tom Doyle's barrow; we went round by the Jetty, and up the Fortyfoot-road; when we got into the yard we sat on the barrow waiting till Father Petcherine came; he came shortly after; the books were then on the ground; he said they were to be lit; was wheeling my barrow when the books were lit; Fa-

ther Petcherine went away when he desired them to be lit; he went in the direction of the chapel vestry; he came back again in about twenty minutes; the books were then burning; saw him standing looking at the fire about five minutes; he went away again to the chapel vestry; knows a boy named John Hamilton.

Cross-examined by Mr. O'Hagan—The boarding house I have mentioned is about half a mile from the chapel; the books were heaped up on the top of each other; some of them were tied together.

To the Court—Some of them were loose; there were about three boys there altogether; they were all little boys; when we got the books into the barrow we wheeled them away; we were a good while at the chapel yard before Father Petcherine came to us; the barrow of Tom Doyle, the other boy, was knocked down first; we were at least half an hour at the chapel yard before Father Petcherine came to us; Mass was over in the chapel at the time, and the people were going in and out through the yard; there was a great crowd of people in the yard before Father Petcherine came; Father Petcherine went away before the books were lighted; he went towards the chapel yard; after he went away the fire was lighting in the middle of the yard; he was away for half an hour; he then came back into the yard; he said nothing when he came back; when he came back a second time the books were tolerably well burned. [A number of the "Mysteries of London" handed to witness.] I saw a great many of those books there; there were several of "Reynolds's Miscellany"; there were two or three bundles of books of this description there; don't know how many bundles of this class of books were there.

A Juror—You said you thought there was a Testament amongst the books?

Witness—Yes, Sir.

Juror—Could any person in the crowd throw a book into the fire without your seeing them?

Witness—Yes, Sir, he could.

Juror—Without your seeing him?

Witness—Yes, Sir.

Henry Lawson sworn and examined by Mr. Corballis, Q.C.—I am a coachman in Mrs. Gibton's employment; I was in her employment on the morning of the 5th of November; remembers that morning; her house is not far from the chapel; was going that morning, about eight o'clock, to my usual employment; my notice was attracted by some boys shouting inside the chapel yard; went on and met another coachman and told him; stood at the back gate and saw two barrows coming up the Fortyfoot-road from the direction of the railway; they were filled with books and were wheeled into the chapel yard; saw books, small tracts, and on the top of one of the barrows a small Testament; when I saw that I was standing beside the barrow in the chapel yard; in the same barrow I saw a small prayer book; prayer book was written on it; did not take it or any of the books up; some were taken up by a man named Meehan; the first I saw him take up was the Testament; did not see him take up the prayer book; the coachman who was with me lifted some other books; Meehan laid down the book and took up another; did not open either of the books myself; saw the title page of one, it was the Testament; saw a second barrow in the chapel yard; saw books in it, and on the top an old Bible; saw the word Bible written on the back—I mean printed on it; the policeman lifted it; bears his name was Halpin; he laid it down again on the barrow; went back to my work in the stable lane; in about an hour after my attention was attracted by boys running over to the chapel yard; knows the appearance of Father Petcherine; saw him standing with his back to the wall of the chapel; the fire was lighting; saw him with papers in his hand; as far as I could see he was tearing the papers; he threw them on the ground; did not see him tear anything else; cannot say he threw them near enough to the fire to be burned; did not see any books in his hand; there were a good many people there.

Cross-examined by Sir C. O'Loughlin, Q.C.—It was about eight o'clock in the morning I first saw the books in the barrows; that was when I first went into the chapel yard; followed the barrows into the yard.

Whose barrow did you go to first?—The one that was nearest to me; one was a few yards from the other.

Whose barrow was it?—Cannot say; did not know the boys; don't know which barrow I first examined.

You say you saw a Testament?—Yes; Testament was printed on the back of it; that was the book I saw taken up by Meehan; when it was taken up I saw the title page of the book.

Was anything printed on the other book you saw?—Prayer book.

Did you open the book?—I did not.

Was the book opened in your presence?—No. Were there any other books in the barrow?—It was nearly full.

Were they pamphlets like these (showing some of G. M. Reynold's publications, "Mysteries of London," &c.)?—Yes.

Charles Lawson, sworn and examined by Mr. Plunket, Q.C.—I remember the 5th of November; was in Kingstown at that time; I am brother to the last witness; I am in the same service; saw books wheeled into the chapel yard; saw a Testament taken up by a man named Meehan; saw a Bible; looked at it; I am quite sure it was a Bible; did not see Father Petcherine on that day; went the following day, when I saw a few leaves of the Bible on the edge of the place where the fire had been the day before; kept some of the papers, (papers produced); knows the Protestant Bible; those are some of the leaves of it.

Cross-examined by Mr. J. A. Curran—Upon your oath, can you tell me that what you have in your hand is a portion of the authorised or Protestant version of the Bible or the Douay Bible?

The witness here took the fragments in his hand, and spent a considerable time in examining them.

Mr. Curran—You have already sworn that it was a portion of the Protestant Bible; you should have made your examination before you so swore. Now tell me what reason you have for swearing that what you have in your hand is a portion of the Protestant Bible?

The witness still continued to examine the fragments, and was silent.

Judge Crampton—Can you answer the question. If you can, do so.

Mr. Curran—Can you swear it is a part of the Protestant Bible?

Mr. Plunket, Q.C.—Can you be sure—

Mr. Curran—I beg your pardon; he is my witness, and you see he is in a brown study. Please don't interrupt him. (Laughter.)

Baron Greene—Can you give your reason for supposing it is a part of a Protestant Bible?

Mr. Curran—My lord, he has sworn positively that it belongs to the Protestant Bible.

Witness—My reason for thinking that it is part of a Protestant Bible is, that I saw a Protestant Bible on the top of the wheelbarrow.

Mr. Curran—Well, certainly, you have a splendid conscience. (Laughter.)

Judge Crampton—Mr. Curran, I think you had better reserve these observations; it is only wasting time.

Mr. Curran—When I get a witness of this calibre—

Judge Crampton—Go on, if you please.

Cross-examined—Miss Gibton sent me to look for the leaves of the Bible; when I found them I brought them and showed them to her; knows a lame man named Hutchins; showed the leaves to him; to the best of my knowledge I never showed the leaves to the Reverend Mr. Wallace; cannot say where I saw Hutchins when I showed the leaves to him; we had no conversation about them; saw Hutchins on the morning of the fire.

Mr. Curran—Are you a follower of the Reverend Mr. Wallace?

Judge Crampton—These questions are only wasting public time.

Mr. Curran—Who told you to look for the leaves of the Bible?

Witness—My mistress; before the fire commenced I went over to the chapel yard with my brother and Tom Meehan; saw the wheelbarrow laid down.

Mr. Curran—What brought you there on the first occasion?

Witness—I cannot say for what purpose; Tom Meehan asked us to go over.

Mr. Curran—How do you know it was a Testament you saw?

Witness—I saw the word "Testament" on the book.

Mr. Curran—Was it a New or an Old Testament?

Witness—It was newly bound. (Laughter.)

Have you and your brother spoken about the evidence you were to give here?—No.

Not a word passed between you about the case?—Very little.

You had no conversation about your evidence?—Only about what we had to prove. That I would prove what I saw.

When did you say that?—This morning.

You had not a word with him on the subject till this morning?—And yesterday.

Had you before yesterday?—I cannot say.

Have you a Bible?—I have three.

Had you ever more than three?—One's a piece.

William S. Dorking sworn and examined by Mr. Beatty—I am a sub-inspector of factories; recollects the morning of the 5th of November; was taking

my morning walk when I saw a crowd going along, and I heard something said about going to burn Bibles; followed the crowd into the chapel yard; walked up to the crowd, and saw a barrow with a good many books in it; the majority of the books were in green binding, such as are at railways; saw some loose numbers of the *Family Herald* and the *London Journal*; saw a boy take up an old book; he said something, and threw it down again into the barrow; it was a Bible; saw a book in black binding and gilt edges; opened it and saw it was a Testament; put it into the barrow again; cannot say I saw more than one barrow; it was in the one barrow I saw the Testament and Bible; saw a policeman named Halpin, and spoke to him.

Cross-examined by Mr. Coffey—Did you see Father Petcherine in the chapel yard during the whole time you were there?—I did not.

You put back the Testament you opened and looked at?—I did.

You did not take it away?—No.

If you were under the impression the Bible was going to be burned would it not have been proper for you to take it away? I did not think they were going to burn it; I saw no fire.

Did you not hear they were going to burn Bibles?—I heard people in the street say so.

Was it not because you heard they were going to burn Bibles you followed the crowd?—No doubt.

With that impression on your mind would it not have been proper for you to take away the sacred volume, to guard against the chance of desecration?—I did not feel warranted in taking it away; it was not my book; did the next best thing I could; spoke to the policeman about it.

Did it strike you as prudent or proper to go to the Clergyman and tell him what was going to be done?—It did not.

Did it strike you as proper to ascertain from him whether he approved of what you heard was going to be done?—It did not.

Would it not have been better for you to try and prevent mischief than afterwards make a fuss about it?—All this occurred on the spur of the moment; I did not think anything about it.

You did not see any burning take place?—I did not.

Police Constable John Halpin, examined by the Attorney-General—I was on duty at the Roman Catholic chapel, Kingstown, on the morning of the 5th of November, from six till nine o'clock; saw a barrow brought into the chapel yard that morning; Father Petcherine was at the chapel that morning; he and other Missionary Clergymen had been in Kingstown for about three weeks before; saw two barrows; they came up the Fortyfoot-road; there were books and Penny Journals in the barrow; there was a number of small boys with them; some of the papers were "Reynolds's Miscellany"; some of the boys were sitting in the barrow on the books; saw a Bible; Bible was on the back in gilt letters; I also saw a Testament; saw the last witness there; he made some observations and left the chapel yard; I saw the Rev. Mr. Petcherine in the chapel yard; he came up to the barrow, and went with the boys to whom the books were thrown out; something passed between him and the boys which I don't know; some of the books were lit by the boys with matches.

To the Court—The books were thrown out of the barrow in his presence, and they were lit by the boys in his presence.

Cross-examined by Mr. O'Hagan—When the boys brought in the barrow, the Rev. Mr. Petcherine was not there at all?—He was not. It was some twenty minutes or half an hour after when the Rev. Mr. Petcherine came into the yard?—It was about that time. And the boys were in the open yard before he came in?—They were. And the barrows were also there in that open yard?—They were. And in the meantime people were passing in and out of the yard?—They were. Men and women were passing in and out?—Yes. There were Protestants in the yard as well as Catholics that day?—I saw some there. You saw Dorking there?—I did. And you saw others also?—I saw one other. Who is he?—I don't know his name. Before the Rev. Mr. Petcherine came at all, is it not true that there was a crowd of people about the barrows?—It is true. I suppose the barrows attracted attention as they were being brought to the chapel yard?—They did. And every person who liked could come in and see what they were going to do with the barrows?—They might. You were walking about the yard?—I was. And the boys were sitting about the barrows?—They were. People were taking up the books to look at them, and any one might do so?—Yes, they might. And the boys were taking up the books and looking at them?—They were. And any person that liked might leave a book?—They might take or leave books as they pleased. Did you see the Lawsons there?—No. Were they there?—I cannot