

THE GAZETTE AND CHRONICLE CATHOLIC CHRONICLE

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MONTREAL WEDNESDAY, DECEMBER 13, 1882.

PRICE FIVE CENTS

WHERE IS HOME?

Where'er the foot of man may tread His heritage is care...

J. A. SADDLER.

THE LAND WAR

LATEST NEWS FROM IRELAND.

Packed Juries in Dublin—The Trial of Healy and Davitt Degenerating into a Farce—Mr. O'Kelly Denies that he Received a Part of the Skirmishing Fund—A Libelous Judge—The Lord Mayor's Answer—English Opinion on the Prosecutions—Statistics of Decay.

DUBLIN, Dec. 5.—Proceedings against Davitt, Healy and Quinn have been adjourned...

Miss Farnell publishes a long letter declaring untrue that statement of Healy's...

Seventy-two soldiers left Curragh camp for Galway in connection with the execution of the murderers of the Joyce family...

The Grand Jury found true bills against Patrick Higgins, Thomas Higgins and Michael Flynn...

The Grand Jury found true bills against three men charged with the assassination of Detective Cox...

Mr. Redmond, M.P., denies that his brother William's departure for France was to avoid prosecution for his speech of November 1879...

DUBLIN, Dec. 6.—There were 89 agrarian outrages in Ireland in November. This contrasts favorably with the previous lists.

LONDON, Dec. 7.—A man named Michael Kelly has been arrested at Anner, county Limerick, in connection with the murder of the Joyce family.

DUBLIN, Dec. 7.—The trial of Patrick Higgins, Thomas Higgins and Michael Flynn, charged with the murder of the Huddys, began to-day.

DUBLIN, Dec. 8.—Davitt intends to subpoena Gladstone and Trevelyan to depose at his trial...

DUBLIN, Dec. 9.—It is understood that there was only one dissenting juror in the case of Higgins, the alleged principal in the Huddy murders...

DUBLIN, Dec. 10.—The Government has given £1,250 reward to the three Joyces who were witnesses for the prosecution...

DUBLIN, Dec. 10.—A moonlighter named Bird was tried here on Friday. The jury failed to agree...

T. D. Sullivan, a member of Parliament, in a speech at Trim this evening, said he was there to show the Government that neither the Irish people nor their leaders were dismayed by the prosecutions...

DUBLIN, Dec. 11.—A man named Clark was taken into custody at Cork while embarking for America. The arrest is considered an important one.

The Court of Appeal has confirmed the decision restraining the Land Corporation of Ireland from paying a dividend on A shares...

The full Court of the Land Commission on appeal have confirmed the decision of Commissioner Litton in the test case affecting 1,200 tenants of the estate of Sir John Leale, County Monaghan.

THE LORD MAYOR ANSWERS.

Lord Mayor Dawson, who, by right of his office, occupied a seat on the bench at the opening of the Corporation, where he delivered an apt reply to Judge O'Brien's libel against the metropolis of Ireland...

He opened the Commission and his judicial career by giving a gloomy picture of the state of Dublin. He said that decay was invading every interest, that trade was languishing, that the streets were deserted and that everyone was flying from the city as from a plague stricken spot.

Lord Mayor Dawson, who, by right of his office, occupied a seat on the bench at the opening of the Corporation, where he delivered an apt reply to Judge O'Brien's libel against the metropolis of Ireland...

He pointed out that with the exception of the police affray in which Detective Cox perished and the attack on Denis Field, there had been only twenty crimes, mostly of a trivial character, committed in the whole city since the last Commission.

He quoted Mr. Forster in proof that even English cities were not exempt from influences productive of decay; Bradford, for instance, having experienced a decrease of a million in exports and more in imports. The murder of one policeman in London and two in Birmingham had produced no panic there such as the judge had at least endeavored to make it appear existed in Dublin.

Lord Mayor Dawson concluded by a felicitous quotation from an election speech made by Judge O'Brien when a candidate for the representation of Ennis, in which the speaker said that the real cure for the evils of Ireland was Irish self-government and a Parliament in College Green.

The Freeman's Journal also sharply criticized Judge O'Brien, declaring his language reckless and most injurious to the interests of the city.

From an installment of the last Irish census, which has just been published, it appears that in the ten years between 1871 and 1881, there was a decrease in the number of inhabited houses of 47,222.

The statistics of marriage are even more significant of the absence of prosperity; 50 per cent of the men and nearly 45 per cent of the women being unmarried. The police barracks average fifty to each county, and six to seven constables to each barrack. Mr. Redmond, M.P., has started for Australia on a lecturing tour.

LETTER GO TO

A society journal publishes the following as an evidence of how a certain class regarded mixed marriages in the seventeenth century. At the wedding of Count Solis, a Catholic, when taking Agatha, Countess of Hamau, a Protestant, as his lawful wife, he solemnly swore to respect her future wife's religious views, and signed, sealed and delivered a deed to that effect. It was couched in the following terms:—

"I, Rudolph, Count of Solis, hereby promise, on my honor as a nobleman—or may I do so—take me—that I will allow my future wife to remain in her religion; nor will I offer her any inducement in the slightest to abandon it. I have at least two Bibles; if that is not enough for her, I will get her two more. Let her read them bravely and industriously. Moreover, it is her body, not her soul, that I take. I shall remain in my religion in which I have been brought up from youth. I know that I am on the right road. If she won't go to heaven, let her go to—

—Rudolph, Count of Solis, was rather eager going in his views of the hereafter.

JOHN DEVOY REFUSES TO ANSWER.

JUDGE COWING COMMITS HIM TO LUDLOW STREET FOR CONTEMPT—REFUSING TO DIVULGE THE NAME OF THE LEADER OF HIS ORGANIZATION—COUNSEL TAKES EXCEPTION TO THE BILLING.

NEW YORK, Dec. 5.—In expectation of a lively scene resulting from John Devoy's refusal to reveal the name of the chief of the Irish Revolutionary party in America, a much larger gathering than usual assembled to witness the Devoy libel suit to the Court of General Sessions, Part II., yesterday afternoon.

The venerable figure of Mr. Breaugh was in its usual place behind Mr. Browne. Many persons connected with various Irish organizations were present. For once counsel were really brief in their arguments.

Mr. Beach opened by objecting to Mr. McFarland's question on two grounds—first, that an answer would tend to criminate the witness, and second, that it would bring upon him disgrace and infamy.

"Would it not have that effect, sir?" asked Mr. Beach of the witness.

Mr. McFarland objected to this question, but the witness was permitted to answer.

"It would be to the end of my life," said Mr. Devoy.

"Would a reply to the question involve you criminally in a breach of neutrality between the United States and Great Britain?"

Again Mr. McFarland objected. The judge maintained the objection and ruled that Devoy would have to reveal the name of the leader of the Irish Revolutionary party in America.

For a moment the court-room was breathlessly silent. The defendant sat in the witness chair, motionless as a statue. His face betraying no anxiety nor concern. Presently the deep voice of Mr. McFarland said:

"I repeat the question."

Mr. Devoy leaned forward and answered firmly: "And I repeat the declination."

"Then, Mr. Devoy," said Judge Cowing, "I have no alternative but to commit you to jail for thirty days unless you recover legally discharged."

Mr. Beach objected to the imprisonment of the witness until the conclusion of the case. "This case can go on in his absence," said Judge Cowing.

"It is necessary to a proper conduct of the defense that the defendant be present to instruct his counsel," said Mr. Beach.

"I understood Mr. McFarland on Friday that he could not go on until this question was answered," said the judge.

"Then he'll never go," put in Mr. Devoy.

"If Mr. McFarland should see fit to withdraw his question there will be nothing for me to pass upon," continued Judge Cowing.

"That, your Honor, is utterly impossible," replied Mr. McFarland.

"Mr. Beach said: 'If I have talked with the defendant upon this matter, your Honor, and I know what his conscientious feeling is regarding it. He will not answer this question. If you send him to prison for life he will stay there.'"

"Indeed I will," said Mr. Devoy.

"I have no feeling in the matter," said Judge Cowing. "Mr. Devoy is a total stranger to me; but the question was a proper one and I have no alternative."

Mr. Beach excepted to the ruling of the Court. An order for Mr. Devoy's commitment to Ludlow Street Jail was made out, and subsequently delivered to the Sheriff, who took Mr. Devoy into custody. The court adjourned until to-day, when it will be decided whether the case will go on in the prisoner's absence or not. Should Mr. Devoy purge himself of his contempt at any time during his imprisonment he will be at once released.

THE CASE ABLY PRESENTED BY COUNSEL AND JUDGE—MR. BEACH'S PLEA FOR THE LIBERTY OF THE PRESS—MR. McFARLAND LAYS DOWN THE LAW OF LIBEL—THE JURY DISAGREES.

NEW YORK, Dec. 7.—At the resumption yesterday, in the General Sessions, of the trial of John Devoy, charged with libelling August Belmont, Mr. McFarland, Mr. Belmont's counsel, moved that the whole of Devoy's evidence be stricken out. Judge Cowing ruled out so much of his testimony as referred to his appointment upon a committee to reclaim the money entrusted to Belmont & Co. by John O'Mahony in 1855 for transmission to George Hopper and John O'Leary, Fenian leaders in Ireland.

Then Mr. Beach summed up for the defence. Upon the liberty of the press, he said, depended the progress of civilization and the freedom of the citizen. Individuals, courts and juries were alike interested in sacredly guarding them. The speaker did not claim for the press a license for malicious abuse, nor for attacks without reasonable cause; but a right and privilege of the press were the free discussion of public interests, and of such private interests in cases where individual rights must yield to the demands of public exigency. Mr. Beach informed the jury that they were not bound by the decision of the Court that the article in question was not privileged. They might consider his Honor's ruling, but it laid no obligation upon them.

The article was written in the public interest. It is not necessary that the term public should include all the world.

The jury had heard of the misfortunes of Ireland, and the tyrannical oppression which had beaten down the progress of civilization in that country, and retarded the development of her physical resources. They had heard of the repeated and gallant struggles of the people to throw off the yoke. Were they not interested? Were not their sympathies, as Republican citizens and humanitarians, aroused? John Devoy, who had suffered for his country, believed that Mr. Belmont had stood between the outpourings of Irish patriotism and their destination. Had he not a duty to perform?

WHEN MR. BEACH FINISHED THE COURT TOOK A RECESS, AFTER WHICH MR. McFARLAND SUMMED UP FOR THE PROSECUTION.

He began by paying a high tribute to the Irish race. They were bold and fearless in war; gracious and magnanimous in peace. Faults, indeed, they had, but assassination of body or reputation was not in the Celtic nature. The libel of which the prisoner was accused was of a very gross and malicious character.

"What is life," continued Mr. McFarland, "without the respect of our fellows? What would become of society if reputations were at the mercy of every man's tongue and pen? But it will not do to pass such crimes as the prisoner's without punishment. Public justice must be vindicated."

McFarland explained to the jury what he understood to be the law of libel. It was not competent that the accused should show good intentions. It was sufficient that the libel was willfully published. The speaker went into a long narration of the litigation about the fund and declared that Mr. Belmont's conduct had been irreproachable throughout. He denied that the British Government had to this day given up its claim to the O'Leary bills.

When Mr. McFarland had concluded, Judge Cowing delivered his charge. The jury were locked up for the night, but they failed to agree on a verdict. Devoy was in consequence acquitted, and the order committing him to jail for contempt was vacated. Devoy was warmly felicitated by numerous friends on his release.

General Sidney Burbank, retired, is dead. He served in the Black Hawk Florida war and the rebellion.

John Fisher, an old time shipbuilder and well-known citizen, died on Friday, December 8th, aged 84 years.

Alex. Gardner, of Washington, who gained national reputation during war by his photographic work with the army of the Potomac and prominently connected with Masonic and other fraternal associations, is dead.

Mr. Samuel P. Fairbank, who was admitted to the Nova Scotia Bar in 1817, and was afterwards a member of the local Legislature, and for many years Commissioner of Crown Lands, died at his residence in Dartmouth, N. S., last night, December 7th. He was eighty-seven years old.

Dr. R. H. Russell, of Quebec, late President of the College of Physicians and Surgeons of the Province of Quebec, died in that city on December 6th, aged 63 years. He had been ailing some time. His brother, Dr. J. P. Russell, of Toronto, arrived here a few hours before his decease. Dr. Russell was one of the foremost physicians of the ancient capital.

William McKay, clerk of the County of Biglin, died at his residence, in St. Thomas, on December 6th, at the age of 71. The immediate cause of his death was paralysis. He had been ill for some weeks, but attended to his duties in the November session of the Council. Deceased has occupied the position of County Clerk for 30 years, was greatly respected, and his loss will be deeply regretted by the community.

The late Mr. William Hyman, whose funeral took place yesterday at the Jewish Cemetery, was much respected among the Jewish citizens of Montreal. He was born in Russia and emigrated to this country over 40 years ago, settling in Gaspe, where he succeeded in establishing a lucrative fishery business. The deceased took an active interest in the public affairs in Gaspe, and had been for over thirty years Mayor of the town, having also been appointed a Justice of the Peace. He was upright and honest in his business transactions, and was much esteemed by all those with whom he came in contact, whether in business or socially. The deceased gentleman was 73 years of age, and leaves a wife and nine children to mourn his loss.

We are deeply sorry to announce in our obituary columns to-day the death of Mr. Michael Oloran, one of the most enterprising, successful and popular merchants in Galway. A bright and useful and promising career has been by the will of Providence cut suddenly short. Though but a young man, Mr. Oloran had achieved a high place in his country. He had been for many successive terms Chairman of the Town Board of Tuam, his native place, which honorable position his brother at present fills. In Galway, whether his extensive business interests called him, he was so respected as in Tuam, and while the regrets of the inhabitants of both towns and his many friends elsewhere follow him to-day to the grave, their sympathy also attends the members of his bereaved family.—Dublin Freeman.

Anthony Trollope is dead. Anthony Trollope, second son of the late Mr. T. A. Trollope, barrister-at-law and of Mrs. Trollope, the well known authoress, born in 1815, was educated at Winchester, and at Harrow. He has written "The Mademoiselle of Ballyolan," published in 1847; "The Kellys and the O'Kellys," in 1849; "The Vendee, an Historical Romance," in 1850; "The Wardens," a Novel, in 1855; "Barchester Towers," a Novel, and "The Three Clerks," a Novel, in 1857; "Doctor Thorne," in 1859; "The West Indies and the Spanish Main," and "The Bertrams," a Novel, in 1859; "Castle Richmond," a Novel, in 1860; "Framley Parsonage," and "Rates of all Countries," two Series, in 1861; "North America," and "Orley Farm," in 1862; "The Yew Tree," in 1864; "The Belton Estate," "Miss Mackenzie," and "Hunting Sketches," from the "Pall Mall Gazette," in 1865; "Clergyman of the Church of England," in 1868, and other works. He contributed to periodical literature, and some

A SIGH FOR D'ARCY MCGEE.

Al, well may I blush for the deed that was done. Yet why do I weep for the spirit that's flown? When it thus to be missed, to be mourned by the many. Be a blessing, when gone, thou art best beyond any.

In the prayers which thy own not in vain may have given. Thou mayst yet find the grave but a passport to Heaven.

Oh, D'Arcy, 'tis not that thy lot is unblest, That in tears a whole people thy worth has confessed. But to know that no prayers, though from hearts that adore thee, Can ever again to thy country restore thee.

But, in the midst of the strife by the Erin's will-led, Be thou still as the pride of a nation. Sweet and fresh will the grass spring, I know, by thy grave.

And greenest the bushes that shall o'er thee wave. The wild winds will rattle, the snow drift swoop by; But thou wilt down on as though nothing were nigh.

Al, who would disturb thee, sleep on in thy glory. Death has stained not a leaf of thy life's bearded story. The hard hand that smote thee, that blooded thy brow. But dyed the red ribbon adorning it now.

FRANK JOHNSON, Lenoirville, P. O., Canada.

NEWS FROM ROME.

GOLDEN ANNIVERSARY OF LEO XIII.—THE OBSCURE RIDER AND KING HUMBERT.—POLICE TROUPE.—THE SOCIALIST FLAG.—ITALIAN INTELLIGENCE.—MISCELLANEOUS.

ROME, Nov. 20.—Leo XIII. will celebrate the fiftieth anniversary of his ordination as a priest on December 23. A Mass for his Holiness will be said throughout Europe on that day.

Francoesco Occorseller, member of Parliament elect, already known in Rome as "Ocecco," arrived here from a suburban trip on the same day as King Humbert. The people gave them both a warm welcome, but Ocecco got the best of it. He is now a popular in Rome that crowds of people will converge upon him. The Government is displeased, but his displeasure is treated as a joke.

A Socialist flag was recently captured in Pisa. It was brought before the quondam and unfurled. The staff had hardly touched the ground before there was a fearful explosion. It was filled with dynamite. The students will probably be sent home if any more Socialist manifestations are made.

The publication of a book written by one M. Glorin, lately a member of the police force of Milan, has attracted universal attention. He exposes the cruelties committed by the police officials of that city. Some of them recall the torments of the Spanish Inquisition. The Government has suppressed the book, and popular indignation is aroused.

Hitherto the Phrygian bonnet and the red flag have been proscribed at public meetings. The Italian courts at Grosseto and Mantova have now declared these republican emblems inoffensive.

Pope Leo owns some land in the territory of Carl, near Velletri. His agent forgot to pay the tax. The agent of the Government thereupon sent a notification to the Holy Father addressed:

To M. J. PECCI, Living in the Vatican Palace, Pontiff by Trade.

It would not have dared to do the same by King Humbert.

The Hungarian village of Ailnodjalar, seventy families in all, left the Greek Church and was converted to the Roman Catholic faith during the recent visit of the Apostolic Delegate of Constantinople, Monsignor Vanastelli.

An Italian family of Parma is going to collect a fortune of 15,000,000 left by a young Captain who died at the battle of Plevna. He was the son of a certain John Blanche, son of the First Empire, who remained in Russia, and by marrying a Polish lady became very rich. He had an only son, who became a Captain, and died at Plevna. The Russian Government made some inquiries, and from the grave of his father in his castle it was found that his family came from Langhrane, near Parma, where his relatives now live.

On the feast of the dedication of the basilica of St. Peter, Cardinal Howard celebrated Pontifical Mass on the Altar of the Choir, beneath which lie the remains of St. John Chrysostom. The chapel was thronged with English and American tourists to see the good looking English Cardinal in pontifical array. After High Mass the great relics were shown to the people from the balcony over the statue of St. Helena, as in days gone by.

INDIAN MASSACRE.

DENVEN, Dec. 7.—Partisans have been received of a slaughter by Juh and his band near the Grandes Chibushas. These Indians had been committing depredations in that vicinity for some time. Politico, of Chollano, with thirty citizens, started after the Indians, and came upon them suddenly. The citizens were immediately surrounded by over 200 Indians. Politico sent a man to Galliano, where he got 78 men and started for the scene. Juh sent a number of his men who engaged the relieving party and prevented them joining Politico. The reserves saw the slaughter of their friends, but could do nothing. Every one of Politico's party were butchered. The Indians then retreated to the Sierra Madre. The friends who buried the dead found near the spot where the massacre occurred the bodies of five Americans who went to Chibusha to purchase cattle.