

The True Witness.

CATHOLIC CHRONICLE.

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We beg to remind our Correspondents that no letters will be taken out of the Post-Office, unless prepaid.

MONTREAL, FRIDAY, JANUARY 13.

ECCLÉSIASTICAL CALENDAR.

JANUARY—1865.

Friday, 13—Octave of the Epiphany.

Saturday, 14—St. Hilary, B.D.

Sunday, 15—Second after Epiphany. Holy Name of Jesus.

Monday, 16—St. Marcellus, P.M.

Tuesday, 17—St. Anthony, Ab.

Wednesday, 18—St. Peter's Chair at Rome.

Thursday, 19—St. Canut, M.

The "Forty Hours" Adoration of the Blessed

Sacrament will commence as follows:—

Saturday, 14—St. Sulpice.

Monday, 16—Convent of La Prairie.

Wednesday, 18—Assumption College.

NEWS OF THE WEEK

The European political world presents nothing worth recording, unless it be that in Paris there are symptoms that the old feud between wages and capital, workman and master, are again on the point of breaking out. The great difficulty with which the Government in France has to contend is social rather than political, and even the armies of Louis Napoleon might be unable to sustain the Imperial throne were a serious *émeute* of the working classes again to take place in Paris.

On this Continent no important military events have occurred since our last. General Lee is, it is said, to be named generalissimo of the forces of the Confederate States; and leaving for the time Richmond under the protection of Gen. Beauregard, he himself will it is thought set himself to cope with Gen. Sherman.

THE MONTREAL GAZETTE AND OUR RELIGIOUS CORPORATIONS.—We do not think that our Protestant contemporaries have just cause to complain that their demands for redress in the matter of the School Laws have been met in a hostile spirit by Catholics; we therefore flatter ourselves that in the strictures we are about to offer on some assertions made by the *Montreal Gazette*, and reiterated in the *Herald*, no one will pretend to find a latent design to throw obstacles in the way of that educational reform for which our Protestant fellow-citizens are agitating.

In so far as that agitation is simply for Freedom of Education, and equality of rights with Catholics, we approve of it most cordially, for we recognise therein the assertion of a most important principle. But unfortunately—so it appears to us—our separated brethren are aiming not at equality of rights, but ascendancy; and the object of their movement is it seems to obtain from Government, of the public domain or common property—that is to say *common* to Catholics and Protestants—an exclusive grant or endowment for Protestant educational purposes. A grant or endowment of this exclusive sort it would be our duty to oppose; and we should insist that in all endowments, or appropriations of public or common property for educational purposes that may henceforward be made, Catholics should, in proportion to their numbers, share equally with their Protestant fellow-citizens.

The demand for a grant or State endowment for Protestant educational purposes, exclusively, is put forth by our contemporaries on grounds which it behoves us to scrutinize rigidly, in order to ascertain what solidity there may be therein. The *Gazette* and *Herald* for instance argue, in substance and in concert, that already large grants of the *common* property, for Catholic educational purposes exclusively, have been made by the State to several of our great religious Corporations; and that therefore Protestant educational institutions have the right to demand an equivalent in the shape of a State endowment for Protestant educational purposes, exclusively. The point is thus put by the *Gazette* of the 4th inst.:—

It should be borne in mind that out of the *common* property of Lower Canada, the Sulpicians and the Seminary of Quebec have had large and valuable domains granted to them by the French Government, and confirmed to them by the English, for which the Protestant population has never received any equivalent.—*Montreal Gazette*. (The Italics are our own.)

To this we reply that:—

1st. The said Corporate bodies have never had any domains granted to them out of the "*common* property of Lower Canada;" that is to say out of the public lands, property *common* both

to French and English, to Catholic and Protestant.

2nd. That the said Corporate bodies have never had any grants of public property for educational purposes made to them either by the French or by the English Governments.

3rd. That the said Corporate bodies have never had any grants or gifts of public property made to them for any purposes whatsoever, by either of the above mentioned Governments; all the property which they hold having been acquired by them, either as a gift from private individuals, or by purchase, that is to say for a material consideration that can be expressed in dollars and cents.

The only property which English Protestants can claim as "*common*" in Canada—that is to say as "*common*" both to French and English, to Catholic and Protestant—consists in the property that remained public, or unappropriated by private individuals, or private Companies, at the moment of the cession of Canada by the French to the British Crown. All else was, and is *private*, not "*common*" property, in which the new comers had, and have no right to share, and for which they never had, and never can have, the right to claim an equivalent.

The property held by the Sulpicians of Montreal and by the Seminary of Quebec was not granted to them by the French Government for educational purposes, as an examination of their original title deeds will show. It is true that out of their revenues, these Corporations do expend large sums for educational purposes; but they do so of pure benevolence, and as the munificent patrons of education, not being compelled thereto by the term of their respective title deeds. So clearly was this recognised by the British Government, that, at the cession of Canada by France, it was expressly stipulated by the latter, and agreed to by the former, that the Sulpicians might, if they so pleased, sell all their property in Canada, and carry the proceeds thereof with them to France. True; the Sulpicians did not see fit to avail themselves of their then recognised legal right, to dispose of their Canadian property for their own use; but their right to do so remained intact, and therefore it is evident that they were not bound to employ their property, or any part thereof for educational purposes, since the British Government recognised their right to sell it, and to do as they pleased with the proceeds.

And in the third place, we plead that the Sulpicians of Montreal, and the Seminary of Quebec never received any grants or free gifts from the State; but that their property was acquired either by donations from private individuals, or by purchase,—that is to say in exchange for full money value by them given.

The property of the Seminary of Quebec was a free and noble gift made to that body by the illustrious Mgr. de Montmorency Laval.

The property of the Sulpicians of Montreal was acquired, partly by purchase from "*The Company of the Hundred Associates*," whose enormous debts and liabilities the Sulpicians charged themselves with; and partly by a bargain with the French Government, in which the Sulpicians at an immense cost to themselves, undertook to remove a tribe of Indians then very troublesome to the public peace, to the *Seigneurie* of the Lake of Two Mountains, to build a church, and to erect a fortress to defend the Colony. We may add that in a money point of view this bargain was altogether in favor of the government, and that the actual price paid by the Sulpicians for their property far exceeded its market value at the time the purchase was made.

We have asserted facts, which are easily susceptible of verification or of confutation. If of the latter, we challenge the *Gazette* and his colleagues to confute them. But if incapable of being confuted we respectfully, but at the same time as a right, request of the *Gazette* to correct the errors of fact into which he has fallen, and which he has publicly circulated, concerning the origin, and objects of, the property held by the Sulpicians of Montreal, and the Seminary of Quebec.

A letter produced in the *Journal de Quebec*, under date Dec. 17th., announces the safe arrival in Rome of the Rev. M. Taschereau, Rector of the Laval University. His Lordship the Bishop of Montreal, reached Rome on Sunday the 11th ult.; and we regret to learn that our beloved Bishop had suffered from indisposition. The Rev. M. Bayle of the Grand Seminary of Montreal was also in Rome at the date of the above quoted letter.

THE ST. ALBAN RAIDERS.—On Saturday last Mr. Judge Smith delivered judgment on the point of law raised against his jurisdiction; and after a long exposition of his views he decided in a sense contrary to that in which the same point of law was decided by M. Courcel.

After a long, stormy debate in the City Council wherein a good deal of temper was exhibited on both sides, it was decided by a small majority that the resignation of M. Lamothe, Chief of the Police, be accepted.

M. RAMEAU ON CANADIAN POLITICS.—To be able to see ourselves as others see us is a gift for which many a wise man has sighed. This is in a measure granted to us in Canada, in that we enjoy the benefits of the comments both of the Anglo-Saxon Protestant, and of the French Catholic, press upon our proposed new Constitution. The former is generally favorable to the Union scheme, elaborated by the Quebec delegates; the latter, on the contrary, as it studies only the peculiar interests, social, national and religious, of the French and Catholic section of our population, is loud in its condemnation of that Constitution.

M. Rameau has been long and favorably known in Canada as an honest and intelligent writer, of sound political views, and sincere in his professions of patriotism and of religion. The opinion of so keen-sighted and impartial an observer of our political agitations, of one so far removed from the sphere of our paltry and degrading party squabbles, and whom no one can suspect of any personal or interested motives, of any hankering after a government situation, or a share in the public plunder, is certainly entitled to a respectful hearing—nor is there any great divergence between his views and those of the English writers. If on the one hand the Anglo-Saxon Protestant press approves of the Quebec scheme, it is because it sees therein ample assurance for the permanence and ultimate ascendancy of Anglo-Saxon and Protestant principles, in the political as well as in the social order; if on the other hand, M. Rameau as strongly condemns it, it is for precisely the same reason as that for which the other section of the press accords to it, its meed of praise. Both in this respect take precisely the same view of the measure: but that which to the one appears a shining merit, to the other appears a glaring defect. In these words, which we extract from M. Rameau's article upon the subject in the *Economiste Français* of the 8th ult., we have the pith of the matter; the explanation in short both of the favor shown to the Quebec scheme by the English Protestant press, and of the disfavor with which it is viewed by all who give the first place in their affections to the conservation of French Canadian nationality and of Catholicity, which is the mainstay of the other. The practical result of the scheme says M. Rameau will be this:—

"The Canadians"—(that is to say French Canadian Catholics)—"will be left to struggle single handed, one against three; and no matter the energy that they may display, they must yield at last to their pretended associates systematically leagued against them."

This is the view of the case taken and expressed by the TRUE WITNESS, and the secret of our opposition to a Union of the Provinces which under the misnomer of Confederation, will entail on us all the disadvantages of an incorporating and highly centralised or Legislative Union, leaving us only the expenses, the inevitable complications, and other disadvantages of a real Federal Union—inconveniences which will be so strongly felt that, ere long, we shall all be glad to exchange the mongrel Union now proposed to us, for a pure and simple legislative Union, in name as well as in fact; for that State, one and indivisible, after which democracy and Jacobinism are ever hankering, and with which Mr. George Brown proposes to endow us.

M. Rameau, in whose hatred of centralisation and of all other democratic tendencies we also have the honor of participating, argues as the TRUE WITNESS has ever argued, that if there is to be a Federation of the British North American Provinces, the functions of the central government should be strictly limited; in a word, that the functions of the State governments should be maximised, those of the Central government minimised:—

"It is of paramount necessity that the federal authority be from the commencement firmly restricted. * * * It is true that thereby its importance and its strength will be greatly diminished; but what great concern have Canadians—(that is to say French Canadian Catholics)—in the greatness or the future of the heterogeneous confederation. That which above all does concern them is their autonomy, is their own existence—even should these be purchased at the expense of general debility."

M. Rameau discusses also the military question, arguing with great force that should the Southerners succeed in making good their independence, Canada will be delivered for ever from all risk of aggression from the Northern States; and that should the latter succeed in subduing the Southerners, Confederation of the British North American Provinces will avail nothing against the overwhelming military power of the North. Of course M. Rameau sees clearly, as every man, not a fool by nature has seen from the outbreak of the civil war, that the conquest of the South means the conquest and annexation of Canada, or at all event the attempt to conquer and forcibly annex us.

So many and so great in the eyes of M. Rameau are the evils of the Quebec scheme of Union, so certain the ruin and degradation that it will entail on the French, and on the entire Catholic section of the community, that he hesitates not to say that even annexation with the

* We must distinguish between a weak or limited government, and a government whose functions extend over only a limited area, but which within that area, is all powerful.

United States, under the form of Federation which obtained before the breaking out of the war—but which can never again be restored, no matter what the issue of the present contest—would be preferable to the Union of the British North American Provinces now contemplated. This is certainly an extreme, a very extreme view, but it shows how strongly M. Rameau is impressed with a sense of the danger impending over his countrymen and co-religionists.

M. Rameau favors the idea of erecting Canada into an independent State, under the conjoint protection of France and England. The theory is excellent no doubt, but we do not believe it capable of being reduced to practice; since we are certain that it would never find favor with a very numerous and powerful political party in Canada, whose eyes are ever turned Washington-wards, and the *Alpha* and *Omega* of whose policy is, the elimination of Popery, and Franco-Canadianism from our social system, as heterogeneous elements that impede its harmonious working. Such a Protectorate as that which M. Rameau contemplates, is no doubt desirable, and would furnish an excellent solution of the very difficult problem now presented to us; but it is, we fear, an impossible solution, and one that may therefore be dismissed without further discussion. For the rest M. Rameau does but reiterate the opinions which have been repeatedly, though less forcibly, expressed in the TRUE WITNESS, on the subject of the new Constitution.

The London *Times* discusses at much length the terms of the proposed Union of the British North American Provinces as drawn up by the delegates at Quebec. On the whole the *Times* approves of them, and applauds the idea of union, seeing therein the probability of soon getting rid of a perfectly useless, and in case of war, of a very troublesome incumbrance. Anything that tends—as does the scheme now in contemplation—to bring about an amicable separation of the North American Colonies of Great Britain from the mother country, will be gladly hailed by the people of the latter. It is for this reason, and not because it sees therein any good for Lower Canada, or guarantee for its religious and social institutions, that the *Times* approves of the Union scheme; it looks upon us as big enough and old enough, to set up in business for ourselves; and thinks that the time has arrived when we should cease to be a burden upon the head of the family.

The *Times* is therefore no unfriendly critic of the Quebec scheme, but it is not blind to its defects, as for instance the plan for constituting a second chamber for the Central Legislature.—But this is a mere matter of detail in which we take no interest, seeing that in the said second chamber, the States will not be represented at all, since its members will be the mere nominees, or puppets of the central government. Another objection however urged by the *Times* strikes at the very root of the matter, and is identical in substance with the objections urged by the TRUE WITNESS against any such scheme of Union as that which Mr. George Brown and the Clear Grits of Upper Canada would consent to accept as a settlement of their exorbitant claims on this Province. Writing in June last on the subject of a Federal Union of Colonies or States, not severally sovereign and independent, we pointed out one inherent difficulty, which it was impossible for human ingenuity to overcome, and which of itself, was an all conclusive reason against a Federation of subject Provinces:—

"The all important question presents itself who is to determine what matters are of common interest and therefore to be legislated for by the Federal Legislature, * * * and what matters are of separate and local interest, and therefore the subject of State legislation? If the settlement of this question be left to the Federal Legislature the autonomy of the Province with the smaller population is destroyed, and its local interests placed at the mercy of a hostile majority. * * * If it be left to the State Legislatures to determine what matters fall within their province the Federal authority is nought, and a Federal government would be as useless an incumbrance as the traditional fifth wheel of a coach."—*True Witness*, 24th June, 1864.

Of course, no matter how elaborately the respective attributes of the two governments or legislatures may be defined, the whole ground cannot be thereby covered; cases will be constantly arising, not provided for or covered by the said terms, and disputes as to the respective limits of their functions between the Federal Legislature and the State legislatures are inevitable. If in these disputes the former is to be judge in its own cause, its authority is absolute and unlimited, and local legislatures as barriers against aggression, are but a farce, and may well be dispensed with; if the latter or local legislatures are to adjudicate, the Federal or central legislature is practically useless. This was the argument of the TRUE WITNESS, based on the moral impossibility of clearly defining the respective limits of central and local functions; how far events have justified our predictions may be seen from the following comments of the London *Times* on the abortive attempt of the Quebec delegates to assign to each—to Central Legislature and Local Legislature—the respective limits beyond which neither shall be able to pass. No doubt the delegates did their best;

but according to such a favorable critic as the *Times* their best is but a bundle of absurdities:

"But the most important clause"—(all important the *True Witness* called it in June last)—"in the whole Resolutions, and unfortunately, by no means the easiest to understand, is the one which defines the powers of the central federal legislature."—*London Times*.

This unintelligibility is due, not to the delegates, but to the subject with which they had to deal. In attempting to "define the powers" of a government intentionally armed with indefinite power, they attempted the impossible and therefore failed. They were no luckier when they attempted to define the powers of the local legislatures according to the *Times*:—

"It is exceedingly difficult to construe these provisions. First, general powers of legislation are given in the widest terms to the General Parliament; then a power is given especially to make laws on thirty-seven subjects, one of those being all matters of a general character not exclusively reserved to the Local Legislatures. Nothing is exclusively reserved to the Local Legislatures; and it would seem, therefore, that the effect of this clause is to cut the power of central legislation down to matters of a general character—a most vague and unsatisfactory definition, and one sure, if it is retained, to produce conflict and confusion. In the same way, what are matters of a private and local nature not assigned to the General Parliament? We have failed to discover any matters of a private and local nature which are so assigned, and therefore the power will be limited by the words 'private' and 'local,' so that the effect of these clauses will be that, beyond the subjects attributed to each, the Central Legislature will have jurisdiction over general matters, whatever they are, and the Local Legislature over local matters, whatever they are; while it is in the highest degree doubtful what the Courts would consider general and what local, and whether the Central Legislature has any concurrent jurisdiction over private and local matters or no."—*Times*.

If the *Times* sees the difficulty, the *Globe* indicates the way out of it. Its idea, which is simply the idea of Mr. George Brown, and the Liberal party generally, is that as the Central Government will always be strong enough to overpower the local governments, and will not fail to exercise that power, there is no danger to be apprehended from the conflicting pretensions of two rival authorities. The local governments, under the proposed constitution, will be too weak; too paltry, and too much under the absolute control of the central government to offer any serious obstacles to the latter. This is how the *Globe*, Mr. George Brown's organ, answers the objections:—

"The London *Times*, in discussing the resolutions of the Quebec Conference, raises the objection that they leave a chance for collision between the general and local Governments."

"It would be very difficult to specify every possible subject for either general or local legislation. If ever so long a list were made, we would be sure to find after a while that something had been omitted."

"Should such a contest as the *Times* anticipates arise once in a number of years, the veto vested in the general Government would fully enable it to prevent any of the local Governments from encroaching upon its powers."—*Globe*.

There is certainly no fear for the central government; the strong have nothing to fear from the weak, and in the projected constitution ample precaution has been taken to prevent any encroachments by the local governments upon the central government. But who shall protect the weak against the strong, who shall guarantee the local governments, say for instance the local government of Lower Canada, against the inevitable aggressions of the central government? This is the one thing above all others needed; and this has therefore been altogether overlooked. The strong, the rich, the powerful, have been filled with good things, armed with ample powers; but the weak and needy have been sent hungry away. The wolf will be fully able to prevent any of the lambs from encroaching upon its lair; but alas! and this we have pointed out from the beginning, there is naught to prevent the wolf from encroaching at pleasure upon the pastures of the lamb.

The *Globe* admits the impossibility of giving a full definition of the respective functions, powers or attributes of the central government and the local governments. Cases therefore may, indeed must, occur, in which disputes between the two will arise; the central government which by its composition will be factually hostile to Catholic Lower Canada, will always have it in its power to decide upon all cases in dispute, and to give judgment in its own favor; is it not then mockery, or something worse than mockery, to speak of the projected constitution as holding out any guarantees for Lower Canadian autonomy, or any safeguard to the peculiar religious and social institutions of this Catholic Province.

THE LOWER PROVINCES.—The opposition in the Lower Provinces to the Quebec scheme of Union is gaining in strength. At P. E. Island a ministerial crisis has been the consequence, Mr. John Gray, Colonial Secretary, and one of the delegates has resigned, as has also Mr. Pope, Att. General, a person known for his bitter hostility to Catholics, and his rabid obscurity in the Colonial legislature in all debates of a politico-religious character. Mr. Palmer another delegate who is strongly opposed to centralisation, will it is expected be called upon to frame a Ministry on anti-Union principles.

"LES SOIRÉES CANADIENNES."—The numbers for September, October, November and December have come to hand, and contain the continuation of a very interesting article by M. F. X. Prieur, on the fortunes of the political exiles of '38 in Australia.