THE TRUE WITNESS AND CATHOLIC CHRONICLE DECEMBER 8, 1865.

The True Witness.

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... E. CLERK, Editor.

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cetters will be taken out of the Post-Office, unless pre-paid. The figures after each Subscriber's Address every week shows the date to which he has paid

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MONTREAL, FRIDAY, DECEMBER 8.

ECCLESIASTICAL CALENDAR.

DECEMBER- 1865. Friday, 8-FAST-IMMACULATE CONCEPTION, Obl. Saturday, 9 -Of the Uctave. Sunday, 10 - Second Sunday in Advent. Monday, 11-St. Damasus, P. C. Tuesday, 12 -Of the Octave. Wednesday, 12 - FAST, St. Lucia, V. M. Thursday, 14 -Of the Octave.

The "Forty Hours" Adoration of the Blessed Sacrament will commence as follows :-Saturday, 9 -N. D. de Toutes Graces. Monday, 11 -St. Ambrose. Wednesday, 13-Hospice Lajemmerais, Varennes.

NEWS OF THE WEEK

The capture of Mr. James Stephens, Head-Centre of the Fenians in Ireland, has, we are told, put the Government in possession of piles upon piles of documents, wherein all the secrets of Fenianism, of its organisation, and of its ulterior designs, are laid bare. It is generally admitted that this capture has given its deathblow to the Fenian cause.

The most important event of the week bas baen the meeting on the 4th instant of the Congres, of the Northern States. We say of the Northern States, because members returned by the Southern States are refused admittance. although regularly elected. It is thus the North that proclaims secession since, if the -Southern States were States in the Union, they would have the right to be represented in Congress. A caucus of the extreme democratic party has been held, and it is said that a resolution to maintain the exclusion of the Southern representative was adopted. What the upshot of the business will be no one can tell; but it is evident that the reconciliation of North and South is as far off as ever, and that the Union can only be maintained by force of arms, and upon the same principle as that on which the Union betwixt Poland and Russia is upheld.

REPORT OF THE BOARD OF INSPECTORS OF ASYLUMS, PRISONS, &c. - The mefficiency of our actual system of secondary punishments is well brought out by the recommendations which in a . Special Appendix to their Report, the Board of Prison Inspectors feel themselves called -upon to make to the Government. What these gentlemen recommend are, a uniform system of discipline, set forth in a code of Regulations; and such alterations in the materiel and personnel of our prisons as shall be required to give practical application to this code. As it is, our system is most desective. It contains no sufficient provisions for the separation of the prisoners, and above all no sufficient means of enforcing "Hard Labor," real "Hard Labor," which, as the Report well points out, is, or should be, one of the essential features of all secondary numshments, if we desire that these should be exemplary, and serve as deterrents from crime.

When the State sends a criminal to the Peni. tentiary, is is evident that, no matter what his offence, it must give him a sufficiency of food and -clothing, to keep hun in bealth; that it must lodge him, and furnish him with the best of medical attendance when sick. To withold any of these things from the convict would naturally rewalt the instincts of the heart, and provoke a dangerous sympathy in his favor. There is no help for it, and there is no use denying the fact, that, in so far as his physical condition is concernedhis food, clothing, lodging, medical attendance. and comforts when sick—the criminal in the Penitentiary is incomparably better off than nine hundred and ninety-nine out of the honest and industrious of what are called the "laboring ·classes." He has animal food, together with a due supply of vegetables and bread, furnished him in sufficient quantities to maintain his body in full food, or work to keep him from starving ;let him, -vigor; he has an ample supply of warm clothing; | however, only set up as a thief, and lo! tortha comfortable bed-room to retire to at night, in with he is by the same State lodged, fed, furn which he may bid defiance to the inclemency of ished with work, and, if necessary, taught a the weather, the temperature of the building trade. Our criminals are a favored class inwhich he occupies is always maintained at the | deed! and our system of secondary nunishments level best adapted for his health; and baths and is rather an incentive to, than a deterrent from. lavatories are at his disposal whenever he re crime. couires them. Whilst, on the other hand, thou Much of this is due to the abominable system cant can no further go.

cleanliness, and personal comfort.

So much for the purely physical aspect of the case; and it must also be born in mind that the convict enjoys many moral and intellectual advantages in jail, to which, too often, his honest and hard-working fellow-subject, who is taxed for his support, is a total stranger. Thus the convict has a chaplain at his beck and call: he has a place of worship, at his choice, open to receive him; he has a school prepared for him, in which without danger of encroaching upon the plain education; books are at his disposal should he be inclined to study; and should he have a taste for any particular handiwork or trade, its mysteries will by duly expounded to him. On the population; and would prove infinitely supethe other hand, the non-criminal, the honest hard rior as protective of person and property, beworking man, unless a Papist, rarely has his door darkened by the shadow of the entering muster of religion; for him, except in rare instances, no church or chapel opens its hospitable door; for him there is no time, no place, or opportunity for study: for so heavy, and so constant is the pressure on his means of subsistence that, unless he | meditated crime against the public, or his private would hear his little ones crying vainly for their employer, would, if brought home to him, culbread, he must work from morning to night, with iatermissions only for food and sleep.

That this is no overdrawn picture of the advantages which the convicted criminal in the Penitentiary enjoys, and at the expense, too, of the hard working honest man, all will admit; and certainly at first blush it would appear as if the maudlin philanthropy of our age had done its best to put a premium upon crime, and to hold out inducements to a dishonest and criminal life. Such too would certainly be the case were there no set-off to the many and great advantages which are the peculiar lot of the convicted criminals; were there also no peculiar discomforts to which he is subject, but from which the brnest poor man without the walks of the Penitentiary is exempt. Thus the convict is no longer master of himself, whilst in theory at least the latter is a free agent. As a matter of fact, of course, the daily laborer is as much a slave as is the convict; and the necessity of working for his daily bread, and the support of his family, is as rigorous and as inexorable as the sternest discipline of the jail. The confinement of the convict is another "set-off;" but the confinement of the jail is, after all, not more severe than is that of the ship, where the sailor is shut up for many long months together, without a chance of setting his foot on shore. Unless therefore to the loss of liberty of action, and to the confinement of the Jail, the law superadd something in the shape of hard labor - labor so hard and repulsive that no man would under any circumstances willingly submit to it-there wil be little in the convict's lot to counterbalance the great physical advantages that he enjoys, as compared with the vast inajority of the noncriminal classes of Society.

Hard and repulsive labor should therefore form one essential part of our system of secondary punishments; and of all labor the most repulsive and the hardest is non-productive labor, such as shot drill, the crank, and the tread-mill. This kind of labor has also this to recommend it. that it does not enter into unjust and injurious competition with the labor of the honest artisans outside the sail walls, and that it does not rob them and their little ones of their means of livelibood. Unfortunately the maudlin philanthropist has little regard for these-nay, he deems them not worthy of his notice, until such time as having rencunced their honesty, they shall by a career of crime have qualified themselves for a place in the Penitentiary; then he lavishes upon them a tender sympathy and a consideration as remarkable as were his apathy and his contempt for them so long as they led an innocent and honest life. Thus it has come to pass that in most of our places of secondary punishment, real hard, repulsive labor, especially unproductive labor, has been replaced by light, easy tasks of oakum-picking, and by the kind of labor that obtains in the factory and the shop. Thus also Government enters into injurious competition with its honest and industrious subjects, whom i almost forces upon a life of crime, by increasing the already grievous pressure upon their means of subsistence. As long as a poor man is honest and by the sweat of his brow does his best to find a living for his wife and children, the State like the maudin philanthropist, has nothing to say to him; it will not furnish him with either

sands, tens of thousands, hundreds of thousands of making long protracted periods of imprisonof the bonest and industrious working classes are ment the chief feature of our secondary punishmost meagrely fed, rarely or never tasting animal ments. This is a grievous error, which underlies delivered on the Lower Canadian School Quesfood, most wretchedly clad, most wretchedly and vittates the entire system. Punishment to tion, by Mr. Justice Sicotte sitting in the Supedestitute of all such luxuries as baths, lavatories | rule, be short and severe; and for this purpose | at issue was the right of non-resident proprietors -in a word, of all that conduces to health, should consist in very hard, repulsive, non-re- to apply the amount of the school tax levied upon of the treadmill, the crank or shot-drill; and in schools of the district; and this question was all cases of infamous crimes, such as outrages brought before the Court by the School Comupon women, deliberate outrages upon the person, theft, swindling, forgery and frauds of all descriptions, should be supplemented by smart corporal punishment, in the shape of an application of the cat-o'-nine-tails. Greatly as it may shock our maudlin philanthropist friend, we confess that we should be glad to see substituted for the Penitentiary, its long terms of imprisonment, resident, or non-resident. This view of the case hours of labor requisite to obtain food for himself and its liberal dietary, the whipping-post, and a and children, he can receive gratuitously a good short term of very severe labor. These would be more economical to the State than the other; would cost less, would interfere less injuriously with the hard working, non-criminal portion of as laid down from the Bench. We simply accause more terrible in the eyes of the criminal, of the burglar, the forger, the incendiary, and the fraudulent bankrupt. There is many a petty sive of our gratification at not only the decision scruples not to risk a term of years in the Penitentiary; but who would, if well assured that his subjoined is a concise statement:minate in a hundred or so of lashes on his bare public education is the corollary of his right to the back, shrink dismayed from the prospect of such law armined on the religion and of his faith, and that the a punishment.

Nor let it be said that society is too humane, too enlightened again to have resource to the old modes of dealing with thieves, cheats and swindlers that our forefathers practised. We are not a bit too humane, not the least too enlightened-for we do flog, and that pretty severely, only for a class of offences entirely different from those infamous crimes for which we would reserve exclusively the use of the lash. For instance, though we are too humane, too enlightened, Heaven savethe mark, to flog the scoundrel who has outraged an innocent girl, who has robbed his master, cheated his employer, burned down his store and stock of goods for the sake of pocketing the insurance, made a knowingly fraudulent disposition of his property to the detriment, perhaps ruin of his creditors-though we are too humane and intelligent to flog scoundrels like these, whose crimes are morally infamous and degrading, and therefore most worthy of an infamous and a degrading punishment, we are not a whit too humene or too intelligent to flog men for mere conventional offences, for offences which necessarily presuppose no moral turpitude, on the part of the offender. For instance, we flog, as the Report before us shows for offences against prison discipline, for insubordination, and infractions of the rules of the jail -offences which deserve to be punished of course, which must be severely punished no doubt so long as we shut men up together in large numbers, and for a long term of years; but which nevertheless, in the eyes of men who are not maudlin philanthropists, are not deserving of a punishment, so severe, so infamous and degrading as that which might most equitably and most profitably be administered to the violator of women, to the forger, to the swindler, and habitual thief. We are lenient in the wrong place, and we are severe in the wrong place; and our misplaced lenity, and our misplaced severity we with much self-complacency, or rather Pharasaic hypocrisy, attribute to our humanity and to our intelligence.

Of course we design no imputation on the Penitentiary authorities, for so long as the present abominable system of shutting up large numbers of men for long terms of years, in common building, is persisted in, the most severe the most deterrent of secondary punishments, that is to say corporal punishment, must be resorted to if we would avoid mutiny; and we are well aware that it is only in extreme cases, and with great reluctance that the Warden and his brother officers have resource to the lash .-What we mean to criticise, what we design to blame, is our inconsistency in applying corporal punishment to the refractory prisoner, and for an offence which does not necessarily imply any moral depravity, or violation of the moral code: whilst with sanctimonious face we make boast that we are too humans and too enlightened forsooth! to tolerate the flogging of the thief, the swindler, the perjurer, and the wretch who outrages female innocence. It is because of this pseudo-bumanity, this maudlin philanthropy, that we are obliged to build and maintain at an enormous cost these bideous Penitentiaries, wherein criminals for their offences against society are not suitably punished, wherein their moral reformation is impossible, their moral corruption mevitable; and in which we find ourselves compelled to have resource to that very system of corporal punishment-and that for mere breaches of discipline not involving necessarily any moral turnitude, or injury to society-which we in our bumanity and enlightenment had previously repudiated as too severe, too brutal and degrading

Canadian papers publish an elaborate judgment missioners of St. Bernard, who sued Mr. Joseph C. Bowman.

M. Sicotte in pronouncing judgment argued that the word "inhabitant" should in the School Law receive a broad and liberal interpretation, so as to include all holders of property taxable for the learned Judge supported, by instances, and a lengthy array of legal decisions. It would of course be presumptuous on our part were we to express any opinion on the soundness of the law cept it without the slightest hesitation.

With respect to the higher law, or principles upon which the judgment was based, we may without impertinence say a few words, expresarceny villain, many a dishonest knave who arrived at, but at the great and important princinles laid down by the Judge-and of which the

> "The examination which I have made into this subject leads me to believe that the right of the rate payer to superintend the employment of his rate in details, has consecrated a principle, so just and necessary to peace in a country where races find shelter in their contrasts, and religions protect one another by their diversities.

This is the view that the TRUE WITNESS has always taken of the school question, insisting for Upper and for Lower Canada alike, that to the tax payer belongs the right of determining how his school tax shall be applied-and that this right is the corollary of his right to determine for bimself, as against the State, what he shall believe, and how he shall worship God. Judge Sicotte tells us that in the Lower Canadian school law this principle is embodied; and we believe therefore that such is the case. That such ought to be the case in the School Laws of both sections of the Province, no man who approves of Judge use of the native tongue.' Sicotte's decision in the case before us can deny. That such is not the case in so far as Upper Catestant Reform party, to whom Mr. George like sbeep," as another Protestant writer des-Brown owes his elevation to power.

We read in our exchanges that there is a regular "war of races" at New Orleans between the Creoles, that is to say the citizens of French origin, the descendants of the original settlers, and founders of the Colony-and the Yankee or Anglo-Saxon section of the population. The seat or theatre of the war is the common schools; its cause, the natural desire of the Creoles that therein the French language language of their fathers, the mother tongue of their children, the original language of the Colony-should form part of the instruction imparted to the scholars, which desire the Yankees or Anglo-Saxons have determined shall not be gratified. The paragraph from whence we deduce our information thus sums up the causes of

"The American element has control in the City, and is determined that French shall not be taught, and that the next generation of Creoles shall be thoroughly Americanised."

Tuere is something very ludicrous in the impertinence with which the Anglo-Saxon population of the United States arrogate to themselves and their portion of the Continent, exclusively, the name of Americans and America; as if all the descendants of Frenchmen, Spaniards Portuguese settled in America, North or South. were not just as much Americans as are the citizens of the United States. We should smile at the absurd imperinence of the Frenchman who should speak of France as Europe, or limit the designation Europeans to the subjects of Louis Napoleon; yet would he not be one whit more ridiculous, or more illogical than are they who speak as if the terms U. States and Americal were synonimous, and as if none were Americans but those who formed a part of the political society organised at present under President

But if the language of certain of our neighbors is ludicrous from its impertinence, their actions are often odious because tyrannical. Such is their treatment of the French Creoles in New Orleans-the descendants of the first settlerswho it seems are to be "improved off the face of the earth," denationalised, and made Yankees of ; and such too would be the treatment that French Canadians would experience, were it their misfortune to form a portion of the great republic.

Some of our Rouges journals, in their blind hatred of British connection—a hatred inspired by the fact that the British Government does not snoil or persecute, or allow others to spoil or persecute the Catholic Church in Canada - are for villains of the deepest dye! The power of ever insisting upon the great advantages that would accrue to their countrymen from annexa- bec by a unanimous vote.

IMPORTANT LEGAL DECISION .- Our Lower ation; they will not, we fear, point out to them and insist upon one of these advantages, as experienced by the French Creoles of New Orleans, to wit-that the teaching of their mohoused, very insufficiently warmed in winter, and be effective as a deterrent, should, as a general rior Court, District of St. Johns. The question ther, tongue would very soon be prohibited in Canadian common schools, and that their new masters would subject them to the process inmunerative, or non-productive labor, such as that | their property, to the support of the dissentient | differently called Americanization, or "improving off the face of the earth."

> CHOLERA AT JERUSALEM .- In a letter in the London Times giving an account of the ravages of Cholera at Jerusalem where the disease has been very fatal, we find a high meed of praise awarded to the French Sisters of Charity. Everybody almost had fled: the sick were school purposes, whether the said proprietors be left to die untended, and only the French Consuls of all the many foreign officials remained within the walls. After mentioning these acts of abandonment, the writer continues:-

"Some noble acts of courage and devotion may. however, be mentioned: The Patriarch Monsignor Valergo, who returned to Jerusalem the moment he heard the cholers had broken out, has opened a new hospital where the sick Christians are received and attended to by the Sisters of St. Joseph of the Apparition, nearly all French women. One of the Franciscan Fathers has a knowledge of medicine. This priest who is a very old man displays the most indefatigable zeal, but most of the cases under his hands have proved unsuccessful, three-fourths of the number of the patients being carried off rapidly within three to four hours."

The Sisters of St. Joseph certainly distribute no tracts, and effect no sales of Bibles; never_ theless they seem in their way to display something of the spirit of Christ, which is indeed strange, seeing that unless our evangelical friends are most audacious liars and slanderers, the said Sisters, because Papists, are actually living "without God and without hope in the world." We quote the very words of our French Cana. dian Swaddlers, and they surely are "men of God" who cannot lie!

THE SANDWICH ISLANDS .- An evangelical contemporary begins a paragraph concerning these islands, whose native population is now nearly extinct from unmentionable disease, itself the product of licentiousness-in the following strain:-

"In these Islands, where the Gospel and Christian civilisation have been steadily and most successfully advancing since the first landing of Missionaries there in 1819, it is now proposed to discontinue the

The Protestant writer has strangely omitted one thing, one little word, in his announcement nada is concerned, is due to the dishonesty and of a fact which is simply due to the exterminapersecuting spirit inherent in the Liberal or Pro- tion, or dying out of the native race-" rotten cribed them some years ago. Whatever may have been the progress of Protestant Gospel, and of Protestant civilisation in the Sandwich Islands since the Protestant missionaries first landed there in 1819, the progress of syphilis has been far more steady, far more rapid, and triumphant as the statistics of the islands show; and to it is due the disuse of the native language, since by it the aborigines have been swept off from the face of the earth.

> THE GOSPEL OF PROTESTANTISM IN FRANCE. —A French correspondent of the Evangelical Christendom under the caption " Rationalism in the Pulpit and the Bible in the Cottage" tells us what have been the results of Protestantism in France. Nor is the case he gives, by him cited by any means an exceptional one; for he adds, when speaking of the French Protestant clergy ex uno disce omnes"-The informant who is a colporteur or bible pedlar thus deposes:--

"A man from whom I inquired if he needed a Bible, replied to me, 'I have had one for a long while, and if you want it, I will let you have it cheap. I asked to see it, inquiring, when he had brought it, why he wished to part with it. He replied that the last time he was at Church, the pastor had taken his text from the Book of Joshus, and had proved that a miracle recorded there was false, and the conclusion of his argument was that the other miracles of the Bible were false also. 'When I heard that from the mouth of a pastor, I believed him; he is sent to be our teacher, and would you have me believe a book that is full of such fables? My old father used often to say that it was the Word of God, and even before breathing his last, he attempted to reso to me a verse which is written on the fly-le f of the book. See, here it is, the 16th verse of the 3d of John.' I desired him to read the verse, and, after having done so twice, he replied, 'I understand from this that he who does not believe that God has sent Jesus Christ to save us will be lost, but i do not be-lieve there is any hell. Reason does not admit of such an idea.' 'Ob,' exclaimed the poor wife, 'what sorrow my husband causes me! He believes nothing! What will our children become under such influence? 'You will not force me to believe what cannot believe,' said the man, and in reply to some solemn words of mine, he bade me begone, and not try to frighten him with old wives fables.

Such is a specimen of the results of the new teaching by men sent to lead others into the way of life and truth. Ex uno disce omnes.

DAY OF THANKSGIVING .- We find it stated in the Franco-Canadien that on Sunday, 19th ulto., a Pastoral from His Lordship the Bishop of St. Hyacinthe was published enjoining the faithful of the Diocess to return special thanks to God for the many spiritual and temporal mercies which He has granted to them, and especially in the late abundant harvest. Thursday, the 21st inst. is the day appointed when throughout the Diocess there will be sung in all the churches and chapels a solemn High Mass with the above

M. Cauchon has been elected Mayor of Que-