

REMITTANCES

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Montreal, December 14, 1854.

The True Witness.

MONTREAL, FRIDAY, SEPT. 19, 1856.

NEWS OF THE WEEK.

A LITTLE cloud, small as yet, is clearly discernible on the political horizon, and by some is thought to be the forerunner of a storm, which will sweep away the last vestige of the "eminent cardinal" betwixt the French and British Governments.—It is not probable, scarcely possible, that the revolution now in progress in Spain can run its destined course, without provoking the intervention of France; it is not likely that both France and England will agree upon a common policy to be pursued towards Spain; and it is therefore very probable that, ere long, the former allies in the East may confront one another as actual foes in the West. At all events, it is certain that the rumor gains ground that there is a coldness, not to say a misunderstanding, betwixt Louis Napoleon and the British Government.

Full details of the Continental news will be found on our sixth page. The admirable and unanswerable Note, attributed to the King of Naples, in reply to the impertinent interference of the British Cabinet with the internal affairs of the former Kingdom, has naturally provoked much discussion. By some its authenticity is called in question.

The news from Great Britain is devoid of interest; consisting, for the most part, of a dreary record of infanticides, parricides, and poisonings of husbands by their wives—"a noxious and hateful practice"—as the judge in pronouncing sentence upon a woman at Bolton, very lucidly observed—"which ought to be put a stop to."—The reports of the coming harvest were generally favorable; and the accounts of the potato rot in Ireland are thought to be somewhat exaggerated. The "Central American Question" is said to be definitively settled.

CAPITAL PUNISHMENT.

"This prohibition—(Thou shalt not kill)—does not apply to the civil magistrate to whom is entrusted power of life and death, by the legal and judicious exercise of which he punishes the guilty and protects the innocent. The use of the civil sword, when wielded by the hand of justice, far from involving the crime of murder, is an act of paramount obedience to this commandment which prohibits murder. The end of the commandment is, the preservation and security of human life; and to the attainment of this end, the punishments inflicted by the civil magistrate, who is the legitimate avenger of crime, naturally tend, giving security to life by repressing outrage and violence."

This speaks the "Catechism of the Council of Trent," in its exposition of the obligations imposed by the fifth commandment; and after so plain and explicit a definition of the right—nay of the duty—of the civil magistrate to inflict capital punishment upon the murderer, one would hardly expect to hear that right called in question by Catholics. To punish the murderer with death "is an act of paramount obedience" to the law of God which says "Thou shalt not kill."

Yet plain as are the teachings of the Church upon this subject, there are, we regret to say it, but too many even amongst her children, who fancy themselves wiser than she is; and who pretend to have obtained a deeper and clearer insight into divine truth than has their spiritual Mother. She is getting old; she dotes; she is too feeble to keep up with the advancing spirit of the age, and her eyes are too weak to stand the new light of this nineteenth century. It is in this spirit that the Church is too often treated even by those who call themselves Catholics.

Thus our cotemporary the *Quebec Colonist* of the 11th inst., has an article upon the "Death Penalty;" in which—instead of showing that in the case of the man Corriveau there were mitigating circumstances, which justify the action of the government in commuting his punishment to imprisonment in the Penitentiary—he discusses the question—"Is it right to take life for life?"—and argues that the law "of the case" as contained in the Old Testament, was designed for the Jews alone, and may have been a bad law,—like their law of divorce, one of those laws which were not good, and which were—"permitted" to them because of their hardness of heart.

"Are we bound" he asks; "to be governed by those bad laws, which were enacted for the government of a nation universally acknowledged to be the most sensual that ever inhabited our earth?"

From these premises, the *Quebec Colonist* thinks himself authorised, in direct opposition to the doctrine of the Catholic Church, to maintain that the law which punishes the murderer with death is "Not a wise or just law;" and that, in acting upon the assumption that the law of God against murder, as expounded by the *Catechism of the Council of Trent*, is neither wise nor just, "the government of the country prove they are guided by correct views." We strongly recommend our cotemporary to lay aside his editorial

pen for a few days, and to betake himself to the study of his Catechism; he will find much therein to cause him to modify his opinions respecting the wisdom and justice, of God's commandments, and of the Cauchon ministry.

It is no opinion of our own that we are emitting; neither do we presume to dogmatise upon the subject. We content ourselves with laying before our cotemporary's eyes the words of the Catechism, in the hopes that he may be induced to reconsider his rash opinion, and to retract his condemnation of the positive teachings of the Catholic Church. That the civil magistrate has the right—that, for the preservation and security of human life, it is his duty ("an act of paramount obedience")—to punish the murderer with death, is as certain as it is that the Church is the divinely appointed teacher of the nations; and to call in question even, the right of civil governments to inflict the "Death Penalty," is to call in question the justice of God, and the wisdom of His Church. The *Quebec Colonist* "scorns the idea" of being governed by the "bad laws" which through Moses, God gave to the children of Israel; and pronounces such government "unworthy the advocacy of a cultivated mind." We still trust, however, that he will admit that we are bound to be governed by the good laws which God has given to us through Christ; and of these laws, one is defined in the extract above given from the Catechism of the Council of Trent.

But who has authorised the *Quebec Colonist* to pronounce the laws given to the Jews respecting the punishment of the murderer "bad laws"? Were it not for the blasphemy, there would be something amusing, in the off hand manner in which our cotemporary treats the Mosaic code. Listen to him:—

"Even under that law, bad as it was, the man slayer had the 'cities of refuge' to which he might escape, and which if he could reach before the 'avenger of blood' overtook him, he was perfectly safe. Here then was justice tempered with mercy."

Evidently our cotemporary's acquaintance with the Bible which he quotes, is as superficial as is his acquaintance with the Catechism; or he would hardly venture upon such a display of ignorance. The "cities of refuge," in which the man-slayer might, under the Mosaic law—"bad as it was"—find shelter from the "avenger of blood," offered an asylum to him only who had killed a man accidentally, or without malice aforethought; but were in no wise intended for, and afforded no protection to, the wilful murderer. As we have quoted the Catechism of the Church to show what are her teachings upon the question of Capital Punishments, so we will now quote the Bible to show for whom, and for whom only, the six cities, which, upon taking possession of the Holy Land the Israelites were commanded to set apart, were intended as places of "refuge." The laws upon this subject are to be found in the 35th chapter of NUMBERS, and the 19th of DEUTERONOMY.

Six cities were to be set apart for the "refuge of fugitives who had shed blood against their will."—NUMB. xxxv. 11, 14; "three beyond Jordan, and three in the land of Chanaan." But these cities offered no refuge to the wilful murderer:—

"This shall be the law of the slayer that fleeth, whose life is to be saved. He that killeth his neighbor ignorantly, and who is proved to have had no hatred against him yesterday and the day before, he shall flee to one of the cities aforesaid and live."—DEUT. xix. 4, 5.

"But if any man hating his neighbor lie in wait for his life, and rise and strike him, and he die, and he flee to one of the cities aforesaid, the ancients of the city shall send, and take him out of the place of refuge, and shall deliver him into the hands of the kinsman of him whose blood was shed, and he shall die. Thou shalt not pity him."—DEUT. xix. 11, 12, 13.

These quotations will we think suffice to convince the *Quebec Colonist* that the "cities of refuge" afforded an asylum to those only who had been guilty of what the law calls "manslaughter;" and that the wilful murderer could derive no benefit whatever from them. The "justice" therefore of the Mosaic law was "not tempered with mercy" towards the murderer; on the contrary, that law said, *Thou shalt not pity him.*

We have been thus particular, because it was our object to show—firstly—that the Catholic Church distinctly recognises the right, and the duty of the civil magistrate to punish the murderer with death; secondly—that the Mosaic Law did not provide any place of refuge wherein the wilful and malicious slayer of his neighbor might find refuge from the avenger of blood. If we have succeeded in either of these objects by means of the quotations by us given, we trust that the *Quebec Colonist* will have the good taste to do one of two things; that he will either acknowledge his error and retract his hasty opinions; or openly acknowledge that he has as little respect for the teaching of the Catholic Church, as he has for the precepts of the Mosaic Law.

Into the merits of the particular case in question—that of the man Corriveau—we do not intend to enter, as we do not pretend to be fully acquainted with all its particulars. There may be in that case, mitigating circumstances, known only to the Ministry, and which render him a proper object of mercy, because not a wilful murderer. We do not impute unworthy motives to the Government that has remitted the sentence passed upon him; but we

do say, that for their own sakes, for the sake of justice, and the welfare of the community, it would have been well if the reasons for the leniency that they have displayed towards him, had been given to the world. As it is, the public are left to form their own surmises; and it is insinuated—we hope falsely—that in sparing the life of Corriveau, the Ministry were not altogether actuated by conscientious motives. To these rumors however we give no credence; though we fear nevertheless that they have been guilty of a culpable weakness, and have too readily yielded to popular clamor, and the unreasonable importunities of a maudlin sentimentalism. To clear themselves from this reproach, and from the other still more disgraceful suspicions, it would be well if the reasons for sparing Corriveau's life were made as public, as has been the fact that, in his case, the death punishment has been remitted.

"The end of the commandment is the preservation and security of human life;" and to this end, and to this end only, should the punishments inflicted upon the murderer by the civil magistrate tend. To judge therefore of the propriety of the course adopted by our Canadian Government in the case of the murderer Corriveau, we must consider only, whether it is likely to be the most conducive towards the preservation and security of human life; whether in short, the imprisonment of Corriveau is more likely to deter others from repeating his offence, than the carrying into execution of the sentence originally passed upon him, would have been. This is a question upon which indeed there may be a great diversity of opinion; and if the *Quebec Colonist* had contented himself with arguing, that the ends of justice—that is, the repression of crime, and the security of life and property—are better attained by perpetual imprisonment, than by the infliction of death, we should have had no quarrel with him. But when a professedly Catholic writer calls in question, not the policy or particular expediency of capital punishment, but its justice, and the right of the civil magistrate to inflict it upon the murderer, we cannot—seeing that the Catholic Church has settled this question authoritatively and for ever—allow such a dangerous and anti-Catholic line of argument to pass unnoticed. That the Ministry have done wrong in dealing leniently with Corriveau we do not say; but taking the teachings of the Church as our guide, we do say—that if guilty of murder they had the right to hang him; and that, if thereby, life and property would have been more effectually secured than by any other mode of punishment, it was their duty to hang him; for as the Catechism of the Council of Trent says:—

"The end of the commandment is the preservation and security of human life."

In justice to the *Quebec Colonist* we would add that he has since qualified his statements respecting the "cities of refuge;" though he still holds to the opinion that the Mosaic Law respecting the shedder of blood was a "bad law." It is a pity that the Lord did not consult the *Quebec* editor before issuing His instructions to the people of Israel; so might He have been saved some gross errors in legislation.

BACKING OUT.

In the month of March last, the Rev. Mr. Carden—a Protestant minister, attached, we believe, to the Anglican sect—delivered at Quebec a lecture upon the doctrine of the "Immaculate Conception;" in the course of which he pronounced that doctrine to be "contrary to reason and common sense;" adding "that he was willing to listen to any priest or layman who was prepared to assert that what he alleged was incorrect."—Such at least was the report of the reverend gentleman's lecture, as given by the *Quebec Gazette*.

The lay editor of the *TRUE WITNESS* immediately accepted this challenge; and called upon the lecturer to prove that the doctrine of the "Immaculate Conception" was "contrary to reason and common sense;" or, in other words, to prove that the opposite of that doctrine—the "Maculate Conception" of the Mother of God—was evident to, and in accordance with, reason and common sense.

Several months elapsed, and we thought that Mr. Carden had forgotten the subject altogether; or, that feeling himself unable to substantiate his rash assertions, he was willing to let it drop.—In August last however, there appeared in the *Quebec Gazette* a letter from the same gentleman, in which he admitted that, as he had "challenged any clergyman or layman to stand up against him in defence of the doctrine of the 'Immaculate Conception,' he was bound to take notice of the remarks made in the *TRUE WITNESS*." To this we again replied at once, that we were still perfectly willing to accept the proffered challenge; and we again called upon the challenger to prove "that the doctrine of the Immaculate Conception was contrary to reason and common sense." To this acceptance of Mr. Carden's challenge to "any clergyman or layman to stand up against him," he—the same Mr. Carden—replies under date of the 11th inst., as follows. The Italics in all these quotations are our own:—

"I wish it to be distinctly understood that, if any authorised priest of the Roman Catholic Church is

prepared to argue the point, I am ready to meet him, in a kind gentlemanly, and, I trust, Christian spirit; but I will not again answer any communication which has not the author's real name signed to it, and that writer must be one duly authorised to declare the teaching of the Roman Catholic Church on this, and all other of her doctrines."

Mr. Carden well knows that no one, except a duly ordained priest of the Catholic Church, is, or can be, "duly authorised" to declare the teaching of the Roman Catholic Church on any of her doctrines: he is also, no doubt, aware that no priest of that Church will enter into a public or newspaper controversy with him upon points of doctrine; his declared intention, therefore, not to take notice of, or reply to, the arguments of any layman is virtually a retraction of his former rash challenge to "any CLERGYMAN or LAYMAN to stand up against him." And if this be not a "backing out" of a controversy, which he had himself provoked, we must confess that we know not in what other terms to qualify it. Upon this point, however, we will leave our readers free to form their own conclusions.

Perhaps however, though not very honorable, the course adopted by the Rev. Mr. Carden is the most prudent. He finds himself in a difficult position; engaged to perform an impossible task—a task which, as we shall show, he himself admits to be impossible. Evidently, therefore, to decline the contest altogether, is his wisest policy; though perhaps not altogether one that is calculated to raise him in the opinion of his friends. We would still remind Mr. Carden that the lay editor of the *TRUE WITNESS* is quite prepared "to stand up against him;" and to prove from the writings of Protestant authors that the doctrine of the "Immaculate Conception" is not contrary to reason and common sense—that is, to the sense which all men, in common with Mr. Carden, possess.

Mr. Carden misrepresents the argument of the *TRUE WITNESS*. We never pretended "that the doctrine of the Immaculate Conception is not contrary to reason and common sense, because the contrary to that doctrine is certainly not 'contrary to reason and common sense;' neither did we call upon him "to believe that the Virgin Mary was born without sin, because Cain and Abel were born in sin." Such absurdities may find a place in the brains of an evangelical minister, but none assuredly in the columns of the *TRUE WITNESS*.

Our argument was this—That, if to assert the Immaculate Conception of the Blessed Virgin be "contrary to reason and common sense," then, "reason and common sense," without the aid of revelation, must suffice to establish the contrary doctrine—or, that the Blessed Virgin was conceived Maculate; that is, stained with "Original Sin." But, we argued, "reason and common sense" alone cannot suffice for this; because certainly, without the supernatural light of revelation, it cannot be proved that, to any of the descendants of Adam, is the sin of their first parent transmitted; and because, even with the aid of that supernatural light, many, perhaps the majority of, Non-Catholic Christians, at the present day, reject the doctrine of the hereditary transmission of "Original Sin" altogether, and assert the "Immaculate Conception" of all the human race—except the Blessed Virgin.

Now, although Mr. Carden thinks fit to call those who differ with him upon this point "heretics," because in the exercise of their private judgment they arrive at conclusions different from his own, this in no wise affects the validity of our argument. For even "heretics" have natural "reason and common sense;" and guided by these alone, they reject as "contrary" to them, the doctrine, not of the "Immaculate," but of the "Maculate Conception" of any child of Adam. Now, a "sense" which Mr. Carden does not possess in "common" with heretics and infidels is not a "common," but a peculiar sense. His thesis therefore should have been that the doctrine of the "Immaculate Conception" was "contrary" to his "peculiar" sense.

Does Mr. Carden intend however to brand as "heretics" all Protestants who deny the "Maculate Conception" of the descendants of Adam?—If so, the number of the orthodox must be an infinitesimally small quantity. In the first place, all the Protestant denominations called "Liberal," and they comprise the names of the most eminent and philosophical writers upon theology in the Protestant world, reject that doctrine as injurious to the mercy and justice of God; in the second place, we find that even amongst the so called "evangelical sects, the doctrine of the 'Maculate Conception' is indignantly repudiated, when it suits their convenience to sneer at the Romish doctrine of 'Baptismal Regeneration.'" We will furnish Mr. Carden with an instance.

He will admit, we suppose, that the *North British Review* is a fair exponent of the theological views of the said "evangelical" party in England and on this Continent. Now in the August number of that *Review* we find the doctrine of the "Maculate Conception" of any, even of the children of idolatrous parents, scouted as a Popish absurdity, as an insult to the divine attribute of mercy. As thus:—

In an article on "Christian Missions," the *Reviewer*, with the object of turning into ridicule the zeal of Catholic missionaries to confer the

Sacrament of Baptism upon newly born children, thus delivers himself:—

"These children are saved, by this surreptitious sprinkling from that bitter wrath of their Heavenly Father, to which their innocent souls would otherwise have fallen victims"—p. 170.

Mark well the *Reviewer's* expression—"innocent souls." So, according to this exponent of evangelical Protestantism, the "souls" of the unbaptised children of idolatrous parents are "innocent;" but if "innocent," then "immaculate;" for that which is "maculate," or stained with sin, cannot be "innocent" in the sight of Him Whose eyes are too pure to behold iniquity. A few lines further on, the same writer is still more vehement in his denunciation of the doctrine that all are partakers in the sin of Adam; or that the consequences of his prevarication have been transmitted to his descendants. This idea—he says—the idea of the hereditary transmission of sin and consequent damnation of the unregenerate—"appears in the following extract from the American Missionary Report, which has been quoted and deservedly chastised by Bishop Colenso in his pleasant and genial *Ten Weeks in Natal*." The *Reviewer* then quotes an extract from the said *Missionary Report*, in which "a heathen child, after having embraced the Gospel," is represented as mourning over the probable fate of her deceased idolatrous relatives; and comments thereupon as follows:—

"Can this be mere *ad captandum* language, intended to draw contributions to the missionary societies. If so, it is very wicked. But if it be really genuine and sincere, how melancholy a fanaticism does it display! We shudder at the accounts of Devil-worship which come to us from so many mission fields. We pity the dreary delusion of the Manichees who have thronged the Evil Principle in heaven. But if we proclaim that God is indeed one, who could decree this more than Moloch sacrifice of the vast majority of his own creatures and children, for no fault or sin of theirs, we revive the error of the Manichee; for the God whom we preach as a destroyer of the *guiltless*, can be no God of justice, far less a God of love"—p. 171.

Here again then the *Reviewer* openly asserts that heathen unbaptised children are *guiltless*, and therefore immaculate: for that which is *guiltless*, cannot be "maculate," or stained with sin, either original or actual. Indeed, the majority of Protestant writers are willing to admit the "Immaculate Conception" of all the descendants of Adam, with one solitary exception, in the case of the most pure Virgin "Mother of God."

The above extracts are sufficient to show that the doctrine of the "maculate conception" is not self-evident to the "reason and common sense" of a very considerable portion of the Protestant world; and that therefore, the opposite of that doctrine, or the "Immaculate Conception" of Mary, is not, as Mr. Carden rashly pretends, "contrary to reason and common sense."—Q. E. D. This our challenger himself virtually avows; for, in his last letter of the 11th inst., he says—"I admit that the doctrine of Original Sin is taught in the Word of God, and in that alone."

Not content however with imputing Original Sin to the Blessed Virgin, Mr. Carden now proceeds to assume, from "reason and common sense," that she was guilty of actual sin; that she was—not what the Liturgy of the Church of England for Christmas Day calls her, a "pure virgin"—not "full of grace" as the Angel Gabriel pronounced her to be—but a depraved creature, and a "guilty sinner." We will give our readers the benefit of Mr. Carden's logic:—

"My reason and common sense must tell me, if I pay any attention to the actions of mankind, from their very infancy, that they are prone to evil, and more delighted with carnal and immoral pleasures, than in cultivating holy and virtuous thoughts, and walking in the peaceful and godly paths of religion. Common sense takes note of facts, reason draws just deductions. The history of man is but one long continued series of depravity and its inevitable results. Without, then, reference to the Word of God, for that is the condition of the controversy, common sense notes the depravity of all mankind, and reason points out no exception. But the Blessed Virgin Mary, according to the teaching of the Church of Rome, must have been an exception—one solitary exception, and an exception unnecessary and purposeless in the long uninterrupted succession of centuries. It is this which the Pope and Cardinals, &c., in solemn conclave assembled hold, and it is this new and startling dogma, solemnly announced for the first time, in the 19th century, which both reason and common sense repudiate."

Again, having quoted certain passages from St. Paul's Epistle to the Romans, he continues:—

"In these two passages we find distinctly stated the universal fall and depravity of mankind, no exception is made, no not even the blessed Virgin Mary. And, once more. If we refer to the Virgin's own words, we shall find that she acknowledged and believed herself to be a guilty sinner."

Alas! for the inconsistencies—nay, we should say—blasphemies of Protestantism; according to which the children of South Sea idolaters are immaculate and "guiltless;" but the Blessed Virgin Mother of God—who, in her chaste womb, and in her maternal arms, bore Him Whom the heaven of heavens cannot contain because of the infinite Majesty of His Glory, in Whose dread presence the Cherubim and the Seraphim veil their eyes—was depraved and "a guilty sinner!" If these be the teachings of Protestant "reason and common sense," what must the ravings of Protestant madness be?

To refute such nonsense, would be a waste of

* We would remark that, though the Catholic Church teaches that unbaptised children are *damm'd*, or lost, in the sense that they cannot be partakers of the "Beatific Vision"—she does not teach that they are *damm'd*, in the sense that they are condemned to eternal torture. It was left for Calvin and his followers to gloat, with fiendish malignity, over the idea of predestinate babies, not a span long, burning in hell fire.