

The True Witness.

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MONTEAL, FRIDAY, NOV. 2, 1860.

NEWS OF THE WEEK.

We have now full and authentic particulars of the great battle of Voltorno, which, for the present, seems to have decided the fortunes of Southern Italy. It was a well-concocted, and almost successful effort, on the part of the King of Naples to regain possession of his capital, where—we have the authority of the London Times for saying so—he would, if victorious, have been received with as loud cheers, and as many manifestations of welcome from the people, as those which greeted the entry of Garibaldi. There is not apparently any very strong feeling of loyalty on the part of the Neapolitans towards their Sovereign, but on the other hand he is evidently not the object of any strong or general aversion. The people for the most part seem content to be passive spectators of the contest betwixt Francis II., on the one hand, and Garibaldi, Victor Emmanuel and the filibusters, on the other hand, and to be just as willing to return to their allegiance to the former, as to be enrolled amongst the new subjects of a King of Italy.

The royal troops, however, were repulsed with great loss at Voltorno, though in the early part of the day their progress was such as to seem to assure certain victory to the royal cause; nor could this catastrophe have been averted but for the modern or liberal principle of non-intervention as applied by Sardinia. The Garibaldians were routed, the royal troops were triumphant, when victory was wrested from their grasp by the Piedmontese Bersaglieri, for whose aid General Sistiore made earnest demand to the Marquis de Villamarina. These foreign troops, the soldier of a sovereign professing the doctrine of "non-intervention," and avowedly on terms of peace and amity with the King of Naples, decided the fate of the day; and the dear-bought victory was the work, not of Garibaldian filibusters, or of Neapolitan patriots, but of foreign mercenaries, whom, in violation of every recognised principle of international law, Victor Emmanuel had despatched to fire upon and slaughter the loyal soldiers of a prince with whom he had no pretended cause of quarrel, and with whom he had not even taken the trouble of observing the usual formalities of a declaration of war. No wonder that the King of Naples protests against this mode of "non-intervention."

Nor were the soldiers of Piedmont the sole foreign allies on the day of the battle to whom Garibaldi was indebted for his victory. His artillery, which played a most important part, and proved ruinously destructive to the Neapolitan columns, was served by subjects of Queen Victoria, by British sailors in the service of Her Majesty, and in the pay of the British Government. So valuable were the services of these men that Garibaldi has officially tendered thanks, not only to the Piedmontese ambassador for the aid given by the Piedmontese troops, but to the Captain of Her Majesty's Steamship *Renown* for the loan of his ship's company, and for their invaluable assistance in the Garibaldian batteries. Thus we see that the principle of "non-intervention" is as well understood, and as faithfully acted upon by the British, as by the Piedmontese Government.

Thus too we see clearly the agencies to which Garibaldi was indebted for his victory, and to which the triumph of the revolutionary cause is to be attributed. Not by his own revolted subjects, not by an indignant people risen in arms against their oppressor, has Francis II. been defeated, but by the soldiers of Piedmont, and by the crews of British men-of-war; not because he was a tyrant has been hurled from his throne, but because in his case every principle of international law has been cast aside, and flagrantly violated. These things, in the intoxication of a momentary triumph, and expected victory over the Papacy, may be overlooked or kept out of sight; but if there be any lesson to be gleaned from history or personal experience, it is this—that no law, either in the physical or in the moral order, can be violated, upon any pretext soever, with impunity. Punishment may be slow in coming; the drunkard and the libertine may deem that the excesses of their youth shall never rise up in judgment against them; but as sure as there is a God Who hates iniquity, so sure is it that every transgression of His Law,

which is a Law of justice; will sooner or later meet with its reward. Even the Great Briton would assert the truth of this, had foreign nations dealt with him as he deals with Naples; if during the Indian mutinies Russian armies had been despatched to the assistance of the Sepoys, and the batteries of the mutineers had been served by the crews of French men-of-war.

And Austria, at last, if telegrams may be relied upon, seems inclined to adopt Sardinian and British principles of "non-intervention" in her own behalf. An Austrian army 40,000 strong, writes the *Times* Paris correspondent of the 11th ult., had crossed the Po below Mantua; for which, if true, Austria has certainly this excuse—that France and Sardinia having violated all the articles of the Treaty of Villa Franca, its provisions and engagements are no longer binding upon Austria. Every thing would seem to indicate that war is imminent, and, as the *Times* remarks, this impression is strongly confirmed by the pacific protestations of Louis Napoleon. Another rumor, which is fast acquiring the consistency of a fact, is—that the island of Sardinia is about to be ceded by Victor Emmanuel to France, in part payment of the latter's services in revolutionising Italy, and dethroning the Pope. This is of course stoutly denied by Cavour, and is, therefore, by all who know the man and his antecedents, looked upon as fully arranged. The *Times* thus expresses its opinion of the value of Cavour's protestations and word of honor:—

"Just now M. Cavour is undergoing one of the inconveniences of this uncertainty of diplomatic speech. He is assuring everybody, with bitter aspersions and angry indignation, that this time the assistance of France is to be gratis. There is a suspicion abroad, just as there was a suspicion abroad six months ago, that Sardinia had agreed to buy the aid of France by the cession of Savoy and Nice. Any one who will take the trouble to turn up the files of the Turin and Paris newspapers may see how that suspicion was met, and how unreservedly the possibility of any such compact was denied. Perhaps there may be nothing at all in this new suspicion. France may be really inclined to look on gratis, and her 'idea' this time may not be a foreshadowing of a large slice of Italy. But how are we to know this? Nothing that Count Cavour can say can weigh a feather's weight in incline us to believe one way or the other. M. Cavour is a very patriotic man and a great gentleman, but he speaks a language different from other men, and he enjoys a privilege which divorces his words from their vulgar connection with facts. This immunity from the penalties of what in dull private life would be called by an odious name has its inconveniences, however. Our parliamentarian privilege from arrest, while it increases the member's security, impairs his credit. So the only security which society can have in dealings with diplomatists who use this privilege of diplomacy is to treat their words as they treat themselves."

The position of the Sovereign Pontiff remains unaltered since our last. There is still much talk of a great increase to the French army of occupation, and we learn that the towns of the Comarca, which the Piedmontese troops had at first been permitted to enter, have been reoccupied by French troops. The royal troops still faithful to the King of Naples were represented as again preparing for an attack upon the Garibaldians. Victor Emmanuel was expected at Naples on the 17th, and the farce of a vote for its annexation to Piedmont was to be enacted on the 21st ult. The foreign powers look askance at these strange proceedings. Russia has recalled her ambassador from Turin, and together with Prussia has protested against the attack of Sardinia upon Naples. It is added that with the exception of England, all the Great Powers had notified the Cabinet at Turin that they would not recognise the pretended blockade of Gaeta.

In France these seems to be a strong and daily increasing reaction in favor of the Pope. This manifests itself in Religious services for the brave General Pimodan, and his companions in arms who fell in battle against Piedmontese filibusters. The Imperial Government looks naturally with no very favorable eye upon these demonstrations, but as yet, dares not attempt to suppress them. It is hinted that the object of the concentration of French troops at Rome is, not the defence of the Pope, but war with Austria. Even the most sanguine, the firmest believers in the good intentions of Louis Napoleon are beginning to lose all confidence in the man. On this point a good story is told *apropos* of the Archbishop of Rennes.

The motto of this Prelate is, "in omnibus caritas—in all things charity." In conversation with a Government functionary the Archbishop indulged in some severe remarks upon the Emperor's conduct, for which he was reproved by "Jack-in-Office," who also ventured to remind him of his motto—"Oh," replied His Grace, "as for the Emperor, I have long ago turned him out of my omnibus. He has made me lose Faith, Hope, and Charity—and I have nothing left for him but contrition." From these symptoms we may conclude that the general feeling of Catholic France is setting decidedly and strongly against the "nephew of my uncle."

British news is uninteresting. Breadstuffs still have a downward tendency. From China tidings of success of the expedition to the Peiho have been received, and of the abandonment of the forts by their garrisons. A decisive attack was expected to be made on the 15th of August.

On Tuesday last there was sung in St. Patrick's Church of this city a solemn Requiem Mass for the repose of the souls of the brave soldiers who have sacrificed their lives in the defence of the rights of the Holy See. The Reverend Superior of the Seminary officiated, assisted by the Clergy of St. Patrick's Church.

"The best use you can put a murderer to, is to hang him."

BRAINERD, THE MATRICIDE.—This unhappy convict suffered the extreme penalty of the law on Friday last at Three Rivers. He died hard, or impenitent; professing his innocence, refusing all religious ministrations, and defying God's justice and man's justice. Relating the painful scene, many of our Protestant cotemporaries conclude from the convict's demeanor to his insanity, and insinuate that in his case a judicial murder has been committed.

We would not like to see the gallows demoralised. We have so a high respect for the gallows as an important, as in all Non-Catholic communities, the most important factor of civilisation, or at least of such civilisation as exists amongst them—that we would not even see it suspected. Let us maintain the gallows free even from the slightest taint of suspicion, as it is the last plank of salvation left to those who have rejected the cross. Exeter Hall may cant about an "open bible," and silly greasy faced old women, with or without white chokers, may re-echo the foolish cry; but for what of civilisation, social order and decency Protestant communities still enjoy, they are indebted, not to an "open bible," but to a standing gallows. The gallows tree, with its fruit—hideous though that fruit may be—is the tree of life of Protestant society, by whose sheltering boughs that society is alone protected from the fury of the anarchic storm. All civilisation in short, as we have before remarked, must needs spring up, either in the shelter of the cross, or beneath the shade of the gallows. But Protestant communities having rejected the former, are reduced to the necessity of putting their trust in the latter.

Thinking then so highly as we do of the gallows, and jealous of its honor as the great safeguard of Protestant society; attaching as we do so much importance to the "death penalty" as the most valuable institution which Protestant society still retains, as the keystone which keeps the arch from toppling headlong—we have been naturally pained by the insinuations of the Protestant press against the fair fame of the gallows in Canada, and by their implied attacks upon the "death penalty" itself. Was Brainerd really insane?—then we naturally ask—merely a hardened scoundrel, shamming mad, or trying the insane dodge, in the hopes of cheating the gallows of its legitimate prey?

These involve, we know, some very difficult questions. Every man, the quietest and most self-possessed, contains within himself a possible madman, the Grace of God not withholding him—for is not every sin, more or less, if rightly considered, an act of insanity? Brainerd seems to have been a man of violent passions, of stubborn resolution, and very dull or obtuse in his moral perceptions. But this is the stuff that all ruffians are made of, and every law breaker, burglar, and cut-throat might set up a plea of insanity, were this plea to be allowed in the case of Brainerd. We do not presume however to dogmatise upon this difficult subject; but we want a full, sharply defined and exhaustive definition of insanity before we can enter in justice to society, or with common prudence, allow it to be urged as a plea for tenderness towards the criminal.

And then Brainerd's final impenitence, and undisguised contempt for religious ordinances, are cited in support of the theory of insanity. He didn't see much use in praying; he remembered or knew no prayers save a portion of the "Lord's Prayer," which he had learnt as a child; and he refused to be baptised, because he couldn't see any use in baptism.

In these things we see no signs of madness, but merely proofs of the convict's sound Protestant training. As a Protestant, Brainerd was quite right. Baptism—if the doctrine of baptismal regeneration as taught by the Catholic Church be not true—is a humbug, a useless and degrading superstition, to which we cannot understand how any man of sense or spirit would willingly submit. And so with his rejection of prayers on the scaffold; there was no incoherence on the convict's part in asserting his right of private judgment, no signs of any incapacity to reason; on the contrary, his language and demeanor throughout were consistent and in perfect harmony with what we can glean of his past career—that is to say, the demeanor and the language of a bold clever ruffian, who feared neither God nor man.

He wrote very execrable verses, however, and his orthography was marvellously indeed cunningly bad. True; but this does not prove that the writer was not, or should not be held morally responsible for his actions. Indeed he seems to have been a very cunning knave. "He had allowed"—says the reporter for the *Montreal Herald*—"his beard to grow to a great length. With the intention, I believe, of disguising himself, before he returned to this country in autumn last." This precaution would seem to indicate on the part of the convict, both a consciousness of guilt, or at all events of liability to the outraged laws of the land, and a design to evade that liability, and is not easily reconciled with the theory that he was of so disordered an intellect as to be no longer morally responsible for his actions.

We have therefore, from the facts as yet before the public, no valid reasons for doubting that substantial justice has been, or for apprehending that the gallows has been abused, or the death penalty discredited by the hanging of Brainerd. On the contrary, we believe that society owes a debt of gratitude to the Executive for refusing to listen to petitions for a commutation of sentence, painful though that refusal must have been. Its members, from the evidence laid before them, must be better able to judge of the fact of Brainerd's sanity, than we can pretend to be, who glean our knowledge scantily from newspaper reports; they were convinced, and we see no reason for questioning the wisdom of their decision.

Brainerd seems to have lived and died unbaptised, and therefore a heathen. The term Protestant is restricted to the baptised Non-Catholic, and is therefore scarcely applicable to the unhappy convict.

PROVIDENCE VINDICATED.—What strange functions will not man assume! Have we not seen, or at all events read of, an Anacreon of the Guillotine, did not Cloutz assume the title of Representative of the Human Race! Why then should not the editor of the *Montreal Witness* set up in business as the special vindicator of the ways of Providence?

But the man has no credentials, we shall be told;—he can assign no proof of his having been taken into the inmost counsels of God. Pshaw! what of that? If he has no credentials, he has an immense fund of cool assurance—if he has no proofs to bring forward, he is never at a loss for reckless assertions; and are not assurance and assertions valid substitutes for credentials and proofs of a divine mission?—are they not the sole stock in trade of all our moral reformers, of all our modern philanthropists, of the Cummingses and the Stigginses—of all those who expound the Apocalypse, and who find out striking coincidences betwixt the name of Pius IX. and the number of "the Beast," and who can give you chapter and verse for the downfall of the "Man of Sin," in November 1860? Besides, is it not written, that fools rush in where angels fear to tread!

Foremost amongst these—not the angels, but the other party—we must assign a place to the editor of the *Montreal Witness*. In the "pious line" of business he has no superior, perhaps not an equal in Canada. There is not a more in the Provision market of which he is not aware, not a passage in the sacred prophecies but what he will explain at a moment's notice; and in the same breath he will make known to you the market value of Mess Pork, and the secrets of Divine Providence. Nothing comes amiss to him; in all matters, whether connected with commerce or with godliness, he is fully posted up. With the same nice tact as that with which he discriminates betwixt the several grades of Flour and Butter in the market, will he distinguish betwixt the "judgments" that befall his friends, and the "trials" from which he himself, good man, is not exempt. Why Mrs. Smith's baby had so much trouble teething, why the steamer Lady Elgin was lost during an excursion trip, whom the Lord is angry with, and why—are facts with which he is as familiar as he is with the state of the money market, or the value of shares in the Grand Trunk. From the obscurest text of Scripture he will pound you out a beautiful evangelical sermon as easily and unconcernedly as he can shave a note; and altogether—it will be his own word for it—he is as well posted up in the affairs of the other world, as if he were a regularly appointed celestial broker, and sole authorised agent for the sale of "through" tickets for the Kingdom of Heaven. One portion of his multifarious duties consists in vindicating the decrees of Providence, and justifying the ways of God to man.

Some of these vindications or justifications are to say the least, startling, not only by their novelty, but by their violent antagonism to all preconceived notions of truth and justice, of right and wrong; and so much is this the case that some sceptical not to say irreverent persons, are inclined to more than suspect that the editor of the *Montreal Witness*, notwithstanding his high professions, his bold pretensions, and the general evangelical greasiness which pervades him, and characterises his demeanor—is after all nothing better than a charlatan, or pretender in spiritual matters. The accuracy of his terrestrial views, no one will call in question, and his quotations of "Prices Current" are worthy of all praise; but at the same time the last theory started by our unctuous cotemporary to account for the late Orange excitement in Upper Canada, and to assign the cause of the insults offered to the Prince of Wales at Kingston, Belleville and Toronto, is calculated to shake our faith in his faculties of spiritual insight.

That theory is, that the outrageous demeanor of the Canadian Orangemen, their insults to the Prince of Wales, and their seditious clamour for "annexation," were expressly designed by Divine Providence as a rebuke to, and judgment upon, the Prince of Wales for occasionally taking a drive in his carriage of a Sunday afternoon. At this enormity the Saints it seemed were greatly scandalized. "The Sabbath drives of the Prince" says the *Montreal Witness* in his quality as interpreter of the "Divine Counsels," and vindicator of Providence—which were substituted for evening service, seemed to countenance one of the greatest evils which afflict this country, namely Sabbath desecration. Taken altogether, therefore it is not wonderful that a check on such a course should be interposed by Divine Providence" (what lots of strange things "Divine Providence" has to answer for, if our cotemporary's theories be true!)—"in some shape or other. We recognise in this most painful and untoward Orange difficulty that check."—*Montreal Witness*.

Whether the above explanation of the *Montreal Witness* does, or does not, fully account for the milk in the cocoa nut—whether it will be received at the approaching session of Parliament as a full and satisfactory theory of the cause of the late Orange riots, and be admitted by the opponents of the Ministry as a full exculpation of the Governor General and his official advisers, are questions which we will not at present discuss; neither do we feel ourselves called upon to impugn our cotemporary's theory; though we may be pardoned if we hint our opinion that a close investigation would reveal that after all, whiskey had as much to do in provoking the blackguard language and still more blackguard acts of the "low Orangemen" of Upper Canada as had Divine Providence; that the hand of Ogle Gowan was quite as visible therein as the hand of God; and that it is in accordance neither with reason nor with revelation to represent the Holy One as the instigator of Kingston rowdiness, and the abettor of Toronto leaguers. We should also, if it be not impertinent, like to know upon what texts of Scripture the *Witness* bases its reasons for supposing that the Lord chastened the people of Belleville, and deprived its young ladies of their anticipated polka, by way of reprisals for the Sunday afternoon airings of the Prince of Wales. This is a new phase of the doctrine of the vicarious atonement for which we

suspect there is little warrant either in scripture, or in oral tradition.

MEMORIAL DE L'EDUCATION DU BAS CANADA. By J. B. Meilleur—formerly Superintendent of Education for Lower Canada.

This is a valuable little work, which gives a summary of the chief facts connected with education in Lower Canada from 1615 to the year 1855; and which at the same time certainly shows how little, how very little, the cause of education owes to the State or to Acts of Parliament, but how much it is indebted to the Catholic Church, and the charitable exertions of private but patriotic individuals, for all the progress it has made in Canada. This is we believe the lesson or moral to be derived from M. Meilleur's work, though we do not suppose that such was its author's design. Still it is strongly confirmatory of our thesis, that at best, the State can do but little, very little, for the education of its subjects; and for the simple reason that education is not one of the legitimate functions of civil government. It can effectually retard the progress of education; by an illtimed jealousy of the Church, by arbitrary restrictions upon the rights of property, and tyrannical mortmain laws, the State can, and has actually everywhere, placed great obstacles in the way of education; but alas! though so powerful for evil, it is almost always impotent for good; and with the best designs it can do but little, very little indeed, for the moral or intellectual advancement of its subjects. In fact, would the State but leave the Church free, the less it meddled, or in any manner interfered with Schools, Colleges, and Education the better. Non-intervention, whether with the School or with the Church, whether with trade or private charity, would be perhaps the soundest policy that a State could adopt, and the one certainly most in harmony with the axioms of political economy.

For what of education exists in Lower Canada, for all that is truly valuable therein, we are indebted under God, to the Catholic Church, and to private enterprise. It was by the *Recollets* Fathers in 1615 that the first schools and educational establishments of Lower Canada were established, and conducted; and so as a matter of course, the State confiscated the property of the *Recollets*. This is one instance of what the Church, and what the State, respectively, have done for the cause of education. The Jesuits in like manner in 1625 founded educational establishments, schools and colleges of a higher order, and in like manner the State seized upon and confiscated the property of the Jesuits. The State, in short, has proved at best but a sorry ally to the friends of education; and the paltry grants which it now makes to the cause are but a very imperfect and very tardy compensation for the incalculable injuries it has inflicted.

In spite of State interference, in spite of social, political and physical obstacles, the cause of education in Lower Canada, thanks to the fostering care of the Catholic Church, thanks to the untiring zeal, and charitable devotion of her Pastors, her Religious Orders and her children, thanks to the blessing of God upon their labors, still made progress even in the worst of times.—Laval College, founded by the Prelate of that name, the Ursuline Convent at Quebec, the Convent of the Congregation at Montreal, of the Sacred Heart, the College of the Seminary of St. Sulpice, and the Christian Brothers—are all monuments of the incessant interest with which the Catholic Church has watched over the education of all her children; and for the establishment, for the prolonged existence, and the success of these institutions, we are indebted, under God, to her, and to her alone. To the State we owe no thanks; we recognise no virtue in Acts of Parliament, and confess no manner of obligation to them. What has been done for the cause of sound education in Lower Canada has been done, always without the State, generally in spite of the State; and look at it in what light we may, State-Schoolism appears at best but a questionable blessing.

This thesis, though unintentionally, is fully developed in Dr. Meilleur's very interesting though unpretending work before us, of which it gives us much pleasure to be able to speak in terms of high commendation, as a most important summary of the labors of Catholicity in Lower Canada, in behalf of the instruction of the people.—To some of the writer's theories perhaps we would not altogether like to commit ourselves; but as to his facts, we believe that they are always in the main correct, and to be relied upon.

On one point cordially do we agree with—that mere secular education is of, at best, little value in a moral point of view. We do not admit therefore, without qualification, the motto with which his volume is prefaced, to the effect that "primary instruction helps to soften manners, to dispel fatal prejudices, to form the people's judgments on its interests, and to enable it to avoid many evils." In the sense in which Dr. Meilleur uses the words "primary instruction," this is no doubt true, for with him religious is an essential element of all instruction. But with the great mass of those who call themselves the friends of education, and in the restricted sense in which they use the word, nothing can be more groundless. Mere secular education has no more tendency to improve morals, than has a bread police to set a broken leg. The laws of syntax, the mysteries of the multiplication table can have no effect on the human heart, whilst it is from the heart that all immoralities proceed; and though secular education may slightly change the direction in which a man's evil propensities manifest themselves, and may perhaps convert a possible burglar or foot-pad into an actual forger, it will leave their amount untouched, undiminished in quantity, and as intense as ever.—These are, we admit, mere truisms, but they are truisms nevertheless which invariably are, indeed must be, overlooked by the advocates of State-Schoolism.

For as police is the one legitimate, indeed the most important function of civil government, or the State; as its chief duty is to prevent crimes against person and property, so its claims to control the education of its subjects must be based upon the grounds that the education which it can