

The True Witness

AND
CATHOLIC CHRONICLE,
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MONTREAL, FRIDAY, AUGUST 9, 1872.

ECCLESIASTICAL CALENDAR.

AUGUST—1872.

Friday, 9—Vigil of St. Lawrence.
Saturday, 10—St. Lawrence, M.
Sunday, 11—Twelfth after Pentecost.
Monday, 12—St. Clare, V.
Tuesday, 13—Of the Octave.
Wednesday, 14—Vigil of the Assumption.
Thursday, 15—Assumption of the B. V. M.

We regret that we received the "Sermon" too late for this week's issue. It will appear in our next.

NEWS OF THE WEEK.

We learn from the Roman correspondence of the *Tablet* that the Italian and Prussian newspapers are much occupied with the *next conclave*; not very near (God be thanked), as our dear Holy Father looks stronger and healthier than he ever did. An arrangement seems really to have taken place between the two governments, and we can imagine what sort of arrangement. The Prussian Government is very anxious to see all the Cardinals together at the election, as it fears that one of them, a very Prussian one, might be left out. God will arrange that.

The law for the suppression of Convents and Religious Houses is ready; all the convents of the Roman provinces outside of Rome will disappear; inside the only one exception that will be made being the *Casa generalizia*, that is, the houses where the Generals of the Orders reside. All the properties, as well as the other properties belonging to the churches and benefices will be *convicted*, that is, *confiscated*; everybody knows what this conversion means. For two or three years, more or less, the old proprietors gets nothing, as the "liquidation must be carefully executed;" and then, perhaps, he receives six or, in some cases, 10 per cent of the subsequent income.

A compact it is said, has been entered into by Prussia and Italy on the eventualities of Spain, by which it is stipulated that in the case of the Duke of Aosta being forced to abdicate, Prince Frederick Charles should become King of Spain. Such preponderance of German influence in the Mediterranean could scarcely be regarded calmly by England or France.

From Belgium we learn that the strike in the coal district of Borinage, which at first threatened to give a great amount of trouble, is likely to come to a speedy termination. Already 1,000 men have returned to work, and the rest are inclined to resume labour in a day or two.

A London letter states that a number of influential members of the International Workmen's Association assert that it is not improbable that the dissolution of the association will be accomplished at the coming general Congress, to be held at the Hague on the 2nd September.

A telegram from Paris announces that the meetings of the National Assembly have been prorogued until the 11th of November.

There is nothing new to report with regard to the proceedings of the Board of Arbitration at Geneva.

Freshets in Garonne and other rivers in the South of France have caused great destruction of property.

The British Ballot bill received the assent of the Queen on July 18. The statement was received in the House of Commons with a burst of cheering from the Liberals, which increased to a perfect storm on the Opposition giving vent to a few groans. People in England are now anxiously discussing the effect of the bill on the constituencies; the next election will be watched with the greatest interest.

The London Press consider the letters of Messrs. Sumner and Banks together with the alleged Democratic victory in North Carolina indicate the election of Mr. Greeley in November.

In the case of Grace Marks, for a long time confined in Kingston Penitentiary for poisoning, the clemency of the Crown has been at length exercised. She is to be liberated on condition that she leaves Canadian soil at once and never returns to it.

THE EPISCOPATE OF LOWER CANADA AND THE NEW BRUNSWICK SCHOOL QUESTION.—The Archbishop and the Bishops of the Ecclesiastical Province of Quebec, have seen fit to make public the subjoined documents, in which they express their several opinions as to the moral obligations imposed on Catholic legislators by the action of the New Brunswick legislature in the matter of education. The opinion of the renowned Canonist, Mgr. de Angelis, had been previously published on a case submitted to him.

The first in chronological order of the documents above referred to, is from His Lordship the Bishop of Rimouski; and is addressed to the Clergy of his diocese, under date July 1st, 1872:

"SIRS, AND DEAR FELLOW-LABORERS,—On the 29th of April of last year, following the lead of Mgr. the Archbishop, I denounced to you a certain *programme* published by some journals, as the rule of conduct to be followed by all the Catholics of the Province in the then approaching elections; and I declared to you that it was drawn up without any participation therein of the Episcopate, and was therefore destitute of all authority whatsoever in my diocese.

"To-day, as the new elections draw nigh, the same journals styling themselves the Catholic Press to the exclusion of all others, again pretend to dictate to the Catholics of the entire country, the conduct that they should pursue: as if in each diocese there were, for the direction of consciences in the application of rules some other authorised guide besides the first Pastor, united with, and subject to, the Supreme Chief of the Church.

"I deem it therefore my duty to declare to you again that the Clergy and the faithful of this diocese, have, in questions of conscience no directions to receive except from Episcopal authority, saving always the exalted revision of the Holy See.

"As to the New Brunswick School Act, which gives these journals the occasion for returning again to the charge. You should consider:—

"1st. That doubtless every Catholic is bound to disapprove the principle of that Act, as well as to apply a remedy to this sad state of affairs, according to his position, and the extent of his power, whilst observing the rules of prudence.

"2nd. That such Catholic is nevertheless free to select, to attain so desirable an end, the means that to the best of his conscience he believes to be the most appropriate for that purpose, with the least risk possible of disturbing the religious peace of the country.

"3rd. That the constitutionality of the said Act, and the appropriateness of invoking the intervention of the Imperial Parliament, or that of the Federal Government, are amongst these questions which, from the stand point of conscience are free questions; and that therefore our Catholic legislators could, without wounding their religious principles, vote either in one sense, or in the other.

"This, gentlemen, is what should guide you in the direction of the souls committed to you in the circumstances in which we find ourselves.

"Accept the assurance of my sincere attachment,

"† JOHN, Bishop of St. G. de Rimouski." Next in order in point of time, appeared the following Circular to his Clergy, from His Grace the Archbishop of Quebec, under date of 18th July, 1872:

"SIR,—I have read in the journals the answer given by Mgr. de Angelis to a consultation relating to the question of the New Brunswick schools. Several members of the Clergy have asked me if it were true, as a journal has asserted it to be, that this answer determines finally the question as to what was the duty of the Government, and of the Legislature, in this affair.

"I deem it my duty to protest against such an exaggeration, which upsets all notions of the Ecclesiastical hierarchy, by assigning to a theologian, no matter what his merit, an authority equal to that of the Sovereign Pontiff.

"Besides, it may still be believed that, had the difficulty in question been laid before him together with all the circumstances fitted to bring out its true nature, the answer might have been very different.

"I subscribe cheerfully to the principles so wisely, and so clearly enunciated by Mgr. de Rimouski in his Circular of the First of July.

[Here follow the last four paragraphs of the Circular from the Bishop of Rimouski given above.]

"Accept, Sir, the assurance of my sincere attachment,

"† E. A., Archbishop of Quebec."

Under date July 25th, His Lordship the Bishop of Montreal, addressed to the Clergy of his diocese the Circular of which we give the translation below:—

"WELL BELOVED FELLOW-LABORERS,—You will receive together with the present, an authentic copy of the answer of Dr. de Angelis concerning the mixed schools of New Brun-

wick, so that, after having made use of it, you may deposit it, as an important document, in the archives of your Fabrique.

"This answer is not a judgment of the Holy See; but the opinion of a learned Canonist, who makes authority, because he is initiated in the doctrine taught and practised in the Roman Congregations so wisely established to assist the Sovereign Pontiff in the government of the Church. A Councillor of these holy Congregations, it cannot be doubted that he is their faithful echo. We may therefore believe that he answers exactly as would have officially answered one of these Congregations had it been consulted.

"This answer then by no means overthrows the hierarchical order, since to this able Canonist it by no means gives an authority equal to that of the infallible Pontiff. Neither does it determine what in general, should have been the duty of the Government and of Parliament in this affair, but what was the duty of Catholics conscientiously and legally called upon to hinder in an effectual manner the unjust oppression of the Catholic minority in New Brunswick.

"In provoking this answer by the consultation that heads the said opinion, I have but followed recent examples, well known to every body. Thus Mgr. Horan, Bishop of Kingston, and Mgr. Taschereau, then Rector of the Laval University, and to-day Archbishop of Quebec, being at Rome whilst the great question of Confederation was being agitated in Canada, consulted two celebrated theologians, to know whether Catholics could in conscience vote for that new constitution, although therein Divorce was authorised by law. It was at that time pretended by some that this difficulty had not been exposed together with all the circumstances fitted to bring out its true nature.—Nevertheless the answer of the two Doctors prevailed.

"All the Bishops of the Province, assembled in Rome for the Sacred Council of the Vatican, united to consult Dr. de Angelis, as to his opinion on certain articles of the Civil Code which to them seemed at variance with Canon Law. All accepted his doctrinal decision, and conformed thereto, knowing well however, that it was but the opinion of an individual Doctor who certainly could not have an authority equal to that of the Sovereign Pontiff.

"Every body knows also the consultation held at the same time by Mgr. de Rimouski to settle certain difficulties on the law of education which excited in this country very lively and serious discussions. No one found fault with the answer given by Dr. de Angelis to the questions proposed to him on this grave subject. It was well understood that a Roman Congregation consulted on these different points would not have given different replies.

"These observations have appeared to me necessary in order that the answer in question be not weakened at the expense of the principles therein established, and should guide us in the serious difficulties excited by the New Brunswick School question.

"Now the conclusion we have to draw together with our excellent Doctor—who surely should appear to us perfectly disinterested that is to say, beyond the influence of the parties formed here on this important question—is quite practical, as appears from the following words:—

"Hicse positis * * * puto nec posse indifferentium demonstrare, sed teneri pro suis viribus id efficere ut iustitia in omnibus locum habeat, cum Catholici sit diligere iustitiam et odio habere iniquitatem."

"There is then on us, who should look upon the New Brunswick School Act as an unjust oppression, a serious obligation to do all in our power to apply a remedy to this sad state of things, according to our position, and our strength, and observing the laws of prudence; that is, we should all with one accord take the true means placed by law at our disposal to break asunder the bond of iniquity which detains our brethren beneath the load of a flagrant injustice.

"So as not to go astray on a road encompassed with difficulties I have thought it necessary to consult several juris-consults eminent at our Bar, and I address to you their answer which you will preserve in your archives so that those who succeed you may know that we have acted with prudence in this thorny affair.

"This *Memoir* needs no commentary; thus I have only to deduce from it certain practical conclusions which will show that we are within the limits of our strict duty.

"Dr. de Angelis starts with this supposition 'Suppono Congressum federatam esse competentem pro rejicienda, vel retinenda ea lege', etc.

"The consultation of lawyers, of which I send you a copy proves this fundamental point that it was in the power of the Governor General on the advice of the federal Ministers to disallow this unjust Act: and that if they did not do so, it was the right and duty of the Parliament to insist and to censure the Ministers for this denial of justice.

It follows in fact:—1. That the Catholics of New Brunswick whose rights, and religious belief have been injured by the mixed school law passed by their legislature, have in virtue of the Act of Confederation, a right to address themselves to the Government and Federal Parliament for protection against this unjust and oppressive law.

"2. That the Government and Federal Parliament not only might but should, have interfered in favor of the Catholics unjustly treated by the Provincial legislature, and the mode of intervention is traced out.

"They then, whom the Act of Confederation charges with the duty of intervening in favor of our brothers unjustly oppressed are first, the Federal ministers, as councillors of the Governor; and in their default, the members of the Federal Parliament has had the courage to do those who in a minority voted for the disallowing of the law in question.

"Now there are others who may and should take part in this grave question so that justice be done to the Catholic minority of New Brunswick. First the electors are in conscience bound to send to Parliament men able in all respect to defend the rights of Religion; and next the pastors of these electors, who are bound *ex-officio*, to instruct them in this duty so grave and serious, since the salvation of so many souls thereon depends.

"This obligation incumbent on electors and their pastors cannot be called in doubt, since the learned writings daily published here and elsewhere, and after the instructions and ordinances addressed to their several flocks by the chief pastors who in France, Italy, Belgium have raised their voices. The annexed Circular of the Cardinal Archbishop of Naples will be of much service to you in actual circumstances. You will therefore preserve it in your archives together with the two documents above mentioned.

"In conclusion: let us in this affair approve ourselves according to the precept of Our Saviour *simple as doves*, proceeding with pure and upright intentions, and *prudent as serpents* attaching ourselves hearts and souls, to sound principles whose truth can alone save us. As the most crafty of animals which, in time of danger, puts its head in safety as therein lies its life let us fight for the authority which is the life of the Holy Church. Let us attach ourselves to good principles, and labor to assure their triumph.

"And as for men, let us attach ourselves to those who, heart and soul, hold good principles and support them according to our strength. Should they err let us pray that they return to the ways of truth, but let us not follow them to go astray. Let us be prudent in giving aid to our brothers in New Brunswick, selecting the means which alone are effectual to deliver them from the unjust oppression beneath which they groan, and not in reverting to means which will result in nothing. The true means are the constitutional means indicated by the Act of Confederation, let us not seek them elsewhere for it would be to abuse ourselves and to deceive the faithful entrusted to our care.

"Let us apply to ourselves the words of the office of this day which proclaim the glory of the Blessed Apostle St. James whose glorious solemnity we celebrate—*Estote fortes in bello et pugnate cum antiquo serpente et accipietis regnum eternum*. Our victory will be the more complete and our crown more brilliant if we make this diocese to participate in this triumph. In this firm hope I remain of you all, and of the faithful confided to your care the very humble and devoted servant,

"† IG., Bishop of Montreal."

When the Prelates of the Church have spoken it is time for the laity to hold their peace, and to obey those whom God has set over them to guide their souls to heaven. We must remember too when we hear the voice of our Pastors, whose ministers they are; and bear in mind that their words must not be lightly treated, since he who despises them and their words, despises Him Who sent them.

PROFESSOR McLAREN AND ENGLISH HISTORY.

LETTER III.

MOST LEARNED PROFESSOR,—It appears strange to Catholics, that a man of your education should have courage to utter the word *toleration* in face of the disgraceful facts—1. that Catholic emancipation is not yet fifty years old; and 2. that even at this present moment Catholics are *debarred from the highest offices of the state*. That a Catholic king cannot reign in England—that a Catholic subject cannot be Lord Lieutenant of Ireland—and that a Catholic statesman cannot be Premier of the British government, etc., etc., are such lamentable relics of that intolerant spirit, which called in a Dutch Usurper to reign on England's throne, that one would suppose, that the word *toleration* would be silently ostracised from the English vocabulary until such time, as better and more liberal councils should prevail over the nation. The word "purity" has a harsh unholly sound from the lips of a courtisan: the word *toleration* is as equally out of place at

an Orange celebration. But this is anticipating. It is a remarkable fact, most learned Professor, that if in that age which you called tolerant, there was any return to a tolerant policy, as evinced for instance in the proclamation by James of liberty of conscience to presbyterians and quakers, as well as to Catholics, it was due to the *unconstitutional* conduct of a Catholic king—was altogether contrary to the wishes of the nation—and brought upon England a *Dutch dynasty*. And this you call a tolerant age!

That James desired a return to a more tolerant line of conduct than had hitherto swayed the councils of the nation since the commencement of that extraordinary movement by some called the glorious Reformation, is evident from numerous facts though whether that desire arose from conscientious motives or merely from motives of policy, is not for us here to determine. In the first year of his reign James gave it in charge to his judges to discourage prosecutions on matters of religion, and ordered by proclamation as we have already seen, the discharge of all persons confined for the refusal of the oaths of allegiance and supremacy.

On May 27th, 1685, an attempt was made in the committee for religion to petition the king that all penal laws against dissenters (lately somewhat relaxed) should be put in immediate execution. At first this motion met with no opposition, a fact, dear professor, which many will think goes far to destroy that claim for toleration which you advance for this age. Be that as it may; James sent for his friends in the committee complaining of their timidity (it is hard, dear professor as we know to our cost, to oppose the intolerant spirit of any age) and ordered all who prized his favour to oppose the resolution. By this means the attempt was nipped in the bud, and James deprived the nation of an opportunity of displaying to the world the depth of its intolerance, but thereby to his own ultimate discomforture, laid the foundation of the Dutchman's throne.

James' attempts to ameliorate the condition of his Catholic subjects were continuous. Among the officers who had obtained command in the new levies were several Catholics; men who had faithfully served the crown on former occasions. By law, in this age which you call tolerant Catholics were incapable of holding any commission in the army. In the parliament of 1685, James sought to remove these disabilities by abolishing the test act, but the tolerance of the Commons would not allow them to consent, whilst the Lords raising the cry so continuously used by Orangeism ever since, of "Protestantism in danger," shewed conclusively, that *toleration* in any other than an Orange sense was NOT understood in that age. Protestantism, the Lords declared *could not exist without the test act*. Whether Protestantism, most learned Professor, had any right to exist, if its existence depended solely upon the oppression and disfranchisement of a large body of the nation, is a question which might pertinently be asked. But the nation had its own ideas of justice and toleration, and was determined to carry them out. The Marquess of Winchester who claimed the honor of originating the question, called the attention of the house of Lords to the illegal employment of Catholic officers in the army and was warmly supported by the lords Anglesea, Halifax, Nottingham and Mordaunt, and by no one with more bitterness than by Compton, bishop of London, who stated that he spoke the united sentiments of the episcopal bench when he pronounced the test act, the chief security of the established church. This humiliating acknowledgment, that *Protestantism and toleration could not co-exist*, shewed James that he had nothing to hope from the country in his scheme for raising it from the slough of bigotry into which the Reformation had cast it. He suddenly prorogued the parliament with the secret determination of accomplishing by the *disputing power*, what he was not permitted to effect constitutionally.

These fact without entering further into the question, sufficiently show, I think most learned professor, that if at any time in that age which you call tolerant, there was any return to tolerant principles it was on the part of a *Catholic king acting unconstitutionally*. They prove further, that the bulk of the nation was utterly opposed to any toleration of any religious opinions but those of the established church; nay more; they prove conclusively also on Protestant shewing, that Protestantism unsustained by state assistance, was unable to cope with Popery. Compton, Bishop of London claimed to speak the united sentiments of the episcopal bench, when he pronounced the test act the chief security of the established church. Foiled in his attempt to prevail upon the members of the established church, to grant toleration to their dissenting and Catholic fellow countrymen, James was at length prevailed upon by his advisers (amongst whom you will remember was no less a personage than the celebrated Quaker, Sir-William Penn) to turn his attention to the dissenters. From the church