

The True Witness.

AND
CATHOLIC CHRONICLE
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MONTREAL, FRIDAY, MARCH 30.

ECCLIASTICAL CALENDAR.

MARCH—1866.

Friday, 30—GOOD FRIDAY.
Saturday, 31—Holy Saturday.
APRIL—1866.

Sunday, 1—EASTER.
Monday, 2—Of the Octave.
Tuesday, 3—Of the Octave.
Wednesday, 4—Of the Octave.
Thursday, 5—Of the Octave.

NEWS OF THE WEEK.

The Bill introduced by the Ministry for amending the Parliamentary Oaths exacted of Catholics has been pressed to a second reading, and has been carried in the House of Commons by a majority of 298 to 5. The Opposition voted their intention of proposing some amendments to it in Committee. At present it, proposes to establish one uniform oath, to be taken by members of all denominations, couched in the following terms:—

"I, A. B., do swear I will bear true allegiance to Queen Victoria, and defend her to the utmost of my power, from all conspiracies and treasons against her person, crown, or dignity."

The amendments which the Opposition intended to propose to the above oath are intended to secure a recognition of the Royal Supremacy; but even if carried, these will offer no obstacles to Catholics since they refer only to matters purely secular, as will be seen from the subjoined:—

"I, A. B., do swear that I will bear true allegiance to Queen Victoria, her heirs and successors, as limited by the Act of Settlement, and defend her to the utmost of my power from all conspiracies and treasons against her person, crown, and dignity; and I do recognise that in all Courts established by Law in this country, the Queen's authority is supreme."

This form of oath, even if the latter part be superfluous, seems, in so far as Catholics are concerned, quite unobjectionable. No doubt the Queen is supreme in all Courts, civil or ecclesiastical established by Law in Great Britain: no doubt she is the rightful head of that body called the Church of England, as she is of every other merely human, and State created institution within her dominions: all that Catholics deny is that she, or that any secular prince, or that any lay person whatsoever, has, or ever can have, any authority in the Catholic Church established, not by Act of Parliament but, by Christ. In that Church we repudiate, as a pretension too ridiculous to be even seriously discussed, the claims to Royal Supremacy: but of the Church of England, which is as much the creature of the State as is the Custom House, or the Court of Queen's Bench, we acknowledge without scruple that the Queen is the sole and supreme head, competent to do whatever to her may seem good therewith, either in doctrine or in discipline, since it is a mere human institution, which owes its very existence to the State.

A Bill for totally abolishing Church Rates has also been carried through a second reading, in a very full House by a majority of fifty: but it is most likely that in Committee some compromise betwixt the supporters of the Establishment, and the Dissenters will be hit upon. The House of Lords will not pass a measure for the total abolition of the obnoxious tax.

The Fenian excitement in Ireland seems to be somewhat subsiding, and from the increasing rush of the population to the seaports, it would also appear, as if they had given up all idea of engaging in a contest with the British Government. Arrests, however, still continue; and there is a report, not as yet fully authenticated, that Stephens has succeeded in making good his escape.

In Canada the talk is all of arms, and resistance to the menaced Fenian invasion. An excellent spirit prevails: old animosities are forgotten, and ancient political feuds buried, in the presence of a common danger. It is, of course, impossible for us to say what are the intentions of the Fenians in the U. States, or whether they do seriously entertain the design of a filibustering raid upon Canada: but our Government has acted well and wisely in taking timely precautions, and in putting the Province in a state of defence, for which they deserve the thanks of the community, and a hearty support from all Her Majesty's

loyal subjects. We should prove ourselves unworthy of the freedom which we enjoy, were we to prove ourselves slack in rallying round the flag of our country in a crisis like the present: we should but display our unfitness for the exercise of the political rights that our Constitution guarantees to us, were we at the present moment to employ them in unfriendly criticisms upon the policy of our rulers, or in thwarting their plans for the national defence.

AN EXPLANATION.—It has been objected to the TRUE WITNESS that it does not fairly reflect, or rather that it is not a true exponent of, the sentiments of the Irish Catholics of Canada. To this we reply:—

In the first place, that as the TRUE WITNESS does not profess to be an Irish Catholic paper, or a Scotch, or an English, Catholic paper, but simply a Roman Catholic paper—neither more nor less—so also it does not profess, or even make it its study, to reflect, or echo the sentiments, or opinions, of any class of men, be they Irish, Scotch, or English. Its sole study, its sole object, is, to the best of its power, to speak forth, or humbly re-echo, the sentiments of the Catholic Church, as gathered from the teachings of her Prelates and Doctors, careless, or in other words, perfectly indifferent, as to whom it may please, or displease, in so doing. The ambition of the TRUE WITNESS is, not to follow public opinion, for it acknowledges no leader, no authority of any kind save that of the Church speaking by the mouths of her legitimate Pastors; but fully, faithfully, and fearlessly to declare what that Church teaches, and thus rather to rebuke public opinion, when it runs counter to those teachings, than basely yield to the current.

In the second place, and with respect to the matter more particularly referred to, that is to say, the merits of Fenianism and the attitude that all Catholics in Canada should adopt towards it, we have this to say: That we do believe, and until the contrary shall have been proved, will continue to affirm, that the TRUE WITNESS, on the question referred to, is a faithful exponent of the sentiments of the Irish Catholics of this Province, as well as of the opinions of all Catholics of other origins. Our reasons for so believing and asserting are these:—That all the Bishops of Canada, who alone are competent to decide, or express an authoritative opinion upon the question, have defined in the clearest language, the line of conduct which it behoves all Catholics in the Province, without regard to nationality, to follow. From these, the duly consecrated Prelates of the Church, enlightened by the Holy Ghost, but one voice has been heard, and that in strongest terms of condemnation of Fenianism, and of warnings to the laity against in any manner countenancing it.—We need but refer to the public declaration of His Lordship the Bishop of Toronto, and to that of His Lordship the Bishop of Hamilton, to make good our assertion, and to establish our thesis: that every man, be he Irish, Scotch, or English, who is indeed a Catholic, must look upon Fenianism, and all its abettors, with scorn and abhorrence as the worst enemies of the Church.

Nor is it any reply to this to urge, that some men, calling themselves Catholics, encourage Fenianism, and seek to promote its objects. In every class of society there are, in all ages there have been, hypocrites, and apostates; and so today it is no new or marvellous thing if there are to be found some who having formally apostatised from the Catholic Church, by becoming members of a condemned secret society, and by despising the positive injunctions of the Church, should still persist in styling themselves Catholics. This does not, however, affect our position; because not he who crosses himself, and calls himself a son of the Church, but he only who, to the best of his knowledge and power, does the will of his spiritual mother, hearkens with docility to her injunctions, and unreservedly submits himself to her teachings, is indeed a Catholic, or worthy of the name. Obedience is better than sacrifice; much more then is it better than loud blathering, or sanctimonious whinnings about our "holy religion."

THE SUPERIOR OF THE SEMINARY.—The important post of Superior of the Seminary of St. Sulpice left vacant by the death of the late lamented Rev. Dominique Granet has been filled by the election, as successor to the deceased, of the Rev. M. Bayle, for many years Director of the Grand Seminary of Montreal. The new Superior has been a resident of Canada for nearly forty years, and has acquired the respect and love of all who are connected with him by his profound theological attainments, his zeal as a priest, and his indefatigable charity as a Christian.

We would remind our readers that the lecture in aid of the Deaf and Dumb Institution takes place on the evening of Monday next, at the City Concert Hall.

The total number of persons arrested in Ireland, in virtue of the suspension of the Habeas Corpus Act, up to Tuesday, March 6th, amounted to 176, of whom 42 were Yankee Irish.

TENANT-RIGHT.—Everything would seem to indicate, that the case of the Irish tenant is likely to obtain a respectful and sympathetic hearing in the British Parliament, during the course of the present session. The Times, generally a very good index as to the feelings of the community, comes out decidedly in favor of exceptional legislation for Ireland; citing both the reasons why such a course would be just and expedient; and a case that has just occurred in Ireland as an instance of the harsh treatment too often dealt out to good, honest, and improving tenants by Irish landlords, and as calling loudly for legislative interference.

The case referred to will be found amongst our usual Irish items, and it certainly presents some most painful features. Nor, as the Times admits, is this by any means an exceptional or isolated case of legal hardship. "Unhappily"—continues the Times—"the circumstances as reported, so far from being exceptional, illustrate with sad fidelity the grievances incident to the ordinary relation between Irish landlords, and Irish tenants;" and we may add that these circumstances explain, even if they do not at all justify, that wide-spread spirit of disaffection now displaying itself in Fenianism, and abortive attempts at an Irish Jacquerie.

In this case we find a most respectable person, who had invested all her property on a farm leased by her uncle, in real and valuable improvements, turned adrift on the world by the landlord, upon the death of her male relative; and this though she asserts that her uncle, during his lifetime, and that she herself, were encouraged by their landlord to expend their money on the farm, by a positive, though unfortunately only a verbal, assurance, that they should never be disturbed, either during their joint lives, or the life of the survivor.

Had there been a written lease, this summary eviction of Miss Bentley could not have been sanctioned by the law. Now the Times sees clearly that, as the relative positions of the Irish tenant and the Irish landlord are not as are those of landlords and tenants in England and Scotland, so for Ireland an exceptional legislation is needed, and would imply no violation of the rights of property; and as one great need of the Irish tenant is a written lease, the law should strive to secure for him by making it the interest of the landlord, in all cases to grant written leases. These points are well put by the Times:—

"We can easily show in what the actual position of an Irish landlord differs from that of an English landlord, and upon what *prima facie* grounds, therefore, it is sought to establish a distinction between their legal rights against their tenants. In the first place, an English landlord generally resides on his property, whereas an Irish landlord is generally non-resident, and often an habitual absentee. This represents far more than a loss of expenditure and a diversion of Irish rents to the pockets of English and Continental tradespeople; it represents the absence of that kindly superintendence and neighbourly intercourse which helps to remove many a source of discord. In the second place, it is the custom in England for the landlord to make improvements, while in Ireland, where improvements are made at all, they are made by the tenant. We do not stop to inquire whence this difference of custom arises; it is enough that it exists, and reverses all English notions of reciprocal duty between the two parties.—In the third place, almost all leases and agreements relating to land are in Ireland committed to writing; in Ireland verbal contracts, like that set up by Miss Bentley, are the rule, and written contracts the exception. In the fourth place, the demand for good tenants in England is quite as active as the demand for good farms; instead of which, in Ireland, where manufactures are few and languid, the competition for land is such as to place farmers at the mercy of landlords. Perhaps this difference really accounts for all the rest. At all events, any one who will take the trouble to conceive the effect of these four conditions—apart from history and from other elements which may occur to those familiar with the land tenure of Ireland—will cease to wonder why a legal tenant should have been claimed for the Irish tenant different from that which prevails in this country. The claim may be right, or it may be wrong; it certainly is wrong in the form it so often assumes; but it is not groundless; it is not absurd on the face of it."

We have reason to believe that a fresh attempt will be made by the Government during the present Session to settle, or at least to deal with, this difficult problem. In the year 1860 a measure with the same general object was carried by Mr. Cardwell; but the principle of that measure was virtually permissive. It enacted, in terms, that the relation of landlord and tenant should be deemed to be founded on the express or implied contract of the parties; and although it provided that leases or agreements for more than a yearly tenancy should be embodied in deeds or writings, it left the common tenancies at will, created by word of mouth as it found them. Now, the obvious policy of the Legislature, so far as it may be consistent with established principles of law and justice, is to encourage the use of written leases or agreements. Where there is a written agreement properly worded no doubt can be raised as to the right of a tenant to compensation for unexhausted improvements, or as to that of a landlord to enforce eviction upon certain breaches of contract by the former. How then, is the use of written agreements to be promoted? This can only be done effectually by giving the landlord a strong motive for resorting to them, and it is understood that a provision for this purpose will form part of the Government Bill. It will enable the tenant to obtain by valuation the cost of any improvements he may have made, unless a contrary intention shall be expressed in some written agreement. The difficulty will, of course, be to secure the landlord against fictitious improvements, but this difficulty is far from being insuperable. It is further proposed to modify, in some degree, the existing law of distress. This remedy, as every one knows, belongs to the landlord of common right without any express distress-clause. A distress-clause, however, is usually inserted in leases and agreements in the nature of a lease, nor is it likely that a landlord would ever allow it to be omitted if writing were employed. The change in contemplation is to make the power of distress dependent on its insertion in a written instrument, thus introducing a fresh security for the disuse of mere verbal contracts. It will be for lawyers, and those who have specially studied the Irish land question, to discuss these proposals in detail, and to weigh the arguments which may be adduced against them.

It might also, without any invasion of the

rights of property, be assumed by the law in all controversies betwixt landlords and tenants, that "unless a contrary intention be expressed in writing," the tenant's lease is for a long term of years, say twenty-one years; and this supposition again would induce the landlord, as a measure of self-protection, to insist upon a written lease or agreement with his tenant. As it is, the law, where no written evidence to the contrary appears, always assumes in favor of the landlord, or "rights of property;" it would however be just as equitable towards both parties, in such cases always to assume, from the absence of any written documents to the contrary, in favor of the tenant, or in other words of the "duties of property." But at all events it is satisfactory to learn that the Government is about to bring in a Bill on the subject, and that public opinion in Great Britain is aroused in favor of the Irish tenant.

There is a hitch somewhere in the appointment of a Health Officer for the City of Montreal. It was commonly reported that the appointment was to be given to Dr. Girdwood, a gentleman fully competent to discharge its duties; but objections have been raised, and it seems doubtful whether we are to have a Health Officer, at all; or whether beyond talk, anything will be done towards cleansing the City before the warm weather—and its expected companion, Cholera—overlake us.

How much might be done by an efficient system of cleanliness, to reduce the great mortality of Montreal will be evident from one consideration—to wit—that our summer rate of mortality, is higher than the death rate in winter. Now every body knows that it is cold that kills; that, under ordinary circumstances, the lower the thermometer—the greater the death rate. Thus it is in London, and the other large Cities of Europe, not models of cleanliness by any means—where the winter mortality is always in excess of that of the summer, and where every decrease in temperature is marked by a corresponding increase in the numbers of deaths. For instance, a slight decrease of temperature in the third week of February last, raised the London rate of mortality from 1,400 to 1,630.

And but for the inconceivably filthy state of Montreal—the same phenomenon would be visible here; and the effects of the excessive and long protracted cold of our winters would be apparent in a great increase of mortality during the winter months; for it is not warmth, but cold that kills, because cold exhausts or wears out the vital system. On the contrary here, as the thermometer falls the death rate declines: as it rises, the latter increases—whereas in Europe the reverse is the case.

This shows that, though of course cold in Canada does its deadly work in the same style as it does that work in England, the chief cause of our mortality is one generated by an increase of temperature—that is to say, the fetid, and pestiferous emanations from the garbage, from the decomposing animal and vegetable substances, with which all the streets, lanes, and yards of the City are at all times encumbered, but which in winter are frozen over and buried in snow. But over this cause we have absolute control. We have but to cleanse the City of its perilous stuff, to reduce our summer rate of mortality far below the present winter rate—when of course, according to the laws of vitality it would, but for the disturbing cause we have mentioned, be at its maximum. We should then indeed no longer hear our cold winters spoken of as "healthy!" for cold is always deadly, because cold always severely taxes all the vital energies; and though—as compared with our summers, our winters are healthy, this is so because we live in an abnormal order; because we are so filthy that our summers are unnaturally deadly.

A public meeting, convened by His Honor the Mayor on requisition of, and attended by our leading citizens was held on the afternoon of Tuesday last in the Mechanic's Hall of this City. The Mayor was called to the Chair, and Messrs. Chamberlin, Penny, and Lowe were requested to act as secretaries.

The object of the Meeting was to raise funds for the assistance of the families of our brave Volunteers, who at the call of duty have rushed to the frontiers to protect our land from filibusters. This was well set forth by the Mayor who opened the proceedings: and in furtherance of this object a series of sound practical Resolutions were moved and agreed to. At the close a subscription was taken up—the Bank of Montreal leading off with a contribution of Four Thousand dollars; the Grand Trunk Railway Company with Two Thousand, for this section of the Province: the Bank of British North America with One Thousand. Nor were our private citizens slack, for in a few minutes the amount realized was about seventeen thousand dollars.

GRAND TRUNK VOLUNTEERS.—The Grand Trunk employees at Toronto have been formed into six companies in pursuance of the circular issued by Mr. Brydges. Those now in other volunteer corps will be requested to resign, so that the whole staff may join the new organization. It is further understood that parties refusing to sign the roll will be dismissed from the company's service.

THE LONDON TIMES ON CANADIAN FORTIFICATIONS.—In a lengthy criticism of the debates in the House of Commons, on the Army Estimates, the Times takes occasion to censure strongly the expenditure of money on the fortifications at Quebec, and other posts in Canada, as "a hopeless and wasteful enterprise tending to involve this country—Great Britain—in heavy liabilities, without in any material degree protecting the Province against possible invasion from the United States." In case of any serious reverse in the field, it would be impossible, thinks the Times, for the troops to maintain their communications with Quebec; and indeed, with the country on the right bank of the river, on which the only railroad communication between Montreal and Quebec is unfortunately situated—in the possession of an enemy, all communication betwixt these two important cities would be cut off. What is wanted, as of supreme importance in a military point of view for the defence of the Province, is, a line of railroad built, exclusively on the left or Canadian side of the river.

IMMORALITY IN THE UNITED STATES.—The New York Freeman's Journal complains in vigorous language of the moral corruption of his countrywomen, a corruption most evident amongst the wealthiest classes of society in the U. States:—

"The war, as war usually does, set loose a large portion of society from their moorings. The close of the war has not been accompanied by any return to a better order. On the contrary, indecency has grown more and more rampant. The very sense of shame at anything seems to have ceased to exist!"

"It is a received maxim that a general corruption of morals among women, is the unfailing sign that a people has lost all recuperative moral power. This process has been going on for a long time among us. If it is not to accomplish our ruin there is not a moment to lose in staying the plague. It is a more threatening calamity than the cholera, or the trichina in swine's flesh, or the rinderpest among black cattle."—N. Y. Freeman, 17th inst.

As a proof of these assertions the same writer adduces the frequency of infanticide, not amongst the poor and destitute, but the affluent, and what are called respectable classes. Of course rectitude is imposed upon him by the very nature of the case, but some of the facts by him adduced are fearfully suggestive. For instance, he tells us that, only the other day, in a village not more than thirty miles from Rochester, and in one of the most puritanical districts of Western New York, "in cleansing the vaults attached to a hotel—a first class hotel—the workmen removed no less than eight bodies of infants in all stages of decomposition."

Why insist upon these revolting facts? it may be asked. Because our design is to show that "vice is not the daughter of ignorance," and to refute the pernicious sophisms of those impertinent pretenders, who propose to us an extension of the Yankee "Common School System" as the best means of rearing up a moral and virtuous population.

How the Government at Washington understands the obligations of a neutrality, when its own interests are concerned, may be learnt from a communication made on the 29th of November 1864, by Mr. Seward to Lord Lyons; complaining, on the authority of General Dix, that there were about forty rebels, or Southern refugees, in Marysburg, P. E. County, Canada, who were armed with revolvers, and used to drill three times a week. "These organisations," argued Mr. Seward, "for hostile purposes on Canadian soil, are so plainly in violation of all the obligations of neutrality that I cannot doubt the willingness of the Canadian authorities to put an end to them on proper notice."

Though the complaint made by Mr. Seward was discovered on the investigation immediately instituted by the Canadian authorities, to be destitute of foundation, yet, both in that complaint, and in the consequent action of our Provincial authorities, we had a plain recognition of the obligations of neutrals. To-day, and indeed for the last two years, a body of men, many thousands, have been openly organising, arming, drilling, recruiting, raising funds, providing munitions of war, with the avowed object of making a filibustering attack upon Canada, and the British North American Provinces; in flagrant violation not only of all international law, but of the explicit provisions of the municipal law of the U. States; and this is done not only with the knowledge, but with the sanction and approval of the officials of the so-called neutral Government! It is thus that the United States fulfill towards others those international obligations which they fail not to exact for themselves.

DENOUNCING THE FENIANS.—We understand that the Rev. Michael Brennan, pastor of the Roman Catholic Church, Belleville, took occasion on Sabbath last, to allude to the Fenians whom he denounced in unmeasured terms. He told his people that they were in the enjoyment of every civil and religious liberty; that the Government of Great Britain was a wise and beneficent one, and warned them against having anything to do with a movement which would be the greatest injury to the Irish race. He pronounced the Fenians enemies to God, enemies to the Church, and enemies to Ireland, and urged his hearers to discountenance them in every manner possible. He concluded his remarks upon this topic by requesting the members of the St. Patrick's Society to abstain from any public celebration on the 17th inst. These sentiments, we need scarcely say, do honor to the priest who uttered them, and will no doubt have a salutary effect.—Belleville Intelligencer, March 16.