

The True Witness.

CATHOLIC CHRONICLE.
PRINTED AND PUBLISHED EVERY FRIDAY
No. 389, Notre-Dame Street, by
J. GILLIES.
G. E. OLBERG, Editor.

TERMS YEARLY IN ADVANCE:
To all country subscribers, Two Dollars. If the subscription is not renewed at the expiration of the year then, a case the paper be continued, the terms shall be Two Dollars and a-half.
To all subscribers whose papers are delivered by carriers, Two Dollars and a-half, in advance; and if not renewed at the end of the year, then, if we continue sending the paper, the subscription shall be Three Dollars.

The True Witness can be had at the News Depots. Single copy 3d.
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MONTREAL, FRIDAY, OCTOBER 27.

ECCLIASTICAL CALENDAR.

OCTOBER—1865.
Friday, 27—Vig. of St. Simon and St. Jude.
Saturday 28—SS. SIMON AND JUDE, Ap.
Sunday, 29—Twenty first after Pentecost.
Monday, 30—Of the Feia.
Tuesday, 31—FAST, Vigil of ALL SAINTS.
NOVEMBER—1865.
Wednesday, 1—ALL SAINTS' DAY.
Thursday, 2—All Souls.
The "Forty Hours" Adoration of the Blessed Sacrament will commence as follows:—
OCTOBER.
Saturday, 28—Recollet Church, Montreal.
Monday, 30—St. Raphael, Isle Bizard.
NOVEMBER.
Wednesday, 1—Mont St. Marie, Montreal.

NEWS OF THE WEEK.

With the exception of the report of the legal proceedings against the persons arrested on the charge of treason, we find little of interest in our European journals. These proceedings moreover being merely preliminary do not make us acquainted with the full particulars of the case against the prisoners, on whose guilt or innocence we cannot therefore presume to offer an opinion. Measure the excitement continues, and occasional arrests of persons suspected of Fenianism are still being made.

Whilst the cattle plague is raging in France, we learn that in addition to Cholera, the veritable Yellow Fever has declared itself in South Wales and carried off several persons. This, we believe, is the first instance on record of the appearance of the vomito in the British islands. The domestic news, in other respects, is unimportant.

The full text of the Allocution pronounced on the 25th ult., by the Sovereign Pontiff has not yet been made public, but it contains a very forcible condemnation of all Secret Societies, and more especially of the Society of Freemasons.

By the *Hibernian*, very grave news comes to us from the other side of the Atlantic. The *London Gazette* publishes a long correspondence betwixt the United States Minister, Mr. Adams on the one hand, and Lord Russell on the other, on the subject of the damages inflicted on Federal commerce by the Confederate war ships *Alabama* and *Shenandoah*. The American Government demands compensation from the British Government for damages. To this preposterous demand, the latter, of course, gives a positive refusal; it will not entertain it, neither will it submit the matter at issue to the arbitration of any foreign Power, since Great Britain is the guardian of her own honor. But Lord Russell signifies the readiness of his Government to submit all questions of damages, arising out of the late war to the decision of Commissioners to be appointed by the two nations, respectively. Here, for the present, the matter rests; but if the one Government persists in its monstrous claims, and if the other as persistently refuse to entertain them, there can be of course but one issue.

His Lordship, Right Rev. Josue M. Young, Bishop of Erie, Penn., visited this city in the course of last week.

CORRECTION.—We regret that owing to the absence of the editor several gross typographical errors crept into our last week's issue. In particular we sincerely regret the transformation of the epithet "jolly" which we had applied to the lives of Protestant Missionaries to the heathen, into that of "filthy"—an error for which the devil, i.e. the printer's devil, is alone responsible.

TO CORRESPONDENTS.—From time to time there arrive at the Post Office unpaid letters addressed to this journal. The writers give themselves much trouble for nothing—for we never take such letters, i.e. unpaid letters, out of the Post Office.

St. Andrew's Catholic Church at Ottawa was partially destroyed by fire on Friday morning of last week. Most of the ornaments of the church were saved.

PIUS IX. AND THE HOLY CHILDHOOD.
We see by the last number of the *Annals of the Holy Childhood*, received in this City, that the Holy Father deigned to give the following answer to the Directors of the Association, regarding the 16th volume of the *Annals* which had been sent him. The letter was addressed to His Lordship the Bishop of Arras, the worthy President of the Society, and shows what little weight should be given to the alleged reasons of certain persons, who, under the pretext of performing private good works, remain aliens to established Catholic ones. The letter runs thus:—

"PIUS IX., POPE.
"Venerable Brother, Health and Apostolic Benediction.
"We have been greatly rejoiced, Venerable Brother, by the letter in which you offer Us the Sixteenth volume of the *Annals of the Holy Childhood*. Not being ignorant of the extent of your labors, or the solicitudes weighing upon you; knowing, moreover, the assiduity and zeal with which you seek to procure the increase of spiritual goods in your Diocese, Our joy was not a weak one, in beholding your zeal for the salvation of souls, which embraces even the most distant shores of our globe, and inspires you to use such strenuous efforts in order to procure help for that age, which being the most helpless, needs the most assistance. The progress of the Association over which you so usefully preside, and the fruits gathered by it, console Us greatly in the midst of the falling away of so many of Our children.—While rendering Our most solemn thankings to Almighty God, We also implored an abundance of blessings to fructify still more so useful a good work.
"In the meantime, as proof of the Divine assistance, and of Our great good will towards you, We grant, most affectionately, to you, to the Association of the Holy Childhood, and to all who, in union with you, labor for its prosperity, the Apostolical Benediction.
"Given at Rome, in St. Peter's, the 17th day of May, 1865, the 19th year of Our Pontificate."

About the letter end of the eighteenth century an obscure lawyer of Arras appeared before the public as author of a pamphlet, in which he strenuously assailed the "death penalty." Remembering the part which this eminent philanthropist subsequently played in the "Reign of Terror," we must confess to a feeling of dread whenever our eyes or our ears are assailed with arguments against hanging murderers, and this is why we have been deeply moved by the strenuous efforts of the *Pays* to arouse sympathy for the convict Stanislas Barreau, now lying under a rightly deserved sentence of death. It is commonly reported that much of the interest which he excites is caused by the fact that he is a Freemason, and, therefore, excommunicate.

We are not at all surprised of course at the line of action of the *Pays*, for that journal is the organ of the Liberal party; of that party in politics which is the inheritor of the principles, and which, if it had but the power, would be the faithful imitator of the practices, of the Terrorists—of Marat, of St. Just, Couthon and Robespierre. All Liberals make their *debut* by denouncing the death penalty, and the modern philanthropist is after all but the embryo cut-throat.

Though it may seem a sad waste of time and labor to attempt the refutation of the shallow sophistries of these maudlin philanthropists, yet will we devote a few lines to the examination of the arguments adduced by the *Pays*, why convicted murderers should not be hung. These arguments may be reduced to two; one based on the idea of right—the other on that of expediency:—

1. Society has no right to punish the murderer with death.
2. It is not expedient, or profitable to Society that the murderer should be so punished.

The first argument involves a question of theology. There are and can be no rights either in the individual or in Society, unless they be from God; nor can Society have any right to hang the murderer, or to visit him with any punishment whatsoever, unless it has received that right from God Himself. The first question at issue betwixt the advocates for the retention of the death penalty, and the advocates of its abolition, resolves itself into a question of pure theology—a question therefore which may be argued upon and discussed to all eternity without the possibility of arriving at any decision thereupon, unless the disputants start from the same theological premises. Now as betwixt Catholics, and the party which speaks through the columns of the *Pays*, there are no such common premises; and therefore all argumentation on the question—"Has society the right to punish the criminal with death?" is idle, since only from revelation, of which the Church is the only interpreter recognised by Catholics, can we know what rights God has accorded to, or withheld from, Society.

The Catholic Church tells us that God has accorded to Society the right to punish the criminal with death, and for the Catholic this suffices. The Liberal or philanthropist does not recognise the authority of the Church, and therefore to him the declaration of the Church is naught. He sets up his intuitions, the crude prejudices which he spins out of his moral nature, as dogmas to which all the world are to yield implicit credence. But Catholics are as little disposed to respect his intuitions, or the *ejecia* of his moral nature, as he is to submit himself to the dogmatic teachings of the Church. The disputants therefore can never come to an understanding, since, as Sydney Smith observed of the two old bags blackguarding one another from opposite sides of the street, "they argue from different premises."
But if without the calling in of Revelation, the

Catholic cannot prove that God has conceded to Society the right of punishing the criminal with death, so also, it is equally impossible for the Liberal philanthropist to prove that God has invested Society with the right of visiting the criminal with any punishment at all, or of exercising any sort of restraint over him. There is no right unless from God; and unless God has given to Society the right to do so, the latter has no more right to deprive the murderer of his liberty, than it has to deprive him of his life.—The individual holds his liberty as well as his life, not from Society, but from God: and thus the palmary argument of the *Pays* against depriving the murderer of his life, is equally valid against depriving him of his liberty. The logician of the *Pays* advocates the imprisonment for life of the convicted murderer. Whence? from whom? does Society hold this right of imprisonment—we ask the *Pays*: and we defy him to prove that God has given to Society any more "right" to deprive the criminal of liberty, than to deprive him of life.

Where you predicate "right" you predicate God; and if with the Liberal you ignore God, or, which in practice amounts to the same thing—if you ignore the channel of communication betwixt God and man, that is to say Revelation, the word "right" is out of place in your mouth. Right, or the idea of right, involves a purely theological question; but it is in vain for the Catholic to discuss any theological question with the *Pays*, since the disputants have, and can have, no premises in common. All that the former can do is to show that the ignoring of God, or of a channel through which God makes known His will to man, leads inevitably to social chaos and to political anarchy; since neither Society nor the individual can be proved to have any rights unless it can be proved that it or he has received them from God; and this again cannot be proved unless we recognise some divinely appointed, and therefore infallible channel of communication between God and man.

Remains however the question of expediency. Is it expedient, or profitable to Society—that is to say to the individuals of whom Society is composed—that the murderer should be punished with death? We answer this question in the affirmative; the Liberal responds thereunto in the negative; and hereupon issue is joined.

The object, the primary object of all punishment inflicted by Society is, or should be, deterrent. Not vindictive, because "vengeance is mine, saith the Lord," and appertaineth not to man. Not, in the first instance at all events, reformatory, because the first duty of Society towards its members whose obedience it claims, is to protect them in person and in property. Punishments should therefore be deterrent, or exemplary; and the *beau ideal* of a penalty for crime would be one that should combine a *maximum* of terror or example, with a *minimum* of suffering to the individual criminal.—But the first great or paramount duty of Society is to protect its members; and, therefore, since it cannot easily reward virtue, its method must be to deter from crime by making a terrifying example of the culprit. Society, in short, hangs the murderer, not so much to prevent him, but to frighten others, from again committing murder.

Has the "death penalty" this effect? It has, because it is the punishment of which, without exception, criminal or those meditating crime have the greatest dread. If it fail to operate as an effectual deterrent it is simply because the criminal about to commit a crime always calculates upon his chances of escaping its infliction. He reckons upon the dishonesty and stupidity of jurymen, who often refuse to convict; upon the maudlin philanthropy of the day, and on the glorious uncertainties of the law, aggravated as these latter often are by the dishonorable capriciousness of the Executive with whom it rests to give effect to the sentence of the Court. Severity of punishment often defeats its own end, not because the punishment ceases to be dreaded by criminals, but because, so ignorant of their duties are juries, so indifferent to the obligations of an oath, that they often refuse to convict upon the clearest evidence, when sentence of death would follow their verdict, and prefer perjuring themselves to sending a scoundrel to the gallows.

And that Liberals themselves believe in the superior efficacy of the death penalty over all other penalties, as deterrent, is evident from this: That it is the penalty with which they are in power they invariably visit political offences against themselves; and that it is as a mitigation, not as an aggravation, of punishment that they urge, in every particular instance, the substitution of imprisonment for life, for hanging. No doubt public executions amongst non-Catholic communities are far from edifying: but this is so because in their case the mob gathered around the scaffold is actuated by a morbid love for the horrible, and not, as in Catholic countries by regard for the spiritual interests of the culprit. In the one case the mob masters at the foot of the gallows to stare, and feast its eyes on the dying struggles of a fellow-creature: in the other case, the crowd collects to pray with and for the sufferer—that God will grant to him true contrition for his sins—grace to accept his punish-

ment as an expiation—and eternal rest, when his soul shall have been separated from his body.—The brutality of a Protestant mob at an execution is illustrative of the demoralising effects of Protestantism, but furnishes not the shadow of an argument against the infliction of the death penalty itself.

We would also suggest another consideration to the intemperate advocates of the total abolition of the death penalty: it is this. The robber or burglar is naturally tempted to get rid of the witness of his crime; and were the punishment for murder only the same in kind as that awarded for theft, there would be no inducement for him to spare the life of him whom he had robbed. On the contrary, the temptation to get rid of a witness, who if alive might convict him of theft, would be irresistible were the criminal certain that for "robbery plus murder" no punishment, heavier in kind, would be awarded him—than for simple robbery. Were the theories of our precious philanthropists to be reduced to practice, murder would therefore become the almost invariable adjunct of crimes against property; and indeed it was to get rid of the witnesses to his crime of theft, and not from motives of hostility to his victims, that the wretched Barreau committed the murders for which he is about to suffer on the scaffold. From these premises we conclude therefore to the expediency of retaining on our Statute Book a penalty for compound crimes such as that of which Barreau was convicted—i.e. "theft plus murder"—more severe, more terrible, and therefore more deterrent than that assigned to the simple crime of theft or crimes against property. But if for aggravated cases of the latter you sentence the criminal to imprisonment and penal servitude for life, how, and with what more severe, more terrible, and more deterrent penalty do you propose to punish, and visit the murderer?

True! the shedding of blood, in any manner is a horrid thing, at best a painful necessity, and we yield not to the *Pays* in our aspirations after an order of things in which man's blood shall no more be shed by man. But in this great, this important, and ardently desired reform—it as it has often been remarked—is essential that *Mes sieurs les assassins* should themselves take the initiative. It behoves them to inaugurate the long looked for and bloodless era, by renouncing their own bloody practices. When they shall have left off cutting throats, then, but not before, will it be time for Society to leave off hanging them.

But the *Pays* trusts to the spread of secular intelligence for the suppression of murder, and would fain substitute for the gallows the common school. "To-day" it says "there are no brigands but in those States where ignorance is purposely fostered by corrupt governments."—What then shall we say of the U. States, in which on an average three murders a day occur? where child murder is rife, and last of all where Stanislas Barreau graduated in crime? God knows there is no lack of assassins in the United States: their papers are full of the most hideous details of every conceivable crime, and the complaint of the terrible increase of vice, murder especially, is on every body's lips in the U. States. Shall we then conclude with the *Pays* that in the United States "ignorance is purposely fostered by a corrupt government?"—or may we be permitted to hint that our contemporary is simply blind, and utterly ignorant of the facts about which he has the presumption to write?

RETURNED SOLDIERS.—"Burglaries are very rife all over the country." These are the first lines of a telegram in the *Montreal Gazette*, and therein we find ample evidence of the activity of numbers of rowdies and bad characters let loose on Canada by the disbanding of the troops in the Northern States. During the continuance of the war a great portion of Canadian blackguardism was absorbed by the process of enlistments for the Federal service; to-day the mass of moral impurity is vomited back upon us, and we see the result in the increase of burglaries and other crimes. Barreau, it will be remembered, is a "returned soldier."

CAUTION TO FARMERS.—Our contemporaries are all warning farmers, sellers of produce to buyers from the other side of the Lines, to be very careful how they accept "Greenbacks," or Yankee paper money, in exchange for their goods. This is excellent advice which farmers will do well to follow: and perhaps it would not be amiss when "greenbacks" are tendered to them, to reject the rubbish altogether—as the holders of these rotten rags will be sure to lose by them, no matter at what rate of discount they may have received them in payment for their produce. Canadian farmers if they consulted their own interests would invariably spurn with contempt the proffered "greenbacks," and insist upon being paid either in gold or silver, or else in Canadian notes.

The Secretary of the Catholic Young Men's Society begs to acknowledge with sincere thanks the following donations towards their library, viz.: Hon. Thomas Ryan, 9 volumes; Mrs. McOrank, 2 volumes and John Joseph O'Rourke, Esq., advocate, 6 volumes.

PROTESTANTISM AND RELIGIOUS TOLERATION.—Although the late Encyclical of the Holy Father was condemned *en masse* by our separated brethren, yet were there certain passages therein upon which they pounced with greater fury and earnestness, as illustrative, according to them, of the indestructible spirit of persecution inherent in Romanism. Amongst one of the passages so specially singled out for condemnation, and as such quoted by intelligent Protestant members of our Provincial Parliament, we may cite the following, condemnatory of the general proposition to the effect that—the action of certain Catholic countries which have provided by law for the public exercise by all strangers—*hominibus illuc immigratibus*—of their several religious rites, is praiseworthy. By all, of course, who are amenable to the laws of logic, it will be understood that in condemning in general terms the above proposition, the Encyclical asserts the truth, not of all its contraries, but only of its direct contradictory. Let us see now how far Protestants recognise by their acts the truth of that proposition which in his Encyclical the Holy Father condemns, and for condemning which he has been so savagely taken to task by Protestants, and Liberals. We turn to the columns of the *Montreal Witness*, and therein *apropos* to the action of the Protestant Government of the Sandwich Islands, towards the Protestant sect known as "Mormons," we find the following paragraph quoted, not by way of censure upon that Government, but as eulogistic:—

MORMONS REJECTED IN THE SANDWICH ISLANDS.—Brigham Young has recently had the impudence to ask liberty of King Kamehameha of the Sandwich Islands to send Mormon missionaries to his dominions to disseminate what Young calls "the true faith" there. To this request the Secretary of State replies that the Mormon tenets are subversive of good government, and in violation of the laws of the Kingdom, and that efforts to establish a colony of the Siatas there will not be tolerated.—*Witness* 23 September.

And again, in a later issue we read:—
The King of the Sandwich Islands has informed the Mormons, who have a colony in his kingdom, that so long as they confine their labors to mechanical and agricultural operations, they will be protected in their industry; but as their religious tenets are subversive of good government, and the laws of the kingdom they cannot be advocated, and their efforts to establish a colony will not be tolerated."—*Vide Witness*, Sept. 26.

It will be seen from the above that the Protestant Government of the Sandwich Islands not only does not deem itself bound to make legal provision for the public exercise of Mormon worship and the diffusion of Mormon doctrines within its dominions, but that it actually prohibits them. It will not so much as tolerate them; and it tells the Mormon leaders, petitioning for religious liberty and license to establish a religious settlement or colony within its precincts, that, though they may cultivate the soil and thereby increase the material resources of the Kingdom, they cannot be allowed even to advocate their religious tenets—these being, in the private judgment of the King "subversive of good government and the laws of the Kingdom."

Thus the Protestant government of the said kingdom not only on its own behalf, utterly repudiates as false and dangerous the Protestant proposition which in his Encyclical the Pope condemns, but it goes much farther. The Holy Father does not assert that even the private exercise of their religion is to be prohibited to immigrants,—but this only:—That it is not praiseworthy on the part of a Catholic government to make "legal provision" for the "public" exercise of their particular religious rites by all strangers without distinction who may chance to come within its jurisdiction! Now if the principle laid down by the Pope deserve the execration of every lover of religious liberty, what shall we say of the practice of the Protestant Government of the Sandwich Islands?

A OARD.
The audience who, on the evening of the 19th inst., had the pleasure of listening to the Lecture given by the Very Rev. J. Walsh, Vicar General of Toronto, before the Catholic Young Men's Society, enjoyed a real treat. The subject "A Christian View of Pre-Christian Times," a subject of transcendent and never flagging interest to all who have been born under, and know how to appreciate the blessings of the new dispensation under which they live, was handled in a most masterly manner, and as from the well known eloquence of the lecturer might have been anticipated. We believe that the reverend gentlemen proposing delivering the same lecture in other places, and we therefore strongly recommend our readers, should such be the case, to make the most of the opportunity offered to them of combining amusement with real solid instruction.

The new Catholic Church at Cornwall, which was overthrown by the memorable hurricane of the 12th of April last, is now completed as to the exterior with the exception of the spire. In accomplishing this task, the Contractor and the Committee have both made generous sacrifices: It is to aid both, as far as possible, to meet their liabilities in this connection, that the Catholic Ladies of Cornwall are now laboring to get up a Bazaar to be holden on the 26th and three following days of December next. Kind reader! your mite, however small, is earnestly solicited, and will be thankfully received, on behalf of the good work.
Cornwall, C. W., Sept. 19th, 1865.