

# The True Witness

AND  
CATHOLIC CHRONICLE,  
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## MONTREAL, FRIDAY, OCTOBER 31, 1873.

### ECCLIASTICAL CALENDAR.

OCTOBER—1873.

Friday, 31.—Fast. Vigil of All Saints.

NOVEMBER—1873.

Saturday, 1.—All Saints, Old.

Sunday, 2.—Twenty-second after Pentecost.

Monday, 3.—All Souls.

Tuesday, 4.—St. Charles Borromeo, B. C.

Wednesday, 5.—Of the Octave.

Wednesday, 6.—Of the Octave.

## NEWS OF THE WEEK.

The restoration of the Bourbon monarchy in France is still the great political question of the day, and in that it is still a question, we see grave reasons for believing it impracticable. It is evident that in France, whether in town or in country, we should look in vain for any of that strong, ardent, demonstrative loyalty and attachment to the Bourbon dynasty, which in England in the middle of the seventeenth century, preceded and made possible the restoration of the Stuart dynasty in the person of Charles II. When the exiled prince landed at Dover the nation was wild with joy; amongst the thousands who witnessed the royal progress to London, scarcely one could be found who was not weeping with delight, says Macaulay; and the people approved themselves far more anxious for the return of their King, than Charles had ever shown himself to be. Under these circumstances we can understand how a restoration was possible in England; the difficulty is to understand why it was so long delayed, why Charles remained so long on his travels. And yet under all these favorable conditions how short-lived was the Restoration!

But in France to-day we find but little of these favorable conditions; of this effervescing or gushing loyalty; of this *empressment* for the restoration of the ancient dynasty. This feeling exists indeed, but is confined for the most part to the ancient noblesse, and to the Catholics; but amongst the people, even amongst those who are not ardent republicans, the dominant feeling seems to be one of indifference at best; all that can be expected or hoped from them is that they will accept Henry V. but it is in vain to look for any thing more for them. The Republicans on the contrary, are active and zealous, making up by these qualities for what they may lack in numbers; so that should the Assembly, as it is probable that it will, by a not very large majority vote for the recall to the throne of his ancestors of the Comte de Chambord, it is very doubtful whether he would be able for any length of time to retain possession. Besides, there is this great difference betwixt the condition of England in the seventeenth century, and that of France to-day. The England of Charles II. was socially, the England of Charles I. None of the ancient landmarks had been obliterated, or swept away; and when the flood of rebellion subsided, everything was found standing in its old place. In France on the contrary, the first Revolution swept away everything; throne, altar, social hierarchy, all perished; and thus in France of to-day all these conditions are wanting which made the Restoration of the old political order in England possible and indeed easy of accomplishment. To God however all things are possible; and in His mercy to a country so severely punished for its crimes, He may grant the restoration of the only system of government which can finally close the era of Revolution.

The trial of Marshal Bazaine, in so far as it is gone, puts the conduct of the accused in a very unfavorable light. It is hard to believe in his innocence, or to refrain from attributing to him the greater part of the military disasters that befell France. What will be done with him should he be found guilty, it is not easy to say.

As we anticipated would be the case, the reports of decisive victories gained by the revolutionary army over the royalist forces in Spain have been dissipated by the admission that the Carlists are still in the field, and as

formidable as ever. The insurgents at Cartagena still hold out, and indeed at sea seem to have the upper hand. Betwixt them, however, and the revolutionists at Madrid, there is but little to choose, for neither in the one nor in the other does there reside any legitimate authority.

In Germany as in Switzerland the war waged by the State against the Church continues with unabated vigor. Fines and imprisonment are of no avail against the refractory clergymen; the Prince Archbishop of Posen, Mgr. Ledochowski, will soon, so the *Times* correspondent informs us, be reduced to beggary; "large as the sum"—the Bishop's income—"is, if he goes on as he has begun, it will hardly suffice to cover his forfeits to the State." But what is his offence? what the wrong done by him? The same authority informs us—

"The greater part of the fines inflicted have been incurred by him for appointing clergymen to livings without the sanction of the secular authorities required under the new law."

The very head and front of his offending hath this extent, no more—that he, the Archbishop appoints without the consent of the secular authorities, to spiritual offices within his diocese; and does not recognise the right of the State to determine by whom the Sacraments of the Church shall be administered. The persecution is not however confined to the head of the diocese—for as the *Times* correspondent goes on to inform us, "all these gentlemen"—that is the priests appointed by the Archbishop—"have had the parish registers and seals taken from them by the authorities; and, moreover, have been warned that under the new laws they are liable to a fine of at least a hundred thalers for each ecclesiastical act performed by them"—that is, for every time they say Mass, administer the Sacraments, preach Christ crucified, or whisper in the ear of a penitent sinner words of pardon and peace from Him Whose ministers they are. This is what Protestants call "religious liberty." It is consoling however to learn from the same authority that the priests are as refractory as are their Bishops; and that they have "all given the reply that in these matters"—the exercise of their spiritual functions—"they cannot be guided by any one except their religious superior." For this additional act of contumacy the *Times* is of opinion that the hand of persecution is about to fall heavy on them: "they will have to be prosecuted before long."

The consequence of this is that the Catholic churches in Germany are becoming closed up; the people are left without pastors and without sacraments; the last consolations of religion are withheld from the dying, and no German subject can be allowed a passport to the kingdom of heaven unless it be signed and duly attested by the officers for that purpose appointed by the civil Government. The *Times* opines that under these circumstances, the latter will assume the entire spiritual functions of the Church in giving spiritual jurisdiction, and appointing priests; but, and here is the mischief, that the *Times* foresees—"in all probability Government, if proceeding to extremes, will find neither priests willing to take charge of the orphaned parishes, nor succeed, should such priests be found in rendering them popular in a Polish district."

The Protestant world looks on, and though its organs of the press applauds; we doubt, however, if it would applaud quite so enthusiastically were the same process applied to any of its own sects; if for instance Methodists or Presbyterians were prohibited from nominating their own ecclesiastical office-bearers, and were the latter subjected to fines and imprisonment for preaching or discharging any other pastoral functions without the consent of the secular authorities. We forget, however, that Protestants have always on hand two contradictory codes of right and wrong; one for themselves, the other for Catholics.

In another column will be found a report of the proceedings at the opening of the Dominion Parliament on the 23rd. Riel it will be seen did not take his seat, and up to the time of writing, the whereabouts of that now notorious individual was unknown. Rumors of violence to be exercised against him, and hints of assassination in revenge for the killing of Scott have been floating about, but will we hope be discountenanced by all honest men. No man should be condemned unheard; and it is but just that Riel should have an opportunity given him of justifying, if he can justify, the shooting of the said Scott. A telegram from Ottawa on Saturday threw out hints of approaching modifications in the Cabinet, but these were contradicted by the *Gazette*.

There have been a great number of cases of typhoid fever recently in Brockville, and mostly among young men. A majority of these cases have taken place in the new part of the town, where the drainage and water are not so good as on the St. Lawrence slope.

Fall wheat looks exceedingly well in the townships of Erin, Puslinch, Garafaxa, Nichol, Guelph, and Pilkington. It has got a good strong hold of the soil, and looks like standing the winter well—in fact if we had much growing weather it would get rather rank.

## PARLIAMENT OF CANADA.

The Colonial Legislature at Ottawa was opened on Thursday, the 23rd instant, by His Excellency the Governor General. There was a great attendance, and the usual ceremonies were observed. His Excellency, having taken his seat, and commanded the attendance of the members of the House of Commons, read the following Speech from the Throne:—

Hon. Gentlemen of the Senate:

Gentlemen of the House of Commons:

In accordance with intimation given to me at the close of last session, I have caused Parliament to be summoned at the earliest moment after the receipt of

### THE REPORT OF THE COMMISSIONERS

appointed by me to enquire into certain matters connected with the Canada Pacific Railway. The evidence obtained under the Commission deserves careful consideration; the report will be laid before Parliament, and it will be for you then to determine whether it can be of any assistance for you. A bill for the consolidation and amendment of the laws in force in several Provinces relating to

### THE REPRESENTATION OF THE PEOPLE

in Parliament will again be submitted to you. By the postponement of this measure from last session, you will have the advantage of including in its provisions the Province of Prince Edward Island, now happily united to Canada. The Canada Pacific Railway Company, to whom a Royal Charter was granted, have, I regret to say, been unable to make the financial arrangements necessary for the construction of that great undertaking; they have therefore executed

### A SURRENDER OF THEIR CHARTER

which has been accepted by me. You will, I trust, feel yourselves called upon to take steps to secure the early commencement and vigorous prosecution of the construction of that railway, and thus to carry out in good faith the arrangement made with the Province of British Columbia.

### A MEASURE FOR THE PURPOSE

will be submitted for your consideration. The extension of the bounds of the Dominion has caused a corresponding increase in the work of administration, and seems to call for additional assistance in Parliament, as well as in the Executive Government. A bill on this subject will be laid before you. Your attention will be invited to the consideration of a bill for the establishment of

### A GENERAL COURT OF APPEALS.

Measures relating to our navigable waters and to the inspection laws will be laid before you, also a Bill for the establishment of

### A DOMINION BOARD OF AGRICULTURE.

The subject of the law relating to Insolvency will necessarily engage your attention.

The efforts made by the several Provinces, as well as by the Dominion,

### TO ENCOURAGE IMMIGRATION,

have met with success, and a large number of valuable settlers have been added to our population. I do not doubt that you will continue your aid to this important object.

### Gentlemen of the House of Commons:

I have directed that the accounts of the past financial year be laid before you.

### THE PRESENT CONDITION OF OUR FINANCES

continues, and the revenue has been sufficient to meet all charges upon it. The estimates for the ensuing year will be laid before you. They have been prepared with due regard to economy, as well as to the efficiency of the public service, and I trust that the supplies which are necessary will be granted without inconvenience to the people.

### Honorable Gentlemen of the Senate:

Gentlemen of the House of Commons:

Your best attention, will, I doubt not, be devoted to the important interests committed to your charge; and I am confident your deliberations will redound to the advantage and prosperity of the country.

Upon their return to their own House, the members from the Province of P. E. Island were introduced. Sir John Macdonald moved that in order to give members time to take into consideration certain despatches from the Imperial authorities which he produced, the House adjourn till Monday next. Some objections were urged against this motion, but it was finally agreed to. Sir John Macdonald laid the Report of the Royal Commission on the table. Of this important document we find the following copy in the *Montreal Gazette* of the 24th inst.:—

To the Right Honorable Sir Frederick Temple, Earl of Dufferin, Viscount and Baron Clarendon, of Clarendon, in the County of Down, in the Peerage of the United Kingdom, Baron Dufferin and Clarendon, and Ballegally and Killeleagh, in the County of Down, in the Peerage of Ireland, and a Baronet, Knight of the Most Illustrious Order of Saint Patrick and Knight Commander of the Most Honorable Order of the Bath, Governor-General of Canada, and Vice-Admiral of the same:

### May it please Your Excellency:

The undersigned Commissioners, appointed by Royal Commission addressed to them under the Great Seal of Canada, bearing date the fourteenth day of August, A. D. 1873,

### Have the honor to Report,—

1. That they met at Ottawa on the eighteenth day of August last for the purpose of making preparations for the discharge of the duties imposed upon them by the Commission.

2. The course of proceedings was then settled, and the fourth day of September last was appointed for entering upon the examination of witnesses.

3. The Commissioners on undertaking the enquiry they were enjoined to make had hoped that the entire conduct of it would not have been left in their hands, that the Hon. Mr. Huntington or some one who believed that the charges specified in the Commission could be established by evidence, would have conducted the enquiry before them, and they had resolved in such event not only to accept such aid in the investigation, but to allow to the promoter at least the same latitude in the mode of proceeding as the recognized officers in courts of justice are allowed in ordinary judicial investigations and also to give to the members of the Government a like latitude for defence. This course appeared to the Commissioners to be just and in accordance with what they believed to be your Excellency's wishes and expectations.

4. In the prosecution of their work the Commissioners have called before them such persons as they had reason to believe could give any information, on the subject of it, or otherwise facilitate the investigation, and especially the Hon. Mr. Huntington, to whom a letter annexed to this Report, was addressed on the 21st August last past, requesting him to furnish to the Commission a list of such witnesses as he might wish to examine, and to proceed on the day named with evidence in the premises.

5. A letter was also addressed to the Hon. the Secretary of State, giving notice of the day appointed

for proceeding, a copy of which is also annexed.

6. In the interval, between the first day of meeting and the day so appointed, summonses were duly served upon Mr. Huntington and others, to appear and give evidence.

7. On the 4th day of September the Commissioners met, and after the publication of the Commission, the witnesses cited for that day were called.

8. Mr. Huntington failed to appear.

9. The evidence of the Hon. Henry Starnes was taken, and a sealed packet placed in his possession by Sir Hugh Allan and Mr. Geo. W. McMullen, was produced and deposited with the Commissioners.

10. The sealed packet was opened, with the consent of Mr. Starnes and Sir Hugh Allan, and the several papers it contained were put in proof.

11. The Commissioners then examined the other witnesses in attendance, and afterwards on successive days, proceeded to the examination of those whose names are on list styled "List of Witnesses to be examined;" hereto annexed.

12. Of the thirty-three gentlemen, whose names are on that list, twenty-nine have been examined.

13. Two of these, Mr. George W. McMullen and the Hon. A. B. Foster failed to appear, although duly summoned; the former through a special messenger sent to Chicago for that purpose.

14. The other two, Mr. Henry Nathan and Mr. Donald A. Smith, are residents; the former in British Columbia, and the latter in Manitoba. The distance and consequent delay in securing their attendance, and the large outlay it would cause, rendered it inexpedient, in the judgment of the Commissioners, to call them to give evidence.

15. In addition to those whose names are on the above-mentioned list, the Commissioners have called and examined Mr. Daniel J. McMullen, Sir Hugh Allan, the Hon. J. C. Abbott, and the Hon. Mr. Oulmont.

16. Most of these witnesses were cross-examined on behalf of the Government by Sir John A. Macdonald, or other members of it.

17. Mr. Charles M. Smith, of Chicago, was summoned by the Commissioners, but did not appear.

18. Evidence has also been given by Mr. Frederick C. Martin, and Mr. Thomas White, whose names were furnished by members of the Government, and Mr. George Norris, Jr., and Mr. J. A. Perkins, whose names were also so furnished, were cited to appear, but made default.

19. The Commissioners, on the 23rd day of September, while still in the course of their examinations, requested, by public announcement, all persons possessing any information on the subject of the inquiry to appear and give evidence before them.

20. No evidence has been offered in answer to this announcement.

21. The Commission closed its sittings for taking evidence on the first day of October inst. These sittings were public and open; and accommodation was provided for reporters of the public press.

22. The Commissioners have endeavored, in obedience to the requirements of the Commission, to obtain from the witnesses all the evidence pertinent to the subject matter of the enquiry which they were able to give.

23. This evidence is contained in depositions, thirty-six in number, and in certain documents, all of which are annexed to this report, and specified respectively in the accompanying List and Schedule.

24. If the evidence be considered redundant, it has arisen from the nature and circumstances of the inquiry, which rendered it inexpedient to limit its range by the technical rules of evidence observed in the ordinary tribunals.

25. With respect to that portion of the Commission which leaves to the discretion of the Commissioners the expression of their opinions upon the evidence, they are determined not to avail themselves of the liberty so given.

26. They had arrived at that conclusion before they were informed of Your Excellency's views on the subject, and they feel confirmed and justified in it by a communication received before their labors commenced, to which Your Excellency kindly permits them to allude, relating to one or two points on which they thought it their duty to consult Your Excellency before entering upon the execution of their duty.

27. In that communication Your Excellency was pleased to express the opinion that the functions of the Commissioners were rather inquisitorial than judicial, and that the execution of them should not be such as in any way to prejudice whatever proceedings Parliament might desire to take when it reassembled in October.

28. The Commissioners coinciding with Your Excellency in the view that the terms of the Commission do not require them to pronounce judicially on the evidence, consider that their duty will have been fully discharged when they shall have forwarded to the Secretary of State the accompanying depositions and documents with this report, in triplicate, as required by their instructions—unless a report of their opinion on the result of the evidence should be specially required.

All of which is respectfully submitted.

(Signed.)

CHARLES DEWEY DAY, Chairman.

A. POLETTE, Commissioner.

JAMES ROBERT GOWAN, Commissioner.

ROYAL COMMISSION ROOMS,  
Ottawa, October 17th, 1873.

On Monday the Address in reply to the speech from the Throne was carried in the Senate without a division. In the other House the Address was moved by Mr. Witton (Hamilton), seconded by Mr. Baby. Mr. McKenzie moved in amendment a censure upon the Ministry. A lively debate ensued, which will probably extend over several days.

The parents of the abducted girl, whose case we mentioned in our last, have agreed to suspend legal proceedings against the several parties to the offence; and the marriage of the run-away couple has been, in accordance with the laws of the Church, solemnized in the presence of a Catholic priest—the usual engagements as to the bringing up of all the issue of said marriage in the Catholic faith having been duly entered into. The defendants pay all costs of legal proceedings.

The man Vernon has thus escaped the legal consequences of his acts; though the frequency with which the offence is committed in Lower Canada by the less reputable section of the Protestant ministry, makes us almost regret the leniency with which he has been treated. An example, or warning is needed to put a stop to the business; and a term of hard labor in the Penitentiary, of stone-breaking, or oakum-picking, would be a salutary lesson to the country who so frequently exercise their mis-called sacred (!) functions to "the ruin of families and the scandal of religion."

The *Montreal Herald* of the 23rd, has some pertinent editorial remarks on the subject, from which we make some extracts:—

"MARRIAGES OF MINORS.—There are few offences, of such as do not involve actual violence, more evil than the marrying, or the abetting of the marriage of minors, without the consent of their parents. Our law very properly imposes severe penalties on clergymen who are knowingly guilty of it, and we think very justly. . . . We are induced to make these remarks by the case of the girl, who is said to be only fifteen, who has just been married to a young man named Cawthorne. We know nothing whatever of the circumstances except what appeared in the public reports of the case before the Courts. . . . In the case in question, there was, as there frequently is in such affairs, a difference of religion between the parties, and it is evident that when that is present the wrong done by the clergyman is felt not only by the immediate friends of the minor party, but also by a portion of the public. If such difference is known, or can be reasonably suspected—as it must have been in the case commented on for instance—"in the candidates, it is an additional reason for hesitation"—(not for precipitation). And adds the *Herald*—"When there is any possibility of doubt as to the right of the parties to act upon their own judgments, it is the absolute duty of the celebrant to refrain from proceeding until he has assurances which are absolutely satisfactory."

In conclusion, the *Herald* reads to Mr. Vernon the following salutary and much needed lesson; which it is to be hoped that the "man of God" will lay to heart, if not for his own sake, for the sake of the peace of Catholic families often broken by the nefarious practices referred to; and for the credit of the Christian religion often so foully tarnished by the "cruel frauds" of its soi-disant ministers:—

"If it were necessary to add anything to the argument drawn from the danger to himself, and to the minor, from the neglect of this measure, it would be found in such cases as the one now before the public, in the contempt which must be brought upon religion, when circumstances create the reasonable impression that zeal has so degenerated into fanaticism as to lead the subject of it to participate in a cruel fraud."

About the middle of the last century, so many and great were the evils of the then existing Marriage Laws of England, that a Bill known as Lord Hardwicke's Bill was, after some smart discussions, carried through both Houses of Parliament. Amongst the evils which this Bill was designed to remedy, there was one which we find thus noticed in Lord Mahon's *History of England*, c. 51:—

"From the facility of solemnising a marriage at the spur of the moment, young heirs and heiresses, scarcely grown out of infancy, were often inveigled to unwary and disgraceful matches which they had to repent, but unavailingly during the remainder of their lives. To profit by their indiscretion there was ever ready a band of degraded and outcast clergymen, prisoners for debt or for crime, who hovered about the verge of the Fleet prison, soliciting customers, and playing like yorters for employment. These men were willing to perform the required ceremony, without question, license, or delay, in cellars or in garrets, in ale houses or in brothels, to the scandal of religion, and to the ruin of families."—Vol. 2nd, p. 280.

Are we in Canada entirely free from the presence of fellows of somewhat the same stamp as those whom Lord Mahon in the above paragraph, describes? fellows who if not prisoners for debt or crime, are ever hovering about after a job, and ready at a moment's notice, "without question," to render their sacred (!) services to the ruin of families and the scandal of religion? This question we leave our readers to answer for themselves; and if that answer be in the affirmative, we ask again:—Is not some reform in our Marriage Laws imperatively called for?

For instance:—Would it not be just and reasonable that in the solemnizing of marriages, the Protestant minister should be placed on the same footing, and should be exposed to the same risks of pains and penalties, in case of improper conduct as is the Catholic priest? Is it not reasonable that the Protestant minister, licensed by law and in terms of the Act passed by our Quebec Legislature in 1871, to solemnize marriage, should in all cases when requested to perform his legal functions—and more especially when one of the contracting parties is not a member of his congregation, or one of whose condition he has any personal knowledge—should be bound, under smart penalties to take all reasonable precautions to assure himself that the persons so presenting themselves before him are, either of legal age to contract marriage, or, if under that age, have the consent of their parents or legal guardians? Is it not reasonable to demand that a Protestant minister proceeding to the solemnization of a marriage, without having taken these precautions; without having previously insisted upon the production by that party to the marriage of whose antecedents he is ignorant—because a stranger to his congregation—of, either the consent of parents or legal guardians, or else a duly attested certificate of baptism to show that he or she is of full legal age to contract marriage without that consent—should be considered, by the law, as having acted in bad faith; and should be subjected to the pains and penalties imposed on all priests or ministers of religion who knowingly solemnize illegal marriages?

Catholic parents are especially interested in getting a good Marriage Law. Amongst the means employed by their enemies for the perversion of their children there are two which are especially dangerous: "Mixed Schools" and "Mixed Marriages." Both are therefore by a certain class of Protestants warmly encouraged; and where, as in Lower Canada, the first named cannot be enforced by law, the