

The True Witness.

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MONTREAL, FRIDAY, JAN. 30, 1863.

Subscribers indebted to this paper over a year are requested to pay up, otherwise their names shall be erased from our list on the 15th of February next.

NEWS OF THE WEEK.

Neither from Great Britain nor from France is there any thing of consequence to report since our last. Rumor is of course busy as to the designs of Louis Napoleon with reference to interfering in the affairs of this Continent, but as yet these do not appear to rest upon any well ascertained facts.

The year 1863 commences under very unfavorable auspices for the cause of Italian centralisation. In spite of all that we have had dinned into our ears by the revolutionary and democratic press, the truth cannot be concealed, that the people of Italy, from North to South, heartily detest the new regime which Sardinian bayonets have imposed upon them; and that even if they do not greatly regret the ancient dynasties, they look back with feelings of warm attachment towards the provincial liberties and self government of which the revolution has deprived them. The Neapolitans, for instance, may have but little reason to deplore the loss of the Bourbons, but they are determined not to allow themselves to be deprived of their national independence.—A Murat dynasty they would perhaps accept; but the idea of becoming tributaries to a king of Sardinia revolts them.

The Catholic press has long insisted that the people of Italy were by no means friendly to the project of centralisation, and that the recent political changes were by no means acceptable to them. Now we have the London Times admitting, editorially, the same facts, and deploring the universal hostility of the provincials to the rule of Victor Emmanuel. It is curious to note, and impossible to exaggerate the significance of, these forced and reluctant admissions by the great admirer of the Italian Revolution. We make some extracts.

After enumerating the many blessings which Cavour, Cialdini, and Victor Emmanuel have conferred on Italy, the Times continues in the following strain:—

"And yet visitors to this regenerated land report general murmuring, and no small measure of dissatisfaction to the Government. The state of the Two Sicilies has been no serious ever since the fall of the Bourbon Monarchy, that the national (i.e., the Piedmontese) army has had no rest. So strong have been the discontents in the South as to give some reason to those who believe that it would have been better if the Revolution of 1860 had placed another Sovereign on the Neapolitan throne, as it then was, and made Italy into two friendly and allied, but independent States, instead of into one so ill-joined and badly cemented as the Kingdom of Italy."—Times, 9th inst.

Nor is this ill will towards Piedmont, and hankering after national independence, confined to the South of Italy, and to the Neapolitans: The same passions, the same ill will towards the rule of Victor Emmanuel agitate the bosoms of the people of the Northern sections of the Peninsula, whose territories the royal filibuster has lately annexed. We again cite the Times as witness to this all-important fact. After recognising that the Neapolitans have cause for their disaffection towards Piedmontese rule, the Times asks:—

"But how is it if the same passions are found in the breasts of the Florentines? If the subjects of the late Grand Duke, or at least that part of them which makes up the society of the capital, murmur equally against the new order of things, that is certainly a proof that disaffection has nothing to do with race, or with the incompatibility of North and South, but that it arises from political and social causes, which may or may not be temporary, but which affect alike all the provinces which have been annexed to the little Kingdom of Sardinia."—ib.

And again the Times thus describes the feelings of the annexed Tuscans towards their alien conquerors:—

"And the Tuscans, who but the other day de-throned the Grand Duke for not concluding an offensive alliance with Victor Emmanuel against Austria, are now exclaiming against centralisation, as if their own Province were perishing under the rule of their chosen King."—ib.

The above avowals fully confirm all the allegations of the Catholic and anti-revolutionary press as to the real state of affairs in Italy. It is clear that the Italians, whatever may be their feelings towards the old regime, universally detest the new; and that the latter exists, and can be expected to exist, only as a military despotism,

and so long as it is upheld by Sardinian bayonets. Nearly one hundred thousand foreign mercenaries are engaged in the vain attempt of forcing Piedmontese rule upon the reluctant Neapolitans; the Tuscans, the people of Umbria, and of the Provinces wrested from the Sovereign Pontiff, are kept down, and only prevented from breaking out into open revolt, by the presence of large bodies of armed aliens; and North and South, alike, are ready, at the first favorable opportunity, to rise against their hated invaders, and to assert their ancient provincial liberties. Under such circumstances, it is not to be wondered at that the conquest and annexation of Rome have been postponed, sine die.

A rumor which towards the end of last week obtained circulation, to the effect that another great battle had been fought near the Rappahannock river, and in the course of which Gen. Hooker had been mortally wounded, turns out now to have been without foundation. The army of the Potomac has not been engaged since our last; but it appears that its General, Burnside, has already gone the way of all Yankee Generals, and has been superseded by Gen. Hooker, who in his turn will be superseded by some other young Napoleon. It is hinted moreover, that the army of the Potomac is virtually to be disbanded; and that retaining only a sufficient force about Washington to protect that City from a coup de main, the Federal Government proposes sending the main body of the troops to the West to co-operate in the subjugation of the Confederates in that quarter. After a stormy debate in the New York State Legislature, a Mr. Calicotte has been elected a Speaker in the House of Assembly. A strong feeling of discontent with the Federal Government, and the manner in which the war has been carried on, is fast growing up, and declaring itself in the Northern States.

Is a Minister of Religion bound to reveal secrets confided to him in his religious capacity, and solely with a view to making restitution? This is a question which has lately excited no small amount of discussion in the Protestant press, both in Great Britain and in Canada. It is one indeed of general interest; one which concerns Protestants as well as Catholics; one which should therefore be discussed—not in the particular interests of either, but in the interests of society, of property, and of religion. The position assumed by the Catholic priest, in whose refusal to betray the secrets of a penitent to a Bench of Magistrates, the late discussion originated, will we think be admitted by all candid persons, intellectually capable of giving a sound judgment on the subject, to be worthy of the highest praise, as eminently conducive to the moral as well as to the material well being of society.

The facts of the case have been already detailed in our columns, and are briefly these.—The contents of a money letter had been extracted; and the culprit in a spirit of penitence handed the sum of which he had thus feloniously possessed himself, over to a Catholic priest, the Rev. Mr. McLaughlan, in order that it might through him be restored to its legitimate owner. The priest fulfilled the commission entrusted to him; but the suspicions of the police having been excited, and his hand-writing identified, he was summoned before the Court to give evidence as to the person from whom he had received the stolen money. The Rev. Mr. McLaughlan, whilst observing every outward mark of respect to the Civil Tribunal before which he was thus summoned, respectfully but firmly declined giving any information which, directly or indirectly, might betray the secret entrusted to him in his religious capacity; and for this contumacy he was committed to jail for thirty days, from whence, however, by order of the Secretary of State, he has been released.

From the extreme section of the British Protestant press, re-echoed of course by the Montreal Witness in Canada, there has arisen a perfect hurricane of indignation against the contumacious Romish priest. His conduct is by them cited as another instance of the irreconcilable antagonism betwixt the arrogant pretensions of Rome and her "Ultramontane" adherents, and the legitimate claims of the Civil Power speaking by the mouth of our old friend "Jack-in-Office." That there should be any where limits opposed to the authority of the latter,—that upon any pretence whatsoever, "Jack's" decrees should be resisted, his injunctions ignored, and that a plea of conscience and the dictates of a "higher law" should be urged against his behests—seems the climax of Romish audacity, the last stage reached in "Ultramontane" arrogance. Whether from the lips of Pope, or of simple presbyter, the magic words "non possumus"—or as St. Peter put it to the Sanhedrim Act v. 29: "We ought to obey God rather than man"—have a magic, and almost maddening effect; beneath whose influence every consideration of honor, and of social interest is set at defiance; and common sense is outraged in order that Romish priests may be branded as the enemies of social order and of our civil polity. Yet neither sound reason, nor precedents warranted and respected by

Protestant legal tribunals are wanting to justify the Catholic priest, or minister of religion, in treating the secrets divulged to him in his religious capacity, by contrite sinners, as privileged communications, which no tribunal upon earth has the right to call upon him to divulge.

The lawyer is necessarily often the depository of the guilty secrets of the criminal; who entrusts these to the safe keeping of his professional adviser—not with the view of repairing a wrong done, or of making his peace with man and God, but solely with the intent of setting human laws at defiance, and of retaining undisturbed possession of property dishonestly acquired. And yet the professional depository of such a guilty secret, would not, according to all the best authorities upon the subject, be justified in betraying the confidence reposed in him by the depositor, or in availing himself of the information by him acquired in his capacity as a lawyer, to procure the conviction of his client;—although from this legal and authorised reticence of the professional adviser of the impenitent thief, great injury may, and no doubt often does, accrue to the individual robbed, to society whose justice is evaded, and to the religious interests of the criminal who is thus enabled to set man's law at defiance, and at the same time to perpetuate wrong upon his victims.

We are not contesting the right, nay the duty, of the lawyer to maintain inviolate the confidence reposed in him by his criminal and impenitent client; but we would only contrast the immunities which by universal consent are accorded to the barrister, with the monstrous obligations which our evangelical friends would lay impose upon the Catholic priest. He too, as is the case with the lawyer, often becomes the depository of the most important secrets; but here all resemblance, all analogy betwixt the relative positions of priest and penitent, and that of the lawyer and client, ends. The latter consults his professional adviser in order to learn how he may avoid being compelled to make restitution of property dishonestly acquired; how he may continue a career of fraud and injustice with impunity; how, without fear of man's justice, he may continue to set the laws of God and man at defiance; how, in short, without terror of consequences, he may prey upon society, and inflict injury upon the individual. The penitent culprit who addresses himself to the priest, is, and must be, actuated by motives the very reverse of these. He seeks the priest, in order that he may make full and prompt restitution to the neighbor whom he has wronged; that he may be strengthened to abandon his evil ways, and to commence, and continue in, a career of honesty and well doing; that he may learn how to conform his conduct to the laws of God and man; how, in short, he may become a useful member of society, and repair all wrongs by him inflicted upon its individual members. Upon what principles then of policy or of justice should the priest be compelled to divulge the secrets of which he, for such beneficial purposes, is the depository? why should he be called upon to betray, and inform against, the penitent sinner who had come to him impelled by the Grace of God, and seeking only how to atone to man and to God for his iniquities? The solution of these questions must be looked for in the principles of Protestantism, which are repugnant both to justice and to sound policy.

Yet are Protestants for the most part—and we thank God for it, or else this would be the devil's world—better, far better than their principles or religious theories; even as all Catholics fall, at their best, far below the standard of excellence which their religion holds up. Though their hatred of Catholicism may prompt evangelical editors to rail at the Romish priest McLaughlan, yet we really believe that the least honorable amongst them would not, under analogous circumstances, himself act otherwise. We really believe for instance, such is the extent of our charity, that if some poor creature guilty of theft, but truly penitent for his sin, were to address himself to the editor of the Montreal Witness in the spirit, and with the object in, and with which, the stealer of the money-letter above alluded to addressed himself to the Glasgow priest; that were the said penitent in like manner to request the cooperation of our St. James' Street contemporary towards making full and immediate reparation to the party injured by the theft; and reposing implicit confidence in the honor of him to whom he thus unburthened himself, were to place full proofs of his guilt in the hands of the person to whom he entrusted this commission—we fully believe, we say, that even the editor of the Montreal Witness would not for any consideration, or under any circumstances, violate the confidence reposed in him, or avail himself of the knowledge imparted to him by the penitent culprit, to bring the latter under the lash of the law. This opinion of our contemporary's sense of honor we shall entertain till he himself shall have repudiated it; and if by his silence he admits that we have done him merely justice in attributing to him the sentiments of a Christian and a man of honor, we ask, respectfully, why he condemns a Catholic priest for conduct which he himself, though a mere

layman, would under analogous circumstances strictly imitate? The fact that Mr. McLaughlan is an ordained priest could not release him from the obligations of a simple gentleman; and yet even a gentleman, having acquired knowledge of another's guilt under such circumstances as those under which alone the Glasgow priest came to a knowledge of the guilt of his penitent, would, by the code of honor, have been bound to keep the secret inviolate even at the cost of his life; much more then was the priest bound, not only by the code of honor, but by his office, by his ordination vows, and by the interests of religion, to do nothing, to say nothing which might directly or indirectly, lead to the betrayal of the secret committed to him, not merely as a man of honor, but as Christ's duly appointed Minister upon earth.

The material interests of human society, as well as its spiritual interests, require that communications betwixt priest and penitent should be treated as "privileged." The great object of human law is the protection of person and of property, not the punishment or the moral reformation of criminals. The next best thing, in so far as the material interests of society are concerned—to the absolute prevention of theft, would of course be a system of legislation which should secure all its subjects from injury by theft; or in other words, which should assure to them the restitution of all property stolen from them. This last is to a certain extent accomplished through the action of the confessional, and through the teaching of the Catholic Church—to the effect that "satisfaction" for wrong done is an essential condition for obtaining pardon from God; and it would therefore be most impolitic on the part of the civil legislator, to interfere in any manner with an institution so valuable to society as is Confession, and which noiselessly and economically accomplishes, without his interference, one of the most important ends of all civil government. Could the civil magistrate by his threats and tortures extort the secrets of the Confessional from the priest, the only result would be that criminals would not confess to the latter; and that restitution of stolen property under his influence would be no longer made.—Under no conceivable circumstances can evil accrue to society from the confidence which the penitent sinner reposes in the discretion and inviolable secrecy of the priest; whilst actual good, greater good than any which human legislation can ever accomplish even in the material order, may, and often does, accrue from the penitential discipline of the Catholic Church.

This view of the case has apparently obtained with the British Executive, and has determined the release of the Rev. Mr. McLaughlan from the jail to which he had been consigned by a Protestant tribunal. No especial privilege has been awarded to the Romish priest indeed; but the broad principle has been recognised and allowed; that "communications" made to the minister of religion in his religious capacity, for spiritual objects, and as confessions of sin are "privileged;" and to be treated with as much respect by the Courts, as are communications betwixt lawyers and the criminal clients, whom they are engaged to defend.

GOVERNMENT BISHOPS AT LOGGERHEADS.

—It was the witty Dean Swift, we believe, who, as one reason for the retention of Christianity, argued that, if it—the Christian Religion—were to be abolished, the consequences might, perhaps be injurious to the Anglican Church Establishment. Not indeed because there is any necessary connection betwixt that Government Institution and the religion of which Christ was the Founder; but in that there still lingers the superstition amongst many of the vulgar, and least educated portions of society, that Anglicanism is one phase or development of that religion. In strict truth it is nothing of the kind; it is simply a Department of the British Government—a Bureau as the French would call it—subject like every other Department of the Public Service to the supervision and control of the State which created it, and in which it lives, and moves, and has its being.

Yet the gentlemen who held situations of emolument in this Department, are even now intuitively apprehensive, as in his days was Dean Swift, that the overthrow of Christianity, may, and probably in course of time will lead to the abolition of their branch of the public service, and to the total suspension of their salaries.—This consideration affects them profoundly; and hence their zeal against works like the Essays and Reviews; and that of Bishop Colenso, wherein that Anglican dignitary undertakes to shew that the Pentateuch is a fable, and the marvellous stories therein recorded as little worthy of credibility as are Ovid's Metamorphoses.—Were such works to be left unrefuted, not Christianity merely, but what is of far greater importance—the salaries of gentlemen office-holders in the Church of England as By Law Established, would be seriously endangered.

Foremost amongst these champions of the Parliamentary Religion of England, we find the gentleman who holds the government situation of Bishop of Winchester; who with an eloquence

which reminds us of Cicero's famous oration pro domo sua, takes up the cudgels in behalf of Christianity, assailed by his brother official the Bishop of Natal. Thus have two Anglican place-holders come to loggerheads, on the question of the truth and credibility of the Christian religion—little as at first sight, Anglicanism may appear to have to do with Christianity.

That which in all these squabbles betwixt Bishops of the Anglican Church as to the truth or falsity of the Christian Scriptures is chiefly interesting to Catholics, and induces us to give ear to the angry scoldings and recriminations that pass betwixt the combatants—is this: That the champion of Christianity, the pleader for the historical credibility of the Biblical records, finds himself, in virtue of his anomalous position, compelled to make formal abnegation of the fundamental principle of Protestantism. Christianity cannot, so he by his example shews us, cannot be defended on Protestant principles; and in this dilemma, to save his Christianity, the government Bishop of Winchester explicitly makes renunciation of the formal principle of all Protestantism—that is to say of the principle of the "right of private judgment" inherent and unlimited in every individual. We find him thus reported:—

"In alluding to the right of private judgment, he said it must be exercised within certain limits. The authority of God's Word had been so thoroughly inquired into by the most pious, most learned, and unbiased minds, that he must be a man greatly wanting in the grace of humility—who would use so stronger expression—who would set up his private judgment against all past piety and inquiry upon the subject."

This is an argument which we could understand if employed by a Catholic against a Protestant—one which would be in place in the mouth of Eckius, disputing with Luther or Melancthon; but which is to us unintelligible, and appears ludicrously out of place, when applied by Protestant against a brother Protestant. What are these "certain limits," within which the "right of private judgment is to be exercised?" or rather can anything be so "uncertain?" An infallible body, or one claiming to be infallible, can alone rightfully, or consistently, assign limits to the exercise of private judgment; and if there be no such body on earth, none that has the right to claim infallibility as its special attribute, the exercise of the right of private judgment is, and must be, unlimited. God alone, or at least one speaking in His name, can presume to impose limits to the exercise of the faculty, or restrictions upon its rightful exercise.

To combat the impugner of Christianity and the historical credibility of the Scriptures, it is absolutely necessary to repudiate the essential or formal principle of Protestantism; as on the other hand, the consistent adherence to that principle leads inevitably to the rejection of Christianity. It is true, the modern champion of the latter, does not, as would the Catholic, assign the teachings of the Church by Christ Himself established, as the "certain limits" within which the "right of private judgment" may be safely exercised—but refers us rather to the decisions or conclusions of "the most pious, most learned, and unbiased minds." Yet, not in principle, but only in detail—not formally, to use the language of the schoolmen, but only material ly, does the Protestant Canon applied by the opponent of Dr. Colenso differ from that of the Catholic; whilst, at the same time, the former is obnoxious to the objection that, whereas the teachings on any given point of the Catholic Church may always, easily, and certainly be ascertained even by the most illiterate, the greatest conceivable diversity of opinion obtains amongst Christians as to who are, or were, the "most pious, learned, and unbiased," whose opinions upon religious topics are to limit the exercise of the right of "private judgment."

Dean Swift may have erred through excess of timidity, and of anxiety for the safety of the Establishment of which he was an office-bearer, and a distinguished ornament, when he expressed his fears lest the overthrow of Christianity might in time lead to the overthrow of the Church of England and Ireland, as by Law Established; but the Protestant Bishop of Winchester, by his line of argument against his brother Bishop, Dr. Colenso, has clearly shewn that, if Christianity is to be defended, at all, against the assaults of modern Protestantism, it must be defended upon principles which, if logically carried out, lead directly to Popery; or in other words, to the assertion of the principle that in the supernatural order, the right of "private judgment" must have "certain," or well defined limits.

THE "IRISH CANADIAN."—We have received the first two numbers of a new weekly paper published under the above caption at Toronto. It is in quarto form, is neatly printed, and contains much interesting and well selected reading matter.

Of its principles, and of the part which it proposes to take in the great politico-religious questions of the day, those on whose solution the moral well being of all classes of the community in a great measure depends, we know nothing, and can therefore say as little. It expressly repudiates any distinctive Catholic or religious character; and, therefore, as into all the really important political questions with which we have