

The True Witness

AND  
CATHOLIC CHRONICLE,  
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MONTREAL, FRIDAY, FEBRUARY 21, 1873.

ECCLIASTICAL CALENDAR.

FEBRUARY—1873.  
Friday, 21—Of the Feria.  
Saturday, 22—Vigil. Chair of St. Peter at Antioch.  
Sunday, 23—Quinquagesima.  
Monday, 24—St. Matthias, Ap.  
Tuesday, 25—St. Peter Damian, B. C. (Feb. 23.)  
Wednesday, 26—Ash Wednesday.  
Thursday, 27—Of the Feria.

NEWS OF THE WEEK.

The abdication of Amadeus is the chief news  
of the week, and is a fact pregnant with great  
events which may disturb the peace of Europe.  
It seems that the late King of Spain has long  
suspected the truth that he was destitute of all  
real authority, and the appointments made, in  
spite of his wishes, by his ministry brought  
conviction of the truth of his suspicions. Upon  
this he threw off his crown in disgust, and is  
about to return home to his excommunicated  
papa. In the meantime he has retired to Lis-  
bon.

The party in power in Madrid has proclaimed  
a republic, but there are of course others to be  
heard. The Carlists for instance, the adhe-  
rents of the legitimate King seem determined  
to have their say in the matter, and their word  
it is to be hoped may prove decisive as to the  
political future of Spain, which stands greatly  
in need of a strong government, and to be strong  
it must be based on right. Now the Carlists  
are the only party in Spain who can put for-  
ward such a plea. As yet there have been no  
massacres; but if the crisis be prolonged these  
will no doubt come, and the other Powers of  
Europe may be called upon in the interests of  
humanity, to intervene and put a stop to the  
wholesale throat-cutting, and blood-letting with  
which the Peninsula seems to be accursed.

Rumors reach us from Rome of an interview  
betwixt the Sovereign Pontiff and some naval  
officers of the United States, in the course of  
which the Holy Father asked how he would be  
received on this Continent should he be com-  
pelled to quit his dominions, and seek refuge in  
a strange land? We do not attach much im-  
portance to these rumors, for we think it is said  
certain that the Pope intends to remain in his  
own City as long as possible, and it is not at  
present in the interest of the invaders to drive  
him out. The death of Napoleon has it is  
caused much uneasiness to his accomplice in  
crime, Victor Emmanuel, who sees therein a  
warning to put his own house in order. Pro-  
phesies are alluded to which long ago, so it is  
said, assigned to Louis Napoleon an end more  
tragic than that which overtook his predecessor  
on the Imperial throne, and who also was an  
enemy of the Holy See, and God's Church;  
and to Victor Emmanuel a fate more tragic  
still was assigned; he "was to die in his shoes."  
These words, it is said, are often in the mouth  
of the excommunicated king.

The war betwixt the civil power and the  
Church in Germany is being prosecuted with  
great zeal by the government. The text of the  
new ecclesiastical, or rather anti-ecclesiastical  
law, is before the public, and is analysed by  
the London Times. The purport of this law  
is to transfer from the Church to the State the  
entire control of the spiritual order. Candi-  
dates for the priesthood are to go through a  
regular course of studies at the State Univer-  
sity; seminaries for lads studying for the  
Church are to be abolished; the qualification  
of candidates for Holy Orders is to be deter-  
mined by State examination; no appointments  
to any ecclesiastical office by a Bishop to be  
valid until approved of by a government  
officer; the power of suspending from spiri-  
tual functions; to be transferred from the  
Bishops to State officials. Bishops  
not filling up vacant cures within a year,  
and with an acceptable candidate, to be  
fined 1,000 thalers; in a word the entire direc-  
tion of religion, faith, administration of the  
sacraments, &c., is by the new liberal law  
entrusted to the State; and the Government un-  
dertakes to prescribe the terms upon which the  
sinner is to make his peace with an offended  
God.

Of course this absurd legislation but pro-  
vokes the contempt of the entire Catholic com-  
munity. It is a self-evident proposition that it  
must be inoperative. Bishops will hereafter,  
as heretofore, ordain those, and those only  
whom they deem fit to be recipients of Holy  
Orders. The Bishops also will give, or with-  
hold powers to exercise spiritual functions as  
to them it seems good; and just as in France  
the few miserable wretches who took the oaths  
of fidelity to the civil constitution of the Clergy  
were held in contempt by all men—whether  
Catholics or non-Catholics—so will it happen  
to the State appointed Clergy of the German  
Empire. No Catholic in health, or sickness  
or at the hour of death will ever pollute him-  
self by accepting their services, even though  
they may be in receipt of the stipend paid by  
government to its tools. They will fall into  
universal contempt; and the real Bishops, the  
real priests, though reduced to poverty, as were  
the Irish Catholic clergy in the eighteenth  
century, will alone continue to be the objects of  
the respectful veneration of the Catholic laity.  
The law may indeed call such a man Bishop of  
such or such a diocese, and may give to another  
the title of parish priest; but unless the Catho-  
lic people recognise these appointments, by  
accepting the services of these government  
nominees—which it would be sacrilege, and  
mortal sin to do—the laws of the State must  
needs remain a dead letter.

The Galway priest prosecutions have com-  
menced in Ireland. The Rev. M. Loftus was  
the first proceeded against, but the jury could  
not agree on a verdict, and he was in conse-  
quence discharged. The Government is no  
doubt well pleased at this; for it would find  
itself placed in a most unpleasant dilemma by  
a verdict in its favor. Certainly if the lan-  
guage attributed to some of the Galway priests  
has been correctly reported some of them were  
guilty of very bad taste, and made use of ex-  
pressions which as Christians we deplore; but  
it must be remembered, that the violent lan-  
guage of the priests—if they did use violent  
language—was provoked, if not justified by the  
unscrupulous efforts made by the landlords to  
coerce their tenants to vote against the dictates  
of conscience, for the landlord's candidate.  
Spiritual coercion to vote as conscience bids  
may be a very bad thing; but material coercion  
to compel men to vote against conscience is  
still worse. There are therefore many who  
may deplore the manner in which the priests  
brought their influence to bear upon the voters,  
but who at the same time think it monstrous  
that the still more violent methods of intima-  
dation and coercion employed by the landlords  
should pass unpunished. Under such circum-  
stances what could the Government do with a  
verdict in their favor? A convicted priest  
upon their hands would be a more troublesome  
matter to deal with, than was the celebrated  
elephant which the unhappy gentleman won in  
a raffie to his utter undoing.

The new fangled republic of Spain has, it is  
reported been formally recognised by the Gov-  
ernments of Great Britain, France, Belgium,  
Germany, and the United States. In the  
meantime the Carlists seem to be making pro-  
gress, and to be to a considerable extent mas-  
ters in the North of Spain. Attached to their  
ancient liberties of which they have been  
robbed, the people of the Basque Provinces are  
fighting not merely for a dynasty, but for their  
fieras, and every lover of liberty should sym-  
pathise with them. Don Carlos is said to be  
in Spain, and at the head of his troops. Vic-  
tor Emmanuel is represented as much offended  
by the abdication of his son Amadeus, to whom  
he at first refused leave to return to Italy;  
hence the retreat of the latter to Lisbon. It is  
added however that the abdication being a  
fait accompli, the King of Italy has withdrawn  
his opposition, and a man-of-war has been sent  
to convey the ex-King of Spain home. It  
would be premature to speculate on the fortu-  
nes of the republic—though it would not be  
rash to venture upon the prophecy of its ulti-  
mate failure. The army, which is after all in  
times of Revolution the chief political power, is  
represented as favorable to monarchy, and if  
so, would naturally be more in favor of an  
elective than an hereditary monarchy; since  
under the first named, the crown is ever for  
sale, and the soldiers have the selling of it to  
the highest bidder.

The report of a reconciliation between the  
two branches of the Bourbons in France is  
contradicted by *L'Univers* the organ of the  
legitimists.

It is to be feared that in the case of the  
convicted murderer Stokes of New York, the gal-  
lows will yet be defrauded of its due. A  
Judge has been found to order a stay of pro-  
ceedings in his case. Had the prisoner been a  
poor Irishman he would have been executed  
long ago; but in the United States there is one  
law for the rich, and another for the poor.

His Honor Judge Caron was sworn in as  
Lieutenant-Governor of the Province of Que-  
bec on Monday.

Remittances in our next.

CANON OF SCRIPTURE.—A correspondent  
transmits to us a paragraph on this subject,  
taken from the *British American Presbyterian*  
for January 24th, 1873; and does us the honor  
of requesting us to make some remarks there-  
on. We give below the paragraph from the  
Toronto Protestant paper. It is headed "Why  
We Reject the Apocrypha."

1. Because it (sic) was never written in Hebrew.
2. Because it was never quoted by our Lord.
3. Because it was rejected from the canons of the Jews.
4. Because it was rejected from the canons of Scripture by Origen, A.D. 200. St. Epiphanius, A.D. 358; and St. Jerome.

Besides these reasons for rejecting the Apocrypha in general, we especially reject the books of Maccabees as uncanonical and uninspired:

1. Because Pope Gregory I. A.D. 590 did so; and by the late Vatican decree, that must be an infallible judgment.
2. Because the author distinctly disavows inspira-  
tion, saying—"If I have done well in writing this  
history, it is what I desired; but if not so perfectly  
it must be pardoned me."—2, Macc. xv, 39.

1. What does the writer in the *British American Presbyterian* mean by the Apocrypha? He should at least have given a defini-  
tion, or explanation of the term. But for the  
present, we will assume that he means those  
books of the Old Testament, only, to which by  
Catholics the term deuterocanonical is applied;  
and this premised, we thus reply to his objec-  
tions against them in that they were not writ-  
ten in Hebrew.

2. But the same objection may be urged  
against other books of the Old Testament, as  
for instance against a great part of the book of  
Daniel, and that of Esdras or Ezra which Pro-  
testants receive into their Canon. These were  
written, not in Hebrew, but in Chaldaic, as  
were also many of the books which the Pro-  
testant canon rejects. It does not therefore  
follow that, because a book was not written in  
Hebrew, therefore it was not inspired, or that  
it was inspired because written in Hebrew.

3. There is a difference betwixt "rejected  
from" and not being received into the canon of  
Scripture. For instance: many of the books  
of the New Testament now received as cano-  
nical were for many centuries "omitted" though  
not "rejected, from" the canon: e.g. the Epistle  
to the Hebrews, Epistles of St. James, St.  
Jude, and 2d St. Peter *cum multis aliis*.—  
These books were not pronounced canonical,  
but neither were they condemned as uncano-  
nical. So also was it with some of the books of  
the Old Testament, which the Church now  
places on her list. These were left out from  
the Canon by the Jews of Palestine; though  
before the advent of Our Lord, the Jews of  
the Dispersion who used the Septuagint ver-  
sion—and from whose hands the Christian  
Church received the sacred Scriptures, in-  
cluded the so-called Apocrypha in their Canon.

4. It is false that they were rejected by  
Origen, by St. Epiphanius, or by St. Jerome,  
though they did not cite them as canonical in  
their controversies with the Jews. And even this  
if true would prove nothing for or against their  
inspiration—since neither Origen, nor St. Epi-  
phanius, nor yet St. Jerome can be attributed  
of infallibility be predicated; and none but an  
infallible witness is competent to determine the  
Canon of Scripture.

In like manner we reply that it is false that  
Pope Gregory I. rejected the books in ques-  
tion from the Canon.

And again it is false that the author of the  
2d Maccabees "distinctly disavows inspira-  
tion saying" in the language attributed to him  
by the *British American Presbyterian*—"If I  
have done well in writing this history it is  
what I desired; but if not so perfectly it must  
be pardoned me."—V. 39. What the writer  
really does say is—

38. "I also will here make an end of my narra-  
tion."  
39. "Which if I have done well and as it becometh  
the history, it is what I desired; &c."

Thus it will be seen that the writer of Book  
2d Maccabees betrays no doubts as to whether  
he has "done well in writing this history,"  
but only as to whether he has written in a  
style becoming the subject by him treated;  
just as also does St. Paul in his 2d epistle to  
the Corinthians, e. xi., v. 6, who pleads guilty  
to being "rude in speech," *idiotus in loquo*,  
though perfect, or not wanting in knowledge,  
*all'ou ty gnosi*. That this is the meaning of  
the writer of 2d Maccabees; that it is for the

manner of his narrative, or style which is his  
own, that he asks the indulgence of the reader,  
and not for the matter thereof, is patent from  
the words of the next verse, "so if the speech  
be always nicely framed it will not be grateful  
to the readers." The writer thought, as did  
St. Paul, that he might be rude in speech, or  
open to criticism as to style, though not defi-  
cient in knowledge.

But to what must we attribute the mis-  
quoting of the 2d Macc. c. 15, v. 39, by our  
*B. A. Presbyterian*? to ignorance, or to that  
strong tendency to mendacity so conspicuous  
amongst our evangelical acquaintances? We  
incline to the hypothesis of ignorance, and the  
more so, because the same *B. A. Presbyterian*  
betrays his crass ignorance on the subject of  
of which he is treating, by alluding to the  
Books of Maccabees as if they were written by  
one and the same person: for the same silly rea-  
son that he assigns for rejecting the second Book,  
he also assigns as the reason for rejecting the first.  
Had he known that the author of one of the  
books was not the author of the other, even  
the *B. A. Presbyterian*, would have seen that  
his argument, even if conclusive, against  
the inspiration of the authority of the 2d Book  
would prove nothing against the inspiration of  
the author of the first.

But after all there is no use arguing about  
the Canon of Scripture with Protestants until  
they tell us how that Canon is to be deter-  
mined. Is there any rule or principle by  
which this is to be done? How for instance  
does the *B. A. Presbyterian* know that any  
book of which the Bible—say the Gospel of  
St. Luke, is composed is inspired?

THE SCHOOL LAWS IN NEW BRUNSWICK.  
—We have received a very interesting and im-  
portant document on the question of the con-  
stitutionality of the New Brunswick School  
Law of 1871. It is in the form of a reply by  
Messrs. William Doff, and Charles W. Wel-  
den, gentlemen of distinction in the legal pro-  
fession, and both, we believe, Protestants, to  
certain questions submitted to them by His  
Lordship Mgr. Sweeny, Bishop of St. John,  
N. B.

The opinion of these gentlemen, entitled to  
the most respectful consideration, is to the  
effect that the New Brunswick School Law of  
1871 does prejudicially affect the rights and  
privileges with respect to Denominational  
schools, which Catholics had by law in the Pro-  
vince of New Brunswick, at the time of the  
Union; and that, therefore, in virtue of the  
provisions of Sub-sec. 1 of the Clause 93 of  
the British North America Act, the said School  
Law of 1871, involves an assumption of illegal  
power, or in other words, is *ultra vires*.

The opinion first defines the term "Denomi-  
national" as applied to schools. It is not  
necessarily synonymous with the terms "Se-  
parate" and "Dissentient," as is evident from  
this:—That whereas the last two terms are  
used in the 3rd sub-sec. of the 93 clause of  
the British North America Act, the term  
"Denominational" alone is employed in the  
first sub-sec.; evidently, therefore, the framers  
of the Act intended to denote by the term  
"Denominational" something not included  
under the terms "Separate" and "Dis-  
sident." From this the framers of the Opinion  
conclude that the term "Denominational" ap-  
plied to schools, is intended to denote schools  
of a distinctively and exclusively religious  
complexion, whether Catholic or Protestant.

Now such schools Catholics in New Brun-  
swick enjoyed under the old School Law of  
1858, 21 Viet., c. 29. Under the operation  
of that Act they could establish exclusively  
Catholic schools, in which a distinctively Catho-  
lic education, in the fullest sense of the  
word, could be given to the pupils attending  
them; they could elect their own Trustees,  
and mark out their own school districts; these  
Trustees could engage Teachers, and on im-  
proper conduct being proved against these,  
could dismiss them. The rate-payers of the  
several districts could by sect. 7 of said Act of  
1858, elect School Committees, to take charge  
of school-houses, libraries, and to watch over  
the expenditure of monies raised for school  
purposes. In virtue of this Act the Catholics  
of N. Brunswick did before the Union establish  
and support their own schools, which were re-  
cognised by the Provincial Government as pub-  
lic or Common Schools, entitled to their share  
of the funds raised for educational purposes.

Of all these rights and privileges with re-  
spect to Denominational Schools the Catholics  
of New Brunswick have been entirely deprived  
by the Act of 1871. Thereby the Act of  
1858 is repealed; Catholics may no longer  
establish distinctively Catholic schools, in which  
Catholic books of devotion are used, and Catho-  
lic devotions employed. The 60th section of  
Act 1871 expressly enacts that all schools shall  
be "non-sectarian" that is to say non-Deno-  
minational. Even Catholic teachers belonging  
to a religious order, male or female, are ex-  
cluded from the schools called into being by  
the new Act; for neither on the walls of the  
school room, nor on the persons of the teachers  
may any symbol or emblem of religious organ-

ization be exhibited. The peculiar dress of  
the Christian Brother, and of the Sister of  
Charity are thus excluded; and the cross the  
symbol of man's redemption becomes a prohi-  
bited thing. As the document before us pithily  
sums up:—

"So long as the Act of 1858 continued to be law,  
the Board would not have dared to promulgate such  
a regulation. Catholics were secured against any  
such outrage by that Act. The Board moreover had  
no power under the Act 1858 to prescribe the books  
to be used in schools. We are therefore constrained  
to say, that in our opinion the 'Common Schools  
Act 1871' does 'prejudicially affect' rights and  
privileges which were secured to the Roman Catholics  
of this Province, as a class, in respect of Denomi-  
national Schools."

Having thus given their opinion on the legal  
aspect of the question, the learned Counsel ad-  
vise the Bishop to carry the case before the  
Judicial Committee of the Privy Council, which  
is competent to hear and report therein to Her  
Majesty; and to be ready to substantiate his  
case by affidavits, and to support it by Coun-  
sel. This is the substance of the high legal  
Opinion embodied in the document before us,  
and it will be seen by our readers how exactly  
it corresponds with the views expressed on the  
same subject by the TRUE WITNESS. Our  
brethren in New Brunswick may be assured  
that the Catholics of this part of the Dominion  
extend to them their warmest sympathies, and  
pray heartily for their success—of which indeed  
we feel very sanguine, when once this case shall  
have been laid before the Judicial Committee  
of the Privy Council.

To the queries of our Morrisburgh corres-  
pondent we reply:—

1. Josephine was the true, and therefore the  
only wife of the Emperor Napoleon I.
2. The Catholic Church never gave permis-  
sion for the so-called Divorce; and never sanc-  
tioned Napoleon's so-called marriage with Marie  
Louise, which union in her eyes was but adul-  
terous concubinage; and indeed the sanction  
of the Church to the divorce was never so much  
as asked, or sought for—as Las Casas tells the  
world, in his *Memorial de Ste. Helena*—"As  
to the divorce, civil separation was pronounced  
by the Senate. As to the religious separation,  
it was not proposed to apply to the Pope, nei-  
ther was it necessary."—Vol. 3, p. 394.

The fact is that the servile Senate, and the  
servile Municipality of Paris declared the mar-  
riage of Napoleon and Josephine, celebrated in  
presence of Cardinal Fesch, null and void, be-  
cause they pretended to find therein some in-  
fraction of the French civil law; but as the  
civil law can neither add to nor detract from,  
the validity of a sacrament, the Church of  
course attaches no consequence whatever in  
these matters to its behests. Napoleon and  
Josephine, in fact, remained man and wife, till  
death sundered them.

To sum up:—In what light the pretended  
Divorce, and pretended second marriage of  
Napoleon were looked upon by the Church, at  
the time of said second marriage, may be  
judged from the following facts. The Pope,  
the head of the Church on earth, was a pris-  
oner in the hands of Napoleon, who was ex-  
communicated; and the Cardinals, who were  
invited to give *eclat*, and a quasi sanction to  
the affair by their presence, to the number of  
thirteen, kept away, thereby incurring the dis-  
pleasure, and constant persecution of the tyrant,  
and persecutor of the Catholic Church. It is  
false therefore that the Roman Catholic Church,  
ever sanctioned the union of Napoleon with  
Marie Louise, as she always held that he was  
sacramentally married to Josephine; and even  
the miserable Senate, and servile tools of the  
Emperor never pretended even to decree a  
Divorce; but went no farther than to decree  
that the marriage celebrated before Cardinal  
Fesch, was *ab initio*, null and void, and that  
therefore Napoleon never had been married, to  
Josephine.

The F. Eusebe, Director of the Reformatory,  
writes to the *Nouvain Monde* in contradiction  
of a report to the effect that the boys now  
under his charge were, whilst at the St. Vin-  
cent de Paul Reformatory, badly fed and badly  
cared for. This is not correct, the writer  
says:—"The bread the boys got at the St. Vin-  
cent de Paul establishment was good; and  
when they were transferred to the charge of  
the Brothers they were not covered with ver-  
min, but in a satisfactory condition as to clean-  
liness. The writer concludes—"seeking noth-  
ing but justice for ourselves, we desire to ob-  
serve it with regard to others."

The *Minerve* congratulates the public, and  
with good cause, on the immunity of Montreal  
from serious crime. During the past year there  
was but one trial for murder, on which a ver-  
dict of *not guilty* was found. Fifteen con-  
demns in the Court of Queen's Bench, and  
Sixty-two in the Court of Sessions of the  
Peace, comprise the total criminality of Mont-  
real for 1872. Well may the *Minerve* con-  
trast the moral condition of this very Romish  
City, often spoken of as the Rome of North  
America, with that of New York, and the  
other cities of the Protestant United States!

CATHOLIC INSTITUTE GAZETTE.—We are  
glad to see that this monthly, published by  
the "Young Men's Catholic Association" of  
Newark, is flourishing. It has just commen-  
ced its Third volume, with every appearance of  
vigor and vitality. We wish it "God speed."