

The True Witness.

AND
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MONTREAL, FRIDAY, FEBRUARY 5.

NEWS OF THE WEEK.

It would seem as if matters were coming to a crisis in France. After many years' silence the voice of the Parliamentary party is again heard, lustily demanding liberty, and invoking those principles of '89, to which in their political troubles Frenchmen of all shades of politics affectionately revert. Either another *coup d'etat* or else a perfect change of government, must, if this course be persisted in by the Opposition, become imperative upon Louis Napoleon. — Free discussion in the Chambers; free, not to say hostile criticism of his acts and of his policy, domestic as well as foreign, are hardly compatible with the existing order in France. The language of M. Thiers when treating of the restrictions placed upon liberty—upon personal liberty, liberty of elections, and liberty of the press—was most pointed; and though he disclaimed all intentions of menace, he concluded a long discourse, worthy of the palmy days of the veteran statesman, with the significant hint to the government, that, if the chief of the State did not know how to cede gracefully the reforms which the country now respectfully asked for, those reforms would ere long be exacted by an impatient people. Other speeches equally strong followed, through repeatedly did the President rise, and endeavor to put limits to the "burning discussion." The debates are all published at length in the *Monteur*, which would seem to indicate that Louis Napoleon feels himself so firm in his seat that he can afford to treat these attacks upon his government with disdain; on the other hand, they are read with avidity, and are verbally commented upon, by the "dangerous classes" in Paris, which would also seem to indicate that they are ripe for another revolution. The real political power of France is however with the army. If that be with the Emperor, he will know how to reduce to silence the murmurs of the noisy and discontented Parliamentarians.

Opportunely for the Government has occurred the detection of another plot against the Emperor's life. The agents in this nefarious scheme are Italians of the Liberal stripe, who came, not from London, as the telegrams at first reported, but from Switzerland. The names of the conspirators are Greco, Imperatori, Trabuco and Marpholi. Of these worthy representatives of Italian Liberalism, some are already notorious as Garibaldians, and as entitled to the Marsala medal. Trabuco in particular has distinguished himself, not only by his patriotism in Italy, but by his crimes in England where he was once convicted for theft—and in France also, where he was once convicted of swindling. Of such stuff are the ranks of the army of Italian liberty composed.

Greco when arrested made a clean breast of it. He not only did not deny that it was his intention to have taken the Emperor's life, but he avowed that he had been incited to the work, and paid for his share therein by Mazzini. Letters from, and likenesses of the latter were found on the persons of the prisoners, who all persisted in denouncing Mazzini as the originator of the conspiracy. On the other hand, Mazzini has written a letter to the *Times*, protesting in somewhat ambiguous phrases, his innocence; though he admits his intimacy with, and admiration for Greco, who is one of the most zealous and ardent of Italian patriots. The evidence, however, is very strong against Mazzini; and in spite of his disclaimer, the world will not unjustly credit him with being at the bottom of the murder plot.

The plan of the conspirators, in so far as it has been discovered, was of the Orsini pattern. They were furnished with bombs or hand grenades, and poisoned daggers. The first were to have been thrown into the Emperor's carriage, or under his feet when skating; and in the confusion that would thence probably have ensued, the assassins were to have rushed in, and finished their victim with their pignards. The police had their eyes on the criminals, and watched them closely from the moment when they crossed the frontier, until they were arrested. Mazzini is safe in London where he hatches his plots, and like a true Liberal commits the execution of

them to his hired agents—not caring to expose his own most precious person.

The Schleswig-Holstein Question still menaces the peace of Europe, and it is further complicated by the admixture of a strong revolutionary element. The volunteers who are flocking round the Federal standard, and raising the cry of German nationality against the King of Denmark's claims to the Duchies, are composed in a great measure of men deeply imbued with the spirit of '48, and who see in the present disturbed state of Europe a prospect of renewing the battle against authority. Neither Prussia nor Austria are therefore very keen for war; and the latter has plenty of work for the present year ready cut out to her hand in Hungary and Venetia. Indee the Italian revolutionists make no secret of their design to commence an attack upon Austria and the Sovereign Pontiff in the Spring. For this Garibaldi resigns his seat in the Italian Parliament, and opens a correspondence with Kossuth. Thus the elements of war and revolution are every where present in Continental Europe, and it needs but a spark to bring about the dreaded explosion.

The birth of an heir to the Prince of Wales is the great domestic news of the week; much discussed by the papers, which show to the wonder of British matrons how every body was taken by surprise; how the Princess of Wales had not, in the language of Mrs. Gamp, "so much as a pin ready;" and how in the absence of the regular medical attendants of the household of the Prince of Wales, the young stranger was ushered into the world by a local practitioner of unknown antecedents. The young Prince, and the mother were both doing well, to the delight of all loyal subjects, to whom the family concerns of our own virtuous and most amiable Queen must always be a matter of interest.

In the long pending *Alexandra* case, the Court of Exchequer has given judgment against the Government, and has rescinded the conditional rule for a new trial. The law officers of the Crown, who seem determined to approve themselves docile servants of Abe Lincoln, have again appealed, hoping to weary the defendants out by dragging them from Court to Court.

The news from India by the late mails was considered to be more favorable. The Japanese difficulty was patched up, or soldered over for the time; Prince Satsuna the offending party, having consented to all the demands of the British Government. He agrees to search out the murderers of Mr. Richardson, and if he discovers them—(which, of course, seeing that the murderers were his own retainers, he will take good care not to do)—to give them up to the British authorities; he also consents to pay all the expenses of the war. In New Zealand matters do not mend. The Maoris are brave and obstinate opponents, very cunning of fence, with a knack of slipping like eels out of the grasp of their pursuers, even when the latter feel most confident of having their prey fast. Altogether it is a very unpleasant little war, one in which much money will be expended, and no laurels reaped.

A few trifling skirmishes, a few shells thrown from the enemy's batteries, into Charleston, these make up the military budget for the past week from the United States. If the journals may be relied upon, the Confederates are falling out amongst themselves, indulging in mutual recriminations, and asserting their several "State rights" against the Confederacy. If this be so, it must be admitted that their cause is hopelessly lost.

The *British Whig* of the 25th ult. favors us with a rejoinder to our reply to the question which he put to us respecting the validity of the marriage of Eleanor of Guienne with Henry of Normandy, better known in English history as Henry II. The animus of our contemporary will be sufficiently apparent from the tone of his rejoinder:—

Touching Divorces of the Catholic Church, the *True Witness* disingenuously begs the question. It does not matter whether our Henry the Second married the divorced wife of Louis the Seventh, or that of his son, Philip Augustus. The question is, was Eleanor of Guienne divorced from her first husband? The *True Witness* says she was too high of kin to Lucia, but does not mention the degree of consanguinity, nor whether a Dispensation had been obtained from the Pope for the marriage. If the latter, it is idle to say, that the French Prelates merely declared the marriage to have been a nullity. The simple fact is, Eleanor was divorced from Louis and married Henry; just as Napoleon was divorced from Josephine and married Marie Therese. Again, if Divorces were not sometimes granted by the Catholic Church why did our Henry Eighth apply for a Bull to dissolve his marriage with Catherine of Arragon, to marry whom a Dispensation had been granted. It is true Henry did not get it, but the refusal did not arise from inability to grant it, but from dislike on the part of the Church to offend the Emperor Charles V. In fact the historical student stumbles upon Divorces of this kind at every page of history, and although some excuses or subtleties may be pleaded, yet they took place continually. There are more ways of killing a dog, besides choking him with butter.

The design of the writer of the above is to show that the Catholic Church has sanctioned divorce, and tolerated violations of her law, "one with one, and for ever." Having failed in establishing his thesis in the case of Eleanor of Guienne and Louis VII. of France, he now cites the blackened case of Henry VIII of Eng-

land; and argues from the action of the latter towards the Court of Rome, that it must have been well known in the sixteenth century, that the Church did sometimes allow of divorce—or how otherwise could Henry VIII have applied for one? This is the gist of our contemporary's argument.

And here we perceive the necessity of strict definitions, and the danger of using vague terms. Before the difficulties suggested by the *British Whig* can be resolved, the term "Divorce" must be defined; and having agreed upon a definition of the term, we must consent to use it in that definite sense, and in that sense only. As employed by our contemporary, and indeed by many writers, it is used in a twofold sense, and is applied to two essentially different acts.—Hence much confusion, and many unprofitable logomachies.

"Divorce," in the sense in which we use the word, and in the sense in which the Catholic Church condemns, and has always condemned it, means the dissolution of a valid marriage; and a dissolution so perfect as to leave the parties to the first marriage free to contract other and valid matrimonial unions. The same term, "Divorce," is often used in a vague or slipshod manner, to denote the judicial act of the Church by and through which she declares, after careful examination of the facts presented to her, that the persons upon whose case she is called upon to adjudicate, never were validly married at all, and are therefore bound to separate from another, if heretofore they had been cohabiting as man and wife. Betwixt divorce in its first or strict sense, and divorce in its second sense, there is therefore an essential difference; and it is a great misfortune that language should be so limited as to render it customary to employ one and the same word to denote two acts so different—acts betwixt which indeed there is not the most remote resemblance. Thus premised, we assert that, in no single instance has the Catholic Church ever sanctioned or tolerated "Divorce," that is to say the dissolution of a valid marriage.

In the case of Eleanor of Guienne we showed by the testimony of St. Bernard, that she and Louis VII were notoriously within the prohibited degrees of consanguinity; that consequently, without a special dispensation—which was never granted or even applied for—there could have been no valid marriage betwixt them; and that the cohabitation of Louis VII and Eleanor was a public scandal, with which St. Bernard and others, zealous for the discipline, and morality of the Church, severely reproached the King of France and his pretended wife. We do not profess to be so well posted up in all the genealogies of the twelfth century as to be able to show the precise relationship that existed betwixt Eleanor and Louis; but in that St. Bernard appealed to that relationship as a well known fact, we may safely conclude that it did exist.

In the case of Henry VIII. and Catherine of Arragon, the facts so far from establishing the thesis of the *British Whig*, demonstrates its falsity. Henry VIII never did apply for a "Divorce," in the sense in which we use the word, and in the sense in which the *British Whig* intends that it should be accepted.—Henry knew that such an application would have at once been received at Rome with a "non possumus"—we cannot alter the laws of God and His Church;—and therefore the idea of applying for a divorce never entered into his head.

What he applied for, as every reader of history must know, was, not a divorce, but a judicial declaration from the Holy See to the effect that his union with the widow of his deceased brother Arthur was not a valid marriage, but an unholy and incestuous union, contrary to God's Law and the law of the Church; fraught with peril to the English nation in that it threatened the country with a claimant to the Crown of doubtful title; and dishonorable to the King whose daughter was tainted with the suspicion of illegitimacy.—On these grounds, and on the pretence that the dispensation from Pope Julius had been obtained by misrepresenting the relations actually subsisting betwixt Catherine and her deceased husband—which misrepresentations he professed to be in a position to rectify—Henry VIII. demanded of Clement that the dispensation of Julius should be declared invalid, and his union with his brother's widow be pronounced null and void.—Question of divorce there was, and could be none. The question which alone was agitated was this. Was the union betwixt Henry and his brother's widow a marriage at all, in the Christian sense of the term? And this again raised two other questions, which were keenly argued by all the Doctors and theologians of Europe. These questions were:—Had the Pope power to give dispensation to a brother to marry his brother's widow under certain circumstances? and: were the allegations as to the relations that existed betwixt Prince Arthur and Catherine during the few months of their marriage, well founded? Never was it so much as hinted at that the Pope, or any authority on earth had the power to dissolve a valid marriage or to grant a divorce in the proper sense of the word.

It surprises us indeed, that the *British Whig* should take the grounds he does on this question; for he is too well read in history not to know that they are false, and not to remember the pretences upon which Henry VIII invoked the interference of Rome in the affair of his marriage. It was, so the King pretended, to ease the scruples of conscience with which he was tormented; it was to save England from the dangers of a disputed succession, and a rekindling of the flames of civil war; it was to set at rest the doubts as to the legitimacy of Mary—that he appealed to the Pope, and invoked his judgment upon the validity of his union with his brother's widow. Had not the negotiations for the marriage of his daughter with the Duke of Orleans, son to Francis, been broken off, because of the suspicions cast upon the validity of his own marriage? Did not the French Bishop of Tarbes, one of the negotiators of the marriage treaty betwixt Mary and the Duke of Orleans, insinuate his doubts as to the status of Henry's daughter, suggest that she was a bastard, the issue of incest, and therefore unfit mate for a son of France? These were the *British Whig* well knows, or ought to know, the ostensible reasons put forward by Henry VIII; and in that he put forward these reasons, in that, in spite of his passion for Anne Boleyn, he never so much as dreamt of asking for a divorce, it is clear to every impartial person that he knew that divorce never was granted by the Court of Rome, and that it was in vain for him to ask for it from the head of the Catholic Church.

And so also when Henry came to a final rupture with Rome, and transferred the matter of his marriage to the Convocation of the Clergy under Crammer, the questions which were then submitted to theologians and canonists had no reference whatever to divorce; that is to say, to the dissolution of a valid marriage. "Could the Pope sanction the marriage of a brother with his widowed sister-in-law, under certain circumstances?" and, "had those circumstances actually occurred in the case of the marriage of Arthur and Catherine?" These were the sole questions, one of law and the other of fact, upon which the Doctors of Convocation were called upon to pronounce; and the final sentence passed by the Archbishop Court of which Crammer was president, declared the marriage betwixt Henry and Catherine—not dissolved, but—"null and void, as having been contracted and consummated in violation of the divine law."—Even the servile prelates of Henry did not pretend that it was in their power, or in the power of any tribunal upon earth, to dissolve a valid marriage. Not until Protestantism had extended its baleful influence over society was divorce a *vinculo* ever dreamt of; and again we repeat it, we defy the *British Whig* or any other man, to make use of a well known figure of speech—to cite a single instance, or well established case of such divorce, sanctioned by the Catholic Church.

The subjoined is the text of the Circular letter from His Lordship the Administrator of the Archdiocese of Quebec, to which we alluded in our last, and which is intended to counteract the machinations of the crimps engaged in seducing our Canadian youth into the ranks of the Federal army:—

Archbishopric, Quebec, Jan. 14, 1864.

Monsieur le Cure—It appears that for some time past the country has been overrun by agents who induce young Canadians to cross over to the United States on the specious pretext of furnishing them with employment on the public works, but in reality to enroll them in the American army. Already these agents have succeeded in deceiving a good many, who are now exposed to all the dangers of war; and who even if they do not fall on the field of battle, or perish in the hospital, will return here, only to drag out a miserable existence. The Provincial Government makes praiseworthy efforts to put a stop to the evil; but that end will be most efficaciously attained, if the Parochial Clergy warn their several parishioners against the danger. I appeal, therefore, to your charity, begging of you to dissuade your young people from biting at the treacherous bait held out to them. I feel confident beforehand, that your voice will be listened to, and that soon we shall hear no more of this deplorable emigration to the United States on the part of our Canadian youth. May God grant, for their spiritual, as well as for their material interests that they forsake not their country.

The present Letter shall be read at the Parochial Mass the first Sunday after its reception.

I remain, &c., M. Le Cure,
"Your humble and obedient servant,
"C. F., Bishop of Tioa.

We understand that His Lordship the Bishop of St. Hyacinthe, whose diocese is also much infested with vermin of the same description as that against which His Lordship of Tioa warns his people, has also published a Letter exposing the artifices and knavery of these Yankee crimps. If after these solemn and reiterated warnings, Canadians should be such fools as to give ear to the lying promises of the seducer, their blood be upon their own heads.

The *Welland County Telegraph* is the title of a new and very neatly printed weekly paper to be published at Welland. The first number makes a highly creditable appearance; and though it would be premature to pronounce an opinion on its merits, we may say that, judging from the tone of its editorials, and the taste displayed in its selections, it is in good hands, and deserves a hearty support from the public.

It will be seen by an advertisement in another column that Mr. Fothergill of Oxford University, will lecture in this city on Monday the 15th instant, at the Bonaventure Hall. The subject upon which he proposes to entertain us is "The Fidelity of the Irish People;" and the lecturer's well tested ability gives assurance that he will do justice to the subject that he has selected. The lecture will be given under the auspices of the St. Patrick's Society, and we trust that no pains will be spared by Mr. Fothergill's friends and admirers to secure him a good audience.

LA REVUE CANADIENNE.—We have received with real pleasure the first number of this new serial in the French language. Its literary merits which are great, form not its highest recommendation in our eyes. We hail it with joy, not only as an important contribution to our literature, but as an antidote to the poisonous trash so commonly vended now-a-days, and alas! so widely circulated amongst our French speaking portion of the population. The exploded social, political and religious errors of the last century, the platitudes of the philosopherlings of the XVII century, the mawkish sentimentalities of Jean Jacques, the obscene sophisms of Diderot, Voltaire and Co. are warmed over again, and with fresh trimmings are served up to table, as newly discovered and important truths. As such by too many of our fellow-citizens they are readily accepted and greedily devoured, and it is against this poisonous diet that we expect the *Revue Canadienne* to furnish us with the remedy. In this hope we do not think that we shall be disappointed. Its directors and contributors are men not only of talent, but of sound principles, who know wherein the danger to the health of the patient consists, and how to confront it. Courage then! we would say to them—in your noble task, a task as worthy of the patriot as it is of the Christian. The enemies of French Canadian nationality know well that religion is the stronghold of that nationality; that the de-Catholicised Canadian is also de-patriated; that in becoming apostate to his Church he becomes false to his country, and that in parting with his religion he parts also with every noble and patriotic sentiment. Herein lies the secret of the activity of all our proselyting societies. They aim, not at the salvation of souls, but at Anglo-Saxon ascendancy; and the end of their labors is the extinction of those laws, usages, national customs and of that language of Lower Canada, which are bound up with its religion, and upon which they depend. Every man who loves Lower Canada, must therefore pray for the prosperity of works such as that before us; and from the dissemination of which we may hope, with the blessing of God, to see the happiest results both to religion in general, and to Lower Canada in particular.

TAKING IT EASY.—At one of the Protestant Anniversary Meetings held last week, the Rev. Mr. McKillop told the following story, illustrative of the religious habits of the Protestants of the Eastern Townships:—

"It was not unusual for many of the older portion of the assembly, if the sermon was too long, to get up, gather round the stoves, and lighting their pipes proceed to smoke."

Very sensible men indeed these Eastern Townships Protestants seem to be. Having a lively recollection of the horrors of Protestant preaching, and having suffered many things at the hands, or rather at the tongues, of evangelical ministers in our youth, we can sympathise with the good men of the Eastern Townships under a similar infliction, and fully agree with them that a good smoke is better than a long Calvinistic sermon.

We would call attention to the letter of our Belleville correspondent, and to the charity which he commends to the notice of the public. The kind Christians of Belleville, with their generous pastor, the Rev. Mr. Brennan, at their head, have done their share in the good work, and it is but right that they should be helped by Irish Catholics throughout the country.

W. FOTHERGILL, Esq.—Mr. Fothergill has handed us the following note for publication. He is now sojourning in the Eastern part of the Province, and on his return in March next, he intends to remain in Cobourg a few days when he will again have pleasure in Lecturing before a Cobourg audience:

To the Editor of the *Cobourg Sentinel*.
DEAR SIR,—Permit me through the medium of your excellent paper to convey my most sincere thanks to the President and Society of St. Patrick for so generously placing their Hall at my disposal on the 13th instant; and also to the people of Cobourg for the very kind reception with which I was greeted on my return visit to their Town. This their kindness will ever be a pleasant reminiscence to me—even as now it excites a feeling of gratitude which will most assuredly be permanent.—I remain, dear sir, yours,
WILLIAM FOTHERGILL.

On Sunday a white man and a negro named respectively Patrick Allen and James Thomas, were handed over to the civil authorities by the military look-out party, on a charge of kidnapping a citizen and attempting to convey him to Cape Vincent, for the purpose of enlisting him in the American service.—*Kingston News*.