

THE TRUE WITNESS

CATHOLIC CHRONICLE,

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The True Witness.

MONTREAL, FRIDAY, NOV. 26, 1858.

TO OUR DELINQUENT SUBSCRIBERS.—We take this opportunity of informing all subscribers in arrears to this office, that, wearied out with reiterated and fruitless appeals to their sense of justice and common honesty, we have commenced handing over their accounts to a lawyer for collection; and shall for the future continue so to deal with all those who will not, except on compulsion, pay their just debts.

THE MORTARA CASE.—"That in this nineteenth century a child of tender age could be taken from its parents by force, under ecclesiastical or civil authority, in order to be made the subject of a mechanical conversion, is a fact which cannot fail to excite wonder amongst those who have thought that the deeds of the seventeenth century had died out with their epoch."—*Montreal Herald*, 20th inst.

Another fact, equally wonderful, and certainly characteristic of the intelligent nineteenth century, is to be found in the gross perversion of truth in which Protestant journals almost invariably indulge when treating of subjects connected with Catholicity; and in the gross credulity of an intelligent Protestant public, for whose digestive faculties no fiction is too gigantic or too tough. A genuine Protestant can believe everything except the truth.

Now though we do not pretend that the *Herald* has been guilty of a wilful perversion of facts, we cannot acquit it of, at least, gross carelessness in its statement, or pretended statement, of the facts connected with the child Mortara; and we cannot certainly conceal our contempt for an "intelligent" Protestant public, who accept our cotemporary's version thereof as God's truth.

For it is not true, but on the contrary, false as hell, to insinuate that the child Mortara has been taken from its parents by force, "in order to be made the subject of a mechanical conversion." The child Mortara was already a Christian for years before ever the Ecclesiastical authorities interfered with him; and it was only because he was a Christian that they at last extended to him their protection. Neither is there any reason to pretend that it is true that he was taken by force from his parents; for we find it positively asserted in *L'Univers*, and other Continental papers, that his father formally consented that the child, in accordance with its wishes, should be brought up in a Christian institution. Nor is there in this version any improbability; for a Jew who would knowingly leave his child for years in the hands of a Christian nurse—and that in spite of a well known law, and the oft-reiterated cautions of the Roman tribunals—cannot be suspected of any very ardent attachment to the religion of his fathers, or of opposition to that of Jesus. We may therefore dismiss the *Herald's* "fact which cannot fail to excite wonder" as a mare's nest of our cotemporary's own finding.

As to the question of right, we would remind the *Herald* that there can never be "a right against a right." Now the child Mortara has arrived at an age when it is capable of discriminating between good and evil; at an age when, if an English child, it would be held by the civil magistrate responsible for its acts. Children as young have died for the faith, and have been honored by the Church amongst her martyrs; and from this we conclude that this child Mortara has "the right," as before God, to be a Christian, and to profess the religion of Jesus. Indeed, in proof of this our conclusion, we may cite the express words of Him Who said, "Suffer little children to come unto Me, and forbid them not."—*St. Luke* 13, 16.

Now if the child has "a right," as before God, to be, and to profess itself a Christian, and if it be true that there can never be "a right against a right," it follows that its father has no right in virtue of the natural law to oppose this exercise of his child's right. And if the Non-Christian parent has no right to prevent his child from accepting the pressing invitation of Jesus, and of declaring itself a Christian, then certainly no natural right of the elder Mortara has been infringed upon by the action of the Roman tribunals.

All right is from God. He is the author of the natural as well as the supernatural law; and the one can never contradict the other. A parent has therefore no right to make his child violate God's laws; and no child owes obedience to a parent commanding it to violate them. But

Christianity is the supernatural law of God, and no parent therefore can have a right to prevent his child from becoming a Christian; neither is the child guilty of any crime who, in defiance of its non-Christian parent, embraces and conforms itself to the laws of Christ; nor is he who abets the child in so doing, guilty of any breach of God's natural law.

But in the case of the child Mortara be it remembered, that the father has himself to blame for any apparent hardship, to which the decision of the Roman tribunals may have exposed him. It was his own wilful, deliberate and long continued violation of a law with which he was well acquainted, and which was framed expressly for his protection against the indiscreet zeal of Christian domestics, that was the cause of all the subsequent interference on the part of the Papal Government. He is forbidden by the law of the land to keep Christian servants in his house; and he entrusts for years the care of his children to Christian nurses, knowing the risk to which he exposed the former, and thereby showing his utter indifference to all religion. Of his children, one falls ill; still it is left in the hands of a Christian nurse. The medical man tells him the child is in imminent danger of death; and yet knowing the value that all Christians attach to Baptism as a Sacrament "necessary to salvation," he still leaves his apparently dying child in the same hands. The nurse under these circumstances validly baptised the child, and neither Pope nor Council can now unbaptise it. As a proof, however, of the nurse's good faith and caution, we may add this. That some years after, and whilst still living in Mortara's family, another of the children fell sick unto death; a fellow-Christian servant hunting to her the propriety of baptising it, she refused, upon the grounds that she had already under similar circumstances, baptised one of her master's children, and that it was still living. In consequence of these scruples on the part of Anna Morisi, her master's second child died unbaptised.

Meanwhile the other child grew up, learning from the lips of its Christian nurse those sublime verities which are often concealed from the wise and prudent and are revealed to the little ones, for so it hath seemed good to the Father.—*St. Matt.* xi. 25, 26. No opposition was offered by the father, who in fact confided the child's early education entirely to its Christian nurse. Under these circumstances, and with, at first certainly, the parent's formal consent, the child—having arrived at an age when it had the right to assert its earnest desire of remaining in the faith in which it had been baptised and educated—was placed in a Christian college to complete its education; the parents meanwhile having free and easy access to their child, subject only to those restrictions which in every educational institution are placed upon the visits of all friends, parents, or guardians. An anti-Christian press having learned these facts, have used the elder Mortara as their tool—for he seems throughout to have been profoundly indifferent as to whether his children were Jews, or Christians, or Mahomedans; and the Pope is now urged to turn the young Mortara out of the school wherein it is being brought up, and wherein it earnestly wishes to remain—in order that it may be coerced into a renunciation of the Christian faith. Under these circumstances how should the Pope, as a Sovereign Prince, and as a Christian Bishop, treat the clamors of the enemies of Christianity?

Let us see how an English secular tribunal acted a few days ago under somewhat analogous circumstances.

In the Stourton case the natural guardian of a Catholic's child claimed its guardianship. It was shown on the other side that for some years the father had virtually consented to let his child be brought up by Protestants, as a Protestant; and that the effect of restoring the said child to the Catholic guardian would in all likelihood be its conversion to Popery, and its abjuration of Protestantism. After many long protracted pleadings, it was ruled in Chancery that the first duty of the Court was to consult—not the natural rights of the father, but—the interests of the child; and acting upon this principle, and taking into account the dangers to which the child's faith would be exposed if after having been subjected to Protestant influence, it were to be placed under the control of a Catholic guardian—the Court also refused the latter's application.—Thus in England, we see that by neglect of his duty a father is held to have forfeited some of his natural rights over his child; how much more then must not the elder Mortara have forfeited that right, not by his negligence merely in leaving his children for years in the hands of a Christian—but by his deliberate violation of a well-known law: framed solely for his protection, prohibiting him from keeping Christian domestics, and plainly warning him that if he violated the law he should have to stand the consequences?

"Non possumus" is the answer of the Pope to the request made to him under such circumstances; as from its decision in the Stourton case, we are sure would also under analogous

* Our argument is of course addressed to those only who admit the divine origin of Christianity.

circumstances be the answer of the British Court of Chancery. The law gives to every Jew in the Papal States ample means of preserving his children from all undue attempts at proselytism. It forbids in the strongest terms, and under the heaviest penalties, the baptism of the children of Jews without the consent of the parents; it prohibits the engagement of Christian domestics in Jewish households; knowing how apt though a mistaken zeal, Christian servants are to interfere with the religious prejudices of their masters. And by numerous precedents it warns all Jewish parents, that if they will persist in violating the law, if they will persist in entrusting their children to Christian nurses—the State will not interfere to protect them against the consequences of their own apathy; and that the Church will maintain her rights over all those who by baptism have been made her children, and will protect those children against their Non-Christian parents. Thus warned, thus protected, thus hedged round on all sides, it is the fault of the Jewish parent, if his child become a Christian; and claims the protection of the Roman tribunal, against the attempts of its parents to coerce it into a renunciation of its baptism, and a denial of Christ.

In answer therefore to the *Herald*, we conclude by observing that it is not true that the child Mortara has been taken by force from its parents "in order to be made the subject of a mechanical conversion;" because in the first place the child was not forced from its parents at all; but was with their formal consent—and being already a Christian, placed in a Christian college, to which its parents have free access;—and because, in the second place, it was by the parent's own voluntary act that the child was from its first infancy placed in Christian hands, and subjected to a course of Christian training.

Lastly, we would ask our cotemporary how the tribunals of the United States would act towards a child of Mormon parents, professing itself opposed to its father's faith, and desirous of remaining a member of some other Protestant sect, into whose tenets, by its father's consent, it had been previously indoctrinated? We think that under such circumstances the Law Courts of the States would grant protection to a young girl against her Mormon father, and deny his right to send her to Utah. Now certainly betwixt Mormonism and any other Protestant sect, there is no such essential difference as there is betwixt Judaism and Christianity; and if the law could justly protect a girl against the attempt of her father to coerce her into Mormonism, with equal justice might it interfere to protect a Christian child from being coerced into a denial of its Saviour and Redeemer.

We hope that we may not be suspected of any intention to speak disrespectfully in the above remarks, of our Jewish fellow-citizens; or of comparing them with the Mormons, the vilest perhaps of all the modern Protestant sects. We know too well how much the Christian world is indebted to the Hebrew race, to speak slightly of them; and as Catholics, we deprecate all attempts at forced conversions, as opposed to the natural law, and to the positive teachings of our Church; who has repeatedly, and in the strongest terms, forbidden, under the heaviest penalties, the baptism of Jewish infants without the consent of their parents. But for the *bogus* Israelite, for the fellow who, like this Mortara, at one moment manifests his utter contempt for his own law, by employing Christian domestics to prepare his food; and to rear his children; and at another, and at the instigation of the partisans of Red Republican democracy, claims the sympathies of the world as an outraged parent, because of his own neglect—we have but one feeling—and that is, contempt for the man's hypocrisy, mingled with surprise at the simplicity of the silly dupes who believe him in earnest. In Rome, at all events, the true Jew, who strictly conforms to the precepts of his own law, runs no risk of having his children converted to Christianity against his will; so many are the precautions adopted by a Christian Government to protect him against any infringement of his paternal rights. But over those who through their parent's neglect and violation of the precept of his own religion, have been baptised and brought to the faith as it is in Jesus, the Church claims to exercise her maternal rights; and will assert her duty to protect them against the efforts of their negligent parents to coerce them into apostasy, and the damnation of their souls.

* A respectable and truly conscientious Israelite would not use meat even, that had been killed by a Non-Israelite butcher; nor would he certainly entrust the preparation of his food, and the care of his children to Christian hands.

THE MINERVE AND THE TRUE WITNESS.—Our readers must be as weary as we are ourselves of this endless controversy; for all controversies must needs be wearisome that are interminable, or that cannot be referred to the decision of some tribunal competent to pronounce finally thereupon; and it is impossible that a controversy betwixt an independent journal, and a "government hack" can be otherwise than interminable.

Not with any hopes then of bringing the Mi-

nerve to reason, or of inducing it to adopt an honest and independent course, do we for the last time address ourselves to the ungrateful task of repelling its calumnies; but merely with the object of clearly defining our position with regard to the "Ins" and the "Ours;" and of justifying ourselves in the eyes of those who may take the trouble of reading these lines, against the charge of inconsistency brought against the TRUE WITNESS by our Ministerial cotemporary.

The *Minerve* accuses us of inconsistency because in our issue of the 15th ult., we condemned as unmanly and most ungenerous the unauthorised dragging in of the names of the Prelates of the Church into newspaper controversies; and because we had already, on Dec. the 25th of the previous year, re-produced in our columns the previously published opinions of His Lordship the Bishop of Toronto upon the political duties of Catholic electors. In this we contend that there is no inconsistency, and for the following reasons.

The published letters, Pastorals, or other documents of our Prelates, are public property; given by them to the world, with it is to be supposed, the express intention that they should be as widely circulated as possible. In re-producing them, therefore, the Catholic journalist does but fulfil a duty which he owes both to his ecclesiastical superiors, and to the public his readers.

But it is another and very different thing, to impute to the said ecclesiastical authorities, opinions or language whose publication they have not themselves expressly sanctioned; or without authority, to represent them as favoring or opposing any particular line of policy. Now, in every instance wherein we have quoted, or adduced the testimony of any Catholic Prelate, to any proposition by us advanced, we have done so with authority; that is, we have but quoted his previously published letters, the contents of which we concluded—from the fact of publication—that the writer desired to be made as extensively known as possible. This we contend is not only allowable to us, but is our bounden duty to do, as Catholic journalists. More than this, no man has the right upon any pretence whatsoever to do; and if in our article of the 15th inst., we condemned the language of the *Canadien*, it was because that journal, without authority certainly from the Bishop of Toronto, had imputed to that Prelate "Clear Grit" proclivities. Is there, we ask the impartial reader—any analogy betwixt the action of the *Canadien*, and that of the TRUE WITNESS in laying before its readers the previously published communications of the same Prelate? To drag a Bishop, or a lady's name into newspaper controversy is ungentlemanly; but when either Bishop or a lady comes before the public, *proprio motu*, addressing the world through the columns of the public press, that correspondence becomes public property; and every one has a perfect right to read, quote, or otherwise make use of it. If the *Minerve* cannot see the difference betwixt dragging without authority a person's name before the public, and quoting the same person's previously published opinions, our cotemporary must indeed be very stupid.

Again the *Minerve* finds inconsistency betwixt our congratulations over the fact that in Scotland—where the Church is daily regaining her lost ground—there are but few government hacks or place-hunters amongst the Catholic portion of the population; and our enumeration of the gross injustice to which in Canada, individual Catholics are often subjected from the hands of Orange, and other Protestant officials entrusted with the administration of the law. But if the *Minerve* would but consider that the Church, so long as she is militant, thrives best when most persecuted; that now and under a Protestant regime, as of old and under Pagan governments, the blood of the martyrs is still the seed of the Church; if he would but study the history of the last century, and learn therefrom that the calamities which then assailed her, and the trammels imposed upon her, were the work of servile courtiers deeply imbued with the accursed principles of Gallicanism and Josephism, he would see that we have good reasons for congratulating ourselves upon the condition of Catholicity in Scotland; where, thank God, the Gallican is held in contempt, and where no man is ashamed to avow his Ultramontane principles, and to proclaim himself, heart and soul, a Papist.

On the other hand it is equally true that—not the Church, but—individuals often suffer from the injustice and partiality of Protestant Magistrates and other officials; as for instance in the case of "jury packing" by Sheriff Sevell at Quebec.—For this reason then, we can deplore, and condemn, our Canadian policy of appointing Orangemen, and other notorious partisans to offices connected with the administration of justice, as injurious to individuals; whilst on the other hand we can consistently attribute the bold and unadmitted front with which the Church marches in Scotland from conquest to conquest, to the fact that her progress is there unimpeded by those time-serving place-hunting children, who seek to subordinate the interests of their Spiritual Mother to their cravings after political advancement. Were the Catholics of Canada, though all out of office,

but united and disinterested, we should soon be able to wrest from our rulers these concessions to our just demands, which we shall ask for in vain so long as we pursue the timid and mercenary policy advocated and supported by the *Minerve*. The hostility of the Secular Power has never injured the Church; its embraces though, have oftentimes brought her apparently to the verge of destruction.

The TRUE WITNESS also, argues the *Minerve*, is inconsistent, because whilst insisting upon the duty of supporting candidates opposed to "representation by population," it, at the last election for this City, "sustained with all its strength the candidate favorable to that measure, against another candidate pledged to oppose it."

This is simply an untruth; for during the late election contest for Montreal, the TRUE WITNESS abstained from taking any part therein, in favor of either candidate; and contented itself—without any the slightest allusion to either of the contending parties—with laying down some general rules, of which every Christian, and every gentleman must approve, though to the *Minerve* they may be very disagreeable. We merely said, what we repeat again, and will maintain in the face of the whole world—that when a candidate for Parliamentary honors presents himself before his fellow-citizens, he must be judged by his political antecedents, if he has any, and by his antecedents as a citizen if a new man; that the rogue in private life is not to be trusted in public life; and that he who has not done his duty to God and to his fellow-creatures in one condition, will most probably prove himself equally unfaithful to duty in every other condition. If this be to take active part against the *Minerve's* friends, they must be a precious set of knaves and blackguards; but more than this we defy our cotemporary to find in the columns of the TRUE WITNESS with reference to our last City election.

Neither is the TRUE WITNESS guilty of inconsistency, because believing the abolition of tithes to be but a question of time, in consequence of the adoption of the principle "that it is desirable to abolish all semblance even of connection betwixt Church and State;" and because, altho' denouncing that principle as false as politics and in theology—it seeks to prepare for the inevitable coming change by advocating a full and impartial application of the Voluntary System, rather than a one-sided and partial application thereof.—That the Church can thrive under the Voluntary system, that except where the laity are a miserable set of mercenary "Lough-faces," the Catholic Clergy and all the expences of divine worship can be supported most respectably under that system, we have abundant evidence in the history of the Catholic Church in Ireland and in the United States; and so strong is our confidence in the vitality of our religion that, though we repudiate the Voluntary Principle on which that System is founded, we look forward without much anxiety to the day when the principle of abolishing all connection betwixt Church and State shall be reduced to practise or to a system. Only we demand that if on the one hand all State assistance to the Church be abolished, so also all restrictions to her right to receive and retain the voluntary gifts of her children be likewise removed. We are preparing for a coming change which we believe to be inevitable; and for that purpose we employ against our adversaries the argument in favor of Voluntaryism which they themselves urge against us—not because we believe that argument sound; but merely because, as urged by us, against them, it is *ad hominem*. They cannot retort it upon us, because we deny their premise, i.e., the desirableness of abolishing all connection betwixt Church and State.

So much for ourselves. As against the *Minerve* we reiterate our charge—of dishonesty, because whilst professing to quote at full length—*tout au long*—our argument against the consequences logically flowing from the preamble to the Clergy Reserves Bill, he omitted that portion wherein we expressed our opposition to the principle therein laid down; of false logic—because the legal obligation of paying tithes exists solely in virtue of a connection betwixt Church and State, since it is imposed by the State, and is, therefore, in no wise analogous to an obligation freely contracted betwixt two independent parties; and of quibbling, in endeavoring to persuade us that the words, "it is desirable to abolish all semblance of connection between Church and State," do not mean that which they were intended to mean, and that which every one, not a fool, who voted for them, knew them to mean.

We know not however if it may not be through its ignorance of the elements of political economy that our cotemporary tumbles into these extraordinary mistatements. For it argues that the above words need not have the meaning by us given to them, because "tithes is not a State and not a material assistance given by the State to our Clergy." "Tithes," he continues, "are a 26th of the grains reaped by Catholics, and by them given to their priests for services from them received. The State gives nothing, yields nothing material to our Clergy; it only recognises its right, that of enforcing payment of an appointed—indigne—price for its services."—*Minerve* 10th Nov.