

THE TRUE WITNESS AND CATHOLIC CHRONICLE,
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 AND
 CATHOLIC CHRONICLE.

MONTREAL, FRIDAY, SEPT. 10, 1852.

NEWS OF THE WEEK.

Parliament is not expected to meet before the middle of November.

We learn by the *America* steamer that the "Fishery" dispute has been settled by a compromise—and such a compromise! The British Government renounces for its colonial fishermen the exclusive right of fishing in all British bays, harbors, creeks, or arms of the sea, throwing them open to the use of the Americans, who, however, are restricted from approaching within three miles of the British coasts. On the other hand, the British colonial fishing vessels are to enjoy liberty of fishing in all waters, provided they preserve the same distance from the American shores. Such is the substance of this, to Great Britain, ineffably degrading and humiliating arrangement, by which the British Government sacrifices the honor of the British flag, the interests of the British colonists, tamely yields every demand of the haughty American Government, and receives nothing, literally nothing, in return; and this is facetiously called a compromise, forsooth—a settling of the question! It is in vain for the Government to try and humbug the people with their fine words; they will not allow themselves to be so humbugged; the whole question is so clear and simple that the veriest dolter-head in the community can understand it. Either the British Government had no right to insist upon the exclusive right of fishery, for its subjects, in all bays, harbors, creeks, or arms of the sea, contained within British head-lands, or it had the right. If it had not the right, it should never have advanced the claim, should never have sent out its squadrons to enforce it. If it had the right, it should never—so long as there was a British man-of-war afloat, with a charge of powder in her magazine, or a shot in her locker—have abandoned its pretensions; for if the British Government claims the allegiance of its colonists, it is its duty, a duty from which no power on earth can release it—a duty from the performance of which no threats, no dangers, should for one moment deter it—to protect, at all costs, at all hazards, its colonial subjects, in the enjoyment of all their rights; failing to do this the Government forfeits for ever every title to the allegiance of its unprotected subjects. But the question is compromised, and the upshot of all the bullying and blustering—the tall-talking and bellicose preparations of the Derby Ministry comes to this—that they are obliged to eat humble-pie, and resignedly to accept the terms which the American Government thinks fit to dictate. When first the dispute commenced we could not refrain from wonder at the extravagantly impudent nature of the American demands; but the Yankees are "cute" chaps; they knew well what they were about, and with what a contemptible set of nincompoops they had to deal; now, our only wonder is that our republican neighbors should have been so generous and forbearing, that they should have left to British colonial fishermen the liberty of fishing in British waters at all, for surely the right of the latter so to do is not more clear than was their right, according to treaty, to the exclusive right of fishery in all British bays, harbors, creeks or arms of the sea—a right which our precious Protestant ministry have pusillanimously abandoned. Alas! they were too busy devising new coercive measures for unhappy Ireland, too intent upon concocting fresh legislative iniquities for the persecution of the Papists of England, to have a thought to bestow upon the interests of British colonists, or to perceive the necessity of upholding the dignity of the British flag; they had kicked so hard against an imaginary Papal aggression, which had no existence save in their own silly heads, that they had no strength left to resist a real Yankee aggression, vitally affecting the national honor, and the interests of a numerous body of industrious and loyal British subjects. Well! if John Bull will bully the Papists he must be made to pay, and to pay pretty dear, for his whistle.

It is intimated that Her Majesty's late visit to Antwerp was not all for pleasure, but a little for business as well. *The Spectator* says:—

"It is possible—probable—that Queen Victoria's visit to her royal uncle of Belgium is nothing more than one of her customary autumnal trips. Since the dethronement and death of Louis Philippe, the Palais de Laeken has come to supply the place of the Chateau d'Eu. But the presence of the Queen of England in Belgium at the present moment is a fact of political importance, even though nothing of the kind be intended. It cannot fail to remind the French President, that personal ties unite the British and Belgian Sovereigns, as closely as common commercial interests and common constitutional sentiments unite the two nations; that the independence of Belgium is guaranteed by treaties to which England is a party—treaties of a later date, and more homogeneous with the existing balance of power on the Continent, than the old alliances of 1815."

The soldiers of the 31st, and Mr. Delmege, the Protestant magistrate, against whom a verdict of wilful murder has been returned by the coroner's jury, have been committed to Ennis gaol. We publish to-day the conclusion of the proceedings on the inquest, and with the evidence before them we see not how the jury could have found any verdict save that of wilful

murder against either the soldiers, or the accompanying magistrate. We do not so clearly see why they found a verdict of wilful murder against both, unless they came to the conclusion that Mr. Delmege discharged his pistols upon the crowd (a fact to which several of the witnesses testified) even if he did not give the orders to fire; but if he did neither the one nor the other, we see not how he can be held legally—we say not morally, but only—legally responsible for the acts of the troops. As to the case of the soldiers the question is, we think, very simple. Soldiers are legally irresponsible for all acts by them committed in obedience to the commands of their legitimate superiors; but, if without orders, soldiers presume to use their arms either for aggression, or self-defence, they can no longer plead their military capacity in justification of their acts; they are then in the situation of simple citizens, with the same rights, and the same responsibilities. A soldier has no more right to fire at a man who throws a stone at him than a simple citizen would have under similar circumstances; it is indeed lawful to both to protect their lives, and in so doing to take life, if absolutely necessary; but then the danger must be a real and serious danger, and the attack one which can not be repelled without taking the life of the assailant. The question then—admitting that the soldiers fired without orders, and that, therefore, they were acting, not in the capacity of soldiers, but of simple citizens—is, Was the danger with which they were menaced so serious—was the violence to which they were exposed so great, as to justify them in taking the lives of their assailants? The best answer to this question is afforded by the conduct of Lieutenant H. Hutton, the officer in command of the detachment. On his cross-examination this gentleman says:—"I restrained my men from firing." Now, in so doing Lieutenant Hutton either did his duty, or he did not; if he did not, he deserves to be dismissed from Her Majesty's service; if he did—and we have no right to assume the contrary—the necessity for firing could not have existed; for, if the necessity for firing had existed, and the officer had restrained the men, whose lives were entrusted to his care, from firing, most certainly in that case he would not have done his duty as an officer in Her Majesty's service. It is therefore a logical conclusion from the conduct of Lieutenant Hutton in restraining his men from firing, that the necessity for firing, in Lieutenant Hutton's own opinion, did not exist. Of the trivial nature of the stone throwing we may also judge from the evidence of the same witness who deposes that "he saw none of the men in his charge knocked down; and that he saw no man struck with a stone from whom blood flowed."

We had the pleasure of recording, last week, the recantation of the Rev. R. Wall, an ordained priest of the Catholic Church, but who had been seduced into Apostasy, by the agents of the "Apostate Priests' Protection Society." We have again, this week, the pleasure of recording the repentance and recantation of another of these unhappy men—the Rev. A. Hopkins, the particulars of whose reconciliation with the Church, by the hands of His Grace the Archbishop of Tuam, will be found on our second page.

Affairs at the Cape of Good Hope are progressing from worse to worse. General Cathcart has proclaimed his intention to carry into effect, without hope of retrieve or mercy, his threat of military execution against the British subjects who carry on a lucrative trade in warlike stores and ammunition with the enemy. It is now a well established fact that the Caffers have been supplied with the means of carrying on the war by British merchants, and until one or two of these rascals are hung up by the neck to dry, we fear that this infamous traffic will never be brought to an end; appeals to the honorable or patriotic feelings of these gentry are in vain; nothing but military execution—a long rope and a short shrift—will bring them to their senses. We read also in the *Weekly News* that in several instances the missionaries have "become so lost to the duties of British citizens as to extend their sympathy, if not their countenance and support, to those who are engaged in this deadly struggle against the re-establishment of British supremacy." A little hanging, or a few dozen with the cat-o-nine-tails, would do these fellows a world of good.

We learn that the truckling concessions of the Derby ministry to the demands of the American Government have caused much excitement at Halifax, and that a meeting of all classes of the community had been held, at which some very strong resolutions were passed, and an address to the Government, and a petition to the Queen praying for a suspension of negotiations, were agreed to.

The news by the *Arctic* is of little interest.—In France everything is perfectly quiet as far as the eye can reach; what may be going on below the surface, is more than man can tell. It is again rumored that Lord Malmesbury is to succeed Lord Cowley as ambassador at Paris.

Our cotemporary the *Canadian Churchman*, is indignant with the *TRUE WITNESS*, because, in the enumeration of the different religious sects into which the people of Upper Canada are divided, it classed the Anglicans with the other Protestant, or Non-Catholic, sects. Our cotemporary, very unreasonably it seems to us, objects to this; for, if Anglicans be not Protestants, what the mischief are they? If the Anglican establishment be not a Protestant establishment, and if its bishops and dignitaries be not the nominees of a Protestant government, what, in the name of all that is absurd, are they? What is the meaning of all the howling and bellowing about "our Protestant Faith, our Protestant religion," and "our Protestant what-nots"—with which, of late, our ears have been assailed? If Dr. Sumner, the government

primate, who denies baptismal regeneration, laughs at apostolic succession, and repudiates the idea of the necessity of episcopal ordination, be not a true Protestant minister—what is he? Will our cotemporary be kind enough to answer us these questions, as well as another which we propounded to him long ago—but to which he never vouchsafed a reply—"Can there be a Church without a Bishop, and can the Sacraments, with the exception of Baptism, be validly administered by one not episcopally ordained?"

In assigning to Anglicans a place amongst other Protestant, or Non-Catholic, sects, we only assigned to them a place which, from pulpits and pulpit, they have loudly claimed for themselves; why then is our cotemporary offended? We fancy it is that he is ashamed of the motley crew with whom he finds himself classed: he don't like the strange bed-fellows with whom Protestantism brings him acquainted: he is heartily sick of his Presbyterian—Methodist—Tunker—Congregationalist—Jumper, &c., allies, and has too good a conceit of himself to like to be seen marching through Coventry with such a ragged regiment. Well, our cotemporary is right; we admire his taste, though we cannot profess respect for his logic, or see any reason why the law-established heresy of England should be treated differently from any other form of heresy. Of course we do not mean to confound the gentlemen who profess that peculiar form of heresy—called Anglicanism, or—"Church-as-by-law-establishedism"—with the ordinary frequenters of the conventicle—or with the ignorant and drivelling votaries of the Love Feast, or Revival. Though we can give no preference to one form of mortal sin over another, we can still, honestly and cheerfully, admit the virtues, the learning, and many noble and excellent qualities both of head and heart, of our separated Anglican brethren, whilst at the same time, we regret that such noble talents should be prostituted to the support of so vile a cause; in a word, though we cannot recognise Anglicans as Catholics, we can respect them as scholars and gentlemen, and we hope, therefore, that the *Canadian Churchman* will acquit us of the design to say anything personally offensive. It is quite unnecessary for our cotemporary to advise us to study the history of Anglicanism, its rise and progress; we have studied it very attentively; we are fully acquainted with the why—the how—and the when—of its origin, and having so studied its history, and being thus fully acquainted with all the details of its existence, we can only express our wonder at the strange impudence of the writer who, in the XIX. century, claims for the Anglican law-establishment any connection, however remote, with the Catholic Church. The holy Church throughout the world, indignantly repudiates the idea of any such connection; heretics themselves—the Greek Schismatics, the Oriental Sectaries—disclaim any such connection, and would feel themselves degraded by being supposed to hold any communion with the Parliamentary church of England. There was a Catholic Church in England once, and, thank God, there is in England, in spite of Acts of Parliament, a Catholic Church again; but neither with the Catholic Church that was, nor with the Catholic Church that is, has the government establishment any connection. The government establishment of England is essentially Protestant, or Non-Catholic—it is as a Protestant, or Non-Catholic institution, that it appeals to the sympathies, and claims the support of the people and Parliament of Great Britain. How then can the Anglican establishment claim any connection with the Catholic Church? Is it because, by virtue of an Act of Parliament—8. Eliza, c. 1.—its chief dignitaries or office bearers are called bishops, and that to them have been handed over, the titles of the old Catholic sees, and the revenues which were destined by the donors for purposes of Catholic devotion, and the maintenance of Catholic conventual establishments for the relief of the poor? Alas! this proves only that might is stronger than right—that the present possessors of Catholic titles and Catholic revenues, are intruders and despoilers of other men's goods, but not that they are Bishops, Catholics, or Christians. Is it because some of the doctrines of the Catholic Church have been retained by the law-created establishment, and because some of the old Catholic articles of faith and liturgies have been incorporated in Acts of Parliament? Alas! these vestiges of Catholicity show only from what a height of excellence once Catholic England has fallen—how low Protestant England has fallen when she receives her articles of faith and her liturgies from the hands of the civil power: they prove, not that the law-establishment is Catholic, but that it is essentially Erastian. Is it because, here and there, in some of the old temples of Catholicity, a wretched mummery—a ridiculous parody of Catholic forms and ceremonies—is still kept up: because there is a deal table with a cloth, called an altar, but innocent of sacrifice; because thereon are candles, which may not be lighted: because in the reading desk there is a fantastic young gentleman making strange and unearthly melody, which the audience vote a bore, but which he, in his simplicity, firmly believes to be a revival of the old "Gregorian"—is it because of the surplice during sermon—the genuflections, the flowers, and all those pretty accessories, in which good Mr. Bennet of St. Barnabas, did so much delight, but which the more worldly-wise Dr. Bloomfield condemned as Popish, the moment he saw public feeling was setting strongly against them—is it for all, or for any, of these things, that the law-establishment of England claims connection with the Catholic Church. Alas! these idle forms and ceremonies are but as the paint and patches beneath which the worn out harlot seeks to hide the ravages of time and disease upon her battered frame: they may deceive at a distance, but when we draw nigh they serve but to make more hideous and abominable the ghastly mass of corruption weltering below: they may excite our pity, our disgust, haply, if humorously inclined, our mirth, but

they cannot deceive us, into the belief that the law establishment of England is Catholic, or make us esteem it other than it really is—a shabby pretender, decked out in another's clothes.

But if the law-establishment cannot make good its claim to be considered Catholic, it abundantly furnishes us with proof that it is Non-Catholic, or Protestant. The Church of England calls itself a *national*, it cannot, therefore, be the *Catholic* Church. Nationality in religion, and Catholicity, are contradictories—they are essentially antagonistic to, and destructive of, one another. To gratify their inordinate insular vanity, Englishmen may boast of their national Church, but they can do so only upon the condition of renouncing all claims to Catholicity. "Is the Anglican unconscionable?" asks an able writer in the *Edinburgh Review* for October last, whom we have already quoted—"that to erect National Churches into integral Church units, involves the very essence of Protestantism? A nation is a purely secular division, determined by geographical and political limits; and neither geography nor the State, can, upon Church principles, decompose the unity of the Episcopate into organic parts of the Church. Church principles tell us that Christ's kingdom is not of this world: that the Church is a spiritual power, and her title derived from heaven; she owns no earthly superior in this her own sphere; her constitution is divine. How then can a political and secular combination furnish the Catholic Churchman with a basis for parcelling out the spiritual power into organic elements, each element being endowed with the full prerogatives of the whole body? How can a perfectly foreign and heterogeneous principle—the division of the world into States—take the One Catholic Church to pieces, divide its rulers into separate groups, and establish the law, that the government of this one Church, and the determination of its faith are the prerogatives of each group, each severally for itself? All limitations which emanate from the State have the State for their ground and principle; the State, and nothing else is their authority." When the *Canadian Churchman* shall have shown how a *national* can be the *Catholic* Church—that is, when he shall have shown that of contradictories, both must be true—then it will be time enough to examine the claims of the Anglican government establishment to be considered Catholic.

Having now given the reasons, reasons which we hope our Protestant cotemporary will find satisfactory, for classing the Anglican, with the other Protestant, or Non-Catholic, sects which abound on this continent, we will, to the best of our abilities, answer the questions which he propounds to us:—

(1.)—Will the *TRUE WITNESS* tell us who it was received St. Augustine when he went to England? Answer—The Pagan Anglo-Saxons of Kent, to whom St. Augustine was sent by St. Gregory, in virtue of the authority conferred upon him as successor of St. Peter; in virtue of that authority the Sovereign Pontiff of that day raised Canterbury to the dignity of an Archiepiscopal See, even as his successor, the Sovereign Pontiff of the present day, has, in virtue of the same plenary authority, thought fit to raise Westminster to the same dignity, and to restore the long extinct Catholic Hierarchy of England.

(2.)—Whereabouts in Ireland did Roman Catholics flourish, when the Church of Ireland was pure? Answer—From the Giant's Causeway to Cape Clear.

(3.)—How can a doctrine developing Church be a Church retentive of Primitive Truth? Answer—Not at all, and therefore Catholics strenuously condemn, as blasphemous and heretical, the development doctrine, which dishonest and ignorant Protestants attribute to them; Protestants, and not Catholics, are the men who sit in darkness, or at the best a glimmering twilight, waiting for "more light."

(4.)—Is the Roman Catholic doctrine to-day what it was when Augustine preached in England? Answer—Identically the same: St. Augustine preached the doctrines of St. Gregory, or rank Popery, and the faith of St. Gregory, or Popery, is the faith of the Roman Catholic Church to-day, in every particular.

We have now done with our friend of the *Canadian Churchman* till such time as he shall have answered the questions we have put to him. In the mean time, we advise him, not to make himself ridiculous by aping Catholicity, to abstain from all Puseyite practices, and from playing at Popery outside the Church. By so doing he will escape the ridicule of sensible men, for we assure him that Anglicanism, at its best, is as little like Catholicity, as the monkey—who is seated upon the top of the organ which a very desperate looking character has been grinding most unmercifully for the last half hour beneath our office window,—is like a man. We don't wish to appear harsh, but it is as well to tell the truth at once.

"Mr. G. Brown, introduced on the 6th instant, a Bill to repeal the 19th clause of the Common School Act, 13th and 14th Victoria, c. 48."—*Proceedings in the Provincial Parliament.*

The 19th clause of the School Act for Upper Canada enacts "That it shall be the duty of the Municipal Council of any Township, and of the Board of School Trustees of any city, town, or incorporated village, on the application in writing of twelve, or more, resident heads of families, to authorise the establishment of one, or more, separate schools for Protestants, Roman Catholics, or colored people"—to prescribe the limits of the divisions or sections for such schools—and to make the same provisions for the election of Trustees for the said separate schools, as are enjoined by the 4th section of the same Act. The 19th clause enacts also that these separate schools shall be entitled to share in the school funds "according to the average attendance of pupils attending each separate school," and, in fine, places the Catholic minority in Upper Canada, in precisely the same position, with regard to the