

The True Witness.

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We beg to remind our Correspondent that no letters will be taken out of the Post-Office, unless

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MONTREAL, FRIDAY, DEC. 6, 1867.

ECCLIASTICAL CALENDAR.

DECEMBER—1867.

Friday, 6—Feast, St. Nicholas, B. O.
Saturday, 7—St. Ambrose, S. D.
Sunday, 8—Second Sunday of Advent, Feast of the Immaculate Conception.
Monday, 9—Of the Octave
Tuesday, 10—Of the Octave
Wednesday, 11—Feast St. Damasus, P. O.
Thursday, 12—Of the Octave.

NEWS OF THE WEEK.

In the House of Commons, on the 26th ult., Mr. D'Israeli moved for an extra supply of Two Millions sterling, to defray the expenses of the Abyssinian Expedition. This sum he proposes to raise by an increase of one penny in the pound on the income tax.

The Fenian excitement consequent upon the execution of the three unhappy men at Manchester seems to be kept up in England, and we fear that it will not soon have subsided altogether. In Ireland we hear from time to time of fresh outbreaks, and a report was transmitted by Atlantic Cable to the effect that an armory at Cork had been broken into by a body of Fenians, and that a considerable quantity of arms had been carried off.

Pending the assembling of the Conference on the affairs of Rome, there seems to be a lull in the agitation on the Italian question, though what the Conference can do when it assembles it is not easy to guess. The object of Louis Napoleon in summoning it, is obviously to divide the odium and responsibility of sacrificing the Sovereign Pontiff, betwixt himself and the other European Powers, instead of taking the entire burden thereof upon his own shoulders. But we may be sure that the Pope will never be a consenting party to any arrangement which proposes either to despoil the Church, the guardian of whose property he is, of what remains to her, or to ratify the usurpations and robberies of the Piedmontese Government. "Non Passimus" will still be his answer to every proposition to sacrifice the rights of the Church, and of the Holy See.

It is astonishing and instructive however to note the revulsion in English feeling towards Garibaldi and the Revolution brought about by the ill-success of the latter in the late raid upon Rome. Had the issue of that raid been as that at Naples some years ago, Garibaldi would have been lauded to the skies; as it is the London Times speaks of him in the following terms:—

It was against all national, no less than international laws that Garibaldi drew his sword. Judged by the established rules of right and wrong, he was no less a rebel to his King and country than a common foe to the neighboring States. Warfare like his in other lands would be called filibustering.—London Times.

And if in England, and by Englishmen generally it is not so branded, it is simply because as Protestants they have two standards of right and wrong, two sets of weights and measures—one for themselves, and another for Catholics.

In like manner, as it has been eminently successful, the French expedition to Rome is now discovered to have been quite right and proper on the part of France, nay the bounden duty of that country. Thus again the Times says:—

In sending an army to Civita Vecchia Louis Napoleon stood on his right. The King's Government had formally and freely undertaken to abstain from aggression on the Pontifical States—or, in other words, to forego for the present, and until further arrangements, the prize of an Italian capital. As it was perfectly understood that this forbearance would be distasteful to the Revolutionary party, as it was fully anticipated that the impatience of Garibaldi and his friends might hurry them against the barrier erected by the Convention, it was further stipulated that Victor Emmanuel, besides abstaining from aggression himself, should prevent aggression on the part of others—that is, should suppress all such insurrectionary movements as those now witnessed. It was also foreseen that the King's Government might be placed in such a position as to be unable, if not unwilling, to act against an enthusiastic and popular party among its own subjects; and therefore the Emperor of the French reserved also to himself that freedom of action by virtue of which he assumed the duty which Victor Emmanuel had left undischarged. Thus, there is not only warrant for every step of Louis Napoleon's proceedings, but the events by which they have been occasioned represent precisely the contingencies against which the reservations of the Convention were framed.

It was expected that the evacuation of the Papal territory by the French troops, would have

been completed by the beginning of the present month.

Later telegrams from England inform us that the Fenian convicts, Halpin, Warren, and Costello, sentenced to imprisonment for terms of years, had been removed under a strong guard to Pentonville, there to undergo their several sentences.

Apprehensions of an outbreak at Manchester were expressed. Arms had been seized, but only one person had been arrested up to the evening of the 30th ult. At Cork also there was much Fenian excitement, and prospect of riot. These will no doubt be suppressed, though not without bloodshed; but the consequences will be most disastrous to Ireland, and such as all the true friends of that country must deplore. There is amongst men of all parties a growing conviction that Ireland has not been well treated by England: that it is both just and expedient that a new and enlightened policy of conciliation should be adopted, unless indeed Ireland is always to remain a source of weakness to the Empire, and the standing reproach to its legislation. Nothing, however, could more effectually impede the course of policy which Ireland's friends hope, and with good reason expect, to see inaugurated in the next session of Parliament, than fresh Fenian outbreaks whether in Ireland or in England. These of course might be productive of much misery to individuals, might lead to loss of life, and much destruction of private property: but they could do nothing towards winning justice for Ireland, and on the contrary would go far towards alienating the sympathies of the warmest well-wishers to Ireland amongst the people of England.

We have nothing from Italy. It seems that the government of Victor Emmanuel still hesitates to give in its adhesion to the proposed Conference, but seeks rather for assurances and explanations from Louis Napoleon, upon which its answer will depend. Mount Vesuvius is again in a grand state of eruption, but we do not hear of any damage inflicted.

In spite of the majority report in favor of the impeachment of President Johnson it is generally thought that the matter will be allowed to drop. That the President's policy is opposed to that of the majority of the rump, or section of the Congress of the United States now sitting; that he has on many occasions sought by means of his constitutional prerogatives to thwart that policy, no one can deny: but it is impossible to prove against him any overt treasonable act, or any violation of that Constitution which he has sworn to defend. Indeed if the truth were to prevail, it would be established that, not the President, but the self-dubbed Congress is the guilty party—that from the latter, rather from the former have all acts of treason against the Constitution emanated.

PARLIAMENTARY.—With the exception of motions, for the most part made by private members, and generally withdrawn after a short discussion, little has been transacted in the shape of business in our Provincial Parliament, during the past week. The question as to the propriety of double seats, or seats in the central as well as in the local legislatures, has attracted a good deal of notice, and provoked some smart debates on the subject. A Bill to declare the practice illegal was introduced by Mr. Mills of Bothwell, but was withdrawn when the motion for its second reading was brought before the House.

This new Postal Bill was laid before the Senate on the 27th ult. Amongst other things it provides that a uniform postage of 3 cents per half ounce shall be laid on all letters within the Dominion, the said postage to be pre-paid. Letters posted wholly unpaid are to be forwarded to the Dead Letter Office; but partially paid they may be forwarded to their destination, subject to an amount of postage double of that omitted to be paid, and such postage shall be recoverable from the sender, if not paid by the persons to whom the letters are addressed.

For newspapers published in Canada, not less frequently than once a week, and sent to subscribers in the Province or elsewhere by mail, the rate of postage is fixed at one cent for three numbers, or in that proportion for any greater number, to be in all cases paid in advance by stamp or otherwise. Exchange papers to be sent free. This new law is to come into force after the 1st of January 1869.

Amongst the notices of motions we find one by Mr. Anglin for a return showing the amount paid the delegates to England in 1866, or paid on their account to other parties to promote the passage of the Act of Confederation; distinguishing the amount paid to each delegate, and amount for expenses, and remuneration for services and amounts if any, due.

A petition was presented by M. Chapais claiming to be admitted to take his seat as member for Kamouraska. It seems that on the day of nomination there was a serious riot, so that the returning officer felt himself called upon to make a special return to the effect that there was no election at all, owing to the extreme violence of the mob. After a long discussion, and a decision from the Speaker, the petition was ordered

to be received. On the same day Mr. Rose took his seat for Huntingdon. Sir J. A. Macdonald brought down his resolutions on the proposed Intercolonial Railway, and making provision for the expenses which this road will entail on the Province. The Bill for prolonging the suspension of the Habeas Corpus Act was carried through Committee without any serious opposition.

ALLEGIANCE AND NATURALISATION.—Another source of controversy betwixt the British Government, and that of the United States, seems likely to spring out of the late Fenian trials. The question raised is this—Does a British born subject, who runs over for a short time to the U. States, and having there acquired the rights of citizenship, returns of his own accord and on his own business to British territory, cease to be amenable to the laws to which all other British born subjects are legally amenable?

The theory of the British Constitution, which perhaps savor somewhat of feudalism, is "once a subject, always a subject." A British born subject cannot by any process known to British law divest himself, by his own act, and without the consent of his sovereign, of the obligations of his allegiance. This is the law, and it represents perhaps an extreme view of the nature and obligations of allegiance contracted by birth, which in the altered circumstances of the world, it would perhaps be expedient and just to modify, so as to enable the law to recognise the alien character of the British born, but subsequently adopted U. States' citizen, who should happen in case of war betwixt the two countries to be taken prisoner whilst actually engaged in the service of his adopted country. Whatever may be the theory, we are certain that in practice, the British born subject would under such circumstances be treated as an alien, and as a U. States' citizen owing no allegiance to Great Britain, and therefore not amenable to the penalties of treason.—It would be well therefore at once to bring the theory into harmony with what would no doubt be the practice in time of war.

But when the British born subject, and adopted United States citizen returns of his own accord, and on his own business to British territory, taking up voluntarily his residence under the British flag, it is not so clear, that by the process of adoption in the United States, he has acquired any new rights against, or got rid of any of his obligations towards, the Government to which his allegiance was primarily due: it is not for instance by any means clear, that, being arraigned on a criminal charge—he can plead his character as an alien, to entitle him to a mixed jury, or jury composed in part of aliens. And yet this is the very point now raised, and upon which it will be endeavored to bring about a collision betwixt the two governments—that of Great Britain and that of the U. States.

One of the Fenian prisoners lately tried in Dublin for instance, a man of the name of Warren, by birth a British subject, and by adoption a U. States' citizen, being arraigned on a charge of treason felony, claimed the right as an alien, or non-British subject, to be tried before a jury in part composed of aliens. This claim was disallowed by the Judge, on the plea that Warren was a British subject still, and could not by any act of his own to which the Government was not privy and a consenting party—throw off his natural allegiance. He was tried before, and found guilty by a jury composed of British subjects exclusively, and hereupon a great outcry in the U. States' press, some of which, with a gross ignorance of facts, or an equally gross disregard to truth, speak of the right of aliens in England to demand a "mixed jury," as a right springing from natural or national law—as part and parcel of international law.

This is to say the least as extreme a view, as is that which finds expression in the legal axiom "once a subject, always a subject." The right to be tried before a "mixed jury," the right to trial by jury at all, is not a natural right which the alien carries with him wherever he goes, but a right accruing from the municipal law of the land in which the alien finds himself. Were the law awarding the right of the "mixed jury" to aliens to be repealed to-morrow by the Imperial Parliament, neither the Government of the U. States, nor of any other country, would have any valid cause of complaint against the Government of Great Britain.

And if only a municipal or Statute law which Great Britain has a right to annul, then evidently this law awarding to aliens the privilege of a "mixed jury," is a law which the Judiciary of Great Britain is alone competent to interpret or apply. It is for the British Judge to determine whether, in every particular case brought before him, the provisions of that law are applicable; and acting thus clearly in their rights, the Judges laid down the law that the case of Warren was not one of those cases to which by its framers the law of the "mixed jury" was intended to apply: and indeed there can be no doubt that in the days of the Plantagenets such a case as that of the Fenian prisoners, British born subjects, but adopted U. States' citizens, was never dreamt of. Such prisoners would certainly never have been

deemed "aliens" by the framers of the Statute in question.

And we fancy that, no matter what the language of an irresponsible press, the U. States' authorities take a view of the case very similar to that taken by the Judges in Ireland. At all events Mr. Adams makes no remonstrances, and does not deem himself called upon to insist upon the right of adopted citizen to a "mixed jury," from which we conclude that if left to be settled by the high legal authorities at Washington, by the Supreme Court of the U. States, the decision of that eminently respectable tribunal, would be found in no wise to differ from that of the British Law Courts. But unfortunately amongst our neighbors, such questions are not invariably left to the calm and impartial decision of great statesmen and learned jurists; the popular press, the stump orators, the mob get hold of them, and make them their own—sitting and adjudicating thereupon the more freely, and the more dogmatically, in that they are as irresponsible for their decisions, as they are for the most part morally and intellectually incompetent to give judgment at all. At all events, the rights and obligations of the "adopted citizen" ver. the natural born subject will soon have to be discussed, and more clearly defined.

The annexed extract from a letter dated Rome, Nov. 11th, addressed to His Lordship the Bishop of Kingston, and giving some details of the glorious victory won by the Papal troops at Mentana, over the Piedmontese raiders, led by Garibaldi, will no doubt prove interesting to many of our Canadian readers; the more so as it refers to the share which some of our own fellow-citizens had in that gallant and memorable affair.

The gentleman, Mr. Hugh G. Murray therein referred to, is by birth a Quebecer, being the son of the late Hugh G. Murray, Esq., long a distinguished merchant of that City, and the nephew of His Honor Judge Maguire, and of Mgr. Moran, Bishop of Kingston. Young Mr. Murray was educated at the Quebec Seminary, and at the termination of his course, animated by a chivalrous zeal for the cause of the Holy See he started for Rome, regardless of his worldly interests, and took service as a private soldier in the ranks of the Papal Zouaves, in the summer of 1861. In this new situation he soon distinguished himself by his attention to his duties and his soldierlike qualities, so that in a short time he was promoted to the grade of Sergeant of his Company, No. 1, of First Battalion—no small honor to a young man, when we bear in mind that the Papal Zouaves are composed of members of the most distinguished families in Europe.

It seems that Mr. Murray was actually quartered in the Serstore barracks, which the Revolutionists in part blew up, but he escaped unburnt. At the battle of Mentana, however, he was severely wounded:—

"Your nephew, Mr. Hugh Gates Murray, was present at the battle of Monte-Rotondo and received a wound in the right arm. At a moment when he was about to fire his rifle at the enemy he was struck by a bullet which entered the under part of the arm about four inches below the elbow, and came out at that joint. Although the nerves and sinews have been lacerated nevertheless no bone appears to have been broken. When I saw him, three days after the battle, he could move his fingers slightly.

"Mr. Murray is in a military hospital where the Sisters of Charity of St. Vincent of Paul are in attendance. He has all the care and assistance which medical skill, religion and charity can afford.—Although the wound is painful, Mr. Murray has lost nothing of his wonted cheerfulness and is full of the hope of being soon able to resume the duties of a Zouave.

"These dispositions on the part of Mr. Murray do not surprise me in the least. The young men who compose the Papal Zouaves are, more particularly at the present moment, objects of universal esteem and admiration on account of their piety, their courage, and their devotion to the cause of the Holy Father."

We agree with the Montreal Witness of the 20th ult. in this:—That neither in the decline, nor in the increase of numbers of Catholics in Great Britain, or in the U. States, during the present century, can be found a conclusive test of the truth of the doctrines which their Church teaches. But in the test proposed by the Witness, and which we cite below, we can certainly find no better guarantee for arriving at an infallible decision on this long contested question.—The Witness says,—

"The only reliable proof lies in an affirmative answer to the question,—Does Romanism in its doctrines and practices agree with the Bible?"—Witness, 26th ult.

Now waiving the point that the Witness assumes, or begs the question at issue betwixt Catholics and Protestants as to the supreme and ultimate authority of the book which it calls *par excellence*, the Bible in matters of doctrine and practice—and which authority is to be proved, not assumed—we are met by this difficulty—Who is to be judge in the premises? Who is to determine whether, in its doctrines and practices, Romanism does, or does not, agree with the Bible?

If this is a question to be left to private judgment, then have we for ourselves finally determined it long ago; and we are fully as competent, morally and intellectually, to determine this

question, as any one Protestant, or as any all Protestant theologians and doctors of divinity put together. Private judgment against private judgment, we would not yield one iota of our private judgment to that all the host of Protestantism, from Martin Luther and Calvin downwards. Now in our private judgment, in doctrine and practice, that which the Witness calls Romanism agrees most perfectly with the Bible properly interpreted—that is to say interpreted in the sense of its author.

The test therefore proposed by the Witness is naught, for it yields different results according as it is applied by the Romanist, or by the Protestant. Besides it requires as an essential preliminary to its application, an infallible interpretation of the contents of the Bible itself, and therefore an infallible interpreter. Where are we to find such an interpreter, since it cannot be in the person of the fallible individual?

Another proof of the worthlessness, or impracticability of the proposed test is to be found in this:—That were it good for anything, were it applicable, Protestants would long ago have applied it to determine and lay at rest the points of difference amongst themselves—which they have not done. When Unitarian Protestants, and Trinitarian Protestants—to mention one only out of the many differences that obtain amongst the sects—shall have determined and settled their controversies by means of the test proposed by the Witness in the case of Romanism, then, but not before, will it be time to discuss its applicability as a test to the truth of the doctrines and practices of the last named religion. "Physician heal thyself:" take your own remedies, and when we see how they work, then will we take into consideration the propriety of swallowing them ourselves. Show us in short that by the application of your test you ever have, or ever can settle and determine the differences in the bosom of Protestantism itself; differences for instance such as obtain betwixt the view of the Protestant Witness, and the Protestant Bishop of Natal, and we shall perhaps then be prepared to recognise its value as a test of the comparative merits of Protestantism and Romanism.

Our attention has been directed to a very impertinent paragraph in the Montreal Witness, in which not only is the St. Patrick's Benevolent Society of this City reprimanded, or taken to task by our contemporary for having elected as its President a gentleman who carries on business in Canada as a distiller; but the St. Patrick's Society is held up to the reprobation of the ultra-pious readers of that journal as made up of publicans and sinners, of "corner grocery men, and tavern keepers."

All that is necessary for the members of the two named Societies to reply is this:—That a man may be a distiller, and yet be an honest man, and that after all the business of a tavern keeper is as respectable and as useful to society as is that of the habitual bankrupt. We may, however, as unconnected with either of the Societies alluded to, remark *ex passant*, that they are composed of the most respectable, and every way estimable amongst our Irish population; and though their self-constituted censor may perhaps be more wealthy than many of the members of these Societies, the poorest and humblest of them would deem it no advancement in the social scale, to exchange their poverty and lowly state, for his wealth, and his very well established and wide-spread reputation.

The 6th instant, will we understand be commemorated at Quebec as the anniversary of the Seminary of that City.

THE EDINBURGH REVIEW—October, 1867.—Messrs. Dawson Bros., Montreal.

The current number will repay a careful perusal. It contains articles on the following subjects:—1. The Napoleon Correspondence. 2. Codification. 3. The Christians at Madagascar. 4. Trades Unions. 5. Miss Edgeworth: her life and writings. 6. Amendment of the Anglican Rubric. 7. The late Thomas Drummond. 8. The Session and its Sequel. This last is a very bitter attack upon M. D'Israeli and his Conservative friends who carried the late Reform Bill.

BIRDS OF PREY—By M. E. Braddon. Messrs Dawson Bros., Montreal.

Sensational, as are most of this lady's novels, a lively style almost makes amends for the extravagance of the plot, and general unloveliness of the characters to whom we are introduced.—The hero of the novel is a blackguard of the first water, a liar and swindler, without one redeeming quality, unless it be a "darkly handsome face and sleepy grey eyes half hidden by long dark lashes." It is out of such stuff M. E. Braddon makes her heroes, but they are not pleasant companions, nor is the study of their adventures profitable.

LA REVUE CANADIENNE—November, 1867.—We have received the November number of this serial with the unjoined articles.—1. Scenes de la Guerre de l'Independance du Mexique. 2. Etude sur la Moren Age. 3. Une Question de Mariage. 4. Le Regiment des Montagnards Ecossaus. 5. Bibliographie.