

THE TRUE WITNESS AND CATHOLIC CHRONICLE,

PUBLISHED EVERY FRIDAY AFTERNOON,

At the Office, No. 3 McGill Street.

TERMS:

To Town Subscribers. . . . \$3 per annum.

To Country do. . . . \$2 1/2 do.

Payable Half-Yearly in Advance.

All communications to be addressed to the Editor of THE TRUE WITNESS AND CATHOLIC CHRONICLE, post paid.

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MONTRÉAL, FRIDAY, MARCH 12, 1852.

NEWS OF THE WEEK.

The steamer *Arcic*, which arrived on Monday morning at New York, brings the announcement of the formation of the new cabinet, of which the Earl of Derby is the head. The other members are:—

- Sir F. Sugden, Lord Chancellor.
- The Earl of Jonsdale, President of the Council.
- The Marquis of Salisbury, Lord Privy Seal.
- Mr. Disraeli, Chancellor of the Exchequer.
- Mr. Walpole, Secretary of State for the Home Department.
- The Earl of Malmesbury, Secretary of State for Foreign Affairs.
- Sir J. Pakington, Secretary of State for the Colonies.
- Mr. Hennes, President of the Board of Control.
- Duke of Northumberland, First Lord of the Admiralty.
- Mr. Henley, President of the Board of Trade.
- The Earl of Hardwicke, Postmaster General.
- Lord John Manners, Chief Commissioner of Woods and Forests.
- The Earl of Eglintoun, Lord Lieutenant of Ireland.
- Attorney General, Sir F. Thesiger.
- Solicitor General, Sir Fitzroy Kelly.
- Secretary for Ireland, Lord Naas.
- (The Chancery of Ireland has been offered to Lord Chief Justice Blackburn.)
- Attorney General for Ireland, Mr. Napier.
- Solicitor General for Ireland, Mr. Whiteside.

The defeat of Lord John Russell is attributed to the hostile vote of the Irish Brigade, which seems determined to follow out the line of policy marked out for it by the Catholic Defence Association—that of rendering all government impossible, until such time as the Penal Laws are repealed. With this prospect before him, it is difficult to see how Lord Derby can hope to avoid defeat in the House of Commons, unless we suppose, that Catholics are disposed to look more favorably upon an administration, of which Sir F. Thesiger, the mover of the most objectionable amendments to the Ecclesiastical Titles Bill, is Attorney General, than upon the man who introduced the Bill, as a peace offering to the No-Popery cry of the rabble outside. Besides, a Derby-Thesiger administration, if it be any thing at all, must be, for England, Protectionist, and for Ireland, Coercionist. Now, we do not believe that the people of England are willing to have their loaf taxed, or that the Irish will submit to military law; we thence draw the conclusion, that the present cabinet is not destined long to dwell in the elysian bowers of Downing Street.

The *Freeman's Journal* defines the terms upon which alone an English minister can look for Irish support. These are:—

Firstly—Religious Liberty, which involves the removal of all Catholic disabilities and the placing of all classes of her Majesty's subjects on a footing of perfect equality. The repeal of the penal statute of last year is but a small part, indeed, of the policy involved in those two words, "religious liberty." The whole code of penal laws, from the time of the reformation to the present day—the question of the church establishment in Ireland, as well as the Russell act—are involved, and should be embraced in the policy of the Irish party. Any ministry that will not actively support these views should receive the active opposition of an Irish party, and no candidate who will not pledge himself to these tactics should receive a vote from an Irish elector.

Secondly—THE RIGHTS OF INDUSTRY, which involve a settlement of the landlord and tenant question, on the basis of Tenant-Right. Mr. Crawford's bill, which has been already accepted by the Irish liberal members, embodies the views of the Irish tenantry on this subject. The minister who will not actively support this measure, should receive the active opposition of the Irish parliamentary party; and the candidate who will not adopt their views, and pledge himself to carry them out, should receive the active opposition of every elector. Any other support of Tenant-Right than this is a sham and a delusion.

Thirdly—THE MAINTENANCE OF OUR NATIONAL INSTITUTIONS AND RESTORATION OF OUR NATIONAL RIGHTS. Upon the principle of "Ireland for the Irish," there can be no compromise with ministers. Irishmen for Irish offices—Irishmen for Irish honors—Irish opinion as the guide for Irish legislation—the maintenance of the national institutions, and of the perfect independence of the Irish Church—the anti-centralization policy—must be a part of the policy of the Irish parliamentary party.

The telegraphic report of the assassination of Louis Napoleon is premature; it is said to have been a hoax got up by some rival New York reporters.

The French government is said to have demanded of the Belgian government, the destruction of the Waterloo trophy. Considerable anxiety is felt with regard to the designs of Louis Napoleon upon Belgium, and it is said that he has been officially notified by the British government, that the moment a French soldier crosses the Belgian frontier, the city of Antwerp, and the forts on the Scheldt, will be immediately garrisoned with an army of 10,000 men.

The Queen of Spain has perfectly recovered from the brutal attack committed upon her by Merino. The scoundrel was garroted on the 7th ult., and his body was afterwards burnt.

There is no additional news from the Cape of Good Hope.

The Canadian Parliament has been farther prolonged to the 17th day of April next, not then to meet for dispatch of business.

ECCLESIASTICAL CORPORATIONS.

To bring a dispute to a satisfactory issue, it is, first of all, necessary thoroughly to understand your own meaning, and in the second place, to understand the meaning of your opponent: by neglecting either of these preliminaries, men may argue away from morning to night, without advancing a single step towards the conclusion; such is our condition, with respect to the *Montreal Witness*, and its arguments against Ecclesiastical Corporations: we cannot tell what he is driving at—what his thesis is—or what are his desires and intentions respecting these unfortunate establishments, upon which he hebdomadally lavishes so much good indignation, and so much very bad argument.

That our evangelical cotemporary may have no cause to reiterate against the *True Witness* the complaint that we bring against him, we will endeavor to give a plain answer to two questions that he puts to us: "What," he asks, "do we mean by the rights of Ecclesiastical Corporations; and whence do these rights originate?" To the first question, we answer, that what we mean by the rights of Ecclesiastical Corporations is, their right quietly, and without interference, let, or hindrance of any kind, to enjoy their honestly acquired property; we mean that the property of a corporate body—of A, B, and C, conjointly—is as sacred (we don't say more sacred, but as sacred) as the property of any individual member of the community—or of A, B, or C, separately, or disjointly; and that the sole duty of the State towards such property is, to protect it from the encroachments of others. In answer to the question, "Whence do these rights originate?" we reply—from the acts of the original donor, testator, or vendor, who, by his act of gift, bequest, or sale, made over to the society to whom he gave, bequeathed, or sold, the same rights of ownership over the property given, bequeathed, or sold, as he, the donor, testator, or vendor, possessed, previous to the act of gift, bequest, or sale—subject to such conditions as the one party thought fit to impose, and the other to accept. Thus, we make the right of the Corporate Society to hold, to flow from the right of the individual to give, bequeath, or sell of his own; and we contend for this right, because it is "lawful for a man to do what he will with his own," according to Scripture.

In writing upon this same subject, of Ecclesiastical Corporations, about two months ago, we defined the limits of the right of the individual to do as he likes with his own, and, consequently, we defined the limits of the right of the Ecclesiastical Corporation, or any other society, to hold; we distinctly stated that the right of the individual to dispose of, or to do what he will with his own, has this limitation—that no one has the right to exercise it in such a manner as to interfere with the rights of others; hence it is a corollary from this, and the preceding proposition—that the rights of the corporation are the same as those of the original donor, testator, or vendor—that no Corporate body has the right to hold property, when by so doing it interferes with the rights of others—when it thereby compels others to do that which they have the right not to do, or prevents them from doing that which they have the right to do. In a word, we contend that the rights of Corporations over property, are the same as were those of the individuals from whom they received it, and subject to the same limitations—that they shall not be exercised to the detriment of others; we admit, therefore, not only the right, but the duty, of the State to keep a strict watch over the manner in which the rights of Corporate holders of property are exercised.

It is upon this principle that we defended the propriety, in many instances, of the old Mortmain laws, because the unlimited power of Ecclesiastical Corporations to acquire, and retain landed property, was injurious, and unjust to the other members of the community; we pointed out the fact, that Ecclesiastical property was exempt from taxation, the weight of which fell, in consequence, more heavily upon the non-ecclesiastical property of the nation; that Church lands, being held by the tenure of *Frankalmoin*, enjoyed an immunity from the public burdens, to which other lands were subject; and that, just as in the tenth and eleventh centuries, men hastened to exchange the allodial, for the feudal tenure, so at later periods, lay proprietors made grants of their estates to the Church, or neighboring monasteries, which they received back by way of a fee, held of an ecclesiastical superior, and consequently exempt from public burdens. These, and many other causes, springing from the feudal tenure of land, which it would be wearisome to enumerate, rendered it not only the right, but the duty of the sovereign power, to impose restrictions upon the accumulation of property in the hands of Ecclesiastical Corporations, because, in so doing, it was not interfering with the rights of the individual, but protecting the interests of the whole community. When, therefore, the *Montreal Witness* shall have proved that the existence of Ecclesiastical Corporations in Canada, increase the burdens upon the rest of the community, or interfere with their rights, by compelling any one to do that which he has the right not to do, or hindering him from doing that which he has the right to do, we shall be ready to join him in the demand for the suppression of these tyrannical institutions; but then, as we said before, the *onus probandi* rests with him: our opponent must prove his case, not by vague declamation, but by sound argument; not by the slang of the conventicle, but by historical facts.

Our cotemporary pretends to institute a comparison between a Banking and an Ecclesiastical Corporation, and argues that as legislative limitations are proper in one case, so must they be in the other. There is no

* This will explain how it came to pass that the Church nominally possessed so much of the land of England, and Scotland: the fact simply was, that as Ecclesiastical Corporations were always the best, the most liberal and indulgent of landlords, men preferred holding of them, to being the vassals of the lay baron.

analogy between the two cases at all; a Banking Corporation is trading with borrowed capital, and with the money of depositors—the Ecclesiastical Corporation with its own. The latter demands no control over any funds, save those which are absolutely its own; it is, we admit, the duty of government to take care, that where the original donor, testator or vendor, has attached conditions to his gift, bequest, or sale, these conditions be punctually, in so far as possible, fulfilled, by the Ecclesiastical Corporation; but we are speaking of the right of the Corporation to dispose of property given, bequeathed, or sold to it, for its own absolute use and behoof, not claiming for it any right to do what it will with property given to it for a special religious, charitable, or educational purpose. In the next place, whilst the Act of the legislature confers no right, power, privilege, or immunity, upon any member of an incorporated ecclesiastical society, which the said member did not possess before—the Act of Charter, by which a Bank is incorporated, releases the members of the society, or Corporation, from a considerable part of the pecuniary responsibilities, to which each member would be subject, if carrying on business in any ordinary partnership concern: instead of being liable to the whole amount of his property, he remains liable only in proportion to the value of his shares; hence there is a special advantage given to the member of the Corporation, and a certain amount of security lost to the depositor in, or creditor of, the Bank. Justly, then, does government insist, that in return for the immunity accorded them, the members of the Corporation shall invest their borrowed funds, subject to certain limitations, imposed, not to prevent the Bank acquiring influence, or for the sake of assuring a better dividend to the shareholders, but for the sake of guaranteeing the depositors against the loss of their deposits, by the mismanagement or knavery of the Bank, or from the funds of the Bank being locked up in securities, which cannot be rendered available in a sudden emergency. How necessary these restrictions are, and yet how easily violated, when men are dishonestly inclined, we have seen in the case of the fraudulent bankruptcy of the *Montreal Provident and Savings Bank*; in this case, nothing could have been stricter, or more clearly defined, than the restrictions which the legislature imposed upon the Directors, who, in consequence, and upon the understanding that they would submit honestly to these restrictions, were legally exonerated from personal pecuniary responsibility. We know the result: from the Parliamentary Report, we see how every rule was violated, every limitation was systematically set at defiance; how Directors used the funds for themselves, their friends, and families, and how the unfortunate Depositors were robbed and swindled out of their hard-gotten earnings. With these things before his eyes, and which, if the *Montreal Witness* dares to contradict them, we will establish by irrefragable proofs, it was at least imprudent on the part of our evangelical cotemporary, to call attention to Banks, and Bank restrictions: the very name of a Bank, wakens up reminiscences, which he, and his friends, would do well to avoid.

CARNAL JUDAISM.

We would not have our esteemed cotemporary, the *Canada Temperance Advocate*, imagine, that in our remarks of the 13th ult., or in those which we intend offering to day upon the same subject, we had, or have, the slightest intention of disparaging his efforts, or those of his Protestant fellow-laborers, in the cause of temperance; on the contrary, we admire their zeal, the energy with which they strike at the monster drunkenness, and we thankfully acknowledge the great services they have rendered to the community, by directing public attention to the evils—social, political, and commercial—that flow from intemperance. Though the means which our separated brethren employ, are not those upon which Catholics can rely, to effect the moral reformation of the drunkard, still in so far as they do seek his moral reformation, we can conscientiously, and sincerely wish them success; if we are not prepared to go the whole length with them in demanding special legislative enactments, it is not because we are insensible to, or underrate, the evils of dram-drinking, and dram-selling, but because we do not believe in the possibility of making men sober by Statute, and because we know that the legislative interference, which they demand, would only aggravate the evils of which they complain.

This explanation will, we hope, exonerate us from any suspicion of luke-warmness in the cause of temperance. Every Catholic must be a temperance advocate; in that he is a member of the Church, he is a member of the most ancient, and the most effective of all Temperance Societies; he is a member of that great Temperance Society that was founded by Christ Himself, whose branches overshadow the earth, whose members are initiated in the Sacrament of Baptism, and whose pledge is the body and blood of our crucified Redeemer. But, though as Catholics, we cannot but look upon the Catholic Church as the Temperance Society, *par excellence*, just as we look upon her, as the Chastity Society—the Honesty Society—the Total Abstinence from Blasphemy, Murder, Adultery, Theft, and All-impurity, Association—it by no means follows that we ignore, or desire to depreciate the exertions of those, who, cut off from the Church, deprived of the Sacraments, and, consequently, of those supernatural graces which in the Sacraments are imparted, are obliged to have recourse to natural, and mere earthly instruments, to effect their object. In all this we find no fault with our Protestant brethren—it is the fault of their system—it is the necessity of their position; they must be Pelagian, when they cease to be Anti-nomian—they can't help it, nor do we reproach them with it; our object, was, and is, not to give offence to our separated brethren, but to protest against the false and dan-

gerous assertions, that worldly success is the reward which men should expect for the practice of heavenly virtues—that commercial prosperity is a sign of purity of faith, and acceptability with God—or that sufferings, rags, hunger, and poverty, are to be esteemed indubitable proofs of false religion, and of God's wrath upon sinners.

We repeat, in spite of the strictures of our Protestant cotemporaries, that with individuals, worldly success is no criterion of acceptability with God, and that the reward of the just man consists not in the things of this world, which oftener fall to the lot of the unscrupulous knave, than to that of the honest and conscientious Christian. We may forgive, but we cannot applaud the novelist, who after overwhelming his virtuous hero, or heroine, with all kinds of miseries for two volumes, and plunging him, or her, as the case may be, into the depths of despair for the greater part of the third, deals out *poetic* justice in the last chapter to all parties concerned; he has a perfect right to break the neck, or otherwise dispose of the hard-hearted uncle, who has locked his nephew's title deeds up in the garret, or of the treacherous guardian, who endeavors to force his ward into a marriage with a man whom she detests; of course, too, *poetic* justice demands that the virtuous hero should be rewarded with the hand of the virtuous heroine, and that both should be recompensed for their heroic endurance of unmerited sufferings, by a happy marriage—troops of children, a fine old mansion-house, and perhaps a seat in Parliament for the gentleman; all this is very well in a novel, because it is as unlike what occurs in the actual every day world as possible; but it is sadly out of place in a work which professes to deal with facts, and not with fiction. To represent virtuous conduct as conducive to happiness in this world, is all very well and true, for happiness consists in the consciousness of doing one's duty; but to represent it as always, or generally leading to wealth and respectability, that is, gig keeping, is false, as every one who has derived his knowledge of life from the study of something besides novels, in three volumes, and yellow paper covers, must be aware. Men don't thrive in business, because they are honest, though they may get on in spite of it; Voltaire used to say that the two great requisites for happiness were—"a bad heart, and a good digestion"—he might have said, and with more truth, that the two requisites for success in business, are, Phrenologically speaking—"a large, and inordinately active Acquisitiveness, and a very small Conscientiousness."—indeed the less there is of the latter, the more chance is there of success.

Neither is there any reason, because of the worldly prosperity of knaves, or the sufferings of the virtuous, to impugn the wisdom, or the justice of God; if Dives gets his good things now, Lazarus shall get them hereafter; there is, for both, an eternity of recompense. We need not look, therefore, for the reward of the just, or the punishment of the wicked, in this life, or expect that God shall deal with individuals as with communities; the latter have no personal entity; for them there is no eternal future—they exist only in the natural and temporal order, and as their existence, so also must be their rewards and punishments. We expect, therefore, from God's justice, that national crimes shall be chastised, national virtues recompensed, by earthly chastisements, or earthly recompenses. In the sudden destruction of haughty Babylon—the persecutor of God's chosen people—and again, in the long centuries of exile and persecution, to which His rebellious children have been subjected, we find that retributive justice displayed; what has been, will be again, and who, after the experience of the past, can doubt of the future? Who, without impugning the Divine justice, can doubt, that for Ireland, in spite of the thick darkness that even now broods over her, there is a recompense, for her fidelity, in store, and for her cruel persecutor, a day of vengeance—when the vials of the Lord's fury shall be poured forth upon the land, and when it shall be measured out to her, as she has meted to others? No, we cannot so insult the justice of God as to doubt that the hell-begotten Penal Laws of Protestant England, and her brutal treatment of Catholic Ireland, shall yet be signally and fearfully avenged.

We are not disposed to quarrel with our Protestant cotemporary, the *Canada Temperance Advocate*, because of our different views of the object of religion; his mode of advocating the practise of temperance, or indeed, any other Christian virtue, is the only one that can be consistently adopted by a Protestant; whatever other faults he may have, it is impossible to reproach the writer in the *Canada Temperance Advocate* with want of candor, or with not speaking out plainly—he does not even attempt to rebut the charge of *Carnal Judaism*, with which Dr. Brownson taxed Protestantism, and which drew down such a volley of reproaches from our Protestant cotemporaries; he rather glories in it.

"We are willing," he says, "to make confession of our views if not of our sins, and we confess that we have no faith in the soundness of that religion, including temperance, which does not, as a general rule, bestow upon its votaries a fair share of the blessings of this life, including food, raiment, and general comfort."

Well, that is just what Dr. Brownson says of the advocates of Protestantism; they put no faith in Catholicity; they reject it, because it does not profess to bestow worldly riches upon its votaries; why then do they object to the term *Carnal Judaism*, as applied to their religion? The essence of *Carnal Judaism* consisted in the belief that the Messiah was to found an earthly kingdom, and that the object of his coming was to secure the temporal happiness, and terrestrial well-being of mankind. When the Jews saw "poverty, misery, and bad dwellings," they immediately concluded with our Protestant cotemporary,