

# The True Witness.

CATHOLIC CHRONICLE,  
IS PRINTED AND PUBLISHED EVERY FRIDAY

At No. 223, Notre Dame Street, by

J. GILLIES.

G. E. CLERK, Editor.

## TERMS:

To all country subscribers, or subscribers receiving their papers through the post, or calling for them at the office, if paid in advance, Two Dollars; if not paid, then Two Dollars and a-half.

To all subscribers whose papers are delivered by carrier, Two Dollars and a-half, if paid in advance, and if not paid in advance, then Three Dollars.

Single copies, price 3d, can be had at this Office; Pickup's News Depot, St. Francis Xavier Street; at T. Riddell's, (late from Mr. E. Pickup), No. 22, Great St. James Street, opposite Messrs. Dawson & Son; and at W. Dutton's, corner of St. Lawrence and Craig Sts.

MONTREAL, FRIDAY, DECEMBER 18.

## NEWS OF THE WEEK

The answer of the British Government to the proposal that it should take part in a general European Congress to revise the Treaties of 1815 is now before the world; and, as we anticipated in our last, that answer amounts to a polite, but positive refusal. Indeed Great Britain is already so deeply committed to a certain policy on several of the chief questions which the Congress would have to discuss, that she could not honorably or consistently agree to take part therein. She has already bound herself to keep the peace towards Russia on the Polish question; and she has irrevocably committed herself to the cause of the Revolution in Italy. The Czar and Victor Emmanuel are, as it were, under British protection. With the first, Great Britain will not meddle to prevent the final annexation of Poland to Russia; to Victor Emmanuel she gives every encouragement to proceed in the analogous annexation of Naples and other Italian States, to Piedmont. In a Congress she could not therefore consent to any measure which might be brought forward for curbing the felonious designs of either Russia or Piedmont upon their respective neighbors.

After this refusal on the part of Great Britain it must be supposed that the Anglo-French alliance is at an end; and that henceforward Louis Napoleon will look elsewhere than towards Great Britain for friends and allies. The complication arising out of the dispute as to the right of succession to the Schleswig-Holstein Duchies, seriously menaces the peace of Europe. Poland is in her agony; and whilst her young men are scattered and put to death with every circumstance of cruelty that a Mouraviéff can invent, her maidens are driven off in gangs to Siberia by hordes of brutal Cossacks. From the Western Powers there can be no hopes of success, and yet still the Poles maintain the gallant, but to all human appearance, hopeless conflict with their giant foe. In the South of Italy, Victor Emmanuel is fast making another Poland. The employment of torture by the Piedmontese Government is now fully established; and one case of which the particulars were brought to light by a Liberal of the name of Morvillo, has been made the subject of judicial investigation. The facts established by the enquiry were these: That flogging, and burning with hot irons, were means resorted to by the Piedmontese authorities to extort answers, and confessions from refractory conscripts. In such a staunch adversary of the Pope as is Victor Emmanuel, such little flaws are easily overlooked by an intelligent and indulgent British Protestant public.

The *Alexandra* case, or the motion for a new trial in this case, still drags its slow length along. The arguments of the lawyers on both sides have been heard, but the decision of the Court is not expected to be made public before the 2nd of next month.

On this Continent the season of talking has apparently superseded that of fighting. The armies on both sides seem to have gone into winter quarters; and it is in the respective Congresses, now in session, of the two rival Powers that for some months the battle will be carried on. The Message of President Davis to the Senate and House of Representatives of the Confederate States is now before the public as well as that of Abe Lincoln; and though the tone of the former is somewhat lugubrious, it would not be fair to call it desponding. The Confederate States are it is admitted, hard pressed: their finances are much embarrassed: in point of numbers, wealth, and of supplies of all kinds from Europe, the enemy has greatly the advantage of them—but still their case is not desperate, and the spirit of the people seems to be as determined as ever. President Davis in his Message complains, and with good reason, of the unjust preference towards the Northern States manifested by the British Government; and of the manner in which the latter has always interfered with its own Foreign Enlistment Act to the detriment of the Confederate States. This one-sided neutrality has not conciliated the Yankees, whilst it has created amongst the Southerners a strong feeling of aversion towards a Power from which they naturally expected a

more honorable and impartial line of conduct.

Recruiting for the Federal service has long been carried on in Canada openly, almost under the eyes of the authorities, without a word of remonstrance from the latter. At length, however, the Canadian Government has been aroused to a sense of its duties: and as we learn from a communication in the *Montreal Herald* of Tuesday, Atty.-Gen. Dorion has given orders to the authorities of Sherbrooke, where the nefarious traffic in human flesh has been most active, to exert themselves in vindication of the laws of the land. In consequence of this tardy display of vigor, three or four Yankee agents have already been arrested.

**COLLECTION FOR THE HOLY FATHER.**—The collection, known throughout Christendom as "*Le Denier de St. Pierre*," or "*St. Peter's Pence*," will be taken up in this Diocese at High Mass, on Sunday next. Catholics will remember for whom, and for what purpose they will then be called upon to tax themselves: for their father, for the common father of Christendom, who has been robbed; and for the purpose of enabling him to face the many difficulties with which that father has to contend, and to put him to a position to redeem the obligations that his exalted position impose upon him. These motives will, we are confident, suffice; and that the faithful of this diocese might more clearly understand their duty and their interest in this matter, the following Circular from His Lordship the Bishop of Montreal was read from the pulpits of the several Catholic churches of this city on Sunday last:—

"Montreal, 8th December, 1863.

"To the Clergy, the Religious Communities, and the Faithful, &c., &c."

"Every year We place at the sacred feet of our well beloved Pontiff our *denier de St. Pierre*; and We now make known to you the answer which he has deigned to make. We need not assure you how great is our pleasure in acquitting ourselves of a duty so agreeable.

"This sacred *denier* which last year amounted to the sum of \$3,983 50c. having been transmitted to His Holiness, together with the expression of those ardent vows which we all make for the prosperity of his Pontificate, We received in reply the following Letter:—

"VENERABLE BROTHER—*Health and Apostolic Benediction*—It is assuredly with great joy that We have learned, by the letter full of submission which you wrote to Us on the 3rd of February last, and which We have lately received, with what ardor your Clergy, and the Faithful committed to your care offer up their prayers to God for the triumph of Holy Church, and for our conservation. For We earnestly desire, especially in these evil days, that all the faithful should address their most fervent prayers to the Father of Mercy and of Clemency, that He would arise and judge His cause; that He would command the winds and seas and re-establish the calm so wished for; that He would humble all the enemies of the Church and of His Apostolic See, and bring them out of the ways of impiety, to make them walk in the paths of justice and salvation. Therefore, Venerable Brother, We have no doubt that, considering your remarkable devotion and your episcopal zeal, you will continue in these arduous times to defend fearlessly and with ever increasing vigilance the cause of Religion, her rights and her doctrine; to labor carefully for the conservation of your flock, to detect the criminal snares of the foe, to refute their errors, and resist their efforts full of malice. But whilst testifying to you the sentiments of Our sincere gratitude, We beg of you to thank, on Our part, the Clergy and the Faithful of your Diocese for the contributions which they have been pleased to send Us, to help Us in the pressing needs in which We find Ourselves, as well as this Apostolic See. We would desire that you make known to them that We humbly beseech God to be pleased to reward their filial piety by the most abundant gifts of divine grace. For yourself, be persuaded that We bear towards you a particular affection in the Lord; and as a sure proof of what We here say, We give you, Venerable Brother, with all the effusion of Our heart the Apostolic Benediction, as well as to your Clergy, and to all the Faithful of the laity committed to your care.

"GIVEN at Rome, at St. Peter's, the ninth day of March of the Year 1863, and in the nineteenth year of Our Pontificate.

"PIUS IX. PAPA."

"You will no doubt have remarked, whilst listening to the reading of the above touching letter that our common Father deigns to thank the Clergy and the Faithful of this Diocese for the contributions which they have sent him in the urgent necessity in which he now finds himself, and that he humbly asks of God to recompense abundantly their filial piety.

"It is now evident that his prayers have been granted, as is shown in particular by the rich harvest which it has pleased divine Providence to grant us, in spite of the excess in drinking and other offences which rendered us unworthy. We will thence easily conclude that, God having approved Himself so liberal towards us, re-

turning as a hundred fold that which we had cheerfully done for the Supreme Chief of His Church, We should show ourselves more and more faithful in the payment of this honorable tribute which love alone should make it obligatory on Us to pay. It is at the recurrence of each of the Four Seasons that we should make this offering, in order by so meritorious an alms to consecrate the several seasons of the year. Be pleased then to put Us as soon as possible in receipt of your pious offerings for this year, so that without delay we may transmit them to Rome.

"We will show ourselves more fervent than ever in those prayers for peace, which daily are repeated in the several churches, and elsewhere, and in union with those which our Good Pastor ceases not to address to heaven for his entire flock, and in particular for the Catholic nations which now groan beneath the weight of the most cruel persecutions. Amidst so many commotions that shake the universe, let us not forget that we enjoy the sweetness of peace. Let us then pray that those cries of war which are heard from one end of the world to the other, may be changed into songs of joy proclaiming a universal peace with abundance of all those blessings which thence do flow.

"And whilst expecting this great blessing for the whole world, we have to bless the Lord for all the good things which His Mercy has bestowed upon us in particular; and it would be but just that all together we should consecrate a day to gratitude by making of it a day of Thanksgiving.

"That day might be the Fifth of February, which was also the day of the glorious death of the holy Japanese martyrs; since the Church having assigned them to us as our protectors in so leanly canonising them in these evil times, we may reckon with confidence upon their powerful aid. Advantage might be taken of this same day to extend the devotion to these holy martyrs, and to establish the Third Order of St. Francis whose rules have been printed in a new edition of the *Novena* consecrated to their honor. Besides, the High Mass, which might be sung in the morning, I sanction, for every Church or Chapel in which this Third Order shall be established, a *Salut* and Benediction of the Blessed Sacrament in the afternoon.

"Already the current year is slipping away from us; soon shall we enter upon another. Thus fleet away all the years which compose our short and miserable life. At all events, We anticipate your desires in giving you with all the effusion of our soul, the blessing of this New Year; forming ardent vows that it may be happy and prosperous, in so far as is possible in this vale of tears.

"May the Lord Our God grant to us all the grace to keep His holy commandments, as thus only can we be happy here below, or secure for ourselves the happiness of eternal life. May He grant to us the closest union, so that we may be all of one heart and of one mind, as were also our fathers in the faith. May He grant to us grace to make a holy use of the good things wherewith He has blessed us, so that in succeeding years we may merit the same favors. May He banish usury, luxury, drunkenness from amongst us, and all other vices which might dry up the source of so many signal favors. And at the last may He grant us the grace to meet together in Paradise, the place of delights, where seeing Him and loving Him all together, we shall enjoy eternal happiness.

"Cease not to pray for Us, who while life does last is, of all of you, the very humble and devoted servant,

"† IG. EV. DE MONTREAL.

**CONSTITUTIONS.**—In discussing—as does for instance the *British American Review*—the political future of Canada, it seems to be taken for granted that Constitutions can be made to order of any given pattern: that peoples have the power of choosing, or of determining their several Constitutions! This is a strange error for any one in the XIX century to labor under; one which we had hoped that the example of France, of French Conventions, of Constituent Assemblies, and of that poor unhappy man Sieyès always running about with ready made Constitutions in his breeches pockets, had dispelled for ever. But still the singular delusion lives, thrives, and is actually entertained by men of the present day from whom we had the right to expect better things.

How often must the truism, that Constitutions are not made, but grow, be hammered into the heads of some people before it can take a firm hold! And yet no truth is more self-evident than this: No people ever did make its Constitution: no people has ever yet succeeded in determining for itself or choosing its Constitution. As with individuals, so also with communities in this matter: and a nation can no more choose, or select a Constitution for itself, than can the individual determine for himself of what particular temperament he shall be. One man is by nature, or from his birth, of a sanguine temperament; another of a lymphatic temperament; a third is of a nervous or perhaps a bilious temperament: and of whatsoever temperament he is by

nature, or by birth, of that temperament he will remain to the end of the chapter—or until death do deliver him. The individual has no choice or power of selection in the matter: no act of his can either determine or change his natural temperament: and his highest wisdom consists in recognising, and submitting himself to, facts over which he has no control.

So also it is with peoples in the matter of their political Constitutions. They must, whether they will or no, just accept that which they have naturally, that which their peculiar social circumstances impose upon them: and in the ability of their political leaders to distinguish, and profitably employ those elements of their social being, or life with which God has endowed them, true statesmanship consists. When these conditions are not complied with: when the peculiar social diathesis of a community is disregarded; when the State physician neglects, or imperfectly makes his diagnosis of the case for which he is called upon to prescribe: or when a diet or remedies repugnant to or not indicated by the natural temperament of the patient is permitted, or exhibited, an abnormal phenomenon, in the individual known as disease, in the body politic as Revolution, is the immediate and inevitable consequence.

For after all, what is a Constitution? It is an Act, not an entity, but declaratory. It is, as it were an inventory of all the complex phenomena of a people's social life. It makes nothing; it establishes nothing; it controls nothing. It declares, not what should be, but merely what actually is: and only in so far as a Constitution is a faithful and complete inventory or transcript of the pre-existing social life of the people in whose name it is drawn up, is it of any more value than so much waste paper.

Now apply these simple, or elementary truths, to the case in question—that of Canada in particular, of the British North American Provinces in general—and must it not at once be evident that the idea of establishing a monarchical or regal government of the English type or pattern for the above named countries is but an idle dream—not to say a palpable absurdity. Our social system or condition is essentially different from that of England: or for the sake of bringing out more strongly that essential difference, it may be described as the English social system, minus the Queen, the Royal Family, the aristocracy, the landed gentry, and the class known as the "*proprietaires*," which is a difference as great as that betwixt the wealthy Englishman's dinner and the meal of the poor Irishman—the one consisting of roast beef, potatoes and plum pudding; the other consisting of the same minus, or "barring the roast beef and the plum pudding."

The result of English social life is before the world in the form of the English Constitution, or government by King, Lords, and Commons.—That Constitution is also characterised by the existence of Two Legislative Chambers, as the immediate and necessary result of existing English society, with which it corresponds and which it represents. The form assumed by the Government of Great Britain is that of a Two Chamber Monarchy.

But under a Legislative Union of the British North American Provinces, how could such a form of Government permanently exist? how could any resemblance thereunto be reproduced? Granted that we could import a scion of the Royal Family to represent the monarchical branch of the Legislature, where should we find materials for our Second Legislative Chamber? what element in our social order would such a Second Chamber represent, with what phase of our actual social being would it correspond?—Two Chambers or Legislative orders form an essential ingredient of the British political order because they represent and correspond to, two distinct elements in the social order. Two Chambers or Legislative orders form an essential ingredient in the American political order, because those Two Chambers—the House of Representatives and the Senate—represent two distinct interests or principles—Federal Rights and State Rights; but of what meaning, of what use would be Two Chambers in a Legislature for a United British America? what element in the social order, what interest or principle would the Second Chamber correspond with, or represent?

This point is well brought out by Louis Blanc in his last volume on the French Revolution, just published, and in his criticism upon the Constitution of the Year III., with its Two Chambers—its "*Council of Five Hundred*," and its "*Council of Ancients*;"—the latter of which

"The argument of Louis Blanc as to the absurdity of having Two Chambers in the political order, with nothing in the social order to correspond thereto, is so applicable to British North America, that we scruple not to lay it before our readers:—

"The reason of being of the Senate in America is the necessity of not allowing the Unitarian principle to absorb too completely the Federal principle, and to secure the representation of the several States of which the confederation was composed, in the political constitution. The reason of being of the House of Lords in England is the existence in that country of a powerful aristocracy mistress of the soil, and based on the right of primogeniture. But in France," (or British North America), "where there is neither Federation nor aristocracy, to what political principle, to what social force, would correspond a Second Chamber, having the same origin as the first, springing from the same source, and composed of the same elements?"—Louis Blanc *Hist. de la Revolution*, t. 12, p. 522.

it is to be supposed that the Convention adopted on the same principle as that on which the Chinese tailor, to whom you entrust the making of a pair of trousers, faithfully copies and reproduces in the new garment all the rents and patches he may happen to find in the old pair which you had sent him as a pattern. Because the English, and because the Americans, had each their Two Chambers, therefore concluded the Solons of the Convention, Republican France, "one and indivisible," must also have her Two Chambers! although the reasons which necessitated the Second Chamber for the British and American Legislatures were entirely wanting in the case of France.

"You cannot make a silk purse out of a sow's ear," says the book of proverbs; or what amounts to the same thing, you cannot make a political order in anywise resembling that of aristocratic England—that is to say "*the silk purse*"—out of the social elements—(i.e. "*the sow's ear*")—actually existing in British North America.—The possession of an hereditary landed aristocracy, and the recognition of the laws of primogeniture are conditions in the social order indispensable to the being of that peculiar form of government that obtains in England. These conditions do not, never will, exist in British North America, whose social diathesis or temperament is, unfortunately, essentially democratic, alien to an aristocracy, and incompatible with the principle of entailed landed estates, and the law of primogeniture. The idea therefore of setting up in British North America a pattern of the British Constitution, a Government by King, Lord and Commons, may at once be dismissed as an idle dream, as the fumes of a disordered brain, or perhaps a disordered stomach.

What then will be the future of Canada, what its Constitution or form of Government, when its connection with Great Britain shall have been terminated? It does not seem to us that this question is very difficult to answer: for, given the social conditions of a people, and its political Constitution, or normal form of Government is also given. Besides have we not the facts of history to guide us in our researches? The social condition of the British North American Provinces, with the exception of that of Lower Canada, is the same as was that of the Thirteen Colonies when they detached themselves from England. The characteristics of that social condition are, the absence of an aristocracy, of a landed gentry, of the custom or principle of primogeniture, of entailed landed estates, and of an Established Church. What then should we deduce from these premises? Is it not this? That, the only form of government or political constitution possible to the British North American Provinces when the day of their independence shall have dawned, is one analogous, not to that of Great Britain, but to that of the Northern States, whose social conditions are also analogous to those of these Provinces! The political order must be in harmony with, must correspond to, must in short reflect the social order or it cannot stand. A Government by King, Lords and Commons would not be in harmony with, would not correspond to, or reflect the social order in British North America: therefore a Government by King, Lords and Commons is impossible in these Provinces, in which the *bourgeoisie* or middle class of the English social order alone is to be found, or can exist.

## THE SCHOOL QUESTION IN AUSTRALIA.

Our coreligionists in the remote South have to contend with the same difficulties as those against which the Catholic minority of Upper Canada have had so long to struggle. Protestant majorities are the same in their disregard of the parental rights of Catholic minorities in the Southern hemisphere as in the Northern; and in both, the oppressed minority are compelled to assert their natural rights as parents against the monstrous and impertinent assumptions of the State in the matter of education.

As viewed by Catholics the School Question lies in a nutshell. It may be thus summed up. The child belongs to the Family before it belongs to the State; Education is therefore the legitimate function of the parent, not of the civil magistrate. This is the *alpha* and *omega* of the School Question; on these two simple propositions it hangs. If they be true, they should be recognised by the State; and if recognised and acted upon, State Schoolism must fall to the ground.

In Australia a system of State-Schoolism, more iniquitous even, more subversive of the sacred rights of the father and of the family than that which the Liberals and the Protestant Reformers of Upper Canada have long sought to enforce upon the community, obtains. Under this system not only are Catholic parents taxed for the support of non-Catholic schools; but in those schools the reading of the Protestant version of the Bible is rendered obligatory upon all the pupils. Many efforts have been made by the Catholics, who in Australia as in Upper Canada, are in the minority, to rid themselves of this burden, but without avail; and as a last resource they are now agitating for the abolition of all State aid to education, and for the application of