

20.7 7

JESUITISM,

OR

POPERY AT MALTA:

BEING

A Statement

OF

THE PERSECUTION AND OPPRESSION

OF

M^{RS}. M. BONA VIA,

[A CONVERT FROM THE ROMISH TO THE PROTESTANT FAITH,]

BY THE ENGLISH GOVERNMENT

AND OTHER AUTHORITIES AT MALTA.

BY V. BONA VIA LL. D.

“Whosoever is acquainted with the struggles between one of the male and female teachers, and with the intrigues and attempts made upon the late Governors to remove one of the present school mistresses from her situation, will easily conclude, that these struggles are a secret and Jesuitical plan to avenge, or to say better, to get rid of that school mistress.

“But it is well that a day of discovery will come in which every thing shall appear in its true character. . . . and that there is another world where men of all ranks and stations, wealthy and poor shall have no distinction, but that, to sit on the right or left hand of that righteous Judge, who shall reward every man according to his works.”—(Extract from Dr. Bonavia's letter to H. E. the Governor, Mr. More O' Ferrall, on the Primary Schools, 1st. March 1849.)

MALTA:

PRINTED FOR MRS. BONA VIA

And sold by Nisbet; Seeleys; Hatchards; Rivingtons; Dalton; Shaw; Forbes; and may be obtained of all Booksellers, LONDON.

M DCCC L.

(Price 2s.)

JESUITISM, OR POPERY AT MALTA.

"The servant is not greater than his Lord,
if they have persecuted me, they will also
persecute you."

THE Popedom, risen to supremacy in the Church and State, challenged a controlling power over the partisans of schism and apostacy from Popery. The sovereign Pontiffs, in the madness of ambition and despotism affected the dominion over all mankind and called the arm of the civil magistracy to their aid, in order to enforce their pretensions. This deformity of the papal system associated with kindred horrors remained, in a great measure, unnoticed and concealed in congenial obscurity amid the dark ages, which dawned on the world at the revival of letters: this hideous spectre escaped for a long time the execration of man till the light of the Reformation exposed the monster in all its frightfulness. The Reformed Religion—the *Religion of the Bible*—was a mortal blow to the papal power and influence, as also an event of the greatest importance to mankind. The Bible began to shed its lustre through the world; the beams of the Sun of Righteousness, reflected from the Book of God, poured a flood of moral radiance over the earth; and man, opening his eyes, the spirit of darkness fled away and intellectual light shed its rays through the mental gloom of the votaries of Popery. The Reformed Religion, therefore, broke the Pope's right arm, deprived him of a considerable portion of his spiritual dominion; and not only curtailed his exorbitant power; but also narrowed his influence.

It became, therefore, the policy and interest of the Pope and his adherents to oppose and overthrow the general diffusion of scriptural information; and in order to effect this, the best instruments were selected. Accordingly, the thunders of his bulls, excommunications, and anathemas were destined to fall from the Vatican upon those, who are reckoned rebels, apostates, and deserters from the Popish Communion.

The period of persecution and intolerance, which has intervened between the Reformation and the present day, has been diversified by many theories and actions; this series of years displays great variety; the popish clergy and kings wielded the civil and ecclesiastical power against the Reformation, since its rise and progress; and the whole Romish hierarchy, through another agency, laboured in the work of oppression and persecution for the eradication of Protestants and extermination of their abettors. The Jesuits, therefore, were in the year 1540 founded with the *express view* of serving the Pope, of opposing the enemies of the Romish see, and of undermining the Protestant faith. They indeed, have ever been the most *subtle, powerful and implacable enemies* with which the Reformation has had to contend. Their grand object, has always been, to retard the march of a purer system, to oppose the diffusion of spiritual light, and to hinder the progress of *religious and civil liberty*. The hopes of their founders and patrons have not been disappointed as they always have fulfilled their high destiny of *doing evil that good may come to their Church*.

Protestants, fostered amid the charity of pure christianity and deceived by the fair speeches and smooth words of lying Jesuits, know little of the genius of Popery; we say of Popery, because we trace the fountain of that corrupt system and the bitter streams which flow from it as that which poisons society in Malta. To those therefore, who assert that the nature of Popery is repressed by the diffusion of letters, the light of Revelation, and the influence of Protestantism; and that the Popedom, was compelled, though with reluctance, to change its cruel practices, or that its principles are not what they were, the following statement is presented, supported as it is, by facts, to show that such symptoms of its disease still exist; and that its spirit, like latent heat, however occasionally it may be inactive, is not extinguished. The case of Mrs. M. Bonavia, a native of Malta, and convert from Popery, amply discovers the deceitfulness of all

popish pretences to liberality in this part of Her Majesty's Dominion. It exhibits, in a striking light, *Popery unchanged*, as well in the corrupt nature of its doctrines as the cruel and tyrannical policy, in which the Papists seek to fetter and enslave the bodies and souls of men, though all their apparatus of racks, wheels, and gibbets, has lost its efficiency, and these instruments of infernal machinery of the holy office are in ruin in the late dungeons and cells of the Inquisitor's palace now inhabited, not by the Inquisitor and victims of popish persecution, but by the officers of the British garrison in this Island. This statement of facts connected with Mrs. Bonavia's case, presents a specimen of Jesuitism; but in respectfully submitting it to the Reader, we do not charge the Maltese her Countrymen with the persecution and oppression she has undergone. Mrs. B. testifies, that the Maltese are generous, kind, and warm-hearted, patient under suffering, and ready to reward every little kindness they receive with an ample return of gratitude. She attributes not the injustice and oppression with which she and her family have been treated to any peculiar depravity in them. The root of her grievances are not Maltese—it is a thing of foreign importation—it has come from Rome and Hibernia. Rome has framed the engine of persecution, but the spiritual influence of the Romish and Irish Jesuits Priests, that harmless thing, as some of the English liberals represent it, is the steam that keeps in Malta the ponderous machinery in incessant motion. This is, indeed, a subject of importance both for a *sincere Protestant* and for those Political men, who have not just views of the evil of Popery, and are not alive to its subtle and encroaching spirit. The eyes, therefore, of the British Public, ought at present to be peculiarly directed to what is going on at Malta, of which the Governor is a Roman Catholic, and what is worse, a *protector* of the Jesuits. We trust, then, that the Reader of these pages will bear with patience while we adduce some facts shewing the correctness of this statement.

Mrs. M. Bonavia, since the 1st November 1839, has been employed as female Teacher in the Government primary school of Senglea, a town immediately opposite to Valletta in the Island of Malta, under the direct control of the Rector of the University, the Canon Dr. Em. Rossignaud. Mrs. B. at that period, was a Roman Catholic. Little time had elapsed after her conversion before she began to suffer from time to time some grievances, annoyances, and insults in her

own school, from the boys' Teacher Mr. Giuseppe Madiona—who having represented Mrs. Bonavia to her pupils as a perfect menial and hireling to him in his office, and having thereby lessened the estimation of the girls towards their Teacher, and infused a spirit of insubordination against her, her influence was banished from the school, till after three reports she had made to the Rector, and in conformity with the instructions she had received from the superior, he, Mr. Madiona, was turned out of the school and threatened at his peril to desist from his interfering with the females' school; however, though Mr. M. was checked by a superior power and could not set his foot in the school, yet he did not fail in various ways to annoy and oppress Mrs. B. And if one would ask the late Rector Dr. Rosignaud, what Mr. M. did to molest and oppress this woman? this Rev. gentleman would answer:—that Mr. M. had hindered Mrs. B. from drawing water out of the well, from which she had been permitted to draw it for her own house (altho' the key of that well belonged to the school, and Mr. M. had instructions to leave it with Mrs. B.; and therefore, he, the Rector, learning that she was left for two days, from the 27th to 29th of June 1841, without water, he sent a man from Notabile, a place distant more than six miles from Senglea, to bring to Mrs. B. the other key he had in the University.—That Mr. M. more than once tried to injure Mrs. B. by his false reports against her, but he, knowing the whole matter between the two Teachers, and the truth which was on Mrs. B.'s side, terminated every connection between the boys and females school of Senglea; and thus the female Teacher, enjoyed perfect peace and tranquillity for more than three years.

But, perhaps another would ask Mrs. B.—Why Mr. M. was so much disposed, to annoy and insult her; and what was the cause to produce in him such an animosity against her? The reply which she would give is this—namely:—1st. That as she is a native of Valletta, and Mr. M. of Senglea, she never saw his face before the 21st November 1839, when she began to attend her own school; consequently, having no acquaintance with him, she refused to prepare for him some coffee, when he personally requested her to do so, and to drink it together with her, and at her own house, after they had finished from the school.—2nd. That, as on one day having, after school returned home and found Mr. M. laying down on her bed, she turned him out of the house, and “bade him not dare to set

his foot there any more;" and to the servant "not to open him the door if he should come again;" and this was when he knew, that her husband was in the country house at St. Julian's—for change of air on account of ill health. Beyond this Mrs. Bonovia is not aware of any circumstance to produce animosity in Mr. Madiona towards her, or molestation in her own school. But, as we have already observed, that he being kept under by the Rector, he never dared to display his feelings towards her, till three years after, when a fitter opportunity was preparing to favor him to be avenged on her, because she loved chastity and resisted temptation to sin against God and matrimonial faith. (Rom, vii. 2. I. Cor. vii. 39.)

In January 1842, Mrs. B.'s husband abandoned the errors of the Romish church, and made a public profession of the Protestant faith by publishing a Tract written in the Italian language, as an answer to a Pastoral letter of the Bishop of Malta, issued on the 20th of previous October, against the *Reading and hearing the Word of God even in the simplicity of the Holy Scriptures*; therefore, the anathemas and excommunications were fulminated by the Bishop, both against the Readers and Hearers, as also against Mrs. B.'s consort, who was publicly opposed to the bull of the Bishop. The Priests and Jesuits, headed by Dr. L. Fiteni, the Arch-priest of Senglea, kept the match in their hands to support the power of the Dragon, and to silence the voice of truth, which made itself heard in the native tongue. The result then of the Bishop's letter soon was experienced by Mrs. B. and family; because her husband had undertaken the missionary work to convert his fellow Countrymen to the truth as it is in Jesus.

As Mrs. B.'s husband established meetings in his own house for the Reading and expounding the Scriptures in the Maltese language, there soon arose persecution to himself, family, and those persons, who resorted to his house. He therefore, his wife, and even the helpless children, were not exempted from molestations and annoyances; hideous noises were made at their door, in the evening to frighten the little children, throwing of stones at their windows, and more than three times their door-ways have been so covered with filth, that none could move out till it was washed by Mrs. B. amidst the derision of the neighbourhood, as none of her three servants would take that toil. Legal proceedings were also taken against them, by the landlord of the house they occupied at Senglea, Strada Crocefisso; who, being a Priest, made a new location to another Priest,

by which contract he raised the house rent to so exorbitant a rate, and put such heavy conditions, that Mrs. Bonavia and husband by no means could accept them; it was manifest to all, that such a plan was a feigned one in order to drive them out of the house. It was useless for Mrs. B. and husband to protest against the illegality of the new location, and against the claimed right of the landlord, who was simply *usufructuary*; because, the judges, (who had to decide the question, being Papists, and notorious partizans of the Jesuits, and therefore, spiritually dependant on Popish hierarchy, which blasphemously profess to hold the keys of hell and heaven and to open and shut them at their sovereign pleasure), in opposition to the laws, practice, and decisions of the same courts of justice in support of Mrs. B.'s claims, they approved the new contract and condemned her and husband in the expenses, and to remove from the house, within a shorter term than is established by law. And here it is not out of place to remark, that though the new Rev. Hirer when he appeared before the Court, swore: "that he himself was willing to occupy that house, and was in a great eagerness to live soon in it," still, after Mrs. B. was driven out by force from the house, the Rev. Priest, not only did not fulfill what he promised with an oath, but also let the house to another family at a lower rent, than was fixed in the contract stipulated to the prejudice of Mrs. B. That case excited, indeed, a great surprise and indignation among several lawyers, who having undertaken the plea advised Mrs. B.'s husband to prosecute the Priest for perjury. It is remarkable also, that a similar case, and at the same time, happened with Dr. Gobat, the present Anglican Bishop at Jerusalem, who occupying an house in Valletta on behalf of the Church Missionary Society, held also meetings for the reading and expounding the Scriptures to the Maltese; in which reading and expositions Dr. Bonavia, Mrs B.'s husband, was engaged; and thus both Dr. G. and Dr. B. were driven out of their houses by the Court, for no other reason, than for their holding meetings condemned by the pastoral letter of the Bishop of Malta.*

* Dr. Bonavia after seven years, viz. on the 28th August 1849, conversing with a Roman Catholic clergyman and his relative, has been informed, that the contracts of new location and the suit at law taken against him and Dr. Gobat was a plan suggested and conducted by the Jesuits on account of the meetings for the reading and expounding the Scriptures in their houses;

Mrs. Bonavia finding it impracticable to hire another house (because the ignorant prejudice of the Maltese began to prevail against her family), begged His Excellency the Governor, Sir F. Bouverie, to grant her leave to occupy the empty apartments in the house hired by the Government for opening the primary school of Cospicua. His Excellency sympathizing with Mrs. B.'s case, and such apartments being devoted for the habitations of the females' teacher of that school, immediately granted Mrs. B. prayer to occupy them, and directed also that, when the school should be ready to commence its operations, Mrs. B. be removed from Senglea to Cospicua's school. Consequently the acting Rector (the Canon Dr. Psaila) received written instructions from the Government to give forthwith possession to Mrs. B., and to deliver to her all the keys of the empty apartments. All this had been put into execution, and Mrs. B. was put in the pay-list as school-mistress of Cospicua; she began also to make some repairs on her own account and was to occupy the premises within a few days, however soon her expectations were frustrated. But it having been reported to the Chief Secretary to Government, Sir Hector Greig, a partizan of the Jesuits, by the Acting Rector, that Mrs. B.'s husband had had some religious conversation with an Irish Roman Catholic woman, (who was still living in that house, and had received orders to quit it, that Mrs. B. might soon go there,) Mrs. B. forfeited the privilege granted to her a few days before. It was in vain for her to explain to that honorable gentleman, that her husband was obliged to defend himself and his faith after an attack he received from that woman, who was a Protestant and had turned Papist to marry a Maltese; because, she had been also threatened by the Chief Secretary, "that if her husband should continue to speak against the Roman Catholic religion, or distribute tracts, she would lose the situation"*; and by the Acting Rector, "that if she would remain in the situation, she should forsake her husband who had become a heretic." These circumstances took place between the 10th to the 28th October 1842.

In 1843, Mrs. B. being supposed to be still Roman Catholic, on the 24th April had a visit in her own house at Senglea from the Arch-priest Dr. L. Fiteni, Rector of that parish. The visit took place seven days after Easter of that year. The Rev. gentleman at

*Mr. Vin. Mamo, the second assistant to the Chief Secretary, was present and the interpreter in that conference.

first entreated Mrs. B. "to turn out of the house and forsake her husband as being a heretic and proscribed from the bosom of the church"; and to persuade her to do so, he referred her to some Roman Catholic divines, and above all to St. Thomas d'Aquinas, who declares and teaches such a practice. His exhortations, however, were not successful; and as Mrs. Bonavia, to contradict that popish principle, told the Rev. Dr.—"That it was not new with her to hear such insinuations; but after enquiring from a better theologian than St. Thomas d'Aquinas, she had learned—that it was not lawful to put away, or desert her husband even if he was an infidel"; and as the Rev. Dr. supposed that Mrs. B. had been told so by her own brother the Professor of theology in the Royal University, she therefore to remove from him that supposition informed him, "that St. Paul was the divine, who advised her that she is bound to live with her husband" (I. Cor. vii. 10—16.). This language was sufficient for the Rev. Arch-priest to understand, that Mrs. B. was reading the Bible and adhering to Protestantism; he therefore changed, his affable language and kind promises into curses and threatenings of excommunication, "if she would not soon confess and receive the communion at that Easter-time together with her eldest daughter,* he would denounce her to the Bishop, and do all that has in his power to remove her from the situation of school-mistress."

Mrs. B. did not comply with the Rev. Dr.'s wishes, because she had already discontinued those services of the church of Rome; therefore, she gave him sufficient motive to fulfill his threatenings. Easter-time soon was over, and on the 3rd Sunday after, which was on the 7th May 1843, the Arch-priest gave the first blow of persecution against Mrs. B. He from the pulpit harangued the people and through the confessional instructed his flock:—"To be very careful for their girls, and to watch over the school to which they send them; as also to enquire, whether the school-mistress does not smell of heresy, or is supposed to belong to heretics; because, if their girls attend such schools, it would be better for them to cut their throats, than to send them into a school, where the mistress is nothing else than the devil himself in female form." This inflammatory language was quite sufficient to explain to his hearers what

* Miss Bonavia has been at last converted from Romanism, though she was a very obstinate Papist, and now is married to an Englishman and resident in London.

the Parish-priest meant by his speech ; it was indeed too plain his language and a direct step against Mrs. B.'s school. In fact she immediately was placed in a kind of a civil excommunication ; * and the people of Senglea have been so alarmed and began to show their disaffection towards Mrs. Bonavia and her school, that the number of pupils, attending the school, in a very short time was from 100 and 110 reduced to 25 and 20.

Up to this period Mr. Madiona was very quiet like a dormant serpent ; but being encouraged by the circumstances alluded to, very soon raised up his head and began to make use of the best means to show his odium, and to favour the cause of oppression against the woman, who was proof against his solicitations ; he therefore, made to the Rector of the University (Mr. Butt) some exaggerated reports against Mrs. B., in consequence of which, he, (Mr. Butt) accompanied by his secretary, visited Mrs. B.'s school, and made enquires about it. From the list produced, they learned, that, within the last three months, the average of the daily attendance of girls in her school was from 20, to 25. Both the Rector (an Irish and Roman Catholic gentleman) and his secretary expressed their surprise at seeing such a tangible proof and contrary evidence against Madiona's weekly reports—" that the number of girls, attending her school, was reduced to 2 and some times to nothing ". And here it is worthy to remark, that whilst the Rector was in Mrs. B.'s school and examining the pupils, he received a message from the parish-priest Dr. Fiteni, that he wished to see him and the secretary at his house, where he wished to have the pleasure of spending a little time in conversation with them and some other friends. The Rector and his secretary accepted the invitation. The party was composed of these two gentlemen, Dr. Fiteni, Mr. Madiona, and some other Priests.

* What is meant by civil excommunication, is explained by this : that some of the people of Senglea have cast out Mrs. B. of their society ; some others withheld from her the common charity of life, though she was in a family way ; others refused to speak to her, or even to sell articles of first necessity, and being compelled by the police to do so, or to give her passage in their boat, they threw the money into the sea, they had received from her ; others cut the sign of the cross between themselves and her, and spit upon her whilst passing close to them, or under their balcony ; others insulted her with the most provoking and obscene epithets, or throwing at her stones and nasty things, or blowing out at her face the smoke of their cigars, whilst they passed closed to her ; in short being not able to walk alone in the streets, or to go to school, she was accompanied by police-men.

They, indeed, were very cordially received; and the Rev. Arch-priest, to show his complacency treated the party with a splendid refreshment. It was afterwards related in a coffee house, by some of the Priests, who attended the meeting, "that the object of that council was Mrs. Bonavia's school and her situation."

In June 1843, the Arch-priest Dr. Fiteni, accompanied by the school-master Madiona, and the wife of the porter of that school, visited Mrs. Bonavia's school, in order to discover what books might be found in [the hands of her pupils. The Rev. Dr. went, while Mrs. B. had not gone yet to the school, being little before $\frac{1}{2}$ p. 8. a. m. Mrs. B., however, having arrived in good time to begin her duties, she found them still searching in the shelves made fast to the walls of the school, to see, whether there was any protestant book. Afterwards, Dr. F. asked Mrs. B. to open the drawers of her desk, and table to see what books there were there. She was very much offended at such a treatment; and though being aware that neither the Rev. Dr. nor Mr. M. had any power to require from her such an humiliation, yet having no cause to fear, she complied with the Dr.'s wish. Their suspicion was not verified, because they did not find any thing of the kind, they were looking for; at any rate, from what Mrs. B. understood by that inquisition, she had every reason to believe, that that behaviour was owing to Mr. M.'s insinuation.

In the following October and November, Mrs. Bonavia had been repeatedly threatened by the same Rev. Arch-priest to lose her situation, if she would not go to confession, and receive the communion; and the people of Senglea (in consequence of a pastoral letter of the Bishop of Malta emanated on the 14th October 1843 against the Free-Masons and other private Society and Meetings recently installed), had been harangued as before; but, as Mrs. B. never altered the system of instruction adopted by the Government for the primary schools, and following also Our Saviour's advice (Matt. vii. 37.) she succeeded so well as to overcome the prevailing prejudice of the parents of her pupils, that sympathizing with her sufferings, they were convinced, that she had become the sport of a concentrated bigotry, and party spirit of the Priests. Men's language, indeed, discovers what country they are of, so likewise what manner of spirit they are of. The heart is the root, and the language is the fruit; if the nature of the tree be good, it will bring fruit accordingly.

But before we go farther to trace Mrs. Bonavia's struggle with the enemies of the Word of God, we would remark, that as in that pastoral letter promulgated against the Masonic Lodge installed in the city of Senglea, every other private Society, Union, or Meeting, had been also condemned and anathematized, and Mrs. B.'s husband was holding Sunday meetings in his house at Senglea, on behalf of the Colonial Church Society for Divine service, the people of that city believed, that Dr. B.'s meetings belonged to the Masonic Lodge; Mrs. B. therefore, had been subjected to fresh threatenings and the family to a bitter persecution, and had to endure every thing short of bonds and imprisonment. The Maltese, still deride Mrs. B. and family, calling them *cursed Free-Masons*. The hearers, too, of the truth, amounting afterwards to about 110 individuals of both sexes, have not been without their portion of suffering.

So again in comparing the inflammatory language, the indecent epithets and attributes lavishly conveyed by the Bishop upon Protestant Ministers and Missionaries through his pastorate of the 20th October 1841, and upon the Masons and other individuals designed in the other pastorate of the 14th October 1843; and examining also the other circumstances which took place before and after the latter episcopal edict, and connected with the missionary efforts made by Protestant Missionaries in Malta since the year 1841, we believe, that every thinking man will be enabled to judge, whether the object of the Bishop, in promulgating his pastorate against the Free-Masons and their Lodge, was to reckon with them the Protestant Missionaries, and Ministers, as also Dr. Bonavia's meetings for Reading the Scriptures,* already called *Lodge*, in the other pastorate of October 1841? As for ourselves, we think, it is unnecessary to comment upon those two pastorales, as they speak for themselves, and exhibit but too clearly the real character of the Romish system; and considering also the other terms and analogy of languages couched in the aforesaid edicts, coming from the christian ministry, who had surrounded the late Bishop in his old age, as well as other documents, we are persuaded to believe, that such was the case with his lordship†; and that also he has been

* Dr. B. held also every Monday, meetings at St. Julian's bay, a village distant from Valletta three and half english miles.

† The Governor of that time was of our opinion; he directed the executive police to bring before the Magistrates, as it has been done, some instances of persecution and personal violence to Dr. B. and those who

made the instrument of the Jesuitical party to attack unoffending bodies of individuals, against whom the most atrocious charges have been made with the same prodigality and unwholly unsupported on both occasions. The grounds upon which our opinion is based, are the two documents we got in hand; and as we adhere to nothing but to truth, we deem it necessary to subjoin their copy or extract to make others understand fully the subject. The one is a copy of a letter by Mrs. Bonavia's husband addressed to the then Acting Inspector of Police a few days before the pastorage of October 1843; and the other of the publication of a Jesuitical paper (*L'Osservatore Maltese, Fasc. XXXVII. 2nd Nov. 1843*) accompanying and commenting upon the said pastorage with the most unwarrantable, seditious, and unfounded assertions. *

In February 1844, Mrs. B. had been again informed by the Rev. Dr. Fiteni—"that he would not be satisfied till he had succeeded in driving her out of the school"; and the Rector of University threatened her also "to remove her from the situation if she would not do all in her power that her little child be christened in the Romish church, and he himself be the sponsor." Mrs. B. cared nothing for these menaces, and leaving herself in the hands of *HIM who ruleth among men*, not only assented that the infant should be baptized by a Protestant minister and in the Protestant church, but also she attended the ceremony, at the Dock-Yard's chapel, with the family. Attempts have been made consequently by the Rev. Arch-priest and the Rector with the Government to obtain Mrs. B.'s discharge from the school; and to support their request, they stated the prejudice of the people of Senglea against her; for which reason, they alleged the school was entirely ruined. But the Governor, Sir Patrick Stuart, finding that no fault was with Mrs. B. respecting the school, and that their statement was a motive for obtaining her discharge, he rejected their application, stating:—"that the Government has no power to interfere with Mrs. B.'s religious opinions." Being thus disappointed Dr. Fiteni and Mr. Butt in their devised plan, Mrs. Bonavia enjoyed for nearly six months some tranquillity, and the number of the pupils began to increase again; but soon a new storm was raised up

attended his meetings, to show to the Bishop the effects and incompatibility of his anticonstitutional pastoral letter with the religious liberty guaranteed by the British Government.

See the Appendix, letter A and B.

against her, and those better days were changed into bitter ones. She had to enter into a conflict against the most intolerant outrages and annoyances both with the head and subordinate officers of the primary schools.

In October 1844, the Government deeming it necessary to exonerate the Rector of the University from the direction of the primary schools, appointed the Canon Dr. Fortunato Panzavecchia, Director of that establishment; Mrs. B. therefore, knowing that for a long time there had existed a cordial friendship between the new Director and her husband, she thought it convenient to pay a visit to him and to congratulate him on the occasion. This was a few days after his appointment. As soon as Mrs. B. was introduced into the Canon's room, where he was conversing with some people, he informed her:—"that the Government is very tired hearing every day complaints against her; and for that purpose he was particularly charged to watch over her school; therefore, on a more fitting occasion he would tell her some thing, to which she must absolutely yield, if she was willing to occupy the situation; otherwise he should be compelled to make a complaint; however in dealing with her, she must consider him as a friend, and not as a *sectarian missionary like* who induces and perverts the Maltese to become heretics." Mrs. B. asked the Canon for an explanation of what he meant, but he replied:—"I'll do it on a fitter opportunity, when you will understand me better."

On the 10th of that month, the Canon made his first visitation to Mrs. B.'s school, where in the presence of all the pupils he told her:—"I have nothing to say respecting the instruction you give in the school; I am quite satisfied with hearing, that you are a very able teacher, and well disposed to communicate knowledge of the most useful kind of needle-work; but on account of *your apostacy*, and the *satanical work of your husband*, I have many complaints against you; and for this reason, if you do not forsake your husband, and do not recant, you will compel me soon to make a report to the Government for a remedy." Mrs. B. wished the Canon to observe "that her religious opinions had nothing to do with the school; and therefore, if for that reason he should be compelled to make a report against her, he was at full liberty to do what he thought proper." Since that time the new Director began to treat Mrs. Bonavia in the most vulgar and tyrannical manner, to enforce his absurd and insi-

gnificant injunctions, and also to use outrages, threats, and insults for carrying out his views; and how absurd and vulgar have been his addressings to this woman, that though she is married, still they are painful to her to remember: they are, indeed, offensive to honest and chaste ears, and shameful to a man of honor, calling himself, also God's minister. The Rev. Canon went so far as to reprimand Mrs. B. in the presence of the girls, for the least trifle he had observed in them, or for any thing not consonant to his extravagant ideas; for which reason the greater part of the pupils lost their estimation for their Instructress and were infused with a spirit of insubordination.

The Canon Panzavecchia engaged also a man purposely to annoy and oppress Mrs. B. in her own school, while she was fulfilling her duties. This man (whose name is Giovanni Bonello) is still Mr. Mardiona's assistant teacher, and also a relative. He had been placed in Mrs. B.'s school with a few boys under the plea, that Mr. M.'s school could not hold more pupils, whilst in reality it was half empty. The assistant teacher, therefore, being entirely under the spiritual influence and protection of the Rev. Director of the schools, one can imagine how well he executed his office in putting in motion the engine of oppression against Mrs. B. who was at this time in the family way with twins; and thus this unoffending teacher was exposed to a constant *fretting* and *harassing* tyranny more intolerant than death itself. To give a full detail of the whole proceeding and persecution to which this helpless female has been subjected by the Rev. Director would be some thing tedious; but it is enough to state, that in consequence of the untiring oppression carried on against her, and not being able physically to endure the ordeal of annoyances and insults to which she was subjected, she many times fainted in the arms of the pupils, as also vomited blood on account of the smoking and bad smelling of the cigars introduced into the school by this assistant teacher,—of the incessant walking along the room-school,—and of his singing, or buzzing noise during the girl's instruction, but in his time of idleness. Under such circumstances the victim of Popish intolerance could not derive any redress of such outrages and oppressions from any appeal to the Director, or request to the assistant teacher; because her intreaty was denied with the kind reply from the former;—“*that the man was placed in the school to oversee her*”; and from the latter:—“*that she must suffer him; because he was there to oppress and annoy her.*”

These are not exaggerating facts, as references can be made both to the pupils, or their *written* testimonials, as well as to the assistant Director (at that time), the Marquis Barbaro di S. Giorgio, for their support. And to illustrate still further the peculiar position of Mrs. Bonavia with the Reverend Director, the intelligent Reader must be informed also, that on the 21th December 1847, she had been asked by him—"Whether she had shared in the illumination, which happened to be on Sunday the 19th of the same, to celebrate the arrival of the new civil Governor, Mr. More O' Ferrall, who had landed the previous Saturday morning?"—and for having given a negative answer, on the reason of its being the *Lord's day*, she had been told by the Canon:—"That now is arrived the set time to get rid of you; for, the new Governor is not of the sect to which the former Governors belonged, who have kept you in the situation in spite of the Maltese, who are all Roman Catholics."

Amidst such a conflict to which Mrs. B. was exposed, the Canon Panzavecchia, for unknown motives, in July 1848, resigned his office, the Government therefore, after a period of six months promoted the assistant Director, the Marquis Barbaro di S. Giorgio, to the Directorship of the primary schools; thus, Mrs. B. hoped for a change, which would relieve her from all the difficulties she had had to encounter for the time past. The old acquaintance between the families of the Marquis and of Mrs. B.'s—the many obligations, which the new Director still owes her, for having settled some of his important affairs with his parents,—and the redress, which (when assistant Director) he wished to give her for restraining the assistant teacher from perpetrating the insults and oppressions to which he had been instigated, were sufficient reasons for Mrs. B. to expect from the new Director every protection and a prompt remedy for the hardships under which she was suffering. But how have Mrs. B.'s expectations been realised? Has the Marquis maintained his promise, which he, in January 1849, made to Mrs. Bonavia in a visit to her school—"that he never would break the bonds of his old friendship of not forgetting the great obligations he owes her; being free from any intolerance and bigotry, and not prejudiced as the late Director was with her for becoming a Protestant?" By all means, no.

The leaders of Mrs. B.'s persecution favoured by the advent of a Roman Catholic Governor; and by the promotion of the

Marquis Barbaro to the directorship, who had obtained his situation through the intrigue of the Jesuits (and especially of the late *Padre Ryllo*, who was the instrument of the Marquis wife's apostasy from the protestant faith, and the very person who baptized her again) they raised up great hopes to gather the storm again against the individual condemned as a heretic; therefore, to arrive at this object, they had chosen a creature of their's holding the head office of the department in which Mrs. B. was; and to support the plan they devised, they joined another person, who had already tried to injure and destroy the honor of their victim, during the rectorship of Dr. Rossignaud. We see, therefore, the noble Marquis quite of the same character—and even of worse and more injurious than that of his Rev. predecessor; because, if Canon Panzavecchia was plain and candid with Mrs. B. in explaining to her his views in consequence of her religious change; the Marquis, amid the charity professed towards his old friend, mediatrix, and protectress, and in the show of kindness like that of lying Jesuits his protectors, was flattering and beguiling her, and also preparing a course for carrying on a scheme of fresh persecution and oppression, and even setting up a net to entangle her. We see, then, the boasted *liberalism* of the Marquis soon transubstantiated into *barbarism* against the very person, who, on account of his marriage with a girl unequal in rank and fortune, stood like a shield between his naked breast and the sword drawn against him by his late father.

Mr. Madiona also, who was waiting to give vent to his enmity against Mrs. B. arising only from his defeated flagitious designs, eagerly embraced the opportunity he had been long looking for, to oppress and persecute her. We must not, therefore, wonder at him, if he made use of all his arts to avenge, or to ruin her. He, whom we have seen taking an offensive part against Mrs. B. quickly and gladly undertook the task to begin hostility, which he had already shewn on different occasions against her; and the popish party, indeed, through the instrumentality of the Marquis Barbaro, could not possibly select a better person for carrying on the work they had begun. Therefore, Mr. Madiona and the Marquis took a prominent part in the affair, and employed every engine in their power to aid Mrs. Bonavia's persecutors.

Accordingly, no later than a few days after the Marquis Barbaro was promoted to the Directorship, to begin his work of persecution,

he, by a letter dated the 6th Feb. 1849, created Mr. Madiona superior officer of Mrs. Bonavia and through the same letter, he directed him to "take charge of Mrs. B.'s school—to superintend the instruction of the reading, writing, arithmetic and *needle-work*—to watch over her behaviour—and in fine, in case he should see any thing not according with his views, to make a report to enable him how to deal with her according to her desert." Mr. Madiona, with joy (as he expressed it to a Priest) received that communication through Mrs. B. herself, on the 8th of the same month, when she was called by the Marquis to Valletta school to be instructed by the mistress of that school, how to hold the needle and thread,—on which finger to wear the thimble,—how to prepare a wrist-band for stitching &c. * Mr. Madiona, therefore, to give proof of having accepted the appointment and of his fitness for oppression, the following morning he had received that intelligence, went to Mrs. Bonavia's school, where from he was turned out by the person now placed at his prudence and pleasure to trample under his feet. A happier chance could not be presented to Mr. Madiona, than to be created superior to that person, who was already opposed to his designs! Where could a man more unprincipled than him be found to carry on a plan for removing that woman from her situation on account of her forsaking Romanism? Indeed, Mr. M. invested with

* Notwithstanding Mrs. B.'s examination of her ability previous to her appointment in the situation she occupied under the Government, and her great and long experience in educating the children and the good management of the primary schools for nearly 10 years with satisfaction of the late Governors, Sir F. Bouverie and Sir P. Stuart, and the Rectors, the Revds. Rossignaud and O' Malley and Mr. Butt, not excepting the Canon Panzavecchia;—notwithstanding the highest references she can give, even the written testimonials of H. late M. Queen Adelaide, in which she expressed her royal satisfaction with Mrs. B.'s industry, and for which she gave Mrs. B. a mark of her approbation;—and altho' the local Government and the Marquis are aware of these circumstances, yet Mrs. B. was compelled to humble herself and to go to school of Valletta, where she had supplied the office of teacher when required by the superior, and to suffer to be instructed like a girl, who never attended any school, by that female teacher and assistants over whom she once presided, in the most humiliating and absurd manner too painful for Mrs. B. to describe. Does not this case alone sufficiently illustrate the spirit of the local authorities towards this person? As for us it is enough to reply, that the parents of Mrs. B.'s pupils, and even the girls themselves, plainly understood, that the proceeding of Mr. Madiona and the Marquis Barbaro towards Mrs. B. was nothing else than a plausible and secret plan adopted for exhausting her patience and bringing her to the necessity of resigning her situation, and thus to be rid of her.

the new cloak of authority to interfere with Mrs. Bonavia's duties, and unchecked by the superior power of his Director, and even supported by his patronage, was pretty much the same, and more arrogant, daring and dangerous than even he ever was before he had been restrained by Dr. Rossignaud from interfering with Mrs. B.'s school.

It would be quite tiresome to enter into a full narration of what befel Mrs. B. in the triturations she underwent with Mr. Madiona, and the Director; but if an unprejudiced examiner would refer to the *written Journal*, and testimonials of Mrs. B.'s pupils, which are in her hands, he would distinctly trace not only a continued and unabated hostility of Mr. M., and a constant persecution, oppression, outrage, annoyance, and even personal violence, * slanderings, vulgarities, and other particular grievances, to which she had been exposed in her own school since the 9th of February down to the 23d April, 1849; but also it would be easy for him to learn, that the girls, who attended the school returned home shedding many a tear at the remembrance of the treatment which Mrs. B. received from Mr. Madiona and the Marquis in their presence in the school, and then he will led to conclude with the parents of the pupils, that such an untiring and tyrannical manner with the outrages, epithets, and threats they carried on against her by falsehood, was indeed a plan quite sufficient to drive Mrs. B. out of the situation. In fact, Mrs. B. not being able to stand against the captious oppression and molestations carried on against her; and being also (perhaps with malicious design) advised by the Marquis to apply to Government for a redress, she thought it advisable to lay before His Excellency the Governor, the Honorable Richard More O'Ferrall, the following representation, in which she humbly stated:—

“That on the 7th inst. the Marquis Barbaro, di San Giorgio, the Director of the Primary schools, accompanied by Mr. Gius. Madiona, the boys' teacher, visited the petitioner's school, and the latter, in her presence and of all the girls in the school brought before the Marquis several accusations against her, by which she thinks her character is injured.

* Mr. Madiona in the presence of the Director and the girls in the school laid his hand upon Mrs. B.'s face; called her a liar; and threw on the floor her silk mantle, and trampled it under his feet! The Marquis remained as if he were dumb.

“ That although the petitioner could verbally reply to what she had been charged by Mr. Madiona and though she challenged him to substantiate his charges against her; and notwithstanding she could contradict them by producing the necessary evidences, the Marquis, refusing to hear her and the witnesses she could on the moment bring forward, and declining also to see some tangible proofs she could produce on the spot, adopted Mr. M.'s charges, on his own testimony, *as an honorable man*,* against the petitioner, and therefore, he ordered him to draw up a note of some articles alledged to have been missed from her school, that they might be made new, and their expense abated from her salary; and to make also a regular report on her conduct, that both the note and the report may be transmitted to the Chief Secretary to Government.

“ The petitioner has the honor of submitting to Y. E.'s consideration, that for about nine years she has been up to this, suffering imputations, slanderings, irregularities, troubles, importunities, difficulties, outrages, contempts, tyrannies and oppressions, of which the petitioner shall not trouble Y. E. with a detail; and also other annoyances to which she has been subjected by the Master Madiona and his Assistant Giovanni Bonello; and therefore, it may be presumed that Mr. Madiona thinks, that *now is the time and the favourable opportunity* to give vent to an inveterate enmity against her.

“ Under such circumstances the petitioner humbly craves Y. E. to be pleased to order, that whatever accusation, or report has been made against her, either by the Director, or Mr. Madiona, should be communicated to her, and also *an opportunity and means be given her for providing herself with the necessary proofs, evidences, and examinations to contradict all that has been said and made against her* by Mr. Madiona, or by any other person, or persons, concerned to injure, annoy, insult and oppress her. And therefore, for these and other circumstances, abuses, and irregularities existing, she humbly requests Y. E. to institute a *Court of enquiry*, composed of persons that cannot possibly have any bias either on one side, or the other in the matter, in order to bring all that has taken place within the period already referred, between the said Mr. Madiona, his Assistant, their adherents, and the petitioner, under the cognizance of Y. E. that an adequate remedy and justice be applied and administered to the evils of which the petitioner complains. And so, as in duty bound, she will ever pray,

“ The 17th March, 1849. ”

The Reader will admit, that there was nothing in the tone of this memorial to subject the petitioner to a forfeiture of the favor of a

* A title bestowed by the Marquis upon the school-master Madiona when on the 7th March 1849, they visited Mrs. Bonavia's school.

reply; and also will admit, that there was every thing in that petition to excite the prompt attention of those, who should be anxious to enforce the execution of the laws for the preservation of the liberty, peace, and privileges of H. M.'s faithful officers and loyal subjects in this Island; yet, though more than a month had elapsed, Mrs. Bonavia received no reply to her memorial, and therefore as the irregularities, insults &c. which constrained Mrs. B. to appeal to H. E.'s protection against were going on with the same temerity she, on the 21st of the following April, addressed another petition to the Governor Mr. More O' Ferrall; which is the following:—

“Humbly sheweth,

“That it is more than a month since she had the honor to lay before Y. E. a petition describing briefly the state of her position with the school-master Giuseppe Madiona, and complaining of his outrages, annoyances, insults, irregularities &c. with which the memorialist is incessantly harassed while fulfilling the duties of her public capacity.

“That in that petition the memorialist took the liberty of requesting Y. E. an easy remedy for the evil of which she complained; but the memorialist had not the honor to receive yet that courtesy, which the humblest individual usually receives from Y. E.—viz. the favour either of a redress, or of a reply.

“That as the outrages, contempts and other irregularities, which constrained the memorialist to appeal to Y. E. still continue in unmitigated rashness, she must therefore press again on Y. E.'s attention the claims of her sufferings from a notorious inveterate enemy—the boys' teacher, Giuseppe Madiona—to the protection of Her Majesty's Government.

“That the memorialist begs leave to inform Y. E. that some years ago she had been also molested in her public capacity by the same officer Gius. Madiona, with the same line of outrages and irregularities; but after an application, calling the attention of the Rev. Canon Dr. Emmanuele Rossignaud, the late Rector of the University, under whose control the primary schools were placed, the memorialist soon obtained, not only an immediate redress, but also protection from the said Gius. Madiona's aggressions, oppressions, and personal persecution.

“That memorialist has to submit to Y. E.'s consideration, that she has some reason to think, that the same school-master, Giuseppe Madiona has the hope (as he boasts) of impunity and the Director's favor and protection for encouraging him to molest the memorialist in her own school, and therefore she presumes, that unless some

preventive be adopted by Y. E. she has little hope, that he will restrain himself from perpetrating his outrages, irregularities &c. to which she, since the 9th February ult. has been subjected by the present Director—the Marquis Barbaro di San Giorgio.

“That the remedy which the memorialist proposed in her petition to Y. E. for the evils she complains of, commends itself as affective, practicable and equitable; therefore, the memorialist humbly entreats again Y. E. to order, that an immediate *Court of enquiry* be instituted into the circumstances to which she adverted in her former petition. Y. E.’s memorialist thinks, that her demand is equitable, for she asks nothing, but what has been adopted by Y. E. in similar cases, for an impartial administration of *justice* and *protection* to one of Her Majesty’s oppressed and persecuted officer. And the memorialist, as in duty bound, will ever pray.

“The 21th April 1849.”

To this memorial Mrs. Bonavia received the following reply:—

“Chief Secretary’s office,

Valletta, 24th April, 1849.

“Madam,—In reference to your memorial addressed to His Excellency the Governor, and dated the 21th instant, I beg to acquaint you, that that document, which, in so far as it is a complaint against the school-master Mr. Giuseppe Madiona, ought, previous to application to the Government, to have been addressed to the Marquess Barbaro di San Giorgio, has been in the first instance referred to that gentlemen for a report.

“I have the honor to be Madam,

Your most obed. humble servant

(Signed) H. LUSHINGTON

Chief Secret. to Government.”

“Mrs. M. Bonavia Cumbo,

Mistress of the Primary School,

Senglea.”

Now, the Reader should admit that this communication from the Chief Secretary bears two facts in reference to the subject of Mrs. Bonavia’s applications to H. E. the Governor, to which, as they are very plain to be understood, it may be useful to refer. The first of them is, that the aforesaid letter does not give any reply to the requests of Mrs. B. so far as to obtain any redress; and the second fact is, that the Governor, as it appears, previous to his taking any consideration of Mrs. B.’s complaints, would hear a report from the Marquis Barbaro di San Giorgio, to whom Mrs. B. had already applied for a remedy, when on the 7th March 1849, he visited her school, and in his presence she had been repeatedly insulted by Mr. Madiona.

and afterwards he suggested her to apply to the Governor for redress.* It would be easy therefore, to conclude, that Mrs. Bonavia seeing that nothing could be obtained from the Director, and that he took no notice of her report for the outrages, and other irregularities she had received from Mr. Madiona and his Assistant, it was then advisable for her to apply to the head of Government without addressing any further document to the Marquis Barbaro di San Giorgio previous to application to the Government, who was to be informed of the circumstances under which the Marquis directed Mr. Madiona to draw a report.

And here it is worthy to remark also, that if the remedy in question depended only upon the report of the Marquis Barbaro di San Giorgio, Mrs. Bonavia with good foundation could not entertain the hope, that the irregular conduct of Mr. Madiona should be suppressed; because, if the Director was willing that the annoyances &c. (even perpetrated in his presence and for which he had already received a written and verbal complaint, on the 7th, and 15th, March, 1849) * should cease, he, as the head of that Department, under whose control were Mr. Madiona and Mrs. Bonavia, ought, previous to any application from Mrs. B. to the Government, to have taken every step to have had her case investigated. But on the contrary, though the Marquis was aware of Mrs. B.'s position with the school-master Madiona, and of the difficulties she met with in fulfilling her duties since the 9th of february last; and though he had been requested by the Government for a report since Mrs. B.'s first application to the Governor, † yet we see him to have neglected his duty for more than a month, and thus by his taking no notice of Mr. M.'s misconduct, he had allowed him to grow unruly and more arrogant than ever, even in his presence. Mrs. B. therefore had strong reason to apprehend that the indifferent proceeding of the Marquis together with the arbitrary conduct of Mr. M. was nothing, but a concurrence, and an encouragement to be abusively and meanly treated in her own school by the school-master Giuseppe Madiona, and his Assistant, and their pupils. §

It is further to be remarked, that since Mrs. B.'s first application to the Government a report has been circulated in Senglea, — that the

* See the Appendix, letter C.

† See the foregoing letter from the Chief Secretary of the 24th April 1849.

§ See the Appendix, letter D.

Governor does not listen to what Mrs. Bonavia complains against the school-master, or any body else; but as she is about to be discharged, he will let her applications alone." From what source sprung this report Mrs. B. is not aware; but certain it is, that she has been informed by the parents of her pupils, who heard it from persons connected with her school; as also, by a public person, who is ready to testify under oath and before a Court of Justice, that he had been told so by Mr. Madiona on the morning of the 19th of last March, when the said Mr. M. tried to dissuade that gentleman in his public capacity from taking any part to support Mrs. B.'s defence.

So again, if the Marquis had no bias in Mrs. B.'s case, he, as a public officer, ought to be impartial both to Mr. M. and Mrs. B.; and therefore, after having received from Mr. M. charges against Mrs. B. of which he ordered him to draw up a report, in order to transmit it to the Chief Secretary, it was his duty, and not his subordinate officer's (Mrs. B.) to apply to Government for bringing the affair to a proper investigation. We must, however say, that the entire conduct of the Marquis Barbaro seems to have carried with it the most distinct marks of partiality; for, if he was disposed to deal justly, we think, that he ought to consider either Mr. M. as insubordinate and a slanderer; or Mrs. B. guilty of the charges preferred against her, or innocent, and therefore to report the one, or the other to Government for punishment. But the Marquis remained silent and suffered Mrs. B. to be insulted and trampled on under Madiona's feet, and limited himself to threatening her in the school, and before the girls, *to discharge her from the situation*, than to make any report to Government, as he was requested, that justice should be administered between the two officers under his jurisdiction. Had Mrs. B. been innocent and oppressed, she ought to have been protected by the authorities; had she been guilty in any thing, she ought to be tried and punished according to justice, and not to be insulted and annoyed while discharging her public duties. It is evident therefore, that both Mr. M. and the Marquis Barbaro di San Giorgio were working together to oppress and persecute Mrs. B. with this difference however, that the school-master was an avowed, and the Director a more occult and secret persecutor.

At last 45 days after Mrs. Bonavia addressed two petitions to H. E. the Governor for obtaining a redress of her grievances, she succeeded in eliciting the Government attention; and therefore, on the

4th of May ult. at $\frac{1}{4}$ past 11 a. m. she received a verbal intimation in the name of the Director, to appear in the primary school of Senglea on the afternoon at $\frac{1}{4}$ past 3 before a Court of Enquiry, and to bring with her all the witnesses for examination. Now, we ask, was this Commission legally appointed and directed to proceed according to the civil law, or in conformity with a Council of War and in the most summary way? We should wish to have a satisfactory answer to this question; in the interim, considering the circumstances accompanying the appointment of the Commission of Enquiry, which has being the object of such a marked and peculiar proceeding, will interpret which were the measures adopted by the local Government for the administration of justice; however, though Mrs. Bonavia had not been informed under what circumstances and provisions the Commission was appointed; and though she had not received any intelligence from the Government upon that subject, yet she thought it prudent to obey the Director (though he had nothing to do with the matter) and to appear before the alledged Commissioners at the appointed time and place; but as Mrs. B. was anxious to act, in a way according to the law, she presented a protest before the two gentlemen, who verbally told her they were the Commissioners of Enquiry appointed by the Government. The two gentlemen were sitting at Mr. Madiona's school, where they received the following protest written in Italian language:—

“Government Primary School,

Senglea, the 4th of May, 1849.

“Gentlemen,—This morning at $\frac{1}{4}$ past 11, I have been verbally intimated through Mr. S. Bugeja—assistant school-master,—and on behalf of the Director of these primary schools, to appear before a Commission of Enquiry on this afternoon at $\frac{1}{4}$ past 3.

“No written intimation was given to me; neither has been explained me what part I must support, either of a plaintiff or defendant. Therefore, I do solemnly protest, first for the irregularity and illegality of the intimation—and secondly for the brevity of time prefixed to me.

“I do earnestly request therefore, that a new written citation be transmitted to me, explaining the part I have to support before you,—that in the same citation be indicated the heads of the accusation, in case that my part will be of defendant,—that a sufficient time be prefixed for enabling me to procure the evidences respecting the part I am to sustain, and that the citation will point out *the means*

to compel the witnesses to attend in case they should refuse to appear before the Commissioners.

“ On account of the brevity of time prefixed to me I defer giving any further exception, which may fall out with me both on account of the incompetency of the persons appointed for the Commission of Enquiry (not being known to me up to this moment) and also of the illegality of their appointment, as well as in regard to every other circumstance, which the case should offer me, and which also I defer to explain afterwards.

(Signed) “ MARIA BONAVIA CUMBO, *Mistress.*”

On the next morning Mrs. Bonavia addressed to H. E. the Governor the following memorial in Italian.

“ The humble Petition of Mrs. M. Bonavia Cumbo,
Teacher in the Primary Schools.

“ Humbly sheweth,—That since the petitioner had the honor to lay before Y. E. a representation describing briefly her position with the school-master Giuseppe Madiona on account of his incessant insults and irregularities even in the presence of the Director of the Primary schools—the Marquis Barbaro di S. Giorgio,—and in her own school, she was constrained on the 21th of last April, to address to Y. E. through the Chief Secretary’s office, another memorial, which, referring to the first petition of the 17th of last March, called again Y. E.’s attention upon the subject therein contemplated. Whether such a memorial was submitted to Y. E.’s consideration the petitioner is not aware; but on the 24th of the same April, she received a communication not by command of Y. E. (as in such cases was the Government practice) from the Chief Secretary, through which she has been informed, “ that that document, which, in so far as it is a complaint against the school-master Mr. Gius. Madiona, ought previous to any application to the Government, to have been addressed to the Marquis Barbaro di S. Giorgio, had been in the first instance referred to that gentleman for a report.”

“ That yesterday; (the 4th inst.) at $\frac{1}{2}$ past 11 a. m. the petitioner, through Mr. S. Bugeja an assistant teacher in the school of Valletta, has been verbally intimated on the name of the Director, to appear before a Commission of Enquiry at $\frac{1}{2}$ past 3 p. m. The petitioner at the appointed time appeared in the boys’ school, where she has been called, and found there Dr. G. B. Trapani and Dr. C. Galland, a Physician, who told her they were the Commissioners.

“ Whether such a Commission proceeds from Y. E.’s appointment (which the petitioner does not know) she begs leave to observe—that such a proceeding is, for many reasons, illegal.—First of all, the petitioner ought to be informed—of the appointment of such a

Commission, of its attributes, power, and from what authority does it proceed,—of the individuals who are to form it,—of the proceeding that ought to be adopted,—and of all other formalities, which may lead to an exact administration of justice. Second to call the petitioner through a written citation without a sufficient period of time to enable her to prepare her defence is unfair.

“The want of such necessary formalities caused the petitioner to lay before the aforesaid two gentlemen, calling themselves Commissioners, a protest, copy of which she appends hereto.

“As the petitioner on her appearing before the Commissioners she knew who were they, being told by them they were the Commissioners, thus (in case that such a Commission proceeds from Y. E.’s appointment) she begs leave to inform Y. E., that the aforesaid gentlemen cannot be her judges for two reasons:—first, because the former must be one of her evidences; and the latter she refuses on account of just reasons known to her.

“The petitioner therefore, being persuaded, that Y. E. has nothing in view, than the sole administration of justice, without any regard to persons whatsoever, if such a Commission proceeds from Y. E.’s appointment, humbly begs you to be pleased as to appoint *another regular Commission*, and to order that all the proceedings will be regular and according to the law, and be carried out in such a way, as to lead into an issue; namely, to an exact and impartial administration of justice.

“*The 5th of May, 1849.*”

As the aforesaid memorial contained nothing but a legal protest and just demands for the administration of justice, Mrs. B. had just reason to expect, that H. E. the Governor would weigh the matter laid before him, and to consider also both the equity of her protestations and earnest requests therein contained, as well as the constant practice here and in England carried on in trial by jury; and therefore, that he would comply with the legal remedy and provisions she applied for. However, the following communication from the Chief Secretary to Government will explain, whether Mrs. B.’s request and protestations were attended to, and how far H. E. was willing to give a legal redress and provisions for the administration of justice.

“*Chief Secretary’s office*

Valletta 9th May, 1849.

“Madam,—With reference to your recent memorial to His Excellency the Governor and protest thereto appended, stating objections on your part to Dr. Galland and Dr. Trapani proceeding with

the Enquiry they have been requested and authorized to undertake, I am directed to inform you that His Excellency, has directed those Gentlemen to resume the Enquiry and to give you the option of appearing before them to explain and support the charges, which you have made against Mr. Madiona.

"I have the honor to be Madam,
Your most obed, humble Servant
(Signed) H. LUSHINGTON
Chief Secy. to Government,

"To Mrs. Bonavia Cumbo"
&c. &c. &c.

On the following afternoon at $\frac{1}{2}$ past 3 Mrs. Bonavia received through the before mentioned Mr. S. Bugeja, assistant teacher, the following intimation :—

"Valletta, the 10th May, 1849.

"The undersigned in fulfilment of their duty committed to them by the Government to investigate namely, the facts alledged by Mrs. M. Bonavia Cumbo against Mr. G. Madiona, and by him denied, will meet again in the primary school of Senglea, to morrow at $\frac{1}{2}$ past 3 p. m. to which reunion the said Mr. G. Madiona, and Mrs. M. Bonavia Cumbo are requested to appear.

(Signed) { "C. GALLAND,
G. B. TRAPANI,"

The matter at issue was become to Mrs. B. of a serious concern as it might involve her in great difficulties both on consideration of the second appointment of the aforementioned gentlemen to resume the enquiry, and on account of the legal provisions she had requested to support the charges she had preferred against Mr. M. Indeed, no legal means were given to Mrs. B; nor were the Commissioners empowered to give her any assistance to compel those witnesses, who should refuse to appear before them; as in fact the most part of them, and even the most important refused to appear on Mrs. B.'s behalf unless they should be summoned, for fear of the priests' intolerance; her position therefore, was of more perplexity than before; and she was placed in an embarrassing dilemma either to appear before the Commissioners against whom she had already protested for legal reasons, and also without any proof to substantiate her charges, or to fail from appearing before them and not proving her accusations, to be considered a disobedient, or a malicious slanderer against the school master Mr. M. For these and other reasons Mrs. B. presuming that H. E. the Governor had no predilection in this affair, and that

he was a man of sense and justice, she addressed to him a letter written in Italian, of which the following is a literal translation :—

“ To His Excellency, the Right Honorable R. More O’Ferrall Esq. Governor of Malta and its Dependencies &c. &c. &c.

“ Sir,—The undersigned, on the 5th inst. had the honor to lay before Y. E. a memorial, through which, among other things, she represented to Y. E., that if the Commission of Enquiry was appointed by Y. E., Dr. Trapani cannot serve as a Commissioner on the only reason, that he is to be one of her evidences, and refused Dr. Galland on account of some just reasons, and concluded to implore Y. E. to be pleased to appoint a new Commission of Enquiry, and according to the laws; in short, that all the proceedings should be directed in such a way as to administer an exact and impartial justice.

“ On the 9th inst. the undersigned received a communication from the Chief Secretary to Government, through which she has been informed, that Y. E. has directed the said two gentlemen to resume the Enquiry.—On the 10th of the same at $\frac{1}{2}$ past 3 p. m. she has been intimated by the said two individuals to appear before them at the same hour.—Meanwhile she does not know up to this time the power and attributes of the Commissioners, and whether she is *provided with the means* to compel the many witnesses, who, without being summoned, already informed her of not being disposed to appear.

“ Such a proceeding, and upon a good foundation, gives to the undersigned room to suspect, that there is no intention to administer to her that impartial justice for which she repeatedly entreated Y. E. Because, to omit every other circumstance, the confirmation of Dr. Trapani, after the explanation given by the undersigned, in the aforementioned petition, deprives her of an important proof of the fact; and to oblige her morally (since she is very anxious to substantiate her charges before persons that cannot have any bias) to appear before Dr. Galland, whom she had already refused, is a despotic proceeding contrary to the liberty due to the British subject.

“ Thus the undersigned, after the explanations given in the above-mentioned petition,—the protest thereto appended,—and the confirmation of the two individuals, she cannot but take as partial Y. E.’s proceeding;—and therefore, the undersigned, representing again her request to Y. E. for the appointment of a new and impartial Commission of Enquiry, before which she might substantiate her charges against Mr. Madiona and every other person they are preferred, is placed by Y. E. in the position of not justifying her charges, and in the necessity to abstain from appearing before the abovementioned two individuals, rendering in any event Y. E. responsible for

every consequence of such a proceeding, which precludes the way of justice.

“ The undersigned has the honor to be
of Your Excellency Most obed. humble Servant,
[Signed] MARIA BONAVIA CUMBO.
Vittoriosa the 11th May 1849.”

On the afternoon Mrs. Bonavia appeared again before the two gentlemen directed to resume the Enquiry and presented to them the following declaration, in Italian, of which the following is a translation:—

“ *Government Primary School,
Senglea 11th May, 1849.*

“ Appears Mrs. Bonavia Cumbo mistress in this school, and in consequence of a representation she made this morning to H. E. the Governor, she abstains from entering in whatsoever discussion with DDrs. G. B. Trapani and C. Galland appointed by the Government Commissioners of Enquiry, respecting her complaints against the school-master Giuseppe Madiona and against any other person, or persons, for the reasons given by her in the same representation.

“ *MARIA BONAVIA CUMBO.* ”

It was in vain that Mrs. B. applied and claimed for redress, protection, and administration of justice; because, after all, though she had not done any harm, yet she has been arraigned,—tried,—condemned,—and punished as a criminal. By the following communication from Mr. H. Lushington, the Chief Secretary to Government in reference to this subject, the Reader himself will judge how far the Governor Mr. More O'Ferrall may be charged with partiality and passive cooperation with Mrs. Bonavia's persecutors, by withholding from her the administration of justice, legal means, and protection to which she was entitled, and which it was in his power to afford.

“ *Chief Secretary's office,
Valletta 23d May, 1849.*

“ Madam,—I am directed by His Excellency the Governor to communicate to you that, on consideration of your conduct with reference to the Enquiry directed in consequence of your charges against Mr. Giuseppe Madiona, he is compelled to conclude that you cannot with advantage to the public service be continued in the post now you hold; and I have therefore to intimate to you that you will forthwith cease to occupy the situation of school-mistress of Senglea.—His Excellency's decision to the above effect

has been communicated to the Marchese Barbaro di San Giorgio.

"I am, Madam,

Your obed. humble servant,

(Signed) H. LUSHINGTON

"To Mrs. Bonavia Cumbo,"

Chief Secret. to Government.

&c. &c. &c.

Thus terminated Mrs. Bonavia's case in connection with the Government primary schools, and thus the framed engine of persecution—and the spiritual influence of the Romish and Jesuit priesthood, have driven her out of an establishment exclusively belonging to a Protestant Government. However, Mrs. B. knowing that there is nothing on her part to render her liable to such a shocking conclusion and unjust punishment, she addressed a letter to H. E. the Governor, designed as a medium of communicating to him her grievances and also for showing the inconsistency of his conclusion both with the principles of logic and justice, and with the spirit of the British Constitution.

The following is the literal version from the Italian:—

*"To His Excellency the Right Honorable R. More O' Ferrall Esq.
Governor of Malta and its Dependencies &c. &c. &c.*

"Sir,—I beg leave to acknowledge the receipt of a letter from the Chief Secretary to Government of the 23d of last month through Mr. E. Bonavia's (the superintendent of quarantine) boatman, the tenor of which is the following:—

"Madam,—I am directed, by his Excellency the Governor to communicate to you that, on consideration of your conduct with reference to the Enquiry directed in consequence of your charges against Mr. Giuseppe Madiona, he is compelled to conclude that you cannot with advantage to the public service be continued in

Mr. Emmanuele Banavia is one of the notorious abettors of the Jesuits in Malta, whose boatmen are not the messengers of the Chief Secretary, for he has his own servants in his department. Mrs. Bonavia received the letter of her dismissal not sealed at the outside with the Government seal, according to the constant practice of the Chief Secretary's office, we have reasons, therefore, to think, that the letter to Mrs. B. was sent open first to Mr. B. for his information, and then by that gentleman forwarded to Mrs. B. sealed with a common wafer and through one of his boatmen. It is worthy of remark also, that the bearer of that document after having delivered it to Mrs. B. he stopped in the school till she opened the letter and after terminated its reading he "laughed". The girls informed Mrs. B., that while that man was going out of the school, he said with a low voice, "at last you have swallowed the pill". How that boatman could know the contents of that letter, is some thing curious, unless he is a prophet or sorcerer, or has been told by his master, or the Chief Secretary himself.

the post you now hold; and I have therefore to intimate to you that you will forthwith cease to occupy the situation of school-mistress of Senglea.—His Excellency's decision to the above effect has been communicated to the Marchese Barbaro di San Giorgio.

“Strange indeed, Sir, arbitrary and inconsistent seems to me Y. E.'s proceeding in this case of mine, and neither can I form an idea of any plausible reason, which could lead Y. E. to come to such a conclusion—that on consideration of my conduct with reference to the enquiry, I cannot with advantage to the public service be continued in the situation of school-mistress of Senglea; but I think, Sir, that I have just reason to say, that besides I have been punished before I have been tried, my conduct in reference to the above mentioned enquiry, even if it were as it is in Y. E.'s opinion, has nothing to do with the advantage of the public service, unless the public cannot enjoy any advantage but with irregular proceedings and arbitrary means for the administration of justice. It is not for me to explain any arbitrary medium of authority employed (by the Government) for carrying on some public affairs in the present state of things in Malta; I am nor disposed, at the present, to question the right of Y. E. to form any opinion you please on my conduct in reference to the aforesaid enquiry; however, I can freely complain, that, whatever might have been the private motives, which induced Y. E. to come to such a conclusion, it is an *opposite deviation* from the real sense and spirit of my representations to Y. E., and as such, it is a *stigma laid against my public conduct, and injurious to my interest, for the purpose of depriving me unlawfully of my situation*; and therefore is chargeable with the guilt of slander, and that I have the right to request it to be proved immediately, and satisfactory proofs produced of its truth.

“But, leaving aside these considerations, I beg leave to ask Y. E.—if, for having (on account of my charges against the school-master Mr. Giuseppe Madiona, and any person whatsoever accomplices with him) called Y. E.'s attention to afford me protection, and to appoint a regular Commission of enquiry composed of impartial men,—and to order that the Commissioners in the same enquiry should proceed regularly and according to the law, and that all the proceedings should be conducted in such a way as to lead to an issue of an exact and impartial administration of justice;—and for having resisted against being morally compelled by Y. E. to appear again before those gentlemen, whom I had already objected to, as Commissioners, according to the explanations given in my representations to Y. E. of the 17th March, 21st April, 5th and 11th of last May,—could I justly be considered by Y. E. unfit with advantage to the public service to continue in the post I held, and intimated to cease immediately to occupy the situation of school-mistress?

I leave it to the more calm and serious judgement of Y. E. and to proceed to consider what I ought to say on consideration of your conduct with reference to my present case! However, I take the liberty to submit to Y. E. a humble argument grounded on the same reason alledged against me; namely, if, for having repeatedly requested Y. E.'s interference for a legal protection, as an oppressed and persecuted officer, in the discharge of my duties, by other officers like myself, as well as by the Director, I am sentenced by Y. E. of not being fit to occupy any longer my situation with advantage to the public service, with the same reason I may infer, that every officer in H. M.'s service, not adhering, as his duty is, to just and legal demands for a full and faithful administration of justice, is unfit to continue holding whatsoever situation with H. M. Government in this Island with advantage to our population, and therefore he must forthwith cease to occupy it. What did I ask of Y. E. but a legal remedy and impartial administration of justice? And what did I exercise but a legal right to refuse, or to accept an irregular and illegal proceeding, according to the liberty, which the British Constitution secures me, as all H. M.'s subjects have a right to expect? * Can any man, whatever may be his political opinions, say my demands are unreasonable and my proceeding illegal for having been anxious to enforce the execution of the laws for the preservation of my rights and honor? Yet, Sir, though I have been so jealous as to follow strictly a course from which might result what was my position with Mr. Giuseppe Madiona, his Assistant, and the Director of the primary schools;—and altho' my requests were made according to the laws and practice of Great Britain for such similar cases,—I could not obtain from Y. E. a legal and practical redress for my grievances, and also my claims were rejected with contempt, and my respectful communications have failed to elicit from Y. E. so much as the shadow of impartiality and administration of justice.

"In like manner, whilst having strong claims on the protection of Y. E.;—whilst I was seeking a remedy, which commends itself as effective, practicable, legal and equitable for the evils of which I complained;—whilst I did not only implore but, even insisted, upon having an impartial administration of justice—Y. E. not only refused to exercise in my favor the power with which you are vested for the protection of the innocent and oppressed, but also, as if it were to punish me for not having consented, that is to say, for not

* That one will be enabled to form a correct idea respecting Mr. More O'Ferrall's proceeding in ther present case, and to judge also whether he or Mrs. Bonavia had acted according to the spirit of the English Government, and the law for the administration of justice in Great Britain, we refer the reader to the Appendix, letter E. where he will trace which is the law and practice of England for trials by Jury.

having yielded to the arbitrary and illegal proceeding of Y. E.—as if it were to take up every difference in the question on Y. E.'s and my rights, Y. E. comes forth with a *conclusion*, or rather denunciation against *my conduct* in reference to what you would illegally and morally compel me to adhere to, and then to condemn me of not being able any longer to continue with advantage to the public service to occupy my situation with H. M.'s Government! Therefore, it evidently follows, that my rights and privileges have been by Y. E. invaded,—my character jeopardded,—and my interest injured. It is then, that Y. E.'s proceeding, such as it is in this case, carries with it the most distinct marks of despotism, and partiality, by which it is evident, that it has been intended to preclude from me the way to substantiate fully my charges against Mr. Madiona and his adherents,—to deprive me of that liberty enjoyed by the British subjects,—and to hinder me from obtaining a full and impartial administration of justice.

“I see now, Sir, that with just reason I could anticipate partiality and injustice, while I had a right to expect encouragement and protection from Y. E. to put a stop to the incessant outrages, slanders, imputations, contempts, tyrannies, oppressions and other irregularities to which I was subjected by the conduct of the school-master Giuseppe Madiona, the Marquis Barbaro di San Giorgio, and their adherents, connected with the primary schools. I understand now, why Mr. Madiona had already hoped for impunity (as I have submitted to Y. E.'s consideration) and encouragement from the Marquis Barbaro di San Giorgio to outrage and annoy me even in his presence and in my school;—why the said Mr. Madiona had expressed his anticipation—that my complaints against him and my humble requests to Y. E. would not be attended by the Government. Sir, have mine and Mr. Madiona's expectations been realised? Is this a practical verification of Mr. M.'s anticipation of impunity and partiality the result of the supineness of Government, or a stretch of arbitrary power, insulting to the British Government? Does all this proceeding of the local government with reference to the enquiry in question, prove to be a deviation from the sense of my just claims, or the fruits of extensively ramified combinations, which may be in great part referred to the intrigues of those who are opposed to me?

“It ought to be an indifferent matter for Y. E., if there were not any propensity, or predilection to injustice, whether I should appear before the first, or another commission of enquiry, which on account of legal and just reasons, I solicited Y. E. to appoint. It is not for me to say what the motives of my rulers have been of not appointing a new and regular commission of enquiry, and to direct the first commissioners to resume it in

spite of my petitions and solemn protestation; but from their proceeding, I can take cognizance, and on that legitimate ground, so far as they withheld the protection and administration of justice which it was in their power to afford me, I must charge them with passive co-operation with my persecutors in the war they waged against me. Nor is it for me to say, whether such a proceeding, conclusion, and impeachment of my conduct with reference to the enquiry in question are really made by Y. E.; but as through the letter of the Chief Secretary to Government they are attributed to Y. E. and they go forth with the weight of Y. E.'s name attached to them, I think, that such a proceeding is sufficient to reply to these facts, leaving to the Public to judge, whether those who hold the reins of our local Government are to be classed with my persecutors, or my protectors.

"I, as a public officer, to whom the important mission has been entrusted by the Government for carrying out the work of public education, am naturally anxious to remove from my character an aspersion, or vituperation, which if true might be easily proved and would prove me also to be utterly unworthy to serve with advantage to the public service; silence then, on my part might be construed into tacit admission of the charge. I trust therefore, that the public before whose bar my character is arraigned, while seeing that my humble requests were denied with contempt, will see also that I was punished without being tried—without any legal sentence—without even the form of justice—and thus will acquit me of presumption in respectfully calling upon Y. E. either to substantiate your reasons which compelled you to conclude, that in consideration of my conduct with reference to the enquiry, I could not with advantage to the public service be continued in the post I held—of school-mistress of Senglea, or to retract the injurious imputation preferred against my conduct, or to correct the mal-administration of justice, by appointing a new and regular commission of enquiry, on which I did, and do solemnly insist, according to the circumstances contained in my representations to Y. E. before which I may fully justify my charges, which I do prefer again against Mr. Giuseppe Madiona, Giovanni Bonello his Assistant, and the Marquis Barbaro di San Giorgio, Director of the primary schools.

"I beg to remind respectfully Y. E., that I have claims to the protection of H. M.'s Government; therefore my humble requests are equitable, as I do request nothing but a prompt and impartial administration of justice. With Y. E. it remains now to choose the alternative, either of proving the accusation against my conduct, or of correcting the evil inflicted to my cost, which if it remain not remedied, there is reason to apprehend, it will inflict the deepest

degradation on the proceeding of your government in the administration of justice. As for me, I put my case to the conscience of every honest and candid man to judge, whether Y. E. looked on it with the same impartiality, which manifested Y. E.'s predecessors at every attempt which was made to injure me and to remove me from my situation, of which tangible proofs do exist in the University and in the Chief Secretary's office; but those previous Governments adopted preventives to the serious mischief intended against my person and character by those individuals who are still alive.

"In conclusion, I have to crave Y. E.'s pardon for having occupied you so long with a subject, upon which I am respectfully to call Y. E.'s attention to grant my just request for the appointment of a new regular and formal commission of enquiry according to the terms of my former petitions and protestations, furnished with every power and legal formality and solemnity, to investigate not only my charges against Gius. Madiona, Giovanni Bonello, the Marquis Barbaro di San Giorgio, and every other person, or persons connected with the primary school of Senglea, but also my conduct for which I am charged by Y. E. with reference to the aforesaid enquiry directed on the 3rd and 9th of May 1849, and thus an opportunity may be afforded both to Y. E. to correct your partiality and unjust conclusion against me, and to me to enjoy freely my rights as a British subject, to justify my conduct now by Y. E. publicly impeached—and to have also the means to obtain an indemnity for the damages unjustly caused to my interests.

"have the honor to be of Your Excellency,

Most Obed. Humble Servant

Vittoriosa Strada Lebice No. 13. (Signed) "MARIA BONAVIA CUMBO."
14th June, 1849."

Though Mrs. Bonavia had brought in the aforementioned letter every remark that militates on her side to excite H. E.'s attention, who ought to be anxious to administer justice, yet up to the 19th of next July, she received no answer, nor redress; and therefore, she waited upon H. E. the Governor to learn the real cause which subjected her to a forfeiture of a reply. How Mrs. B. was behaved by H. E., the Reader will judge from the following letter, which her husband thought it convenient to address to His Excellency.

Vittoriosa, Strada Lebice No. 13.
25th July 1849.

"Sir,—On the 14th of last June Mrs. Bonavia addressed a letter to Y. E. in consequence of the charge you have preferred against her conduct with reference to the enquiry directed on the 3d and 9th of last May to investigate the charges she made against the

to recall to Y. E.'s memory the letter she had the honor of addressing to Y. E. on the 14th of last month, in order to convince Y. E. of the upright motives of her conduct in reference to the enquiry in question, and to obtain in some way a competent redress of her complaints; so as to avoid the considerable expences, which she will be obliged to undergo; and which she will claim together with every loss, injury, damage and inconvenience she may suffer, sustain and undergo in consequence of Y. E.'s decision and of the local Government's proceedings in this affair, till the question between Y. E., the local Government, and Mrs. B. be fully and definitely decided by the proper authorities.

"The undersigned has the honor to be,

of Your Excellency,

Most Obed. Humble Servant

(Signed) "DR. VIN. BONAVIA."

To the above communication Mrs. B.'s husband received the following reply:—

"Chief Secretary's office

Valletta 15th July, 1849.

"Sir,—I am directed by His Excellency the Governor to acquaint you that in your letter of this day's date addressed to His Excellency you do not point out the documents you require to lay your case before Her Majesty, or the public tribunals; that if you feel yourself to be unjustly treated you are quite right to seek redress by every means in your power; and that pending the reference of this matter to superior authority, should you think that course advisable, His Excellency declines all further correspondence on the case which so far as His Excellency is concerned is terminated by his previous decision

"I have the honor to be,

Sir,

Your Most Obed. Humble Servant

"To Dr. Vincenzo Bonavia

(Signed) "H. LUSHINGTON"

&c. &c. &c.

Chief Secretary to Govern.

Strada Lebice N. 13. Vittoriosa."

The intelligent Reader will not fail to observe that the above communication purports to be a reply to Dr. Bonavia's letter to H. E. the Governor, yet it bears no answer to the application therein contained; and it attempts also to represent that the arbitrary treatment with which Mrs. B. was dealt with by H. E. was just on consideration of her conduct. Under this conviction her husband wrote to the Chief Secretary to Government as follows:—

"Vittoriosa Strada Lebice No. 13

31th July 1849.

"Sir,—I beg leave to acknowledge the receipt of your letter of the 25th inst. intended as a reply to another of the same day's date,

which I had the honor to address to H. E. the Governor asking him to order, that authenticated copies of some documents recorded in the Chief Secretary's office, in the archives of the University for studies, and in the records of the Primary school of Valletta, should be furnished to me as Mrs. B.'s attorney.

"Your letter in the first place states, that you were directed by H. E. the Governor to acquaint me, 'that in my letter I did not point out the documents I require to lay Mrs. B.'s case before Her Majesty, or before the public tribunals.' I beg to observe on this topic, that though I am aware of it, and I did not deem it necessary to detail minutely such documents, as H. E.'s decision on this subject is to be based upon my lawful request, and not upon the pointing out of the documents, still your communication gives no answer at all to my application for the documents I require. On the contrary I believe, as propriety requires, that I ought to be informed, whether H. E. the Governor is willing to comply with my request for the authenticated copies I indispensably require; and to which Mrs. B. is legally entitled. A negative, or affirmative reply would relieve Mrs. B. from any embarrassment. However, if the omission of pointing out the documents I require is considered a fault, which carries a non compliance with the application, I think, that such a proceeding is not stranger than the precedent.

"Next it is stated, 'that if I feel I am unjustly treated, I am quite right to seek redress by every means in my power.' With regard to the spirit of these arranged terms I regret to say, that it demonstrates a kind of sarcasm and anxiety to express sentiments to hurt Mrs. B.'s feelings and to injure her conduct and character, as the allusion is designed to characterize her as guilty of some fault. On the other hand, I beg to observe, and I feel glad in saying it, that such an impeachment against Mrs. B. is not in accordance at all with what she has been previously and clearly assured, when on the 19th inst. she had an interview with you:—'*That there is nothing with the Government that militates against her conduct and character.*' Since your verbal assurance, I must candidly confess, that I did not expect from you another written charge with guilt against my Consort, unless there is some thing not known yet by her.

"It is further asserted in your letter, 'that H. E. the Governor declines all further correspondence on the merits of Mrs. B.'s case, which so far as H. E. is concerned is terminated by his decision.' In regard to this paragraph, permit me to say, that this doctrine is valid in a country under a despotic ruler; and as I am not aware of the existence of any application to H. E. the Governor to correspond with me on the merits of Mr. B.'s complaints against him, nor of any request to bestow on her any favor, but to grant what she

is entitled to claim and expect from his professed justice, I leave it, therefore, to your impartiality to judge, whether H. E.'s direction to you in the present instance, as far as H. E. is concerned in the matter, has any reference to the tenor of my request in that letter. However, I beg to observe, that from H. E.'s declining all further correspondence on Mrs. B.'s case, I presume, that it is a pretence to avoid any explanation whatever on the motives, which led him to an unjust decision against her, and which he has been summoned to give before the tribunal of conscience and reason for discharging her from a situation she honorably held for nearly ten years, and from which she has been driven out of, without any fault on her part, of which she is aware, though she respectfully called upon H. E. to substantiate. Yet H. E. the Governor had neither the charity, nor the candour to prove, or to retract the accusation, for which *more inquisitionis romanæ* he has punished her.

“ The matter at issue is to Mrs. Bonavia a serious concern, as it may involve her in pecuniary difficulties, and there are also other considerations which make her position one of much perplexity, I therefore anxiously await your reply not knowing what course I shall pursue until informed of H. E.'s decision—whether he is disposed to order that the requested authenticated copies of the documents in question are to be given to me.

“ Under the conviction, that H. E. the Governor has no predilection to deprive Mrs. B. of the necessary means to support her case, I beg to advert that the copies she requires are the following:—

“ Correspondence, or communication recorded in the Chief Secretary's office, between this Government, and the late acting Rector of the University for studies—the Canon Dr. Psaila, and the present Rector—Mr. W. Butt; as also between this Government and DDrs. G. B. Trapani and C. Galland authorized to assume the enquiry directed on the 3d and 9th of May ult;—in the archives of the University for studies, between the said Acting Rector, and the present Rector, this Government and the Arch-priest of Senglea, Dr. L. Fiteni;—and in the records of the Primary school of Valletta, between the late Director—the Canon Dr. Panzavecchia, the present Director the Marquis Barbaro di San Giorgio, this Government, the boys' teacher Giuseppe Madiona and Mrs. Bonavia. All these documents refer to Mrs. B.'s case in connection with the Primary schools during last nine years and which are necessary in justification of her statement, which is to be laid before Her Majesty the Queen &c.

“ There are other documents in the records of the University for studies, and Primary school of Valletta, which I deem it not necessary to trouble you by pointing them out distinctly; however, as these are also in support of her case, may I request you to be

favoured with a reference to H. E. the Governor, that he may be pleased to direct that authenticated copies of them all be furnished to me.

"I have the honor to be

Sir,

"Your most obed. humble servant

"To the Honorable (Signed) DR. VIN. BONAVIDA,"

Henry Lushington Esq.

Chief Secretary to Government."

&c. &c. &c.

Though the foregoing communication contains nothing to subject the writer to the forfeiture of a reply, and though more than twenty four days elapsed since it had been sent to the Chief Secretary; yet Mrs. Bonavia's husband received no reply to the request it contains, and therefore he addressed another letter as follows:—

"Vittoriosa Strada Lebice No. 13.

25th August, 1849.

"Sir,—It is more than twenty four days since I addressed a letter to you in reply to your communication of the 25th ultimo; yet, though I have represented to you every thing connected with Mrs. B.'s case to solicit and excite your prompt attention, I have not received the favour of a reply.

"As I am very anxious to bring soon Mrs. B.'s complaints before Her Majesty the Queen and the Public, I take the liberty of begging again your attention to the request contained in that letter; and as it contains nothing but a claim to what my Consort is legally entitled, I beg, therefore, leave to request you to inform me, whether His Excellency the Governor previous to his leaving had complied with Mrs. B.'s just request? namely to direct, that the authenticated copies of the documents pointed out in my letter of the 31th ultimo, be given to me, to make use of them as I may find necessary in justification of the present case.

"Feeling the hope, that neither H. E. the Governor, nor the local Government have any disposition to withhold the copies of the documents in question which would be considered obstructive of Mrs. Bonavia's justification of her complaints and to deprive her also from the right, and means to clear her conduct unjustly impeached by H. E. the Governor,

"I have the honor to be

Sir,

"Your most obed. humble servant,

"To The Honorable

(Signed) DR. VIN. BONAVIDA."

H. Lushington Esq.

Chief Secretary to Government"

&c. &c. &c.

This communication met with the same fate as the former. It is dated August 25th and up to this hour its writer has received no answer. From this proceeding, therefore, it is evident, that H. E. not only tacitly refused to exercise the power of administering justice, but also he was disposed to withhold the means to which Mrs. Bonavia is legally entitled, and which would lead her to justify her grievances, and thus to obstruct and frustrate the object of justifying the complaints of the party, who is suffering the consequences of the most despotic, arbitrary, and unjust proceeding of Mr. Richard More O'Ferrall, who already has forgotten the pledge he gave on his receiving the reins of the government of Malta.

Such are the grievances of Mrs. Bonavia, a convert from Popery and a female of the most blameless and exemplary life; but the disclosures which her husband has made in his Missionary labours among his countrymen, of the trickery and immorality of the Popish Priests, and of the superstition of the Romish Church, have rendered her and her family peculiarly obnoxious to the Romish priesthood. Mrs. B. and family—the only known Maltese protestant family in Malta—has been denounced as heretic and marked for persecution by the Priests and Jesuits of this Island; it is not surprising then, that the person, who has been thus proscribed by the Bishop of Malta by his pastoral letter dated 27th May 1849, is the very individual in whose behalf a Roman Catholic Governor and notorious abettor of the Jesuits, refused to exercise the power with which he is vested to protect her for fear of incurring the indignation of his Bishop and curse of his Church? * Now, can any man whatever his religious opinions are, deny that, while Mrs. Bonavia's case is thus terminated, the threatenings of Monsignor Fiteni, the Canon Panzavecchia, Mr. Giuseppe Madiona, and the Marquis Barbaro di San Giorgio against her, have not been literally verified and brought into effect? We will make no comment on the result of their threatenings and anticipations, as they speak very plainly to the hearts of every one who has a little sense; but we only remark, that Mrs. B. could not obtain from H. E. the Governor legal means

* The four ecumenical Councils of the Lateran, and the Councils of Constance and Sienna excommunicated and condemned Protestants, who affected a show of piety, and commanded the "civil powers" to suppress them; and consigned their "protectors" also to the same condemnation.

and redress for her complaints;—that Mr. More O'Ferrall, to give full satisfaction to the *Pope* and his *Emissaries*, who are bitterly opposed to the work, which is going on in Malta, has *unlawfully* and with a foul *imputation* driven Mrs. B. out from the situation she honorably held for ten years;—that her claims for her grievances have been rejected with contempt, her respectful communications to the Government have failed to obtain, even those legal means, to which she is entitled, to support her case for obtaining a full administration of justice;—that she has forfeited her temporal support, but Mr. Giuseppe Madiona and his Assistant Giovanni Bonello—the men, who were engaged as executioners, and who have so well performed the work of oppression and persecution—since Mrs. B.'s removal from the school, have been promoted to a better and more comfortable situation in the primary schools' establishment;—and that the Arch-priest of Senglea, Dr. Fiteni expressed his satisfaction to a parent of one of Mrs. B.'s pupils:—“ that at last she had been Cashiered from the post she had held for a long time in spite of the Maltese, who are all Christians and faithful sons of the holy Father the Pope ”! Under such circumstances, the victim of the Romish and Hibernian intolerance could not derive any aid, or benefit from an appeal to the Representative of a Protestant Queen and Nation, whose laws are based upon principles contrary to those of powers still plunged in darkness and superstition; because, the tolerance and religious liberty—the Palladium of British Constitution—so pledged to the Maltese, and inculcated to H. E. the Governor, Mr. More O'Ferrall,—is now changed into an instrument of oppression. Shall a Romish Bishop, his Priests and Jesuits, together with a Roman Catholic Governor be allowed to practice in Malta with impunity, what the British Constitution and Laws cannot effect without infamy to the English Nation? Shall the civil rights of Protestants in a Roman Catholic Country ruled by a Protestant Sovereign be exposed to the lawless invasion of the Pope? Shall the voice of the English Nation not be raised in vehement indignation against the infringement of the Law and Liberty of English subjects; and shall none be found to sympathize with the Maltese already groaning for deliverance from the cruel oppression of an imperious, despotic and tyrannical sway—the sway namely of the Jesuits?

* See the Appendix, letter G.

It is not for us to discuss what the motives of Mr. More O'Ferrall have been not to enforce the law still in force in the United Kingdom and in this British possession, but he has dispensed the present Bishop of Malta, his vicars-general and all persons professing the Roman Catholic religion, holding any office, or place of trust, or profit under the Government of Malta, from the *Oath of allegiance* as established by law in these Islands on the 10th April 1828, and 2d January 1839, without such law having been abrogated, and without informing the public, he has *ordered privately*, that instead of that oath of allegiance,* they shall for the future only and simply swear allegiance to Her Majesty Queen Victoria †; but, if that oath established by law be binding upon the *Ministers of the Crown and Representatives of the Sovereign* in the British dominions, it is binding also on Mr. Richard More O'Ferrall, as Governor of Malta, and the English and Maltese people, therefore, do look in all ordinary cases, for its observance; if then any Minister of the Crown, or Mr. More O'Ferrall, has brought forward measures *contrary to the law, and spirit of the oath of office and allegiance*, he not only is guilty of violation of an act of Parliament and of perjury in so doing, but also of passive co-operation with the Roman Catholic priesthood to disturb, or weaken the *Protestant Religion, or Protestant Government* ‡ in these Islands. It is an essential principle of Popery, however disguised by some, and lost sight of by others, to tolerate none who are not of that church, and the grant

* The oath of allegiance of which we speak, is that established by an Act of Parliament passed in the tenth year of the reign of H. M. the king George IV. intituled "An act for the relief of H. M.'s Roman Catholic subjects" and now since the 2d of January 1839 is established by law in Malta. (See the Appendix, letter F.)

† The new framed form of the oath, which is to be administered, instead of the other before alluded, is simply this: "I A. B. do swear and promise true and faithful allegiance to Her Majesty Queen Victoria."

‡ There are two the opinions prevailing among the Maltese: the one is in favor of the English Protestant Government; and the other in favor of a Roman Catholic one, which is the French. The former is prevalent with the Maltese liberals; and the latter among the bigot Roman Catholics holding situations with the civil Government, who generally are protectors and partizans of the Jesuits in Malta. How extended is the latter opinion we cannot exactly tell; but it will be known by a deplorable experience of reaction against the English. It is a fact, we are told, of which the head of the Police is informed, "that some leading Maltese entertain the hope, that if they rebel against the English Government, they will find immediate assistance from the French; and their hope is founded upon letters that tender assistance in case of a revolt." The inspector of the Police, who is an Englishman, and now turned Roman Catholic since the advent of Mr. More

of power to them, till this principle be disavowed by Bishops, Vicars-general, Legates, Cardinals and Popes as well as others, in the most full and unequivocal language, is to liberate tigers, because they have been harmless when not at liberty; and the event, should this emancipation be fully and legally conceded to the Maltese, will be, that the power thus obtained will be used in the persecution of those who gave it, as soon as it has acquired a proper measure of consolidation.

And that one may be impressed with this truth, and also of Mr. More O'Ferrall's aversion to those individuals still in communion with his Church, who maintain the opinion—that Roman Catholics employed under a Protestant Government can take without any scruple of conscience the aforesaid oath of allegiance—it will be not out of place to come into a short narration of a fact, which, though it occurred some time ago, yet it has still some connection with the present state of things under Mr. More O'Ferrall's administration of government.

When Sir Henry Frederick Bouverie, on the 2d of January 1839, directed by a public minute, that in consequence of Her Majesty's instructions, all persons, Roman Catholics, holding any office, or place of trust, or profit under this Government, who by the laws of these Islands are required to take the oath of allegiance, shall take the oath above adverted to, instead of that, which is established in the general constitution of all superior Courts of Justice in these Islands, the Bishop of Malta and the Clergy asserted and represented to the Maltese people, "that it is unlawful for Roman Catholics to take such an oath, because it is disapproved by the Holy See of Rome." A Roman Catholic priest, therefore, of a very cultivated and liberal mind, and occupying a prominent station in our Royal University, to remove every difficulty of conscience from the Maltese, who, by the zeal of the apostles of Jesuitim, have been led to form a very disadvantageous opinion of the honesty of such an oath, he being a public professor of theology, wrote and published, at his own expense, a Tract in Italian, to show the compatibility of the same oath with the Scripture, the Fathers of the Church, and that it

O'Ferrall, has been informed, on the 15th August ult. by a Roman Catholic clergyman, who heard a conversation upon the subject of a revolt and massacre of all Protestants in Malta. What steps were taken by the Inspector we are not aware.

was never condemned by the Pope; but on the contrary it being approved by numerous Romish theologians and six Universities; viz of Louvain, Douay, Paris, Alcalá, Valladolid and Salamanca, therefore all Roman Catholic Noblemen, Archbishops, Bishops, Priests &c. in Ireland and England do take the said oath of allegiance, without compromising their Communion with the Church of Rome, though they disclaim, disavow, and solemnly abjure all intent to subvert the present Church establishment, and not to exercise any privilege to which they are or may become entitled to disturb the Protestant Religion. That Tract produced a torrent of persecution against the Rev. Doctor from the spiritual artillery of the Bishop and Clergy, who, (except the Vicar-general for the time being) after representing the Professor as an heretic before the public of Malta, they preferred against him a charge for heresy before the office of Inquisition at Rome. The poor Doctor suffered, indeed, much of persecution and annoyance from the people and clergy; and as he has no living on the Church, and his salary from the University was very small, and their withholding also from him every occasional profit from the Church, the Rev. Gentleman suffered great penury together with the family of his father, entirely depending upon his exertions. The local Government was filled with indignation on hearing of the circumstances to which the Doctor was reduced by the Bishop and his Secretary, Dr. Amato,* and therefore sympathizing with his case relieved his distress and also promised him some living, or Church preferment in the gift of Government, when vacant. Since that time up to Mr. More O'Ferrall's administration of government no vacancy had occurred for the Rev. Gentleman, but recently, when a collation, belonging to Government, was vacant, the Dr. thought it advisable to avail himself of the promise made to him by the Government. In vain did the Professor apply to His Excellency the Governor, Mr. More O'Ferrall, begging him to carry out the promise he had had from his predecessor, Sir Henry Frederick Bouverie, in consequence of its having been

* It is very remarkable, that the Arch-priest of Senglea, Dr. L. Fiteni, and the Canon of the Cathedral Dr. F. Amato, (the one, the persecutor of Mrs. Bonavia, and the other of her brother Dr. Cumbo,) now sit with Mr. More O'Ferrall in the new Government Council. Canon Amato was the spring that pushed on the late old Bishop Caruana against Dr. Cumbo, although the Vicar-general of the bishop, his assessor and all the Roman Catholic servants of the Government had taken that oath of allegiance.

represented to him, by the present Bishop, Dr. Sant, that the petitioner is the person, that wrote and published his writings against the doctrines preached by the late Jesuit Padre Ryllo*, which were the real cause of his expulsion from the Island, and that also he wrote and published an Italian Tract in favor of the oath of allegiance as ordained by law of January 1839; the collation, therefore, was conferred by Mr. More O' Ferrall, on another clergyman, who had no merit in the Church, except that of being a relative to the Vicar general of the present Bishop, and a partizan of the Jesuits.

It is also desirable and most important, to be known, that when some employès holding high office in the Chief Secretary's department insisted and would enforce the observance of the law of the 10th April 1828; viz. that the oath of allegiance and office be administered to the vicars-general of the Bishop and his assessor in conformity with the other law of the 2d January 1839, which they refused to take previous to their admittance by the Head of Government for the time being, those employès (when His Excellency the Governor, Mr. More O' Ferrall arrived at the seat of his government), have been reproved by him in terms extremely severe, and then he privately directed that the Roman Catholics in Malta are to be exempted from the oath of allegiance as prescribed by the law of January 1839 †.

Now, what does all this amount to, but a deliberate, arbitrary, unjust, and despotic proceeding tending to promote Popery, and therefore to disturb, weaken, discourage and undermine the Pro-

When in the year 1842 Padre Ryllo held the pulpit of the ancient church of the Jesuits, he delivered seditious and antipolitical sermons, which amounted to maintain the popish doctrines "of invalidation of oaths towards heretics; and that they may be consigned to death; and also, when a Sovereign becomes heretic and excommunicated, the Pope, as vicegerent of God, may degrade and dethrone that monarch, absolve his vassals from their fealty, and transfer his dominions to any adventurer, who may invade his territory and become the champion of Catholicism and consequently that Prince may be murdered." Against these infernal doctrines, Mrs. Bonavia's brother, published his Tract; it is therefore little to be wondered at Mrs. B. becoming the object of Mr. More O' Ferrall's antipathy, and much more for her forsaking Romanism and becoming an heretic!

† It is a prevalent opinion among the unbigotted Maltese, though Roman Catholics, that, if Mr. More O' Ferrall would deal fairly, he ought to inform the Public of Malta, through another minute, as his Predecessor did in January 1839, with the alteration of the oath of allegiance. As for ourselves we only add to this opinion, that a law is to be repealed by another law, and not by private and secret instructions to the courts of justice and other functionaries under H. M.'s Government.

testant Reformed Religion and to involve its Professors in persecution? Who can doubt the haughtiness and daring of this defiance? Look, o Reader, at the situation and state of things in Malta, and then you will know the reply.

For fifty years Roman Catholics and Protestants have lived in Malta in peace and harmony but, since the advent of a Roman Catholic Governor;—and since the clergy, and all those, who hold office or place of trust or profit have been recently dispensed by Mr. More O' Ferrall from pledging themselves—“To disclaim, disavow, and solemnly abjure any intention to subvert the present church establishment,” and still more explicitly, that they “will not exercise any privilege to which they are, or may become entitled to disturb, or weaken the Protestant Religion or the Protestant Government in the United Kingdom,” we have seen many firebrands thrown among Protestants and Roman Catholics of Malta; such as the most intolerant and anticostitutional pastoral letter of the Bishop published in May of last year 1839, and the exciting and malicious publications, and discourses from the Jesuits and Priests their adherents, that if Protestants were not tolerant and patient, and the generality of the Maltese not loyal and well affected to the English, we would have seen a second edition of the Sicilian Vesper.

We refrain from making any observation on the effects, which in a political point of view, such impudent and ill-judged measures might produce, were not the loyalty of the Maltese and their affection for the Mother Country too firmly based to be shaken by them; because the Jesuits being in possession of the confessional to pervert people, and holding forth from the pulpit every sermon in order to excite the passions of the lower and ignorant classes, for the special purpose of opposing the increase of Protestantism in Malta, at which Rome has taken alarm, they have already boldly declared open war against the Protestant Religion, and obtained a firm grasp on the minds of the better classes, the most fatal consequences might ensue; but it is impossible to pass unnoticed the singular contrast between the past and present Government's proceeding, with the foreigners opposed to Popery.

Some time ago when, some Italians were engaged to write for the local papers, they were instructed by the Police, to desist from such writing, or to quit the Island. When the Jesuit Padre Byllo preached in the pulpit of the Church of the Jesuits seditious sermons, and was

defended in printed publications by the Priest Camillo Mapei, a Sicilian refugee, (now turned Protestant and resident in London) both were compelled by Sir H. F. Bouverie to leave the Island, because they would not retract their doctrines.* In April 1849, when a Sicilian refugee affixed to the walls of Valletta a paper in justification of Sicilian courage, in answer to a vile attack which appeared in one of the Jesuitical papers in this Island, the paper was removed from the walls by the Police, and the writer received a similar warning by order of Mr. More O' Ferrall. Further, in the following May, we have seen the treatment, at the hand of our Governor, of the Professor Luigi Zuppetta (a Roman refugee), which excited a degree of surprise and indignation throughout the Island, which has seldom been equalled; and one or two of the causes, for which he was dealt with, rather as a felon than a gentleman distinguished for legal acquirements and literature, were the splendid article, he wrote in the case of a gentleman versus the Bishop of Malta; or because he was lately a deputy at Rome, or on account of his liberal, and antijesuitical opinions. The learned professor, after having been for days in an ambulatory imprisonment within the walls of Valletta, because he was accompanied some times by two, and some times by three police-men in plain clothes wherever he went, and obliged to sleep at the police office, he was ordered by Mr. More O' Ferrall to quit the precincts of the Island within 24 hours. So again, in July ultimo, we have seen His Excellency, setting at nought both English and international laws, which grant hospitality to men of all opinions, and trespassing also against the law of nature and dignity of England, prevented the landing of the Roman refugees from Civitavecchia though they have come to Malta with their regular passport vised by the English consul; and the reason he assigned, was,—that had the permission to them been granted to come on shore, they would put the city into a state of political and religious fermentation! † This inhuman and

* See the foregoing note about Padre Rylo's preaching, pag. 49.

† It is worthy to remark, that the Bishop, the Priests and the Jesuits were very much alarmed on hearing of the arrival of the Roman refugees. In fact, for several weeks, till they were driven out of the harbour of Valletta, the people of Malta had been exhorted from the pulpit, or by conversation —“ that if these rebels to the authority of the Supreme head of christianity should be “allowed to land, to be careful how to deal with them; “not admit them into their houses, and even to avoid speaking with “them, in consequence of being publicly cursed by the Holy Father Pius “IX.” How the priests speak about the Italian refugees, see the sub-

barbarous act towards women in a family way, as well as towards boys and men overrun with wounds, and in the most wretched condition from sickness and disorders, is the most precious work of the government of Mr. More O'Ferrall actuated either by the example

joined to the letter B in the Appendix. It is evident, therefore, that if the poor Roman refugees had not been under condemnation of the "Major excommunication," they would have been allowed like the Sicilian refugees, who had no quarrel with the Pope, to come on shore, by H. E. Mr. More O'Ferrall, a Roman catholic and faithful subject and even inquisitor of His Holiness' spiritual supremacy. But as the Roman refugees were fighting to obtain their liberty from a depressing ecclesiastical despotism, they are now considered by the Papists "rebels against the" alledged "supreme Head of Christianity;" because, "they disturbed, violated, and usurped his temporal sovereignty, whose duty of conscience is to guard the sacred deposit of the patrimony of the spouse of Christ," therefore, "they are under interdict and Major excommunication" (See Council of Trent Sess. XXII. c. XI de Reform.; and Protestation of Pius IX given from Gaeta on the 1st January 1849.); and as the II, III, IV, and V councils of the Lateran, as well as the Councils of Constance, of Sienna, and of Trent strictly forbid, under the same condemnation of the greatest excommunication, "every kind of protection, hospitality, consolation, and comfort of humanity from the hands of a sovereign, prince, or civil governor—son of the church—to every dissembling christians of every kind and nation; rebels to the Popedom; and heretics polluted with any contamination of error, who, are not to be admitted into their lands, but dismissed and consigned to the inquisition," how then could Mrs. Bonavia expect protection, and how could the poor Roman refugees receive consolation, and admission into a Roman catholic country (as Malta is), from a person well known as a member of the Roman Catholic club in London, and also a slave to roman catholic priests everywhere,—a bigot devotee and promoter of the college at Moynooth,—and a faithful son of a church, which teaches and commands—"that engagements of any kind, even confirmed by oath with persons guilty of schism, or heresy; or with persons who embrace or protest schism or heresy are in themselves unlawful and void; and therefore these subjects are not bound to keep faith with such sovereigns or to yield them fealty and obedience? Has Pius IV treated Elisabeth as Paul III treated Henry VIII king of England? Has his holiness dethroued their majesties and annulled the oath of allegiance, which had been sworn by their subjects? This constitution by none of the Popes has never been annulled. Henry and Elisabeth, according to the papists, had patronized heresy and schism from the church of Rome, and so does Queen Victoria, and therefore, forfeited all claim to enjoy the conditions of plighted faith. It is true, that the Irish Bishops, Murray, Doyle and Kelly, in their examination before the British Commons in 1826, disclaimed all such sentiments with becoming indignation; this avowal however, has been disowned by the Jesuits and their apostles, who have declared "to be refractory to the ecumenical Councils of the Holy Mother the Church and to the Bulls of the Holy Father the Pope, whosoever will disclaim, disavow and solemnly abjure such doctrines or articles of faith, or does not keep mental reservation in his oath with heretics for the good of the Church." These are the doctrines, spoken, thought and preached to the Maltese people by the infallible gang of surpliced ruffians, who through their printed papers in circulation, gloriously praised and thanked Mr. More O'Ferrall for his inhuman conduct towards the poor Roman refugees, presumed to be protestants. We leave, however, to the

of the Emperors of Germany and Kings of Spain Charles V, and his son Philip II; or of the French Kings Francis I, Henry II, and Louis IX; * or by the secret instructions and spiritual sovereignty of Pius IX and his Cabinet at Gaeta! It is surely impossible, that the British Government can be so lowered and so degraded, as to have laws imposed by the Pope, and followed up by a Governor led by a miserable, bigot and jesuit Priesthood?

That the head of this Government ought to be invested with the power of removing foreigners from these Islands we freely admit; for circumstances of urgency may, at any time though rarely, arise, which cannot be dealt with according to the ordinary proceeding of legal tribunals; but such a power ought never to be exercised, unless in cases of great emergency, and never as a means of showing ill-will to the party who suffers under its exercise, or of favouring the intrigues of those, who may be his political or religious enemies. But, if we turn a little the medal of H. E. Mr. Richard More O'Ferrall, we indeed, would see its prospect quite in contrast with the above premises. The coin then would present to us the kind attention shewn to the thick-cloud of Jesuits, who arrived in Malta emigrants from every part of Italy and Sicily, though they have come without passports. We would see, that Mr. More

liberality of Mr. More O'Ferrall to solve the difficulty, by dividing the work of oppression and persecution to the political and religious opinion of these refugees by him sent back to the fury of wolves and demons, supporters of the stability of tyranny and Romanism.

* These Emperors and Kings persecuted the friends of the Reformation and executed the infernal plan of the Romish Inquisition in all its barbarity, without showing a single symptom of compunction or mercy. Their majesties not only spared no cruelty and shocking inhumanity towards men, women, and children, but also consigned the professors of Protestantism, without discrimination or pity, to the stake and burned them. And so with respect to the Italian refugees, His christian Excellency, the honorable Richard More O'Ferrall, has faithfully followed (as far as it was in his power), the example of those princes, and executed what have enacted the persecuting Councils and Popes of his church, and bruttally persecuted these rebels sons to the Holy Father the Pope. Indeed, More O'Ferrall, having like Queen Mary, exercised his authority in the British dominions, and "professed his resolution to support justice and Catholicism, and to eradicate error and heresy," deserved to be felicitated by the Bishop of Malta and his satellities in the pontiff's name; but if this eulogium is not sufficient to extoll him in his church as a champion of Romanism, we are of opinion, that for having so happily executed that exploit for the good of his religion, he deserves also to be publicly eulogised by the Roman Court, and decorated with the two medals struck in the year 1572; the one by order of Charles IX with the inscription "Pietas excitavit justitiam," PIETY EXCITED JUSTICE, and the other by Pope Gregory IX coined at Rome.

O' Ferrall had allowed to these ministers of his church to come on shore and to remain in the Island;—that he had received them with open arms, provided them with a very comfortable dwelling place and furnished them with beds and beddings from the Government civil hospital, which is hardly now accessible to the poor natives;—that he permitted and encouraged them to preach and publish printed doctrines of intolerance and sedition that would disgrace the age of inquisition.* The liberty of the pulpit, which now Mr. More O' Ferrall granted to these foreigners Jesuits, has created in Malta a religious party, which has manifested itself in direct contradiction to instructions given to the Governor, by which his conduct was to be regulated in the management of the affairs of Malta. We would see also, in this side of the medal, the Bishop of Malta, allowed by Mr. More O' Ferrall to affix on the 27th of May ult. the most inflammatory writings not *simply* on the walls of Velletta, but *generally* on the doors of all the churches and chapels throughout the Island of Malta and Gozo.

We see therefore, the particular protection, which the Roman Catholics and Jesuits now enjoy from Mr. More O' Ferrall, greatly influences the maintaining a political and religious party, which if not checked in time, will occasion serious consequences. During the last eight months several persons, who professed opinions favorable to the Roman cause, and against the French intervent in their matter between the Pope, have been annoyed and insulted directly and indirectly in the streets by some of the lower orders, urged by the preaching of the foreign Jesuits or by their partizans, who secretly from the confessional or by means of the press have formed a party, which if not curbed will bring the greatest evils upon the peaceful subjects of H. M. the Queen. The Jesuit faction, therefore, seizes all the favorable circumstances that may present themselves to create again discord and disorder, which they formerly created through the aforementioned late Padre Ryllo, but put to an end by the firmness of the Government of that time. It is remarkable also, that among the excitors of disturbances and annoyances against those who profess Protestant principles, are

* We allude to the sermon delivered by the padre Zullani in the church of the Jesuits on the 3d and 10th June ult. to make an echo and to support the pastoral letter of Bishop Sant, issued on the previous month of May, against heretics resident in his diocese.

to be found many Government employès. This is then the tolerance, peace, and harmony between all classes of Her Majesty's subjects at Malta, so much inculcated to Mr. More O' Ferrall by Lord Grey in his dispatch of November 1847! * These are the fruits of the protection and toleration to which Mr. More O' Ferrall has pledged himself to maintain since his arrival at Malta! And these are the results of the emancipation of the Roman Catholics of Malta from the oath of allegiance, yielded to them without reservation by a Roman Catholic Governor; or by any Protestant Minister of the Crown! Any minister, then, of the Crown, or any Representative of the Queen, in advising, persuading, or ordering such measures as are now going on at Malta, has acted in direct violation of the Act of Parliament, is guilty of perjury, and therefore is responsible to the *Sovereign*, to the *English Nation*, as well as *unto God*: and every person, who has voted for, or (directly or indirectly) promoted such a measure for Malta, he is guilty of subornation and perjury.

We have now touched with succinctness on the serious evils arising from the deviation of the pledge given on the entrance of these Ministers of the Crown or Representatives of Her Majesty into their offices, it behoves then those Ministers and Mr. More O' Ferrall, who have advised and directed such a measure as we have mentioned, which tends to promote and encourage Popery and therefore to weaken, discourage and undermine the Protestant Reformed Religion established by law, or the Protestant Government in Malta, to show, whether they have not acted *in direct opposition to the law and in violation of the oaths of office and allegiance?*

Whether any thing of this kind can be done without involving themselves in the awful guilt of perjury, in addition to that of conniving at, encouraging and abetting the intention to disturb, weaken, discourage and undermine the Protestant Religion and Protestant Government? †

* The following is an extract of His Excellency's instructions by Lord Grey, which we have copied from the Government Gazette:— "It will be an essential part of your duty, to promote harmony and peace between all classes of Her Majesty's subjects at Malta, and to enforce by example and precept a general toleration, the foundation, of Religious liberty distinguishing between the unrestrained freedom of public Worship to every sect, and the licence of disturbing established Religious Institootions under any pretext whatever."

† It is very curious and astonishing also to see on the festivals and sundays the French flag hoisted in the balconies and terrasses of the houses

If Mr. More O' Ferrall would impartially and fearlessly perform his duty, we do not hesitate to assert, that he ought to insist upon the Bishop and compel him to remove from the all church doors a printed paper, which is in direct contradiction to the portion of his instructions we have already adverted to,—to call the Jesuits preachers to account, why they so grossly traduced from the pulpit our Protestant Religion, Church, Clergy and Ministers, *—why they delivered seditious sermons to excite a spirit of bickering and divisions which is at present unfortunately so prevalent in this Island between Protestants and Roman Catholics; and ought not to allow himself to be led by the nose by a few Priests and Jesuits, to whom he has given proof of his attachment, because ministers of his religion, but mischievous wolves in shepherds clothing, whose delight is to see the Island a scene of discord, and Protestants exterminated from the face of the earth. A predilection for the Jesuits was visible immediately after the change in Malta of a military and Protestant for a civil and Roman Catholic Governor. Mr. More O' Ferrall's palace, which is the Governor's residence (as representative of a Protestant Sovereign, and property of a Protestant Government), was opened to the Jesuits and Priests, and in particular to Padre Esmonde, † and Rev. Falzon, Mamo and Polito. It had become also the abode of Dr. Nicholson, the Popish Archbishop condjutor of Corfu, very notorious for the serious disturbances caused by him in the Ionian Islands, from which a petition signed by more than 2500

occupied by some employès with the Government, but notorious protectors of the Jesuits! We suppose that it is by their children; however it shows no affection to the English Union flag. Who can adventure of what principles are imbibed those children?

During the lent of 1827 the religious faith of England had been so violently attacked, and the English Reformers, the present clergy and protestant missionaries have had been so pointedly abused by a Sicilian monk, Giuseppe de Catania, preacher of the order of St. Francis, in his sermons delivered from the pulpit of St. Jhon's Church, that he was called on by the Government to account for his conduct; and a letter was sent through the Chief Secretary's office, informing the Bishop of Malta, that foreign preachers shall not be permitted by the Government to preach in the Island without a previous licence from the Head of Government. Since that period till the arrival of padre Rylo and the present Governor Mr. More O' Ferrall no foreign preacher has been permitted to preach in the pulpits of Malta.

† An Irish Jesuit of eloquence, to whom the local Government during Sir Patrich Stuart's administration, was compelled (in 1844) to call to account for his intolerant and seditious sermons, and attacks delivered in the Jesuits' Church against the protestant Church, and Clergy.

persons has been presented to the legislative assembly, praying for his expulsion. All Mr. More O'Ferrall's proceedings savour of injustice and partiality in a great measure owing to the spirit shown by him, who instead of putting a stop to the dispute fostered between the Inhabitants of the Island,—who instead of putting down the evil disposed persons working out their ends by setting at variance, Military and Civilians, Roman Catholics and Protestants, Maltese and English, he, instead of preventing them, has shown every respect for the Jesuits, because priests of his church. Who excited the present Bishop of Malta to complain to the Government of a poor inoffensive English book (*Readings in Prose, and in Poetry, published by the Society for promoting Christian Knowledge*) that had been in constant use in the University since the time of the late Bishop Dr. Caruana and of the Rev. Mr. O'Malley, the Rector of that establishment, and in the hand of the most zealous and scrupulous Roman Catholics, without exciting a fear or suspicion? Who induced Mr. More O'Ferrall to banish such a book from within the walls of the University? Who persuaded the Bishop to set up fire-brands instead of preachers in the churches during the Lent of 1848 and 1849 with a view to banish from the hearts of charitable Roman Catholics every sentiment of affection for their Protestant brethren, by showing *that they are accursed of God and consigned by Him to the hottest corner in hell?* Who suggested to Mr. More O'Ferrall to change in the public yearly estimate published in the Government Gazette for the year 1849, the title of the *Infant school in Valletta, which is established for the benefit of the poor Maltese and to confer on it the new title of English Protestant school*, because some English residing here have contributed to it and send their children for instruction in it, as equally good instruction for children is not to be procured elsewhere? Who raised persecution against it, by a set of bigoted fanatics, and persuaded also the Bishop to fulminate the sentence of excommunication against the parents, who send their children to that school, and to give order to different confessors not to admit them to confession and communion? And who was at the bottom of all this, but the Jesuits? And who conferred the new title on that institution, of a *Protestant School*, but Mr. More O'Ferrall, which before his arrival was never so called by a Protestant Governor, and we have not heard it so styled by any before, but by himself? Indeed, many on reading the item of the same

estimate, had some difficulty in finding out to what His Excellency alluded in his address to the Council of Government, than the only withdrawal of £ 100, yearly granted for its support, and to bestow them upon the new institution, which was nearly to be set up by the Reverends Jesuits in Valletta. But as the mistake, which we have alluded to was rectified, and not a single and undeniable instance in support of the charge preferred against the said Infant school has been produced, Mr. More O'Ferrall, unwilling, was obliged to yield to the evidence of the time, and thus the Jesuitical plan to ruin that school, became uneffectual.

Such is the real and appalling position of affairs in Malta at the present moment. What then is the duty of all honest and sincere Protestant at such a peculiar and alarming crisis? Is not apathy under existing circumstances a crime? There are other questions well worth considering, and absolutely necessary to be determined. The signs of the time are fearful and ominous, the enemy is awake, united, and active, the most valuable institutions of the Maltese are in danger; violent hostility, arbitrariness, and oppression, are common. Jesuits, once re-started from the Island, they sprung rapidly forward and are regaining their old position of influence and importance. In the Island, they are swarming and forming settlements in very eligible positions; and they are craftily forcing their way into the confidence of the Government, and into the possession of an unlimited sway over a portion of the people. And who can say, that here in Malta, we are free from Popery's Jesuitical incursions? By law "all Jesuits, and others professing the same institution are" absolutely "expelled from Malta and Gozo and forbidden to return at any future time to settle in the Islands;"* but our law, seems a farce, as they parade through the length and breadth of the land without one whisper of suspicion, or one attempt to restrain them from intermeddling with the executive Government. In Valletta, a Jesuitical association, is formed under the title of *Bona Mors*: or, the Art of Daying Happily, for the purpose of perverting the families and rising money for its support †. At Notabile,

* The law in virtue of which the Jesuits are banished from these Islands, never was repealed since Great Britain took possession of Malta. Why then, should not be called back into operation?

† The members of this association are only females, and no body else is permitted to attend their meetings held in a small chapel at Valletta, named "St. Catherina d' Italia, where the sermons are delivered, and other exercises are performed with the doors locked.

and St. Julian's their doctrines are taught to the instructors of the whole population; and there they superintend the education of the principal Popish laity and clergy. But these are only their acknowledged, recognised and public movements. In private, they insinuate themselves in every circle and assume successively each form that is likely to entrap the meak and unwary. They sow disunion among Protestants by artful misrepresentation of genuine Protestant doctrines, while the follies, the vices, the idolatry, and persecuting dogmas of Popery are as cunningly palliated, or concealed. These subtle and malignant foes of mankind, and the experienced determined advocates of presecution, are the leaders of the opposite party; they are daily increasing and growing bolder in the Island, and therefore, no farther excuses or delays can be justified on the part of the conscientious man, who values the national interest, at stake in the present arduous struggle in Malta.

But, we do not pretend to go farther and through the various times of Mr. More O'Ferrall's administration during the 27 months of his government in Malta, as we feel ourselves satisfied with the correctness of all these facts, and in giving a specimen of his public conduct, justice, integrity and impartiality towards the Maltese people. And as none can deny the correctness of the truth here stated of Mr. More O'Ferrall's government, except those individuals, who are of the jesuitical party, and in whose hands a part of the press of Malta has fallen, and fill up their pages in favor of Mr. More O'Ferrall for fear of losing their salary, or from a greediness of procuring one, or to flatter the interests of a few, or to gratify the appetites of a class, we do not wonder, therefore, at Mrs. Bonavia's treatment from him, whose religion permits him invalidation, or equivocation of oath, or violation of faith with heretics, and commands him under punishment to persecute them. What comment can we add to this display? That H. E. Mr. More O'Ferrall in Mrs. Bonavia's * case faithfully fulfilled what is taught

* Mr. More O'Ferrall never visited Mrs. Bonavia's school whilst she held the situation, as his predecessors frequently did; but since she has been removed, he paid a visit, and was received by the Arch-priest Dr. L. Fiteni, the Marquis and Marchioness Barbare, the clergy and other gentry of Senglea invited by Dr. Fiteni to join together in order to solemnize H. E.'s first visit. The females' school was decked with red tapetry and carpets on the floor, supplied by Dr. F., and the street, where the school is situated, with english and other different flags. Mr. More O'Ferrall never has been received with any solemnity whatever when he visited the other

by the Romish theologians in the class-books used in the Maynooth seminary.—That the Jesuits and their partizans have hitherto succeeded tolerably well in bringing Malta into a state of discord, and may perhaps prosper, having a Roman Catholic Governor for their protector.—That the Jesuits, thus protected, compass heaven and earth to make English proselytes in Malta, and to bring them into *damnable heresy, and idolatry*.—And, that all Papists cordially and unequivocally believing, that Protestants are essentially *Antichristians*, believe also, that they are not bound to observe fealty, homage, allegiance and obedience, which they swear to an heretic Prince, or keep faith with persons guilty of heresy, or rebellion against Popedom, but they are at liberty to rise rebellion against an heretic Sovereign, dethrone and murder him, as well as to exterminate all heretics from the face of the earth.*

primary schools throughout the Island; and the other governors never had been received by Dr. F. on any of the inhabitants of Senglea when for the first time they visited Mrs. B.'s school, especially Sir H. F. Bouverie who had established the school in that city. We suppose, that they were not received with such honors, because heretics; and Mr. More O'Ferrall deserved that homage because he his Roman Catholic and removed an heretic from her situation.

* Doctor Slevin in the Maynooth examination, has on this topic, exhibited a wonder of quibbling, sophistry, and Jesuitism. The learned doctor, playing the artillery of misrepresentation, maintained, that no Pope, speaking "ex cathedra," ever proposed such doctrines to the Church, to be believed as revealed and held as an article of faith. Doctor Higgins, on the same occasion, and with more candour and dogmatism than Slevin, asserted, that no Pontiff defined for the belief of the faithful, that the pontifical power of dethroning and murdering heretic kings was founded on divine right. (Slevin, 189; Higgins, 275.) These misrepresentations, evasions, or explanations, however, will vanish before unvarnished statement of facts. These facts may be supplied from the bulls and definitions of Gregory VII; Boniface VIII; Paul III; IV; and V; Pius IV; and VII; and from the eight general, holy, and apostolic Roman Councils the IV of the Lateran, Lyons, Vienna, Pisa, Constance, Basil, V of the Lateran and Trent; as also from the extract from the popish Bible published at Dublin 1818 under the sanction of the called Archbishop, Dr. Troy, which will prove, that the "murder of Protestants" is authorized in that Popish Bible! (See the notes on Deut. xviii. 12; Matt. xiii. 29; Acts, xxv. 11; II. Tim. iii. 2; Rev. ii. 6, 20; xvii. 6.) We must remember, also, that no Pope, or Council has ever disclaimed such Doctrines, though time and experience have suggested caution to their use. This fact, Crolly, Anglade and Slevin admitted in their examinations at Maynooth. And it is remarkable also, that every Roman Catholic, as far as his creeds and conscience are concerned, he is bound to "receive, hold, and profess all that the sacred canons and general councils, have delivered, defined and declared." The rejection, therefore, of these enactments would amount to a violation of his faith, obligation, and pledge, (if doctor in Laws and Divinity); and any person, whatever, who should infringe, or contradict those declarations, will, and commandments, incurs, according to the bull of Pius IV, the indignation of Almighty God and the blessed Peter and Paul, as also of the Church.

How such persons, then, can *conscientiously* adhere to the communion and obedience to their church, that teaches such doctrines, and observe their oath of allegiance towards the Protestant Reformed Church and Protestant Government, is indeed a question of some difficulty to plain Protestants. Are we not compelled to suspect, that these persons, with their *Romish belief*, have got *Romish conscience*?—that they adopt the Jesuitical principle *of doing evil, that good may come to their church*? Have been, the provisions of the fatal Act of 1829, most treacherously violated? We do not at all deny that these persons may be acting *very conscientiously*; for the greatest villainies and inhumanities that ever have been committed upon earth, have been committed *conscientiously*—the most atrocious murders have been perpetrated by them, in God's name, and in the thought that they were doing God's service. And what words can we express, or what can we conceive in our mind of the wickedness of having such men, *having their conscience seared with a hot iron and defiled*, to hold the reins of a Government on behalf of an heretic Queen and Nation? Let the Sovereign and English Nation understand the measures proposed for the extinction of all elements of liberty deriving from the free use of the Bible, and encouraged by the most liberal minded Pius IX in his encyclical letters dated 9th November 1846, and 8th December 1849.

But there is no need to expatiate more on this subject—the measure is filled up to its brim—and the public of Malta is now perfectly tired of many arbitrary, barbarous and inhuman acts of Mr. Richard More O'Ferrall. And is this man to have Malta at his mercy? And how long? The Romish population of Malta (after enjoying for fifty years peace, and harmony with English Protestants, now since the arrival of this Governor and Jesuits, have flung themselves nearly loose for insurrection. The daring conduct of the subtle emissaries of the *mystery of iniquity*, ought surely open the eyes of all Protestants to the nature of their principles and designs, and to convince them not only of the obscure crusade of rapine, but also of the folly of relying upon men, who cannot *conscientiously* adhere to the *Protestant Reformed Religion and Protestant Government* and to the *unity and bond of peace with Protestant*. They are now only harmless simply because they have not yet liberty. But if Protestants, should be again, in God's providence, plunged into the furnace of persecution, as threatened with total *extermination*, through the

influence of Popery and intrigues of its Janissaries, the operations of Popery will be still unchanged in its character as the persecutor of the saints of the most High. The people of England have already heard of the loyalty of officials, who, while receiving the Protestant's pay cannot scrupulously support, defend and encourage the Protestant Religion, its Professors and the Protestant Government; to disregard these things would be, therefore, not patience and policy, but infatuation. Against such men no Government can adopt any precautionary measures. With such satanic agents in its bosom, no Government whatever, but especially a Protestant Government, can be safe.

There remains but one resource to the People of Great Britain: Members of the Great Church of pure Christianity, the rest must be largely done by yourselves. You have seen how Mrs. Bonavia's rights (because she is a convert from Popery) have been invaded, —how her interest has been injured, —how her conduct has been stigmatized with foul calumny, —how the Government of Malta felt not for her wrongs, —and how her ruler, (because is a Roman Catholic) turned deaf ear to her legal claims and respectful representations; nothing therefore remains to her, but an appeal to Her most gracious Majesty the QUEEN and to the English PUBLIC, as every other avenue through which redress may perhaps be had, is closed to her. Mrs. Bonavia, together with her own countrymen, though Roman Catholic will tell Englishmen, that nothing but a Governor of a honest and straight forward *Englishman* of sterling *Protestant* principles will secure the British interest in this Island, and justice to her fellow subjects—the people of Malta.

APPENDIX.

THE following documents, will be interesting to the Reader, as affording documentary proof and illustration of the statement contained in the preceding pages; we lay them before our Readers, and which will put the public in possession of facts with which they are unacquainted:—

[A]

“ On Her Majesty's service,
Senglea, September 30th, 1943.

“ Sir,—I beg respectfully to represent to you, that I am acquainted with a conversation passed between a papist priest and three laymen of the same persuasion, which conversation took place in a shop at Sliema on the night of 13th inst. where a plan has been projected, whereby I have reason to apprehend some violence to my person and to the persons of some people, who assemble every Monday morning between the hours of 8 to 10 at St. Julian's to pray and hear the Scriptures read and expounded.

“ It is certain likewise, that on Monday last, a Canon of the Cathedral (Dr. Annetto Casolani) dressed with long black trousers and surrounded with many individuals (to whom we know perfectly well), came and stood near the door of the place where we meet; and that on the same day many *Jesuits*, and priest have been seen near the streets of our place; besides which, after the prayer was finished, some of these people were in the road injured and attacked by stones being thrown on them.

“ The first adjutant of Police as likewise you are verbally informed of the above facts, and meantime have promised the necessary protection: but I deem it my duty to lodge formally this notice to you as placed at the head of that Department; and I, in doing so, beg to assure you, that I do not have the least doubt of the promised protection; but only, because the urgent case requires it.

“ I beg to state also, that the persons assembling do so *voluntarily*: I therefore claim for myself and them that full protection, which is due to British subjects, who violate no law in work of piety in which I am engaged.

“ I have the honor to be Sir, very respectfully
your humble and obed. serv.

(Signed) “ DR. VIN. BONAVIA.

“ To the Acting Inspector of Police

F. Sedley Esq.

&c. &c: &c.

To show which is the character of Canon Casolani, now through the intrigues of the Jesuits, is Bishop of Mauro-Castro, and member of the new Government Council, we subjoin the following extract from his letter addressed to Lord Clifford; which letter eight years ago appeared in the Jesuitical paper—*The True Tablet*. This document exhibits the singular gratitude of its writer towards his benefactor H. E. the Governor, Sir H. F. Bouverie, whose influence was employed with Rome, in order to obtain for him the Cantorship of the Cathedral at very early an age. We do not diffuse ourselves in our comments; it is sufficient to present merely the document to the Public in order to ensure full justice to its contents.

“ 56, *Zaccaria street, Victoria-square,
Valletta, Malta, 8th March, 1842.*

“ My Lord,—I take the liberty of addressing you, without ever having had before the honor of being regularly introduced to Your Lordship confiding in the interest you take on every subject that directly or indirectly affects Catholic interests in any part of this empire

“ I do not think it needful to inform Your Lordship of the attempts that have been made in 42 years, by innumerable societies established in England, America, and France, to Protestantize my poor countrymen, the more so as they consider the Maltese the fittest people, if once made Protestants, to spread that persuasion in all the countries that have the same language, being the prevailing one from the Taurus to the Atlantic and from the Mediterranean to the Indian Ocean.—These attempts had the same result that they had elsewhere; and I am able to prove to any body, that in 42 years, with all the means that man and wealth can give, they were not able to prevail on any individual to abandon the ancient faith. Besides the *Sectarians* we have another enemy much more dangerous, namely the *Rifugiati Italiani*, who are, generally speaking, the worse and most pernicious class in Malta; they introduce themselves every where as unfortunate persons, martyrs of liberty . . .

With tears in my eyes, I confess that these persons have done a great deal of harm in the mind of the Maltese youth

Not content with the threat he * ordered the Arch-bishop (in his 85th year), to suspend *Padre Ryllo*, of oriental notoriety, to preach any more in churches; under the pretext that this venerable father in the course of some lectures, he was delivering at the church of the Gesù, on the connection of Natural Philosophy and Revealed Religion, he had declared himself favorable to the opinion of the sovereignty of the people † . . .

* The Governor, Sir H. F. Bouverie. † See page 50, and the note, p. 49.

Government not content with this, gave another blow, by refusing to give to the promoters of the College * the *Albergo dei Cavalieri Italiani*, (property of the Crown), on lease, whilst the *Albergo d' Alemagna* was given in property to Queen Adelaide, for building on its site a church for the members of the established Church by law in England and Ireland (but not in Malta), about 100 in number in these Islands, and not Maltese, to whom that building appertained as national property.

"I wish you, my Lord, to consider if it is legal for a governor to prohibit British subjects to choose wherever they like religious and literary instructors? If it is lawful for him to suspend Jesuits, even if they are British subjects (Your Lordship's honourable brother included), from preaching or teaching in one of Her Majesty's colonies? † If acts such as these are lawful in a colony, I have nothing else, my Lord, to say, I shall in that case endeavour to persuade my countrymen to submit to the will of God; but if they are not lawful, do you think that we are to remain mute, and suffer to be vilified in what is dearer to our hearts, not to offend our beloved Queen's representative? It is impossible

"I remain my Lord,
Your Lordship's most obed. humble servant
(Signed) "ANNETTO CASOLANI, Cantor."

The next document to which we solicit attention is a translation of the Article in the *Osservatore Maltese*, edited by the Jesuits: it displays the same spirit and character emblazoned in the foregoing letter. The article runs on in the following manner:—

[B]

"The pride of the wicked, who were endeavouring to exalt themselves against all that is attributed to God, is at last humbled. The malignant plot of the seditious, who, with a view to work, more covertly, the supplanting of our religion, were continuing to deceive the people, is exposed and confounded: the calumny and intrigue devised by these miserable persons, fugitives proscribed in every corner of the world, to prevent the unmasking of their secret ways, are at length belied. After this, the good people of Malta will no longer be described abroad as rebels and unbelievers, as these interested and false friends were describing them, and which, with good reason, they were reputed to be, on account of their contact with this pestilential race. The pastoral of His Lordship, the Bishop, is a document dear to all good Catholics, to all citizens. In fact, it

* The Jesuits Ryllo, and Esmonde.

† We think, that Canon Casolani, whilst writing to Lord Clifford, had forgotten, though he is a lawyer, the still existing law of April 23, 1768, in virtue of which the jesuits are forever banished from Malta and Gozo!

Issued by the
Grand-Master E. P.

for the tenor of the law see page 58.

clearly shows how *pernicious these secret meetings* may be to the welfare, and dangerous to the public tranquillity of society. Because, in these *wicked sects*, they first teach to doubt, then to deny openly, and at last to vilify and to scorn the most sacred truths of our religion

. The excellent missionary Father Ryllo to divert this danger, had undertaken to treat of a series of arguments in his sermons, tending to show the close tie between religion and social and individual welfare. In eight discourses, at which the flower of the city assisted, he laid the foundation of his thesis, and he proposed on this to erect a wall of defence to religion and to society against which the ministers of the prince of darkness were already plotting*. These clearly perceived that their deceit could not much longer remain concealed, and that, at last, unmasked and confounded, they would be compelled to beat a retreat—But calumny on the one part, and envy on the other, concurred at that time to silence the learned orator—And oh! how many calumnies have we been obliged to hear against innocence, from him who should have defended it †.

. The pastorate of His Lordship the Bishop aims at this remedy—it is a written evidence of the importance of those discourses to which it was evilly desired to give the name of subversions; whilst if those discourses had been continued, the dark workings of the corrupters of Malta would have been exposed by themselves, and their plots would already be despised by all; therefore Ecclesiastical authority would not now be under the necessity of having recourse to the solemn threat of spiritual censures in order to preserve the religion of this people.”

This production being the offspring of the Jesuits is unworthy of comment.

[C]

(Translated from the Italian)
“On Her Majesty's Service.

“Government Primary School,
Senglea 15th March, 1849.

Sir,—As in the visitation you made to my school on the 7th inst. accompanied by the boys' teacher Giuseppe Madiona, there were laid before you several verbal charges against me, by which I feel my conduct in my public and private capacity slandered and injured, permit me, therefore, to inform you, that on that very day, the said Mr. M. has been requested by my consort, as it appears from

* An allusion to the Protestant Clergy and Missionaries, who from time to time had discharged their sacred duty in showing to the Maltese, the errors of popery.

† An hint with reference to Dr. Cumbo's publication against Ryllo's seditious sermons.

Handwritten notes at the bottom of the page, including a signature and date: "21.8 1849" and "The Rev. Fr. Ryllo" (partially visible).

the enclosed, to substantiate within 48 hours, at least one of the charges he has preferred against me.

"Mr. Madiona has been asked to do so, on the ground, that he was directed by you on that morning to make a report containing the said verbal accusations, in order to be transmitted by you to the Chief Secretary to Government. Whether Mr. M. has effected up to this moment your order, I am not aware; therefore, as I intend to avail myself of your verbal advice given me also on that day; namely—"that if I feel myself wronged and my character and conduct injured by Mr. M. *an honorable man and of a very respectable character*, and I intend to prefer any claim against him, as your authority is too limited, I am at liberty to apply to the head of the local Government to obtain redress for the evils I complained of;" viz. for the insults, outrages, slanders, oppressions, irregularities, abuses and other things of such a kind done to to me *even in your presence*, by the said Mr. M. and his Assistant Giov. Bonello, I have, therefore, to request you, the favor to inform me officially, whether the note of the articles, alledged, missed from my school and the report by you ordered to Mr. M. with reference to my person, have been forwarded to you according to the instructions you gave him? and if they have ben sent, to be pleased also to furnish me with authenticated copies of them.

"And as on the same morning of the 7th inst. in answer to the charges brought against me by the said Mr. M., I stated to you "that I cannot be answerable for what my school-room contains, but only for what is in my custody, because when the school is over, I go out, and the keys of the room do not remain with me, but with the porter or his wife, who with his family during the night sleep in this school-room," and for this reason, which I gave you, Mr. M. taxed me with a *lie* and *slander* against that family, I have to inform you, that on Monday morning the 13th inst., when I went to my school to begin instruction. I found (my pupils present), in the window, that opens to strada S. Lorenzo, a blue dish, a little broken, soiled with chees and egg; and on a form, a broken knife, soiled also with the same materials; and, therefore, having called for witnesses the Police-serjeant B. No. 2 (whose name is . . . Buhagiar) and Mr. M. as well as Rosa Viscoso the wife of our porter, who, being asked in their presence and of all the girls in the school, aknowledged—that the dish and knife belonged to her, which last night her daughter had left in that window after they had made an omelet;" she then took them away. This confession was made on the afternoon; thus the dish and knife so soiled, remained in my school-room the whole time of the morning and afternoon instruction. You may consider, Sir, what would have been my shame, if any visitor had called to see my school: I can mention the name of the Doctors and Captains of the Royal Navy who several times came to visit the school. I have to submit to your consideration also, that the said Police-man,

observed, that the room, where our porter and his family live, is contiguous to my school-room, and cannot be locked up, but by themselves and from their side, so that he remarked, that they are at liberty to come into the school-room whenever they like. I trust, therefore, that the school-master, Mr. Giuseppe Madiona, will not fail to inform you with all these circumstances, who, I presume, will also forward to you his report together with the present, to whom I left it sealed.

“Thence, you may observe, Sir, that yesterday, being Sunday, my school-room was at the disposal of the porter and his family, as it was before during the past vacancies in summer, the days of festas and all other holidays during the year, in which school-room the porter and his family dined, took supper, and slept together with the husbands of the daughters, when they came on shore from on board of H. M.’s steamers, where they are employed as sailors. The evidences I can produce are not only in support of these my assertions, but also for establishing—that the porter and his family held in the school-room and during the night, balls, had quarrells, noise, and drunkenness, in such a way, that they made my school-room nothing less than a kitchen and place of obscenity. Of all this and other inconveniences arising from the contiguous dwelling room of the porter to my school-room, the late Director, Canon Panzavecchia, and Mr. Madiona, are aware, but it appears that the latter now feigns to be ignorant of it and is using every means to vilify, outrage, oppress, slander and insult me, even in your presence and of other persons who occasionally come to my school, while fulfilling my public duties; in consequence thereof, as I have already made to you a verbal complaint of the irregular conduct of Mr. M. his assistant and the porter, who seem to be conspired against me, and for which I requested you to give redress, and you, as it seemed to me, have not taken any step to prevent such conduct for the time to come. I have also to make a report to you, that the insults, annoyances, outrages, and other irregularities from Mr. M. towards me, and before my pupils, are growing with such a unbridled rashness, that not only he did laid his hand upon my face, but made me to appear ignorant of my duties before the parents of the pupils, who came to the school to present their daughters for admission; reprimanded and scolded me before the girls; and beat with his hands on the boards placed against the walls of the school, and on the table before me, and with his feet on the floor, as if he were deprived of reason, but also, contemning all that I did during the instruction in every time he came to school, he threatened me to make a written report against me.

“My school having become, a stage for squabbling scenes, for which reason (I can frankly say, that not a day passes without being insulted in my school and interrupted in my official duties by the said school-master Madiona) I cannot go on in a way so irregular,

confused and blameable, which, as far as I am able to judge, is working the ruin of my school. Any body who understands what instruction is, knows very well, that in such an establishment we must cultivate and not create struggles and difficulties to exhaust the patience of the teacher and discourage the pupils, who on account of the bad example are diverted from their studies. What parent would send his daughter to a school where she would likely learn rude and quarrelsome deportment?

“Having in the best and shortest way represented to you my sad position with the boys’ teacher Mr. Giuseppe Madiona, especially since the 8th of Feb. ult. I have to entreat you to take into your consideration the contents of this official report;—to furnish me with official instructions to enable me how to act for the future;—and also to give a prompt remedy, that the flagitious proceeding and irregular conduct of the said Mr. Gius. Madiona and of every person abetting him, be immediately curbed.

“I have the honor to be

Sir,

your most obed. servant.

(Signed) “MARIA BONAVIA CUMBO

Mistress,

“To the Marquis Barbaro di San Giorgio
Director of the Government Primary schools”

&c. &c. &c.

Mrs. Bonavia left with Mr. Madiona the above report, and requested him to forward it to the Director. Whether the Marquis received it, Mrs. B. is not aware, but certain it is, that Mr. M. continued, with even more arrogance his irregularities and insults towards the school-mistress; on good ground therefore, Mrs. B. was led to conclude that the Director had received her report, but he took no notice of its contents. Under this conviction, and not knowing what better course to pursue for restraining Mr. M.’s irregular conduct, and for obtaining salutary redress, Mrs. B. applied to the Governor, and therefore she wrote to the Marquis as follows:—

(Translation from the Italian)

“On H. Majesty’s Service.

“Government Primary School,

Senglea 30th March, 1849.

“Sir,—I am sorry to be under the necessity to recall again to your memory, that on the 7th inst. in the visitation you made to my school, accompanied by the boys’ school-master Gius. Madiona, he, (Mr. Mr.) in my presence and of all the girls in the school, preferred against me a verbal accusation, the heads of which are the following:—That the pupils, who attended and do attend this school, never learned any thing before the 9th Feb. ult. when he himself began to teach them, and superintended the classes of the needle-work;—That the pupils are going now very satisfactorily in the intellectual and industrial instruction;—that several articles belonging to this

school are missed from it, without having been used, or appropriated by any person whatsoever, *but by myself*;—that the articles furnished by the Government for teaching the needle-work, and the instruction of my pupils are *consumed by me not in the school, nor in the instruction*;—that I do not fulfill my official duties, nor am I subordinate to him;—that I am so assuming, that I presume to be the director of the primary schools;—and because I wished to revert, on that very moment, to what Mr. M. told you against me, he added moreover that *I do not tell the truth, and that I slandered several persons, among whom, the Arch-priest Dr. L. Fiteni the parish-priest of this city*; * And as to such accusations or assertions by Mr. M. preferred against me, I replied, “that they are without any foundation whatever; and that I can prove the contrary for my justification.” You, Sir, not only refused to hear my reason, and proofs which I could produce on that moment; but rather confirmed what Mr. M. told you against me, and you directed him also to write down a note of the articles, alledged to be missing from my school (that they might be made again, through Mr. S. Bugeja, and the expenses to be abated from my salary), and to forward it to you, together with a written report on what he said against me, and that you would transmit them both to the Chief Secretary to Government.

* Mr. Madiona called Mrs. Bonavia “a liar” and “slanderer,” because in contradicting his accusations, especially with respect to the articles alledged to be missing from her school (and being anxious to remove from her character an imputation, which would amount to a crime of robbery), she stated to the Marquis:—“That if he was willing to find out the articles belonging to her school, he ought to look for some of them, in the shop of the porter of the school or in the room where he lives with his family; and for the rest, as slates, boards with spelling lessons, &c., he had to look in Mr. M.’s school-room, where they had been taken, when the Arch-priest Dr. Fiteni had set up, with the consent of the then Acting Rector, the Canon Dr. Psaila, in Mrs. M.’s and Mrs. B.’s school-room, an evening school for the youth engaged during the day for gaining their support. Without attempting to enquire, whether the Marquis ascertained that notorious truth, denied by Mr. M., but alledged by Mrs. B. to controvert the grave charge and infamous fabrication made against her character, it suffices for us to be informed from a good quarter, that since Mrs. B. is driven out of her situation, the Marquis Director builded up the door of the room occupied by the porter and contiguous to the females’ school-room; and that the school-master does not interfere any more with the newly appointed school-mistress’ duties; we trust therefore, that these alterations in that school, supply to the Public a good ground to form their opinion with reference to the weight due to the charges made against Mrs. B., and to the partiality which influenced those in authority in their dealings with her. As for ourselves we deem it unnecessary to give any further explanation respecting the veracity of Mr. M.’s accusation as we are quite satisfied with reminding the Reader what the chief secretary told Mrs. B. “that there is nothing with the Government that militates against her conduct and character;” and also, that the note and report ordered by the Marquis never were made by the school-master Giuseppe Madiona; and therefore we may say with Virgil:—“*ex uno disce omnes.*”

"And as these accusations have been verbally and officially preferred by word or in writing against me by the school-master G. M. on the same day 7th inst. (as you have been already informed by him on the morning of the following day the 8th) he (Mr. M.) was requested by letter, written by my consort, to substantiate within 48th hours, if not all, at least one of the charges he preferred against me. *

"The time having expired, and Mr. Madiona (as far as I know) not having established his accusations against my conduct and character both in my public and private capacity; and because it was my duty, as it is of every one to defend and clear their honor from any stain that may blemish it; wishing also, that such circumstances, sayings, inconveniences, abuses, irregularities, contempts, insults, outrages and other things of this nature, during nine years up to the time by the boys' teacher Giuseppe Madiona, or any person or persons whatever accomplices, perpetrated against me and by me suffered in my said capacity of school-mistress will not continue any longer, I have to inform you, as the Director of the Primary schools, that on the 20th inst., I laid before His Excellency the Governor a representation and petition on this particular, asking his consideration and directions upon what is therein contemplated.

"I have the honor to be

Sir,

"your obed. and humble servant

(Signed) "MARIA BONAVIA CUMBO

"To the Marquis Barbaro di San Giorgio *Mistress.*"

Director of the Government Primary Schools"

&c.

&c.

&c.

[D]

(Translation from the Italian)

"On Her Majesty's Service. "Government Primary School.

Senglea 28th April, 1849,

"Sir,— Since the government females' primary school has been established in this town, it was always the custom till the 23 inst. to keep the door of the said school barred from the inside with an iron bolt; and this provision was given by Canon Dr. E. Rosignaud, under whose control the primary schools were, on account of my school being situated near to a brothel, and thus to prevent it from suffering inconveniences and molestations from drunken English sailors, and boys, who pass through the way and find the door of my school open. †

* Mr. Madiona shewed the aforesaid letter to the marquis in the school of Valletta, where he was walking with that school-master; but when the Marquis read the letter, burst into a loud laughter, and scoffed at it.

† That school was set up and opened, on the 21st. November 1839. Mrs. Bonavia being the first appointed teacher, requested the Rector to give such a remedy to obviate inconveniences, which the school had undergone at the beginning of its operations.

" Last Saturday morning (21st. inst.) having been to my school, I found the iron bolt attached to the door of my school twisted in such a way, that by no means could I bar it; however, to avoid any mischance, as in the time past, I made strait the bolt in the best way I could, and I succeeded in fastening the door. My supposition was, that it was twisted by some mischievous boys, before the school hours, which boys (having some time ago molested the school, while you were examining my pupils), you had requested me to report to the Police.

" I was extremely surprised, when on last Monday morning, (23d inst.) I went to my school and found the said bolt removed from the door; therefore, being under the apprehension, that it was stolen, I thought it my duty to call for a police-serjeant for evidence, and then to inform you of the circumstance. But what was my astonishment, when on the same morning, you, accompanied by the boys' teacher Giuseppe Madiona, came to my school, and while informing you of what had taken place in my school in the last two days, I learned from Mr. Madiona's mouth, that the bolt was removed by himself (Mr. M.)! What was my surprise, that though, I stated to you the circumstances under which Canon Dr. Rosignaud had been actuated in directing that the school door should be always kept shut and barred from the inside with an iron bolt, yet you, Sir, not only approved Mr. Madiona's arbitrary proceeding—namely, to remove the bolt, without taking your previous sanction, and without informing me, but also you reprimanded me before the same Mr. Madiona, and all my pupils, for having called the police-serjeant; for keeping the door of my school shut during the instruction; and consequently directed me to leave it always open, because such is the practice in the primary school of Valletta!

" Without calling your consideration to the consequences, which my school would undergo on account of its door being now open during the instruction, and without commenting on the dangers, which the removal of the bolt might cause,—on the insubordination, which the arbitrary and insulting proceeding of Mr. Madiona (and approved by you) might affect the minds of my pupils,—and on the direction you gave me to keep the door of my school open during the time of the morning and afternoon instruction, *which is not according to the constant practice of the females' primary school of Valletta under your direction,** nor to Mr. Madiona's practice, who keeps the door of his school always shut, I beg leave to inform you, that since the very day 23d inst. my school began to suffer again frequent inconveniences and molestations from Mr. Madiona's pupils, who at-

* Up to the 8th of the following June the school of Valletta during the morning and afternoon instruction was locked from the inside with the iron bolt.

tend the primary school, and generally leave their school before I finish my instrucion.*

“And as in the said visitation you made to my school, Mr. Madiona brought before you another charge against me; namely, that I never come to school while the bell rings, but always after; and you, refusing to hear my justifications, ordered me to follow strictly what is prescribed by the regulations of this school on this respect, and to Mr. Madiona to make you a report in case I should fail in this duty; therefore, to avoid what Mr. Madiona or any person whatever may report you on this subject, I feel obliged to inform you also, that though you directed Mr. Madiona to ring or to cause to ring the bell for *ten minutes* according to the said regulations, yet on the afternoon of 24th inst. he, Mr. Madiona, the boys' teacher of this primary school, rang or did cause to ring the bell of the school for *a minute*, as he always did (for the time past) and on the following days up to this he continued to ring the said bell for *five minutes*. I think Sir, that punctuality of duties is necessary to all

“Permit me, Sir, to state also as on that morning (23d inst.) you threatened me before the said Mr. Madiona and the girls in the school—that if you made a report to Government against me, I should be immediately discharged; and as also a report is circulated among the inhabitants of Senglea—that I am about to be discharged from the situation I now hold—for these and other reasons which I defer to mention for the present, I have to request of you the favour to inform me of the cause which occasioned you to threaten me, as also to be pleased, in case you have found any fault with me in the exercise of my public duties, to bring forward your charges before Government, and to let me know the nature of my fault, to enable me to justify myself and to be acquitted, or convicted and then punished according to justice.

“I have the honor to be,
 Sir, your obed. humble servant,
 (Signed) MARIA BONAVIA CUMBO,
 To the Marquis Barbaro di S. Giorgio, Mistress,”
 Director of the primary Schools”
 &c. &c. &c.

!- On that very morning and after the Marquis Barbaro left Mrs. Bonavia's school, Mr Madiona's pupils, having found the female's school open, they threw through the door (strada S. Lorenzo) horse-dung left on the way by the Marquis horse; and on the afternoon at about 5 minutes to four o'clock, two large stones, weighing about one pound each, were flung by the same boys through the door with such a violence, that it was only providentially that the school-mistress or the pupils sustained no injury, as the stones grazed the forms and the teacher's desk, and the pupils were around Mrs. Bonavia's table under the window, that opens to strada Vittoria.

(E)

With regard to the ordinary trial by Jury in Great Britain for *civil* cases, we observe first, that as the judges are sure to come and open the circuit commission on the day mentioned in the writ, the sheriff upon the original *venire*, returns the panel and summons the jurors to appear at the assises; whereby the parties may have notice of the jurors, and of their characters, sufficiency or insufficiency &c so that they may be challenged. Next the *persons before whom* the parties are to appear, and before whom the trial is to be had, who are the judges of the superior court or assise.

When the general day of the trial is fixed the plaintiff or his attorney must bring down the record to the *assises*, and enter it with the proper officer, in order to its being called on the course; otherwise it cannot be tried. In case the plaintiff intends to try the cause, the defendant, if he lives within 40 miles of London, must receive *eight* days notice of trial, if in a greater distance, *fourteen* days notice, but in town cases *two* days are sufficient, in order to prevent surprise: and so is the practice in Malta; if the defendant lives in the country, and the proceeding is by *citation*, he shall receive *four* days notice, and if in one of the four towns, *two* days notice; but if the proceeding is by *libel*, *eight* days notice, if in the towns *ten* days, and if in Gozo, *fifteen* days notice. If all previous steps are settled, the sheriff returns his compulsive process, the writ of *habeas corpora* with the panel of jurors annexed, to the judge's officer in court. The jurors contained in the panel are either *special* or *common* jurors.

Special juries are introduced in trials at bar when causes are of great nicety for discussion of ordinary freeholders upon motion in court and a rule granted thereupon; the sheriff then is to attend the prothonotary or other proper officer with his freeholders' book; and the officer is to take indifferently 48 of the principal freeholders, in the presence of the attorneys on both sides, who are each of them to strike off 12, and the remaining 24 are returned upon the panel. By statute 3 Geo. II. c. 25. either party is entitled upon motion to have special jury struck upon the trial as at any issue, as well at the assises as at bar. A *common* jury is one returned by the sheriff according to the direction of the statute 3 Geo. II. c. 25. which appoints, that the sheriff or officer shall not return a separate panel for every separate cause; but one and the same panel for every cause to be tried at the same assises, containing no less than 48, nor more than 72 jurors; whose names being written on tickets, shall be put into a box or glass; and when each cause is called, twelve of them shall be first drawn out of the box, shall be sworn upon jury unless absent, challenged or excused.

As the jurors appear, when called, they shall be sworn, unless *challenged* by either party. Challenges are of two sorts; challenges to the *array*; and challenges to the *polls*. Challenges to the *array* are at once an exception to the whole panel, in which the jury are

arrayed or set in order by the sheriff in his return ; and they may be made upon account of partiality or some default in the sheriff, or his under officer who arrayed the panel. And generally speaking, the same reasons that before the awarding the *venire* were sufficient to have directed it to the coroners or elisors, will be also sufficient to quash the array, *when made by a person or officer of whose partiality there is very tolerable ground of suspicion*. Also, though there be no personal objection against the sheriff, yet if he arrays the panel at the nomination or under the direction of either party, this is good cause of challenge to the array. Challenges to the *polls*, in *capita*, is an exception to particular jurors ; and seem to answer the *recusatio judicis* in civil and canon laws ; by the constitution of which a judge might be refused upon any suspicion of partiality (*Cod. 3. l. 16.*). By the laws of England it is held that judges, and justices cannot be challenged ; but by the law of Malta they may be refused for good cause (*Gen. Reg. § III.*).

Challenges to the polls of the jury (who are judges of fact) are reduced to four heads by Sir Edward Coke. (*1, Inst 156.*) 1. *Propter honoris respectum* ; 2. *propter defectum* ; 3. *propter affectum* ; and 4. *propter delictum*. We pause a while on the third, as the first, second and fourth heads have no reference to our question. Jurors may be challenged *propter affectum*, for suspicion of bias or partiality ; this may be either a *principal* challenge, or *to the favour*. A *principal* challenge is such, where the cause assigned carries with it *prima facie* evident marks of suspicion, either of malice or favor (*Finch. L. 401.*) which if true, cannot be overruled, for jurors must be *omni exceptione majores*. Challenges *to the favour*, are where the party hath no principal challenge ; but objects *only some probable circumstances of suspicion*. (*Stiernhook, l. 1. c. 4.*) ; the validity of which must be left to the determination of *triors*, whose office it is to decide whether the juror be favourable or unfavourable. The *triors* are two different persons named by the authority. If by means of challenges, or other cause, jurors do not appear at the trial, either party may pray a *tales*, who are liable to the same challenges as principal jurors.

When a sufficient number of persons impanelled, or *tales-men* appear, they are separately sworn, well and truly to try the issue between the parties, and a true verdict to give according to the evidence ; and hence they are denominated the jury, *jurata*, and jurors, *sc. juratores*.

With respect to the trial of *criminal* suits, we observe, that when a prisoner on his arrignment has pleaded not guilty, and for his trial hath put himself upon the country, the sheriff must return a panel of jurors, *liberos et legales homines, de vicineto* ; that is freeholders without just exception, and of the *visne* or neighbourhood ; but since the 4 and 5. W. and M. c. 24. which admits copyholders upon juries, it is not necessary that the jurors should be freeholders

in criminal cases, except in treason, and there it is expressly required by the bill of rights (1. W. and M. St. 2. c. 2.) If the proceedings are before the court of kings bench, there is time allowed between the arrignment and the trial, for a jury to be impanelled by a write of *venire facias* to the sheriff as in civil causes. When the arrignment is not for felony or treason, but simply for *misdemeanour*, both the *plaintiff* and *defendant* are entitled to apply to the court of king's bench for a special jury. By statute 7 W. III. c. 3. it is enacted, that the prisoner shall have a copy of the indictment, but not the names of the witnesses, five days before the trial; that is, upon the construction of the act, before his arrignment; in Malta six days; for then is his time to take any exceptions thereto, by way of plea or demurrer (*Fost.* 229. 230.); that he shall have a copy of the *panels of jurors*, two days before his trial: and that he shall have the compulsive process to bring in his witnesses *for him*, as usual to compel their appearance *against him*. It is also a practice to deliver copy of the indictment and the list of witnesses and jurors, ten clear days, exclusive of the day of delivery and the day of trial, and intervening Sundays previous to the trial. (*Fost.* 2. 250).

When the trial is called on, the jurors are to be sworn, as they appear, to the number of twelve, unless they are challenged by the parties. Challenges may here be made, either on the part of the king, or on the part of the prisoner; and either to the whole array, or to the separate polls, for the same reasons that they may be made in civil causes. Challenges in criminal cases, or at least in capital ones, are allowed to the prisoner *in favorem vitæ*, which is an arbitrary and capricious species of challenges to a certain number of jurors, without shewing any cause at all; which is called a *peremptory* challenge; however the peremptory challenges of the prisoner must have some reasonable boundary; otherwise he might never be tried. This reasonable boundary is settled by the common law to the number of 35; but with regard to felonies, no prisoner arraigned for felony or murder can be admitted to make any more than 20 peremptory challenges; however, if the prisoner will challenge more than 20, he is permitted by assigning a cause, to be tried and approved. Then by reason of challenges or default of jurors, a sufficient number cannot be had of the original panel, a *tales* may be awarded as in civil causes, till the number of 12 is sworn, "well and truly to try, and true deliverance make, between our Sovereign and the prisoner, whom they have in charge; and a true verdict to give, according to the evidence."

Such is the English law and practice with regard to the election and challenges of the judges of fact in the trial by jury, for civil and criminal causes, which law and practice according to our humble opinion ought to be strictly observed by H. E. Mr. More O'Ferrall in appointing the commission of enquiry to investigate Mrs. Bona-

via's case *versus* Mr. Giuseppe Madiona &c. in which commission if the commissioners had to fulfill the office of jurors, they had nothing to perform, but simply to give their verdict to the evidences brought before them, and the Governor to pass his judgement upon the matter laid before him, and then to apply the remedy which Mrs. Bonavia sued for; but on the contrary if the commissioners were directed to *enquire, hear and determine* upon the charges which Mrs. Bonavia made *versus* Mr. Madiona and other accomplices with him, we think that they (according to the statutes *West. 2. 13. Edw. I. c. 30. and 12. Edw. II. c. 30.*) ought to be annexed to one or more of the sworn justices of the Queen's court accompanied by a writ of *association*; whereby certain persons (as clerk and subordinate officers) are directed to associate themselves with commissioners, justices and serjeants, and they are required to admit the said persons into their society in order to take the assize and to receive the verdict of jurors, and thus determine the dispute and cause brought before them. Mr. More O'Ferrall cannot plead ignorance of these circumstances, as he himself has adopted them in previous commissions of enquiry directed in consequence of some charges brought by the periodical papers against some Government's servants; but of all these and other legal formalities, the commission appointed to investigate Mrs. B.'s case, was defective, and neither had she been allowed by one of the commissioners (Dr. C. Galland) to employ a clerk to take simply records of the proceedings or to be present when, on the 4th of May 1849, she appeared before them for the first time; this arbitrary and illegal proceeding decides the question as to the Physician Doctor's incapacity, besides other marks of suspicion either of malice or favor, with us however are reserved *in pectore*. In short, we beg to remind the Reader that Mrs. B. challenged Dr. Trapani on account of a legitimate and assigned cause; and Dr. Galland in consequence of a private and family matter, which at all events had Mrs. B. been compelled to assign a satisfactory and plausible reason for her peremptory challenge, she was prepared to prove before legal triors the legality and validity of her exception, which carries with it *prima fronte* evident marks of suspicion, and incapacity. Had the Physician to give legal opinion and to determine any point of law arising upon the examined facts before him and if any injury proved to have been done to Mrs. B. to ascertain, and by his officers to apply the remedy, or to give his verdict according to the evidences brought before him? We repeat, that up to this hour we do not know under what circumstances the commissioners have been appointed by H. E. the Governor, Mr. Richard More O'Ferrall.

had you" **MINUTE** to fill the office of the commissioners had you" **By His Excellency the Governor:**

"Whereas, by an Act passed in the tenth year of the reign of His Majesty the King George Fourth, intituled *An act for the relief of His Majesty's Roman Catholic Subjects*, all persons professing the Roman Catholic Religion, holding any office or place of trust or profit, were directed and required instead of any other oath or oaths previously established by law, to take an oath of the following form:—

"I A. B. do sincerely promise and swear, That I will be faithful and bear true allegiance to Her Majesty Queen Victoria, and will defend her to the utmost of my power against all conspiracies and attempts whatever, which shall be made against her Person, Crown or Dignity; and will do my utmost endeavour to disclose and make known to Her Majesty, Her Heirs and Successors all Treasons and traitorous conspiracies which may be formed against Her or Them: And I do faithfully promise to maintain, support, and defend, to the utmost of my power, the succession of the Crown, which succession, by an Act, intituled *An Act for the further limitation of the Crown, and better securing the Rights and Liberties of the subject*, is and stands limited to the Princess Sophia, Electress of Hanover, and the Heirs of Her Body, being Protestants; hereby utterly renouncing and abjuring any obedience or allegiance unto any other Person claiming or pretending a Right to the Crown of the Realm of Great Britain and Ireland: and I do further declare, that it is not an Article of my Faith, and I do renouce, reject, and abjure the opinion that the Princes excommunicated or deprived by the Pope, or any other Authority of the See of Rome, may be deposed or murdered by their Subjects, or by any other Foreign Prince, Prelate, Person, State, or Potentate, hath or ought to have any Temporal or Civil Jurisdiction, Power Superiority, or Pre-eminence, directly or indirectly, within the Realm of Great Britain and Ireland. I do swear, that I will defend to the utmost of my power the settlement of Property within the said Realm as established by the Laws: And I do hereby disclaim, disavow and solemnly abjure any Intention to subvert the present Church Establishment, as settled by law within the said Realm: And I do solemnly swear that I never will exercise any privilege to which I am or may become entitled, to disturb or weaken the Protestant Religion or Protestant Government of the United Kingdom: And I do solemnly, in the presence of God, profess, testify and declare, that I do make this declaration, and every Part thereof, in the plain and ordinary sense of the oath without any Evasion, Equivocation, or mental Reservation whatsoever.

"So help me God.

"And whereas, by an article in Her Majesty's Instructions, accompanying the Governor's Commission, His Excellency his authorized and required, from time to time, himself or by others to be

authorized by him in that behalf, to administer and give to all and every person professing the Roman Catholic Religion, as he shall think fit, or who shall hold any office or place of trust or profit, or who shall at any time pass into these Islands, or be resident or abiding here, the above form of oath; His Excellency therefore is pleased to declare, that, from and after the day of the date hereof, all persons professing the Roman Catholic Religion, and holding any office or place of trust or profit, under this Government, who by the laws of these Islands are required to take the oath of allegiance, shall take the oath above recited, instead of that which is established in the general constitution of all the superiors Courts of Justice of these Islands.

“La Valletta 2d January, 1839.

“By Command of His Excellency
(Signed) “H. GREIG,
Chief Secretary to Government.”

Now, our Reader will remember, that in foreseeing the consequences, which probably may result from the emancipation of the Roman Catholics holding any office or place of trust or profit under the Government of Malta from the aforesaid oath of allegiance, we have asserted in the foregoing page 47—“that should this emancipation be fully conceded to the Maltese, the event will be, that the power thus obtained, will be used in the persecution of those who give it.” That this is a very *serious charge* we fully admit; and it is one, which when it is brought must be fully substantiated. We know the full import of our charge: and knowing this full well we are compelled to give solid proofs of this charge. We are compelled to do this with the greatest deliberation; and we are fully prepared to sustain it by a fact, which came to our notice this week whilst the present sheet was going through the press, for which we hope, that the generous Reader will be once more indulgent with us whilst we enter at once to redeem our task.

Now, the Ministers of our present most gracious Queen, conceded to the Maltese people a participation in the counsels of the Government, by sending representatives to sit in its Council,—a concession long desired, and granted no doubt, in the full persuasion that their loyalty, prudence, and moderation entitled them to such a privilege. But the people no sooner found themselves possessed of this power, than worked upon by jesuitical and priestly influence, out of eight members to be elected by them, they returned three of the ecclesiastical order; namely Canon Dr. F. AMATO, Arch-priest Dr. L. FITENI, and Bishop CASOLANI. The new Government Council met for the first time on the 8th Jan. ult. and the members took the oath of fidelity; in this Council, besides the Governor, there are nine official members nominated by the Crown, and eight by the inhabitants for five years; out of the official members four are English

Protestants and the remaining fifteen are Roman Catholics, to whom the oath of allegiance was administered according to the new form, which we have adverted to in the note page 46.

The first measure taken by the Council, was to examine and amend the new Criminal Code, which was compiled by a Committee of Maltese lawyers, and after sent to England for revision. In this compilation of criminal laws, the Maltese lawyers, (though R. C. but not influenced by the jesuits, as none of them had come again since their expulsion from the Island) have formed the strict feature of the true principle of religious toleration, avowed by our ancestors, who placing themselves and their posterity under the protection and sovereignty of the King of Great Britain, had declared:—*That freemen have a right to choose their own religion; toleration of other religions is therefore established as a right; but no sect is permitted to molest, insult, or disturb those of other religious professions* *. Accordingly, the Maltese Commissioners, animated by this spirit, so highly justifiable, upon every principle of natural reason on the score of religious persuasion and liberty, in the project of the Criminal Code, as it was framed by them, protection was ensured to all persons concerned in the sacred functions or ceremonies of the Roman Catholic Church, the Anglican Church, or (added a scotch lawyer) the established Church of Scotland and applied equally to every other Church or Society of Christians, and every other Society of persons lawfully assembled for the celebration of religious worship; thus the shield of the law framed by the Maltese lawyers would have justly thrown protection over every description of persons in the exercise of their mode of worship.

The first Book of this code, which treats of the general rules for the application of punishment, obtained the approbation of the Council; consequently, the second Book, which treats of crimes and their punishment was brought also. But which was the spirit, that the R. C. members, and the most zealous votaries of the Church of Rome, have displayed at the very threshold of the second Book, the first chapter of which treats of *the respect to be paid to Religion*? Was it a spirit consonant either with the toleration declared by their ancestor, and expressed also by the Maltese Compilers, or with the instruction under which Mr. More O' Ferrall holds the power of the Crown, as expressed in Lord Gray's instructions? (See note p. 55) Our reader will not give credit to the extent to which the spirit of pride and intolerance had hovered about the ecclesiastical members in their way of moving forward at the threshold of the second Book

* This avowal contained in the § 8th of the Declaration of rights of the inhabitants of the Island of Malta and Gozo was signed on the 15th June 1802 by the Representatives, Deputies and Lieutenants of the Villages and Towns, among whom there were the late Bishop Dr. Caruana and other ecclesiastics, with whom we were personally acquainted.