

wards, novus Ecclesiam filios qui per baptismum puri facti, sunt a vitio.

But let us follow boyhood into still deeper thickets, and mark how even in yet minor things it has affinities for the attractions of faith. What more intricate than its sportful turnings when left to the influence of its fancy in regard to recreation? "In thoughtful silence wandering into the quiet nooks, we can observe it," as a recent author says, "making companions of every thing animate and inanimate; searching with a worshipping curiosity into every leaf or flower about its path, picking up lessons of present delight and future wisdom by rivers' sides, by brooks, in the glens, and in the fields." "Merrily, merrily, shall I live now, Under the blossom that hangs on the bough."

\* Rup. lib. viii. de off. 2.

### The Cross;

HALIFAX, SATURDAY, APRIL 24.

#### NEWS BY THE STEAMER.

The European news is most important. The fate of Lombardy, Piedmont, and most likely of all Italy is decided. The Austrian veteran Radetzky has defeated Charles Albert the King of Sardinia in a pitched battle. The unfortunate King fought bravely, courted death in the hottest of the fight, and was dragged away from the field by some of his Generals. His ill-starred ambition has cost him his Crown. He has resigned in favour of his son, the Duke of Savoy, and has fled from Piedmont. The result of this battle will be very important throughout all Italy. Mamiani, Sterbini & Co. must be quaking with terror in Rome at their inevitable fate. The excellent Grand Duke of Tuscany will return to his Palace in Florence, and the illustrious Pius IX. will come back in triumph to the Capital of the Christian World.

The persecuted Bishop of Geneva has gone to Gaeta to visit the Holy Father. Serious notions are entertained of raising an Irish Brigade as the Pope's Body Guard, to replace the Swiss who are said to have been largely infected with the Carbonari principles. The notorious Abbe Gioberti has come to Paris, where he will probably meet his defeated master, the ex-King of Sardinia, on whom the judgment of Heaven has fallen for his support of the atrocious robbers and assassins at Rome and Florence. We suppose the Padre Ventura will soon absquatulate from the Eternal City. The learned and zealous Bishop of Orleans was at the point of death from an attack of Cholera. The Chapter of Notre Dame de Paris have ordered an eminent French Artist to execute an historical picture on a grand scale of the martyrdom of the saintly Archbishop Affre at the barricades. The fortunate Artist selected for this purpose is Monsieur Lafon who painted the beautiful picture of the Apostle of Ireland, which is now in St Patrick's Church in Halifax. The same artist is engaged to paint a St Bridget as a companion picture to St Patrick, and will execute the work in the course of the present year.

The great linguist Cardinal Mezzofanti is no more. The sacred College has sustained another loss in the person of Cardinal Ostini. Naples is about to blockade the coast of Sicily. France is generally quiet, and a less warlike tone is beginning to prevail respecting foreign intervention. Frightful distress still continues in some parts of Ireland. O'Connell's house in Merrion Square is to be sold. Sir Charles O'Donnell the Commander of the Forces in the Waterford district, in a letter to the Catholic Bishop of Limerick has declared his readiness, with the permission of the Queen, to raise an Irish Brigade for the defence of the Holy See. The Government are permitting 200 Convicts at Bermuda to emigrate to the Cape of Good Hope where their convict condition will cease. They are to be at perfect liberty, with one exception, they cannot leave the Colony until the expiration of their sentence. The persons thus kindly treated are those who were transported for smaller offences. The unfortunate John Mitchell has the same permission, and it is very likely the other State Prisoners, under sentence in Ireland, will be transported to the same Colony.

#### THE CATHOLIC CHURCH IN NOVA SCOTIA. No. IV.

We printed last week the Pastoral Letter of the Bishop of Quebec in 1801, relative to the

dissensions which then prevailed in Halifax in consequence of the unauthorized and unwarrantable interference of laymen with the discipline of the Church. We now append some of the 'Remarks' made by his Lordship on certain Rules which a Lay Committee drew up without the authority or sanction of the Church.

The first of these Remarks is so very important and conclusive that we give it entire in French and English

#### 'EXTRACTS'

"Regulations adopted on the 17th of August 1800 by the Congregation of Halifax in a General Assembly."

'Remarks' of the Bishop of Quebec.

"Le defaut radical de tous ces reglemens est d'etre faits sans autorite: car c'est l'evêque quand ils se bornoient a regler le temps, qui de tout tems a eu droit de disposer du temporel des Eglises, et non pas la masse des fideles."

"The radical defect of all these Regulations is, that they have been made without authority, for if they had been confined merely to the regulation of the temporalities, it is the Bishop who has had at all times the Right of disposing of the Temporalities of Churches, AND NOT THE MASS OF THE FAITHFUL."

Had this wise and truly canonical observation been always remembered, how much scandal, heart burning, and dissension would have been avoided in Halifax for the last fifty years!

"This Assembly after having determined that there should be a Committee of Seven Laicks, &c."

#### REMARK OF THE BISHOP.

"From this number they have taken care to exclude the missionary, contrary to all laws Ecclesiastical and Civil"

The Lay Assembly fixes four days in the year for meetings.

#### REMARK OF THE BISHOP.

"Why not assemble as elsewhere, when the Incumbent of his own will, or at the request of the Committee, shall think it convenient to call an assembly. That mode would prevent dangerous assemblies or meetings."

Most truly and prophetically spoken, Illustrious Bishop! as thousands in Halifax can testify. Those "dangerous assemblies" were alas! too frequent and too pregnant with mischief in days of yore. *Mais nous avons change tout cela!*

The 4th article of the self-appointed Lay Committee fixes the price of each interment: "For the Bell 7s 6d, the same sum for the Pall, the same for opening the ground, the same for digging the grave . . . the ground shall not be opened before application be made to one of the Committee-men, who will determine the place of the grave, and give notice to the priest of the time and place of interment."

#### REMARKS OF THE BISHOP.

"It is not in the power of the Congregation, as they have done by the 4th article, to fix or tax Ecclesiastical Retributions. This is to be regulated by the Bishop. Much less does it belong to the Committee to admit to Ecclesiastical Burial or exclude from it those whom they will, and leave the priest the care of following their orders, as to the time and place of interment"

We will add to this an observation of our own. It appears from the above that nearly 50 years ago the laity themselves made the following charges for interments:—

For Ringing the Bell,	7 6
For the Use of the Pall,	7 6
For opening the Ground,	7 6
For Digging the Grave,	7 6
	1 10 0

The entire charge now made in the Cemetery of the Holy Cross for all these things is 20 shillings to those who are able to pay, and of course the numerous poor are interred gratuitously.—The funeral service is also read by the priest on every occasion, whether the interment be paid for or not. The new Cemetery is far more beautiful and much better regulated than the old.—The new Cemetery has been attended from the beginning with very great expence. The grounds required, and still require continual improvement; a handsome Church had to be completed, a Sexton's Lodge built, and a reasonable salary secured for the Sexton. Since 1843, we believe, between some six and eight hundred pounds were expended for those purposes—that is, nearly the whole amount received from every source, including about £200 received on the day the Cemetery was blessed. The whole of the Collections and donations, the entire money received for family Plots, and three-

fourths of all the interment money, have been applied strictly for the Cemetery itself, and for Cemetery purposes alone. The only sum ever received by the Church, or applied to the support of the Clergy, was five shillings out of each interment that was paid for. It was no doubt competent for the Ecclesiastical authorities to abide by the old Tariff, and to fix any sum they pleased, as a retribution for the various services rendered by the Church. But we have reason to know that the desire on their part was to reduce those charges, even to their own loss, to as low a scale as possible. Hence, the entire cost of interments was at first fixed by the Bishop at two Dollars! though many of the Parishioners declared it would never cover the expences. The Bishop, however, desired that the experiment should be made. It was most unsuccessful.—The Cemetery continued in debt, no improvements could be made, and the number of gratuitous interments was so great, that it was found even the Sexton could not be provided for. The following return, which was published in this Journal at the time, will show what a large proportion of interments took place without any payment.

Return of persons interred gratuitously from the opening of the New Cemetery to the 10th of April, 1846:	
From the Poor House,	75
By Certificate from the Clergy,	147
Neglected to pay in 12 months	12
Total,	234
Total number interred during that period,	552
Thus more than one half were gratuitous.	

We will soon publish the returns of the Interments of all classes since 1846. With so large a proportion of gratuitous interments, and so low a tariff as 2 Dollars it was found impossible to go on; and many smiled at a singular coincidence which took place on the death of a respectable Catholic Lady who died possessed of property, and for whose interment every thing was provided by the Church and the Cemetery. The sum paid for all was ten shillings, whilst it cost 7 shillings and 6 pence merely to dig the grave! During the period above referred to even the small proportion of the tariff which was reserved for the Church and Clergy was not paid, nor asked for, the Cemetery being constantly in debt. The 2 dollar experiment having failed, the tariff was fixed at 20 shillings, at which sum it has since remained. By degrees the debt has been cleared off, and within the last few months, we believe for the first time since the opening of the Cemetery, a small Balance remains to the credit of the Cemetery, not however half sufficient to cover the expenses that will be soon required, for fencing portions of the old boundary, and enclosing the piece of ground which has been lately obtained.

'Remarks' of the Bishop on the 6th article.

"On the 6th article it must be remarked that the Ordinary Revenues of the Church, in Alms, Rents, &c., are not to be employed in extraordinary or exterior expenses, without the Bishop's order."

The 9th Article "orders that every Catholic in the City of Halifax and its neighbourhood, have to inscribe his name on the Register of the Church in order to contribute to its wants by paying quarterly a sum of Ten Shillings at least per year, adding that whoever will not inscribe his name in 3 months, counting from that day (a time at which no other name will be received) will not be considered as a member of the said Church, shall enjoy no privilege in it, and cannot he or his family, be interred in it."

These were rather stringent ordinances from the Lay Assembly. Let us now hear the Bishop's 'Remarks' thereupon.

"The 9th Article tends to deprive the poor who cannot pay ten shillings a year of the rights common to all Christians. Moreover, this uniform contribution is not just. Each one ought to contribute according to his means."

Most assuredly. A sounder principle was never laid down. The Precept by which we are bound to contribute to the support of our Pastors, to the wants of our Church, and the requirements of Divine service, is a general precept binding upon all in proportion to their abilities, for nothing could be more absurd than to suppose that a Catholic who is worth £5000 should contribute no more than the man who possesses but 50 or £100. This would, indeed, be a new exposition of the Parable of the Talents.

Just as we were going to press, we received with deep regret, an account of the death of the Very Rev. Dr. Power the Vicar General of New York.

#### ENFORCEMENT OF CATHOLIC DISCIPLINE AT MADRAS.

We copy from the *Tribune* a correspondence which has lately taken place between the Rt. Rev. Dr. Fennelly Bishop of Madras, and the Governor of that part of India, respecting the interment of a Catholic Soldier, and we beg to direct the special attention of our readers to the following sensible and just declaration on the part of the Governor in Council, viz:—

"Roman Catholics must abide by the rules of the Religion they have been born in or have adopted: AND IF THEY DO NOT THEY MUST TAKE THE CONSEQUENCES"

#### MADRAS.—CHRISTIAN BURIAL REFUSED TO SOLDIERS WHO NEGLECT THEIR RELIGIOUS DUTIES.

To J. F. Thomas, Esq., Chief Secretary to Government.

Fort St George.

SIR—With reference to minutes of consultation dated 18th instant, I have the honour to state for the information of the Right Honourable the Governor in Council, that the ceremony of Christian burial was omitted to be performed at the interment of the late Private William O'Brien, H.M. 25th Regiment K.O.B., agreeably to a decree of Council of Lateran, under Pope Innocent III., in the year of our Lord 1215, at which the Patriarchs of Jerusalem and Constantinople were present, together with seventy Archbishops, four hundred Bishops, seventeen Abbots, eighty Priors of convents, Logates of the Greek and Roman Empire, and Ambassadors of the Kings of Spain, France and England. The decree was subsequently introduced into the Roman Ritual, and is found in the present authorised edition published by Paul V. in 1614, and was confirmed in the Council of Trent (Session 13, Canon 9, and Session 14, Canon 8,) as far as it came within the province of the Bishops therein assembled in affirming the doctrines of the Catholic Church against the tenets of the Reformation. The duties of annual confession and communion required of the deceased could be performed in Hospital, and ought to be the more punctually observed (according to our notions) by persons in a delicate state of health. Persons, who wish to live and die in the Communion of the Catholic Church, have no reason to complain of the penalties decreed for the neglect of their duties. The brother of Private William O'Brien, knowing that his brother was not entitled to Christian burial, went to the Rev. Mr. Fitzsimons to speak about the matter, and having been informed that no exception would be made in favour of his brother to the prejudice of the discipline of the Church, he came to see what I had to say. I told him that it was my duty and practice to adhere to the Roman ritual; that I had no authority to set aside a general law of the Church; and that were I to relax the law in any particular case in favour of any one, rich or poor, I would have no principle to justify its enforcement in any other case, and would thereby incur the responsibility of setting aside in this vicariate, a point of ecclesiastical discipline to which considerable importance has been attached for more than six hundred years, throughout the universal Church. The brother of the deceased went away with a full understanding of my determination. He appeared somewhat dissatisfied, as was natural for a person in his circumstances, but he uttered no word of murmuring or complaint. I ordered the grave to be opened as usual in St. Patrick's Oratory, in order that the corpse might be interred there, if the brother thought well of it. The alternative was open to him of seeking interment elsewhere, if he preferred it. In either case I could not anticipate the delay of the funeral party at the graveyard, which I find to have occurred. If the brother of the deceased had adopted the alternative of seeking interment elsewhere, he should have given due notice to the authorities, and the necessary preparations would have been made to follow up the course proposed. If, on the other hand, he made up his mind to submit to the discipline of the Catholic Church by causing his brother to be interred without the services of a Priest and the customary prayers and ceremonies on such occasions, he could have told the officer commanding the funeral party, after half a minute's delay, that the attendance of a Priest was not expected. It is presumed that the sergeant of the party, who after a delay of half an hour informed the officer in command that the Priest refused to perform the Church service, had no information at the expiration of half an hour, which he could not