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## CARDINAL WISEMAN'S APPEAL TO THE ENGLISH CATHOLICS.

(Continued.)

2. The appointment of a Catholic Hierarchy does not in any way deprive the English Establishment of a single advantage which it now possesses. Its Bishops retain, and, for anything that the new Bishops will do, may retain for ever, their titles, their rank, their social position, their pre-eminence, their domestic comforts, their palaces, their lands, their incomes, without diminution or alteration. Whatever satisfaction it has been to you till now to see them so elevated above their Catholic rivals, and to have their wants so amply provided for, you will still enjoy as much as hitherto. And the same is to be said of the Second Order of Clergy. Not an Archdeacon, or Dean, or Canon, or benefice, or living, will be taken from them, or claimed by the Catholic Priesthood. The outward aspects of the two Churches will be the same. The Catholic Episcopacy and the Catholic Priesthood will remain no doubt poor, unnoticed by the great and by the powerful so soon as the present commotion shall have subsided, without social rank or pre-eminence. If there be no security for the English Church in this overwhelming balance in its favor of worldly advantages, surely the exclusion of Catholics from the possessions of local sees will not save it. It really appears to be a wish on the part of the clerical agitators to make people believe that some tangible possession of something solid in their respective sees has been bestowed upon the new Bishops; "something territorial," as it has been called. Time will unmask the deceit, and show that not an inch of land or a shilling of money has been taken from Protestants and given to Catholics.

3. Nor is an attempt made to diminish any of the moral and religious safeguards of that establishment, which views our new measure with such watchful jealousy. Whatever that institution has possessed or done, to influence the people or attach its affections, it will still possess, and may continue to do. That clear, definite, and accordant teaching of the doctrines of their Church, that familiarity of intercourse and facility of access, that close and personal mutual acquaintance, that face to face knowledge of each other, that affectionate confidence and warm sympathy, which form the truest, and strongest, and most natural bonds between a Pastor and his flock, a Bishop and his people, you will enjoy to the full, as much as you have done till now. The new Bishops will not have occasion to cross the path of the Prelates of the Anglican Establishment in their sphere of duty; they will find plenty to do, besides their official duties, in attending to the wants of their poor spiritual children, especially the multitude of poor Irish, whose peaceful and truly Catholic conduct, under the whirlwind of contumely which has just assailed them, proves that they have not forgotten the teaching of their Church—not to revile when reviled, and when they suffer, not to threaten.

4. But, in truth, when I read the frequent boasting of the papers, and the exulting replies of Bishops, that this movement in the Catholic Church, instead of weakening has strengthened the Established Church, by rousing the national Protestantism, and awakening dormant sympathies for its Ecclesiastical organisation, I cannot but wonder at the alarm which is expressed. The late measure is ridiculed as powerless, as effete, as tending only to the overthrow of Popery in England. Then act on this conviction; show that you believe in it; give us the little odds of a title, which bestow no power, rank, wealth, or influence, on him that bears it, and keep undisturbed those other realities, and let the issue be tried on these terms, so much in your favor. Let it be a fair contention, with theological weapons and fair arguments. If you prevail, and Catholicity is extinguished in the island, it will be a victory without remorse. It will have been achieved by the power of the Spirit, and not by the arm of flesh: it will prove your cause to be Divine. But, if in spite of all your present advantage, our religion does advance, does win over to it the learned, the devout, and the charitable—does spread itself widely among the poor and simple—then you will not check its progress by forbidding a Catholic Bishop to take the title of Hexam or of Clifton.

But it will be, no doubt, said, that many who do not greatly sympathise with the Establishment are indignant at the late measure, not because Catholics have obtained a Hierarchy, but because its appointment is the work of the Pope. This interference of Rome has aroused so much public feeling. Let us, then, inquire into this point.

### § III.—HOW COULD CATHOLICS OBTAIN THEIR HIERARCHY?

We have seen that, not only we possess a full right, by law, to be governed by Bishops; but that we have an equal right to be governed by them according to the proper and perfect form of Episcopal government—that is, by Bishops in ordinary, having their Sees and titles in the country.

If we have a perfect right to all this, we have no less a perfect right to employ the only means by which to obtain it.

We have seen that Catholics are allowed by law to maintain the Pope's supremacy in Ecclesiastical and religious matters; and one point of that supremacy is, that he alone can constitute a Hierarchy, or appoint Bishops. Throughout the Catholic world this is the same. Even where the civic power, by an arrangement with the Pope, names—that is, proposes—a person to be a Bishop, he cannot be consecrated without

the Pope's confirmation or acceptance; and if consecrated already, he can have no power to perform any function of his office without the same sanction.

If, therefore, the Catholics of this country were ever to have a Hierarchy at all, it could only be through the Pope. He alone could grant it.

This is no new or unknown doctrine: it has long been familiar to our statement, as well as to every one who has studied Catholic principles.

Lord John Russell, in his speech in the House of Commons, August 6, 1846, thus sensibly speaks upon the subject:—"There is another offence of introducing a Bull of the Pope into the country. The question is, whether it is desirable to keep up that or any other penalty for such an offence. It does not appear to me, that we can possibly attempt to prevent the introduction of the Pope's Bulls into this country. There are certain Bulls of the Pope which are absolutely necessary for the appointment of Bishops and Pastors belonging to the Roman Catholic Church. It would be quite impossible to prevent the introduction of such Bulls."

Lord Chancellor Lyndhurst: "They tolerated the Catholic Prelate, and they knew that these Prelates could not carry on their Church establishments, or conduct its discipline, without holding communication with the Pope of Rome. No Roman Catholic Bishop could be created without the authority of a Bull from the Pope of Rome; and many of the observances of their Church required the same sanction. The moment, therefore, that they sanctioned the observance of the Roman Catholic Religion in this country, they by implication allowed the communication (with the Pope) prohibited by this statute, and for which it imposed the penalties of high treason. If the law allowed the doctrines and disciplines of the Roman Catholic Church, it should be permitted to be carried on perfectly and properly; and that could not be without such communication. On these grounds he proposed to repeal the act." (13th Eliz.)

These quotations prove that in both Houses of Parliament the principle has been clearly laid down, that if Catholics are to have Bishops at all, the Pope, and the Pope alone, can make them for them. Then it enters as completely into the principle of religious liberty that the Pope should name the Hierarchy, as that Catholics should have the right to possess one—a right as necessary for them as it is for the Wesleyans that of having conferences with superintendents.

But it may be said, what induced the Pope to appoint this Hierarchy now, and in so sudden a manner?

For an answer to this question I must refer you to my introduction, in which you will find, I trust, a satisfactory one. You will see that the Pope has finally granted now to his Catholic children in England what they had petitioned for and obtained three years ago; and that if half the attention had been paid to our affairs then, which they receive now, the public would have known all about it. I will only repeat what I have there observed; that, in what has been done, the Pope has entirely acted, not only in accordance with the wishes, but at the earnest petition of his Vicars-Apostolic, and has seconded a warm desire of the great body of Catholics in England.

Let me, then, sum up briefly what I have proved thus far.

1. Catholics are not bound to obey, or to consider as their Bishops, those appointed by the Crown, under the Royal Ecclesiastical supremacy, which legally they are not bound to hold.

2. Catholics belong to a religion fully tolerated, and enjoying perfect liberty of conscience, which is Episcopal, and requires Bishops for its government.

3. There is no law that forbids them to have such Bishops, according to their proper and ordinary form.

4. That form is, with ordinary jurisdiction, local Sees, and titles derived from them—that is, a Hierarchy.

5. They were fully justified in employing the only means in their power to obtain this form of Ecclesiastical government—that is, by applying to the Holy See.

6. And they have not acted contrary to any law, by accepting the gracious concession of what they asked.

But it will be said, that though we, the Catholics, may have kept within the bounds of law, the act of the Pope is derogatory from, and contrary to, the Royal prerogative. Let us see.

### § IV.—DOES THE APPOINTMENT OF A CATHOLIC HIERARCHY TRENCH ON THE PREROGATIVE OF THE CROWN?

This is, indeed, a delicate question; and yet it must be met. Every address and every reply of Bishops and Clergy assumes that the Royal prerogative has been assailed.

But this is nothing compared with the address to her Majesty by some hundred members of the bar, to the effect that by this measure "a foreign potentate has interfered with her Majesty's undoubted prerogative, and has assumed the right of nominating Bishops and Archbishops in these realms, and of conferring on them territorial rank and jurisdiction."

One naturally supposes that those who signed this memorial, being professionally learned in the law, have studied the question—have come to a deliberate conclusion as to the truth of their assertion. On ordinary occasions one would bow to so overwhelming an authority; on the present, I think we shall not be wrong in demurring to its award.

There is one point which I would beg respectfully to suggest to the consideration of persons better versed in law than I am.

In this document, and in many other similar ones, including the Premier's letter, the Pope's acts are spoken of as real, and taking effect. The Pope has "assumed a right;" he "has parcelled out the land;" he "has named Archbishops and Bishops." If, according to the oath taken by non-Catholics, the Pope not only ought not to have, but really "has" not power or jurisdiction, "spiritual or Ecclesiastical," in these realms, it follows that, according to them, the Pope's Ecclesiastical acts with regard to England are mere nullities, and are reputed to have no existence. It is as though the Pope had not spoken, and had not issued any document. To act otherwise is to recognise an efficient act of power on his part.

I am confirmed in this view by Lord John Russell's explanation of the Protestant oath. "The oaths now taken are not altered. We shall continue to take the oath, that 'the Pope has not,' &c.; thought at the same time there is no doubt, in point of fact, that he exercises a spiritual authority in these realms. I have always interpreted the oath to be, that, in the opinion of the person taking it, the Pope has not any jurisdiction which can be enforced by law, or ought not to have." According to this test, the Pope (permissively, at least) does exercise a spiritual jurisdiction in England, and is within the limits of that toleration, so long as he does not exercise a jurisdiction which can be enforced by law, or purporting or claiming to be a jurisdiction enforceable by law. Now, no one for a moment imagines that the Pope, or the Catholics of England, or their Bishops, dream that the appointment of the Hierarchy can be "enforced by law." They believe it to be an act altogether ignored by the law; an act of spiritual jurisdiction, only to be enforced upon the conscience of those who acknowledge the Papal supremacy by their conviction and their faith.

Has this assumption of titles been within the terms of the law? Is there any law forbidding the assumption of the title of Bishop? A certain Dr. Dillon assumed it, and ordained what he called Presbyters, and no one thought of prosecuting him. The Moravians have Bishops all over England, and so have the Irvingites, or Apostolics; yet no one taxes them with illegality. Then our taking the title of Bishops merely, constitutes no illegality. Is there any law that forbids our taking the title from any place not being a see of an Anglican Bishop? No one can say that there is.

Then I ask those more learned in the law than myself, can an act of a subject of her most gracious Majesty, which by law he is perfectly competent to do, be an infringement of her Royal prerogative? If not, then I trust we may conclude that by this new creation of Catholic Bishops that prerogative has not been violated.

No one doubts that the Bishops so appointed are Roman Catholic Bishops, to rule over Roman Catholic flocks. Does the Crown claim the right, under its prerogative, of naming such Bishops?

It will be said that no limitation of jurisdiction is made in the Papal document, no restriction of its exercise to Catholics; and hence Lord John Russell and others conclude that there is in this Brief "a pretension to supremacy over the realm of England, and a claim to sole and undivided sway." Every official document has its proper forms; and had those who blame the tenor of this taken any pains to examine those of Papal documents, they would have found nothing new or unusual in this. Whether the Pope appoints a person Vicar-Apostolic or Bishop in ordinary, in either case he assigns him a territorial Ecclesiastical jurisdiction, and gives him no personal limitations. This is the practice of every Church which believes in its own truth, and in its duty of conversion. What has been done in this brief, has been done in every one issued, whether to create a Hierarchy or to appoint a Bishop.

### § V.—HAS THE MODE OF ESTABLISHING THE HIERARCHY BEEN "INSOLENT AND INSIDIOUS?"

The words in this title are extracted from the too memorable letter of the First Lord of the Treasury. I am willing to consider that production as a private act, and not as any manifesto of the intentions of her Majesty's Government. Unfortunately, it is difficult to abstract one's mind from the high and responsible situation of the writer, or consider him as unpledged by anything that he puts forth. There are parts of the letter on which I would here refrain from commenting, because they might lead me aside, in sorrow, if not in anger, from the drier path of my present duty. I will leave it to others, therefore, to dwell upon many portions of that letter, upon the closing paragraph in particular, which pronounces a sentence as awfully unjust as it was uncalculated for, on the religion of many millions of her Majesty's subjects, nearly all Ireland, and some of our most flourishing colonies. The charge, uttered in the ear of that island, in which all guarantees for genuine and pure Catholic education will of necessity be considered, in future, as guarantees for "confining the intellect and enslaving the soul," all securities for the Catholic religion as security for the "nummeries of superstition," in the mind of their giver—guarantees and securities which can hardly be believed to be heartily offered—the charge thus made, in a voice that has been applauded by the Protestantism of England, produces in the Catholic heart a feeling too sickly and too deadening for indignation; a dismal despair at finding that, where we have honored, and supported, and followed for years, we may be spurned and cast off the first moment that popularity demands us as its price, or bigotry as its victim.

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that such feelings as that letter disclosed existed in the head of our Government on the subject of the Hierarchy, that, having occasion to write to his Lordship on some business, I took the liberty of continuing my letter as follows:—

"Vienna, Nov. 3, 1850.

"My Lord—I cannot but most deeply regret the erroneous, and even distorted view which the English papers have presented, of what the Holy See has done in regard to the spiritual government of the Catholics of England. But I take the liberty of stating that the measure now promulgated was not only prepared, but printed three years ago, and a copy of it was shown to Lord Minto by the Pope, on occasion of an audience given to his Lordship by his Holiness. I have no right to intrude upon your Lordship further in this matter beyond offering to give any explanation which your Lordship may desire, in full confidence that it will be in my power to remove, particularly the offensive interpretation put upon the late act of the Holy See, that it was suggested by political views, or by any hostile feelings. And, with regard to myself, I beg to add that I am invested with a purely Ecclesiastical dignity—that my duties will be what they have ever been, to promote the morality of those committed to my charge, especially the masses of our poor, and keep up those feelings of good will and friendly intercommunication between Catholics and their fellow-countrymen, which I flatter myself, I have been the means of somewhat improving. I am confident that time will soon show, what a temporary excitement may conceal, that social and public advantages must result from taking the Catholics of England out of that irregular and necessarily temporary state of government in which they have been placed, and extending to them that ordinary and more definite form which is normal to their Church, and which has already been so beneficially bestowed upon almost every colony of the British empire. I beg to apologise for intruding at such length on your Lordship's attention; but I have been encouraged to do so by the uniform kindness and courtesy which I have always met with from every member of her Majesty's Government with whom I have had occasion to treat, and from your lordship in particular, and by a sincere desire that such friendly communication should not be interrupted.—I have the honor to be, my Lord, your Lordship's obedient servant,

(Signed) "N. CARD. WISEMAN.

"The Right Hon. the Lord John Russell,  
First Lord of the Treasury,  
&c., &c., &c."

I give this letter because it will show that there was nothing in my mind to prepare me for that warm expression of feeling that was manifested in the Premier's letter; which, though it appeared a day or two before mine reached him, I must consider as my only reply. And I do not think that the tone of my letter will be found to indicate the existence of any insolent or insidious design.

It is my duty, therefore, now to show calmly and dispassionately, and apart from any party feelings, the reasons which led me and others to believe that no reasonable objection could exist to our obtaining the organisation of our Hierarchy in England.

It was notorious not only that in Ireland the Catholic Hierarchy had been recognised, and even royally honored, but that the same form of Ecclesiastical government had been gradually extended to the greater part of our colonies. Australia was the first which obtained this advantage by the direction of the Archiepiscopal See of Sydney, with Suffragans at Maitland, Hobart-town, Adelaide, Perth, Melbourne, and Port Victoria. This was done openly, was known publicly, and no remonstrance was ever made. Those Prelates in every document take their titles, and they are acknowledged and salaried as Archbishops and Bishops respectively, and this not by one, but by successive governments.

Our North American possessions next received the same boon. Kingston, Toronto, Bytown, Halifax, have been erected into dioceses by the Holy See. Those titles are acknowledged by the local Governments. In an Act "Enacted by the Queen's excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Canada" (12th Vic. c. 136,) the Right Rev. J. E. Guignes is called "Roman Catholic Bishop of Bytown," and is incorporated by the title of "the Roman Catholic Episcopal Corporation of Bytown."

In an Act passed March 21, 1849, (12th Vic. c. 31,) the Right Rev. Dr. Walsh is styled "Roman Catholic Bishop of the Diocese of Halifax, Nova Scotia;" and through the Act he is called "the Roman Catholic Bishop of the said diocese."

Lately, again, after mature consideration, the Holy See has formed a new Ecclesiastical province in the West Indies, by which several Vicars-Apostolic have been appointed Bishops in ordinary.

But there has been a more remarkable instance of the exercise of the Papal supremacy in the erection of Bishops nearer home. Galway is not an Episcopal See till a few years ago. It was governed by a Warden, elected periodically by what are called the Tribes of Galway—that is, by families bearing certain names, every member of whom had a vote. Serious inconveniences resulted from this anomalous state of things, and hence it was put an end to by the Holy See, which changed the wardenship into a Bishopric, and appointed the Right Rev. Dr. Browne, since translated to Elphin, first Bishop of that diocese. Bishop Browne

"Roman Catholic Church (India, &c.) Ordered by the House of Commons to be printed, 16th August, 1850, p. 10.

\* Hansard, vol. lxxxv., p. 1,361.

\* Hansard, vol. lxxxviii., p. 363.