

THE CATHOLIC.

QUOD SEMPER, QUOD UBIQUE, QUOD AB OMNIBUS CREDITUM EST.—WHAT ALWAYS, AND EVERY WHERE, AND BY ALL IS BELIEVED.

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THE CATHOLIC

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EDITOR.

CONVEYANCING.

OR, A LEGAL MODE OF GIVING AN ORANGE.

I give you all and singular my interest and estate, Right, title, claim, advantage, in the orange on that plate,
With all its rind, its pulp, and pipe, its juice as well as skin,
And all right and advantage, to o, that you can find therein ;
With full power at the time to bite, pull, cut, squeeze, suck or eat,
Or otherwise to give away, as fancy may think meet ;
As fully and effectually as I, the said A. B. Am entitled now to bite, cut, suck, as whim induces me ;
Or otherwise to cut the same, or give the same away.
With or without its rind and skin, juice, pulp, and pips, I say,
Or anything hereinbefore or hereinafter said
In any other instrument, or any deeds or deed, To the contrary or anywise, likewise, and notwithstanding ;
With much more to the same effect where rhyme is not commanding.
And such is but a sample of the laws as now they stand, [hand ;
To pass an orange legally and safe from hand to One word left out (and some now are, and others not in place,)
The orange would be forfeited, and none could help the case.

From the Catholic Herald.

THE RT. REV. DR. HUGHES OF GIBRALTAR.

Our readers are already aware that this persecuted prelate has been at length liberated from the felons' jail to which he was consigned by certain nominal Catholics, who, on the pretext of managing the temporalities of the church in Gibraltar, contrived to establish a nefarious system of simoniacal exaction. We give the following articles from the Dublin Freeman, London Times, and Tablet, in order that the readers of the Herald may see still more the real nature of this extraordinary case and the actual state of things in Gibraltar. The subject is one which deserves the attentive consideration of every Catholic, but especially of those who, like some of ourselves, have to guard against the abuse of a system, which, even in its least objectionable form, is too often productive of inconvenience, which has done more than any thing else to retard the progress of religion in America, and wherever else it has been established ; and which if openly contended with, produces differences and dissensions, and if silently submitted to, enslaves the clergy, and changes the house of God into a mercantile speculation. Let those who think otherwise peruse the following extracts.

[From the Dublin Freeman.]

In the year 1704 the important fortress of Gibraltar fell under the dominion of Great Britain. The articles of capitulation made with the commander of the allied

forces secured to the inhabitants the free enjoyment of the Catholic religion, and to the ecclesiastical authorities the free exercise of their rights and functions, and the inviolability of church property. By a secret article of the Treaty of London this fortress was put into the hands of the English, but the Treaty of Utrecht confirmed to the population of Gibraltar the rights guaranteed by the terms of the capitulation ; and these were observed with about as much fidelity as was evinced towards the fallen Irish after the surrender of Limerick. Time, however, and the importance of propitiating the minds of an increasing Catholic population in so important a colony, brought some relaxation of the yoke of iron Protestant rule ; a Spanish or Genoese clergyman was salaried by the crown, under the title of Catholic chaplain to the inhabitants of the garrison ; their principal church remained to them, that of St. Mary the Crowned ; but the spiritual wants of the Catholic soldiers or sailors, or of their wives or children, were not otherwise provided for than in the permission given to attend the celebration of mass to them by a foreign Clergyman.

Ireland was, in the fulness of time, conciliated by the tardy act of emancipation. The Catholic subjects of the realm would no longer endure with patience the privations and contumelies they were subjected to throughout the colonies of Great Britain. The petitions of the Catholics of Gibraltar to the Holy Father for competent spiritual instructors were crowned with success, and Henry Hughes, an Irish ecclesiastic of tried worth and exemplary character, a master of languages as well as a divine, was consecrated Bishop of Heliopolis (*in partibus infidelium*), and nominated, with the approbation of the English ministry, Vicar Apostolic for Gibraltar.

The Bishop, accompanied by his chaplain and secretary, the Rev. P. Wynne, was received by his flock, installed in his church of St. Mary the Crowned, and put into possession of all that remained of the inviolate church property of Gibraltar—a scarcely tenable mansion. The clergyman whom the episcopal authority superseded, and the Committee or Council of Lay Catholics, their governors, received the Bishop with respect: his letters from the Colonial Minister to the Governor are duly presented, and fitting audience granted to the sacred functionary, heralded by the official letters of his Sovereign's Cabinet Minister, while a joyous population of 10,000 souls pour forth their loud acclaim of gratitude to the Holy Father, while invoking the blessings of Heaven on their youthful monarch for the great favour bestowed on them. Harmony and joy marked the opening of the year 1840 on the Rock of Gibraltar.

The dawning of the year 1841 finds this exemplary, and to all appearance favoured Bishop, the inmate of the felons' gaol of that high fortress, by the fiat of a British colonial judge, who denies the anointed Roman the right of appeal to his royal Cæsar, and casts him into prison, because he will not yield obedience to a decree as unjust as it is arbitrary—as foreign to British common law as statute law, or even crown colony law, as it is to the civil or canon law.

A self-elected Parish Committee or Council, or Junta, or Body of Elders (there must be some Scotch teachers amongst them), emulous of the importance of the lay Governors of the Scottish church, seem resolved, with the aid of a British judge, to propound a short process of transforming a Catholic Church, with its flock, into a healthy Presbyterian establishment. Whether this new establishment will prove more manageable in the hands of the Colonial Minister, and more efficient for all the purposes of good moral government, we shall leave to Lord John Russell to satisfy parliament, when he shall have attained the removal of the contumacious Bishop from the head of the Catholic church—a favour the Holy See will, no doubt, grant his lordship, in acknowledgment of the momentous services he has rendered to the Catholics of the British empire since his accession to office!

From the London Times.

A good deal of interest has been raised amongst the Queen's Roman Catholic subjects in Great Britain and Ireland, and some excitement in the European depend-

encies of the crown in which the Roman Catholic church is the religion of the Majority, by the proceedings recently instituted in the supreme court of Gibraltar against Doctor Hughes, the Romish Bishop of Heliopolis and Vicar-Apostolic at Gibraltar. Although we shall not depart from our invariable rule of abstaining from comment or censure on proceedings which are still pending before the proper judicial authorities, the facts of Doctor Hughes's case are so singular that they deserve to be laid before the public.

The Roman Catholic church at Gibraltar is placed by the Treaties of Cession under the protection of the British government. Its head is a prelate who receives a stipend of £800 a-year from the treasurer of the Fortress, under the sanction of the crown. But it appears that the management of the temporalities of this church has devolved for a long time past on a junta or chapter, consisting of certain Roman Catholic laymen of the town, who have hitherto acted in concert with the highest resident dignitary of their church. Dr. Hughes's predecessors accepted the place of chairman of this junta, and conformed to the course prescribed to them by its members. It is not very clear from the statements with which we have been furnished, on what evidence the junta rest their presumptive to govern the church at Gibraltar ; nor are we informed by what mode of election a power of so strange and important a kind has been vested in their hands. The result, however, has been that the ecclesiastical government in Gibraltar has been transformed from the ancient hierarchial order of the Episcopal church throughout the world into a species of Presbyterian Synod. A conflict has arisen between the laymen claiming to exercise this authority and the regularly constituted clerical head of the church in the town ; and it will be seen that this conflict arose upon a point of very serious importance to the well-being of the community and the interests of religion and morality.

It appears that sometime before the arrival of Doctor Hughes in Gibraltar, the junta, or, as they style themselves, the elders of the church of St. Mary the Crowned of Gibraltar, had promulgated a table of parochial fees, to be levied indiscriminately on all classes, for the administration of the most solemn and necessary rites of the church. These fees were as follows :

	BAPTISMS.	DOLLARS.
No. 1—In stole, without organ	2
No. 2—In cope, without organ	3
No. 3—In cope, with organ	4
No. 4—With cope, with organ, and illuminated altar	6
	MARRIAGES.	
No. 1—In the church, by bans	8
No. 2—In the church, by dispensation of bans	24
No. 3—In the house, by bans	24
No. 4—In the house, by dispensation of bans	50
	BANS.	
Publishing the bans, the parties marrying out of the garrison	..	8
Parties marrying out of the garrison, with dispensation of bans	..	44
	FUNERALS.	
First class	..	33
Second class	..	20
Common	..	4
	CHARITY FUNERALS.	
In which there are no pall bearers, and the coffin shall be unfurnished, otherwise the fee of 4 dollars will be levied as in a common funeral	..	0

The masses, funeral honours, and other ceremonies of the Roman Catholic church, were to be paid for at the same rate. This table was put up in the church, and the priests were made personally liable, by order of the elders, to account for the receipt of these enormous dues levied on a poor population for the performance of the most sacred offices of religion ! The consequences were the most disastrous to the morality of the town. To put a tax upon the marriage ceremony exceeding the earnings of a labouring man for a whole month,