



CATHOLIC CHRONICLE.

VOL. I.

MONTREAL, FRIDAY, APRIL 4, 1851.

NO. 34.

LORD STANLEY'S VIEWS ON PROTECTIONISTS AND PROTECTION.

(From the Weekly News.)

Lord Stanley admits that none of the Protectionist party combine the requisite amount of ability and experience to qualify them for office: it follows, by the inevitable laws of logic, that none who combine the requisite amount of ability and experience to qualify them for office are Protectionists. However disagreeable to his party, there can be no doubt that Lord Stanley has spoken the strict truth. No honest man in England, whose intellect exceeds the average of an ordinary country gentleman of the more unimproved breeds, can be induced to take part in the government of this country with the condition of having to try the experiment of raising the price of bread and lowering the standard of life through all the homes of poverty and labor. Those of the dishonest or adventurer species, who might be inclined, for the *clat* of office, to hazard this or any other desperate risk, have been by their chief deliberately pronounced wanting in that ordinary degree of administrative capacity, without which no Government can subsist with decency through the chances of a Session.

Lord Stanley admitted that he was mortified by his failure to form a Government; but what can his mortification be to that of the party by whose incapacity he was forced upon this act of reluctant self-denial? Be it observed, his confession of incompetency was vicarious, not personal. He could not be supposed through any excess of modesty to have recorded the plea of inability on his own behalf; he had held office; has first-rate debating ability, and many of those qualities which would confer *clat*, if not permanence, on any Administration over which he might preside. No, the confession was for the Henleys and the Staffords, the Granbys and the Tyrrells; nay, it is not impossible—such is human ingratitude, and the cold insolence of aristocratic *prestige*—it might have been meant even to extend to the brilliant rhetorician who had earned to himself the right of leadership in the Lower House.

However this may be, this unavoidable failure in the very act of success—this compulsory downfall on the very threshold of power, should really teach its lesson. Government of England by men who are pledged to tax the bread of England is henceforth simply an impossibility. Such is the moral of the late interregnum.

THE PENAL LAWS.

(From the Times.)

We have recently passed through a Ministerial crisis, as everybody knows, of extraordinary length and severity. We have been assured by every actor in that most complicated and inconclusive drama that the obstacle to the formation of a strong, compact, and efficient Government was to be found, not in the clamor for protection to agriculture, nor in the signal miscarriage of the Ministerial Budget, nor yet in the ill-timed opposition to Parliamentary reform, but wholly, solely, and entirely, in the irreconcilable difference of opinion on the question of Papal aggression. This was a matter of principle on both sides, which no anxiety for the public service—no expediency, however manifest—no calls of patriotism, however urgent, could induce them to compromise. Armed to the teeth in stubborn and unbending consistency, and fortified with his letter to Mr. Howard, Sir James Graham was not to be moved; while, firm in conscious rectitude, and determined to perform his duty faithfully to an insulted Crown and an outraged nation, Lord John Russell relied on his letter to the Bishop of Durham, and was equally inexorable. It was a spectacle enough to convince the veriest sceptic of political morality and public principle to see our Premier consent again to undertake the Government of the country with the very identical Cabinet which he had himself dissolved as incompetent only ten days before—ready to endure any given number of minorities, and to run the gauntlet through any species of Parliamentary misadventure, rather than betray those hopes which he had induced the Protestant people of England to repose in him as their champion. Well, the sacrifice has been made, the Ministry has been reconstructed in the full strength of its original weakness, and Parliament and the country naturally look with anxiety to the performance of those pledges for the sake of which so much inestimable time and invaluable support have been so freely and cheerfully sacrificed. How those pledges—for the sake of which the affairs of this great empire are now intrusted to a Government which cannot calculate on a majority in either House of Parliament, and which has only retained office for the purpose of carrying out the wishes of the people with regard to the Roman Catholic question—have been redeemed, our readers will learn from the speeches delivered by Sir George Grey and Lord John Russell in the House of Com-

mons. It is actually determined to strike out of the bill which gave so poor and inadequate an expression to the public feeling, the second clause, which renders invalid all deeds executed under the prohibited style and title, and the third clause, by which all property left or conveyed to persons bearing these illegal titles is forfeited to the Crown. The bill will therefore be reduced to its first clause, imposing a penalty of a hundred pounds for the assumption of an ecclesiastical title taken from any place in the United Kingdom, to be sued for by the Attorney-General.

The effect of the measure is, therefore, this:—It is unlawful for Dr. Wiseman to call himself Archbishop of Westminster, and for Dr. McHale to call himself Archbishop of Tuam, and the Government may, if it please—that is to say, if it is disposed to create a violent disturbance and most pernicious agitation among the Irish Roman Catholics—prosecute the only party who systematically so offends. But it is quite lawful for those persons to convey or receive property under these illegal titles, and all donations or bequests made to or for the purpose of supporting or endowing these dignities which Parliament declares to be illegal and void will be perfectly valid to all intents and purposes. Lord John Russell told us in his famous letter that the assumption of authority by the Pope and the Cardinal was inconsistent with our national independence. He proceeds to legislate against that assumption of authority, and he openly and avowedly sanctions its exercise by withdrawing all prohibition from its endowment, and placing the power of repressing it, not in the hands of the people at large, but of the Government of the day.

In the present state of the question, after the abandonment of the Durham letter by the bill, and of the bill by the amendment, we really think the wisest step would be to send the amendment to join its discarded predecessors. We were prepared—and so we believe were the people of England—to have supported honestly and heartily any measure calculated to assert the dignity of our Crown and the inviolability of our constitution; but the Ecclesiastical Titles Bill, such as the Ministerial retrenchments have left it, is not worth, we do not say a Ministerial interregnum, but a single day's delay or a single hour's debate.

DECLARATION OF THE CATHOLIC LAITY OF ENGLAND.

[The following declaration has been drawn up by a committee, appointed at a meeting of Catholic noblemen and gentlemen, called in London by the Hon. C. Langdale. It has been read, and approved of, by his Eminence the Cardinal-Archbishop of Westminster, and all the Suffragan Bishops. It is intended to receive and publish the signatures of all Catholic gentlemen who may wish to subscribe their names to it. It will be sent to the Catholic booksellers in London and the country. It may also be signed by application by letter to W. J. Amherst, Esq., 4, Boswell-court, Lincoln's Inn, London. It is desirable that the addresses, as well as the names, of subscribers should appear; and all who write letters are requested to write plainly.]

We, the undersigned Catholic laymen of England, seeing that a bill is now under the consideration of parliament, which threatens to inflict penalties on the Catholic Prelates and Ecclesiastics of Great Britain and Ireland, for using or bearing their proper Ecclesiastical titles, as Bishops, or Deans, of the Sees, or deaneries, over which they preside, and to confiscate to the crown all property which may hereafter be devised or bequeathed to them by their Ecclesiastical titles; seeing that the effect of this measure will be to subject the Catholics of this country to losses and penalties for the exercise of their rights, which are— and by the law advisers of the crown have been declared to be—legally theirs—viz., the acknowledgment and use by themselves and their Prelates of Ecclesiastical titles, other than those already appropriated to the Protestant Establishment; seeing, also, that a violent agitation on religious matters has for some months pervaded this country, during which, all that we hold most sacred, our religion, our Pastors, our loyalty, and our integrity, have been insulted and attacked; seeing that all those and other threatened persecutions are alleged to be founded on the act of our Holy Father, Pope Pius the Ninth, who, in the month of September last—exercising a power that belonged to him alone, and by virtue of an authority purely spiritual, and which no Catholic can dispute—was graciously pleased to effect certain changes in the Ecclesiastical system hitherto in force among the Catholics of England; do now feel called upon, in the face of God, our country, and of the whole civilised world, to protest against any interference whatever with our right to the unfettered exercise of our religion; and particularly against the gross and manifest violation of our religious freedom now threatened, in direct contravention both of the spirit and

letter of the Emancipation Act, and of subsequent statutes, and in open defiance of her Most Gracious Majesty's expressed resolution to maintain unimpaired the religious liberty of her subjects. And that this, our protest, may carry with it greater weight, and that all men may know how false and frivolous are the pretences for this invasion of our rights, we have resolved upon publishing the following declarations:—

First, then, we declare, that according to the principles and doctrines, of our holy religion, the Bishop of Rome is the chief Pastor and ruler of the Church, and the supreme earthly head thereof; and that an essential part of this supremacy consists in his right of conferring spiritual and Ecclesiastical jurisdiction on the Bishops of the Church, and of assigning to them portions of territory, called dioceses, as the limits within which such jurisdiction shall be exercised; and of appointing each Bishop to an Episcopal chair, or See, within such diocese, as the seat of the spiritual and Ecclesiastical government of the Church, or body of the Faithful within such diocese; thereby authorising each Bishop to designate himself as (that which, in fact, he is) the Bishop of such See, and to assume and use the title thereof, by which his place and rank and office in the Catholic Church and among its Pastors may be known and recognised. And we further declare that this right belongs to the Bishop of Rome in his spiritual and Ecclesiastical character, as successor of the Blessed Apostle St. Peter, and is in no wise connected with, or dependent upon, his character as a temporal Prince: and we declare that, as the power thus exercised by the Holy Father is of a spiritual and Ecclesiastical nature, so the power imparted to the Bishops, the jurisdiction given, and the Sees and titles granted to them, are purely spiritual and Ecclesiastical, and confer no temporal rank, precedence, or dignity whatever.

II. We declare that in some countries, and in our own, before the change of religion in the sixteenth century, where, by the law of the land, temporal possessions and offices, and civil power, rank, and dignity, were annexed to the Episcopal function (so that, on the appointment of a Bishop, he contracted new temporal obligations to the Sovereign, and acquired a civil status different from other subjects), both the State and the Church did claim an interest in, and exercise a power over, the Bishops and Sees of the Church, so far as acts done or changes made in their regard did then, by the law of the land, directly affect the temporalities of the realm: but we declare that the state never did at any time, or in any country, possess the right to interfere with the appointment, jurisdiction, See, or title of a Bishop, as Bishop of the Church, or on account of his spiritual or Ecclesiastical character and office, but solely on account of the temporal privileges and duties which by law had been annexed to the Episcopacy: and therefore we declare that, since there is no analogy between such cases and the present, inasmuch as our Bishops have acquired by their appointment no new civil status, and possess, as Diocesan Bishops, no temporal privilege, power, or pre-eminence whatsoever; the arguments founded on this false analogy, by which the threatened interference is sought to be justified, are of no weight whatever, and have no real bearing on the question.

III. We deny that any general European law exists whereby (as it is pretended) the right of creating Bishoprics and Bishops is inherent in, or dependent on, the civil power. And we declare that the exercise of the spiritual authority of the Pope, belonging to him as the successor of St. Peter, can only be limited by his own free act or concession. We declare, also, that in some countries the Supreme Pontiff has, accordingly, been pleased, by treaty, concordat, or stipulated terms, in return for recognition or privileges bestowed by the state upon the Church, to allow the state to participate in the appointment of Bishops, or the regulation and division of their diocese (which acts, however, always emanated from himself); but we declare that, as no treaty, concordat, or stipulation has been entered into, or exists, between the government of this country and the Holy Father, therefore, the arguments founded on the false analogy between such cases and the present, in favor of legislative enactment against us, are nothing but colorable pretences for persecution.

IV. We declare that the Holy Father, Pope Pius the Ninth, by redividing the Apostolic Vicariates which had by his predecessors been created in this country into one archdiocese and twelve dioceses, and appointing to them as Bishops, with ordinary powers in the Catholic Church, the Prelates whom, as Vicars-Apostolic, with extraordinary Episcopal powers, we had been accustomed to revere and obey, did not in any way, directly or indirectly, commit any aggression upon, or offer any insult to, either the Sovereign or the people of this country.

V. We declare that the recent change in our Ec-

clesiastical system, useful and desirable as it was with regard to Catholics, did not in the slightest degree injure or affect our Protestant fellow-countrymen, or operate any change in their relations with Catholics. Further, inasmuch as, before the recent arrangements, the country had been divided by the Supreme Pontiff into territorial districts with local limits, called Apostolic Vicariates; inasmuch as Ecclesiastical titles from places within the kingdom had been assumed and used—viz., those of Vicars-Apostolic of the London, Lancashire, Yorkshire, and Welch districts; inasmuch as the Prelates filling those offices were appointed by the Pope; inasmuch as it is absolutely false that the claims to spiritual authority of the Vicars-Apostolic were less extensive (as has been pretended) than those of the Diocesan Bishops: therefore we declare that any justification for the proposed penal enactment, on the ground that a novel and unprecedented extension of the claims of the Catholic Church has been attempted, by the nomination of our Bishops, by parceling out the land of the country, and by conferring Ecclesiastical titles and dignities from places within the realm, is merely specious, and wholly unfounded both in fact and reason.

VI. We declare that the recent creation of our Catholic Hierarchy has not in any way impaired or affected the civil or temporal supremacy of her Most Gracious Majesty, or lessened in any way the dependence of her Majesty's subjects, whether Catholic or Protestant, on her Majesty's courts of justice, or introduced any rule or law, or code of laws, affecting any rights or properties whatsoever, in contravention of or in derogation from the laws of the land. On the contrary, we declare our full belief that her Majesty's courts preserve, since the establishment of the Hierarchy, exactly the same powers that they possessed before of adjudicating on and determining questions involving the rights and property of her Majesty's subjects. Moreover, seeing that her Majesty's courts of justice, exactly as they have hitherto done, will still continue to inquire and to ascertain by evidence what are the religious or Ecclesiastical laws and usages of Catholics, Dissenters, Unitarians, and others, and to make these laws and usages thus ascertained the bases of their decisions on all questions depending on them, whether with regard to trusts or other rights, provided such laws and usages do not contravene or prove inconsistent with the laws and constitution of the realm; seeing that her Majesty's courts, exactly as they have hitherto done, will still continue to refuse to adopt, sanction, or enforce any Ecclesiastical law or religious usages that may contravene or prove inconsistent with the laws and constitution of the realm; seeing that thus the establishment of our Hierarchy has not made, or affected to make, the slightest alteration in the principles or practice according to which her Majesty's courts adjudicate upon and determine questions involving the rights and property of her Majesty's subjects:—we do therefore declare, that any alleged necessity for exceptional legislation with regard to Catholic rights and property, supposed to arise from the establishment of our Hierarchy, has no real existence, and is unworthy of serious notice.

VII. We reject with the utmost scorn and indignation the imputation that we wish for any interference between our revered Prelates and ourselves, or require any protection for our rights and property against them and the powers conferred by the Hierarchy. We regard every attempt made to represent a penal law against our Bishops as a measure passed for our benefit and at our request, as an attack upon our honor. And we make this statement for the express purpose of depriving any person who may again hazard these insinuations (whether he be a professed enemy to our religion, or a secret foe within our own body,) of all credit and attention. Moreover, we protest most strongly against the glaring impropriety of founding measures against the Catholic Bishops, Clergy, and laity, on secret or anonymous information, or on any statements, except such as shall be made openly, and in a manner which will enable us to refute them if untrue.

VIII. We declare that the government of the Catholic Church, through a regularly-constituted Hierarchy of Diocesan Bishops, is the only normal and perfect condition of the Catholic body. The government by Vicars-Apostolic we assert to be abnormal and provisional, and to owe its origin amongst us solely to the religious persecution which so long disgraced the country. We declare that it was never established except from necessity, or meant to be continued after circumstances should permit a return to the ordinary form of government. We declare that its duration in this country has been due to the enfeebled state of our body after a long and cruel persecution; and we utterly deny that it ever was deemed in itself, or is now by us considered, preferable, or even equivalent, to government by Diocesan Bishops. And, therefore, we declare that any attempt by legislative interference, much more by a