

*Despatches respecting the proposed Incorporation of the Vicar Apostolic
of the Roman Catholic Church in Hongkong.*

*Presented to the Legislative Council by Command of
His Excellency the Governor.*

(1.)

Extract from Secretary of State's despatch No. 98 of the 6th November, 1875.

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5. I notice that Bishop RAIMONDI subscribes himself "Vicar Apostolic of Hongkong." This is a title which as you are aware cannot be conceded to him by Her Majesty's Government, and which you will no doubt avoid using in your official communications with him.

I have, &c.,

(Signed), CARNARVON.

(2.)

Governor Sir G. F. Bowen, G.C.M.G. to the Secretary of State.

GOVERNMENT HOUSE,
HONGKONG, 6th June, 1884.

MY LORD,

Enclosure 1.

I have the honour to transmit herewith a letter addressed to your Lordship by Monsignor RAIMONDI, the Roman Catholic Bishop at Hongkong, together with

Enclosures 2 & 3.

Enclosure 4.

other documents relating to it, and the opinion of the Attorney General on the whole case.

2. From this correspondence it appears that the piece of land, known as "Inland Lot No. 50," in this City, is held on lease for a term of seventy-five (75) years, from 1848, granted to "The Sacred Congregation for the Propagation of the Faith," and for a further term of nine hundred and twenty-four (924) years to Bishop RAIMONDI by name. This Leasehold is the property of the Roman Catholic Mission at Hongkong. Circumstances have arisen which make it desirable for the Mission to sell their interest in this land; but, owing to a statement made from the Bench of the Supreme Court by the Chief Justice (Sir GEORGE PHILLIPPO) in a recent case, to the effect that Missionary Societies, not being Incorporated Bodies, are incapable of selling or mortgaging land, the Roman Catholic Mission has not been able to give a marketable title to this property.

3. To meet this difficulty, a short Private Bill, a copy of which is annexed, was, at the instance of Bishop RAIMONDI, brought into the Legislative Council by the Senior Un-official Member (Mr. RYRIE). This Bill purported to authorize the Sacred Congregation for the Propagation of the Faith to sell or mortgage the specific lot in question; but, on consideration by the Law Committee of the Legislative Council, it was considered that this Bill would not have the desired effect; and it was accordingly withdrawn.

Enclosure 5.

4. It will be seen that Bishop RAIMONDI now wishes for an Incorporation Act to enable him to deal with this and similar cases; but as the Attorney General remarks, "he does not state to whom or to what body it is that he desires that incorporation should be granted, whether to the Bishop of Acantho (Bishop RAIMONDI's title), or to the Sacred Congregation, or to the Vicar Apostolic, or otherwise; nor does he say who or what the Sacred Congregation is, or with what authority he applies on behalf of the Sacred Congregation."

5. However, at the urgent request of Bishop RAIMONDI, I forward the case in its present incomplete form; with the hope that your Lordship will furnish me with detailed instructions as to the course to be pursued in the present instance, and with full information as to the guiding precedents which have doubtless been made in other Colonies. In particular, it is desired to have a draft of a Bill which has been sanctioned, in similar instances, elsewhere.

6. I may add that this case is one which, owing to the needs of the Roman Catholic Mission, requires an early decision; that there is no objection (of which I am aware) to the sale of the land in question; and that it is obviously desirable, on many grounds, to facilitate the transfer of landed property in a Colony situated as is Hongkong.

I have, &c.,

(Signed), G. F. BOWEN.

P.S.—June 12th, 1884.—Since the above despatch was written, I have received from Bishop RAIMONDI, (in answer to a letter to him from the Acting Colonial Secretary embodying the opinion of the Attorney General), the annexed reply in explanation of those points which apparently required elucidation. The whole case is now before your Lordship; and, as I have already said, an early decision and full instructions for my guidance respecting it are very desirable.

Enclosure 6.

Enclosure 7.

G. F. B.

The Right Honourable

THE EARL OF DERBY, K.G.,

§c. *§c.* *§c.*

Enclosure 1.

Bishop Raimondi to Secretary of State for the Colonies.

ROMAN CATHOLIC MISSION HOUSE,
HONGKONG, 28th May, 1884.

RIGHT HONOURABLE SIR,

I have been recommended by His Excellency the Governor, Sir GEORGE BOWEN, to address your Lordship in a very important urgent matter which affects very considerably the Sacred Congregation of the Propagation of the Faith in Rome, to whom pertains the Roman Catholic Mission of Hongkong.

Since the year 1845, the Roman Catholic Mission of the Sacred Congregation of Propaganda is in possession of Lot No. 50 in Hongkong. By an Indenture of Crown Lease dated the 14th day of August, 1845, and made between our Sovereign Lady the Queen of the one part and the Sacred Congregation of the Propagation of the Faith of the other part, Her said Majesty did demise, lease, and to farm let unto the Sacred Congregation all that piece or parcel of ground, and premises known and registered in the Land Office Hongkong as Inland Lot No. 50, to hold the same unto the Sacred Congregation for the term of 75 years subject to the payment of a certain sum to be paid on or before the sealing and delivery of the Indenture to the Governor at the time being of Hongkong for the use of the said Majesty, and also subject to an annual rent, &c., and by a further Indenture dated the 30th day of April, 1879, the said term was extended for a further period of 924 years. The sum requested for the price of the ground was paid, the receipt whereof is acknowledged in the Crown Lease. The Crown Rent was annually paid consisting of £58 per year for 39 years till now, and a receipt given by the Government. When His Excellency Sir RICHARD MACDONNELL thought to have power to remit a part of the heavy Crown Rent on Lot 50 on behalf of the Sacred Congregation of the Propagation of the Faith, the Right Honourable the Secretary of State at the time strongly objected and refused to approve of it. All this was certainly to be taken as recognizing the Sacred Congregation of Propaganda as owner of the Lot 50, with all the power to hold and to dispose of the said Lot, and it was in that persuasion only that the Sacred Congregation of Propaganda has on the said piece or parcel of ground at its own expense erected a Cathedral Church, Presbytery and Schools. The said Cathedral Church, Presbytery and School buildings having lately become too small for the needs of the Roman Catholic Mission of Hongkong, and being very inconveniently situated, the neighbourhood having changed to the worse, the Roman Catholic Mission of the said Sacred Congregation of the Propaganda have, out of their own moneys, purchased more than three years ago, other lands more favourably situated and have erected new and spacious schools thereon, and have laid the foundation of and are now in course of erecting on another portion of the said land a Cathedral Church more suited to the needs of the Mission. The contracts for carrying on the works have been made and signed, and we calculated to have the necessary funds to do it from the result of the sale which we intended to have of the said Lot 50. In fact, the Lot 50 was sold once at the end of 1881; the sale was carried on and no question about the title was raised. The conditions of sale, however, not having been complied with, the property returned to us. In the beginning of this year we were about to sell it again, or to have a loan by mortgaging the said Lot 50, when on

the occasion of a case at the Supreme Court in which the London Missionary Society were concerned, the Chief Justice, Sir GEORGE PHILLIPPO, declared, that the Missionary Societies in Hongkong could not suit, as they were not recognized as Incorporated, and that it was necessary that they should apply to the Legislature which could by an Ordinance give the Trustees the power to sell. Doubts arose therefore for the first time in Hongkong as to whether the Sacred Congregation of the Propagation of the Faith are entitled to mortgage and sell the said land and premises. The doubts which have arisen caused great damages to the Sacred Congregation of Propaganda, and put them in a very great financial embarrassment, the works of the new Cathedral being urgent and it being impossible to stop them. We applied therefore to the Local Legislature for a Bill to empower the Sacred Congregation of Propaganda to mortgage and to sell the said Lot 50; but the Attorney General declared that the Sacred Congregation of the Propagation of the Faith was a mere aggregate of persons having no legal standing, and before the law not existent, that nothing therefore short of an Incorporating Act could be of any value, and that it was necessary to refer this matter for the instructions of your Lordship before legislating in the Colony. His Excellency Sir GEORGE BOWEN, the present Governor, is very much interested on our behalf, but the Government is obliged to follow the advice of the Attorney General. We have the assurance that His Excellency the Governor is well disposed to recommend the matter to the immediate and favorable consideration of your Lordship.

Therefore we earnestly apply to you, Right Honourable Sir, praying that your Lordship would kindly authorize the Legislature of Hongkong to pass a measure of the kind desired.

Besides Lot 50 we have several other properties in Hongkong, some in the name of the Catholic Authorities of the time being as Trustees of the Sacred Congregation of the Propagation of the Faith, and some in the name of the Prefects and Vicars Apostolic and their successors. If we could have a Bill comprehending all the different properties it would do better; but, at any rate, the most urgent is the present case of Lot 50. The longer the present state of things lasts, the greater will be the damages inflicted on the Sacred Congregation of Propaganda.

We have already informed the Sacred Congregation of Propaganda in Rome of the case and we have sent to them a certified copy of the Crown Lease, Lot 50. We need not mention that we have made Hongkong the Head Quarter of the Catholic Missions in China; large capitals have been invested in the Colony by the Roman Catholic Mission, and it would be quite disadvantageous both to the Sacred Congregation of Propaganda and to the English Government, were we to place our funds elsewhere. Therefore, we strongly urge the matter, and we have no doubt your Lordship will cause at your earliest convenience the Sacred Congregation of Propaganda to be placed in Hongkong in a legal position, and to put an end to the very disagreeable position we have been reduced to.

I have, &c.,

(Signed), JOHN T. RAIMONDI,
*Bishop of Acantho and
Vicar Apostolic of Hongkong.*

The Right Honourable

PRINCIPAL SECRETARY OF STATE FOR THE COLONIES,

&c.,

&c.,

&c.

Enclosure 2.

Bishop Raimondi to Governor Sir G. F. Bowen, G.C.M.G.

ROMAN CATHOLIC MISSION HOUSE,
HONGKONG, 27th February, 1884.

MAY IT PLEASE YOUR EXCELLENCY,

I trust your Excellency will excuse me for the liberty I take in laying the following statements before your Excellency's kind consideration.

That the Roman Catholic Mission in the name of the Sacred Congregation *de Propagandâ Fide in Rome*, has possessed the Lot No. 50 in this Colony for nearly 40 years. The Lease does not mention any particular object for which the ground should be used, but it is constructed in the same terms used in common leases, and for nearly forty years we paid the Crown rent of \$280.20 yearly, making a total of nearly \$12,000. With our own money, added to that which has been given from our friends out of Hongkong, the residents of Hongkong having only contributed to less than \$10,000, we improved the lot by building a College, a residence, and a Church for the benefit of our Catholic Community, the Colonial Government having contributed nothing towards the erection of the above mentioned buildings.

From the beginning of our coming into the possession of the Lot till a few days ago we have always been in the persuasion that we could mortgage or dispose of the property at our own pleasure. Several transactions of other properties than this which were in the same conditions as the present one have taken place and no obstacle of any kind has been put in the way, therefore three years ago, on consideration of the Church becoming too small for the ever increasing Catholic population in Hongkong, which was not more than 1,000 when the Church was built and now reaches 5,000, likewise of the roof of the Church being in bad condition, the repairs of which will entail very large expenses, and of the neighbourhood having changed for the worst and of the danger of fire to which our present Church is exposed at present on account of the former surrounding European houses having been converted into Chinese ones, we determined to buy another property in Glenealy, which we did and where we have already built a fine College, and levelled the ground and laid down the foundation of the new Cathedral at our own cost. When we made those transactions, we naturally contemplated the sale of the Lot No. 50 and to transfer its profit to Glenealy to finish our constructions. But a few days ago we have been informed by our legal adviser that, according to what Sir GEORGE PHILLIPPO said lately from the Bench, we cannot dispose of Lot 50 without the authority of the Legislature. Seeing that we could not sell, we managed to have a loan, and a Company in Hongkong was ready to favour us with, on a mortgage to be placed on Lot 50, but Mr. JOHNSON, the Crown Solicitor, having been consulted said that he could not advise them to do it on account of what the Chief Justice said lately from the Bench. Our position at present is a most awkward one. We must proceed with building the new Cathedral, a contract having been signed, and we are rendered unable to have any means either by selling or by mortgaging. The more we regret it, as we are working not for our own benefit but for the benefit of the Colony, and our whole community is compromised as it is really an urgent matter to transfer the Church and our residence in a better position than it is at present.

I have therefore to request that your Excellency will be pleased to take our case into your consideration and either to grant us such incorporation as was granted in Trinidad to the Archbishop of Port Louis by Ordinance No. 16 of 1870, or, as this will take considerable time, to introduce and pass a special Ordinance reciting the circumstances especially authorizing the sale of Lot No. 50.

I have the honour to be,

Your Excellency's

Most obedient Servant,

(Signed), JOHN T. RAIMONDI,
*Bishop of Acantho and
Vicar Apostolic of Hongkong.*

Enclosure 3.

Bishop Raimondi to Colonial Secretary.

ROMAN CATHOLIC MISSION HOUSE;
HONGKONG, 15th April, 1884.

SIR,

With reference to my letter of the 28th February last to His Excellency the Governor, and to the letter which I wrote to you on the 21st March last in answer to your letter of the 7th March, I beg to inform you that by the direction of the Attorney General a Draft Bill was drawn up which was published in the *Government Gazette* of the 12th April according to the Standing Orders.

I have the honour to send you herewith 16 Copies Draft Bill.

We trust, the Government will not shrink from favouring us and have the Bill passed in the Council at the earliest convenience, in consideration of the very awkward position, in which we have been placed without any fault of ours by some doubts raised for the first time after 39 years of our being in possession of the Inland Lot 50, as to whether we are entitled to mortgage and sell the said land and premises, of which embarrassment we gave notice to the Government by our letter of the 28th February last.

I have the honour to be,

Sir,

Your very obedient Servant,

(Signed), JOHN T. RAIMONDI,
Bishop, Vicar Apostolic.

The Honourable THE COLONIAL SECRETARY.

Enclosure 4.

Report by the Attorney General.

The application of Bishop RAIMONDI contained in his first letter of February 27th 1884, was "to grant us such incorporation as was granted in Trinidad to the Archbishop of Port Louis by Ordinance No. 16 of 1870, or, as this will take considerable time, to introduce and pass a special Ordinance reciting the circumstances especially authorizing the sale of Lot No. 50."

Upon this the Bishop was requested to furnish a copy of the Trinidad Ordinance to which he referred and also the Crown Lease of Lot 50. No Copy of the Ordinance could be obtained. The Crown Lease was furnished and proved to be for 75 years from 1845 "to the Sacred Congregation for the Propagation of the Faith," and for an extended term of 924 years more to Bishop RAIMONDI by name.

In making his application in his letter of February 27th, 1884, the Bishop says:—"We have been informed by our legal adviser that according to what Sir GEORGE PHILLIPPO said lately from the Bench we cannot dispose of Lot 50 "without the authority of the legislature."

And in his letter of April 15th, 1884, he adds that by direction of the Attorney General a Draft Bill was drawn up. This is inaccurate, as the Attorney General gave no direction in the matter.

A Bill was drawn by Mr. J. J. FRANCIS who is the Bishop's legal adviser and was introduced into the Legislative Council, and was intended, as I understood, to provide what Mr. FRANCIS conceived to be necessary to meet the difficulties of the Bishop's position and to do, for the Bishop and those on whose behalf he was acting, what Sir G. PHILLIPPO was supposed to have pointed out as being necessary.

The Bill was subsequently withdrawn as not being sufficient for the purpose desired, and what the Bishop now appears to wish for is "an Incorporation Act."

The observations of the Chief Justice would appear to refer to the difficulties in which Trustees of Charities might find themselves if they wanted to deal with their lands by way of sale or mortgage. But the difficulty of the Bishop appears to be that the Crown Lease of the land with which he wants to deal is to "The Sacred Congregation for the Propagation of the Faith," which is not a body corporate, and that he cannot therefore give a purchaser a good marketable title.

The Bishop does not state to whom or to what body it is that he desires that incorporation should be granted, whether to the Bishop of Acantho or to the Sacred Congregation, or to the Vicar Apostolic or otherwise, nor does he say who or what the Sacred Congregation is, or with what authority he applies on behalf of the Sacred Congregation.

It would be necessary before anything could be done that he should furnish full information upon these points.

If an Ordinance incorporating any body representing the Roman Catholic interest here were passed, it should contain a Section defining the powers of the Corporation with regard to future dealings with its lands.

(Signed), EDWARD L. O'MALLEY.

June 4th, 1884.

Enclosure 5.

Draft Bill.

TO ALL WHOM IT MAY CONCERN.

This is to give notice that the Sacred Congregation of the Propagation of the Faith intends at an early date to apply to the Honourable Legislative Council of Hongkong for a Bill to enable the said Sacred Congregation to sell and dispose of

and in the meantime to mortgage all that piece or parcel of ground known and registered as Inland Lot No. 50, with its appurtenances on which the Roman Catholic Cathedral, Seminary and other Ecclesiastical Buildings, the property of the said Sacred Congregation, now stand, the said Cathedral and Buildings being now too small for the needs of the Mission and inconveniently situate, and the said Sacred Congregation having acquired other and more suitable premises.

Hongkong, 12th April, 1884.

Copy Draft Bill.

Title.

A Bill to enable the Sacred Congregation for the Propagation of the Faith to mortgage and sell certain Property in Hongkong.

Preamble.

WHEREAS by an Indenture of Crown Lease dated the 14th day of August 1845 and made between Our Sovereign Lady the Queen of the one part and the Sacred Congregation of the Propagation of the Faith of the other part Her said Majesty did demise lease and to farm let unto the said Sacred Congregation all that piece or parcel of ground and premises known and registered in the Land Office Hongkong as Inland Lot No. 50 to hold the same unto the said Sacred Congregation for the term of 75 years subject to the payment of the rent and to the observance and fulfilment of the covenants conditions and stipulations in the said Indenture of Crown Lease contained. And whereas by a further Indenture dated the 30th day of April 1879 the said term was extended for a further period of 924 years.

And whereas the said Sacred Congregation has on the said piece or parcel of ground at its own expense erected a Cathedral Church, Presbytery and Schools.

AND WHEREAS the said Cathedral Church, Presbytery and School Buildings have become too small for the needs of the Roman Catholic Mission in Hongkong and are very inconveniently situate.

And whereas the said Sacred Congregation of the Propagation of the Faith have out of their own monies purchased other lands more favourably situate and have erected new and spacious Schools thereon and have laid the foundations of and are now in course of erecting on another portion of the said lands a Cathedral Church more suited to the needs of the Mission.

And whereas the said Sacred Congregation are desirous of selling the said Inland Lot No. 50 with the erections and buildings thereon at the first convenient opportunity and in the meanwhile of raising money thereon by mortgaging the same.

And whereas doubts have arisen as to whether the said Sacred Congregation are entitled, in view of the Law affecting Charities and Charitable Trusts, to mortgage and sell the said land and premises.

And whereas it hath been shown by the said Sacred Congregation of the Propagation of the Faith, that it is desirable and to the advantage of the Roman Catholic Mission in Hongkong that the said Sacred Congregation should be authorised and empowered to sell the said land and premises at the first convenient opportunity and in the meantime to raise money by the mortgage thereof.

Be it enacted by the Governor and Legislative Council of Hongkong:—

1. The said Sacred Congregation of the Propagation of the Faith is authorised and empowered to sell and dispose of the said Inland Lot No. 50 with the erections and buildings thereon and the rights, easements, and appurtenances thereto or commonly held or enjoyed therewith and all their right title claim and demand therein or thereto under the said Indentures of Crown Lease and of Extention thereof at such time and manner and for such price or prices as to the said Sacred Congregation shall think fit and in the meantime to mortgage the same or any part thereof.

2. Nothing herein contained shall affect or be deemed to affect the right of Her Majesty the Queen her heirs or successors or of any bodies politic or corporate or other person or persons except such as are mentioned in this law and those claiming by from or under them.

Enclosure 6.

Acting Colonial Secretary to Bishop Raimondi.

No. 633.

COLONIAL SECRETARY'S OFFICE,
HONGKONG, 5th June, 1884.

MONSIGNOR,

With reference to your letter of the 20th ultimo, and to previous correspondence respecting the same subject, I am directed by the Governor to inform you that His Excellency is advised that the observation of the Chief Justice to which you allude would appear to refer to the difficulties in which Trustees of Charities might find themselves placed, if they wanted to deal with their lands by way of sale or mortgage. But your difficulty in connexion with this Lot appears to be that the Crown Lease of the land is to *The Sacred Congregation for the Propagation of the Faith*, which is not a Body Corporate in English law, and you cannot therefore give a purchaser a good marketable title.

I am to point out that you do not state to whom or to what body it is that you desire that incorporation should be granted, whether to the Bishop of Acantho or to the Sacred Congregation or to the Vicar Apostolic, or otherwise: nor do you say who or what the Sacred Congregation is, or with what authority you apply on its behalf.

I am to add that it would be necessary, before anything could be done in the way of Legislation, that you should furnish full information upon the points mentioned above.

Meanwhile the Governor will transmit by the next mail to the Secretary of State your letter of the 28th May ultimo; and will ask for the instructions of Her Majesty's Government as to how questions of this kind ought to be treated, and enquire what precedents there may be in other Colonies.

I have, &c.,

(Signed), FREDERICK STEWART,
Acting Colonial Secretary.

The Right Reverend
BISHOP J. T. RAIMONDI.

Enclosure 7.

Bishop Raimondi to Acting Colonial Secretary.

ROMAN CATHOLIC MISSION HOUSE,
HONGKONG, 9th June, 1884.

SIR,

I have duly received your letter of the 5th instant, and in reply I beg to state:

1. We were induced to believe that the observations of the Chief Justice were referring to our case from the words attributed by the Press to the Chief Justice—"His Lordship said there were some difficulties in the way of appointing trustees by the Court. In the first place the application was made by the London City Mission, and he did not know that he could take special notice of what the Society

was, not being a corporation." Moreover the doubt thrown on our power of mortgaging Lot 50 by the Crown Solicitor were based on the words of the Chief Justice. The Crown Solicitor said to our friends who wanted to make a new loan to us on mortgaging Lot 50—"After what has been said by the Chief Justice I cannot advise you to do it." On that we moved the Bill, and it appeared at least to us when we proposed it first, that neither the Chief Justice, nor the Attorney General had any objection to it. We regret only to have lost time.

2. As to whom or to what body the incorporation should be granted, the matter ought to be settled first with the Attorney General. I think it should be to the Vicar Apostolic; but it must be such as to comprehend all the titles of our several Crown Leases. I fear, if I have to move the matter by myself, my work might be useless as it has been with the precedent Bill. We must have an Act to prevent all future doubts or difficulties; and I hope the Government will help us in the matter.

3. I did not say who and what the Sacred Congregation is, because I thought the Government knew it before hand. To avoid all misunderstandings, I will give the definition from Professor CAMILLI'S lectures on Canon Law delivered in the Roman Pontifical Seminary and therefore very accurate. In the first volume, p. 259, he defines the Roman Congregations as follows:—*Romæ Congregationes dicuntur Collegia particularia ex aliquod Cardinalibus aliisque viris prestantissimis in Urbe (Romæ) constituta pro nonnullis negotiis curandis discutiendis et definiendis.*

At page 267 he defines the nature of the Congregations of the Propagation of the Faith:—*Congregatio Propagandæ Fidei præest omnibus Missionibus in partes Infidelium et intuitu Missionum predicta est amplissimis facultatibus siquidem in se una Congregationum plurium aliarum officia complectitur, et constituit organum generale per quod Romanus Pontifex necessitatibus Missionum providet. Constat, prout cæteræ, Prefecto Secretario etc.*

The present prefect of the Congregation is Cardinal SIMBONI. To give you an idea in my way of viewing the matter, I would in *lato sensu* compare the Sacred Congregation of Propaganda to the Colonial Office, and I would say, with something of the Foreign Office, as the Propaganda likewise presides to the interest of the Catholic Church in England, Ireland and the English Colonies always under the control of the Pope. It is the Propaganda which published lately a series of letters concerning Ireland showing its consistent policy in recommending to the Catholics of Ireland loyalty to the Queen and respect to the authorities.

4. You ask me, on what authority I apply on behalf of the Propaganda—I answer: In force of the organisation of the Catholic Church by having been myself entrusted by the Sovereign Pontiff the Pope through the Sacred Congregation of the Propagation of the Faith with the charge of the Catholic Mission of Hongkong.

5. By the last mails I have referred the case to the Sacred Congregation to whom I have likewise sent a certified copy of the Crown Lease of Lot 50. As soon as I shall receive instructions it will be my duty to communicate them to you.

6. The only thing I regret after all is that no arrangements could be found in such case of emergency. The doubts which have arisen for the first time on our power of mortgaging and selling Lot 50 will, we fear, if not removed soon, contribute to lessen the value of our property. Such a ground as Lot 50 which was called by the Surveyor General a very precious property, located in the centre of the

town, could not in future be sold as before at a very high price, as people will always be afraid of buying it, and both the Catholic Community and the Colony of Hongkong will suffer, the former by not being able to have the new Cathedral finished in time to supply its imperious wants caused by its daily increasing, and the latter by our not being able now to get sufficient funds, by the sale of the Lot, to ornament the exterior of the Church, as much as we had desired to render the Cathedral a worthy monument of the Colony.

Thanking His Excellency the Governor for his kindness of transmitting my letter to the Secretary of State for the Colonies.

I have, &c.,

✠ JOHN T. RAIMONDI,
*Titular Bishop of Acantho,
and Vicar Apostolic of Hongkong.*

Honourable F. STEWART,
Acting Colonial Secretary,
HONGKONG.

(3.)

Secretary of State to Governor Sir G. F. Bowen, G.C.M.G.

DOWNING STREET,
2nd August, 1884.

SIR,

I have the honour to acknowledge the receipt of your despatch No. 210 of the 6th of June, transmitting a letter addressed to me by Bishop RAIMONDI, together with annexed correspondence, on the subject of the difficulties which have arisen in regard to the disposal of certain property in the Colony leased to the "Sacred Congregation for the Propagation of the Faith," and requesting instructions.

I enclose copies of two Ordinances of the Legislature of Trinidad which may be of use to you in dealing with this question. I shall have no objection to the enactment of an Ordinance containing the following provisions:—

- a. It should incorporate either the person for the time being holding some office in the Church of Rome in Hongkong, e. g. the Bishop or the Vicar Apostolic as in the case of the Roman Catholic Archbishop of Port of Spain under the Trinidad Ordinance No. 16 of 1870 (copy enclosed), or a body of trustees to be appointed from time to time, in some manner to be prescribed by the Ordinance, as in the case of the Church of England in Trinidad under the Ordinance No. 8 of 1873.
- b. It should vest in such Corporation Lot 50 and the other property of the Church of Rome in Hongkong.
- c. It should empower such Corporation to acquire and hold property for the use of the Church of Rome.

d. It should empower such Corporation to sell, mortgage, and otherwise dispose of any property for the time being vested in it with such consent (if any) as it may be thought desirable to make necessary; the provisions however for vesting in the new Corporation Lot 50 or any other property which may have been leased to the Sacred Congregation of the Propagation of the Faith should not be enacted without the consent of the Sacred Congregation, for which I understand the Bishop has applied, and care should be taken to impose on the Corporation all the obligations imposed or expressed to be imposed on the lessee by the leases of any property the leasehold interest of which is transferred by the Ordinance.

I have, &c.,

(Signed), DERBY.

Governor Sir G. F. BOWEN, G.C.M.G.,

&c.; &c., &c.

Enclosure in the above.

TRINIDAD.

No. 16, 1870.

An Ordinance enacted by His Excellency the Governor of Trinidad, with the advice and consent of the Legislative Council, for the Incorporation of the Roman Catholic Archbishop of Port of Spain.



(Signed), J. R. LONGDEN.

August 4th, 1870.

BE it enacted by His Excellency the Governor, with the advice and consent of the Legislative Council, as follows:—

1. The Most Reverend HYACINTH JOACHIM LOUIS GOVIN, the Roman Catholic Archbishop in this Island, and his Successors in Office, or the Roman Catholic Dignitary for the time being having the Supreme Ecclesiastical Jurisdiction in this Island, in the Roman Catholic Church, shall be a Body Corporate, and have the name of "The Roman Catholic Archbishop of Port of Spain," and by that name shall have Perpetual Succession, and shall have full Power to purchase, take, hold and enjoy all Lands, Messuages and Hereditaments of what nature or kind soever in Perpetuity or for a Term of Life or Years, and also all manner of Goods and Chattels whatsoever, and may sue and be sued in all Courts of Justice, and before all Magistrates in this Island, and shall and may have and use a Common Seal, and the said Seal may, from time to time break, change, alter or make anew, as to the said Corporate Body may seem fit.

Passed in Council, this First day of August, in the Year of Our Lord One Thousand Eight Hundred and Seventy.

(Signed), A. C. ROSS,
Clerk of the Council.

(4.)

Bishop Raimondi to the Colonial Secretary.

ROMAN CATHOLIC MISSION HOUSE,
HONGKONG, 10th April, 1885.

SIR,

Referring to certain remarks made in Council on Wednesday last, on the subject of the Bill for the Incorporation of the Roman Catholic Vicar Apostolic of Hongkong, I beg to inform you that the Head of the Roman Catholic Church in Hongkong will always be a Vicar Apostolic. On the death or in the absence of the Vicar Apostolic, the Senior Priest on the Mission succeeds him as Pro-Vicar, either by special or general appointment; the Vicar Apostolic will generally be a Bishop of some Titular See, but need not necessarily be so.

I have the honour to be,

Sir,

Your obedient Servant,

JOHN T. RAIMONDI,
Bishop, Vicar Apostolic.

Honourable W. H. MARSH,
Colonial Secretary.