LEGAL ARGUMENTS,

OCCASIONED BY THE PROJECT OF

AN UNION

BETWEEN

GREAT-BRITAIN and IRELAND,

ON THE EXCLUSION OF THE

ROMAN CATHOLIC NOBILITY AND GENTRY IN BOTH KINGDOMS,

FROM

Parliament.

BY A MEMBER OF THE HONOURABLE SOCIETY OF LINCOLN'S INN.

Sine ira et ſtudio, quorum cauſas procul habeo. *Tacitus.*

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Houses of the Oireachtas

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LEGAL ARGUMENTS.

THE project of an Union between Great-Britain and Ireland, has already excited conſiderable diſcuſſion. It is not meant in the following pages to offer any obſervations relative to the propriety of a meaſure on which the moſt able and enlightened men are divided in opinion. The expediency of an Union is only a *preliminary* conſideration: many great queſtions reſpecting the execution of the project remain to be determined. Before a work ſo grand and ſo difficult as the uniting of two Kingdoms ſo peculiarly circumſtanced can be completely effected, it will be neceſſary to review, to modify, perhaps to repeal, ſeveral particular laws in both countries. This taſk muſt obviouſly appear from many circumſtances to be indiſpenſable, and if it be negligently performed, the Union may create evils more deſtructive than the diſorders ſought to be remedied.

It has been ſuggeſted, that further relief may poſſibly be granted to Roman Catholics. The moſt ſevere diſability under which they ſtill labour is that, by which they are excluded from Parliament.

The object of the following arguments is to prove, that whether the project of the Union be accompliſhed or abandoned, the Roman Catholic Nobility and Gentry in either caſe ought, agreeably to the *principle of exiſting laws, and of the Conſtitution of the Government, as by law eſtabliſhed*, to be reſtored in both Kingdoms to the right of ſitting and voting in Parliament.

It certainly cannot be neceſſary to apologize for entering upon the diſcuſſion of a ſubject, which has been ſtarted in the very firſt pamphlet written on the projected Union. It may not however be improper to premiſe, that it is not ſought in the following publication to deceive by ſpecious miſrepreſentation, but to convince by cold diſpaſſionate reaſoning, and by *legal* argument, ſubmitted, not to implacable animoſity and virulent prejudice, but to calm reflection and to conſiderate judgment.

It will be regular to begin by conſidering the caſe of the Roman Catholic Nobility and Gentry of England. They were excluded from Parliament earlier than in Ireland, and the diſability was extended to that Kingdom by a ſubſequent ſtatute enacted in England. If it ſhould appear that the Roman Catholics of England have a founded claim upon the indulgence of the Britiſh Legiſlature, many difficulties in repealing the diſability in Ireland may be obviated, and perhaps, the grand work of general unanimity, ſo devoutly to be wiſhed in that diſtracted country, more eaſily and effectually accompliſhed.

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ENGLAND.

It is very generally imagined by perſons not converſant with legal enquiries, that the Roman Catholic Nobility and Gentry of England, are diſabled from ſitting and voting in Parliament, by laws affecting not *them alone*, but all who are denominated in law Proteſtant Diſſenters. The contrary is the truth: to Methodiſts, Preſbyterians, Arians, Socinians, to all perſons differing from the Eſtabliſhed Church, to Engliſhmen of every religious perſuaſion, *except to Roman Catholics*, Parliament is open. The Roman Catholics alone are excluded, by the operation of an act paſſed in the 30th of Charles the Second, ſt. 2. c. 1. entitled, "*An Act for the more effectual preſerving the King's Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament.*"

By this act all Roman Catholic Peers (many of whoſe anceſtors obtained their titles as the reward of illuſtrious actions, which adorn the annals of Great-Britain, and conſtitute the pride and glory of every Engliſhman), are reſtrained from exerciſing the moſt honourable privilege of Peerage: by this act alſo, the Roman Catholic Gentry, conſiſting of ſeveral ancient and diſtinguiſhed families, are debarred from the birth-right of every Engliſh Gentleman of property, the right of repreſenting when elected, *Counties*, *Cities*, and *Boroughs* in Parliament. Theſe Rights the Roman Catholics had enjoyed while groaning under moſt ſevere perſecution: by this act, paſſed *expreſsly*, and *ſolely* againſt *them*, they were deprived of what till then, the moſt ſanguinary * ſtatutes had ſpared, reſpected, and held ſacred.

The

* By 27th Elizabeth, c. 2, ſ. 4, knowingly to receive, relieve, comfort, aid or maintain, any prieſt or eccleſiaſtic of the Church

The Roman Catholics refer to the oppreſſive and degrading laws, enacted againſt them in former reigns, with no other view than to diſplay the moderation and humanity, which ſo eminently diſtinguiſh the benign reign of his preſent Majeſty: the recollection of what their anceſtors may have ſuffered, contraſted with the bleſſings and protection enjoyed by themſelves under ſuch happy auſpices, can tend only to increaſe their attachment to a good and gracious King, who, with the advice and conſent of an enlightened Parliament, has relieved them from religious perſecution, and from *ſome* of the moſt grievous diſabilities impoſed *peculiarly on them.*

The diſability of ſitting and voting in Parliament ſtill exiſts; *it is not created by what are called the Teſt and Corporation Acts*—it is wholly unconnected with them, and extends to *Roman Catholics* alone*.

All modern Proteſtant writers on the laws of England, are obliged to acknowledge, that the peculiar ſeverity of the law towards perſons profeſſing, what was formerly denominated in law the Popiſh religion †, could be juſtified only by the evil political tendency of the religious principles, imputed to perſons of that perſuaſion.

The

Church of Rome, being at liberty or out of hold, was no leſs a crime than felony without benefit of Clergy: and the puniſhment of death, with loſs and forfeiture, as in caſes of perſons attainted of felony.

* The Teſt Act, which is the 25th Charles the Second, c. 2. relates to offices and employments, and not to ſitting and voting in Parliament. The Corporation Act is the 13th Charles the Second, ſt. 2, c. 1. and relates to Corporations: both theſe acts require as qualification, not only that certain oaths be taken, but alſo that the Sacrament be received in a Proteſtant Church. It muſt be obſerved, that Peers and Members of Parliament are not obliged to take the Sacrament, or declare ſelves in any manner Proteſtants.

† The Popiſh Religion is now unknown to our law, per Lord Kenyon, Peake's N. P. 79.

The Legiſlature itſelf has made a ſimilar admiſſion: the preamble to the 31ſt George the Third, c. 32, (the laſt act paſſed in favour of the Roman Catholics), ſtates, " That certain principles have " been imputed to them, which are dangerous to " ſociety and to civil liberty, and which they are " willing to diſclaim; " and " that upon their ta- " king the oaths of allegiance and abjuration, and " ſigning the declaration therein mentioned, it " is expedient they ſhould be relieved from ſome " of the penalties and diſabilities impoſed upon " them."

The Legiſlature has therefore reſcued thoſe who comply with the teſt contained in this ſtatute, from the imputation of entertaining *any* principles dangerous to ſociety, and to civil liberty.—It neceſſarily then muſt follow, that the Roman Catholics have a juſt claim founded on the *principle* of the late act, to be freed not only from *ſome*, but from all diſabilities inflicted *ſolely upon them*, extending to no other religious perſuaſion, and owing both their exiſtence and their continuance only to the imputation of principles, which they have diſavowed *to the ſatisfaction of the Legiſlature*, by the moſt awful appeal and aſſeveration that man can make.

The ſtatute of the 30th Charles the Second, as it was aimed *ſolely* againſt Papiſts *, could proceed from no other motives than thoſe which occaſioned the enacting of other laws, affecting none *but them*—laws now repealed and forgotten. The Roman Catholics have diſclaimed and abjured moſt expreſsly and moſt ſolemnly, in the terms preſcribed by the Legiſlature, every dangerous principle formerly, though falſely imputed to them. No poſſible reaſon can therefore be found to exiſt, why a partial law

* It is hoped this opprobrious appellation is now obſolete in the Engliſh language.

law disabling *them alone*, and no other description of persons differing from the Established Church, depriving them of what is enjoyed by all Dissenters, should not be wholly effaced from the statute Book. No founded objection can be made against restoring the Roman Catholic Nobility and Gentry to the glorious privileges conferred by the laws of the state on birth, rank, and property. Of this privilege they were deprived under circumstances peculiar to very tempestuous times; under imputations declared by the Legislature to be now destitute of foundation; imputations which candour, truth, and justice forbid to be at the present day ever again suggested.

By the 30th Charles the Second, all Peers and Members, before they sit or vote in either House of Parliament, are obliged to take the Oaths of Allegiance and Supremacy, and to subscribe and repeat a declaration contained in that act.

These oaths in their present form are as follow:

"I, *A. B.* do sincerely promise and swear, that "I will be faithful, and bear true allegiance to his "Majesty King GEORGE the Third.

"So help me GOD."

"I, *A. B.* do swear, that I do from my heart ab- "hor, detest, and abjure, as impious, and heretical, "that damnable doctrine and position, that Princes "excommunicated or deprived by the Pope, or any "authority of the See of Rome, may be deposed or "murdered by their subjects, or any other whatsoever.

"And I do declare that no foreign Prince, Per- "son, Prelate, State, or Potentate hath, or ought "to have, any power, jurisdiction, superiority, pre- "eminence, or authority, *ecclesiastical* or *spiritual*, "within this realm.

"So help me GOD."

These oaths affect no description of Englishmen, except Roman Catholics. To the Oath of Allegiance, and to the first part of the Oath of Supremacy

macy, they have no objection whatſoever; nor could they object to the remainder of this oath, were the words "*civil or temporal*," ſubſtituted for *eccleſiaſtical or ſpiritual*. The latter epithets alſo would be unobjectionable, were they qualified or explained, ſo as to contain an abjuration only of ſuch eccleſiaſtical or ſpiritual authority, as can interfere with the allegiance, due by the ſubjects of this realm to his Majeſty's perſon and Government.

As all Roman Catholics hold the Pope to be the head of the Catholic Church, they cannot ſwear *in general unqualified terms*, without violation of conſcience, or at leaſt without equivocation, that no foreign prelate has *any ſpiritual* authority within this realm.

But as they have diſclaimed *all temporal and civil juriſdiction* in the Pope as to this realm; as they have abjured all *eccleſiaſtical* or *ſpiritual authority whatever*, that can diſpenſe with the moral and ſocial obligations of man towards man; that can abſolve the tie of allegiance, or counteract the duties of ſubjects to their Sovereign and to the ſtate; they have clearly taken as ſtrong a teſt as is contained in the Oath of Supremacy; a teſt, which has given the State adequate and complete ſecurity, that the Roman Catholics hold no tenets or principles ſubverſive of ſociety, dangerous to liberty, or inimical to his Majeſty's perſon and government.

To corroborate this ſtatement, it may not be improper to refer the reader to the oaths taken by the Roman Catholics of England. The firſt is appointed by the 18th George the Third, c. 60; and the ſecond by the 31ſt George the Third, c. 32. The firſt oath is as follows:

"I, *A. B.* do ſincerely promiſe and ſwear, that I "will be faithful, and bear true allegiance to his "Majeſty King GEORGE the Third, and him will "defend to the utmoſt of my power againſt all

" conſpiracies and attempts whatever that ſhall " be made againſt his perſon, crown, or dignity, " and I will do my utmoſt endeavour to diſcloſe " and make known to his Majeſty, his heirs, and " ſucceſſors, all treaſons and traitorous conſpi- " racies which may be formed againſt him or " them:

" And I do faithfully promiſe to maintain, ſup- " port, and defend to the utmoſt of my power, " the ſucceſſion of the Crown in his Majeſty's fa- " mily, againſt any perſon or perſons whatſoever; " hereby utterly renouncing and abjuring any " obedience or allegiance unto the perſon taking " upon himſelf the ſtyle and title of Prince of " Wales, in the lifetime of his father, and who, " ſince his death, is ſaid to have aſſumed the ſtyle " and title of King of Great-Britain, by the name " of Charles the Third, and to any other perſon " claiming or pretending a right to the Crown of " theſe realms:

" And I do ſwear, that I do reject and deteſt " as an unchriſtian and impious poſition, that it " is lawful to murder or deſtroy any perſon or " perſons whatſoever, for or under pretence of " their being heretics, and alſo that unchriſtian " and impious principle, that no faith is to be kept " with heretics.

" I further declare, that it is no article of my " faith, and that I do renounce, reject, and ab- " jure the opinion, that Princes excommunicated " by the Pope and Council, or by any authority " of the See of Rome, or by any authority what- " ſoever, may be depoſed or murdered by their " ſubjects, or any perſon whatſoever.

" And I do declare, that I do not believe that " the Pope of Rome or any other foreign Prince, " Prelate, State, or Potentate hath, or ought to have " any temporal or civil juriſdiction, power ſuperi-

" ority,

" ority, or pre-eminence, directly or indirectly,
" within this realm.

" And I do ſolemnly, in the preſence of God,
" profeſs, teſtify, and declare, that I do make this
" declaration, and every part thereof in the plain
" and ordinary ſenſe of the words of this oath,
" without any evaſion, equivocation, or mental re-
" ſervation whatever, and without any diſpenſa-
" tion already granted by the Pope, or by any au-
" thority of the See of Rome, or any perſon
" whatever, and without thinking that I am or can
" be acquitted before God or man, or abſolved of
" this declaration, or any part thereof, although
" the Pope, or any other perſons or authority
" whatſoever, ſhall diſpenſe with or annul the ſame
" or declare that it was null or void."

The oath appointed to be taken under the 31ſt George the Third, differs from the oath of the 18th of his preſent Majeſty, only in the following clauſe ſubſtituted for the clauſe relating to the ſucceſſion of the Crown.

" And I do faithfully promiſe to maintain, ſupport,
" and defend to the utmoſt of my power, the
" ſucceſſion to the Crown, which ſucceſſion
" by an Act, entitled, *An Act for the further li-*
" *mitation of the Crown, and better ſecuring the*
" *rights and liberties of the ſubject*, is, and ſtands
" limited to the Princeſs Sophia, Electreſs and
" Dutcheſs Dowager of Hanover, and the heirs
" of her body being Proteſtants, hereby utterly
" renouncing and abjuring any obedience or al-
" legiance unto any other perſon, claiming or
" pretending a right to the Crown of thoſe
" realms *."

Theſe oaths are ſo ſtrong, ſo preciſe, and ſo unequivocal, they ſo poſitively abjure all civil and temporal authority in the Pope within this realm; and

 alſo

* In other reſpects, both oaths are almoſt preciſely the ſame.

alſo all ſpiritual authority which can interfere with political duty, or be dangerous in any manner to the Government of this country—that it is impoſſible to point out in what reſpect they *eſſentially* differ from the oath of ſupremacy.

What is called the oath of ſupremacy, is, as it regards *ſpiritual authority*, wholly *negative*, and in no manner *affirmative*—it requires no acknowledgment that ſpiritual authority reſides in *any particular perſon*, or that it even exiſts: it obliges no perſon to declare himſelf a member of the Church of England, or to expreſs his belief in any one of her tenets. Why then, ſince the Roman Catholics have given as ſtrong a teſt of their allegiance, ſhould not this oath be either entirely abrogated or modified, ſo as to be no longer a deſtructive ſnare to innocent conſcience?

The 30th of Charles the Second, is, as before obſerved, wholly unconnected with the *Teſt Act*—with the *Corporation Act*—with all other Acts impoſing teſts—it is no fundamental law of the ſtate—it is not *general*, either in its principle or in its effects—but in its object, as well as in its operation wholly partial. The repeal of this ſtatute, or the modification of the oaths would be *no innovation*—would interfere with no *general* principle of Government—would involve no *general* queſtion relative to the propriety of teſts—would in *no manner* break in upon the *general* ſyſtem of *Teſt Acts*—would diſturb *no teſt* affecting the Diſſenters, as well as the Roman Catholics—would introduce no *new principle* from which *any conſequences* could enſue—it would be merely ſubſtituting in the caſe of Roman Catholics *the only perſons* aggrieved—a teſt *equally* ſatisfactory—equally ſecure—and the repeal of this act, is in itſelf, the juſt and neceſſary *conſequence* of a *principle* already eſtabliſhed—already acted upon by the Legiſlature.

Various

Various parts of this ſtatute have been *already* repealed, and there is a *precedent* of an alteration with reſpect to the oaths of Allegiance and Supremacy, upon the face of the Statute Book.

The Oath of allegiance appointed to be taken by the 30th Charles the Second, was the Oath contained in the 3d of James the Firſt, c. 4, and was as follows:

" I, *A. B.* do truly and ſincerely acknowledge, " profeſs, teſtify, and declare in my conſcience, " before God and the world, that our Sove- " reign Lord King is lawful and rightful " King of this realm, and of all other his Ma- " jeſty's dominions and countries; and that the " Pope neither of himſelf, nor by any authority " of the Church or See of Rome, or by any " other means with any other, hath any power " or authority to depoſe the King, or to diſpoſe " of any of his Majeſty's kingdoms or dominions, " or to authorize any foreign Prince to invade " or annoy him or his countries; or to diſcharge " any of his ſubjects of their allegiance and obe- " dience to his Majeſty, or to give licence or leave to " any of them to bear arms, raiſe tumults, or " to offer any violence or hurt to his Majeſty's " royal Perſon, ſtate or Government, or to any " of his Majeſty's ſubjects within his Majeſty's " dominions.

" Alſo, I do ſwear from my heart, that, notwith- " ſtanding any declaration or ſentence of excom- " munication or deprivation made or granted or " to be made or granted by the Pope or his ſuc- " ceſſors, or by any authority derived or pretend- " ed to be derived from him or his See, againſt " the ſaid King, his heirs or ſucceſſors, or any " abſolution of the ſaid ſubjects from their obedi- " ence, I will bear faith and true allegiance to " his Majeſty, his heirs and ſucceſſors, and him " and them will defend to the utmoſt of my power

againſt

" againſt all conſpiracies and attempts whatſo-
" ever, which ſhall be made againſt his or
" their perſons, their Crown and dignity, by
" reaſon or colour of any ſuch ſentence or
" declaration or otherwiſe: and will do my
" beſt endeavour to diſcloſe, and make known
" to his Majeſty, his heirs and ſucceſſors, all treaſons
" and traiterous conſpiracies which I ſhall know
" or hear of, to be againſt him or any of them.
" And I do further ſwear, that I do from my heart
" abhor, deteſt, and abjure, as impious and he-
" retical, this damnable doctrine and poſition
" that Princes which be excommunicated or de-
" prived by the Pope, may be depoſed or murder-
" ed by their ſubjects, or any other whatſoever.
" And I do believe, and in my conſcience am re-
" ſolved, that neither the Pope nor any other
" perſon whatſoever, hath power to abſolve me
" of this oath or any part thereof, which I ac-
" knowledge by good and lawful authority, to be
" lawfully miniſtred unto me, and to renounce
" all pardons and diſpenſations to the contrary.
" And theſe things I do plainly acknowledge, and
" ſincerely ſwear according to theſe expreſs words
" by me ſpoken, and according to the plain and
" common ſenſe and underſtanding of the ſame
" words, without any equivocation or mental
" evaſion, or ſecret reſervation whatſoever. And
" I do make this recognition and acknowledge-
" ment heartily, willingly, and truly, upon the
" true faith of a Chriſtian.

Note.—The Roman Catholics could not ſcruple to take this oath were it revived.

The Oath of Supremacy was created by the 1ſt Elizabeth, c. 1, ſ. 19.

" I, *A. B.* do utterly teſtify and declare in my
" conſcience, that the Queen's Highneſs is the
" only ſupreme Governor of this realm; and of
" all other her Highneſs's dominions and coun-

tries,

" tries, as well as in all *ſpiritual* things or cauſes as
" temporal, and that no foreign Prince, Perſon,
" Prelate, State, or Potentate, hath or ought to
" have any juriſdiction, power, ſuperiority, pre-
" eminence, or authority eccleſiaſtical or ſpiri-
" tual, within this realm; and therefore, I do
" utterly renounce and forſake all foreign juriſ-
" diction, powers, ſuperiorities, and authorities:
" and do promiſe, that from henceforth I ſhall bear
" faith and true allegiance to the Queen's High-
" neſs, her heirs and lawful ſucceſſors, and to
" the beſt of my power ſhall aſſiſt and defend all
" juriſdictions, pre-eminences, privileges and au-
" thorities granted, or belonging to the Queen's
" Highneſs, her heirs and ſucceſſors, or united and
" annexed to the Imperial Crown of this realm. So
" help me God, and by the contents of this Book."

To this oath not only the Roman Catholics, but ſeveral who ſcrupled to acknowledge Church Government and eccleſiaſtical authority objected, to remove the ſcruples of the latter; the *very firſt* act paſſed after the acceſſion of William and Mary abrogated both theſe oaths, and ſubſtituted thoſe which exiſt at preſent, and have been ſtated above. The ſame motives which induced the Legiſlature to make this alteration, apply as forcibly to the caſe of the Roman Catholics—they not only authorize, but evince the juſtice of extending to *them* that indulgence of conſcience granted to all other perſons diſſenting from the Church of England.

It is preſumed, that the juſtice and propriety of removing the diſability inflicted *ſolely upon Roman Catholics* (as cannot be too often repeated) with reſpect to Parliament, either by a repeal of the ſtatute itſelf, or by a modification of the Oaths, have been fully ſhewn. It muſt, therefore, neceſſarily follow, that the Declaration required to be ſubſcribed and repeated, under the 30th Charles the Second, is become uſeleſs: this will appear obvious upon a review of its content, they are as follow:

I. *A. B.*

"I, *A. B.* do ſolemnly and ſincerely in the pre-
" ſence of God, profeſs, teſtify, and declare, that
" I do believe, that in the ſacrament of the Lord's
" Supper, there is not any tranſubſtantiation of
" the elements of bread and wine into the body
" and blood of Chriſt, at or after the conſecra-
" tion thereof, by any perſon whatſoever; and that
" the invocation or adoration of the Virgin Mary,
" or any other Saint, and the ſacrifice of the
" Maſs, as they are now uſed in the Church of
" Rome, are ſuperſtitious and idolatrous. And
" I do ſolemnly in the preſence of God profeſs,
" teſtify, and declare, that I do make this de-
" claration, and every part thereof in the plain
" and ordinary ſenſe of the words read unto me,
" as they are commonly underſtood by Engliſh
" Proteſtants, without any evaſion, equivocation,
" or mental reſervation whatſoever; and without
" any diſpenſation already granted me for this
" purpoſe by the Pope, or any authority or per-
" ſon whatſoever, or without any hope of ſuch
" diſpenſation from any perſon or authority what-
" ſoever, or without thinking that I am, or can
" be acquited before God or man, or abſolved of
" this declaration, although the Pope, or any
" other perſon or perſons, or power whatſoever,
" ſhould diſpenſe with or annul the ſame, or de-
" clare it was null and void."*

This

* The Church of England teaches in her Catechiſm, "that the body and blood of Chriſt are *verily and indeed* taken and received by the faithful in the Lord's Supper." The Roman Catholic Church teaches, that after conſecration the body and blood of Chriſt, under the forms of bread and wine, are received ſubſtantially. The Church of England in conſecrating bread and wine, retains the ſame words as are uſed by the Roman Catholic Church, in *her* conſecration of the ſame elements:—this conſecration is the eſſential part of the Maſs—the reſt of the Liturgy (called the Maſs), conſiſts of Pſalms, Extracts from the Old and New Teſtament of Collects and other Prayers, (ſeveral

of

This delaration involves matter of religious controverſy, not of political conſideration—matter wholly *ſpiritual* and not *temporal*. It is not meant to enter upon controverſial argument—ſuch diſcuſſion would be irrevalent and improper. Which Church be in error, is a queſtion foreign to the preſent ſubject. However important the points of Roman Catholic faith alluded to in this declaration may be.

to

of which are retained in the Proteſtant Book of Common Prayer), giving thanks to the Lord for the inſtitution of what the Proteſtant Church acknowledges to be the *Holy Sacrament, the Holy Myſteries* of the *body and blood of Chriſt*. The Church of England admits the Creed of the Apoſtles which teaches the *Communion of Saints*. The Roman Catholic Church underſtands by this article, that man holds Communion with the Saints in Heaven—that they pray to God for mankind, and that it is good and profitable to beg their aſſiſtance: indeed, if the prayers of the faithful on earth for each other be acceptable to the Almighty and profitable, if it be lawful for Chriſtians to ſolicit the benefit of their mutual prayers on earth, the interceſſion of the faithful departed in ſanctity, and enjoying the inheritance of eternal bliſs, muſt be equally acceptable, equally available, and equally lawful; at the ſame time, the Roman Catholic Church moſt expreſsly forbids all ſuperſtitious invocation of the Saints. The Roman Catholics acknowledge no benefit to be derived from the invocation of the Saints, but by their interceſſion to God through Jeſus Chriſt, *whom*, and *whom only*, the Church holds to be the Redeemer and Saviour of man. Such is the doctrine of the Roman Catholic Church—ſuch it is profeſſed by every true Roman Catholic.—To ſhew that this ſtatement is exact, that it has been candidly repreſented, without any colouring or diſguiſe, it may perhaps be proper to refer to the Council of Trent. It will appear by the following quotation, that the doctrine of the Roman Catholic Church is expreſsly declared with reſpect to the Invocation of Saints, to be as follows:—Manda Sancta Synodus omnibus Epiſcopis & cæteris docendi munus curamque ſuſtinentibus, ut juxta Catholicæ & Apoſtolicæ Eccleſiæ uſum a primævis Chriſtianæ religionis temporibus receptum ſanctorumque patrum conſenſionem & ſacrorum conciliorum decreta fideles diligenter inſtruant docentes eos, ſanctos una cum Chriſto regnantes, orationes ſuas pro hominibus Deo offerre, bonum atque utili eſſe ſuppliciter eos invocare; & ob beneficia impetranda a Deo per filium ejus Jeſum Chriſtum Dominum noſtrum, qui ſolus noſter Redemptor & Salvator eſt, ad eorum orationes, opem auxiliumque confugere:—omnis porro ſuperſtitio in ſanctorum invocatione tollatur. Con. Trid. Seſſio 25.

to conſcience in their relation to the law of God, the cognizance of them can appertain to God alone: they cannot lead to any political conſequences—they cannot interfere with the duties of ſubjects—they deny not the Trinity—they diſpute not the authenticity of the ſcripture—they cannot ſhake the foundation of Chriſtian Morality, or pervert its precepts—they cannot directly or indirectly affect the peace and order of ſociety—they are therefore indifferent, as they concern the laws of man.

The whole faith of the Roman Catholic Church has lately undergone before the moſt exalted tribunal in England, a ſtrict and ſcrupulous examination. The Roman Catholic religion, which declares Tranſubſtantiation an article of faith, which admits the invocation of the Saints, as interceſſors to God for man through Jeſus Chriſt, (if practiſed without ſuperſtition), to be lawful and profitable, has been declared innocent as to ſociety. It is in conſequence tolerated *by law*—preached *by law* in the pulpit, and taught *by law* in ſchools and ſeminaries to youth: to believe and to profeſs her doctrine can no longer be criminal, according to the laws of the ſtate. Theſe particular points of faith cannot, therefore, in themſelves, juſtify a partial excluſion of the Roman Catholics from Parliament.

To diſpenſe with this declaration, the moſt rigid Proteſtant cannot object.* It contains an abjuration of no doctrine dangerous in itſelf, or in its conſequences—it affords no political ſecurity: It could have been introduced with no other view than to exclude

* This declaration obliges Proteſtants to ſwear ſo *very poſitively* upon matter of opinion, and upon *their oaths* to paſs ſuch expreſs and *ſevere* condemnation in doctrine intricate and myſterious, that the conſciences of Noblemen and Gentlemen belonging to the Eſtabliſhed Church would be relieved, in being no longer under the neceſſity of making upon *oath* ſo *ſerious* an accuſation againſt their fellow-countrymen.

exclude with greater certainty the objects of severity in the 30th Charles the Second, an act operating a grievous and partial disability; an act continuing to stigmatize *in law*, those whom the *law itself* now declares free from imputation; an act which it has been proved, ought, according to every principle of justice and legislative consistency, to be either modified or repealed.

With respect, therefore, to the Roman Catholics of England, it has been proved, that the disability created by the 30th Charles the Second is partial, since it affects none but Roman Catholics: it has been proved that the *principle* on which it was enacted, is destroyed by the 31st George the Third. It has been proved by this statute, that the imputation formerly charged upon the Roman Catholics are void of truth; as to those who comply with the oath therein prescribed. It has been proved, that the oaths taken by the Roman Catholics are, in effect, adequate to the oaths established by the 1st W. and Mary, c. 1: It has been proved, that a total repeal of the 30th Charles the Second, or a modification of the oaths at present taken by Members of Parliament, would not by *innovation*, interfere with any general *principle*, or molest any *system* of laws. It has been proved, that no one tenet of the Roman Catholic religion can be incompatible with social order, can impede allegiance to his Majesty's Person and Government. It therefore obviously results, that the liberality, justice, and impartiality of English Jurisprudence, are called upon to remove all peculiar disability inflicted solely upon Roman Catholics, and to restore and allow the same privileges to *them*, as are enjoyed by all Dissenters from the Church of England.

IRELAND.

That the Roman Catholic Nobility and Gentry of England are juſtly entitled to be reſtored to the right of ſitting and voting in Parliament, has been clearly proved. Their caſe depends upon its own ſtrength; it requires no adventitious aid, and has been eſtabliſhed without recurring to any arguments drawn from circumſtances exiſting in the Siſter Country.

In Ireland, as well as in England, penalties and diſabilities have been impoſed on Roman Catholics. Moſt of them have been repealed: they ought, for the honour of the country, to be expunged from the future editions of the Statute Book. At preſent, while they remain in print, (though without force, worn out and ſpent by the violence of their own exertions,) humanity and true religion muſt delight in comparing with the harſhneſs and ſeverity which throw a certain melancholy gloom over ſome of the moſt brilliant reigns recorded in Britiſh Hiſtory, the mildneſs, and the ſuperior wiſdom every where conſpicuous in the Legiſlative Acts of his preſent Majeſty.

Theſe penalties and diſabilities, at the time of their firſt creation, affected in England a body of perſons then numerous and conſiderable: in Ireland, they involved the whole country; they were in England ſevere and bloody; in Ireland, tyrannical and oppreſſive. Upon a review of ſeveral Statutes relating to Ireland, paſſed during the laſt and at the beginning of the preſent century, it appears hardly credible that they could have ever exiſted. To perſons born in the preſent days it muſt ſeem impoſſible, that any regular Government could have enacted or enforced a ſyſtem of laws ſuch as were formerly known in Ireland, under the appellation of *Popery Laws*—laws framing a new religious faith for Ireland in

England,

England—preaching a religious doctrine entirely new to the people in Ireland, not by pilgrims and miſſionaries, not by mildneſs and perſuaſion but by generals and armies, by pains and penalties,—laws converting into a crime, and puniſhing by degradation and loſs of property, a pious adherence to that religion till then, ever ſince the Goſpel was firſt known in that Iſland, the religion o Iriſhmen, believed and handed down to them by their anceſtors —laws rewarding the baſeſt and meaneſt apoſtacy with penſions and preferments, enjoining violation of conſcience, ſtifling all moral and virtuous ſenſibility, and encouraging the breach of the moſt ſacred vows to the Almighty—laws creating both public and private miſery, ſowing diſſention in all families, embroiling children with parents, brother with brother, diſturbing even the union of man and wife—laws, in ſhort, diſſolving every ſocial tie, perverting human nature, ſeeking to extirpate all induſtry, all morality, all religion, (without which no ſtate can enjoy happineſs, or even exiſtence); and effectually preventing all moral and political improvement whatever in the country.

Under ſuch a ſyſtem, Ireland was governed during a conſiderable period of time; and under ſuch a ſyſtem the kingdom naturally pined in ignorance, poverty and wretchedneſs—theſe laws were, but they are now no more. The preſent reign has created happier times. Under the auſpices of a ſovereign, whoſe compaſſion and paternal goodneſs extend to all claſſes of his ſubjects, it can never be forgotten, that modern adminiſtrations have nobly ſcorned to proceed upon the deſtructive and unjuſtifiable plans of thoſe who preceeded them: modern parliaments alſo, parliaments which Jacobins, and their deluded ignorant abettors, ſo infamouſly endeavour to villify, modern parliaments have declared

—"*That* it muſt tend not only to the cultivation and "improvement of the Kingdom, but the proſperity and "ſtrength of all his Majeſty's dominions; that his ſub-"jects of all denomination, ſhould enjoy the bleſſings of "our free Conſtitution, and be bound to each other by "mutual intereſt and affection:*"— that a continuance of the popery laws "*is injurious to the real welfare and proſperity of Ireland.*" Modern Parliaments have ſurmounted all difficulties ſuggeſted by prejudice and perſecuting bigotry: They have removed the moſt grievous diſabilities; they have enabled the merchant to realize the earnings of his induſtry; and have thereby encouraged a commercial ſpirit, to which Ireland owes its great improvement; they have enabled the parent to educate his child; they have confirmed to the Roman Catholic gentleman the inheritance of his anceſtors, which piety and conſcience with difficulty preſerved; that inheritance, poſſeſſed for years in fear and trembling; held perhaps, at the tender and indulgent mercy of an Apoſtate from the religion and virtues of his family, a convert, not to the Proteſtant Religion, but to profligacy, impiety, and atheiſm.

Modern Parliaments have no longer forced the generous, impatient of inactivity, and till lately, incapable of honourable employment in Ireland, to baniſh himſelf for ever from his country and friends, to ſeek a foreign home, and ſerve a foreign Prince; they have enabled him under certain reſtrictions, to bear arms in the ſervice of his Sovereign; they have enabled the Roman Catholic Nobility and Gentry of Ireland to prove, in the command of the Regulars, the Militia, and of the yeomanry, their firm and immutable allegiance to his Majeſty's Perſon and Government. This relief has been

* Vide 21ſt and 22d George the Third, c. 24, and 17th and 18th George the Third, c. 49.

been the work of modern Parliaments, and muſt impreſs the Roman Catholics with gratitude, as long as they conſider dear to them their honour, their country, and their religion.

What affluence, what proſperity have ſprung from theſe enlightened and ſalutary meaſures? With what haſty ſtrides has Ireland advanced, not only to civilization, but even to refinement? To what an amazing extent her commerce has increaſed? How rapid has been the progreſs of her improvement in agriculture, in manufacture, in every art and ſcience? Theſe advantages can be attributed to no other cauſe, than to the wiſe ſyſtem adopted ſince the commencement of the preſent reign. Unfortunately for Ireland, the bright proſpect of felicity has been darkened by the horrors of rebellion: Heaven grant, that they may prove only a tranſitory gloom, and that the ſerene rays of comfort may ſhine once more on that afflicted country.

It cannot be ſurprizing, that the growing proſperity of Ireland ſhould have excited envy in the fiends of Jacobiniſm. The flames they have kindled in France, have laid waſte the moſt civilized and poliſhed kingdoms, have ſpread deſolation over countries formerly the fixed abode of peace and content, have cauſed a general conflagration in Europe: No man, therefore, who has contemplated theſe melancholy events can be aſtoniſhed, that in a country which former bloody and ſubverſive laws (at length repealed) producing mutual jealouſies and animoſities, have ſtored with every political combuſtible, the ſubtle ſparks of Jacobiniſm ſhould have produced a tremendous exploſion. It would have been ſtrange, indeed, if Ireland had eſcaped contagion from the moral peſtilence raging throughout the world with all-deſtroying fury, when even England, herſelf, the ſanctuary of liberty and of order, is proved by the records of her own legiſlature, not to be immaculate

from

from the pollution of Jacobinical profanation. The artifices and inſidious attempts of Jacobinical Conſpirators have, in England, happily proved ineffectual, not only becauſe vigorous meaſures have been wiſely adopted to prevent the progreſs of anarchical principles, but alſo becauſe the intereſts of the governors and of the governed are inſeparably united, and becauſe excellence in the government produces excellence in its ſubjects.

It may not, perhaps, be improper to ſtate, for the information of the Engliſh reader, the conduct of the Roman Catholics of Ireland during the late troubles. That the Roman Catholics were, as a body, innocent of the late horrible rebellion, is admitted by all parties: it can be proved alſo by concluſive evidence of the higheſt authority.

The hiſtory of the conſpiracy planned and conducted by the ſociety of United Iriſhmen, from its commencement to what it is to be hoped has proved its final deſtruction, the detail of its progreſs, and of the means purſued by the conſpirators to delude the lower and ignorant claſſes in order to accompliſh their horrible views, are to be found in the laſt Reports of the Secret Committees of the Lords and Commons of the Iriſh Parliament. This conſpiracy is there proved to have been throughout purely *Jacobinical*, to have ſought the extirpation of the *Roman Catholic* as well as of the *Proteſtant Religion*, the annihilation of the higher orders of *Catholics* as of *Proteſtants*, and the deſtruction of the Government, whether it admitted *Catholics* to a participation of its privileges, or confined them to *Proteſtants* alone. Thus it is repreſented, "*To have originated in a ſyſtem, framed not with a view of obtaining either Catholic Emancipation, or any reform compatible with the exiſtence of the Conſtitution**;" but to have perfectly coincided *in its commencement and in its progreſs, its means*

* Report of the Commons.

" *means and its objects, with that by which the Govern-*
" *ment, the* RELIGION, *and the happiness of France*
" *have been destroyed:* Inculcating the principles, and*
" *adopting the means which were successfully employed*
" *to abolish the* RELIGION, *to extirpate the Nobility,*
" *and subvert the Monarchy of France :†* Such a conspiracy, it is obvious, could never have been fomented by the body of Roman Catholics.

The conspirators themselves admit, that *Catholic Emancipation* (as it is called), *was a mere pretence from the first establishment of the Irish Union; and that, if they had been enabled to succeed in their plan of Reform and Revolution it would have involved in it equally the destruction of the Protestant and Popish religion.‡* They do not appear to have considered the Catholics even as friends to their principes: their hopes of success in deluding the lower orders of the people, arose solely from the prospect of being able to to excite discontents among the Irish peasantry, by reason of their miserable condition. In a paper prepared for the purpose of being sent to France by Dr. Jackson, proved on his trial, and annexed to the Report of the Commons, they state the population of Ireland to " *be* 4,500,000, *consisting of about*
" 450,000 PROTESTANTS, *who have engrossed, besides*
" *the whole Church patronage, all the profits and honours*
" *of the country exclusively, and a very great share of*
" *the landed property*:—900,000 DISSENTERS, *the*
" *most enlightened body of the nation,* ‖ *steady republi-*
" *cans, devoted to liberty, and through all the stages of*
" *the French Revolution, enthusiastically attached to it:*
" 3,150,000 CATHOLICS, *the great body of the people,*
" *the whole peasantry of Ireland, the most oppressed and wretched*

* Report of the Commons.
† Report of the Lords.
‡ Idem.
‖ No imputation is meant by this quotation on any religious persuasion whatever.

" *wretched in Europe, ready for any change, becauſe no* " *change can make them worſe.*"

In Leinſter, Munſter, and Connaught, the lower orders conſiſt almoſt of Roman Catholics. In Ulſter they are leſs numerous than in other parts of Ireland; the conſpiracy was hatched and foſtered in Ulſter; the ſyſtem of military organization was firſt determined upon in that province: " this orgainza- " tion by which the Directory of the Iriſh Union was " enabled to levy a revolutionary army, was com- " pleted in the province of Ulſter on the 10th of " May, 1795. It made no conſiderable progreſs " beyond the Northern Province before the autumn " of 1796, when emiſſaries were ſent into Leinſter to " propagate the ſyſtem. *It appeared diſtinctly* to the " committee of the houſe of Lords, *that the ſtale* " *pretexts of parliamentary reform and Catholic Eman-* " *cipation, were found ineffectual for the ſeduction of* " *the people of that province;* and therefore the emiſ- " ſaries of treaſon who had undertaken it, in order " to prevail with them to adopt the ſyſtem of orga- " nization, *firſt repreſented that it was neceſſary, in* " *their own defence, as their Proteſtant fellow-ſubjects* " *had entered into a ſolemn league and covenant to de-* " *ſtroy them, having ſworn to wade up to their knees* " *in Popiſh blood.*"

The enemies of order and government are well aware, that religion is eſſential to the peace and welfare of every ſtate: they have therefore, throughout Europe, commenced their attack upon ſociety, by endeavouring to extirpate religion. Accordingly *the leaders of the ſyſtem, in order to adopt the minds of the multitude to the purpoſes of their treaſon, have after the example of their Jacobine allies in France, left no means unemployed which the moſt malignant ſubtlety could ſuggeſt, for eradicating from amongſt the working claſſes every ſentiment both of private and public duty, all quiet and peaceable habits, all ſocial as well as moral obligations*

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it has been their object to deſtroy; and the more ſacred the tie the more induſtriouſly have they laboured to diſſolve it: they have incited the ſoldier to betray his King; they have armed the tenant againſt the landlord; and they have taught the ſervant to conſpire with the aſſaſſin of his maſter, blaſting the repoſe and confidence of private life, even in its ſanctuary, and effacing every law of juſtice of gratitude and religion *. Where they found *impiety* could not ſucceed, they had recourſe to *religion*, and endeavoured " *to make even religion itſelf* " the perverted inſtrument of their execrable views." Thus with a view to excite the reſentment of the Catholics, and to turn that reſentment to the purpoſes of the party, " *fabricated and falſe teſts* " *were repreſented as having been taken to exterminate* " *Catholics, and were induſtriouſly diſſeminated by the* " *emiſſaries of the treaſon throughout the Provinces of* " *Leinſter, Munſter, and Connaught: reports were* " *frequently circulated amongſt the ignorant of the* " *Catholic perſuaſion, that large bodies of men were* " *coming to put them to death. This fabrication,* " *however extravagant and abſurd, was one among* " *the many means by which the deluded peaſantry were* " *engaged the more rapidly in the treaſon.*"—(Report of the commons).

Theſe were the infernal means adopted by the conſpirators to excite phrenzy in the people. It was by ſimilar inſinuations, by ſimilar execrable fabrications, by ſowing diſtruſt, jealouſy, and alarm amongſt the loweſt orders, that we have ſeen the anarchiſts of France revolutionize the moſt peaceable diſtricts, pervert the obedience of troops ſo long renowned in Europe for their fidelity to their officers, and drive to ſudden madneſs a nation ſo proud and jealous of its inſtitutions, ſo peculiarly happy and contented. If we turn to Switzerland, and contemplate for a moment the means by

* Report of the Commons.

which its tranquillity, its independence, and its happineſs have been deſtroyed, we muſt be ſenſibly ſtruck with the analogy between the Jacobins of France and of Ireland. It muſt however be obſerved, for the honour of the lower orders of the people, and of the Catholic peaſantry in Ireland, acknowledged by all parties to be ſo ignorant and wretched, and deſcribed to have been ſo ready for any change, becauſe no change could make them worſe; that, notwithſtanding the multifarious attempts to ſeduce them from their allegiance, and conſequently from their religion, they have proved themſelves in moſt parts ſuperior to temptation. The rebellion was confined to Leinſter: it has been cruſhed in a great meaſure by the fidelity and brave exertions of the national troops, whoſe activity and loyal conduct have repeatedly received the higheſt commendation from the throne. It is needleſs to obſerve that the bulk of the Iriſh Militia conſiſts of Roman Catholics.

To calm the ferment created by the emiſſaries of treaſon, to warn the unwary of the dangers to which they were expoſed, to remind the people of their moſt *ſacred* duties, came forth the ROMAN CATHOLIC RELIGION—that religion, whoſe *vital* principles are *peace, order, and reſpect to authority* —that religion, which, in the worſt of times, had inculcated *forbearance and ſubmiſſion*, which had dictated *that behaviour*, acknowledged by the *legiſlature* to have been *uniformly peaceable* during a long ſeries of years—that religion which, in the moſt violent ſtorms of *perſecution*, had preſerved *uninterrupted tranquillity*. Accordingly, her venerable Biſhops and Paſtors, though vilified and inſulted, though threatened even with their lives, (*for as in France ſo in Ireland, the firſt ſtep purſued by the conſpirators was to create in the people diſtruſt of their clergy and to excite indignation againſt them*) nevertheleſs, undaunted

undaunted and fearleſs of every danger, uſed the moſt indefatigable endeavours among their flocks to confirm the ſtrong, and to determine the wavering in their allegiance and religion—to undeceive the deluded, to reclaim the wandered. Their pious exhortations and remonſtrances * are ſo affecting and pathetic, they breathe ſuch a ſpirit of tenderneſs and ſolicitude, they are ſo mild and conciliating, and at the ſame time ſo energetic and perſuaſive, that they would not have diſgraced the moſt eloquent Fathers of the Church. The unprejudiced of every religious perſuaſion muſt admit, that the paſtoral remonſtrances of the Roman Catholic Biſhops have done honour to the religion from which they have proceeded; they prove that the ROMAN CATHOLIC RELIGION is a religion of *charity* and *gratitude*, a ſtranger to *malevolence, rancour and revenge*—that ſhe inculcates *ſubmiſſion*, not from motives of *puſillanimity and terror*, but from the noble dictates of *Chriſtian heroiſm*—that the firſt to *obey*, ſhe is alſo the firſt to *defend* the law—that ſhe conſiders *allegiance* to be a *ſacred ſocial duty*, and conſequently an *indiſpenſable inviolable* precept.

The diſtinguiſhed conduct of the Roman Catholic Nobility and Gentry during the late Rebellion, can ſurely never be forgotten. In the critical moment of terror and diſtreſs, of general diſtruſt and confuſion, when each man looked to his neighbour with anxiety and fear, uncertain whether he diſcovered in him his friend or his aſſaſſin; when the government hardly knew on whom to rely for its defence, and whether it were ſurrounded by protectors or beſet by conſpirators; when all heſitated and trembled to avow their ſentiments, the Roman Catholic Nobility and Gentry ruſhed forward with zeal to ſupport

* See—The paſtoral remonſtrances of the Iriſh Roman Catholic Biſhops.

port the tottering ſtate. Their addreſs to the Lord Lieutenant, their remonſtrance to the lower orders, their declaration to ſtand or fall with the conſtitution of the government, at a time when they themſelves were peculiarly expoſed to the fury of frantic rebels raging at the gates of Dublin, will record their firmneſs, magnanimity, and loyalty in the annals of Ireland; their ſpirited exertions in the field, fighting for their Sovereign and for the conſtitution of the laws*, have proved them worthy of the relief they have obtained from odious and injurious diſabilities.

Such has been the nature of the rebellion in Ireland: ſuch has been the conduct of the Roman Catholic body of the lower orders, of the Clergy, of the Nobility and Gentry. The ſtatement which has been given is not grounded on aſſertion, miſrepreſentation, or diſguiſement: nothing has been extenuated, nothing ſet down in malice. It has been proved by clear indiſputable evidence, of the higheſt authority, to which the reader has been referred, that the body of the Roman Catholics of Ireland, have not only been innocent of the late horrible rebellion, but that they have alſo contributed in a very great degree, to the preſervation of the laws and government of that kingdom.

It remains to be proved, that the Roman Catholic Nobility and Gentry ought to be admitted to the Parliament of Ireland. In Ireland as in England, the diſability of ſitting and voting in Parliament *affects not Diſſenters*; it is impoſed *ſolely upon* Roman Catholics. On what ground of reaſon or of juſtice can it be contended, that a diſability ſo *ſevere* and

* Vide in the London Gazette, the Remonſtrance of the Roman Catholic Nobility and Gentry, (in which the Clergy alſo joined), and the diſtinguiſhed exertions of the Earl of Fingal at the Hill of Tarah, and of ſeveral Roman Catholic gentlemen in other parts.

and ſo *partial*, ſhould continue to exiſt? It certainly cannot be any longer ſupported by any imputation upon the principles of the Roman Catholic religion.—Every imputation which ignorance or malice at any time ſuggeſted has been anſwered, and completely refuted—every dangerous political principle attributed to Roman Catholics, has been ſolemnly abjured. The Roman Catholic religion has both in England and Ireland been tried and honourably acquited.—The Legiſlature of England (it has been ſhewn), has cleared the Roman Catholics from the charge of entertaining any tenets dangerous or ſubverſive. The Roman Catholic religion is, in that country, no longer perſecuted, but tolerated and protected.—The ſtatutes of recuſancy have been repealed, and a Popiſh recuſant formerly conſidered as an offender, *and on that account puniſhed by penalties and diſabilities*, is now unknown to the law. In Ireland, the Legiſlature has declared moſt publickly and unequivocally its perfect ſatisfaction, even its thorough conviction, that the Roman Catholic religion is innocent both in its moral and in its political effects. The LEGISLATURE OF IRELAND HAS MUNIFICENTLY ESTABLISHED AND ENDOWED, OUT OF THE FINANCES OF THE COUNTRY, A ROYAL COLLEGE, FOR THE EXPRESS PURPOSE OF EDUCATING ROMAN CATHOLIC CLERGY, IN ORDER THAT THE PEOPLE OF IRELAND MAY BE INSTRUCTED IN THE ROMAN CATHOLIC RELIGION. What violator of public repoſe, what perturbator of ſociety, what deſigning and *diſguiſed* Jacobin, after this ſplendid manifeſtation of Roman Catholic innocence from the higheſt authority in the ſtate, will have the folly and the wickedneſs to aſſert, in order to compaſs his dark nefarious deſigns, to glut his fanatic ſpleen by reviving paſt ſcenes of horror and bloodſhed, to rekindle flames at length

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with difficulty quenched*, to diſturb religious harmony ſo eſſentially neceſſary in a country, where the religion of the Government is not the general religion of its ſubjects? What miſcreant will dare inſinuate, that the tenets of the Roman Catholic religion are dangerous and ſubverſive? Such an inſinuation would be an execrable and treaſonable libel on the Legiſlature and Government of Ireland. In vain would the ignorant wretch attempt to palliate his guilt, and pretend by ſuch black and deteſtable calumny, to ſupport Government and the Proteſtant religion. The government will conſign him to the Attorney-General, to be proſecuted for ſedition, in having endeavoured to diſturb the peace of his Majeſty's ſubjects, to vilify and depreciate the Parliament, to repreſent the government of Ireland as having betrayed its moſt ſacred truſt, and to have conſpired againſt liberty and ſociety.—The Proteſtant religion will diſclaim ſuch impious zealots, *ſhe* muſt diſdain the ſupport of invective miſrepreſentation and calumny—they are the deadly poignards of *impiety*—Religion ſcorns the bowl and dagger, *ſhe* can truſt *her* cauſe only to charity and truth—theſe are her weapons, theſe *her* armour.

Let the moſt prejudiced, the moſt bigoted enemy of the Catholics examine the Roman Catholic religion

* The conflagration of the metropolis, the demolition of the priſons, the ſiege of the Bank and of the Britiſh Parliament, the threatening of Royalty in its very ſanctuary, are ſcenes ſtill preſent to the recollection, not only of individuals, but of *Government*. The confuſion in the year 1780, created by an aſſociation impiouſly denominating itſelf the Proteſtant Aſſociation, is a ſubject worthy of conſideration by raſh and virulent declaimers. It is obvious to every Engliſhman, that the views of the faction who raiſed the outcry againſt Popery, extended infinitely beyond affecting merely a Repeal of the act paſſed in favor of Roman Catholics. At that time the Jacobin Conſpiracy had not begun to work in the face of day—*impiety* had not yet thrown off the maſk, but remained diſguiſed in the garb of *religious zeal*.

ligion—let him point out a ſingle tenet which can militate againſt the duty of ſubjects in any regular Government—he will find none. Religion and government are inſeparable; they muſt ever co-exiſt they muſt ever ſupport each other—without religion there can exiſt no Government.—without Government, no religion. Religion, whoſe fundamental principles conſiſt in the love and fear of God, and in the practice of ſocial duty, muſt neceſſarily conſider allegiance as a moſt ſacred obligation—religion muſt ever inculcate obedience to Government, ſhe can never preach ſubverſion, ſhe never can permit violation of order—ſhe is ever eſſential to the peace and welfare of ſociety—it is ſhe alone who can bind, in a ſyſtem of order and regularity, the incoherent, the extravagant paſſions and vices of man: without her ſalutary influence all laws are vain: that government alſo which would attempt to deſtroy religion, ſtabs its own vitals, and determines its own exiſtence. The Roman Catholic religion, as well as every other religion which deſerves that ſacred name, muſt neceſſarily ſupport regular Government in every country. The Roman Catholic Church is more cloſely connected than any other religious perſuaſion with the church of England. The difference between the Proteſtant and the Roman Catholic religion, is not great, even in points of religious faith—in morality and political duty they muſt ever coincide—avaunt then, all abſurd and injurious aſperſions, they ought to be baniſhed even from the nurſery, and no longer to be ſuffered there amongſt ridiculous goſſips to poiſon the ſuckling babe, to envenom his young blood with prejudice and animoſity, and to create in his infant mind a horror of his innocent fellow-ſubjects, almoſt before he is taught the exiſtence of a God.

To maintain, therefore, that the Roman Catholic religion is dangerous or ſubverſive, would be abſurd

and impious. The Roman Catholic religion is proved by the Legiſlature to be at leaſt innoxious, and no deſcriptions of perſons, except Roman Catholics, are excluded from Parliament on account of their religious opinions: it therefore neceſſarily follows by every rule of logic and common ſenſe, that the Roman Catholic nobility and gentry of Ireland are juſtly entitled to be reſtored to their ſeats in Parliament. This reaſoning, it is preſumed, cannot be controverted—the *propriety* of repealing the laws excluding the Roman Catholics from the Parliament of Ireland, can be no longer a queſtion.

It is obvious, that in England, the partial diſability, under which the Roman Catholic nobility and gentry are ſo ſeriouſly aggrieved, may be removed without introducing any *innovation*, without deſtroying any eſtabliſhed *principle*, without involving any *general queſtion*, without violating any *fundamental law*. In Ireland, a ſimilar meaſure is equally practicable.

Miſerable, indeed, would be that Government, (if ſuch it could be called), which in a caſe of clear indiſputable juſtice, could grant no relief. Horrible alſo would be that ſyſtem of law, which could bind the ſtate in the imperious neceſſity of operating for ever ſevere and partial injury—ſuch are neither the Government nor the laws of Ireland.

The Roman Catholic nobility and gentry of Ireland were excluded from Parliament, by the 3d William and Mary, c. 2. an act to which the advice and conſent of the Lords and Commons of Ireland were wanting: an act paſſed by the Parliament of England, to ſettle the internal regulation of the Parliament of Ireland, to expel the moſt powerful peers, the moſt diſtinguiſhed families, poſſeſſed of the greateſt property, and the moſt extenſive influence in that kingdom, from their ſeats

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in the Legiſlature of their own country, and condemning them as traitors and rebels unheard, and without trial. To this act, the independent Legiſlature of Ireland can have no particular affection—it is an act of foreign growth, not the natnral production of the country.

It has been ſhewn, that in England, the oaths required to be taken by Peers and Members of Parliament may be modified, without weakening the ſecurity afforded by the exiſting teſt. The ſame oaths are appointed to be taken by peers and Members in Ireland, under the 3d William and Mary.

The Iriſh Roman Catholics have abjured every pernicious doctrine formerly imputed to the Roman Catholics of England. They have moreover ſworn, that no *act in itſelf unjuſt, immoral, or wicked, can ever be juſtified or excuſed by, or under pretence or colour that it was done either for the good of the Church, or in obedience to any Eccleſiaſtical power whatſoever**. That *it is not an article of the Catholic faith, nor are they thereby required to believe or profeſs that the Pope is infallible, or that they are bound to obey any order in its own nature immoral, though the Pope or any Eccleſiaſtical power ſhould iſſue or direct ſuch order; but on the contrary, that they would hold it ſinful to pay any reſpect or obedience thereto* †. They have further ſworn, *that they believe no ſin whatſoever committed by them, can be forgiven at the mere will of any Pope or any Prieſt, or of any perſon or perſons whatſoever; but that ſincere ſorrow for paſt ſins, and a firm and ſincere reſolution to avoid future guilt, and to atone to God, are previous and indiſpenſable requiſites to eſtabliſh a well founded expectation of forgiveneſs; and that any perſon who receives abſolution without theſe previous requiſites,* ſo

* 33d. George the III. c. 21.
† Idem.

ſo far from obtaining thereby any remiſſion of his ſins, incurs the additional guilt of violating a ſacrament *. They have ſworn TO DEFEND TO THE UTMOST OF THEIR POWER THEIR SETTLEMENT AND ARRANGEMENT OF PROPERTY IN THAT COUNTRY, AS ESTABLISHED BY THE LAWS NOW IN BEING†. Let any one open the Statute-Book of Ireland—let him read, and let him ſcrutinize the oaths taken by the Roman Catholics: he muſt admit, that they contain as poſitive and ſecure a teſt as that which exiſts at preſent, as far as reſpects ſitting and voting in Parliament. They contain the moſt ſolemn abjuration of all temporal and civil juriſdiction in the Pope within theſe realms, of all eccleſiaſtical or ſpiritual authority whatever, that can in any manner interfere with their allegiance. Can reaſon expect, or can words create a greater political ſecurity? Is the exiſting parliamentary Teſt as ſtrong and as preciſe as that taken by the Roman Catholics of Ireland to qualify themſelves for the meaneſt offices? Does it exclude from Parliament any ſect whatever, however hoſtile to the doctrines of the Church of England? Does it require an admiſſion of the Divinity of Chriſt Jeſus, or even a profeſſion of belief in the Chriſtian Religion‡? Why then it may again be aſked, ſhould not the oaths taken by the Roman Catholics be ſubſtituted for thoſe appointed under the 3d William and Mary?

The latter oaths, however, may remain: It is not neceſſary that they ſhould be either abrogated or altered.

* 33d George the III. c. 21. † Idem.

‡ The oaths required to be taken by Peers and Members of Parliament, are ſo vague and ſo peculiarly framed to comfort ſcrupulous conſciences, that one might apply to the Senate-Houſe the following adage, well known in Ireland:

Turk, Jew, or Atheiſt,
May enter her;—
But not a Papiſt.

tered. If the declaration be aboliſhed, and at the end of the Oath of Supremacy be added the following words: "That can interfere with the Allegi- "ance due by the Subjects of this realm to his Ma- "jeſty's Perſon and Government," all objection on the part of the Roman Catholics will vaniſh. Will any ſtate-juggler pretend, that ſuch an addition would diminiſh in any reſpect the force of the exiſting teſt? Does what is called perhaps improperly, the Oath of Supremacy, acknowledge the exiſtence of any ſpiritual authority whatever? Certainly not: *nor would the Legiſlature, by ſuch an addition, acknowledge any Eccleſiaſtical or Spiritual authority whatever in the Pope.*

But what neceſſity is there to argue either that the 3d of William and Mary ſhould be repealed, or that the oaths taken by the Iriſh Roman Catholics are a ſufficient pledge of their allegiance, when the Legiſlature of Ireland has poſitively and expreſsly declared, that "all who take and ſubſcribe the oath "of allegiance, preſcribed in an act paſſed in the "thirteenth and fourteenth years of his preſent "Majeſty, OUGHT TO BE CONSIDERED AS GOOD "AND LOYAL SUBJECTS TO HIS MAJESTY, HIS "CROWN, AND GOVERNMENT; that a *continu-* "*ance* of ſeveral of the laws formerly enacted and "ſtill in force in this kingdom againſt perſons pro- "feſſing the Popiſh religion, is *therefore unneceſſary* "in reſpect to thoſe who take the ſaid oath*." And THAT VARIOUS ACTS OF PARLIAMENT HAVE BEEN PASSED IMPOSING ON HIS MAJESTY'S SUBJECTS, PROFESSING THE POPISH OR ROMAN CATHOLIC RELIGION, MANY RESTRAINTS AND DISABILITIES TO WHICH OTHER SUBJECTS OF THIS REALM ARE NOT LIABLE, AND FROM THE PEACEABLE AND LOYAL DEMEANOUR OF HIS MAJESTY'S POPISH OR ROMAN CATHOLIC

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*2 2 Geo. 3. c. 24.

LIC SUBJECTS, IT IS FIT THAT SUCH RESTRAINTS SHALL BE DISCONTINUED.* After this ſolemn deciſion of the Iriſh Legiſlature, who will pretend that a law ſo peculiarly ſevere upon the Roman Catholics, as that which excludes them from Parliament ſhould exiſt a moment longer? Is it not ridiculous to inflict diſabilities on a body of men merely becauſe they profeſs a religion which the Legiſlature itſelf *maintains and even inculcates?* to continue to treat as *traitors and enemies of his Majeſty*, thoſe who are pronounced to be *good and loyal Subjects?* To declare that reſtraints and diſabilities impoſed *ſolely upon Roman Catholics* ought to be diſcontinued, and at the ſame time to retain a diſability ſo grievous, ſo ſo ſtigmatiſing, and ſo degrading? Surely the honour of the Iriſh Legiſlature is concerned in removing ſuch an inconſiſtency; an abſurdity, which if ſuffered to continue, muſt expoſe the venerable ſyſtem of the laws to contempt and ridicule throughout Europe.

That the Roman Catholic Nobility and Gentry both of England and Ireland, ought to be reſtored to the rights ingrafted by the laws of the State on the poſſeſſion of property, to be admitted to a participation of the privileges enjoyed by all other ſubjects of his Majeſty, and from which the Roman Catholics alone are undeſervedly and unreaſonably excluded: conſequently that they ought to be relieved from the diſability of ſitting and voting in Parliament muſt be admitted to have been completely demonſtrated. What Machiavel, what Robeſpiere, will dare come forward and pretend that the ſtatutes creating this diſability are *eſſential* to the conſtitution of the Government in either kingdom? If theſe ſtatutes were *eſſential* to the conſtitution of the Government, the ſtatutes of recuſancy, bloody ſtatutes which humanity and religion muſt ever abhor, which proſcribed the whole body of Roman Catholics in both kingdoms,

* 33 Geo. 3 c. 21.

doms, and condemned them both laity and Clergy, to exile, famine, and death, have been its *vitals*. The latter ſtatutes, however, have been repealed, and are now no more; the conſtitution of the Government therefore would have ceaſed to exiſt. Such is the abſurdity inevitably reſulting from a propoſition ſo monſtrous, a propoſition which no man can ever venture to affirm, except an enemy to humanity, to religion, and to the happy conſtitution of the laws.

The repeal or modification of the particular ſtatutes, continuing to inflict ſuch *peculiar ſeverity and hardſhips* on perſons, declared *by law innocent of all imputation*, has been proved to be a meaſure of indiſputable juſtice; a meaſure neceſſary to prevent the moſt glaring abſurdity from diſgracing the ſtatute book of both countries; a meaſure inſtantaneouſly requiſite, and which the honour of the Britiſh and Iriſh legiſlatures cannot ſuffer to be delayed; a meaſure at all times indiſpenſable; and, in the preſent moment, when ſuch an important improvement of the conſtitution of the government is in contemplation, particularly urgent; a meaſure, which muſt be effected whether the parliament of both kingdoms be conſolidated, or continue to deliberate ſeparately. An Union framed upon a broad plan, having for its object the general happineſs of all his Majeſty's Subjects, and calculated to accompliſh ſuch grand and noble views, muſt certainly be deſirable, may be moreover neceſſary. If, on the other hand, it ſhould have no other deſign than to evade the performance of the moſt ſolemn legiſlative engagements, to eſtabliſh and perpetuate the moſt oppreſſive injuſtice, to keep alive jealouſies and diſcontents, thereby to enable the enemies of order, by deluding the ignorant, by flattering the ambitious, by irritating the diſcontented, to raiſe at pleaſure political hurricanes, and deſolate ſociety; it will be execrable in itſelf, and ruinous in its conſequences.

ſequences That ſuch can be the project of an Union countenanced by his Majeſty, propoſed by an adminiſtration, and ſubmitted to parliaments who, with ſuch benignity and readineſs, have all contributed to grant the Roman Catholics conſiderable relief, none can ſuppoſe even for a moment, none but a conſpiring Jacobin can impiouſly ſuggeſt.

The propriety of an Union is before the moſt exalted, and alſo before the *only competent* tribunal. It will there meet with every ſerious conſideration as to its exeediency, and as to the articles upon which it ſhould be ſettled. The final determination will neceſſarily be founded on wiſdom and juſtice. Whatever may be the reſult, both countries cannot be too cloſely connected, and each kingdom cnnoat be too firmly united in itſelf. Unanimity is in every ſtate at all times deſirable; in the preſent moment, Unanimity is eſſential to political and ſocial exiſtence.

It is only by removing the cauſe of jealouſy and animoſity, by redreſſing all real and well-founded complaints, by granting to perſons according to their reſpective degrees of elevation in ſociety their reſpective rights, by rivetting the loyalty and affection of all his Majeſty's Subjects of whatever denomination, by encircling around the throne, RANK, PROPERTY, and RELIGION in general; that the Britiſh Monarchy will be able to oppoſe ſucceſsful reſiſtance to the furies of Jacobiniſm, let looſe on earth to deſtroy the exiſtence of ſociety, who ſeem to have ſworn around the furnaces of hell itſelf, to ſubvert ALL AUTHORITY, ALL GOVERNMENT, AND ALL RELIGION.

THE END.