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THE
WARNING PROTEST

OF AN
IRISH ROMAN CATHOLIC,

AGAINST EVERY

Interference, Change,

OR

ARRANGEMENT

IN THE

DICIPLINE AND CONSTITUTION

OF THE

Roman Catholic Church in Ireland,

AS A

COMPROMISE OR BARTER

FOR

CATHOLIC EMANCIPATION,

RESPECTFULLY ADDRESSED

TO THE

MEMBERS

OF THE

Two Houses of Parliament,

TO WHICH IS ADDED,

**A CORRECT COPY OF THE BILL LATELY BROUGHT
INTO PARLIAMENT,**

By the RIGHT HON. HENRY GRATTAN,

**FOR THE FURTHER RELIEF OF THE ROMAN CATHOLICS OF GREAT
BRITAIN AND IRELAND.**

FIFTH EDITION.

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DECLINING PROTEST

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THE
WARNING PROTEST,
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ITS present ecclesiastical Constitution, comprising its supreme spiritual Head, and the Nomination, Election, Confirmation, and independent Catholic Provision for the Maintenance of its Hierachy and Priesthood, is as necessary to the existence of the Roman Catholic Church and *Religion* in Ireland, as the Constitution of King, Lords and Commons is to British Liberty—If the former be broken in upon, the latter must perish. Its preservation is therefore as necessary to the Catholic Religion in Ireland, as the preservation of the human body is to the connection with the soul in this life. MONTESQUIEU, speaking generally of systems, clearly proves that “*the smallest change in the Constitution is attended with the ruin of its principles*”—or the ruin of the Constitution itself. This reasoning applies incontrovertibly to every system of civil and ecclesiastical polity.

The Constitution of the Roman Catholic Church in Ireland, therefore preserved inviolable in its integrity, unity, and indivisibility, the coherence, harmony and entirety of all its parts in their present dependent relations, separately and together, without any modification, innovation, variation of movement, extrinsic impulse, direction, or fresh arrangement, forms the impregnable bulwark of the Roman Catholic Church and Religion in that country. It is the sacred bulwark which sustained the Roman Catholic Church in that Kingdom during a century of Persecution.

“*Oblivion in Patriotism,*” says the great Irish Whig Orator.—So it is, I reply, bury your prejudices, your

suspensions, your affected apprehensions, your Vetoes, domestic nominations, and plans of innovation for subverting the Roman Catholic Church, my good Friend, and I will cheerfully, cordially, and *for ever bury my recollections*—I will then acknowledge you for my true Friend. In the mean time, you compel me, most unwillingly, to look back in my own defence, modestly to shew why I protest against you and your plans of innovation. That century of persecution exhibited the unparalleled circumstance of a Legislature, elected for the public good and protection, meeting from month to month, from year to year, and generation to generation, to exhaust its ingenuity in devising modes, not to prevent the introduction of new and untried opinions, but to put down by persecution, and forcibly extinguish the ancient religion of more than, at that period, nine-tenths of the inhabitants of the Kingdom, their Countrymen and Kindred. Although the Whigs and Tories were then as they are now, at war for the profits of the state, they always cordially agreed in directing the whole power of the State to obtain this Object. They vied in the enactment of penalties, forfeitures, civil and political disabilities, ignominious inflictions, and capital punishments. The Whig Writers boast, with truth, that they were the most vigilant and effective in the attack and siege of the Catholic Edifice. Undoubtedly, when we are obliged to admit that they attempted to *enact against the will of HEAVEN, and repeal the Decalogue*, by arming the children against their Catholic Parents, we must allow them the praise of having done their utmost. Still, the venerable fabric survived the united efforts of its Assailants.

If I am asked, why I protest against any change, I answer, for the very best reason in the world; because the organ has answered its end in the worst of seasons; because the sacred building has, for so long a period, stood the assault of open hostility, of fire and sword, of siege and storm, unimpaired. Its former Besiegers declare they are my Friends, but I frankly confess, though not without some concern and apology for my plainness, that the contradiction between their professions and their projects, puts it out of my power to believe a word of their assurances. The only change in them, which I see, is, that they have put the disguise of a new face upon their ancient hostility. I state this with extreme regret,

because I wish for real conciliation. But when they demand of me to admit them into the citadel, with a power to influence, take into their pay, and control its defenders, and change its Guards: it appears to me they only seek to do that covertly, which they failed to do openly. Shut out at the great gate, they ask for a stone from the wall, and refused that, they will be content with picking out, *for the present*, a bit of mortar; baffled there, a grain of the sand, as a beginning, will satisfy them. Let the principle and the power of destruction be but once begun, and the conclusion must soon follow. I am obliged to protest therefore, *in toto*, against any and every innovation, because of my apprehension and conviction, that the changes are sought for in despair of succeeding by any other means. I agree in opinion with Hooker, Coke, Bacon, Bracton, Locke, Somers, Fenelon, Bossuet, Bourdaloue, Blackstone, Montesquieu, Chatham, Burke, Pitt, Fox, Paley, and other eminent Statesmen, Orators, Politicians, and Divines, that the preservation of the forms of a Constitution and of its principle, is the same; that a wound upon one is a wound upon the other, and that the breaking in upon, or separating them, is their mutual death.

I am obliged, therefore, in conscience, to protest against any and every innovation, because of my conviction that the forms of the Constitution and discipline of the Catholic Church, of the Protestant Church, and of every other Church, are the Church itself. The security of the Protestant Church is this, that it is as it ought to be, Protestant in its construction, its Supremacy, its Hierachy and Priesthood; and Protestant in all its nominations, appointments, revenue, connections, and dependencies. Without this security the Protestant Church, although *supported by all the power of the State*, must perish. This has been, this is the only security of the Catholic Church that it has been, and that it is, wholly Catholic. With this security the Roman Catholic Church has been the Palladium, or more properly speaking, the Ark of the Roman Catholic Religion in that Country, *with all the power of the State against it*. It is the Ark of the Roman Catholic Religion in which I have lived, and by which, with humble faith in God, and a deep sense of my own most manifold imperfections, I hope to be saved. It is for these

strong and imperative reasons, and because I cannot so far stultify myself as to adopt the counsel of my old religious Opponents, who speak of my religion as a moral and political evil, that I can never consent to yield even the one-thousandth particle of a single grain of sand from the mortar of that glorious edifice; no, not the one-millionth part of a letter from its Constitution or Discipline, for all the political and temporal advantages which this world can bestow. This is the calm unbiassed determination of my common sense, as a Man of the World; of my interests as a British Subject, and of my conscience as a Catholic Christian. It is the sincere expression of my duty to God, my King, and Country. I love my brave and honest Protestant Countrymen. I supplicate God that they may grant the prayer of the Irish Catholic Petition for a *simple repeal and restoration, without religious compromise, or surrender*. Even if they unhappily reject it, I shall still possess the security of my religion, and cheerfully be ready with heart and hand, in person and property, with unabated loyalty to repel the common Enemy? and if necessary, lay down my life for my Country, without any consideration of what Men, or what Party are in or out of power. This is the duty and the sentiment of every Irish Catholic. But I would blush to be cajoled or intimidated out of my religion. I cannot consent to surrender, but with my last breath, the shield which defended my forefathers and me in the day of conflict: nor endure to be tricked out of the sword, which has borne us through the tide of battle. I will cling to those safeguards to my dying hour, and bequeath them to my children and their latest Posterity.

There is no merit, no peculiar virtue, in this unalterable resolution, although there would be the heavy guilt and infamy of sacrilege in an opposite conduct. It is already the public determination of near four millions of Catholic Irishmen. I firmly believe it is what every conscientious honest Protestant would do were he in my situation.

I demand nothing but to bind the Whig Orators, "*our early and long tried Friends*" to their own declarations and professions, "*equal laws, equal privileges as British subjects, and equal freedom.*" I look for nothing but equal se-

curity. The Irish Catholics do not seek for any alteration in the discipline, constitution and supremacy, the revenues, nomination, election or appointment of the Hierarchy or Priesthood of the established Church. They solemnly disclaim all such interference. An Irish Roman Catholic may humbly and firmly claim a similar forbearance and exemption from Protestant interference, in behalf of his own Community. This is the sum of my prayer. I do not seek for any ecclesiastical change whatever in the Protestant or Catholic Church. If the smallest innovation, politic arrangement, addition, or omission, in the discipline and constitution of the Roman Catholic Church be the price demanded by "our sincere well-wishers," the honest *Whigs*, for restoring the Irish Catholics to a mere confined and precarious eligibility to the few political rights and privileges from which they are unhappily excluded, the true Catholic is obliged in conscience, with deep and steadfast abhorrence, to turn his back upon them, and to reject their plan of emancipation and shews of friendship as an iniquity and destruction. I am compelled to reject them as a good Protestant would a similar proposition from Catholics; as I would the proposition of one offering food and raiment to my nakedness and hunger, on condition of my surrendering my Female Ward to prostitution, or committing a fraud, robbery, or murder.

But having no personal object to promote by a capitious opposition, I am moved to this protest solely by my conscience, at the risk of my private interest, and of incurring party misrepresentation. With a due sense of its imperfections, I glory in the British Constitution, as the Summary of human wisdom, and would gladly consent to any equitable measure, purely laical and consistent with my religious principles, to remove Protestant apprehensions and promote a civil, political, and social union. My objection is wholly confined to any and every spiritual or ecclesiastical innovation or compromise whatever. I will at once give my voice for any temporal, lay arrangement, or securities, to be settled exclusively with the Roman Catholic Laity, and including only Laical interests. But from this arrangement or compromise, the Catholic Clergy, with all the interests and concerns of that pious and venerable Body must be now, wholly

and for ever, excluded and secured. There must be no loophole left for trenching upon or invading them in future. I stand upon the broad unanswerable ground of solid reason. I state the case plainly. It is proposed to render the Roman Catholic Laity eligible to certain civil, political, military, and legislative offices. An apprehension has been started, that the Persons to be promoted or elected by this eligibility, will be enabled to endanger the Protestant establishment in Church and State. God forbid that any honest Protestant, who, in the calm unbiassed convictions of his loyalty and conscience, entertains this apprehension, would lie quiet under it. I trust and hope that every one of my Protestant Friends, so thinking, will exert themselves, as I do in the Catholic behalf, to obtain due and substantial securities. But, in conformity with general practice, let those securities be demanded of the Parties to be admitted to the trust. Let the Catholic Laity, who are to be benefitted by the eligibility, be called upon for the securities, instead of the absurd plan of leaving them to realize the supposed danger, and calling upon them to qualify themselves for office by the unprincipled and sacrilegious act of selling and surrendering for worldly advantage, their disinterested Priesthood into Anti-Catholic hands.

It is feared, as we are told, that a Roman Catholic Admiral or Captain, a Roman Catholic General or Colonel, at sea or land, we will suppose in England, on the coast of France, in Germany, America, the East or West Indies, may betray his trust. Now it might be presumed that, in such an instance, the usual rule in doubtful cases would be adopted, of demanding solid securities in property and person from the Catholic by himself and his friends, when admitting or swearing him into command. But the wisdom and morality of our Whig Friends take a new course. They gravely call upon the Protestants of England to provide themselves with safeguards against these dangerous Roman Catholic Commanders, by demanding of them to overturn the Constitution of the Roman Catholic Church of which they are Members. They demand this of them as the price of their eligibility, as the proof of their honour and integrity, and as a security they shall not overturn

the British Constitution!—To obtain security that an Irish Roman Catholic General shall not betray us in Spain, or an Irish Catholic Captain carry his ship into an Enemy's port some thousand miles from home, or a Catholic Colonel desert with his regiment when employed in Germany or Russia, the Whigs propose to obtain, directly or indirectly, a nomination, an appointment, or control of an Irish Catholic Bishop, or of a simple, aged poor Catholic Priest, in a remote district of Ireland, wholly unconnected or acquainted with the suspected Commanders! The commonest mason knows that without a solid groundwork or foundation his building must sink to the ground. The only firm foundation for confidence, responsibility, or public and private virtue in the mind of man is his attachment to his religion. Without that foundation he is without religion, and his mind is a quicksand unfit for reliance. Yet the wise Whig Masons, "our early and long-tried friends," would begin to build by destroying that foundation in the Catholic Breast! Did ever human folly and wickedness combine in an attempt so futile and so preposterous, with respect to its proposed object, or so dangerous to the State and public liberty. As a moral and political good it is nothing. As a means of moral and political evil it is everything. It can prove no security to the Church or State: no guard whatever from the apprehended Catholic disaffection. It can only prove efficient in polluting the Catholic mind, converting the Catholic Priesthood into political Tools and Agitators, increasing the corrupt electioneering influence of Faction, reviving incurable religious animosities, dissolving the obligations of society, exciting anarchy, and building a bridge across the sea from Ireland to the Continent of Europe or America, to man the fleets and armies of our Enemies with *unwilling* Catholic emigrants.

Although the Catholic rights, privileges, or eligibility in question, cannot be considered in the light of a pawn, because they were forcibly taken away, not only without any equivalent deposit or loan to the Catholics, but used for the express purpose of stripping them of their means of education, estates, and contingently of their lives; yet if a contribution of money were demanded as the price of their *restoration*, I would cheerfully wave the

question of *equity*, and contribute to the general fund an ample share of my worldly substance, *as a means of effecting conciliation*. If a *real* fear of danger existed, arising from the *number* of the Irish Catholics, and that, as the only rational mode of lessening that danger, it was proposed to lessen their number, by stipulating that a certain quota of that Body should quit the Empire: this would certainly be paying a high price for Emancipation or Restoration: but even in that hard case, I would deem it my duty to compound with my feelings, and if there were one of my children more near my heart than another, and that the sacrifice was required of me, I would bedew him with my tears, give him a Father's blessing, and send him with his portion for ever from my presence, into a land of Strangers, as one of the banished Elect; to effect an *honest* and *practicable conciliation*.—But before the Roman Catholic Clergy of Ireland, I make my last determined stand. There, never: no, never, can I admit of any compromise, arrangement, or surrender. Round that disinterested, pious and benevolent Body, who, with the meek and heroic fidelity of the primitive Martyrs, have conducted my forefathers and me through more than a century of persecution, I draw a sacred circle, composed of the courage, the talents, the gratitude, and all the manly *virtues*, of four millions of their Catholic Countrymen. And when it is demanded of me to sell and surrender those venerable and courageous Fathers; to sell and surrender what no honest Protestant would surrender in my case; and what is beyond all worldly possession in the breast of every believing Christian; then the appeal is made to my feelings as a man, my principles as a Catholic, and my public spirit as a subject of the State. I have no alternative left between the remorse of a guilty and infamous abandonment, or the conscious approbation of an inviolable adherence. Then, as every true Protestant would reply in a similar situation, every true Catholic has but one brief answer, one preferable surrender: his neck, his head, his readiness to meet the **NEW WHIG PERSECUTION** with the firmness of his Progenitors. If the State will *not* avail itself, in this dangerous Crisis, of the courage and talents of the Irish Catholics, in the Senate, in the high commands of the Army and Navy, on the

judicial Bench, and in the Magistracy, without demanding of them first to prove themselves unworthy of all reliance, that is, without demanding of them an Act against their consciences, which must degrade them in the opinion of all good men, and render them in their own opinion, bad Catholics, bad Christians, bad Men, and bad Citizens; why then, I say, with the massacre of Velore, yet as it were bleeding before us, with the fatal examples of ancient and modern history on our minds, if this unprincipled, perfidious, and foolish plan be persisted in, one might be tempted to repeat after the old Roman, "The people whom God would destroy, he first blinds." For every one must be aware that the Protestant or Catholic, who would compromise, surrender, or sell his God or his Church, must be unfit for any reliance. He would sell his King and Country if a market were at hand.

The guilt of *Judas* carried with it its own punishment. Unable to bear up against the Hell of his mind, he became his own Executioner. The stigma upon the Scots, for selling their Sovereign, will never die, although that shameful treason was only the work of a Faction. But if four millions of Irish Catholic Christians, attached to their religion and Priesthood, were, by any possible combination of fatuity, neglect, pusillanimity, or dereliction of duty, to sell or surrender the only security of their religion, the independence of their Hierarchy and Priesthood, into Anti-Catholic hands, after a guilt so enormous and unexampled in the History of the World, it is hardly possible to doubt but that they would be fitted for the commission of any, or every species of political or moral crime. Every reflecting Protestant would have reason to feel that four millions of men, stained with so deep a guilt, still strongly attached to the Priesthood whom they had betrayed, and mingling the incessant remorse of their crime with an indignant feeling against that Anti-Catholic Faction and Country, upon whom they would be taught to charge their seduction, would be ready and fit Instruments in the hands of a profligate Minister, to destroy the liberty of the Empire.

The great body of the Irish Clergy and Laity have repeatedly and solemnly declared against any religious innovation or ecclesiastical compromise. This measure

therefore, cannot be carried with their consent : if carried otherwise, by the aid and contrivance of the Protestant Community, will not a corrupt Minister hereafter have a plausible ground to work upon, in the minds of the abused, betrayed, and persecuted Catholics : and, arguing from the infirmity of human Nature, may not the Sufferers be persuaded to go any length with him, in the way of retaliation, against the common rights? "*I rejoice*," said the immortal Chatham, "that the *Americans* have resisted, for two millions of Men *willingly submitting to be enslaved, would be* FIT INSTRUMENTS for ENSLAVING the remainder of their FELLOW SUBJECTS.

The question, therefore, is not whether the Protestant Community shall take advantage of the Catholics, and, by seducing a few Catholics of Rank in England and Ireland, intimidating others, and fraudulently imposing on a few more, force this new scheme of persecution into effect, against the general will and conscience of the Catholic Body. It is, whether the intelligent friends of reform and the whole Protestant People of England will be so unhappily misguided, as to co-operate in adding to the existing weight of corruption, an overwhelming mass of undue influence, by reducing four millions of their fellow-subjects to a state of religious and passive degradation, in the hands of any and every Minister of the Country? Let every calm Protestant throw away his prejudices, and ask himself—who is to exercise the power to be obtained by the new plan over the Catholic Priesthood and Laity. The answer is short, full, and directly bearing upon public liberty. It is the Minister of England, be he who he may.

A point so important may apologise for repetition. Either this *new Persecution* will acquire no new security for the Protestant Community, or it will acquire a new power over the Catholics. What is that power? An influence over their Priesthood, and, through their Priesthood, over four millions of their Community! And who is to exercise that influence? The Minister! And is this the BOASTED REFORM, this the *new life-blood* which is to be infused into the political system by the WHIGS? And are the calm, thinking, sober, honest Protestants of England, so lost to their own interests, as to entrust this power to every Cabinet Junto, to enable them to break down the public spirit at all elections in Ireland: to subvert,

the constitution of the Empire, and destroy the public liberty at their pleasure?

The plain language of truth comes home to the common sense of the plainest understanding, even upon the most important interests. If two clubs in a country town, have no other cause of rivalry but that of striving each to become the superior in numbers; and that one acquires a direct or indirect influence in the nomination of the Other's Officers, or in the regulation of its proceedings, all men must be sensible that the Latter is left at the Other's mercy; that the very attempt to acquire that influence is a proof of sinister intention; and that the body so influenced must dwindle away and be wholly degraded. The danger is still more immediate in the case of two Religions which have not merely separate but opposite tenets and interests, and which have been unhappily engaged in a struggle of nearly three centuries, the one for its preservation, the other for the extinction of its adversary. It is hoped, that the Catholic Question has not been thus triumphantly put to many of those petitioning Protestants by our "early and long tried *Whig Friends*," to urge them to petition for Catholic Emancipation, or rather *Anti-Catholic interference* in the Catholic Church. *Equal and permanent security alone can effect conciliation.* The only sentiment deserving the name of *liberality* is the truly Christian one, dictated by the *Divine* precept "Do unto others as you would they should do unto you."—And as the Protestant Petitioners for Catholic Emancipation, would not sell nor surrender their Clergy, nor compromise the security of their religion or ecclesiastical establishment, it must be at once admitted, that the only Protestant Petitioners, who are truly liberal on this question, are those who expressly petition for *Catholic Restoration without any religious or ecclesiastical compromise whatever.* Where so much *real or affected apprehension* exists for the Established Church, a Catholic without apprehension must be luke-warm or deficient in common Sense.

I have never met with a conscientious Irish Roman Catholic, who has not agreed with me in declaring, that he would gladly and cheerfully prefer the re-enactment of the whole Penal Code, in all its worst horrors, to any project of Emancipation, which went to make any change in

the Constitution of the Catholic Church, or either directly or indirectly to compromise the safeguards and securities of his religion. Those time-serving Protestants and *nominal* Catholics, who are fashionably indifferent to all religion, and hang loosely to their own creed, will term this, bigotry, to excuse their own readiness to change, without incurring the public shame of formally changing. But no upright Protestant will condemn this earnest adherence; for that adherence upon conviction, which he would applaud in himself and his own Community, he cannot justly deem criminal in me. Would not every sober, honest Protestant, if called upon to admit a Roman Catholic interference in the established Church, resist and struggle, as if called upon to admit the WOLF *into the Fold*, or the BESIEGER *into the Citadel*? I may take it for granted that he would lawfully resist and struggle; and hold in detestation any Protestant who would agree to admit the *Wolf* and the *Besieger*, under the pretext of a wish for *conciliation*. Well then, I venture frankly to own I would despise him for his compliance and honour him for his resistance. I am above disguise upon this solemn question, and I acknowledge to the Protestant Circle, with whom I cordially act in society, and whose exemplary morality I daily profit by, that these are the feelings of disgust and invincible repulsion with which I view the whole tribe of Whig and nominal Catholic Veto-and-domestic-nomination-mongers and framers of ecclesiastical arrangements. When the nauseous cant of a MARRIAGE *between the two Religions*, is made use of, I may be allowed to apply a test to the truth and sincerity of the Great Irish Whig Orator, by putting some necessary questions to him, which I otherwise would not have thought of, and which force themselves upon me from his own expressions. I ask of him, will he and his Brother Whigs, for the sake of CONCILIATION, agree to add the belief in transubstantiation in the Sacrament of our Lord's Supper, to the Thirty-Nine Articles; or will they agree to marry the Mass and Liturgy together? Does he think that the Catholics will give up the Mass or the Mystery of the *real Presence*, and the Protestants the Liturgy? Will that learned and upright Prelate, the good *Bishop of Norwich*, who was lately over on a mission of love and something more, to *some* of the Irish Catholic

Bishops, and who is as full of a wish to conciliate as any Member of the Established Church, will he, as a conciliatory offering, agree to give up the claim of the Protestant Clergy to exact tythes from the Irish Catholics? Surely not. I fear even if that mild, pious and eloquent Ornament of the Established Church were to consent to give up the tythes, as a *marriage portion* to the Catholic Bride, his Right Reverend Brethren on the Bench, and the whole Body of their Clergy, would refuse to be bound by the marriage articles. It is plain, therefore, that although there may be a *rape* and *adultery* in contemplation, the two Churches cannot enter into the holy bands of matrimony; for the very plain reason, that the two Parties are each already wedded. Why then does not the great Orator descend from the stilts of declamation, to the plain honest ground of truth and common sense? The harmonious agreement of the two Churches consists in their moving, on the right line of their Christian duty, apart; for another plain reason, which probably escaped the Orator's notice, namely, that like two carriages in a State procession upon the same road, by moving apart, they adopt the only mode of performing their journey in safety, and fulfilling their social duties in union. Their fraudulent approximation cannot but tend to revive and renew scenes which all good men must wish to prevent, and at the recollection of which all humane men must shudder.

The Orator must surely have forgotten that by the mere force of his eloquence, and excluding the Catholic from his Irish Constitution in 1782, he contrived in eighteen years, to talk down that *independent* form of Government in Ireland, which had survived six hundred years of British connection. I wish he would learn at length to know himself, and to feel the important fact, that the brilliant imagination of a public Speaker, and the sober practical ability of a Statesman, are not only distinct, but too often, in some measure, opposite qualities. In 1782, by excluding the Irish Catholics from civil and political power, he framed for Ireland, a **POLITICAL CONSTITUTION WITHOUT A BODY**, which necessarily perished, but *not without a convulsion*. For the last five years he has been, with quite as much wisdom, kindly endeavouring to frame for the Irish Catholics, an

ECCLESIASTICAL CONSTITUTION WITHOUT A HEAD, to perish in a similar manner. With all my veneration for his genius, and the excellent qualities of his heart, I am obliged, as an Irish Roman Catholic, to tell him I wish he would be quiet. I pay every compliment to his private virtues. But the Anti-Catholic conduct in 1782, in 1791, to the Sub-Catholic Committee of Twelve; his affected alarm for "*the safety and interest of the Protestant Ascendancy*" in his public answer to his Constituents, in January, 1792; the fact that *not one of the Irish Whigs would bring in or patronise the Petition of the Catholics in 1791 or 1792*: the fact that *every repeal of the Penal Laws has hitherto flowed from the gracious recommendation of his Majesty*; the final facts that the only fruits of WHIG friendship, have been the *Veto, domestic nomination, with other plans for the subversion of the Catholic Church*; and the rejection by the *Irish Catholics of all communication with the English Catholics' Agents*; all of these facts, which I have stated in this Work, *with the Documents which prove them*, have reduced me to the painful necessity of protesting against his friendship and his Catholic Politics altogether. I admire the inexhaustible richness of his fancy, but I WOULD RATHER SEE HIM WRITE AN IRISH TRAGEDY THAN MAKE ONE.



BILL

FOR THE FURTHER RELIEF OF THE

Roman Catholics of Great Britain and Ireland.

WHEREAS the Protestant succession to the Crown is, by the act for the further limitation of the Crown, and the better securing the liberties of the people, established permanently and inviolably.

And whereas the Protestant Episcopal Church of England and Ireland, and the doctrine, discipline, and Government thereof, and likewise the Protestant Church of Scotland, and the doctrine, discipline, and Government thereof, are established permanently and inviolably.

And whereas it may tend to promote the interest of the same, and strengthen our free Constitution, of which they are an essential part, if the Civil and Military disqualifications, under which his Majesty's Roman Catholic subjects now labour, were removed.

And whereas, after due consideration of the Petitions of the said Roman Catholics, it appeared highly advisable to communicate to them the blessings of our free form of Government;—And moreover, with a view to put an end to all religious jealousies between his Majesty's subjects, and to bury in oblivion all animosities between Great Britain and Ireland, so that the inhabitants of the respective countries may be bound together, in all times to come, by the same privileges, and the same interest, in defence of their common liberties and Government, against all the enemies of the British Empire.

May it please your Majesty, that it may be enacted, and be it enacted, by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, That, from and after the

it shall and may be lawful for persons professing the Roman Catholic religion, to sit and vote in either House of Parliament, being in all other respects duly qualified to sit and vote, upon making, taking, and subscribing the following Declaration and Oath, instead of the Oaths of Allegiance, Abjuration, and Supremacy, and instead of making and subscribing the Declaration against Transubstantiation, and the Declaration against the invocation of Saints, now by law required:—

“ I, A. B. do hereby declare, that I do profess the Roman Catholic religion; and I 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 conspiracies, which may be formed against him or them; 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 limitation of the Crown, and the better securing the rights and the liberties of the subject,” is and stands limited to the Princess Sophia, Electress and Duchess Dowager of Hanover, and the heirs of her body being Protestants;) hereby utterly renouncing and abjuring any obedience or allegiance unto any other person, claiming or pretending a right to the Crown of this Realm. 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, superiority, or pre-eminence, directly or indirectly within this Realm; I do further declare, that it is not an article of my faith, and that I do renounce, reject, and abjure the opinion, that Princes, excommunicated by the Pope or Council, or by the Pope and Council, or by any authority whatsoever, may be deposed or murdered by their subjects, or any person whatsoever. I do swear that I will defend, to the utmost of my power, the settlement and arrangement of property within this realm as established by the laws. I do swear, that I do abjure, condemn, and detest, as unchristian and impious, the principle, that it is lawful to destroy or any ways injure any person whatsoever, for or under the pretence of such person being an heretic. I do declare solemnly before God, that I believe no act, in itself unjust or immoral, can ever be justified or excused, by or under the pretence or colour that it was done, either for the good of the Church, or in obedience to any Ecclesiastical power whatsoever. I also declare, that it is not an article of the Roman Catholic faith, neither am I thereby requir-

ed to believe or profess, that the Pope is infallible, or that I am bound to obey any order, in its own way immoral, though the Pope or any Ecclesiastical power should issue or direct such order; but, on the contrary, I hold, that it would be sinful in me, to pay any respect or obedience thereto. I further declare, that I do not believe that any sin whatsoever committed by me, can be forgiven at the will of any Pope, or of any Priest or any person or person whatsoever; but that sincere sorrow for past sins, 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 received absolution without the previous requisites, so far from obtaining thereby any remission of his sins, incurs the additional guilt of violating the Sacrament. I do reject and detest, as an unchristian and impious principle, that faith is not to be kept with Heretics or Infidels. I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment, for the purpose of substituting a Roman Catholic Establishment in its stead. I do solemnly swear that I will not use any privilege, power, or influence, which I do now, or may hereafter possess, to overthrow or disturb the present Church Establishment of the United Kingdom; and that I never will, by any conspiracy, contrivance, or device whatsoever, abet others in any attempt to overthrow or disturb the same. And that I will make known to his Majesty, his heirs and successors, all attempts, plots, or conspiracies, whether at home, or abroad, which shall come to my knowledge, for effecting either of these purposes. I do solemnly, in the presence of God, profess, testify, and declare, that I do swear this Oath, and make this declaration, and every part thereof, in the plain and ordinary sense of the words without any evasion, equivocation, or mental reservation whatever, and without any dispensation, already granted by the Pope, or any authority 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 person or authority whatsoever shall dispense with or annul the same, or declare that it was null and void from the beginning."

And be it further enacted, that it shall and may be lawful for persons professing the Roman Catholic religion to vote at Elections of Members to serve in Parliament, being in all other respects duly qualified so to do upon making, taking, and subscribing either in manner by this act directed, or at the time and place of tendering their votes before the returning officer or officers presiding at such elections, (who is, and are hereby authorised and required to receive and administer the same instead of the oaths of allegiance, abjuration and supremacy, and instead of such other oath or oaths as are now by law required, to be taken for the purpose aforesaid by any of his Majesty's subjects, professing the Roman Catholic religion, the aforesaid declaration and oath, and also upon taking such other oath or oaths, as may now be lawfully tendered to any persons, offering to vote at such elections.

And be it further enacted, that it shall be lawful for persons professing the Roman Catholic religion to hold exercise and enjoy all civil and military offices, or places of trust or profit under his Majesty his heirs or successors, except as hereinafter excepted, upon making, taking, and subscribing the aforesaid declaration and oath, instead of the oaths and declarations against transubstantiation and the declaration against the invocation of saints as by law required; and upon taking also such other oath or oaths as are now by law required to be taken by any person or persons, on his or their admission into any such office, or place of trust or profit, respectively, and without the sacrament of our Lord's Supper, according to the usage of the Church of England.

Provided always, that nothing herein contained shall extend or be construed to extend, to enable any person being a Roman Catholic, to hold and enjoy the office of Lord High Chancellor, Lord Keeper or Lord Commissioner of the Great Seal of Great Britain, or of Lord Lieutenant or Lord Deputy, or Chief Governor or Governors of Ireland.

And be it further enacted, that it shall and may be lawful for any person professing the Roman Catholic religion, to be a Member of any lay body corporate, and to hold any civil office or place of trust or profit therein, upon making, taking, and subscribing the declaration and oath aforesaid, instead of the oaths of allegiance, abjuration, or supremacy, and instead of the declaration against transubstantiation, and the declaration

against the invocation of saints, now by law required; and upon taking also such other oath or oaths, as may now by law be required to be taken by any person or persons becoming a member or members of such lay body corporate, or being admitted to hold any office or place of trust or profit within the same; and without taking the sacrament of our Lord's Supper, according to the usage of the Church of England.

Provided always, that nothing in this act contained shall extend, or be construed to extend to dispense with, repeal, or alter any of the laws now in force for establishing the uniformity of public prayers, or administration of sacrament in the united Episcopal Church of England and Ireland; or to enable any person or persons, otherwise than as they are now enabled, to hold, enjoy, or exercise any office, benefice, place, or dignity, of, in, or belonging to the said United Church of England and Ireland, or the Church of Scotland, or any place or office whatever, of or belonging to any of the Ecclesiastical Courts of Judicature of this realm, or of any Court of Appeal, from a review of the sentences of such Court or Courts, or of or belonging to any Cathedral, or to any Collegiate or Ecclesiastical Establishment or Foundation within the same, or any office or place of, or belonging to, any of the universities of this realm, or any office or place of Provost Master, Head or Fellow, Tutor, Scholar, Student, or exhibition, or by whatever other name the same may be called, of or in any of the said universities, upon the establishment or foundation of the same, or of or belonging to the colleges of Eton, Westminster, or Winchester, or any College or School of Royal or Ecclesiastical Foundation within this realm.

Provided also, that nothing herein contained shall extend or be construed to extend, to enable any person professing the Roman Catholic religion to exercise any right of presentation to an Ecclesiastical benefice whatsoever; and that, in every case in which a right of presentation is, or shall be vested in a person professing the Roman Catholic religion, the same shall be and continue to be exercised in the same manner, and in no other than is now by law required; save and except, where such right of presentation shall belong to any office in the gift or appointment of his Majesty, his heirs and successors, in which case, if such office shall be held by a person professing the Roman Catholic religion; it shall and may be lawful for his Majesty, his heirs and successors, to appoint by commission, under the Great Seal, such member or members of the Privy Council being a Protestant or Protestants, as he or they shall think fit, to be a Commissioner or Commissioners, for exercising such right of presentation, whilst such office shall be held by a person professing the Roman Catholic religion.

Provided also, and be it further enacted, that it shall not be lawful for any person, professing the Roman Catholic religion, directly or indirectly, to advise the Crown in the appointment or disposal of any office or preferment, lay or ecclesiastical, in the united Protestant Episcopal Church of England and Ireland, or the Church of Scotland; and that if any such person shall presume to advise his Majesty, his heirs or successors, touching or concerning any such appointment or disposal, he shall, being thereof convicted by due course of Law, be deemed guilty of and disabled from holding any office, civil or military, under the Crown.

And be it further enacted, that every person, now exercising, or who shall hereafter exercise any of the spiritual duties or functions, usually exercised by persons in Holy Orders, professing the Roman Catholic religion shall within calendar months from the passing of this Act, or within after entering into Holy Orders, and before he shall exercise any of the spiritual duties or functions aforesaid, take, make, and subscribe the Oath and Declaration in this Act contained, and also the following Oath:—

"I, A. B. do swear, that I will never concur in, or consent to the appointment or consecration of any Roman Catholic Bishop or Vicar Apostolic, in the United Kingdom, but such as I shall conscientiously deem to be of unimpeachable loyalty and peaceable conduct. And I do swear, that I have not and will not have any correspondence or communication with the Pope, or See of Rome, or with any Court or Tribunal, established or to be established by the Pope, or See of Rome, or by the authority of the same, or any person or persons so authorised, or pretending to be authorised, by the Pope or See of Rome, tending directly or indirectly to overthrow or disturb the Protestant Government, or the Protestant Church of Great Britain or Ireland, or the Church of Scotland, as by the law established; and that I will not correspond or communicate with the Pope or See of Rome, or with any Tribunal established, or to be esta-

lished by the Pope or See of Rome, or by the authority of the same; or with any persons authorised, or pretended to be authorised by the Pope or See of Rome, or any matter or thing, not purely Ecclesiastical."

And be it enacted, that every person who shall presume to exercise such duties or functions, without taking and making such oaths and declarations, in manner herein prescribed and directed, being thereof convicted by the due course of law, shall be deemed guilty of

And be it further enacted, that the said oath and declaration, by this act appointed to be taken, and made instead of any other oath or oaths, declaration or declarations, now by law required to be made, or taken by persons professing the Roman Catholic religion, shall, and may be made and taken in any of his Majesty's Courts of Chancery, King's Bench, Common Pleas, or Exchequer, at Westminster or Dublin, or in any Courts of General Quarter Sessions, in Great Britain or Ireland; and shall be subscribed by the person taking and making the same, with his name at length, if such person can write or with his mark, the name being written by the officer, where such person cannot write, such person or such officer, as the case may be, adding the title, addition and place of abode of such person; and shall remain on record in such Court; and the proper officer of such Court, respectively, with whom the custody of such record shall remain, shall make, subscribe, and deliver a certificate of such oaths and declarations having been duly made, taken, and subscribed, to the person who shall have so made, taken, and subscribed the same, if the same shall be demanded immediately; for which certificate there shall be paid no greater fee or reward than and such certificate, upon proof of the certifier's hand, and that he acted as such officer as foresaid, shall be sufficient evidence of such persons having duly made, taken, and subscribed such declaration and oaths.

And be it further enacted, that from and after the no person born out of the United Kingdom of Great Britain and Ireland, or the dominions thereunto belonging, except such as are born of British or Irish parents, shall be capable of exercising any episcopal duties or functions within the United Kingdom, or any part thereof; and if any such person shall presume to exercise such duties or functions, within the United Kingdom, or any part thereof, he being thereof convicted by due course of law, shall be deemed guilty of

, and shall be liable to be sent out of the Kingdom; and for that purpose, it shall be lawful for any one of his Majesty's Principal Secretaries of State, or the Lord Lieutenant or Chief Governor or Chief Governors of Ireland, or his or their Chief Secretary by warrant under his hand and seal, directed to such person or persons as he shall think fit, to order such person so having been convicted as aforesaid, to be conducted and conveyed out of the kingdom.

And be it further enacted, that from and after the no person in Holy Orders, professing the Roman Catholic religion, shall be capable of exercising any episcopal duty or function within the United Kingdom, unless he shall have been resident within the same for years next preceding his first exercising such episcopal duty or function; and that if any person shall presume to exercise the same, and having been so resident, he being thereof convicted by due course of law shall be deemed guilty of and shall be liable to be sent out of the kingdom in manner aforesaid.

Provided always, That nothing herein contained shall extend or be construed to extend to such persons as aforesaid, who shall before the have been in the exercise of such episcopal duty or function.

Mr. Canning's Supplementary Clauses.

(B.)—CLAUSES.

Respecting the Commission for Certifying the Loyalty of Persons to be appointed Bishops or Vicars Apostolic.

And whereas it is expedient that further precaution should be taken for ascertaining, to the satisfaction of his Majesty, his heirs and successors, the loyalty of every person professing the Roman Catholic religion who shall at any time, be nominated elected, or appointed to exercise or discharge any Episcopical duties or functions, within the United Kingdom of Great Britain and Ireland:

Be it therefore further enacted, That the and such other person or persons, shall

from time to time be appointed by his Majesty, his heirs and successors, in the manner hereafter mentioned shall be, and the same are hereby appointed Commissioners for the purposes of this present Act, so far as the same respects Great Britain; and that they shall hold their offices during good behaviour, and shall be removable upon an Address of either House of Parliament.

And be it further enacted, That if any person hereby appointed a Commissioner as aforesaid, or who shall be hereafter appointed a Commissioner for this present Act so far as the same respects Great Britain, shall depart this life, or shall decline to act in the said Commission, or shall go to reside out of the United Kingdom, then, and in every such case, it shall and may be lawful for his Majesty, his heirs and successors, by warrant under the Sign Manual, to appoint any Lay Peer of England or Scotland, professing the Roman Catholic religion, or if there shall be no such Peer of full age, and within the United Kingdom, then such Lay Commoner of England or Scotland, professing the Roman Catholic religion, who shall be possessed of a freehold estate in land, of not less than one thousand pounds a year in Great Britain, as his Majesty, his heirs and successors, shall think fit, to be a Commissioner in the room or stead of the Commissioner so dying or declining to act, or going to reside out of the United Kingdom.

And be it further enacted, That the Commissioners hereby appointed, and every Commissioner to be hereafter under this Act appointed for Great Britain, shall, before they shall respectively take on themselves the execution of the powers and authorities hereby vested in them, take and subscribe the oath first hereinbefore prescribed to be taken, by all persons professing the Roman Catholic religion, and also the following oath:—

“ I, *A. B.* do swear that I will, without favour or affection, hatred or malice, truly and impartially and according to the best of my skill and judgment, execute and perform the powers, authorities, and duties of a Commissioner, vested in me under and by virtue of an Act made in the 53d year of the reign of his Majesty King George the Third, entitled ‘ An Act for the further relief of Roman Catholics in Great Britain and Ireland;’ and that I will not, directly or indirectly publish, disclose, or make known to any one, save as by the said Act directed, any matter or thing whatsoever, which shall come to my knowledge, by reason or in consequence of my being a Commissioner under the said Act, excepting only such matters or things as all persons taking the oath by the said Act, first prescribed to be taken, are thereby bound to disclose.”

And that the said oaths shall and may be taken in any of his Majesty's Courts of Chancery, King's Bench, Common Pleas, or Exchequer at Westminster and shall remain of record in the said Court.

And it is hereby further enacted, That the said Commissioners may, from time to time, make such regulations to be binding on themselves, for all purposes incident to the discharge of their office, as they shall think proper; and that, for effecting the purposes aforesaid, it shall be lawful for the said Commissioners, or a majority of them, to appoint a Secretary, to be resident in London; and that for discharging the expense of the said Commission, and paying the salary of the Secretary of the same, the Lords Commissioners of his Majesty's Treasury shall issue out of the Consolidated Fund of Great Britain, the annual sum of £

to the Secretary of the said Commissioners, as the same Commissioners shall from time to time direct; and such Secretary shall, and is hereby required, before he acts in the execution of his office, to take and subscribe before two or more of the said Commissioners (who are hereby authorised and empowered to administer the same) the oath, first hereinbefore prescribed to be taken, and also the following oath:—

“ I, *A. B.* do hereby swear, that I will, according to the best of my skill and knowledge, faithfully execute the office of Secretary to the Commission appointed by an Act of the 53d year of his present Majesty, entitled, ‘ An Act for the further Relief of Roman Catholics in Great Britain and Ireland;’ and that I will not publish, disclose or make known, to any person or persons whomsoever, save as by the said Act directed, any matter or thing whatsoever, which shall come to my knowledge, by reason of the said office, excepting only such matters or things as all persons taking the oath by the said Act first prescribed to be taken are thereby bound to disclose.”

And it is hereby further enacted, That the said Secretary shall be removable at the pleasure of the said Commissioners, or the major part of

them; and that, on every appointment of a new Secretary, the same shall be notified by the said Commissioners to one of his Majesty's Principal Secretaries of State.

And be it further enacted, that from and after the passing of this Act, every person in holy orders, professing the Roman Catholic religion, who shall at any time be nominated, elected or appointed, according to the usages of the Roman Catholic church, to exercise or discharge any Episcopal duties or functions in Great Britain, shall, before he assumes the exercise of such Episcopal duties or functions make known such his nomination, election or appointment, by writing under his hand, to the Secretary of the said Commissioners, who shall immediately give information thereof to the said Commissioners, and the said Commissioners shall within six weeks after receiving such information, transmit the same by writing, under their respective hands, and seals, to one of his Majesty's Principal Secretaries of State; and shall, at the same time, certify, in form and manner following: "We do hereby certify and declare, that we do not know or believe any thing which tends to impeach the loyalty or peaceable conduct of _____" unless the said Commissioners, or the major part of them, shall deem the person, of whose nomination, election, or appointment, they shall have been so informed as aforesaid, to be a person disloyal and disaffected to his Majesty, his heirs and successors, or not of a peaceable conduct; in which case, they shall refuse to grant the said certificate; and any person, in whose favour they shall so refuse to certify, shall be incapable of discharging or exercising any Episcopal duty or function within the United Kingdom.

And be it further enacted, that if any person in whose favour the said Commissioners shall so have refused to certify in form and manner aforesaid, shall nevertheless assume the exercise of any Episcopal duties or functions within the United Kingdom, such person shall be guilty of a misdemeanor, and upon conviction thereof, shall be sent out of the kingdom in manner as hereinbefore directed.

Provided always, and it is hereby further enacted, That the said Commissioners so refusing to certify in favour of any such person as aforesaid, shall not, nor shall any one of them, on account of such refusal, or by reason thereof, be subject or liable to any action for damages or other legal proceedings whatsoever.

And be it further enacted, That any such other person and persons, as shall from time to time be appointed by his Majesty, his heirs and successors, in manner hereinafter mentioned, shall be, and the same persons are hereby appointed Commissioners for the purposes of this present Act, so far as the same respects Ireland, and that they shall hold their offices during good behaviour, and shall be removable upon an Address of either House of Parliament.

And be it further enacted, That if any person hereby appointed a Commissioner as aforesaid, or who shall be hereafter appointed a Commissioner for this present Act, so far as the same respects Ireland, shall depart this life, or shall decline to act in the said Commission, or shall go to reside out of the United Kingdom, then and in every such case it shall and may be lawful for his Majesty, his heirs, and successors, by warrant under the Sign Manual, to appoint any Irish Lay Peer professing the Roman Catholic religion; or if there shall be no such Peer of full age and within the kingdom, then such Lay Commoner professing the Roman Catholic religion, who shall be possessed of a freehold estate in lands of not less than one thousand pounds a year in Ireland, as his Majesty, his heirs and successors, shall think fit to be a Commissioner in the room or stead of the Commissioner so dying, or declining to act, or going to reside out of the United Kingdom.

And be it further enacted, That the Irish Commissioners hereby appointed, and every Irish Commissioner to be hereafter under this Act appointed for Great Britain, shall, before they shall respectively take on themselves the execution of any of the powers and authorities hereby vested in them, take and subscribe the oath first hereinbefore prescribed to be taken by all persons professing the Roman Catholic religion, and the following oath:

"I, A. B. do swear, that I will, without favour or affection, hatred or malice, truly and impartially, and according to the best of my skill and judgment, execute and perform the powers, authorities, and duties of a Commissioner, vested in me under and by virtue of an Act made in the fifty-third year of the reign of his Majesty King George the Third, enti-

7
tied, 'an Act for the further Relief of Roman Catholics in Great Britain and Ireland;' and that I will not, directly or indirectly, publish, disclose, or make known to any one, save as by the said Act directed, any matter or things whatsoever which shall come to my knowledge by reason or in consequence of my being a Commissioner, under the said Act, except only such matters or things as all persons taking the oath by the said Act first prescribed to be taken, are hereby bound to disclose."

And that the said oath shall and may be taken in any of his Majesty's Courts of Chancery, King's Bench, Common Pleas, or Exchequer, in Dublin, and shall remain of record in the said Court.

And it is hereby further enacted, That the said last mentioned Commissioners may, from time to time, make such regulations, to be binding on themselves for all purposes incident to the discharge of their office, as they shall think proper; and that, for effecting the purposes aforesaid, it shall be lawful for the said Commissioners, or a majority of them, to appoint a Secretary to be resident in Dublin; and that, for discharging the expence of the said Commission, and paying the salary of the Secretary of the same, the Lords Commissioners of his Majesty's Treasury shall issue, out of the Consolidated Fund of Great Britain, the annual sum of to the Secretary of the said Commissioners, to be applied for the purpose of the said Commission, as the said Commissioners shall, from time to time, direct. And such Secretary shall, and he is hereby required before he acts in the execution of his office, to take and subscribe, before two or more of the said Commissioners, who are hereby authorised and empowered to administer the same, the oath first hereinbefore prescribed to be taken, and also the following oath:—

"I, A. B. do swear, that according to the best of my skill and knowledge, I will faithfully execute and exercise the office of Secretary to the Irish Commission appointed by an Act made in the 53d year of the reign of his present Majesty King George the Third, entitled, 'An Act for the further Relief of Roman Catholics in Great Britain and Ireland;' and that I will not publish, disclose, or make known to any person or persons whomsoever, save as by said Act directed, any matter or thing whatsoever, which shall come to my knowledge, by reason of the said office, excepting only such matters or things as all persons taking the oath by the said Act first prescribed to be taken, and are thereby bound to disclose."

And it is hereby further enacted, That the said Secretary shall be removable at the pleasure of the said Irish Commissioners, or the major part of them, and that on every appointment of a new Secretary, the same shall be notified by the said Commissioners to the Chief Secretary of the Lord Lieutenant of Ireland.

And be it further enacted, That from and after the passing of this Act, every person in Holy Orders, professing the Roman Catholic religion, who shall at any time be nominated, elected, or appointed, according to the usages of the Roman Catholic Church, to exercise or discharge any Episcopal duties or functions in Ireland, shall, before he assumes the exercise of any such Episcopal duties or functions, make known such his nomination, election, or appointment, by writing under his hand, to the Secretary of the said Irish Commissioners, who shall immediately give information thereof to the said Irish Commissioners; and the said Irish Commissioners shall, within six weeks after receiving such information, transmit the same by writing, under their respective hands and seals, to the principal Secretary of the Lord Lieutenant of Ireland, and shall at the same time certify in form and manner following:—

"We do hereby certify and declare, that we do not know or believe any thing which tends to impeach the loyalty or peaceable conduct of :— unless the said Commissioners, or the major part of them, shall deem the person of whose nomination, election or appointment they shall have been so informed as aforesaid, to be a person disloyal and disaffected to his Majesty, his heirs and successors, or not of a peaceful conduct, in which case they shall refuse to grant the said certificate; and any person, in whose favour they shall so refuse to certify, shall be incapable of exercising any Episcopal duty or function within the United Kingdom.

And be it further enacted, That if any person in whose favour the said Irish Commissioners shall so have refused to certify in manner and form aforesaid, shall nevertheless assume and exercise any Episcopal duties or functions within the United Kingdom, such person shall be guilty of a

misdemeanor, and upon conviction thereof shall be sent out of the kingdom in manner hereinbefore directed.

Provided always, and it is hereby further enacted, That the said Commissioners so refusing to certify in favour of any person as aforesaid, shall not, nor shall any one of them, on account of such refusal or by reason thereof, be subject or liable to any action of damages, or any other legal proceeding whatsoever.

(C)—PROVISIONS.

Respecting the obtaining of Papal Bulls and Briefs.

And whereas it is fit and reasonable that his Majesty should be satisfied that no intercourse takes place between any of his Subjects and a foreign Prince, which can in any degree tend to withdraw any of his Majesty's subjects from the allegiance which they owe to his Majesty's sacred person and government, or to interfere with the temporal or civil rights or duties of his Majesty's subjects.

And whereas the laws made in former times, prohibiting all intercourse between the subjects of this realm and the See of Rome, are of extreme and undistinguishing rigour and severity,

Be it therefore enacted, That the Commissioners appointed and to be appointed at any time hereafter, under this act, as hereinbefore specified, with the addition in the said Commission in Great Britain of the Lord High Chancellor, or Lord Keeper, or First Commissioner of the Great Seal for the time being, and of one of his Majesty's Principal Secretaries of State (being a Protestant), or of such one other Member of his Majesty's Most Honourable Privy Council in Great Britain, being a Protestant, as his Majesty, his heirs and successors, shall think fit from time to time to appoint, and with the addition, in the said Commission in Ireland, of the Lord High Chancellor, Lord Keeper, or First Commissioner of the Great Seal of Ireland for the time being, and of the Chief Secretary to the Lord Lieutenant (being a Protestant), or of such one other Member of the Privy Council of Ireland, being a Protestant, as the Lord Lieutenant may think fit from time to time to appoint; and with the further addition in the Commission, in Great Britain of such person in holy orders, professing the Roman Catholic Religion, as shall exercise Episcopal functions among the Catholics in London, and with the further addition, in the said Commission in Ireland, of the Titular Roman Catholic Archbishops of Armagh and Dublin, for the time being, shall be Commissioners under this act, for the purpose hereinafter expressed.

And it is hereby further enacted, That the said person so exercising Episcopal functions among Roman Catholics in London, and the said Titular Archbishops, shall take before two or more of the Commissioners already hereinbefore appointed (who are hereby authorised and empowered to administer the same,) the following oath:

"I, A. B. do swear, that I will not, directly or indirectly, publish, disclose, or make known to any one, any matter or thing whatsoever, which shall come to my knowledge by reason or in consequence of my being a Commissioner under and by virtue of an Act of the 53d year of his Majesty King George the Third, intituled, 'An Act for the further relief of Roman Catholics in Great Britain and Ireland,' excepting every such matters or things, as all persons taking the oath by the said act first prescribed to be taken, are there bound to disclose."

And that the said Protestant Commissioners shall take in like manner, before any two of the said Commissioners already hereinbefore appointed, who are hereby authorised and empowered to administer the same the following oath:—

"I, A. B. do swear, that I will not directly or indirectly publish, disclose, or make known to any one, any matter or thing whatever, which shall come to my knowledge by reason or in consequence of my being a Commissioner under and by virtue of an Act of the 53d year of his Majesty King George the Third, intituled 'An Act for the further relief of Roman Catholics in Great Britain and Ireland,' excepting only such matters or things, as by my oath and duty of a Privy Councillor I am bound to disclose."

And it is hereby further enacted, that the Secretaries respectively appointed by the Commissioners first hereinbefore appointed, shall likewise be the Secretaries of the two last mentioned Commissions respectively.

And it is hereby further enacted, that three of the Commissioners of

each of the said last mentioned Commission respectively," shall form a quorum of such Commissioners, and shall be competent to transact all the business of the said Commission.

Provided always, that one of the Protestant Members of each of the said Commission shall be one of each of the said quorums, and that due notice of a meeting shall have been given by each Secretary, to each and every Member of each the said Commissions respectively.

And it is hereby further enacted, that so often as any subject or subjects of his Majesty, his heirs or successors, shall, at any time after the passing of this act, receive any bull, rescript, or other instrument from the See of Rome, or from any foreign spiritual person or body whatsoever, under the authority of the said see, the person or persons so receiving the same, shall, if he or they be resident in Great Britain, within after his or their receiving the same, deliver or cause to be delivered to the Secretary of the said Commissioners in Great Britain, to be by him, without delay, transmitted or communicated to the said Commissioners, a full and perfect copy of the said instrument, signed with his name in his own hand-writing; and if resident in Ireland, shall, within the like space of after receiving such bull, rescript, or other instrument as aforesaid, deliver, or cause to be delivered a full and perfect copy thereof, signed with his name in his own hand-writing, to the Secretary of the said Commissioners in Ireland, to be by him without delay transmitted or communicated to the said Commissioners.

Provided always, and it is hereby further enacted, that if the person or persons so receiving the said bull, rescript, or other instrument as aforesaid, shall deliver or cause to be delivered to the Secretary of the said Commission within the time hereinbefore prescribed a writing under his hand certifying the fact of his having received such bull, rescript, or other instrument as aforesaid, and shall accompany the said certificate with the following oath:—

"I, A. B. do swear, that the bull, rescript, or instrument (as the case may be), which I hereby acknowledge to have received from the See of Rome, or from such or such body or person (as the case may be), under the authority of the same, does relate wholly and exclusively to spiritual concerns; and that it does not contain, or refer to any matter or thing, which does or can, directly or indirectly, affect or interfere with the duty or allegiance which I owe to his Majesty's sacred person and Government, or with the temporal, civil, or social rights, properties or duties, of any other of his Majesty's subjects. So help me God."

(Which oath it shall and may be lawful for the said person to take and subscribe, either before the said Commissioners, or before such quorum thereof as aforesaid, who are hereby authorised to administer the same, or in any of the Courts hereinbefore mentioned.) Then and in that case, it shall be lawful for the said commissioners, or such quorum thereof as aforesaid, to admit and receive the said certificate, accompanied with said oath, in lieu and stead of the full and perfect copy of the bull, rescript, or other instrument hereby required.

And it is further enacted, that any person or persons, who, after passing of this act, shall receive any bull rescript, or instrument as aforesaid; and who shall duly deliver or cause to be delivered, a full and perfect copy thereof, as hereinbefore prescribed; or who shall deliver or cause to be delivered, such certificate of the receipt thereof, accompanied by such oath as aforesaid, and whose said certificate and oath shall be admitted and received by the said Commissioners, in lieu and stead of such perfect copy as aforesaid, shall be free and exempt from all pains and penalties whatsoever, to which he or they would, upon conviction, be liable by any laws now in force in Great Britain or Ireland respectively against the receiving bulls, or other instruments from the See of Rome, or from any authority or pretended authority under the same. But that any person so receiving such bull, rescript or other instrument as aforesaid, and not so duly delivering or causing to be delivered as aforesaid, either such full and perfect copy thereof, or such certificate of the receipt thereof, accompanied by such oath as is hereinbefore prescribed, shall, upon conviction thereof, be deemed guilty of a high misdemeanor; and shall, in lieu of all pains and penalties whatsoever, to which he or they would be liable by any laws now in force in Great Britain or Ireland respectively against the receiving bulls or other instruments from the See of Rome, or from any authority or pretended authority under the said See, be liable to be sent out of the Kingdom in the manner by this act prescribed.

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