

THOUGHTS

ON

THE VETO, &c. &c.

BY HERVEY M. MORRES, ESQ.

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ERRATA & ADDENDA.

Page 6, Line 13, for *Rinuuccini*, read *Rinunccini*.

.... 8, Last line, *dele*, *Carlisle*, read *Isca Silurum*—

NOTE—The See of Caerleon was removed to
St. David's.

.... 13, Line 14, for *conge d'elire*, read *congè d'elire*.

.... 16, 19, for *Eradmerus*, read *Eadmerus*.

NOTE—He was the Secretary, and Biographer
of Archbishop Anselme, and an Historian of
some eminence.

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1841

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IN delivering my sentiments respecting the policy of admitting in the King, what is termed a negative power, or *Veto*, on the nomination of the Catholic Bishops, or of vesting that power in the four Metropolitans; I present myself before the Public with peculiar diffidence.

I am aware, that whoever, in the jarring hour of heated controversy, opposes his voice to the public cry, let his motives be ever so pure, always exposes himself to the revilings of party, and the offensive suspicions of ill-nature and ignorance. For my part, I have made up my mind for the ordeal: but as it is a maxim with me to sacrifice private feeling to public interest, I shall proceed without reserve, resting my defence on the purity of my intentions, and my hopes on the good sense of the Catholic himself and of the nation at large.

This question, which *notoriety* has raised into significance, may be simplified, I imagine, into the following propositions, viz. the consistency, necessity, legality, and policy of the measure; by which I mean to say—1st, The *consistency* of treating with our rulers without offering violence to pride, or injury to principle—2, The *necessity*, under existing circumstances, of laying the scruples of our fellow-citizens of other religious persuasions, and inspire with confidence in us the Legislature under which we live, and with whom we hope one day to participate the rewards of our country—3, The *legality* of the act, as it affects the tenets of the Church, and eventually the morals and character of the Catholic community—4, And lastly, the *policy* of admitting a measure which shall procure liberty for four millions of people, without detriment to any individual.

It is universally allowed that excepting the Jews, with whom we, the Catholics, have not unaptly been compared, no people, for the space of 300 years, have suffered an equal share of persecution. The torments practised by Titus, in Judea, have here been revived under all the mischievous peculiarities of a bigoted persecution—yet, neither the fabricated annals of pensioned imposture, nor the fictions of detraction, furnish any uncommon instances of provoked retaliation exercised upon our oppressors—we neither *Jew-like* scourged the Cross, nor cruci-

fied the harmless infant: The yell, NO PROTESTANT! never resounded in our days—patience and resignation composed the bed of misfortune; fortitude and religion buoyed us, amid a sea of peerless sorrows, and gave to suffering virtue an everlasting triumph.

Decorated with these badges of fame and honour, where is he who would now come forward to impeach the memory of his ancestors, and load with imprecations the venerable clay of him who, sooner than crawl to the plunderers' foot, or accept from irreligion the gross premium of apostacy, has entailed on his successors the proud privations of respectable indigence.

I believe in no corner of this island, a wretch so base could possibly be found.

We have already, too often admired the immutable texture of his soul, even when the bribe was ten-fold greater than at present, to apprehend at this late hour of long endurance, so foul a sacrifice of character.

But this is not the question—there exists no apprehension on that score—the pyramid stands immoveable and shall brave the storms of eternity.—But the question I ask is, shall the Catholics, to the end of time, labour under existing disabilities forming in themselves a distinct *publicum* from the Government of the Country? or shall they, or may they consistently with the principles they profess, and unmindful of the bitter treatment they have so long endured, now

ratify upon a sincere and Christian-like basis, an upright and decisive compact with the Legislature, for the release of bondaged Catholicity. Full as consistently may the advocates of mischief and folly presume to contend, that because at any time two rival nations chance to levy war, peace, upon any terms, cannot be concluded short of entailing perpetual disgrace on both parties ; or, that after yielding to circumstances, the vanquished is in honour bound to perpetrate suicide upon himself, and destroy the embryo hopes of posterity ; as to insist, that the Catholics are not at liberty to negotiate with the ruling powers, their terms of emancipation. The supporter of a doctrine so very chimerical, admits of no fixed standard in life by which to regulate even his own actions : to him the table of commandments is a piece of antiquated lumber : the aphorisms of early sages a collection of falsehoods. Controuled by angry passions he cherishes the resentments of the grave ; and incompetent to reconcile with the limited conceptions of a prejudiced brain great public questions, he desperately consigns himself to obscurity, and pronounces in the sullenness of disappointment, the country lost, which he will not *endeavour* to save.

Such is the shoal of selfish inconsistency upon which many an honourable man, and many a knave has perished ; and such will ever be the case so long as private views and interests pre-

cede the common weal, and the factious, the powerful, the corrupt and ignorant may sell or cry down the dearest prospects of the state.

Our ancestors waded through a disastrous revolution, which at once involved the united strength and character of the country. It was a struggle, not for individual, but for national weight and influence, and after the trumpet had ceased to alarm, wisdom defined the limits of necessity, and the Catholic resigned himself to the humiliations of subjection with the dignity of a hero and philosopher.

During Elizabeth's cruel reign, and James's unrelenting proscriptions, no Irishman of the Catholic creed, or fired with a spark of patriotism, could consistently bear arms, or accept of any civil, military, or ecclesiastical preferment under their government.

The system of that day was avowed, unabated, exterminating hostility to the Irish name, creed, and character; and the good things in fortune's gift followed, of course, into another channel.

The republican war of 1641, like the late French revolution, opened with espousing one certain set of tenets and opinions, and terminated by adopting those very principles which at first, with fire and sword, its partizans sought to destroy; nevertheless, this transmutation of sentiment produced no favourable change in behalf of those who, from the very outset, acted *rightly*—on the contrary, by a strange perversion

of the laws of right and wrong, he who originally was wrong in word and deed, is pronounced ultimately in the right: he whose principles never erred, visited with criminal sentence; and right or wrong, the Catholic must *legally* suffer.

This indeed was justice with a vengeance! the Catholic notwithstanding, faithful by nature and habit, lavished his blood and his last resources in the sovereign's service; and though tossed amid the ruins of his country, himself the most pitiable object of all, his prospects had already assumed a happier complexion; when in a luckless hour the Papal nuncio *Rinuccini* sate his ominous foot upon our shore, and opened his destructive operations against the peace and prosperity of the island. The republicans, as they misnamed themselves, could never have hired at any price a more useful agent: he began with dividing the strength of the Catholics, and after he had trepanned into his schemes O'Neill, a popular soldier, descended from a bastard branch of that illustrious family, he revived with increased rancour, the forgotten tragedy of ancient and Anglo-Irish antipathies; and with his rancorous breath fanned into a devouring blaze a triple flame of discord. From that hour the towering hopes of the Catholic vanished; and his rival, who till then attached little or no reliance to the permanency of Cromwell's grants and promises,

pressed forward with confident assurance to snatch the strayed estates of an apparently crazy and deluded people.

Had that outlandish bigot staid at home, we to a certainty, should have accomplished more favourable terms at the Restoration, and very possibly from that hour to this enjoyed the remnant of our rights which had survived the period of the Reformation: in which case, if any inference can be drawn from the scruples now raised, it is fair to suppose that the sovereign in acknowledging our hierarchy, and confirming to the Catholics the full participation of all the benefits of the Constitution, that he, I say, would have restored the Church to its primitive station, as far as it was possible to do, without prejudice to the constitutional state establishments, and at the same time revived in the fullest manner, his own inherent prerogatives; not however, I have not the hardihood to pretend, without experiencing the *displeasure* of the *nunciotists* of that day, as well as of this;—a set of illiberal men who confound the sacred truths of the Gospel with the movements of the priesthood, and under a strange impression of bigoted errors, not only misrepresent the Deity, but entail on their country disunion and misfortune.

In order to examine more minutely into this subject, it will be necessary to take a short re-

view of ecclesiastical history, particularly as relating to Ireland.

We learn, that in the year 448, a Council or Synod was held at Cashel, at which *St. Ailbh*, *St. Declan*, *St. Ibar*, *St. Kieran*, and *St. Patrick*, assisted.

In this Council *St. Patrick* was invested with the primatial dignity; which has continued ever since (say our Authors) an appendage of the See of Armagh. *St. Ibar*, it seems, like a true Milesian, strongly resisted the investing a stranger with the first rank in the Irish hierarchy; but Patrick persevered, and his right was admitted.

Other writers insist that Christianity flourished in Ireland long before the age of *St. Patrick*; and that the Gospel was first preached here not by a Roman, but by Greek or Asiatic missionaries, and their disciples, latter in various important particulars, dissenting from the former.

Many concurring circumstances seem to favour this opinion. First, it is proved that, Ireland had a Christian population, though partially distributed, and inferior in numbers to the Pagan inhabitants, before the coming of our Apostle. *Declan*, *Ibar*, *Ailbh*, and *Kieran*, were Bishops at that time; and the primitive believers both of Britain and Ireland acknowledged no obedience to Rome. The Britons had their metropolitan Bishop of *Caerleon*, *Caerlegionis*, *Super Osca* (*Carlisle*,) who with

his seven suffragan Bishops were all independent of the Roman See.

May we not hazard a supposition that the earliest missionaries in Britain and Ireland were followers of *St. Athanasius* and *St. Martin*, from the East, who in the beginning of the 4th Century passed into Italy and Gaul, and from thence very readily into these parts. I am the more inclined to this opinion from the circumstance of our earliest churches having been the work of the Greeks, and those Greeks, monks; and, as I take it, institutors of the Culdean order, and of our slender round towers. It is also worthy of remark, that the Irish pay particular respect to *St. Martin*. Many, indeed most of the Bishops in the third, fourth, and fifth centuries were chosen from among that class of Ecclesiastics, whose astonishing numbers very easily admitted of a plentiful deduction of Prelates, of whom, at one time, there was not less than three hundred and fifty, or, according to others, three hundred and sixty-five, (one to each day in the year,) besides those who presided over certain monasteries and in towns, to conduct the affairs of the church in this island.

Whether Patrick was, or was not sent into Ireland by the Pope, is quite immaterial; it argues nothing either for or against the early subjection of our hierarchy to his Holiness, no more than if his precursors had been a company of missionaries direct from Constantinople. But

the subject is interesting, inasmuch as we find by the investigation that it is not *precedent*, for of precedents we have a variety in every possible shape to offer, but the law, as it may or shall exist, which establishes the claims and the pretensions of all ranks in society.

In the fourth and fifth centuries the Bishop of Rome exercised no supremacy over the church of Christ; he was a subject of the imperial crown, and like other subjects, amenable to the laws. Upon any great question concerning religion, the Emperor nominated a commission or judges to determine its merits, or it was tried in a general Council. No Bishop pretended to derive under that see, or receive his creation from Rome; they all alike called themselves Christ's ambassadors and servants of God on earth; and the see of Rome, upon all vacancies, was filled in the first ages by the elections of the clergy and people, ratified by the King's consent, who frequently was himself a pagan.

Thus in the year 483, Pope Felix III. had his election confirmed by *Odoacre*,* King of the *Heruli*, an unbeliever; and all the early Patriarchs of the East, like him, were confirmed

* *Odoacre*, King of the *Heruli*, a northern nation. In the year 476 he dethroned *Augustulus*, and assumed the government of the Western Empire; but in 493, he was himself put to death by Theoderic, King of the Goths. The *Heruli* embraced Christianity in the sixth century, during the reign of Justinian.

by heathens. *Constantine* the Great entailed on his imperial successors the privilege of nominating Bishops, and declared the Bishop of Rome first of the four head Bishops of Christendom, Constantinople the second, and the Patriarchs of Alexandria and Antioch the last; but no one of them was at liberty to controul the supremacy of the other. Yet in the year 590, John, Patriarch of Constantinople, assumed the title of universal Bishop, in opposition to Pope Gregory the First, his rival.

After St. Patrick's decease, the received mode of episcopizing here was, by virtue of a testamentary nomination by the last Prelate, or the ceremony of transmitting his staff or crozier to the person he wished to succeed him, or by popular election; but the latter was indispensable. *St. Mac Carthan*, Bishop of Clogher, in the year 506, bequeathed his see and his blessing to *St. Tigernach*. The Bishopric of Rome has at times been transferred after the same manner, as appears from a bull of Pope Paul the Fourth, issued so lately as the year 1563, by which he forbids that usage.

In the year 1129, *Malachy O'Morgair*, Bishop of Connor, was invested with the see of Armagh, by the ceremony of receiving St. Celsus's staff, which the Saint had bequeathed to him. At a very early period the Princes and Dynasts of Ireland imitating our continental monarchs, esteemed it an inherent attribute of sovereignty,

to appoint, or sanction the official appointment of persons qualified to superintend the instruction of their subjects in religion; and consequently suffered none to attain the episcopal character they had not approved and confirmed.

For two hundred and eight years antecedent to the year 1134, one noble family of Ulster put in every Bishop in succession into the chair of Armagh. St. Bernard, Abbot of *Clairvaux*, felt so incensed at what he called an usurpation of the pontifical rights, he cursed the episcopizing race, and in his anger branded the whole nation barbarians, stained with every crime that graced the calendar of infamy.

Had the good man reflected on the state of Rome, and by what means St. Peter's chair at that very period, and during the two preceding centuries had been supplied, he could not but acknowledge that in baseness and infamy she had no equal; and that her Bishops for one whole century, and a great portion of another, with the single exception of *Marinus II.* who sate from 942 to 946, surpassed in vice the very author of mischief. But those men fortunately had little or no communication with Ireland.

The state of the continent of Europe rendered it impracticable; and her church was not as yet absolutely dependent on the holy see, whose emissaries and adherents, comparatively few, conducted the business of the mission rather clandestinely and by intrigue.

What first gave pre-eminence to the Bishop of Rome, was appointing him arbitrator in those disputes which frequently arose between the Patriarch of Constantinople and the other independent Bishops, and of these Bishops among themselves, upon which occasions the Roman seldom forgot himself, and not unfrequently prevailed with his client before parting, to acknowledge the supremacy of his see.

It had been a long time established that the monks of the Cathedrals, and latterly the Deans and Chapters jointly with the people, elected after the primitive custom their respective Bishops, the King first granting his *conge d'elire*, or licence to proceed to an election. After the election made, and the choice of a subject certified to the King, his Majesty if he approved gave the Royal assent, upon which the candidate was saluted Bishop by the clergy and people; then by command of the Sovereign confirmed in his new dignity by the Archbishop of Armagh, or Canterbury; and finally a writ of restitution to the temporalities, issued in his behalf. Should the clergy proceed to election without the aforesaid royal licence, the Chapter was fined, and the election declared void: but at last, says Harris, even that ceremony was abolished and the prelates were appointed by the King's letters patent.

Though it is pretty evident the three remaining metropolitans of Leinster, Munster, and

Connaught conferred episcopal orders independent of Rome, we seldom find mention made of any but Armagh, the Patriarch or Primate of all Ireland; who frequently appears engaged in provincial visitations in Connaught and Munster,* in discharge of the duties of the patriarchate.

The Archbishop of Canterbury barely exercised metropolitcal functions, since the 10th or 11th centuries over the Ostmen of Ireland, and the inhabitants of the Isle of Man; but was not permitted by the Irish Bishops, except in matters of courtesy, to busy himself with the concerns and discipline of the Irish Church.

The Chronicle of Mann reports, that Godrid, or Gothric Crovan, King of Mann, subdued Dublin, and great part of Leinster, in 1070. At his request one Patrick, an Easterling also, was by the City of Dublin chosen Bishop, and sent into England to be consecrated by Lanfranc, Archbishop of Canterbury, with the following epistle: "To the Reverend Metropoli-

* *Gelach M'Aid Macmelisa*, Archbishop of Armagh, held a visitation of Munster in the year 1106, and received a free gift out of every cantred or district containing one hundred villages, seven oxen, seven sheep, and half an ounce of gold, with many other presents. In 1116 he in like manner visited the whole province of Connaught, and in 1121, by common consent of the Irish and Normans (Danes) was chosen Bishop of Dublin—thus exercising at once the Patriarchal supremacy over the whole nation.

“tan of the Holy Church of Canterbury, Lan-
 “franc, the Clergy and people of Dublin, ten-
 “der their due obedience. It is known to you
 “O Father, that the Church of Dublin, which
 “is the Metropolis of the Isle of Ireland, is
 “without a Pastor, and destitute of a Gover-
 “nor; whereof we have chosen a Presbyter
 “named Patrick, whom we all know to be of
 “*noble birth and education*, well instructed in
 “apostolic and ecclesiastical learning, of a Ca-
 “tholic faith, wary in expounding the Scrip-
 “tures, thoroughly knowing in the tenets of
 “the Church: *Him, we desire, may as soon as*
 “*possible be ordained our Bishop*; that under
 “God he may rule over us orderly, and instruct
 “us: and that under his government we may
 “fight securely; for as much as the upright-
 “ness of the ruler is the health of the subject,
 “and where safety is, there is the form of doc-
 “trine,” &c. The form of profession runs
 thus:—“Whoever is set to preside over others,
 “if he himself be also presided over, ought not
 “to stomach at it, but rather with all humi-
 “lity, in God’s name, have the like obedience
 “in every respect to his superiors which he
 “would have from those that are under his
 “care; for which reason I Patrick, *chosen Bi-*
 “*shop of Dublin*, the Metropolis of Ireland, do
 “tender this charter of my profession to you,
 “most Reverend Father Lanfranc, Primate of
 “the British Isles, and Archbishop of the Holy

“ Church of Canterbury ; and do promise that
 “ I will be obedient to you and your successors
 “ in all things that concern the Christian Reli-
 “ gion.” There are extant in Cardinal Ba-
 ronius’s *Annals* copies of the letters which Lan-
 franc sent by Patrick to King Godred, and to
 Torlogh King of Ireland. He sat about ten
 years, and was cast away in the British Sea, the
 10th of October, 1084.

In the year 1085, by permission of Torlogh
 O’Connor, King of Ireland; Donough O’Han-
 ly, a Dane,* was consecrated by Lanfranc, of
 Canterbury, Bishop of Dublin. Samuel O’Hanly
 a Monk of St. Alban’s, nephew of Donough,
 was chosen by the clergy and people, Anno
 1095, by desire of Moriartach O’Brien, the
 reigning King, and consecrated by Archbishop
 Anselm, of Canterbury.

Eradmerus thus relates—“ Anno 1095, there
 “ came to Anselme, Archbishop of Canterbury,
 “ a certain Monk of the Abbey of St. Alban’s,
 “ who was an Irishman, and named Samuel.
 “ He upon the death of Donough, late Bishop
 “ of the city of Dublin, of happy memory, was
 “ by Moriartach, King of Ireland, and *the clergy*
 “ *and people*, chosen Bishop of that City, and
 “ according to the ancient custom, with a ge-

* *A Dane*—It is worthy of remark the Danish settlers
 always added to their names the Milesian O and Mac, as in
 this instance of O’Hanly, O’Hibhar, Mac Torchil, &c. The
 Anglo-Normans in like manner affected the same privilege.

" neral decree sent to Anselme to be consecrated.
 " Anselme approving the election, and consent-
 " ing to their petition, honourably detained the
 " man with him for a time; whom having dili-
 " gently instructed how he should behave him-
 " self in the house of God, and taking his pro-
 " fession of canonical obedience according to
 " the ancient custom, he was consecrated at
 " Winchester, on the Octaves of Easter fol-
 " lowing, his four suffragans assisting at the
 " ceremony. The new Bishop strengthened by
 " the benediction of so great a Prince, and with
 " his letters to the aforesaid King and clergy,
 " and people of Ireland, for a testimony of his
 " consecration, returned home to his country in
 " joy, and was honourably received into his see,
 " to be a light to the land."

It hereby manifestly appears that the Arch-
 bishop's interference was purely an effect of the
 royal pleasure, and by command; that his duty
 on those occasions was to examine the candi-
 date, and report his sufficiency for the situation
 he had been chosen to, and accordingly as he
 found him qualified to receive episcopal orders
 or not, delay or accelerate consecration; but in
 no instance take upon him to annul the election
 of a Prelate, or on any account, by virtue of his
 own special authority, promote in his stead a
 person, not chosen and approved after the usual
 way.

According as Rome increased in wealth and

independence, and her clerical legions levied rich contributions for her use all over the globe, the pontifical court no longer the simple Church of Peter, saw its aspiring Chief claim an almost supernatural controul over the Kings and nations of Christendom.

It was not to be imagined under these circumstances, that the ruler of Monarchs, shrouded with omnipotency, and claiming passive obedience, would now vouchsafe to receive laws like his meek predecessors from the inferior Princes of the earth, much less from an assemblage of insignificant subjects, such as the clergy and people appeared to be in his eyes; accordingly we contemplate him in the plenary enjoyment of the functions of the REDEEMER, but stripped of all his humility, charity and patience.

In vain was it to struggle against an unassailable and insatiable power, which though combating with intangible weapons concealed in the clouds and wounding in the region of fancy, pierced deeper nevertheless into the victims breast than the polished steel of Achilles.

The ambitious Gregory VII. (*Hildebrand*) planned the elevation of the Apostolical chair not only many degrees above all other sees, but above the thrones and monarchies of the earth. Notwithstanding the Emperor Henry III. had had constantly nominated to the episcopal vacancies throughout Germany, Italy and Bur-

gundy, and brought the Bishops of Rome into an acknowledgment of his sovereign rights and prerogatives, no sooner had Gregory received confirmation than he unfolded his rapacious tallons against that source from whence he derived his elevation. He commanded his dependant Bishops to drop the customary epithet, *Pope*, that he might raise it into a sovereign *title* of honour, for himself and his successors. In the year 1076 he excommunicated Henry V. for presuming, by the investiture of the *ring and staff*, to constitute Rupert Bishop of Bamberg. The Emperor in his turn pronounced Gregory guilty of high treason, and to have forfeited his patriarchal rank, and caused Clement III. to be elected Pope. Hildebrand on his side was not idle; but by a daring and unheard-of act of treachery undertook to absolve the subjects of the Empire from owing any further allegiance to the lawful sovereign; thus dissevering by one infamous stroke of vengeful pride and ambition the strongest tie of social order. In fine, Gregory with the assistance of those disaffected princes whom he had corrupted and duped into his views, ended by deposing Henry, and raising RUDOLF Duke of Swabia to the Imperial dignity, upon condition of resigning to the Pope all claim of right in the Emperor to interfere with the nomination of the Bishops.

Paschal II. one of the greatest sticklers for this long disputed question, was the first of the

Popes, I believe, to send a Legate into Ireland. He appointed Gilbert the Ostman, Bishop of Limerick, in the year 1110, to discharge the functions of that office.

Innocent II. through his friend St. Bernard, (not improperly called the buttress and prop of the Holy See) and of St. Malachy, Bishop of Armagh, established the Roman Catholic religion, on a firmer basis in this country than any of his predecessors.

In 1138, he granted permission to Christian O'Morgair, Bishop of Down, to annex one fourth of the episcopal revenue of Ergail or Louth to his see; beside performing various other acts indicative of growing influence.

The year 1154 may be accounted the great epocha of papal connexion. In this year, Adrian IV. sent his Legate Paparo, to distribute palls to the four metropolitans of Armagh, Dublin, Cashel and Tuam, and to exact in return their offering of obedience.

By the present of a pall, a ring, a cloak, a mitre, a crozier, &c. the Popes usually conferred the investitureship. In the year 738, St. Boniface, a Briton, the Apostle of Germany, was consecrated Archbishop, by the gift of the pall. On his first introduction to Gregory II. in 723, he changed his name from *Winfried* to Boniface; and was commanded by the Pope to take an oath to promote the universality of Faith—the unity of the Church—

to agree on every point whatever with his Holiness—to risk every thing for the benefit of the Church of Rome, and his own see—to hold no communion with *those Bishops who persisted to disown the papal supremacy*; and lastly to inform him regularly of every thing he saw, surmised, and heard.

This pretty much was the old form of an act of episcopal obedience, which will be found to differ somewhat from the foregoing of Patrick to Anselme, but I cannot return from this digression without noticing an extravagant instance of the gross ignorance which pervaded even the highest orders of lettered men in those days, and in that same Boniface and his friend Gregory. A Bavarian priest, named Virgilius, wrote a book to prove, “*that the Earth was in form round, and illumined by the Sun and Moon;*” for which blasphemous doctrine Boniface accused him of heresy, and the heretic was excommunicated by the Pope.

We now have arrived at the most interesting period of our civil and ecclesiastical history, viz. when Ireland experienced a change of government, and the whole nation professed the Roman Catholic creed.

Philip O’Sullivan will have it, that the Pope not Henry II. was King of this island, and the Anglo-Norman prince, nothing more or less than the Pontiff’s tax-man or proctor!

“ Non ut Rex aut Dominus Iberniae, sed ut a Pontifice præfectus ut exactor & collector pecuniae, quæ ad Sedem Apostolicam pertinebat.”

If so, we may add, those Kings have been more unfaithful servants, than the Irish, subjects.

Innocent III. the persecutor of the Albigenes, the exterminator, as he is named, of heresy—he who confirmed the orders of St. Francis, St. Dominick, and the *Inquisition*, to whom John of England did homage for his crown, and Kings and Princes smarted under his spiritual lash, nominated, we find, to all the vacant sees; and by encouraging the foundation of so many monasteries belonging to the foregoing orders, enrolled into his service an invincible host of Clergy, most of the chief men, and all the females in the island.

It cannot be denied but his was a conquest by many degrees more complete than *Henry's*—the one truly deserving of that epithet, the other barely a colonial settlement, resembling pretty nearly in its commencement, progress, and consequences, the intrusion made on the rights of the Irish Church by that of Rome.

In effect, the Pope actually did dispute his authority with John, not only in the spiritual but temporal supremacy of Ireland. In the year 1206, he appointed without further ceremony *Eugene M'Gillavider*, Archbishop of Armagh. The King incensed at this flagrant in-

novation of his rights, issued his letters mandatory, forbidding any of his liege subjects to acknowledge the usurper: but the day had gone by—John's vapouring had no effect; and this *precedent* now, for the first time, established in Ireland, laid the foundation of a claim never before yielded to the Roman See. The following year John wrote to Myler Fitz Henry, Lord Justice, to procure Geoffrey, Rector of Dungarvan, to be *elected by the clergy and people* Bishop of Limerick, which accordingly was complied with, the Pope not concerning himself with the matter. Luke Netterville, Archdeacon of Armagh, being elected Archbishop by the chapter in 1217, went over to England fortified with their decree, but the King refused to confirm the election, as it was made without his permission; a liberty of election being at last granted, Luke was again chosen with the King's assent, confirmed by the Pope, invested with the pall, and consecrated by Stephen Langton Archbishop of Canterbury. Afterward, among many other instances, Hugh de Lamport Treasurer of Ferns, being "*lawfully elected*," was confirmed by Henry III. 10th of July 1258, and consecrated the same year, Bishop of Ferns. A singular act of perverseness occurred about this time, or something earlier (1257) Abraham O'Congalan having made his election for Armagh, not content with his titles to the bishopric by election and the Royal assent, applied for, and

received the Pope's provision also. So wanton an act of servility, if not of treason against the rights of his country, created great displeasure in the King, who in consequence seized into his hands the temporalities of the see. O'Congalan appealed to Rome, and the Pope issued a bull commanding the Sovereign to restore the Archbishop to his rights, with which he weakly complied. Had John transported him at the time as he ought to have done, he would have effectually established the rights of the Irish Church; or the people, had they possessed sufficient spirit to value their own rights, coupled as they were, not with the papacy but the crown of Ireland, much as they disliked John, it would have been better policy to support him preferably in this instance, though the ultimate object of the old inhabitants might have been still to shake off the English connexion. The unity of a national Church would have consolidated the political weight of the Irish nation, and the Pope's name could never be introduced, except in a jealous but unavailing hour, when our prosperity, or our folly prompted an impotent neighbour to throw among us a brand of discord.

Frequent instances now succeed of the papal interference in temporal matters. Thomas Liddell, Bishop of Down, (1266 to 1276) complained to the King respecting certain injuries he had suffered on the part of De Burgh, Earl of Ulster,

particularly in compelling him to appear, and do suit and service in his court, and concludes his epistle with a declaration, "that if the King did not afford him the relief he demanded, he would seek a remedy from the court of Rome."—

Here we find, that it is not to any inherent claim of right, but to a conspiracy of the clergy against their own and their country's rights. Rome owes her spiritual or temporal supremacy in this island. The following act leaves no doubt on that score; *Nicholas Macmolissa*, Archbishop of Armagh, instituted an ecclesiastical or hierarchal confederacy or government, having to that end convened a meeting in the Dominican Convent of Trim, in the year 1291, of all the Archbishops, Bishops, Deans, and Chapters, and the several degrees and orders of the Clergy, who here pledged themselves to each other by an oath to stand by their confederacy, and maintain the *rights*, jurisdictions and liberties of the Church and Clergy against any *lay power*, and to own no superior but the Pope. *Stephen Seagrave*, who succeeded to this see in 1322, a man noted for the excellency of his character, on being restored to the temporalities, feeling for the rights of his country, "openly, willingly and expressly disavowed all clauses in the Pope's bull, prejudicial to the rights and prerogatives of the Crown, and acknowledged to receive the temporalities only by

the special grace of the King; for which fair act of conscience, Seagrave no doubt incurred much censure on the part of the anti-patriotic prelacy. From henceforward an ecclesiastical warfare is carried on by the Popes and Kings of England, contested with all the rancour of bitter and implacable enemies, and not always with weapons purely spiritual, the fortune of the day inclining according to the temper of the times. Sometimes in favour of the chapters and people; sometimes to the King and chapters, but oftener for the Roman Pontiff: whose warriors, more attached, expert, and wily, and excelling in the science of clandestine tactics, usually bore off the wreath.

One I imagine would be rather inclined to suppose, that to the Sovereign, whether a despotic prince or republic, the undoubted privilege of right belongs, to invest the liege subjects of the realm with all civil, military and ecclesiastical situations of trust and responsibility, which delegates any portion of his own inherent authority over others, to the conduct of individuals—neither can I be convinced how it is possible fairly to draw a line of separation in the Sovereign's person between the prerogatives of King of the laity and King of the clergy; or discover why religion is made to interfere with politics, or affect the reciprocal duties of the Sovereign and the subject?

An ingenious Gentleman who has lately written

on the subject, states: "that Henry VIII. in withdrawing England from the spiritual jurisdiction of the Pope, did not take any effectual measure to alter the state of things, on religious points in Ireland," &c.

Henry VIII. I grant, never adopted any extraordinary measure (save confiscating of church property) to alter the Church economy in this country. So early as in the reign of Henry IV. (long before the Reformation,) the English Parliament had it in contemplation to confiscate the estates of the church, even to a greater extent than at the period in question; * but the Reformation under Henry VIII. went to detach effectually the *protesting* hierarchy in his dominions, from a further subjection to those mischievous impositions enjoined by the court of Rome on the children of the church; impositions obviously as discordant from the principles of the Catholic religion, as the Talmud, or the Alcoran. Had the Pope instead of *sustaining*, religiously *reformed* the code of abuses practised under his name, he most probably had preserved to this hour the integrity of his dominion. But there is nothing more uncommon in political physics than a thorough re-

* Parliament presented a petition to Henry IV. praying for the confiscation of the temporal possessions of the clergy; the value whereof, said the petition, would be sufficient to maintain 150 Earls, 1500 Knights, 6200 Esquires, and 100 Hospitals for maimed soldiers.

form of state abuses, after things have been suffered to run extraordinary lengths. We discover in these cases a certain infatuated tardiness of soul, prognosticative of decline; a temporizing slowness that protracts amendment, till at length the disorder is rendered incurable, and it becomes more advisable to suffer the patient to die a natural death than undertake an unavailing operation.

The reign of Elizabeth exhibited one grand canting and tragic scene of devotion and blood. Although the word *religion* was constantly in peoples' mouths in those days; it is notorious the *principle* was never less understood. Neither the leaders of the Queen's forces, nor the chiefs of the Irish army had the slightest knowledge of the tenets of the faith they pretended to serve; so it answered the purposes of faction and policy, little regard was paid to the doctrine it taught. In the 26th year of that reign, *Whitgift*, Archbishop of Canterbury, framed the three celebrated Articles of Church polity, of which the first declares: "That the Queen had supreme authority over all persons born within her dominions, of what condition soever they were; and that no other Prince, or Prelate, or Potentate hath, or ought to have any jurisdiction, civil or ecclesiastical, within her realms or dominions." This is tolerably explicit.

After James's accession, the vulgar notion of his being a Catholic, hurried the intemperate

of that communion into the most puerile and unpardonable acts of bigoted zeal, which at once cultivated for our enemies a rich harvest of confiscations, and impregnated the Protestant mind with a brood of apprehensions not yet, we unfortunately experience, altogether forgotten by their descendants.

The abuses and grievances so frequently reprobated as existing under the old *regime*, continued nevertheless, practised in full force down to the reign of Charles I. by their reformed successors. In the month of January, 1640, the annexed remonstrance of abuses (*see Appendix, No. 1.*) charged upon the Clergy, was presented to the House of Commons, and the vexations therein contained, ordered to be abolished. The reader will feel not a little surprise after perusing this strange document, to be told, that so great was the avariciousness of the Ministers of the Established Church of that day, and so regardless of principle, that sooner than surrender the emoluments arising out of a string of acts which but a short time before they condemned for impure, base, and superstitious, they now adopted them as their own, in as ample a manner as their ousted predecessors formerly enjoyed the same. Before the abolition of these abuses, it cannot properly be said, that either the New or the Old Church underwent purgation; they differed less upon articles of Faith, than worldly objects of lucre; and however they might finally shake hands

in the world to come, in *this* the great desideratum was, TYTHE-PIG-AND-PARLIAMENT.

In fine, we must not expect to discover in the annals of the Church a golden code of perfection: Indeed we no where encounter a larger share of jarring matter. Like our Parliaments, the general Councils and Synods abided by the decrees of the majority, and the ascendancy voice became the law: yet, it will never be contended that, therefore, no credit is due to the opinion of the minority, or that his principles were irreligious and sinful. Of all people, I believe, we are best qualified to decide that question, whose cause has so long experienced the fate of rejection. The strongest collateral proof is contained in the minutes of public proceedings and the statutes. There we will find, that what to-day was law and justice, to-morrow was pronounced rank treason; that articles of old belief are made new subjects of censure, and vice and virtue in every scene change places.

Human instability demands of us to conform to circumstances, and shape ourselves (If so I may express it) to the wisdom of the day.

Whether an obsolete custom or law is to be revived or new modelled, cannot affect the fixed principle of truth. Habits, laws, and usages may or may not be altered, annulled and amended agreeably to the inclination of man, the framer: but the law of God, and the institutions of man are things of a very different nature.

A noble writer, now no more,* finely expresses—"The great truths of religion and morality, the eternal rules of right and wrong, are every where the same; religious forms and ceremonies are every where different: the first are the ordinances of Heaven—the latter are the institutions of man!"

After forms and ceremonies of all kinds, have been tried and superseded by turns, agreeably to fancy and necessity, surely no reasonable scruple can exist to allow the *Veto*, which is neither an innovation nor a schism, but a pure resumption of the primitive rights of the Irish Church and people; particularly when it is offered only in exchange for those constitutional advantages so necessary to the character and prosperity of an independent nation.

But if you surrender this *Veto*, say the sticklers for retention, it will produce less of confidence in the clergy, who then will become a powerful civil engine in the hands of a Protestant King—it will create a looseness of thinking on religious matters—give to the Aristocracy among the Catholics and about the Castle of Dublin, the appointment of our Bishops—and "the forms of the Catholic church as established by St. Patrick, 1400 years ago, which remain at this day unaltered"—will thereby be annulled, &c. &c.

* *Viscount Mountmorres*; see his *Crisis*, No. 2, Saturday, March 24th, 1792.

Respecting the last *item* upon this list of terrors, there is, I believe, but little to apprehend; although it might be no easy matter to describe the *forms* used by St. Patrick, (and it avails not a great deal what they were,) we may satisfy ourselves with having at least preserved the *substance* of his doctrine; which while Christianity predominates, cannot be destroyed—as to *Forms* of worship, they have experienced many a change since the days of our good Apostle; neither can I be induced to apprehend from the same cause, that looseness of thinking in Religious matters, so gravely complained of. Pray is the Church in that deplorably degraded state in these Countries, where the Catholic is still the Court Religion, and all Sectaries and Believers not only tolerated but caressed? * or are we the only people on earth not calculated to enjoy prosperity?

Am I likewise to be told that a Catholic Prelate may not lawfully submit to the approval of

* The Catholic Bishop of Breslau, in Silesia, a subject of the King of Prussia, is confirmed by his Sovereign—the Greek Bishop of Carlowitz, in Hungary, in like manner is appointed by the Austrian Emperor; and all the *Vorsteher*, or heads of the Calvinists and Lutherans in that country (and they are very numerous) submit not only to his Majesty's approval, but are paid the greatest respect at Court. In civil or military appointments under the Government, no difference whatever is made.—Field-Marshal Count Alvinzy is a Protestant; so was the great Wurmser; and both these Officers commanded in chief the Imperial armies.

Acatholic King?—Have we not already seen where the Pope himself received confirmation from Pagan Princes?—In case the simple act of approval carried with it the magical virtue to convert the Catholic candidate into a Protestant, ready, at a moment's warning, to barter his conscience and his character for a royal smile, and he too a chosen son of the Church! then may we bid eternal farewell to principle, consistency, and faith!—then may we pronounce the species degenerated to a brutish level, and the honourable ties in society no longer binding on man!—Could such a thing happen in the nature of things, that throughout all Ireland, not twenty Priests were to be found sufficiently instructed in their Religion to withstand the intrigues and temptations of a Court, even so, what would the world say of four or five millions of people *who purely for that reason* renounced all pretension to civil liberty, and abjured their rights of freemen?—Would not the world pronounce them (and justly) to be a *Priest-ridden* assemblage of all the fools in Christendom? though strange to tell it was not with the clerical order, but among our lay *Nunciotists*, the objections to this question first were started; who, by a senseless outcry, bewildered the judgment of the prelacy and perverted into a narrow troubled channel, the solemn current of conscience, till then steadily flowing in a calm and happy course.

Though I am not disinclined to traffic the Veto for constitutional freedom, I am unprepared to submit to the measure of pensioning our inferior Clergy, which appears to me an improper alternative; at the same time it is a matter devoutly to be wished, that a more decorous and respectful system of maintenance for our Parish Priests, than the very precarious, not to say scandalous means now used, were adopted.

The offerings of the altar, during the primitive ages, were divided into four parts—one part went for the relief of the poor, one for the repairs of the church, the third portion to the officiating Priest; and the fourth to the Bishop.

The case still is pretty much the same among the Irish Catholics, but clogged with mean and humiliating concessions, hurtful to the Priestly character, and painful to contemplate. The more readily to remedy existing abuses, I would recommend to choose, by ballot or otherwise, a committee of respectable persons, within every Church-living, who under the sanction of a parliamentary law, shall be impowered to levy on the inhabitants, a certain Cess, proportioned to the population and local advantages, and that said committee be responsible to the Parish Priest or Priests, in the amount of said monies, so received and stipulated, to be discharged in such manner, and by such instalments as the clergyman and the committee may settle, in lieu

of all manner of *dues* and exactions now claimed and taken by the officiating Catholic Clergy throughout the island. By this measure, if adopted, the Priest will enjoy a secure subsistence, and the Government have no need to increase the taxation of the country under the *item*,
PENSIONED PRIESTS.

To one or two points of objection I omitted noticing before, I beg leave to return.

The danger of receiving our Bishops out of the intriguing hands of Aristocracy, has been emphatically advanced—pray from what quarter have they emanated in the memory of man?—Is there, on the list of Bishops, a single one, whose friends have not directly or indirectly interfered with his appointment? and which among them either directly or indirectly has not a claim on Aristocracy?—I am told that a Prelate of the first order, is indebted for the Pope's appointment to a titled Aristocrat of high rank, and a *Protestant*; yet, *Religion* has not suffered from this act of interfering friendship, and as a moral character, the Divine is unexceptionable. In truth, it is not from the interference of Aristocracy, for every Irishman of name, like every Biscayer, is by birth an *Hidalgo*, but from the *Aristocracy of Democracy*—the tyranny of ignorance—we have any real cause for apprehension. Thinking people never object to a Dignitary of the Church a polished exterior, good connexions, or a desire in him to conciliate the

favourable opinion of his neighbours of all religious persuasions—it is only the narrow-minded bigoted PLEBEIAN, (be he RICH OR POOR,) —the bloated monster ENVY—who rises in vulgar invectives against the respectable Priest or Layman whose manners and habits, soaring above the contracted sphere of an illiberal savage mind, become objects of hatred and unmeaning, gross reproof and animadversion.

Of all people the Irish respect their Clergy the most; the person of the Priest, like the Druid of old, is esteemed in some measure to be sacred; and he who lifts his hand against him, cried-up for a *lost man*, on whom “DISASTERS DIRE AWAIT.” This is certain, in no part of Europe is the Clerical function discharged by a better, more truly religious, and moral set of men. I defy the oldest among us to produce three instances of incontinency, chargeable on the Priests of his Parish, during the whole course of a long life. On the Continent they have preserved the same unsullied fame; the officiating Chaplains of the Austrian and Bohemian nobility were mostly Irishmen, taken out of the Franciscan monastery of Prague: but the objection lieth not here:—the virtue of our Hierarchy in every gradation is on all sides admitted. As Clergymen and good subjects, they stand unimpeachable: perhaps unrivalled. But then, they happen not to profess that Creed which the *law* constitutes the Established Faith of the realm?

A jealousy of course exists, and may be expected to exist, until such time as we shall have removed from the minds of our Countrymen and Rulers by a wise act of sincere and religious policy those fears and suspicions under which they at present labour.

In vain will you tell the man you really esteem, who believes nevertheless you hate him, that in truth you are his friend: he will not credit your assertions no words can establish his confidence: especially, if at any time it so happened that either himself or his family had injured you or yours. How much more difficult then, is it not to conciliate a reciprocity of faith and interest where the same suspicious feeling pervades not only a small district and a few scattered inhabitants, but has taken fast root in the bosom of a populous nation, and concentrates in the very heart's-blood of the Government?

That it is the duty of a Government to watch over its proper rights, prerogatives and interests—to preserve the integrity of the Constitution unbroken, and the political relations as best calculated for the preservation and honour of the state unequivocally established, and secure from the dangers of innovation and abridgment no man will deny. Every sound-minded man of our own persuasion will admit, that the hasty and unwise conduct of our forefathers during a part of the reigns of both James's, could not fail to establish a lasting source of apprehension in the Protestant

that, on the very first and slightest occasion our Hierarchy would seize upon the possessions and rights of the Established Church and set him and his adrift—I am one of those persons averse to Church-and-State-Establishments in general, they are not necessary to the prosperity, honour, or unanimity of the Country, on the contrary, from the days of Druidism to the present hour, they have been a constant source of intrigue, avarice, and misfortune. However that may be, it cannot in the actual state of things be denied, that in all cases where two contracting parties stand upon unequal ground, he, on whom the obligation is about to be conferred, hath a right to pass his bond of security in return?

In the private occurrences of life they are always required: upon great public treaties they become indispensable. Neither can the act give offence, because it is intended as a barrier against casualties, and a permanent pledge of mutual security.

Though I may see no cause for apprehension (placing myself in the situation of Government) from the influence of the Pope; yet is it quite a different consideration since we are convinced, that insurmountable apprehensions really and truly exist.

For my own part, if Pius VII. issued his bulls of confirmation from the *Louvre*, I can conceive (impartially speaking,) no injury likely to result to the country. The Emperor of the French,

aware of his own sovereign rights, and too enlightened to conspire with an ecclesiastic a system of intrigue, likely, one day perhaps, to recoil back on himself, the Pope, I am bound to say, is the very last medium he would venture to employ, though against the safety and repose of his bitterest enemy.

When the Pope, in the 14th century, resided at *Avignon*, and our possessions lay in the heart of France, his influence was scarcely noticed. But whatever I may think or say on the subject—whatever the Catholic body may declare, all will not conjure-away these disabilities so much our interest to get rid of.—Fear cannot be bullied—neither is Peace to be begged with a whining face;—it must be ratified by sound and mutual contract.

I have heard it objected to Mr. Grattan, and those distinguished persons who so often argued our cause in Parliament, that he or they are *not*, sincerely and *bona fide* favourable to our claim—that in Mr. Fox's time no *boon* had been mentioned as a pledge for the admission of the Catholic within the Pale of the Constitution, &c. &c.

No such pledge, I grant, was demanded in Mr. Fox's time, for this plain reason, the business, while he lived, never did approach near to any thing like a peace-making convention; we cannot tell what might have been required of us under other circumstances even with the sup-

port of that Great man. Moreover, I doubt very much in case Mr. Fox had continued at the head of affairs, if, on a final arrangement he, as a servant of the Crown, would not have *felt it his duty to insist* upon the basis of mutual concession?

At any rate, this *boon*, as it is called, is now afloat, and if by admitting its operation in the King and the Archbishops (as already proposed by the latter, (*see App. No. 2.*) we thereby not only do not deprive ourselves of any one mental or physical consolation, but have the good fortune to procure for the country *important benefits*—why not concede it? Of what kind are our apprehensions that we hesitate?

CONCESSION in politics, is either right or wrong, base or meritorious according to circumstances.

In barbarous ages concession might have been sometimes esteemed cowardice, because the passions tyrannized over reason, and men, like game-cocks fought to death. But Christianity has taught a wiser policy, and philosophy opened the eyes of man to his own physical interests.

The wars of our heathen ancestors were wars of extermination. We read of nations swept away by the sword as if by a plague or a famine. It would puzzle the acutest inquiry now to discover the descendant of a *Cimbrian*, an *Ambro-nian*, *Tigurinian*, and an hundred other names

long since vanished from among the nations of the earth.

Bigotry next produced a melancholy innovation into the mild precepts of Christ, and we behold even Charlemagne great in all other actions of his life, basely to impose with the point of the sword a new religion upon the Pagan Saxons, and in return obtain from the mouth of persecution, a degraded title of Saint.

Unlike the Saxons in every thing but valour, our fore-fathers yielded their persons but not their Creed, to the steel of intollerance; and as I before observed, we take pride in their constancy and spirit—permit me to add at the same time, that had not our ancestors discovered a *hollowness*, a *perfidiousness* in the higher contracting party of the opposite side, there would have been no occasion for that boasted yet fatal experiment upon the principles of an honourable people.

After the Reformation, the people of Germany covenanted with the Conqueror of the day whoever he happened to be, and wherever he appeared, their terms and conditions; and *truth* and *sincerity* having always went hand and hand, at the conclusion of a peace things went on just as before the wars, and in the proprietors of the present day we recognise the descendants of the proprietors of the same estates who flourished

one thousand years back. Had our German cotemporaries adopted *our* anti-concessionable spirit, Austria, Bavaria, Prussia, Saxony, Wirtemberg, &c. &c. &c. ere now must have resigned their fields and habitations to the victorious followers of NAPOLEON, and either become like the the Irish Catholics, aliens in their native land, or begged for protection elsewhere.

In fine, Concession in cases of necessity is as natural to man, as in the gradations of animal strength to the Lamb to submit to the Lion, when the Lion is master of the fold.

Our Parliamentary friends, we say again, have none but selfish views—upon us they wish to *ride* into Office, and leave us after in the lurch, &c.—Why leave us in the *lurch*? and how? a population of four millions will not be forgotten, nor so easily abandoned—in the lurch it cannot be left. Whatever we have done by once *posting them* out of *place*, I doubt much our ability to *carry* them in again. Provided you obtain your emancipation it matters not a great deal who is in, or who is out of Office; for my own part I attach myself to measures not to men, though I certainly have my private partialities the effect of friendship and confidence—but this I say, it is the duty of every honourable man, and of every honourable set of men, to behave with becoming consideration towards their advocates: and even to the character of an enemy render strict and impartial justice:—and above

all things to let no huffish *unnation-like* angry feelings draw from your lips any unjust and unkind sentence injurious to your first instructors in the cause of Freedom, to your earliest champions of Emancipation—those men who have raised the Catholic from the abyss of degradation, and restored to his tongue the power of political utterance.

They have a right, we pretend, unconditionally to support us through thick and thin—Be it remembered, my Countrymen, our Parliamentary friends as well as our adversaries, happen alike to belong to the Established Church, and to enjoy their estates by one and the same kind of a tenure. From the arguments used by the majority of our body, a stranger would immediately suppose that all the Members of the Opposition party in the House of Commons were staunch Roman Catholics; and hardly be persuaded that those Gentlemen who so strenuously and effectually argue our cause, were, nevertheless, as deeply concerned, and as conscientiously responsible to posterity as the Ministerialists for the consequences of every political objection started against our emancipation.

When I presage benefits likely to result out of this measure, far be it from my thoughts to limit my notions to the ambitious prospects of the Aristocracy, so often repeated. The Aristocracy so called, in my conception of the

operation of this measure, are but as a drop of water in the ocean, and their prospects and pretensions no more than the birth-right of every Irishman. But I contemplate in its effects that unity of sentiment which a unity of interest produces—and that unity of mind which establishes in the political world the immutable character of an independent nation. In fine, I contemplate it in all its magnitude as it applies to Posterity, to Prosperity, to Liberty, to the Country!

Russel-Street, Mt. Joy Square,

March 18, 1810.

APPENDIX, No. I.

A. 1640. Car. 17 Juuii.

THE PETITION OF REMONSTRANCE,
TO THE
RIGHT HON. THE LORD DEPUTY.

THE humble Remonstrance of the Knights, Citizens, and Burgesses of the House of Commons, assembled in this present Parliament, sheweth, &c. That divers complaints have been preferred to them by sundry persons, from several parts of this kingdom, of many grievous exactions, pressures, and other vexatious proceedings; of some of the clergy of this kingdom, and their officers and ministers, against the laity, and especially the poor sort, to the great impoverishing and general detriment of the whole kingdom; which the said House of Commons, after many debates thereof, having taken into serious consideration. It was conceived by the unanimous votes of the house, that all of them were very great and enormous grievances, and fit to be rectified, especially those in the annexed schedule mentioned, &c.

GRIEVANCES TO BE ABOLISHED.

Exaction for *herse* cloth 6s. 8d. though there be no *herse* cloth at all.

The parish clerk takes a barrel of corn for every plough in

some places, and in other places about two quarts of rye or wheat, for every acre ploughed. For every corn mill a bowl of grinded corn every week containing two quarts.

In *Conaught*, and elsewhere, 6d. per annum of every couple by the name of *holy-water* clerk.

The bishops take upon them to appoint commissioners for the subsidies, and justices of peace to take the office of church wardens upon them, under pain of excommunication,

Curates, and ecclesiastical persons, make commissaries and officials against the canons and his majesty's instructions.

Men summoned to appear when there is no informer, no libel, but sworn to answer unto articles.

Married couples, that live long together, are brought to the courts to prove their marriages, and, when they prove it, pay 7s. for a dismiss.

The court gives allowance of 2s. *per diem* to the church wardens, besides men *Inquisitors*, and others that attend the court, which is collected of the parish; if the parishioners refuse, they are cited and not discharged until they pay 14s.

Church wardens pay for their presentment 8s. 6d. and sometimes 14s. fees. In the diocese of Waterford and other places, every church warden must buy a book of articles of the register, and pay 2s. 6d. for it, some places no more worth than 3d.

For every certificate entered by the church wardens, of the state of the church, 2s. 8d.

The church wardens, when their times are out, pay for their discharges about 20s.

Four taile of corn being nine shaves to the taile for every plough, besides tythe-corn in *specie*.

One sheaf of all sorts of corn for every horse in the plough, called *Punne-na-bracke*.

Two and thirty quarts of oats, and one quart of wheat for every garran in the plough, by the name of lent oats, in *lent* time.

Quides or *Refections* of every parishioner now raised to a constant revenue.

Coshers three times in the year of each parishioner, which is 1s. for every garran in the plough, and such as have no plough, but dig with spade, 1s. *per annum*.

In Conaught, a *mescan* or *dish* of butter once *per annum*, in summer of every parishioner, worth 6d. or 8d.

Of every man that dies a *muttue*, by the name of anointing *muttue*.

From a poor man that hath but one cow, they take that (cow) for mortuary; from one that is better able his best garment for mortuary; if a woman, her best garment for mortuary; and a gallon of drink for every brewing by the name of *Mary Gallons*.

For every beef that is killed for the funeral of any man, the hide and tallow and *do challenge a quarter besides*.

In Conaught and other places, they take a *muttue*, two lambs, and the best garment of the defunct, as well in the parish where the person dies, as where he is buried.

In Conaught and other places, they take 4d. or 6d. *per annum* of every parishioner, for *soul-money*.

For *Portion Canons*, the tenth part of the goods after debts paid.

A ridge of winter corn, and a ridge of oats for every plough, by the name of *St. Patrick's Ridges*.

Also *Rood Sheaves*, which is a sheaf for every acre that is welded.

For christenings, 2s. in some places, and in some places 2s. 6d. and some places more, besides other book-money.

If a beggar die in a house that relieveth him, the party that relieves him must pay for mortuaries 3s. 6d. and so if a child be born in one his house, he must pay 3s. 6d. for christening

If a dead body be carried from the place where he dieth through another parish, such duties must be paid to that parish through which he passeth as if he had been buried there, though it passes through the highway only.

All the precedent grievances to be abolished.

GRIEVANCES TO BE REFORMED AND MODERATED.

The parsons, vicars, and curates take for marriages, 3s. in some places more, let the parties be never so poor. *This to be reduced to 1s. for the minister, and 6d. for the clerk.*

For churching of a woman, the like. *The like reduction.*

For burials, the like. *The like reduction.*

For clandestine marriages in most places 13s. 4d. and in some places 5s. 6d.—*This to be reduced to 2s. to the minister and 6d. to the clerk where that excess is taken.*

Duties taken for breaking the ground in the body of the parish church, in some places 10s. some places 3l. and in some places less.

That to be 3s. 4d. for every parishoner, 6s. 8d. for a stranger, to be paid to the church wardens for reparations. Such as have their burial places by inheritance to pay nothing.

Duties taken for breaking the ground in the chancel is very excessive, sometimes 14l. and sometimes more.

This to be 6s. 8d. for every parishoner, 13. 4d. for a stranger; to be paid to the minister. Such as burial places by inheritance to pay nothing.

The bishops appoint any apparitors in every deanery, whereas by the canons there should be but one in the diocese; and those apparitors are the common informers, contrary to the canons.

This to be reformed.

By an act of parliament in this kingdom, the bishop should administer an oath to every minister, to keep the school within the parish, to teach children the English tongue. This is not observed nor the schools kept.

This to be reformed.

By another act a free-school should be kept in every diocese. Not observed, to the great prejudice of the kingdom of Ireland.

This to be reformed.

Great sums of money received by several bishops of this kingdom for COMMUTATION OF PENANCE, which monies, by his majesty's instructions, should be converted to pious uses. Not observed, but made a private profit.

This to be disposed of in reparaiton of churches, bridges, high-ways, and for the relief of the poor, within the parish where the fact was committed, and the bishops to account for these before the judges of assize in their circuits, once a year.

Process out of the spiritual courts issue with blanks: the apparitors put in whom they please.

That henceforth the names be inserted in the body of every process, and no blanks to issue.

Men are brought to ecclesiastical courts, they are forced to attend, and are put to charge and trouble and after dismissed without any costs.

That in causes criminous no proceess shall issue, before good security given by the informer to pay costs in case of dismiss.

The bishops courts kept too frequent, at least once in a fortnight, and then kept sometimes for six days together; poor men are forced to travel thirty or forty miles to the courts, and from one diocese to another.

That hereafter courts be kept but once in the month, and then but for two days at most, to be kept in convenient places within the diocese; and in July, August, and September, no courts at all to be kept, to hinder poor men from their harvest.

The registers in their offices, for the most part, have no tables of fees, which is the occasion of very great exactions and extortions upon the poorer sort.

That certain tables of fees be hung up in every office, and the fees of every process of summons to be but 9d. whereas now they take 1s. 3d. and sometimes more.

APPENDIX, No. 2.

RESOLUTIONS

OF THE

ROMAN CATHOLIC PRELATES OF IRELAND.

AT a meeting of the Roman Catholic Prelates held in Dublin the 17th, 18th, and 19th of January, 1799, to deliberate on a proposal from government of an independent provision for the Roman Catholic clergy of Ireland, under certain regulations not incompatible with their doctrine, discipline, or just principles:—

It was admitted that a provision through government for the Roman Catholic clergy of this kingdom, competent and secured, ought to be thankfully accepted.

That in the appointment of the prelates of the Roman Catholic religion to vacant sees within the kingdom, such interference of government as may enable it to be satisfied of the loyalty of the person appointed, is just, and ought to be agreed to.

That to give this principle its full operation without infringing the discipline of the Roman Catholic church, or diminishing the religious influence which prelates of

that church ought justly to possess over their respective flocks, the following regulations seem necessary:—

1st. In the vacancy of a see, the clergy of the diocese to recommend, as usual, a candidate to the prelates of the ecclesiastical province, who elect him, or any other they may think more worthy, by a majority of suffrages: in the case of equality of suffrages, the metropolitan or senior prelate to have the casting vote.

2d. In the election of a metropolitan, if the provincial prelates do not agree within two months after the vacancy, the senior prelate shall forthwith invite the surviving metropolitans to the election, in which each will then have a vote:—in the equality of suffrages, the presiding metropolitan to have a casting vote.

3d. In these elections, the majority of suffrages must be *ultra medietatem*, as the canons require, or must consist of the suffrages of more than half the electors.

4th. The candidates so elected, to be presented by the president of the election to government, which within one month after such presentation, will transmit the name of the said candidate, if no objection be made against him for appointment to the Holy See, or return the said name to the president of the election for such transmission as may be agreed on.

5th. If government have any proper objection against such candidates, the president of the election will be informed thereof within one month after presentation; who in that case will convene the electors to the election of another candidate.

Agreeably to the discipline of the Roman Catholic church, these regulations can have no effect without the sanction of the Holy See, which sanction the Roman Catholic prelates of this kingdom shall, as soon as may be, use their endeavours to procure.

The prelates are satisfied that the nomination of parish priests, with a certificate of their having taken the oath of allegiance, be certified to government.

RICHARD O'REILLY, [Armagh.]
 J. T. TROY, [Dublin.]
 THOMAS BRAY, [Cashel.]
 EDWARD DILLON, [Tuam.]
 P. I. PLUNKETT, [Meath.]
 DANIEL DELANY, [Kildare.]
 JAMES CAULFIELD, [Ferns.]
 F. MOYLAN, [Cork.]
 EDMUND FRENCH, [Elphin.]
 JOHN CRUISE. [Ardagh.]

SUBSEQUENT RESOLUTIONS

Of the Roman Catholic Electors.

The prelates assembled to deliberate on a proposal from government, of a provision for the clergy, have agreed that M. R. Doctor O'Reilly, M. R. Doctor Troy, and B. B. Doctor Plunkett, and such other of the prelates who may be in town, be commissioned to transact all business with government, relative to said proposal, under the substance of the regulation agreed on, and subscribed by them.

THOMAS BRAY,
 EDWARD DILLON,
 F. MOYLAN,
 DANIEL DELANY,
 JAMES CAULFIELD,
 EDMUND FRENCH,
 JOHN CRUISE.

Dublin, January, 20th, 1799.

FINIS.