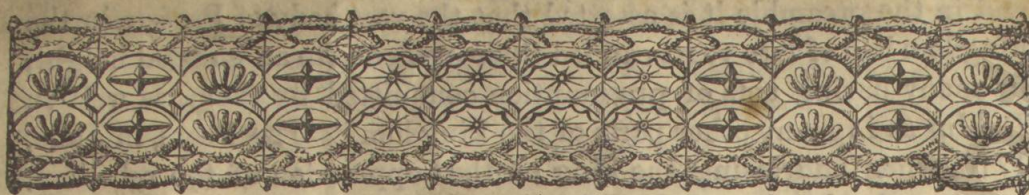


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## VICE-REGAL SPEECHES AND EPISCOPAL VOTES IN THE IRISH PARLIAMENT FROM THE REIGN OF CHARLES I. TO THE UNION.

### PART. II.

#### GEORGE I.

THE first Parliament which sat in Dublin after the accession of George I. was opened on the 12th of November, 1715, by the Lords Justices, the Duke of Grafton and the Earl of Galway. They recommend to Parliament—while defence is necessary on account of rebellion raging in Great Britain—"such unanimity in your resolutions as may once more put an end to all other distinctions in Ireland but that of Protestant and Papist." On the 16th of January, next year, the House of Lords is informed of the landing of the Pretender in Scotland, and at once enters into an association to defend the king and the Protestant succession, and appoints a Committee to prepare an address to the Lords Justices, urging them to "put the laws in execution against Papists." By this address, which was approved of by the Peers on the 18th of January, 1716, the Lords Justices are requested—although by a late order in council all magistrates were quickened in the execution of the laws against Papists—to enforce the penal laws with especial rigour against the Regulars, as the best plan "to clear the land from those incendiaries and promoters of the Pretender's interest among the common people, whose credulity leads them to an entire dependence on their priests and friars." On the 28th of the same month the Bill to attain the Pretender is passed,



and in the preamble it is asserted that the vast body of Papists in the kingdom had of late years carried their insolence to an unusual height, by many daring acts of presumption committed by them, as well in Dublin as in many other parts of the kingdom." The Peers, in June, 1716, when addressing the king on the suppression of the rebellion, say that the loyalty of the Irish Protestants was a means to prevent those attempts that "might be feared from the great number of Papists that live among us." In the same month a Bill, sent up from the Commons, is passed, to prevent Roman Catholics from serving as high or petty constables. This Bill received its first reading when the bishops were a moiety of the House. In the following year, 1717, the Duke of Bolton, Lord-Lieutenant, reminds Parliament of "the miseries this nation heretofore experienced from a Popish Government," and that he "formerly had the honour to serve the late King William, of glorious memory, as one of the Lords Justices." Primate Lindsay, on the 10th of September, 1717, presents a Bill for more easy recovery of tithes to a House consisting of thirteen prelates and eleven lay lords, which Bill was subsequently allowed to drop.

Perhaps the earliest approach—though but a faint one—towards the yet distant relaxation of the laws which favoured the members of the Established Church, at the expense of Recusants and Non-conformists, was made, on the 20th of November, 1717, by the passing of "An Act for taking away the Oath commonly called 'the Little Oath' on members of Corporations by the new rules." This Act was passed in a House consisting of twelve bishops and thirteen lay peers. A protest had been entered against this Act on the 14th of November, when the bishops were a majority, by Primate Lindsay, but was afterwards withdrawn. Acts for regulating the corporations of Galway and Kilkenny, and for strengthening the Protestant interest in those cities, were passed in December, 1717. About this time some petitions are entered on the Lords' Journals of one or two distinguished converts from Popery. One of them, by turning Protestant, made his father tenant for life of his estate, and thereby "so incensed him" that he denied him pecuniary support. Another gentleman, who was the first of his noble family who conformed since Elizabeth's time, has five sons and two daughters whom he educates in Protestantism, and seeks, "for these reasons, to be recommended to his Majesty." Archbishop King with three bishops and four lay peers approve these requests, "the gaining of such sincere and considerable converts being of great moment to the English Protestant interest in this kingdom."

The year 1719 is remarkable as being that in which the Irish Protestant Dissenters first obtained a small measure of relief from the oppression of the penal code. During this year the bishops



formed about one-third of the house, the average attendance of the temporal peers being eighteen, while that of the prelates was only twelve. It is noteworthy that on no single occasion during this year did the bishops form either a moiety or a majority of the House of Lords—a fact which has no parallel in any other of the years during the first half of the eighteenth century. When the Parliament met on the 26th of June, 1719, the Duke of Bolton, the Lord-Lieutenant, made an earnest appeal on behalf of the Irish Protestant Dissenters. The Government were doubtless alarmed by the great emigration of Protestants from Ireland to the West Indies, Cape Breton, and other parts of North America. This exodus, which began in the year 1717 and 1718, was by some persons ascribed to the uneasiness Dissenters felt in the matter of religion, but was almost wholly due, according to Archbishop King, to the high rents exacted for land, which made it “impossible for people to live or subsist on their farms.” The Lord-Lieutenant tried to gain favour for this Toleration Bill, which was intended to soothe the Nonconformists, by reminding Parliament of “the numbers as well as strict union of the Papists among themselves,” and of “their apparent inclinations” towards the Pretender. He told them that he was desired by the king to ask them to consider of some method, consistent with the security of the Established Church, “to render the Protestant Dissenters more useful and capable of serving his Majesty and supporting the Protestant interest than they now are.” The Lords, in reply, assure the king of their desire to cherish union among all Protestants. The Peers receive, in August, another royal exhortation to toleration, when the king answers their address, and says:—

“His Majesty hopes that it will not be found inconsistent with the security of the Established Church; but, on the contrary, will be looked on as a means conducive thereto, to strengthen the Protestant interest by rendering numbers of his Majesty’s subjects there, who by the legal incapacities they now lie under, are disabled from contributing to its support, more useful to his Majesty’s service and to the preservation of the constitution both in Church and State.”

On the same day when this answer was read—which Archbishop King says pressed “with extraordinary warmth” towards “gratifying the Dissenters—it was “ordered that the heads of a Bill, entitled ‘An Act to ease persons professing the Christian religion, and dissenting from the Church of Ireland as by law established, from the penalties of certain laws to which they are now subject,’ be read a first time.” And two days afterwards, namely on the 12th of August, 1719, the Lords assured the king of their willingness to allow all his Protestant subjects “such indulgence as may consist with the security of the constitution in Church and State.”



The Dissenters' Relief Bill, which finally became law, was not that which originated in the Lords, but another which was sent up from the Commons and was read for the first time in the Lords on the 16th of October; and, secondly, on the 19th: the House consisting on both occasions of eighteen lay peers and thirteen bishops. The third reading was on the 22nd of October—nineteen lay peers and thirteen bishops being present—and must have been carried almost by the casting vote of the Chancellor, Viscount Midleton; for seven lay peers and nine prelates gave it a determined opposition, and afterwards entered a strong protest against it upon the Journals of the House. The dissentient prelates and peers complain that the Bill endangers the security of the Church by removing "the perfect agreement and unanimity which has constantly hitherto been maintained between the laws of England and Ireland in all things that relate to religion and ecclesiastical matters, as far as the circumstances of the kingdom would possibly admit thereof." It is then asserted that the Bill extends toleration not only to "Dissenters whose principles are already known," but also to all who shall now or hereafter adopt the name of Protestant, no matter what their principles are or shall be. Thus wicked men, it is apprehended, may be enabled "under the name of Protestant Dissenters to poison the minds of the people," to the subversion of Christianity and the constitution. Lastly, the Bill is censured because it does not restrain "any Protestant Dissenter from setting up for a teacher," even before he has any congregation, but will encourage "such persons to go about seeking for disciples and proselytes, to the distraction of the minds of the people, and to the weakening of the Government." The nine prelates who signed the protest were the Primate, Lindsay (whose sleeve had been pulled by the Chancellor in former days), the Archbishops of Dublin and Tuam, and the Bishops of Kildare, Clonfert, Limerick, Clogher, Down, and Ossory. All of these bishops but two had been born in Ireland. The Archbishop of Dublin, King, was noted for his learning and talent; Sir Thomas Vesey, the Archbishop of Tuam, was ancestor of the Viscounts de Vesey; and Bishop Stearne, of Clogher, was a distinguished benefactor to Trinity College and various Protestant institutions.

Archbishop King, in some letters to the Archbishop of Canterbury, extracts from which are published by Mant, gives an insight to the feelings with which this Toleration Bill was regarded by the Church and State party of the day. The Dissenters, so writes his Grace, wanted not "the ease of their conscience and the liberty of serving God in their own way," but "to get the whole power in their hands and settle Presbytery in Ireland." "The House of Commons," so the archbishop asserts, "were resolved to preserve the test in its



full latitude," and had not "any great mind, that his Grace could perceive, for the toleration; but being so hardly pressed by the Lord-Lieutenant's speech, they seemed under a necessity to do something which might be reckoned a compliance." In the Privy Council the debates on the different clauses of the Bill were long and warm. The archbishop and his party "laboured with the utmost diligence" to attain their object. "The divisions were close—ten on each side—the Lord-Lieutenant giving the casting-vote. The archbishop considered the toleration granted by this pernicious Bill to be so wide as is "not preceded in the whole earth," and it could not have passed if the bishops that came from England "had not deserted" their brethren of Irish birth "and gone over to the adverse party." The arguments employed by the sturdy prelate are detailed by himself, and are some of the stock arguments used at all times in behalf of religious ascendancy in Ireland. The exact conformity of the two Churches of England and Ireland was, it seems, one of the conditions in "the original contract between the people of Ireland and Henry II. on the submission of this kingdom," and ever since has been "a necessary piece of policy" for the continuance of the connection between the two countries. The Act of Uniformity was "an essential and fundamental part of the Union with Scotland;" but the Toleration Act "repealeth almost all of it, particularly those parts that are most essential to religion." Moreover, "the king at his coronation swears to maintain and preserve inviolably the settlement of the Church of England, and the doctrine, worship, discipline, and government thereof as by law established in England and Ireland;" and the archbishop "showed that the Toleration Bill then before the House made it impossible for his Majesty to preserve the Church as his oath required, because it put it out of his power."

This Toleration Act, which so aggrieved Archbishop King, was, after all, of a mild character. By it Protestant Dissenters, including Quakers, were relieved from penalties for not going to the parish churches, and for officiating in meetings or congregations, and all Protestant Dissenters taking the oaths were saved from prosecution in the ecclesiastical courts for non-conformity. But the Sacramental Test, as a qualification for office, was not repealed, nor was any benefit extended to Roman Catholics, or to any persons who should deny the doctrine of the Trinity. Yet Archbishop King writes that by this Bill "Jews, Turks, Deists, Pagans, &c., may all set up for teachers, if they take the state oaths," and that "a full liberty is given to all sects to set up their meetings and propagate what doctrines they please." The archbishop's remark, that he would have been successful in opposing this Toleration Act, if he had not been deserted by the bishops who had come from England points to the existence at



this time of an English and of an Irish party among the prelates. But it must not be henceforth concluded that Archbishop King was very Irish or patriotic in his sympathies. The "Representation" which was made to the king on the 17th of October, 1719, declaring his Majesty's prerogative of determining all Irish causes in his Irish Parliament, and deprecating the interference of the English Parliament, bears the signatures of five bishops, but not that of Archbishop King. It is incidentally noticed in this "Representation" that while many Papists—peers and commoners—sat in the Irish Parliament, "their judicature was never questioned. But of late, since only Protestants are qualified to have a share in the legislature, their power, and the right of hearing causes in Parliament hath been denied, to the great discouragement and weakening of the Protestant interest in Ireland." The same Parliament which passed the Toleration Act for Dissenters passed also some Bills, namely, those for improving the condition of curates, and restoring impropriations, for the advantage of the Church. A No-Popery Bill, however, sent up from the Commons, and read a first time in the Lords on the 30th of October, 1719, was rejected on the 2nd of November following. The sentiments of Archbishop King regarding the supposed terrible effect of the Toleration Act, seem to have been rapidly modified. In 1720 he deputed his friend, the Archbishop of Tuam, to visit for him the Dublin clergy, and wrote some instructions to guide his deputy in the visitation. In particular he asked him to remind the clergy that they no longer could expect the aid and assistance of the civil power, and of ecclesiastical courts as in times past, but that if they used "the means and methods which Christ has left us," they would "go further to support religion and holiness than all temporal motives and assistance could do without them." He appealed also to experience, and said that if one observed the state of religion since the Restoration, it would, perhaps, be found "that the Church never gained more true friends than when the civil power gave her doctrine and worship least encouragement, nor lost more the hearts and affections of her people than when seeming most encouraged."

The years 1721 and 1722 and 1723 were not remarkable for any proceedings in the House of Lords which here require notice. Unity among Protestants was recommended by the Duke of Grafton when he opened the session of 1721; and the peers promised, in reply, "to do everything that lay in their power for the security and strengthening of our excellent Church, as by law established, and the support of the Protestant interest." The same Lord-Lieutenant, in 1723, informed Parliament that the king had "nothing more at heart than to make them a happy Protestant people." "I cannot but think it"—said his Excellency—"a matter deserving your serious attention, to provide



some laws for the further strengthening the Protestant interest of this kingdom, particularly for preventing more effectually the eluding of those in being against Popish priests; it being too notorious that the number of such is of late greatly increased." The Peers thank his Grace for "proposing to have such laws made as may best provide for and employ the multitude of poor that infest the whole kingdom, and free us from the crowds of Popish priests, whose numbers of late, contrary to law, are greatly increased among us." In 1724, however, another measure for relief of Protestant Dissenters was passed, namely, the Act for "accepting the solemn affirmation or declaration of the people called Quakers, in certain cases, instead of an oath in the usual form." This Act was only to continue for three years. The Lord Chancellor (Midleton)—the former advocate of the Nonconformists—Lords Mayo, Charlemont, and Strabane, with the Archbishop of Tuam, and the Bishops of Clogher, Ossory, and Killaloe enter a strong dissent against this Quakers' Affirmation Bill, on the 27th of January. They state their objections at some length, and under seven heads. First, they argue that the testimony upon "oath—which is the strongest obligation that can be laid upon conscience," and the great security for property—will be to some extent removed by the substitution of an affirmation, which is "not so great a tie upon the conscience as that of an oath." Besides, "the principal men of the Quakers" refuse to submit to any form of affirmation containing an express acknowledgement that to speak falsely or deceitfully is a great sin. For which reason it would be "a betraying and giving up the rights and properties of ourselves and of our fellow subjects, wherewith we are intrusted, by making them subject to the bare affirmation or declaration of every Quaker in all the several cases in the said Bill mentioned." Secondly, the Bill "affects the rights and properties of the king's subjects, not merely in the future but in the past, for many persons have had dealings with the Quakers, and will be "obliged to pay all the demands which such Quakers" may "pretend to have upon them, without any other proof" but "the bare affirmation or declaration" of Quakers themselves. Thirdly, the Bill

"Will not only tend to the great hurt of his Majesty's good subjects, but also be a great temptation to many weak as well as worldly persons to hazard their salvation by joining themselves to that sect, as seemingly acknowledged by us to be men of greater probity than all others, as well as thereby to become for the most part useless to the public as magistrates, soldiers, jurymen, constables, or in any other capacity except that of getting wealth for themselves alone."

Fourthly, the Bill prescribes no way of knowing who is a Quaker, save by a certificate, signed by six credible Quakers, without any way of ascertaining the credibility or the religious persuasion of those who



sign it, whereby a matter of consequence to the properties of subjects is left "at a great uncertainty." Fifthly, because "the punishment which is to fall upon a Quaker, in case he falsely affirms or declares" seems not so great as in reason it ought to be, which it is "feared may be an encouragement to men of that sect to prevaricate in their testimony, whenever they shall be thereunto tempted by the prospect of gain to themselves or their friends." Sixthly, because it is plain

"That Quakers, whatever they may pretend, do not really look upon an oath to be unlawful, none of them having ever made the least scruple of producing other witnesses, whenever there was occasion to swear in their behalf, and many of themselves having often taken an oath in the common course of justice."

This Bill is, therefore, more "a gratification of their vanity and singularity," and a means for greatly promoting their worldly interest than "an indulgence to the tenderness of their conscience." Seventhly, the protesting peers cannot but look upon the great honour done to the Quakers as

"A dishonour done to all the rest of mankind, their affirmation or declaration, without an oath, being in many cases to be taken, where the testimony of any other man, and even of a member of this High Court of Parliament, is not to be admitted except it be given upon oath, which we" (so say the dissentients) "take to be in some sort a degrading of ourselves, as well as all other men, below the rank of the meanest and most contemptible Quaker."

The Lord-Lieutenant, the Duke of Grafton, closed the session of 1724, during which this Quakers' Affirmation Bill was passed, on the 10th of February, with a speech containing a strong incentive to activity against the Irish Catholics. He assured Parliament that he would direct that such persons only be put into the commission of the peace who are steady adherents to the Protestant interest. His Grace also said :—

"I recommend to you, in your several stations, the care and preservation of the public peace. This desirable end will, in my opinion" (so the Viceroy proceeded), "be greatly promoted by a vigorous execution of the laws against Popish priests, to the neglect of which, I must tell you, is imputed, in a great measure, the increase of their numbers."

The vice-royalty of Lord Carteret—the Duke of Grafton's successor—was marked not only by official exhortations to Parliament to repress Roman Catholicism, but by some additions to the penal laws. Lord Carteret opened the session on the 21st of September, 1725, and after exhorting Parliament to devise a law for "the effectual transportation of felons," proceeds in these words :—

"I also recommend it to you to consider of the best methods for securing us from the mischiefs which may be reasonably apprehended from the numbers of Popish priests and regulars which daily increase. As all



Protestants of this kingdom can have but one common interest, and have too often fatally experienced that they have the same common enemy, there ought to be the strictest union among us."

This speech was pronounced "a very good speech" by Primate Boulter, who moved the address to the king upon it. Boulter succeeded in defeating an amendment proposed to the address by the Archbishop (King) of Dublin, by a majority of nine, in a House of thirty-three peers. - This Archbishop of Armagh, Hugh Boulter, had now and afterwards immense power and influence. Swift asserted at this time that "the primate and the Earl of Cavan governed the House of Lords." In December of this year, 1725, the Peers "resolved that no Papist, or reputed Papist, shall, for the future, be intitled to the protection or privilege of this House, upon account of his being employed as Agent, Steward, or Receiver, by any Peer or Lord of Parliament." In 1726 the Peers passed "an Act to prevent marriages by degraded clergymen and Popish priests." By this Act, a Popish priest who celebrated a marriage between two Protestants or between a Protestant and a Roman Catholic was made guilty of "felony, without benefit of clergy." On the day when this Act passed, the bishops formed a majority of the House. The average attendance of spiritual peers during the year 1726 was fourteen, and of lay peers only eleven.

#### GEORGE II.

Lord Carteret, when a new Parliament assembled on the 28th of November, 1727, urged strenuously the adoption of laws "to enforce the execution of those that relate to the security of the public, and the preventing Popish priests and regulars from coming into this kingdom;" and the Peers passed resolutions in conformity with His Excellency's advice. Early in the following year, namely, in February, 1728, Primate Boulter presented to the Lords the heads of a Bill for regulating the admission of barristers, and "for preventing Papists practising as solicitors, and for further strengthening the Protestant interest in Ireland." By this Act, converts from Popery were compelled to prove that they had been Protestants for two whole years before admission to either branch of the law or to offices in the courts. Primate Boulter and Archbishop Synge were members, in this month, of a Committee, consisting of four lay and seven spiritual peers, for preparing a Bill "more effectually to provide for the guardianship of Popish minors, and to prevent their being bred Papists." And Primate Boulter, in the same month, brings up the report of the Committee which sat to arrange concerning the tapestry to be ordered for the House. This tapestry was to represent, in six pieces, the siege of Londonderry—the landing of



William at Carrickfergus—the victory of the Boyne, with the rout of the Irish army—William's entry into Dublin—the Battle of the Aughrim—and the capture of Cork and Kinsale by the Duke of Marlborough. The Parliament passed the penal acts which Boulter advocated, and some others which he proposed for the temporal good of the Establishment. They also renewed the Quakers' Affirmation Bill for seven years, despite the opposition of the Archbishop of Tuam and the Bishop of Clogher. The Quakers, according to the preamble of this Bill, had "not abused the liberty and indulgence allowed them by law," and had proved themselves friends to the king and the Protestant succession. An Act was also passed whereby it was enacted that no Papist should be entitled to vote at the election of Members of Parliament, or of magistrates for cities or corporate towns. The Peers, on the 1st May, 1728,—the bishops being a large majority of the House,—address the Lord-Lieutenant in congratulatory terms, and say:—

"We cannot think think we indulge these pleasing expectations [of lasting prosperity] too far, when we observe party divisions among the Protestants of this kingdom to be much abated—those laws against Popery (which by artful men had been eluded) restored to their first design—and such provision made for the real conversion of the Popish natives as by the Divine assistance may in time make us one people."

The leading part taken by Primate Boulter and the bishops in the Parliamentary business of this period appears from Boulter's own letters, wherein he seems the life and soul, not only of the legislation affecting the internal welfare of the Church, but also of the penal legislation affecting the Irish Roman Catholics. He was ably seconded in his efforts by the Irish prelates, who in the year 1729 formed a large proportion of the House of Peers. Indeed, the bishops formed a majority of the House on nineteen occasions, and a moiety on three occasions in that year, during which the House met on only thirty-two days. The average attendance of bishops was fourteen, and of lay peers only eleven. On the 10th November, 1729, in a House consisting of twelve lay and eight spiritual peers, it was ordered that the House should "be put into a Committee" on the Friday following, "to consider of the present state of Popery." The progress of this Committee is duly reported by Ralph Lambert, Bishop of Meath, who, on the 22nd December, brings up several resolutions. It appears from these that the not sufficiently putting the laws against Popery in execution has encouraged great numbers of Popish priests, monks, friars, and Jesuits, to come into Ireland of late, to the great danger of the peace of the realm, "and to the great oppression of the Papists themselves." It was resolved to charge all justices and magistrates to use greater strictness; and it was ordered that "the Bishop of



Meath, the Archbishop of Tuam, and the Earl of Cavan, do prepare and bring in a Bill for better securing the Protestant interest," &c. The Bishop of Meath brings in accordingly a No-Popery Bill on the 30th of December, 1729, in a House of twenty members, of whom fourteen were prelates. This Bill, however, was suffered to drop, nor were any penal Acts passed in 1730.

The next session was opened on the 5th of October, 1731, by the Duke of Dorset as Lord-Lieutenant, who asked Parliament to consider whether further laws against Popery were not required. On the following day the Peers expressed their desire to stop the further growth of Popery, and the whole House was made a Committee for religion. The primate, on the 10th November (seventeen prelates being present in a House of thirty members), reports from the Committee; and the Peers thereupon order the judges to prepare a Bill "for the more effectually disarming the Papists in this kingdom." This disarming Bill was discussed on several occasions, and finally was agreed to, the bishops being in a large majority on every occasion. The Bishop of Meath next presents a Bill to annul mixed marriages performed by Popish priests, and Boulter presents Bills against Popery, for registering the Popish clergy, and for compelling converts to educate their children in the Protestant religion. In 1732, Boulter offers a Bill to render more effectual the Act for disarming Papists; and, in 1733, the Bishop of Killala presents another Bill to prevent marriages by Popish priests between Protestants and Roman Catholics. By Acts passed in this Parliament, it was made illegal for barristers or solicitors to employ Popish clerks or apprentices; and Protestants, who had Popish wives or children, were disqualified for the Commission of the Peace. But the House of Commons rejected several penal Bills against the Catholics which had been agreed to by the Lords. In the year 1733, the Lord-Lieutenant, the Duke of Dorset, made efforts to prevail on the Irish Parliament to repeal the Sacramental Test Act, in favour of the Presbyterians; but so much opposition was encountered, that the Government relinquished their design. Boulter says that if the proposal had come before the Lords, "there would have been at least two to one against it." The Irish bishops and clergy in this same year, 1733, memorialed the king with success for a charter to be granted to an association for promoting English Protestant schools in Ireland, and the famous Charter schools were established.

During the long vice-royalty of the Duke of Devonshire, which lasted from 1737 to 1745, the laws, it is said, were administered with leniency, although no relaxation of the penal code was attempted, but some few additions to it were made. In 1740 a stringent Act for more effectually disarming all Papists was passed through Parliament,



the Archbishop of Dublin, Hoadley, reporting its progress in the Lords. In 1743 a Bill for naturalizing the Jews was "committed" by a majority of five peers in a House of thirty-five members, the Bishop of Cork (Clayton) reporting it. This Bill did not succeed in its subsequent stages, and when again presented to the Peers in 1745, was lost by a majority of six votes in a House of twenty-eight members—George Stone, then Bishop of Derry, entering his dissent against its rejection. The Earl of Chesterfield became Lord-Lieutenant in August, 1745, when the rebellion in Scotland was raging, and when opening the Parliamentary Session in October, inquires

"Whether nothing further can be done, either by new laws or by the more effectual execution of those in being, to secure this nation against the great number of Papists, whose speculative errors would only deserve pity, if this pernicious influence upon civil society did not both require and authorize restraint."

A Protestant Defence Association is now formed. It is made felony for a Roman Catholic priest to celebrate marriage "between a Papist and any one who hath been or hath professed him or herself to be a Protestant within twelve months" before such marriage. Acts are also passed against foreign enlistment and foreign education. In 1747 the Earl of Harrington recommends the Charter schools to Parliament. The Bishop of Meath, in 1748, presents a Bill to restrain foreign education. Primate Stone gets an Act passed in 1750 to prevent clandestine marriages by Popish priests. The Charter schools, in 1751, are recommended to the care of Parliament by the Duke of Dorset, the Lord-Lieutenant. Similar charges concerning the Charter schools are given to Parliament, in 1753, by the Duke of Dorset, and in 1755 by the Marquis of Hartington, at successive openings of the sessions. Some further legislation against Roman Catholics seems to have been contemplated by some of the peers in 1756. On the 5th and 6th of January in that year—the bishops forming a majority in the House—it was resolved:—

"That the number of Popish priests, monks, and friars had of late increased in this kingdom to the manifest prejudice of the Protestant religion and of his Majesty's Government;" and "that the allowing a competent number of Popish secular priests to exercise their functions under proper rules and restrictions, with a due execution of the laws against regulars and persons exercising ecclesiastical jurisdiction, would tend to deliver this kingdom from the great number of monks and friars that at present infest it."

It was also resolved "that the number of parochial ministers of the Established Church of this kingdom is not sufficient to extend the Protestant religion in those countries [districts?] that are Popishly affected; that parishes should be divided and churches



rebuilt; and that the "actual residence of a minister of the Established Church upon every benefice" where there is, or shall be, a church built, will be a means of stopping "the growth of Popery." A Bill for the compulsory registration of Popish priests, which was of a highly offensive character in the eyes of Roman Catholics, was forthwith, on the 6th of January, introduced by Viscount Limerick. This Bill provided that Popish priests should be licensed to officiate, if two Roman Catholics in each district would enter into security for their good behaviour, and enacted that the whole number of priests so licensed or registered should not exceed one hundred throughout the whole of Ireland; that these priests should be seculars removable by the Lord-Lieutenant and Privy Council; that if any priest should cause a Protestant to recant, his permission or licence should be withdrawn; and that all the old penalties should remain in force against regulars and Popish officials exercising ecclesiastical jurisdiction. De Burgo, author of "*Hibernia Dominicana*," and subsequently Roman Catholic bishop of Ossory, who was present at all the debates on this Bill in disguise ("occultus"), relates that the bigoted exertions of Viscount Limerick and his lay adherents to pass the Bill, were defeated by the votes of Primate Stone and three archbishops on one occasion; of sixteen prelates on another occasion; and, on a third day, of ten prelates. It appears from the Journals that fourteen prelates and twenty-one lay peers were present on the 21st of January, 1756, when the Bill was considered; that twelve spiritual and fourteen lay peers were present on the 22nd, when the Bill was agreed to with amendments; and that it was ordered, on the 29th, when fifteen bishops and twenty-two lay peers were present, to be read a third time that day three months. When the Bill came on again upon the 29th of April, nine bishops were present, and only seven lay peers, and the obnoxious Bill was adjourned to that day month—a day on which the House did not meet. Primate Stone, in this year, 1756, carried a Bill for the increase of benefices and furtherance of clerical residence by aid of the First Fruits and Boulter's bequest. A Bill, sent up from the Commons, to relieve Protestant Dissenters from the penalties of certain portions of the penal Act of 2 Anne, chap. 6, and to enable the Dissenters "to hold commissions in the militia, and to act in the commission of array," was favourably received by the Lords. It was read a first time on the 29th of April, when the bishops were a moiety of the House; a second time on the 4th of May, when thirteen bishops and eighteen lay peers were present; and it was passed on the 7th of May, when the House consisted of twelve bishops and twenty-two lay peers. The royal assent to this and the other acts of the session was given on the day after the passing of the Dissenters' Relief Bill, and Par-



liament was, on the same day, the 8th of May, 1756, prorogued by the Lord-Lieutenant, who informed Parliament that, "by strengthening his Majesty's hands they had, in the most prudent manner, consulted the preservation of all that could be dear to them as Protestants or men."

The Duke of Bedford opened the parliamentary session in 1757, on the 11th of October, with an exhortation to "consider the state of the Charter schools, and what further steps may be taken to strengthen the Protestant interest, and to promote the linen manufacture." On the same day the Earl of Clanbrassil repeated the attempt which he had made the year before, when he was the Viscount Limerick, to pass a Bill for compulsory registration of Popish priests. His Bill obtained a second reading on the 2nd of November, when sixteen lay and twelve spiritual peers were present. It was adjourned on the 21st of November, by fifteen votes against eleven, to the 6th of December, when it passed a third reading, and was sent for "transmission" by a vote of nineteen peers against eighteen of those present, or, when proxies were called for, by twenty-four votes against twenty-one. The Bill, however, which Stone and the other prelates warmly opposed, never received the royal assent.

#### GEORGE III.

The Lord-Lieutenant, the Earl of Halifax, opens the session in October, 1761, with a speech concerning the new King, assuring Parliament that the preservation of "the Constitution in Church and State" will be "the first and constant object of his care." His Excellency also reminds Parliament that "there is no object more worthy their attention than the Protestant Charter schools;" and that "notwithstanding the peaceable demeanour of the Papists in this kingdom, it must always be their duty and interest to divert from error, by every effectual though gentle method, the deluded followers of a blind religion." The Peers promise, in reply, to accept gratefully his Excellency's "assistance to establish them, under his Majesty's paternal influence, an opulent, flourishing, Protestant people." When the next Viceroy, the Earl of Northumberland, opens Parliament, in 1763, he thus mentions the then recent riots in parts of Ulster and Munster:—

"The tumultuous risings of the lower people, in contempt of laws and of magistracy, and of every constitutional subordination, must, if not duly attended to, be productive of the most fatal consequences. They are a disgrace to a country of liberty; they are ruinous to a country of commerce; and must be particularly fatal here, where the least check to the rising spirit of industry is so very sensibly felt, and so very difficult to be retrieved. No means can serve more effectually to prevent these disorders for the future, than the encouragement of such institutions as tend to impress on



the minds of the lower order of people early habits of industry and true principles of religion. For this purpose your Protestant Charter schools were established, to which I therefore recommend the continuance of your care, encouragement, and support."

The Earl of Hertford, as Lord-Lieutenant, in 1765, also commends the Charter schools to Parliament, observing that "when our thoughts are turned to promote industry in the people, we should remember how necessary religious principles and virtuous education are to obtain that end." These schools were styled by Viscount Townshend, the Lord-Lieutenant in 1767, "the great sources of industry, virtue, and true religion."

Under Viscount Townshend's Viceroyalty, in 1768, the attention of the Peers was turned to the statistics of religion furnished by the bishops in compliance with a late order of the House, and at the same time an effort was made to repeal a portion of the laws against Roman Catholics. On the 3rd of February, 1768, the Peers—in a House of thirty-seven lay and eighteen spiritual lords—ordered the judges to prepare a Bill, "to enable Papists to lend money upon mortgages," with a special clause, however, "to prevent Papists from being mortgagees in possession." Lord Annaly, the Lord Chief-Justice, presented, accordingly, a Bill for such a purpose, which was read a first time on the 1st of March, when nine prelates and twenty lay peers were present; and a second time on the day following, when only five prelates were present in a House of twenty-three peers. On the 8th of March, when nineteen lay and nine spiritual peers attended, Lord Annaly's Bill was sent for "transmission," but made during that year no further progress. Nor was Lord Annaly more fortunate in the following year, 1769, although his Bill to enable Papists to lend money on mortgages was again, after several adjournments, passed and sent for "transmission" on the 8th of December. Lord Annaly made another vain effort in 1771, when his Mortgage Bill was read a third time, with a majority of twenty votes, on the 11th of March, and was sent for "transmission," but was never passed into an Act. On the 10th of May in the same year, 1771, Lord Annaly presented a second Bill "to secure repayment of money really lent by Papists to Protestants on mortgages;" but this Bill was rejected by the Lords on its second reading, on the 13th of May, by nineteen votes against twelve.

"A Bill for the better encouragement of persons professing the Popish religion to become Protestants" was, in 1772, presented to the Peers by the Earl of Charlemont. This Bill got a second reading on the 4th of March, when sixteen lay and three spiritual peers were present; was adjourned on the 11th of March by a majority



of two votes in a House of thirty-eight members, of whom seven were prelates; and was dropped altogether on the 13th of March, when it failed to get a third reading, in a House of twenty-eight lay and eight spiritual peers. A Bill was, however, sent up from the Commons in this year, 1772, to encourage those Roman Catholic priests who should conform to Protestantism. By the Act 2 Anne, chapter vii, section 2, converted priests were to have £20 yearly for their maintenance, to be levied off the county; and this maintenance, being found insufficient, is now doubled, and raised to £40 per annum. Five prelates and twenty-one lay peers were present on the 18th of May, when this Act passed. The Peers rejected, on the 22nd of May, 1772, a Bill which the Commons sent up to secure the repayment of money really lent by Papists to Protestants on mortgages. The votes for this Bill were eighteen for, and twenty-three against it; or, with proxies, twenty-seven for, and twenty-five against it.

Earl Harcourt, in 1773, informed Parliament at its opening, that it was his "duty to call their particular attention to such laws as respect the religion and morals, the security and good order of the people. It is in vain"—so the Lord-Lieutenant proceeds—"that laws are made for the punishment of offenders, unless their morals can be reformed and their minds impressed with principles of virtue." He then commends the Charter schools as "the seminaries of true religion and industry." A Papist Mortgage Bill, introduced this year by Viscount Mountmorres, obtained its third reading and "transmission" upon the 17th of December, by a majority of five peers, in a House of thirty-three; or, counting proxies, by twenty-nine votes against seventeen. Nine prelates and nine lay peers entered a strong protest against the passing of this Bill. The dissentient peers declare in their protest that all the penal laws against Papists in Ireland were caused by their rebellions and treasons, and tend to preserve the Protestant interest—that "every actual or virtual repeal of any part of those laws will encourage the spirit of Popery," and excite discontent among Protestants, "especially as arguments were offered" by some advocates of the Bill "which may be considered as levelled against the whole system of the Popery laws"—and "that this Bill tends in part to repeal" those penal laws. They say also that "as attempts to introduce Bills in favour of Papists have become frequent, the number of converts to the established religion has decreased in proportion;" and they impute this decrease, which was "particularly observable in the last two years," to the expectations the Papists had of obtaining this very Bill; it having been rejected by the Lords, in 1771, "by a majority of only two voices." This Mortgage



Bill—so these peers protest—will prevent conformity more effectually even than an Act permitting Papists to purchase land; for six per cent. can be had by mortgages, but only four or four and a half per cent. by purchase of estates. The eldest sons of Popish purchasers would have a strong inducement to conform, and thereby make their fathers tenants for life, acquiring the reversion and inheritance to themselves. An estate purchased by a Papist, moreover, will gavel, or descend in equal shares, among his sons; but money lent on mortgage will not gavel, and “the whole may be disposed of by the Popish parent to that child who is most zealously attached to the Popish religion.” It is then argued that this Bill will increase the power and influence of the Papists by increasing the number of Protestant debtors to Popish creditors—by subjecting Protestant electors to the control of Papists, and filling Parliament with their nominees—and by “polluting some of the sources of justice” when “those intrusted in inferior stations with the administration of the laws may be tempted not to exert themselves in their offices against Papists while their estates are mortgaged to persons of the Popish religion for larger sums than they can readily or conveniently pay.” It is also urged that, as Papists in England are not allowed to take mortgages, though the Protestants there “exceed the Papists in number in the proportion of above one hundred to one,” it cannot be right to grant such an indulgence to Papists in Ireland “where they exceed the Protestants in number in the proportion of four or five to one, at the least, and where there is too much reason to dread the increase of their influence.” The dissentients likewise regard “any accession of influence given to the Papists under the present Bill as given entirely out of the landed estates of Protestants.”

The prelates who signed this protest, in which they so thoroughly identified themselves with the full and fell spirit of the Popery laws, were the Primate, Robinson; the Archbishop of Dublin, Cradock; and the Bishops of Limerick, Cloyne, Ferns, Ossory, Cork, Dromore, and Killaloe. Four of these bishops were subsequently made archbishops; for Agar of Cloyne became Archbishop of Dublin and Earl of Normanton; Fowler of Killaloe also became Archbishop of Dublin; Newcome of Dromore became Primate; and Bourke of Ferns, afterwards third Earl of Mayo, became Archbishop of Tuam. This intolerant protest had its effect. When Lord Ranelagh, in the following year, 1774, again brought forward a Papist Mortgage Bill—for that of 1773 did not become an Act—it was rejected, on the 10th of May, by the votes of twenty-nine peers against twelve; or, with proxies, by forty-three votes against twenty.

But if relief in temporal matters was denied to the Roman



Catholics by the bigoted opposition of some bishops and lay peers in 1774, there was a very important concession made to them in a matter of sentiment in the same year, by "an Act to enable his Majesty's subjects, of whatever persuasion, to testify their allegiance to him." By this Act it was conceded to Roman Catholics that they might believe in the spiritual power of the Pope without being necessarily disloyal to the King of Great Britain. They were permitted to take the oaths of allegiance, and to declare their belief "that the Pope of Rome neither had, nor ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence within this realm." Thus, as Bishop Mant says, "the small end of the wedge" was introduced, and a beginning made towards the repeal of the penal laws.

For years later a more substantial triumph was afforded to the Irish Roman Catholics. The Earl Buckinghamshire (who in 1777 opened Parliament with a speech commending the Protestant Charter schools in especial reference to "educating the distressed children of the North in sound principles") was the Lord-Lieutenant, under whom was carried, in 1778, "an Act for the relief of his Majesty's subjects of this kingdom professing the Popish religion." This Bill was sent up from the Commons and read a first time on the 6th of August, when seven bishops and twenty-six lay peers were present. On the second reading, on the 10th, its "committal" was vainly opposed by eighteen peers against thirty-one, or, reckoning proxies, by twenty-eight votes against forty-four. The third reading was carried on the 12th, by a majority of thirteen in a House of twenty-three members, or, with proxies, by thirty-six votes against twelve. The Earl Clermont, William Henry Fortescue, had the honour of reporting the majority on this Bill, a distinction of which the present representatives of his family are, doubtless, deservedly proud.

The preamble of this Bill contains what Bishop Mant bewails as "a parliamentary innovation;" for instead of using the term "Papists," or "persons professing the Popish religion," as in other Acts, and as in the body of this Act itself, it speaks of "the Roman Catholics of Ireland," from whose "uniform peaceable demeanour for a long series of years" it is deemed reasonable to remove certain disabilities and incapacities imposed by Queen Anne. This Act allowed Roman Catholics to purchase or inherit leasehold estates for 999 years, and removed the power which a conforming eldest son of a Roman Catholic proprietor had of making his father tenant for life. But the benefits of the Act were not extended to converts from Popery who should relapse, nor to any converts from Protestantism to Popery. No dissent, or protest, was entered by any of the prelates against this Act, which received the royal assent on the 14th of August, 1778.



After an interval of two years, the Irish Protestant Dissenters were gratified by the repeal of that part of Queen Anne's penal statute which imposed the Sacrament upon Dissenters as a test or qualification for official employment. This Bill was brought up from the Commons on the 20th of April, 1780; received its second reading on the 27th, when twelve bishops and twenty-six lay peers were present; and was passed, on the 2nd of May, in a House of eight spiritual and eighteen temporal lords. Four prelates—the Archbishops of Cashel and Tuam and the Bishops of Kildare and Limerick—enter their reasons for protesting against this Act, “because,” as they conceive, “it makes a most material alteration in the Constitution of this kingdom, the consequences whereof are much to be apprehended, though possibly they may not all be foreseen in their full extent.” The Archbishop of Cashel records another protest and says:—

“The same attachment to the Constitution of this country, in all its parts, which induced me, in the course of the debate, to offer at large my reasons for opposing the progress of this Bill, has determined me to leave my dissent against the passing of it on record to posterity.”

An Act for naturalizing all such foreign merchants, traders, workmen, and farmers as shall settle in this kingdom, was likewise carried in this year, 1780, through the Lords, after some opposition; the Earl Clermont reporting the majority of sixteen peers in a House of twenty-seven members. A Bill “for the relief of tenants holding under leases containing covenants of perpetual renewal” was also proposed this year, and was strenuously resisted. Its third reading was carried on the 19th of August, by a very narrow majority of one, or, perhaps, by a casting vote. Twenty-one peers entered a protest, being headed by Beresford, Earl of Tyrone, who was aided by the Primate, Robinson; by the Archbishop of Cashel; and by another Beresford, the Bishop of Dromore, who was subsequently created Lord Decies. The Earl of Tyrone entered a second dissent, signed by himself alone, in which he calls the Tenant Relief Bill “a gross violation of the Constitution, and a measure dangerous by its example to the liberty and property of the subject,” and an “alarming precedent.”

The Charter schools, which were brought under the notice of Parliament at nearly every sessional opening, were thus alluded to in the Earl of Carlisle's speech in October, 1781:—“The humanity and wisdom of those motives which influence your support of the Protestant Charter schools, as seminaries of true religion and honest industry, will continue to engage your regard.”

The most important Acts for the relief of both Roman Catholics and Dissenters were passed in the year 1782, when the Duke of



Portland was Viceroy. On one and the same day, the 25th of April, 1782, two Bills, sent up from the Commons, received their first reading in the Lords, eleven prelates and twenty-two lay peers being present. These Bills were entitled respectively "An Act for the further relief of his Majesty's subjects of this kingdom professing the Popish religion," and "An Act for the relief of Protestant Dissenters in certain matters therein contained." The former of these Bills, which repealed many of the penal laws against Roman Catholics, and gave them power to hold land in fee, was carried through its second reading on the 2nd of May, by thirty-nine votes against twenty-five (the Earl of Westmeath reporting), or, with proxies, by forty-six votes against twenty-nine. This Act and another which repealed the laws against Popish schoolmasters were passed on the 4th of May, and received the royal assent without any protest being entered against them by the bishops.

The Act for repealing the Test Act in favour of Protestant Dissenters, which was the second of the Bills sent up from the Commons and read a first time on the 25th of April, was much more bitterly regarded, and was strenuously, but vainly, opposed. This Bill was petitioned against on the 30th of April, by Kilner Swettenham, Esq.; the Rev. Henry Gervaise, Archdeacon of Cashel; Thomas Torrens, Prebendary of St. Patrick's; Beather King, Prebendary of Cloyne, and Rector of Kildrought or Straffan in Dublin; William Warren, Prebendary of St. Patrick's; and the Rev. Samuel Murray. The second reading was carried on the 3rd of May, by twenty-nine votes against twenty (the Earl of Mornington reporting), or, reckoning proxies, by thirty-five against twenty-three. The third reading was carried on the 4th of May, when a very long protest against the Bill was adopted by twenty-two peers, thirteen of whom were prelates. Three archbishops—Armagh, Dublin, and Cashel—and Newcome, of Waterford, afterwards the primate, were among the thirteen bishops who thus resisted concessions to Protestant Dissenters, or, as Mant describes them, "the hereditary enemies of the Irish Church." The protest complains at great length of the privilege granted to Dissenting ministers to celebrate marriages between Dissenters, and describes, under various aspects, the evil consequences apprehended to result to Protestant Dissenters themselves from such a privilege. The alarming and somewhat ludicrous anticipations of the bishops were not, however, shared by the Duke of Portland, who, when congratulating Parliament at the termination of the session on the successful issue of their labours, said:—

"You have cherished and enlarged the wise principles of toleration; and made considerable advances in abolishing those distinctions which have too long impeded the progress of industry, and divided the nation. The



diligence and ardour with which you have persevered in the accomplishment of those great objects, must ever bear the most honourable testimony to your zeal and industry in the service of your country, and manifest your knowledge in its true interests."

The Protestant Charter schools were duly noticed by successive viceroys at the opening of each session. Thus the Earl of Northington in 1783, the Duke of Rutland in 1785, and the Earl of Westmoreland, in 1792, concur in commending these institutions to Parliament. Under the vice-royalty of Lord Westmoreland, some other steps were taken to abolish the penal laws. On the 24th of February, 1792, when the Archbishop of Cashel, the Bishops of Ossory, Cork, and Killala were present, the Bill of Sir Hercules Langrishe was brought up from the Commons, which gave Roman Catholics admission to the bar, allowed them to practise as solicitors, employ Roman Catholic apprentices, intermarry with Protestants, and teach school. This Bill was passed, with a slight amendment by the Lords, on the 3rd of March, when eight prelates were in the House. In this Act the phrase "Roman Catholics" was used instead of the offensive term "Papists," and its use gave great umbrage to the Church and State partisans. The Lord-Lieutenant, Westmoreland, when closing the session, conveys the approbation of the King to Parliament, and praises the wisdom that guided their proceedings, especially in the liberal indulgences they "afforded to their Roman Catholic brethren, by establishing the legality of intermarriage, by admitting them to the profession of the law and the benefits of education, and by removing all restrictions upon their industry in trade and manufactures." The Earl of Westmoreland, in 1793, when opening Parliament, advised further inroads upon the penal code.

"I have it in particular command from his Majesty" (so said his Excellency) "to recommend it to you, to apply yourselves to the consideration of such measures as may be most likely to strengthen and cement a general union of sentiment among all classes and descriptions of his Majesty's subjects in support of the established Constitution. With this view his Majesty trusts that the situation of his Majesty's Catholic subjects will engage your serious attention, and in the consideration of this subject he relies on the wisdom and liberality of his Parliament."

This speech proved the precursor of a Roman Catholic Relief Bill, passed on the 20th of March, 1793, by which the Catholics obtained a right to educate their children, vote at elections, hold civil, military, and other appointments, take degrees in Trinity College, and enjoy other privileges.

"An unusual ferment"—so the Report of a Secret Committee of the Lords—at this time (1793) disturbed Belfast, the county Antrim, and other parts—"prayers having even been offered up at Belfast



from the pulpit for the success of the French arms." The Report of the Lords' Committee to inquire into the causes of these disturbances, states :—

"The people at this time called defenders are very different from those who originally assumed that appellation, and are all, as far as the Committee could discover, of the Roman Catholic persuasion—in general poor, ignorant, labouring men, sworn to secrecy, and impressed with an opinion that they are assisting the Catholic cause. In other respects they do not appear to have any distinct particular object in view; but they talk of being relieved from hearth money, tithes, county cesses, and of lowering their rents. . . . But the Committee think it their duty to state that nothing appeared before them which could lead them to believe that the body of the Roman Catholics in this kingdom were concerned in promoting or countenancing such disturbances," &c.

Earl Fitzwilliam, in January, 1795, opened Parliament with a speech in which the erection of a Roman Catholic educational institution by State aid was hinted at :—

"Attached as you are to the general cause of religion, learning, and civilization, I have to recommend to your consideration" (so said his Excellency to Parliament), "the state of education in this kingdom, which in some parts will admit of improvement, in others may require some new arrangement. Considerable advantages have been derived, under the wise regulations of Parliament, from the Protestant Charter schools, and these will, as usual, claim your attention. But as these advantages have been but partial, and as circumstances have made other considerations, connected with this important subject highly necessary, it is hoped that your wisdom will order every thing relating to it, in the manner most beneficial and the best adapted to the occasions of the several descriptions of men which compose his Majesty's faithful subjects of Ireland."

The earl then alluded to the state of affairs, and said :—

"The king has called upon the skill, courage, and experience of all his subjects wheresoever dispersed; and you must be duly sensible, in such a crisis as the present, which rarely occurs in the course of human affairs, of the advantage of his Majesty's thus endeavouring to profit of the united strength and zeal of every description of his subjects."

Earl Fitzwilliam, doubtless, alluded to the disturbances in France, which prevented that country from any longer affording a suitable resort for Irishmen who wished to study for the priesthood, and rendered it a necessity that some college for Roman Catholics should be provided in Ireland. Earl Fitzwilliam was, however, suddenly recalled, and was succeeded in the vice-royalty by Earl Camden, under whom, in May, 1795, the Maynooth Bill was passed. This Bill was brought up from the Commons on the 9th of May, when eleven bishops and thirty lay peers were present. It was read a second time on the 11th of May; and was passed on the 13th of May, eighteen prelates and thirty-four lay lords being in the House. Earl Camden, at the close of this session, congratulated the Parlia-



ment and said: "A wise foundation has been laid for educating at home the Roman Catholic clergy."

When the rebellion of 1798 broke out, Earl Camden was still viceroy. When opening Parliament in January of that year, he spoke of having—

"Directed immediate and vigorous measures to be taken for repressing disaffection in the northern parts of the kingdom, and for restoring security and confidence to the loyal and well disposed; the effect of which" (so thought his Excellency) was "manifested in the return of subordination and industry in that quarter. Other attempts have been made by the leaders of the disaffected, in some parts of the midland and southern districts, with too much success, and emissaries have been employed, and publications have been circulated by them, to revive religious animosities," &c.

In consequence of this speech of Earl Camden, a motion was made by the Earl of Moira, on the 19th of February, that an

"Address be presented to the Lord-Lieutenant representing that as Parliament hath confided to his Excellency extraordinary powers for the purpose of supporting the laws and defeating any traitorous combinations which may exist in this kingdom, this House doth at the same time feel it a duty to recommend the adoption of such conciliatory measures as may allay the apprehensions and extinguish the discontents unhappily prevalent in this country."

The House divided on this motion, and the address was rejected by forty-four votes against nine, or, with proxies, by forty-five votes against ten. Seven peers protested against the rejection of this address—

"Because that at a moment when Government has thought itself obliged to exert unusual rigour, it appears the extreme of impolicy not to profess the reluctance with which such severities are enforced, and the wish of Government to conciliate the minds of the people by a gentler course."

The seven dissentient peers who thus recorded their desire to urge the claims of mercy and equity were the Earls of Granard, Moira, Charlemont, Arran and Mountcashel, Lord Dunsany, and William Dickson, the Bishop of Down and Connor. Bishop Dickson was set upon by Lord Chancellor Clare, in bitter terms, for his part in this transaction, but retorted with spirit, saying that "coercion had been tried long enough;" that "Catholic emancipation was a matter of right, not of favour;" and a reform of Parliament absolutely necessary; and that the present calamities of the country might be ascribed "to that most impolitic and lamentable measure, the recall of Lord Fitzwilliam." It is to be regretted that the name of but one solitary bishop was attached to this protest, for signing which Dickson was assailed by Lord Clare. Newcome, the primate, and ten other prelates were present at this debate, and had the same opportunity as the Bishop of Down for displaying aversion to the severities inflicted at this period.



Nor did any bishops join the four earls—Granard, Charlemont, Bellamont, and Mountcashel—who voted and protested, on the 16th of March, 1798, against the Bill for restricting the liberty of the press. Those patriotic peers acknowledged, in their protest, the abuses of certain publications, but yet refused to “allow that it is either just or wise to attempt the curbing of such license by any attack upon the liberty of the press, that sacred bulwark of our happy constitution.” They advocated “the constitutional right of the Irish subject “to lay his grievances before the public,” and expressed their “fixed opinion that public tranquillity and good order could only be restored to their distracted country by such measures as would conciliate the minds of the people.” For this reason they thought it “in the highest degree impolitic, by laws of this nature, to foment and embitter those discontents which it ought to be their endeavour to assuage.” But the signatures of the prelates—which were denied to protests breathing sentiments of patriotism, justice, and liberality—were freely appended to documents, from which, considering the true mission of the signers, they ought to have been carefully excluded. It is unpleasant to find the Archbishops of Cashel and Tuam, and the Bishop of Meath, signing, in March, 1798, the proclamation of the Lord-Lieutenant and Council, urging the “officers commanding his Majesty’s forces to employ them with the utmost vigour and decision for the immediate suppression of the rebellion.” Still more distressing must it prove to all who believe the office of the Church to consist in devising methods to save men’s souls, not to kill their bodies, to find the very first signature heading the proclamation for martial law in May, 1798, to be that of William Newcombe, Archbishop of Armagh and Primate of Ireland. Lord Clare’s name succeeds to the Primate’s, and the next signatures are those of the Archbishops of Cashel and Tuam, followed, at some interval, by those of the Bishops of Meath and Kildare. Yet the prelates, it must be remembered, only acted up to the spirit of the “prayer for the chief governor”—first placed in the Irish ritual by act of Council in 1715—whereby it is supplicated that “he may use the sword” not only “for the protection of this people,” but also for that of “the true religion established amongst us.”

The Marquis Cornwallis, in June, 1798, received the sword, the emblem of vice-regal office in Ireland, and the rebellion was—it was supposed—speedily terminated. On the 19th of July, a message of pardon and amnesty is communicated to the House of Lords, and the Peers, in reply, speak of Ireland having “risen to a height of prosperity which the most sanguine [sanguinary?] expectation could not have anticipated, and of which no former period of our history can furnish an example.” They add, “that our commerce has been



enlarged, our Constitution improved, and every class of Irish subjects bound more closely to the throne of their sovereign by the most gracious acts of concession and beneficence." Such a laudatory address to Government starts up strangely amidst the groans and wailings of a broken nation; but it was voted without a single dissident. The notions of the rebels with regard to religion may here be hurriedly noticed. "The intention was"—according to Dr. Macnevin's examination, taken in August, 1798—"to abolish the Church establishment, and not to have any established religion, but that all persons should exercise their respective religion and pay their own clergy. For my part," said Macnevin, "I would as soon establish the Mahometan as the Popish religion, though I am myself a Roman Catholic." When asked whether the mass of the people in Leinster, Munster, and Connaught cared for parliamentary reform or Catholic emancipation, he replied, "I am sure they do not; but they wish much to be relieved from the payment of tithes." Emmett also represented the people as wishing "principally for the abolition of tithes." The "ignorant and unwary" among the Roman Catholics were also persuaded that Government intended their destruction:—

"The vilest arts" (so said Earl Cornwallis to Parliament, in October, 1798) were used to persuade them "that in a reign which was marked by a series of indulgencies to all sects of Christians, it is the intention of his Majesty's Government to oppress and even to extirpate that description of his subjects who received repeated and recent marks of his favour and protection."

A fresh Act of Parliament was passed in March, 1799, giving the Lord-Lieutenant power to employ martial law for extinguishing the still smouldering embers of rebellion. Five lay peers (no bishop joining them) dissent against this Bill because they conceive—

"That, instead of stimulating the minds of men by laws of this nature, the best and surest means of restoring tranquillity to this distracted country would be, to conciliate and secure the affections of the people towards the happy Constitution under which they were born, and their confidence in Parliament by the enactment of good and wholesome laws."

When the Legislative Union was recommended to Parliament by Lord Cornwallis in 1799, as essential to the security of the connection between the two countries, it was proposed to insert in the address to the king an assurance that the Union would tend "more than any other cause ultimately to a separation of Ireland from Great Britain." This proposal, which was negatived by forty-six votes against nineteen, was supported by fourteen peers, including the Duke of Leinster, the Earls of Granard and Charlemont, and the Bishop of Down. The Bishops of Down and Waterford, Dickson and Marlay, are found in February, 1800, dissenting against the Union, in company with twenty-four lay peers. When the resolutions on the Union



came to be debated in March, 1800, it was proposed that the Churches of England and Ireland should be united into one Church, and that the prelates, deans, and clergy of the Churches of England and Ireland should "be summoned to, and entitled to sit in Convocation of the United Church." The part relating to Convocation was subsequently expunged, and the following words inserted, "And that when his Majesty shall summon a Convocation, the archbishops, bishops, and clergy of the several provinces in Ireland shall be respectively summoned to, and sit in the Convocation of the United Church." But the whole clause was omitted by the English Parliament. On the 26th of March, when the resolutions for Union were carried by forty-eight votes against sixteen, or, with proxies, by seventy-two against twenty-two, the Bishops of Down and Waterford join the dissentient peers in protesting against the Union as "a new system, totally subversive of every fundamental principle of that constitution which we consider as the best security for those liberties which the subjects of Ireland now enjoy."

Among the last Acts of the Irish Parliament was one passed "to quiet and bar all claims of tithe agistment for dry and barren cattle." This Bill was brought up from the Commons on the 10th of April by Lord Castlereagh; was "committed," after some opposition, on the 14th; and passed on the 15th: nineteen peers entering their dissent. Their reasons are stated at length. The clergy are by common law as much entitled to agistment as to any other tithe. A precedent is set by this Bill for transferring property from persons who have a right to it to other persons who have no right to it whatever; and if such a principle be once established by law, it is not possible to say how far it may be carried, or what security will remain for property of any kind. Besides no compensation has been given to the persons now despoiled. But the dissentient peers confess that the right to agistment-tithe had lain dormant for sixty years, and that its revival might lead to discontent and commotion, and therefore they refrain from "any active opposition." The Archbishops of Armagh and Dublin were not among the seventeen prelates who signed this protest.

The third reading of the Act of Union was carried on the 13th of June, 1800, by forty-one votes against fourteen, or with proxies, by seventy-three against twenty-one. Dissentient and protesting were twenty-two peers, of whom two were the Bishops of Down and Waterford. They protest, among many other reasons, because the measure "unites the legislatures but does not identify the nations. Their interests will remain," so say the dissentients, "as distinct as they are at present." Finally they protest—



“Because the argument made use of for the Union, namely, that the people of Ireland is in its favour, we know to be untrue; and as the Ministers have declared that they would not press the measure against the sense of the people, and as the people have pronounced decidedly and under all difficulties their judgment against it, we have, together with the sense of the country, the authority of the Minister to enter our protest against the project of Union.”

Four prelates—Cashel, Limerick, Cloyne, and Killala—were present in the House of Lords on the 1st of August, 1800, when the royal assent was given to the Act of Union, by which the Irish Parliament ceased to live. One solitary bishop—Joseph Stock, of Killala—was present in the House of Lords on the day following, when the Marquis Cornwallis, after offering his “personal congratulations” upon what he termed “the fairest monument of his Majesty’s reign,” gave its last vice-regal prorogation to the Irish Parliament.

W. MAZIERE BRADY.



