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THE

14.

ROMAN CATHOLIC CLAIMS.



REMARKS

ON

DR. CHALMERS'S SPEECH;

AND A

LETTER TO MR. PEELE.



BY THE REV. G. S. FABER.

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REMARKS,

&c.



Long Newton, March 24, 1829.

SIR,

By some unknown friend, a copy of the *Record* of Thursday, March 19, has been sent to me, with a cross of ink, conspicuously attached to the speech of Dr. Chalmers, at Edinburgh. From this circumstance, I conclude the object of my friend to be, either to call upon me to answer Dr. Chalmers, or to show me that a very excellent Protestant Divine, entertains not the same sentiments with myself, respecting the Bill now pending in Parliament.

However this may be, since the authority of Dr. Chalmers will weigh much with a very respectable part of the community, since I differ from him altogether, and since his eloquent, though not equally argumentative speech, has produced no change in my views; I shall consider my time the reverse of misspent, if I fulfil the apparent wish of my unknown friend, by sending to you a few observations on the subject.

The whole argument of Dr. Chalmers, when divested of that burning eloquence, which, I doubt not, produced a strong effect upon his auditors, may be briefly given in the two following sentences:—

If the Bill be passed, we shall be more likely to convert the Romanists to Protestantism, than we are at present. THEREFORE our Protestant Legislature is bound, at all hazards, to pass the Bill.

Should there be any thing *more* than this, so far as *argument* is concerned, in the eloquent speech of Dr. Chalmers, I can simply say, that I have not been able to discover it. I shall therefore, without further delay, proceed to inquire, how far such reasoning can be deemed solid and conclusive.

I. The first matter which will strike a patient unimpassioned inquirer, is the singular fallacy which pervades the entire oration.

In all that he says, Dr. Chalmers builds upon the tacit assumption, that *The conversion of our Romish fellow-subjects is the FIRST duty of our Protestant Legislature*; whence, with his views of the best mode of effecting such conversion, he rapidly advances to the conclusion,—that *our Protestant Legislature is bound, at all hazards, to pass the Bill now pending*.

But this assumption I beg leave to controvert altogether. The *FIRST* duty of our Protestant Legislature is, *NOT the conversion of our Romish fellow-subjects, but the security of our Establishments, civil and religious, and the attendant security of the Protestant House of Brunswick upon our throne*. With respect to the conversion of our Romish fellow-subjects, *that* is only a *SECONDARY* duty of our Protestant Legislature. Hence it is a duty, which, in truth, altogether *subordinates* to the *FIRST* duty.

Accordingly, the fallacy of the assumption before us will distinctly appear, if we note it in supposed actual operation.

The Revolution of 1688, and the Act of Settlement which finally banished the House of Stuart by calling the House of Brunswick to the throne, grievously offended the Romanists, and thence threw great obstacles in the way of their conversion. *THEREFORE*, on the principles of Dr. Chalmers, the Revolution ought never to have occurred, and the Act of Settlement ought never to have been passed; because such occurrences would manifestly *impede* the conversion of the Romanists: but, since the deeds *have* been done, the sooner they are undone the better; for still, on the principles of Dr. Chalmers,

nothing would tend more to conciliate the Romanists, and thus to pave the way for their speedy conversion, than the abrogation of the Act of Settlement, the recalling of the Popish representative of King Charles I. and the dissolution of the Protestant Constitution of 1688.

How Dr. Chalmers, on *his* principle, can avoid this conclusion, I see not. If *the conversion of the Romanists* be our FIRST duty, no consideration, either of our own security or of the security of our Prince, must be allowed to throw *any* stumbling-block in their way. We are bound in conscience to conciliate them, though at the expense of an act of political suicide.

II. But, in the second place, Dr. Chalmers argues, that *we ought to advocate the Bill, BECAUSE, if passed, it will afford increased facilities for the conversion of the Romanists.*

I do not perceive the conclusiveness of this reasoning. An attempt to convert the Romanists to a purer faith, is abstractedly good : but it does not therefore follow, that every *mean* to that good *end*, must, of plain necessity, be good also. My religion teaches me, that *it is unlawful to do positive evil, in the hope of accomplishing possible and contingent good.* Hence, before I can conscientiously assent to the eloquent reasoning of Dr. Chalmers, I must inquire, whether the *mean*, which he recommends for the accomplishment of an indisputably good *end*, be *itself* good also.

Now, so far as I can judge, and as I have endeavoured to show in my letters to the Editor of the *St. James's Chronicle*, the *mean* recommended by Dr. Chalmers, is utterly and hopelessly *bad*, because utterly and hopelessly *antisciptural*. Dr. Chalmers is far too able a divine not to know much better than I can tell him, that, by the unanimous consent of Protestant expositors in every age and country, the apocalyptic harlot is the corrupt and blood-stained and domineering Church of Rome. That she is Rome in *some* sense, is admitted by Papists, as well as maintained by Protestants : that *she cannot* be exclusively Rome Pagan, may, by the naked

evidence of FACTS, be established to a demonstration. From this corrupt Church, the people of God are solemnly warned to come out: and the assigned reason of the warning is, first, *lest they should be partakers of her sins*, and thence, secondly, *lest they should receive of her predicted and now rapidly approaching plagues*. The Holy Spirit enjoins *separation from an idolatrous communion*; on the rational and perfectly intelligible principle, that, through the frailty of our fallen nature, *we* shall be much more likely to become partakers of *her* sins, than *she* will be likely to become the partaker of *our* purer faith. But Dr. Chalmers, precisely inverting the scriptural principle, calls upon us to *unite* instead of *separating*; on the worse than doubtful principle, that, by this antisciptural operation, *she* will be more likely to become the partaker of *our* purer faith, than *we* shall be likely to become partakers of *her* sins. To a liberal audience, in the lamentably abused modern sense of the luckless word *liberal*, the project of Dr. Chalmers appeared generously plausible, and was hailed with loud acclamations; but I have learned *my* religion in a more stubborn and unbending school. - The *mean*, which is advocated by the splendid eloquence of Dr. Chalmers, strikes upon my own apprehension as decidedly impious and antisciptural. THEREFORE I reject a wicked mean, though professing to lead to a good *end*.

III. There is yet a third matter, which, ere I conclude, must in nowise be passed over in silence.

Dr. Chalmers, through his whole speech, invidiously, though far be it from me to say with intentional dishonesty, represents *exclusion from political power* under the forbidden aspect of *religious intolerance*.

1. God forbid, that the Romanists should not enjoy as complete religious liberty as myself! There was a time, I regret to say it, when they did *not* enjoy it: and I will add, that, had I been a Senator when the penal statutes were abrogated, God forbid that I should not have voted heart and soul for their abrogation! They were a disgrace to our statute-

book; but they exist no longer. Yet one of the ablest, and (I believe) one of the best men of our age, is content to exhibit *the refusal of political power* as the very acme of *religious intolerance*! We interfere not with the worship of the Romanists; they are secure as ourselves in life, limb, property, and religion. But, *hitherto* at least, on mere principles of common sense and common prudence, we refuse *the political power* of injuring ourselves, and of assailing our worship to a band of theologians, who declare us to be pestilent heretics, and who stand bound by the decisions of their professedly infallible and immutable Church, to extirpate our faith: *hitherto* at least, we refuse to put a sword in the hands of the avowed enemy, simply lest he should have the better opportunity of making good his perpetually reiterated denunciations. Yet this act of plain common sense; this act, grounded on the genuine old Whig principle, that *no individual has any abstract right to political power, and that political power is entrusted for the good of the Commonweal, not for the honour and glory and aggrandizement of the individual*; this act of mere ordinary prudence and perfectly legitimate self-defence, Dr. Chalmers, with a grave countenance, actually stigmatizes as the height of religious intolerance; while his auditors, with countenances equally grave, actually applaud his *dictum* as an oracle!

2. I regret to say, that Dr. Chalmers seems never to have brought the great powers of his vigorous mind to the full study of this part of his subject. If he *had* done so, he would have perceived, that, by no very large circle of consequences, his avowed principle would conduct him even to the verge of high treason. My assertion may be startling: but nothing is more easy than its full substantiation.

If exclusion from political power, on the ground of religious opinion, be intolerance, *then* it is palpable wickedness; and the principle ought, on conscientious motives, to be abandoned. But the House of Stuart was *thus* wickedly excluded from political power, and the House of Brunswick was *thus* wickedly

called to political power, on the openly avowed ground of religious opinion only. Therefore, on the high jacobite principles advocated by Dr. Chalmers, his present gracious Majesty is a convicted usurper, and the Popish representative of King Charles I. is our undoubted legitimate Sovereign.

From this inevitable consequence I defy Dr. Chalmers to escape. The House of Stuart was excluded from political power within this realm *on the specific ground of religious belief*. But *all* such exclusion from political power, Dr. Chalmers brands, as wicked and unjustifiable religious intolerance. Therefore he stands pledged to denounce, as a deed of wicked and unjustifiable intolerance, the exclusion of the House of Stuart from political power within this realm, *on the specific ground of religious belief*.

If it be wrong to exclude the Romanists from political power, on account of their creed; then is it equally wrong, on account of *his* creed, to exclude from political power the representative of King Charles. But, if the exclusion of the representative of King Charles be unjustifiable, because it rests upon the specific ground of religious belief; then, most undoubtedly, King George is an usurper; and the framers of the Act of Settlement were a knot of mere wicked traitors.

In short, the Romanists cannot be admitted to political power, without, on the principles of Dr. Chalmers, a virtual stigmatization of the House of Brunswick as a line of manifest usurpers: for the admission of the Romanists nullifies the identical maxim, on which the Popish House of Stuart was excluded from the throne, and on which the Protestant House of Brunswick was called to the throne. If religious belief be no just ground of exclusion from political power, I should be glad if Dr. Chalmers would explain, to such resolute ancient Whigs as myself, the *right* of King George IV. to the crown of the Britains. The admission of the Romanists to political power, is a virtual declaration that his Majesty is an usurper: and, should his Majesty be persuaded fatally to give his Royal assent to this destructive suicidal measure, he would

virtually confess the four reigns of the House of Brunswick to be one continued act of unjustifiable usurpation.

Should Dr. Chalmers wish to see this invincible argument, from *his own* principles, stated and urged with much greater force and distinctness than *I* can claim to possess, I would recommend to his serious attention the recently published admirable Letters of Lord Redesdale to Lord Colchester. That Sir Charles Wetherell, as an able lawyer and a faithful subject, on the good old principles of *real* Whiggism, should refuse conscientiously to have any hand in drawing up the present Bill, I cannot wonder. His Majesty's learned Attorney-General knew full well, that the Bill struck directly at his gracious Master's *right* to the crown of this realm: and, therefore, like an honest and honourable man, as he is, he respected his conscience more than his preferment.

IV. The same feeling of conscience, operating both religiously and politically, has compelled *me* also, though sorely against both my ordinary habits and my natural inclination, to come forward at the present awful crisis: a crisis unequalled, since the memorable year 1688. God knoweth, what I have done I have done conscientiously, though reluctantly. I have no by-ends to serve, no personal object to accomplish. To Romanists individually I feel no hostility: on the contrary, there are some valued members of the Latin Church, whom I highly esteem, and whom I should regret to offend. Their *doctrines*, not *themselves*, are the objects of my warfare. While those doctrines remain unaltered, my sentiments, being founded upon conscience, not upon self-interest, must remain unaltered likewise. The *true* Emancipation of the Romanists no one desires more than myself; but the present Bill I shall ever consider as an act, striking theologically at the Protestant faith, and politically at the sole right of the House of Brunswick to the throne. *Therefore* it was, that I came forward; and *therefore* it is, that I now answer the speech of Dr. Chalmers. Had that speech proceeded from an ordinary man, one of the regular stock-traders in liberality at popular meet-

ings, I should assuredly never have turned a step out of my course to answer it. But, in *any* sense of the word, Dr. Chalmers is NOT an ordinary man. It is true, indeed, that I vainly seek for a shadow of conclusive reasoning in his speech ; but still his *general* bearing and estimation is such, that his speech, if unanswered, would carry weight with many, simply because it is the speech of Dr. Chalmers. My own view of the question remains totally unaltered : perhaps, indeed, I ought more correctly to say, that it is strengthened. Dr. Chalmers, if any one, was precisely the man to stagger me : because in him are united both talents and character and integrity. If the cause of Popery has failed in *his* hands, I cannot but consider it as desperate. It may, indeed, *practically* triumph in the Legislature ; but its *moral* triumph is for ever at an end. Were it capable of defence, Dr. Chalmers would have been its successful defender.

G. S. FABER.

To the Editor of the Record.



LETTER TO MR. PEEL.

Long Newton, March 26, 1829.

SIR,

By the Courier of March 19, which has just been put into my hands, I am informed, that Mr. Peel, in the late adjourned debate on the Romish question, did me the honour to introduce my very humble name into the House of Commons. With your permission, I will endeavour to requite the courtesy.

The right hon. gentleman is reported to have expressed himself in manner following :—

“ When I made that observation, I was alluding to the

arguments urged by several honourable members, that we were not at liberty to discuss this question, because, by doing so, we were forming an alliance with idolatry. That argument I positively deny. It is the argument which I referred to, and which has been referred to by my honourable friend. That argument is to be found in a paper written by a gentleman named Faber, who has stated, that because upon taking our seats in this house, we have subscribed the declaration against transubstantiation, we are forming an union with idolatry, when we enter upon the discussion as to the propriety of repealing that declaration."

If Mr. Peel be correctly reported, he evidently wished to impress the public with the idea (the house, of course, he *could not* thus impress,) that, on taking his seat he had done NOTHING MORE than make a simple declaration against transubstantiation; and, consequently, that my whole argument was a palpable absurdity. But the right honourable gentleman shall not thus escape me. He KNOWS, and it shall be no fault of mine if the whole British empire does not know also, that he has done MUCH MORE than make a mere simple declaration of his disbelief in the doctrine of transubstantiation. The right honourable gentlemen has solemnly sworn or declared, in the presence of Almighty God, his full belief and persuasion, that the worship of the host, and the adoration of the saints are superstitious and IDOLATROUS. This is the naked undeniable FACT: and this FACT I *did* affirm, and I *do* affirm. Let Mr. Peel, in his place in parliament, deny it if he can.

Now, from this plain FACT, the right honourable gentleman is inevitably, though doubtless sorely against his will, conducted to the following dilemma:—

If he *do not* believe popery to be idolatry: then, most assuredly, he has perjured himself.

If he *do* believe popery to be idolatry: then he has been guilty of the strange inconsistency (to call it by the softest name) of voting for the legislative engraftation of *sworn* and

believed idolatry upon our Protestant and hitherto Christian constitution.

I publicly challenge Mr. Peel, and all his partizans to boot, to escape from this dilemma, if their ingenuity be sufficient for so high an adventure. But I well know, that they *cannot* escape from it. Their very soreness and irritation are a proof that the argument, as I meant it to do, had told home. Mr. Peel has shown, that he can only accomplish a poor semblance of evasion, by mis-stating the purport of *his own* oath, and by totally misrepresenting the drift of *my* argument.

That my view of the whole transaction is strictly accurate, the right honourable gentleman both KNOWS and FEELS.

I have only to add, that, with unfeigned satisfaction, I observe my venerable friend, the Bishop of Salisbury, in his last excellent letter to the Premier, taking precisely the same view of the matter as myself. In truth, it is impossible to take any other view of it. Let Mr. Peel attempt to disguise the transaction as he most affects, the FACT still remains in all its stubborn immutability.

The right honourable gentleman has voted for the legislative engraftation, upon our hitherto Christian constitution, of what he himself, in the presence of Almighty God, has solemnly sworn to be IDOLATRY.

Mr. Peel may struggle as he pleases ; but to this FACT I shall pertinaciously and obstinately pin him down.

G. S. FABER.

P. S. Of course I give Mr. Peel's words merely as they are *reported*. Very possibly he may not have uttered a syllable of what the Courier ascribes to him. In *that* case, I beg his pardon.

To the Editor of the Standard.

THE
ATTORNEY GENERAL'S SPEECH

AGAINST THE CATHOLIC CLAIMS.



SIR,—I rise under circumstances of greater difficulty than any under which I ever addressed this House, and I rise with a view, with the permission of the house, of stating some of these circumstances. Since the house will allow me that privilege, I shall take the liberty of saying, that ever since I have been in this house (and I say it not with presumption but with all humility, and I should not have taken the liberty of addressing this house if I could not have said it,) that the independent course I have kept entitles me to address it, and makes me hope that I have acquired the good opinion of the house, makes me anxious to retain it, and I should not rest satisfied with myself if I did not retain it. I differ therefore from that right hon. gentleman who has advised his Majesty to recommend a measure to parliament, which, with the sincerest respect that I entertain for him, I could not agree to, and which, as Attorney General to a Protestant King, and as his faithful servant, I could not have done. I could not have imitated that right hon. gentleman, without deserting the duties of my situation. (*Hear, hear.*) I must throw myself on the kindly feelings which have ever distinguished the character of an English House of Commons, in explaining the conduct which I have thought proper to pursue, consistently with the duty I owe to the King, as well as the equal duty I owe the British parliament and people, as the servant of the Sovereign, though now only nominally and not practically his servant. (*Loud cheers.*) I feel myself entitled to claim the indulgence of this house; and, in appealing to it as an honourable English gentleman, I put myself before it as the member for Plympton, and, abjuring the character of Attorney General, address myself to the house as an independent member of parliament, who, though he has been in office, is as independent as any member of that house. (*Bravo, and cheers.*) Sir, necessity compels me to take the liberty of thus making my sentiments known; and if the house will indulge me, as they have indulged me on former occasions, and of whose candour and liberality I am well assured, while I state the reasons why I could not with safety to the constitution of the monarchy, to the existence of the church, agree to that measure which has come before parliament, to adjust what are called the Roman Catholic claims. I will not claim any merit for talents, but I will claim the merit of consistency, and that I am not one of those who have become converts to this question, (*Hear, hear.*) having separated myself from these converts. No pain I ever felt, no sufferings I ever experienced, equalled what I felt, when it was explained to me, only seven days before the King's message to Parliament, that it was intended that the question of Roman Catholic emancipation should become the subject of a recommendation from his Majesty's government. If in the course of the discussion, any expressions shall fall from me that savour of asperity or harshness, I trust the House of Commons will not attribute such expressions to any motives of wishing to be severe or harsh. I address the house as a free, independent British gentleman, who has to express only his own opinions—the opinions that I once held in common with a large party in this house, which was led by all the talents and weight of my right hon. friend, but which, on the first day of the meeting of parliament, found itself

utterly abandoned, without a leader, and cast without a pilot on the winds and waves. If the humble individual, Sir, who is now addressing the house knows himself, he has no quality of mind the least allied to presumption: and if he have any qualities on which he prides himself, they are those of sincerity and steadiness. (*Cheers.*) And I can assure the house, that it was only seven days before parliament met that I was informed of the present measure; and I was not disposed, on so short a notice, (*Hear, hear.*) to quit my party and forsake my opinions, because they had been deserted by their leader (*Cheers.*) and cast away to float with the winds and waves. I do assure that gentleman, that I have no desire to take the place of the leader of this party. I am compelled by necessity to explain the course I have pursued; and it is only as an independent member of parliament that I declare my sentiments. I beg the house will not suppose that I have the audacity, the temerity, or the folly, to assume the situation of the able and eminent leader, which the Protestant party had up to the present period, and which it no longer has, in the person of my right hon. friend. An eminent historian, Mr. Hume, has said that no man can with safety say much of himself, (*Hear, and a laugh.*) and I mean to say but very few words more. (*Hear, hear.*) I will not say that it is correct to proceed, but I will not suppose any incivility; and I put it to the courtesy of the house, to be permitted to address it as the member for Plympton while I preserve the situation still of King's Attorney General, and King's Attorney General I will remain. (*Loud cheers and laughter*) If gentlemen would not have the incivility to interrupt me, if they would wait till the sentence is finished, they would not show such alacrity in drawing conclusions. (*Cheers.*) The noble lord who has just sat down, and who has always been a consistent supporter of the measure he has this night advocated in the ablest and cleverest speech he ever delivered in this house, has stated that Cambridge only wanted the opportunity, it was supposed, to return two liberal members of parliament; and as far as that opportunity depends on me, it has been offered for some time past. I have not been eager to seek government office. I forfeited no opinion to obtain office. I have given up no opinion whatever to retain office. I am as independent as ever; and for the last three weeks I have offered no obstruction to putting to the test the liberality of Cambridge. (*Cheers.*) I will beg the attention of the house for a few moments, while I distinguish between the Attorney General and the member for Plympton. As Attorney General, I declined to draw the bill now lying on the table of the house, because, looking to the oath I have taken as Attorney General, I thought, by drawing that bill, I should not be doing the duty I owe to the King, and that I should draw the death-warrant of the Protestant church. (*Cheers.*) To that conclusion I came by having long reflected on this question, and by my reflections having grown out of recollections, and by having been on numerous occasions embodied into one system of persevering inquiry. (*Cheers.*) I say then, if I had done so, I should have drawn the death-warrant of the Protestant church-establishment, I should have betrayed my duty to my Sovereign, as the Attorney General Noy betrayed his duty in the affair of ship-money, and as Jeffries betrayed his, when he drew the warrant for committing the Protestant Bishops to the Tower. I have taken this resolution on reflection, and having formerly declared my opinion concerning the religion of the Catholics, I cannot divest myself of that opinion. I stand before Parliament then, as an independent man—independent of both sides of the house. I have not sought to preserve office—I have repudiated office—and I stand in the middle of the house, exempt from censure from either side. The noble lord who last addressed the house, before he sat down—not indeed by name, but in such a manner as to leave no doubt to whom he alluded—called on me to support the opinion that the disabilities under which the Roman Catholics now labour were a

part of the constitution as established at the revolution of 1688. I know that the noble lord belongs to a family which has ever been sincerely attached to that revolution ; but if the house permits me, and will allow me to refer to documents, I am ready to state the grounds on which I assert that the exclusion of the Roman Catholics from office was one of the principles of that revolution. The noble lord has challenged me to this, and I accept his challenge. I know that with his great knowledge of this part of our history he will not seek to evade my observations by a sort of legal quibble, and he will therefore admit that the Bill of Rights did recognize the act of Elizabeth which imposed the oath of supremacy, and that the act of Charles, which imposed the oath of abjuration—though not recited, not introduced verbally—was legally embodied into the Bill of Rights. The noble lord must be aware that the Bill of Rights did not recal or cancel the statute of Elizabeth imposing the oath of supremacy, and did not recal or cancel the statute of Charles imposing the oath of abjuration : on the contrary, the Bill of Rights declared that those acts remained in full force. The restrictions on the Roman Catholics existed before the revolution ; but they were revived, and confirmed, and reasserted, in King William's reign. Before King William landed in this country—before he had touched the British soil—an agreement between him and the people of England had been entered into on this subject. Before that necessity arrived which drove King James from his throne, there were dissensions in this country on the ground of Catholic emancipation, (*Hear, hear.*) and attempts were made to do what is called settling the Catholic Question before James was expelled from the throne. The members of the house will excuse me if I remind them, that, in discussing the Catholic question, they seem to forget that a library has been provided for them, which contains many documents illustrating the Catholic question. The Roman malaria, which has got among us, (*A laugh.*) and which has shown itself in so many ways, seems to have had no more pernicious effect than that of occasioning a loss of memory. If members will look at the compilations which relate to King William—if they will look at Tindal's History, or other similar books—they will see that before that extremity arrived which ended in the expulsion of King James—the just expulsion—an attempt and a correspondence was entered into with the Prince and Princess of Orange, to induce them to act as mediators, and settle the question before it became of such pressing exigency as to call for the exclusion of the monarch from the throne. I am ready to accept the challenge of the noble lord, and am ready to assert, with every deference and respect for him, that the statements he has made are not borne out by history, or the facts which took place at that period. I hope to obtain the indulgence of the house for a moment or two, while I detail a few facts materially bearing upon this question. (*Cries of Go on, go on.*) Before the landing of King William, a negotiation was attempted between the then Prince and Princess of Orange for the purpose of ascertaining their feelings as to the exclusion of the Roman Catholics from civil and political privileges ; to which their royal highnesses replied, that they were determined to exclude them from all civil, military, and ecclesiastical appointments, because they were anxious to preserve all the tests which formed protections for the security of the Protestant religion, but that they were ready to qualify the laws so far as they affected Protestant Dissenters. The hon. member for Inverness, and the Solicitor General for Ireland, have told us that relief to the Roman Catholics was contemplated at the revolution. This, Sir, I maintain, is not the fact. If such statements are to be credited, then must we take history for an old almanack.—[Here an hon. member observed, "But not an almanack for the present year."]—Sir, (added the hon. and learned gentleman,) I do not possess the tongue of a Scotchman, and am therefore incapable of

answering two persons at the same time. (*Hear, hear, and a laugh.*) Sir, I am not possessed of that duplicity, that double-faced logic, that fugitive or evasive mode of expression, which would enable me to express myself in the manner which some hon. members seem to expect. (*Hear.*) I am not now answering the hon. member for Knaresborough, but am addressing myself to the observations of the noble lord who represents Yorkshire. I say then, Sir, that before the landing of King William—(*Hear, hear.*)—I say, Sir, that he who strikes a blow at me, must allow me to strike at him in return.—(*Cries of Go on, go on.*)—I maintain, Sir, that the principles established before the revolution, were afterwards established by William, with additional securities. This is a fact which I hold to be established beyond doubt. It is well known, that James (who, it is said by some, had a liberal kind of conscience—a kind of trading in religion, not unlike that which it is the fashion to indulge in at the present day—a sort of amalgamation of religion and jacobinism) was anxious to give every facility to Roman Catholics; but even he, when driven to extremity, was desirous to restrain Roman Catholics, while he gave facilities to Protestant Dissenters. A similar doctrine was held by the Prince and Princess of Orange. They felt opposed to grant privileges to Roman Catholics, but had no objection to grant them to Protestant Dissenters. The hon. and learned member for Knaresborough, from whom we expect such an excellent history of his own times, appears desirous to relax the rule established in 1688, by which Roman Catholics were rendered incapable of sitting in this house. Sir, when I am told that his exclusion ought not to be continued, I can only account for it by some epidemical effect of those new doctrines, which affect the reminiscences of modern emancipators. (*Hear, hear, and a laugh.*)

I shall now, Sir, say a few words with respect to the Bill of Rights. The hon. member for Inverness has told us that that bill contains no clause excluding the Roman Catholics from power. He is right; but the noble member for Yorkshire is placed in a different situation. Sir, I trust that I have now fairly met the question, and I appeal to history, I appeal to the facts I have stated, as to whether there was not an utter exclusion of the Roman Catholics from place and power, both before, at, and after the Act of Settlement, (*Hear, hear, hear.*) I, Sir, as Attorney General felt naturally anxious to look around me and see what the nature and effects of the proposed measure would be. And I felt the more inclined to do so from the circumstance of having the Lord Chancellor of England in favour of the measure. I am not a man to give my opinions or judgment to the Lord Chancellor, or to any man in England. (*Hear.*) But I ask, if my Lord Lyndhurst, as Lord Chancellor, thinks proper to give his sanction to a bill, which Sir J. B. Copley, as Master of the Rolls, declared to be subversive of the constitution, am I, as Attorney General, obliged to prepare and bring it in? Am I to be dragooned into opinions and feelings to which I have all my life been hostile? Am I, as his Majesty's Attorney General, to be his legal adviser in introducing such a measure? For God's sake let us not run a muck upon his Catholic question. I would prefer being as I now am, the humble member for Plympton, whether right or wrong, than be placed in the situation of the supporters of this measure. What! Could it have been expected that I would have drawn up a bill calculated to subvert that constitution which his Majesty, by his coronation oath, was sworn to support? Sir, I fear not to assert, that no earthly inducement could make me draw up or subscribe to a bill so atrocious as that upon your table. That measure has been supported by many able and eloquent members; but I cannot forget that it has upon former occasions been opposed by the able, and eloquent, and logical arguments of my friend Sir John Copley, when Master of the Rolls. The right hon. gentleman quarrelled with Mr. Canning upon the subject in 1827,

on the question as to whether Roman Catholics ought or ought not to sit in the House of Commons. Then, I ask again, Am I, as his Majesty's law adviser, to be twisted from the right or the left? And here I may take leave to say, that I care little for such twistings. I am ready to meet those opposed to me: but am I, I say, to be found fault with for not having prepared and supported such a measure? I have got no speech to eat up; I have got no apostacy to explain; (*Hear.*) I have not been black on one day and white on the other. I am not the supporter or follower of a Protestant Master of the Rolls on one day, and of a Roman Catholic Lord Chancellor on the other. (*Cheers and laughter.*) Sir, I would rather remain as I am, the humble member for Plympton, than be guilty of the apostacy, the conversion—the miserable, the disreputable apostacy that has taken place upon this question. (*Hear, and laughter.*) I ought not to make such grave and serious statements as these without some authority, and that authority I have in the speech of Sir John S. Copley, then Master of the Rolls, made in the House of Commons in 1827. [Here the hon. and learned member read an extract from the speech alluded to, in which it was stated, that the opening of parliament to the Roman Catholics would lead to Roman Catholic ascendancy and the subversion of the Protestant constitution.] My hon. and learned friend, now Lord Chancellor, went on to state, that from the evidence of Doctor Doyle, given before the committee on Irish affairs, it was clear that the admission of 60 or 70 Roman Catholics in the House of Commons would lead to the upsetting of the Protestant Establishment in Ireland. The hon. member for Liverpool has told us that the proposed measure will cause a struggle in the country. This my right hon. friend the Secretary for the Home Department, has not attempted to deny; but he has contented himself by assuring us, that if there be a struggle it will be in our favour. (*Hear, hear.*) Let no man then quarrel with the King's Attorney General for not having drawn up a bill which was one day denounced by the Master of the Rolls as subversive of the constitution, and at another advocated by the same gentleman, when filling the office of Lord Chancellor, and the first and most confidential adviser of the crown. (*Hear.*) If they are not called upon to make a defence for apostatising, I do not know that I need make any defence for not apostatising; (*Cheers.*) but if I am called on, I am ready to make my defence. I have read over the bill: and not only have I read over the bill, but I have read almost every thing connected with the subject which has appeared upon it. During the long course of years in which it has been discussed, we have been dogmatised and doctrinated about the satisfaction that was to be afforded us on the principle of security. We have been told, "You shall have the bill with securities—securities sufficient to satisfy Protestants, and to protect the interests and privileges of the church." We have been told this by the hon. member for Westminster—we have been promised securities by Mr. Plunkett; and we have all along discussed the matter on the understanding of mutual concessions, in the spirit of confidence on the one hand, and of just and exact faith on the other. Looking now at these concessions, and these securities, how, I ask, has that confidence been justified? My right hon. friend has said that the water is flowing in upon us—my apprehension is, that the water is flowing out of us. (*Loud and continued laughing, mixed with cheering.*) I repeat, Sir, that the water is flowing out of us. (*Laughter.*) My right hon. friend says he has a sufficient apology for this measure. He says he can't keep the flood gates shut as closely as he should; but surely, if you can't keep the flood gates shut as closely as you should, surely that was no reason why the whole gates should be thrown open. (*Loud cheering.*) I say, that if it be true, as I have been told here in the speech of my right hon. friend, that the flood gates are partly open, that is no reason why they should be entirely thrown back. Yet here, Sir,

I see that less is demanded on the one hand than these concessions yield on the other. I have been told, and I repeat it, that they are permitted to take more than they ask, and, I will add, more than is needed. I shall now, Sir, advert to one or two other topics to which my hon. and learned friend has alluded. In differing from him and from my right hon. friend, I do it with considerable pain—but differ I must, notwithstanding my present situation. The situation I now hold I do not owe to him—but even if I did, I should still differ from him, but, as I do now, with great respect for him at the same time. We have been asked only to make these necessary and proper concessions, and then we are told we may meet our opponents upon the vantage ground. My right hon. friend says, grant these concessions, and you will have with you the feelings and the kindness and the sympathy of foreign countries. Gracious God, Sir, when was the time that any question relating to the external and internal interests of this country ever received aid from foreign sympathy? (*Cheers.*) When did any question arise not only with which our foreign neighbour was connected, but with which she had no connexion whatever, in which she aided us with her sympathy? Witness the contest with America—what sympathy did she show then? When James the Second was expelled the country, what sympathy did England receive from France? What sympathy did she manifest—what consideration did she show—what aid did she afford, except to the persons who fought the battle of the Boyne? (*Cheers.*) In 1715, when a Pretender appeared in the country, and in 1745, when a rebellion was again raised, French sympathy aided, and French fear consoled with the defeated rebels; (*Cheers.*) and in a still later period, when revolutionary principles were afloat, and this country was discussing with herself whether she should liberalize her constitution, that sympathy, though manifested by another kind of government in France, was not less truly felt, nor less sincerely administered and applied. (*Loud cheering.*) I say, therefore, God grant, that among the claims and concessions—among the divisions and dissensions of this country, private and domestic, French sympathy may never interfere; God grant that her feelings may never be manifested to shed tears of condolence, or to administer to us her kind, her sympathetic assistance in our troubles. (*Cheers.*) I own then, with that freedom, but at the same time with that respect which I feel for my right hon. friend, (and no pain I ever felt is greater than that I feel at being obliged to differ from him,) that I am not satisfied with his arguments; and I say, that his arguments can be adopted on no side of this house, except by those who have always been the advocates of Roman Catholic emancipation. I say, too, that if these claims are granted, they should be granted on our own judgment; but whether they are conceded or refused, that that concession or that refusal ought not to be accelerated or retarded, whether any or all the powers of the continent go along with us or not. (*Loud and continued cheering.*) In prosecuting this subject farther, I will not fatigue the house, but I will proceed to another part, and apply my recollection to discover whether, in all the bills, from that proposed by Mr. Grattan to that introduced by my right hon. friend, any other proposition has been laid down except that of the union and community of the Protestants and Roman Catholics. I have looked into all the bills—labour nor pain have I refused in the investigation—for the unwillingness to labour is no fault of mine—toil and drudgery of investigation I have employed—for the want of either was never imputed to me; and after every pains bestowed in the search, all the bills I find to begin with asserting that it is desirable to meet and unite together the hearts of all his Majesty's subjects; yet this bill alone is without such a preamble. Why now, for the first time, undervalue this sort of indissoluble community—this sincere and heartfelt union—this “feast of reason,” and this “flow of soul,” which is to amalgamate and mix toge-

ther, into one religious community, the Roman Catholic and Protestant associations? These are indeed the *deliciæ* of speculation—the nice things of these framers of indissoluble unions. Mr. Grattan, Lord Plunkett, the hon. baronet, (the member for Westminster,) are tolerably skilful composers, and they have begun their preambles of concession in this form: I have looked into this bill, and there is nothing about this sort of concession and conciliation in it. And why? Because in all his Majesty's subjects there are at least 19 out of 20 against the measure. (*Hear.*) I recollect an eminent person, the late Lord Ellenborough, who once alluded to the preamble of a bill which he thought not to be true, and of which he said, "that preamble—

" 'Like some tall bully, lifts its head and lies.' "

Now, I will not say the same thing of this act of parliament; this act does not lie; but it would have been a scandalous lie—it would have been an insult to the British community—if it had followed the terms of its predecessors, and had pretended to place this measure on the principles of concession, and of community of feeling. Without charging myself with the arithmetical calculation of the difference of numbers, without undertaking to say precisely whether the proportion is 5, or 10, or 20 to 1 against the question, putting the exact arithmetical proportions of the question, I will say that in some parts of England the numbers against concession are so great that it would be worse than a gross insult, a scandalous outrage on the feelings, principles, and religious sentiments of the people of the country, to call this a measure adopted with their concurrence, and with a view to a community of feeling. I therefore say, that in adopting this form, alluding to that line of Pope, the framers of this bill have avoided the scandalous and untrue statement, that this bill would be productive of concord and union among his Majesty's subjects. I say, Sir, that this bill does not deny this untruth; but though the bill does not, the practice of its advocates and supporters does. I should be glad to know whether the speech from the throne declared any thing like this, that *coute qui coute*, it would be right to satisfy the demands of the Roman Catholics. On the one hand, it may well be said—by the Roman Catholics I mean—that if this bill passes it will answer our purposes; but, on the other, it may also well be described as a subversion of the rights, and privileges, and character of the Established Church. (*Cheers*) Sir, it is foreign to my purpose to enter into a discussion of the state of Ireland; for many reasons I beg leave to avoid it. (*Cheers.*) Sir, I will answer that cheer. (*Continued cheering.*) I will answer it. Gentlemen say that I avoid this question because I cannot meet it. That is their argument. I do not concur with that argument. I concur with the honourable member for Liverpool, and I say that his Majesty's speech did not order his ministers, at seven days' notice, to bring in this bill. No such thing. I say, Sir, the King's speech ordered us to take into consideration the whole state and condition of the people of Ireland. Have we entered upon that consideration?—have we had any information upon it from the noble lord the member for Cambridge, or from others, upon the internal state of Ireland? Yet this measure professes to proceed upon the necessity which the state of the country presents to his Majesty's ministers. The wages of labour—the poor rates—the commerce—the manufactures—all that relates to the internal state of the country, has been often urged as the ground for this measure. I say, Sir, if that is the principle, as it was stated to be in his Majesty's speech, I must say that this is a sudden, unadvised, and hasty measure of Catholic emancipation; and that, if the King's ministers had followed, as they ought to have done, the orders in his Majesty's speech, they would have gone into a committee on the state of Ireland, in order to report on the actual state of that country, before they brought in any measure to remedy,

as they say, the evils existing there. I know, Sir, I am right in what I say, that there is no man who supports the question of Roman Catholic emancipation, that does not do it on more general grounds, applying to Ireland, than on the single insulated portion of the question which relates to this country. Yet, Sir, without notice or inquiry, and after the lapse of only seven days from the time I first heard of the measure, was this measure brought in, without taking into consideration, either in the whole or in part, the state of Ireland. Why, Sir, distressing as it is for me to take the liberty of dissenting from those with whom I formerly had the honour to act, I must do so on the present occasion. At the same time, however, I will say that I do not differ from them as an individual only; for if I did, I should instantly make a geneffluxion. I should plead guilty to the charge of presumption; but I do not do so, because I have with me all the people of England. I do not merely say that I as an individual, had no reason to suppose that this measure was about to be introduced; but I declare that no member of the Cabinet, seven days before his Majesty's speech was delivered had notice of the matter; and that the members of this house—of the Protestant party—not believing that they were to be deserted and betrayed, did not believe that such a measure would be proposed, and said they would never believe it until they heard you, Sir, announce it from the chair. (*Loud cheering.*) The honourable baronet, the member for Kent, has said that we were cast off. I agree with him; we were turned out of the ranks without cause, and without notice. I find nothing in the almanack history of this country that resembles this—nothing *aut simile, aut secundum*. It stands by itself—it has no parallel. There is nothing before, I trust there is nothing after, that will resemble it. I have lately been amusing myself with reading over some of Shakspeare's plays, and in them there is a celebrated character, a leader of party, one *Sir John Falstaff*, who much resembles my right hon. friend. On this question my right hon. friend has no doubt said to himself, "On a former occasion this question has been discussed in parliament, and I have been left in a minority—there was only four to form the majority certainly—the Protestant firm was strong enough—but there was a majority, which, though only four, was yet a majority: the Protestant regiment was out numbered, though, to be sure, it was only six short of the Catholics." This reflection ought to have consoled him; but "No," says this Protestant leader of party, like *Falstaff* of old, "I'll not march through Coventry with such ragamuffins." (*Loud and continued laughter, and cheering.*) "No, I'll not march with those rascals—I will take my own course;" and the regiment, though it was not disbanded, was left without a leader; but the 160 in one respect thought proper to imitate their leader's example—they have taken their own course, and they now follow other leaders. (*Loud laughter.*)

I can assure you, Sir, that I have spoken as much as possible without any degree of acrimony. I unfortunately differ from my right hon. friend in political maxims; but as to the social principle of good nature, I can and will obsequiously follow up his example. So, Sir, in this house, the old Protestant firm—a very valuable firm—the firm of Peel & Co. is dissolved. (*Loud laughter, and cheering.*) They are broken up, though they had 400 constant customers, and though the partners are the same, in respectability, in character, and in worth. In all respects they are the equals of the rival bank: they are short only six in number, but they are a disbanded firm. But they have not deserted themselves—they have formed into a new firm, though with new names at their head. How their name will run in future I know not—whether it will run in these words, "Chandos, Knatchbull, Bankes, & Co. it is impossible to say—I know not—I care not. It matters little whether it has two or three partners at its head; but with that firm,

as a private and humble individual, I mean to keep myself attached. (*Cheers.*) I do not state this in what any body can call morose language. (*Laughter.*) If I had said any thing ill-natured, I should regret it. Here we are, dispersed and disbanded as a body, without leaders; but though without leaders, the persons who composed the body have, as individuals, resolved to maintain those propositions and those principles which the leader of the firm formerly supported. (*Cheers.*) I have to thank the house for the indulgence with which they have listened to me. Perhaps they may think me like the Roman Catholics—and that if I say I ask little, I shall nevertheless take too much. (*Cheers, and cries of No no.*) I have taken the liberty of discussing the grave, constitutional point with the noble lord, the member for Yorkshire; and having done so, and having also discussed the question of consistency with other gentlemen, I shall now take the liberty of proceeding with this Bill. (*Cheers.*)

Many gentlemen have argued on this question—men of eloquence and speculation, but not one among them has taken the trouble to refer to the bill itself. Sir, I have done that; and I say that it is a measure by which you concede to the Roman Catholics the power of going into parliament, or into office, and as it is said, without prejudice to the rights and privileges of the church, or the King, or the people generally. Gentlemen, I say, will not look into the bill itself, and I have been obliged to do so; and though I consider myself as not the Attorney General, yet I am compelled to perform the office of the Attorney General, and to do that which has not hitherto been done on the part of the ministers, to explain to the house the nature of the bill before them. I am, here, *nolens volens*, to perform this duty. I say it is a monstrous bill; and able as are the noble lord, the member for Yorkshire, and the hon. and learned gentleman, the eminent historian, (*Cries of Order, order.*) if I might, I would take the liberty of asking the noble lord whether he understands the bill? But if I did ask him that question, I strongly suspect that his answer would show that he did not understand it. I will therefore attempt to describe it. In the bill is an oath. When the measure was opened to this house, my right hon. friend said, that it was right to have an oath which Roman Catholics might take, and accordingly he proposed one to parliament to be substituted for the oaths of supremacy and abjuration. The bill, therefore, says, that when a Roman Catholic comes into office, he shall say, "I am a Catholic, and being a Catholic, I claim to take that oath which this bill has provided;" but, unfortunately, my right honourable friend has struck out the oath, and there is no oath for the Roman Catholic to take. If there is in the bill an oath which any other man might take by swearing he is a Roman Catholic, he is entitled to the privilege which the bill gives him; namely, that he is not compelled to submit to those tests which the security of our religion requires. The oaths in this bill do not, however, require him to say, whether he is a Roman Catholic or not, and any man may take these oaths, whether he is or is not a Roman Catholic. (*Cheers.*) Hon. members may cheer that, but if they do, I tell them that they are cheering the maxim of King James, who was for admitting all men into the Privy Council, with full liberty of conscience, saying of each, "I will not ask him what he is." I tell them that they are not cheering me, but cheering my right honourable friend, and in him they are cheering King James II.—they do not cheer me. (*Laughter and cheers.*) But I say it is so—I say that any man may gain admission into any office without taking oaths that secure the church or government of England. The principle of the bill is, that if any man will come forward and swear he is a Roman Catholic, he may take the oath there provided. Without going into any other thing relating to this part of the subject, I will merely take the liberty of calling the attention of the

house to the oath to be taken by the Prime Minister. There is in the bill a clause conferring a general capacity for office. To all offices, say the Roman Catholic emancipators, all men are fit to be admitted. No, says the bill, for all ecclesiastical patronage, and all ecclesiastical appointments, are to be separated from offices held by a Roman Catholic. I apply that to a Prime Minister, whose church patronage is to be vested in commissioners. I have never heard that Catholics are unambitious persons; that they are willing to exercise some of the powers of office without enjoying all their patronage and privilege. I have never heard that in this case they are unlike other men, and yet unlike they must be if they consent to receive admission to offices, from which a large portion of power and patronage is to be taken off the moment they become possessed of them; and such must be the case with the Prime Minister if he consents to have commissioners named to exercise and dispense the ecclesiastical patronage that belongs to his office. If we have a Catholic Prime Minister, we are, however, to have a Protestant Lord Chancellor. Lord Lyndhurst, for instance. Now, really, do gentlemen mean to contend, that with his eminent talents he is or would be likely so vigorously to conduct himself in the defence of the church against the Roman Catholics, as to acquire a title from the present or intended Pope (for I don't know whether he is yet elected, or whether he is to be Frenchman, Spaniard, or Italian)—to acquire, I say, from the Pope a title similar to that which was once conferred on a King of these realms, and to be called the "Defender of the Protestant faith?" We are, as I said before, to have a Roman Catholic Prime Minister; but we are to have a Protestant Chancellor, who is to name to all the livings, emoluments, rank, and dignity of the English church. The Prime Minister is not to do this, but the Lord Chancellor. Do but look at the history of this country, and see how such a scheme is likely to answer. Lords Shaftesbury and Jeffries have been both Protestant Chancellors under such circumstances. Would any man trust a commission which such a Chancellor should put his seal to! What did Jeffries do? He issued his warrant to commit the seven bishops to the Tower, and contributed all in his power to procure their conviction; and though he was a Protestant Chancellor, was as subservient to the introduction of Catholicity into this country as almost any Roman Catholic could have been. I say, Sir, therefore, that it is an idle, a ridiculous, a contemptible pretence, to say that the Chancellor shall, under the great seal, appoint a commission which shall have the power of disposing of the wealth, the dignity, the rank, the jurisdiction of the ministers of the Church of England. It will be as ridiculous to rely on future Chancellors, as it formerly was, in the reign of Charles II. to rely on the Protestant Chancellor Shaftesbury, or, in the reign of James II. to rely on the Protestant Chancellor Jeffries. But who are to be the members of this commission? Of course, the First Lord of the Treasury, whose powers they will exercise, will not even know their names, or the places in which they live; he will be as ignorant of them as if they resided in New Holland. Will he? Is not this all trickery, as gross as that practised in the shop of an advertising money lender? When a man urgently in want of money applies to such a person to procure him cash at any rate, he is answered, "I never do any thing but in the regular line; there is, however, a Moses Moses, who lives at No. 2, in some alley, in some court, and he will be able to accommodate you." Just so is this bill with respect to the Prime Minister, the Chancellor, and the satellites that, in the shape of commissioners, are to revolve round the Chancellor. The First Lord of the Treasury will not know where they live—the Lord Chancellor will, but then the Prime Minister may not have the power of making the Lord Chancellor do what is not right; he may not be able to compel him to do as he pleases.

But, Sir, we must guard against such a danger ; the times have been, and the times are, when want of pliability has not been among the faults of a Lord Chancellor. (*Loud cheers.*) I repeat, Sir, that this security is ridiculous, insulting, and contemptible. (*Cheers.*) Again, say the Roman Catholic emancipators, we insist on capacity for office, on the abstract, indefeasible right of all men to office. No, says the bill, that won't do : all of you may be officers of the government, but you must not exercise all the powers of your offices. I say, that all this to me is strong in support of my argument in this case, because, while capacity is asserted in one clause, incapacity is insisted on in another. The course I am pursuing is, therefore, the necessary duty, and the language I use is the language of an adherent to the Protestant faith, and, above all, it ought to be the language of all who are determined not to apostatise. Who, I ask, is to select those commissioners ? Will they be selected by the honest Protestant ; by the Protestant who has apostatised ; or by the Protestant who will not apostatise ? (*Cheers.*) The bill, Sir, confutes itself—its propositions are contradictions in terms—it asserts at the same time capacity and incapacity. It acknowledges—nay avows the existence of danger and provides no remedy. Well, but this is to be the law. I would not condescend to frame such a bill. No minister in this country—no man in this realm—should compel me so to stultify myself. I refused to draw it—I would not be guilty of such folly—such inconsistency—as that which must accumulate upon the head of the man who drew it. I said—You may turn me out of office, but I will never consent to be the dirty tool to draw such a bill. (*Cheers, and laughter.*) I would not soil my hands with it ; I would not defile my pen—I would not waste my paper in committing such a gross dereliction of duty. I would not, at the same time, forfeit the character of a man of common sense, of common sincerity, and of common truth. I therefore said at once, I'll have nothing to do with it. Such an incongruous mass I've never seen. We have been told four months past, that some desideratum has been discovered to reconcile Protestant security with the grant of the Roman Catholic claims ; some course *in medio*, that formed a good ground of confidence, that whatever was conceded, there should be sufficient security for the interests of the church. Among the clauses of the bill there is one, that any man who advises the King to grant away any ecclesiastical preferments for the benefit of Roman Catholics, shall be guilty of a misdemeanor, and shall hold office no longer. This is said to be a security against any Roman Catholic minister ; but may I be permitted to ask, Who can prove this offence against a Roman Catholic minister ? Certainly not one of his colleagues, for they are bound by oath to keep the secrets of office, so that the same clause which creates the offence goes far to create an absolute incapacity to convict for that offence. (*Cheers.*) I look to the other clauses which profess to protect the church, its doctrines, discipline, and government. My right honourable friend says, “ I will not establish Catholic bishops *co nomine*, but I will arrange it through a money medium. I will not allow Catholics to become Archbishops of Armagh or Tuam, but if they do assume the title they shall pay 50*l.* penalty for the offence.” And that is the proportion of penalty which I observed throughout this bill, the sum of 200*l.*, being the heaviest penalty inflicted for any offence. So that the whole protection afforded to the Church of England consists in penalties of from 50*l.* to 200*l.* I find in the bill no power of veto—no power of domestic nomination—no controul—no approbation ; only if a man chooses to call himself Archbishop of Dublin, or Archbishop of Troy—(*Laughter.*)—he shall be subject to a penalty of 50*l.* We are directed by my right honourable friend to discuss this subject in a pleasant mood, and I hope I am not unpleasant ; but let us in our pleasantry recollect that there is such a thing as Catholic rent, which will

pay all these penalties and more, ten times over—that will set at nought all this penal protection—this Custom-house tariff-table of 50*l.* of 100*l.* and of 200*l.* imposts. There will be constantly in hand a sum which will render all these penalties almost as ridiculous and ineffectual as the 3*l.* 4*l.* or 5*l.* penalty upon a gentleman for killing a hare. As to the Protestant church, the Protestant common wealth, the Protestant community of England, they are to be disregarded, or at least we are to exchange the principles established at the revolution, the conditions on which our illustrious royal family hold the throne, for paltry penalties and miserable mulcts, the whole of which the receivers of the Roman Catholic rent may lay down at once upon the table, and laugh at those who demand them. I am sensible of the indulgence the house has shown me. (*Loud cheers.*) I thank it for that indulgence, and I will, therefore, trespass upon its patience but a few moments longer. I have examined, not only the facts of the case, but the topics of my honourable friend. There is however, one topic which he has not introduced. One of the articles of the Bill of Rights was the title of the people to petition. I beg to say that that right has, on many recent occasions, been uncourteously, if not rudely treated. Expressions of this sort have been used, although I cannot state exactly where—“That to petition and to remonstrate on this subject was faction.” If it be faction, it is faction in which the whole British people partake. (*Hear, hear.*) It is faction which they have shown ever since King John’s charter declared that they should have their rights, liberties, and property preserved to them, for that is the very language of the great charter. But now we are told it is the exercise of a factious right to pray for the protection of the Protestant religion. I widely and irreconcilably, although I allow painfully, differ from my right honourable friend, when he asserts that this is not a question of religion. Is it a religious question when Protestantism is secured to Scotland by the articles of her union? Is it a religious question when Protestantism is secured to Ireland by the articles of her union? Is it a religious question when Protestantism has been secured to England by all the laws since the reign of Henry VIII.? The question is more religious than political. I allow that it is mixed, but the decided predominancy is religious, and not political. If, then, it be factious for the people of England to petition, I adopt the language of the noble marquis, lately Lord Lieutenant of Ireland. I know not why he was recalled,—(*Loud cheering.*)—but he told the people of England in his letter, “Go on: legally and constitutionally pursue your rights.” I borrow that expression—I, too, say, to the people of England, “Go on: legally and constitutionally pursue your rights! Demand your rights—be true to yourselves and to your principles—do not apostatise, but maintain your rights, your religion, and your liberties to the last.” I have most reluctantly—against every wish and every feeling—been compelled, driven to this course; without the dereliction of every principle, and the destruction of all sense of justice, I could not maintain a different line of conduct to that which I have hitherto pursued. As a private and an insulated individual, I have stated my convictions;—what they have been, what they are, and what they will be: and never, from any temptation of office, or hope of reward, will I abandon or repudiate them. Therefore, as an Attorney General, I thought the measure the death-warrant of the Church of England: I had no choice, but to refuse at once to draw such a bill; and in every stage I will give it my hearty, though humble opposition.

The most vehement cheering continued for several minutes after the Attorney General had resumed his seat.

SPEECH

OF

THE REV. SYDNEY SMITH,

PREBENDARY OF BRISTOL,

ON THE SUBJECT OF

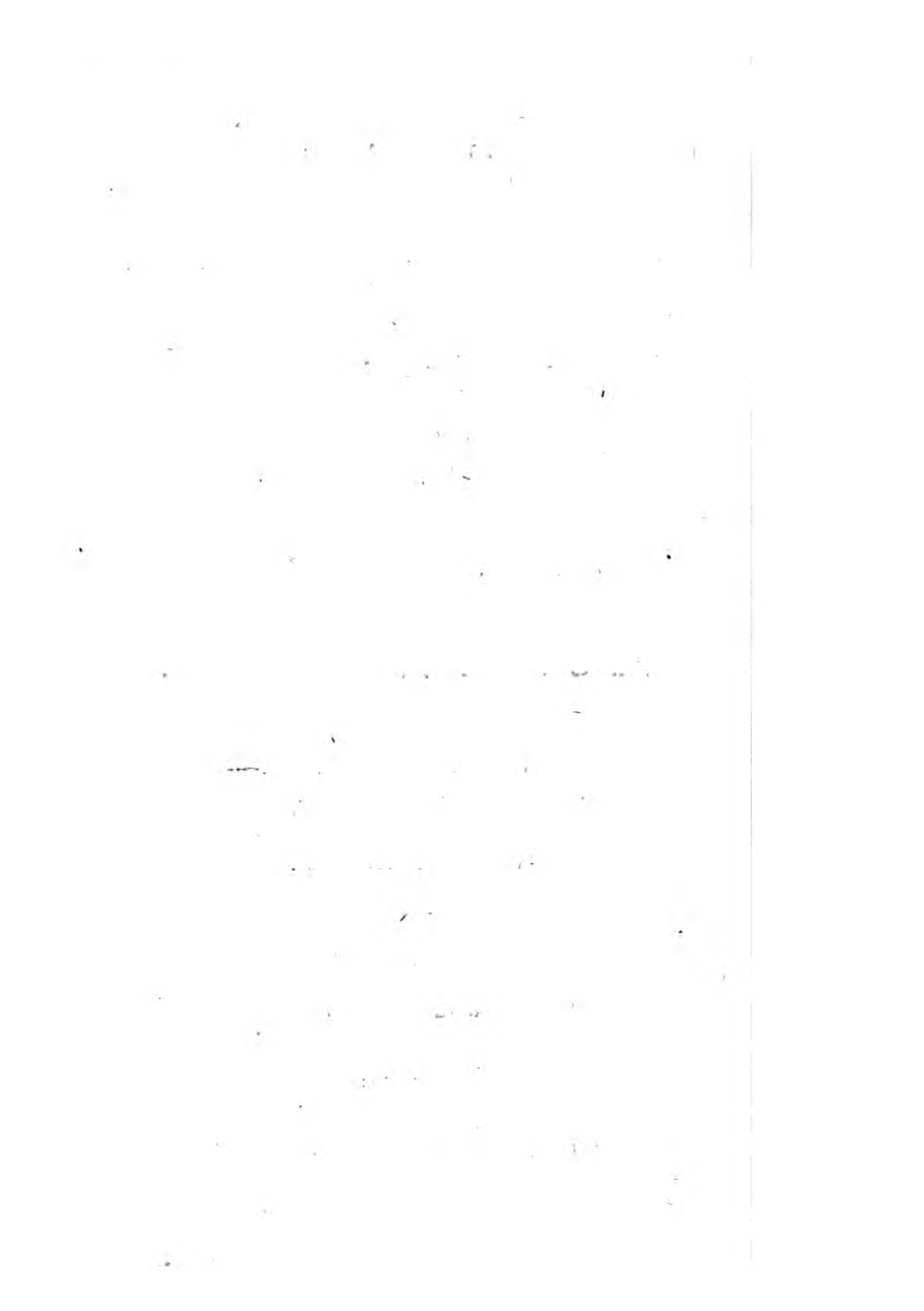
THE CATHOLIC CLAIMS,

DELIVERED BY HIM AT A MEETING OF THE CLERGY OF THE
ARCHDEACONRY OF THE EAST RIDING, HELD AT
THE TIGER INN, BEVERLEY, YORKSHIRE,
ON MONDAY, MAY 11, 1825.

A NEW EDITION.

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THE SPEECH.

Mr. Archdeacon,—It is very disagreeable to me to differ from so many worthy and respectable clergymen here assembled, and not only to differ from them, but (I am afraid) to stand alone among them. I would much rather vote in majorities, and join in this, or any other political chorus, than to stand unassisted and alone, as I am now doing. I dislike such meetings for such purposes—I wish I could reconcile it to my conscience to stay away from them, and to my temperament to be silent at them; but if they are called by others, I deem it right to attend—if I attend, I must say what I think. If it is unwise in us to meet in taverns to discuss political subjects, the fault is not mine, for I should never think of calling such a meeting. If the subject is trite which we are to discuss, no blame is imputable to me: it is as dull to me to handle such subjects, as it is to you to hear them. The customary promise on the threshold of an inn is “good entertainment for man and horse.” If there is any truth in any part of this sentence at the Tiger, at Beverley, our horses at this moment must certainly be in a state of much greater enjoyment than the masters who rode them. It will be some amusement, however, to this meeting, to observe the schism which this question has occasioned in my own parish of Londesborough. My excellent and respectable curate, Mr. Milestones, alarmed at the effect of the Pope upon the East-Riding, has come here to oppose me, and there he stands, breathing war and vengeance on the Vatican. We had some previous conversation on this subject, and, in imitation of our superiors, we agreed not to make it a Cabinet question. Mr. Milestones, indeed, with that delicacy and propriety which belongs to his character, expressed some scruples upon the propriety of voting against his rector; but I insisted he should come and vote against me. I assured him nothing would give me more pain than to think I had prevented, in any man, the free assertion of honest

opinions. That such conduct on his part, instead of causing jealousy and animosity between us, could not, and would not, fail to increase my regard and respect for him.

I beg leave, Sir, before I proceed on this subject, to state what I mean by Catholic Emancipation. I mean eligibility of Catholics to all civil offices, with the usual exceptions introduced into all bills—jealous safeguards for the preservation of the Protestant church, and for the regulation of the intercourse with Rome—and, lastly, provision for the Catholic clergy.

I object, Sir, to the law as it stands at present, because it is impolitic, and because it is unjust. It is impolitic, because it exposes this country to the greatest danger in time of war. Can you believe, Sir,—can any man of the most ordinary turn for observation believe, that the monarchs of Europe mean to leave this country in the quiet possession of the high station which it at present holds?—that the weak and tottering race of the Bourbons will, (whatever then our wishes may be) be compelled to gratify the wounded vanity of the French, by plunging them into a war with England. Already they are pitying the Irish people, as you pity the West Indian slave—already they are opening colleges for the reception of Irish priests. Will they wait for your tardy wisdom, and reluctant liberality? Is not the present state of Ireland a premium upon early invasion? Does it not hold out the most alluring invitation to your enemies to begin? And if the flag of any hostile power in Europe is unfurled in that unhappy country, is there one Irish peasant who will not hasten to join it?—and not only the peasantry, Sir; the peasantry begin these things, but the peasantry do not end them—they are soon joined by an order a little above them—and then, after a trifling success, a still superior class think it worth while to try the risk; men are hurried into a rebellion, as the oxen were pulled into the cave of Cacus—tail foremost. The mob first, who have nothing to lose but their lives, of which every Irishman has nine—then come the shopkeeper—then the parish priest—then the vicar general—then Dr. Doyle, and lastly Daniel O'Connell. But if the French were to make the same blunders respecting Ireland as Napoleon committed, if wind and weather preserved Ireland for you a second time, still all your resources would be crippled by watching Ireland. The force employed for this might liberate Spain and Portugal—protect India, or accomplish any great purpose of offence or defence.

War, Sir, seems to be almost as natural a state to mankind as peace—but if you could hope to escape war, is there a more powerful receipt for destroying the prosperity of any country, than these eternal jealousies and distinctions between the two religions? What man will carry his industry and his capital into a country where his yard measure is a sword; his pounce box a powder flask; and his ledger, a return of killed and wounded? Where a cat will get, there I know a cotton spinner will penetrate; but let these gentlemen wait till a few of their factories have been burnt down,—till one or two respectable merchants at Manchester have been carded, and till they have seen the Cravatists hanging the Shanavists in cotton twist. In the present fervour for spinning, Ourang Outangs, Sir, would be employed to spin, if they could be found in sufficient quantities; but miserably would those reasoners be disappointed who repose upon cotton—not upon justice; and who imagine this great question can be put aside, because a few hundred Irish spinners are gaining a morsel of bread by the overflowing industry of the English market.

But what right have you to continue these rules, Sir, these laws of exclusion? What necessity can you show for it? Is the reigning Monarch a concealed Catholic—is his successor an open one? Is there a disputed succession—is there a Catholic pretender? If some of these circumstances are said to have justified the introduction, and others the continuation of, these measures, why does not the disappearance of all these circumstances justify the repeal of the restrictions? If you must be unjust: if it is a luxury you cannot live without—reserve your injustice for the weak, and not for the strong—persecute the Unitarians, muzzle the Ranters, be unjust to a few thousand Sectaries, not to six millions—galvanise a frog, don't galvanise a tiger.

If you go into a parsonage house in the country, Mr. Archdeacon, you see sometimes a style and fashion of furniture which does very well for us, but which has had its day in London. It is seen in London no more; it is banished to the provinces; from the gentlemen's houses of the provinces, these pieces of furniture, (as soon as they are discovered to be unfashionable) descend to the farm-houses, then to cottages, then to the fagot-heap, and the dunghill. As it is with furniture, so it is with arguments. I hear, at country meetings, many arguments against the Catholics which are never heard in London; their London existence in Parliament is over—they are only to be met with in the provinces,

and there they are fast hastening down, with clumsy chairs, and ill-fashioned sofas, to another order of men. But, Sir, as they are not yet gone where I am sure they are going, I shall endeavour to point out their defects, and to accelerate their descent.

Many gentlemen, now assembled at the Tiger Inn, at Beverley, believe that the Catholics do not keep faith with heretics. These gentlemen ought to know that Mr. Pitt put this very question to six of the leading Catholic Universities in Europe. He inquired of them whether this tenet did or did not constitute any part of the Catholic faith. The question received from these Universities the most decided negative; they denied that such doctrine formed any part of the creed of Catholics. Such doctrine, Sir, is denied upon oath, in the Bill now pending in Parliament, a copy of which I hold in my hand. The denial of such a doctrine, upon oath, is the only means by which a Catholic can relieve himself from his present incapacities. If a Catholic, therefore, Sir, will not take the oath, he is not relieved, and remains where you wish him to remain; if he does take the oath, you are safe from this peril; if he has no scruple about oaths, of what consequence is it whether this bill passes, the very object of which is to relieve him from oaths? Look at the facts, Sir. Do the Protestant Cantons of Switzerland, living under the same state with the Catholic Cantons, complain that no faith is kept with heretics? Do not the Catholics and Protestants in the kingdom of the Netherlands meet in one common Parliament? Could they pursue a common purpose, have common friends, and common enemies, if there was a shadow of truth in this doctrine imputed to the Catholics? The religious affairs of this last kingdom are managed with the strictest impartiality to both sects; ten Catholics and ten Protestants (gentlemen need not look so much surprised to hear it,) positively meet together, Sir, in the same room. They constitute what is called the religious committee for the kingdom of the Netherlands, and so extremely desirous are they of preserving the strictest impartiality, that they have chosen a Jew for their secretary. Their conduct has been unimpeachable and unimpeached, the two sects are in peace with each other, and the doctrine, that no faith is kept with heretics, would, I assure you, be very little credited at Amsterdam or the Hague, cities as essentially Protestant as the town of Beverley.

Wretched is our condition, and still more wretched the condition of Ireland, if the Catholic does not respect his oath. He

serves on grand and petty juries in both countries ; we trust our lives, our liberties, and our properties, to his conscientious reverence of an oath, and yet, when it suits the purposes of party to bring forth this argument, we say he has no respect for oaths. The right to a landed estate of 3,000*l.* per annum was decided last week, in York, by a jury, the foreman of which was a Catholic ; does any human being harbour a thought, that this gentleman, whom we all know and respect, would, under any circumstances, have thought more lightly of the obligation of an oath, than his Protestant brethren of the box ? We all disbelieve these arguments of Mr. A. the Catholic, and of Mr. B. the Catholic ; but we believe them of Catholics in general, of the abstract Catholics, of the Catholic of the Tiger Inn, at Beverley, the formidable unknown Catholic, that is so apt to haunt our clerical meetings.

I observe that some gentlemen, who argue this question, are very bold about other offices, but very jealous lest Catholic gentlemen should become justices of the peace. If this jealousy is justifiable any where, it is justifiable in Ireland, where some of the best and most respectable magistrates are Catholics.

It is not true that the Roman Catholic religion is what it was. I meet that assertion with a plump denial. The Pope does not dethrone kings, does not give away kingdoms, does not extort money, has given up in some instances the nomination of Bishops to Catholic Princes, in some I believe to Protestant Princes ; Protestant worship is now carried on at Rome. In the Low Countries, the seat of the Duke of Alva's cruelties, the Catholic tolerates the Protestant, and sits with him in the same Parliament—the same in Hungary—the same in France. The first use, which even the Spanish people made of their ephemeral liberty was to destroy the Inquisition. It was destroyed also by the mob of Portugal. I am so far from thinking the Catholic not to be more tolerant than he was, that I am much afraid the English, who gave the first lesson of toleration to mankind, will very soon have a great deal to learn from their pupils.

Some men quarrel with the Catholics, because their language was violent in the Association ; but a groan or two, Sir, after two hundred years of incessant tyranny, may surely be forgiven. A few warm phrases to compensate the legal massacre of a million of Irishmen, are not unworthy of our pardon. All this hardly deserves the eternal incapacity of holding civil offices. Then

they quarrel with the Bible Society ; in other words, they vindicate that ancient tenet of their church, that the Scriptures are not to be left to the unguarded judgment of the laity. The objection to Catholics is, that they did what Catholics ought to do—and do not many prelates of our church object to the Bible Society, and contend that the Scriptures ought not to be circulated without the comment of the Prayer Book, and the Articles ? If they are right, the Catholics are not wrong ; and if the Catholics are wrong, they err in such good company, that we ought to respect their errors.

Why not pay their clergy : the Presbyterian clergy in the north of Ireland are paid by the State : the Catholic clergy of Canada are provided for ; the priests of the Hindoos are, I believe, in some of their temples, paid by the Company. You must surely admit, that the Catholic religion (the religion of two-thirds of Europe) is better than no religion. I do not regret that the Irish are under the dominion of the priests. I am glad that so savage a people as the lower orders of Irish are under the dominion of their priests ; for it is a step gained to place such beings under any influence, and the clergy are always the first civilizers of mankind. The Irish are deserted by their natural aristocracy, and I should wish to make their priesthood respectable in their appearance, and easy in their circumstances. A government provision has produced the most important changes in the opinions of the Presbyterian clergy of the north of Ireland, and has changed them from levellers and jacobins into reasonable men ; it would not fail to improve most materially the political opinions of the Catholic priests. This cannot, however, be done without the emancipation of the laity. No priests would dare to accept a salary from government, unless this preliminary was settled. I am aware it would give to government a tremendous power in that country ; but I must choose the least of two evils. The great point, as the physicians say, in some diseases, is to resist the tendency to death. The great object of our day is to prevent the loss of Ireland, and the consequent ruin of England ; to obviate the tendency to death ; we will first keep the patient alive, and then dispute about his diet and his medicine.

Suppose a law were passed, that no clergyman, who had ever held a living in the East-Riding, could be made a bishop. Many gentlemen here, (who have no hopes of ever being removed from their parishes) would feel the restriction of the law as a consider-

able degradation. We should soon be pointed at as a lower order of clergymen. It would not be long before the common people would find some fortunate epithet for us ; and it would not be long either, before we should observe in our brethren of the north and west an air of superiority, which would aggravate not a little the injustice of the privation. Every man feels the insults thrown upon his *caste* ; the insulted party falls lower, every body else becomes higher. There are heart-burnings and recollections. Peace flies from that land. The volume of Parliamentary evidence I have brought here is loaded with the testimony of witnesses of all ranks and occupations, stating to the House of Commons, the undoubted effects produced upon the lower order of Catholics by these disqualifying laws, and the lively interest they take in their removal. I have seventeen quotations, Sir, from this evidence, and am ready to give any gentleman my reference ; but I forbear to read them, from compassion to my reverend brethren, who have trotted many miles to vote against the Pope, and who will trot back in the dark if I attempt to throw additional light upon the subject.

I have, also, Sir, a high spirited class of gentlemen to deal with, who will do nothing from fear ; who admit the danger, but think it disgraceful to act as if they feared it. There is a degree of fear which destroys a man's faculties, renders him incapable of acting, and makes him ridiculous. There is another sort of fear, which enables a man to foresee a coming evil, to measure it, to examine his powers of resistance, to balance the evil of submission against the evils of opposition or defeat, and, if he thinks he must be ultimately overpowered, leads him to find a good escape in a good time. I can see no possible disgrace in feeling this sort of fear, and in listening to its suggestions. But it is mere cant to say, that men will not be actuated by fear in such questions as these. Those, who pretend not to fear now, would be the first to fear upon the approach of danger ; it is always the case with this distant valour. Most of the concessions which have been given to the Irish have been given to fear. Ireland would have been lost to this country, if the British legislature had not, with all the rapidity and precipitation of the truest panic, passed those acts which Ireland did not ask, but demanded in the time of her armed association. I should not think a man brave, but mad, who did not fear the treasons and rebellions of Ireland in time of war. I should think him not dastardly, but consummately

wise, who provided against them in time of peace. The Catholic question has made a greater progress since the opening of this Parliament than I ever remember it to have made, and it has made that progress from fear alone. The House of Commons were astonished by the union of the Irish Catholics. They saw that Catholic Ireland had discovered her strength, and stretched out her limbs, and felt manly powers, and called for manly treatment; and the House of Commons wisely and practically yielded to the innovations of time, and the shifting attitude of human affairs.

I admit the Church, Sir, to be in great danger. I am sure the State is also. My remedy for these evils is, to enter into an alliance with the Irish people—to conciliate the clergy, by giving them pensions—to loyalise the laity, by putting them on a footing with the Protestant. My remedy is the old one, approved of from the beginning of the world, to lessen dangers, by increasing friends, and appeasing enemies. I think it most probable that, under this system of Crown patronage, the clergy will be quiet. A Catholic layman, who finds all the honours of the State open to him, will not, I think, run into treason and rebellion—will not live with a rope round his neck, in order to turn our bishops out, and put his own in; he may not, too, be of opinion that the utility of his bishops will be four times as great, because his income is four times as large; but, whether he is or not, he will never endanger his sweet acres (large measure) for such questions as these. Anti-Trinitarian Dissenters sit in the House of Commons, whom we believe to be condemned to the punishments of another world. There is no limit to the introduction of Dissenters into both Houses—Dissenting Lords or Dissenting Commons. What mischief have Dissenters, for the last century and a half, plotted against the Church of England? The Catholic lord and the Catholic gentleman (restored to their fair rights) will never join with levellers and Iconoclasts. You will find them defending you hereafter against your Protestant enemies. The crosier in any hand, the mitre on any head, are more tolerable in the eyes of a Catholic, than doxological Barebones and tonsured Cromwells.

We preach to our congregations, Sir, that a tree is known by its fruits. By the fruit it produces I will judge your system.—What has it done for Ireland? New Zealand is emerging—Otaheite is emerging—Ireland is not emerging—she is still veiled in

darkness—her children, safe under no law, live in the very shadow of death. Has your system of exclusion made Ireland rich? Has it made Ireland loyal? Has it made Ireland free? Has it made Ireland happy? How is the wealth of Ireland proved? Is it by the naked, idle, suffering savages, who are slumbering on the mud-floor of their cabins? In what does the loyalty of Ireland consist? Is it in the eagerness with which they would range themselves under the hostile banner of any invader for your destruction and for your distress? Is it liberty when men breathe and move among the bayonets of English soldiers? Is their happiness and their history any thing but such tissue of murders, burnings, hanging, famine, and disease, as never existed in the annals of the world. This is the system, which, I am sure, with very different intentions, and different views of its effects, you are met to uphold. These are the dreadful consequences, which those laws, your petition prays may be continued, have produced upon Ireland. From the principles of that system from the cruelty of these laws, I turn, and turn with the homage of my whole heart, to that memorable proclamation which the Head of our Church—the present Monarch of these realms, has lately made to his hereditary dominions of Hanover—*That no man should be subjected to civil incapacities on account of religious opinions.* Sir, there have been many memorable things done in this reign. Hostile armies have been destroyed; fleets have been captured; formidable combinations have been broken to pieces—but *this sentiment, in the mouth of a King*, deserves, more than all glories and victories, the notice of that historian who is destined to tell to future ages the deeds of the English people. I hope he will lavish upon it every gem which glitters in the cabinet of genius, and so uphold it to the world that it will be remembered when Waterloo is forgotten, and when the fall of Paris is blotted out from the memory of man. Great as it is, Sir, this is not the only pleasure I have received in these latter days. I have seen within these few weeks, a degree of wisdom in our mercantile law, such superiority to vulgar prejudice, views so just and so profound, that it seemed to me as if I was reading the works of a speculative economist, rather than the improvement of a practical politician, agreed to by a legislative assembly, and upon the eve of being carried into execution, for the benefit of a great people. Let who will be their master, I honour and praise the ministers who have learnt such a lesson. I rejoice that I

have lived to see such an improvement in English affairs—that the stubborn resistance to all improvement—the contempt of all scientific reasoning, and the right adhesion to every stupid error which so long characterized the proceedings of this country, is fast giving way to better things, under better men, placed in better circumstances.

I confess it is not without severe pain that, in the midst of all this expansion and improvement, I perceive that in our profession we are still calling for the same exclusion—still asking that the same fetters may be rivetted on our fellow-creatures—still mistaking what constitutes the weakness and misfortune of the Church, for that which contributes to its glory, its dignity, and its strength. Sir, there are two petitions at this moment in this house, against two of the wisest and best measures which ever came into the British Parliament, against the impending Corn Law, and against the Catholic Emancipation—the one bill intended to increase the comforts, and the other to allay the bad passions of man.—Sir, I am not in a situation to do much good, but I will take care that I will not willingly do any evil.—The wealth of the Riding should not tempt me to petition against either of those bills. With the Corn Bill I have nothing to do at this time. Of the Catholic Emancipation Bill, I shall say, that it will be the foundation stone of a lasting religious peace; that it will give to Ireland not all that it wants, but what it most wants, and without which no other boon will be of any avail.

When this bill passes, it will be a signal to all the religious sects of that unhappy country to lay aside their mutual hatred, and to live in peace, as equal men should live under equal law;—when this bill passes, the Orange flag will fall—when this bill passes, the Green flag of the rebel will fall—when this bill passes, no other flag will fly, in the land of Erin, than that flag which blends the Lion with the Harp—that flag which, wherever it does fly, is the sign of Freedom and of joy—the only banner in Europe which floats over a limited King and a free People.