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STRICTURES

ON

THE LETTER

OF

THE RIGHT REV. DR. MURRAY,

ROMAN CATHOLIC ARCHBISHOP OF DUBLIN,

RELATIVE TO

DENS' THEOLOGY;

IN WHICH THE

DOCTRINE OF THE CHURCH OF ROME

ON

THE PUNISHMENT OF HERESY, THE DOCTRINE OF MENTAL RESERVATION, AND THE QUALIFICATION OATH, TAKEN BY THE ROMAN CATHOLIC MEMBERS,

ARE DISCUSSED;

WITH

A DEDICATION TO THE PROTESTANTS OF IRELAND.

By A LAY PROTESTANT.

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TO THE
PROTESTANTS OF IRELAND.

GENTLEMEN,

THE following Strictures I dedicate to YOU, because FOR you was undertaken the ungracious labour of exposing the evasions—the ambiguities—the fallacies, and may I not add, the *pious frauds* of the Letter to which they refer ; they have no other relation to *party* than that they are intended to counteract, by truth and reason, that fraudulent, insolent, and overbearing spirit with which dishonest and dangerous faction is daily exerting its full force to overthrow the sound and rational Religion which, as Protestants, we glory to profess—and to build upon its ruin a Church, which, in its spirit and essence, is alike hostile to liberty and reason, to rational, religious, and civil freedom !

Yes, Protestant Brethren! we are beset and surrounded with many and most alarming difficulties and dangers. From *without* we are pressed by violence, outrage, implacable hate, by threats of sanguinary revenge, of bloodshedding,^a and massacre: *within*, by the most disheartening apathy to our defenceless condition—almost an avowed readiness on the part of those whose duty is to protect, to surrender us rather, into the hands of bitter and cruel enemies!—Our Establishment as a Church—an Establishment guaranteed to us by the most solemn compact that can be made between nations, and which even *human policy*, as well as the *sacred motives* suggested by *religion*, should have induced our rulers to maintain and cherish, is now openly devoted to destruction, and already the sanction of one branch of the Legislature is given to the annihilation of it in above eight hundred of our parishes! Even the protection of law, on which, in its ordinary course, and in ordinary times, we might have relied with reasonable confidence, we are virtually now deprived of. The chief law office of the crown, by whose discretion alone the power of the law is directed,

^a See O'Connell's Letter to the REFORMERS, 4th Dec. 1835.

or *can be* set in motion for the protection of public rights and general safety, is now vested in a member of that Church, whose active hatred to us is hourly felt, and visible to the world—and whose first and great moving principle is our *extirpation as heretics!* Whatever may be the prudent and amiable character of the gentleman in private life who fills it, can we rely on *such* an officer zealously and impartially to exercise the great duties of his office for OUR protection against the assaults—the slanderous, the barbarous, cruel, and malicious assaults—of an anti-religious press, daily and nightly pouring out the vials of its wrath on us and on the Constitution itself, on which alone, under the Deity, our last hope rests? Can a Catholic Attorney-General, excellent as he may be as an individual—with O'Connell, whom we have just cause to regard as the moving power of seven millions of our mortal enemies, exerting an untiring and gigantic energy against us—can a *Catholic* Attorney-General, I ask, be our adequate and zealous protector in the circumstances in which we and our Church are placed! Surely we might well doubt, even if the events of every passing day did not reduce that doubt to certainty!

Under the full conviction of such being our

danger, and that every aid, however small, may be of value to the defence of our common cause, I have applied myself to the exposition of the Catholic Archbishop's celebrated Letter to Lord Melbourne. I have considered it attentively; and, whatever my *feelings* may be, when I reflect on the destitution in which our *protectors* have left us, I still hope I have brought to the examination of this document nothing but the exercise of cool reason, and an impartial judgment. Of this, however, you, as readers, will best judge; for the validity or invalidity of the *reasoning* will be the best criterion of the impartiality of the *reasoner*.

I may be asked why I have not contented myself in this instance with the public labours of the churchmen who have so often, in the course of the year, and so strenuously assailed the R. Catholic Bishop and his Church, in London and elsewhere? my answer is, that I do not think those subjects are fitted for the turbulent debates of a public assembly; and in the next, that great as the exertions of these gentlemen were, I do not perceive that they have applied themselves specifically to the consideration of Dr. Murray's defence.—It is to meet that particular document, and derive from it all its use, that I now apply myself to this ungracious task; not cer-

tainly with the intention of giving unnecessary offence to the Rev. Gentleman whose defence I impugn, nor to the Church to which he belongs. That Church, even with all its errors, I look upon with the respect which every Christian community, when acting in good faith however erroneously, is entitled to from every Christian. But I apply myself, in the manner I have done in the present instance, to Dr. Murray and the Roman Catholic Church, because I think *something* is to be found in the exculpatory Letter which is not *quite* in *good faith*, but, on the contrary, calculated to convey a view of the Roman Catholic Church and its principles, inconsistent with the truth, and with that character which belongs to her when regarded by an impartial observer either with respect to her doctrine or her practice. She is represented as *tolerant*, when she really is *the most intolerant* and persecuting Church which the world ever knew, either in heathen or in Christian times. She is exhibited as a Church not only not holding and teaching, with incurable pertinacity, doctrines, originally inconsistent with the spirit of the Christian principle and the practice of the social charities, but as being actually a *self-purifying body*, which throws off error, as improvement follows the increasing advances in knowledge of the human

mind—nay, as having *actually cast off*, from time to time, as *obsolete*, those cardinal errors in opinions and practices which have been attributed to her; whereas, in fact, she has corrected *none* of her errors, nor abandoned, because they were obsolete, or superseded by time, *any* one of the practices and opinions for which she was ever reproached or reproachable—and has only ceased to *practise*, or to *teach*, what she professes indirectly to disavow, because she has not had the means, or the power, to carry out to the full extent all her original obnoxious tenets or *desolating* opinions.

Finally; whatever may be the merit or defect of these Strictures, they are devoted to you in a very sincere hope of adding something to our safety. If the inquiries which I make of this Right Reverend Gentleman shall not be answered, we may fairly take silence as an admission that no answer, *safe for the Roman Catholic Church*, can be given. If, on the contrary, the inquiry shall be met, and fully answered, I venture to promise you some valuable additional information on the doctrines of the *infallible* Church, and some additional strength for your creed and that of

Your faithful Servant,

A LAY PROTESTANT.

LETTER,

&c. &c.

RIGHT REV. SIR,

IN order that we both may distinctly see the true bearing of the question which I propose to discuss with you, I shall state my view of it thus.

Some meetings had been held in public at Exeter Hall, London, in June or July last, (I shall say nothing of the prudence or imprudence, the good or the ill effects which such meetings are calculated to produce, doubtful, at least, they certainly are,) for the purpose, on the part of certain Protestant gentlemen and clergy, of showing that certain opinions are held and inculcated by the clergy of the Roman Catholic Church in Ireland, as against heretics, of a very intolerant nature, and involving, as they contend, persecution, cruelty, and, virtually, murder; and that these doctrines were to be found laid down and inculcated as doctrines in a System of Theology published by the Rev. Peter Dens, which, it was contended, was cir-

culated in Ireland under your sanction and authority as Catholic Archbishop of Dublin, and other leading members of the Catholic hierarchy. A challenge had been published by those Protestant gentlemen, offering to meet the Roman Catholic Bishops, and particularly yourself, or any priests or laymen whom you and they might appoint, at the same Exeter Hall, in order to discuss whether this charge was or was not well founded.

These challenges were not accepted ; and far am I from saying that those who declined such a meeting in such a place for the purpose of debating such questions are in any degree blameable. My own opinion is, that public meetings are most unfit tribunals before which to discuss theological questions. But no part of the subject which I mean to trouble you with relates to that question.

Soon after these transactions—the Catholic Bishops having declined to attend the meeting—it appears that the doctrines which had been adverted to were mentioned in Parliament, and the Catholic clergy were there charged with entertaining and teaching those intolerant opinions, and this, as usual where religious debates arise, was done in no measured terms. It appears that some allusion was made to you particularly, Sir, as being one of the Board of National Education, for which office it was charged, or insinuated, you were unfit, on account of entertaining the intolerant opinions that had been charged upon you, and particularly for having, as it was alleged, *directed* the publication of *Dens' Theology*, and enter-

taining the doctrine taught and inculcated in that book, and having appointed it as a *text* book for the conferences of the Catholic clergy.

You resolved to repel those accusations, and for that purpose addressed to Lord Melbourne the Letter, upon a part of which I propose to offer some remarks, not unimportant, I conceive, in their general bearing, and calculated to call forth some further information on the subject of what is called the intolerant character of the Church of Rome.

Your Letter is not very long, and to prevent misquotation, I copy it.

“ARCHBISHOP MURRAY TO THE RIGHT HON. LORD VISCOUNT MELBOURNE.

“Mountjoy-square, Dublin, 2d July, 1835.

“MY LORD,

“I would hardly venture to claim one moment of that time which is so valuable to the public, if the subject on which I presume to address your lordship, though in a great degree personal to myself, did not acquire some importance, by its reference to a measure of much public interest.

“It appears, my Lord, that an attempt has been made to injure, through me, an institution of great value; I mean the commission which his Majesty’s government has so wisely established, for the purpose of promoting in Ireland a system of national education.

“With this view, if I can credit the public journals, a statement has been made in your lordship’s House of Parliament, *attributing to me certain doctrines* contained in a theological work of Dens, on the ground that I directed the publication of that work, and appointed it as a text-book for the conferences of the Catholic clergy.

“What was really said on that occasion I have no means of knowing, and, perhaps, have no right to inquire. But I distinctly

aver, that those imputations, from whatever quarter they may have found their way into the newspapers, are *wholly devoid of any foundation in fact.*

“ *I do not entertain the doctrines* thus attributed to me ; my solemn oath attests the contrary.

“ I did not direct the work of Dens to be published ; it was undertaken by a respectable bookseller, as a speculation in trade, entirely at his own risk, as a work which comprises a large mass of very valuable matter, *though containing, too, some obsolete opinions, wholly unconnected with any article of Catholic faith,* and which opinions it was known that hardly any one, at the present day, would think of defending.

“ Finally, *I did not make it the text-book* for our theological conferences ; for, on such occasions, we have no such book, if by this expression we are to understand the work of any writer, whose opinions (when not already defined by the Church as articles of faith) the clergy are required, or in any manner whatever expected, to maintain. In fact, our clergy are *too well instructed* to have the least notion of *submitting* to such a *restriction.* The questions proposed in conference are brought forward for the very purpose of being freely discussed on their own merits ; and the decisions which, after due examination, are approved of, rest entirely, *not on the individual opinions of this writer or of that,* but on *those arguments* which seem best calculated to *carry conviction to the mind.*

“ The opinions of Dens regarding the right of *temporal states to compel their subjects,* by confiscations and other punishments, *to embrace religious doctrines of which their conscience could not approve,* were unfortunately *too prevalent* throughout Europe at the time he lived ; and, I must add, no where more prevalent than where the Reformation was established. And why are the Catholics of Ireland now forced, by this unprovoked taunt, to remember that those *desolating opinions* were but too deeply imbibed, and too cruelly acted on by their Protestant rulers, during those centuries of religious persecution, from which they are but just recovering, and the horrors of which they are desirous to forget ?

“ Blessed be God ! those doctrines are now little more than

the record of *by-gone intolerance*. They are yielding every where to that better and more *Scriptural spirit of mutual forbearance*, which has grown up and is spreading through all Christian communities; and they seem to have found almost their last resting place in the minds of those misguided, though otherwise (let me hope) respectable individuals, who lately exhibited such a miserable display of fanaticism in Exeter Hall, and a few (let me again hope) very few fiery zealots, who have allowed themselves to be so far blinded by passion as to participate in their anti-social opinions.

“As to the Irish Catholics, *their doctrine* on this subject is thus solemnly *attested*:—‘I, A. B., swear that I do abjure, condemn, and detest, as unchristian and impious, the principle that it is lawful to murder, destroy, or in anywise injure any person whatsoever, for, or under the pretence, of being a heretic.’

“I have the honour to be,

“With the most profound respect,

“My Lord,

“Your Lordship’s faithful humble Servant,

“✠ D. MURRAY.”

Being absent from home during the greater part of the interval from the date of your Letter until a very recent period, prevented my paying those transactions, and particularly your exculpatory address to the minister, the attention which they so well deserve. You will, I hope, excuse this apparent neglect, for which I shall now endeavour to compensate.

In any comment which I may make upon this Letter, I beg you to believe that I am not influenced by any personal feeling adverse to you in either your private or public character, so far as regards your general bearing either with respect to the Protestant part of

the community or to the government of the country. In those respects your character has deservedly stood high, and though it has lately lost somewhat of its 'original brightness' by your condescending, at the eleventh hour, to become the *tributary* of a man who is, *pro virili*, labouring to involve this country in blood and anarchy, yet I shall observe in this discussion the same feeling of respectful regard as if this first fault had not been committed.

But suffer me to say the question here is not what may be the personal character of the individual, public or private, but whether the charge of intolerance and persecution made against the doctrinal character of the Church of Rome, and its hierarchy and clergy, be or be not in any degree answered, or your own, as an Archbishop, acquitted by your Letter, or the oath to which it refers, from the charge of sanctioning and spreading whatever intolerant, persecuting, or objectionable doctrine may be contained in *Dens'* treatise, to which allusion has so frequently been made. With respect to the opinion of one individual I must say, that in the consideration of this question, to which I certainly have paid my best attention, difficulties have occurred to my mind which, for the sake of the Roman Catholic Church itself, I should hope you would not find it unworthy even of your high clerical rank to afford some solution.

Without more of preface, then, let me now lay before you what those difficulties are: first premising, that in addition to your Letter, we must take into consideration that of the Rev. Patrick Woods, written

on the same transaction, and addressed to the *Dublin Evening Post*, dated July 11, 1835, and in which the following facts are expressly and positively stated. I give the extracts in his own words :

“In the course of the year 1828, the Most Rev. Dr. Murray laid his commands on me to compile the Priests’ Directory for the following year, a request which has since been annually repeated. When I was named to compile the Directory, the questions for discussion for Dublin only, were prepared by me ; every other diocese had its own matter for conference. By a subsequent agreement the Bishops of the province of Leinster, four in number, agreed to have the same matter discussed, and the same order observed in discussion, at their respective conferences. When the time for the publication of the Directory next following this arrangement was at hand, Dr. Murray announced to me that *we were to discuss* the three treatises on *Human Acts, Sins, and Conscience*, in the *successive conferences* of the following year, and that the *questions were to be taken in the order of DENS.*” [Dens has the three chapters or heads of “Human Acts, Sins, and Conscience,” in his work, and lying in the above order ; they are in the manner of *questions and answers.*] “Some of the clergy had been complaining that they did not know whence the *questions* were taken, and to obviate this difficulty, as well as to avoid being taunted with having set down for discussion matter which the priests might think useless, &c. I *honestly gave* in crotches, *at the head of the questions, the name of the author* from

whose work I *had taken them by command*. Of this Dr. Murray knew nothing until the Directory was published and in his hands." "When the *new edition of Dens* was nearly ready to issue from the Press it was suggested to Mr. Coyne, [he is the Catholic bookseller to the College of Maynooth,] by a friend, that a volume, not at all by Dens, would prove a useful *supplement* to the *forthcoming work*. Dr. Murray was already aware of the value of the information contained in this proposed supplemental volume, *and he gave his sanction to its publication*, without reference to Dens or any other work."

It appears also that the printer's advertisement stated that "Dr. Murray made *Dens* a conference book."

In a subsequent part of the Letter by Mr. Woods, he says, "we have merely adopted the order followed by Dens, and we shall, God willing, continue to do so. It is true he maintains some *obsolete* opinions, which nobody holds at the present day; but are we therefore to reject the useful matter with which his book abounds?" So far the Rev. Mr. Woods, as relative to the subject I mean to touch on.^a

^a I pass over certain facts, of which there cannot be any reasonable doubt, to avoid the possibility of dispute; but the reader, who may require more evidence than is furnished by the admissions of the Rev. Mr. Woods and Dr. Murray, will find the following, viz.

First.—That in 1808 the Roman Catholic Archbishops and Bishops, on the 14th September, 1808, unanimously agreed, that *Dens' Complete Body of Theology* was the best book on the subject that could be republished.—See WYSE, M. P., *History of the Roman Catholic Association*.

It is also necessary that it should be stated that this new edition of *Dens' Theology*, to which the supplemental volume was added by Dr. Murray's permission, was dedicated by the publisher, the Catholic bookseller to the Catholic College of Maynooth, to Dr. Murray. The following is the Dedication :

“Reverendissimo, in Deo, Patri, ac Domino, D. Danieli Murray, Archiepiscopo Dubliniensi, Hiberniæque Primati, Præsuli, doctrina et pietate, non minus quam integritate vitæ, morumque benignitate insigni, qui ad honorem Dignitatis Episcopalis summo omnium favore atque studis evectus, tot eximiis virtutibus eam vicissim cohonestat : qui summo ardore parique sapientia, id semper egit, ut inter oves pastoratui suo commissas Christiana charitas indes in melius proveheretur : in quo denique, secundum monitum Sancti Gregorii, regit disciplinæ vigor mansuetudinem, et mansuetudo ornat vigorem, sic ut nec vigor sit rigidus, nec disciplina dissoluta, hanc secundam editionem Theologiæ P. Dens *ejus cum approbatione susceptam*, grati in pignus animi ob tot tantaque et officia et beneficia toties collata, ea, qua par est, reverentia, et observantia, dat, dicat, atque dedicat humillimus et obedientissimus servus,

“RICARDUS COYNE.”

“Calendis Maii, 1832.”

Second.—That in 1831 the heading prefixed to the questions for conference ran thus : [English Translation.]

“Obeying the commands of the most illustrious and most revered the Archbishops and Bishops of the province of Leinster, we shall discuss the treatise from the author Mr. *Dens*, of ‘Human Actions,’ in two conferences ; of ‘Sins,’ in one conference ; and of ‘Conscience,’ also, in one conference, for the year 1831.”

Similar announcements took place successively (see the Priests' Directory) for the years 1832, 1833, and 1834. In all the conferences the questions were taken from *Dens*, of which a new edition was published in 1832.

TRANSLATION.

“To the Most Rev. Father in God and the Lord D. Daniel Murray, Archbishop of Dublin, and Primate of Ireland, celebrated for his learning and piety not less than for the integrity of his life and the benignity of his manners; who, raised to the honor of the episcopal dignity, with the general wish and favour of all, has on his part conferred honor on the dignity to which he was raised by his numerous virtues; who by an ardour equalled by his wisdom has always so conducted himself, that among the flock committed to his care, Christian charity is daily advanced, and in whom, finally, according to the admonition of Saint Gregory, vigour regulates meekness and meekness vigour; so that neither is his strictness rigid, nor his discipline lax.

“This Second Edition of Dens’ Theology, *undertaken with his approbation*, is, in acknowledgment of the many and great favours and benefits conferred on him, with due reverence and regard, dedicated by his most humble and obedient Servant,

“RICHARD COYNE.”

“May, 1835.”

Now, Sir, it is after these several facts having been ascertained in a way which I believe every impartial reader will admit renders them unquestionable; it is under such circumstances that you have come before the public by your Letter to Lord Melbourne, and by *that* seek to defend yourself against the charge of holding certain doctrines contained in the theological work of Dens. You say that charge was made “on the ground that you *directed* the publication of that work, and appointed it as a text book for the conferences of the *Catholic clergy*; and you then distinctly aver, that those *imputations* are *wholly* devoid of *any* foundation in fact; that you do not en-

tain the *doctrines* thus attributed to you, and that your solemn oath attests the contrary.”

Now, Sir, let us take these “imputations” singly, and see what they amount to, and on what ground they rest, leaving for the present your ‘solemn oath’ out of the case.

First, as to your directing the publication of Dens’ work, the facts now stand thus : you say, “it was undertaken by a respectable bookseller as a speculation in trade—entirely at his own risk.”

Certainly, Sir, no one ever could have supposed that, though you might *direct*, i. e. *advise* or *authorize* the publication of this *theological* work, you were to share the risk in point of profit or loss. But it will not be denied, I am persuaded, by you *now*, that the work was published with your *privity* and *permissive approbation of it, as a theological work fit to be published in Ireland*. If any doubt arose in the first instance, on this point, it is now removed, for, it is now ascertained, that the work was dedicated to you by the publisher—that publisher the Catholic bookseller, and publisher to the College of Maynooth, as stated in the title page—that the original work of Dens having consisted of seven volumes, *you*, as Catholic Archbishop, were consulted about the publication of an *eighth* volume to this same edition, “as a *useful* supplement to the *forthcoming work*” and that you being aware “*of the value of this proposed supplemental volume gave your sanction;*” that the whole work went forward to the public with the dedication “to

the Archbishop of Dublin, *ejus cum approbatione susceptam,*” and also with a public advertisement, stating your relation to the book ;—that *after* the publication of this work and the supplement, you *directed* Mr. Woods, who avows the fact, preparatory to the conference of the Roman Catholic clergy, to “take the *questions* in the order of *Dens* ;” —that Woods, as he says, “honestly gave in crotchets, at the head of the questions, the *name* of *Dens* as the author, from whose works he had taken them *by command.*”

Now, Sir, after all this, of what value or importance is your denial that you “did not *direct* the work of *Dens* to be published !” you *permitted*—you *sanctioned the publication*—you even *named* the work as *one of a Catholic theologian* from which you selected your *questions* for conference. Do you wish *now* to persuade the public that you were *ignorant* of that publication? that you would not have *advised or sanctioned it* if you had been apprised of it? and that the *eighth* volume was added to *seven* preceding volumes, as a theological work, *without your being apprised of the nature, contents, or character of those seven?* and that the dedication, the advertisement, &c. &c. were all *without your knowledge or privity*, you being Catholic Archbishop of Dublin—and that you are therefore *innocent* of all that is antisocial and antichristian in *Dens*! No, Sir, you will not—you cannot say so; you knew the work of *Dens* before the publication of the late edition; you knew the contents of it for years; you saw nothing to disapprove, or

did not disapprove; you were willing to let it go into the *hands of the public* and of your *clergy*; you even *led* them to it, by directing the *questions* which the clergy were to discuss to be taken from him, by *name*, and in *his* order; and you never could doubt, after all these circumstances, that the clergy would resort to Dens for the *answers*, as you had referred to them for the *questions*. Thus you gave to the public and the clergy of Ireland this book, without the slightest caution to guard them, or any of them, against any dangerous or erroneous doctrine, if any were to be found in it! You must therefore be content to be considered by the public as an Archbishop of the Roman Catholic Church, who has, to the utmost of your power, given character and currency to the theology of Dens! The attempt to disengage yourself *now* from him and his doctrine, by the mere denial of your having made him your *text book*, is perfectly futile! It values not a straw whether Dens was named as a *text* book; his work was by your order made essential to your conference; he was referred to, virtually and substantially, in a way which gave currency to his *whole* book, and enabled it to do all the good or all the evil which as a *text book* it could have done.

But you say further in way of defence that “no text book is used at such conferences.” This, Sir, forgive me for saying so, (for you force me to use a strong expression,) has the appearance of an unworthy quibble! for, what could a *text book* mean but a book used at—or—previous to, and necessary for confe-

rences; and in referring to *Dens* for what you were to discuss at conference, and his *order* of the discussion, did you not actually make *Dens* *such* a book! But “you have *no* text book at conference;” if so, then you made ALL the use of it that could have been made of him at those conferences. Could you have made it a *text book* no one can doubt you were well inclined to do so: for you say, “he contains a large mass of very valuable matter, *though* containing some *obsolete opinions, &c.*”

After this, most Reverend Sir, is it quite surprising that we should hesitate a little in giving unqualified and ready faith to an *oath* of disbelief in doctrines which you have thus suffered to pass through the whole of the Catholic clergy and laity of Ireland; nay, which you actively circulate, without the slightest mark of disapprobation or dissent! How can this conduct be accounted for but by supposing that *some mental reservation* is made; or some peculiar and forced construction put upon the words of an oath which it seems so difficult to reconcile with any intelligible and fair view of your conduct; but of this, more hereafter. Your inferior, Mr. Woods, asks, indeed, with great simplicity, “are we to reject the useful matter with which *Dens* in many places abounds, because he maintains some obsolete opinions which nobody holds at the present day.” And this, indeed, is in substance, *your* language also. My answer to Mr. Woods—this *very* simple gentleman—is, that certainly we are *not* to reject the *good* because it may be mixed

with *bad*. But there is another alternative, which the sagacity of a "teacher in Israel," or even an Irish priest might have discovered, and that is, to *separate* the *good* from the *bad*, and teach the *good* only; or to caution the flock he feeds, by marking where the *poisonous* weeds flourish, and confine or direct the "sheep of his pasture" to that which is safe and sound. But poor Mr. Woods is too simple and too candid to be pressed upon; your Grace has more talent, and with you, therefore, I would deal in preference.

I begin then by asking:—As it must now be admitted that you were fully aware of the contents, good and bad, of Dens' book—what are "the *imputations*" which you mention in your Letter to Lord M., which you say are "wholly *without foundation* in fact?" I apprehend they must be confined to an imputation that you held the antisocial, persecuting, unchristian doctrines which have been avowed and inculcated by Dens, as part of the Roman Catholic *theology*, of which his work professes to be an exposition. There is not a single sentence of "imputation" mentioned in your Letter, of the least importance beyond that. The question therefore is, have you *acquitted* yourself of *that*?

What is your defence? Your *oath*! That oath, by which you swear, as prescribed by law, that you *abjure, condemn, and detest* as unchristian and *impious* the principle, that it is lawful to *murder, destroy, or in anywise injure* any person whatsoever for or under the *pretence* of being an *heretic*.

Now, let us weigh this oath, and consider, *first*, to what, taken literally or substantially, it can be taken as an *answer*; *next*, let us measure it by the *principle* upon which, in the Roman Catholic Church, oaths *may* be dealt with.

As to what you intended it to answer and deny by the oath, it is manifestly your intention to exculpate yourself from all the intolerant, antisocial, and persecuting doctrine to be found in *Dens*,—for *those* were the *doctrines* imputed to you. Your answer then—your Letter—your defence admits that there are contained in *Dens* certain doctrines attributed to you which you do not approve; and you emphatically say, “I do not entertain the doctrines thus attributed to me,” and you refer to your solemn oath as attesting the contrary; when we refer to your oath we find a disclaimer of certain doctrines which are stated there, and which you swear you *abjure, condemn, and detest!*

Now, Right Reverend Sir, in what a situation are you placed—or rather, have you placed yourself, by this defence grounded on your oath!

You are Roman Catholic Archbishop of Dublin—the highest ecclesiastical Roman Catholic power in the country—and being such, and having, as such, the *power*, as well as the *duty*, committed to your hands to prevent unchristian and impious principles from being spread, either by books or preaching, among the people, over whose spiritual concerns you preside, you have *knowingly and wilfully suffered to be propagated*

among them, and by and through their clergy, doctrines which, on your oath, you have admitted to be *impious and unchristian*, and which you have sworn you “abjure, condemn, and detest!” You have done this by assenting to the publication of the second edition of *Dens*—by accepting a dedication of that book—by suffering it, uncontradicted, to go abroad as sanctioned by you—by having expressly, in your character of Archbishop, referred to it by name as a precedent or guide for some necessary parts of a conference with your clergy, and having in no one instance given to your flocks or your clergy, or the public, the slightest mark of *disapprobation* of any part of that voluminous work, *until you were publicly reproached with having countenanced the publication of it* by some of your Protestant countrymen; and even when obliged to come forward with some excuse or explanation, you *even then* affect, most inconsistently, to treat those “impious and unchristian principles,” which by your oath,^a formerly taken, you have sworn that you “detest, abjure, and condemn,”—you now,—I say, treat them as, forsooth, “*some obsolete opinions*,” wholly “unconnected with any article of Catholic faith, and which opinions (you say) it is known that hardly any one at the present day would think of defending.”

Is this a coloured statement, aggravating the truth by any rhetorical artifice? If so I shall repent me of

^a See Note A, in APPENDIX.

it, for I seek not only to put forward the *strict*, but the *whole* truth; I shall endeavour, therefore, to examine the case with a degree of minuteness which must suggest in its progress every possible excuse or alleviation of your error that I can form to myself, and we shall then see whether I have done you injustice.

Your first excuse may be a recurrence to the denial, that it was published without your direction or concurrence. I would earnestly dissuade you from pressing further *that* apology; it is unworthy of you. Mr. Woods, your clerical agent, disproves most fully that part of your defence.

Will you say you were not at the time of its publication, and your reference to it for the questions for conference, apprised that Dens contained the objectionable doctrines? If you admit you were thus ignorant, what must we think of a *Bishop* who sanctions, as you did, this *System of Theology* of eight volumes, without taking the trouble of knowing whether it was heretical or orthodox, impious and unchristian, or a safe guide to his clergy and his people,—or—without even getting some of his inferior clergy to take that trouble off his hands. But you will not allege ignorance or negligence so gross!

What then may be your next excuse or apology? Will it be a defence of all that Dens has published on the subject matter in debate? Neither, in my opinion, will you resort to *that* desperate expedient, for, if you do, it may be very difficult to show any rational ground for coming forward in the face of both Churches, your own and ours, to *defend* yourself

against the “imputations” that were cast upon you *for* countenancing a theological work *which you defend!* Your labour and your reasoning and your defence would all, in that case, be absurd, misplaced, silly.

Will you, instead of *defending*, try to *mitigate* or excuse, on the ground that those unchristian and impious principles were really nothing more than a few “*obsolete* opinions, which nobody now defends?” This seems to have been selected by you originally as your defence, but, like the other excuses, it will not bear to be pressed! and for these reasons.

If they are *now* obsolete, are the times in which we live such, so tranquil,—our religious sects so *candid* and *moderate*, that there is no danger when put forward anew in a *theological* system, under the immediate countenance and protection of the Catholic Archbishop of Dublin, a gentleman supposed to possess moderation and amiability of manners, and with a high character for piety in his own Church—is there, I say,—no danger that principles of this kind, thus *re-published* to the *Irish* people—to the 7,000,000 of Catholics, with St. O’Connell, at the *head* of the Church in Ireland under your Grace—may not very shortly *resume* their ancient—their pristine vigour, and instead of losing their character of strength and efficacy by being *old*, become the more efficient of mischief in a country and a Church which boasts *antiquity* as a superior ground of Christian faith to any that *reason* acting upon Scripture—or *philosophy*—or *morals* can furnish?

But how, Sir, can you possibly urge, that *principles* once held by the Church to which you belong can have become *obsolete*—you, whose Church, with an uninterrupted succession of Bishops, and a *head* upon earth that must guide you *into all truth!*—how can principles once held by the faithful in such a Church ever become *obsolete*, or ever have been *erroneous*? But I shall perhaps touch upon this head hereafter.

There is really, Sir, only one other apology to which you can resort to extricate you from the very unhappy situation in which you have placed yourself: and if you shall be persuaded to resort to *that*, I firmly believe it would replace you on the high ground from which you have, in the present instance, thought proper unfortunately to descend. It is this—come forward, and candidly and boldly state to the public, that as your former Letter was in some respects ambiguous, you are now prepared distinctly to state *what are the particular doctrines in Dens which you meant to disclaim as impious and unchristian*, and which you have said you *abjure, condemn, and detest!* State those passages distinctly, and be explicit in specifying *how far* and upon *what grounds* you now, and *at the time of swearing the oath* which you have set out in your Letter, disclaimed those particular doctrines. This would indeed restore you to the favour and approbation of every good man of either Church, and confer an invaluable blessing on the public!

This, or something like this, would not only be

most *useful* to you, but I incline to think *quite essential*; for unless something like this be done, how can your conduct be reconciled with your oath? I have no doubt that all who personally know you may be strongly inclined to believe whatever you swear, or even what you assert; but the public, or posterity, who will know and judge only upon the *facts* which constitute this transaction, will be sorely puzzled to arrive at the conclusion which you, and I can assure you *I* also, would wish.

But should it unfortunately happen that you reject this well-intentioned advice, it will then be expedient that we should see a little more particularly what are the specific doctrines which the Protestant citizen impeaches in "*the Complete Body of Theology*," by Dens, which he imputes to you, and which he alleges you have thus sanctioned, and from which you have come forward to defend yourself.

They appear, by the whole tenor of the discussion, as far as it has yet gone, to be the following :

I shall state them in the first instance in English, and shall annex the passages from Dens which I rely on as supporting the charges.

First.—That all Protestants, all who dissent from the doctrines and observances of the Roman Catholic Church, are *heretics*, and so considered by Roman Catholic people and clergy.

2 Dens, 84.—*Hæresis est hominis Christianismum profitentis error in fide pertinax.*

It is on this point unnecessary to go further. It is universally admitted that the Roman Catholic Church holds all Christians who dissent from her creed to be heretics.

Second.—That though Protestants have never professed the doctrines of, or belonged to the Church of Rome, yet being baptized, though by a Protestant clergyman, (which baptism the Roman Catholic Church admits to be valid,) they are brought thereby—according to the Roman Catholic doctrine—within the jurisdiction of the Church of Rome, and where that Church has the *power* of punishing for heresy, are held to be liable to punishment as heretics.

2 Dens, 289.—*Heretici, schismatici, apostatæ et similes omnes baptizati, obligantur legibus Ecclesiæ quæ ipsos concernunt; quia per baptismum Ecclesiæ subditi facti sunt—neque magis a legibus ejus solvuntur quam subditi contra legitimum principem rebelles a legibus principis.*

2 Dens, 114.—*Quamvis hæretici sint extra Ecclesiam, manent tamen ratione baptismi Ecclesiæ subditi: unde merito illos sumit tanquam transfugas ex Ecclesiæ castris, adeoque redeundi obligationem habent.*

Third.—That this doctrine is carried by the Church of Rome so far, that where the power exists; Protestants or heretics may be compelled by *corporal punishments*, and by all and every means which the Roman Catholic Church uses, to compel a *return* (as

they call it) to the Catholic faith and purity of the Church.

2 Dens, 80.—*Infideles baptizati, quales esse solent hæretici et apostatæ et schismatici cogi possunt, etiam pœnis corporalibus, ut revertantur ad fidem Catholicam et unitatem Ecclesiæ.*

Fourth.—That if heretics shall not return to the Catholic faith, they may be punished (whenever the Church has the physical power) not only by ecclesiastical censures, excommunication, &c., but may be put to death when handed over by the ecclesiastical to the temporal power, as its *secular arm*—may be deprived of Christian burial, and are justly punishable by confiscation of property, by imprisonment or exile, &c.

2 Dens, 88.—*Quænam sunt pœnæ criminis hæresis?*

Res. 2.—*Hæresis externa* (avowed) annexam habet excommunicationem majorem sententiæ latæ et reservatam pontifici.

Res. 6.—*Hæretici notorii*, (such are all persons openly professing a creed different from Rome,) sunt infames ipso jure, (*i. e.* without any trial,) et privantur sepulturâ ecclesiasticâ.

Res. 7.—*Bono eorum temporalia sunt ipso jure* (without trial) *confiscata*; debet tamen, ante executionem, præcedere sententia super crimine declaratoriâ a judice ecclesiastico, quia cognitio de hæresi est fori ecclesiastici.

2 Dens, 89.—*An hæretici recte puniuntur morte?*

Res.—Affirmativè, quia falsarii pecuniæ, vel alii rempublicam turbantes, juste morte puniuntur, ergo etiam hæretici qui sunt falsarii fidei, et, experientiâ teste, rempublicam graviter perturbant.

Fifth.—That the Church of Rome, instead of tolerating other Christian sects, teaches that it is the duty of the Church *not* to tolerate the rights of heretics, except in cases where *some greater evil might accrue, or some greater good be prevented by refusing to tolerate them, i. e.* except when the Church is too weak to carry its principles into effect without danger to itself.

2 Dens, 83.—Ritus aliorum infidelium nempe paganorum et hæreticorum, per se, non sunt tolerandi; quia ita sunt mali ut nihil veritatis aut utilitatis in bonum Ecclesiæ inde derivatur.

Sixth.—2 Dens, 89.—The Catholic Bishop is *bound* even where there is no holy Inquisition, to take care that the diocese be purged of heretics, and if he find one, he should punish him with canonical punishments; but he is not to obstruct the inquisition if there be one.—*Dens*, vol. viii. 82.

Den. 8, 82.—*Tenetur episcopus, etiam in locis ubi officium S. Inquisitionis viget, sedulo curare ut creditam sibi diæcesim ab hæreticis purget; et si quem repererit pœnis canonicis punire debet—cavere tamen debet ne fidei inquisitores a suo munere obeundo impediat.*

Seventh.—The putting to death of heretics, which is vindicated and established by the precedent of the burning of *Huss* and *Wickliffe*.—Dens, vol. ii. 88-89.

Such are a few of the charges of intolerance and persecuting principles which I think are made and fairly imputable upon you, as arising from your adoption of Dens' system, or your silence as to his doctrines. Your defence we have seen is the *oath* to which you have referred—and you refer to that, saying, “I do not entertain the *doctrines* thus attributed to me—my solemn oath attests the contrary.” You mean, therefore, I must presume, that this oath should be taken as applicable to, and a disclaimer of, all the doctrines which, being contained in Dens, are, you say, *imputed* to you.

But here it is necessary to observe, before we enter on the merits of this oath, that an ambiguity may arise if we do not in the outset take some care to prevent it. It arises from the subsequent part of your Letter, in which you make, or insinuate, I know not well which, a distinction between “*opinions*,” which you call *obsolete*, and what are, in your conception, “articles of *Catholic faith*.” Are we to suppose you mean to confine your defence and oath merely to the *articles of faith*, or do you extend it to the *opinions*, and, comprising both under the word *doctrines*, make it a defence against those also?

Your being *distinct* in your answer to this is essential, perhaps for your own sake rather than with

reference to the judgment which, I apprehend, reasonable men will come to in the result of the inquiry.

If by articles of faith you mean those points only which constitute what is popularly called the "creed," I believe your oath will be of little use—for there is no imputation upon you for any article contained in any creed common to Christians. It must therefore, I think, have been your intention, by the word "doctrines," to refer to what may be called dogmas or opinions which have been mentioned in some of the *Councils*, in some *bull* or decree of a pope, or to those *responses* to be found in the "Complete Body of Theology by Dens," in which he professes to state *doctrines* of the Church *not* comprised in its creed, and of which I have selected the several instances above given as relating to the principles and treatment of the Church with respect to heretics. In fact, little of mischief has arisen from the doctrines of the temporal *creeds*, compared with what has been produced by the influence of *opinions*!

It may not be useless to illustrate this, and show that the distinction you make is a well founded one; for example: it was not an article of *faith*, at least not one *now* acknowledged, that produced the bloody scenes of 1641, or the conduct of the Roman Catholic clergy at that dreadful period! The meeting of the Catholic clergy at Multifarnham Abbey, for instance, in the County of Westmeath, previous to that horrible massacre! *that* meeting, where the question was

discussed “ what course should be taken with the *English* and other *Protestants* in the kingdom when they should be at the mercy of the insurgents,” and where, among the various courses proposed, the *extremes* were, *simple banishment*, such as that of the Moors by Spain—and a *general massacre*, which was urged with a view to prevent a resumption of property and retaliation for revenge.^a Nor was it an article of *faith* that at length produced the actual massacre, including “ that of the Protestants of three whole parishes by Sir Phelim O’Nial, at the commencement of the rebellion, and after his repulse at Lisburn,” nor “ that of Lord Caulfield, and fifty others, who were poniarded,” nor that of “ the prisoners who were taken from their prisons, goaded onward to the next English settlement, and then enclosed in some house or castle, which was then set on fire, where they died amidst the exultations of their murderers ! Nor was it an article of faith that “ precipitated the 190 Protestants at once from the bridge of Portadown, while Irish ecclesiastics were seen encouraging the carnage—while women forgot the tenderness of their sex—pursued the English with execrations, and imbrued their hands in blood—and even children, in their feeble malice, lifted the dagger against the helpless prisoners.” All these and the other numerous barba-

^a See the account given by the Franciscan Friar, Heber Mac Mahon, cited from Jones’ Exam.—*Orig. MSS. Trinity College, Dublin.*

rities afterwards practised during the massacre and the sanguinary—I may truly say—Roman Catholic rebellion which followed, until finally put down by Cromwell.^a All these owe their origin not to an article of faith constituting part of the fixed Catholic Creeds, whether the *Apostles'*, or the *Nicene*, or the *Athanasian!* no; not to these or any of them, but to the “*desolating opinions*”—the *intolerant*—the *persecuting spirit*, which, springing insensibly from the habit of considering the pale of the Roman Church the limit beyond which there is no salvation, and that all other denominations of the Christian world are heretical, and therefore damnable—and that therefore, when time and occasion and an ecclesiastical authority shall all concur to give the sanction of a judicial sentence for handing them over for extermination by the secular arm, such extermination is warranted by the law of God and man!

This spirit it was that in the progress of this rebellion and massacre led a Catholic Primate of Armagh to summon his clergy to a synod, where the war of the Irish was declared to be *lawful* and *pious!* and a general exhortation was issued to unite in the righteous cause; this spirit, too, it was, that led to the convening of ALL the Roman Catholic clergy of Ireland at Kilkenny where they met in the following year, and declared the war that had been commenced against

^a It is calculated that in the course of the rebellion 100,000 Protestants perished!

sectaries and *puritans*, for the *defence* of the Catholic religion, &c. &c. to be just and lawful;—that all their confederates should be united by an oath of association—and sentence of *excommunication* denounced on all who should refuse to take it;—against all *neutrals*;—against all who *assisted the enemy*;—against all who should invade the possession of *any Catholic*, or any *Irish Protestant not adversary to their cause*;—that provincial councils should be composed of *clergy* and laity, and a general council formed;—that embassies should be sent from *this assembly* to foreign potentates, and that the emperor, the king of France and the *Pope*, should be particularly solicited to grant assistance to their cause.^a In this same spirit the convention met; they disclaimed submission to the legitimate Irish government, administered in Dublin; they assumed to themselves the administration of justice; and appointed justices, with an appeal to the *Supreme Council of the confederate Catholics* of Ireland. The same spirit ultimately led to the invitation of a Pope's nuncio, *Rinuncini*, who recommended eleven priests for bishops, and before their bulls arrived, gave them seats in the assembly to sit in judgment on the Protestants of Ireland, and where he and his clergy subscribed a declaration that they never would consent that either the queen of the unfortunate Charles, or his son the prince, should be invited to Ireland until the Pope's

^a Carte's Life of Ormond.

articles relative to religion should be secured ;—that *none but a Roman Catholic* should ever be appointed chief governor ;—that the forts and armies of the confederates should never be delivered to *heretics*, nor any peace concluded which might lessen the present state and public exercise of their religion. It was in the same spirit against *heresy*, and under the influence of some of those same *desolating* opinions that a tract was at this time written by an Irish Jesuit, and dispersed through the nation, in which he contended, “ that the kings of England never had any right to Ireland ; that supposing they once had, they had forfeited it by turning *heretics*, and neglecting the conditions of Pope Adrian’s grant ; that the old Irish nation might, by force of arms, recover the lands and goods taken from their ancestors by usurpers of English and foreign extraction ; that they should kill not only all the Protestants, but all the Catholics who supported the crown of England ; that they should choose an *Irish native for their king*, and throw off at once the yoke both of *heretics* and foreigners.”^a

Need I go further in illustrating, from our own sad history, the *truth* of your distinction—that it is *not* from articles of *faith*, but from the desolating

^a The priest in whose custody this book was seized escaped punishment through the influence of the *nuncio*. He endeavoured also to save the book from censure ; but the council would not go so far.

opinions that are generated from habits of *religious intolerance*, that much, if not all the evils under which our country suffers, have arisen? Surely it is unnecessary!

Now then, Sir, after having expressed my full concurrence in your distinction between *articles of faith* and *opinions*, which though not articles of faith are connected with, and perhaps spring out of what is properly a subject of belief; may I not hope that you agree with me as to the extent of crime and misery to which the influence of erroneous opinion leads? and that the examples which that dismal period of our history to which I have alluded, (and I assure you, reluctantly alluded,) abundantly prove that it is still more necessary for us to watch the progress of *opinions*, than it is even to watch our *articles of faith*? But whether it is to articles of *faith*, or to *opinions*, or to *feelings* springing out of them, that we are to attribute the deplorable events of the past, the result will be but little different; for, if they were generated by an article of faith, you tell us the faith of your Church is unchanged and unchangeable; and if they flowed from opinions connected with that faith, I fear there is little reason to hope that the general state of opinion and feeling in religious matters now, is much more sound or liberal than in those by-gone days.—Where, in fact, is the proof of any amelioration! But however this be, it must be most desirable that erroneous opinions should be exposed, and so far as the authority of the Church can go, receive from it the mark of reprobation: that they should

not be left to lurk like vipers, which, however torpid *now*, may regain life and vigour hereafter to sting to death.

I admit, Sir, that in your letter you do certainly allude to those desolating opinions, and with an expression of pathetic feeling deprecate even the mention of them, as amounting to a “*taunt on the Irish Catholics* ;” making it a charge, if I rightly understand you, “that those opinions were deeply imbibed, and cruelly acted on by their Protestant rulers during those centuries of religious persecution, from which they (the Catholics) are but just recovering, and the horrors of which they are desirous to forget !” I very much fear, Sir, that this observation in your letter is indiscreet ;^a but it may, however, tend, eventually, to enable us to come to a more clear understanding on the *main* subject—and distinctly to ascertain what are those *desolating* opinions to which *you* allude. On looking over this part of your letter again with attention, I find, or think I find, that they can be no other than those very opinions, which in the beginning of the paragraph you mention as “*the opinions of Dens regarding the right of TEMPORAL states to compel their subjects, by confiscations and other punishments, to embrace religious doctrines of which their conscience could not approve.*” If by this you mean to allude only to the laws by which the *temporal* power of those temporal states imposed *disqualifications* on those who professed certain doc-

^a See Note B, APPENDIX.

trines variant from or opposed to those of the state itself, your observation is well founded, and no one is more willing than I am to admit, that, generally speaking, those disqualifications have been often unwise, and *very* often practically unjust and oppressive; and I will even go so far with you as to admit, that some of those which were imposed by *our* "Protestant rulers," were continued beyond the point when religion and sound policy might well have warranted their removal. But in drawing attention to *those* in the *manner* in which you have done, you have shifted the attention of the reader from *one* subject to quite a *different* one, and you have shown some address in doing it—for you will please to recollect, that the "*opinions*" in *Dens* regarding "the right to compel by *confiscation* and *other* punishments to embrace doctrines, &c. against their conscience," are opinions touching *peculiarly* and *exclusively* the doctrines of the *Roman Catholic Church or states, and treat those who differ from the Catholic Church, not with disqualifications for office, &c., but even inflict upon them as HERETICS, all those punishments REACHING TO DEATH ITSELF, in its most cruel form—that death which the love of souls in the Catholic Church has inflicted on the bodies of men!* Besides this, I must request you to recollect, that the question is not whether, though the "Protestant rulers" may have for a time fallen into the angry errors which had been taught them by their Catholic predecessors or progenitors, *those* errors may be used as a kind of set-off or compensation for

the errors of their Catholic predecessors, in *their* punishment for *heresy*! the question was and is whether, at this time of day ‘the *opinions* contained in Dens, respecting the punishments for heresy in the Catholic Church, or the principles of that Church as to *heretics*, are fit in themselves to be vindicated, or taught by the hierarchy of the Catholic Church in Ireland, where the religion established by law is still Protestant? Or, *whether* an *Archbishop of the Catholic Church*, of fair character, and supposed to hold moderate opinions, *should send forth, or permit to go forth, among a Catholic population of seven to one beyond those of the established Church, under his public sanction, doctrines so daring, so intolerant, and so unchristian as those of Dens, and yet lay claim to being, or having become, TOLERANT!* That, Sir, *was* and *is* the question, and I presume it was against *these imputations*, which we Protestants make against you, that you intended *your* letter to be an answer;—it is for this purpose, I must believe, that you referred to your *oath* as a defence.

Not only then, Sir, have you in those observations of yours shifted the attention of your readers from the real question at issue, but you have contrived to leave in *perfect darkness* what *are* those particular *desolating* opinions to which you appear to refer, and would wish to disclaim!

This darkness it would be my anxious wish you would now assist me in dispelling, and enable me and the public *distinctly* to understand *what are the opi-*

nions connected with this important subject which you disclaim as desolating, and which are they that you still think it right, and becoming a Christian, to entertain and defend, particularly a Christian claiming to be tolerant, and complaining of the intolerance of a Protestant government.

For this purpose, then, will you permit me to ask how far you will please to go in reply to the following inquiries—inquiries which I make with this specific view, and no other, namely, that the public may know whether any, and how many, and which of those *desolating* opinions which, in my apprehension, went far in producing the disasters and crimes of 1641, and still continue to operate most mischievously against the peace of Ireland, are still subsisting, and to be guarded against by legislative wisdom.

My first inquiry would be, whether, looking at the several propositions which have been stated as containing the *imputations*, and which you will perceive are all supported by, and are indeed extracts from *Dens*, your conference book, you will now favour, not *me*, for I have no claim to your particular attention,—but the public, by saying, whether you disclaim the doctrine in those several passages in *Dens* as there stated?—whether, if you do not disclaim the whole, you disclaim some, and which particularly, that you will mention?

I would then beg leave to ask whether, as you distinguish very properly between articles of *faith* and matters of opinion, those propositions, or any, and

which of them are matters of faith, or connected with matters of faith, and which are mere opinions.

I would also hope that you would, for the sake of your own Church and *ours*, say, whether those propositions, or any of them, are in the number of the *obsolete* opinions which you have admitted “as contained in *Dens* along with other valuable matter.

And again, whether you alluded to, or included in the *oath*, to which you refer for proof that “you do not hold the opinions imputed to you,” any or all of the doctrines I have laid before you?—and are they, or any, and which of them, doctrines which, taking the words of your disclaiming oath, you “*abjure, condemn, and detest?*”

If it shall turn out that you do not *abjure, condemn, or detest* any of *those* doctrines, may we hope (though, I admit, it *may* not be necessary to your defence that you should do so,) that you will inform us *what are the particular doctrines* to which your oath referred. In the mean time it must be confessed, that, *if your oath does not refer to any of the propositions I have stated, as those imputed to you, your oath fails altogether in clearing the Roman Catholic Church, or You as a prelate of it, from the imputations which you came forward to meet.*

Should it happen that those propositions, or some of them, shall be admitted by you to be among the *obsolete* opinions which *no one now defends*, it will no doubt be a very gratifying proof of a certain progress in liberality in the Roman Catholic Church.

None will hail it with more sincerity or pleasure than I shall ; but there will still remain interesting subjects of inquiry, and on which it would not be unreasonable, I should hope, to expect that you, Sir, might afford some, perhaps full, information ; the one is, as to the *manner* in which those opinions became, or indeed *could become superseded or obsolete in the Roman Catholic Church* ; for you will recollect, I am sure, that those propositions which I am now assuming, and which you admit to be among the *obsolete* opinions that your Letter alludes to, are fully supported by the references which are to be found in Dens—many of them by authorities which he does not in *in loco* cite. Instance the proposition that all *heretics* are excommunicated and anathematized, and liable to be punished by imprisonment, confiscation, death. *That* proposition is supported by the express words of the council of Lateran, where assembled above 800 prelates, &c. &c. under Pope Innocent the Third, the words are these, viz.

“ Excommunicamus et anathematizamus omnem hæresim extollentem se adversus hanc sanctam orthodoxam et Catholicam fidem quam superius exposuimus, condemnantes *universos hæreticos*, quibuscumque nominibus censeantur, facies quidem habentem diversas sed *caudas^a adinvicem colligatas*, quia

^a This very singular expression “*caudas ad invicem colligatas*”—“men *tied together in tails*,” or “*by tails*,” I must leave to the ecclesiastical critics. Is there any thing *prophetic* about it besides its *obscurity* ?

de vanitate conveniunt in id ipsum.”—*Can. de Hereticis.*

And in the next paragraph, the condemned heretics are directed to be handed over to the secular power, to suffer the condign punishment ; part of which was, the forfeiture of all their goods if laymen, &c. &c. How *this doctrine or opinion* could ever become obsolete, I am most anxious to learn !

You, Sir, in your Letter, advert to the exercise of power to force men to accept creeds against their conscience—to compel heretics, by forfeiture, &c. to adopt religious doctrines of which their conscience could not approve, and you say the practice was general throughout Europe ; you there, however, speak of the exercise of *temporal* power which you say was nowhere more frequent than where the Reformation was prevalent ; and you bless God that those doctrines are “*now little more than the record of by-gone intolerance, and yielding everywhere to the scriptural forbearance.*” This observation, humane as it appears to be, adds not a little to the difficulty of the present case ; for, though it is quite easy to conceive that this liberal spirit of scripture forbearance may well have taken place in *Reformed* religion ; because there the right of *private* judgment, on the meaning of scripture, naturally, in the process of time and experience, leads to a more perfect and Christian-like interpretation of Scripture, and therefore tends to abolish temporal punishments for errors in scriptural things ; yet, how can this happen where the Church of Rome is the Church of

the State? where a *General Council* is said to decide, once and for ever, the meaning of the Divine Word—if that Council, like that of *Lateran*, ascertains the crime and directs the punishment!

My difficulty, therefore, arises on this point; do you say, when you speak of the spirit of persecution against heretics, that it is a floating *opinion only* which constitutes this or that creed an *heresy*, and that, therefore, it may be softened down in the Catholic Church, and yield to the more humanized or enlightened spirit of the times? and that the decrees or canons of the Council of Lateran, or other general Councils, are not binding on the subsequent ages of the Catholic Church? Or to make this important matter more clear, will you now state it as *your opinion*, that if *the Roman Catholic creed became the paramount religion of the state, that Church would not, or ought not, to try and condemn for heresy, and hand over the unhappy convicts to the punishment prescribed by the ecclesiastical canons, or the temporal law acting under the Church, for heresy, i. e. to be dealt with by fire, faggot, or sword, &c., as the law against heresy would prescribe! Would not, might not, the doctrine laid down in *Dens* be then acted upon to the very letter? and if it were not, would not that be the consequence of the discretionary humanity of the individual judges, not because the spirit and doctrines of the Roman Catholic Church, whose doctrines never change, would not tolerate or justify such condemnations and such punishments?*

Most anxiously do I solicit your opinion upon this point ! most desirous am I to be informed whether the doctrines to be found in *Dens*, respecting the punishment of *heretics*, and which if I understand you rightly, you disclaim on your oath, are his pure invention ; or whether they are not found in earlier and authentic Catholic records, where they yet remain unrepealed and unrevoked, ready to be called into fatal and deadly vigor, when times shall permit or call for their enforcement ! Yes, Sir ! this is what we dread, in your Church ! I believe *before* the time, certainly *as soon* as your Church became a ruling and established one, under a Pope as its head, it made the free exercise of reason upon Scripture, a *crime* which they called *heresy*, and punished it as severely as the Roman Emperors punished Christianity itself. Your councils and synods, and the whole history of your Church prove it. And, however, *Dens* (who is but one of your expositors) may be disparaged, and the opinions which he records on this subject become inconvenient for *present* times ; his doctrines are *not* exploded ; they are but for the present suppressed or suspended ! They were and must have been, at the time he wrote, the admitted doctrines of the Church of Rome ; but if not, how is it possible to imagine that he would have continued, even down to the time you and the other four Bishops referred to him, for the *order* of your questions to be discussed at conference, to be considered as a safe and standard book to be referred to for *any* purpose connected with Catholic doctrine ! A writer,

so referred to, could not have been so grievously in error, and on so momentous a point as whether the Church did or did not teach a doctrine so unchristian—to use your own emphatic expression, so *desolating*—that a Christian Catholic Bishop like you should disclaim it, not as matter of opinion, but, on *your oath*, as one not tenable as Christian doctrine! No! *Dens* did not invent this doctrine; he took it from those sources from which the greater part of the doctrines of the R. Catholic Church has been derived. If he did not do so, is it not inconceivable that he should not have been admonished, censured, or excommunicated from teaching this accursed—and now, it seems,—exposed and exploded doctrine?

These observations lead naturally to inquire, distinctly and peremptorily, of such high authority as yours at the present day, whether this and the other doctrines of *Dens* which are imputed to you, were at any time, since the days of the Apostles, avowed and taught by the Church as their doctrine?

Let the following questions then be answered, and they will develop the whole truth:

Was *Dens*' doctrine (I always speak of the *imputed* doctrine about which we are now conversant) ever held by the Roman Catholic Church?

If it were, when did it begin to be the Catholic doctrine?

And if it were once a doctrine of the Church, and was so *at the time of Dens*, when did it cease to be the doctrine of your Church?

If it was *never* actually disclaimed by the Church, must it not be the doctrine of the Church still?

And if it be still the doctrine of the Church, how can you, an Archbishop, now disclaim it as obsolete?

Did the Church of Rome *ever* disclaim a doctrine which it once held? and if so, by what mode is such disclaimer made?

Suppose those questions shall be answered affirmatively as to the practice of the Church changing its doctrines, opinions, or practice, it will be most useful to Christianity in general that the following should be also distinctly answered:

If the Church does disclaim, or repeal, or alter any doctrine once publicly taught as hers, *how can her members learn* that what was Catholic doctrine once, has *ceased* to be so?

Is it the habit of the R. Catholic Church, after a doctrine has been abandoned, or been repealed or altered, or, to bring it home to our own case, become *obsolete*, to permit her priests still to *publish* in their *printed tracts* as her *continuing doctrine* that which has *ceased to be so?* as in the case of Dens in this particular instance, whose book emphatically teaches, as doctrine of the Church, what, according to your defence, has ceased to be so, if, in fact, it was ever her doctrine?

The farther we go in this inquiry the more our difficulties multiply; for instance, it must be presumed that the only mode by which what is called

‘*the Church*’ can communicate its doctrines, or rules of faith or conduct, must be either by the *parol* teaching of the priesthood, or the *written* teaching by books. Now, are we to suppose that *books of doctrines*, compiled by a Catholic priest or bishop, and printed and circulated publicly by the priest or bishop, under the eye of the Church, without reprehension or disclaimer, may remain for years, each year passing under the eye of the ecclesiastical superiors of that priest and bishop, as the authentic doctrine of the Church, and that *yet it shall not be the doctrine of the Church*, but that, on the contrary, the first instant the doctrine is impeached as *anti-social, antichristian*, and inconsistent with all the characteristics of Christianity, the Bishops of that Church may disclaim it on oath, and allege that the doctrine is become *obsolete* !

For many reasons, then, it is now become essential, in order to give you the benefit of your full defence, that the public should know what those *obsolete* opinions are which you say are contained in Dens :— that it may from thence be seen whether they are really and indeed—as you say—“wholly unconnected with any article of Catholic faith.” Besides the necessity of this for *your* sake—it is also necessary, to give this information for other reasons ; one is, that after all that has passed with respect to Dens, the public, the Catholic Christian public, should be informed what are the parts of Dens that are *obsolete*, in order that they may be struck

out of the manual of every faithful Christian, who must be interested in knowing, in a system of theology like that of Dens, what parts are useful and what parts useless and unimportant because *obsolete*; and again necessary, in order that the whole public may know what are the parts that are admitted by the Church and you, as its organ, in order that upon them the Christian Protestant world and the State may have the power of deciding whether any and which of them be *dangerous* to the interest of society, and to be guarded against in their *antisocial* effects.

With respect to those *obsolete* opinions, which are, as you say, unconnected with the *Catholic faith*, I request you to consider whether the power of excommunication for heretical opinions, and inflicting punishment, be not necessarily connected with *matters of faith*, and, in fact, an article of faith itself? And if so, can an opinion on that subject, once entertained and taught by the Church, become obsolete? The power of the Church to *bind* and *loose*, to ascertain what is and is not the true Christian faith, (whether through the medium of a Council or not, seems to make no difference,) is, I presume unquestionably claimed by the R. Catholic Church, and, of course, must it not be an article of faith, that the Church not only has the power to decide what is or is not *heresy*, but also, be taken necessarily to possess the power of *punishment*, or in the milder language of the Church, the *means* that are to be used for the saving of souls, (*pro salute animarum*,) i. e. if necessary, the burning of the bodies!

Indeed, I venture to lay it down as indisputable, that the Roman Catholic Church, under popes, has always claimed the power of deciding and of punishing in cases of heresy.

While the Roman Catholic religion was the established one in England, it is worth observing, that our old legal constitution left to the *ecclesiastical* judge to determine what doctrines should be adjudged *heresy*—the most arbitrary latitude was allowed him, and the Church availed themselves to the utmost of this power : for it appears by Lyndewood (cap. de hereticis) that an heretic was, in his time, defined thus—‘*hereticus est qui dubitat de fide Catholica, et qui negligit servare ea, quæ Romana Ecclesia statuit, seu servare decreverat ;*’ so that it was heresy even to *doubt* in matters of faith, and heresy also not to *observe*^a every thing which the Church directed to be observed ;—the state, then, following the opinions of the Church, with a slight variation, enacted, by the 2 Hen. 4, c. 15, that heresy was—the teaching erroneous opinions contrary to the *faith and blessed determination of the holy Church*. The Reformation delivered us from this execrable slavery of the mind, and from that time, the *Holy Roman Church* follows its own wisdom, unaided by either common or statute law, and of course, we must presume that, as that Church exults in the unchangeable character of her doctrine, *heresy*, in the Church of Rome, is *now* what it was *then* ; and as to the *punishment* of heresy, I have already

^a Keep, perform.

cited from the canon of the Council of Lateran what that punishment was in *general terms*. It appears by the Decretals and other authorities of the times, and as stated by Blackstone, that, “at first the sanctimonious hypocrisy of the councils went no farther than enjoining *penance, excommunication, and ecclesiastical deprivation*, for heresy: but *afterwards*, they proceeded boldly to *imprisonment* by the ordinary, and *confiscation of goods in pios usus*. But in the meantime, they had prevailed upon the weakness of bigoted princes to make the civil power subservient to their purposes, by making heresy not only a *temporal* but even a *capital* offence; the Romish ecclesiastics determining, without appeal, whatever they pleased to be called heresy, and shifting off to the secular arm the odium and drudgery of *executions*, with which they themselves were too *tender* and delicate to intermeddle; nay, they pretended to *intercede* and *pray* on behalf of the convicted heretic: *ut citra mortis periculum sententia circa eum moderetur!* well knowing at the same time that they were delivering the unhappy victim to certain death;” and that death was, under the Emperor Frederick, as appears from the same author, Lyndewood, de hereticis, “*burning with fire* all who were convicted of heresy by the ecclesiastical judge;” and this was also the death for heretics, condemned by the ecclesiastical judge, in England so long as the executive power remained the instrument of ecclesiastical barbarity, not only *before* the Reformation but *after* it, until greater light, and a better

and more Christian spirit—the spirit of Reformation—extricated the civil power from its subjection to the ecclesiastical. The history of the Church in England, as connected with the State, in those earlier times, is most edifying, not as furnishing examples to follow, but to avoid ! But at present discussion on this head is untimely, as you have not yet told us what are those *obsolete* opinions, and, therefore, we cannot at present decide whether they do or not concern matters of faith.

It is quite obvious from what we have said *on this* subject of heresy, that at present there is much difficulty in ascertaining what are those *obsolete* opinions which you alluded to in Dens, and which you say no one now thinks of defending. If this be so, then, in order to make your defence even *intelligible*, it became necessary for you to state with precision and plainness, in the first instance, whether the Catholic Church, as such, does not at this moment assert a jurisdiction in defining *what is heresy*, and having ascertained *that*, then, whether, in countries where the Catholic religion is established, the Church does not at this hour also assert the right of punishment, or of prescribing and inflicting penalties, *pro salute animarum* ; and finally, whether, if those remedies should fail to cure the mental malady, the Church would not, if it should so think proper, hand over the desperate heretic to the secular arm for execution !

In looking over these sheets before they went to

press, I find I have promised to trouble you with a few additional observations on the doctrine of the *restrictio mentalis*, the mental reservation, which has found a place among the doctrines or the *opinions* of Dens. His having touched it and *treated* of it in the work which you have so frequently and long honoured with your sanction, delivers me from an embarrassment which would have occasioned me some pain in combining with your name a doctrine, which among mere men of the world—men not clerical nor Catholic, is certainly considered as of very doubtful morality. With you, however, into whose *theology* it enters under a special head, or rather, I believe, a subdivision, (for it is treated of under the general title, *mendacium*,) I may probably inquire without offence, how far you have legitimately, if at all, availed yourself of this doctrine? I shall be frank in speaking on the subject, and, therefore, do not hesitate to say, that in my opinion you have availed yourself of this privilege in the *application* or *use* you have made of your qualification *oath* in your letter to Lord Melbourne. You have, not incidentally only, adverted to it, but you have referred his Lordship to it as full proof that you have disclaimed and abjured the intolerant doctrine imputed to you touching the claim of right in the Church of Rome to condemn Protestants as heretics, and in that character to punish with confiscation, corporal punishment, imprisonment, exile, and *even death* itself, whenever the Church has the cooperation of the civil power as *executioner*.

But let us see what is Dens' doctrine on this subject, and we may then see *whether*, and how far, it applies to the oath, and the use you have made of it. It is certain that what he calls the *restrictio mentalis*, and in another place the *amphibologia et æquivocatio*, derogate much from the value of oaths or solemn asseverations where any serious interest either of the Church or the individual is at stake, upon the credibility of the swearer; and the objections derivable from that source in cases of doubt, gain great additional strength from any circumstances of a dubious nature which may connect themselves with the transaction. I begin with the *amphibologia* or *æquivocatio*.—See *Dens*, tom. iv. p. 311.

Dens puts the doctrine of equivocation thus: “An licet loqui cum *amphibologia* sive *æquivocatio*?” “Is it lawful to use ambiguity or equivocation?” He states a case to illustrate his meaning; it is, he says, when a proposition admits two senses, as, “*latronem Petrum occidisse*—*Peter the robber killed*; which may mean that *Peter killed the robber*, or, *the robber killed Peter*.”

Dens then says, that in this kind of equivocation there is no untruth, because the *verba externa*, the literal words spoken, truly express *whichsoever* of the two meanings the speaker had in his mind, and thus it does not fall under the description of *pure mental* reservation; for in *this*, the words spoken *do* contain the *sense* in which the mind of the speaker *uses* them.

Therefore, says Dens, it is lawful for '*just cause*,' (*ex justis causis*,) to make use of such an ambiguous expression, *in whatever sense the speaker may please*;— *i. e.* in other words, it is lawful for *just cause* to use language which *deceives* or *may* deceive the hearer, provided the language he uses does properly express the sense in which he *mentally* uses them, though they are also capable of another meaning!

The natural objection to this morality occurred to *Dens*, and he states and answers it :

Obj.—"To use such an equivocation shows an intent to deceive; but it is contrary to the sincerity which society requires of us thus to deceive another, and therefore it is not lawful."

His answer I give in his own words, lest I should misconstrue his bad Latin.

Respon.—"Negatur assumptio; sed intendit dicere *verum quod habet in mente*: ad deceptionem alterius ex mala ejus intelligentia habet se permissivè; et propterea, ut ab omni peccato excusetur, requiritur *justa causa*."

The substance of this answer to the objection I take to be this: he denies the assumed guilt in the *intent to deceive!* because though the *equivocation* was *intended*, (for this is necessarily implied,) the speaker had in his mind at the time *one* of the *two* meanings, though not *that* which the hearer had; and that which the speaker did actually express, was *true*, according to *his* meaning of it, and the deception on the hearer from his want of intelligence, (*ex mala ejus*

intelligentia,) is, therefore, permissible! Still, however, there seemed to hang a doubt on Dens' mind as to the morality of this, and he gets over it by saying, that a "*just cause* is required for this *equivocation!*" of which no doubt the speaker must be the judge!

Another curious instance of this *moral artifice*, is given by Dens under the same head *æquivocatio*. He actually suggests it as a practice, viz.

"A very convenient mode of escaping *importunate inquiries*, (he says,) is to answer one question by another, (*reciprocè apponere interrogationem*,) as, if you are asked, 'do you know this or that,' or 'did you do this or that;' you may answer, 'how should I know?' or 'why should I do so!'"^a

Now, Sir, I admit the doctrine of *mental reservation* is made, by the moral refinement of Dens and other theologians, to be somewhat *formally* different from that *ambiguity* and *equivocation* which deceives and is intended to deceive; but I profess for myself not to understand very clearly the distinction. See the definition of *mental* reservation, 4th Dens, 309 :

^a I incline to think, from these specimens of Dens, that his doctrines must have been most industriously spread in Ireland; for every peasant of whom you ask a question, answers, in the first instance at least, in *Dens'* best manner, by an *equivocation*. We find the courts of justice infested with the same abominable practice. It is next to impossible, from an Irish witness, to extract an answer, unless he previously understands that his answer is to be favourable to his *friend* or his *cause*!

“*Restrictio realis occurrit, dum enuntiatio, spectatis solis verbis, falsa est, sed circumstantiæ concurrunt quæ significant aliud esse subintelligendum quod loquens in mente habet et, quo subintellecto, enunciatio est vera.*

“*Hæc responsio—sive restrictio realis non continet mendacium.*”

This passage, in plain English, amounts to this: that a proposition stated, when considered merely with reference to the words used, may be false; but that *concurring circumstances*, which may signify a different meaning in the mind of the speaker, would, if understood, make the proposition true! Thus, you see, it depends on the sagacity of the hearer to weigh the circumstances well to avoid *deceit!*

Now, Sir, I acquit you of having taken the *oath* with a guilty mental reservation; but my proposition on this is, that by making such *use* of the qualification oath, as you have done, you have *availed yourself substantially of the doctrine of mental reservation*, and must have known, *in mente*, at the time you so put it forward, that if understood by his Lordship and the Public as an answer to the imputation, *they* would understand it in a sense which *you know it would not justly bear*, and which *you yourself do not give it!* You are a man of acute intellect; the refinements and distinctions of the Roman Catholic doctrines greatly promote astuteness; you, therefore, perfectly well know that the oath falls far short indeed of reaching and comprising all the doctrines of

the Church on its jurisdiction in heresy. The words of the qualification oath, foolishly and loosely framed, do nothing beyond expressing that the person who swears, believes it a *crime* to commit “murder on a heretic for or under pretence of being one.” No zealot ever dreamt that the Catholics, as individuals, unauthorized by any judicial sentence, ever had or claimed a right to put to death for heresy, (though with “a vigour beyond the law,” Catholics in former times, and now and then in the *present*, may commit that crime!) the doctrine being that the Church, by sentence of an Ecclesiastical Court only, may hand over the heretic to the civil power for death. The Church never held that any individual, *pour s’amuser*, might kill, without legal or ecclesiastical authority or warrant, *i. e.* “murder,” any one “for or under pretence of being an heretic :”—and, therefore, when you swear, or lead us to believe that you, by that oath, swear that “you do not believe, but on the contrary, abjure, condemn, and detest as impious, &c.” the doctrine so imputed to you as it stands in Dens—you know—you must have known—that you *did* not abjure any *doctrine* of the Church; and, therefore, when you put forward that oath as proof, or to lead the world to believe, that you abjure as impious, &c. the doctrine which *your Church really holds, namely, that the ecclesiastical power may and have power to condemn for heresy any Protestant in the land, and then hand him over to a secular arm, the civil power, (if that power were Popish and would assume*

the jurisdiction,) to put that Protestant to death by *burning for heresy*—when you put forward that oath, I say, as repelling the imputation made against you and your clergy as entertaining and sanctioning the doctrine in *Dens* on this subject, you were really and literally exercising that mendacious privilege of using the oath in a sense which it did not in truth bear, and your *mental reservation* was, that the oath did not relate to the doctrine of the Church or abjure it, but had a different and inapplicable meaning. Infinitely unwise, then, was it in you, thus to refer to the OATH as your justification! It was right of you to take the oath originally as it was prescribed by the legislature, because it was swearing only to a *moral truism*, however egregiously defective it was as a safeguard for the State against the mischief which they dreaded from the dangerous doctrines of Rome; but to resort to that oath as a proof *that you did not entertain a doctrine which is spread over the whole face of your ecclesiastical learning*, and in *YOUR Dens*, *emphatically*, was an indiscretion which no one could have expected from a man of your consummate prudence. It has accordingly involved you in difficulty from which I much fear you can never be extricated.

To convince you of your danger, will you suffer me to place before you a short and summary view of your present situation as arising from your recurrence to that oath and the other circumstances connected with your denial of *Dens* and your *text book*

for conferences, &c. Your case stands thus : and from the perusal of it, probably, you will be convinced, that however disinclined you may be to answer any inquiries which I may have made as an anonymous interrogator, *you must take some steps to place yourself and your cause in a more favourable position!*

In fact *your case now is this*—shortly but truly stated—You had sanctioned, by your archiepiscopal approbation, a tacit, perhaps, but notwithstanding, *an unequivocal one*—a theological work—a “complete system of theology,” which for nearly thirty years had been under eyes and in the use of you and your clergy.

That book, little known at first, was at length found to contain doctrines dangerous in a Protestant state, antisocial, and unchristian, and intolerant, but *expressly* doctrines of the Church of Rome.

These antisocial, unchristian, and intolerant doctrines were fully and publicly exposed in July last as existing in that book. On being publicly charged with them you made a statement under your hand addressed to the first Minister of the Crown, endeavouring to defend yourself *against* FACTS, by what has appeared a palpable *equivocation*; and *against imputed* DOCTRINES, by a solemn *denial* that you entertained them, referring for proof to an *oath* publicly taken by you as prescribed by an act of parliament.

On your defence being examined the *equivocation* is detected and exposed, and thereby the facts,

substantially established: and by reference to the *oath* which you relied on as an answer to the imputed doctrine, it is found, either that the oath does *not* refer to the doctrines, and therefore affords no defence, or—that if the oath defends you by shewing that you, by that oath, disclaimed the doctrine imputed, yet you have for many years been permissively teaching through your clergy to your flocks, the very doctrines which you had sworn you condemned as *impious*. Thus, either the oath was false by being taken with a mental reservation which *deceived*,—or you knowingly taught as a Christian Bishop what you *condemned* as *impious*, and had *abjured* as *detestable*!

Something, Sir, surely must be done by you to relieve you from so awful a situation; I do not want for myself the honour of any further correspondence—but you may, I should hope, find some channel through which to communicate to the public whatever, if any thing, can be found that will alleviate your misfortune.

Sir, I freely admit that the language in which these observations are made is strong; but I hope, however, that in any thing which may appear harsh to you in my manner of dealing with the difficult, because *delicate*, subject which I am obliged to treat, you will not imagine that I mean unnecessarily to hurt your personal feelings. I certainly do not intend, or wish so to do; but you must be aware that on such topics as your Letter throws out for discussion, the language of

TRUTH must be *plain* in order to be *honest*. I have no doubt, though I do not enjoy a personal intimacy with you, that you are as amiable and exemplary in your private life and character as your friends represent you to be; but the situation of a Catholic priest in Ireland is of a very peculiar kind, and almost necessarily engrafts upon the individual character traits that do not naturally belong to it; if not his *creed*, the *opinions* and the *habits* which he is obliged by circumstances to adopt, are complicated—not always quite consistent among themselves, and many of them not at all adapted to the tone or taste of men going forward with the improvements of society in modern times. Much of what may be blameable in him in the abstract may find an apology from the circumstances in which he is placed. I am willing to believe that this apology may, to a considerable extent, be made for you. I may add, that when I am obliged to charge upon any thing which comes from you the imputation of insincerity or indirectness, I would by no means insinuate that you, or even your order, the priesthood, are *alone* liable to this or a similar charge. The insincerity from which *mental reservation*, or the practice of *equivocation* is derived, or the desire of evading or annulling the obligation of oaths or promises, arises from a source, from which I can perceive that many of the *lay* members of your Church draw, when apparent utility or necessity furnishes a motive. May I not take as an illustration of this many of those parliamentary representatives for Ireland, professing the

Catholic religion, who, having taken the qualifying oath on their admission, appear to have uniformly acted in a manner which demonstrates that they have in *some way* rid themselves of the solemn pledge to the empire, upon the faith of which those seats were obtained? See whether this be not so :

It cannot be doubted that when the legislature was about to admit Roman Catholics into their body, they were aware of the danger which the introduction of an influence, so adverse to the Established Church, would create, if it were not obviated by some measure that would afford adequate protection. The nature of the thing, as well as the actual occurrences that accompanied the adopting of that measure, proves the fact. The legislature, in the result, and after debate, selected, as the best defence for the Establishment, the imposition of an OATH, to be taken by every Roman Catholic Member previous to taking his seat, by which he pledged his honour and his conscience^a that the privilege conferred would never by him be abused to the injury of the Established Church; and the words of the oath were made so strong and so comprehensive that no *Protestant* understanding could be induced to believe it would be eluded or violated by a Roman Catholic construction. The oath contained a clause adapted to the purpose in these very plain, very strong, and most comprehensive language :

^a I hope they are identical!

“ I do hereby disclaim, disavow, and solemnly abjure any intention to *subvert the present Church Establishment* as settled by law within this realm. And I do solemnly swear that I never will *exercise any privilege* to which I am, or *may become entitled*, to *disturb* or *weaken* the *Protestant religion* or government in the United Kingdom. And I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration and every part thereof, in the *plain* and *ordinary sense* of the *words* of this oath, without any *evasion*, *equivocation*, or *mental reservation* whatsoever.”

Now, Sir, I wish not a fairer judge on this subject than *you*, Catholic Priest and Archbishop, as you are. Even your clerical and Catholic propensities, and your anxious and ardent wish for the subversion of the Protestant Establishment, and the substitution, in its room, of the Catholic Church; with all these weighing upon your understanding, and influencing your answer, I ask what do you mean by the *present Church Establishment*? Does it, or does it not mean the existence or establishment, by law, of an *hierarchy* and *clergy* professing and teaching the Protestant religion as contained in its articles and its liturgy, subject to the sovereign as its temporal head, and entitled by law to a provision, arising partly from territorial possessions, the title to which rests on prescription and the statute law of the realm, and partly on tithes, which, by the law of the land, common and statute law, the clergy are entitled to demand and recover? You must answer *yes*. It is impossible to doubt *this* at least.

I solemnly appeal then, Sir! to your conscience for

an answer to this question :—Have not very many of the Catholic Members, elected under the Act which prescribe the above oath, since the year 1829, and who have taken that oath on taking their seats, *voted, spoken, and acted* in Parliament in a manner inconsistent with the terms of that oath, understood in the ordinary and plain sense of the words ! I pass, without observation, the vote for abolishing the ten bishoprics, for that was a measure not *necessarily* leading to *subversion*, nor perhaps to the *weakening* of the present Church Establishment, or of the “Protestant religion!” though certainly men of very nice and scrupulous conscience, and who had taken the oath of the Catholic Member, might well have made it a point of *delicacy* to abstain from voting on such a question, as being, at the least, a fair subject of doubt as to its *tendency*.

I come to a much more plain and tangible question—that of *tithes*, and of that *Church reform*, which proposed to *deprive* of the aid of *Protestant clergy* all those parishes in which could not be found beyond a certain number of professing Protestants.

With respect to tithes, are they not a provision, and the only provision, for the parochial and certain others of the clergy of the Established Church ? and have not those gentlemen, in thus exercising *their privilege*, exercised it against the establishment of a Church which they had sworn neither to *subvert* nor *weaken* ? Did they not go farther ; and by speeches in the House, and by speeches and letters to the public,

spoken and written in their character of representatives, endeavoured to prevent the payment or recovery of those tithes, which constituted the only provision for the parochial or working clergy of the Establishment? Have they not by those and other means, as such members, encouraged, and most successfully, not only a *passive* resistance to the claim of tithes, but an *actual* and *efficient* resistance, by suggesting and creating difficulties not only to the recovery of tithe-debts by seizure of property of the debtors, but by contriving or countenancing modes of opposition to the sale of such property when seized? Will it be said that votes and speeches, and proceedings such as those, had no tendency to subvert the Establishment—or if not to subvert, did it not weaken the Protestant Establishment and the “Protestant religion,” so far as that Establishment was a support of it?

But again; as to Church Reform—did they not vote on the bill for depriving of the aid of Protestant clergy all those parishes in which were not to be found a certain number of professing Protestants? Can any man living hesitate in saying that *this* vote was one, not only *weakening* the Protestant religion, but virtually withdrawing—literally *subverting*—the *Establishment* in those parishes which fell within the description, and in which professing Protestants were to be found, but under the number which was to give a title to such parish to have the benefit of Protestant clergy?

But further still—have not those gentlemen, as members of the legislature, and after the oath they had so taken, *openly* and *unequivocally avowed*, that *the present Church Establishment in Ireland ought not to be upheld?* Have not some represented it as a *nuisance*, and have they not avowed—*their oath notwithstanding!*—that they are for *extinguishing* the *Establishment*, because, it is the Church only of the *minority*, and that it is neither just nor expedient that such a Church should continue as established and be paid by the *majority* who derive no benefit from such Establishment? You, Sir, know this well, from private as well as public sources of knowledge, and by you, at least, the fact will not be denied.

How, Sir, is this to be accounted for? I admit it cannot be so by resorting to *mental reservation* as annulling the oath at the moment in which it was sworn; for your theological *guide*, Dens, (2d vol. De Juramento, passim,) would sustain the oath as valid, and the breach of it to be perjury, if, being an oath, it were sought to avoid it through mental reservation only; but is there no *other* doctrine of the Church of Rome—not an *obsolete* opinion—by which the conduct of those gentlemen may be accounted for, without the aid of this *restrictio mentalis?* or the “*amphibologia realis,*” &c. Look at the head of doctrine in that same volume, “*de modis quibus cessat obligatio Juramenti,*” in which he shews how and when an oath may cease to *bind*, and say whether in that armoury may not be found a shield to repel the charge

of perjury? In the breach of *such* an oath—one directly and immediately *adverse to the interests of the Roman Catholic Church*, by giving stability to an *heretical one*, which if subverted would give place to a Catholic Church and Hierarchy—would it require a more than ordinarily cunning casuist to decide, upon valid Catholic authority, that such an oath was *void from the beginning?* or that it might be annulled by a *subsequent mandate*, or precept of the Church? Without any very minute examination of your own *Dens*, one finds the very question put, “*an juramentum promissorium obligat contra mandatum superioris?*” i. e. *whether a promissory oath binds against the mandate of the superior*—to which, after a *distinguo*, it is answered, that if the mandate of the superior *precedes* the promissory oath, the oath is *not obligatory*, and if the mandate comes *after* the oath, the mandate of the superior is to be obeyed! You see, then, according to these authorities, how full a defence against the oath, and the charge of perjury for violating it, those parliamentary representatives may find, if their ecclesiastical superior, either before or after the oath, shall indicate his pleasure, and give a mandate for Holy Church! But, perhaps, this doctrine too is one of the *obsolete* opinions. May we not hope that you will inform us?

I believe it is another of the *imputations* against the Roman Catholic Church, that she teaches *no faith to be kept with heretics*. As a general proposition, I believe this is to a certain extent an *obsolete*

opinion—or rather I believe the doctrine does not, nor perhaps ever did, extend beyond those cases where the *interests of the Church* were directly concerned—and therefore that it was never extended to cases between man and man. But can it be doubted that a promise made between parties, affecting deeply or seriously the well-being or general interests of the Church, would be considered as falling within the spirit of this maxim or doctrine—and that the Church would triumph !

And in any case, and laying aside the doctrine of *mental reservation*—*amphibologia*, *equivocatio*, and the *fides non servanda cum hereticis*, can it be doubted, that all the obligations of *oaths* and *promises* would, where necessary, be swept away by that most nefarious power of the sovereign pontiff—dispensation ! and that the *justa causa*, which is said in many cases to be necessary to give full validity to those exertions of the Holy See or its ministers, can easily and readily be found wherever they may be wanted ? In fact, is not the Pontiff himself the judge—the supreme judge, of the *justness* of the cause which governs him in the exercise of his “ Holy ” office ?

Sir, I shall no longer detain you. Perhaps I have already been more diffuse than it was necessary I should be, in detailing facts and arguments with which *you* were already intimately acquainted. If I have erred in this respect, my excuse is, that the subject interests as well the *public* as the individual. It was also essential, perhaps, to justice, that *you* should

be enabled, by having presented to you a tolerably full statement of the objections that lay against your case, to explain what was doubtful, and make distinct what was ambiguous in your defence; that you should have ample opportunity to account to the public for the conduct you have pursued on the subject of doctrines and opinions which, dangerous and reprehensible in themselves, though you admit they are inculcated in your *Dens*—(a book introduced to the world under your auspices)—and *now say* they are *obsolete*; you neither detailed them in your letter of defence, nor appear ever to have cautioned your clergy or your flock against them. I do hope you will avail yourself of the opportunity thus given.

And now, Sir, one warning word at parting! You have hitherto, and until very recently, borne, and I am willing to believe, deserved, the character of a moderate, prudent, and cautious man. You remained long, in the eye of the public at least, unconnected with O'Connell. You kept at a safe distance from the tempter, and beyond the sphere of his baleful influence. You have suffered yourself, at last, to be drawn within it! **ESCAPE FROM IT, FOR YOUR LIFE!** Withdraw from the counsels of this dangerous man! They lead to blood—to treason—to rebellion—massacre! Within the last ten days what *doctrine* has he not preached! what predictions has he not made! *He*, now *your* adopted chief—the lay Apostle of the Irish Catholics, inflated with the prophetic spirit—**HE** has announced to his seven millions of faithful fol-

lowers, including you, Catholic Archbishop of Dublin, now his friend, colleague, and coadjutor ! HE has announced, *quasi ex Cathedra*,^a that whenever a certain event shall happen—one which *may* not only *possibly*, but *probably*, occur within a *little month*—nay, perhaps within a *week*, from the time when you read the words which I now trace—namely, the *sovereign exercising his undoubted prerogative of changing his ministers*—that this event—the *return to power of Peel and Wellington*, will be “the signal for every act of cruelty which could stimulate a population driven to despair—to resort to the ‘*wild justice*’ of sanguinary revenge.”

Oh, Sir ! reflect—what does this mean ? to what does it tend—but to a repetition of the horrible scenes of 1641 !—the rebellion and massacre which have indelibly stained the annals of our unhappy country, and recorded, “for our learning,” the frightful extent of crime which the persecuting spirit of the Romish Church may beget upon clerical fanaticism and lay ambition ! What does this prophetic announcement *teach* to the credulous ignorance of those millions of Irish peasants ? Nothing less than that “the cruel revenge which it suggests”—the barbarous atrocities which it *anticipates*—may, nay, *ought* to follow in the natural course of human affairs from the *event* which, according to him, is to produce them :—*the*

^a See O’Connell’s Letter of 4th December, 1835, where is threatened “dreadful explosion !” “a volcanic eruption !” “the wild justice of sanguinary revenge !” &c.

king changing his ministers! Why else does he predict them, but *because they are natural results?* —*effects* produced by *causes* according to the fixed principles that govern human action! And what is this but to tell his dupes that those crimes have at least *this* to justify or excuse them—“the *instinctive impulses* of human nature!”—that, therefore, though the strict letter of positive law may condemn, they stand acquitted in the eye of him who gave us *that nature* which so powerfully impels to the act! Do you, Christian Bishop! adopt this doctrine? will *you* suffer it to be preached *unreprehended* until it shall be carried into act—until the bloody deeds shall be perpetrated, and then, but not till then, condemn! It cannot tend to assuage the anguish that reflections like these must cause to a mind like yours, to be told that you are *now* become a participator in O’Connell’s guilt, if guilt there be in these transactions; you have publicly signified your adhesion to his general system, and to the particular measures which he has pledged himself to the death to obtain; you have read, and have been fully apprised of the principles and doctrine which he professes to act upon; you approve—you contribute to pay him as a *public servant* for *those services*—those *very* services—those *speeches*—those *letters*, which (heaven avert the omen!) *may* lead to the dreadful results to which I have alluded. If there be treason—if rebellion and massacre follow, think you that *you* will be held innocent? In *treason*, the lawyers tell us, that there are no accessories—*all*

who, in any way, are implicated, are principals; how slight would be your chance of escape, *if these things be so!*—*you* who became virtually a *subscriber* to his *crimes* by your *subscription* for his reward! Those who *pay for services*, Sir, approve and adopt them! *You*, who have ecclesiastical authority to *reprove*, and are *silent*, and who leave the horrible suggestions of O'Connell, like the intolerant and *obsolete* opinions of Dens, to work out their full measure of public mischief, without note or comment, to correct or mitigate, or caution, to guard against their deadly effects! **REMEMBER, SIR, YOU HAVE BEEN WARNED!**

I remain your obedient Servant,

A PROTESTANT.

APPENDIX.

NOTE A.—Page 17.

THERE is a confusion of ideas in the Letter of Dr. Murray, when he seeks to make the oath an exculpation from the doctrines imputed to him as being found in *Dens*, that it is exceedingly difficult to deal with. The attempt to get rid of this confusion could not well be made otherwise than in a note. It is this :

Dr. Murray's Letter was obviously intended to show that he did not hold, and that his Church did not teach, certain intolerant doctrines contained in Dens' book, and which had been attributed to him at the Exeter Hall meetings and elsewhere. To support the imputations Dens' book had been cited, and those doctrines being found in his work, it was argued that that book having been used by Dr. Murray, and published with his privity, &c., he must be taken to hold those doctrines. To the doctrines so contained in Dens' work, and which were specially quoted from him, the *imputations* were confined; and Dr. Murray, in his Letter, expressly states, that the doctrines *imputed* to him, and which he wrote to disclaim, were those contained "*in a theological work of Dens.*" It followed of course, one would have thought, that Dr. Murray would have sought to apply the proofs in his defence expressly to those *doctrines* in *Dens*. Yet he does not; on the contrary, the whole scope and bearing of his defence in the Letter to Lord Melbourne plainly is, first, to disprove the *imputations* which he says were made upon him as to his *directing* the publication of Dens' work, and as to his having *appointed it as a text book* for the conferences of the Catholic clergy. He denies both; first, he denies that he directed the book to be published, and next, that he made

it the text book of the theological conferences. And those imputations being thus disposed of, he then applies himself to disprove his holding the impeached doctrines that are contained in Dens; and as to this, he rests entirely and singly on a reference to the Catholic allegiance or qualification oath; his words are,

“*I do not entertain the doctrines thus attributed to me, (i. e. the doctrines from Dens,) my solemn oath attests the contrary.*”

Now, this oath does not specifically and in terms apply to any one of the many doctrines contained in Dens, and which had been *attributed* to Dr. Murray. The oath is a denial only of one doctrine, or *principle* rather, and that is, the principle that it is *lawful to murder, destroy, or in anywise INJURE* any person whatever, for, or under the *pretence* of being an heretic.

Why then, it may well be asked, did Dr. Murray refer to the oath as an *answer* to imputed doctrines which the oath does not mention? The only way in which the difficulty can be solved is by supposing that Dr. Murray *confounded* the principle of murdering, destroying, or injuring another for or under pretence of being a heretic, with the doctrines that appear in Dens, namely, that the Church may lawfully imprison, confiscate, condemn, and kill, by ecclesiastical law, through the secular arm, the persons who are adjudged heretics! Certainly those two classes of ideas are quite distinct; but, nevertheless, Dr. Murray must have supposed, on a view of the whole matter, either that the words of the oath comprised the imputed doctrines, or, he meant to mislead by quoting the oath in a meaning which it cannot bear.

NOTE B.—Page 32.

With respect to the allusion here made by Dr. Murray to the fact, that “Protestant rulers,” like the Roman Church, were guilty of resorting for a time to the exercise of the persecuting principle; it must be admitted that instances of this, disgraceful to the spirit of the Reformation and of religious toleration, do occur in the early history of that great and beneficial change in religious principle. But Dr. Murray is not quite candid in the way he states or the use he makes of the fact. The persecuting spirit lived in England and

the other reformed states but for a short period, and showed rather the *continuing* influence of the old Roman Catholic principle from want of a thorough reformation, than the deliberate adoption of that spirit upon consideration, as a principle of the Reformed Church. The spirit of the Reformation is, *ex natura*, a spirit of tolerance, and that of the Church of Rome is, *ex natura*, a spirit of *intolerance* and persecution. The reforming spirit is a tolerant one, because the Reformation itself is founded, as for its main basis, upon the right of every individual, according to his degree of mental competency, to study and to exercise his private judgment upon the meaning and general import of the Sacred Scriptures. Hence, the exercise of the right of private judgment being conceded as a principle in the reformed Churches, it necessarily follows, that the fair and honest exercise of that right, whatever may be the result, (excepting always what may be inconsistent with the safety and peace of society,) can never be made a subject of religious persecution: nor can the adoption of any principle or creed, however erroneous, saving as before the interests and peace of society, warrant the state to call those erroneous opinions, *heresy*, with a view to give to the State or the Church, the right or the power of punishing the heretic, either for *being such*, or to compel *his return* to the creed of the governing Church. On the contrary, the Roman Catholic Church is, in its very essence, necessarily intolerant and persecuting; for, that Church *prohibits* the exercise of private judgment on the Scriptures;—confines the interpretation of them to what is called *the Church*;—and declares all who derive from the exercise of private judgment, an opinion variant from *the Church*, nay, who though they agree in *all other things* with the Church, yet if they differ in opinion from the Church only *on that single question of the right of private judgment*, to be guilty of *heresy*: and *this Church*, acting upon this exclusive right of interpretation, has usurped the intolerable power of pronouncing ALL who differ from her, *heretics*, and of following up against the heretic the uncontrolled right to *punish*, by depriving him of all the blessings which society can bestow, and, finally, taking away *life itself* by a death of cruel torment! Thus grounding upon the one single principle—

that of *infallibility* in respect to the interpretation of Scripture, the most intolerable tyranny that was ever established among mankind!

It is indeed true that Protestant states, even in recent times, have claimed and exercised the right of imposing *incapacities* upon some classes of those who dissent from the creed of the governing power. This is done generally from the alleged necessity of securing the power or well-being of the state against the operation of those principles professed by the dissenting subjects, and which are supposed to be dangerous to it. This exercise of a disqualifying power is therefore the exercise of a power of *self-preservation*, or of *one necessary* for the *general peace* or *well-being* of the society; it does not arise from a principle that the religion of the particular state is necessarily the sound, and *only* sound Christian doctrine. The principle may be in many instances most unwisely and imprudently—perhaps unjustly exercised—but it is still the exercise of a *civil* power for *civil* purposes, and has in it nothing corresponding to the intolerant principle which actuates the Roman Church, and which is founded only on the *impious* and absurd assumption of the infallibility of a body of men calling themselves the Church, on *that* subject on which, of all others, the human understanding may be most unlikely to arrive at certain, indubitable truth! I know indeed they rely, as they allege, not on the human understanding, but on the promise of the Deity to *his* Church; but the question, “*who are that Church,*” which must be answered *a priori*, by each individual *for himself*, fully exposes the folly and presumption of the Roman Catholic claim.

THE END.