ROMAN CATHOLIC CLAIMS,

AS INVOLVED IN THE RECENT AGGRESSION,

IMPARTIALLY CONSIDERED:

AND SHOWN TO IMPLY A SUPREMACY OVER THE REALM OF ENGLAND

THAT IS NEITHER JUSTIFIED BY THE EMANCIPATION ACT,

NOR EXCUSED BY ANY LIBERAL MEASURES OF GOVERNMENT,

NOR CONSISTENT WITH THE FREE ACTION OF THE STATE.

BY

AMICUS VERITATIS.

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INTRODUCTION.

THE "re-establishment of a Roman Catholic hierarchy" in this island is a matter of deep and solemn importance. It is so irrespective of any differences of creed or party, for all have something at stake,—all are concerned in a measure that is hostile to both civil and religious liberty. The events of the past few weeks have shown that the country is alive to the importance of this question. There has been an attempt to distract her by division, to calm her by gentleness, and to delude her by sophistry, but she is not to be misled. Her energies are aroused, and, true to her own interests, she resolves to resist either the secret or the open advances of the Church of Rome.

"After the news reached England of the measure being completed," says Cardinal Wiseman, "a pause of a few days ensued, as if the elements were brewing for the storm. Then it burst out with absolute fury; every newspaper, with a few honourable exceptions, seemed to vie with its neighbour, of most opposite politics and principles, in the acrimony, virulence, and perseverance of its attacks; Liberal and Conservative, Anglican or Dissenting, grave or light as their usual tone and character might previously have been, the energies of all seemed concentrated upon one point, that of crushing, if it were possible, or denouncing at least to public execration, the new form of ecclesiastical government which Catholics regarded as a blessing and an honour." Accepting this, when weeded of a few expressions, as a fair account of the *unanimity* with which the new hierarchy has been opposed, we naturally think that a question which could bring together persons of such different and often opposing sentiments must touch upon common principles, and affect our united interests. What, short of this, could have calmed our mutual contests? For some time after the hierarchy was constituted there was little heard of mutual jealousy, and only a voice here and there told us that we were not one. The government and the people, the peer

and commoner, the churchman and dissenter, the pulpit and the press, all united to denounce a measure by which every one felt that his freedom was threatened. No sooner were the Bishops appointed, than two words, "*semper idem*," passed from ear to ear, calling up thoughts of the past,—thoughts that make us blush for human nature, and grieve that religion should have been prostituted, as it has been, to the vilest purposes. The approach of the 5th of November naturally gave point to the excitement, and it seemed as if on that day, not Fawkes only, but a long line of persecutors and conspirators had to be condemned. We thought of the murderers of Cranmer, Ridley, and Latimer,—of those of Huss and Jerome,—of those who wasted the Waldenses and Albigenses; nor could we forget the dark night of St. Bartholomew, a night stamped with the approval of Rome, and the blessing of its Pope. These points in history are sufficient, of themselves, to explain all the agitation that the country has witnessed. We are not alarmed by what is "groundless and visionary," unless, indeed, the past is only a dream; nor are we excited by "an anti-popery nightmare," but by a wakeful consciousness of what is passing around us. We were partly slumbering, unmoved by the "insidious" advances of the church of Rome. The syren's song had charmed some into error, whose profession required that they should be truthful, and whose calling demanded that they should be Protestants; too many were beginning to fancy that Rome had changed, and that, where she was still wrong, we were to "speak gently of a sister's fall." But now the snare is broken, and we are alive to the fact that men exist among us who, to quote the eloquent language of a journalist, "in a nation particularly jealous of foreign interference, owe allegiance to a foreign potentate, who, in a nation above all others proud of independence of thought, would compel that thought to submit meekly to an Italian conclave, or to the decrees of Asiatic bishops fifteen hundred years dead and buried, who in their mildest tones betray a latent fierceness, who in their eternal quotations of their own long-suffering exhibit an innate sense of the right to domineer, and a fixed assertion of the penal doom of their opponents." Such persons there are amongst us: let us seek to understand their policy and the true nature of their designs.

I. THE "re-establishment of the hierarchy" an exercise of jurisdiction over all England.

In pursuing the inquiry indicated by the title of this section, it will be necessary to refer at some length to Roman Catholic documents. The fact that the Pope is exercising a *supremacy* over *the realm* of England is so important in itself, and has so often been denied, that it requires to be established by the most positive evidence, and none can be so conclusive as that drawn from Roman Catholic sources. There can be no partialities in them against Rome, and, certainly, they can contain no Protestant exaggerations. We quote, in the first place, from the Appeal of Cardinal Wiseman. "The *Catholics*," says the Cardinal, "had been governed in England by Vicars-Apostolic since 1623; that is, by Bishops with foreign titles, named by the Pope and having jurisdiction as his vicars or delegates. In 1688 their number was increased from one to four; in 1840 from four to eight. A strong wish had begun to prevail, on the part of the English Catholics, to change *their* temporary form of government for the ordinary form by Bishops with local titles; that is, by an Ecclesiastical Hierarchy. Petitions had been sent for this purpose to the Holy See. The first was in 1834. In 1847, the Vicars-Apostolic assembled in London came to the resolution to depute two of their number to Rome, to petition earnestly in their names for the long desired boon. . . . . The Holy See kindly listened to the petition, and referred it to the sacred congregation of the Propaganda. After a full discussion, and further reply to objections, the boon was granted. The Vicars-Apostolic were desired to suggest the best divisions for new dioceses, and the best places for the titles. These were adjusted, the brief was drawn up, and even printed. Some difficulties arose about a practical point, and publication was delayed. In 1848 another bishop, Dr. Ullathorne, was deputed to Rome to remove them; and the measure was again prepared, when the Roman revolution suspended its final conclusion till now."*

We have given the history of Vicars-Apostolic, as well as the circumstances that have led to the "restoration" of the hierarchy, in Dr. Wiseman's own words, omitting only such parts of his statements as either are foreign to our present purpose, or will

* Introduction to the Appeal.

have to be mentioned hereafter. The only point in this account that deserves particular notice, is the entire absence of any direct or implied reference to those who are not members of the Roman Church. Vicars-Apostolic were, he informs us, for the government of *Catholics;* and the much desired hierarchy was to be only an administrative provision, necessary for the government of *Roman Catholic flocks*. This is as it should be, and if there had been no other version of the matter, much excitement would have been spared, and the church of Rome might have had her Bishops without let or hindrance. But, unfortunately, the Vatican gives an uncertain sound, and, like all who are addicted to a tortuous policy, she contradicts herself. The Pope goes beyond his Cardinal, and speaks of an authority in Vicars-Apostolic which the latter conceals. He tells us that they had the spiritual government of *all England;* and then he adds, that their successors, the Bishops, are to possess the same authority, with certain additional powers. "The power of ruling the Universal Church," writes his Holiness, "committed by our Lord Jesus Christ to the Roman Pontiff, in the person of St. Peter, prince of the Apostles, hath preserved, through every age in the Apostolic see, that remarkable solicitude by which it consulteth for the advantage of the Catholic religion in all parts of the world, and studiously provideth for its extension. Amongst other nations, the famous realm of England hath experienced the effects of this solicitude on the part of the supreme Pontiff." After mentioning various instances in which Rome had exerted her influence to maintain the papacy in England, the Pope proceeds to say,—"When the king, James II., ascended the English throne, there seemed a prospect of happier times for the Catholic religion. Innocent XI. immediately availed himself of this opportunity to ordain, in the year 1685, John Leyburn, Bishop of Adrumetum, Vicar-Apostolic of all England. Subsequently, by other letters-apostolical, issued January 30th, 1688, he associated with Leyburn, as Vicars-Apostolic, three other bishops, with titles taken from churches, *in partibus infidelium;* and accordingly, with the assistance of Ferdinand, Archbishop of Amaria, apostolic Nuncio in England, the same Pontiff *divided England* into four districts; namely, the London, the Eastern, the Midland, and the Northern, *each of which* a Vicar-Apostolic commenced to *govern*, furnished with all suitable faculties, and with the *proper powers of a local ordi-*

nary. . . . . This partition of *all England* into four apostolical Vicariates lasted till the time of Gregory VI., who, by letters-apostolical dated July 3rd, 1840, having taken into consideration the increase which the Catholic religion had received in that kingdom, made a new ecclesiastical division of *the Counties*, doubling the number of apostolical Vicariates, and *committing the government of the whole of England in spirituals* to the Vicars-Apostolic of the London, the Eastern, the Western, the Central, the Welsh, the Lancaster, the York, and the Northern Districts."*

There is an obvious and very marked difference between this language and that of the astute Cardinal of Westminster. The one only asserts, in the introduction to his Appeal, the most modest jurisdiction over his faithful Catholic children; but the Pope speaks of "the government of the whole of England in spirituals," tells us that such government was committed to Vicars-Apostolic, and then assures us that it "is very far from his intention or design that the Prelates of England, now possessing the titles of Bishops in ordinary, should, in any other respect, be deprived of any advantages which they have enjoyed heretofore under the characters of Vicars-Apostolic." If, therefore, as the Pope informs us, "the spiritual government of all England" had been committed to Vicars-Apostolic, and if the newly created bishops are to suffer in nothing, as we have just seen, by the restoration of the hierarchy, then the *government of all England in spirituals* has been committed to the Cardinal and his suffragans contrary to their repeated and most solemn assurances even in the house of God. Whom are we to believe, the Cardinal or the Pope?

Besides being at variance with the Pastoral of his Holiness, the Cardinal's Appeal is inconsistent with language that his Eminence used on other occasions. When seated in his new dignity at Rome, distant from the excitement of theological discussion, and in the presence of his Holy Father, he uttered the natural and undisguised language of his Church. The words of Pius, assigning "the government of all England," were echoed by St. Pudentiana; and, speaking of himself, he said, "At present, and till such time as the Holy See shall think fit otherwise to provide, *we govern*, and shall *continue to govern*, the counties of Middlesex, Hertford, and Essex, ... as Ordinary thereof, and those of Surrey, Kent,

* Letters Pastoral of Pius IX.

Berkshire, and Hampshire with the islands annexed, as Administrator thereof with Ordinary jurisdiction." It was not till the storm began to rage around him, and he was required to breast it, that he said, in effect, "our words have a double meaning, and must be taken in a non-natural sense." His Eminence is still more unfortunate in his expressions, and uses language in the Appeal, that it is impossible to limit to members of the Church of Rome. "Whether," he remarks, "the Pope appoints a person a Vicar-Apostolic or Bishop in ordinary, in either case he assigns him *a territorial ecclesiastical jurisdiction*, and gives him *no personal limitations*." * Here are two statements applicable to the recent appointments: first, that there are *no personal limitations;* and, secondly, that they are connected with *territorial ecclesiastical jurisdiction.* These two points involve all that we now oppose in the "restoration" of the hierarchy. Are there really no personal limitations? Then the matter cannot be so purely Roman Catholic as we are assured it is. Is there indeed "territorial jurisdiction?" Then the government, for whatever purposes assigned, must be *as extensive* as the territory; and as there are no personal limitations, it may include authority over all persons within the assigned territory.

But we must again quote from the apostolic Pastorals. His Holiness, having restored the hierarchy, and parcelled out England into dioceses, reserves to himself and to his successors the power of again dividing the country and appointing bishops *when* and *as they please;* if, therefore, the recent arrangement be submitted to, we cannot tell how soon another division will be made, or to what extent the agents of the Papacy will be multiplied among us. Nor is this all. The insolence of aggression rises still higher, and the Pope decrees, that "if in any other manner," besides those he had named, "any other attempt shall be made by *any person*, or by *any authority*, knowingly or ignorantly, to set aside these" his "enactments, such attempts shall be null and void." As if it were not enough to pass over in silence the authority of the Queen and Parliament, the Pope rescinds by anticipation any measure that may be passed against him, and declares it "null and void." Here is the essence of Papal tyranny, and that which renders Romish pretensions dangerous to civil as well as to religious liberty. The idea of infallible authority clings to every thing which Rome says or does; hence her priesthood imagine,

* Appeal, p. 22.

that whatever is done against her is done against God, and therefore cannot bind men's consciences. We ask any Romish priest whether this is not modern as well as ancient teaching? He knows it is.

The fact that Dr. Wiseman is already virtually absolved from obedience to any law that may be passed against the new hierarchy, will perhaps explain part of a sermon that he delivered in St. George's, Southwark, on Sunday, December 8th: "New legislative enactments may be passed," he observed, "as it has been suggested, whereby the obnoxious sound of new titles may be hushed, and the ears of the zealous be no longer affected by their utterance; and then the conclusion will come of itself, that the name, and not the thing, caused all the fear and the displeasure, for no amount of human legislation *can touch the substance, annul the spiritual* organic structure of the Catholic body, or permanently derange its vital functions. . . . . Now the obedience which every Catholic will pay to his Bishop, the bond of union which holds together pastor and flock, *cannot be affected by any law;* and so long as every Catholic, who six months ago obeyed a Vicar-Apostolic of a district in which he lived, now will obey the Bishop of a see placed in another county, because the Pope has named the Bishop and has transferred him to his obedience,—so long as this is the case, all the substance, and essence, and reality of the hierarchy will exist, although he may be under penalties, as his fathers were, if he venture to call his Bishop by his title." What is this but saying, "The law of England cannot revoke what has been done? It may silence the titles we bear; but the decree of the Pope shall stand, and the hierarchy remain." Yet the Cardinal of Westminster is at a loss to find out any assertion of authority over the realm of England. He examines the pastoral of his Holiness, he re-peruses his own, but can find nothing like encroachment, while all besides, save those who are interested in being deceived, see a power that would anathematize us if it dare, and excommunicate us if it could. Well might the Prime-minister say that there is "an assumption of power in all the documents which have come from Rome, a pretension to supremacy over the realm of England, and a claim to sole and undivided sway." No sentence was ever more truthful, and none required a more explicit answer from the Cardinal; but let us see how he meets it. He does not say that there is no claim to supremacy over the realm of England. He avoids this point, and

simply informs us that "every official document has its proper form; and that had those who blame the tenor of this, taken any pains to examine those of Papal documents, they would have found nothing new or unusual in this." True; but what answer is this to the Premier's charge? His Lordship knew, as well as his Eminence, that "every official document has its proper form," but this can be no palliation of the *particular form* into which Romish official documents happen to be cast. His Lordship knew also, and it required little pains to ascertain it, that there is "nothing new or unusual" in the recent brief. It was *this fact* that called forth the protest. Had there been something new, it might possibly have been something better; but there is "*nothing new, nothing unusual.*" The forms of the recent documents are ancient; no one will question it, and they carry us back to times when the thunders of the Vatican could clothe a nation in sackcloth, and when our monarch bowed *to receive his crown* from a priest. Can it be a comfort to us to know that the forms of papal briefs, and therefore the claims involved in them, are the same as those of olden times? of the days of John, of Henry VIII., and of Elizabeth? Nay, such knowledge will only rouse us to greater watchfulness, and to more determined opposition.

The Cardinal has beckoned us to the past. Let us follow him, for we may thus learn our true position, and the relation in which all persons and countries are supposed to stand to the Pope. It may be painful to the priesthood to hear what their church has taught; but they must bear with it, especially as authority has told us that there is "nothing new or unusual." Gregory VII., A. D. 1063, decreed that the Pope should be called "Father of Fathers," as "he has the primacy over all, is greater than all, and the greatest of all. God," he observed, "made two great lights in the firmament of heaven; the greater light to rule the day, and the less to rule the night, both great, but one the greater. In the firmament of heaven, that is, the Universal Church, God made two great lights, that is, he instituted two dignities, which are the pontifical authority and the regal power; but that which presides over the day, that is, the spiritual, is the greater; and that which presides over carnal things is the less; for as the sun differs from the moon, Popes differ from Kings."* We will not say that Cardinal Wiseman had this passage in his

* Corp. Juris Canon. a Pithæo., Extrav. Com. lib. i. De Majoritat. et Obedient., tit. viii. p. 365.

mind when he wrote his pastoral near the Flaminian gate at Rome, but there certainly is a striking resemblance in the thoughts. "Catholic England," he tells us, "has been restored to its orbit in the ecclesiastical firmament, from which its light had long vanished, and begins now anew its course of regularly adjusted action round the centre of unity, the source of jurisdiction, of light and of vigour." The Pope, then, *according to modern illustration*, is the central sun, "the source of jurisdiction, of light and of vigour." What power on earth can equal this? Surely Gregory and Nicholas teach the same thing; namely, that the Pope is the sun, monarchs moving and shining only by a controlled influence and a borrowed light.

Nor is Nicholas the only modern Roman Catholic who advocates the utmost spiritual power as residing in the Pope, and thence derived to his Archbishops and Bishops throughout the world. We wish he were! But, unfortunately, the same teaching has found its way into the pulpit and through the press, and almost every publication of the Church of Rome *abounds* with "ultra-montane" sentiments; concerning which the Duke of Norfolk has said, that "they are inconsistent with loyalty to the Queen." Among other instances, we may mention a weekly periodical called "the Lamp," which often asserts the Pope's "supremacy over the realm of England, and his claim to sole and undivided sway," in *most offensive* and *un-English* terms. When writing of the Cardinal, its editor remarks, "Rome, old glorious Rome, *still the Mistress of the World*, has presumed, in her imperial pride to confer the dignity of a Cardinal on a British subject; nay, more, has created a new dignity to do further honour to that Cardinal, and . . . . . that dignity is nothing less than an Archbishopric,—the Archbishopr c of Westminster! Poor Anglicanism! What she suffers may be gathered from the insolent ravings of the blatant bullies, whose fierce denunciations of Romanism disgrace the leading journals of London, and all others accustomed to catch their tone." Very polite this, no doubt, in the editor of 'the Lamp;' yet let it be known that this is *modern* popery,—not the saying of some by-gone, antiquated writer. But the editor proceeds to say: "By the time his Eminence shall have held his first synod, and his Holiness shall have ratified its acts, the fever which now boils in the veins of the Anglicans shall have cooled down to blood-heat, and they will stand prepared to open a *regular political* intercourse with Rome.

There is no doubt of it. True, our prophecy may err with regard to time, but despite the old law of *præmunire*, the fact is certain. A Bill for diplomatic relations with Rome, and *on Rome's own terms*, must be passed by the British legislature. *Britain must yield*, as the younger state should. Rome cannot bend. Her legate must be received at St. James's, and that legate must be a Cardinal."* Who, we would ask, is the author of this insolent paragraph? He cannot surely be an Englishman! He may, possibly, be naturalized, but we should suppose he is an alien,—a Jesuit driven from some foreign shore. Has it come to this, that we are to have amongst us men who will shrink from nothing that can bring us into vassalage to Rome? men who would exalt her at the expense of our dignity? and who seek to *force* upon us political as well as spiritual changes?

But we cannot yet dismiss *the Fathers*. They say too much about the authority of Rome to be treated with only a passing notice. "The Spiritual power," said Boniface VIII., "ought to judge the Earthly, if it be not good: thus is verified the prophecy of Jeremiah, '*I have placed thee over the nations.*'"† Pius V, in 1570, in his Bull against Queen Elizabeth, gave expression to similar sentiments. "Our blessed Lord," he said, "committed to St. Peter and his successors the government of the Church, with all fulness of power. He constituted *him alone* a prince over all nations and all kingdoms, to pull up and throw down, to scatter and destroy, to plant and build, that he may keep in the unity of the spirit the faithful people." There is much in these two quotations that sounds very like what is said in these days. In the former, the Pope is called a judge; in the latter, a Prince over all nations. As a prince, we suppose, he presumes to divide this country, and confer "territorial ecclesiastical jurisdiction;" as a judge, he sits and condemns the Irish Colleges: hence we read, "the judge has spoken and controversy is at an end." It must not be thought that we are uncharitably ascribing these sentiments to the priesthood of the present day. They may hesitate to affirm that the Pope is a prince "to pull up and throw down, to scatter and destroy, to plant and build," but they maintain that *he is a prince*, to whom monarch and subject ought alike to

* Lamp, part ix., p. 489.

† Corp. Juris Canon., tom. ii., Extrav. Com., lib. i. tit. viii., De Majorit. et Obedient. Bonif. viii., cap. i. p. 394.

submit; and that, as a judge, when he speaks, controversy should be hushed for ever.

But where is proof of this? "At the bidding of Henry VIII.," says 'the Lamp,' already quoted, "England, *like an ungrateful rebel*, renounced her allegiance to the chair of Peter, and, *like a crouching slave*, transferred her fealty to a bloated debauchee and his *successors* for ever." Let it be observed, that to reject the authority of the Pope is to be "an ungrateful rebel," and to yield our transferred fealty to a successor of Henry, that is to the Queen, is "*crouching* slavery." But we have not done with this Roman 'Lamp:' it must enlighten us still more on the teaching of those whom we are to cherish on our shores. Speaking of the Pastoral of Pius, it remarks, "Another assertion is, that this Bull is 'an aggression,' 'a violation of the Constitution,' 'a personal insult to the Queen.'" And how are these assertions met? Not by a denial of their truth, but by an argument that amounts to this: 'There can be no aggression, no violation of the Constitution, and no insult to the Queen, because you are all rebels, and the Pope is exercising his rightful and inalienable authority.' "The very fact," writes the editor, "of Henry the Eighth's usurpation of the supremacy, and of his putting men to death for denying it, proves the existence of an older authority,—that of the Pope. . . . . There is this just and necessary distinction between the regal and the papal power; the one is human and transitory, the other divine and imperishable. The Church does not, she cannot change. The *Nullum Tempus* act certainly obtains here at least; for, we repeat, the right by which the Pope *claims sovereignty* is not human, but divine. Now what is divine he holds not of himself, neither can he abandon it, but with life, therefore he cannot abandon his right over the souls of men; it follows, again, that the ignorance of his powers, or their denial, does not invalidate their efficacy. Take a *quasi* parallel case. A state rebels against its lawful sovereign, makes war upon him, defies his armies, and finally establishes its independence; and yet the assertion of its independence does not necessarily constitute freedom: it depends upon the injured master to recognise the claims of his revolted subjects. . . . . But it is true, and no more than common justice, that rebellion, though successful, is still rebellion till the person whom it most concerns foregoes his just title. Now as the Pope cannot give up the power re-

ceived from Heaven for spiritual ends, it necessarily follows that *all his spiritual rights* and *privileges remain intact.*" * The inference from this passage,—nay, more, the direct statement it contains is obviously this; *that we are all rebels to our Sovereign Lord the Pope;* and if *we* are rebels, what must be said of the Head,—our gracious and beloved Queen? That Her Majesty is——but we cannot write it! those who read may draw the natural inference.

The conclusions forced upon us by the documents we have now considered are the following:—

1. That the See of Rome claims and exercises a right to govern the realm of England for such purposes as the Pope may pronounce spiritual. 2. That in the exercise of that right, the Holy Father may divide the country into districts or dioceses at his pleasure. 3. That he may appoint whomsoever he will to the districts or dioceses so created,—England having no security against ultra-montane opinions, foreign partiality, or even against the introduction of a foreign prince. 4. That he has power to assign to such persons territorial jurisdiction, and also titles of dignity, and to hand over to their supervision the souls included in their diocese; and 5. That he has *divine authority* to do this, so that any measure hostile to his arrangements, whether made in ignorance or with a design to frustrate his purposes, is null and void.

Can we wonder, with these facts before us, that the Duke of Norfolk, Lord Camoys, and Lord Beaumont unite with us in protesting against the recent aggression? or that his Grace has said, in words which deserve the highest praise, "I should think that many must feel as we do, that ultra-montane opinions are *totally incompatible with allegiance to our Sovereign*, and *with the Constitution.*" †

II. The "re-establishment of the hierarchy" a claim to the obedience of all baptized persons.

The sentiments of modern Roman Catholics respecting the sovereignty of his Holiness and the rebellion of England, remind us that it was once a custom to speak of *all baptized* persons as children and subjects of the Pope, and to say that the children might be *corrected* and the rebels *punished.* This was not the

* Lamp, part. x. p. 548.

† Letter of His Grace the Duke of Norfolk to Lord Beaumont.

teaching of obscure individuals, but of learned theologians of the Church of Rome, supported by the decisions of its sacred councils. The Council of Trent, whose decisions every Roman Catholic is bound to receive, declared, in her fourth canon, that "children are to be reckoned among the faithful by the reception of baptism," that is, *all baptized persons* are to be reckoned among the faithful, at least as far as subjection is concerned. Her eighth and fourteenth canons taught the same thing, and bound with a curse any who should say that baptized persons were not to be forced to obedience. The canons run thus:—

"Canon 8. Whoever shall affirm that the baptized are free from all the precepts of the holy Church, either written or delivered by tradition, so that they are not obliged to observe them unless they will submit to them of their own accord; let him be accursed.

"Canon 14. Whoever shall affirm that when these baptized children grow up they are to be asked whether they will confirm the promises made by their godfathers in their name at their baptism; and that if they say they will not, they are to be left to their own choice, and not to be compelled, in the mean time, to lead a Christian life by any other punishment than exclusion from the Eucharist, and the rest of the sacraments, until they repent; let him be accursed."

Benedict XIV. taught in his Constitution, that heretics, or persons of the English sect, are *members* of the Roman Church, and subject to her authority and laws. And Peter Dens declared, with the greatest distinctness, "That heretics, schismatics, apostates, and all such as are baptized, are subject to the laws of the Church which concern them, because by baptism they become subject to the Church; nor are they released from her laws any more than rebellious subjects against a prince are released from the laws of the prince."* This language is plain, and cannot be misunderstood. But perhaps these dogmas have been abandoned, for the Cardinal *assures* us that the hierarchy is in all respects *purely Catholic!* Nothing would give us more pleasure than to accept this statement, if the fullest evidence and the sternest necessity did not compel us to think the opposite. "Every soul that receives baptism," writes the editor of 'The Lamp,' "is baptized into *the Church*: it is not made a follower of this or that sect,

* Dens de Legibus, tom. ii. p. 288.

but a member of *the one fold*; and it continues to be a member of the Church till it forfeits its right by some capital offence against faith and morality." This is precisely the teaching of Benedict XIV., of Dens, now read in Ireland, of the Council of Trent, and of others too numerous to name. But what has this to do with the restoration of the hierarchy? Much every way. We are told with all gentleness that the Holy Father was providing for his dear Catholic children, and that there is no assertion whatever of dominion over us; yet, *within ten days* from the time the Appeal was written, we are reminded by 'the Lamp,' that if baptized, we are members of the Roman Church and children of the Pope,—perhaps disobedient, but still children of his Holiness, and therefore *subjects* of the Cardinal.

We have referred to our subjection to the Cardinal in the form of an inference, as though there were no positive assertion that we owe him allegiance in any Roman Catholic document. But such assertion does exist. "There is one point," writes the editor of 'the Lamp,' "in which these men who rail at Rome and the Archbishop of Westminster must surely be ignorant, and of which we would gladly make them cognizant. Are they aware that *he* may be accountable for *their* salvation? If they be baptized, *they are certainly his spiritual subjects*, and *owe him obedience*." It is, then, as we thought, and as the British public have every where believed. The Cardinal comes to our shores, not simply to watch over "a blessed pasture, in which sheep of holy Church are to be tended," but to claim *all England* as his province; and, though he denies it again and again, *every baptized subject* of the British empire, and—may we be forgiven if we add—our beloved Queen herself is consigned to his rule, and, according to what we have just quoted, *owes him obedience*. The reason assigned for our being his subjects, "if they be baptized," shows that the words are alike applicable to the Palace and to Downing-street, to Lambeth and to Fulham, to Westminster and to "Printing-house-square."

If this be a correct account of the aggression, where can be the justice of an intimation made by Dr. Wiseman in a sermon on the 15th December, that we have no right to question him about the matter, and that it is unfair to expect an answer? "Why," he said, "should we give reasons to any one for using our rights?" Why? because your pretended rights trench upon the rights of

others. "But it is sufficient," he added, "if *we* consider the change advantageous." Sufficient! How so, when what is advantageous to Rome may possibly be a curse to England? It might be *sufficient* if the claim to supremacy over Englishmen were only found in time-worn books, and not in modern publications, or if his Eminence were seated in the Vatican instead of Golden-square. But when the claim to sovereignty is not idle, but active; when there are priests asserting it in such language, that the military are obliged to retire from Roman Catholic chapels; and when unknown agents are seen tracking the path of lonely females at Exeter and Glasgow; when, also, there are *twelve spiritual sovereigns* either already enthroned, or about to be enthroned, in so-called dioceses of England, and when each of these claims the *obedience* of all baptized persons within the territory assigned to him, and wields a sword believed to be more deadly than steel, it is time to bestir ourselves, and not only to ask their object, but to demand an explicit answer. The leader of the Roman movement may think, that as "the ecclesiastical is *independent* of the civil authority,"* it is a humiliation to plead in any other than a spiritual court. He may fancy that we should not require him to tell the secrets of the Italian cabinet, because *he has sworn* not to reveal them to the injury of the Church;† but he will find that England knows her rights, and can maintain them; that she will allow no servant of the Pope to trifle with her,—and more, that "no foreign prince or potentate will be permitted to fasten his fetters upon a nation which has so long and so nobly vindicated its right to freedom of opinion, civil, political, and religious." But let us see if the Pope and his servants really contemplate this.

"The hierarchy has been established," writes the editor of 'the Lamp,'‡ "and the ancient action of the Church will now set in unimpeded, and with as much grace and effect, as when in former days in this our country its spiritual influence reduced barbarism to civilization, paganism to Christianity. Such will assuredly be the case if the sins of our own children mar not the grace of God." We pass over for a moment "the ancient and unimpeded action of the Church," to notice the state from which, according

* Pastoral of John (called) Bishop of Beverley, 1850.

† Oath of the hierarchy of the Italian Church, in Decret. Greg. ix., lib. ii., tit. 24.

‡ Part ix. p. 489.

to this writer, Romanism is about to raise us. He will hardly say that we are "barbarous and pagan," though his Holy Father treats us as if we were; but his words intimate that we are in a dark and fearful condition. Hence our conversion would be like humanizing the barbarous, and christianizing the heathen. If this quotation were not from a Romish author, we should, no doubt, incur the displeasure of his Eminence of Westminster, who is indignant at the idea that the Pope has treated England like a heathen land. "How could he?" he asks, "when he sees it covered with the monuments of Catholic greatness and piety; when he sees remaining in it so many institutions of the Catholic Church; when he sees much zeal and charity exercised by its people; when, even through those who come into his communion from Anglicanism and Dissent, he learns how much earnestness there is here about truth, how much deep religious sentiment."* Can Nicholas fancy, for an instant, that he will be able to deceive us by such sophistry as this? We referred to Protestantism, he speaks of Catholic greatness and piety. It was never imagined, much less said, that, in such respects as England is connected with Rome, the Pope treats her as heathen, but it is manifest that, in all other respects, he does so treat her. Hence the Queen and her advisers are not to be listened to in this matter; the parliament in both its branches has no authority; the ministers of the Established Church, whether bishops, priests, or deacons, are of no more importance than the parish-beadle; and the various Protestant dissenting-ministers are intruders into the house of God. In a word, our pastors are no ministers of Christ, our churches are no churches, our theology is a nullity, and our religion is either fanaticism or a dream. We have expressed the *arrogant* pretensions of the Roman priesthood in our own language to avoid the tediousness of copying, a task alike wearisome to the writer and the reader; but we must fortify our statements by a few Roman Catholic authorities that are ready to our hand.

"We look up to the Pope," observes a writer in 'the Lamp,' "as our spiritual Father, and regard him as the visible head of the Church, without whom *there is no such thing as Christianity upon the earth*. . . . . To deny the Pope is to deny Christ. Without Christ there is no Pope, and *without the Pope there is*

* Lect. 2, on occasion of Cardinal Wiseman's enthronement.

no Christianity."* This is plain, and goes far to sustain the assertion that our religion is denied. But we read further, in the same publication, that "without the presence of the Roman Catholic Church among us . . . . . *Christianity is turned into a by-word* and *fable of the past.* Then," adds the writer, "would civilization, under the banner of infidelity, remain master of the field, ... the vision of eternity would be a blank, the watchword of the world to come a mysterious legend, and the promise of salvation nought but the sound of a distant report faintly re-echoed, without sense or meaning. Death alone would live to catch the living in his snare, or smite the godless worldling in his mid-career." We are at a loss which to condemn first, the assertion that without Rome Christianity is a by-word and a fable, or the implied reflection it contains upon all who deny the Pope's supremacy. Thank God, Christianity is not dependent upon either Rome or England, nor upon the Vatican and its priests. It has an inherent life too divine to be touched by the errors of councils, the failings of priests, or the false decisions of Popes, and it lives wherever Christ is received into the heart by faith. There are many in this country who pay no allegiance to Rome, and yet love the Lord Jesus Christ in sincerity and truth. They ask not the absolution of Westminster, and yet "the peace of God, which passeth all understanding, keeps their heart and mind in Christ Jesus;" they seek not the intercession of Mary, and yet they have fellowship with the Father, through the Son, and by the Holy Spirit. These persons are "without the Pope;" is, therefore, "the vision of eternity a blank" to them? is "the watchword of the world to come a mysterious legend? and the promise of salvation nought but the sound of a distant report, without sense or meaning?" His Holiness is surely too mild and gentle to assert this, and Nicholas of Westminster cannot persuade himself to utter such harsh words. No; we "are brethen most dear, though in separation." This would do very well, if different language were not found elsewhere; but, unfortunately for Westminster, 'the Lamp' tells us that "Christianity, or, more properly speaking, faith in Christ *lives only* in the Roman Catholic Church, *without which it is not.*" It is impossible for any denial of our Christianity and our faith to be more explicit than this. Perhaps 'the Lamp' has revealed too much, but that is not our business.

* Lamp, pt. viii. p. 462.

We are satisfied now, if we never were before, that till the "restoration" of the hierarchy, we were reckoned "*in partibus infidelium*," and that now we are commanded to hear the Roman Church, that is her priests, under pain of being counted *no better than heathens* and *publicans* if we do not obey her; and let it be remembered, that this call is addressed to monarch and subject, to prince and peasant. The sound has gone out into all the land; or, as a Romish priest would say, "the Church has raised her voice, and proclaimed to an astonished world the *free resumption of that empire* which heresy and schism, cherished by the spirit of Mammon, had so long laboured to wrest from her grasp." *

The "restoration" of the hierarchy is not, then, that simple, harmless, Catholic thing that Nicholas would fain have us believe. It is a *resumption of empire* by the Church of Rome,—of that empire which English heretics and schismatics wrested from her at the Reformation; and that which she resumes is free, independent, and unfettered,—more free than it is now in Roman Catholic countries, or than it was in England in Catholic times. Hence we are told that "the Pope never dreams that it is necessary to consult the taste of Lord John, or the Lord Chancellor, or Chief-justice Campbell."† Nay, for why should he? They are *his subjects*, and owe *him* allegiance. And, besides, "the ancient action of the Church must now set in *unimpeded*." She has been overloaded and buried for the last three hundred years, but "the stone is taken away from the sepulchre;" rebels had usurped her empire, but *she now resumes it*. Nor is the recent aggression wanting in any thing necessary to constitute it a *resumption of empire*, except in the power to give effect to its decisions and to reduce us to obedience. But this want does not invalidate the papal claim; for if England take possession of a savage country, it matters little that some of the aborigines betake themselves to their forests and fastnesses; they may ere long be subdued by gentleness or vanquished by arms: so it makes no difference to Rome that the nation is indignant, or that the Premier protests; both may, it is hoped, be vanquished by the mission of mitred dignitaries, of Jesuit fathers, and of gentle nuns. In the mean time *every thing is done that can be*, to subdue the nation and obtain ecclesiastical dignity and honour.

* Lamp, pt. viii, p. 432. † Ibid., pt. x, p. 546.

III. How "the re-establishment of the hierarchy" affects our national interests.

The claim to supremacy over the realm and people of England, as put forth by the Pope and his servants, appears to be a matter of the gravest kind; yet his Eminence undertakes to teach its harmlessness, and to assure us that there is little in his conduct that may not be charged upon all dissenters. "The royal supremacy," he remarks, "is no more admitted by the Scotch kirk, by Baptists, Methodists, Independents, Presbyterians, and other dissenters, than by Catholics. None of these recognise in the Queen any authority to interfere in their religious concerns, to appoint their ministers for them, or to mark the limits of their separate districts in which their authority has to be exercised."* This may be true, and no doubt is to a certain extent; but if it were correct to the letter, it would still come *far short* of the papal denial of the supremacy. The dissenters do not recognise an authority in the Queen to appoint *their* ministers, to interfere in *their* religious concerns, or to mark the limits of *their* separate districts, &c.: here most of them stop, but the Roman Catholic priesthood deny that Her Majesty has *any rightful supremacy whatever* in spiritual matters; and they assert, therefore, that the power she has, or does exercise in the Church of England, *is usurped.* Nor is this all. "When a dissenter," writes the Cardinal, "denies the royal supremacy, always meaning by this term the spiritual or ecclesiastical jurisdiction attributed to the Crown, he substitutes, perhaps, for it some other authority in some Synod or Conference, or he admits of none other to take its place. But when the Catholic denies it, it is because he believes another and a true ecclesiastical and spiritual supremacy to reside in the Pope or Bishop of Rome, over the entire Catholic Church." These remarks, though intended to prove the sameness of dissenting and Romish action, separate them by an almost infinite distance. Those who substitute *no authority* in the place of the Queen's, cannot be supposed to rival her power; while such as confide authority to a conference or synod, do so exclusively for the management of their separate or individual interests, never asserting the least jurisdiction *over others.* Not so Rome: she "believes," says Nicholas, "another ecclesiastical and spiritual supremacy in the Bishop of Rome over the *entire* Catholic Church," mean-

* Appeal, page 10.

ing thereby, over *all baptized persons*. Now no dissenter claims an authority over the throne and the people, over every kirk, presbytery, synod, conference, and congregation in the land; yet this is precisely what the *Holy See* does, and her claim involves a right in the Pope to do *what the Queen never attempts;* that is, to break up every kirk, to abolish every presbytery, to dismiss every synod, to close every conference, and to lead each congregation to the feet of a priest.

But the Cardinal tells us it is perfectly lawful for him to assert this claim. "With him the two acts resolve themselves into one; denial of the royal supremacy, and assertion of the papal supremacy. And as it is perfectly lawful for him to deny the one, so," he infers, "it is equally lawful for him to assert the other." After what we have said, the inference drawn by Dr. Wiseman will not appear either natural or just. It by no means follows that because St. Pudentiana can deny the Queen's supremacy over himself with impunity, he may therefore assert papal, and by consequence his own, authority over the Queen. Here is the ground of the whole contest we have with him. Whether it be lawful to assert the Pope's supremacy will depend upon two things; first, on what the supremacy implies; and secondly, on what is meant by asserting it. If the supremacy of the Pope only mean that he is the head of the Roman Catholic church, not extending the title so as to include all the baptized,—that he is the fountain of power to *their* priesthood, and *to them* a bond of union, they may hold it who please; but if it mean that he is head over all things to the church on earth,—that he has received a dominion which requires the submission of every human being,—that he has authority over all churches, and that, making allowance for ignorance, there is no church, no religion, no communion with God without him: if it mean that he can pronounce invalid every act of the Queen as head of the Church of England,—that he can undo by his apostolic authority all that Her Majesty has done in the appointment of bishops, &c., and that he can appoint others to supply the place of existing prelates: if it mean, also, that, as a judge, he can condemn, for the guidance of English subjects, whatever the Parliament may do that is supposed to affect spiritual things,—if, we say, the Pope's supremacy mean this, there is some and grave doubt about the lawfulness of asserting it.

But something will depend, also, upon the manner of asserting

it, whether it be by word or action. The remarks of Lord Chancellor Lyndhurst, quoted on page 12 of the Appeal, clearly point to this. "It was no crime," he said, "in the Roman Catholic to maintain and defend the supremacy of the Pope . . . . . If he merely maintained and defended, as he was bound to do, *the spiritual authority of his superior*, then he said that he was guilty of no offence against the laws of the country." It is important to observe that Lord Lyndhurst spoke of the maintenance and defence by a Roman Catholic of the spiritual authority of *his* superior. He made no reference to the Pope as supreme over all the baptized, which is asserted now; but his lordship went on to the *manner* of maintaining and defending the supremacy of the Pope. "If any person," he said, "*improperly*, *wantonly*, or *seditiously* called in question the supremacy of the Crown of England,—and that, it was to be observed, included the temporal as well as the spiritual power of the Crown; if any, from any *improper motive* or *purpose*, or in any *improper manner*, questioned that supremacy, then that person would be liable to a prosecution at the common law." Here, it must be acknowledged, is a very important field of inquiry. By what rules are we to determine when the supremacy of the Crown is called in question improperly, wantonly, and seditiously? How are we to decide what motive, purpose, and manner are improper? It is not for us to answer these questions, but we submit that it looks like impropriety either to ignore what the Queen has done, or to confer titles of dignity in England, or to divide this country for purposes of government, or to give territorial spiritual jurisdiction. All this is improper, *both in the act* and *in the purpose*. But it will be requisite to prove this impropriety somewhat more particularly, as Nicholas seeks to explain it away.

The Pope, by his recent measures, has ignored and practically annulled all that the Queen has done by virtue of her spiritual authority. Now it is matter of very serious question whether his Holiness, either in propriety or law, has a right to do this. The Cardinal will inform us, "that Rome had nothing to say, in treating of a Catholic hierachy, of what no Catholic considers a part of his church,—the Anglican hierarchy." The propriety of this will depend upon what "a Catholic hierarchy" means. If it be a hierarchy for all England, which we contend it is, then Rome *ought* to have had something to say about the authority of our

sovereign and her spiritual rule. The prince of a foreign and independent state is not, and cannot be required to admit that English law has any force or authority *on his own soil;* but if he pass the bounds of his kingdom and enter ours, it would be a crime, or at least an impropriety, to speak and act as if there were no monarch and no laws:—so, while the Bishop of Rome confined himself to his own province, that is to the spiritual direction of the Roman Catholics of London, Westminster, Lambeth, &c., he was not obliged even to know that there *were* English churchmen and dissenters; but the moment his measures passed from Catholics to the nation, from persons to territory, it was an insult to the Queen not to recognise her rule so far as she has exercised it.

And if to ignore her Majesty's rule or pass it by be an insult, what term must be applied to the arrogance that assumes the sceptre *she* has wielded, that speaks as *she* has spoken, acts as *she* has acted, and that in the very place where we have been wont to acknowledge that "over all persons and in all causes *she* is supreme?" Here is a conflict of powers, one of which must yield. Which shall it be? There is a revival of the ancient pretensions that have often torn and distracted our beloved country; pretensions that have closed her churches, hushed her prayers, dishonoured her dead, humbled her monarchs, and bathed her people in tears. "Nothing new or unusual," says Nicholas. We partly believe him, and therefore we would *nip* the blossom rather than taste the fruit. But the present contest *has* something in in that is new and unusual. In all former struggles touching the appointment of bishops, the contest has been about the appointment to vacant dioceses, not so much, if at all, about the *creation* of sees. Nor has there ever been in England, as far as history tells us, the formation of a whole hierarchy in opposition to a hierarchy sanctioned and nominated by the Crown. But *all these* go to form *our national ground* of complaint; not simply the appointment of *one* bishop to a *vacant* see, though that would have called for resistance, but the appointment of a *hierarchy* of bishops by the Pope, and the *creation* by him of twelve new sees. To appoint one bishop without respect to the monarch's will, was deemed by our forefathers an invasion of the royal prerogative, and was nobly resisted; how much more is the royal prerogative invaded by the *creation* of twelve sees and the

appointment of a *whole hierarchy* of bishops, and that not only independently of the Throne, but in opposition to it!

The *opposition* of the new hierarchy to the authority of Her Majesty and her government is a point of the highest importance, and one that ought never to be lost sight of in the present discussion. That opposition does not come to us, as in olden times, in the thunders of the Vatican, in the excommunication of a priest, or in the non-interment of our dead, for such conduct would only rouse us to instant indignation; but the hostility of the papacy to what we consider the rightful authority of the Crown, is as determined and as unbending as ever. We do not mean merely that the papal hierarchy is in its existence opposed to the *wish* of the Queen and her ministers; we write of something more intolerable than a disregard to her Majesty's will,—that is, of *opposition to her actions*. We hold it as a principle, that where the Queen has *done* any thing in the way of government, no Englishman, and therefore, *â fortiori*, no foreigner has a right to step forward and *do the like*,—especially in the same place, and with reference to the same thing. It may be competent for any one to ask the government to resign its prerogative in a given case, or even humbly to petition the Queen to undo what she has done; but till the Queen and government have *given up* their claim and *revoked* their acts, it is *unseemly* and *insulting* for any subject of the Crown, and much more so for any "foreign prince, prelate, or potentate" to oppose his prerogative to their prerogative, his claim to their claim, his acts to their acts. Now this is what his Holiness *has* recently done. We cared little for Popish pretensions while Rome confined herself to the field of theology. It was then a war of words, and Cantuar might discuss with Nicholas, or York with John of Beverley, without any one "shouting for the sword of the state;" but it is far otherwise now. The Pope has drawn out his forces, and he has called to *action*. By a re-division of the country for ecclesiastical government he has opposed *his* action to that of the Queen, and by the *begun* formation of *parishes* he has set himself in array *against the Parliament* as well as the Crown. Can any thing be imagined more offensive than this contest? The servants of the papacy might have tried, without let or hindrance, to convince us that their Holy Father is sole head of the Church on earth; they might have endeavoured to teach us that his Holiness, and he alone, has power to create sees, to form parishes, and

to give rule for spiritual purposes in this realm of England; but we contend that they had no more right to *do what they have done* without the concurrence of the Crown and the sanction of the Legislature, than they have to repeal laws and enact new ones, or than they have to barter the independence of England, and make her a fief of Rome.

But these remarks are as applicable to what is prospective in the action of the Church of Rome, as to what is past. We speak, of course, only of what has reference to government, not of forms of worship, or of direct influence on the individual conscience. The hierarchy has been formed, but its formation was only the beginning of something that is in its every act an invasion of the royal prerogative, and an interference with the functions of government. If it be wrong, as even Catholic noblemen will tell us, for the Pope to create a domestic spiritual hierarchy for England, it must also be wrong to exercise the authority which that hierarchy implies. The hostility to the government did not cease when the pastorals of Pius were issued; it was repeated when Nicholas was "*enthroned,*" it will be re-acted when his suffragans enter, if they have not already entered, upon the "*administration*" of their sees, and it will be continued by every act of government that the hierarchy or any part of it exercises.

The Roman Catholic hierarchy, according to every authority with which we are acquainted, implies the possession and exercise of *spiritual sovereignty*,—not only as residing in his Holiness by whom the hierarchy is formed, but as existing in the Bishops who are its head, and, flowing from them, in a humbler degree to the subordinate members. Hence we read, in the Pastoral of John of Beverley, that "the Bishops placed at the head, being the images and vicars of Jesus Christ on earth, possess the plenitude and perfection of the Christian priesthood;" that "the Episcopacy is *a spiritual sovereignty*, and that no Bishop has been, or will be consecrated, to whom at his consecration a diocese is not then assigned. Priests and deacons," he adds, "are ordained, without any subjects being assigned to them, or jurisdiction given to them; but a Bishop, receiving all the plenitude of the royal priesthood of Jesus Christ, being His lieutenant on earth, he cannot receive his episcopal consecration without receiving at the same time that *jurisdiction* and *spiritual sovereignty* which are inseparable from the episcopal character." These words, though quoted by Bever-

ley from a learned theologian, are cited by him with marked approbation; we may therefore say, on his testimony, that each of the twelve Roman Catholic bishops is *a spiritual sovereign*, with subjects assigned to him, and claiming jurisdiction over his entire diocese. This shows the signification of "enthronement," and the singular propriety of the Cardinal's words, "we govern, and shall continue to govern, the counties of Middlesex, Hertford, Essex," &c. He need not bate one iota from the force of this language; for, if his suffragan be right, to resign his jurisdiction would be to renounce his episcopacy. He cannot be a Bishop without being a spiritual *sovereign;* he cannot be a sovereign without having jurisdiction and subjects; and, if he have jurisdiction, it is only bounded by the diocese confided to his care. This is true of Beverley as well as of Westminster, of Hexham as well as of Northampton, &c. Each Bishop is a *sovereign* in his diocese, and St. Pudentiana is head over all. The power of the Episcopate he receives "from a superior source, from a competent authority," that is, from the Pope; but its exercise begins when each Bishop takes possession of his see, chair, or throne; then, to cite the words of Dr. Wiseman, "he takes possession of the *entire* diocese confided to his care,"* or, to be more explicit, he commences that government which in its essence and in its action invades the Queen's supremacy. If each Bishop takes possession of his *entire* diocese, he thereby formally excludes from it every other spiritual authority. As a sovereign he admits of no equal within the sphere of his government, nor can he recognise any. To him, in this respect, the Queen is nothing, the government are nothing, and the persons appointed by them are only to be named in the category of beadles and parish-clerks. The newly appointed Bishops do more than ignore. With them, to deny the royal supremacy is to assert the papal supremacy; the two are so one, that we may rightly pass from this to that, or from that to this. When, therefore, a Bishop enters his see, he must be understood to deny therein the supremacy of the Crown; when he appoints a visitation, delivers a charge, consecrates a church, or issues a licence, he does the same. Indeed Cardinal Wiseman has so inseparably linked the assertion of the Pope's prerogative with a *denial* of the Queen's, that the *mere presence* of the hierarchy amongst us is an unceasing declaration that the Pope, *not the Queen*, has spiritual supremacy in this realm of England.

* First Sermon at enthronement.

Is there not, therefore, a contest of powers *in the working* of the hierarchy, as well as in the Pastorals of Pius? The one sounds from a distance, the other lives and acts at our own doors; the one, if we may so say, is a declaration of war, the other is the war itself. The invasion of the Queen's authority reaches further than the mere "scrap of paper" that announced it to the world; it multiplies itself by the number of Bishops already enthroned, and it extends to all and every the acts of their government; but, like the ointment on Aaron's head, it must be believed to pass also to the very skirts of the garment. We are to have a spiritual *sovereign* in each diocese, and one spiritual *governor* at least, not to speak of more, in every parish. The Pope has invaded the royal prerogative by the creation of sees, and the hierarchy begin to invade the prerogative of parliament by the formation of parishes. What will be thought by the country of the following announcement, which was made about two months since? "The *parish Priest* elect of Gateshead begs to announce that he will say Mass in the wooden church on Candlemas-day, and solicits the contributions of such kind friends as may wish to aid the good work." This parish is so far formed, that its spiritual guide is named, if he be not now already appointed. We must not forget that each priest receives his mission, as well as his ordination, from the Bishop; the one has authority, because the other is supposed to possess it. Hence these so-called parish-priests will act by virtue of the Bishop's government, and for the same ends; they, like him, will assert the papal supremacy and deny the royal supremacy. It would be easy, though painful, to write of the several ways in which this will be done, in the confessional and in the pulpit, in public and private life, and by the circulation of pamphlets teaching the authority of Rome; but we need not enter upon these, as the *mere existence* of a parish-priest of Gateshead, or of any where else, whose parish is neither formed nor approved by the legislature, looks like "asserting improperly" the supremacy of the Pope. The priest, like his Bishop, has *territorial* spiritual jurisdiction *without personal limit;* that is, he has the oversight of all places and persons in the parish to which he is appointed. If this be not "a pretension to supremacy over the realm of England," and "a claim to sole and undivided sway," what on earth can be? The priest, it is true, does not immure us in prison, for that he could not do; he does not "tithe and toll" in the realm of England, for that, too, were impossible; but, we submit, *he*

goes as far as he can. First the Holy Father claims jurisdiction over the realm and people of England, by virtue of which he divides the one and assigns the other; next, his servants, the Bishops, claim jurisdiction, and theirs also is of a double character, having reference to territory as well as to persons, and implying a right to subdivide the country so as to form parishes at their pleasure; and then the parish-priests claim territorial as well as personal jurisdiction, which signifies that they too may divide their districts for all the purposes of *parochial government.* At first sight we thought that *territorial* jurisdiction merely indicated the bounds to which a Bishop's rule may extend, which in its very nature must have some limit; but this was the thought of a moment, for we soon saw that territorial jurisdiction gives a right to divide and sub-divide,—to create and re-create parishes, and to appoint those who shall keep the consciences of the people, and teach everywhere the supremacy of the Pope.

Whether such right can be lawfully claimed by any one *independently* of the Crown, it is for the country, or rather for the government to decide. We have always thought that our right to possess a foot of land is given us, or at least secured to us, by the government and the law. We have imagined that without such security no one could be safe in the tenure of his land; and then we have concluded, in our simplicity, that, *â fortiori*, a power to *govern* the country, or any part of it, is and must be derived from the same source. We have looked to the throne as the fountain of dignity, of titles, and of *all territorial* power; and we have held, as we now hold, that no prince, prelate, power, or potentate hath, or ought to have, any *territorial* jurisdiction whatsoever *without the concurrence*, *sanction*, and *authority* of government. The principle thus asserted is applicable to Roman Catholic as well as Protestant countries, and to the ministers or priests of every religious community. Whoever it may be that asserts a claim to divide and govern the realm of England independently of the Throne, his claim ought to be rejected as foreign to the genius of Christianity, dangerous to the safety of government, and hostile to the spirit of our laws. God has given the mission to convert; the Throne can alone give *territorial* rule for such purposes. The duty of conversion is imperative, as Nicholas suggests, but it is not to be performed by assuming the functions of the civil power. The missionary should go on, humbly and

perseveringly, propagating the truth and winning the wanderer to the faith of Christ; but his Church should be the Church *in* Ephesus, *in* Smyrna, or *in* England, till the State consent to become a nursing-father or a nursing-mother: then, and *not till then*, may it be the Church *of* England, *of* Smyrna, or *of* Ephesus. In other words, the spiritual power has *no territory*, and *no territorial* rule, except what the secular gives it, any more than the lay members of the Church have. This was clearly the principle on which our Roman Catholic forefathers rejected the claims of the Popes. They had no hostility to the religion of Rome as such, but they felt that the nation by its senate, or through its prince, had the sole right to parcel out the country and appoint its rulers.

The assumption of territorial jurisdiction by the court of Rome is not all that we have to complain of. Her government implies laws, and it becomes us to consider carefully what they are, and by what authority they are sanctioned. If the recent measure affected only the present members of the Church of Rome, without contemplating either the immediate or the ultimate subjection of the whole empire, we could disregard the canons, whether found in the *Decretals*, the *Extravagantes*, or the *Corpus Juris;* but when, as we have seen, it gives present territorial jurisdiction and the immediate exercise of government over all England, we have a right to examine, and an equal right to complain.

As we enter upon an examination of canon law, almost the first thought that presents itself is, that the same power which confers jurisdiction lays down rules for its exercise. This is a principle of all governments, whether civil or spiritual. If, for instance, a governor is appointed, he receives certain instructions that are to guide his proceedings; he is required to render an account of his colony or district from time to time, and any matters in dispute are submitted to the decision of those by whom he was commissioned. Now what is thus true in civil government, equally holds in the Church. Here the authority that appoints, also promulgates canons, expects that an account be rendered from every diocese or district, and settles by *sovereign* authority all matters of appeal. Whether this be agreeable to all who are concerned in ecclesiastical government, or whether some few would not break off from the yoke of authority, is not for us to say; we

are now only concerned with the mutual and necessary dependance of one power on another. If, therefore, the Pope give jurisdiction, *his Holiness* must also publish laws for the Church's government; *he* must have accounts sent him of the state of each see; and *to him* all questions in dispute must be submitted for *final* decision. The first seems to lead us naturally to the last, so that he who begins with Rome, will also land his appeals there. The civil power may, indeed, come in to prevent this; but the man started for Italy, and it was only a storm that turned him from his course. Every step we take in our reasoning serves to show us the importance of the question to be decided on the floor of the House of Commons. The word jurisdiction may sound sweetly in the ear of Nicholas, but it tells us of priestly exemption from civil rule, and of appeals to Italy even against the Throne itself. Once admit that the Pope is the source of territorial jurisdiction, and where can we stop? A logical sequence leads us on step by step, till we are ever and anon at the Fisherman's gate. But insist, as we ought, that the Queen and the legislature have the *sole power* to give territorial jurisdiction, then every law, whether it affect the Church or the State, must at least be sanctioned by them. An attempt to govern by *any* laws *which they have not accepted*, is an invasion of their prerogative, and an act that ought to be punished. But what are the laws by which Nicholas will govern? When writing of the establishment of the hierarchy, his Eminence observes that only two plans were open to the see of Rome, "Either to issue another and a full constitution, which would supply all wants, but which would be necessarily complicated and voluminous . . . . . or the *real* and *complete code* of the Church must be at once extended to the Catholic Church in England, *so far as compatible* with its social position." Again: he says, "The *canon law* is inapplicable under Vicars-Apostolic; and, besides, many points would have to be synodically adjusted, and without a Metropolitan and suffragans, a provincial synod was out of the question."*

These statements bring clearly before us the rules by which the territorial jurisdiction of the new prelates will be guided. They divide themselves into two classes,—the canon law of the Church, already rejected by England, and the decisions of provincial synods, that will be ratified by the Pope. Whether such laws shall

* Appeal, Introduction.

be tolerated in the exercise of territorial jurisdiction, must be decided by those in whose hands the interests of the country are placed. It is not *for us* to say what the law is, or what that law shall be; but we may be allowed to say that no laws have hitherto been recognised which have not received the sanction of some power in the government. Hence the regulations of the Church, while agreed upon in convocation, have been ratified by the Throne or by the Parliament, or by both. This has been deemed necessary for two reasons; namely, that nothing may be done injurious to the government on the one hand, and that nothing may be enacted which would prove a calamity to the people on the other. Besides, it seems fitting that whatever is intended for the nation should have the sanction of the national voice, in whatever way that is legally expressed. We do not speak of *any private society;* its regulations concern only the persons who belong to it; but when any institution seeks to become national, it must bow to the ordinary laws of government. It may be *very convenient* for the Cardinal to eschew the idea of a national Church; but, if his Church is intended for the nation, he must politely submit to national law, and one principle of our constitution is this,—that England be governed by no laws that the country has not approved. Will his Eminence submit his canons to such a court?

Benedict XIV., speaking of canon law, observes that "those constitutions are properly called canons which bind the whole Church; such are those which emanate from the chief Pontiff, or a General Council. But if the statute of a Bishop be confirmed by the Pope and extended to the whole Church, then it is properly termed a canon, as it is now authorized by the Pope."* This definition deserves, as we hope it will have, the serious attention of every Englishman. If we would preserve our liberty, there is nothing that we should guard with more sacred vigilance than our laws. Other things are important, but law is either our security or our curse. Now, in the code that the hierarchy seek to apply, we have *no security whatever* against arbitrary and injurious enactments. A canon is not dependent on the civil power, for it emanates from the Pope, or receives his sanction; it binds the whole Church because he approves of it, and it is administered by the Pope's servants. Though coming within the range of civil

* Benedict XIV., De Synod. Diœces., tom. i., lib. i., cap. iii., sec. iii., p. 52; Mechlin., 1842.

influence, it takes no account of civil authority, and it binds or is thought to bind irrespective of any and all the decrees of the state concerning it. Such are the laws that are now extended to England. They were once tried at the bar of public opinion and condemned; but, notwithstanding that condemnation, they are sought to be covertly introduced again, "*so far as compatible* with social position." The importance of some security in ecclesiastical matters is almost self-evident. If the Government have no control over the canon law, what can save us from the revival of obnoxious statutes? In saying this we are only taking account of the follies and failings of human nature. The best of men do wrong, and priests are not exempt from the faults of humanity. The remark comes to us with increasing force when we remember some dark pages in papal history, on every one of which a tale of sadness is written. It is not our intention to describe events that are too sickening for comment; but the past cannot be forgotten. It speaks to us too loudly of persecution and torture; and while the name *Inquisition* remains, we must be forgiven if we *cannot trust without security*, or if we *decline* to put the country into papal hands.

Besides, there have been canons of the Church whose natural and direct action was to disorganize society, and sever the bonds of social life. Thus, Gregory VII. taught, in his Maxims, that "it is lawful for the Pope to depose emperors. The Pope," he said, "can absolve subjects from their oath of allegiance which they had taken to a bad prince. His decision no man can reverse; but he can set aside all other judgments. He is to be judged by no man." Again: the third Council of Lateran decreed, that "all oaths which are adverse to the utility of the Church must in no wise be performed; but, on the contrary, with whatever solemnity and apparent good faith they may have been taken, they must be unscrupulously violated, inasmuch as they are to be deemed purjuries rather than oaths."* We read, also, in the *Corpus Juris*, that "Princes' laws, if they be against the canons and decrees of the Bishop of Rome, be of no force, nor strength;" that "all kings, bishops, and nobles, that allow or suffer the Bishop of Rome's decrees in any thing to be violate, be accursed, and for ever culpable before God, as transgressors of the Catholic faith;" and

* Labb., Concilia, tom. x., Conc. Lat. iii., Can. xvi., col. 1517. Paris, 1671.

that "the clergy ought to give no oath of fidelity to their temporal governors, except they have temporalities of them."

There can be but one opinion about these principles, or about the men by whom they were advocated; both were steeped in error. Indeed Roman Catholics are *ashamed* of them, and Nicholas reminds us that "we must have reference to modern enactments, declarations, explanations, judgments, tacit repeals by disuetude, or actual usages and prescriptions." We are willing to do so, and are ready to grant, *for the sake of argument only*, that no unrighteous canon remains; but what then? Are we therefore to throw aside all guards? Nay, the very fact that such infamous principles *were once* acted upon teaches our need of the *utmost watchfulness*, and warns us to allow *no independent power*, especially *no foreign* prelate or potentate to legislate for this realm of England.

But, in our efforts to prevent this legislation, we must look to Westminster as well as to Italy; to a domestic as well as a foreign antagonism. Referring to the last twelve months, Cardinal Wiseman informs us that "Catholic churches all over Europe have been peacefully enjoying the blessing of holding in every province ecclesiastical councils, to an extent unknown for centuries. So characteristic," he adds, "has this frequency of such sacred assemblies been of the period, that it has been aptly remarked, that it may well be distinguished in future Church history as the period of Synods." The benefit of such ecclesiastical assemblies is, it appears, to be extended to us. We are to be favoured with their pomp, their decrees, and their influence; that is, unless the Government step in to prevent. It is impossible for us to say before-hand what points will "require to be adjusted by a synodical assembly," but they will, no doubt, be points of infinite importance; some of them will be purely Catholic, but all will not be so. The pastors of the church of Rome will find it hard in the midst of politics, to touch upon no political question, and to give *not even a glance* at government measures. They will be led on, as if by instinct, to "play a part in the game of nations;" and we shall find them condemning Anglican measures, as at Thurles, and perhaps saying, as they did there, "the Judge has spoken, and controversy is at an end." If these persons were acting only in a private capacity, they would have a right to ex-

press an opinion on any local or national measure; so, if they were seeking only the spiritual guidance of their own people, they might guard them against what would be injurious. But, claiming authority as they do over all the baptized, and assuming *territorial spiritual government*, we deny alike their right to assemble and their right to decree.

The decrees of a Roman Catholic synod would come to us with the same authority as a canon decreed by a conclave at Rome. Both would be *priestly* decisions, would be sanctioned by the authority of the Pope, and would violate the principle already stated, that "England be governed by no laws which the nation does not approve." Besides the decision of a synod would have this aggravating circumstance, that it would *directly* affect local matters, and might interfere with the free action of the state. The same reasons, then, that lead us to reject a *foreign* legislation for England, lead us to reject *any independent domestic* legislation; both set up a legislature to rival the government, and both are likely to enact laws *adverse to British interests*. If it be dangerous for any one to apply laws that are unsanctioned by government, what can be said of an assembly convened to enact such laws; or of men whose business it is to see that they are executed? If an independent statute-book be an evil, an *independent legislature* cannot be a good.

We have endeavoured to show that, according to true principles of government, ecclesiastics *as such* have no right whatever to territorial rule; and yet, on the ground of that right, they propose to meet in synod. Their assembly is to be as independent as their government; their decisions are to go forth stamped with no English authority, and they are to be effective just as far as circumstances will allow. We submit, that the same necessity which requires that all laws for *territorial government* should be *sanctioned* by the Crown, *demands*, also, that the assembly by which those laws are made should be subject to the same rule; and there can be no such subjection without a power to convene or dismiss, and to annul or ratify its acts. The possible consequences of such an assembly, if there were nothing else, must show its impropriety. It may be held at Westminster, near if not within sight of the Parliament-house. While the legislature of the country sits in council,—convened by the authority of the Queen, bound to her by the most solemn oaths, and submitting

every thing to her royal consent; another meeting will be held, called together by the authority of the Pope,—presuming to consult and legislate for the government of England, at the same time most explicitly denying the authority of the Queen. We can have no security that these arrogant ecclesiastics (they must forgive the term) will have any English partialities,—indeed they need not be British subjects. The same matters may be discussed both in Synod and Parliament, opposite conclusions arrived at, and hence hostile action may follow,—the one sanctioned by our gracious Queen, the hostile action stamped by *the Fisherman's ring.* Let any one say if the contest between the civil and ecclesiastical powers can be more marked than this. It begins with the assumption of *territorial* jurisdiction, to which *no one* has a right without the donation of the Crown; it exercises that jurisdiction by an invasion of the Queen's prerogative in the creation of dioceses, and by an invasion of the prerogative of parliament in the formation of parishes; and then it sets up a rival legislature, subject to no civil authority, and under no acknowledged control from the country, the government, or the Queen. Hence are to proceed the local regulations that are to govern, for spiritual purposes, the realm of England. This is the authority that shall denounce and try to render useless whatever can, by Jesuit construction, be made to bear on spiritual things. By all this are we taught that the Pope has transferred the see of Canterbury to Westminster, and the see of London to Southwark.

But "on the ground of the Protestant oaths it follows," says Nicholas, "that *according to them* the Pope's acts are mere nullities, and are reputed to have no existence. It is as though the Pope had not spoken, and had not issued any document." He would, therefore, urge us to treat the aggression as a harmless thing. It may be worth observing, that the Cardinal does not say the acts of the Pope *are* mere nullities. This he ought to have done, if his reasoning were to be effective; for the fact of persons *imagining* him to have no jurisdiction does not alter the nature of *positive actions*, nor does it make an infringement of the royal prerogative less open to censure. If all the world were to deny that the Pope hath any jurisdiction in this realm of England, it would *not alter one tittle* the nature or the offence of what he has just done. The actions of the Pope, we grant, are not effective in law; but we judge of things by their tendencies as well as by

their present results, and we do not wait till they become effective before we oppose them. The priesthood may not have the power to make their canons of force in law, or to perfect their system in all its civil and ecclesiastical relations; they may not yet be able to exert unchecked dominion, to give the law alike to prince and serf, or to hurl the thunders of anathema against those who oppose them, but the tendency to this is manifest. The Roman power is cunningly supposed to be a nullity; treat it as such, and it will become *a withering influence.*

What less than this can be implied in the illustrations of the restored hierarchy that Roman Catholics have used? It is compared to our Lord coming forth from his tomb. What can such a comparison imply,—not to mention the blasphemy that this language must ever contain? The resurrection of Christ was a triumph over every form of opposition, whether from earth, hell, or death; it was a vindication of the Saviour's claim to be the Lord both of the dead and the living; and it was preparatory to his cession at the right hand of God, on the throne of the Universe, and far above all rule, all authority and power. Now to which of these particulars is the "restoration" of the hierarchy like? Does it resemble the first, so that Cardinal Wiseman's advent among us strikes down in alarm all who have witnessed it? This may be desired, but we are not yet convulsed with fear. Does it resemble the second, so that the Pope's division of England into dioceses is a proclamation of his power over all mankind, over the living and the dead? This we take it to be; but if so, what becomes of the cry of no aggression? Does the appointment of the hierarchy indicate the third; namely, an entrance upon dominion said to have been given by Christ? It certainly points to this, and is intended to secure it. The Roman Church aims at sole, undivided, and absolute sway; she would judge every thing, and be judged by no one. Her claim is insolent, arrogant, and un-English. We speak of the act, and not of the spirit that dictated it.

If the recent aggression be what we have named, it matters little whether Westminster or Bloomsbury confer a title; yet the connexion of his Eminence with Westminster shows that the city was designed to give dignity to the Cardinal. We cannot say that Westminster was chosen in order that the assembling of a synod might act more powerfully on the Throne and on the Par-

liament, and thus hasten the return of the Abbey into its so-called Abbot's hands. If it were, there would be nothing unnatural in this. It would only be choosing the best place to accomplish desired ends. But are we, therefore, to be silent, while Rome works insidiously or openly, as may best suit her purpose? Shall we be gentle and yielding till incense again wave within the Abbey walls? till Romish prelates proceed to the Upper House with ancient pomp? till mass open the sittings of both branches of the legislature, and a prelate, not a peer or commoner, direct the affairs of state? Are we in love with such things? Did Rome rule so wisely, that we would again run into her arms? Were her measures always so liberal that she must now be called the herald of freedom, and invited to guide the destiny of the freest nation upon earth? Has she always advocated liberty of conscience and Christian rights? Has she always taught the unrighteousness of persecution, the folly of attempting to infuse faith by torture and the sword, and the execrableness of consigning helpless females to an inquisition, whose only fault was that they loved their brothers and their husbands too well to betray them? Has she done all these, so that we may now trust her to fight the battle of humanity, and promote brotherly kindness, gentleness, and love? Nay: the work must be in other hands: England cannot trust her.

But we must examine the reasons urged by Nicholas in favour of the measure. Till this is done, we have failed to do either him or ourselves justice. Besides, to pass by his arguments would be construed into an acknowledgment of their force,—an acknowledgment that we are not prepared to make. They are specious but not conclusive, and they touch upon every thing that can be said in favour of aggression, yet they fail to convince us either that the hierarchy is right, or that it ought to be allowed.

IV. The "re-establishment of the hierarchy" not effected with perfect openness.

His Eminence assures us, in the introduction to his Appeal, that "the restoration of the hierarchy" was no secret, wanton, or sudden act, but a measure gradually and undisguisedly matured. "All Catholics," he says, "knew of the intended measure, the papers announced it; and so notorious was it, that the Dean and

Chapter of Westminster petitioned parliament against it; it found its way into Battersby's Directory of 1848, and was notified to the Post-office authorities on the cover of a letter." We wish it were possible to receive this as an *exact* account of what preceded the Cardinal's appointment. It is always painful to suspect, especially where religion is concerned, and we should rejoice if it were easy to believe that the Roman priesthood have, in this instance, been open as the day, and that there has been nothing behind the scenes,—no pretence of political measures in order to acquire spiritual influence, no use of spiritual authority to secure political ends, and no latent insidiousness of which the country has cause to complain. But, unfortunately, we cannot think this. As we are not informed on the *exact* policy by which the Roman priesthood were guided prior to the passing of Emancipation in 1829, or on *the nature of the returns* that have been made to Rome by Vicars-Apostolic for the last 150 years, particularly during the last twenty years, it is impossible for us to fix upon this or that act of secrecy or intrigue,—all *anticipating* and *hastening* the recent aggression; but can we doubt that the priesthood have been playing their part with English statesmen and with English liberty? "The Catholics," says Nicholas, "have followed and honoured liberalism." Whatever feeling there may be on the part of Roman Catholic laymen, there is little sympathy with true liberality among the priesthood of Rome. They sanction it no longer than it serves their interest, and their approbation is the surest token that liberty will be overthrown. If they "follow and honour," it is only to push liberalism to undue lengths,—to make her measures a stepping-stone for advancement, and then with her downfall to enthrone themselves. Is not this precisely what the priesthood have done, or tried to do in this country? They have tracked the path of liberty from spot to spot, they have pleaded her interests to obtain for their order even greater licence than others desire or ask, and now, standing side by side with liberty, they seek *to enslave her* and *her children*. This will explain the "indignation" expressed in the Premier's letter, as well as the charge of "insidiousness."

To us there is something more than inexplicable in the "openness" of which the Cardinal boasts. First it begins, if at all, '*about three years since*,' after an under-current had been flowing for some years; then the openness is seen in an acknowledged

error on the cover of a letter, and in Battersby's Directory, to which, knowing it to be a mistake, the country was not likely to give much heed. The only things that are clearly open are the petition of the Dean and Chapter of Westminster, which might be thought to result from *needless alarm*, and the representations made to Lord Minto, of which we have *no official information.* We are not led to make these remarks by a desire to suspect without reason, or to aggravate unduly the aggression of the Church of Rome, but in consequence of a strange inconsistency between the language of Roman Catholics and what Dr. Wiseman puts forth as the facts of the case. He tells us that "all Catholics knew of the intended measure," and yet in his Pastoral from Rome he says, "If our parting were *in sorrow*, and we *durst not hope* that we should again face to face behold you, our beloved flock, so much the greater is now our consolation and joy," &c... Here are two statements: first, that his Eminence left his people with *sorrow;* and secondly, that *he durst not hope* to return to them, both which it is difficult for us to reconcile with any known certainty of the Cardinal's return. He was about to become their Archbishop, and yet, we are told, he sorrowed at going to be made so. Every one knew, it is said, and no doubt Nicholas did, that a few months would bring him to England honoured with a Cardinal's hat, or, at least as the Primate of all England, yet *he durst not hope* to return. We cannot imagine that Dr. Wiseman was ignorant of the decisions at Rome, and we can only explain his language by supposing that *the people* did not know, and that it was needful to plead ignorance before them.

But *all* Catholics knew of the intended measure! Let us see if they did. On turning to page 35 in part vi. of 'the Lamp,' we find a paragraph headed "Dr. Wiseman's elevation to the Cardinalate." The writer, after referring to the loss the Roman Catholics in England had sustained by the call of the Doctor to Rome, proceeds to write thus of his successor: "*He must have a successor.* But that *successor*, as far as circumstances admit, will be worthy of the vacant chair. . . . . We are at ease about the *successor* of Dr. Wiseman. He may not possess the same amount of learning, for what man in Europe does? But he will not the less wisely build upon the foundation so skilfully laid by his great, and *deeply regretted* predecessor." In another number of the same periodical, published a *fortnight* later than that from

which we have just quoted, and when matters were far advanced at Rome, we find (on page 377) an article headed "Who shall be successor to Bishop Wiseman?" We do not stop to consider the title of this article, though it compels a conviction that Dr. Wiseman's return was *neither generally known, nor generally expected,* but hasten to its contents. The remarks of the writer are full to our purpose, and show either that the Cardinal is wrong, or that the journalists, whether priests or laymen, are as crafty as their teachers. "At first sight," he says, "the removal of Dr. Wiseman would appear as a misfortune; but that cannot be. He has left his late position in the Church merely to fill a post in which his great powers will contribute more to the interests of Catholicity in general, and we have not the remotest doubt that the authority which removed him will take *anxious and judicious care to appoint a fitting successor.* We feel this," he observes, "yet we *cannot divest ourselves*, there is *not a Catholic in Great Britain* who can divest himself, of a *deep anxiety* relative to the successor of Cardinal Wiseman." All this sounds very strange, if every one knew that his Eminence was to return. Why talk of misfortune, of Dr. Wiseman's successor, or of the *deep anxiety* of Catholics about it? There could be neither anxiety nor misfortune: but perhaps the ignorance was confined to Richardson's offices; others might know all that the Cardinal has told us, though they did not! As if to satisfy us on this point also, the writer of the article proceeds to combat the sneers of "men, less charitable than bold," about the "ambition of the Episcopate" felt by Catholic priests. The question of a *successor* had become so general a subject of debate as to excite ridicule,—indeed the thing went so far, that Dr. Gillis of Edinburgh was named among others as Dr. Wiseman's successor. The writer in 'the Lamp' speaks of the Doctor's merits, and then adds, "should his Holiness translate Dr. Gillis to London, England shall have little cause to mourn the loss of his predecessor."

Now what can all this mean? Roman Catholics either did, or they did not know of "the restoration of the hierarchy" and the return of Dr. Wiseman. If they did not, as the foregoing extracts would seem to imply, then the Cardinal's pretence of openness falls to the ground; if they did, as the Doctor asserts, then we have the most perfect piece of deception on the pages of 'the Lamp' that was ever practised. Let his Eminence choose

which alternative he pleases. Either *he* has deceived us, or 'the Lamp,' and all the persons who named a successor, particularly those who spoke of Dr. Gillis, have tried to impose upon us. We cannot wonder that the Premier and the country are "indignant" while they are "surprised."

V. The "re-establishment of the hierarchy" not justified by the Emancipation Act.

The frankness of the priesthood is not the only point his Eminence has to urge. He appeals to our own statute-book, and reminds us that the act of Emancipation and other lesser acts are found there. In arguing from Catholic emancipation, the Cardinal draws his remarks from two sources; first, from what emancipation allows; and secondly, from what it forbids. Both these, he thinks, show the aggression to be lawful, and that we have, therefore, no right to prevent its taking place. "By the act of Catholic Emancipation," says Dr. Wiseman, "preceded and followed by many others of lesser magnitude, the Catholics of the British empire were admitted to complete toleration; that is, were made *as free as any other class of persons* to profess and practise their religion in every respect." . . . . . And "if the law," as Lord Lyndhurst observed, "allowed the doctrines and discipline of the Roman Catholic Church, it should be allowed to be carried *on* perfectly and properly." True: but what does all this prove? We agree with Nicholas in his premises, but we deliberately and entirely deny his consequence. The Catholics of the British empire have been made *as free* as any other class of persons, but not *freer* than any other class is, or desires to be. They are free to profess and practise their religion *in every respect*, but not free to interfere with, derange, and interrupt the profession and practice of others. We would not, for a moment, step in between the Roman Catholic and his worship; let him serve God as he pleases, and avail himself of that teaching which he finds most consoling to his mind,—nay, more, as Lord Lyndhurst suggests, let his religion be carried *on*, within its own limits, perfectly and properly, that he may have all the comfort he can secure in life, and all the joy he hopes for in death. We would not rob the Roman Catholic of any thing,—of any thing of authority over himself, of any thing of instruction from his teacher, or of any thing of comfort from their ministry; but, at the same time, we

look for and demand that the Roman Catholic do not molest us. His Eminence evidently attaches much weight to the words of Lord Chancellor Lyndhurst, and they deserve it, both on account of his talents and his position; but his words are unfortunately wrested by Nicholas from their true meaning. The Lord Chancellor was speaking of the *internal* action of the Church of Rome, and advocating the repeal of an act against the introduction of a papal Bull into England. He had no reference whatever to either the theory or the practice of developement to which the Cardinal applies his words. He looked to action *within*, not *without* the Church of Rome, and it was as if he said, "You allow the Church of Rome to exist among you; let *its members* have their perfect doctrine and discipline,—that is, let it be carried *on* perfectly and properly." Lord Lyndhurst was, we contend, speaking of something *entirely within* the Church of Rome, not to any extension to persons or to places *without* that Church: to apply his language to the latter, is to make the learned Chancellor say what he did not intend. In quoting Lord Lyndhurst's words his Eminence has made an alteration that quite suits his purpose. We will not say he designed to do this, or that the change was more than an oversight; but, whether intended or not, it makes a most important difference in his Lordship's meaning. On page 13 of the Appeal, the Lord Chancellor's words are given thus: "If the law allowed the doctrines and discipline of the Roman Catholic Church, it should be allowed to be carried *on* perfectly and properly:" on the next page they are "if . . . . . it should be allowed to be carried *out* perfectly and properly." Now "carried *on*," and "carried *out*," are two obviously very different things. To carry *on* the doctrines and discipline of the Roman Church perfectly and properly, is simply to teach the one and administer the other, and to be allowed to do this *within the sphere of the Church's action*,—that is, to the extent of toleration granted to Protestants. To carry *out* perfectly the doctrines and discipline of the Roman Church, is to carry both out to their immediate and ultimate consequences. Lord Lyndhurst sought the former, but not the latter. The country had allowed a religion with bishops, priests, and deacons; yet she retained a statute forbidding all Bulls from Rome, without which bishops could not be created, or at least could not be appointed. Now this tended to derange *internal* action, and prevented the religion from being carried on perfectly

and properly. The Lord Chancellor sought to remedy the grievance, but he did not wish to *carry out* the doctrine and discipline of the Church of Rome. That would require the entire surrender of our Protestant liberties, and the loss of blessings that were purchased by our martyrs' blood. To carry *out* perfectly the discipline of the Church of Rome, each church must be resigned into papal hands, every oracle, whether Anglican or Dissenting, save that of Rome, must be dumb; all our Bibles must be closed, except when a priest permits us to open them; the Queen must bow to the supremacy of Pius, and England must become a fief of Rome. This is carrying *out* the doctrines and discipline of Popery, and certainly no such perfection was or could be desired by the Lord High Chancellor of England.

But Catholic emancipation is thought to favour the hierarchy by what it forbids, as well as in what it allows. "The law," says his Eminence, "did put on a restriction. The act of Emancipation forbids any one from assuming or using the style or title of any bishopric or archbishopric of the Established Church in England or Ireland. Now," he adds, "if the law of Emancipation did make one exclusion and prohibition respecting the titles of Catholic bishops, it thereby permitted, as perfectly within law, whatever in *that respect* came not under the exception." True, in *that* respect it permitted; but in what respect? Only in that of "name, style, or title;" and it permitted this only in the sense of making *no distinct provision* against it. Is the restoration of the hierarchy merely a name? If it be, we have little to say against it, except on the ground of territory; if it be not, a legal axiom cannot oblige us to permit it. A principle of law may serve as defence in a court of justice, where every thing must be determined by distinct statement, but it cannot calm the public mind. *All* will perceive that the prohibition of Anglican titles was *never intended* to legalize any or every other title that might be assumed. "The restrictive clause," said the Duke of Wellington, as quoted by Nicholas, "was no security; but it would give *satisfaction* to the United Church of England and Ireland. He was aware," he said, "that this clause gave no security in any way, but it was inserted to give *satisfaction* to those who were disturbed by this assumption of title by the Catholic clergy." The clause was to give satisfaction to Protestants, yet, according to the Cardinal, it was to do so by telling Roman Catholic bishops, *you may take*

any title you please, only do not fix upon an Anglican title. A strange way, we think, to calm our fears! But the Duke of Wellington gives us another reason for introducing the restriction. "According to the laws of England," he observes, "the title of *a* diocese belonged to a person appointed to it by his Majesty; but it was desirable that others appointed to it by an assumed authority should be discountenanced, and that was the reason why the clause was introduced." Here we are told the true reason and object of inserting the clause in question. The object was to *discountenance* the appointment to a see by an assumed authority; and the reason for this was, that, according to English law, the title of a diocese belongs to a person appointed to it by the Crown. We must observe that His Grace did not speak of particular dioceses, such as those mentioned in the inserted clause, but of *a* diocese, without any limitation; as if he had said, "According to English law, no one has a right to appoint to a diocese but the Crown; *we*, therefore, *discountenance any other appointments*." This touches and condemns the recent aggression, so that the authority of the Duke of Wellington, as well as that of Lord Lyndhurst, fails his Eminence. Indeed the prohibition of Anglican titles, so far from giving an implied right to create dioceses, or assign territory, or appoint persons to govern it, is *in itself* another declaration that in this matter the Pope of Rome hath no jurisdiction in this realm of England; and it was intended to calm ous fears, by *declaring* that the Sovereign alone can give, or ought to give, the title of a diocese, and by *discountenancing* any appointment to a see by an assumed authority.

"There is an axiom in law," says Nicholas, "that runs thus: *Exclusio unius, est admissio alterius;* that is, if you specifically exclude or deny the use of one particular thing, you thereby admit the lawful use of that which is not denied.'"* This, he thinks, is quite to his purpose, for he argues, "If, in giving a person leave to build a house on my land, I stipulated that he should not use sand-stone, it would imply that he might employ granite, or lime-stone, or *any other* stone but the one excluded; so, if we are forbidden to use the style or title of any bishop or archbishop of the Established Church, it follows that we are allowed to assume *any other titles*." It is clear that this whole reasoning extends only to the question of titles, not to all that is

* Appeal, p. 15.

implied in a Cardinal Archbishop of Westminster. If there had been only style or title in the case, his Eminence might possibly have taken his name with as little reproach as was heaped on Dr. Dillon. He might have been as uninterrupted as Moravian bishops are now; but there is something more than "style or title" about the Cardinal's hat, something more than "style or title" about "territorial jurisdiction," and something more than "style or title" about the formation of parishes, &c. The illustration drawn by Nicholas from an agreement for building, fails in an important point. The exclusion of sand-stone in my agreement with the householder, might leave him at liberty to employ granite, lime-stone, or any other stone not excluded, but it would not give him licence to employ such stones in raising a fortification from which to desolate my estate. Now this is precisely what the Church of Rome has done. A denial of the right to have bishops with Anglican titles, implied, of course, that they might have *bishops*, but it did not authorize them, even by implication, to raise a hierarchy by which to overthrow the existing state of things, and scatter to the winds the very constitution by which they had been relieved.

We have assumed, throughout this reasoning, that the Cardinal's axiom will serve him in a court of law, because it is not for us to decide the matter either one way or the other; but to us, the use made of the axiom by his Eminence appears inadmissible on several accounts. A thing not specifically condemned may yet be unlawful, because it trenches on some part of the Constitution; or something lawful in itself may yet, from the circumstances with which it has been connected, be righteously denounced. This, we submit, is the case in the question before us. The prerogatives of the throne and the government have been touched and invaded, and in the manner, as well as the act, there has been "an assumption of power over the realm of England and a claim to sole and undivided sway" that ought to secure for the measure the denunciation of all Englishmen. But, besides this, the use made by Nicholas of the clause in the act of Emancipation involves consequences that are dangerous to the true action of the royal authority. Should the denial of Anglican titles to Roman Catholic bishops imply that they may assume *any other titles*, then the Queen is virtually *prevented from creating such sees* as *Her Majesty may choose*. For example: if it were agreed in council

to create a see of Westminster, his Eminence would stand in the way, and say, "May it please your Majesty, you must not come here, or the law will be broken." So of Southwark, of Northampton, of Hexham, of Beverley, of Liverpool, of Salford, of Shrewsbury, of Clifton, of Plymouth, of Menavia, of Nottingham, and of Birmingham; and the same will be true of any future division that his Holiness may make. If her Majesty should wish to give an Anglican title from a place that may happen to confer a title on a Romish bishop, either the Queen must forego her right, and the see not be created, or, if the law be kept, a legal contest must commence, or his Eminence must politely retire. Can an inference from the act of Emancipation be sound that leads to such consequences? Rome is not usually so submissive to civil authority as to bow whenever the royal will is expressed; we could not hope, therefore, that the Cardinal would retire, and we should be left either to *a legal contest*, or to the *humiliation* of having the Cabinet controlled in its deliberation and in its action by the presence and influence of a Roman Catholic priest.

But, after all, can we *consistently* resist this aggression? Have we not conceded so much to the priesthood, that they have a right to expect this further privilege? Whatever answers may be returned to these questions by different parties in the state, it is manifest that the country will not go back to priestly rule. We would not speak disparagingly of the Christian Ministry. The office is sacred, and when its duties are discharged, it brings with it the smile of Heaven and the esteem of the Church; but when any persons arrogate to themselves the right to be our sole, our infallible guides, and add to this a claim to govern, without let or hindrance, in whatever they call spiritual, they are dangerous to society, to its freedom, and to its healthy government. If, therefore, we had granted more than we have to Romish priests, there must be some point at which to stop, and there can be no reason in saying you have gone so far, therefore you must go further: rather, our having granted so much renders a request for further concession the more unreasonable. The fact that our Roman Catholic brethren had no cause to complain, and that their priesthood were as free as any Christian ministers in the land, enables us to say, without injustice, "here shall your proud waves be staid."

We submit, however, to those who are able to judge, that there

is no natural connexion between the Emancipation of 1829, and, what is asserted to be a consequence of it, the hierarchy of 1850. Cardinal Wiseman, in his Appeal to the people, affirms there is; and various writers, in their defence of the aggression, as well as many Protestants in their denunciation of it, have assumed that there is some indissoluble oneness between 1829 and 1850. Hence Romanists contend, on the one hand, that the hierarchy ought to be allowed; and Protestants argue, on the other, that the Emancipation act must be repealed, and that we shall have no peace till this is done. Let his Eminence be careful how he seeks to convince us that Popery is so hostile to liberty, that the people cannot be free without the priesthood abusing it. If he succeed, he may yet have to regret his triumph.

But we are *unwilling* to allow that the recent aggression is an integral part of Catholic Emancipation. The two are so entirely distinct, that the difference need only be named, we think, to be acknowledged. The Emancipation had reference to the laity, this wholly to the priesthood; the former, as an act of justice, gave to Roman Catholic laymen the same political freedom as their neighbours; the latter, as a matter of Italian policy, seeks to extend the dominion and authority of the priests: the one was accompanied by the most solemn declarations that no design was intended on the integrity of the constitution in Church and state; the other is plainly devised to overturn the present state of things, and bring us again under the yoke of Rome.

"Toleration," said some Roman Catholics on January 8th, 1829, "toleration rightly understood, is *all* we ask for by our petitions. But what is toleration," they added, "when the word is rightly understood? If after a government has adopted a particular religion, decreed its mode of worship to be observed in its churches, and suitably provided for its functionaries from the funds of the state, it *leaves the non-conformist in complete possession of all his civil rights or liberties*,—the non-conformist enjoys a complete toleration." This, then, according to the testimony of Roman Catholics, was all they sought in 1829; namely, to be in complete possession of all their *civil rights or liberties*. But how did Protestants understand the matter? If we ascertain on the one hand what Roman Catholics sought, and on the other how the Protestants of England understood their claims, we shall see the real nature of Emancipation, and how far

it does or does not bear on the present case. Lord John Russell, in a letter to the secretary of the Devon County Club, dated Woburn Abbey, 10th January, 1829, thus described the nature of Roman Catholic claims: "The Roman Catholics," he said, "ask for no supremacy whatever; they do not ask to disturb the ascendancy of the Church of England; they do not petition for any privilege or endowment for their own Church. What they do ask is, that Roman Catholic *laymen may be eligible to offices* by the King, and *to seats in Parliament* through the people, equally with other classes of His Majesty's subjects." The testimony of Lord John Russell is the more important in this matter, as he carefully examined the subject, entered into it with all the energy of his mind, and "promoted to the utmost of his power the claims of Roman Catholics to all civil rights." It was with his Lordship a question of *civil rights;* so the ministry of the day understood it, and so it was described, as we have seen, by Roman Catholics themselves. Whatever was intended by the priesthood who were behind the scenes, nothing was further from the thoughts of our Protestant statesmen than to give *any supremacy* whatever to the priests of Rome, or to *disturb in the least* the institutions of Protestant England. They distinctly stated this again and again, and Roman Catholics affirmed that such things were equally foreign from their memorials. The question was a political *one* in the petitions that asked for it, in the speeches that advocated it, and in the act by which it was granted. Both those who sought and those who gave, declared it to be a matter affecting only the civil rights of Roman Catholic laymen. What connexion this has with the recent aggression, what connexion that *in any sense* compels us to allow the one because we have granted the other, we leave for the country to decide. To us the two are as different as the polling at an election and the enthronement of St. Pudentiana, as different as a seat in the House of Commons and a place in the confessional of a Priest.

There will, no doubt, be much difference of opinion about the policy of 1829; it will form a ground of complaint both in the legislature and out of it; but let us not forget that we are indebted to that policy for the force with which we shall be able to maintain our position, and for the support we shall have from Roman Catholic laymen. But for the Act of Emancipation, we could not have expected either the Duke of Norfolk, or Lord Camoys, or

Lord Beaumont to have been with us; we could not have hoped for the co-operation of Roman Catholic commoners, or indeed for the assistance of any of the Roman Catholic laity: heart-burnings, indignation, and a conviction of wrong would have met us at every turn; political questions would have mixed themselves up with those of religion; the wants of the people would have advanced to second the pretensions of the clergy, and we might have trembled for the result. But as things are, the Roman Catholic people have nothing to complain of, for they are as free as their brethren of the Protestant faith. They may, perhaps, identify themselves with the present discussion, but our controversy is not with them. We do not bate one tittle of our regard for them, or of our purpose to maintain their just rights; and many of them will feel and acknowledge this. Thus the measure of 1829 simplifies our controversy, shows it to be not a question of liberty, but one of priestly rule, and smoothes our way to the determination that the Queen, and the Queen only, shall be supreme in this realm of England.

VI. The "re-establishment of the hierarchy" not excused by any liberal measures of government.

It is not, however, by permission of his Eminence that we draw any comfort from the past. He would rather make it a thorn in our side, and throw it among us as an apple of discord. With this view the appeal touches, of course "apart from any party feelings!" upon whatever has caused dissension for the last twenty years. It conducts us to the Senate and to Dublin, to the Colonies and to Galway; and in each place it tries, by some mention of the past, to invoke a spirit of discord, and fan into a flame the smouldering embers of political partisanship. It seems a part of Romish policy to bend *every thing* to the object Rome has in view; and in this respect, as in others, Dr. Wiseman is true to his holy mother. Her glory is the centre, to which in his eye every thing tends, and that before which all things else must fall. Hence restraint or emancipation, kindness or unkindness, taunts or politeness, serve his purpose. Thus, if a clergyman taunt Vicars-Apostolic, it is "a point of no light weight to have his sarcasm silenced;" and if the government are liberal, they are supposed to invite, as with open arms, the advent of Nicholas.

The Cardinal, referring to various "lesser acts" of government since the Emancipation, tells us that they "led him and others to believe that no reasonable objection could exist to the restoration of the hierarchy in England." As the constitution and the law were thought to present no difficulty, so the priesthood imagined that there could be no objection in reason, after what the Government and the Throne had done. It is fortunate for us that the priesthood are not the only judges in this matter: others can think as well as they, and it may perhaps appear that there is no just or reasonable connexion between all that ministers have done and the recent papal aggression. It is the more important to show this, as the past may become the watchword of party, and be made injurious to our Protestant interests.

The instances of liberality adduced by the Cardinal divide themselves into three classes, each of which will have to be explained according to its own principles. It will not, therefore, be necessary to follow his Eminence into an examination of every act of forbearance on the part of government: that would be tedious and could answer no good end. It will be enough to speak generally of the forbearance shown towards Roman Catholic bishops, of the allowance of territorial titles in Ireland and elsewhere, and of the pecuniary help afforded to the Church of Rome. As to the first of these: It cannot be denied that the principles advocated in previous sections of this pamphlet have been violated in Ireland as well as in England, in Australia as well as in Ireland, in America as well as in Australia, and in the East as well as in the West. We have no wish to conceal this fact. The Romish priesthood *have* acted, as his Eminence tells us, in direct violation of the law; they have taken the titles borne by Protestant bishops, they have assumed territorial jurisdiction without permission of the Crown, and they have gone so far as to counteract and render useless some important measures of government; but these admissions do not surely make their case better,—rather, they tell the extent to which Rome will go if she can. That the Ministers of the day, whether liberal or conservative, have allowed this to go unpunished, is an instance of forbearance, not an evidence of love for Papal rule. The authority of law is not usually exercised without the sternest necessity; it passes by much, where condemnation would offend a large portion of the people, and it allows things to pass uncensured, when the effect of punishment would

be more fatal to the public interest than impunity. To deny this licence to a government, is to refuse them the power to govern at all; for it would be impossible to exercise any authority without overlooking much that we could wish did not exist. Where is the person, either in public or in private life, who has not often thought it better to endure than to seek a remedy? and who has not thought it wisdom to suffer a small evil, rather than produce a greater? Apply these remarks to Ireland with its Roman Catholic population, and to the Colonies, peopled to a great extent by Roman Catholic emigrants, and we shall see a reason for what has been allowed. But, surely, this does not destroy our objection to a hierarchy in England, or our right to object. That we have allowed some attack on our frontiers can be no reason why we should suffer the country to be sacked; rather, the exercise of Roman power in Ireland and the Colonies may be an obstacle to its encouragement here, and may make us more loud in protesting that "the Pope of Rome" ought to have "no jurisdiction in this realm of England."

But, secondly, the territorial titles of some Roman Catholic Bishops have been *allowed* by successive governments. Referring to this, the Cardinal tells us that the hierarchy had been "recognised and royally honoured in Ireland," and that the titles of some Roman Catholic bishops had been admitted into legal instruments. It is difficult not to perceive that this allusion to the past is ungracious, if it be not also ungrateful. When the hierarchy was honoured, it was an act of condescension on the part of the Queen; when that hierarchy was recognised, it was an act of courtesy on the part of government,—and both were intended to heal the wounds of unhappy Ireland. The country had been long torn by internal dissension, and nothing but firmness, blended with the kindest policy, could have prevented the horrors of civil war. Her Majesty resolved to visit Ireland, bearing the olive branch of peace, and the same joy that attends Her steps in England followed them there. Was it fitting that a visit of peace should be marked by any thing *ungracious?* or that, finding Roman Catholic bishops, the Queen should have passed them without notice? Such a course would have ill accorded with the graciousness of Her Majesty's nature and designs. Besides, the Cardinal will tell us that it is the custom of *all civilized society* to allow the courteous titles of Roman Catholic Bishops, and if those titles had not

been given by the Queen and her Ministry, he would not have been slow to draw the inference. But is there any connexion between *the grace* of Her Majesty, and an invasion of her prerogative? Ought the persons who feel the one to invade the other? Nay, the condescension of the Throne should place it higher in our regard and veneration, and prevent *the least* encroachment on the royal authority. Yet, the Romish priesthood *remind* us of *royal kindness* to excuse their attack on the royal power! What is the just inference from this? Not, surely, that the agents of Rome *so long for power*, that courtesy cannot be shown to them with safety! We shrink from the consequence, and should be sorry if Nicholas forced it upon us.

The use of Roman Catholic titles has, however, been extended beyond the visit of Her Majesty to Ireland. It has been matter of almost daily occurrence, and some such titles have found their way into legal instruments! We put this point as strongly as possible, to show that there is nothing to conceal. We wish to gloss over nothing, but would rather have the whole stated fairly and fully. "The hierarchy," says Dr. Wiseman, "has been recognised in Ireland, and the Colonies." True, but what follows from this? Are we to conclude that the policy extended to Ireland and our foreign possessions must be acted upon in England? or that the course pursued in one place should be adopted in all? This is the Cardinal's argument, and it will be for the government to consider its weight. There can be no doubt that the true principles of government are the same at Tuam and in Westminster. A priest, *as such*, can have no right in either place to local titles, or to territorial jurisdiction. There may, indeed, be circumstances in Ireland that require a variation in our policy, but *in reason* John of Tuam has no more right than Nicholas of Westminster. If then there be two modes of action, it is owing to some local difference. His Eminence thinks that this variation is a fallacy, and that what is done in Ireland ought to be done here. Does Nicholas forget that he uses a two-edged sword? It may be convenient for him to start from Dublin, but others will proceed from St. James's; and, while he argues for the same policy in England as in Ireland, they—persons who are important both for numbers and influence—will contend that what is the rule in England should be the law in Ireland. It is not

for us to decide this: those who know the state of Irish society can best judge what is applicable to their case.

But, having once made up our minds not to punish, in certain cases, the assumption of territorial titles by Roman Catholic bishops, it follows that we must use such titles in all our communications with them: there seems no midway between this and insulting them at every interview. Those who have had any thing to do with the present controversy have felt how difficult it is not to call Dr. Wiseman "the Archbishop of Westminster," and if this is felt about a contested title, how much more must it be experienced when we deal with an allowed title, especially where the interests of the government and the people demand familiarity of intercourse. The welfare of our Roman Catholic fellow-subjects requires that the Ministry should have some intercourse with those who teach them; but what communication could they have if "courteous titles" were denied? or if one prelate were called pseudo-Archbishop of Tuam, another the so-called Archbishop of Sidney, or a third the would-be Roman Catholic Bishop of Bytown? We may conclude, therefore, that where Roman Catholics exist, the government must consult for their welfare; that in so consulting, it is necessary to hold intercourse with bishops of the Church of Rome; and that the necessity of consultation as well as the merest courtesy, requires that those gentlemen should be addressed by the titles *they are allowed* to bear. And if the communication be by a legal instrument, it is manifest that such titles will and must find a place there. This may, indeed, be a reason against permitting territorial titles to be given, taken or used by *an independent authority;* but when such titles have long been used with impunity, it can be no reproach to any one that they find their way into legal documents, or that they become as much required by courtesy as the forms of daily life.

There is a third point in the liberality of governments; namely, grants of money to the Church of Rome, to which it is necessary to direct a moment's attention. We are glad, however, to be relieved, by the letter of Lord John Russell to the Bishop of Durham, from the necessity of arguing out the matter for ourselves, and stating what, after all, could only be our own convictions. "I thought it right," wrote his Lordship, "and even desirable, that the ecclesiastical system of the Roman Catholics should be

the means of giving instruction to the numerous Irish immigrants in London and elsewhere, who without such help must have been left in heathen ignorance." It is impossible to imagine an object more worthy the attention of government than the one here mentioned. The poor are special objects of attention, as they have little to cheer their passage through life, and in the hour of sickness they have few things to afford them comfort. That Ministry is most wisely and faithfully performing its trust, which, passing through the various grades of society, fixes upon the lowest, and singles out those as the objects of its care who are in danger of being "left in heathen ignorance." Indeed this is the truest way to assist the progress of society. The rich have resources within themselves, the middle classes are in a position to watch over their own interests; but the "immigrant," often houseless, homeless, and friendless, asks our compassion by the very helplessness of his state. Left without instruction, he becomes a torment to himself, and too often a pest to others; but, taught, he may prove a blessing instead of a curse. It is evident that the instruction of such persons is infinitely important to themselves and to others, but how is it to be secured?

The difficulty of answering this question can only be fully understood by those who have either gone to the abodes of poverty themselves, or received a report from the visits of others. The instructor has to cope with ignorance and prejudice in their worst forms; and, unless he take account of these, he had as well spare his labour, for he can do no good. The difficulties that tend to prevent the instruction of the poor sometimes present an almost insuperable barrier, and render it impossible for any, except *a certain class* of teachers, to do good. This is particularly the case with the Roman Catholic poor. Taught to believe from childhood that their Church is the only true one, that there is no salvation out of its pale, and that the teaching of heretics is to be avoided as a pestilence, they are proof against all our entreaty, and reply "we will hear the priest." We regret this, but such is the real state of things, and it has to be dealt with. If these people are not taught by their own priests, they will remain in ignorance, and sink to the lowest scale in mind and morals. We have, therefore, to make our choice between "heathen ignorance," with all its train of evils, and instruction through the ecclesiastical system of the Church of Rome. And can we long hesitate?

Even those who are unwilling to *employ* the servants of the Pope, will yet speak kindly, or at least not harshly, of a policy that seeks to raise the poorest and perhaps the most ignorant of our countrymen. How this act of humanity, extended to the Colonies as well as London, can excuse, in any sense, the aggression of the Church of Rome, we are at a loss to imagine. We are surely not to be inhuman, as well as uncivil, in order to avoid Papal encroachment. We cannot be the former, and we are prepared to resist the latter, and to remind either priest or prelate that there is no reason in thinking that we must allow the Papacy because we love the ignorant and the poor.

Whether, therefore, we consider the forbearance exercised by government, the recognition of Roman Catholic titles by successive administrations, or the grant of public money for Roman Catholic purposes, we see nothing to excuse the recent acts of the Pope. They have been said to favour aggression, but this was not, and could not be their *intended influence*. It is no doubt painful to feel that kindness has been abused, and that what was done with the best intention is adduced as an argument against us, but let us not therefore regret the past. It shows us, which some had doubted, that Rome is the same and unchangeable,—the same in her idea of sole and supreme power,—the same in her wakeful craftiness,—the same in her determination to bate no tittle of her pretensions,—and the same in the determination of her servants to promote *the regalities* of St. Peter by every means in their power.

VII. The "re-establishment of the hierarchy" not allowed by Her Majesty's exercise of the royal prerogative, or by positive assurances of those in power.

We must now observe the difference between these acts of the papacy and every exercise of the royal supremacy over Protestants in foreign countries. The Cardinal invites us to this examination, and the subject is too full of interest to pass unnoticed. His remarks are to this effect: "Considering the manner in which acts of the royal supremacy had been exercised abroad, and taking it for granted that it could not be greater when exercised in foreign Catholic countries than the Pope's in our regard, we could not suppose that his appointments of Catholic Bishops in ordinary in England, would have been considered as more inconsis-

tent with the Queen's supremacy, than that exercise was considered inconsistent with the Pope's supremacy acknowledged in those countries."* This reasoning proceeds on the supposition that the exercise of the Queen's supremacy has been *the same* in foreign countries as the recent exercise of the Pope's supremacy in England, and without this supposition the whole argument is inapplicable. But when or where did Her Majesty perform such an act? His Eminence points us to Jerusalem, to Gibraltar, and to Italy. We will follow him to each of these places. "In 1842," he writes,† "Her Majesty was advised to erect a Bishopric of Jerusalem, assigning to it a diocese in which the three great Patriarchates of Antioch, Jerusalem, and Alexandria were mashed into one see, having episcopal jurisdiction over Syria, Chaldea, Egypt, and Abyssinia, subject to further limitations and alterations at the royal will. . . . . Mr. Bowyer," he adds, "also shows that Bishop Alexander was not sent merely to British subjects, but to others owing no allegiance to the Crown of England." With nothing but the Appeal before us, there is, we confess, an *apparent* similarity between the exercise of the royal supremacy and the exercise of the papal supremacy,—something *like* similarity in the "mashing up" of the Patriarchates of Antioch, Jerusalem, and Alexandria, and something like it in the jurisdiction over Syria, Antioch, and Abyssinia, to be limited or altered at the royal will. But this can only be the thought of a moment, for every similarity vanishes the instant we consider what the Queen has *not* done. Her Majesty has *not* put forth a claim to the allegiance of the King of Abyssinia, or asserted a right to change the entire worship of his Majesty's dominions, and to proclaim herself supreme over him and over his subjects. This is what *the Pope* has done, and *the difference* between the two acts forbids a comparison.

On turning from the Appeal, however, to an "Annual letter," sent from the Bishop at Jerusalem, we find the case put in its proper light. The Bishop does not arrogate to himself any authority at variance with the rights of Abyssinia, Egypt, Chaldea, or Syria; he does not suppose that the Emir Beshir, or the Abyssinian King, is his subject, but simply styles himself "Samuel, by Divine permission Bishop of the United Church of England and Ireland *at* Jerusalem." We have no means at hand of

* Appeal, p. 25. † Ibid., p. 26.

ascertaining the exact tenor of the instruments by which the bishopric at Jerusalem was created, but if the foregoing be the title by which his Lordship is known, and there can be no reason for supposing it is not, then we have a studied avoidance of territorial jurisdiction, and the use of language that must have been framed to avoid giving offence. We are happy to have our opinion so soon illustrated, that till the Government of a country appoint a bishop, he should be the bishop *in* or *at* but not of Jerusalem or England. "Under the same statute," adds his Eminence, "a bishop of Gibraltar was named. His see was in a British territory, but its jurisdiction extended over Malta—where there was a Catholic Archbishop, formally recognised by our Government as the bishop of Malta—and over Italy. Under this commission, Dr. Tomlinson officiated in Rome, and, I understand, had borne before him a cross, the emblem of archiepiscopal jurisdiction, as if to ignore, in his very diocese, the acknowledged bishop of Rome." There can be less difficulty in dealing with this exercise of authority than with the last, because the Cardinal himself now supplies us with the data from which to reason. The bishop's see, he says, "was in a British territory." His jurisdiction did, indeed, extend over Malta, and if report be true, Dr. Tomlinson officiated in Rome, and had a cross borne before him there, but this cannot serve the purpose of the hierarchy. To whom was the Doctor sent? what was his mission? and over what did it extend? These are important questions. We do not commend an act that was supposed to ignore in his very diocese the acknowledged bishop of Rome; that was done on the Doctor's sole responsibility. It might be an insult! but as it does not concern us, we return to the question, what mission did our Queen give? The Appeal shall answer. "They," the Bishops, "are sent not only to *British subjects*, but to 'such other *Protestant congregations* as may be desirous of placing themselves under his or their authority.'" We cannot fail to notice how careful the Government have been to trench upon no one's rights. The fact that his Holiness was in Rome could be no reason why our Protestant countrymen, or any other Protestants, should be uncared for and untaught. If the Church of England had been in communion with the see of Rome, then it would have been enough to have handed over the people to the Pope's care; but as things were, not to have appointed a bishop, would have left Protestants

of an Episcopal church without a pastor, and would have exposed them to what we think most grievous error. Has the Pope been as careful in the exercise of his authority as the Queen has in the exercise of hers? Where are the limitations put to the rule of his Eminence? He himself tells us that his rule is "*without* personal limitations;" and yet, because the Queen has exercised supremacy abroad, we are to allow the Pope to exercise *his* supremacy here. Let the Pope confine his pretensions to the submission of acknowledged Roman Catholics; let him limit the jurisdiction of his bishops as particularly as the Queen has done in the creation of Protestant bishoprics; and, further, let him henceforth call his prelates Bishops of the Roman Catholic Church *at* or *in* Beverley, *without* territorial jurisdiction; then the state will not touch him. The controversy will be one of theology, to be dealt with by divines, not by the law. At present, the Pope advances a claim *greater than Her Majesty* EVER *exercises* even over her own subjects. So little does the action of the royal prerogative assist his Eminence.

"But," remarks the Cardinal, there were also "positive declarations and public assurances" of those in power. "In 1841, or 1842, he writes,* "when, for the first time, the Holy See thought of erecting a hierarchy in North America, I was commissioned to sound the feelings of Government on the subject. I came up to London for the purpose, and saw the Under-Secretary for the Colonies, of which Lord Stanley was the Secretary . . . . . On the subject of my mission, the answer given was something to this effect: 'What does it matter to us what you call yourselves, whether Vicars-Apostolic, or Bishops, or Muftis, or Imaums, so that you do not ask us to do any thing for you? We have no right to prevent you taking any title *among* yourselves." In examining this statement, and any others of a similar nature, we are not to inquire in what sense the applicant understood it or them, but to ask what sense was *intended* to be conveyed? The Under-Secretary for the Colonies cannot be bound by what a Romanist thought, but by the meaning *he designed* to convey. If this gave a permission to take local titles involving territorial jurisdiction, and to assume them *in any part* of the British Empire, then his Eminence has found something to his purpose, but such is not the case. First, the Under-Secretary for the Colonies spoke of some-

* Appeal, p. 27.

thing *entirely confined to* Roman Catholics,—" we have no right to prevent your taking any title *among yourselves;*" and, secondly, he had reference to *a pure question of title*, apart from " territorial jurisdiction, without personal limit." The mention of Muftis or Imaums clearly implies this; for, whatever may be said about the meaning of Bishops or Vicars-Apostolic, it will not be pretended that the titles of Muftis or Imaums imply the same kind of authority that the hierarchy claim. The truth is, that both Lord Stanley and the Under-Secretary for the Colonies looked upon the question in its reference to Roman Catholics alone, *not as conferring jurisdiction over others*, and they cared not, *in this respect*, what titles the Bishops bore. Indeed, while the Pope and his servants confine themselves within their own limits, and remain *among themselves*, we have no right to prevent their bearing even a " nickname," as Mr. Roebuck would call it, or any title they please; but if their titles be, either necessarily or accidentally, connected with something more, and imply that a foreign prince is *in any sense* supreme over the realm of England, our independence as a nation requires us to interfere.

These remarks naturally conduct us to the speeches of Lord John Russell, in 1845 and 1846. " In the debate on the Catholic Relief Bill, on July 9th, 1845, Lord John Russell," says his Eminence, " spoke to the following effect: ' He, for one, was prepared to go into Committee on those clauses of the act of 1829.' . . . . . ' He believed that they might repeal those disallowing clauses, which prevented a Roman Catholic Bishop assuming a title held by a Bishop of the Established Church. He could not conceive any good ground for the continuance of this restriction.' What his Lordship had said in 1845," adds Nicholas, " he deliberately, and even more strongly confirmed in the following year. In the debate on the first reading of the Roman Catholic Relief Bill, February 5th, 1846, he referred to his speech, just quoted, of the preceding session, in the following terms. Allusion having been made to him, (by Sir R. Inglis,) he wished to say a few words as to his former declaration ' that he was not ready at once to repeal those laws without consideration.' . . . . . It appeared to him that there was one part of the question that had not been sufficiently attended to. The measure of Government, (the Religious Opinions Bill,) as far as it was stated last year, did not effect that relief to the Roman Catholics from a law by which they

were punished, both for assuming Episcopal titles in Ireland, and for belonging to certain religious orders. That part of the subject required interference by the legislature. As to preventing persons assuming particular titles, nothing could be more absurd and puerile than to keep up such a distinction.'"

It is important for us to put these quotations together, not only because they contain the same sentiments, but because one of them serves to fix the signification of the other. This will be evident to any one who pays a moment's attention to his Lordship's words. The first quotation does nothing more than mention the repeal of those disallowing clauses in the Act of 1829, &c.;—but the second goes on to tell us that the Premier spoke of "relief *to the Roman Catholics*," of the *internal* action of the Church of Rome, as in the working of religious orders, and of something having reference to *title*, and not to territory. All this is very important, for Lord John Russell's words are cited as an excuse for something more than a name, and as a plea, not for purely Catholic arrangement, but for Romish aggression. Such an application was foreign to his Lordship's thoughts. Whatever Lord John Russell meant by the distinction between Protestant and Roman Catholic bishops, he calls the distinction absurd and puerile, remarking that *nothing could be more so.* Now what would he so designate? It *could not* be thought by him, to be "absurd and puerile" to prevent Roman Catholic bishops from assuming territorial jurisdiction and claiming a right to divide the country into parishes, *much less* that nothing could be more so. This could never be intended, whatever was. We submit that his Lordship and the Under-Secretary for the Colonies uttered *the same sentiments.* There had, for some years, been a general impression that the Church of Rome was changed, that her priesthood could receive favours without encroachment, and that her bishops would bear titles without advancing "a claim to sole and undivided sway:" hence the language of the Premier, and the words of the Under-Secretary for the Colonies. But Rome has herself dissipated the illusion, and taught us the truth. Both liberal and conservative have said, either in effect or in words, "What does it matter to us what you call yourselves, whether Vicars-Apostolic, or Bishops, or Muftis, or Imaums;" but the times are changed! It seems as if the Cardinal were trying to teach us that, to be safe, we must *keep up distinctions*, and suspect, but *never trust* the servants of

Rome. We are told that a copy of the brief which has "re-established the hierarchy" was shown to Lord Minto two years since, and that he *returned no* answer. Why was not this silence interpreted? It could be nothing less than a respectful intimation, that what the Premier condemns in 1850, was offensive in 1848.

VIII. The "re-establishment of the hierarchy" not assisted by a mention of the supposed or real failings of others.

The Manifesto of Dr. Wiseman now passes beyond the field of argument, and conducts us within the range of sarcasm and reproach. We are ready to follow his Eminence, not through a love of such things, but from a conviction that none of the parties he assails can suffer in a comparison with the Church of Rome. In referring to either sarcasm or reproach, it is difficult to confine ourselves to that part of the Appeal at which we have arrived, for both run more or less through the entire document. They are as a web binding the whole together, and they supply us with the most caustic, though not the most truthful parts of the production.

The Press is naturally the first object of the Cardinal's attack. We cannot say that his Eminence remembered the injury the Press had done to the interest and hopes of the Church of Rome; but if he did, it was only to be expected that he should charge it with "raising his death-whoop," and "with refusing nothing, however unfounded, however personal." In a controversy such as Rome has provoked, it would be strange if no mistakes had been committed; but concerning an overwhelming majority of publications that have appeared, we can say that they have been truthful to the letter, and intended to crush the hierarchy only because it is believed to be hostile to liberty and the spread of truth. The Press is the natural and sworn enemy of darkness. Her office is to disseminate the truth, and she will perform her work wherever error rests. She did this at the Reformation by the printing of Bibles, she is doing it now by the very course that Dr. Wiseman condemns; and, despite all opposition, she will still promote the cause of humanity, carry light to every home of wretchedness, and expose whatever, either in teaching or policy, would cloud the intellect and enslave mankind.

The Church of England is the next that engages the Cardinal's attention. It was not to be expected that in a matter affecting

the dignity of Rome, the Church of England should pass uncensured. She is as one interested, says his Eminence, and against her he directs his severest charge. He assails her by bitter sarcasm, by a mention of her faults, and by a covert denial of her mission. He attacks her clergy, her institutions, and her influence, and seems to rejoice in the hope that their efforts for good may not succeed. As to the clergy, Dr. Wiseman tells us they have practised a cheat, which time will unmask. "It appears to be a wish," he remarks, "on the part of the clerical agitators, to make people believe that some tangible possession of something solid in their respective sees has been bestowed upon the new bishops,—something territorial as it has been called. Time will unmask the deceit, and show that not an inch of land, or a shilling of money, has been taken from Protestants and given to Catholics." Where was the sincerity of the writer when he penned such language? Did he really hope to persuade us that the clergy have done this? that they have tried to convince the people that parts of the sees they once held they do not now hold? and that part of the money till this time received by the Archbishop of Canterbury is now paid to an Archbishop of Westminster? His language goes to this extent, and yet nothing can be more absurd. No one can imagine, much less say, that a shilling has passed from Lambeth to Golden-square: time need not unmask the deceit, for there is none. What is meant is this: that the territory assigned by the Crown has been re-assigned by an assumed authority, and bestowed for all such purposes of spiritual government as can possibly be exercised, with power to obtain all and every such ecclesiastical dues and other moneys *as can be collected.* The case seems precisely of this nature. The land is given, not to be seized at once, for there are other holders, but to be taken possession of when the present occupiers are removed; and the privileges of such possession are to be enjoyed as soon as Church fees can be diverted into the pockets of Romish priests.

All that the Cardinal says about the Church of England is like adding mockery to insult. We would willingly avoid a reference to any faults or corruptions in the Church of Rome, but necessity compels us to speak. His Eminence refers to clear, definite, and accordant teaching; to familiarity of intercourse and facility of access; to close, and personal and mutual acquaintance; to face-to-face knowledge of each other; to affectionate confidence and

warm sympathy, which form the truest, and strongest, and most natural bond between a pastor and his flock; and adds, that these will be enjoyed in the Church of England as heretofore. We understand his meaning; but does he imagine that the country will forget the past, and at once believe that charity is only to be found in the Roman Church? that her priests alone are ready to visit "concealed labyrinths of lanes and courts, and alleys and slums?" that they only realize the true idea of Christian pastors, and secure that affectionate confidence which forms the natural bond between a pastor and his flock? Nay, the traffic in spiritual things that gave birth to the Reformation in Germany, the ignorance, infidelity, and wretchedness of most Roman Catholic countries, together with the history of monasteries and the impiety of Rome, which led Luther to call it "the abode of every unclean spirit," prevent such a thought. Besides, the recent sight of racks, thumbscrews, with other instruments of torture, and human bones that were found in the cells of the Inquisition, speak little of Christian method of conversion, or of "*affectionate confidence* and *warm sympathy*." Shall popery, *semper idem*, be cruel in Italy, and yet gentle as a lamb on these shores? Nay; we suspect her gentleness, and leave its tenderness for others.

But the Dean and Chapter of Westminster must have their share of censure. His Eminence reminds them of their rich endowments, and of the little paradise which such resources would have formed around the abbey in Roman Catholic times. We are reminded of what we have read somewhere, that *without the Pope*, history would be a blank. It is evident that "the Appealer" treats it as such, or he could not ignore so entirely our records of the past. What says Burnet about *the little paradises* formed by the Church of Rome? "The Abbeys," he writes, "being exempted from all jurisdiction, both civil and spiritual, and from all impositions, and having generally the privilege of sanctuary for all that fled to them, were at ease, and accountable to none; so they might do what they pleased. They found, also, means to enrich themselves; first, by the belief of purgatory; for they persuaded all people that the souls departed went generally thither. . . . . Then people were made to believe, that the saying of Masses for their souls gave them great relief in torments, and did at length deliver them out of them. This being generally received, it was thought by all a piece of piety to their parents, and of necessary

care for themselves and their families, to give some part of their estate towards the enriching of these houses. . . . . And this did so spread, that if some laws had not restrained their profuseness, the greater part of all the estates in England had been given to these houses. . . . . Yet this did not satisfy the monks, but they fell upon other contrivances to get the best of all men's jewel, plate, and furniture. For they persuaded them that the protection and intercession of saints were of mighty use to them; so that whatsoever respect they put on the shrines and images, but chiefly on the relics of saints, they would find their account in it, and the saints would take it kindly at their hands, and intercede the more earnestly for them. . . . . This being infused into the credulous multitude, they brought the richest things they had to the places where the bodies or relics of these saints were laid. . . . . The monks, especially of Glastonbury, St. Alban's, and St. Edmondsbury, vied one with another who could tell the most extravagant stories for the honour of their house, and of the relics in it. The monks in these houses, abounding in wealth, and living at ease and in idleness, did so degenerate, that from the twelfth century downward, their reputation abated much. . . . . They became lewd and dissolute, and so impudent in it, that some of their farms were let for bringing in a yearly tribute to their lusts. *Nor did they keep hospitality* and *relieve the poor;* but rather *encouraged vagabonds* and *beggars*, against whom laws were passed in Edward III., King Henry VII., and this king's reign."*

So much for the influence of Roman Catholic abbeys. Where are the little paradises? and where is the diffusiveness of papal wealth? His Eminence suggests, by his taunts at the Dean and Chapter of Westminster, and by a reference to his mission to the abject poor who are near the abbey walls, a comparison between Protestantism and Popery. Let it be made as fully as possible: England need not blush, and the Church of England need not be ashamed. "From the time when the barbarians overran the Western Empire," writes Mr. Macaulay, "to the time of the revival of letters, the influence of the Church of Rome had been generally favourable to science, civilization, and to good government; but during the last three centuries, to stunt the growth of the human mind has been her chief object. Throughout Christendom, whatever

* Burnet's Hist. Ref. vol. i. p. 245, 12mo., London, 1825.

advance has been made in knowledge, in freedom, in wealth, and in the arts of life, has been made in spite of her, and has everywhere been in inverse proportion to her power. The loveliest and most fertile provinces of Europe have, under her rule, been sunk in poverty, in political servitude, and in intellectual torpor; while Protestant countries, once proverbial for sterility and barbarism, have been turned by skill and industry into gardens, and can boast of a long list of heroes and statesmen, philosophers and poets. Whoever, knowing what Italy and Scotland naturally are, and what, four hundred years ago, they actually were, shall now compare the country round Rome with the country round Edinburgh, will be able to form some judgment as to the tendency of papal domination. The descent of Spain, once the first among monarchies, to the lowest depths of degradation, the elevation of Holland, in spite of many natural disadvantages, to a position such as no commonwealth so small has ever reached, teach the same lesson. Whoever passes in Germany from a Roman Catholic to a Protestant principality, in Switzerland from a Roman Catholic to a Protestant canton, in Ireland from a Roman Catholic to a Protant county, finds that he has passed from a lower to a higher grade of civilization. The Protestants of the United States have left far behind them the Roman Catholics of Mexico, Peru, and Brazil; the Roman Catholics of Lower Canada remain inert, while the whole continent around them is in a ferment with Protestant activity and enterprise."* The Cardinal must forgive this quotation, for it is more than deserved; and the merest justice to those whom he has insulted requires that it should be penned. We could easily apply the historian's words to "concealed labyrinths of lanes and courts, and alleys and slums, nests of ignorance, vice, depravity, and crime, as well as of squalor, wretchedness, and disease; . . . . in which swarms a huge and almost countless population." They are "*in great measure Catholics;*" but we forbear. We will only say that Rome has *not* raised them, enlightened and made them happy; and if she fail to bless her children, let her not taunt those *whom she forbids to approach*, and whose Protestant charity she would for ever chill.

But the Premier, as well as the Church of England is at fault. "He has astonished all Europe," says the Cardinal, "by a letter, that leaves no hope of favour with him. He has departed from

* Macaulay's Hist. of England, vol. i. pp. 47, 48.

the example of Sir Robert Peel, his honoured predecessor, and he has pronounced a charge as awfully unjust as it is uncalled for on the religion of many millions of her Majesty's subjects." The object of this attack requires no defence from our hands. He has done only what his station required from him, and his act in this respect will rank with the most approved actions of his life. Was her Majesty's minister to stand by *in silence* while the prerogative of his royal mistress was invaded? Was "the authority which rules over the empire to be inactive" till the constitution should become deranged? There can be but one answer. The course of duty was apparent, and his Lordship has taken it. In examining the Premier's letter, there are three things that perhaps a Romanist would particularly notice; namely, the name his Lordship applies to Roman Catholic priests, his opinion respecting the Church of Rome, and his high estimate of Protestantism. Now to which of these can his Eminence object? The first only tells us what her Majesty's minister thinks,—that Popish Priests are the servants of Rome; the second acquaints us with what he believes,—that Popery is superstitious and enslaving; while the third discloses what he feels,—that Protestantism is liberty herself.

There is something most strikingly happy in the term 'servants,' as applied to the priests of the Church of Rome. We do not mean it in any offensive sense, but they are bound to his Holiness by a sacred bond. The bishops are especially so, for they take an oath of allegiance, and swear not only to conceal what the Pope tells them when his interests require it, but also to *preserve*, *defend*, *increase*, and *advance* the rights, honours, privileges, and authority of the holy Roman Church, their lord the Pope, and his lawful successors. The *regalities* of St. Peter are naturally the first in importance with such persons. No minor considerations, and no inferior claims, can be suffered to interfere with these. Italy and its Bishop! here is the rallying point; here is the power before which every colour must fall, every spear be grounded, and every knee bow. *English* loyalty enthrones *the Queen*, and not another in the people's heart.

With reference to the character and influence of the Church of Rome, it would be easy to prove *to our minds* that its teaching is full of superstition, and that its tendency is to enslave. The Cardinal and others feel a deathly sickness at the charge; but why should they? If Rome be *not* superstitious, *our* thoughts will

not make her so; and if there be *nothing* in her to enslave, her children will and must be free. To us, however, there is something like superstition in the idea that every particle of a consecrated wafer, and every drop of some consecrated wine, is truly the body and blood, soul and divinity, of our Lord Jesus Christ, thereby making, *as we think*, as many gods as there are particles of bread, or drops of wine. *To us* there is something like superstition in seeking the intercession of the dead, of whose piety we are not certain, and who, supposing them in heaven, cannot, unless they are omnipresent, hear the prayers of those who address them; and *to us*, it is superstition to hold that the worship as well of images as of relics is both lawful and a handmaid to piety. But his Eminence must forgive our thoughts. Nor is the idea that Popery enslaves altogether without reason. She *may* do so by the power supposed to reside in her priesthood; by the control that they are said to have over the unseen world; by their authority to bind and loose; and by the expressed wish that all knowledge should be moulded by them, or at least be under their correction. But whether we are right or wrong cannot advance the objects of the Appeal. The hierarchy must be maintained on its own ground, and must stand or fall by its own merits.

But the Premier tells us of liberty. "The liberty of Protestantism," he says, "has been too long enjoyed to allow of any successful attempt to impose a foreign yoke upon our minds and consciences." Rightly does his Lordship remind us of the liberty of Protestantism, for liberty is its essence and its life. It is liberty from unreasoning submission, and from that bondage of mind and conscience which such submission involves; it is liberty to read our Bibles, to learn its teaching without let or hindrance, and to take the comfort of its sacred truths. It is liberty to draw nigh to God directly through Jesus Christ, and not through either a fellow-mortal on earth, or a beatified saint in heaven; a liberty not to stand in the outer court of penance, weeping and lacerating ourselves till the priest absolve us, but to draw nigh into the "holiest by the blood of Jesus." This liberty is Protestant, for it was obtained by protestation and secured by blood; and the idea that Italy would take it from us, if she could, nerves our arm to the contest.

"There is," however, "another and still graver power," says Nicholas, "that has allowed itself to be swayed from the upright

and inflexible position which England has ever considered natural to it. . . . . We have been accustomed to feel sure," he adds, "that whatever the agitation and storm that raged around, the fountains of justice would retain their surface calm and unruffled, and their waters cool and pure; . . . but on the present occasion the storm has been strong enough to disturb the very spring of equity. . . . . The avenues of public justice seem closed against us." It is scarcely possible for a *more serious* or a *more awful* sentence to be pronounced than this. If it be truth, the arrival of Nicholas has been a fearful calamity, one not of temporary, but of permanent evil. What can we hope for if justice have fled? if the *spring* of equity be disturbed, and if the highest judicial functionary in the land have swerved from his uprightness? Who are the men that have moved the one and disturbed the other? We are thankful to know the meaning of Dr. Wiseman's words, or we should expect nothing but a dark night of confusion, originating in priestcraft and marked by death. But enough of this. We are not prepared to think that justice has forsaken us, because the Lord High Chancellor stood in a banquet-room, and spoke from behind its tables. His words were truthful, and justice *yet* sits upon the woolsack: the springs of equity are *now* sending forth their streams calm, cool, and pure as ever, so that *Italy* as well as England and the world may drink.

But the Prelate's words are quite accordant with what Rome once taught, that "Prince's laws, if they be against the Canons and decrees of the Bishop of Rome, be of no force nor strength." If this be true of "Prince's laws," then *â fortiori*, it is true of the Lord High Chancellor's awards, of Lord Campbell's decisions, of the Premier's letter, or of any thing and every thing that may be against the Pastoral of Pius IX. Nothing said against it can be truth, no denunciation of it can be charity, and nothing done against it can be justice. The public, therefore, must not allow themselves to be misled by the cry of injustice: it may only mean, you are opposing us. The Cardinal, having no confidence in the English press, no hope in the Church of England, no Romanizer in the First Lord of the Treasury, and no sympathy in the Judicial Bench, turns, as a last resort, to "open-fronted and warm-hearted Englishmen." Yes, they are warm-hearted; but, at the same time, they are too shrewd to harbour unwittingly the loyalty

of Ignatius, too fond of liberty to forge fetters for the Holy Office of the Inquisition; and too much attached to their Bibles to welcome a Church whose Head denounced the circulation of the scriptures in the vulgar tongue as "a defilement of the faith eminently dangerous to souls."* In saying that Englishmen will not receive such a system, we are not too confident, for his Eminence has appealed to the people, and they have answered him,—answered him by resolutions, by protests, and by meetings unusual for their numbers, enthusiasm, intelligence, and decision,—all concurring to invest the following sentence taken from the *Times* of 7th February, 1829, with all but prophetic truthfulness. "Let even the most anxious Orange alarmists console themselves with a fixed and immoveable confidence, that against any *further* claims of the Catholic body,—that is to say, against any efforts to advance their Church and to aggrandize their priesthood at the expense or to the danger of the religious establishments of the realm, there can exist no materials of division among Protestants; but, on the contrary, that against any *such* Popish enterprises, the Protestants of England, Scotland, and Ireland, will rise like one man to crush them."

CONCLUSION.

But, it will be asked, what remedy can be proposed? How shall the case be met? It will be impossible, in the brief conclusion to which we must confine ourselves, to do more than indicate the course that may, and as we think, ought to be pursued. It will appear, by this time, that the aggression we have been discussing is one of a purely priestly character; that it is a question of rule, not one affecting the teaching of the Church of Rome or the comfort of her members; and that it seeks to secure the homage of the government and the submission of the people. These thoughts greatly assist in pointing out the wisest policy. For example:—

As the "re-establishment of the hierarchy" does not affect the laity of the Roman Catholic Church, and as it neither originates with them nor confers upon them any additional privilege, it would be manifestly unjust, as it would be impolitic, to commence a course of persecution against them. Nothing could be gained

* Bull of Pius VII. against Bible Societies, June 29, 1816.

by such a proceeding except heart-burnings and strife, for truth cannot be infused by blows, nor can love be inflamed by the faggot or the torch. Again: as the question is one of authority, we may properly consider whether it does not involve principles that are applicable to the Protestant as well as to the Roman Catholic. Now we equally deny the right to assume *independent* "territorial jurisdiction without personal limit" to the ministers of the Church of England and to those of the Church of Rome, to a convocation and to a synod, to a conference, to a kirk, and to a congregation. None of these, indeed no priests any more than the lay people, have a right to jurisdiction over one foot of land, except where the law approves of it. This will render it unnecessary that we should pass a measure *exclusively* against the Roman Catholic Church: it may embrace persons of all creeds. But further: as the recent measure seeks to confer territorial jurisdiction over all England upon Romish priests, may it not be met by asserting and defending the supremacy of the Queen and the law? Let it be decreed that any person or number of persons, whether natives of this country, naturalized persons, or foreigners, claiming the right to govern England, or any part of it, either in spiritual or secular matters, independently and without the sanction of the Crown and government, and performing any act or acts arising out of such claim, shall be held guilty of a high crime and misdemeanour, and be liable to such penalties as the Parliament shall decide.

To assist in determining when a claim to the government of England is put forth, it might be declared that *the government* of *religious societies* as such, and so far as that government is confined to the members of such societies, or any persons who may voluntarily join them, shall not be taken to involve the crime before mentioned; but that a claim of jurisdiction *beyond this*, manifested either by publications asserting the same, or by territorial divisions of the country for the bestowment of jurisdiction over it, or by the creation of *local* titles, or by the assignment of territorial jurisdiction to persons holding the titles to which the assigned territory belongs, shall be held guilty and be treated accordingly. It would be easy to mention other things that would, according to the fairest interpretation, be an assertion of supremacy over the realm of England; but we are warned to forbear by the extent to which we have already gone. We must,

however, be allowed to add a word to our Protestant fellow-countrymen. The government may do much in the present most painful crisis. On them rests a great weight of responsibility, and that responsibility we are assured they will discharge; but there is also something for us to do. There is an intimate and indeed an inseparable connexion between the Ministry and the people. One cannot act, so that the best intentions are often rendered powerless, without the other. It is obviously, therefore, our first duty to support the government. The Prime-minister relies with confidence on the people of England, and assures us that he will not "bate *a jot of heart or hope*, so long as the glorious principles and the immortal martyrs of the Reformation shall be held in reverence by the mass of the nation." Shall he be disappointed in this hope? and shall our political differences mar our success? We trust they will not; for we should all feel that political or other differences are as nothing compared with our liberty and the truth.

But, while united ourselves, let us not forget what is due to our Roman Catholic fellow countrymen. They are not *necessarily* involved in this controversy, and we owe them the sympathy of our common brotherhood. We do not say that we should at any time be so credulous as to believe whatever is told us, particularly as there are unknown agents secretly infusing Romish leaven, but let us show by forbearance, by gentleness, and by trustful bearing, that our hearts are still warm towards our Roman Catholic brethren. Let us prove to them that we would advance rather than diminish their just rights, and that the very feeling which protects ourselves will move us to help them. Again: if we owe something to Roman Catholics, we owe still more to our own people, whom the servants of the Pope are endeavouring to lead astray. The means they employ adapt themselves to any and every circumstance in which persons are placed, and the secession of one and another to the Church of Rome speaks to us of some active and hidden influence. One moment we see it, the next it has vanished,—not, however, without leaving some sad proof of its presence in the fall of those we had admired, trusted, and loved. This calls upon the people for immediate action. There is much that may be done by individual exertion in our several parishes,—not at public meetings, for they are often tumultuous, but by private influence and by the diffusion of knowledge. Every member of our congregations

should be informed on the errors of the Church of Rome, and thus armed against attack. We should make ourselves acquainted with any agency that may be at work in our immediate neighbourhoods, carefully mark its proceedings, and take such steps as are likely to defeat its designs. Let no one think of leaving the matter to others, or of doing nothing because his minister is active. All are concerned, and the press supplies us with information that is ready to our hands.

But, lastly, while we are engaged in controversy, let us not forget "the purlieus of Westminster,—its concealed labyrinths of lanes, and courts, and alleys, and slums, nests of ignorance, vice, depravity, and crime, as well as of squalor, wretchedness, and disease; whose atmosphere is typhus, and whose ventilation is cholera, in which swarms a huge and almost countless popula tion." Here are objects that demand the sympathy of every Christian, and they will have it. We are jealous of no one, we quarrel with no one, because he makes these his care, or because he is glad to visit such abodes of wretchedness. We would share his toil, and go ourselves to those haunts of filth, to bear light to the dark corners which no lighting-board can brighten. Nor are we alone in this. There are tens of thousands whose hearts warm as they think of the poor. They sigh to relieve them, and are daily found planning some act of mercy. We should love to write of these, and tell of known visits to the homes of wretchedness, of hours spent by the bedside of sickness,—of the young instructed, of the aged comforted, and of peace imparted to the dying through the prayer of piety and the word of life. But we refrain;—our object is only to excite to greater earnestness in this holy work. The poor are unguarded, and easily assailed; let us visit them,—not, indeed, to teach them controversy, but to lead them to love that Holy Bible, whose truths are our truest safeguard against the Church of Rome.

SINCE the preceding pages were written, the question of papal aggression has been brought under the notice of Parliament; and besides exciting the people, it has produced results *there*, that the most sagacious had not anticipated. All Europe has been astonished to see England without a ministry, and unable for a time to form one; and future historians will ask wherefore did the Premier resign? and what could produce the perplexity that immediately followed? Different answers will be returned to these questions, according as persons look at the matter from this or that point of view,—yet to us the whole may be traced to papal influence. But for this, financial difficulties could not have produced the crisis we have just witnessed. They would no doubt have had their influence, but questions of finance would soon have been adjusted, or a party would have been formed with sufficient strength to guide the country. But Rome interposed: she had skilfully coiled her net, and it was for some time doubtful what would be done, or in whose hands the affairs of the country would be placed. This is Italian influence at the outset, as if to warn us against a power that will seek to control the legislature whenever papal claims are disputed or opposed. It becomes us, therefore, both to think and to act.

In "the Ecclesiastical Titles Bill," lately submitted to Parliament, the distinction we have suggested between the laity and the clergy has been recognised and acted upon. The Bill is one, as we hoped it would be, directed against no interest of the people, but solely against the encroachment of Romish bishops. In this measure there is not the remotest intention to interfere with the religious privileges of the people, or with any rights of the poor. It may be convenient for the prelates of the Italian Church to try to make it appear that the poor are to be outraged by the measure; but nothing could be further from the wish of those in power. If the Bill had said there shall be no charitable trnsts among Roman Catholics, it would have injured the poor; but it only declares that such and such persons shall be ineligible for the management of trust property. And what hardship will this be to the

poor? There are priests and laymen who are as competent to fill the office of trustee as any Bishop, and they have *complained* that the management of property has been, or is being entirely engrossed by the Bishops. Why has this been done? Was trust property so badly managed that the priests and the laity are no longer to be trusted? We cannot doubt that, if Roman Catholic Prelates are resolved to break whatever law may be passed, the charitable can find trustees for their bequests. The poor will not suffer.

In dealing with Romish Bishops the Bill touches upon no right that properly belongs to them. This will, we hope, be readily admitted after the arguments we have advanced: for if Bishops have no right to the government of England in spirituals, if they have no right to territorial jurisdiction, and no right to form parishes and to apply canon law or the decrees of synods without the sanction of the Crown, then they have no claim to *local ecclesiastical titles* which indicate all these. The measure of government touches the last of these. It interferes with no religious teaching of the Church of Rome, except with that of *the universal sovereignty* of the Pope, it leaves the people to worship God as they please, and it allows the "doctrines and discipline" of the papacy to be carried *on* properly within its own limits; but it checks encroachment and forbids aggression.

Once more, the Bill imposes the least possible restriction that is likely to secure the desired object. Indeed this has been made an objection against it; but, if the measure answer the desired end, its liberality is and must be a recommendation. True liberty consists, not in "every man doing that which is right in his own eyes," but in individual freedom being subject to no *unnecessary* restraint. This principle seems to have guided the formation of Lord John Russell's Bill, throughout which we trace a desire to legislate only so far as may be necessary, accompanied, however, by the assurance that whatever is requisite will be done. How far local titles are inseparable from territorial jurisdiction, and the spiritual government of all England, remains to be seen. If the one cannot be exercised without the other, then the measure submitted to Parliament will secure the most important results without trenching upon any principle of civil or religious liberty: but if sophistry evade the force of its provisions, it may then be necessary to go beyond the title, and to decree that no government

of England independently of the Crown be allowed *under any name whatever.*

The contest between the Government of these realms and the ecclesiastical power of Rome has, we fear, but just commenced, for there is every indication of a severe, and, perhaps, a protracted struggle. We cannot tell when it will end, or whither it will lead us—the result is in God's hands—but, unless we are content to bow to the dictum of an Italian conclave, unless we are willing to have our national councils always controlled by Romish priests, and, further, unless we are prepared to surrender the glorious principles of the Reformation that were secured to us by the blood of our immortal martyrs, we must prepare for the strife, and meet it with the firmness of men. We are not seeking to deprive any one of his just rights, but only to preserve our own ; and we enter into the struggle, nerved by a sense of duty to God, to our country, and to ourselves, and will try to snap every chain that fetters the mind, or enslaves the conscience of our fellow-countrymen.

THE END.

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