





TRANSFERRED





H. P. Harris.

USURY, FUNDS, AND BANKS;

ALSO

FORESTALLING TRAFFICK, AND MONOPOLY;

LIKEWISE

PEW RENT, AND GRAVE TAX;

TOGETHER WITH

BURKING, AND DISSECTING;

AS WELL AS THE

GALLICAN LIBERTIES,

ARE ALL REPUGNANT TO THE DIVINE AND ECCLESIASTICAL LAWS,
AND DESTRUCTIVE TO CIVIL SOCIETY.

TO WHICH IS PREFIXED

A NARRATIVE OF THE AUTHOR'S CONTROVERSY WITH BISHOP COPPINGER,
AND OF HIS SUFFERINGS FOR JUSTICE SAKE.

BY THE REV. JEREMIAH O'CALLAGHAN, *Roman Catholic Priest.*

BURLINGTON:
PRINTED FOR THE AUTHOR.

1834.

NOV 25 1955

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NARRATIVE OF THE CONTROVERSY ;
AND OF THE
SUFFERINGS OF THE AUTHOR.

BURLINGTON, VERMONT, MARCH 17TH, THE
FESTIVAL OF ST. PATRICK, A. D. 1834.

WHAT shall I cry ? All flesh is grass, and the glory thereof as the flower of the field. The grass is withered, and the flower is fallen ; but the word of our Lord endureth for ever. Amen I say unto you, till heaven and earth pass, one jot or one tittle will not pass from the law. Notwithstanding every one useth violence towards it ; particularly in those days when the falling off from the law and the Prophets, is so daring and general, that the end of the world seems not far distant. People, when first they are carried away from the law, through pride, ambition, the lust of the flesh, or love of sordid gain, find within, a monitor teasing and tormenting them ; now it reminds the prodigal child of his lost dignity, and of his misery amidst the swine in the desert, and then it urges him to return with confidence to the bosom of his merciful Father. These motions and feelings of the fallen soul, are but calls and graces from Providence, who wills not the death of the sinner. At one time he pays a visit by sickness or worldly afflictions ; and at another, he pictures before us the eternal suffering of the damned, or the endless joy of the blessed. As he says, Such as I love, I rebuke and chastise ; be zealous, therefore, and do penance. Behold, I stand at the gate and knock. If any man shall hear my voice, and open to me the door, I will come in and will sup with him and he with me : *Apoc. iii. 19.*

But lastly, if they correspond not with the graces or calls from heaven : if their heart is grown gross, and with the ears they have heard heavily, and their eyes they have shut to the calls of their merciful Father, they become habitual sinners, and are allowed, without aid or light from above, to follow the bent of their corrupt heart. Thus saith the Lord, For three crimes of Juda, and for four, I will not convert him. AMOS ii. I called upon you, but you answered me not, you will call upon me, and I will not answer you. Then, indeed are the poor sinners in a miserable state.

Of all the vices that defile and deprave the human heart, *avarice*, the root of all evils, is the most abhorrent and difficult of cure ; whilst all others wither and cool in his declining years, this gains more strength and fury ; and what renders the prospect of amendment still more remote and arduous, almost all ranks and stations, the young and the old, the male and the female, the bond and the freeman, are more or less infected ; all aiming, though by different routes, at the temple of Mammon. When vice thus spreads through the community, assuming the garb of virtue, who could think of resisting it ? That usury would ever be adopted, in any Christian country, as the means of making riches, puzzles all people that have not lost, or never received the light of faith : they are for ever discussing the question in public and in private ; in the school and at table ; never finding any balm or palliative for it in the Sacred Rules—Scripture and Tradition.

During this state of perplexity on the part of the pious few, the misers and the avaricious pursue their money projects. No arguments from religion would deter them from their usurious practices : and what sinks them deeper still in the mire, very few will have courage to remind them of their error. Any writer who looks to pounds, shillings and pence ; or whose livelihood depends on the sale of his works, dares not attack the favorite passion of the rich. If he do, he will surely suffer shipwreck : for the bankers, money-changers, pawn brokers, fund-holders, and all other adorers of Mammon, will at once league against him. They, the most noisy and influential orators in society, will single out the devoted victim, and chase himself and his writings from the face of the

land. This is the cause why so few have raised the voice or pen against usury. None but the priest who is free from worldly incumbrances or expectations, would undertake a task at once thankless, fruitless, and dangerous.

This little book has, since its first publication in New York, in the year 1824, had two editions in London. Although it militates against the strongest of the human passions, and against the most potent classes of society, it has not hitherto received a censure or an attempt of reply from any quarter. On the contrary, people of all persuasions and professions, often declare that it cannot be gainsayed without discarding the whole Christian religion. However, as I find but obloquy and persecution in quarters where my doctrine should meet co-operation, I never would try a fourth edition, were there the least probability that any other person possessing means, talents, or authority, would at any future time, take up the subject. But as Jesus said to him, No man putting his hand to the plough, and looking back, is fit for the kingdom of heaven, I must persevere and endeavor to put the candle upon the candlestick.

In narrating the Facts that originally carried me into this controversy, and the motives that regulated my future career, I stand upon dangerous and slippery ground: for who could have the vanity of thinking that any portion of his life would interest or edify the public? What Christian could, with safety, become his own biographer? Particularly as it is written, I was conceived in iniquities, and in sins did my mother conceive me: and again, In thy sight, O Lord, no man living shall be justified; and again, If we say that we have no sin, we deceive ourselves, and the truth is not in us; and again, I know not whether I am worthy of love or of hatred. Therefore it is not only dangerous, but also bordering on folly, for any frail man to relate his deeds. Would to God that you would bear with some little of my folly, but do bear with me, 2 Cor. xi. 1, kind reader, whilst I relate but the few of my trials and afflictions, that may enable you to form a true conception of the facts and doctrine that are submitted to your consideration.

My parents, Jeremiah O'Callaghan, and Mary Twohig, lived

at Dooneens, a small village near Macroom, County of Cork, Ireland. She departed this life in 1795, and he, in the year 1812. O God, who hast commanded us to honor father and mother, in thy clemency have mercy on the souls of my father and mother, and forgive their sins, and grant that I may see them in the joy of eternal glory, through our Lord and Saviour Jesus Christ. Amen. They had seventeen children, who are all, excepting two brothers, also departed. I, being the eighth son, was born about the year 1780, and named after my father. They had no estates, or large possessions to bequeath; but they bequeathed what is more precious--good example, and pious instruction. They taught us to love God above all things, and to shudder at any, even the smallest violation of his law; to love our neighbor for God's sake, and never to turn our face from the poor man. And, I see, when nearly all my family have embarked into eternity, and when the world with her deceitful allurements is fast receding from myself, that my parents' was the best legacy that could be made.

Am now, 1834, in the 54th year of my age, the 29th of my Priesthood, and in the 15th of my sufferings for justice sake. Glory and praise be to God, who said, Blessed are they that suffer persecution for justice sake: for theirs is the kingdom of heaven. If we will not suffer with him, we cannot be glorified with him; and through many tribulations we must enter the kingdom of heaven. Having received minor orders from the learned Dr. Lanigan, Bishop of Kilkenny, and Priesthood from Dr. Coppinger Bishop of Cloyne and Ross, with whom I afterwards differed about usury, I got my first mission in the Island of Cape Clear, well known to mariners, on the southern coast of Ireland. Here had I been not more than four months, when usury that never before attracted much of my attention fell thus under my consideration.

The Roman Catholic Clergy of Ireland have, from time immemorial, the custom of holding monthly Conferences to nourish by discussion the stock of sacred science, which they had hoarded up in the school, to solve religious difficulties and to devise remedies for the spiritual and temporal wants of their respective flocks. The

Conference to which I was attached was held on the main land in the village, Ross Carberry. It had been a fact, notorious in that vicinity, that the Reverend Daniel Burke pastor of the said village condemned in preaching and practice, usury or interest of all sorts ; and that, on the contrary, the Reverend William O'Brian, pastor of the neighboring town, Clonakilty, sanctioned it. The Reverend David Walsh, V. G. our Chairman, expressed one day his regret for this difference of opinion on a question of such vital importance, and directed that it be the subject of discussion at the next session ; desiring Mr. O'Brian to produce his reasons for, and Mr. Burke his proofs against interest. Such a mode of proceeding was fair and canonical. Thus did the Apostles act in the Council of Jerusalem, ACTS xv ; thus was the sacred deposit preserved in the Council of Nice and in every other. When the month came round we re-assembled under more than usual anxiety for the result of the question.

The Vicar General again presided ; Mr. O'Brian being then in the full vigor of youth opened the debate with much warmth and energy, producing, I must say, no sacred proof, neither Scripture, Fathers, Pope, nor Council, but merely worldly and profane reasons drawn from what he called ' common sense,' for interest. But Burke, on the other side, bordering on the 80th year of his age, was not able, even to read the long list of Fathers, and Councils, which he held in his trembling hand. So that the profane arguments of the one gentleman swayed over the sacred proofs of the other ; and the tares threatened to smother the divine seed.

Other pious priests raised their voice with Burke for the truth, but they were, for want of preparation, soon obliged to quit the field. Finally the Chairman declared ' that the practice of the Irish Church was with O'Brian, and that it was therefore the safest course to follow.' As for me I fell into the broad way and would perhaps have followed it until the hour of my death, had not kind Providence removed me four years after from that part of the diocese to the other end, to become an assistant to the Rev. John Kepple, pastor of Aghnakishey.

The pious and learned Kepple soon after my arrival, enquired, in the most respectful manner, what were my sentiments with regard

to usury. To whom I replied that I followed the Conference of Ross Carberry ; especially, as their decision appeared to coincide with the modern practice of the whole island. 'What,' rejoined he, 'a Conference of a few priests to sanction what is reprobated in both Testaments and by the unanimous consent of Fathers, Popes, and Councils. I saw it condemned in several Conferences equally, if not more learned than the Carberry gentlemen. If that assembly, or even all Ireland stray from the path revealed and followed by pious antiquity ; if some of them have not believed, will their unbelief make the faith of God without effect ? God forbid. ROM. iii. 3. Such observations that fell in torrents from the holy priest, though they drew me not immediately from the error, made me bestow more attention upon the question. I searched the Scriptures from end to end, as well as several authors on Sacred Theology, in quest of some text or passage in favor of interest : but I searched in vain : for I found that usury or increase of all sorts is reprobated in both Testaments and by all the Fathers, Councils, and authors, whether published in Italy, France, or Spain.

Being fully convinced that no custom, however old or general ; and no guides, however numerous and respectable, can justify a deviation from the law of God ; and that with the heart we believe unto justice ; but with the mouth confession is made unto salvation ; and that he that is not with me, is against me ; and he that collects not with me, scatters, I saw no possibility of holding neutrality between God and the demon ; no possibility of saving my soul, but by publicly professing and defending the doctrine of Christ. Consequently I sent the following letter to the Bishop.

NEWTOWN-CHARLEVILLE, JAN. 27, 1818.

My Lord,—St. Gregory VII. says, 'I am not aware of any entrance to the kingdom of heaven, besides what is explained by him who said, I am the gate, whoever passes through me will be saved, and will find pasture ; preached by the Apostles, and travelled by the Fathers ; and what we find expressed in every page of the Scripture.' Every path, therefore, that is contrary to that which is preached by the Apostles, and followed by the Fathers, leads not

to heaven, but towards perdition. I see no alternative. As two contradictory opinions on faith or morals were never dictated by the Spirit of Truth, one of them must have been the spurious tares of error scattered in the tillage by the prince of darkness, subsequent to the departure of the Divine Husbandman. Every director of souls, therefore, who sets any value upon his own, or upon the salvation of his followers, should, when he finds himself amidst conflicting opinions on faith or morals, be seized with trembling and fear of falling into the erroneous path, and thereby become the blind leading the blind towards the pit.

Not only they who do those things are worthy of death ; but also, who consent to the doers : ROM. i. 32 ; extremely guilty will be the silent pastors, whose duty it is to feed his followers with the genuine pasture of truth, and caution them against the poisonous soil of error. Even the obscurest coadjutor is bound to perform this office daily, both in public and private, from the pulpit and confessional.

Now to the point. There are, in our Lordship's diocese, two contradictory opinions on interest ; the greater number of priests advocate, but the minority of them reprobate, the measure. Both classes cannot be in possession of the path revealed and handed down. Shuddering, therefore, for fear of slipping from the narrow path of truth, in imitation of the majorities, into the broad way, I directed my attention towards this subject this long time ; but the industrious application of nine long years has not yet enabled me to discover that the advocates of usury, whether called interest, increase, or otherwise, are consistent with Scripture or Tradition. The next object of my attention became to enquire if there be any definition or declaration from your Lordship on the subject. When I could find no such thing, I naturally took shelter from this whirlwind of opinions under the wings of the divines, possessed, in my opinion, of the doctrine revealed by God and defined by the Catholic Church.

Feeling myself bound to announce the truth to my little congregation, I took up the pen to assist my memory, for fear of advancing any thing on this controverted question that could be repugnant to the rules of the faith, Scripture, and Tradition. Leav-

ing no objection, usually made in behalf of usury or interest, unrefuted, I find that the matter has swelled beyond my expectation. But, on second reflection, I deemed it right to submit my manuscript to your inspection ; begging most humbly to convey it thither by any mode of conveyance you desire, to be examined and treated according to its merit ; and shall conclude with an ardent prayer to the Spirit of Truth to assist your Lordship for collecting your flock into that path revealed by Christ, and that leads exclusively to eternal glory.

JEREMIAH O'CALLAGHAN.

*To the Rt. Rev. Dr. Coppinger,
Cove.*

This letter, though it elicited no solution of the difficulty, brought confirmation of a report already prevalent, namely, 'that the Bishop practised or allowed the practice of usury in his diocese.' As the only remedy for my scruple, he transferred by the returning post my jurisdiction from New Town back again to Ross Carberry, to settle, as if, my difficulties with the usurers, or rather to receive from their hands a final extinguisher. The promptness of his proceeding is a proof that he was not well pleased for agitating the question at all. In appointing me as an Assistant to the Rev. Mr. Molony successor to the lamented Rev. Daniel Burke, in the parish of Ross Carberry, the Bishop cheered me up by saying, 'that there might be no more than three or four usurers in that parish 'whom I may leave to the spiritual care of the Pastor, Mr. M. who had no scruples on the affair.'

Now arrived after the absence of six years in Ross Carberry ; there was profound silence on interest, with full liberty to practise it : the Divine seed lately sown, now degenerates into straw and sedge ; not three or four persons, as I was given to understand, but perhaps as many scores were entangled. Let me here observe that the free offerings of the faithful, the only support of the Catholic Clergy in the south of Ireland are generally divided between the Pastor and his Curate ; the two thirds for the former, and one third for the latter : which I, from abhorrence of the usurers' offerings, left entirely, for the reasons to be seen hereafter, to the pastor.

Reflecting on the one hand, upon the fortitude of the martyrs who would not be moved by either threats or promises to deny the faith : and, on the other, upon my own cowardice, if I were to deny it, not for fear of a bloody tyrant, but of a meek pacific prelate, who may to-morrow cure the wound inflicted by him to-day, I felt juvenile strength and vigor running through all my body : therefore I announced one Sunday in the Church, that usury was, and is, against the law of God, and cautioned the usurers not to come near me with their wicked oblations. Henceforward a fire is kindled against me by all the adorers of Mammon, by all the usurers, extortioners, and pawn brokers of the vicinity ; which blazed out, in four months, from the following incident.

As I was called upon, in the month of October, 1819, to administer the last sacraments to a dying man—a trafficker, who had two prices—a time price, and a cash price ; the one for the poor, the other for the rich ; the one much higher than the other, I required of him to remit to all of his customers what he gained, or would have gained in this manner. He not only complied, but requested, that I would announce this his Last Will, to the congregation. When I did so, the usurers were panic struck. Seeing that they would be equally required at the hour of death to restore the usury, they recurred to the pastor to avert by my removal the impending danger. And the pastor imagining, of course, that my ministry was a censure upon his own, came into their views, and stated the case privately to the Bishop ; merely requesting, as I afterwards learned, some assistant that would be palatable to the usurers.

But the Bishop went beyond the request : for besides sending the new priest he issued a letter of suspension, from *office* and *benefice*, against me, which he ordered Mr. Molony to publish before the same Congregation. The letter was accordingly read to them, and carried moreover, to the dying man for the purpose of inducing him to revoke the will, which he had at my instance signed and published. However he replied, ‘ that he always heard from the old Priests that usury was against the law of God, that he

looked upon Mr. O'Callaghan's advice as the safest with regard to eternity, and that, therefore, he could not bring himself to make any alteration in the Will.' Thus he died. The souls of the just are in the hands of God ; and the torments of death shall not touch them ; in the sight of the unwise, they seemed to die ; and their departure was taken for misery ; but they are in peace ; and though in the sight of man they suffered torments, their hope is full of immortality. He was taken away lest wickedness should alter his understanding, or deceit beguile his soul: *Wisd.* iii. and iv. Yes, young FITZPATRICK was snatched away from a land of misery, to receive in the land of the living, the reward of his piety and justice. His father also declared, ' that he would soon restore it all to the owners, and that both he and his family were extremely sorry for the injustice that was done unto Mr. O'Callaghan.' Behold a pious, just family, who are a shining light to mankind. What a triumph they have gained for the truth ! May Providence grant to the deceased young man, everlasting bliss in heaven ; and pour blessings here, and glory hereafter upon the whole family.

Behold me now placed in a singular sphere ; suspended from my Clerical functions for no other crime, but for opposing the practice of usury, or the lending money for gain sake—a practice that had been all along, and that is still, condemned by the Catholic Church. What a falling off ! When the Bishop, who is bound by a solemn oath, and by every other sacred tie to defend the Catholic faith and doctrine, now turns about to oppose and destroy it ; when he deals out, with the connivance of all the Irish Prelates, censures and penalties against me for having faithfully adhered to the laws and practice of the Catholic Church, what will be the result ; if they be now in the nineteenth century, tired of the old path, what path or law will they substitute ? That the Prelate impugned the known truth and the dictates of his conscience, is evident from the trepidation which immediately seized him, and from his anxiety that I would resume the ministry under condition of holding silence on the question ; for Mr. Molony offered *offe-*

cially, as might be presumed, on the very day of the suspension that I should be reinstated, if I would conform to the prevailing practice. The same offer was made by others also.

My condition now is far from being enviable, opposed upon a vital question to all whom it should be my anxious wish to revere and obey—to the Bishop and all my Clerical Brethren, with the exception of a few sages, who were like the setting sun, descending in the west. No friend or relative to console or relieve; my parents long since gone by. The clouds now thickening on all sides, and diffidence in self-judgment, would have involved me into the gulf of error, had not God whose right hand upheld St. Peter in the sea, kept me up also. The grief, and fear, and vexation that constantly haunted my leisure hours, vanished into air the very instant I would begin a journey, or make an essay against usury. And again the same merciful God, who has said, *I will not forsake nor abandon you*, made, some how or other, provision for all my privations and difficulties. From reluctance to yield at this stage of the affair, contrary to the dictates of my conscience, and contrary to the light which the Holy Ghost seemed to have bestowed upon me, I resolved to consult the learned in foreign countries; I called upon the Bishop for Dismissorial Letters, which he granted, as follows:

Nos, Gulielmus Coppinger, Dei et Apostolicæ Sedis gratia, Episcopus Cloynensis et Rossensis, dilecto filio nostro Jeremiæ O'Callaghan, salutem.

Cum ex parte tua nobis expositum fuerit te quibusdam de causis motum, direlictâ nostrâ Diocesi, in aliam transire velle, ibique commorari; ut hoc licite valeas licentiam presentibus hisce litteris concedimus; ac insuper testamur te nostræ Diocesis Cloynensis presbyterum esse, bonæ conversationis, et famæ, nullo excommunicationis aliussve censuræ, quoad sciam, vinculo innotatum, quominus munere tuo sacerdotali licite fungi valeas.

Datum, Corvæ, hac 7a die Octobris,

A. D. 1819.

GULIELMUS COPPINGER,

Episc. Cloynen. et Rossen.

‘ We, William Coppinger, by the grace of God and of the Holy See, Bishop of Cloyne and Ross, to our beloved Son Jeremiah O'Callaghan, benediction.

‘Whereas it has been on your part intimated unto us, that you, being moved by certain causes, desire to leave our diocese and to pass into another, and there to remain; that you may be enabled so to do canonically, we do by the present letter grant licence, and moreover we testify that you are a Priest of our diocese of Cloyne, of good fame and conversation, under no excommunication or other censure that I know of; but that you may discharge your sacerdotal functions.’

Signed as above.

What consistency! A Priest of good fame and conversation, and free from canonical censures is fit to discharge the Clerical functions any where but in the diocese of Cloyne and Ross. O fortunate diocese, what must be the character of your clergy? Now furnished with a travelling licence, or Dismissorial Letters, or, as they call it, an *Exeat*, I turned my thoughts upon France. The SS Louis, Denies, Martins, and Hilaries rose up to my gladdened imagination, like the morning star on yonder sky darting the heavenly rays through the sable cloud. No time is lost in preparing for the voyage. £50 are brought in by the sale of my goods and chattels,—horse and furniture. Thus equipped for the long journey I took a passage in Cork for two guineas and a half, in a schooner laden with butter for Southampton, England, and cleared the harbor’s mouth before a fair and very fresh breeze, in the middle of October, at 10, P. M.

As I appeared on deck in the morning, the barge worked on through the foaming billows before the breeze that freshened more and more. The deep that was speckled the whole day with white sails bearing for different ports on the English and Irish coasts, rolled mountains high. And at midnight the watch cries out, ‘The lights of Scilly;’ which is a cluster of islands or rocks on the south west point of England; most dangerous to the midnight navigators. Whilst the master sat in the little cabin tracing our course on the chart, a heavy sea broke the top mast and boom, and rendered the barge unmanageable. I sprung out of the berth to see the state of affairs upon deck. How appalling the sight to

a juvenile sailor! The vessel drifting, like a heavy log, before a strong gale towards the rocks right a head: staves, spikes, barrels, bulwarks, washed by the successive waves into the deep; the crew lashed here and there, to the mast or helm; the canvass flying at random. 'The ghastly rocks close by,' they said, 'will soon dash us to pieces.' But kind Providence decreed otherwise: the fair wind wafted us some how safely through the rocks, for when I reappeared in the morning upon deck we were some miles beyond them, close to the Lands End, moving slowly along the smooth surface, before a fair and gentle breeze, under a calm and clear sky. Blessed be the God and Father of our Lord Jesus Christ who comforted us in our tribulation.

Meanwhile the boy is busy at the flint and tinder, pans, cups and saucers, preparatory to breakfast; the Captain with his three men hauling down the tattered sails and attaching new ones to the topless mast; the sickly craft waddles on her course. Now the wind, that had been fair ever since our departure from Cork, veers to the north east; and after having struggled against tide and weather for forty eight hours more we put into Plymouth in distress on the evening of the fourth day. As the Schooner was hauled into dock to undergo a thorough repair, I settled with the Captain, and took the next coach for Southampton.

There I took the packet, and landed in Havre de Grace on All Saints, where I entered the Churches to offer the sacrifice of thanksgiving to God; afterwards I coached to Paris, and settled in the College of Picpus. 'Fourteen years after,' says the Apostle, GAL. ii. 'I went up again to Jerusalem to communicate to them the Gospel, which I preached among the gentiles, but apart to them who seemed to be something, lest perhaps I should run or have ran in vain.' So did I go up again to Paris, and imparted to them who were deemed learned, the doctrine which I preached in Ireland, for fear I should run or have ran in vain. And lo, usury for which I had left house, brethren, sisters, friends and relatives, braved the stormy seas, and mingled with strange people, fell under discussion, in three weeks after I entered that

College, and received, to my great joy, the most unqualified reprobation ; being styled rapine, mortal sin, heresy, and so forth. Having celebrated mass while in that Seminary and afterwards for three months in the Church of St. Stephen in the city, I was invited by the Arch-bishop of Soissons, seventy miles off, to go and undertake the mission.

Arrived in Soissons on St. Patrick's day, I was received by the clergy with brotherly affection and placed in the Diocesan School under the care of two talented Ecclesiastics—the one to fit me in Church singing, and the other, in the French language, for the mission ; which they expected to accomplish in a very short time. But when I reflected on the dreadful state of religion in the same Arch-diocese, where there were no less than two hundred Congregations without any one pastor ; and on the inadequacy of the native clergy, with their superior talents, knowledge of the language, and acquaintance with the manners of the people, to stem the torrent of infidelity ; and, on the other hand, when I saw myself devoid of all these advantages, I gave up my views on the French mission. Having learned from the clergy in Paris that interest was condemned in almost all the Provinces, I now find that that is the case with regard to Soissons, for although the harvest was great and the laborers few, no foreign priest would be entrusted with the care of souls who would not first profess to condemn interest or increase of all sorts.

My sentiments on the disputed question, being thus confirmed and the object of my journey, I thought, fully attained, my thoughts turned once more upon my native Erin : which intention I unfolded to the Prelate and his Dignitaries, packed up my baggage, and began to move by Laon, St. Quentin, Douay, St. Omer, Calais, and London, landing about the middle of April 1820, in Cork. Without loss of time, I visited the Bishop, and related how almost all of France was on my side of the question, and requested to be restored. However he, with apparent disregard to their doctrine and practice renewed his wonted offer of reinstating me on condition of giving him a written promise of observing silence on the

question. But when I answered that I had much rather undergo all privations and indignities for the rest of my days, than succumb to a practice that is contrary to every rule of faith, he became greatly excited and threatened vehemently 'that he would neither restore me, nor allow any Bishop in Ireland to grant me sacerdotal faculties.' Thereupon I made an appeal to Dr. Everard, Arch-bishop of the Province who died soon after ; having given me no decision. Then I forwarded the Appeal to Dr. Curtis, Primate of all Ireland who replied by a letter that it was not his duty to entertain the case.

Bereft of all hopes of redress in Ireland, and destitute of friends and means, I opened for the procurement of a livelihood, a school in the summer of 1820, at the very theatre of my trials—in Ross Carberry ; and dispatched an APPEAL, bearing date 15th August, 1822, (which Appeal you will find in the body of this book) to the Holy See. Seven months elapsed, but no account from Rome, I naturally concluded that my letter did not reach them, or that my case and myself was not worthy of the Vicar of Christ's notice. Meantime the proud and the rich taunted me with my sufferings ; saying daily 'where is thy redress.' My heart being loaded with grief, panted, as the deer pants for the fountain of waters, to offer thee, O God, the Holy sacrifice of Mass.

In expectation that America, the garden of liberty, would grant, what had been denied me in Ireland, that is, to pursue my clerical office, I sailed from Cork by the ship William, on the 8th of March 1823, and after a boistrous passage, made New York the 23d April. Visited my old friend, Rev. John Power of Skibbereen, Ireland, who for some years dignified the pulpit of this city. Several days elapsed in recounting our mutual adventures, putting and solving spiritual questions and grieving for the distress and gloomy prospects of mother Erin. As soon as my constitution that had been broken down by the long and stormy passage, is retrieved at his hospitable table, he presented me to Dr. Connelly bishop of that city ; who from the unquestionable tenor of my Dismissorial Letters and the fraternal recommendation of my Reverend companion received me kindly ; declaring without hesitation that he should take the

honor of ranking me with his clergy ; but when he asked, after a little pause, ' why I left my native land ? ' Because I would not, replied I, allow my hearers to receive legal interest for money loans. With disappointment visible in his countenance he rejoined. ' All persons practice that here : you would not at all answer the American mission ; have the goodness to seek refuge in some other quarter. ' This closed our interview. -

Others give dinners and suppers to their brethren, and kinsmen, and neighbors, who are rich, that they may invite them again ; but Mr. Power, though he knew that I had not wherewith to make recompense, invited me daily to his table. I have not words to express what tender affection I experienced from him, and from his brother William M. D. and his pious sister, Anne, now Mrs. Davis. From thence I started in September to try my fortune in Baltimore, and presented my papers to Dr. Mareschall Arch-bishop of the United States, He sympathized in my sufferings ; and freely unfolded his feelings and sentiments with regard to interest.

' He was, ' he said, ' a native of Lyons, in France, and taught divinity for four years in the Clerical School of Baltimore, where he invariably instructed his pupils that usury or interest is against the law of God and destructive to souls ; but that since his promotion to the mitre he is forced to connive at the general practice of it, for fear of throwing all things into confusion ; that he knew several pious priests who have, notwithstanding the universal prevalence of the practice, fears and scruples thereon ; that he received, for instance, a letter from Bishop Flagget, beseeching in the most impressive manner, to give him some information on the question ; and another letter on his return from Rome a few years ago, from a young clergyman in Lyons, praying for God's sake to let him know the modern doctrine of the Holy See with respect to the matter, promising perpetual secrecy, should he, Bishop Mareschall, desire that ; though he made no reply to the pious enquiries of either. ' But when I asked His Grace whether he allowed usury to be condemned yet in the same School ; he replied ' that he does. ' Your Divines then, I rejoined, learn a doctrine in the school which they must

lock up in their breast when they go upon the mission ; their theory and practice are at variance ; they must *conform to the world* for fear of throwing all things into confusion. How do you get over the saying of Christ, *Lend, hoping for nothing thereby* ? He made no reply of any sort, but seemingly much affected, he broke off our conversation.

Had not his condition with that corrupt people been deplorable ? Truly has the Apostle foretold, there shall be a time, when they will not endure sound doctrine ; but according to their own desires they will heap to themselves teachers having itching ears : 1 TIM. iv. 3. That prophecy seems verified to the very letter in Baltimore. That a worldly writer dare no longer wield the pen, or a simple Priest move his tongue, might be a matter of no astonishment ; but that the successor of the Apostles with all the authority of his mitre, should be cowed into silence by the base usurers is a thing appalling and terrific. Corrupt people ! What will become of you ! Why should not the cholera or some other scourges from the angry heavens sweep you from the face of the earth. Christianity will soon go altogether at this rate. Had the Apostles and Apostolic Missionaries of antiquity, the people of Baltimore to deal with, the Christian religion would never be. Our blessed Redeemer, and the Apostles, and the Holy Fathers, and the saintly Popes, and the sacred Councils proclaimed, in spite of the threats of a corrupt world, the faith against usury and extortion. Should not the Prelate, at any risk, follow the same course in Baltimore ? He should be able to say with the Apostle, ACTS. xx. 26, ‘ Wherefore I take you to witness this day, that I am clear from the blood of all men : for I have not spared to announce unto you all the counsel of God.’ Are the free loans of the gospel to be preached up no longer for fear of the wrath of usurers ; are the wolves now to disperse and destroy the flock of the timid shepherd ? He that suppresses the truth for fear of the world, or from interested motives, should not be called a shepherd but a hireling. Whereas the jaws of that Arch-bishop ‘were bound fast with bit and bridle,’ I could expect no quarters there. Being now within thirty four miles of Washington, the capitol of the United States, curiosity induced me to visit it, together with Alexandria and Georgia in the

District of Columbia. Then I returned to Baltimore on my way to New York. It is written, TOBIAS xii. 7. ' Bless ye the God of heaven ; give glory to him in the sight of all men living because he has shown mercy to you : for it is good to hide the secret of a king, but honorable to confess and reveal the works of God. I shall confess in the sight of all men God's mercies to me.

In Baltimore, as I hastened down street from the tavern, with a porter carrying my trunk to take passage in a steamer that was just going to start for Philadelphia, a man standing at a door accosted me thus. ' Is it possible, that I have the good luck to see once more Mr. O'Callaghan, my former pastor.' I startled and paused to survey the man from whom came this unexpected salute ; who should he be, but Mr. John Ryan, of Buttevant, Ireland ; where I had spent two years' mission. ' What makes you,' added he, ' in such hurry ; let that steam-boat go, and tarry with us for a few days to refresh yourself. Here is in the next shop Mr. Lynehan your former parishioner, besides several other friends and acquaintances of yours ; we would all feel delighted if you could delay.' No portion of my life stirred up more endearing recollections, or brought me more genuine pleasure than four days did here, among three scores Irishmen ; who, to crown their conviviality put forty dollars into my pocket that had been already nearly empty. Glory be to God ; who should not defend his cause against the usurers ? Thus refreshed and equipped I took the first steamer for New York.

To New York the very focus of usury, the great emporium of North and South America, flock greedy speculators from all them extensive regions. You would see there Jews, Quakers, Tunkers, Socinians, with nominal Christians prostrate in full devotion to the idol, *Mammon* ; money-changers, bankers, brokers, auctioneers of all hues, climes, and creeds on the alert to hook the simple prey ; in wall street of that city Satan seems to have fixed his eternal abode. Soon after my arrival, a report assailed my ears, that usury is condemned by both clergy and laity in Lower Canada. Now some fresh vigor pervades my whole frame ; this ray of hope dispels all my gloomy thoughts : and lo, Canada seems rising on the landscape, *as the land of promise* ; as that land free from usury,

for which I travelled, but which had hitherto, like a phantom, receded, as I approached it. My trunk was by this time lank and lean ; I had no great difficulty in packing for the new journey.

Behold me once more in a steamer on the waters of the Hudson from New York to Albany, 150 miles ; and thence to Utica by a canal boat, 96 miles. In Utica, a beautiful and flourishing town, that would do honor to the oldest and most polished of nations, were the rites of hospitality afforded me by the good Catholic pastor, the Reverend Mr. Bulger native of Kilkenny, Ireland, together with means to prosecute my journey by a gloomy forest towards Sacket's Harbour, 90 miles. Just as our coach entered this town, which stands on the verge of Lake Ontario, the boys cried up in the streets, 'Hurry, hurry, gentlemen ; behold yonder the packet getting under weigh for Kingston, Upper Canada ; she will be perhaps the last that will cross over this winter.' The ice now two inches thick on the skirts of the lake rendered their saying very probable ; whilst the wrinkled face and hoary locks assumed, now in the middle of November, by all nature, also admonished me to hurry for some winter quarters. So that without seeing the inside of any one house or tavern, but merely taking for my sea store a little cheese and a few crackers at a door, I embarked. Though the barge gently moved with a fair and pleasant breeze on the curled surface, the passage of forty miles on that fresh water sickened my stomach more than three thousand miles of the briny Atlantic. Six hours landed us in the British settlement. Notwithstanding my anxiety to finish my journey, that is, to see the Bishop of Quebec, prior to the middle of winter, I tarried for a few days to see the town and vicinity ; but after that, I found the time unauspicious for the journey. The steamers of the St. Lawrence being all laid up for the winter ; the sleighs not yet in motion. No alternative then presented itself, but an open boat, *bateau*, that was going to return, after having landed its cargo of merchandize, for Montreal. This boat that was rowed, or paddled by four pious, honest Canadians, having no accommodation on board, drew alongside of some village, that appeared here and there on the shore to take our different meals and the nights' lodging.

One morning as they landed me for breakfast in Prescott, a

neat village on the Canada side of the river, I had a few moments' conversation regarding the colony, with the tavern keeper, who was a Scotchman. He, of course, did not know who I was, whence I came, or whither I was going. When I asked him how is the emigration going on this time; and who were principally the emigrants? He replied, 'They are mostly Irishmen, they will soon have five to one against us,—Scotch and Englishmen.' And, said I, what sort of people are these Irish? 'They are,' he answered, 'very noisy people when they drink; they hitherto received from government five pounds, with some rations, each family, as an encouragement to settle and clear the forest; when that allowance is consumed, they almost invariably slip over to the States; there is no stability in their loyalty to our government.' At the other side of the river, which is here about two miles in breadth, we saw a rising village, called, I think, Ogdensburgh. I asked my host whether they held any intercourse with the yonder town? 'Yes,' said he, 'we smuggle across all their commodities, notwithstanding the extreme rigor of the revenue laws.' What, continued I, could they possess that you possess not; is not your climate as good, soil as fertile, and your skill in agriculture equal, if not superior to theirs? 'All that is true,' replied the *loyal Scotchman*, 'but the governments are not alike.' Then he began in the Highlands squeaking, drawling tone, a long history of 'the enormous duties on tea, the total absence of internal improvements, &c. in the Canadas.' But as the boat is now moving from the wharf, I had with reluctance to break up his curious story.

Once more are we carried on the waters of the St. Lawrence. How grand and sublime are sceneries she presents to the traveller. The vast river, the only outlet from the extensive lakes in the north west, spreads out every now and then, from two to ten miles, is bordered all along with thick and gloomy forests, and speckled with islands of various dimensions, that are also vested with wood of all sorts, that never heard the sound of the axe. Myriads of pigeons, grouse, ducks, and geese, on the wing overhead, making the annual migration to the southern climes from the frosty regions below. The waters that was hitherto but one continuation of stagnant pools and lakes, quicken into life, as we

neared the great Rapids, which are not, perhaps, surpassed for sublimity and grandeur by any others in the world.

Here the mighty surges roar with fury for the obstruction of the rocks beneath, and there they heave aloft the glittering spray ; then the impetuous current rushes down through the wooded islands that present their pointed beaks, as if, in proud defiance of the angry flood. Meantime, the crew leaning on the uplifted paddles sing the merry song, seeing the giddy barge skipping on nine miles an hour, without sail or oar. The evening of the third day brought us into Montreal ; where I halted four days among my clerical brethren. Now that the ice stretched far into the river ; that there were some inches of snow ; and that the tinkling bells announced at every side, what I had never seen before,—the trotting sleigh, I forsook the boat and resolved to prosecute my journey by this novel mode of travelling. I was not sorry for the change ; for I think it the pleasantest land travelling imaginable. And what added much to my pleasure, I found the genuine Canadians on the route the neatest and the most respectful people to the stranger, that I ever met with in any country. They retain the soft accent and vivacity of France, their mother country ; and fortunately, they have kept their religion clear from the rueful philosophy that deluged many parts of Europe.

The report that reached me in New York, with regard to the suppression of usury in Lower Canada, was, as I have learned along the road, founded on fact. The usurer is detested more than the thief or drunkard himself ; he is every where pointed at by the finger of scorn, as an infamous wretch that seeks riches in the tears and moans of the distressed ; a blood sucker, a traitor that would sell his country as he has sold his God, for gold, if a purchaser could be obtained.

Inspired with confidence from hearing that usury was reprobated in the colony, I went, on my arrival in Quebec, to Dr. Plessis, Arch-bishop of the province ; he appeared satisfied with my papers, and expressed his intention to employ me, until he asked ‘ where and when I landed from Europe ? ’ I replied that I landed last April in New York ; he rejoined, ‘ It is notorious that the Bishop of that city, Dr. Connelly, being an Irishman, is remarkably

partial to Irish clergy, and that he is always in need of several missionaries for his extensive diocese. As he gave you no encouragement, nor even allowed you to celebrate mass, I do not see how you could expect it from me. Had you landed in this port, direct from Ireland, I should feel most willing to comply with your request.' Thus was dashed into pieces the cup that I was raising to my lips; thus was frustrated my journey of seven hundred miles through woods, rivers, and lakes; under rain, frost, and snow. Thy will be done, O God, on earth, as it is in heaven. Seeing that, now in the middle of December, all persons, male and female, were muffled in fur caps, cloaks, vests, and shoes, which gave them much the appearance of standing bears, I felt convinced that my Irish manufactures would not match a Canadian winter. To the Rev. Mr. Desjardin, justly called 'the good priest' who honored the mission of Quebec since the dispersion of the clergy in 1793, from his native city, Paris, I had a letter of introduction. After having ministered to me for some days the rights of hospitality at his own residence, he gave me a winter billet on the Rev. Thomas McGwire, Curè of St. Michael, thirteen miles down the river.

Mr. McGwire, decendant of respectable emigrants from Kilkenny, Ireland, had great esteem for Irishmen, possessed a good collection of select books; was a man of a fine disposition, superior talents, and extensive information, particularly in the sacred science; besides the French, which is the language of the colony, he spoke the English as fluently as any Englishman. His saintly example and conversation for three months that I spent at his house, together with the reading of his valuable books, made an impression on my mind that could not be readily effaced. Moreover, it was customary with the clergy of the district to dine every Thursday with the pastors in rotation; not so much for the good cheer as for discussion sake. To these holy entertainments had I always been invited. They were indeed synods wherein were solved questions the most difficult, and from which the pastors carried home wholesome medicine for the spiritual and corporal wants of their respective flocks. The harmony between the shepherds and the sheep was such that it might be truly said of them, I am the good shepherd; and I know mine and mine know me.

Notwithstanding the kind sympathy of my clerical brethren in all places, and having the honor to suffer for justice sake, I must, to my shame, confess that grief and sadness had often overwhelmed my soul, and that my feet had often well nigh slipped, had not thy right hand, O God, upheld me. Three considerations contributed to support me : first, the conviction that usury or increase is reprobated in both Testaments, and by the Fathers and Councils of the Church ; secondly, learning on my visit to France in 1819, and now to Canada that it is condemned by the clergy of both countries ; and lastly, seeing that all persons that practise or defend usury, are actuated by profane or selfish motives ; never pretending that the Redeemer or the Apostles lent or borrowed money at interest, nor that he taught the people to practise it.

As usury was the source of all my afflictions, the cause why I left the endearments of my native land, crossed the stormy seas and mingled with strange people, it was always uppermost in my mind and ripe on my tongue ; the leading subject of my enquiries in all places and companies. My note book is by this time pretty well stuffed with Popes, Fathers, Councils, and historical extracts. It was at Mr. McGwire's the first thought occurred to me of submitting them to the public. Consequently as soon as the vernal sun tempered the north wind, the furs were partly laid aside, and the sleigh swiftly glided along the snow, I intimated to my pious host my intention to depart for Montreal. He prayed heaven for my protection, and giving me a hearty shake with one hand, he slipped with the other a heavy purse into my side pocket.

† In Montreal one room a few feet square at Mr. Lafleur's, a pious Catholic, served for my parlor, bed room, dressing room, and library. Here were spent some weeks in arranging my notes and quotations into a book to be published, if possible, on my arrival in New-York. When I passed down through Albany I signified to the Catholic pastor the low state of my finances ; he promptly procured me eighteen dollars. And on the 16th March 1824, I returned after the absence of five months to New-York ; where all the streets are in busy bustle and each hotel in requisition by the sons of Erin to celebrate the Anniversary of her patron Saint the next day. On the 18th, when the festive joy subsided and reason resumed her

wanted station, I went round among the Editors with my manuscript. But the keen lads seeing that it militated against usurers, who were their best customers, would neither purchase nor print it on my own account, without prompt payment or solvent security. And how could I, who had not three dollars in the world, nor a friend willing to join me in a note for twenty, surmount this fresh difficulty? It might be justly imagined that my production would never see the light. However, as if Providence would have willed it, a printer of an inferior caste who was absolutely idle, and eager to grasp at any job, threw himself into my way and undertook the work without payment down, or security. The edition that was but 500 copies could never be rescued from this man's hungry grasp, had not a few friendly subscribers paid me in advance for some copies; whereby I redeemed more which I sold and then redeemed others; and so on I continued to act till the whole slipped from his tyrant hands. Here let me observe that two days subsequent to my agreement with him for the publication, I happened to meet a friend who told me that a letter was advertised four months ago for me at the Post-office. When I went to enquire, they found it with difficulty amongst the dead letters! What should it be but the Holy See's Reply to my Appeal of 15th August 1822, as already mentioned in page 15. It was addressed to me in Ross Carberry, and thence re-directed after me to America. Glory be to God. How *sweetly he disposes all things!* How opportunely had it arrived for being inserted in the book! As it is perhaps the latest Definition that is given by the Vicar of Christ on the subject, to this, or to any other part of Christendom, the reader will undoubtedly peruse it attentively. He will find it quoted at full length both in the original latin and rendered into English, in the body of this book.

The Holy See begins the Definition by acknowledging the receipt of my Appeal; then declares their motive for transmitting to me the five Rules of Benedict XIV; and concludes in the following heavenly strain. 'If you duly weigh the contents of that letter; if you do with docile and humble mind embrace them; if you do in every respect follow them, there is no reason, why the above mentioned prelate could in justice be angry with you on the doc-

trine of usury. Laying aside, therefore, all party spirit and ambitious views, go to the *Bishop*, and profess that you hold all just obedience towards him your lawful superior, and that you will never either in writing, or preaching, teach or inculcate any thing contrary or foreign to these sentences. By this easy and rational mode of proceeding, I hope you will gain from him the grace of reconciliation. Meantime, I earnestly pray that God may mercifully vouchsafe to grant you every blessing : *Cardinal H. Gonsalvi, Rome, July 5, 1823.*

The only path that now seemed open for the attainment of reconciliation, was to re-cross the ocean, present the Supreme Pontiff's letter to the Bishop, and to offer him faithful compliance with its conditions. Consequently, as soon as the edition was extricated from the printer, and the subscribers served with their copies, I began to pack up all that remained on my hands for the purpose of spreading them in Ireland. And here let me observe that the good Catholics of New York, as I was putting myself in readiness for the voyage, gave me, in gratitude for having exposed during the last year, by my publications, the financial abuses of Lay Trustees and Sexton in the Cathedral, whereby an annual saving of three thousand dollars is effected, means in abundance for the passage.

On the 7th July, 1824, we cleared the harbor, in the *Carolina Anne*, Baush, master, which was bound for Belfast ; with an understanding that I would be landed, if the weather should permit it, on some point in the south of Ireland. In 21 days rose at a distance the high lands of Kerry ; when the very keel shook with 'three cheers for the Island of Saints ;' 'three cheers for the *Carolina Anne*,' and 'three cheers for our good captain Baush ;' the 'discovery bottle' is quaffed, with three or four in addition, along the deck by the sailors and passengers indiscriminately. Soon after appeared the humble peak of Cape Clear, also the deep speckled with the sails of the fishermen. Whilst one boat was spied nearing us, the captain desires me to get my baggage ready, as that boat would take me ashore. Coming along side she

proved to be a fishing hooker from Bear Haven. The captain asked them how much they would require for sending one of his cabin passengers ashore? 'Five pounds,' they answered. But when it was whispered by our passengers that I was a Catholic Priest, they vociferated that 'they would charge nothing at all for carrying him ashore.' This act of generosity astonished all on board the Carolina Anne, and made the captain declare that he never witnessed in any walk of life, a finer instance of disinterestedness. And, indeed, it added a link to the chain that had already bound fast my heart to my pious, generous, countrymen. Having received several hearty shake-hands from the captain and his passengers, I descended into the boat at 4 o'clock, P. M.

As we steered in for the land which was about fifty miles distant, the rolling sea, with her wondrous inhabitants, flying fish, sword fish, frolicsome porpoises, and spouting whales, recedes from view; whilst the steady plain, with its varied scenery—rocks and hills, rivers and towns, figure in perspective. Going to land within 45 miles of my native Dooneens, amongst a people whom I loved and admired, I expected a career of pleasure uninterrupted, at least, for some months, but, alas, the cup as I took it to my lips, went into pieces; I found that the delights and prospects of this world are but baubles; showy at a distance; vanity and vexation, when approached and touched. Reverses and afflictions are certainly the doings of a Wise and Merciful Providence, to wean our hearts from this world: in the sun shine of health, and prosperity, frail man forgets his God; in sickness and in the storm he sees his own weakness and the vanity of this world. *Him whom the Lord loves he chastises, and every child, whom he receives, he corrects*: HEB. xii. 6.

No sooner had I put my foot ashore early in the morning of the 30th July, in Bear Haven, than the harpies rush down from the rocks and hills as if to tear me limb from limb. Hordes of revenue officers, police men, and water guards, who were spies upon each other, as upon the poor inhabitants; and whose only step to promotion was a display of rigor in the discharge of their

duty. Pretending that some smuggling adventure had brought me into that retired bay, they quarantined myself and the crew for ten days and nights in the same unsavory bark, in compliance, they said, with a government order yet unrevoked, which had been received three or four years ago, to put under quarantine all vessels from the harbor of New York, by reason of the yellow fever that raged there. Having performed the usual course of searching and swearing they reported my capture to the Irish government, which ordered my immediate discharge.

Landed at the end of the haven in the village called Castleton, proceeded by the next market boat up to Bantry, and coached from thence by Skibbereen to Ross Carberry; where I rested for some days to strengthen my friends in the faith by the recital of my gleanings in Canada. Afterwards I hastened to see the Bishop in Cove, and joyfully presented the Congregation's letters, offering to comply with its conditions; namely 'to yeld unto him for the rest of my days filial respect and lawful obedience; and never to teach or inculcate ought contrary or foreign to the Five Rules of Benedict XIV.' But behold, the Prelate, though he saw the accordance of my sentiments with the doctrine of the Holy See, that See's holy solicitude for my reinstatement, and my manifold sacrifices by sea and by land for the truth, replied in a laconic manner

"You are commanded to come to me, but I am not commanded to receive you."

Notwithstanding this unexpected reply, his air and tone underwent an evident alteration; no longer does he require of me directly to conform to the prevalent notion with regard to usury, nor to hold silence thereon; but he relaxes not in his anxiety and endeavors to bring me by circuitous routes into the measure. However the alteration in his tone, and the papal definition left not a shadow of doubt upon my mind that I was in the path of Christ, and suffering for the truth. Such a conviction, it must be allowed, is the best stimulous to action; a guilty conscience makes cowards of heroes; a clear conscience makes heroes of dastards.

Thus upheld by Merciful Providence, I expressed no displeasure for his reception, but retired thence to my lodging ; where I entered into a self-consultation with regard to my future course and resolved without much reflection to make a personal appeal to the Supreme Pontiff. Having barely as much money as carried me up to Dublin, the good Priests of that city furnished the means for travelling to Rome. The three weeks that I spent in Dublin, together with my troubles and anxiety brought on a severe bilious attack that would perhaps deter another from the contemplated journey. But the sea sickness on the passage to Liverpool, the outside of a coach for London ; the change of air and of scenery, or rather the mercy of God, righted my constitution in less than twenty miles.

Never having had any sort of acquaintance, or intimacy, by letter or otherwise, with the Hon. William Cobbett ; never having seen him or any of his family, but merely participating in the universal admiration of his political writings, I left, as an humble token of esteem, a copy of my *Usury* at his office, 133 Fleet Street, London ; he living three miles off, in Kensington, I journied on the same day for Dover where I embarked for the French coast. Here I must turn aside from my route for a moment to record a deed that would do honor to the primitive ages. The perusal of the little book made such an impression upon him that he made immediate enquiry wherever any tidings might be expected concerning me, but as I had no friend or acquaintance in the city, and travelled incog he finding no account whatever of me, continued for months this advertisement in his *Weekly Register*.

“A strange gentleman left a copy of a book on usury at my office in Fleet Street ; it is a book that should be read by every man, especially every young man in the kingdom. I have gained more information from it than from any book big or little I ever read ; I would republish it, if it were but to leave a copy to each of my sons, at my own expense, and hand over the profits to the author. Let him come to receive these profits.”

Thus was my feeble production rescued from impending obliv-

ion ; thus was my business transacted in my absence and without my privity, by hands far superior to my own. What generosity ! Had he been a griping usurer, or a selfish editor, he would keep the profits to himself ; or had he an inclination to drill his sons in money schemes, in the trickery and cheaterly of stock jobbers ; to teach them to live in idleness on the spoils of the community, he would not leave them my anti-usury book ; but he would burn it, or throw it by upon the dusty shelf. How truly it is written, Every one that hath left house, or brethren, or sisters, or father, or mother, or wife, or children, or lands, for my names sake, shall receive an hundred fold. And again, The foolish things of this world hath God chosen that he may confound the wise, and the weak things of this world hath God chosen that he may confound the strong.

To return to my route. Furnished in Paris with the necessary passports, I took a seat in the Diligence for Lyons. An Irish matron with her son and daughter bound for Tuscany, a Welsh Dr. going to Rome, and a French lady for the south of France formed my company. As the heavy vehicle meandered out from the centre of the city, the gew-gaws, paintings and statuary displayed in every door and window delighted the eye, whilst the varied notes of the canary and parrot feasted the ear. But as soon as we emerged from the busy bustle of the city and stretched south east through the boundless plain, every tounge ran loose upon what we had seen and heard : each person seemed anxious to throw his remarks and information into the common stock ; each thus timely showed a disposition to promote the pleasure and comfort in common on the long journey. The matron and her son were persons of cultivated mind and intelligence, and seemed to have travelled many foreign countries : both spoke French as well as the English language. She displayed her skill and taste in pointing out the perfections and imperfections of the London and Parisian fashions, of the French and English beauties, and forgot not to relate how she was once taken at some hall in Paris as ' a Royal Princess.' He minutely portrayed every shade of difference between the Italian, French, Irish and English manners : sketched Bonaparte's career from Corsica to Paris, from Moscow to St. Helena ; and again he drew up hounds, and horses, and the fox hunting in Ireland.

Whilst the Dr. showed himself the finished scholar by recitations from Pope, Byron, Milton and Moore ; his head indeed appeared as a grand depositary, in which were hoarded all the beauties of the English Poets. This early specimen of varied taste and talents and of complaisance in the one half of our party gave me a sure prospect of a pleasant journey. But, alas, all our sweets were embittered, our prospects blasted, and his own brilliant endowments smothered by one leading passion in the Dr.—by *intemperance*. The ravages made by that single vice on that accomplished young man, and otherwise affectionate, were so dreadful, so abhorrent, that I shall, even at the risk of a digression from the path of my narrative, attempt to sketch them, in the hope that if young men have a true conception of his actual state, they would abhor the taste or even the smell of ardent liquor. He became indeed *insane* before the end of our journey.

Instead of the glass of pure wine that is safely taken now and then by people travelling in France on a dusty road and under a burning sun, the Dr. would take a bumper of strong brandy. Two days and one night (Paris being three days and two nights' journey from Lyons) had nearly elapsed before the tipping produced any other visible effect than inflammation of the eyes, and eruptions on his face. The first symptoms of insanity broke out on the evening of the second day ; trembling and puffing ; pulling off and putting on again his shoes ; starting from seat to seat, from the middle to the corner, and from the corner to the middle seat, to guard his toes and corns from the contact of others. Now he yelled that the French lady on the opposite seat ruined his toe, and grasping her foot, he gave her a woeful shake. Seized as if with a shock of electricity, she screamed, Monsieur, vos etes tres grossier. ' Sir, you are extremely rude.' The terror and confusion of the three ladies by this time can be better conceived than expressed ; they appeared not to understand the cause of his aberrations. Now the old lady, in her dignified tone, exclaims, ' For goodness sake why not let his toes and corns alone.' Whilst, in reality, no body at all touched them. Soon after, the young Irishman sympathizing with his mother and sister vociferates, ' What, man, do you want to scare the ladies to death ?' As to threats and reprimands, he was

to them callous as the stone. So with continual tremor and blowing on his part, terror and vigilance on the ladies' part, we journeyed on until midnight, when we entered a village sixteen miles from Lyons. Descending by a long and narrow street we received light from two brilliant lamps that hung far below at both sides of a Police office. The nearer we approached them the clearer became our view of each other in the vehicle. Hitherto had the Dr's motions been traced by feeling and touching, and with the glimmering light of the stars, but now he is seen in this new light more busy than ever he was, about his extremities. The three ladies on the back seats are wide awake to all the movements of his hands and feet

Strange to relate! behold at the hour of midnight, when all nature, save our party, was buried in profound sleep; when no voice nor sound, save that of our carriage, was heard, the Dr. starts from his seat, casts his fiery eyes across upon the matron and with uplifted, expanded paws as if to parry off the fierce beast of prey, pointing to her shawl, screams, the wolf the wolf!

Meanwhile the panic rises to the highest degree. The females rush to the door, exclaiming, 'O la, let us go out, let us out for goodness sake before we are murdered.' The scene was indeed laughable, if the piteous state of the patient had not rather called for tears and grief. The young Irishman and the three women held a council in the street on the emergency. But as the English was the language of the majority, the French young woman was able to take no part in the deliberation, though the agitation of her frame showed clearly that she was not indifferent in this discussion. The matron 'moved that we do abandon our seats and hire some other conveyance in the morning.' But her son replied that as the Priest takes the matter so easy, why should we be alarmed; moreover why should we all be afraid of one man, be his physical powers and madness ever so great. To this his sister answered, 'What, if he would draw his penknife to kill the wolf and thereby destroy my mother.' Her reasoning was over-ruled by her brother, who rejoined, 'When you three take the back seats as usual and the Priest and I will set at his right and left hand, we can all keep a close watch upon him for the remainder of our journey, which is now

but sixteen miles. This motion passed. They re-entered the carriage, having privately imparted to me their plan of defence and solicited my co-operation. Now the coachman cracked his whip and onward we moved. No better sentinels could be than the ladies until daylight. The Dr. as soon as a tavern is seen opening the door, rushes in his vamps out of the coach, swallows a bumper of cogniac, throws a crown upon the counter, whereas a few sous would suffice, and, with the agility of a bird, he returns to his seat. A dose so potent might be expected to excite his head more, but, it made him calm, stupid, languid.

Having parted with him in Lyons, the Irish family and I kept together for Avignon, a town sanctified for three hundred years by the residence of the Vicar of Christ. Whilst they were preparing dinner for us at the Hotel of the Golden Arm, we ascended by a grand escalade the lofty, conical rock, upon which stand in awful ruins the Churches and palaces of His Holiness. In What bosom would not a view of Avignon excite grief and pity for the vanity of earthly things ; faith and hope in the promises of God. Heretics now ardent in pursuit of error, soon fall into eternal oblivion. The Vicar of Christ in Avignon or in Rome unshaken as the rock, because his Divine Master prayed that his faith shall not fail : LUKE xxii. 32. Not less feasted by the reflections on the Rock of Avignon than by the soups and dainties of the tavern, we continued our route. But I am doomed soon after to lose my pious safe companions ; they taking an eastern road for north Italy, I held the line for Marsailles, to the end of going, if possible, by water to some port in the States of the Church.

Soon after we took up on the road a young man of imposing dress and address, who had like to prove to me a disastrous fellow traveller, a melancholy substitute for the matron and her children. He passed himself as a Spaniard though his ruddy face and broken English would declare that he was born under a northern sun, perhaps in Holland, Prussia, or Denmark. He said that from a long residence and acquaintance in Marsailles he was able to procure for me comfortable private lodgings. Driving into the City at eight o'clock A. M. he and I delivered our trunks (his was a large one of a broken lock, which he had, there is no doubt, filched

from some fellow traveller) in charge to the agents at the coach office, and went to see these lodgings. After having visited and examined three or four of them, he abruptly turns to me and says that 'he had an invitation to breakfast from a friend, that it might be better for me to breakfast in the next coffee room, and that we would meet in an hour at the coach office to fetch away our trunks.' But instead of following his suggestion, I went directly thither, and, to my astonishment, I met him actually going out the door, with two little boys carrying both trunks. He had like to leave me in a foreign land stript of every thing in the world, save the half worn clothes on my back. But thou, O, God has said I will not leave thee, neither will I forsake thee : HEB. xiii. 5.

And what a novel scene opens to my view in Marsailles ! The whole extent of the harbor really covered with a forest of masts ; the flag of all nations under the sun waving aloft ; all tribes and people mingled together in the streets and upon the wharves, loading and unloading wagons ; landing and shipping goods ; all tongues and dialects, the French, English, Dutch, Spanish, Portugese, Italian, German, Greek, and the Arabic gingling in the ear. Although riches and traffic smother the divine seed, the Churches and convents were here in fine preservation ; hundreds were prostrate before each altar, not during the solemnities alone, but throughout the whloe day.

Here I met, as I expected, a feluca, called the *Sparanza*, a barge of the schooner kind, destined for Civita Vecchia, which is a sea port on the Mediterranean, within forty miles of Rome, and deemed myself fortunate in obtaining from her a passage, bed and board, for sixty francs ; but it turned out a bad bargain in the end. They gave me, at our first interview, to understand that they had all preparations made to sail in two days, however the sun rose eleven times before we left the harbor ; and that at a time when expedition and economy was suitable to my purse. Out they moved at last on a fine evening with a fair and gentle breeze, keeping not a south east course for Civita Vecchia ; but east along the shore ; and at night-fall they put into a little bay called Bidou, close by Frejus, celebrated for Bonaparte's landing from Elba. When I asked in broken French of the captain and

mate, who had a little knowledge of the French also, why they came to anchor such a fine evening ; and why not pursue the direct course for the destined port ; they casting an eye upon a thick and black cloud that was gathering from the north east, replied, *Avremo il tempo cativo*. ' We will have bad weather.' And the event verified their foreknowledge. For the gale that began soon after, and that continued five days and nights, would certainly overwhelm the *Speranza* in the Mediterranean waves had she continued on her course. Whilst she stood securely moored in a basin-like bay, shaded by lofty hills on all sides, bidding defiance to the warring elements, the crew and I beguiled the tedious day in picking on the green hills some little herbs ; which formed, when saturated with the Italian oils, the most delicious salad. As the *Speranza's* sea store was perhaps not more abundant than my travelling means, they were not less impatient of delay than I. Consequently they got under weigh as soon as the weather moderated, keeping again the same easterly course. The cabin, which was a small apartment of ten feet square, and five high, was flanked with a bench to sit upon, over which were suspended with strings, two hammocks, one for the captain, and the other for the mate. I held by agreement peaceable possession of the captain's berth ever since the commencement of the voyage, until the second night after our departure from this bay ; when he, without any previous explanation or apology, turned himself into it ; saying, ' you shall sleep in it no longer.' Again when he went upon deck to look out, I threw myself into the bed. Hereupon he sprung in fury through the cabin, squared his fists, gnashed his teeth, and with fury depicted in his fiery eyes, he gnawed, like a dog, the bed-clothes ; but as his threats made no impression upon me, unsheathing his long knife, he cut the hammock strings, in hope, that the fall would heave me out ; but, on the contrary, my extended frame brought down both ends of the bed simultaneously upon the bench beneath, where I continued stretched as upon a pallet bed. Now in particular, are his menaces vehement ; nor are threats indeed wanting on my part either ; though neither understood the other's language ; what could not be expressed in words was conveyed by signs and grimace. Beholding his fury,

and the naked blade in his hand, and myself on a distant sea, among strangers, forlorn and defenceless, I was anxious to terminate the conflict, if it could be arranged upon any honorable terms, or without the semblance of cowardice on my part; such being my folly and vanity. He soon gave me an opportunity. To gain his point by stratagem, he suddenly assumes a pacific air and tone, saying 'If you get up, sir, I will mend the hammock lines, and then you can lie down comfortably.' Although I clearly understood his views, I gladly complied. No sooner had he knotted the lines and suspended the precious bed, than he rolled into it, exulting in his manœuvre; whilst I, tired and disgusted with the contest, had to recline on the bare floor until we put into harbor.

On the morning of the eleventh day we entered Leghorn in Italy, and submitted our case to the Harbor Master, a gentleman of a fine deportment and polished education. He spoke various languages and even the English as fluently as an Englishman; and to my encouragement he said as soon as I opened my lips, 'I admire and revere the Englishmen, you shall meet justice in our harbor, state your case.' The Captain, on his part, maintained that as he gave me the use of the bed merely through courtesy, he was justified in resuming at pleasure, and that as the passage was much longer than he expected, he was entitled to the 60 francs. But I affirmed, on my part, that the bed was given to me by agreement, which I would leave to the testimony of the Mate whom I considered an honest man, and that as he carried me not to my destination, Civita Vecchia, which is only forty miles from Rome, but landed me in Leghorn, about three hundred miles from it, half the fare, that is thirty francs should be sufficient for him.

After this statement of our case, the Judge turning to the Mate, said 'The Englishman says that he looks upon you as an honest man, and that, if you declare that he had not the hammock by agreement he will submit to the Captain's terms.' The Mate staring the Captain—his own captain, behold, in the face, said in firm voice, 'You did, sir, give him by agreement the bed, in my presence.' There is an upright, independent man. Hereon the wretched Captain turning aside his face, as if through shame, said

to the crew, 'I will leave ye entirely.' And the good arbiter told him with apparent displeasure, that by breaking your passenger's bed, you have violated the marine laws and that if he prosecute you, you will be severely punished.' Consequently I gained the point, paid the thirty franks, returned thanks to the Judge, shook hands with the mate and men and went ashore, to pursue my journey by land to the Eternal City.

The general mode of travelling beyond the Alps are daily coaches called *vitura*. The driver, or *viturine* has no regular fare, but makes the best bargain he can. He has often to stop in a town for several days to pick up passengers. If you happen to meet him when he is nearly full, or on the eve of starting, you will gain a reduction; you would also gain it for delaying you, if you agree with him some days before he is ready to start; or if three or more agree together, they would, like the wholesale purchaser, obtain an abatement. He averages forty miles a day and gives supper and lodging at night to the passengers much cheaper than they could procure it themselves, by reason of some general understanding between the Viturines and taverns in that country.

Two days being now elapsed in Leghorn chiefly before the altar in thanksgivings to my merciful God for rescuing me from Speranza and praying for a continuation of his protection on the journey, I took a seat in a *vitura* for fourteen dollars to Rome. And as my purse was exhausted on reaching Sienna, the essentials were procured henceforward by selling shirts and other disposable articles. Crossing the Campania Romana, a dreary waste perhaps fifty miles square at this side of Rome, no human being, save the solitary shepherd watching the flock from the ravening wolf, appeared to us, when lo, the Church of St Peter exhibits high at the distance of eleven miles in the fearful desert, the sacred emblem of our redemption, as if looking down in sadness and in tears upon the rueful waste made by the heretical wolves among the sheep for whom Christ shed his precious blood. Leaving Nero's tomb, a solid tower of brick, much eaten by thousands of years on the left hand, we crossed over the yellow Tiber by the Melvian bridge, famed in history for illustrious deeds and especially for Constantine's victory under the banner of the Cross in the year 312, our Maxentius.

On my arrival in Rome and for three weeks after, some singular train of sensations, awe and veneration, grief and compassion crowded upon my mind that I hardly knew what to make of myself, or suppress floods of tears. No where in the whole world are the frailty of our nature, the vanity of the world, and the immutability of God's decrees more manifest than they are in Rome. Had Horace, or Virgil, or Livy, or Tacitus, never wrote, the mighty ruins that meet you there at every step, bear evidence to the pomp, greatness, wealth, and science of Pagan antiquity, and convince you that some great people had long since flourished there, leaving us poor pigmies behind. The immense blocks of cemented brick, the massy pillars of marble, shattered on all sides; the stately temples and mouldering arches, the mosaic painting and statues of heroes, and of the gods, scattered all over ancient Rome, (scarcely a house now stands on the site of that mighty City), bidding defiance to the modern arts and sciences, would seem to say, ye sons of men why teaze yourselves about the fleeting, empty allurements of this world. Would not the Capitol that gave for ages laws to the Universe; or the Forum with its shattered pillars, that often shook from the floods of Cicero; or the Amphitheatre that was often crimsoned with the blood of Christian Martyrs; or Caligula and Cæsar's palaces, that were built on the ruins of liberty,—would not all Pagan Rome that was enriched from the spoils of nations but that is for centuries a ghastly desert, verify the decrees of our God? Jerusalem, Jerusalem, thou that killest the prophets and stonest them that are sent unto thee; how often would I have gathered together thy children, as the hen doth gather her chickens under her wings, and thou wouldst not: *MATT. xxiii*? And I will visit the evils of the world, and against the wicked for their iniquity: I will make the pride of the infidels to cease, and bring down the arrogancy of the mighty.—And that Babylon, glorious among the kingdoms, the famous pride of the Chaldeans, shall be even, as the lord destroyed Sodom and Gomorrah. It shall be no more inhabited for ever; and it shall not be found unto generation and generation. Neither shall the Arabian pitch his tents there;

nor the shepherds rest there ; but wild beasts shall rest there ; and and their houses shall be filled with serpents ; and ostriches shall dwell there ; and the hairy ones shall dance there ; and owls shall answer one another there : ISA. xiii. How literally is that prophesy verified in Pagan Rome : the wild beasts have rested there ; their houses are full of serpents ; ostriches dwell there ; and the hairy ones dance there ; and owls answer one another there.

Nor are the decrees of Providence more visible in the destruction of Pagan, than in the preservation of Christian Rome. Whilst mighty empires rose aloft and again relapsed and decayed ; whilst dynasties to dynasties, like the rolling waves, succeed and again subside to rise no more ; whilst the ruthless tyrant that despoiled St. Peter's shrine, lies chained to Helena's rock, the Vicar of Christ after the lapse of eighteen hundred years, without armies, navies, or other worldly means for self-defence, mounts high in Peter's Chair, diffusing like the mid-day sun after the passing cloud, the the heavenly rays from pole, to pole. Who could without reflection on the promise of Christ, that he will build his Church upon a rock, and that the gates of hell shall not prevail against her, behold Pope LEO XII. opening at Christmas Eve the holy Gate for the grand Jubilee of 1825 : or pouring down from the balcony of St. John Lateran the heavenly benedictions upon all Rome being prostrate in the square below ? Or the swarms of pious souls in procession from church to church on their sacred rounds ; not unlike the never ending pæans of millions of saints and angels in the city of the living God, the seraphic hymn of the transient crowd dies on the ear, and the melodious psalm of the coming group rises in slow degrees. One continued stream of hymns and psalms and spiritual canticles from end to end of the week ; nay from end to end of the holy year ? Or who could see myriads of pilgrims from all foreign nations in profound adoration morning, noon, and night, at that deep and awful cell sanctified by the nine months' confinement of the Apostles Peter and Paul, and not exclaim that the Divine seed, which degenerates elsewhere into straw and sedge, fructifies a hundred-fold in Rome alone ? Or is it not remarkable

that all nations, Africa, Asia, England, and lately France, that separated themselves from Rome, have relapsed, or are rapidly relapsing into atheism, or bewildered amidst conflicting sects, not knowing what to believe, where to stop, or whom to follow, whilst the faith blooms and fructifies in those countries that have retained the communion of the Holy See.

Having fulfilled the conditions prescribed for the attainment of the indulgence, I presented to the Sacred Congregation my book on usury and a statement of my case, praying that they would order the Bishop to restore me, or me to conform to his sentiments on interest. My confidence in the efficacy of Christ's prayer LUKE xxii. 32. *that the faith of Peter would not fail*, was so firm that I would willingly do whatever they would command. The Cardinals however, from their wonted prudence and precaution, being unwilling to entertain the question without hearing both parties, wrote to my adversary for his statement; having meantime appropriated a pension for me in Rome.

The Bishop's letter of defence arrived in five months from Ireland, denying 'that he received any one shilling of interest in the whole course of his life.' *His not guilty* was corroborated by two agents whom he had in Rome. Although neither he in the letter, nor the agents personally made any defence of interest in general, they did attempt to justify the trafficker's extortion mentioned in page 9, on two different grounds; first, they said that he is entitled to compensation for the *risk*, which he incurs with the time purchasers; and secondly, that the clergy would, by now opposing a deep rooted and general custom, fall into contempt and be despised upon all questions.

These objections which were put by the Prelate in the clearest light, and seconded with all the personal influence of the agents, the sacred Congregation not only threw aside, but sent him peremptory orders to suppress altogether the extortion in his diocese. Accordingly the Prelate issued in the year 1825 a Circular Letter to the clergy of Ross Carberry to dissuade all traffickers in the name of the Holy See from such extortion for the future. The

Circular was duly published in the Churches of that vicinity. Thus that abuse which I had always opposed and for opposing which I had been deprived in 1819, is condemned by the Pope and by the very Bishop in 1825 ; thus are the flocks recalled into the path of Christ ; though the buyers and sellers manifest no discontent, or disregard towards their pastors.

Moreover he asserted in his said Letter to Rome ' that although Mr. O'Callaghan trespassed on the bounty of some friends and neighbors in Ireland, he has no need of the pension in Rome : for he regularly receives the profits of his book which is published for his benefit in London.'

When this passage from his letter was read for me by Cardinal Caprano, I felt as if thunderstruck, and declared, that there was no truth in the account. ' Here,' replied His Eminence, ' we have the statement in the hand writing of your own Bishop, Doctor Coppinger. As the Holy See's bounty is intended only for persons in distress, your pension cannot be continued any longer.'

Now that my journey to Rome is fruitless and that any more remonstrances seemed useless, I retired to my lodging, low in spirit, and almost in despair. But blessed be God and Father of our Lord Jesus Christ, who consoles us in all our tribulations, the Rev. Mr. Gladwell, then Superior of the English College, now Bishop of London, arrived at the same time from England having some numbers of Mr. Cobbett's History of the Reformation, which was then coming out monthly from the London Press. Some person told me that he read on the cover of said numbers an advertisement ' that Mr. William Cobbett re-published Mr. O'Callaghan's valuable book on usury ; and the profits were kept together, until he call for them.' I confess that I had no knowledge whatever ere now of the publication ; nor any profits directly or indirectly therefrom. However I do not charge the Prelate with wilful misrepresentation. He imagined, there is no doubt, from seeing Mr. Cobbett's advertisement for several months regarding me, that I was actually receiving the profits. When the reader will recollect that the Bishop strenuously denied having practised interest ;

that his reasons for the Trafficker's extortion were nullified in Rome, and that there was no attempt made at home, or abroad either by himself, or by his agents, or by any body else, to defend interest from the law of God, he will conclude that interest cannot be defended.

My Appeal to Rome having failed, my pension being discontinued, and my return to Ireland resolved upon, I turned my thoughts upon the travelling expenses. The sale of a few articles of clothes brought in fourteen dollars, of which eight went for a seat in a vitura for Florence. I had then left but six dollars, with no prospect of any pecuniary relief from any quarter. He has said, *Be not solicitous saying, What shall we eat, or what shall we drink—for your Father knoweth that you have need of all these things.* Who would not have faith in the saying of Christ; who would not look to his heavenly Father for help, when he will read the following fact?

May 20th 1825., we recrossed the Campania Romana, and halted for dinner in a tavern at the very extremity of the Pope's Territory, where we met an English gentleman, Mr. Duncan, who was going to Naples, but who had been obliged by some extraordinary headache to stop here: for three days had he halted in expectation of some coach to return north, but not one of all the coaches that daily passed, had a vacancy until ours arrived. He joined us for Florence. As I was the only man in the party from the British Islands, he entered into familiar conversation with me on various subjects, not forgetting religious questions: he appeared well pleased with my explanation of the Catholic Religion in general and particularly of the ceremonies of the Holy Week in Rome. And, upon learning that I had not sufficient means to prosecute my journey, the good man advanced me three Napoleans, which is tantamount to two pounds eight shillings, to be paid to his agents, Messrs. Vanhouse, 37 Mincing Lane, London. This timely relief brought me by hard pulling across the snow white Alps, June 10th, and even to Lyons; where I got credit for the diligence to Paris. Had coming into this City after three days and two nights constant travelling, but one franc and a half, that is, about thirty cents, or fifteen

pence English money. That sum procured a bed, supper, and breakfast, but not, it must be allowed, in the first rate Hotel.

Visited early in the morning my good friend and respectable countryman the Rev. Henry Power, Professor of Theology in the College of the Holy Ghost. 'My dear O'Callaghan,' exclaimed he as I approached him, 'have I the pleasure of seeing you; when did you return from Rome; you are suffering for a good cause; you cannot but want money; you must receive some from me.' He made me accept one hundred and forty francs which is equal to £5,10 shillings English. Providence has said, *PSALM XLIX, Call upon me in the day of trouble; and I will deliver thee; and thou shalt glorify me.* Frequent and ardent were my prayers on the road for relief. As he has been mercifully pleased to deliver me, may he also grant me grace to glorify him. This Mr. Power is a cousin german to the Rev. John Power, of New York, mentioned in page 15, and nephew to Rev. John Power late of Kilmachibea, near Ross Carberry, Ireland; whose name and hospitality are synonymous terms in that vicinity. Now to the coach office for releasing my trunk, that is held in custody for his master's fare. Poor trunk! faithful companion of my toils and travels, through piercing frost and burning heat, through distant climes and stormy seas, from Washington to Quebec, from Dublin to Rome. How hollow was your paunch and crushed were your sides from the weight and pressure of your stiff and bulky neighbors. The trunk being released from its 'durance vile' and some necessaries procured in Paris, I coached on for Boulogne and landed Sunday, at twelve o'clock, in Dover.

Now by contrasting the French manners yet fresh in my mind with the English that were just before me, they appeared to me so different that both countries would seem not thirty miles, as they really are, but thousands of miles asunder. In France is all gaiety, chattering, vivacity. In England, gloom, stupor, silence. In France the villagers when they fulfil the religious obligation of the Sabbath—hear Mass, sing vespers, &c., turn out on the green. Whilst the youth display their dress and fine persons in a dance to a piper or a fidler, the matrons sit at one side, not far distant from the music, with their frisking little ones before them; and the sa-

ges in groups under the shady tree at the other side, eyeing also the fantastic dancers. In Dover as we entered the basin, the quays were covered with lookers-on, men and women, but all in profound silence: and in the streets, as we passed, were moving crowds but not one word could be heard, for fear of profaning the Sabbath. As the morning coaches were ere this departed for London, and as there was no Catholic Church to go into, I had a few hours leisure to take a view from the lofty hills of the surrounding scenery. And to my astonishment, I saw groups of all ages and sexes tumbling and rolling themselves in all parts of the fields, not under the restraint of their parents' presence, as in France.

The Catholic religion teaches to devote the whole of the Sabbath to Divine worship, and to refrain from servile works. Profane amusements are the abuses of a corrupt world. If faith and piety be so strong and ardent that people would devote all the Sabbath morning, noon, and night, to the worship of God, nothing could be more meritorious and praise-worthy; but if any portion of the Sunday be assigned to recreation, I must confess, that, in choosing the least of two evils, the French mode, if confined within limits and short duration, would please me more than the English. But there is the difficulty. If you once pass over the limits, which your fathers have set up, where will you stop, or how will you arrest worldly abuses? It is one leading property of religion to balance the opposite passions—to teach man not to give way to pride in prosperity, nor to depression of spirit in adversity; to render him cheerful and resigned to the decrees of Providence, in his trials and afflictions. What can tend to depress and brutalize the poor more than to keep them to the yoke, as in England, from daylight on Monday until dusk Saturday night, and debar them from all sorts of recreations on the Sabbath? I have often seen them in the suburbs of London snoring like the fatigued oxen on the green grass, instead of going to some place of worship. And that in a country where the rich have a continuation of balls, plays, dinners, levees, throughout the year. What wonder that the English working classes are the most stupid, and dogged human beings in the world. Bewildered

by religious sects, tied to the yoke the whole week and bereft of all innocent recreations on the Sabbath they often seek in suicide an end to their sufferings. Poor desperate infidels.

Having had but three pence at my arrival in London, I introduced myself to Mr. William Cobbett at his office in Fleet street, whom I never had seen before, in the whole course of my life. His reception was kind and gentlemanlike; when he made some enquiries with regard to the Pope, Cardinals, and the religious matters of the Roman State, he invited me for dinner next day at his country house in Kensington two miles from the city. There I partook of a sumptuous dinner with his virtuous family and a select party. When the cloth was removed and some glasses of good claret went round to the health of His Majesty and His Holiness, and so forth, the conversation turned upon England, the mangled prey of usurers; then upon the Catholic religion, which never allowed during its sway any such things as public debts, poor-rates, big jails and tread mills to be heard of; and finally he drew up the valuable book on usury. 'It ought to be read, he said, by every man in the kingdom. I published it at my own risk and expense and I shall hand you the profits. Some of the edition is sold, some on hand, and more scattered up and down amongst the booksellers; who have not yet furnished their accounts. Here are for you some sovereigns for the present; the remainder you shall receive as soon as I collect it from the customers. The risk was mine, the profits shall be yours. God forbid that I should defraud any author.' Generosity like this, ought to be recorded until the latest posterity. He enabled me to keep faith with the good Mr. Duncan and to obtain a receipt from his agents in Mincing Lane.

'Received, June 27, 1825, of the Reverend Jer. O'Callaghan the value of 3 Napoleons, which he borrowed of Thomas Duncan Esq. in Florence, £2. 8s.'

JAMES VANHOUSE & SONS.

Being moreover enabled to procure some new garments, which were much wanted by this time, I coached down to Bristol and crossed the channel by the steamer, for Cork, and presented myself to the Bishop in Cove in the presence of Messrs. Croke and Scully, both respectable clergymen. The Bishop, no longer insisting that I should hold silence on interest, but with apparent meekness and affection,

and in a tone much altered, as if he had been reprimanded from Rome, replies, 'The Holy See has kindly interceded for you and desires that you be restored on condition of making an apology for the exposure of your Bishop; I shall comply with their paternal desire provided that you fulfil that condition.' To which I answered, that 'as a dutiful child of the Church, I shall cheerfully obey any orders or dictates, bearing the signature of the Supreme Pontiff, when I see these orders, or that signature.' 'You shall see it,' continued he, going up stairs as if to fetch the Pope's letter but returning in a few minutes, he said, 'that he could not find it amongst his papers, 'but if you sign this formula now,' added he, 'I will send the letter to your lodging in less than four days.' That formula, which he would have me to sign was a scrap of paper purporting to be an apology in general terms for some mis-statements in my book on usury and in my appeal to Rome. How could I sign a declaration in pursuance of the letter from Rome without seeing that letter, or declare in writing that there were mis-statements either of fact or doctrine in my book, without seeing the mis-statements or knowing in what part of said book or appeal they could be found? No doctrinal error nor perversion of fact was pointed out from that day to this by the Prelate or any other person, in that book or in that appeal.

The above is the sum and substance of our interview. If I distort or mis-state it, the two respectable priests, Messrs. Croke and Scully, who are yet enjoying the blessings of this life, will, of course, rectify the public opinion. It is, I think, conclusive that if the Pope's letter had been in favor of his sentiments on interest or of his treatment towards me, he would have readily published it, and that if he had any proof from Scripture, or from Tradition—Fathers, Popes, or Councils, that interest or the practice of lending money for gain sake was the seed originally sown in the tillage, he would have proclaimed it.

Disappointed in this manner I recrossed the Irish Channel and visited the celebrated Bishop Milner at his house in Wolverhampton, who, after a close perusal of my book and Dimissorials, said that he admired my zeal and perseverance, that he was also adverse to interest; and that he would gladly employ me on the mission had

not my case been submitted to the Holy See ; but that as I had no decision from them, he should not think of harboring me without the special permission of my Bishop. He accordingly wrote to Ireland for that permission ; directing me to lodge meantime in the tavern and to board with himself. Bishop Coppinger's answer, which arrived after the lapse of twelve days, was substantially the same that you will see by and by coming from him to Bishop Poynter ; with this only difference that he told Doctor Milner of my distress in Rome—how I had to subsist on the daily bounty of His Holiness. As if afflictions, privations and even mendacity were not honorable when endured for justice sake. Did he not by proclaiming my sufferings for the sake of the truth, proclaim the triumph of religion ? Had I obtained wealth, ease, or dignity from my opposition to usury, my conduct would be imputed to worldly motives ; but when I have gained but dangers by land and by sea ; shipwreck twice ; anxiety in the city and in the wilderness ; treason from friends, contempt from foes ; distress, hunger and thirst ; cold and nakedness ; fear without and weakness within, my opposition to it must be imputed to other motives—to *faith*, by which Abraham looked for a city that hath foundations, whose builder and maker is God ; to faith according to which the Fathers died, not having received the promise, but beholding them afar off and confessing that they are pilgrims and strangers on the earth ; to faith whereby the dying Joseph made mention of the departure of the children of Israel ; and gave commandment concerning his bones ; to faith by which Moses, when he was grown up, denied himself to be the son of Pharaoh's daughter ; to that faith whereby he left Egypt not fearing the fierceness of the king.

'My dear Bishop,' said I to my venerable host, 'as he has not granted our request I am still doomed to travel.' 'I am sorry for it,' replied the saintly Prelate, and slipping a sum of money into my side pocket he added, 'have the goodness to take with you this testimonial of my esteem.' Let the testimonial speak for itself.

“The bearer of this, namely, the Rev. Jer. O'Callaghan, a Priest of the diocese of Cloyne, having resided and said Mass in this town during the last fortnight, appears to me an intelligent, pious, zealous, and orthodox Clergy-

man, and is under no censure, as his letters of *exeat*, and other private letters from Bishop Coppinger to me, the undersigned, prove.

Wolverhampton Oct. 10, 1825.

JOHN MILNER.

Bish. of Castab. Vic. Apos. Mid. Dist.

Whilst I was taking the round from London to Cork, and thence to Wolverhampton the Hon. William Cobbett, whose friendship and bounty is heretofore acknowledged, wrote after me to Ireland a most affectionate invitation to come and undertake the classical education of his sons, whom he intended for the bar; although his invitation overtook me not there, nor did I hear of it until I paid him a personal visit after my arrival from Wolverhampton. He took me in, when others threw me out; here at least, after having passed through oceans of troubles, my foot gained a resting place; if rest it could be called for a Priest where he is not permitted to offer up sacrifices, as for the people, so also for himself. The following letter closed a lengthened epistolary correspondence with the late Bishop Poynter on that subject.

“ 4, *Castle Street, Holborn, Dec. 22, 1825.*

“ Rev. Sir,

“ As you referred me to your own Bishop, I will give you an extract of his answer dated Cove, 6th November, 1825.

‘ Extravagant as are the sentiments of Mr. O’Callaghan upon legal interest, and our oath of allegiance, he was left in the quiet possession of them as long as he kept his mind to himself; but when he would dogmatize from the altar, and suffer persons to die without the rites of the church, merely for having taken interest, and for refusing to refund the interest received, I could not with safety employ him. He demanded an *exeat*, he got one; he went to France, but was not permitted to say mass there; he proceeded to America, where he was equally discountenanced. He then became an author, and, in his book upon usury, he gibbets me as a merciless usurer, though I never received a shilling interest in the whole course of my life. When, in Napoleon’s time, we were precluded education upon the continent, it was proposed here to build a diocesan seminary. Among the subscribers was a Rev. Daniel Burke, P. P., of Ross, who gave four hundred pounds;

but, being old and infirm, he required towards his support the interest of that sum during his life. The money was lent to a Mr. Hill, on the joint security of a Mr. Olden, in Cove. They passed their bond, and paid him, through me, the interest while he lived. At his death, the project of our seminary being relinquished, I handed this bond to Burke's successor, as an aid towards building a chapel in the parish where that money was collected, and had thenceforward no more to do with it. Compare this fact, My Dear Lord, with the calumnies of Mr. O'Callaghan's book, (page 52, &c.,) and judge whether he was not bound to publish an ample retractation. He went to Rome to complain of me; he was discountenanced, and not allowed to say mass. Cardinal Samaglia interceded for him, assuring me of his regret for having calumniated his Bishop. I agreed to take him back, but still he persisted. He applied then to Dr. Milner, who wrote to me, and was answered as your Lordship now is.

WM. COPPINGER.'

"My duty, Sir, requires that I should have a testimonial in your favor from your own Bishop, before I allow you to say Mass in the London District. I cannot consider the letter I have received from Dr. Coppinger as such. I am sorry, therefore, that it is out of my power to accede to your request. Rev. Sir, &c.

WILLIAM POYNTER, V. G.

To the Rev. Jer. O'Callaghan,

Lond. Dist.

Kensington.

Whereas Bishop Coppinger's letter, which I have just inserted, is the clearest index of his sentiments upon interest in general, and upon my case, in particular, every man who takes any interest in the disputed question, will certainly peruse it with attention. Would that I could conceal, not expose the foibles of my spiritual father, lest scandal may arise from the exposure. But as a question of faith and morals that will interest posterity to the end of time, is at stake, 'It is far better to permit the scandal to arise than to relinquish the truth.' *Decret. Greg. De Regulis Juris.* See also *B. Greg. Hom. 7 in Ezech.*

Alas! what a melancholy instance of human frailty his letter presents. After having through inadvertence, or some other fatality drifted upon the ocean, he has now, when reminded of his error, no plank to sieze upon, no sacred rule to steer by, not one word for self-defence, no palliation for his mistake, if no compromise or apology can be exacted from my distress and difficulties. What compromise or apology could I make, whilst his own letter concedes all, and even more than I had charged upon him? First, the passage in that letter, 'Compare this fact, my lord, with the calumnies in page 52, of Mr. O'Callaghan's book, and judge whether he was not bound to make an ample retraction,' would lead the cursory reader to think that there is some slander in that 52nd page. But by examining the three foregoing editions, no imputation whatever, upon his character will be found in that page. Where then are the charges, to which he alludes, found? I have never preferred any other charges against him, than the three that are inserted in my Appeal to Pope Pius VII., which appeal will be seen in the sequel. Here they are.

I had charged him first, with having deprived me in 1819, because I would not minister the sacraments to a dying usurer; secondly, with tolerating the practice of usury in his diocese; and thirdly, with lending at interest, £400 to a Mr. Olden.

Behold my charges. If they, or any of them were false, or exaggerated they could be easily refuted; particularly, as they were not levelled upon any portion of his private life, but upon his public and official conduct, where hundreds of tongues and pens would be in readiness to defend him; nor did I prefer them against him in a foreign land, or unknown to him; but at home, in his own diocese, and to his own knowledge; for my book containing the charges, was extensively circulated in the County and City of Cork; and a copy of it was handed by me even to the Prelate himself.

My first charge declares that he had caused my suspension to be read to a numerous congregation in the parish Church of Ross Carberry for no other crime than that I had refused the

sacraments to a dying usurer. If the fact were not so, could not a contradictory testimonial be obtained from the said dying man, his family, or from the congregation ?

My second charge declares that he ordered that Christian burial be given to a notorious usurer named Roche, by the Rev. Mich. Quinlan. If the fact were not so, could it not be readily contradicted, either by the Reverend gentleman, or by the survivors of Roche ?

My third charge affirms that he had lent the £400 at interest, to Mr. Olden, of Cove. If that fact were not as I represented it, would not Mr. Olden, who is a Roman Catholic, and a relative of the Bishop, and who lives in Cove a few doors from the Bishop's house, cheerfully volunteer to defend his friend, relative, and pastor ?

Whereas the Prelate, though he felt himself 'gibbited,' to use his own expression, for my imputations, though he stood in no need of talents, or learned agents, attempts not any public defence of himself from the publication of my book in 1824, to the hour of his death in 1832, the evident conclusion is, that no defence could be made by him, and that all my charges were founded upon facts. But in the name of common sense, does not his own letter which is already quoted, concede all, and even more than I had imputed to him ?

'But when he would,' says the Prelate, 'dogmatize from the altar and suffer persons to die without the rites of the Church, merely for having taken interest and for refusing to refund the interest received, I could not with safety employ him.'

That one sentence makes two essential concessions ; first that he would not employ any Priest who would preach against interest ; and second, that he would not hesitate to receive interest on his own account : that one sentence, in short, concedes all my charges.

But he relates Mr. Olden's case so obscurely that the foreign or superficial reader would think that that gentleman never borrowed the £400 from the Bishop. I maintain that he did borrow that sum at interest from him. The reader, that he may have a clear view of the matter, must know that the Rev. Daniel Burke alluded

to by the Bishop, is the same Mr. Burke mentioned in the 5th page hereof. He invariably condemned, during his long life of 83 years, interest of all sorts; and, what is the best proof of the sincerity of his doctrine, he always lent to different persons in his neighborhood without interest the £400 which he had saved as a provision for old age. A Mr. Germin, for instance, who had borrowed that sum, returned in the course of years the principal, and, from his own sense of equity, he paid up 30 guineas interest. The pious Burke accepted the capital, but refunded on the spot, that interest; and to the villagers who expressed their astonishment that he did not rather accept and distribute that sum amongst the poor, the holy Priest replied, 'I took mine; if Mr. Germin would give his property to the poor, let himself distribute it.' This is a fact notorious in that vicinity and related with delight by the old and the young. Would, that Mr. Burke had persevered to the end; that putting his hand to the plough, he had not looked back. That £400, which he had saved in the Church, he would not leave to nieces or nephews, but handed it over, as the Bishop says, some years prior to his death for the support of the Clerical Seminary; forfeiting the capital for ever, he reserved for his old age an annual pension of twelve, or twenty four pounds; I forget which. That he had forfeited for ever the right to demand the sum given, is manifest from the Bishop's letter.

'The project of our seminary being relinquished,' says the Bishop, 'I handed over this bond to Burke's successor, as an aid towards building a chapel in the parish where the money had been collected.'

Remark that the Bishop, not Mr. Burke, had handed over the bond to Mr. Burke's successor. When he forfeited for ever the principal sum, I am sorry that he did not trust to Providence for the support of his old age. Who has said, *MATT. vi.* Be not solicitous, saying, What shall we eat, or what shall we drink; or wherewith shall we be clothed? For your Father knoweth that you have need of all these things. For by reserving the pension from the sum of money which is a thing that is neither *immovable*,

nor to be considered as *immovable*, nor of its own nature *fruitful*, he certainly violated the decree of the Holy Pope, Pius V. An. 1568, SEPTEMI DECRETAL, *Lib. 2. Tit. 12. c. Cum onus*. 'By this our constitution, we decree that rent, or annuity can be created or constituted by no means, except in a thing that is *immovable*, or that may be deemed as *immovable*, and of its own nature *fruitful*.

Let me point out the disparity of Burke's case, and the funding system. He ceded forever the £400 unto the Bishop for the Clerical Seminary; the fund-holders, on the contrary, retain the right to recover, besides the annual interest, sometime or other, the capital lent, and to dispose at pleasure of the government bonds. The interest or dividends which they receive, is, in reality, a price for the temporary *use* of the capital lent; it is usury with all its ghastly features. God, when he instituted a loan as an act of charity; as one out of several modes to relieve the indigent, ordains that it be given gratis. LUKE vi. 35. Lend hoping for nothing thereby. But if the loan be taxed with yearly usury, or interest, it loses its character and nature, and it ceases to be what Providence intended—an act of charity. But the question now is not whether Burke acted right or wrong; whether he committed an act of usury, or not; although it would seem from the foregoing Decree of Pius V., and from the Council of Milan to be seen hereafter, that he did not act properly in reserving the pension; but the question is whether the Bishop had lent the £400 at usury.

'The money,' he says, 'was lent to a Mr. Hill on the joint security of a Mr. Olden of Cove.'

He omits to mention by whom had the money been lent to them. I positively say that he, (Bishop,) had lent it at interest to them. Mr. Olden himself told me, though the fact had been known to me already from various channels, 'that they borrowed the £400 at interest from the Bishop; passed unto him their bond payable with interest; and that he, being merely a security for Mr. Hill, had afterwards to pay both principal and interest to Mr. Molony, to whom had the said bond been conveyed.'

The Prelate sets up the plea 'that he received not the interest, and that the loan was made for a charitable institution.'

I never charged him with *receiving*, but with practising usury: nor does the Divine law or sacred Canons, require, for constituting an usurer, that he *receive* the interest; but that he *lend, hoping for something thereby*—for gain sake. When the Prelate lent the £400 for supporting with the interest thereof his college, did he not lend for gain sake? It is no palliation, that the interest went to support the college: for if a college or other university practise, or allow the practice of interest in their territories, they incur, *ipso facto, an Interdict: Chap. Usurarum voraginem*. And if the rectors, superiors, judges, &c. of communities write or dictate, make, or cause to be made, bonds or deeds for the recovery of usury for those colleges or communities, they fall into an *excommunication: Con. Vienne, Chap. Ex gravi*. The Bishop not only lent at usury, but he was an agent in a usurious transaction.' 'They passed their bond, and paid him through me *the interest while he lived*.'

'He went to France,' he says, 'but was not permitted there to say mass.' On the contrary, that I was permitted during my sojournment in that kingdom, to say mass, is manifest from two documents, the first printed in Latin, the second written in French; the one a license from Cardinal De Talleyrand Perigord, Archbishop of Paris, to say mass in his diocese, and the other a certificate from a Curé in that City. The originals of both papers are yet in my possession.

'We grant unto the Rev. J. O'Callaghan, by the present letter, license to celebrate mass for six months in our diocese.

Dated, Paris, Jan, 29, 1820.

JALABERT, V. G.

'Je soussigné, certifiè que Monsieur Callaghan, Pretre Irlandois, a dit la Messe dans notre Eglise de St. Etienne du Mont, pendant près de trois mois; qu'il s'y est conduit en bon Ecclesiastique, et qu'il s'y est conciliè l'estime de tout le monde. En foi de quoi je lui ai delèvrè le present certificat pour valoir le que de raison.

A Paris, le 10 Mars, 1820.

M. BIZET,

Curè de St. Etienne du Mont.

' I the undersigned, certify that Mr. O'Callaghan, an Irish Priest, has celebrated Mass for near three months in our Church of St. Stephen du Mont ; where he conducted himself as a good clergyman ; and gained general esteem. In testimony whereof I give him the present certificate, to be valued according to its worth.

Signed as above.

Paris, March 10, 1824.

' He was discountenanced, and not allowed to say mass in Rome,' he continues, ' Cardinal Samaglia interceded for him, assuring me of his regret for having calumniated his Bishop. I agreed to take him back, but still he persisted.' This is a curious way to discountenance me in Rome ; Cardinal Samaglia, the highest dignitary, the very next to the Pope, interceded for me. Had the Bishop the Cardinal's letter to that effect, why not produce it, as already observed, in the presence of Messrs. Croke and Scully ?

In conclusion, let me repeat, that his own letter concedes all my charges. Does he not concede them, by saying that he would not with safety allow any Priest in the diocese, who would oppose interest ; that a sum of money had been lent by himself at interest ; and that he permitted one of his clergy to receive interest, *they paid him through me the interest whilst he lived.* Could I incur the guilt of calumny when I published nothing more, nor even as much as he himself concedes ; nothing that he ever attempted to concede ? Had I published 'the ample retraction,' all my sayings, writings, trials, travels, and sufferings for justice sake, would go with the wind. I should be for the rest of my days, pointed out by the finger of scorn, as an infamous calumniator of my own Bishop, unfit to approach the altar, move abroad in society, and richly deserving the chastisement inflicted upon me. Had I purchased at that enormous cost a short respite, or truce in my afflictions, what would be the result to the disputed question ? No Priest, who would hear of my thankless, fruitless, shameful campaign, would perhaps be willing to enter the field. But thou hast, O Lord, rescued me from the snare that was laid for me ; thou art my protector ; into thy hands I commend my spirit.

Hitherto engaged in the education of Mr. Cobbett's sons, and not allowed to say Mass in London, I returned to Ireland in the Summer of 1826, and wrote from the tavern in Cove to the Bishop, that I was yet most anxious to regain my station amongst the clergy, and ready to fulfil any conditions that might be enjoined by the Holy See. He sent to my lodging this laconic note in reply.

'Dr. Coppinger will hold no intercourse, nor receive any communication, by letter, or otherwise from Mr. O'Callaghan, until he shall have published an ample and contrite retraction of the calumnious charges which are inserted against his Bishop in his Treatise on Usury.

Cove, June 1, 1826.

WILL. COPPINGER.

As in the letter to Bishop Poynter, so in this note, no concessions are required but to publish an ample and contrite retraction of some calumnies in my book on usury. Nor is it specified here either, what these calumnies are, or in what page or corner of that book they may be found. The only conclusion that naturally flows from his note is this, that I was guilty of no crime or fault previous to the publication of that book on usury in America in 1824, and in London in 1826. Whereas I was suspended from my Clerical functions in the year 1819, that is five years prior to the commission of either crime or fault. A suspension, whether just or otherwise, involves the Priest in some loss of fame and property, in grief and anxiety. When an unjust wound is inflicted, the person that inflicts it, is bound in justice to repair all the losses of the wounded person. But, the Prelate made no compensation of any sort for his injustice to me—for having deprived me of home, and prevented me to fulfil at home and abroad my sacred vows to God. Nor did he, as far as I know, ever repent for his deadly wound upon the myriads of souls whom he had detached from the narrow path of Christ, into the broad way of usury, that had been reprobated in the diocese ever since the days of St. Patrick, until he (Dr. Coppinger,) assumed the mitre.

Some invisible influence, I know not what to call it, always irresistibly urged me into this question. Though being at all times friendless and moneyless, with thick clouds swelling from every side, all dangers, privations, and difficulties fled from my thoughts

the very moment that an essay was to be made, or a journey undertaken against usury ; youthful strength and vigor was felt in my whole frame from head to foot, by reflecting that I suffered with Christ, who suffered for us on the cross. No adversary however potent, no prospect even remote or lowering, nor journey though long or rugged could then dismay or deter me. May I piously hope that these motions were graces from Him who said, It is not you that speak, but the Spirit of your Father that speaketh in you : **MATT. x. 20.**

A SECOND JOURNEY TO ROME.

Because this widow is troublesome to me I will avenge her, lest continually coming she weary me : **LUKE xviii.** I went up again to knock at the Vatican gate in hope that the Vicar of Christ would finally avenge me of my adversary : reached Rome the 30th April 1829, and departed thence on the 27th of July following : doomed, I suppose, never more to visit it. Although I asked, and sought, and knocked, sent petitions, and memorials almost daily for three months, no succor or protection, excepting some pecuniary aid whilst in the City, was offered me. My journey to Rome thus ending in failure and any more remonstrances appearing useless, my thoughts now turn upon Erin, though I had but thirty crowns in my possession, with no prospect of any more money from any quarter whatever. By reflecting that Providence amply provided for me on the same journey in 1825, when I had but thirteen crowns, it would appear impious, if I should despair of his mercy now when my travelling means were thirty. Fortified by such reflections, I engaged a seat in a vitura that was to start in four days for Turin, a city situated four or five hundred miles north from Rome, for seventeen dollars.

Blessed be the God and Father of our Lord Jesus Christ, the Father of mercies and the God of all consolations who comforteth us in all our tribulations ; for as the sufferings of Christ abounded in me, so also my comfort in Christ abounded in that trying moment. Behold as I ascended the stairs of the Hotel del Orso, two days previous to our departure, I was accosted by my former pupil Mr. James P. Cobbett, third son of my best friend the celebrated

William Cobbett, M. P. in these words. 'Father O'Callaghan, I am delighted to see you; my sister Anne and I arrived in the City yesterday from our southern tour, and are now going to see the Church of St. Peter: there she is in the barouch at the door: We would feel extremely happy if you could accompany us.' The pleasure which I felt for meeting my best friends, who were a few days before this time in Naples, could be better conceived than expressed. We took our seats in the carriage and dashed across the 'yellow Tyber' by the bridge of St. Angelo. That long summer day appeared not longer than an hour, so feasted were we with the view of that grand basilick upon which the arts and sciences seemed to have exhausted all their store; the dome, altars, Mosaic and statuary, even if taken in detail would beggar any description that could be given of them. Not before an awful gloom began to spread, and the porter announced that the doors were to be shut, did we bestow a thought upon the approach of night. We reluctantly resumed the coach. They brought me back to the Hotel del Orso, and handed me a card of invitation for the next morning.

On my arrival the impressions that were made on our memory from the different parts of the great edifice were all taken in review; then our observations took in Rome and Italy in general. But they forget not to enquire about the affairs of 'Father O'Callaghan.' I replied that having turned during three months every stone in quest of redress, but in vain, I have preparations made to return home, though I dread that my means are not sufficient for the long journey. 'How much money do you think would answer?' said the affectionate young gentleman. So much, said I. 'You ought to expect more than that, he observed, from any of us, for we always consider you as one of our own family. And without the least reflection or hesitation he went to his drawer and handed me all the money that I wanted. A friend in need is a friend indeed. The son's friendship on that trying occasion was worthy of his father on a former emergency. How truly has the wise man written, Eccl. x. 2. And what manner of man the ruler of the City is, such also are they that dwell therein.

Had I not received that or some similar relief from heaven, it

is probable that I would never be able to reach my native land : for a severe headache, burning thirst and derangement of stomach seized me on the road and terminated in fever and ague by my arrival in Turin. Unwillingness to lie upon the bed of sickness so far from home made me continue my journey across the snow white Alps, Savoy and Lyons. My skeleton was the veriest picture of death coming into Paris. Here my health was soon restored through the abundant mercy of God by a few doses of quinine, and my purse replenished by the bounty of the Rev. Henry Power ; who, when I began to apologize for his loan of 140 francs in the year 1825, answered ' that he never would expect or call for that money, if I could not conveniently spare it : for in that case he would feel it an insult to offer it to him ; and that I should accept more money now to carry me to London.' Behold a good Priest.

Usury always found, and will, doubtless, till the end of time, find, defenders strong and numerous : they will not openly discard the Christian religion ; but by distinctions and sophistry weaken it down to nothing. In the absence of Scripture and Tradition, they seek shelter under profane and worldly reasoning. As some persons do already in Ireland, and others will perhaps in other places, in order to compose their deluded hearers, draw an argument from my apparent failures in Rome, saying ' could it be possible that Mr. O'Callaghan's journies and appeals to Rome would be fruitless, if the Holy See were adverse to usury, ' it seems due of me, to posterity to put on record the causes of my apparent failure.

When three things are known ; first, the offers that were made by me : secondly, the mode of defence adopted by my adversary ; and lastly, the parental reception given me by the supreme Pontiff no body will wonder that my appeals are frustrated, or infer, that interest is approbated in the eternal City. It may and must be tolerated, like the tares, until harvest time. In Rome as every where else, is the flesh at perpetual war against the spirit and the spirit against the flesh ; the world against the gospel and the gospel against the world. In Rome as every where else, are found and will be found, till the last day, sinners in abundance. No threats or promises from the Vicar of Christ nor even from Christ himself, will reclaim or eradicate them. The pious Christian will not follow as his rule

the practices of sinners, but the sayings of Scripture and of the Church of Christ. 'All things whatsoever they shall say to you, observe and do, but according to their works, do ye not.'

With regard to my offers in Rome, my appeal in the year 1822, which is hereafter inserted in the body of this book, speaks thus, 'Decide, if you please; I shall not dread to admit usury if Your Holiness order it.' But the Holy See ordered in a Rescript, dated 1823 and signed by the Prefect of the Sacra Congregation, that is by Cardinal Gonsalvi (which Rescript is also inserted in the body of this book) *not to teach or inculcate, by word or writing, any thing contrary or foreign to the five Rules of Benedict XIV.* which Rules, as it will be seen in the sequel, manifestly condemn usury or increase of all sorts. I handed, at my first visit to Rome in the year 1825, the same offer in writing through their Secretary, Archbishop Caprano, now Cardinal, to the Sacred congregation. And lastly as Dr. Boylan superior of the Irish college assured me, on my second visit to Rome, in the year 1829, 'that if I would withdraw the accusation of my Bishop, he (Mr. Boylan) would at once settle my affair with the Cardinals.' Accordingly I handed him the following Declaration.

Whereas the S. Congregation would not entertain my charges against Bishop Coppinger, I shall not pursue them any longer; but shall, for the future, if the S. Congregation desire it, hold silence on that subject.

Moreover I shall allow my hearers to practice legal interest: that is to say, the interest allowed by the human laws for money loans, provided the Sacred Congregation say to me that I can with safe conscience do so.

JEREMIAH O'CALLAGHAN.

Rome, 7th June 1829.

To the Rev. C. H. Boylan.

ANSWER.

'My dear sir,

'I am just returned from the PROPAGANDA, after presenting the original and a translation of your paper. I was informed, in reply, that your case has been long since fully discussed; and that there was no disposition to recede from the decision already

given. It is therefore my duty to counsel you to conform to that decision, whatever pain you may feel in so doing ; as the only means of extricating you from the difficulties into which your quarrel with your Ordinary has unfortunately plunged you. Yours, &c.

Irish College, 11th June. 1829.

C. H. BOYLAN.'

That decision which they had already given, and from which there was no disposition to recede must be the Rescript signed Cardinal Gonsalvi : they never gave me any other Decision on the matter. But, as that Rescript orders me to adhere strictly, both in writing and in preaching, to the Five Rules of Benedict XIV. the very first of which Rules says, ' that usury consists in man's desiring that more be restored to him than was received ; and maintaining that some gain above the principal is due to him by reason of the loan. Every gain that exceeds the principal is illicit and usurious,' could I, without contempt of the Rule of Benedict XIV. act but as I have done ; were I to conform to the sentiments of my Ordinary, could it not be justly said to me, ' You have not, sir, adhered to the Rules of Benedict XIV., nor to the Sacred Canons, nor to both Testaments. You are therefore no catholic.'

As to my Adversary's mode of defence in Rome and elsewhere, he never defended the *doctrine* but denied the *fact* ; never attempted to reconcile interest with the law of God, or salvation of souls ; but he strenuously denied that ' he received one shilling interest in the whole course of life.' The *not guilty*, which he pleaded in Rome, overbalanced of course, my allegations : his denial of the practice of interest is I think, proof in abundance that he deemed interest sinful : his anxiety to wipe off the stain of usury, and his manifest vexation for being charged with such a crime, shows that he had misgivings on the subject. ' Whosoever doth evil deeds, being desirous however that others hold silence regarding them, becomes a self accuser ; and, by not enduring that the truth be defended against him he shows that he sets more value on himself than on the truth :' *B. Greg. Pastor. Pars. 2. c. 8.*

Moreover my book condemned usury and containing the charges against the Prelate was widely spreading in England, Ireland and America, since its publication in 1824, until the Prelate's death

in 1832, notwithstanding he made, during them eight years, no public attempt to gainsay it. A copy of the book had been handed by me to the Prelate himself, one to the Sacred Congregation and several to the Cardinals and other Dignitaries in Rome. Of the same book Mr. Cobbett's History, Par. 402, says, 'the Rev. Mr. O'Callaghan in his excellent little book, which I had the honor to re-publish last winter, and which ought to be read by every man, and especially every young man, in the kingdom, has shown that the ancient Philosophers, the Fathers of the Church, both Testaments, the Canons of the Church, the decisions of the Pope and Councils, all agree, all declare that to take money for the use of money is sinful. Indeed no such thing was ever attempted to be justified, until the savage Harry VIII. cast off the supremacy of the Pope. Jews did it.--In degrading wretches, like these, usury, that is, taking money for the use of money, was tolerated, just for the same cause that incest is tolerated among dogs.'

The said History of Mr. Cobbett is re-published in the Italian language in Rome, bearing the Approbation of the Censors ; one of whom was Cardinal Cappilari ; who is now the Supreme Pontiff, Gregory XVI. Said Roman edition is illustrated with marginal notes ; the following one being affixed to the passage just recited with regard to interest.

'Mr. O'Callaghan is a Roman Catholic Priest, who wrote and published a few years ago against usury a book, with which Mr. Cobbett was so delighted that he re-edited it at his own expense, and gave the profits of the edition to Mr. O'Callaghan.'

Observe that my book condemns interest, or increase of all sorts, and that Mr. Cobbett's History not only condemns it, but extols my book to the skies. Would the Holy See, always so tenacious of the faith, re-edit said History, or affix the note to my name, if my principles on usury were erroneous ? The re-publication of the History, the marginal note, the pecuniary aid afforded me at all times in Rome ; and, particularly, Cardinal Gonsalvi's Rescript, is a clear index of the Holy See's sentiment on the subject. Notwithstanding the *not guilty* set up by the Bishop, tends

to throw a veil over the abuse, and deprive me of redress, at least, from man ; but the Truth that endureth and prevaileth forever, 3 ESDRAS iv. 38, will re-appear in her native splendor. When Great Britain is tired and disgusted with the husks of swine,—with banks, bank-ruptures, and panics, she may cry out, Father, we have sinned against heaven and against thee ; we will, in future, follow thy free loans. Why does not Rome, that knows full well the sinfulness of usury, openly come out against it ; is the infection so inveterate that there is no prospect of a remedy ; or have they, as the lambs did with the wolves, formed a truce with the usurers ? If so, filthy Jews and bankers, will, after having put the Nuns and the Friars on half allowance, and then dispersed them, riot in the holy places.

My health being renovated, as already observed, by the goodness of God, in Paris, I reached Ireland once more, but had in Cork, in consequence of the distressing journey thither, a most heart-rending relapse of the ague ; which was soon, however, subdued by a few doses of the quinine. Now my feet were almost moved, and my steps had well nigh slipped, seeing the calm and sun-shine of my persecutors. And I said, Then have I in vain justified my heart, and washed my hands among the innocent ; and I have been scourged all the day, and my chastisement hath been in the morning. Why, O Lord, are they multiplied who afflict me ? Many are they who rise up against me ; many say to my soul, There is no salvation for him in his God—no redress for him in the Vicar of Christ.' Now are my tedious journies, my trials and afflictions, and recent sickness visible in my haggard brow and tottering frame ; now the Bishop's coolness increases ; now am I abandoned by all my brethren, as the fated deer. And in nothing, says the Apostle, PHIL. i. 28, be ye terrified by the adversaries ; which to them is a cause of perdition, but to you of salvation, and this from God : for unto you it is given for Christ, not only to believe in him, but also to suffer for him ; having the same conflict as that which you have seen in me.

Christ our Lord, by whose grace I believed in him and suffered

for him, fixed my tottering feet, allowed me not to impugn the known truth, to conform to a practice which I knew to be against the law of God. Having heard ere now, that Bishop Connelly of New York died, and that his successor, Bishop Dubois, was on a visit at the shrine of the Apostles in Italy, having appointed previous to his departure, my tried friend, Rev. John Power, Vicar General and sole-administrator of the diocese, the idea occurred to me that he would, being now, as I thought, his own master, allow me to labor in that extensive vineyard.

April 28, 1830, embarked in Cork by the brig Scicily, Bridges master, and made in forty-nine days, after the absence of six years the port of New York. Here would my voyage and expectations in Mr. Power, be frustrated who had positive orders from the absent Prelate to admit no strange Priest into the diocese, had not kind Providence opened unto me another gap. For by a remarkable coincidence, Bishop Fenwick of Boston, which town is 400 miles distant, happened to be in New York the very day of my landing. The good Prelate, from the introduction of my friend Power and the evidence of my papers, notwithstanding my sentiments on usury being known to him, kindly invited me to his diocese which consists of the New England States. Next day he started for Boston where he resides; but the weakness consequent to the long voyage compelled me to tarry for some days in New York. Finally arrived in Boston, spent a fortnight at the Bishop's hospitable house, and received my appointment for Vermont.

July 9, 1830, I arrived in this state, which is about 150 miles long and from 60 to 100 wide. Here was the harvest great and the laborers few. Catholics, principally Irish emigrants were, as sheep without shepherds, scattered through the woods and villages, amidst the wolves in sheep's clothing—amidst fanatics of all creeds, or rather, of no creed; all enticing them by bribery and menaces to 'protracted meetings,' 'camp-meetings,' 'sunday schools,' and so forth. As I was the very first Catholic pastor that was sent to them, their joy seemed to know no bounds on my arrival. There were eight congregations varying from ten to one hundred; from twenty

to thirty miles asunder. I was hardly able to visit them all in two months. To the flocks, who had hitherto considered themselves as totally abandoned, the trifling instruction and the means of salvation afforded by me for a few days was highly refreshing, whilst this precarious and toilsome mission in hilly Vermont, was to me who had learned patience from suffering, the same thing as laboring in Paradise. I continued a solitary missionary until October 1833, when it pleased the Master of the Vineyard to send in two other laborers—the REV'DS SIMON WALSH and JOHN BRADY, natives of Ireland also. The former is stationed in the south west, the latter in the south east, and I, in the north end of the state: Having fixed my residence in Burlington, where we put in the year 1832, the very first Catholic Church in the state. Though the two gentlemen now mentioned encounter the greatest portion of the distant labor, I have yet besides the congregation of my new church which swells from three to four hundred persons, to tend several other flocks from ten to twenty miles apart in the surrounding country. From my unacquaintance with the French language, I had the greatest difficulty with the Canadians, who are numerous in my district, until the arrival of the REV. M. PETITHOMME lately from France, who speaks their language fluently.

With regard to the structure of the work, the present edition has greater claims than any of those that preceded: the whole frame of it is ripped up, re-modeled and enlarged from my gleanings for six years. The titles too are arranged with more accuracy according to their natural connexion and dependance: and much new matter superadded. Moreover an attempt is made to render the style more perspicuous and familiar. In short, the work, though there be yet ample room for the workings of the learned critic's file, is, I am confident, the most complete collection of sacred Authorities with regard to usury that has hitherto appeared in this, or in any other country. Had the compilation come from other hands it would certainly gain in public estimation; but such as it is, I hope it contains no position injurious to the christian religion. If

the leaven of error be detected by the Canonical Authorities, I shall, as a faithful, yet unworthy member of the Church of Christ, instantly make the necessary reparation. As my narrative here closes, let us pray.

Cast me not away, O Lord, in the time of my old age; when my strength will fail, desert me not, because my enemies and those who were conspiring against my soul, have said, The Lord has abandoned him; persecute and arrest him, because there is not a man to rescue him from you. O God, be not far from me. O God, look to my aid. Amen.

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USURY, OR LENDING AT INTEREST,

&c. &c.

WORDS, like all human institutions, are fickle and changeable ; some of them that were obsolete, revive ; some that were fashionable, disappear ; and others that were never heard of, are daily invented. Things and thoughts, as if tired of their wonted garb, assume novel expressions. Indeed no object, or idea imaginable takes as many shapes and names as increase of money loans. It would certainly seem that the lovers thereof forget, or care not for the hell-fire that awaits them in the infernal regions, and look only for a good name in this world ; it would indeed seem, that it is for the purpose of keeping out of sight the Divine Law, and for securing merely a good report among men, the usurers change the scriptural term *usury* into the profane and barbarous names, Interest, Consols, Omniums, Funds, Debentures, Ceasing gain, Emergent loss, and so forth—names so absurd and strange, that hardly any man, but money-changers could understand their import. If the names be altered, will that alter the nature of things, or repeal the laws of God ? However my aim and object in the following pages is not to examine the motives or intention of usurers for altering the names of their iniquitous practices ; but this is my aim and object, to prove

That Usury, interest, or increase of money loans, whatever name be given thereto ; whether that increase be paid in cash, or in any article that may be purchased or estimated by money, is condemned by the law of God ; ruinous to souls ; and destructive to Civil Society.

And whereas the word Usury will generally occur in the course of my observations, I shall here ascertain its import or definition, not from this or that private author, but from the Fathers and Coun-

cils of the Church of Christ; and also, from the most approved Dictionaries.

Definition of Usury.

DECRETAL. GRATIAN. 14, *Quest.* 3, C. 1. "If you lend your money to a man from whom you *expect more than you gave*, not money alone, but any other thing, whether it be wheat, wine, oil, or any other article, if *you expect to receive any more than you gave*, you are an usurer, and, in that respect, reprehensible, not praiseworthy:" *St. Augustine on Psalm xxxvi. An.* 405.

C. 2. "Some persons imagine that usury obtains in money alone; but the Scriptures foreseeing this, has exploded increase of all sorts; so that you cannot receive more than you gave. Others also have the habit of receiving presents of different sorts for the usurious loans, not understanding that the Scriptures calls usury also increase whatever it be, if they received any more than they had given:" *St. Jerome on Ezech. C. 18. An.* 410.

C. 3. "Many persons evading the precept of the law, when they give money to merchants, require the usury, not in specie, but take some of their goods in payment of the usury. Let them therefore hear what the law says. *You shall not, it says, receive the usury of food, nor of any other thing*: DEUT. xxiii. 19. The food is usury, the cloth is usury, whatever is added to the principal is usury; whatever name you give it, it is usury:" *St. Ambrose. Lib. De Tobias, C. 14. An.* 390.

C. 4. "It is usury to receive any more than had been given; if you give, for instance, ten shillings and demand more; or if you give one cask of corn and require something more:" *Con. Agatha, An.* 806.

COUNCIL of TRENT'S CATECHISM. "Whatever is received above the principal lent, or that capital that was given, whether it be money or any thing else, that may be purchased or estimated for money, is usury: for it is written in Ezech. 18, *Thou shalt not take usury and increase*; and, in Luke vi. 35, Our Lord says, *Lend hoping for nothing thereby*. Even among the Gentiles usury was always considered a most grievous and most odious crime."

May I say, in conclusion, that the definitions of the Holy Fathers,

Augustine, Ambrose, Jerome, and of the Council of Agatha, are in themselves great authority ; but when incorporated, as they have been, with the S. Canons, they, as well as the Catechism of the Holy Council of Trent, became the Definition of the Holy Catholic Church, which is the pillar and ground of truth. With the Catholic Church in this definition of usury, accurately agree the Dictionaries, Johnson, Walker, Boyer, Littleton, Scriverius ; which say, ' that usury is money paid for the use of money ; interest ; the practice of taking interest.' Flattering myself that the import or signification of the word usury is already sufficiently clear, I shall now proceed to prove another point,—to show, that

**USURY, OR INTEREST IS CONDEMNED BY THE
LAW OF NATURE.**

The Christian, believing that the Almighty God has absolute dominion over the Universe ; that he transfers human life and property how, and when he pleases ; that he deposes the powerful from their seats and exalts the humble ; that he fills the hungry with good things, and sends the rich away empty, will not enter into a metaphysical discussion on the Divine attributes, or see whether it be consistent or inconsistent with God's justice and natural equity that a dispensation had been granted to the Hebrews, *EXOD.* xii. 35, for plundering and overthrowing the Egyptians ; and to the Jews, *DEUT.* xxiv. 1, for divorcing their wives ; and, *DEUT.* xxiii. 19, for charging usury to strangers. Senseless man, will you call into question the decrees of your God. O the depth of the riches of the wisdom and of the knowledge of God ! How incomprehensible are his judgments and how unsearchable his ways ! For who hath known the mind of the Lord ? Or who hath been his counsellor.

The Christian will not thus set his mouth against heaven, *Ps.* lxxii. 9, nor will he question the natural equity of the Divine dispensations ; but when he sees from the best of authorities that usury is destructive of that equality ordained by common sense and reason in the dealings of man with man, he will rest convinced that usury is against the law of nature. But as common sense and natural reason, apart from the Christian Rules—Scriptures and Tradition, is a precarious weapon in the field of controversy, where even the

pigmy thinks himself a Hector, and the simpleton is in his own eyes a Solomon, it may be presuming too far, that others will submit themselves to my common sense and reason. I shall therefore take the authority of St. Thomas, Aristotle, Plato, and Plutarch.

St. Thomas 2, 2, Q. 78, ad Im. 'To receive usury for money is radically bad : because a nonentity is sold : it is to be understood that the use of certain things consists in their consumption : for instance, wine, oil, &c., are consumed by using them. We consume wine by using it for drink, and wheat by using it for food. Hence the *use* of these articles is inseparable from the things themselves ; whosoever gets the use of them, gets also the things themselves ; and consequently, in loan transactions, he receives the dominion of these articles. If a man, therefore, sell wine by itself, and the *use* of the wine by itself, he sells the same thing twice, or sells a nonentity ; and therefore he sins against justice. He is also a sinner against justice, who lends wine, or wheat, demanding two recompenses, one as an equivalent for the thing that is lent ; and the other as a price for the *use*, which is called *usury*. But in other articles the use does not consist in their consumption : as the use of a house lies in its conversion into a dwelling ; but not in its destruction ; and, consequently, the use and dominion may be separated in such articles : one may, for instance, set, or sell the dominion of his house, reserving the use for a time ; or let the use, having retained the dominion. He may, therefore lawfully receive a price for the use of the house, and yet demand the house itself, according to the practice of house-letting. But money being principally invented as a circulating medium, its primary and principal use consists in its consumption, or application to human intercourse and social commerce. It is *naturally illegal to receive any price for the use of money, which is called usury* ; and as man is bound to restore any other ill-gotten property, he is liable to restore any money he might have made by the practice of usury.'

Aristotle says, 'It is optional to every person to acquire gain by fruit, or animals ; but the mode of reaping money by money is justly to be reprehended, as *being inconsistent with nature*. Money is invented as a circulating medium, but usury goes to increase and multiply it. Hence the Greeks called it *Tokos* from the verb

niktein, to beget; and the Latins called it *fœnus* from *fœtus*, offspring; for, in usury, money is the offspring of usury. Consequently this mode of acquiring money is *abhorrent to nature*. Some people engage in base practices, such as usurers, who give little, in order to receive more; their gain is sordid, unjust, and base; their ungenerous money transactions are rapine.'

Plutarch, de vitando œre alieno, says, 'Are we not ashamed to pay usury? Not contented within the limits of our own means, we do by giving pledges and entering into contracts, fabricate the yoke of our slavery; flee from the tyrant-usurers; the barbarians' debts beget before they conceive; they demand the very moment they lend; the usurious borrower heaps debts upon debts, and finally he sinks into complicated difficulties.' As *Plato's* sentiments are identically the same as the foregoing, it seems needless to insert his words.

Let us not forget St. Thomas' saying, 'It is against the law of nature to receive any price for the use of money which is called usury; and as man is liable to restore any other ill-gotten goods, so he must restore any money he might have made by the practice of usury.' A single glance, indeed, upon his writings—the mighty *Summa Theologia*, would convince you, that no other author understood better the extent, limits, and bearings of the law of nature, or of the natural connexion of causes and effects, of premises and conclusions, and of the natural rights of the various members of the social body. It is written, Rom. ii. 14, 'The Gentiles who have not the law, do by nature those things that are of the law; show the work of the law imprinted in their heart, their conscience bearing witness to them. The Pagan Sages perceived from the law of nature 'that the usurer's mode of giving less and demanding more is *abhorrent to nature*; and that by throwing ourselves into the hands of the usurer, we fabricate the miserable yoke of our slavery.'

What has blindfolded our modern usurers; will they never open their eyes and see the iniquity of their practices? God hath given them the spirit of insensibility; eyes that they should not see, and ears that they should not hear. Let their eyes be darkened, that they may not see; and bow down their back always. The question

is hitherto viewed with what is called common sense and reason, and with the law of nature, but now we are going to view it in the mirror of faith, or with revealed Religion.

**USURY, OR INTEREST CONDEMNED BY THE LAW
OF GOD.**

EXOD. xxii. 25. If thou lend money to any of my people, that is poor, and that dwelleth with thee, thou shalt not be hard upon them, as an extortioner, nor oppress them with usury.

LEVIT. xxv. 35. If thy brother be weak of hand, and thou receive him as a stranger and sojourner, and he live with thee, take not usury from him, *nor more than thou gavest*. Thou shalt not give him thy money upon usury, nor *exact of him any increase of fruits*.

DEUT. xxiii. 19. Thou shalt not lend to thy brother money at usury, nor corn, nor any other thing, but to a stranger. To thy brother thou shalt lend that which he wanteth without usury.

PSALM xiv. 5. Lord, who shall dwell in thy tabernacle? Or who shall rest in thy holy hill? He that hath not put out his money to usury, nor hath taken bribes against the innocent.

PSALM liv. Cast down, O Lord, and divide their tongues: for I have seen iniquity and contradiction in the city: day and night shall iniquity surround it upon its walls; and in the midst thereof are labor and injustice; and *usury* and *deceit* have not departed from its streets.

EZECH. xviii. 8. The man that hath not lent upon *usury*, nor taken any *increase*; he is just, he shall surely live, saith the Lord God. And the man that giveth upon *usury* and that taketh an *increase*; shall such a one live? *he shall not live*; whereas he hath done all these detestable things, he shall surely die; his blood shall be upon him.

The Prophet, let it be recollected, pictures from the 5th to the 9th verse of that 18th Chapter, the just man, that is destined for eternal happiness; and from the 9th to the 17th verse, he portrays the reprobate, who is doomed to death eternal. But lo, amidst all the lovely and shining features of the just man, is found this one—*not lending at usury and not taking any increase*. And amongst

the ghastly and horrid features of the reprobate is found this one, *to give upon usury, and to take an increase*. Though he doth not all the terrific things that are specified in that chapter of the Prophet, (*verse 11,*) but hath done some one of them, he shall surely die, his blood shall be upon him. And the same Prophet recounting the manifold crimes that brought the wrath of God upon ancient Jerusalem speaks thus.

EZECH. xxii. 12. They have taken gifts in thee to shed blood ; thou hast taken *usury* and *increase* ; and hast covetously oppressed thy neighbors ; and thou hast forgotten me, saith the Lord God. Behold, I have clapped my hands at thy covetousness, which thou hast exercised. Shall thy heart endure, or shall thy hands prevail in the days, which I will bring upon thee ? I, the Lord, have spoken, and I will do it ; and I will disperse thee in the nations and will scatter thee among the countries. And her prophets have daubed them without tempering the mortar : the people of the land have used oppression and committed robbery ; they have afflicted the needy and the poor. And I have poured out my indignation upon them ; in the fire of my wrath I consumed them ; I have rendered their way upon their own head.

Remark that the Prophet ranks here again *usury* or *taking increase*, with the most horrible crimes—murder, idolatry, incest, oppression of the poor, of the widow, and orphan, pollution of the sanctuary, and of the Sabbath.

2 ESDRAS v. 1. There was a great cry of the people, and of their wives against their brethren, the Jews ; and there were some that said, Let us mortgage our lands, and our vineyards, and our houses, and let us take corn because of the famine ; and others said, Let us borrow money for the king's tribute, and let us give up our fields, and vineyards. Behold, we bring into bondage our sons ; and our daughters, and some of our daughters are bond-women already ; neither have we wherewith to redeem them ; and our fields and our vineyards other men possess. And I was exceeding angry when I heard their cry according to these words ; and I rebuked the nobles and magistrates, and said to them, Do you every one

exact usury of your brethren? The thing you do is not good; why walk you not in the fear of our God, that we be not exposed to the reproaches of the Gentiles our enemies? Restore ye to them this day their fields, and their vineyards, and their olive-yards, and their houses; and the hundreth part of the money, and of the corn, the wine, and the oil, which you were wont to exact from them, give it rather for them.

MATT. v. 42. Give to him, that asketh of thee, and from him that would borrow of thee, turn not away.

LUKE vi. 35. If you lend to them from whom you hope to receive, what thanks have you: for sinners also lend to sinners for to receive as much; but love ye your enemies; do good, and *lend, hoping for nothing thereby*, and your reward will be great, and you will be the sons of the Most High.

Usury, indeed, or the practice of interest strikes at the very root of the Christian Religion, whose life and soul are works of mercy. When you reap the crop in the field and forget a sheaf, you shall not return to take it up; but let the stranger and the widow and the orphan, carry it away, that the Lord may bless you in your works: DEUT. xxiv. 19. Thou shalt not aggrieve the stranger, nor afflict him: for thou wert also a stranger in the land of Egypt: thou shalt not annoy the widow and the orphan: EXOD. xxii. 22. Break thy bread to the hungry, and bring the harborless into thy house; when thou shalt see the naked, clothe him, and despise not thy own flesh: ISAI. lviii. 7. He shall give his bread to the hungry, and shall cover the naked with garment: he shall not lend at usury and shall not receive increase: EZECH. xviii. 7. Bear ye one another's burdens, and so will ye fulfil the law of Christ: GAL. vi. 2. The religion clear and spotless before God, the Father is this, to visit the orphans and the widows in their tribulations: JAMES i. 27. He shall place the sheep on his right hand, and the goats on his left. Then shall the King say to those on his right hand, Come, ye blessed of my Father, possess the kingdom prepared for ye from the beginning of the world: for I was hungry and ye gave me to eat. Amen, I say to you as long as you did it

to any of these my least brethren, you did it to me: MATT. xxv. 35. In short, the same principle runs through the law and the Prophets, through the doctrine and practice of the Redeemer, from end to end—the principles of increasing the talents—our worldly substance, our spiritual and corporeal endowments for our heavenly Master. But by claiming a right, as the usurers do, to charge price for the temporary use, or loan of money, do they not sap the very foundation of Christianity?

And the Redeemer's practice is not less opposed to interest, than his doctrine. What is his life upon earth—from Bethlehem to Mount Olivet, but one continued series of good works? He cured the sick, the lame, and the blind; he raised the dead to life; he increased the loaves and fishes; and changed the water into wine; he washed us from our sins in his blood, APOC. 1. 5, blotted out the hand writing of the decree that was against us, removing the same out of the way and fastening it to the cross: COLOSS. ii, 14. Although there is no trace of usury, or of lending money for gain sake, in the practice of Christ and the Apostles; although it is reprobated in both Testaments, yet the advocates thereof blasphemously seize upon three texts of Scripture to set at nought the whole of the law and the Prophets. The three texts, which they seize upon, are DEUT. xxiii. 19; Luke vi. 35; and the parable of the five talents MATT. xxv. 14.

OBJECTION 1. Thou shalt not lend money, fruits, nor any other article to thy *brother* at usury, but to a *stranger*: DEUT. xxiii. 19.

The base usurers, who have preferred this world to eternity, and Mammon to their God, follow any guide that sanctions their favorite practices. And who is their guide for the interpretation of the above text; is he a Pope, Father, or Council? No, but a *Calvinist*.

BLACKSTONE, *Com. Book 2, page* 458, says, "That text only prohibited the Jews to take interest from their *brethren*, the Jews, but in express words permitted them to take from *strangers*; which proves that a moderate usury or reward for the *use*, for so the word signifies, is not *malum in se*—evil in itself, since it was allowed, where any person, but an Israelite was concerned." And why should the Calvinist pass by the rest of Scripture which is clear

and strong upon the subject, and alight at once upon this text of Deut. which is rather obscure? Forsooth, as the Jews had a dispensation in the law of Moses to receive usury from strangers, but not from their brethren of the Jewish persuasion, the Reformer will allow spurious Christians to receive it from natives and aliens, from their brethren and from strangers! 'It is not,' he says, 'an evil in itself, since God himself dispensed with the Jews for the practice' of interest amongst strangers; so it cannot be an evil if Calvinists practise it among brethren and strangers equally. He could, by a similar mode of argument, say, as God takes away human life and property, when and how he pleases, so it cannot be an evil in itself, if we, Calvinists, take away our neighbor's life and substance when, and how we please. Such foul exhalations from Calvin's school is not the doctrine that was taught by the Saints of Antiquity—Ambrose, Antony, and Thomas.

ST. AMEROSE says, "Who was the stranger, but Amelech (Exod. xvii, 8; 1 KINGS xv, 3)—but an enemy? Take usury from him, whose life you may, without sin, take. The right of waging war implies the right of taking usury."

ST. ANTONY writes, "If by the stranger is to be understood every person, who was a foreigner with regard to the Jews, it must have been to select the minor of two evils; such as the repudiating dispensation that had been granted unto them that they might not murder their wives; the usury dispensation with regard to strangers, that they might not grind one another with extortion, is but a relaxation from the temporal law that grants no exemption from mortal sin, nor from the penalty of hell fire."

ST. THOMAS, 2, 2, Q. 78. *adm.* "To receive usury from strangers was not permitted as a lawful thing, but rather tolerated for avoiding a greater evil. The dispensations extends not to Christians; who are bound to consider all mankind as brethren, especially under the New Law, to which they are all called."

Blessed be the Holy Catholic Church which teaches, that we are bound, under the law of Christ, to look upon all mankind as our brethren; that we must love our enemies; do good to them that hate us; in order to be children of our Father, who is in heaven, who maketh his sun to rise upon the good and bad, and raineth

upon the just and the unjust. Cursed be the Calvinistic School that teaches like the heathens, to love those that love us, to salute our brethren only : cursed be the Calvinistic School that teaches that we need not do any good works at all—that we need not lend, without interest, to friend or to foe ; to native or alien ; that usury is permitted, where any person, but an Israelite, is concerned.

OBJECT. 2. Lend, hoping for nothing thereby, and your reward will be great, and you will be the sons of the most High. LUKE vi. 35.

The usurers object that the verb, *to lend*, in that text is not the imperative, but optative mood ; importing an evangelical counsel of perfection ; merely *recommending* to become the sons of the Highest. But that they, humble souls, aspire to no such dignity ; being contented to grovel along the earth in pursuit of the good things that are present. Do they hold in the same optative mood the other verbs—*love your enemies ; be merciful ; judge not ; condemn not ; give, and it shall be given you*, that are found in the 35, 36, 37, and 38th verses of the same sixth chapter of Luke ? Why do I put such a question ; will not Calvin's school, that defines, ' Wherefore, that we are justified by faith only, is a most wholesome doctrine, and very full of comfort' (11th of the 39 Articles) and discards the merit of good works, send over board also *the love of enemies*, and *mercy*, together with the free loans of the Redeemer ? Suppose, for argument sake, that the verb—*to lend*, be in the optative mood, would the advocates of usury make this queer inference.' ' Although Christ desires and counsels to lend, hoping for nothing thereby, we, pastors, of Christ, will not allow our flocks to pursue his counsel ; for we think it not essential for the attainment of eternal life to follow the counsels of God ; we will teach our thrice happy flocks that they need not lend hoping for nothing thereby, that they can, with safe conscience, hope and even exact annual interest.' This monstrous impiety is maintained in both preaching and practice by the sheep and the shepherds.

ST. BASIL THE GREAT says, " Our Saviour evidently *commands* not to turn our face from him who would borrow, MATT. v. 42, and to lend him not at usury." LUKE vi. 35.

ST. THOMAS, 2, 2, Q. 78, *ad primum*. " Man is not always bound

to lend, and so far is the text an Evangelical counsel, but to hope for no gain when he lends, falls under a precept."

CON. LATER. under LEO X, *an.* 1515, decrees, "Our Lord, by the mouth of the Evangelist Luke, has bound us in a clear precept not to hope for any thing above the principal from the loan that is made."

Behold the two Fathers and the General Council define that we are *commanded* by the Redeemer not to hope for any thing more than the principal that was lent. Did they not understand the sacred text? Why not then follow their interpretation?

OBJECT. 3. MATT. XXV. 14. At that time Jesus said to the Disciples this parable—As a man going far off, called his servants and delivered unto them his goods, and to one of them he gave five talents, to another two, and to a third one; to each according to his merit, and he embarked immediately you ought to have entrusted my money to the money-changers, and coming I might receive my own with *usury*.

Covetous persons when they see the word *usury* in that parable, take it for granted that the Redeemer sanctions their favorite interest. From their habit of taking the Scriptures in the literal sense, not knowing that *the letter killeth, and the Spirit giveth life*: 2 COR. iii. 6. they take the parable in the literal sense also. But let them hearken to the interpretation of POPE, GREGORY the GREAT.

After having recited, in the 9th Homily, the parable from beginning to the end, he says, 'The Holy Gospel, my dearest brethren, should make us reflect lest we who seem to have received in this world from the Creator something more than the rest of mankind, be liable to render a stricter account: for the account to be rendered increases in proportion to the increase of the gifts which we had received. So that the man, who sees himself bound to render the longer account, ought to be more humble and careful in the service of his God. Behold, the man going into the far off country calls to him his servants and distributes on them talents to trade with; and in the lapse of time he returns to call them to an account. He rewards the good servants for the good which they bring him; but the servant, who brings no good works, he condemns.

‘ Now, the man who goes to the far off country, who is he but our Redeemer, who went in that flesh, which he assumed upon earth, into heaven? Flesh, whose proper place is the earth, is, as if carried into a foreign land, when placed by our Redeemer in heaven. The man at his going to the far off country gave his goods to his servants—spiritual gifts to the faithful. To the first he gave five, to the second two, and to the third one talent. The five are certainly the five senses of the body; that is to say, *seeing, hearing, tasting, smelling, and touching*. The five talents signify the gift of the five senses, that is, the knowledge of external things; the two denote the understanding and operation; but by the one talent is designated the understanding alone. The man that had received the five talents, gained five more: because some persons there are, who, though not capable to penetrate into internal and mystical subjects, instruct, with the view of the kingdom of heaven, as many persons as possible, in sound doctrine; from these exterior endowments which they had received, they double the talents, when they restrain in themselves the concupiscence of the flesh, the concupiscence of the eyes, and the pride of life; and subdue by instruction the same in others. And some persons are, as if endowed with two talents, understanding and action: they penetrate into the niceties of internal matters, and perform wonders in external subjects too; when, by understanding and acting rightly they preach unto others, they carry with them, as it were, double gain from the traffic. It is properly said that another five and another two were gained, because when the truth is preached to both sexes, the talents are, as if doubled. But he that received the one talent, going away dug in the ground and hid the money of his Lord. *To hide the talent in the ground is to involve in worldly affairs the judgment, which we had received from God; not to seek spiritual lucre; never to lift up the heart from earthly views*. For some persons have received understanding though they understand not but the works of the flesh. It is of them the Prophet, JER. iv. 22, speaks. *They are wise to do evil, but to do good they know not*.

‘ Now the Lord, who had given the talents, returns, and calls for the account; because he, who bountifully bestowed spiritual

gifts, strictly demands, in judgments merits ; he weighs in the scale, the gifts which each person had received and the profit which he should bring. The servant, who brought back the talents doubled, is praised by the Lord and sent in to reap eternal reward. Well done, good and faithful servant, because thou hast been faithful over a few things, I will set thee over many things ; enter thou into the joys of the Lord. Because all the happiness of this world, though seemingly great, is trifling, when compared with the eternal retribution. Then indeed is the faithful servant placed over many things, when, after he had overcome all the obstacles of corruption, he glories in the endless joys of the celestial city ; then is he fully admitted into the joys of the Lord when he is received into that eternal country, and associated with blissful groups of angels, and feels such internal delight from his joyous state, that he is no longer concerned for external mortality.

‘ To the servant, who hid the talent in the earth, is immediately said, ‘ Thou evil and slothful servant, thou knowest that I reap where I sow not, and gather where I have not strewed ; thou oughtest therefore to have intrusted my money to the bankers, that I may, at my coming, have received my own with usury.’ From his own words is this servant confuted by the Lord, I reap where I sow not, and gather where I have not strewed ; as if he would plainly say to him, If, according to your own concession, I demand even what I had not given, do I not with stronger right demand from you what I had given you to trade with ? To intrust the *money to the bankers is to impart the faculty of preaching to the persons who are capable to reduce it to practice both by word and example.* As you see, on the one hand, our danger by burying in the earth or keeping to ourselves the Lord’s money, so reflect, my dearest brethren, on the other, with fear and trembling that you must pay usury for this money which is intrusted to you by the Lord : and therefore take good care that you understand from the sermon which you hear, other things, that you hear not : for by drawing conclusions from what you hear, you may also learn by yourselves other things that you never heard from the preacher’s lips.’ *B. Greg. Mag. Hom. 9.*

The parable therefore is to be understood figuratively : it sig-

nifies that our five senses and all other temporal endowments are given us in trust by the Heavenly Master as he was going to the far off country—as he ascended on high, that we may, by doing works of mercy—feeding the hungry, clothing the naked, housing the indigent travellers, instructing the ignorant, and consoling the sorrowful: *MATT. xxv. 37*, render Christ our debtor, who will pay us eternal, spiritual usury in the land of the living. By taking in review the whole of the 25th Chapter of St. Matthew, in which is the parable given, it will be manifest that the Divine Legislator left no room to practice the horrid banking system, or the cursed usury of our days. From the 1st to the 13th verse is taken up with the parable of the ten Virgins going with the lamp of good works to meet the Bride and Bridegroom—seeking entrance to the marriage feast—the kingdom of heaven. And from the 14th to the 30th verse is filled with the parable of the five talents, that are given to the different servants, and with the rewards which they received at the accounting day. Lastly from the 31st verse to the end of the Chapter is given an accurate description of the future judgment—the tremendous coming of the Judge; the separation of the sheep from the goats; and the rewarding with everlasting happiness of the former, because they had performed good works; and the punishing with everlasting fire the latter because they had not done the good works. But that Gregory the Great, in the interpretation of the parable, agrees with the doctrine of the Catholic Church; that the bankers and usury, which is there mentioned, is to be understood spiritually, is manifest from the fact that his said Homily on the five talents is inserted, for the perusal of all Catholic Clergy till the end of time, in the Roman Breviary, Common of Confessors: in which Breviary under the 25th day of August is also seen that St. Ambrose's exposition of the parable of the ten coins agrees with St. Gregory on the five talents.

Preface to the Holy Fathers.

ST. JEROME, Epist. ad Paulinum, says, “It is a fact, that many persons relinquishing the endearments of home, travelled the province, braved the stormy seas, and visited foreign countries, for the purpose of acquiring knowledge. Thus had Plato, though master

of the famous school at Athens, encountered the dangerous voyage of the Mediterranean for the sake of visiting Italy and Egypt; preferring in strange lands the humble condition of a pupil to the proud station of the teacher at home. Thus were some Noblemen from the most distant corners of Spain and Gaul, who would not move one step to see the pomp and splendor of ancient Rome, attracted by the fame of one of her citizens—Titus Livy. Thus Apolinarius, the magician, as the common report goes, or the philosopher, as the Pythagoreans pretend, entering Persia, had traveled the Scythian and Massagethian territories, and penetrating the extensive regions of Judea, halted at length in Brachmana, to attend the lectures of the sage Hierchiam, on the elements of astronomy. Thence returning by the provinces of Babylonia, Chaldea, Media, Assyria, Syria, Parthia, Phœnicia, and Arabia, he came to Alexandria. That great man found every where matter enough to improve his mind.” The diffidence in self opinion, and deference to the sentiments of others that was so conspicuous among the ancients, upon every important inquiry or pursuit, still characterizes the moderns. Why is the sailor guided by the pilot; or the minor by the guardian? How many years are spent under the severe but wholesome lash of the master, to acquire graceful mien, the fashionable accent or pronunciation; to learn musick, grammar, rhetoric, arithmetic. The bench, and the bar, in the legal decisions, take for their guides the ancients—Blackstone, Holt, and even Fortescue, who flourished four hundred years ago. By this legal *tradition* has been ascertained, from age to age, the sense and meaning of the Civil Code. That civilian, indeed, who would put the Code, without note or comment, into the hands of all persons, learned and unlearned, men, women, and children, to be interpreted in any sense or nonsense, should be justly suspected of madness, or of a malicious disposition to subvert the whole frame of society, by stirring up endless confusion and litigation. So the charge of indifference, incapacity, would lie against the pedagogue who would throw the simplest elements of literature into the school without any instruction from the living or dead. But when people form themselves into societies to distribute the bible, corrupt editions too, without any note or comment, are they not to be suspected of sinister mo-

tives—of a desire to send their fellow creatures adrift before every wind of doctrine—to demolish the entire fabric of the christian religion? They sport with the sacred volume that contains the sublime mysteries—the science of salvation, in a manner that the school-master, or the court of justice, would be ashamed to treat the most trifling worldly matter.

‘I will descend,’ continues the Saint, ‘to the minor arts; the farmer, the glazier, the painter, the carpenter, generally submits to living tuition. Living instruction is highly persuasive, striking the ears of the hearers with greater influence. When Eskines, in his banishment at Rhodes, recited Demosthemes’ speech against him, and when all admired and applauded it, he exclaimed, what if you would hear the beast himself recite it? But the sacred volume is the only book for which they require interpretation neither from the living, nor from the dead: every one is an eye, 1 COR. xii. 17, to see the sense of it—an able architect in the mystic building. Though the Scriptures contain many things hard to be understood, 2 PET. iii. 16, which the unlearned and unstable wrest to their own perdition; though it is a spiritual law, 2 COR. iii. 6, which, if understood according to the letter, killeth and requires (14) interpretation, that we may contemplate the glory of God; though it is sealed with seven seals, and cannot be opened but by him who has the key of David: APOC. v. 1, still the crazy old man, the silly old woman, the flippant sophist, from his own private judgment, mangles and scatters the sense of the sacred volume on the sublime mysteries; some with lofty fronts, and far-sounding periods, preach among women and ignorant persons; others hang to the lips of female preachers for the import of the sacred oracles, who have neither mission, nor authority, nor ordination. How can they preach unless they are sent: ROM. x. 15? Whilst others, *proh dolor!* fall into the opposite extreme. Jam redit et virgo, redeant et aurea regna, nova progenies cœlo demittitur alto. “Let the golden age return, for a new race of preachers has now descended from the skies.” Admirers of Virgil, Horace, Homer, or even novels; but as great strangers to the Bible, to the Fathers, and to

the sacred canons, as the pagans, or infidels. How can *they* convince the gain-sayers, those that in future times will depart from the faith, giving heed to spirits of error, and doctrine of devils, speaking lies in hypocrisy?

‘The indifference of the one, and presumption of the other, was far from having fallen to the lot of the holy eunuch mentioned in the ACTS, viii. 27. A man of the highest acquirements, instructed in the palace of the queen of Candaces; so zealous for information, that he came from Ethiopia, that is, from the extremity of the East, reading the Bible along the road, in his carriage; notwithstanding, he was obliged, when asked by Philip whether he understood what he read, to answer, how can I understand it, unless some person show me. His lips and tongue muttered the words, but the meaning of the prophecy remained a mystery to him, until Phillip removed the veil from the letter.

‘The Apostle of the Gentiles, with all his talents, both natural and acquired, though tutored at the feet of Gamaliel, ACTS xxii. after having traversed Damascus and Arabia, returned to Jerusalem, and remained: GAL. i. 18. fifteen days with St. Peter to be farther instructed in the law; and again, after the lapse of fourteen years, he went up: GAL. ii. accompanied by Titus and Barnaby, to discuss the doctrine which he had preached amongst the Gentiles, for fear he would run, or have ran in vain.’

The necessity of following the Holy Fathers’ interpretation of the Bible was always felt and defined by the Catholic Church. After having quoted the words of SS. Cyprian, Ambrose, Jerome, Gregory of Nazien, Hilary, and others, St. Augustine says, ‘I have followed their steps, I hold as they held, I think as they thought, and I preach as they preached; you are in appearance loading me with invectives; but in reality aspersing them; I flatter myself to shatter, by means of their decisions, your glass-like sophistry, and your brittle arguments; these that are so much the ground of your gasconade.’

ST. VINCENT OF LIRINS says, ‘Let none rashly think that he may despise the holy and Catholic testimonies of the Fathers:

whosoever despises them, scattered by providence over ages and nations, when they are *unanimous* on any Catholic dogma, does not despise them, but God. It is necessary for all Catholics, who are ambitious of being legitimate sons of the Church, to adhere to, unite with, and persevere in the faith of the Fathers; but to reject, detest, and persecute all profane novelties.'

ST. LEO says, 'With God's assistance we have often righted our brethren wavering amidst conflicting opinions, having squared our decisions with the rules, *Scriptures* and *Fathers*.'

ST. GREGORY VII. says, 'Perceiving the Christian religion tottering this long time, the primary means of salvation neglected; and being moved by the manifest danger and perdition of the flock of Christ, we recur to the doctrine of the *Fathers*, ordaining nothing new, nothing of our own invention; from the full conviction of the necessity of embracing the exclusive and primary path of salvation—the trite path of the Saints: because we are not aware of any other entrance, for either sheep or shepherds into the kingdom of heaven, than that, which is pointed out by him who said, I am the gate; whosoever will enter through me, shall find security and pasture; and what we find preached by the Apostles, and observed by the Fathers.'

The COUNCIL of CONSTANTINOPLE ordains, 'that, to the end of holding without danger of error the straight and safe path of Divine justice, the Decrees of the Holy Fathers must be followed, as torches that were never yet extinguished, and that will never be extinguished: for the Great Apostle, 2 THESS. ii. 14, admonishes us to stand fast and to hold the *Traditions*, which we had learned, whether by *word* or *epistle*, from our fathers, who had far surpassed us in the sanctity of life.' Therefore each person who is solicitous to be a legitimate member of the Church of Christ, or for the salvation of souls, should carefully ascertain the doctrine of the Holy Father regarding usury. He will in the course of the following pages see that usury or increase of all sorts, or any thing, either in kind or in specie, above the principal lent, is unanimously condemned by SS. Basil the Great, Clement,

Chrysostom, Augustine, Leo, Gregory, Ambrose, Jerome, Hilary, Lactantius, and by Tertullian. They call it rapine, oppression of the poor, feeding on the vitals of poverty ; famishing souls to death ; fuel for eternal flames ; root of lies ; source of perfidy ; rope that strangles the soul ; knot of unhappy death ; a desperate disease affecting the Church ; excelling in wickedness the treason of Judas, and persecution of tyrants. They style the usurers themselves oppressors of the poor ; murderers of the hungry ; robbers, of equal malice with the highway-man, the witch, the libertine ; rushing, whilst their substance is swelling with usury, headlong towards eternal flames.

USURY OR INTEREST CONDEMNED BY THE HOLY FATHERS.

BASIL THE GREAT, ON PSALM xiv. says, 'Ezekiel, in the 18th chapter, classes usury, or receiving *more* than the principal, with the greatest crimes ; and the law expressly forbids it, *Lend not at usury to your brother or neighbor* : DEUT. xxiii. 19. It being the highest degree of inhumanity to charge the man who applies for a loan, in order to preserve wretched existence, any more than the principal, or to seek riches from pinching poverty. Our Saviour evidently commands *not to turn your face from him who would borrow* : MATT. v. 42. Poverty, (or God in the person of the poor : MATT. xxv. 37.) says, Give me money, and will you demand profit from the needy ? If he enriched you, why does he come begging to your door ? When he came for aid, he found an enemy ; seeking wholesome remedy, he found destructive poison. It was your duty to console and mitigate the woes of sorrowful man ; but you increase and embitter them. Give him the money that lies useless at your house, encumbering him with no (interest) increase. If you seek an increase, rely on the blessings of Providence. He will pay you usury on behalf of the poor. Your exactions from the poor have no parallel in the records of misanthropy : from their calamities you seek gain ; from their tears you heap together riches. You strangle the naked and

murder the hungry. No mercy, no compassion, moves your hardened heart towards the afflicted.

‘And yet this gain that accrues, you style *charity*! Woe to those who assert that bitter is sweet, ISA. v. 20, and cruelty, humanity! Usurious loans bring *ruin* on both parties—on the borrower in his pecuniary matters; on the lender in his spiritual concerns. *Turn not your face from him who would borrow, MATT. v. 42, and lend him not at usury. PSALM xiv. 5*; and then under the instruction of both Testaments, in good works, you may depart this life with full confidence in the mercy of God.’

Is not the Fathers’ doctrine in the fourth century repugnant to the usurers’ in the nineteenth, as black is to white, or charity to misanthropy? He says that we are commanded—instructed in both testaments to lend in the person of the poor, to God, who will certainly pay us spiritual usury, increase of blessings here, and of glory hereafter. On the contrary, the carnal, sensual usurers, care for neither the precepts nor counsels of the Scriptures; nor will they sacrifice their earthly gain for the prospects of futurity.

ST. CLEMENT of ALEX. says, ‘The law forbids lending to our brother, at usury; deeming not only him a brother who descended from the same stock, but also those of our own communion of sentiments and doctrine. It is unlawful to charge usury for the money which ought to be extended with open heart and hands towards the needy, in imitation of God’s free bounty to us. The free lender obtains ample usury, what is more estimable in the eyes of many, longanimity and benignity here; glory and beatitude hereafter.’

What do the usurers think of this doctrine of St. Clement? Though loaded with the free graces of the Creator, Redeemer, and Sanctifier—with spiritual and corporal endowments, and worldly riches, they never lend one copper free. How exactly these two Fathers agree, that we are *commanded* in the law, DEUT. xxiii. 19, not to charge our brother or fellow Christian with usury.

ST. CHRYSOSTOM, HOM. 5, on MATT. says, ‘Nothing exceeds

in barbarity the modern system of usury ; indeed, these usurers traffic on other people's misfortunes, seeking gain through their adversity ; under the pretence of compassion, they dig for the distressed a pit of misery ; under the pretence of giving aid, they grind the indigent ; extending the hand to receive him into harbor from the storm, they allure him, only to be shipwrecked, upon the shoals and shelves of an unforeseen whirlpool. A dreadful disease, my dearest brethren, affects the Church, a disease calling loudly for a speedy remedy. Commanded not to lock up our money, even the produce of our own honest industry, and to hold our house ever open to relieve the poor, we collect riches through their wants ; flattering ourselves that we have discovered an excusable system of gain and rapine. Your riches were given you to relieve the poor ; not to plunge them into misery. Why have you abandoned your God, in order to follow horrid riches ? Are you not aware that this practice is forbidden in the Old Testament also ?

‘ But what is the excuse of many ? ‘ I have lent at usury, but have relieved the poor.’ Plausible excuse, indeed ! God will not accept such sacrifices ; cavil not with the law ; it were better not to lend at all, than to lend under such circumstances. Should you consult also the provisions of the temporal laws on the matter, you will find that usury had been always considered a mark of the most barefaced impudence. The legislature would not indulge the very illustrious senators in the practice, and provided that the temporal rulers be not defiled with such sordid gain. Have we not good reason to tremble, when you venerate less the kingdom of heaven than they do the earthly senate ? Earth is more valuable with you than heaven. What can be more unreasonable than your sowing without culture, rain, or plough ? Every tiller of this pestiferous soil *will reap therefore tares to be consigned to eternal flames* ; though God, by the text, Lend to them from whom you expect not to borrow : LUKE vi. 34, allows to receive what you have lent, you have exacted *more*, and demand in right what you never gave, and calculate by this means on having great riches.

You enkindle eternal fire for yourselves. Every man had been originally forbidden to receive usury, because of its disastrous consequences to both parties : to the debtor, it produces poverty ; to the creditor, a load of sins. Moreover, God originally gave a precept to the hardened Jews, by the text, *Lend not at usury to your brother* : DEUT. xxiii. 19. What excuse have you, for your being less humane than the hardened Jews ? Though you have received grace and mercy from God, you are surpassed in charity by those who lived under the law.'

Let us reflect a moment on this picture of usury, 'a pestilential disease afflicting the Church ; feeding on the vitals of poverty ; tares for eternal flames. Grave-diggers that bury the distressed in a pit of misery ; deserters of God ; pursuers of rapine ; though being Christians, they are less humane than the hardened Jews.'

ST. AUGUSTINE, ON PSALM xiv., says, 'I would not have you become usurers, because it is repugnant to the law of God, should it accord with my will and with the will of God, you may practise the measure ; but should you, with my permission, practise it, in opposition to the will of God, you would act on a sandy foundation. How is its opposition to the will of God ascertained ? It is written, *He who gave not his money at usury* : PSALM xiv. How odious and abominable the measure is, the usurers themselves know. If you lend your money to a man from whom you *expect more than you gave*, not in money alone, but if you expect to receive more than you gave, whether it be wine, oil, or any other article, you become a usurer, and therefore-reprehensible. On the PSALM cxxiii., he says, '*Lend not at usury* ;' you accuse Scripture for saying, *who gave not his money at usury* ; they are not my words, nor did they originally fall from my lips ; they are the words of your God.

'He (usurer) objects, 'Perhaps priests would not take usury, and perhaps the speaker would not take it.' If the speaker's preaching and practice agree, he will ascend to the kingdom, and you will go down to the flames ; but should they disagree, by following your wicked course, he will also go down to the flames. Though the speaker may take usury, does He, who speaks through him ? Either Moses, that is a just and faithful servant of God, or a Pharisee, seated in the chair of Moses, addresses you ; hear also of

them. Whatever they shall say to you, observe, and do, but according to their works do you not : MATT. xxiii. 3. You have no excuse when the Scriptures speak to you ; you cannot set aside the word of God, though you may criminate those through whom it comes to you.

‘ Still the usurers have the impudence to say, ‘ We have no other way of gaining livelihood.’ Why, the robber breaking the house, the highwayman infesting the road, the prostitute haunting the streets, the pimp seducing the wretch, the witch dispersing the spells, will say, every one of them, why should I be prevented my practice, as it goes to procure the necessaries of life ? As if the procurement of livelihood could justify any practice, ever so offensive to Him who feeds the universe !’ In his Epistle 153, to Macedonius, he says, ‘ What shall I say of usury recovered by the judges in the courts of Justice ? Is *rapine* committed on the rich less cruel than the usury that is squeezed from the bowels of the poor ? It is desirable that these, and all such ill-begotten goods, be restored to the owners.’

According to St. Augustine, therefore, it is usury not only to *accept*, but even to *expect*, any more, either in kind or in specie, than the sum that was lent. This definition is certainly founded on the saying of Christ, LUKE vi. 35, Lend, *hoping* for nothing thereby. In calling this increase *rapine*, the Saint agrees with Aristotle, *see page 71*, and with the Catechism of the Council of Trent. The man who accepts or expects this unchristian gain, though with the consent of his director, acts on a sandy foundation ; the director and his follower descend together to the flames ; the blind leading the blind, will they not both fall into the pit ?

ST. LEO says, ‘ Whosoever desires to make a rapid fortune, let the holy usury of alms keep equally progressive : by this mode of usury he will gain riches without fishing through the misery of the poor, and without apprehension for the debtors, for he becomes a creditor of Him who said, *Give, and you shall receive ; for with the same measure that you shall mete withal, it shall be measured unto you again* : LUKE vi. 38. But unjust avarice, lending under the pretence of charity, often meets the punishment of her insatiable love of gain. Usury, under every view, is bad : the usurer is mis-

erable, if by any reverses he lose the principal, and miserable if he get what he never gave ; his iniquity is to be avoided, and his gain divested, as it is, of the very semblance of charity, to be abhorred ; whilst the substance swells with these fraudulent means, *the soul pines with its own famine ; usury on money brings death on the soul.* The unjust gainer by loans is an exile from the sacred mountain, and from the heavenly tabernacle—by seeking gain through others' poverty, he *incurs the guilt of eternal flames.*

' We thought it right to caution every priest against receiving usury on his own, or on the account of others. We ought not to overlook how some, being captivated by the love of sordid gain, practise usury and pursue riches by means of loans, and yet calling themselves Christians ; a crime most deplorable, when seen not only amongst the clergy, but even amongst the laity. Our usury should be works of mercy, here, with the view of receiving the eternal interest hereafter.'

HILARY, on PSALM xiv., says, ' The Holy Ghost, for the removal of every sin, weans man from his usual love of riches, saying, *He, who lent not his money at usury.* What could be more cruel, than under the pretence of affording relief, to increase the borrower's distress ; instead of aiding him, to accumulate his wretchedness ? If you be a Christian, what do you hope from God ? If you be a Christian, why do you set your barren money to fructify ? or calculate on riches through the distress of your brother, for whom Christ hath suffered ? If you be a Christian, I do not ask you to forgive ; at least, demand the debt in a manner that will not beggar him. Remember that the man from whom you exact usury is poor and needy, for whom Christ became poor and needy. Know, therefore, that by hurting or serving him, you offend or oblige, in his person, your God, who is his God too, and delights in his name and adversity.'

GREGORY of NYSSA, re-edited at Paris, in the year 1616, says, ' The prophet explodes and eradicates from society the poisonous branch of usury. Whoever you be, hold in detestation usurious dealings ; love your neighbor ; but not your money ; resist those that are bent upon committing sin ; bid farewell to redundant riches and to usury ; excite the love of the poor in your soul. *Turn not your face from him, who comes to borrow : Matt.*

v. 42.—Want throws him a beggar to your door ; in his need he flies to your riches for relief ; but you disappoint his expectation ; you, though naturally his friend, become his bitterest enemy ; you assist him not out of his difficulties, nor enable him to surmount his usury contracts : you engraft evils upon evils for the afflicted ; anxiety upon grief ; stripping him naked, opening his wounds afresh. Whosoever borrows at usury, certainly receives the *pledge and earnest* of his own poverty, and, in the place of assistance, carries home destruction. The usurer relieves not, but embarrasses the needy. Spin not, therefore, a barbarous life under the mask of humanity ; be not the killing doctor ; in your face the philanthropist, but, in fact and in soul, the misanthropist. The usurer's life is both indolent and insatiable : the pen is his plough ; the paper his field ; the ink, his seed, his rain, and season, for to luxuriate his money crops ; he has barns and granaries to hoard up, and thrash the substance of the wretched ; looks upon all men's property as his own ; prays adversity to his neighbors, that they may have recourse to his refuge ; he hates the affluent, and considers those his enemies that will not enter his books. He is for ever in quest of gain, yet always insatiable ; he accommodates all borrowers, not through motives of charity, but excessive avarice. Give to the immortal spouse ; let not gain be the main-spring of your good works, and God will repay you with interest.'

‘Desist, O man, from your dangerous cares, and your precarious calculations, for fear, whilst you pursue profit, you may lose also the principal ; you require from the poor an annuity and an increase to your riches, that is, expecting abundant crop from the drouthy tillage, abundance of grapes from the hail-battered vineyard, or nutritive suck from the unwedded female. Seek no offspring from gold and silver, articles that are naturally barren ; nor compel unfeelingly the poor to pay interest. The Scripture, that is instructive in every virtue, denounces consequently, usury, almost in every page. *If you lend your money to your brother, urge him not* : Exod. xxii. 25. If you lend to those from whom you expect to borrow, what merit can you have : Luke vi. 34.

‘In the parable, the hard-hearted servant is severely punished who did not, in compassion to his fellow servant, remit the small

debt, after he had himself obtained the full remission of the large debt : MATT. xviii. 33. Forgive us our trespasses, as we forgive them who trespass against us : MATT. vi. 12. Usurer, do you even send up this petition to God ? With what confidence can you expect that God will hear you ; you who receive the world and give nothing ? Are not you aware that your prayer tends to draw down upon your head a retaliation for your cruelty. What did you forgive, that you may expect forgiveness ? Restore to your brother what you have extorted. If usurers were not so numerous, paupers would not be so general. Are not riches annihilated, families ruined, and nobles sunk into a state inferior to slavery by usury exactions ? The borrowers at usury prosper for a *while*, but they are soon ejected from their hereditary possessions. What mode of defence will you set up when arraigned before the incorruptible judge ? Then untimely and fruitless repentance will seize you ; then wretched compunction will tease you ; then inevitable punishment will await you ; nor gold nor silver will then avail you. Usury will be to you then more bitter than gall. I preach and recommend to give, bestow, and lend ; lending is another species of bestowing ; but I add, that you must lend without usury and conformably to the Divine Oracle. He who refuses to lend, and he that lends at usury, are equally to be punished.

Hom. v. on Eccle. Paris Ed. An. 1638. ‘ Not far from the mark is he who styles usury *felony* and *parricide*. What is the difference between your taking away the neighbor’s property clandestinely by the midnight robbery, or openly by murdering his person ? Does usury create a title to his property ? O cursed word ! Let usury and robbery be for the future synonymous terms. O wretched union, unnatural connexion, that has produced the miserable birth, usury ! It has conceived iniquity, begot sorrow, and fostered injustice. This is the birth that is engendered by avarice, suckled by fraud, and matured by cruelty : PSALM vii. 15. The covetous usurer does not remedy, but magnify the disease.’

The Holy Father is truly an accurate painter : the picture is to life ; though drawn in the primitive ages, it exactly squares with the modern practice. If usurers were not so numerous, paupers would not be so general ; he that borrows at interest, carries home the

earnest of his own poverty, he prospers for a while, but is soon ejected his paternal possessions; usury ruins families, consumes property, and sinks noblemen into slavery.

In Ireland is that picture exactly exemplified. The farmers collected, during the paper-bauble that began about the year 1790, and that again vanished into air with the bank-ruptures in the year 1822, thousands, and blessed their stars for being born, as they thought, in the golden age. As cupidity always swells with the swelling of riches, nothing was wanting to crown their happiness, but some field to cultivate riches, to make their money grow. And unfortunately that field, rich and spacious, soon presented itself: for usury, that was never since the days of St. Patrick tolerated in Erin, now, from the growth of infidelity in the flocks or of indifference in the shepherds, creeps into practice. The farmers therefore shaking off the heavenly restraint; taking unto themselves *Gospel liberty*, as the Protestants call it, threw their notes at interest into the hands of the 'gentlemen.' But it was soon found that the genteel folks carried home not relief, but the earnest of their own slavery.

The facility of obtaining loans, or, as it is styled, the accommodations, fed the pride and prodigality of the spendthrifts: servants, hounds, horses, dresses, banquets, interest, swell the expenditure on the one hand, whilst the peace of 1815 nearly annihilates the income on the other. Tormented by two opposite enemies; their hungry passions within, and craving debtors without, the genteel folks are in jeopardy, not knowing what to do, or where to look for *relief*. When, lo, the failure of the provincial banks in the south of Ireland, in the year 1820, swept away the currency and blasted the chimerical projects of the spendthrifts and speculators. The commercial machine stood still; nothing could be bought or sold; the working classes here running in mass to the Mayor for relief, and there to the cursed banks to tear them from the very foundations. The dragoons with naked, glittering swords at full gallop in every street dispersing the 'rioters.' During this anarchy and confusion the few wealthy merchants of the City of Cork represented to the Government the precarious state of the community; soliciting a loan of £75000 to set the machinery agoing once

more. Not with more avidity do the hungry vultures flock from all sides to the prey than the traffickers, to this *Royal* bounty. One man borrows £1000 of it ; another £5000 ; and a third, more, or less, according to each man's credit, or securities.

But who was to pay the interest of that loan to His Majesty ? The importer was 'accommodated,' and so was the exporter, with a portion of the 'Royal loan ;' both the one and the other took good care to exact from the buyers and sellers whatever interest he has to pay for his respective share of that debt. The interest of that *Royal* bounty comes indeed, somehow or other, from the inhabitants. Unhappy people! What wonder that you are *dispersed in the nations, and scattered among the countries*: EZECH. xxii. 15. Already loaded with the interest of the National Debt, you are now saddled by your hopeful Government with the interest of this fresh loan of £75000. Whether it should be reckoned interest upon interest, or interest within interest, let the discriminating usurers say.

Need it be observed that the genteel folks were not long able to withstand such constant abstraction of the vital blood ; that they were soon ejected by the usurer from their paternal inheritance ; that they are now sunk into a state far more degrading than slavery. In their poverty they cannot labor ; they are ashamed to beg. there are hardly four of every hundred lenders that recovered from their genteel borrowers either principal or interest ; law and law-officers mostly consumed the entire. It is a dreadful fight, from which none of the contending parties escape. Well, therefore, might the Council of Lyons, as will be seen hereafter, say, that 'Usury is an eddy that swallows souls and destroys property.'

In another part of this hideous picture, the Saint says, 'That they who call usury, robbery and *parricide*, are not far from the truth.' In styling it parricide, he goes further than Saint Augustine, the Catechism of the Con. of Trent, and Aristotle, who only call it rapine. But if the beheaded Louis XVI., or the massacred French Clergy, could speak, or even the church property, that had been confiscated, for the usurious debt of the crown, they might, perhaps, exclaim with the Saint, that neither parricide, nor any other term in any language is too odious for the measure : or perhaps,

without going to France for example, England, and Ireland, and Scotland, that are already ruined, and that will, in all probability, be soon thrown into some frightful convulsion by the national debt, could say that it is no high coloring of our Saint to call it parricide.

ST. AMBROSE, on Tobias, says, 'That loan is bad for which a bounty is required ; Tobias justly condemned the system, by recommending to his son to give some of his substance in alms, in order to confine himself within the limits of the law : to charge no interest, and to turn not his face from the poor ; God by that advice condemns usurious loans ; those that are contracted for gain sake—the usual object of money-lenders. The Saints indeed forbade it also. The more sinful the practice of usury, the more meritorious to abandon it. Lend money, if you have it ; your superfluous riches will benefit others. Rich people, such is your charity, you give less and demand more ; you plunder under the pretence of giving relief ; poverty is a fertile field for your gain. He must pay you usury who has not the necessaries of life !! What more cruel ? He seeks medicine, you minister poison ; he implores bread, you afford the sword ; he beseeches liberty, you manufacture his chains ; he prays for a discharge, you spin the rope of his death. David, in particular, deploras this injustice in the city ; *I saw contradiction and iniquity in the city ; usury and deceit stalking the streets* : PSALM liv. 11. Wicked was he who, for money, betrayed the Redeemer ; wicked are they who lend in order to murder the innocent. All the baneful effects produced by the persecution of tyrants, or by the cruelty of robbers, are effected singly by the inalice of usurers ; you are not satisfied with the principal ; what surpasses your wickedness ?

You lend money, and demand land and personal security ; you receive diamonds and plate in pledge, and yet call him your debtor, who has entrusted to you more than he had received from you. ' You call yourselves *creditors* though you gave no credit to the man, but to the pledge ; nothing surpasses the wickedness of usurers ; they look on their neighbor's adversity as their own gain ; on his prosperity as their loss. God is witness of the usurer's iniquity, and of the borrower's misery. He condemns that man's avarice, and this man's imprudence.'

Chap. 8. No. 32. ‘ Reflect at once, that usury is the source of prevarication : whoever becomes an usurer speedily recedes from God ; it is the root of lies, and the seed of perfidy. It is written, *I did not sell you, but you have sold yourselves by your sins.* Whosoever therefore binds himself to the usurer, sells himself ; and what is worse, he sells himself not for gold, but for sin.’

Chap. 12. No. 40. ‘ What more indecorous than his lending this day, and demanding to-morrow ? He is an odious character ; his offerings are sweet, his exactions bitter ; his meekness when giving, becomes cruelty when demanding ; he gave money, but required a bond ; a small sum is given, but how much is required of the poor debtor !’

Chap. 14. No. 46. ‘ This abuse is neither novel nor likely to decay, though forbidden in the Old Law. The Israelites, who plundered the Egyptians, and crossed the Red Sea, had been cautioned against the shipwreck of usury ; they got many cautions against other crimes, but more so against this. It is written, *Exod. xxii. 26.* If you lend your money to the pupil, to the orphan, or to the poor neighbor, choke him not with the yoke of usury. Here choking, and imposing usury are synonymous terms ; the usurer’s rope strangles, and, what is worse, it strangles the soul. That text indicates the outrage of the plunderer and the knot of unhappy death. But if you receive in pledge your neighbor’s garment, restore it before the setting of the sun ; it being his only covering at night ; if he cry to me I shall hear him. To demand usury is to smother ; what means to lend at interest (*fœnerari*) ? *To murder.*’

No. 49. ‘ To evade the law, many persons lend to merchants, but receive the usury in *kind*. This is a fraud, and only an evasion of the law. Do you expect to be religious, when you receive a bounty from your merchant-debtor ? He defrauds his customers, in order to meet your extortion. You co-operate with his fraud by your partaking of the profit. The food is usury, the cloth is usury, *whatever is added to the principal is usury ; call it whatever name you please, it is usury.* If the practice be lawful, why not call it by the usual name ; if unlawful, why do you veil its deformity with fine words, or charge *increase* ? Usury is allowable where an appeal to arms is legal ; you can charge him usury

whose life you can in justice take away. The usurer's extortion overcomes his antagonist without arms, without sword.

No. 52. 'The law ordains, that usury be not taken from a brother. If thy brother be poor, receive not usury from him, nor *more* than thou gavest him. Fear God so much, that thy brother be able to live with thee; thou shalt not lend him at usury, and shalt not receive *increase of fruit*: LEVIT. xxv. 36. 47. Hence, David deemed that man happy, and entitled to the heavenly bliss, who lent not his money at usury. If, therefore, the lender not at usury be blessed, the usurious lender is certainly *cursed*: PSALM xiv. 5.'

Chap. 6. No. 54. 'We are commanded in the Gospel not to select for our loans the man from whom similar returns may be expected; if you lend to those from whom you expect to receive, what merit will you have; Sinners lend to sinners, with the view of the same return: LUKE vi. 33. But love your enemies, and do them good without such mercenary views, and your reward will be great in heaven. Behold the name given by Christ to both the usurer and his usurious borrower. *Sinners* lend to *sinners*; each is a *sinner*, the usurer and the borrower.'

Every increase, therefore, in kind or in specie, is condemned in both Testaments; to give less and demand more, is to substitute poison for medicine; the sword for food; plunder for relief; slavery for liberty; or the rope of death for a release from embarrassments. Wicked has been the treason of Judas, the persecution of tyrants, and the crimes of robbers, still the malice of all these together is concentrated in usury; usury is the source of fraud, the root of lies, (the modern failures or bankruptcies verify this) and matter of deception. Such is the testimony of St. Ambrose, in the fourth century, the ornament of mankind, and pillar of the Catholic Church, who was loved as an angel by St. Monica, and the intimate friend and converter of St. Augustine, who says, (Conf. Lib. 6, 13,) that our Saint was a fountain of water flowing into eternal life.

We ought not to forget what the Saint says on the words of Christ: Luke vi. 34. Sinners lend to sinners, that they may receive similar return; both *the usurer and his usurious borrowers*

are sinners. By ministering the sword to a man for the purpose of committing suicide, you co-operate in his murder, and sin, I believe, against the laws of God and man. So does the man that borrows at interest, co-operate in the spiritual murder of the usurer. In that sense are both the lender and the borrower sinners. So has the Redeemer revealed and St. Ambrose taught. What then can be thought of the charity of some pastors, who afford this fatal weapon to their unfortunate flocks; or, in other words, who co-operate in their usurious practices, by even borrowing from them at interest, for building their Churches? They are sinners; murderers of souls! will these Churches, that are founded on sin, be pleasing to God? Sad experience has shown, on the Continent of Europe, that something besides fine Churches is necessary to support religion.

ST. JEROME, *Com. on EZECH. xviii.* says, 'Thou shalt not have lent at usury; by the Septuagint, it is, He lent not his money at usury. In the Hebrew, usury of every description was forbidden; but in the Septuagint that of money alone. The PSALM xiv. agrees with the Septuagint. *He who lent not his money at usury.* And DEUT. xxiii. 19. *Thou shalt not demand usury of thy brother, but of a stranger;* it forbade usury amongst brethren only; but by the Prophet EZECH. xviii. 8, *His money he did not lend at usury,* it was suppressed amongst mankind in general. The Gospel advances in perfection, *Lend to those from whom you do not expect to receive:* LUKE vi. 34. (The mere expectation is forbidden.) Some people think that usury is only sinful when received in money; this was foreseen by the sacred writer; it was on this account that he proscribed *increase*, so that you cannot receive more than you gave.'

'They, (usurers,) object, Among farmers usury, or as the Scriptures call it, *increase*, is generally charged for grain and other things. We lend in spring ten bushels, and in harvest receive fifteen, that is more than fifty per cent.; the most upright person scruples not to receive twenty per cent. So when we lend our neighbor a hogshead that produced ten, is it not more consonant with reason and equity, that we would receive half hogshead of that profit, than that he should enjoy all that was gained on our

loan? *Be not deceived, God will not be mocked.* What, if the Divine Lender ask you briefly whether he had lent to you when you were in need or not in need? If you answer that he lent you when you *were not in need*, he may reply that it was fitter that he had lent to the needy. But why does he require more from the rich? Others have the habit of receiving gifts of various sorts from the borrowers, not understanding that usury of all kinds is forbidden.

Such is the testimony of the Holy Father, St. Jerome; that his testimony is of the greatest importance, is manifest from the astonishing talents displayed in his eleven folio volumes, from his zeal in pursuit of the truth, he having travelled France, Italy, Asia, and Egypt, and conversed with the best scholars of the age; from his contiguity to the source of light having been born in 329, and died in 420; finally, from the preference justly given in all the ages and countries to his version of the Holy Scriptures, called *Vulgate*. He enters into a minute comparison of the various passages in Holy Writ bearing on the subject, and concludes that mankind in general, are forbidden by the law of God to receive, or even to *hope*, either in money or value, for any increase, any thing more than the sum lent. However usury had then, as now, advocates in abundance: the modern usurers would exact, like the ancient, not only fifty, but even hundred per cent, if the temporal laws could be evaded.

LACTANTIUS, *de Divin. Instit.* ‘Pious persons take no increase for the loan, from two motives; to secure their merit without alloy, and to keep their hands clean from other people’s property; being satisfied in loan transactions to recover their own; even this they would not spare, when called upon to relieve the neighbor. But to take more than had been lent is unjust; whosoever does, defrauds his neighbors, amassing riches from their misery. The religious man embraces every opportunity to do good, and pollutes not himself with usurious gain; as good works are his end and aim, he accepts no gifts from the poor.’

TERTULLIAN *adver. Marcion.* ‘If you lend to those from whom you hope to borrow, what merit will you have? Behold Ezechieh’s picture of the Just Man, *He lent not his money at usury; nor has*

he received increase. The increase is usury. By exploding all profits on loans the Sacred Writer would prepare a man for the shock, should he by any accident lose the principal. He returned the pledge, that is, in case of insolvency. The same thing is clear in DEUT. xxiv. 12. Go not to sleep with his pledge; let him have his coat before the setting of the sun, and clearer still in DEUT. xv. 2. Forgive thy neighbor and thy brother their debts, as you invoke God's forgiveness.'

Here closes my list of Holy Fathers. How awful and terrific are their sayings against usury; particularly as they do but echo the denunciations that are against it in the Divine Oracles. That usurer who sets them aside, cannot be possessed of sound mind or understanding: he must be reckoned a man rash and careless of his soul and eternity. They who are looked upon in all ages and nations, as torches never dying, but always shining; they that are justly quoted as the greatest authorities by every writer, even by the protestant; they that left the world for the sake of God, and devoted the whole of their mortified life and transcendent talents to the study of his will and his law; finally, they that lived close to the Apostolic age, or rather amongst the very Apostles, knew far better than the usurer of the nineteenth century the doctrine that was lately revealed by God and promulgated by the Apostles.

Preface to the Sacred Canons.

Although the Holy scriptures contains the revealed mysteries; and are not the word of man, but the word of God, which can save our souls: 1 THESS. ii. 13; JAMES i. 21; although they were written by men divinely inspired, yet, as there are in the Epistles of St. Paul some things hard to be understood, which the unlearned and unstable wrest, as they do also the other Scriptures, to their own perdition 2 PET. iii. 17; the Divine Legislator must have constituted some tribunal to define and determine its true sense and meaning; that henceforward we be no more children tossed to and fro, and carried about with every wind of doctrine. Yes, he gave some Apostles, and some Prophets, and other some evangelists, and other some pastors and doctors. Yes he appointed the Catholic Church, the pillar and ground of truth; as the *Holy council of Trent, Sess. 4,*

decrees, 'that for the purpose of counteracting restless geniuses no one, through dependence on his own prudence, do twist to his own senses the Holy Scriptures on matters of faith and morals tending to the edification of the Christian doctrine, in opposition to that sense, which *Holy Mother the Church has held and still holds*; to which belongs to judge of the true sense and interpretation of Holy Scriptures; or even *against the unanimous consent of the Holy Fathers*, dare to interpret the same sacred Scriptures.'

The Christian has therefore two infallible rules to guide him to the true sense of Holy Writ on all questions of faith and morals; first, the sense which Holy Mother the Church held, and still holds; secondly, the unanimous consent of the Holy Fathers. But by applying, as it is done in the foregoing pages, the one rule, that is to say, the unanimous consent of the Holy Fathers, to usury, or the practice of lending for gain sake, that practice is found reprobated in both Testaments; and by applying in the following pages, the other rule, that is to say, the sense which the Holy Catholic Church held and still holds, to the same practice of lending to usury, or for gain sake, it will be found equally to be condemned in both Testaments—it will be seen that no other sin against the Creed or Commandments is met with more rigor by the Mother Church.

The surest and readiest path for arriving at the doctrine or sense which Holy Mother the Church held and still holds on the matter, is to insert at length her laws or Canons; which I have accurately copied from the Corpus Juris Canonici—'Body of the Canon Law.' It will be seen from the date of the Decrees, that are given underneath, that usury or increase, of all sorts, was reprobated by pious antiquity—by the Churches of Asia, Africa, Italy, Germany, France, and of all other countries that embraced the Christian religion: not because usury was forbidden by the human, but by the Divine law; every Canon being founded, as may be seen from the face of them, upon Holy Scripture.

'Though the Supreme Pontiff is Vicar of Jesus Christ in the Church, and Supreme Judge of controversies, to whom obedience is due from all the faithful on controverted points of faith and

morals, he ought not to depend on his own judgment, or expect any new revelation, but should apply the ordinary means, and diligence commensurate with the importance of the subject, and then confidently rely on the assistance of the Holy Ghost. The ordinary means are Councils. Though general Councils are not absolutely necessary for the existence of the Church, which stood full three hundred years without them, prior to the council of Nice, and may stand as many years more ; however, that some councils, either general or particular, are extremely useful for the well government of the Church, cannot be denied. If, according to the words of Christ, *MATT. xviii. 7, There must be scandals* ; and, according to the Apostle, *1 Cor. xi. 19, There must be heresies*, it is certainly necessary, that there be some tribunal in the Church to remove the scandals and extinguish the heresies ; otherwise the Church would soon fall into splinters : every kingdom, divided against itself, shall be made desolate ; and every city or house divided against itself, shall not stand : *MATT. xii. 25.*

‘That the ordinary means are one or more councils, general or particular, can be easily proved. First, from the promise of God : where two or more assemble in my name, I shall be amongst them : *MATT. xviii. 20.* Secondly, from the example of the Apostles : though individually competent to decide the controversy that arose at Antioch, they, however, in order to avoid even the suspicion of neglecting the ordinary means that were instituted by Christ, would not entertain the question but in council assembled : *ACTS xv.* Thirdly, from the uniform practice of the Church in all ages ; it being always the custom to convene the bishops into council to decide all critical questions ; and that the Popes themselves scarcely ever suppressed any new heresy without a council, is a fact well known to every person acquainted with Church history.’ *Cardinal Belarmine, de Conciliis.*

‘The bishops, assembled or dispersed, are only witnesses, guardians, or dispensers, of the faith ; being incompetent to alter, or modify, even in the smallest degree, any article instituted by God, or to institute any new article ; whosoever revokes any of these little commandments, and teaches mankind so, he will be the lowest in the kingdom of heaven ; neither one iota, nor one particle, will

be taken from the law until the end of time :’ *St. Aug. Epist. to Januarius.*

Though the Supreme Pontiff is Vicar of Jesus Christ in the Church, and Supreme Judge of controversies, as Belarmine has above said, or as the *General Council of Florence* speaks, ‘ We define that the Holy Apostolic See, and the Roman Pontiff, holds primacy over the universal world ; and that the Roman Pontiff himself is successor of St. Peter, Prince of the Apostles, and true Vicar of Christ, and Head of all the Church ; and that he exists as the father and doctor of all Christians ; and that full power of feeding, directing, and governing, the universal Church was given to him by our Lord Jesus Christ ; as it is also contained in the acts of the general Councils and sacred Canons ;’ though he ruled the Church full three hundred years before any general council was convened ; though it is now near three hundred years since the last general council was celebrated, yet *St. Gregory the Great* says, ‘ that he received and venerated, as the four Gospels, the four General Councils—the one celebrated in Nice, in which Arius had been crushed ; the one held at Constantinople, which extinguished the heresy of Eunomius and Macedonius ; the first held in Ephesus, wherein the impiety of Nestorius was judged ; and the other celebrated in Chalcedon, in which was condemned the heresy of Eutyches and Dioscorus.’

Let me farther premise that there are two classes of Canons. Some define what is the faith, and morals : others regulate discipline. The latter, or Canons of discipline are instanced in the ancient Penitential Canons. Whilst the *essence* of penance, or the necessity of satisfying Divine Justice for our sins, because that is ordained in the natural and Divine law, remains unaltered, the above Penitential Canons regulated the *mode*, or manner of doing the penance. Although the Church of Christ that instituted such Canons can again modify or abrogate them ; transfer, for example, the abstinence from Saturday to Wednesday, or from Wednesday to Saturday ; commute the mode of penance—the private into public or public into private penance, yet ‘ The Priest of the Lord must, as far as the Holy Spirit, and prudence will suggest, enjoin, according to the quality of the sins, and ability of the sinners, satisfaction

both suitable and salutary, for fear they would, by connivance at the sins and by too much indulgence to the sinners, become accessory to the sins of others :’ *Con. Trid. Sess. 14. c. 8.*

Although the Disciplinary Canons from cogent reasons be altered or even repealed by the same Authority that had instituted them, the other class of Canons, or definitions on faith and morals, continue unaltered, and in full force to the end of time : whereas they merely define and determine what had been previously commanded and forbidden in the natural and Divine law. The *Council of Trent Sess. 25. c. 19*, for instance, by forbidding, under Ecclesiastical censures, the barbarous, and shocking practice of duelling, only echoes the prohibition of the Divine law. *Thou shalt not kill.* Whereas such Canons are but transcripts of the Divine law, they remain in full force until the end of time. No power upon earth can dispense with them ; what they command or forbid, is as binding as what the law of God commands or forbids. It is of such Canons the Holy Fathers spoke.

‘ Not from themselves, but by the inspiration of the Holy Ghost, did the Holy Fathers frame the S. Canons : ’ *St. Isodore.*

‘ The voluntary transgressors of the Canons are grievously judged by the Holy Fathers ; and by the Holy Ghost (with whose grace and inspiration were the Fathers endowed) condemned. They may be justly looked upon as blaspheming the Holy Ghost, who freely, and without compulsion, speak or act contrary to the said Holy Canons, or freely consent to others doing so. For such presumption is manifestly one species of blasphemy against the Holy Ghost, by whose will and grace were the holy Canons edited : ’ *25, Quest, 1. c. 5. Damasus Papa.*

‘ Be not deceived, my dear Brethren ; nor carried about with strange and extravagant doctrines. Lo the institutions of the Apostles and Apostolic men ; and the S. Canons. Use them, be shielded, covered, and fortified with them ; that you may, when thus clothed, shielded, armed, and fortified, be able to withstand the enemies’ missiles : ’ *Dist. xi. C. 3 ; Pope Julius.*

Consequently, as the following Sacred Canons are but transcripts of the Divine law ; as they define and determine that usury, or interest for money-loans is a violation of the 7th Command-

ment—*Thou shalt not steal*, they are unchangeable as the law of God itself ; no power upon earth is competent to repeal them ; competent to practise or sanction what they forbid. If he will not hear the Church, let him be to thee as the heathen and the publican.

USURY, OR INTEREST CONDEMNED BY THE SACRED CANONS.

DECRETAL. GRATIAN. *Dist.* 46, *Chap.* 8. ‘ We decree that neither seditious persons, nor usurers, nor avengers of their own wrongs, be ordained Priests :’ *Con. Carthag.* iv. c. 67. *An.* 398.*

Chap. 9. ‘ It is not lawful for the ministers of the altar, nor for persons in Clerical Orders to receive either usury or the gain, that is called *sescuplum* :’ *Con. Leodicen*, c. 5. *An.* 320, *In Phrygia*.

Chap. 10. ‘ Let none of the Clergy attempt to exercise usury either in his own or in the name of another ; for it is unbecoming that a man involve himself in sin for the profit of others. But this is the sort of usury alone we ought to look after and exercise, to give charity to our fellow creatures, that we may receive from the Lord who makes abundant and everlasting recompense :’ *Leo Papa. Epist.* 1, c. 4. *An.* 443.

Dist. 47. *Chap.* 1. ‘ Let the Bishop, or Priest, or Deacon, who requires usury from debtors, either cease, or be positively deposed :’ *Can. 44 Apostolorum*.

Chap. 3. ‘ All the lovers of this world are strong in earthly, weak in heavenly pursuits. For the sake of temporal glory they perspire to death ; for future things not even the slightest hardship do they undergo ; for the attainment of earthly gain they endure all sorts of indignities, for heavenly treasure they bear not one offensive word ; before the earthly judge they can stand the whole day, but one hour’s prayer in the presence of the celestial Judge is to them tiresome. They often wade through hunger, and nakedness and sickness after riches and honors, and are in torment

* All the Canons here inserted, are given in the original latin, in an Appendix at the end of the book.

until they obtain what they aim at ; while they slothfully and sluggishly pursue heavenly riches, in as much as they deem them remote and tardy of attainment. These people, like the grafted tree, are stout below, slight above, potent for inferior, imbecile for superior pursuits. On the contrary, with the palm tree may be compared the progressive life of the just, who are not, at all, potent in earthly, feeble in heavenly matters. They proceed with more firmness and go farther in the service of God, than they used to do in the servitude of the world. As it had been said to some persons by our Preacher, Rom. vi. 19. I speak an human thing, because of the frailty of your flesh. As you yielded your members to serve uncleanness and iniquity unto iniquity ; so now yield your members to serve justice unto sanctification. This is doubtless making an allowance for their infirmity. As if he would say in plain language, to them, If you cannot be more, be, at least, as active, in doing good works, as you had been for a long time in doing evil deeds ; for fear you would be found weak in the holy liberty of the Spirit, but at strong in the slavery of earthly pleasures :’ *B. Greg. Lib. 19, Moral. c. 25. An. 590.*

Chap. 4. ‘ Be it known to you, that we are informed concerning Peter, that he gave out shillings at usury, which you must carefully investigate. And should you discover that he did, turn your thoughts from him, and choose another person : for we never impose hands upon the lovers of usury : but should you from investigation discover that the report is false (because he is a stranger to us, and whether he did through simplicity what is imputed to him is also unknown to us) you must send him together with your judgment hither ; that we may, after having carefully examined his life, talents and sentiments, see whether he is such as your judgment will represent him, to the end that we may with God’s grace comply with your wishes concerning him :’ - *B. Greg. ad Cleros Neap. An. 600.*

Chap. 5. ‘ If any Clergyman be detected receiving usury, let

him be degraded and suspended ; * but if any layman be convicted of usury, if he promise, when reprimanded to amend, let him be more leniently dealt with ; if he relapse after this reprimand, let him be excommunicated : *Con. Eleber. Can. 20, An. 305, in Hispan.*

Chap. 6. ‘As the Catholic man, particularly the Priest of the Lord, should be free from stain, so should he be free from the infection of avarice. The Scriptures saying, *Eccle. xviii. 30. Go not after thy lusts*, for an ambitious mind knows not how to refrain from forbidden things, nor enjoy lawful things, nor cultivate piety.’ *Leo Papa 1. Epist. 51. Ad Anatol. An. 452.*

14, *Quæst. 4, Chap. 1.* ‘Be it known to clergy, that they must abstain from mean pursuits of gain, and that they must refrain from all sorts of trafficks and avarice ; but if they do not choose to refrain, let them, whatever be their dignity, be compelled to discontinue their Clerical functions.’ *Pope Gelasius to the Sicilian Bishops, An. 494.*

Chap. 2. ‘Be it decreed, that the clergy, who practise usury, be excommunicated according to the Divine form.’ *Con. Agatha, Can. 12, An. 319 ; confirmed by Pope Sylvester.*

Chap. 3. ‘It is ordained in the Canons, that whosoever is ambitious for the Clerical dignity, he must not indulge in the practice of buying cheap and selling dear ; but, if he wishes to carry on the practice, let him be suspended. *Con. Terracon. Can. 2, An. 516, in Hispania.*

Chap. 4. ‘If any clergyman, laying aside the fear of God, and the Scriptures that say, *He, who lent not his money at usury*, will after this decree of the great Council, lend at usury, or demand per centage, or seek sordid gain from any sort of traffic, or receive any increase by buying cheap and selling dear different descriptions of wine, fruit, or any other article, let him be deposed and suspended.’ *Council under Pope Martin, An. 572.*

*The portion of the Council of Eleber—‘but if any,’ &c. regarding the Laity, is not found in the *CORPUS JURIS* ; but in the *SUMMA CONCILIORUM*—a work equally sanctioned and authenticated by the Church.

Chap. 5. 'If any clergyman lend a man in distress a sum of money, he may receive the same in wine or corn, that might be laid by for sale in the ordinary course of traffic; but if the borrower would not command the necessary kind, let him accept what he lent without any increase.' *Con. Terracon, Can. 3, An. 516.*

Chap. 6. 'Let no clergyman receive more than he lent; if he lent money, let him receive money; if he lent goods, let him receive as much in goods; whatever else he gave, let him receive as much.' *Con. Carthag. III. An. 397.*

Chap. 7. 'We did deem it not proper to overlook how some persons are so overcome by the love of sordid gain, that they practise usury, and pursue riches by usurious practices; which crime is deplorable when seen, not only amongst the clergy, but even amongst any laity calling themselves Christians; if any persons be convicted of this crime, we decree that they be punished rigorously.' *Pope Leo, An. 443.*

Chap. 8. 'Whereas many clergy, actuated by avarice and sordid gain, and forgetful of Holy Writ, (saying, *He, who lent not his money at usury*: PSALM xiv.) when they lend, demand hundredth, the great and general Council has justly decreed, that if any be found, subsequent to this definition, receiving usury, or in any respect carrying on traffic for sordid gain, he be deposed and suspended.' *Council of Nice, Can. 17. An. 325. in Bithynia.*

Chap. 9. 'Whosoever would, in harvest, not through need, but through avarice, forestal corn or wine; whosoever, for example, procures a hogshead for two pounds, and keeps it till he sells it for three, four, six pounds, or for more, that we call sordid gain.' *Pope Julius, An. 806.*

'Abundantius, Bishop of Adrument, said it is decreed in our Council, that it is not lawful for clergy to lend at usury, which, if pleasing to your Holiness and to this Council, let it now be signified. Gratus, the Bishop of ****, said, what is most clearly asserted in Scripture, let not the sentence be delayed, but rather hastened. Moreover, what is reprehensible in the laity, is more damnable in the clergy. They unanimously said, No person can

act against the Prophets, nor against the Gospel, with impunity.' *Con. Carthage* 1, *An.* 348.

DECRET. GREG. *Lib.* 5, *Tit.* 19. *Chap.* 1. *Plures clericorum.* 'It is decreed by the authority of the General Council, that no clergyman do presume to exercise this or that sort of usury; and if any of them receive, in pledge for a sum of money which he lent, another's farm, as soon as he make of the fruit the capital, together with the expenses, let him at once restore the possession to the debtor; but in case the crop make less than the debt, when he receives the deficiency, let the possession revert freely to the owner. But if, after this constitution, any clergyman be found fastening to the detestable gain of usury, let him forfeit his ecclesiastical office; unless, perhaps, it were the Church benefice that would be redeemed in this manner from the hands of a layman.' *Alex. III. in the Council of Tours, An.* 1180.

Chap. 2. 'Whereas, it is dangerous, not only for clergy, but even for any layman, to adhere to usurious gains, we have decreed by the authority of the presents, that you do, by means of the spiritual sword, compel those persons *who have made the capital and expenses of the farms or trees which they held in pledge, to restore the same pledges without the exaction of usury.*' *Alex. III. to the Bishop of Canterbury, An.* 1180.

Chap. 3. 'Because the crime of usury so much prevails in all places, that many persons having omitted all other traffics exercise usury as if lawful, and by no means care how it is condemned in both Testaments; we have therefore decreed that notorious usurers be not admitted to the communion of the altar; nor, if they die in this sin, receive Christian burial; but let none receive their offering. Whosoever would indeed have received it, or afford them Christian burial, let him be both compelled to restore what he might have received, and, until he make satisfaction at the option of his bishop, remain suspended from the execution of his office.' *3d General Council Lateran, Can.* 25. *under Alexander III., 1179.*

Collet, de suspensionibus a jure, page 621, says, 'That *suspension* is incurred *ipso facto*.' The priest would certainly incur an *ipso facto excommunication*, by affording them, knowingly, Christian burial. *The Author*.

'We decree that those who, of their own peculiar rashness, in contempt of the keys of the church, presume to bury knowingly the bodies of the dead in the cemeteries during the time of interdict, in cases not allowed by the law, or persons publicly excommunicated, or persons nominally interdicted, or notorious usurers, do incur, *ipso facto*, the sentence of excommunication, from which they cannot at all be absolved, unless they make first, according to the option of the diocesan bishop, condign satisfaction to the persons injured by the foregoing; notwithstanding any privilege of exemption in this respect, or any other privilege, under any form of words that might be granted them.' *Council of Vienne under Clement V. Chap. Eos qui. De sepult. An. 1312.*

Before parting this General Council of Lateran, let it be observed, that, in the preamble, it declares the general prevalence of an abuse—of usury, almost in all places; secondly, it defines that the abuse is condemned in both Testaments; thirdly, it enacts censures against the sinners; that is, privation of the communion of the altar during life, and of Christian burial, if they die in this sin; and, fourthly, it enacts against the unfortunate priest who would receive their offering, or afford them christian burial, *suspension, ipso facto*. To which this last mentioned Council of Vienne adds an excommunication *ipso facto*. Remark, that to celebrate mass under any of these two censures, entangles the minister in irregularity too. Good God! how are the keys of the Church held. *The Author*.

Chap. 4. 'We reprobate that detestable, profane, and insatiable rapacity of usurers, odious to the divine and human laws, and exploded in both Testaments; and deprive them of every ecclesiastical consolation, ordaining that no archbishop, bishop, abbot of any order, or any person in holy orders, do, without the greatest precaution, presume to receive notorious usurers; but let them be held during life under infamy, and, unless they retract, deprived of Christian burial. *When the crime of usury is detested in both Testaments*, we do not see that any dispensation could be had on the subject: because, as the Scriptures forbid telling a lie to save a man's life much more is a man forbidden involving himself in the crime of

usury, even to redeem the life of a captive.' *Con. Later. can. 18, under Alexander III., An. 1180.*

This General Council again defines that *usury is condemned in both Testaments*: so much, that no dispensation could obtain on the measure, were it to save a man's life; and, secondly, it pronounces penalties against the persons involving themselves in this crime—perpetual infamy, and privation of all church consolation. The archbishops and bishops are commanded not to have the presumption to admit usurers, without the greatest precautions; however, they not only admit them, but some of themselves feel it no shame to declare publicly that they practise usury! It is really astonishing how people can call themselves Catholics, when they trample upon the laws of the Catholic Church; nay, the laws of God himself. *The Author.*

Chap. 5. 'When you order, according to our decree, that notorious usurers be deprived of communion and of Christian burial until they restore what they had unjustly acquired, some of them, *in excuse for their sin*, PSALM 140, impudently affirm that the usury only is to be restored that was received subsequent to our prohibition. We answer, that whether the usury was acquired antecedently or subsequently to our prohibition, they are to be compelled, under the penalties decreed by us in the council, to restore it to the persons from whom they extorted it, or to their heirs, or in case of no such surviving, to give it to the poor, provided they have means to make restitution. Whereas, according to St. Augustine, 'the sin is not forgiven, unless the thing taken be restored.' But those who have not means to make restitution ought not to be punished: for their poverty sufficiently pleads in their behalf. The purchases that are effected with the usury ought to be sold, and the price divided amongst the persons from whom the usury had been extorted; and *thus alone they can be relieved from the penalty, and also from the sin they had incurred by extorting the usury.*' *Alexander III., to the Archbishop of Salerno.*

Chap. 6. 'You say that it often happens in your city, that when some persons buy pepper, cinnamon, or other merchandises, which are then not worth more than five pounds, they promise to pay the sellers six pounds at a certain time. Although such contracts, under such shape, cannot be considered as usurious, nevertheless the sellers incur sin, unless there be a doubt whether the merchandise be worth more or less at the time of payment; and consequently,

your fellow-citizens would do well for their salvation, if they refrain from such contracts, when the thoughts of man cannot be concealed from the Omnipotent God.' *Alexander III.*

Chap. 7. 'Forbid, besides, your parishioners to receive usury ; should they disdain to obey, if they be clergy, you may suspend them from both office and benefice ; if laymen, hold them in the chain of excommunication until they make condign satisfaction.' *Alexander III.*

Chap. 8. 'The clergyman C. has complained to us, &c. We command your good sense, whereas you hold said farm in the way of pledge, and as you have made the capital by the fruits of it, to restore said farm to said priest, unless the ground be a feudal tenure of your monastery.' *Alexander III.*

Chap. 9. 'Your brotherhood thought proper to consult us what is to be done with the children who succeed their deceased parents in the crime of usury, or with the strangers to whom, you say, the property of the usurers has fallen ? We answer, therefore, your query by the present letter, that the sons of the usurers are to be compelled to make restitution as rigorously as the parents would have been, had they lived. We also believe that the same treatment is to be observed towards strange heirs.' *Alexander III. to the Bishop of Placentia.*

Chap. 10. 'Your devotion has consulted us, whether the man is to be considered in the tribunal of conscience as a usurer, who, though otherwise disinclined to lend, lends with the view, though not expressed, of receiving more than the principle ; and whether the man also incur the same guilt, who never lends until he gets some profit thereby, though he does not insist upon it ; and whether the merchant falls into the same guilt, who retails his merchandise for much higher prices, if he gives time for the payment, than he would, if the price were paid him in hand ? But, because the course to be pursued in these cases is manifestly known from the Evangelist, LUKE vi. 35 ; where it is said, 'Lend, hoping for nothing thereby,' persons of this description, for the mercenary intention which they have, (as every usury and increase is forbidden in law,) are to be considered as acting *badly*, and to be compelled effectually, in the

judgment of souls, to restore what they receive in this manner.' *Urban III., An. 1186.*

Chap. 11. 'We command that you allow notorious usurers, particularly those who, it appears, had publicly renounced the practice to screen themselves, when any man accuses them of usury, with the shield of no appeal.' *Innocent III. to the French Prelates An. 1213.*

Chap. 12. 'We command that the Jews be compelled by the temporal princes and powers to remit to the Christians the usury; and until they remit it, we order that every intercourse with all the faithful of Christ, in commerce, as in other affairs, be denied them, by means of an excommunication.' *Innocent III. to the Bishop of Norban, An. 1213.*

Chap. 13. 'We received your questions regarding the usurers, who make their debtors take an oath not to remand the usury, and raise no question about the usury they might have paid them. We do therefore reply, that you are to compel these usurers by Church censures, without appeal, to desist, prior to the payment of the usury, from exacting it, or to restore it after the payment be made, for fear it would happen that they would reap benefit from their fraud and deceit.' *Innocent III. to the Bishop Mutin, An. 1213.*

Chap. 14. 'Because the man seeks the protection of the law in vain who sins against the law. We decree, that if any usurer obtain from us a letter for recovering the usury that might have been exacted from him, or for computing the fruits in payment of the capital, he be not, by any means, heard on the authority of said letter, unless he himself first restore the usury which he is known to have received from others.' *Idem, An. 1213.*

Chap. 15. 'As there are a great many usurers in your diocese, who are without the least doubt, notorious usurers, though no accuser appears against them, through fear of the great, who protect them; nor are they judicially condemned. We reply to your Brotherhood, that, though no accuser comes out against them, if, however, from other circumstances, it is known that they are notorious usurers, you can freely exercise against them the penalty that is decreed against usurers in the Council of Lateran.' *Idem, An. 1213.*

Chap. 16. ‘ We do not deem it proper that the son-in-law ought to be compelled to compute, in the principal, the fruits of the possessions that were pledged to him by his father-in-law for the fortune ; when it often happens that the pledged fruits are not sufficient to defray all the matrimonial obligations.’ *Innocent III. An. 1213.*

Chap. 17. ‘ Michael, a layman, directed his complaint to us, that M. and other citizens of Bonan, have extorted much usury from himself, and his father, whose heir he was. Be cautious not to proceed upon our authority in this affair, unless said plaintiff shall restore, if he has not already restored, whatever usury either he, or his father have at any time extorted.’ *Innocent III. to the Bishop of Bonan, An. 1213.*

Chap. 18. ‘ The more the Christian religion restrains the exaction of usury, the more does the desperate perfidy of the Jews gain strength in this respect, so that they will soon possess the property of the Christians. Anxious, therefore, to protect the Christians, in this respect, from being cruelly ground by the Jews, we decree by this synodical constitution, that if, for the future, the Jews do, under any pretence, extort from the Christians the grievous and immoderate usury, all Christian intercourse be withdrawn from them, until they make competent satisfaction for the immoderate grievance.

‘ Hence, let the Christians, if necessary, be compelled by Church censures, without appeal, to refrain from all commerce with them. But we enjoin the princes, that they be not, in consequence of this, hostile to the Christians, but rather endeavor to restrain the Jews from oppression.’ *Same Pope, in the General Council, An. 1216.*

Chap. 19. ‘ That man is to be considered an usurer who lends a certain sum of money to a man going to sea, or to market, on condition of receiving something more than the principal, if he take on himself the risk. Likewise, that man who gives ten shillings, so that at another time so many measures of corn, wine, or oil, be returned to him, which though then dear, *there is a rational doubt whether they will be dear or cheap at the time of payment*, is not for this reason to be considered an usurer. By

virtue of this doubt is that man also excused who sells grain, wine, oil, or other wares, on condition of receiving at a certain time more than their present value; if still at the time of contract he was not disposed to sell them.' *Gregory IX., An. 1236.*

DECRETAL. *SIXTI Lib. 5, Tit. 5, Chap. 1.* 'Being anxious to close the eddy of usury, which destroys the souls, and swallows property, we command, that under pain of Heaven's malediction, the decree of the Council of Lateran against usurers be inviolably observed*. And because the less room be left to the usurers for carrying on their usurious practices, the more will the opportunity of exercising it be repressed. We decree by this general constitution, that no college or other university, or private person of any condition, state, or dignity, whatever, do allow strangers or foreigners publicly practising, or desirous to practise, usurious money matters, to take for this purpose houses in their territories, or to hire, or otherwise inhabit, houses already taken. But let them expel, within three months, from their territories, all notorious usurers of this description, never again to admit such people. Let no person set, or, under any appellation whatever, let them houses for the usury traffic. Whosoever acts contrary, if they be ecclesiastics—Patriarchs, Archbishops, or Bishops, let them know they will incur suspension *ipso facto*; minor singular persons, an excommunication; but if a college, or other university, an interdict; which if they endure with hardened heart for one month, let their territories, as long as the usurers dwell there, be under an ecclesiastical interdict. But, if they be laymen, let them be restrained by their Ordinary, with ecclesiastical censure for this excess, without being sheltered by any privilege.' *General Council of Lyons under Gregory X., An. 1273.*

Chap. 2. 'Although notorious usurers order in their last will, explicitly or implicitly, to make restitution for the usury which they had received, they are nevertheless to be denied Christian burial until full satisfaction (as far as their property goes) be made for the usury, either to the person to whom the restitution is due, or to his representatives, or, in case of their absence, to

* See page 110, *Chap. 3.*

the ordinary of the place. We decree *that all the religious or others who would have the presumption to admit*, in opposition to the tenor of the present decree, notorious usurers to Christian burial, *be subject to the punishment decreed by the Council of Lateran* (page 110, *Chap. 3.*) *against usurers.* Let none assist at the Wills of notorious usurers, or admit them to confession, or absolve them, unless they make satisfaction for the usury, or give proper cautions, as aforesaid, that they will satisfy according to their means. Moreover, let not the Wills of notorious usurers, otherwise made, be valid, but let them be null *ipso jure.*' *Idem, An. 1273.*

Observe that this General Council defines, that usury is an eddy destructive to souls and property. With regard to the destruction of souls, one would think, after the mass of evidence we have seen and shall see, that the Holy Council is infallible; and sad experience has convinced the British Islands of her infallibility with regard to the destruction of property. Are not both Islands devoured and sunk into misery by the usury and taxes of the Fundholders in general; by the usury and failure of banks in 1820 and 1826, in particular? Second, the Council renews the penalties of the Con. Later; *see page 110, Chap. 3.* that is, privation of Communion and Christian burial, against usurers. And, lastly, she decrees an *ipso facto* excommunication against the Patriarchs, Archbishops, and Bishops; excommunication against minor singular personages; and an *ipso facto*, interdict against all colleges and religious communities that afford notorious usurers houses or places for the usury traffic, or practice.

It is incomprehensible how the Bishop, who has, by lending and borrowing at interest, plunged himself into the *eddy*, dragged into it his flock, and, by imposing silence upon the watchmen, thrown a mantle over the deep below, expects to free himself from the heaven's malediction, suspension and consequently irregularity. He says, of course, that he enjoys no territory, or physical power for expelling them. That plea may be allowable, had he used the spiritual sword; had he argued, beseeched, reprimanded; but not, when he, from ignorance, or infidelity, led the van and used his utmost exertions to conduct his flock in search of the ideal gold in the deep.

The Holy Synod, *Chap. 2.* decrees privation of communion and of Christian burial, in addition to all the other censures, against the friars and others who would admit notorious usurers to Christian burial. Why not? They are the most guilty: the blind leading the blind, both fall into the pit. *The Author.*

CLEMENTINARUM *Lib. 5, Tit. 5.* 'A melancholy report has reached our ears that the Communities of some places, to the offence of God and man, and contrary to the divine and human laws alike, approving somehow of the usurious depravity, allow by their

statutes, sometimes confirmed by oath, not only that the usuries be exacted and paid, but they, knowingly compel the debtors to pay them ; and, according to the tenor of these statutes, by imposing generally heavy obligations upon the persons remanding the usury, and by using in this respect various other colors and subtle frauds, they prevent the recovery of the usury. We, therefore, being desirous to meet these infernal schemes, do, by the approbation of the Sacred Synod, decree that whatever governors, captains, rectors, consuls, judges, counsellors, or other officials, of these Communities, shall for the future make, write, or dictate statutes of such description, or who shall have the presumption knowingly to adjudge that the usury be paid, or that, when paid, it be not freely and fully refunded, when it be demanded, do incur the sentence of excommunication. They being to incur the same sentence also, unless they rescind, (if they have the power) within three months, the statutes of this sort, already edited, from the books of these Communities ; or if they presume to observe, in any respect, the said statutes, or the customs that have similar effects.

‘ But, as usurers for the most part do so privately, and fraudulently engage in the usurious contracts, that they can be hardly convicted of the usurious depravity, we decree that they be compelled by an ecclesiastical censure, for exhibiting their account books, when there be an inquiry regarding the usury.

‘ Verily, if any person fall into that error he presume pertinaciously to affirm that to practise usury is not sin, we decree that he be punished as a *heretic*. Enjoining, nevertheless, most strictly unto the ordinaries of the places, that they omit not to proceed against those whom they will find defamed or suspected of such error, in the same manner that they would against persons defamed or suspected of heresy.’ *General Council of Vienne under Clement V., An. 1312.*

Therefore, man by defending the practice of usury, or obstinately asserting that it is not sinful, involves himself in *heresy*. That the practice or obstinate defence thereof, is *heresy*, we know also from the *unanimous consent* of the Holy Fathers, ‘ Whereas heretics were always discomfited by the authority of the Fathers every man desirous of the Communion of the Catholic

Church must embrace, adhere to, and persevere in the doctrine of the Holy Fathers:’ *St. Vincent of Lirens*. But as it has been in the preceding pages shown that the Holy Fathers unanimously condemned usury of all sorts, shapes, and forms, how could we call those, who now adays practise and defend it, but spurious heretical impostors ?

Upon what principles are we justified in holding to their Spiritual Communion ; is it not written 2 THESS. iii. 6, We beseech you, brethren, in the name of our Lord Jesus Christ, to withdraw yourselves from every brother walking irregularly, and not according to the Tradition, which you have received from us. The doctrine and practice of usury is not the Tradition or the seed originally sown in the tillage, but the tares subsequently thrown in by the demon and the world. *The Author*.

CATECHISM. TRID. DE FURTO. ‘To detail the various other modes of theft, invented by the ingenuity of avarice, which is versed in all the arts of gleaning the fruits of injustice, were a tedious and complicated enumeration. Rapine, which, besides depriving the injured party of his property, offers him an insult and contumely, is a more grievous sin than theft. But to the class guilty of rapine belong usurers the most cruel and relentless of extortioners, who by their usurious practices plunder and destroy the poor.

‘Whatever is received above the principal, or that capital that is given, be it money, or any thing else, that may be purchased, or estimated by money, is usury: for it is written in EZECH. xviii. 8, *Thou shalt not take usury and increase*; and the Lord says in LUKE vi. 35, *Lend, hoping for nothing thereby*. Even among the Gentiles usury was always considered a most grievous and odious crime; and hence the question, What is usury? Which was answered by asking, What is murder? The reason why it was thus characterised is, that he who lends at usury, sells the same thing twice, or sells that which is not in existence.’ See *St. Thomas*, page 70.

DECRET. SEPTEMI. *Lib. 3, Tit. 17. Chap. 3.* Inter multiplices nostræ sollicitudinis curas, illam imprimis suscipere pro nostro pastoralis officio debemus. Cum Dominus noster, Lucâ Evangelista

attestante, aperte nos præcepto obstrinxerit, ne ex dato mutuo quicquam ultra sortem sperare debeamus.

‘ Amidst the manifold cares of our solicitude, we ought in fulfilment of our pastoral office to direct our attention to that one in particular. Whereas our Lord, as the Evangelist Luke attests, has bound us by a clear precept not to hope from the loan that is made, any thing above the principal :’ *Con. Later, under Leo X. An. 1515.*

The two authorities just cited—the Catechism of the Holy Council of Trent and the General Council of Lateran, should, even if there be no other proof, be sufficient for the condemnation of usury. With regard to the Chatechism, when the heretics of the sixteenth century deluged all places with spurious books—large volumes, as well as small Tracts, so that the seed could hardly be distinguished from the tares, the Holy Council of Trent thought they could not effectually meet the evil, or provide for the salvation of souls, by defining the leading dogmas, of the Christian Religion, if they would not also hand down some formula and mode of instructing the Christians in the very rudiments of faith, which all pastors and doctors charged with instructing the people, would follow in all churches. Hence, doctors, the most learned, were selected for composing a small volume containing a general exposition of the Christian doctrine. All Bishops were commanded to explain the Sacraments according to the form of this Catechism and to take care to have it faithfully translated into the vernacular tongues. *Sess. 24. c. 7.* But, as the Catechism was not finished, prior to the dissolution of the Council, they decreed that, when finished by the aforesaid Doctors, it be delivered to His Holiness the Roman Pontiff, that it may, by his judgment and authority, be completed and published. *Sess. 25.* It was accordingly revised and corrected and thus ushered into the world, in various Bulls, by POPE PIUS V. and GREGORY XIII. *An. 1580.* It received since that time the approbation of twenty one National, and sixteen Provincial Councils, and of hundreds of Doctors on the Continent of Europe ; it being never condemned by any authority.

Therefore the Catechism of the Council of Trent, as well as the General Council of Lateran under Leo X. must be looked upon as a solemn and general Definition of the Catholic Church. The Catechism defines, that to *receive* any more in money or value than the sum lent, is *rapine*, that is to say, the most odious violation of the seventh Commandment of God ; and the Holy Council defines that we are expressly commanded by our Lord not to *hope* from the loan that is given, any more than the principal. To *receive* the increase is a sin against the seventh, but to *expect* it, is against the tenth Commandment. See St. Augustine, page 89. As the usurers both expect and receive more than the sum lent, are they not habitual violators of the express Commands of God ? No power upon earth can dispense with them. Neither one iota, nor one particle can be taken from the law until the end of time.

Q. Is usury a breach of the commandment of God ?

A. Without doubt it is.

Q. What is usury ?

A. It is a loan of money, corn, butter, meal, and such like, given principally in view of requiring or receiving some hire, or worldly profit, in virtue thereof.

Q. How shall a person know that it is not chiefly in view of some worldly advantage he gives a loan ?

A. If he demands nothing, and be disposed to lend, although he should receive no worldly profit thereby, it is certain, that worldly interest is not his principal view.

Q. Is it not permitted in this case, to follow the law and custom of the country wherein we live ?

A. No, if they be contrary to the law of God : for neither king nor country upon earth has power to give us leave to transgress the commandments of God. ACTS iv. 19.

Q. Has God commanded us not to give a loan to our neighbor, principally in view of getting some earthly profit thereby ?

A. He certainly has, in many places of Scripture, especially in the gospel ; hence it is, that the Holy Fathers, Popes, Councils, and

the generality of Divines, do condemn both usury and usurers.

Q. Is there no usury sometimes committed in bargains and contracts ?

A. Yes, and often too ; for it is usury to sell any thing dearer than it is actually worth, upon the sole account of giving credit or time for the payment of the price thereof.

Q. How shall one know that his bargain or contract is not sinful ?

A. Let him ask advice of a pious and knowing man and consider, that it doth not avail him to gain the whole world, and lose his own soul. S. MATT. xvi. 26.

Q. Does the person sin who pays the interest of a loan ?

A. No, if he was under a necessity * of borrowing : but if he was not, he sinned for tempting his neighbor, by furnishing him an occasion of sinning.

Q. What are the obligations of usurers, and of such as break the seventh commandment ?

A. They are obliged not only to do penance for the sins they have committed, but also to restore whatsoever they unjustly got ; and to repair exactly whatever hurt and damage soever they have done their neighbor in his reputation or in his goods. ROM. xiii. 7.

Q. What, if they should not make restitution of their neighbor's goods ?

A. Their children or heirs are obliged to do it, in proportion of what they gain by the injustice of their parents and relations.

Q. What, if it should not be in our power to give full satisfaction to our neighbor ?

A. Let us make restitution according to our ability, and resolve to give full satisfaction as soon as it shall be in our power. 2 COR. viii. 12.

Q. To whom ought this satisfaction to be made ?

A. To the person that suffered the hurt or damage; or to his

* As the usurer sins mortally, and is liable to restitution, what could be his motive in taking the interest from the man 'under a necessity of borrowing,' or from any man at all? St. Ambrose on LUKE vi. 34. says 'that both the usurer, and the usurious borrower, are sinners ; he says this, behold, without any regard to the necessity of either the one or the other. See p. 98.

heirs ; if his heirs are not to be found, let the person liable to restitution consult his spiritual superior. *Don Levy's Catechism.*

Let me remark, that the Catechism, from which the above extract is drawn, was composed and published in Paris about one hundred years ago ; it bears the approbation of the Censors ; it passed through several editions in France and Ireland with the consent, of course, of the Prelates in both countries. It was re-edited in Dublin as late as the year 1822. The Catechism of the Council of Trent was also re-published in Dublin in 1829, and in New York in 1833. The Douay Catechism, which also condemns interest, or increase, was originally published in the College of Douay in 1649, in England and Ireland several times, and in New York by Doctor Fenwick, Bishop of Boston for the use of his diocese in 1833. Therefore, according to the modern doctrine of the Churches of France, England, Ireland, and United States, usury is a violation of the seventh Commandment. Why then should not our practice square with our doctrine ; why should we, like the Pharisees, teach one thing and practise another ?

CONDEMNED PROPOSITIONS.

‘ It is lawful for the lender to require something above the principal, if he bind himself not to remand the principal for a certain time.’ *Condemned by Pope Alex. VII. March 18, 1666.*

‘ As money in the hand is better than money on time, and as there is no person who does not set greater value on the present than on the future money, the creditors can demand something more than the principal from the borrower, and on that title he can be excused from usury.’ *Condemned by Inno. XI. March 2, 1679.*

‘ There is no usury when something more than the principal is required, as if due from benevolence and gratitude, but only if it be required from justice.’ *Condemned by the same.*

The Holy See adds, ‘ Whatever person of any condition, state, or dignity, will defend or publish these propositions, or any of them, jointly or severally, or will treat of them in any discussion publicly

or privately, or will preach them, unless it be, perhaps, for refusing them, shall fall into an *excommunication, ipso facto*; from which he cannot, excepting in *articulo mortis*, be absolved by any other person than the Roman Pontiff for the time being.'

However, the same three condemned propositions are daily maintained amongst us by persons calling themselves Roman Catholics; they say that the lender can, if he bind himself not to remand the debt for a certain time, charge more than the principal, not only from benevolence and gratitude, but even from justice. Do they not then incur the *ipso facto* excommunication, and, by celebrating in that state, an irregularity?

Here closes my list of Sacred Canons. They are all, with the exception of the Councils of Trent and Milan (to be seen hereafter) drawn from the *CORPUS JURIS CANONICI*—Body of the Canon law, which consists of six different collections. The first by *GRATIAN*, a Benedictine Friar in Tuscany; upon which he had been employed twenty four years, in the 11th century. The second by *POPE GREGORY IX*; he having deputed, about the year 1230, his chaplain St. Raymond of Penafort, with other holy and learned Dignitaries to compile whatever Canons had escaped Gratian and those that appeared since his time. The third by *Pope BONIFACE VIII.* who had compiled and revised, in the year 1299, the Rescripts and Constitutions of various Popes and Councils; which collection is called the *Sixth Book*. The fourth by *POPE CLEMENT V.* who had subsequent to the Council of Vienne, An. 1311, reduced into five books the Constitutions, which is styled the *Clementine Decretals*. The fifth was made by various persons, but is reduced into five books by *POPE JOHN XXII.* about the year 1316, and is called the *Extravagantes*, or Decrees, that wandered, as it were, like the *Novellæ* of the ancient Emperors (*Gratian, Dist. 19. c. 1*) outside the Body of the Canon Law. And lastly, the sixth Collection was made by *POPE SEXTUS V.* who had engaged several holy Prelates in the year 1588, to compile what is called the *Seventh Book*.

The first five of said Collections, that is the Gratian, and Gregorian Decretals, the Sixth Book, the Clementine Decretals, and

the Extravagantes were again revised and corrected and recommended in a Bull dated 1580 by GREGORY XIII. The Body of the Canon Law consists not therefore of the Decrees of said Pontiffs who made the Collections, but of the Definitions and Constitutions of the preceding Popes and Councils, and of the sayings of the Holy Fathers, which for their appositeness and perspicuity were in many instances adopted as Canons too. Various editions in Folio, Quarto, and Octavo, of the Body of the Canon Law, are extant. From this Sacred fountain thus fenced in and guarded in all ages by the Vicar of Christ from the corruptions of heretics, can be drawn water flowing unto eternal life, infallible rules to decide difficulties with regard to faith, morals, and sacraments; to know our duties towards God, our neighbor, and ourselves. No pastor that cares for the law of God, or for the salvation of his flock, should be one moment without the Body of the Sacred Canons, as well as the Holy Bible hanging to his lips.

Farther, the Definitions and Decrees hitherto quoted against usury and usurers, are all quoted or referred to by every Catholic Author, that wrote on the same subject—by Bailly, Genetto, Collet, Natalis Alexander; by the Catechisms of Montpelier (Pouget) Don Levy, and of the Holy Council of Trent. Therefore if the aforesaid Canons be not the universal and perpetual doctrine of the Catholic Church on usury, I do not know what her doctrine is.

RECAPITULATION.

Whatever is received above the capital lent is usury: it is said from *use*; it being received for the use of money. Hence, if any man had received in pledge any thing or the possession of any thing, if he do not as soon as he has made of the fruits the capital, together with the expenses, restore the same thing to the debtor, the crime of usury is certainly committed: *See Chapters 1 and 2, page 110.*

The Sacred Canons pursue usurers with various penalties: for it is decreed that they incur *infamy*; that they be not admitted to the Communion of the altar nor to Christian burial *a*; and that

a Chap. 3, page 110.

no person receive their offering ; and that if they be Clergymen *a* they forfeit both office and benefice. Also, that no person will either let to notorious usurers houses for the usury traffic, or permit them to inhabit houses already hired *b*. But if they die in this wickedness, they must be deprived of Ecclesiastical interment.

And the same penalty is so far enforced that *c* though they ordain at the hour of death by Will explicitly or implicitly that satisfaction be made for the usury, they are nevertheless until that satisfaction be actually made, to be deprived, according to the Gregorian Constitution, *d* of Ecclesiastical interment *e*. And whosoever presume to bury, before the satisfaction be actually made, as just mentioned, notorious usurers, he falls under the penalties of the Council of Lateran, against usurers *f*. Also the Wills made by them contrary to the form of the aforesaid Constitution shall be, by the very law, null.

Nor will it avail a man, if he allege, that he has practised usury for the redemption of captives, or for bestowing alms : The practice of usury cannot from such motives be dispensed with : as even a lie is not allowable for the preservation of another man's life surely the crime of rapine cannot be allowed for the redemption of captives *g*. If neither the persons from whom the usury had been extorted, nor their heirs, survive, the usurer *h* is compellable to distribute the usury amongst the poor, unless evident poverty excuse him.

Nor is he only who had received the usury, compellable by Ecclesiastical censures to restore it, but also his children *i* and all strange heirs whatever. Neither of whom is permitted, when cited for the usury, to evade making restitution under pretense of an appeal.

And if a man take money at interest and make an oath that

a Chap. 8, page 109 ; *b* Chap. 1, page 116 ; and Chap. 3, page 110 ;
c Chap. 3, page 110 ; *d* Chap. 2, page 116 ; *e* Con. Vienne, page 111 ;
f Chap. 2, page 116 ; *g* Chap. 4, page 111 ; *h* Chap. 5, page 112 ;
i Chap. 9, page 113.

he will never remand the interest from the usurer, the judge can *a* notwithstanding compel, with Ecclesiastical Censures, the usurer both to remit the oath and to refrain from recovering the usury ; and even to restore the usury if already extorted ; to the purpose, that no man reap fruit from fraud and deceit.

The Jews likewise, if they extort under the color of any title immoderate or oppressive usuries from Christians, must be compelled by the Secular Princes and Powers to remit them ; and until they make condign satisfaction for the oppressive wrong *b* all intercourse in commerce and otherwise with the Christians must be withheld from them by the sentence of excommunication.

There are three cases in which something above the principal can, without the guilt of usury, be accepted : first, if a Clergyman, unable otherwise to redeem his Ecclesiastical benefice, receive it in pledge from a Layman, he is not bound, whereas the dominion thereof directly appertains to himself, to account the fruits in payment of the sum lent *c* ; second, if the proprietor receive the fee, or farm in pledge from the vassal, or tenant, he is not, provided he remits the corresponding service, or rent, liable *d* to compute the fruits in payment of the sum lent ; and thirdly, if the son-in-law *e* receive farms in pledge for the wife's fortune, he need not reckon the fruits in the payment of the fortune ; for it often happens that the expenses which he incurs for supporting his wife, exceed the fruit of the pledges.

Also the man that gives ten shilling for the purpose that so many measures of corn, wine, or oil be paid to him at another time, ought not to be considered an usurer, because, though they be then dear, it is reasonably doubted whether they will be dear or cheap at the time of payment. *Chap. 19, page 115.*

The law is otherwise, if any man lend to another going to sea or market, a quantity of money, under condition that he (lender) receive something more than the principal because he assumes the risk, he is to be reputed an usurer. *Chap. 19, page 115.*

a *Chap. 13, page 114.* *b* *Chap. 12, page 114; and Chap. 18, page 115.*
c *Chap. 1, page 110; and Chap. 8, page 113.* *d* *Chap. 1, De Feudis, in Decretalibus.* *e* *Chap. 16, page 115.*

The following APPEAL was first made to the Metropolitan Archbishop Everard, who died having made no reply ; and then to the Primate of Ireland, Archbishop Curtis, who replied by letter dated March 15, 1821, that the case came not within his jurisdiction. *See Narrative, page 15.*

**AD SANCTISS. PATREM, PIUM VII.
PONT. MAX.**

Beatissime Pater, ad Sanctitatem Vestram humiliter confugio de excessibus Reverendissimi Guillelmi Coppinger, episcopi Cloyneensis et Rossensis, querens, accusansque eum quod usuram publice exercet, ac quod illum in errorem inciderat, ut pertinaciter affirmare præsumat exercere usuram non esse peccatum. Sic res est :

Vocatus, mense Octobre anni 1819, eram, ad ultima sacramenta ministranda, mercatori cuidam de hac parochia, qui merces suas, scilicet semen lineum, tunc ultra novem solidos non valens, pauperibus ad seminandum tempore verno distrahebat, eosque obligabat, ad duodecim solidos et sex denarios tempore messis solvendum ; $3\frac{1}{2}$ solidos quippe per novem solidos spatio semestre, vel plusquam 77 per centum annuatim talibus ex contractibus lucrificiens ; etiamsi merces illæ solutionis tempore proculdubio minus valeturæ : semen enim dictum tempore autumnali nullo modo emunt.

Ego autem juxta capita, *In civitate tua.* ac *Consuluit**. de usura, eum in judicio animarum ad ea, quæ taliter recepit, restituenda, et ab reliquorum exactione desistere, compuleram. Nihilominus Parochus (coadjutor eram) Reverendus Jeremias Molony, nemine rogante, nec etiam infirmo, nec familiâ ejus, sed motu proprio, rem Episcopo intimaverat, qui, contra Con. Generale, C. *Qualiter et quando.* et contra Cap. *Pervenit.* de Excess. Prælatorum, sine citatione, inscriptione, testium vocatione, vel sine ordine ullo judiciario, me ab *officio et beneficio* suspenderat, majoremque in meam ignominiam congregationi meæ talem suam legi jusserat sententiam. ‘ Per leve compendium idcirro ad grave dispendium venit.’ Postea

* Vide in *Appendice* DECRET. GREG. lib. 5. tit. 19. cc. 6. et 10.

vero me in pristinum statum proposuerat restituere, modo fidem de silentio circa usuram servando, in scriptis sibi darem; conditioni autem huic, cum dissentirem, gravia minatus erat; dicens 'sese effecturum, ne ullus Esiscoporum Hiber. mihi officium seu missionem daret.' Sub eadem iterum conditione offerebat me pastorem facere de Cape Clear.

Præterea Episcopum eundem accuso, quod ad communionem altaris, et Christianam sepulturam fœneratores omnes sine discrimine admittit ac oblationes eorum accipit, permittens presbyteris, mandansque similiter agere; Reverendo Michaeli Quinlan, mandaverat ut quendam fœneratorem manifestum; nomine Roche, de Aghnakishey, Christianæ traderet sepulturæ.

Postremo eundem ipsum, pro dolor, de usura, seu interesse publice exercenda, accuso: Revdus Guillelmus Taylor, nuper capellanus ejus mihi dictitaverat sese interesse pecuniarum ad eum a debitoribus sæpe pertulisse; præterea libras 400 ad usuram Do. Olden de Cove dederat, cujus chirographum in Reverendum Jeremiam Molony jam allatum postea transfert, qui decretum civile statim obtinet, ac bona debitoris per prætorem capit, sic sorti jam satis magno libras 25 expensarum addens. Scandalum hoc nuper Coviensi datum est sub oculis episcopi nostri. Scriptum est, Parturiit injustitiam, concepit dolorem, et perperet iniquitatem; contritio et infelicitas in viis eorum; devorant plebem meam, sicut escam panis.

Querelam hanc, hancque accusationem coram Metropolitano Reverendissimo Do. Do. Everard, mense Junio, anni 1820, proposueram, qui nullam dans responsionem vitâ paulo post functus est. Easdem deinde ad Primatem, Reverendissimum Dm. Dm. Curtis, destinaveram, qui per litteras respondit, quod ad se causa non pertinet.

Quid nunc facere nescio; sub suspensioⁿe* adhuc maneo; factus sum in derisum populo; sum opprobrium abundantibus, despectio superbis. Laboravi, clamans, raucæ factæ sunt fauces meæ, defecerunt oculi mei, dum spero in Deum meum; non erubescant in me, qui te expectant, Domine, Domine virtutum; non

* Sub suspensione a beneficio tantum.

confundantur super me qui quærunt te, Deus Israel, quoniam propter te sustinui opprobrium ; extraneus factus fratribus meis, peregrinus filiis matris meæ. Clerici omnes declinaverunt, simul inutiles facti sunt ; errorem episcopi sequentes, exercent, defenduntque usuram ; ad se rapere me festinant, die, nocteque tentantes. Ego interim clamito, si Sedes Apostolica usuram admittet, non recusabo. Ideo mihi Cathedram Petri censui consulendam ; a sacerdote victimam salutis, a pastore præsidium ovis flagito ; facessat invidia Romani culminis, recedat ambitio, cum successore piscatoris, et discipulo crucis loquor. Vos estis sal terræ, vos estis lux mundi, vos aurea vasa et argentea : hic testacea vasa vel lignea virgam ferream et æternum incendium opperiantur. Dic, quæso, utrum possim cum eis communicare—sacramenta scilicet ab eis suscipere ? Nonne scriptum est, 2 THESS. iii. 6. ‘ Denunciamus vobis, fratres, in nomine Domini nostri Jesu Christi, ut subtrahatis vos ab omni fratre ambulante inordinate, et non secundum *traditionem*, quam acceperunt a nobis. Usuram aut interesse, rogo, quis Propheta, quis Evangelista, quis Apostolus tradiderat ; quid Concilium eam docuerat ? Decernite, si placeat ; non timebo usuram admittere si jubeatis. Condatur nova fides per Concilia Nicæen. Later. Vien. vel Lugdun. Idcirco obtestor Beatitudinem vestram, per crucem Domini, per passionem Christi, per necessarium fidei nostræ decus, ut qui Apostolos honore sequeris, sequaris et merito, ita in solio cum duodecim judicaturus* sedeas, ut mihi literis vestris, quid faciendum, significes. Noli dispicere animam, pro qua Christus mortuus est.

Ross Carberry, datum 15 Aug. 1822.

JEREMIAS O'CALLAGHAN.

TO HIS HOLINESS POPE PIUS VII. SUPREME PONTIFF.

Holy Father, I most humbly flee to your Holiness to seek protection from the excesses of the Right Rev. William Copping, Bishop of Cloyne and Ross, and to accuse him, for that he pub-

* Matt. xix. 28.

licly practised usury, and that he obstinately affirmed that to exercise usury is not sinful. The facts are these :

Having been called out, in October, 1819, to administer the last Sacraments to a dying man of this parish, a merchant, who retailed his goods, that is, flax-seed, worth then not more than nine shillings, to the poor, in the Spring, for sowing, and obliged them to pay in Autumn twelve shillings and sixpence : gaining, therefore, three shillings and sixpence, upon every nine shillings, for six months ; or more than seventy-seven per cent. per annum. Though that seed would be certainly of less value at the time of making the payment ; for it would not sell at all in Autumn.

But I, according to the Chapters, *In civitate tua.*, and *Consuluit. de Usura*,* induced him, in the judgment of souls, to restore what he had received in this manner, and to desist from demanding what might be due. However, the Parish priest, (I being the co-adjutor) Rev. Jeremiah Molony, at the instance of nobody, not even of the patient's family, but of his own accord, intimated the affair to the bishop, who contrary to the General Council, Chap. *Qualiter et quando.* and to the Chap. *Pervenit. de Excess. Prælatorum*, suspended me without any written notice, without calling witnesses, and without any judicial process, from my office and benefice : and to my greater shame, he ordered this sentence to be read to my congregation. ' They therefore came by the short way,' as the proverb says, ' to the infliction of a grievous injury.' However, he afterwards offered, in the presence of the Rev. Messrs. Lane, and Walsh, to restore me, ' provided I would give him, in writing, a promise of observing silence on interest ;' when I declined this condition, he made great threats, saying, ' he would prevent all the Irish bishops from giving me employment or mission ;' under the same condition he again offered, by letter, dated June, of the present year, to make me pastor of Cape Clear.

I accuse him (bishop) moreover, of admitting to the communion of the altar, and to Christian burial, all usurers, without exception, and of receiving their offerings ; ordering and permitting all the priests to do the same. He commanded, for example, the

* Page 112, c. 6, and page 113. o. 10.

Rev. Michael Quinlan, to afford Christian burial to a Mr. Roche of Aghnakishey ; though conscious that he was a notorious usurer.

Lastly, I accuse him, for shame, of publicly exercising usury or interest. The Rev. William Taylor, his recent chaplain, informed me, that he himself often was the bearer of interest from his debtors to him. Moreover, he lent four hundred pounds at usury to a Mr. Olden, of Cove,* whose bond, bearing interest, he endorsed to the above-mentioned Jeremiah Molony, pastor of this place ; who obtained an execution, and seized, by the sheriff, all the goods of the debtor, thus creating twenty-five pounds additional costs. This scandal took place lately in Cove, under the eyes of the bishop.

In June of 1820, I submitted this complaint and accusation to the Most Rev. Doctor Everard, the Motropolitan of the province, but received no reply ; he dying soon after ; I then appealed to the Primate Archbishop Curtis, who, in a letter, dated Drogheda, March 15, 1821, replied that it was not his duty to entertain the subject.

What to do I know not ; remaining yet under the suspension ; † the mockery of the people ; the contempt and derision of the great ; being hoarse from crying ; my eyes grew dim from weeping ; whilst I hope in my God. May they not blush in me who believe in you, O Lord, Lord of powers. May they not be confounded

* He says, in excuse, that he lent that money at usury for the support of a Priest and a college, not for his own use. Pretty excuse, indeed ! Whatever college or university, or convent of men or women, practise, or allow the practise of, usury, incurs, *ipso facto* an *interdict* ; and whatever Bishop tolerates the practice in his territories, falls, *ipso facto*, into a *suspension* : See *Con. Lyons*, page 116. All the agents, clerks, brokers, and counsellors, in the infernal transactions of usury, are under *excommunication* : See *Con. Vienne*, page 118. I did not say that he *received* the interest, but that he *lent* four hundred pounds to Mr. Olden, at interest ; so he did ; though I have been informed by several persons, and I believe it, that he exercised usury all his life, for his own account. To suspend any priest who would oppose interest ; to admit all usurers without distinction to the sacraments, and to be the agent of his priest and college in usury affairs, is it not as sinful as if he would practise interest on his own account. See *Narrative* page 47.

† Suspension is two-fold—from *office* and *benefice* ; the former he removed by the *Exeat*, See page 11. the latter he never did.

in me, who seek you, God of Israel ; since I have borne the reproach on your account. I have become a foreigner to my brethren, a stranger to the children of my mother. All the clergy have deviated from the path ; they are become altogether useless ; following the error of the bishop, they exercise and advocate usury ; they hasten to draw me to their side, tempting me day and night. I, in the mean time, exclaim, if the Holy See admit usury, I shall not refuse admitting it. I consequently thought I ought to consult the Chair of Peter. From the Priest, I earnestly solicit the bread of life ; from the pastor, the protection of the sheep. Away with pride ! away with ambition from the Roman dignity ! I address the successor of the fisherman and the disciple of the cross. You are the salt of the earth ; you are the light of the world ; you are the silver and golden vessels ; here are earthen and wooden dishes destined for the iron rod, and for eternal flames. Say, I beseech, whether I can hold communion with them—receive the sacraments from them ? Is it not written, 2 THESS. iii. 6, ‘ We preach to you, brethren, in the name of our Lord Jesus Christ, to withdraw yourselves from every brother walking irregularly, and not according to the *tradition* which they received from us.’ But what Prophet, I ask, what Evangelist, what Apostle, handed down usury or interest ? What Council taught it ? Decide, if you please, I shall not dread to admit usury if you order it. Let a new faith be framed by the Councils of Nice, Lateran, Vienne, or Lyons. I therefore beseech Your Holiness, for the sake of the cross of our Lord, of the passion of Christ, and for the necessary decency of our religion, that as you succeed the Apostles in dignity, and may succeed them also in glory ; that as you may sit with the twelve hereafter in judgment on mankind,* to vouchsafe signifying to me, by your letter, how I am to act. Despise not a soul for whom Christ has died.

Ross Carberry, August 15, 1822.

JEREMIAH O’CALLAGHAN.

* MATT. xix. 28.

Reverende Domine—Quæ de exorta inter te, ac Reverendissimum Guillelmum Coppinger, episcopum Cloynensem et Rossensem, circa mutuum et usuram controversia ad hanc Sacram Congregationem perlata sunt; hujusmodi sane videntur, ut valde timendum sit, ne satis tibi innotescant quinque illæ de usuris regulæ, quas sanctæ memoriæ Benedictus XIV. datis ad Italiæ Episcopos, encyclicis litteris sub die prima Novembris, 1745, digessit atque exposuit. Quapropter, censuit S. Congregatio exemplar tibi transmittendum esse earundem Regularum, seu Sententiarum,* quæ communem et perpetuam Ecclesiæ Catholicæ de usuris doctrinam complectuntur, quasque propterea Summus Pontifex in præfatis litteris encyclicis approbavit ac confirmavit. Quæcunque in hi continentur, si tu recte perpendas; ea, si docili, reverentique animo amplectaris; iis, si penitus adhereas, non erit certe, cur circa usurarum doctrinam laudatus Præsul possit tibi jure succensere. Omni itaque partium studio, omnique cupiditate solutus Episcopum adi, atque eo, quo par est erga legitimum Superiorem tuum obsequio, te ita paratum profiteri, ut nihil omnino, aut litteris, aut sermonibus, proferre vel docere velis, quod ab his sententiis contrarium alienumque sit. Hac facili atque æqua ratione futurum spero, ut reconciliationis munus ad eodem consequaris: Interim Deum precor enixe, ut tibi fausta omnia benigne largiatur.

Romæ, 5 Julii, 1823.

H. CAR. GONSALVI.

Pro. Præf.

PETRUS CAPRANO.

Archiep. Icon. Sec.

*Rev. Do. Jeremiæ O'Callaghan,
Ross Carberry, Ireland.*

* QUINQUE REGULÆ.

Ad recte judicandum de casibus, in quibus Usura committitur, vel non, quas præscripsit Benedictus XIV. in Encyclica,—*Vix pervenit*, die prima Novembris, 1745:

1. Peccati genus illud, quod usura vocatur, quodque in contractu mutui propriam suam sedem et locum habet, in eo est repositum,

quod quis ex ipsomet mutuo, quod suapte natura tantundem duntaxat reddi postulat, quantum receptum est, plus sibi reddi velit quam est receptum ; ideoque ultra sortem, lucrum aliquod, ipsius ratione mutui sibi deberi contendat. Omne propterea hujusmodi lucrum, quod sortem superet, illicitum et usurarium est.

2. Neque vero ad istam labem purgandam, ullum arcessiri subsidium poterit, vel ex eo quod id lucrum non excedens, et nimium, sed moderatum, non magnum, sed exiguum sit ; vel ex eo quod is a quo id lucrum solius causa mutui deposcitur, non pauper, sed dives existat ; nec datam sibi mutuo summam relecturus otiosam, sed ad fortunas suas amplificandas, vel novis coemendis prædiis, vel quæstuosis agitandis negotiis utilissime sit impensurus. Contra mutui sequidem legem quæ necessario in dati atque rediti æqualitate versatur, agere ille convincitur quisquis, eadem æqualitate semel posita, plus aliquid a quolibet, vi mutui ipsius, cui per æquale jam satis est factum, exigere adhuc non veretur ; proindeque, si acceperit restituendo erit obnoxius ex ejus obligatione justitiæ, quam commutativam appellant, et cujus est, in humanis contractibus æqualitatem cujusque propriam, et sancte servare, et non servatam exacte reparare.

3. Per hæc autem nequaquam negatur, posse quandoque una cum mutui contractu quosdam alios, ut aiunt, titulos, eosdemque ipsimet universim naturæ mutui minime innatos et intrinsecos, forte concurrere, ex quibus justa omnino legitimaque causa consurgat quiddam amplius supra sortem ex mutuo debitam rite exigendi. Neque item negatur, posse multoties pecuniam ab unoquoque suam, per alios diversæ prorsus naturæ a mutui natura contractus, recte collocari, et impendi, sive ad proventus sibi annuos conquirendos, sive etiam ad licitam mercaturam et negotiationem exercendam, honestaque indidem lucra percipienda.

4. Quemadmodum vero in tot ejusmodi diversis contractuum generibus, si sua cujusque non servatur æqualitas, quidquid plus justo recipitur, si minus ad usuram (eo quod omne mutuum tam apertum, quam palliatum absit) at certe ad aliam veram injustitiam, restituendi onus pariter afferentem, spectare compertum est ; ita si rite omnia peragantur, et ad justitiæ libram exigantur, dubitandum non est, quin multiplex in iisdem contractibus licitus

modus et ratio suppetat humana commercia, et fructuosam ipsam negotiationem ad publicum commodum conservandi ac frequentandi : Absit enim a Christianorum animis ut per usuras aut similes alienas injurias florere posse lucrosa commercia existiment ; cum contra ex ipso Oraculo Divino discamus, quod *Justitia elevat gentem, miseros autem facit populos peccatum.*

5. Sed illud diligenter animadvertendum est falso sibi quemquam et nonnisi temere persuasurum reperiri semper, ac præsto ubique esse, vel una cum mutuo titulos alios legitimos, vel secluso etiam mutuo, contractus alios justos, quorum vel titulorum, vel contractuum præsidio, quotiescumque pecunia, frumentum, aliudve id generis, alteri cuicumque creditur, toties semper liceat auctarium moderatum ultra sortem integram salvamque recipere. Ita si quis censuerit, non modo divinis documentis, et Catholicæ Ecclesiæ de usura judicio, sed ipsi etiam humano communi sensui, ac naturali rationi proculdubio adversabitur. Neminem enim id saltem latere potest, quod multis in casibus tenetur homo, simplici ac nudo mutuo alteri succurrere, Ipso præsertim Christo Domino edocente : *Volenti mutuari a te, ne avertaris ;* et quod similiter multis in circumstantiis, præter unum mutuum alteri nulli vero justoque contractui locus esse possit. Quisquis igitur suæ conscientiæ consultum velit, inquiret prius dilligenter oportet, vere ne cum mutuo justus alius titulus ; vere ne justus alter a mutuo contractus occurrat, quorum beneficio, quod quærit lucrum, omnis labis expers et immune reddatur.

(*Translation.*)

Reverend Sir.--The controversy that has arisen between you and the Right Rev. William Coppinger, Bishop of Cloyne and Ross, regarding Loan and Usury, reached this S. Congregation. Hence it really seems that there is much reason to dread, that the five rules of usury which Benedict XIV., of holy memory, in a circular letter to the Bishops of Italy, bearing date 1st November, 1745, digested and expounded, are not sufficiently known to you. Consequently the Sacred Congregation resolved to send you a copy of

these Rules or sentences, * which contain the universal and perpetual doctrine of the Catholic Church on usury, and which, therefore, the Supreme Pontiff in the said circular letter, has approved and confirmed. If you duly weigh the contents of that letter ; if you with docile and humble mind embrace them ; if you follow them in every respect, there will be no reason why the above mentioned Prelate could in justice be angry with you on the doctrine of Usury. Laying aside, therefore, all party spirit and ambitious views, go to the bishop, and profess that you hold all just obedience to him, your lawful superior, so far, that you will not at all, either in writing or preaching, inculcate or teach any thing contrary or foreign to these sentences. By this easy and rational mode of proceeding, I hope you will gain from him the grace of reconciliation. In the mean time, I earnestly pray that God may mercifully vouchsafe you every blessing. *Rome, 5th July, 1823.*

H. CAR. GONSALVI,
Pro. Præf.

PETER CAPRANO,
Archb. Icon. Sec.

*To the Rev. Jeremiah O'Callaghan,
Ross Carberry, Ireland.*

* RULES for rightly judging of the cases wherein Usury is committed, or not, which BENEDICT XIV. prescribed in a Circular Letter, *Vix prevenit.* bearing date, first November, 1745.

1. That sort of sin which is called usury, and which has its proper seat and place in loan contract, consists in man's desiring, from the loan itself, which, of its own nature, demands as much only to be restored as was received, that more be restored to him than was received ; and, consequently, maintaining that some gain above the principal is due to him, by reason of the very loan. Every gain, therefore, of this description, that exceeds the principal, is illicit and usurious.

2. Nor can he indeed, for palliating this sin, seek shelter from the fact, that this gain be not excessive and too heavy, but moderate; not great, but trifling; nor from the fact, that the person from whom the gain is required by reason of the loan itself, be not poor, but rich, who would not leave the sum, that is lent to him, idle, but who would profitably expend it for increasing his fortune, either by purchasing farms, or transacting lucrative commerce. That man indeed violates the law of loan, that necessarily implies an equality between the thing given and the thing restored, who, when that equality is once established, feels not ashamed, nevertheless, to require something more from any person by reason of the loan itself, which is already satisfied by the equality. Moreover, if he received it, he is liable to restitution from the obligation of that justice which they call commutative, and whose property consists in preserving fairly, in human contracts, that equality which is due to every party, and to repair it exactly, if not already preserved.

3. But this is not, by any means, denying that some other titles, as they say, being collectively, neither innate nor intrinsic to the very nature of a loan, may sometimes concur with the loan contract, from which a cause both just and lawful in every respect may arise, of demanding fairly something more than the principal. Nor is it denying, likewise, that man could very often lawfully apply, and lay out his money on other contracts of a nature altogether different from the nature of loan, either for purchasing annuity, or even for transacting lawful trade and commerce, and for acquiring thereby decent lucre.

4. But, as in all these kinds of contracts, if his equality be not secured to every person, whatever is received more than the right, if it does not come under usury, by the absence of every sort of loan, both expressed and palliated, it certainly appertains to another real injustice, that equally involves the obligation of making restitution; so if all things be duly carried on, and weighed in the scale of justice, there can be no doubt that in the extensive field of lawful contracts, human ingenuity will devise commerce and traffics calculated to create and preserve the public utility. Far be it from the mind of Christians to imagine, that, by means of usury, and

such strange injuries, lucrative trade could prosper ; when, on the contrary, we learn from the Divine Oracle, that '*Justice raises a nation, but sin makes a people miserable.*' PROV. xiv. 34.

5. But let it be dilligently marked that it is only a false and rash notion, that there are *always* found, and are every where present, either with the loan, other lawful titles ; or separated from the loan, other just contracts, under the shelter of which titles or contracts, as often as money, corn, or any other such article, is lent to any person, so often it may be lawful to receive a moderate increase beyond the principal, which being entire and safe. If any man should imagine so, he will be, without doubt, opposed not only to the Scripture and to the decrees of the Catholic Church, but even to the common judgment of mankind, and to natural reason. For nobody can, at least, forget, that in *many cases*, man is bound to succor his neighbor with a simple and naked loan ; our Lord Jesus Christ himself, MATT. v. 42 teaching, *From him who would borrow, turn not away* ; and also, that in many circumstances there can be room for no other true and just contract besides a loan. Whoever, therefore, would look to his own conscience, ought first dilligently to inquire whether another just title really accompanies the loan, or whether another just contract different from the loan really occurs, under whose cover the gain which he demands may be rendered free and exempt from sin.

Now you see before you the Five Rules of Benedict XIV ; ' which contain the perpetual and universal doctrine of the Catholic Church on the matter of usury.' As I had been instrumental in the hands of Providence in eliciting that Definition, which is perhaps the very last that is given by the Holy See on the question to this, or any other country, I will take liberty to offer my commentary.

RULE I. says, that every gain that exceeds the principal is illicit and usurious ; that the lender who looks for some gain above the principal is an usurer. Remark that he falls into the sin of usury, though he does not actually receive the increase, but *expects* it, or maintains that it is due to him. This doctrine is certainly founded upon the saying of Christ—Lend, *hoping* for nothing thereby.

RULE II. says, that it is no palliation of usury, if the gain be moderate and trifling ; or, if it be not exacted from the poor, but from the rich, or from merchants ; that the law of loan necessarily requires an equality between the thing given and the thing received ; that if any more than that be received the equality is violated ; and the receiver is, in justice liable to make restitution.

RULE IV. says, that human ingenuity would soon discover in the extensive range of society some traffic, lawful and conducive to the public welfare ; and that no Christian could imagine that trade would prosper by means of usury or any other such unchristian invention : it being declared by the Divine oracle that *Justice exalteth a nation ; but that sin maketh nations miserable*. That oracle is fully verified in our unfortunate days. Do we not see all people and nations that give scope to usurious traffic miserable, and sunk into chaos ?

RULE V. declares, that it is a false notion that lawful titles for receiving some moderate gain above the principal, always accompany the loan ; and that every conscientious man should carefully see that the gain which he obtains be free from sin.

But RULE III. speaks of some titles that are to be neither *innate* nor *intrinsic* to the very nature of the loan ; they must be *extrinsic* and *separable* from it. The *use* of the borrowed money is a property both innate and intrinsic to the loan, for the borrower enjoys full liberty to use at pleasure what he borrows ; and, in case that liberty is checked, limited, or restrained, in any manner, the transaction ceases to be a loan. See ST. THOMAS, page 70. Whoever therefore charges price for the *use* of money, makes a charge for a title, or property that is *innate* and *intrinsic* to the very nature of the loan ; and in consequence he violates this third Rule, and becomes an usurer.

Whereas Benedict XIV. or any of his Holy Successors, has not specified what the external titles are, that may justify receiving more than the principal, or when they may concur with the loan contract, it may be rashness in an obscure individual to hint at them ; notwithstanding I think I may safely say that the Lender when obliged to recover the debt by law, would deem himself enti-

tled to the legal costs also. As a claim or title to the costs is neither *innate* nor *intrinsic* to, but *separable* from the loan, it may be presumed that the Pope alluded to it, or to some other similar title. But this I confidently say, that no interest, nothing more than the sum or capital lent, can be expected, demanded, or recovered for the *use* of the money, or for any other title innate or intrinsic to the nature of the loan. Further: as some withered members of the Church, when they make mockery of her laws by involving themselves in the eddy of usury, gladly seize upon the said RULE III. in self-justification, my comment must be extended.

We have heretofore seen from page 72 to 81, that usury is reprobated in both Testaments; from page 86 to 101, that it is condemned by the Holy Fathers; and from page 106 to 125, that it is abhorred by the S. Canons. Will all the Holy Scriptures, Fathers, Pope, and councils be rendered dead letters by that one obscure and equivocal Rule of Benedict XIV? I say *No*. There is a general maxim in the law, 'That, if the entire, or a part of any statute be obscure or doubtful, it be construed with, not against the general law.'

REGULA 28. Quæ a jure communi exorbitant, nequaquam ad consequentiam sunt trahenda.

REGULA 45. Inspicimus in obscuris, quod verisimilius, vel quod plurimum fieri consuevit. *Lib. 5. Tit, 12, in 6º*

'Exceptions from the common law, must not be followed as a rule.'

'In difficulties the more probable and general course is adopted.'

The maxim is founded upon the wisdom of ages, and even upon the law of God 'Though we, or an angel from heaven preach a Gospel to you besides that which we have preached to you, let him be anathema; as we have said before, so now I say again, If any one preach to you a Gospel besides that which you have received, let him be anathema: ' GAL. i, 8. 'To the Holy Fathers,' says ST. VINCENT OF LIRENS, *Chap. 39.* 'we give credence under the condition that whatever the whole, or the majority of them unanimously, manifestly, and constantly adopt, hold, and hand down, it be confirmed, retained, and ratified. But that opinion, which any

man holds, though he be holy and learned ; though he be a bishop, confessor, and martyr, besides all, or contrary to all, must be set apart with the peculiar, private, and obscure sentiments, from the authority of the constant, public, and universal doctrine ; for fear we would in imitation of the sacrilegious custom of hereticks and schismaticks, abandon, at the risk of our immortal souls, the Catholic truth, and pursue the novel error of an individual.' ' In the Catholic Church,' says he, *Chap. iii*, take good care to hold *what was every where, what was always, what was by all people*, believed—*Quod ubique, quod semper, quod ab omnibus, creditum est*.

To contrast and weigh the authorities on both sides—for and against interest, put the different texts of Scripture, the Holy Fathers, Popes, and Councils, together with the other four clear and strong Rules of Benedict XIV. into one side of the scale, and the aforesaid Rule III. which is obscure and equivocal, into the other. How do they balance ? If you consider that solitary Rule more mighty or safer to be followed, how will you dispose of the opposite authorities ; will you say that all that the Holy Ghost has written in the Holy Scriptures, Holy Fathers, and Councils against usury or increase is an unmeaning dead letter to be expunged from all future editions of the Bible and Canons ?

It may be objected that usury is now adays practised in Rome herself. Whether it be or be not practised there I will not stop to enquire ; convinced, as I am, that the Blessed Redeemer, should he come again upon earth and preach against it, would not be obeyed by all usurers ; by some he would. It is not for what they *do*, but for what they *say*—not for what worldlings practise, but for what the Vicar of Christ teaches, I care. By making the custom of the world our rule of life, not the doctrine revealed and handed down, the Christian Religion would have been lost being since. Usury is perhaps tolerated in Rome, like the tares that cannot be cleared away until harvest time ; if so, it is tolerated, not approbated by the Holy Father. He could not approve of the infernal usury of the world ; but of the holy usury of Jesus Christ, *to clothe the naked, feed the hungry, house the poor traveller, and redeem the prisoners*. He becomes, when we relieve any of his little ones, our debtor : *MATT. xxv. 40*. What a glorious triumph has the truth

gained in the sacred Congregation's decision ; how clearly it shews that Rome in the 19th century follows the path of antiquity ; that she believes and follows what was always, what was in all places, and what was by all persons, believed. If any man possess any decree or definition from either Pope or Council, for interest, or increase of any sort, let him produce or publish it. Now is the time.

PAWNBROKERS AND MORTGAGEES.

DECRETAL, GREG. *Lib. 3, Tit. 21. Chap. 4.* ' We believe that you are endowed with that degree of science, that you clearly understand what is the law with regard to the question which you propose. However, as you have requested to be instructed by our solution, we deem it proper, for fear the adjustment of the question be delayed in expectation of that solution, to give hereby our answer'.

Thus have you stated the case-pending between H. and B., sons of G., of Cosa, on the one part, and G. daughter of T. and her heirs on the other part, with regard to some lands pledged for £23 to them persons.

It is argued on the part of said G. and her heirs, that the farm which H. and B. remanded of them, was not given in pledge, but purely sold, as can be seen from the face of the deed of conveyance ; but aforesaid H. for himself and his brother, positively maintain that the farm was not purely sold, but conveyed in pledge ; as there was a condition attached to the bargain, that, if for two years from the date of the contract, T. would be dissatisfied, G. the father of H. should pay him, within a year, £26 ; the fruits being computed in that sum.

But because it is doubtful whether it had been a pure and absolute sale, or a pawn contract, We reply, that whatever had been the intention of the contracting parties, and though, from the face of the deed of conveyance, the sale does not appear conditional, but pure, (though it could be resolved into a conditional contract,) from two circumstances, however, which have been expressed in the compact, namely, that the fruits received ought to be reckoned in the payment of the money ; and that sixty shillings more than

the sum received should be paid, the presumption is very strongly against the buyer, especially when he was in the habit of lending at usury.' *Innocent III., An. 1212.*

Chap. 6. 'When you disputed in our presence against G. a citizen of Avingon, respecting some premises, which your father, L. de Sal, had formerly pledged for a certain sum of money, and the heirs of this mortgagee had mortgaged them to said G., you have legally proved that as much was made of the fruits of these premises, both by the said G. and by the others who held them since they had been mortgaged, as could amount to the principal. We therefore, being aware that, in similar cases, the return of the fruits should be counted in the principal, as according to the Canons, 'the fruits ought to be restored and counted in part payment of the principal;' considering, also, that the said premises have entirely removed the burden, and annihilated the whole debt, We have decreed, that they ought to be restored to you, and have caused you to be put, by our messenger, into the personal possession of them. *Innocent III., An. 1212.*

Chap. 7. 'It has been signified to us by R., an inhabitant of Pisa, that he mortgaged his house for £250 to G., another inhabitant of Pisa, and bound himself, on oath, that unless he would redeem said house within a certain time, he would give the creditor no more trouble about it; and that, within the appointed time, he sent the money to the creditor, by a sure and faithful messenger, as he thought, which the messenger, acting the rogue, did not pay, as he had been enjoined to do; and after that the said R. being detained prisoner by the Emperor, was not able to satisfy said G. as he ought to have done. When therefore,* *Pactum legis commissoriae sit in pignoribus improbatum*, 'When the condition of the *lex commissoria* is reprobated in pledges;' and said R. fulfilled the obligation of his oath, as well as he could, when he sent at the appointed time the money by that person whom he considered as a safe messenger, but being detained in custody, he could not satisfy the creditor; We command you, if that be the case, to compel with Ecclesiastical censures said creditor, that, being satisfied with the

* *Lex Commissoria*, 'An exception, or condition, in any contract, which not being fulfilled, the bargain is void.'—*Littleton's Dictionary.*

principal, the rents of the pledge being counted in it, he resign the same (pledge) immediately to said R. notwithstanding such pact or oath.' *Innocent III., An. 1212.**

The Catholic Church in these Canons imposes no new obligation ; nothing but what is pre-ordained in both Testaments. 'What shall we say, says the *Catechism of the Council of Trent*, on the seventh Commandment, of those rich people who squeeze most severely their insolent debtors, and even carry from them, contrary to God's prohibition, those pledges that are necessary for sheltering their bodies : for God says, *EXOD. xxii. 26. If you receive a garment in pledge from your neighbor, you shall restore it to him before the setting sun ; for that is the only covering of his flesh, by which he is clothed ; nor has he any other in which to sleep : if he should cry to me, I shall hear him, because I am merciful. The cruelty of their exortion is rapine.*' *DEUT. xxiv. 10.* When you will demand of your neighbor any thing that he oweth you, you shall not go into his house to take away a pledge : but if he be poor, the pledge shall not lodge with you that night, but you shall restore it to him presently, before the going down of the sun, that he may sleep in his own garment and bless you, and you may have justice before the Lord your God. *EZECH. xviii. 12.* The man who *restores not the pledge*, who gives at usury and receives *increase*, will he live ? *He shall not live.* When he does all these destable things, *he shall die a death* : his blood shall be on himself.

'And there was a great cry of the people, and of their wives, against their brethren the Jews ; and there were some that said, Let us mortgage our lands, and our vineyards, and our houses ; and let us take corn, because of the famine ; and others said, Let us borrow money for the king's tribute, and let us give up our fields and our vineyards. Behold, we bring into bondage our sons and our daughters, and some of our daughters are bondwomen already ; neither have we wherewith to redeem them ; and our fields and our vineyards other men possess. And I was exceedingly angry when I heard their cry, according to these words ; and I rebuked the nobles and the magistrates, and said to them, Do you, every one, exact usury

* See page 110, Chap. 2; page 113, Chap. 8.

from your brethren? *Restore to them this day their fields and their vineyards, and their houses, and the hundredth part of the money, corn, wine, and of the oil which you were wont to exact from them, give it rather for them.*' 2. ESDRAS V. 1.

'Christ came not to break, but to fulfil the law and the prophets.' Notwithstanding, is there any thing more common than mortgagees and pawnbrokers? The former make of the pledge, in a few years, three times as much as they lend; the latter have their stores full of pawned articles, kettles, pots, blankets, sheets, quilts, hats, coats, gowns, shoes, stockings—seeking riches through the misery of their fellow-creatures. They charge twenty-five per cent. interest. 'What can be more unreasonable,' as St. Chrysostom says, 'than their sowing without rain, culture, plough? The tillers of this pestiferous soil will reap tares for eternal flames; in pursuit of riches, they enkindle for themselves everlasting fire.' What church do they belong to; what religious creed do they profess? It is hard to tell; they certainly are no Roman Catholics: though some of them may boast of that *name*, that is all the pretensions they can have to that church; for, in addition to the above frightful texts of Scripture, they incur all the interdicts, *excommunications*, suspensions, and maledictions, decreed by the Councils of Nice, Lateran, Vienne, and Lyons, against notorious usurers; of whom they are the most odious and most infamous: *infamy* was attached to the character of all usurers, especially pawnbrokers, in every country, since the first dawn of Christianity, until these forty years, so that their offspring was despised and deserted in matrimonial, and in every other honorable connexion, as much as the offspring of the murderer and felon. But, since that time, so great is the decay of faith and morals everywhere, that virtue retires in silent grief, whilst vice stalks abroad with open front. 'False prophets arise and seduce many, and iniquity has abounded, and the charity of many has waxed cold:' MATT. xxvi. 12.: 'If the Redeemer come again, he would not find faith upon earth.' LUKE xviii. 8.

O Ireland! well may you cry with the poor Jews against your brethren. We have mortgaged our fields, and our houses, and our vineyards, to pay the king's tributes. The fund-holders and

the tax-gatherers have searched our *little substance*, PSALM cviii. 11. Our beer and our porter ; our tea and our sugar ; our cloths and iron, are taxed for these monsters : our trade and our culture, and factories destroyed by the weight of the duties. Our butter, our beef, and our bacon exported to pay unto them. ' Our children are orphans, our wives are widows, poor, wandering, ejected from their holdings by the usurers ; others plunder the fruit of their labour ; there is none to relieve, none to pity their little ones.' Our sons and our daughters are in bondage ; some seek in every foreign clime, under the scorching heat of the sun, and the piercing cold of winter, exposed to the frowns of the stranger, that asylum denied them at home. Others, with the dying man's grasp, still cling to their natal soil, trying to rescue mere existence—the small relics of their means, from the fund-holder, the tax-gatherer, the tythe-proctor, and from the bankrupt. Getting no protection from the powers, they unfortunately think they ought to take the law into their own hands. Hence, the gaols, and the gibbet, and the gallows, nay, hell herself, seems to have opened her mouth. Alas ! our hearts bleed with grief ; the sun of our joy is for ever gone down ; there is no ray of hope. No longer will our green fields witness the rural sport ; our dances, our races, our hurling, no more. Our sweet cottage no longer cheers with the song of the bride, nor our valleys echo to the lute or the lyre. No longer, O no longer, will our sacred vaults resound with the organ or choir ! O Lord ! how long wilt thou be angry with us for ever ? Remember thine own congregation, that which thou didst possess from the beginning.

RENTS, AND FUNDS.

SEPTIMI DECRET. *lib. 2, tit. 12*, 'Whereas at undertaking the burden of the Apostolical servitude we have learned that innumerable contracts of rent have been, and are daily, celebrated, which are not only not confined within the limits prescribed by our ancestors for these contracts, but even, what is worse, under conditions directly contrary ; moreover, they carry, on the face of them, an ardent stimulus for avarice, a manifest contempt even of the Divine laws, consulting, as we are bound to do, for the salvation of souls

and in compliance even with the petitions of pious minds, to remedy by a salutary antidote such grievous disease and pestiferous poison.

We by this our constitution decree, that rent, or an annuity, can by no means be created, or constituted, unless in an *immovable thing*, or a thing that may be considered as immoveable, of its own nature fruitful, and that may be nominally designated by certain limits.

Again, unless in money truly paid down, in the presence of witnesses and a notary, and in the actual celebration of an instrument, but not when the entire and just price is not first received.

We forbid that the payments which are commonly called *anticipated*, be made or brought into agreement.

It is our will that the conventions binding directly or indirectly to the casual accidents the man who would not otherwise be liable to them from the nature of the contracts, be, by no means valid.

Nor the pact, likewise, taking away or restraining the liberty of alienating the thing subject to the rent, because we wish that that thing be always alienated, freely and without the payment of a fine, or a portion of the sales, or of another quantity or thing, as well during the people's life as in their last will.

But, when the thing is to be sold, we wish that the lord of the rent be preferred to all others, and that the conditions of the sale be intimated to him, and that he be waited for a month.

Let the pacts providing that the remiss debtor of the rent be liable to pay the loss, expenses, or salaries of the creditor, to lose the thing, or any part of the thing, subject to the rent, or to forfeit any right arising to him from that contract, or otherwise, or to incur any penalty, be entirely null and void.

Moreover, we strictly forbid both that the rent be augmented, and new rent created upon the same or another thing, in favor of the same, or of a person appointed by him, in consideration of the rents of the past or future time.

And also, we annul the agreements, providing that the payment of the expenses do appertain to the man to whom they would not otherwise, from law and from the nature of the contract, appertain.

Finally, we wish that all rents to be hereafter created, do cease in proportion, not only when the thing is perished in the whole or

in part, or rendered in whole or in part fruitless ; but that they may be extinguished for the same price, notwithstanding the prescription even of every long time, even immemorial, nay, of a hundred and more years, notwithstanding any pacts taking away, directly or indirectly, such liberty, with whatever words or clauses they be made up.

But when the income is to be extinguished, by delivering the price, we wish that this be intimated two months beforehand, by the person, to whom the price ought to be delivered and that, subsequent to the notice, the price can be recovered, however, within a year, from him, even against his will : and when he is not willing to demand the price within the year, we wish, however, that the rent can be extinguished at any time—the notice, however, being given, as said before, and notwithstanding the things that are mentioned above : and we command that the same course be observed, even when the notice had been often and often given, and the effect never produced.

We also strictly prohibit the pacts, providing the price of the rent be, besides the case mentioned, recovered from the unwilling man, either for a penalty, or for another cause.

And we judge that contracts, to be celebrated hereafter, under any other form, are usurious.

And, notwithstanding, whatever thing should happen, against our orders, to be explicitly or implicitly given, remitted, or forgiven, we wish that it be claimed by the public treasury. We wish that this wholesome decree be observed perpetually, and in every respect, not only in annuities to be newly created, but likewise in alienating them that are at any time already created, provided they be created subsequent to the publication of this decree.

Declaring that the price once affixed to the rent can never be diminished or augmented, on account of the quality of the time, or of the contracting parties, or of any other accident, nor with regard to any persons that may be ultimately concerned.

And though we do not extend this law to the contracts already celebrated, however we do exhort in the Lord all those persons to

whom rents have come under another form, to submit each contract to the scrutiny of good religious persons, and to consult the salvation of their own souls.' *Pius V. Rome, 14 Calen. Feb. 1568.*

Remark, that, according to the foregoing Decree, the conditions necessary and indispensable to render the purchase of an annuity free from sin, are five-fold ; first, the thing yielding the rent must be *fairly* sold ; second, it must be an *immovable* commodity ; third, its *bounds or limits must be specified* ; fourth, it must be a thing of *its own nature fruitful* ; and lastly, the *just price* must be paid down before, or at the time of purchase. All which conditions are visible in the sale of rent arising out of a farm ; or in other words in the sale of the farm itself. The farm is specified, it is a thing immovable, and naturally fruitful ; and if it be fairly sold and the just price be paid before, or at the day of the contract, the transaction is free from the stain of usury.

Fund holders, in purchasing the government 'annuities,' as they are called, follow not any of said conditions : neither estates, farms, houses, nor any other fruitful or immovable things, are fairly sold and transferred to them. They squeeze in taxes from the famished nation, the yearly interest, or dividends ; they having retained a right to receive the capital at pleasure, or at some specific time, either directly from the government, or by the disposal of the stock at the money market ; they often sell for much more than the first cost. Consequently the annual dividends which they draw, is a price for the *use* of the money, which they had relinquished only for a time. It is in truth and fact, usury of the most hideous description. The public funds are by far more abhorrent than the private usury : in the one no body sins or suffers, but the contractors—the lender and borrower ; but, in the other, the innocent suffer for the guilty. The nation that had no hand or part in the loans of the fund holders to the government are crushed by taxation, scattered and dispersed among the nations and countries. On both sides, with the fund-holders and private usurers, is a loan made, in hope of receiving something thereby—in *hope of gain*. The public lender is on better footing than the

private ; whilst this man is liable to suffer from the villany or insolvency of his debtors, that man is safe in the public securities ; for, until the whole nation is corroded by the taxes, and reduced to bankruptcy, he draws the interest or dividends annually, and can regain his capital, and sometimes more, by selling his title or bonds to other usurers at the money-market.

Though usurers palliate the deformity of the system under the veil of fine words—funds, omniums, debentures, securities, it retains the nature and effects of debt, usury, and interest, on the part of the beggared, heart-broken country. Had not usurers been so numerous these fifty years, there would not be such extravagant wars, standing armies, dead weight, or sinecures in England. When you recollect that usurers, or security-men, gave rise to all these curses : when you then turn in your thoughts the millions of our brave youths fallen by untimely death in the foreign field, the distress and ruin in both islands, the burnings, houghings, floggings, murders, robberies perpetrated by a famished population in Ireland, or the prisons, gallows, exiles, that naturally followed ; and if you turn your eyes upon the same race of poverty, crime, and punishment that the English are going to run ; and, lastly, on the ghastly view rising before you at both sides the Channel, from *panics* and *convulsions*, you must allow that no language affords terms sufficiently odious or strong to convey a true idea of usury and security-men ; you must allow that they are devourers of substance, murderers of society, agents from hell. Will our holy nuns join the blood-suckers ; will they join the Jews and Quakers to visit the 'Change, to live by the tears and sighs and dispersion of their fellow creatures ?

The spendthrift in private life throws himself into the usurer's snare, is soon stript of his patrimony, hurled into obscurity, and is no more heard of ; his profligacy injures himself, but nobody else. The public spendthrift, to the purpose of feeding his passions—waging foolish and wanton wars, and upholding groups of idle, worthless courtiers, loads the nation with debts ; that will breed, like maggots about the carion, myriads of blood-suckers ; filthy usurers to be eternally feeding on the sweat of the laboring classes. But the fund-holders maintain ' that, as they purchase

the funds, they have as good right to live in idleness, or in any other manner they please, by the fruit of their purchase as the purchaser of a farm, or of any other article, has to live as he pleases, from the rent or fruit thereof; that the purchase of the funds is as fair and equitable as any other purchase.'

But the sophistry and deception of their saying becomes manifest from a trifling reflection. The disparity between the purchase of funds and estates is at once seen by reflecting on the common expression, *I have purchased his lease*; whilst in reality he bought only the farm specified in the lease; that deed being merely an evidence or expression of the contract. In like manner, when A. makes a loan to B. a bond expressive of both principal and interest, is passed to the lender. If the bond be subsequently sold to a third person—to C. for instance, he becomes the creditor; to him is B. liable for both principal and interest. Who sees not that C. the purchaser of the usurious bond, becomes a usurer himself? So when a set of Quakers or Jews, make a loan to the government, they receive 'bonds' or 'scripts,' or whatever you call them, promising to pay the bearer the principal and quarterly interest, or 'dividends'; which scraps of paper they afterwards sell at the money market. Is it not then manifest that those bonds, whether they be called scripts, securities, debentures, consols, omniums, or otherwise, retain, wherever they pass, the nature of usurious bonds, and that the purchasers, or holders of them, by falling into the shoes of the original usurers, become usurers themselves; is it not also clear that though the bonds are said 'to have been purchased,' it is the principal and interest specified in them, that is purchased.

The bonds or acknowledgments which the government gives to the public lenders, are called *funds* and the holders thereof *fundholders*. Usury, since its introduction by Harry VIII. was practised by the meanest, basest, and avaricious parts of the community, whilst others had their scruples on the subject. Thus did a conflict between the gospel and the world, between reason and avarice last until the Prince of Orange, commonly called Wil-

liam III. mounted the throne. When he wanted loans on a larger scale, their scruples should be smothered by palliating the deformity of usury. As satan now sees a prospect of a mighty haul, he brings all his wiles into action to gloss over the infernal bait; the usual Scripture names are altered into barbarous and unheard of terms. In the fourth year of *William and Mary*, An. 1692, an act of Parliament is passed 'for granting to their Majesties certain rates and duties upon beer, &c. for securing certain recompenses and advantages to such persons as shall voluntarily advance the sum of ten hundred thousand pounds towards carrying on the war against France.' Behold, to lend is called *voluntarily to advance*; and the yearly interest is styled *certain recompenses and advantages*! The duties on the beer, &c. were to be deposited weekly in the Exchequer and formed there into a *fund*, distinct and apart from the other monies: from which fund the contributors were entitled to receive yearly shares or dividends. The collecting the duties, as it were, into a *fund* from which the lenders drèw the shares or interest, gave them, in the course of time, the name *fund-holders* and to the whole scheme of lending to the Government the appellation, of *Funding system*; though there is not one pound of all the money that was borrowed now in a heap or fund any where; it was long since devoured by the Court harpies. And as the Orange Prince found usurers, in abundance, to swallow Satan's pill—the certain recompenses and advantages,' he soon threw before them more pills: for in the 5th *W. and M. Chap. 7*, and 20, An. 1694, he called for two different loans—the first one million, and the second one million and half. The wordy entanglement of the previous statute is totally omitted in these: the wily Legislator now, that the usurer's conscience is a match for the naked dose, no longer deals out gilded pills; no longer does he palliate the monster with obscene words, but speaks in plain language,

THE BANKING SYSTEM IS USURY, FRAUD, AND DECEPTION.

Who would imagine that the Trafficker, who raises a loan from the Usurer, makes the public pay the interest, and in many cases, the principal too? He certainly does. Has he not to scrape from his trade, besides the interest of the loan, bread for his family, clerk-salaries and so forth: a thing impossible, if he recur not to fraud and extortion. If his speculations prosper, he deems himself fortunate, otherwise bankruptcies is the alternative. Success, or no success, in his speculations, the public, not he, will be the sufferers; with this only difference, that the extortion and cheaterly corrode, insensibly; bankruptcy deals out destruction open and rapid. By keeping in view that the trafficker filches some how or other from the community whatever interest is due to the creditors, the fraud and deception of the Banking system is easily seen through.

The bank when stripped of its name, is but a mere association of persons putting their money into a common stock to be loaned for profit—an association of cunning knaves, amassing wealth and building palaces at the cost of the poor inhabitants of the hovels. Messrs. A. B. and C. and some small fry, obtain a charter for a bank in the town Someplace with a capital stock of \$250,000. A. B. and C. take \$50,000 of the stock; the remainder goes to the small fry. A. B. and C. being reputed wealthy, easily borrow their share of the stock from some other bank. A. is chosen president, B. and C. directors; and the small fry, or their relatives, become clerks, runners, or understrappers of some sort.

Now the bank being in full operation, A. B. and C. mutually endorse notes and draw \$100,000, each. With half that sum they repay the money that had been borrowed from the other bank; and with the remainder are artizans and laborers in abundance employed; brick, stones, and lumber purchased for the notes of the new bank. All classes of the neighborhood now rejoice for the creation of the bank that causes so much stir in the prices and that brings happiness and plenty into the bosom of each family. The bank, by law, issues notes to three times the amount of its

capital—it issues \$750,000, which yields \$45,000 yearly interest; of this A. B. and C. take, each, \$9,000, as the dividend on his \$50,000 stock; whereof two thirds, or \$6,000, goes to pay the interest of the \$100,000, borrowed from their own bank, and with the remainder \$3,000 he revels on the fat of the land; he purchases farms, obtains mortgages, and becomes the founder of an idle, worthless Aristocracy. When it is thus possible for each of them bankers, though not possessing, or risking one dollar in the beginning, to make \$3,000, yearly, who can doubt that thousands of them play such a game on the deluded public?

In no part of the universe is the bank-deception practised to a greater extent, than in the United States of America. I have now in my possession a New York Paper—*Sylvester's Reporter*, of 20th February, 1834; which gives a list of all the banks in the Union, with the names and location; which I find to amount to 542 State banks. By averaging their capital at one quarter million the aggregate capital of the 542 would be 137 millions. And as they are empowered to issue notes to three times their capital, the issue of the 542 is three times 137 millions, that is, 411 millions; which, at 6 per cent. brings near 25 millions yearly interest. By adding thereto the profits of the United States Bank, which from its own statement,* amounted in the year 1832, to 4½ millions, the yearly profits of the United States Bank and of the other banks is not less than 29½ millions. Is not this a pretty round sum annually absorbed from the sapient Republicans?

Had the government retained its privilege of coining and spreading the currency, that 29½ millions would annually flow into the pockets of the people to be applied to internal improvements, or to some other national purpose. There are in the United States two sources from which flow the currency—the *Mint* and the *Banks*; the one belongs to the government, the other to monied Aristocracy; though both the one and the other works at the public expense. I have no documents to say what is the annual cost of the Mint; it is not perhaps as expensive an establishment, as the paper coinage which costs 29½ millions annually. Whatever money is coined at the Mint belongs to the public, and is, when it spreads abroad

* *Burlington Free Press*, Dec. 27, 1833.

through society beyond the reach of government ; but whatever is coined by the banks, belongs to the banks, and continues within their control wherever it goes. They may, to use the money-changer's cant, ' extend or curtail their issues' at pleasure, or even render it useless by *failure*.

Bank men have carried the deception so far, have wormed themselves into the simplicity of the public so much, that all the property of the United States—money, goods and chattels, is within their reach and control. Have they not the greatest portion of the Mint-money in their vaults, with a direct control over the paper money, and consequently over all the property in the nation ? They exact from the deluded public an annual tax of $29\frac{1}{2}$ millions for the privilege of coining paper money for themselves,—for the privilege of gaining a control over the whole nation. To pay unto bankmen an annual tax, as to the Mint, for coining money for the public utility would be less unreasonable ; but to pay it unto them for coining 411 millions for their own use and benefit is fraud and horrid deception. The Legislature that grants a license, or charter, to any set of fellows, to coin money, or issue notes, which is the same thing, merely grants them license to rob and plunder the rest of the community. If they grant them a charter to coin paper money for the benefit of the state, it would be some thing, but to license them to coin it for themselves, and to keep to themselves, the interest thereof also, is a legal species of robbery on the rest of the community that have no such license.

If the Aristocracy have suffered the candle to die, if they removed the law of God and future punishment from their thoughts ; if they must have banks and usury, let them convert their estates into metallic currency to be lent, instead of rags, at interest ; nobody besides themselves and their usurious borrowers will then be sinners, or losers ; the holders of the specie will always rest secure, and be independent of the gambling of money-changers. But the cunning generation will not do this ; they are allowed by corrupt law-makers to retain their estates in their own hands ; and the bank-stock in hard cash in their coffers, issuing nought to the deluded public but useless, worthless rags. Therefore, there is profit and certainty on the one side, loss and risk on the other.

Whilst the venal press and all other bank-hirelings trumpet the superior advantages of paper-money for the purposes of commerce, by reason of the facility of transporting it, the cunning bankers silently gather in the specie from all quarters. As I travelled by a steamer on Lake Champlain in the year 1830, there was a bank Agent carrying twenty one casks of specie from New York to Canada ; weighing, as I learned from the crew, seven tons. Soon after had I also travelled from this town to Vergennes in company with another Agent, conveying seven chests from St. Albans bank to some other in Boston ; so heavy that two stout and strong men could hardly lift them one by one, into the coach. Notwithstanding no murmurs were heard from the bankers, or their Agents, or from the Press for the difficulty of transporting that immense weight of dollars. Had the Agents or their employers, as several of the brotherhood in all countries did, absconded, or handed the treasure to their wives or children, leaving worthless rags alone in the vaults for the creditors ; what desolation would deluge the land ; what lamentation of widows and orphans would rend the high skies ! Unable to seize upon any slice of the bankrupt's estates in lieu of the rags, they should for years wait for the mighty dividend—six cents to the dollar. This is not a picture of a scene that never did, or never could occur, but of a fact and reality, which we have all often witnessed. The aforesaid paper, *Sylvester's Reporter*, of 20th Feb., 1834, gives also a LIST OF THE BROKEN BANKS in the United States, which I find to amount to 134. Supposing that they failed for \$200,000, each, they had a pretty picking from the deluded public.

At the altar of *Liberty* and *Equality* are sacrificed the badges and titles of honor ; the Knighthoods and Nobility of England. Liberty and Equality are things that sound well in the ear, though the reality is gone, or rapidly going by. Can there be Liberty or Equality in that land, where the people must for the necessaries of life toil and sweat from end to end of their life, whilst bankmen that neither knit nor sow ; dig nor plough, are privileged by the Legislature to bask in idleness, erect palaces, purchase estates, wallow in luxuries, by merely coining and issuing their paper money ? Where they may, and often did, after having purchased

with their rags all the lands and property of the vicinity, transfer to their little ones, the estates, and then fail at the very beginning of the *run*, leaving nought but rags in the vaults? Where the poor man, if he swindle or steal a trifle, is fined, confined, ruined; whilst the Banker that swindles thousands, and deals ruin and devastation far and near is not fined, confined, nor stigmatized? It can be, in one sense, called the land of Liberty; liberty, full and free, to bankers to purchase with their rags the substance of the public; liberty to revel in their princely palaces, and conspire as they did this very year in the United States for the destruction of the government.

‘The entire overthrow of the odious principles of Aristocracy was one of the great objects of the American revolution. To guard against its return, entails were broken down; the right of primogeniture was abolished; and indeed every thing which law could do, was faithfully exerted to exterminate the germ of aristocracy in the Republic. The axe was laid to the root of the evil; but the root was not destroyed because it was planted too deep in the human heart to be extirpated by human laws.

Ever since the Revolution the spirit of Aristocracy is struggling to regain the mastery. Our large towns are the strong holds of this inextinguishable spirit. Incessant efforts to keep down what it denominates ‘the vulgar democracy,’ and to divide society into other classes than such as are founded upon intelligence and virtue are its invariable fruits. Fellow Citizens, you deceive yourselves, if for a moment, you doubt the existence in the bosom of your country, of an aristocratic spirit, as desirous for the establishment of privileged orders among you, as incessant in its efforts to accomplish this object, and as unscrupulous in the means to which it will resort, as any similar spirit to be found elsewhere. To prevent and counteract the machinations thereof, is a duty of the most sacred character; a duty you owe not only to yourselves and your posterity; but to the cause, the oppressed cause of other nations.

Some patriot has said that ‘ASSOCIATED WEALTH is *the dynasty of modern States* ;’ and he might have added, a National Bank and its branches established in every quarter of the Union, are the palaces and strong holds in which that dynasty is seated and en-

renched. It is only by the aid of 'associated wealth,' that the Spirit of Aristocracy can maintain its ground in a government like ours in opposition to the feelings and wishes of the great body of the people. The baneful influence of this power is to be dreaded especially in that form which it assumes in a Bank of the United States.

Indeed the whole banking system is more or less liable to abuse. The number of the banks would indeed make them formidable could they all be combined in a common effort, (as they actually did this very year). A national Bank is therefore (they should have said *Paper Money*, in general) emphatically the great lever of the American Aristocracy; and, in the language of our Venerable President, is a part, and a most prominent part, of a system devised to make 'the rich richer and the potent more powerful.' It does this in a thousand ways. In addition to its great increase by artificial means of the actual revenue of the wealthy capitalists, it adds to their power over the laboring men, by giving them an absolute control over the value of the currency in which he is to receive the wages of his labor, and with which he is to procure the necessaries of life.

It gives them (Bankers) a most dangerous control over all classes of the community, by enabling them to occasion commercial embarrassments, whenever and wheresoever their interests, their caprice, or their malice may direct. It enables them, by their control over the price of stocks and the value of property in general, to make for themselves and their favorites, vast fortunes by speculation in the money market. In this way a species of gambling is encouraged and sustained at the expense of the far greater, but uninitiated portion of the community. Wealth acquired in this manner makes its possessors more arrogant and oppressive than that which is amassed in any other way; because not acquired by any of those useful callings which appeal to the favor and depend to some extent on the patronage of the people. The injurious effects of such a state of things upon the morals and happiness of society, are too glaring and pernicious to require to be exposed: 'Extract of an Address by 32 Members of Congress from the State of New York, to their Constituents; Washington, June 30th, 1834.'

Usury and paper money were hitherto defended by the meanest, basest, and most infamous classes in society ; by spendthrifts, speculators, and usurers ; by all persons, who would not work with their own hands the things that are good ; but would live in idleness on the sweat and industry of others. A formidable host indeed ; for they are the most noisy orators and the quickest writers in the community. Let us not however despair. The PRESIDENT, GENERAL JACKSON'S *Veto, Washington, July 10, 1832*, and his subsequent opposition to the United States Bank, seems, like the rising sun, to dispel the cloud of night, and to bid us look for a bright day : it seems to inspire the hope that the fraud and deception of paper money is detected and doomed soon to perish. It gives me much pain and regret that the narrow limits of my book would not allow the insertion of the whole, not an extract from the great man's document.

Message.

To the Senate :

The bill 'to modify and continue' the act, entitled 'an act to incorporate the subscribers to the Bank of the United States,' was presented to me on the 4th July inst. Having considered it with that solemn regard to the principles of the Constitution, which the day was calculated to inspire, and come to the conclusion that it ought not to become a law, I herewith return it to the Senate with my objections.

It is maintained by some, that the bank is a means of executing the constitutional power 'to coin money, and regulate the value thereof.' Congress have established a mint to coin money, and passed laws to regulate the value thereof. The money so coined, with its value so regulated, and such foreign coins as Congress may adopt, are the only currency known to the Constitution. But if they have other power to regulate the currency, it was conferred to be exercised by themselves, and not to be transferred to a corporation. If the bank be established for that purpose, with a charter unalterable without its consent, Congress

have parted with their power for a term of years, during which the Constitution is a dead letter. It is neither necessary nor proper to transfer its legislative power to such a bank, and therefore unconstitutional.

Every monopoly, and all exclusive privileges, are granted at the expense of the public, which ought to receive a fair equivalent. The many millions which this act proposes to bestow on the stockholders of the existing bank, must come directly or indirectly out of the earnings of the American people. It is due to them, therefore, if their government sell monopolies and exclusive privileges, that they should at least exact for them as much as they were worth in open market. The value of the monopoly, in this case, may be correctly ascertained. The twenty-eight millions of stock would probably be at an advance of fifty per cent, and command, in market, at least forty-two millions of dollars, subject to the payment of the present loans. The present value of the monopoly, therefore, is seventeen millions of dollars, and this the act proposes to sell for three millions, payable in fifteen annual instalments of \$200,000 each.

On two subjects only does the Constitution recognize in Congress the power to grant exclusive privileges or monopolies. It declares that 'Congress shall have power to promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries. Out of this express delegation of power, have grown our laws of patents and cop. rights. As the Constitution expressly delegates to Congress the power to grant exclusive privileges in these cases, as the means of executing the substantive power 'to promote the progress of science and useful arts,' it is consistent with the fair rules of construction to conclude that such a power was not intended to be granted as means of accomplishing any other end. On every other subject which comes within the scope of Congressional power, there is an ever living discretion in the use of proper means, which cannot be restricted or abolished without an amendment of the Constitution. Every act of Congress,

therefore, which attempts, by grants of monopolies, or sale of exclusive privileges for a limited time, or a time without limit, to restrict or extinguish its own discretion in the choice of means to execute its delegated powers, is equivalent to a legislative amendment of the Constitution, and palpably unconstitutional.

It is to be regretted that the rich and powerful, too often bend the acts of Government to their selfish purposes. Distinctions in society will always exist under every just Government. Equality of talents, of education or of wealth, cannot be produced by human institutions. In the full enjoyment of the gifts of Heaven, and the fruits of superior industry, economy, and virtue, every man is equally entitled to protection by law. But when the laws undertake to add to these natural and just advantages, artificial distinctions, to grant titles, gratuities, and exclusive privileges, to make the rich richer, and the potent more powerful, the humble members of society, the farmers, mechanics, and laborers, who have neither the time nor the means of securing like favors to themselves, have a right to complain of the injustice of their government. There are no necessary evils in government. Its evils exist only in its abuses. If it would confine itself to equal protection, and, as Heaven does its rains, shower its favors alike on the high and the low, the rich and the poor, it would be an unqualified blessing. In the act before me, there seems to be a wide and unnecessary departure from these just principles.

I have now done my duty to my country.—If sustained by my fellow citizens, I shall be grateful and happy ; if not, I shall find, in the motives which impel me, ample grounds for contentment and peace. In the difficulties which surround us, and the dangers which threaten our institutions, there is cause for neither dismay or alarm. For relief and deliverance, let us firmly rely on that kind Providence which, I am sure watches with peculiar care, over the destinies of our republic, and on the intelligence and wisdom of our countrymen. Through *His* abundant goodness, and *their* patriotic devotion, our liberty and Union will be preserved.

Washington, July 10, 1832.

ANDREW JACKSON.

THE HON. MR. BENTON, *Senator from Missouri, in Congress at Washington, Feb. 2, 1831.* 'I object to the renewal of the Charter of the United States Bank, as an institution too costly and expensive for the republic.

Let no one cavil at this head of objection, under the belief that the Bank of the United States supports itself, like the hibernian bear, by sucking its own paws ; or that it derives its revenues, as a spider spins its web, from the recesses of its own abdomen. Such a belief would be essentially erroneous, and highly unbecoming the intelligence of the nineteenth century. The fact is, that the Bank lives upon the people ! that all its expenses are made out of the people ; all its profits derived from them ; and all its losses re-imbursed by them. This is the naked truth ; by consequence every shilling held, or used, by the Bank, over and above the capital stock, is a TAX upon the PEOPLE ; and, as such I shall look into the amount of the LEVY, and prove it to be too great for the people to bear any longer.

In the first place, we have the direct expenses of the Bank, the actual cost of its annual administration. These expenses are returned at \$372,000 for the year 1830 ; and, assuming that sum for an average, the total cost of the administration for twenty years, will be about seven and a half millions of dollars. . The enormity of this sum must strike every mind ; but to judge it accurately let us compare it to the expenses of some known establishment. Let us take the civil list of the federal government in the first term of *President WASHINGTON's* administration. Resorting to this standard, I find the expenditure of this branch of the government to be : For 1792, 321,000 ; for '93, \$358,000 ; for '94, \$441,000 ; for '95, \$361,000 ; presenting an annual average of \$385,000 ; which is but a trifle over the Bank expenditure for 1830. Now, what were the heads of expenditure included in the civil list at the period referred to ? They were, the salaries of the President and Vice President ; the salaries of all the Secretaries, their Clerks and messengers, and the purchase of the paraphernalia of all their offices ; compensation to both Houses of Congress, and

the discharge of every attendant expense : salaries to all the federal judges, their marshals and district attorneys, and the cost of their court rooms ; the expense of missions abroad, and of territorial governments at home. These were the items of the civil list ; comprehending the whole expenditure of the administration for all objects, except the army ; there being at that time, no navy.

The administration of the Bank, therefore, actually involves an expenditure, rivalling that of the federal government in '92, '93, '94, and '95 ; omitting the single item of the army, which was then on a war establishment. The next item of Bank tax, is that of the profits, in the shape of annual dividends. These profits are now seven per cent. ; but have been less, and at one time, owing to an explosion produced by stock jobbing, were nothing. Assuming six per cent. for the average of twenty years, and the aggregate will be \$42,000,000. In the third place, the contingent fund, reserved to cover losses, is near \$5,000,000. Fourthly, the real estate, including banking houses, is above \$4,000,000. Fifthly, *bonus* reimbursed to the Bank, is \$1,500,000. Sixthly, the interest on the public deposits, which the Bank was receiving from the United States or individuals, while the United States was paying interest on the same amount to the Bank or to others, was six millions of dollars on the standing deposite of about five millions. The aggregate is sixty six millions of dollars ; to say nothing of the profit on the stock itself, which is now twenty six per cent., equal to \$9,000,000 addition to the original capital.—The annual average of this aggregate levy of sixty six millions, is above three millions and a quarter of dollars ; being very nearly as much as the whole expenditure of the federal government in the second year of Mr. JEFFERSON's administration, which was but \$3,737,000 ; the army included, and the navy also which had then sprung into existence.

Will Senators reflect upon the largeness of this levy, and consider how much it adds to the multiplied burthens of our complicated system of taxation ? I say complicated : for, under our duplicate form of government, every citizen is many times taxed, and by various authorities. First, his State tax ; then his county tax ;

then his corporation tax, (if he lives in a city ;) then his federal tax, and, since 1816, his Bank tax. The amount of each is considerable ; of the whole, is excessive ; of the Bank tax, in addition to the others, intolerable. The direct tax of 1798, which contributed so much to the overthrow of the men then at the head of affairs, was an inconsiderable burthen compared to this Bank levy. Not so much as one million was ever paid in any one year under the direct tax ; while the annual levy of the Bank tax is three millions and a quarter. The one is as truly a tax as the other, and as certainly paid by the people ; and, as the reduction of taxes is now the policy of the country, I present this contribution of the Federal Bank, as the fit and eminent item to head, and grace, the list of abolition. I say, to head and grace the list ! For it is a tax not only great in itself, and levied to support a most dangerous and invidious institution, but doubly and peculiarly oppressive upon the people, because no part of it is ever refunded to them in the shape of beneficent expenditure. In the case of every other tax, in all the contributions levied for the purposes of government, there is some alleviation of the burthen—some restitution of the abducted treasure—some return to the people—some re-infusion of strength into their ranks—in the customary re-imbusement of the revenue. The government usually pays it back, or a portion of it, for salaries, services, and supplies.

But, in the case of the Bank tax, there is nothing of this reimbursement. The Bank refunds nothing ; but all the money it makes out of the people is gone from them forever. It goes into a corner of the union, and remains there : it goes into private hands, and becomes individual property. The stockholders divide it among themselves. Twice, in every year, they make the division of these modern *spolia opima*,—these dearest spoils,—not of the enemy's general killed in battle, but of American citizens fleeced at home. This is a grievous aggravation of the amount of the tax. It is the aggravation which renders taxation insupportable. It is ' *absenteeism*' in a new and legalized form. It is the whole mischief of that system of *absenteeism*, which drains off the wealth of Ireland to fertilize England, France, and Italy, leaving Ireland itself the most distressed and exhausted country in Europe, instead of

remaining as God created it, one of the richest and most flourishing. Eternal drawing out, and no bringing back, is a process which no people, or country, can endure. It is a process which would exhaust the resources of nature herself. The earth would be deprived of its moisture, and changed into a desert, if the exhalations of the day did not return in dews at night. The vast ocean itself, with all its deep and boundless waters, would be sucked up and dried away, if the vapors drawn up by the sun did not form into clouds, and descend in rain and snow. So will any people be exhausted of their wealth, no matter how great that wealth may be, whose miserable destiny shall subject them to a system of taxation which is forever levying, and never refunding : a system whose cry is that of the horse-leech, More ! more ! more !—whose voice is that of the grave, Give ! give ! give !—whose attribute is that of the grave also, never to render back !—and, such, precisely, is the system of taxation to which the people of these States are now subjected by the Federal Bank.

In the *Senate*, March 21, 1834, Mr. Benton said that the quantity of gold and silver in Europe, Asia, and America, was sufficient to carry on the whole business of the world. He said that States, and Empires, far greater in wealth and population than any now existing—far superior in public and private magnificence—had carried on all the business of private life, and all the affairs of national government, upon gold and silver alone ; and that before the mines of Mexico and Peru were known or dreamed of. He alluded to the great nations of antiquity,—to the Assyrian, and Persian Empires ; to Egypt, Carthage, Rome ; to the Grecian republics ; the kingdoms of Asia Minor, and to the empire, transcending all these put together—the Saracenic empire of the Caliphs, which taking for its centre the eastern limit of the Roman world, extended its dominion as far west as Rome had conquered, and farther east than Alexander had marched. These great nations, whose armies crushed empires at a blow, whose monumental edifices still attest their grandeur, had no idea of Bank credits and paper money. They used gold and silver alone. Such degenerate phrases as sound currency—paper medium—circulating media, never once sounded in their heroic ears.

‘But why go back, exclaimed Mr. B., to the nations of antiquity? Why quit our own day? Why look beyond the boundaries of Europe? We have seen an empire in our own day, of almost fabulous grandeur and magnificence, carrying on all its vast undertakings upon a currency of gold and silver, without deigning to recognise paper for money. I speak, said Mr. B., of France—great and imperial France—and have my eye upon that first year of the Consulate, when a young and victorious General, just transferred from the camp to a council, announced to his astonished ministers that specie payments should commence in France by a given day! in that France which, for so many years, had seen nothing but a miserable currency of depreciated *mandats* and *assignats*! The annunciation was heard with the inward contempt, and open distrust, which the whole tribe of hack politicians, every where feel for the statesmanship of military men. It was followed by the success which it belongs to genius to inspire and command. Specie payments commenced in France, on the day named; and a hard money currency has been the sole currency of France from that day to this.

Mr. B. did not think it necessary to descant, and expatiate, upon the merits and advantages of a gold currency. These advantages had been too well known, from the earliest ages of the world, to be a subject of discussion in the nineteenth century; but it was the policy of the paper system to disparage that metal, and as that system in its forty years’ reign over the American People had nearly destroyed a knowledge of that currency, he would briefly enumerate its leading, and prominent, advantages, 1. *It had an intrinsic value*; which gave it currency, all over the world, to the full amount of that value, without regard to laws, or circumstances. 2. *It had a uniformity of value*; which made it the safest standard of the value of property which the wisdom of man had ever yet discovered. 3. *Its portability*; which made it easy for the traveller to carry it about with him. 4. *Its indistructibility*; which made it the safest money that people could keep in their houses. 5. *Its inherent purity*; which made it the hardest money to be counterfeited, and the easiest to be detected, and, therefore, the safest money for the people to handle. 6. *Its superiority over all*

other money ; which gave to its possessor the choice and command of all other money. 7. *Its power over exchanges* ; gold being the currency which contributes most to the equalization of exchange, and keeping down the rate of exchange to the lowest, and most uniform point. 8. *Its power over the paper money* ; gold being the natural enemy of that system, and, with fair play, able to hold it in check. 9. *It is a Constitutional currency* ; and the people have a right to demand it, for their currency, as long as the present Constitution is permitted to exist.

Mr. B. said it was now six years since he had began to oppose the renewal of the charter of this bank, but he had not until the present moment found a suitable occasion for showing the people the kind of currency which they were entitled to possess, and probably would possess, on the dissolution of the Bank of the United States. This was a view of the subject which many wished to see, and which he felt bound to give ; and which he should proceed to present, with all the brevity and perspicuity of which he was master.

I. In the first place, he was one of these who believed that the government of the United States was intended to be a hard money government ; that it was the intention, and the declaration, of the Constitution of the United States, that the federal currency should consist of gold and silver ; and that there is no power in Congress to issue, or to authorize any company of individuals to issue, any species of federal paper currency whatsoever.

Every clause in the Constitution, said Mr. B. which bears upon the subject of money,—every early statute of Congress which interprets the meaning of these clauses,—and every historic recollection which refers to them, go hand in hand, in giving to that instrument, the meaning which this proposition ascribes to it. The power granted to Congress to coin money, is an authority to stamp metallic money, and is not an authority for emitting slips of paper containing promises to pay money. The authority granted to Congress to regulate the value of coin, is an authority to regulate the value of the metallic money, not of paper. The prohibition upon the States against making any thing but gold and silver a legal tender, is a moral prohibition, founded in virtue and honesty, and

is just as binding upon the federal government as upon the State governments ; and that without a written prohibition ; for the difference in the nature of the two governments is, such that the States *may* do all things which they are not forbid to do, and the federal government *can* do nothing which it is not authorized by the Constitution to do. The power to punish the crime of counterfeiting, is limited to the current coin of the United States, and to the securities of the United States, and cannot be extended to the offence of forging paper money but by that unjustifiable power of construction which founds an implication upon an implication, and hangs one implied power upon another. The word, currency, is not in the Constitution ; nor any word which can be made to cover a circulation of bank notes. Gold and silver is the only thing recognized for money. It is the money, and the only money, of the Constitution ; and every historic recollection, as well as every phrase in the Constitution, and every early statute on the subject of money, confirms that idea. People were sick of paper money about the time that this constitution was formed. The Congress of the confederation, in the time of the revolution, had issued a currency of paper money. It had run the full career of that currency. The wreck of two hundred millions of paper dollars lay upon the land. The framers of the Constitution worked in the midst of that wreck. They saw the havoc which paper money had made upon the fortunes of individuals, and the morals of the public. They determined to have no more federal paper money. They created a hard money government ; they intended the new government to recognize nothing for money but gold and silver ; and every word admitted into the Constitution, upon the subject of money, defines, and establishes, that sacred intention.

Legislative enactment, continued Mr. B. came quickly to the aid of constitutional intention, and historic recollection. The fifth statute passed at the first session, of the first Congress, that ever sat under the present Constitution, was full and explicit on this head. It defined the kind of money which the federal treasury should receive. The enactments of the statute are remarkable for their brevity and comprehension, as well as for their clear interpretation of the Constitution, and deserve to be repeated and

remembered. They are : That the fees and duties payable to the federal government, shall be received in gold and silver coin *only* ; the gold coins of France, Spain, Portugal, and England, and all *other* gold coins of equal fineness, at 89 cents for every pennyweight ; the Mexican dollar at 100 cents ; the crown of France at 111 cents ; and all *other* silver coins of equal fineness, at 111 cents per ounce. This statute was passed the 30th day of July, 1789,—just one month after Congress had commenced the work of legislation. It shows the sense of the Congress, composed of the men, in great part, who had framed the Constitution, and who, by using the word, *only*, clearly expressed their intention that gold and silver alone was to constitute the currency of the new government.

In support of this construction of the Constitution, Mr. B. referred to the phrase so often used by our most aged and eminent statesmen, that this was intended to be a hard money government. Yes, said Mr. B. the framers of the Constitution were hard money men ; but the chief expounder, and executor of that Constitution was not a hard money man, but a paper system man ! a man devoted to the paper system of England with all the firmness of conviction, and all the fervor of enthusiasm. God forbid, said Mr. B. that I should do injustice to Gen. Hamilton,—that I should say or insinuate aught to derogate from the just fame of that great man ! But his ideas of government did not receive the sanction of general approbation ; and of all his political tenets, his attachment to the paper system was most strongly opposed at the time, and has produced the most lasting and deplorable results upon the country. In the year 1791, this great man, then Secretary of the Treasury, brought forward his celebrated Plan for the Support of Public Credit ;—that plan which unfolded the entire scheme of the paper system, and immediately developed the great political line between the federalists and the republicans. The establishment of a national bank, was the leading and predominant feature of that plan ; and the original report of the Secretary,

in favor of establishing the bank, contained this fatal, and deplorable recommendation :

The bills and notes of the Bank, originally made payable, or which shall have become payable, on demand, in gold and silver coin, shall be receivable in all payments to the United States.

This fatal recommendation became a clause in the charter of the bank. It was transferred from the report of the Secretary to the pages of the statute book ; and from that moment the monied character of the Federal Government stood changed, and reversed. Federal bank notes took the place of hard money ; and the whole edifice of the new government slid, at once, from the solid rock of gold and silver money, on which its framers had placed it, into the troubled and tempestuous ocean of a paper currency.

I have already shown, said Mr. B. that the plan for the support of public credit, which General Hamilton brought forward in 1791, was a plan for the establishment of the paper system in our America. We had at that time a gold currency which was circulating freely and fully all over the country. Gold is the antagonist of paper, and, with fair play, will keep a paper currency within just and proper limits. It will keep down the small notes ; for no man will carry a five, a ten, or a twenty dollar note in his pocket, when he can get guineas, eagles, half eagles, doubloons, and half joes, to carry in their place. The notes of the new Bank of the United States, which Bank formed the leading feature in the plan for the support of public credit, had already derived one undue advantage over gold in being put on a level with it in point of legal tender to the federal government, and universal receivability in all payments to that government : they were now to derive another, and a still greater undue advantage over gold, in the law for the establishment of the National Mint ; an institution which also formed a feature of the plan for the support of public credit. It is to that plan that we trace the origin of the erroneous valuation of gold, which has banished that metal from the country.

Mr. Secretary Hamilton, in his proposition for the establishment of a mint, expressly declared that the consequence of a mistake in the relative value of the two metals, would be the expulsion of the one that was under valued. Mr. Jefferson, then Secretary of

State, in his cotemporaneous report upon foreign coins, declared the same thing. Mr. Robert Morris, financier to the revolutionary government, in his proposal to establish a mint in 1782, was equally explicit to the same effect. The delicacy of the question, and the consequence of a mistake, were then fully understood forty years ago, when the relative value of gold and silver was fixed at fifteen to one. But, at that time, it unfortunately happened that the PAPER SYSTEM, then omnipotent in England, was making its transit to our America; and every thing that would go to establish that system—every thing that would go to sustain the newborn Bank of the United States—the eldest daughter, and *spem gregis*, of the *Paper System* in America—fell in with the prevailing current, and became incorporated in the federal legislation of the day. Gold, it was well known, was the antagonist of paper; that from its intrinsic value, the natural predilection of all mankind for it, its small bulk, and the facility of carrying it about, would be preferred to paper, either for travelling, or keeping in the house; and thus would limit and circumscribe the general circulation of bank notes, and prevent all plea of necessity for issuing smaller notes. Silver, on the contrary, from its inconvenience of transportation, would favor the circulation of bank notes. Hence the birth of the doctrine, that if a mistake was to be committed, it should be on the side of silver! Mr. Secretary Hamilton declares the existence of this feeling when, in his report upon the establishment of a mint, he says: ‘*It is sometimes observed that silver ought to be encouraged, rather than gold, as being more conducive to the extension of bank circulation, from the greater difficulty and inconvenience which its greater bulk, compared with its value, occasions in the transportation of it.*’ He recommended that the relative value of gold, to silver, should be fixed at fifteen for one; and that recommendation became the law of the land, and has remained so ever since. At the same time, the relative value of these metals in Spain and Portugal, and throughout their vast dominions in the new world, whence our principal supplies of gold were derived, was at the rate of sixteen for one; thus making our standard six per cent. below the standard of the countries which chiefly produced gold. It was also below the English stan-

dard, and the French standard, and below the standard which prevailed in these States before the adoption of this Constitution, and which was actually prevailing in the States at the time that this new proportion of 15 to 1 was established. The 11th section of the act of April, 1792, enacted that every fifteen pounds weight of pure silver should be equal in value, in all payments, with one pound of pure gold; and so in proportion for less quantities of the respective metals.

This act was the death warrant to the gold currency. The diminished circulation of that coin soon began to be observable; but it was not immediately extinguished. Several circumstances delayed, but could not prevent that catastrophe. 1. The Bank of the United States then issued no note of less denomination than ten dollars, and but few of them; 2. there were but three other banks in the United States; and they issued but few small notes; so that a small note currency did not come directly into conflict with gold; 3. the trade to the lower Mississippi continued to bring up, from Natches and New Orleans, for many years, a large supply of doubloons, and long supplied a gold currency to the new States in the West. Thus, the absence of a small note currency, and the constant arrival of doubloons from the lower Mississippi, deferred the fate of the gold currency; and it was not until the lapse of near twenty years after the adoption of the erroneous standard of 1792, that the circulation of that metal, both foreign and domestic, became completely, and totally, extinguished in the United States. The extinction is now complete; and must remain so until the laws are altered.

Mr. B. was ready to admit that there was some nicety requisite in adjusting the relative value of two different kinds of money—gold and silver for example—so as to preserve an exact equipoise between them, and to prevent either from expelling the other. There was some nicety, but no insuperable, or even extraordinary, difficulty, in making the adjustment. He said this was not the time to discuss the relative value of gold and silver, nor to urge the particular proportion which ought to be established between them. That would be the proper work of a committee. At present it might be sufficient, and not irrelevant, to say that

this question was one of commerce,—that it was purely and simply a mercantile problem,—as much so as an acquisition of any ordinary merchandise from foreign countries could be. Gold goes where it finds its value, and that value is what the laws of great nations give it. In Mexico and South America,—the countries which produce gold, and from which the United States must derive their chief supply,—the value of gold is 16 to 1 over silver; in the Island of Cuba it is 17 to 1; in Spain and Portugal it is 16 to 1; in the West Indies, generally, it is the same. It is not to be supposed that gold will come from these countries to the United States if the importer is to lose one dollar in every sixteen that he brings; or that our own gold will remain with us, when an exporter can gain a dollar upon every fifteen that he carries out. Such results would be contrary to the laws of trade; and therefore we must place the same value upon gold that other nations do, if we wish to gain any part of theirs, or to retain any part of our own.

Mr. B. said that the case of England and France was no exception to this rule. They rated gold at something less than 16 for 1, and still retained gold in circulation, but it was retained by force of peculiar laws and advantages which do not prevail in the United States. In England the circulation of gold was aided and protected by four subsidiary laws, neither of which exist here; one which prevented silver from being a tender for more than forty shillings; another which required the Bank of England to pay all its notes in gold; a third which suppressed the small note circulation; a fourth which alloyed their silver nine per cent. below the relative value of gold. In France the relative proportion of the two metals was also below what it was in Spain, Portugal, Mexico, and south America, and still a plentiful supply of gold remained in circulation; but this result was aided by two peculiar causes; *first*, the total absence of a paper currency; *secondly*, the proximity of Spain, and the inferiority of Spanish manufactures, which gave to France a ready and a near market for the sale of her fine fabrics, which were paid for in the gold of the New World. In the United States gold would have none of these subsidiary helps; on the contrary it would have to contend with a paper currency, and would have to be obtained, the product of our own

mines excepted, from Mexico and South America, where it is rated as sixteen to one for silver. All these circumstances, and many others, would have to be taken into consideration in fixing a standard for the United States.

Mr. B. repeated that there was nicety, but no difficulty in adjusting the relative value of gold and silver so as to retain both in circulation. Several nations of antiquity had done it; some modern nations also. The English have both in circulation at this time. The French have both, and have had for thirty years. The States of this Union also, had both in the time of the Confederation, and retained them until this Federal Government was established, and the paper system adopted. Congress should not admit that it cannot do for the citizens of the United States, what so many monarchies have done for their subjects. Gentlemen, especially, who decry Military Chieftains, should not confess that they themselves cannot do for America, what a Military Chieftain did for France. Above all, those who are now engaged in decrying the State Governments, and representing them as unfit to be trusted with their currency without a master, should not come out with a practical confession, that this boasted Federal Government cannot perform for the Union what the State Governments, each for itself, performed for its citizens, for the whole period which elapsed from the close of the revolution to the establishment of this Government.

Having gone through this narrative of facts, and shown the exclusion of foreign coins from circulation to be a part of the paper system, and intended to facilitate the substitution of a bank note currency, Mr. B. went on to state the injuries resulting from the measure. At the head of these injuries he was bound to place the violation of the Constitution of the United States, which clearly intended that foreign coins should circulate among us, and which, in giving Congress authority to regulate their value, and to protect them from counterfeiters, could never have intended to stop their circulation, and to abandon them to debasement. 2. He denounced this exclusion of foreign coins as a fraud, and a fraud of the most

injurious nature, upon the people of the States. The States had surrendered their power over the coinage to Congress; they made the surrender in language which clearly implied that their currency of foreign coins was to be continued to them; yet that currency is suppressed; a currency of intrinsic value, for which they paid interest to nobody, is suppressed; and a currency without intrinsic value, a currency of paper subject to every fluctuation, and for the supply of which corporate bodies receive interest, is substituted in its place.

Having shown the great evils resulting to the country from the operation of this law, Mr. B. called upon its friends to tell what reason could now be given for not repealing it? He affirmed that, of the two causes to which the law owed its origin, one had failed *in toto*, and the other had succeeded to a degree to make it the curse and the nuisance of the country. One reason was to induce an adequate supply of foreign coins to be brought to the mint, to be re-coined; the other to facilitate the substitution of a bank note currency. The foreign coins did not go to the mint, those excepted which were imported in its own neighborhood, and even these were exported nearly as fast as re-coined. The authority of the directors of the mint had already been quoted to show that the new coined gold was transferred direct from the national mint to the packet ships, bound to Europe. The custom house returns showed the large exportation of domestic coins. They would be found under the head of *Domestic Manufactures exported*; and made a large figure in the list of these exports. In the year 1832, it amounted to \$2,058,474, and in the year 1833, to \$1,410,941; and every year it was more or less; so that the national mint had degenerated into a domestic manufactory of gold and silver, for exportation to foreign countries. But the coins imported at New Orleans, at Charleston, and at other points remote from Philadelphia, did not go there to be re-coined. They were, in part, exported direct from the place of import, and in part used by the people as current money, in disregard of the prohibitory law of 1819. But the greater part was exported; for no owner of foreign coin could

incur the trouble, risk, and expense, of sending it some hundred, or a thousand miles, to Philadelphia to have it re-coined, and then incurring the same expense, risk, and trouble, lying out of the use of the money, and receiving no interest, all the while, of bringing it back to be put into circulation, with the further risk of a deduction for want of standard fineness at the mint, when he could sell, and export it upon the spot.

Foreign coins could not be re-coined, so as to supply the Union, by a solitary mint on the Atlantic coast. The great West could only be supplied from New Orleans. A branch of the mint, placed there, could supply the West with domestic coins. Mexico, since she became a free country, has established seven mints in different places, because it was troublesome and expensive to carry bullion from all parts of the country to be coined in the capital; and when coined there, there was nothing in the course of trade to carry them back into the country, and the owners of it would not be at the expense and trouble of carrying it back and get it into circulation; being the exact state of things at present in the gold mines of the Southern States. The United States upon the same principle, and for the same reasons, should establish branches of the mint in the South, convenient to the gold mine region, and at New Orleans, for the benefit of that city and the West. Without a branch of the mint at New Orleans, the admission of foreign coins is indispensable to the West; and thus the *interest* of that region joins itself to the voice of the Constitution in demanding the immediate repeal of all laws for illegalizing the circulation of these coins, and for sinking them from their current value as money, to their mint value, as bullion. The design of supplying the mint with foreign coins, for re-coinage, had then failed; and in that respect the exclusion of foreign coins, has failed in one of its objects; in the other, that of making room for a **SUBSTITUTE of BANK NOTES**, the success of the scheme has been complete, excessive, and deplorable.

Mr. B. then took a rapid view of the present condition of the statute currency of the United States,—of that currency which

was a legal tender,—that currency which a debtor had a right by the law to protect his property from execution, and his body from jail, by offering it, as a matter of right, to his creditor in payment of his debt. He stated this statute currency to be, *first*, coins from the mint of the United States ; *secondly*, Spanish milled dollars, and the parts of such dollars. This was the sum total of the statute currency of the United States ; for happily no paper of any Bank, State or federal, could be made a legal tender. This is the sum total out of which, any man in debt, can legally pay his debt ; and what is his chance for making payment out of this brief list ? Let us see. Coinage from the mint : not a particle of gold, nor a single whole dollar, to be found ! very few half dollars, except in the neighborhood of the mint, and in the hands of the Bank of the United States and its branches ; the 20, 10, and 5 cent pieces scarcely seen, except as a curiosity in the interior parts of the country. So much for the domestic coinage ; now for the Spanish milled dollars ; how do they stand in the United States ? Nearly as scarce as our own dollars ; for there has been none coined since Spain lost her dominion over her colonies in the new world ; and the coinage of these colonies, now independent States, neither is in law, nor in fact, Spanish milled. That term belongs to the coinage of the Spanish crown, with a Spanish King's head upon the face of it ; although the coin of the new States, the silver dollars of Mexico, central America, Peru and Chili, are superior to Spanish dollars in value, because they contain more pure silver, still they are not a tender ; and all the francs from France, in a word, all foreign coin, except Spanish milled dollars, the coinage of which has ceased, and the country stript of all that were in it, by the Bank of the United States, are uncurrent, and illegal as tenders ; so that the people of the United States are reduced to so small a list, and so small a supply of statute currency, out of which debts can legally be paid, that it may be fairly assumed that the whole debtor part of the community lie at the mercy of their creditors, to have their bodies sent to jail, or their property sold for nothing, at any time that their creditors please. To such a condition are the free, and high minded, inhabitants of this country reduced !

and reduced by the power and policy of the first and second Banks of the United States, and the controlling influence which they have exercised over the moneyed system of the Union from the year 1791 down to the present day.

Mr. B. would conclude what he had to say on this head with one remark ; it was this : that while the gold and silver coin of all the monarchs of Europe were excluded from circulation in the United States, the paper notes of their subjects were received as current money. The Bank of the United States was, in a great degree, a foreign institution. Foreigners held a great part of its stock, and may hold it all. The paper notes issued by this institution, thus composed in great part of the subjects of European Kings, are made legal tenders to the federal government, and thus forced into circulation among the people ; while the gold and silver coin of the Kings to which they belong, is rejected and excluded, and expelled from the country ! He demanded if any thing could display the vice and deformity of the paper system in a more revolting and humiliating point of view than this single fact ? So far *Mr. Benton*.

Could that American be deemed an honest man, or a true patriot, whose heart swells not with indignation for the Bankmen's black conspiracy against the gold currency of the Republic ; for the purpose of clearing the way for their paper money, they reduced the gold coin to the standard of 15 to 1. Thus depreciated, it remained ever since locked up from sun and air at the mint in Philadelphia, until a packet was advertised to sail for Europe ; when it was transported, like the convict under chains for the seaport, to be consigned to perpetual banishment from the American shore. This sentence of proscription, this thick cloud overhung it, since the year 1792 down to the present ; when the congress of the United States, by the GOLD BILL, granted relief to innocent convict : they have raised it to the standard of 16 to 1. Thanks be to General Jackson ; thanks to the Hon. Mr. Benton for his learned and invincible exposure.

An extract of a Letter from the HON. WILLIAM COBRETT, M. P. to GENERAL JACKSON, PRESIDENT of the UNITED STATES, London 31 Oct. 1833.

‘SIR—Your letter to your cabinet ministers, dated at Washington on the 18th of September, 1833, has been read by me with the greatest possible attention and with the greatest possible delight. This letter is the first great blow ; and, indeed, the very first blow, which, by a man in great power, has been levelled at that infernal system of paper money, in a combat against which I have spent a very considerable part of my pretty long life.

I received, some time ago, a book from Philadelphia, which I have republished under the title of ‘*The Curse of Paper Money and Banking ; or, a Short History of Banking in the United States of America, with an Account of its ruinous Effects on Land Owners, Farmers, Traders, and on all the Industrious Classes of the Community.* By W. M. Gouge, of Philadelphia.

In the book, there is a report of a committee of the state legislature of New York, which is so much to my present purpose, and so fully confirms the truth of the observations that I have been offering to you ; that, though you have doubtless, read it before I must take the liberty to request that you will read it once more.

‘Of all the *aristocracies*, none more completely enslave a people than that of *money* ; and in the opinion of your committee, no system was ever better devised, so perfectly to enslave a community, as that of the present mode of conducting banking establishments. Like the Syren of the fable, they entice to destroy. They hold the purse strings of society ; and by monopolizing the whole of the circulating medium of the country, they form a precarious standard, by which all property in the country, houses, lands, debts, and credits, personal and real estate of all descriptions, are valued : thus rendering the whole community dependent on them ; proscribing every man who dares to expose their unlawful practices : if he happens to be out of their reach, so as to require no favors from them, his friends are made the victims. So no one dare complain.

The committee, on taking a general view of our State, and comparing those parts where banks have been for some time estab-

lished, with those that have none, are astonished at the alarming disparity. They see in the one case, the desolation they have made in societies that were before prosperous and happy ; the ruin they have brought on an immense number of the most wealthy farmers, and they and their families suddenly hurled from wealth and independence into the abyss of ruin and despair.

If the facts stated in the foregoing be true, and your committee have no doubt they are, together with others equally reprehensible and to be dreaded, such as that their influence too frequently, nay, often already begins to assume a species of dictation altogether alarming, and unless some judicious remedy is provided by legislative wisdom, we shall soon witness attempts to control all elections to offices in our counties, nay, the elections to the very legislature. Senators and members of Assembly will be indebted to the Banks for their seats in this capitol, and thus the wise end of our civil institutions will be prostrated in the dust of corporations of their own raising.

This is not a picture drawn by a writer in a newspaper or a book ; but by a committee of the legislative assembly of a great State, containing the second, or third commercial city in the world.'

An extract from MR. COBBETT'S Discussion with MESSRS. ATTWOOD and JONES in Birmingham, Eng. Aug. 28, 1832.

MR. ATTWOOD seemed, says Mr. Cobbett, to proceed upon the notion, that a people must be rich or poor, happy or miserable, in proportion to the *nominal quantity of money in their country*, and hence his magnificent promise of '*filling their pockets with money* : that this was a very sad error : that a small quantity of money was just as efficient as a large quantity of money for every national purpose, and particularly for the securing of the great object of all, namely, a due reward for labor : that, according to the statute of laborers, passed in the reign of Edward the Third, a woman was to have a penny a day at haymaking, and a man threepence a day at filling dung-cart ; but, as those sums would purchase as much meat and bread as twenty pennies, or twenty threepences, would purchase now, (and this was proved to be the fact by the history of

prices of this country, given by Bishop FLEETWOOD) the working people were better off with that small quantity of money in the country, than they can possibly be with the present large quantity of money in the country, while loaded with taxes to the present amount : that, if the laboring man have now two shillings a day, and the price of the loaf be sixpence, he gains nothing by raising his wages to four shillings a day, if the loaf be raised to a shilling ; so that Mr. ATTWOOD's scheme of doubling the nominal quantity of money would be no benefit to the working man : that it signifies not a straw what is the quantity of money in a country, provided there be no taxes in that country, and provided that the alteration in the quantity be not produced by arbitrary acts. If the change in the quantity be thus produced, then great mischief is done, great injustice, great cruelty inflicted on many parties.

That Mr. ATTWOOD seems to think that the days of depreciated paper-money were days of great happiness to the working people, and that the nation as a whole became prosperous in consequence of the paper-money : that this is another fatal error : that the '*improvements*' of which he has talked, arose out of the robberies committed on the laboring people, within the last forty or fifty years, by the means of paper-money : that it was proved before a committee of the House of Commons in the year 1821, by Mr. ELLMAN, a farmer in Sussex, that, forty-five years before that time, when he became a farmer, every man in his parish brewed his own beer, and that now not a single working man in the parish did it. That all these years the country had been inundated with paper money, by the instrumentality of which the working people had been robbed, first of their clocks, next of their feather-beds, next of their brewing utensils and the rest of their goods, next of their Sunday clothes and of nearly all their bread and their meat, until at last this accursed thing, co-operating with the taxes, has reduced their comfortable dwellings to hovels, their food to the soul-degrading potato, and their dress to that of common beggars : that these gentlemen assume that there is nothing at all fraudulent or false in paper-money, and that every piece of paper that has the word BANK written on it, is the *representative of something of real value* ; and they will deny, I suppose, that any of us ever heard of such a thing

as an *accommodation note*: that, however, in the time of that memorable panic, which arose out of Mr. ATTWOOD's prosperity to which prosperity he wishes to bring us back.

There was an Essex banker who had a large quantity of notes out when he broke, and of whom it was proved before the commissioners of bankruptcy, that he never had been *worth a shilling in his life*; that he had purchased an estate during the days of his prosperity, and that his creditors found this estate settled upon his wife: that this is by no means a very uncommon case, and that, were there nothing to be alleged against paper-money more than this, this alone would be sufficient to make us repudiate the propositions of Mr. ATTWOOD and the COUNCIL: that WENTWORTH, the banker who broke at York, had a fine estate in the neighborhood of WAKEFIELD; and that those who took his notes naturally looked upon this estate as a security of their goodness; but the estate, the creditors found to be settled on the son, and the son is in possession of it now: that paper-money is a false thing, and creates a credit which ought not to exist: that the makers and circulators of it live in idleness and luxury themselves, on the care and labor of the rest of the community, and on the rents of the rightful owners of the land: that this fiction creates masses of *middle-men*, the existence of whom all wise and just governments have endeavored to prevent: that a pig-porker, who goes to market at BARTON, with an accommodation-note, purchases a score of porkers for the BIRMINGHAM market, and brings them to BIRMINGHAM, and sells them for so much a head *more* than he gave for them, makes them come dearer to the consumers at BIRMINGHAM, and he and the banker share in the gain arising from that additional price; and that thus a race of men is created to assist the bankers in deriving riches from other men's labor and care.

That were there no other objection to paper-money, it would be sufficient that it enables men to get great estates into their possession, without any possible cause for their having those estates: that the newspaper told us that RICARDO got half a million of money by merely *watching the turn of the paper-money market*: and we know that his sons have three or four thumping estates in their possession; and we also know, that that which was thus *got*

by him, must have been lost by the rest of the community, though we cannot so clearly show the manner of the loss and the gain : that we can plainly see that Lord GRENVILLE has, by the means of his sinecure, got the means of purchasing an estate worth two hundred thousand pounds ; that he has received these means *out of the taxes we know* : and we know that the rest of the nation must be two hundred thousand pounds poorer for his gains : that, in the case of RICARDO, the process is not so clear to our eyes ; but as he did nothing of use to anybody in getting the half million of money, he took it from the rest of the country without value received on their part ; and that he could not have done this, had it not been for that indescribable scourge, called paper-money, and *depreciated* paper-money, too, which Mr. ATTWOOD and the ' COUNCIL ' urge my Lord GREY to revive and perpetuate.

That Mr. ATTWOOD has pointed to AMERICA as a proof of the excellent effects of '*free-trade in paper-money* : ' that Mr. ATTWOOD had been too much engaged in settling the important concerns of England to pay attention to what is really passing in that country : that if he had time to go to the New England Coffee-house, in London, and there look at the newspapers from the United States, he would find that the two Houses of Congress recently passed an act for the renewal of the charter of the Bank of the United States, that the President has refused to ratify this act ; that he has sent it back to the two Houses : with a statement of his reasons for the non-ratification : and that the two Houses have upon re-consideration, agreed to abandon the bill ; at least, this I have been told is the case, though I have not read an account of it in the American papers : that amongst the reasons stated by the President are, that no government on earth has a right to make arbitrary changes in the value of money ; that paper money naturally creates a set of cunning men, whose very profession is to get from the simple and the honest, the fruit of their care and their labor ; that it always must tend to add to the riches of the rich, and to add to the poverty of the poor.

That in the same American newspapers Mr. ATTWOOD will find the ' PRICE CURRENTS,' stating the prices of cotten, of flour, of corn, of potash, of tobacco and the other products of that great

country : that he will be delighted to find amongst the products, *an abundant produce of bank-notes*, the '*free-trade*', which he has so loftily eulogised : that in one of these '*PRICE CURRENTS*' which I saw just before I left London, which '*PRICE CURRENT*' was published at New York, there are all the various prices of the *bank-notes* of all the banks in that state ; in one case the dollar-note, which ought to be worth a hundred cents, is stated to be worth *ninety-eight cents*, and then the prices go on varying from *ninety-eight cents to twenty-five cents* ! That Mr. ATTWOOD must be enraptured at this system, but that the people of NEW YORK, whom these roguish bankers have cheated out of seventy-five cents out of a hundred, will hardly join him and the '*COUNCIL*' of BIRMINGHAM in crying up the blessings of a free trade in money : that the same American papers will inform Mr. ATTWOOD, when the great weight of English affairs will permit him to attend to them, that, at this very moment, the commercial distress in America, the embarrassments in all pecuniary transactions, the breakings, the frauds, *aye, and the want of employment, too*, all exist in a degree quite frightful to contemplate : that, therefore, though Mr. ATTWOOD is in error with regard to the American free trade in paper-money ; though no bank-note can be issued in the States without a charter granted by law, America gives us a warning as awful as a warning from the tomb, to turn with indignation from the advice offered to the ministers by Mr. ATTWOOD and the COUNCIL of BIRMINGHAM, for that, that country, otherwise so blessed, in all other things so happy, a cheap government, the face of a tax-gatherer never seen in it, the land more abundant than the hands to cultivate it, all the sources of information and of knowledge perfectly unshackled ; that country, so blessed by God, and by a combination of earthly circumstances unparalleled in the history of the world, has been thrown into a state of turmoil and misery by that accursed scourge called paper-money, which it is the object of Mr. ATTWOOD and the '*COUNCIL*,' to revive and perpetuate in England !

That, however, our own experience ought to be quite enough to

make us resolve to perish in the strife rather than suffer this curse to return to afflict the children committed by nature to our sacred care : that, in the year 1818, a banker at PORTSMOUTH, in Hampshire, broke, and the effects of that breaking were described by the Hampshire newspapers to be such, that the lamentations, the cries could not have been greater if there had been *a dead corpse lying in every third house in the county!* This was by no means a very great exaggeration, for his notes were in every hand ; they were husbanded up by thousands and thousands of poor men to pay their rent with ; to buy a pig with ; to buy fuel for the winter ; to provide other things for the coming inclement season : these accursed notes representing their sweat during the hay time and harvest, their care and anxiety to provide for their wives and the children, all, all swept away by the instrumentality of the execrable paper-money ; and that that man must be a devil in human shape, who would seriously and on consideration (which I trust Mr. ATTWOOD will not,) revive and perpetuate.' So far *Mr. Cobbett*.

Could it be too much to think that some guardian angel has the great American Republic in his safe keeping ; that it was Providence inspired and enabled her Chief Magistrate to resist at this critical period the impetuous torrent of paper money ; for had it continued to swell a little longer it would irresistibly wash away all things—liberty, equality, and rights, into the pool below. Since one solitary bank though opposed and obstructed by the government made such gigantic strides in corrupting the Press, the Senate, and several of the Lower House, engrossed, nearly for twelve months, to the exclusion of almost every other question, the attention of both houses of Congress, nay, the attention of all the states from end to end, and shook all trade and commerce to the very foundation, what would not be the alarming power of the same National bank, if aided and patronized by the government, with the army, navy, and every other means of corruption at its disposal ? It is reported that some party or faction have it in contemplation to erect some other National bank on the ruins of the United States Bank. Can it be possible that the American patriots, and above all, General Jackson, now that the dreadful effect of paper money, at home and abroad, is exposed to their view, would even for one moment, en-

ertain such diabolical notions, would think of tolerating banks under any shape or form. Now, when a blow is given to the monster ; when its hideous deformity is exposed to the public gaze ; when the Nation is free from debt with no danger of a storm from any quarter ; when there is at the helm an upright, intrepid, and disinterested *Chief*, if they do not repeat the blow and secure the victory which is achieved, the few will with usury and extortion devour the many, as it has happened in England.

SAVINGS BANK, SATAN'S NET FOR CATCHING SOULS.

Brethren, be sober and watch, for your adversary the devil, as a roaring lion, goeth about seeking whom to devour. Alas, man's life is but one continuation of trials and temptations : the devil, if defeated in one point, soon attacks in another. He vanquished Adam in paradise and tempted the Redeemer himself in the garden : he swallows up without concern the river and thinks that the Jordan should run into his maw ; his baits are always gilded with gold ; his temptations masked with friendship. The rich fishes being long since fast in his trammel, he now throws his bait for the small fish. The Savings Bank was invented in England, about the year 1812, at the suggestion of Mr. Jer. Bentham, by Mr. George Rose. Branches soon after sprung up in every town and city, upon Government security, as treasuries for the savings of the poor servants and laborers : they having liberty to withdraw the deposits *with four per cent. interest*, at any contingency of sickness, old age, marriage, or otherwise. It is, therefore, a usurious institution that involves the lenders in all the maledictions and penalties decreed against notorious usurers. Notwithstanding, so mighty is the haul already made by satan that, according to the London papers, no less than five hundred such banks, containing sixteen millions sterling, are now established in England and Ireland.

Forsooth, the government that was loaded with a debt of eight hundred millions, now assumes the additional burden of all the Savings Banks in the kingdom. But whence comes the interest of the deposits ? Perhaps the government, like the spider, draws

it from the recesses of its own abdomen. No, but the poor in general are taxed for the poor in particular. But the several agents in the machine—the Revenue officers, clerks, bank directors, and so forth, take special care that the poor in particular, or the depositors shall not receive all that is collected in taxes from the poor public.

The pretext for the invention ; namely, the amelioration of the poor people's condition by rendering them frugal and selfish, is specious indeed, had it come from a person whose pretensions agreed with his actions ; but coming from a tax-eater—old George Rose, who and his family yearly devour several thousands pounds of the public taxes, the invention should be looked upon with caution and suspicion. With regard to his real motives and views we must, of course, go by conjectures. He might be anxious to allure the substance of the poor, like that of the rich people, into the gulf of the funding system ; to fasten all hands, the rich and the poor alike, in the support of the tottering fabric ; or he might have learned from the French Revolution that no way for securing to himself the loaves and the fishes, could be more effectual than to give to the poor, and *that too at their own expense*, some little share in the public funds. Had this been really the end and aim of the Savings Banks, the Civilian began at the wrong end ; it was far better to begin at the other, by reducing the taxes, and abolishing all sinecures and unmerited pensions : by giving, in short, to the people some interest, not at their own, but at the government's expense in the affairs of the country. Then, indeed, would the laborers, servants, and the mechanics rush forward with full ardor of heart and soul to uphold the falling edifice ; then would every arm be nerved and every sword unsheathed to defend the Common Wealth ; then could the Ruler securely lie upon his couch.

The Civilian should learn from the United States, not from France, the science of government ; where he would find that cheap laws, reduced taxes, equal rights and privileges are by far better means than the deep schemes and tricks of funds and Savings Banks, for the preservation of peace and prosperity : where all tribes and nations ; blacks and whites, live in union and harmony ; where the

arsenals are full of arms, batteries in perfect order, and peace uninterrupted ; no standing army, but every man from twenty to forty five a soldier, and each soldier a citizen ready, and willing at the first call to fight for the Republic.

The banking system, though it began in England in the year 1692, and crept into Ireland about the year 1780, gained not however full scope until George Rose's invention in the year 1812. The baneful fruits of the unchristian institution is already visible in the total ruin and almost depopulation of the towns and villages.

The CITY OF CORK was remarkable from time out of memory for comfort and plenty, and for the total absence of distress and beggary, until the cupidity of traffickers about the year 1790, got up banks, which failed in the year 1820, dealing destruction far and near. Old George Rose's invention is adopted as the only panacea. Now are savings, frugality, and temperance preached up by the Parson and political Economist. This stagnant pool absorbs trifles from all quarters. The invention that would relieve the poor, turns to their ruin ; the loans that formerly spread through society, now stagnate here together. And despite of a standing rule *That no man deposite more than fifty pounds sterling*, various fifties come in from one and the same person, through different branches of his family. Had the Savings Banks been really intended for the exclusive benefit of the poor, not as a snare for the property of both rich and poor ; had the Government been displeased for this constant evasion of that rule, they would certainly have fenced it in with pains and penalties.

The ministers of the crown had previously to go round about by an application to Parliament for supplies ; though they were always sure of success with a corrupt House of Commons, the speeches for and against the new loan were spread by the Papers and canvassed in every tap-room and club-room in the Kingdom. This gave John Bull high notions of his liberties, and made him think that he could not be taxed without his his own consent, through his representatives. But now is John and the papers sadly baffled by old George's deep and dark scheme. The minister silently, without discussion in, or out of the Parliament, draws in all the spared money of the nation ; has an unlimited power of borrowing and taxing. Where-

as the Savings Bank in England filched away the people's right for self-taxation, how could it be deemed just, or constitutional? No sooner had that cunning scheme for robbing and plundering the people made its appearance in England than the wily Ministers adopted it in several foreign countries.

Need it be related that in CORK, always remarkable for the absence of want and beggary both the one and the other have since the introduction of banks and usury, made such appalling strides, that the Citizens were for self-preservation, compelled, though they abhorred the idea, to saddle themselves a few years ago, with Poor Rates.

In BANDON too, a town in the county of Cork, of six thousand inhabitants, the baneful effects of Savings Banks is not less manifest. Not more fatal to the Autumnal flowers is the Canadian frost than the Savings Bank to the odor of charity, and to substance. Half the population gained previously, and would perhaps for ages gain livelihood in the factories, had not Old George's scheme crept in about the year 1815. Since the stagnant pool absorbs their vital blood, the factories begin to languish, and sink into total languor in the year 1829; dispersing the hands penniless, friendless on the wide world. Whilst they roam in scores from door to door for a morsel to eat, groups of snug and crafty usurers beset every Saturday the Savings Bank, settling the account, and drawing the interest. They contend no longer for doing good works, but for making greater lodgments in the bank; their fame and happiness is measured by the length of the check and weight of the purse.

And, unfortunately, the pastor becomes the guide towards the pit, constitutes himself their Agent General with the bank. It is written, May his days be few; and his bishoprick let another take; may his children be carried about vagabonds and beg; and let them be cast out of their holdings; and let strangers plunder their labor.

That dreadful curse of the Psalmist seems literally fulfilled with regard to the sheep and shepherd of Bandon. Since the fall of the factories in 1829, the usurer searches their substance, and casts them out of their holdings; his children are carried about vaga-

bonds and beg ; Sectarian ministers in foreign countries have, in many instances, taken his bishoprick—the Spiritual care of his flock.

Not a town had I seen at home or abroad, so miserably ruined by banks, as KINGSTON in Upper Canada. The spot upon which that town stands was a wilderness forty five years ago. When the British Government began to erect forts and batteries, prior to the last war, as barriers against the incursions of the United States, greedy speculators from England, Ireland, and Scotland, flocked together in quest of gain that would be found here on easy terms. A bank starts into existence to make ' liberal accommodations ;' whilst a Mr. Whitaker collects away the dollars and sells them for premium to the money-changers of New York. Our speculators, who were sickened by banks and usury in Europe would be cured by the same things in Canada ; what was their malady at home, would be the remedy abroad. What delusion ! After the hard cash was swept away, the bank failed and blew all their prospects into air. When I visited the place in the spring of 1824, it was an awful instance of the decrees of Providence. If our injustice commend the justice of God, what shall we say ? Is God unjust who executeth wrath ? God forbid ; otherwise how shall God judge this world ? ROM. iii. 4. If a town is punished by God for making mockery of his law, will we say that God is unjust ; if God cannot punish people for transgressing his law, how could he judge the world ?

The poor people expended what they had, as well as what they were able to borrow from the bank in building houses and laying in shop goods ; though one half of the houses were unfinished or deserted and the other half inhabited by persons, who had the grief of viewing the empty skeletons, or goods uncalled for throughout the week. There were shops full of military articles—tin cans and dishes, old swords and sashes ; and yet not a buyer entering from end to end of the week : gloom and despair was indeed depicted on every face. Meantime I saw several genteel families daily dashing along the snow in superb sleighs, seemingly bent on amusement alone. Through astonishment that such groups of comfortable persons could be found in a town bearing so many symptoms of decay, I

asked the host who they were. He replied 'They are not inhabitants, but officers and their families.' That town must be extremely miserable that could not produce none but the military and tax gatherers, capable of enjoying the pleasures of the sleigh. See to what a state they had been brought by banks.

BALTIMORE. The speculating fever reached this city too ; the people had indeed run mad with schemes for new settlements ; for building towns and cities ; land jobbers went about with maps of building lots ; all persons were dreaming of great and sudden fortunes. In this time of public avidity the devil, who is exceedingly fond of an increase of usurers, deeming them, of course, his peculiar people, put it into the head of some persons to open a bank. Its door was soon thronged with customers ; the needy and the adventurous ; the gambling speculator ; the dreaming land-jobber. Baltimore saw, during this bauble, sixteen hundred houses rising, one season, splendid wharves and quays, statues to her heroes, and temples to her God. But again the fever had subsided, the dream had gone off, and the imaginary fortunes with it, the dreamers were left in a doleful plight : the whole country resounded with the cry, 'hard times.' The bank exploded and hurled all classes into misery. There were, in 1823, to my own knowledge, many blocks of fine brick houses advertised to be sold for the ground rent. If they had since that time a 'revival,' I cannot say.

LONDON too, the great Babylon of Europe, had her paper bauble and building fever, which came to a crisis in 1826, by the failure, in four months, of 110 banks. I remember well what she was prior and subsequent to that scourge. Then were swarms of workmen in motion on all sides, building houses, laying out squares and streets, leveling hills, sinking fountains ; now she looks like a city invaded and sacked by some ruthless foe ; the houses deserted, and decaying ; the people fleeing for bread to distant shores. As the drunkard receives a momentary impulse from the ardent dose and then sinks into the opposite extreme of debility, so does society receive from banks a false excitement and again she relapses lower than ever she had been. In short, by taking a

comprehensive view of the rise and fall of nations, it will be seen that beggary and distress increase in proportion to the increase of banks. Will not then America take lesson from the afflictions of her neighbors ; what will become of her, if the bills that exclusively deluge the land, were blown away ? Let her not think that ' Safety Funds,' or any other precaution dictated by human prudence, will for ever prop an abuse that is condemned by God. For it is written, I will destroy the wisdom of the wise ; and the prudence of the prudent I will reject. Hath not God made foolish the wisdom of this world ? There is no wisdom ; there is no prudence against the Most High : 1 Cor. i. 16 : LEVIT. xxvi. 14.

We see from Holy Writ, EZECH. xxii. that the ancient Jerusalem, because of her general corruption ; because they had *taken usury* and *increase*, and had *covetously oppressed their neighbors*, and so forth, was dispersed among the nations, and scattered among the countries ; that God poured out his indignation upon them, and in the fire of his wrath consumed them. Why then should not the indignation and fire of heaven be dreaded in New York ? why should not the cholera or some similar scourge disperse them in the countries, if the following extract from the *New York Commercial Advertiser* of April 5, 1834, in his reply to the *Albany Argus*, be true ?

'The editor of the N. Y. Commercial Advertiser' says the *Argus*, flies from our question. He cannot substantiate his calumnious attack upon the country banks, by a single fact or particular. He cannot tell us what banks *in the country* have carried on the system of double shaving. We deny the truth of this allegation, and challenge him to *name* such as he *asserts* to have carried on this system ; he evades the question, and refers us to the bank commissioners. We therefore brand him as the author of a deliberate calumny upon the character and stability of the country banks.'

There is no mistake in this challenge. It is direct, specific, and peremptory, and we therefore hasten to meet it in the teeth. But as they call for a single fact only, we will give them a specimen case including the naked fact, and the particulars.—In the

month of June, 1832, a merchant in the interior part of this state, wrote to his correspondent in this city, as follows :

‘ Our Bank will discount no paper unless it be made payable either in your City or Albany. Now I wish to make you a payment on account, and have occasion for some money here. Mr. —, our Cashier, says he will discount my draft on you at three months, for \$2000. If you will accept, I will remit you \$800 out of the proceeds of the draft on account, and will provide for the draft when due.’

The draft was made and accepted. The amount of \$800 was remitted agreeably to stipulation, and a check on the Merchants’ Bank, for which a PREMIUM OF $\frac{3}{4}$ PER CENT. WAS CHARGED. The drawer of the draft being disappointed in his collections, redrew for the whole amount ; and in order to have the funds here in time, *he was compelled to make his negotiation at home EIGHT DAYS BEFORE THE MATURITY OF HIS DRAFT IN NEW YORK.* There were four subsequent renewals of the same paper ; after which the drawer of the draft wrote, in the late autumn, to New York, as follows :

‘ You must not expect any payment from me on account, until Spring, as I am determined to apply all my resources to get up the acceptance of \$2000 without renewal. It is absolutely RUINOUS to continue it in the Bank. I lose eight days’ interest on every renewal, besides $\frac{3}{4}$ per cent. for each check upon New York.’

Below is an accurate statement of the expense of this loan.

Original draft dated 2d July, 1832, for \$2000,00.

3 months interest. \$35

$\frac{3}{4}$ per cent. premium on 800 remited here. 6

Second draft dated 24th Sept. 2000,00.

3 months interest. 35

$\frac{3}{4}$ per cent. premium on whole amount. 15

Third draft dated 16th Dec. 1832. 2000,00

3 months interest. 35

$\frac{3}{4}$ per cent. premium on whole amount. 15

Fourth draft dated 9th March, 1833. 2000,00

2 months interest. 35

$\frac{3}{4}$ per cent premium on whole amount.	15
Fifth draft dated 1st June 1833.	2000,00
3 months interest.	35
$\frac{3}{4}$ per cent. premium.	15
Sixth draft, dated 24th August, 1833.	2000,00
Three months interest.	35
Three quarters per cent. premium.	15
This last draft was met without re-drawing, but as a check on New York must be had, $\frac{3}{4}$ per cent. was again paid.	15
	\$306

The country merchant had the use of this money from 2d July, 1832, until 18th Nov., 1833; 16 months and 16 days, which at 7 per cent. is

192 89

Excess over legal interest. \$113 12

Now Mr. Argus, here is the 'fact,' with its 'particulars.' The name of the bank, and of the drawer, and acceptor, have been left with us. We do not wish to provoke that personal hostility, which the Argus evidently wishes us to incur, by publishing the names of the parties, but we will communicate them confidentially to the Editor of the Argus, if he desires it. In any event, he need not dispute the facts stated; and he may admit that it is *double shaving*, or *quadruple shaving*, as he pleases. We have reason to believe that the case here disclosed, forms a fair specimen of the manner in which a large portion of the business of many Safety Fund Banks has been transacted, for two or three years past. And if the people are willing to submit to such a system of indirect swindling.'

EXTORTION.

It is usury to overcharge in the sale of goods, because time is given for payment, or to pay less than the just price, because the payment is anticipated.

To demonstrate this proposition, let me reinsert the two Bulls, one of Alexander III., and the other of Urban III.

DECRET. GREG. lib. 5, tit. 19. Chap. 6. You say, that it often happens in your city, that when some persons buy pepper, cinnamon,

or other merchandises, which are then not worth more than five pounds, they promise to the sellers six pounds at a certain time. Although such contracts, under such shape, cannot be considered as usurious, nevertheless the sellers incur sin, unless there be a doubt whether the merchandise be worth more or less at the time of payment; and consequently, your fellow-citizens would do well for their salvation, if they refrain from such contracts, when the thoughts of man cannot be concealed from the omnipotent God.' *Alexander. III.*

Chap. 10. Your devotion has consulted us, whether the man is to be considered in the tribunal of conscience as a usurer, who, though otherwise disinclined to lend, lends with the view, though not expressed, of receiving more than the principal; and whether the man also incur the same guilt, who never lends until he gets some profit thereby, though he does not insist upon it; and whether the merchant falls into the same guilt, who retails his merchandise for much higher prices, if he gives time for the payment, than he would, if the price were paid him in hand? But, because the course to be pursued in these cases is manifestly known from the Evangelist, *LUKE vi. 35*; where it said, '*Lend, hoping for nothing thereby, persons of this description, for the mercenary intention which they have, (as every usury and increase is forbidden in law), are to be considered as acting badly, and to be compelled effectually, in the judgment of souls, to restore what they received in this manner.*' *Urban III., An. 1186.*

As a collateral evidence may I give an extract from the Council of *Milan*, ratified by Pope *Pius V.*

Let no person contract with another on condition that the borrower should pay the entire in money, when the lender had given him the amount, partly in money, and partly in promissory notes, which were difficult to be recovered, or in wares estimated for more than their value:

Let nothing be sold dearer to a man demanding a loan, in order that it may be immediately bought cheaper from him again by the seller, either through himself or through an agent.

Let no person sell dearer than the *just price*, because he gives time for the payment.

Let no article be bought cheaper than the just price, nor less be paid than was due, because the payment is anticipated.

Let nothing be sold on time, with the condition that the price, should it, in the mean time, have arisen, be paid to the seller, in case he would not likewise agree to abide by the fall.

Let not corn, wine, oil, or any other article, be given, on condition that a greater quantity than was given, be required, either of the same description, or of any other, though it should be labor.

Let nothing be given in pledge for a middling price, or sold on condition of redeeming it, within a certain time, so that, if the thing be not redeemed at the time appointed the thing becomes forfeited to the buyer, or to the person who received it in pledge.

Let no person lend corn, or any other corrupted article, in order that so much of a sounder article be paid again, though the restitution be deferred to any time that may answer the debtor's convenience. *Con. Med.*

The *just price*, alluded to in the foregoing decree, is that price which the goods bring at a fair ready money sale. To raise that price for giving time for the payment is an oppression of the poor which is a sin crying to heaven for vengeance: *Exod. xxii. 21.* Thou shalt not molest the stranger nor afflict him; for you yourselves were strangers in the land of Egypt. Thou shalt not hurt a widow nor an orphan; if you hurt them, they will cry to me and I will hear their cry, and my rage will be enkindled and I will strike thee with the sword. *ISA. x. 1.* Woe to them that make unjust laws that they may oppress the poor in judgment. The believer looks upon his property as stewardship received from the hands of God for beneficent purposes—for relieving, not oppressing therewith the poor; and considers every purchaser of goods who demands time, or who has not the ready money, as a poor person entitled to reduction. But the infidel, considering the things that are his own, not the things that are Christ's, makes the abatement for the rich ready money buyer and lays a heavy hand upon the time customer. The infidel trafficker deals out indulgence to the rich, oppression to the poor. Further; extortion implies all the malice and penalties of usury. If goods, for instance, worth £100, be sold for £106,

payable in twelve months, what is it, but to lend £100 at 6 per cent. interest ?

Notwithstanding extortion so much prevails in the New England States that they seem not to believe that there is a Bible on earth or a God in heaven. The youth in the village is as expert in the science as the hoary caitiff in the city, The most finished cheat and extortioner is the most 'clever fellow.' They have two prices—a time price and a ready money price ; the one for the rich, the other for the poor ; the one 30 per cent. higher than the other. If the owner of a good horse, or farm come to the store, he receives smiles, caresses and credit unlimited. Then they have honey on their lips, avarice at heart ; their eye is fixed upon his face, their soul and heart, upon his farm. As the hawk aloft eyes the prey below, and soon after pounces upon him, so the vile trafficker, when the compound interest has swelled up the debt, drives his talons into his devoted victim ; he strips him naked of his goods and chattels. Hardly a village would you meet in this state that is not devoured by extortioners. This is the will of God, 1 THESS. iv. 6. that no man overreach, nor deceive his brother in business, because the Lord is the avenger of all such, as we have already told you, and have testified.

FELLOWSHIP, OR COMPANY.

BULL.—*Detestabilis avaritiæ ingluvies.* ' We do in this our perpetual decree, reprobate and condemn all contracts, pacts and conventions whatever, to be celebrated in future, whereby it will be provided on the part of the persons putting into company money, animals, or any other things whatever, that if, even by mere accident, any injury, loss, or damage, follow, the very principal, or capital be always safe and restored in full by the managing partner ; or that he guarantee to pay yearly, or monthly during the existence of the company a certain sum or quantity. We decree, that such contracts, pacts, or conventions are to be henceforward deemed illicit and usurious ; and that for the future it be not lawful for the partners that put into the company monies, animals, or any other articles, to agree or stipulate for recovering a certain profit ; nor even, whether they stipulate for a definite or

indefinite profit, to obligate by pact or promise the managing partner, to restore in full and entire the capital or principal, if by casual accident it be lost or destroyed. And we strictly forbid and prohibit that companies being hereafter formed under any pacts, or conditions of this sort, which savor of usury. But rather let all people know that Fellowships of this nature, when one man will hereafter contribute money, animals, or other things or goods, and another yields his labor or industry, are to be formed or entered into honestly, sincerely and with good faith, as it should be, with fair and just conditions, according to the provisions of the law, and without fraud whatever, palliation, suspicion, or infection of the usurious depravity ; so that the managing partner be not obligated to pay as gain a certain sum, or quantity, free, as aforesaid, from all risk or danger ; nor to restore the capital, if, by any casualty, it should perish. But if the capital, at the dissolution of the partnership, be extant, let it be restored to him, who had contributed it to the company, unless it is to be shared with the manager, or otherwise distributed, according to law, between the contractors. Moreover, let the contractors cast up the fruits, costs and losses, and let them share and divide them fairly and justly.

Decreeing that if any contracts, pacts, or agreements be hereafter, in opposition to our Constitution, actually formed, no civil or natural obligation will arise therefrom, thus condemned and reprobated by this our Constitution, though they be confirmed by oath, or otherwise ; and no action real or personal, or any other title appertains to any person either for recovering in full the capital or principal, if it should by any casualty perish, or be lost ; nor to any specific sum or quantity promised yearly or monthly under the appellation of profit.

If any man do in future rashly presume to contract under the foregoing pacts or conditions ; or under the veil of such conventions, pacts, or contracts formed in the name of a company heretofore existing, do presume to take proceedings for the recovery of the said capital or principal, or the value or price thereof, after it be casually lost or perished, in the whole or in part, or of an annual or monthly specified sum or quantity, We decree that they, and every one of them do, *ipso facto*, incur the

penalties decreed and promulgated by the Sacred Canons and General Councils against notorious usurers, and that they could and ought to be proceeded against as against notorious usurers, with the law and with other suitable remedies.'—*Pope Sextus V. Rome, 25th Oct. 1586.*

‘Being desirous to repress, in pursuance of our duty, usury widely spreading to the ruin of the people, we select, from the sacred Canons and approved Fathers, some sins of this description, which, as we see them more frequently perpetrated in this province, we deemed right should be pointedly and specifically prohibited, with the view, that if any person should also err in other forbidden contracts of the same nature, he may understand that he shall have to undergo the penalties decreed by the law.

From a loan, or deposits, made even with a Jew, nothing besides the capital can be received from agreement by any man whatever, or principally expected, though that money belong to pupils, or widows, or to pious places, or even if it be a dowry, unless as far as it be nominally permitted by law.

If any man refuse to accept even the dowry due to him, when offered in fact, at a certain time and place, nothing besides the capital can he accept, by reason even of the ceasing gain or emergent loss, or from any other cause.

Let not exchanges be effected when the letters of exchange are not really sent to the destined place, and when the payment is not made there, but the money is given and received in one and the same place; or, when the monies are given and received with the pact, that recourse be had to the house or agent of the giver, or receiver, which pact is commonly called *La ricorsa*; and so expenses or burden of another sort is imposed.

Let not any man so contract with another that he pay the whole amount in money to the giver, whilst he gave partly money, and partly bills, which were difficult to be recovered, or goods valued above their worth.

Let nothing be sold above its value to a man demanding ready money, on condition that it be immediately bought cheaper by the seller, either through himself or an intermediate person.

Let not any man sell any thing under the just price for giving time for the payment.

Let nothing be bought for less than the just price, or let not less be paid than was due, because the payment is made before hand.

Let not a thing be sold upon time, with condition that the price, should it in the mean time have arisen, be paid to the seller, in case he would not likewise agree to abide by the fall.

Let not an article be given for a middling price, or pledge, or sold with the pact of redeeming it within a certain time, so that if the thing be not released at the appointed time, the article becomes the property of the buyer, or of him who receives it in pledge.

Let not corn, wine, oil, or any other article, be given, that some more than that which is given be exacted, either of the same description, or of another thing of any sort whatever, even if it be labor.

Let not any man lend corn, or any other corrupted article, on condition that so much of a more precious article be returned, even if the restitution be deferred to any time suitable to the debtor.

Let not a distribution of the profit be made in the company, towards which one man contributes the money, the other his labor, unless by shares.

Let nothing be paid above them, in a certain sum of money, or any thing else, to the man contributing the capital.

Let not an agreement be made that the capital be safe, but that the fruits be commonly divided.

In the company of animals, which are given unvalued to any man for guarding them, or that he may apply his labor, let all accidents, even the fortuitous, be at the risk of the man who gave the animals, unless this happens through the fraud or great negligence of the other partner.

Let not an agreement be entered into that the capital be always safe, even from the young ones,

Let not any thing certain, besides the capital, be yearly paid from the fruits of the animals.

And in the letting of animals for a certain price, if they become deteriorated without the fraud or negligence of him who has hired

them, let that be always at the expense of the man who has let them.

But if the animals be given valued, so that the principal be secured for the giver, nothing at all could be received.

Let not the contracts be made which are called *libellarii*, or fictitious *libellarii**, when the sale of a certain *immovable* thing for a just price does not precede.

Or when the seller be forced to redeem it ; or when he could not redeem it, but after a certain time.

Or when the annual rent, to the payment of which the thing is obligated, exceeds the valuation of the fruits which the lord usually does, or can receive by the thing itself.

And, if in the place of money, be promised by the year wine, corn, or any other article, let that be reduced, according to the custom of the places, to the amount of the money and just price.

But if any man should have contracted in any of these cases, or others that savor of usury, and that are justly forbidden by the law, as iniquitous, let the contracts though confirmed by an oath, be null, void, and without effect. But let the contractors, notaries, who would perfect the instruments, the brokers, or partakers of the gain, and the ministers of these iniquities, be punished both with the penalties decreed by the law, and with church censures.

But we exhort the princes and magistrates that even they do arrest this pest with the best remedies possible.' *Con Milan, under St. Char. Borromeo, An. 1566.*

We should not forget the definition of the Holy Pope : ' We condemn, says he, and reprobate all contracts, pacts and conventions whatever, whereby it is provided on behalf of the person putting into company money, animals, or any other articles whatever, that the capital be always safe and restored in fully by the manager ; or that the guarantee to pay yearly or monthly during the existence of the company a specific sum or quantity,' or as the Council of Milan

* *Libellarius contractus est venditio quo fit scripturâ interveniente certo precio : 'A covenant to have a thing for ever, paying a yearly rent.'*—*Littleton's Dictionary,*

ordains, 'Let not an agreement be made that the capital be always safe, but that the profits be commonly divided.'

With them saintly maxims before our face what gloomy, heart-rending thoughts crowd upon our mind by turning our eyes upon the usurious practices of Mother Erin. The rich and the poor form dairy companies ; the one contributing the animals and utensils, the other his labor. He is bound by agreement to restore at the dissolution of the partnership, the cattle and utensils, if extant, and to pay, besides, yearly or monthly a specific sum or quantity ; whether he gained or lost by the transaction : whether the fruits of the animals be, or not, adequate to his labor. This is but a solitary branch of the tyranny systematically practised in that land of oppression, where the rich have by successive inroads upon the wages of the poor, finally reduced them to actual slavery.

Dairy companies are, in general, conducted on fairer principles in North America. The Squire contributes the farm, stock, and apparatus, the tenant his labor. The crops and fruits of the cattle are yearly halved. Therefore the risk and chance is mutual ; fair play for both parties. Would that I could say the same of the Americans in all their dealings. When the settler purchases from the squire a farm of two or three hundred acres, for ten or twelve hundred dollars, the difficulties staring him in the face are most appalling. Having paid down one third of the purchase money he must mortgage the farm for the remainder to the squire, payable by instalments with 7 per cent. interest.

Behold the Colonist now, with his dear family looking up to him for the necessaries of life, in the thick and gloomy forest, felling the trees for the log house, sticking down amidst the trunks the indian corn ; struggling to have some shelter, food and raiment for himself and little ones prior the winter's frost. No fellow man to cheer or relieve ; wolves, bears, rattlesnakes threatening to devour and destroy ; deafened by day from the grasshoppers shrill notes, and by night from the endless croaking of bullfrogs ; musquitoes in myriads both day and night with drawn lances over his head, as if to inflict speedy punishment on the daring intruder of their wild domain. Whilst the air above and the sand beneath is heated from the burning sun, the exhalations from rotten trunks, swamps and ponds, carry the fever and ague, and often death into the infant colony ;

the long winter will, if the few acres are not cleared, the maze housed, the log house and cow-shed got up before the fall, complete the havoc. After three long years are thus spent in the dreary desert, the debt has swelled from interest upon interest ; the tyrant lord forecloses the mortgage, and throws out again the thin cheeked heart-broken colonist, with the few that survive of his family on the wide world ; making no allowance for the improvements, nor refunding ought of the original payments. What is that but the most grinding oppression ? You shall not molest the stranger nor afflict him, for yourselves were strangers in the land of Egypt : you shall not hurt a widow or an orphan ; if you hurt them, they will cry to me and I will hear their cry, and my rage shall be enkindled, and I will strike you with the sword ; and your wives shall be widows, and your children fatherless : Exod. xxii. 21. To relieve and console the distressed, especially the distressed stranger is a virtue impressed by the law of nature, taught in every page of both Testaments ; the boast and pride of all civilized nations ; a consecrated maxim of the Indian in the forest. Can it then be forgotten by a people abounding in Bibles, meetings, revivals ; are they not afraid that their own wives will be widows, and their children orphans ? Do they not believe ‘ that kingdoms are translated from one people to another, because of injustice, and wrongs and injuries and divers deceits : ECCLE. x. 8. .

THE RISK ATTENDING THE MONEY-LOAN IS NO TITLE TO
INTEREST.

Collet, De Usura, page 310, says, ‘ It is not lawful to charge any more than the principal merely for the danger : the intention of Providence in instituting gratuitous loans for the relief of the poor would be frustrated, if it were allowable to make a charge for the danger, which is always inseparable from poverty.

Genetto, De Usura, page 235, says, ‘ If it be lawful to exact ought for such dangers, something more than the principal could be almost generally recovered from the poor, in whose hands are loans seldom or never free from danger. To charge them usury is contrary to the often expressed will of God : Exod. xxii. 25. If

thou lend money to any of my people, that is *poor*, and abideth with thee, thou shalt not be hard upon them, as an extortioner, nor oppress them with usury; and as man may cavil at these words, and say, that God prevented not to receive usury from the poor, so that they be not oppressed with it, the precept is more clearly expressed in LEVIT. xxv. 35. If thy brother be impoverished, receive not usury from him, nor *more* than thou gavest to him; thou shalt not give him thy money at usury, nor exact from him any increase of fruit. Indeed the danger arising from the fraud or poverty of the debtor gives no title to interest, because God, notwithstanding them dangers, commands to lend gratis to the poor.

Why talk of dangers, since no dangerous mark gets any money at, or without interest; since the very semblance of risk or danger is sedulously removed by bonds and securities; since no borrower is selected that leaves even the slightest ground for apprehension. If risk create a title to interest, the greater the risk or poverty of the borrowers, the higher should be the rate of interest; and, on the other hand, the greater their wealth and safety, the less should be the interest. On the same principle, if the borrower be so rich and safe in every respect, if he secure the loan with unquestionable vouchers, he should be charged no interest at all. Does not that principle tend to oppress beyond measure Christ in the person of the poor; and to free the rich borrowers altogether? If the danger entitle the lender to interest or compensation, by what rule is the danger and compensation to be measured; who is to be the judge, or appraiser; how much per cent. is the usurer, John, entitled to for the loan of £100 to poor George, to the purpose of releasing his cattle from the tyrant land-lord, or from the tythe proctor? As the honesty or villany of the borrower is always uncertain, the quantity and quality of the danger is uncertain also. Let it not be objected that the temporal laws by regulating the rate of interest at six or seven per cent. measure the quantity and quality of the danger. No; for they allow that rate whether there be, or not, any danger; whether the borrowers be

rich or poor, honest or dishonest. Therefore, if the usurers go under the mask of the laws, let them cede the plea of danger ; or if they prefer the danger, let them not go under the cover of the laws.

CHARITY.

The usurers say, ' that by lending at interest they rescue families from misery, and that they therefore perform acts of genuine charity.' If charity, or brotherly love be their aim and object, why not lend gratis ; but the *charitable* usurers look to themselves in the bargain ; interest, not charity is their motive. Are we now told that usury is charity, though the Prophet EZECH. xviii. makes it one of the features in the picture of the reprobate ; though the *Catechism* of the Council of Trent, See page 119, and every other Christian authority, calls it *rapine*, felony, oppression of the poor ; though *St. Basil the Great*, see page 87, says, That it is the greatest degree of cruelty to charge the man who applies for a loan to support wretched existence *any more than the principal* ; to hope for yearly income from pinching poverty. He coming for aid found an enemy ; seeking wholesome remedy he found destructive poison. Your exactions from the poor has no parallel in misanthropy ; from their calamities you seek gain ; from their tears you treasure up riches ; and yet you style this gain *charity*. Woe to those, who assert that bitter is sweet, and cruelty charity : ISA. v. **xx.** Usurious loans bring ruin on both parties ; on the borrower in his pecuniary matters, on the lender in his Spiritual concerns.

WIDOWS AND ORPHANS.

The usurers still object ' that widows or orphans unfit for the counting-house ; ladies and gentlemen bent upon theatrical amusements, and disdain the drudgery of agriculture ; misers and actors, devotees of Mammon, would sink into poverty, if the purse be not fed from the perennial streams of usury.'

Plausible reasoning indeed, in the mouth of the infidel guided by sensual notions and worldly maxims ; abhorrent to the Christian, believing that he will be judged in the last day by the Gospel,

The word that I have spoken the same shall judge him in the last day. JOHN xii. 48 ; but not by profane, or sensual maxims ; and that by faithfully complying with the will and law of God, who feeds the birds of the air and clothes the lilies of the field, neither widows, nor orphans need despair of his merciful Providence.

Still the usurers, says *St. Augustine*, see page 90, have the impudence to say, *We have no other way of gaining livelihood.* Why, the robber breaking the house; the highway man infesting the road; the prostitute haunting the street; the pimp seducing the hireling of infamy; the witch dispersing the spells will say, every one of them, why should I be prevented my practice as it tends to procure the necessaries of life? As if the procurement of livelihood would justify any practice, however offensive to Him, who feeds the universe.'

The COUNCIL of LATERAN, see page 111, *Chap. 4*, decrees 'When the crime of usury is detested in both Testaments, we do not see that any dispensation could be had on the subject: because the Scriptures forbid telling a lie to save a man's life, much more is man forbidden to involve himself in the crime of usury, even to save the life of a captive.'

The ancient COUNCIL of MECHLIN, quoted by Genetto, page 249, 'Whereas usury is forbidden all Christians under pain of mortal sin, by the Divine and human laws, and whereas evil cannot be committed for effecting good, the Synod ordains and decrees, that no tutor or guardian do, under the pretence of increasing the pupil's, or minor's patrimony give out his money in loans, to the purpose of obtaining annually something more than the principal, having retained a right to remand the capital; and declares such contracts usurious; and let those who lend, contrary to these provisions, be punished as usurers, with the strictest rigor of the law.' Lastly,

The COUNCIL of MILAN, see page 200, decrees, 'that no more than the principal can by agreement be received or principally expected by any man for a loan or deposit made even with a Jew, though the money should belong to widows, orphans, or pious places, or were it even a dowry, unless as far as it is expressly permitted by the law.'

Now, as usury is a crime detested in both Testaments, and as it

cannot be dispensed with to save even the life of a captive, how, in the name of common sense, could it be dispensed with to save that of noblemen, widows, or orphans, whose capital may be applied to other lucrative purposes; to purchase annuities; some legal trade or fellowship? How could they live, if deprived of the means of lending, through the failure of their debtors, or through any other accident? Or how do the millions live who have neither means to lend nor credit to borrow? Or how will the several millions of widows, and orphans, and gentlemen, now live, who are reduced to beggary by the pressure of the national debt, the usury of the fundholders, the usury and failure of the banks of England and Ireland?

CUSTOM.

Some persons are so weak in faith and reckless of the Sacred Deposite, that they reply when asked what is their opinion with regard to interest. 'It is generally allowed by both Clergy and Laity in Ireland; admitted in some parts of France, condemned in others; and generally practised in America. Whereas there is no possibility of arresting a practice thus deep rooted and sanctioned, it seems to be the best course to leave the people in their easy conscience.'

How heedless are these pastors of the Sacred Deposite! Making no essay in its defence, they conform to the world, they enter by the wide gate, and go by the broad way to destruction. Would they with equal indifference surrender the worldly inheritance? The best lawyers and witnesses would be procured; the old deeds and records ransacked; and every stone turned, to preserve the precious patrimony; whilst they search neither Scripture nor Tradition, nor make any manner of enquiry in defence of the heavenly legacy. Is it not of them the Blessed Redeemer has written, The hireling, and he that is not the Shepherd, seeth the wolf coming and leaveth the sheep, and fleeth because he is a hireling: JOHN X. Is not the pastor that conforms to the desires of the people, or that is not willing or able to announce the counsel of God, a hireling that fleeth from the coming wolf? Is he not a thief, a robber, and murderer of souls?

Custom is a precarious and fantastic rule to go by. Crimes the most detestable to God and man —gluttony, lust, fraud, blasphemy, and the like, find patrons numerous, powerful, and become the established and general custom. The gentry that entertain such notions will no longer search the Scriptures or Tradition for the truth, but watch the veerings of the fashions and customs. Had they lived in Africa, Asia, or in England, they would, there is no doubt, follow the custom.

‘O Timothy,’ says St. Vincent of Lirens, cc. 3, 4, 41, ‘keep that which is committed to thy trust and avoid profane novelties. O Catholic Bishop, guard the doctrine of Christ from the thieves and enemies, for fear they come, whilst the people are asleep, and scatter the tares over the good wheat that had been sown by the Son of man in his field. *Guard the Deposit.* What signifies the *Deposit*? That doctrine which was entrusted to you, not the worldly customs. The talent of Catholic faith that had been entrusted to you, let the same be preserved inviolate by you; let the same be handed down by you. O Timothy, O Priest, O Teacher, O Doctor, guard the doctrine that had been handed down to you; hand you the same pure, and without corruption to posterity. Pass not beyond the ancient bounds, which thy fathers have set. *Hold what was every where, what was always, what was by all persons believed.* If a whole city, or province be found out in error let the Catholic Christian oppose the decrees of the Universal Church, if any ancient and Catholic ones be extant, to the rashness and ignorance of the few; but if these be not discovered for deciding the controversy, let him consult the Holy Fathers; and having ascertained what they had *unanimously, frequently, and constantly* wrote and taught, let him believe that, without hesitation. It is essential for all persons that would not be *heretics*, to embrace, adhere to, and persist in the doctrine of the Fathers.’

‘Although customs contrary to the temporal law, if sanctioned by the temporal Ruler, may repeal it, however no custom, be it old or general, abrogates the natural or Divine law; because the truth prevaieth and endureth for ever: 3 ESDRAS iv. 38:’ *St. Antony*, ‘Should you bring up custom as a rule, remember the saying of

God, *I am the way, the truth, and the life.* He said not, I am the custom, but the *truth.* Indeed every custom, be it ever so old and common, must give way to the truth ; and the usage that is contrary to the truth, must be abolished.' B. *Greg. VII.*

Were the prevalent custom to justify its votaries, the Jews Turks, and Heathens, may continue in their course ; the Heretics and Schismatics may pursue their errors ; the libertine his accustomed sins ; the congregation may dispense with their pastor. St. Charles Borromeo was a severe pill to these *customary* gentleman : in an oration in the Second Council of Milan he speaks thus : We should not desist from the fulfilment of our duty either because our pastoral writings and exertions disturb the sons of perdition, or because these vulgar sayings, which cover wicked and deformed practices, as the barren fig-tree is concealed under her leaves, are perpetually dinned in our ears, ' These times bear not the rigor of the Canons ; thus have others lived ; thus did our ancestors act ; it is not proper that we would change our customs ; but we despise all such sayings.' And in the other council of Milan the Saint says, ' Shall we flinch from our duty, if our exertions for healing our province disturb the sickly consciences of others, who are for ever saying, ' These times endure not the strong medicines of the Councils and old Fathers ;' but let us rather redouble our zeal to heal and preserve in health and vigor the Christian religion with the same means and medicines whereby it had been originally propagated.'

Were banks, funds, or usury any of the means used by the blessed Redeemer to disseminate the Christian religion : or the medicines adopted by the Apostles and martyrs to heal and preserve it? Did the Redeemer, or the Apostles, or the Holy Fathers, Augustine, Ambrose, Jerome, or the Gregories, lend or borrow money at interest ; or teach in preaching or in writing to lend or borrow at interest? Were St. Charles Borromeo living in our days, his holy ears would be perpetually annoyed with the same sayings, ' The Canons and old Fathers unfit our times ; thus do the world live ; all peoples and nations practise interest ; we cannot resist so general a custom.' Were he to flourish in those days, he would meet many persons, called pastors, cloaking rank

infidelity with the same specious sayings, as the barren fig-tree is concealed under its leaves. John the Apostle, or rather in John the Saviour writing to the angel of the Church of Ephesus, says, *ΑΡΟC. ii.* I know thy works and thy labor, and thy patience; and that thou hast endured for my name, and hast not fainted; but I have somewhat against thee, because thou hast left thy first charity. Be mindful therefore from whence thou art fallen; and do penance; and do the first works; or else I come to thee, and will move thy candlestick out of its place.

CEASING GAIN, AND EMERGENT LOSS.

Manifold are the terms invented by satan for palliating usury, but never has he devised any so much to his purpose, as the words in the head line. So vague and indefinite are they that no two of the authors, Collet, Genetto, Natalis Alexander, Bailey and several others, that fell into my hands, agree in defining them, nor in determining the number or quality of the conditions which, in their opinion, would entitle the lender to compensation, under the mask of said terms. Some authors require three or four; others five or six conditions; which they all explain away, according to their respective notions of right and equity. What but disagreement and contradiction could be expected on a question where there is no Christian rule to go by; no mention or vestige of such barbarous, unmeaning terms being found in Holy Writ, nor in any sacred writer prior to the seventeenth century.

Although the great fountains, Fathers, Popes, and Councils continue even to this day, clear, as crystal, from such muddy stuff, it is astonishing how it slipt into the minor streams during the last century. The dreadful time foretold by the Apostle, *2 TIM. iv. 3, when they will not endure sound doctrine*, seemed to be setting in, the filthy infidelity spreads and pollutes every channel. The generality of writers unable to stem the impetuous torrent of error, or allay the boundless cupidity of the rich, found themselves obliged, as if to accommodate to the desires of the people, to invent these obscure and barbarous terms that may be construed one way or the other, for or against usury. To no other cause or

motive could I trace the origin or growth of them than to the timidity of the writers on Theology.

I am, I think, able to demonstrate that no interest or compensation, whatever, under any name, shape, or form, can be charged for money loans under the mask of Ceasing Gain, or Emergent Loss ; and that the modern authors in adopting, instead of the sacred rules, Scriptures and Tradition, their own common sense and reason, for the exposition of said terms, have lost wisdom and became foolish in their own thoughts. As it is written, I will destroy the wisdom of the wise ; and the prudence of the prudent I will reject. Where is the wise ? Where is the Scribe ? Where is the disputer of this world ?

Some persons there are involved in worldly callings ; some, whose faith is smothered in the briers of riches ; and others who see, but have not honesty to practise, imagine or pretend to imagine that the Authors sanction under the cover of Ceasing Gain, and Emergent Loss, whatever compensation or interest is tolerated by the Human Laws. Notwithstanding it will be seen from the following observations that if the exposition of the Authors be followed ; if the conditions which they, even the loosest moralist among them, attach to them terms, be observed in practice, money lenders could charge no compensation, and usury would be totally abolished. As the Authors discard the Sacred Rules for the sake of common sense and reason, I must, of course, do the same with regard to this question. I shall in the first place, endeavor to point out the idea, which they affix to them terms, and secondly, the explanation or conditions, which they apply to them.

‘Ceasing Gain,’ they say, ‘occurs to a man, when he does, not by reason of having lent his money, gain, what he would otherwise gain : Peter, for instance, who is inclined to purchase, or embark in commerce, cannot do either the one or the other, because he lent his money to John.’

‘Emergent loss occurs to the lender, when the absence of the money that was lent occasions a loss in his own affairs. Peter, for example, cannot repair his house, which consequently comes

down, because he lent his money to John : or he is obliged to borrow from others, at interest, as much as he lent him.'

The Authors that are unanimous in affixing this meaning to said terms split altogether in expounding them ; some require three or four, others seven, or more conditions, as already observed ; however, any gentleman who takes the trouble of perusing them once more, can see, I flatter myself, that the following is the nearest approach they make towards unanimity. In order to justify charging compensation, under the name of ceasing gain, they require three conditions : first, that the money to be lent had been actually engaged in some legal commerce ; for that sum, which might remain fruitless in the lender's own hands, could be lent without any cession of gain ; secondly, that the creditor would command no more money to be substituted for what he lent ; and, lastly, that the gain which the lender had in calculation be really probable, not merely possible ; it is not enough for him to say, ' I *might* gain so much by keeping the money in my own hands ;' he should be able to show that the gain was morally certain.

The conditions for emergent loss are likewise threefold : first, that the loss be really occasioned by the loan, but not by any external cause ; secondly, that the loss sustained and the reparation be commensurate ; and, lastly, that the creditor do intimate, before or at the time of agreement, to the debtor, the impending danger ; but if the cloud disappear without explosion, without loss, the creditor is allowed no compensation.

Let me repeat, that the authors, in explaining these terms and conditions, take no Christian rule, Scripture, nor Tradition, but *sense* and *reason*, a rule both precarious and fantastical ; more becoming the Pagan or philosopher than the Christian, who believes that he will be judged in the last day by the gospel rule : JOHN xii. 48. The only use the lawyer makes of his reason is to peruse and combine the acts of the Legislature, and to apply them to particular cases : so it is the province of the director of souls to study the sacred volume and holy Canons, and to regulate, according to them, the faith and morals of mankind ; but not to swerve

from the doctrine handed down, without rule or compass. Though I am, on the present question, constrained to meet the advocates of ceasing gain on their own profane *rational* ground.

The first condition they adduce to justify interest or compensation, under the name of Ceasing Gain, is, 'That the money to be lent had been actually engaged in some legal commerce.' Now, supposing the observance of that condition, none but merchants could ever become usurers, widows, orphans, old men and farmers, should abstain from the money-market. How would the fund-holders, the stage-players, the sportsmen, and the several other groups of idlers, relish this partiality towards merchants, this cruelty towards themselves?

The second condition allows no compensation to the creditor, in case he had any spared money which he might substitute for what he lent. That condition is a dead letter with all our lenders; they exact the per centage to the last farthing, whether they had or had not, thousands in the chest. But how could the spiritual director ascertain whether his favorite merchant had not any money spared? By taking him on his own word, the word of an avaricious merchant, a griping usurer, he would act on a sandy foundation.

This privileged class, these fortunate merchants, slight the third condition altogether; they charge the interest to the last farthing, being totally indifferent whether the expected gain be within or without the bounds of probability, or whether any gain at all could be expected by keeping the money in their own hands. Besides, how often were speculators puffed up with great and certain prospects of gain in the beginning, who would, from the fall of the market, or from some other cause, lose all in the end; how often were lands and houses purchased under the most flattering prospects, that would not sell, soon after, for half the purchase money? Speculation in trade, like the game of chance, depends upon fortune. By what rule, then, could the spiritual director measure the gain that was forfeited by these persons by lending their money? Is he to make sure to them their profit—the six per cent., without bestowing a thought whether the borrower lost or gained by the transaction? Are the rich lenders to receive every protection and indemnity in the sacred tribunal, whilst the poor borrowers

receive none at all? But with God there is no such respect of persons.

The first condition for Emergent Loss 'allows no interest or compensation, if the loss be not actually occasioned by having lent, or if it had been produced by any external cause.' As to that, the modern usurers are equally indifferent: they charge the highest rate allowed by the laws, though there was no loss whatever—though the house did not tumble for want of the money that was lent. It would be curious to see the guide argue thus with his usurious hearer:—'Mr. Usurer, you have sustained no loss by lending your money to John; your house did not tumble for want of means to repair it; to demand indemnity for losses that never occurred, is against one of the conditions for Emergent Loss. Rescind, therefore, your usurious contracts, or I shall feel myself under the necessity of withholding every spiritual consolation from you.' Whether this logical lecture would bring conviction to the mind of the griping usurer, or rather induce him to look upon the lecturer as a mad man, let others say.

The second condition 'requires an equality between the loss and reparation.' Supposing that to be the case, the usurers would deem themselves the happiest creatures in existence. Upon the altar of their idol, Mammon, they offer every thing sacred, and profane, the laws of God and of man; their daily labor and nightly rest; it being dearer to them than all other objects here below, and all the bliss in the world above. The loss or absence of £100, even for one moment, is the source of much anxiety and grief; this grief and apprehension for the safety of their absent idol, rises or falls in proportion to the intensity of their avarice. The consequent loss of pleasure, of sleep, and so forth, is serious, and, in their opinion, ought to be taken into consideration, as well as any other actual and sensible loss. Their claims, therefore, for compensation, would be endless, as their avarice is boundless; they would bring in other charges for their trouble in going or sending for the debt, so that by giving them an inch they would take an ell. By what criterion would they be restrained? Is their partial evidence, in their own cause, too, to be followed, without any respect to the feelings or opinions of the other party?

The third condition that would seem to justify interest under the appellation of Emergent Loss, 'requires, on the part of the lender, to intimate in the beginning of the agreement, to the borrower, the impending danger.' This would render the usurers equally fortunate. The greater their avarice, the greater their apprehension for the outstanding debts, and consequently the more magnified will be the danger for the wretched borrower. But, in the name of common sense, why talk of dangers, when all fraternal charity has so decayed, that they never lend to any man if there be the semblance of danger; when bills, and bonds, and securities are taken to remove it altogether. To lend to the rich, who can give securities, and to refuse the poor, because they can give none, subverts the merciful decrees of Providence, in instituting loans as a mode of charity, a manner of relieving the poor. If thou lend money to any of my people that is poor and abideth with thee, thou shalt not be hard upon them as an extortioner, nor oppress them with usury: *Exod. xxii. 25.* Suppose a poor widow whose house is burnt, or a poor man, whose little property is under an execution, comes to the usurer, John, for a loan, to extricate himself from his embarrassments, how could the danger of lending in this, or any such cases, be measured? What would be the amount of John's usury in this case?

The profane philosophy that seems to actuate some divines, in defending this mode of compensation, is most dangerous in its consequences: it discards both Testaments, the Fathers, the Councils, and even the temporal laws on usury. If usurers are to be indemnified for any gain they forfeit, or for any loss they incur, their guides must allow them, in consistency, compensation for clothing the naked, feeding the hungry, redeeming the captives: *MATT. xxv. 35.*

How contrary this system of indemnity to the preaching and practice of the merciful Redeemer! His steps from Bethlehem to Calvary are marked by one constant series of good works—curing the sick, the lame, the blind, raising the dead, feeding thousands in the desert, changing water into wine, and, finally, paying the debt of our redemption on the cross. His doctrine squares with his practice: Lend, hoping for nothing thereby:

LUKE vi. 34. Bear each other's burdens, and so you will fulfil the law of Christ: GAL. vi. 2.; 1 JOHN iii. 17: PSALM cxi. 5. But this doctrine and practice of the Redeemer are set aside for the profane notions of the worldlings: persons calling themselves the ministers of the Gospel teach their unfortunate flocks that it is not necessary, for the fulfilment of the law of Christ, to bear each other's burdens—that they can indemnify themselves for any gain they forfeit, or loss they incur. When clergy thus pass over the limits of their forefathers, pull down the fences of the vineyard, to drift on the ocean of philosophy, where will they stop? In vain will they soon complain of the rapid growth of infidelity, or of the persecution of the Atheists. It is written, *He made a pit, and digged it, and is fallen into the ditch he made*: PSALM vii. 15. The serpent that passes through the broken fence often devours the shepherds and sheep together; *Him who scatters the hedge will the serpent bite*: ECCLES. x. 3.

But merchants must be indemnified for any gain they forfeit, or loss they incur; whilst the poor borrower meets no protection; all your friendship, all your patronage, are directed towards merchant lenders; but if you take up your histories of the neighboring countries, you will find, not only religion, but even civil society, corrupted, enervated, and then destroyed by merchants and commerce. Witness Spain, Portugal, Holland: the mountains of gold discovered by them in the East and West Indies, during the seventeenth century, might be expected to produce strength and prosperity; but it was the beginning of their decadence: commerce creates the Mammon of iniquity, wealth engenders avarice, luxury, indolence, effeminacy, and a total dissolution of morals.

How abhorrent this self-interest, this indemnity, to the doctrine of the Fathers! I shall only quote St. Ambrose:* 'The food is usury, the cloth is usury, whatever is added to the principal, is usury; call it by whatever name you please, it is usury.' May I add the testimony of the Council of Trent's Catechism, de Furto:† 'Whatever is received more than the principal that was given, whether it be money, or any article that may be bought or valued for money, is usury.'

* See page 97.

† See page 119.

Therefore, by taking, under any shape or name, in money or any article that may be purchased or estimated by money, from the borrower any more than the capital sum that had been lent to him, is to commit an act of usury that involves the lender and his Director in all the excommunications, interdicts, suspensions, and maledictions of the Church of Christ. But the director allows the lender to take more than had been given to the borrower by altering the name of that more into Ceasing Gain. However, recollect that neither the Scriptures nor the Sacred Canons make mention of any such terms, nor of any right in the lender to indemnity; and that they do generally and unconditionally forbid to receive any more than had been given; to the end of protecting the borrower from the extortion of the lender. On the contrary the modern casuists extend their protection to the rich lender, not to the poor borrower; no chance of relief to him, unless he seek shelter in wretched bankruptcy. The rich find mercy; the poor, oppression from our modern casuists. But with God there is no such respect of persons.

Although the Scriptures and Tradition hold out no shadow of title to indemnity, the usurers may think that the Authors allow it through the terms Ceasing Gain and Emergent Loss. But have the authors given any proof for the saying? Proof they could not give, for they have no such thing; excepting two or three lines of a reply in *St. Thomas*, 2, 2, Q. 78, to an objection made by the usurers. By putting them two or three lines in one side of the scale, and in the other both Testaments, the Definitions of the Holy Fathers and Councils, how do they balance? Deep in the mire of avarice is that usurer who would discard the whole current of the law for the two or three lines from any author be his learning and sanctity ever so great. Further, as *St. Thomas* himself, in page 70, and in the sequel also, condemns usury as rigorously as any other author, he must be either misunderstood or misquoted in them few lines. Let us not lose sight of the maxim already given, *page* 141.

RULE 28. *Lib. 5, Tit. 12. in. 6^o* Exceptions from the Common Law, must not be followed as a rule.

In conclusion, so absurd and ridiculous are the said terms

Ceasing Gain and Emergent Loss, that no lawyer would think of mentioning them in the court, nor Divine, in the pulpit; by allowing the people to practise interest under the mask of such terms, you drift on the wide ocean without helm or compass; you know not where, or when to stop; you must give the people their own way; neither can you seek shelter under the Temporal laws; for they allow six per cent. in general, without regard to loss or gain. When a pastor allows, either from ignorance, or infidelity, his wretched flock to practise interest, he tells you, that he allows them but Ceasing Gain, or Emergent Loss; he cannot be controlled; then another and another shepherd; if shepherds, not wolves, they could be called, follows the example to throw down the fences at random: and thus is the whole community drawn into perdition. With the holy thou wilt be holy; and with the innocent man, thou wilt be innocent; and with the perverse thou wilt be perverted. O God, preserve us from evil communication.

TEMPORAL LAWS.

It is asserted on behalf of the usurers, 'that as the State possesses a dominion over life and property, they are justified in exacting whatever rate of interest is allowed by the laws of the State.'

The Temporal Ruler would, according to the above notion, be justified for any species of tyranny—for taxing in England the people to beggary, and pillaging the asylums of the poor; for erecting, as in Turkey, the harem; or for cutting off, Herod like, the deformed babies, as they used to do in Algiers, to the end of improving the human race; each tyrant may claim, according to the foregoing notion, the right of disposing at pleasure, of all the people and property within his dominions. Ye hypocritical infidels, is it not of ye the Saviour says: MARK vii. 6. This people honoreth me with their lips, but their heart is far from me: in vain do they worship me, *teaching the precepts of men?* Ye make mockery of the commands of God to follow the bent of your corrupt inclinations. Were the laws of man opposed to your passions, you would with equal facility throw them aside, provided you could escape worldly punishment. To what laws has the Consecration Oath, ordained from the authority of the Holy Coun-

cil of Trent by Pope Pius IV., bound us? To the Temporal, or Ecclesiastical laws? To the Ecclesiastical: for that oath says:

‘I likewise undoubtedly receive and profess all things delivered, defined, and declared by the Sacred Canons and General Councils, and particularly by the Holy Council of Trent. And I condemn, reject, and anathematise all things contrary thereto.’

That oath, taken by every Prelate in communion with the See of Rome, leaves him no option; he must receive and profess *all* the Canons of all the General Councils, both ancient and modern; the Canons regarding faith and morals equally; he must receive and profess them all, not as many of them as he pleases; in the sense in which the Holy Catholic Church held and still holds them. If a Prelate, therefore, practise or silently connives at the practice of usury, in contempt of all the Sacred Canons heretofore recited, does he not, in addition to all the censures provided in the said Canons, incur the terrific guilt of *perjury*? I cannot conceive how he can free himself from that stigma.

Are the human laws the gospel, which you preach to your happy flock; or the rule by which you will be tried hereafter? No, but the word which Christ Jesus had spoken, the same will judge them on the last day: JOHN xii. 48. And again, The Lord Jesus shall give vengeance to them who know not God, and who obey not the *Gospel* of our Lord Jesus Christ: 2 THESS. i. 8. Recollect that the Gospel, not the human laws, will be the rule of judgment; and that vengeance will be given, not for disobeying the human laws, but the Gospel of our Lord Jesus Christ.

Hence flows the Catholic principle, DECRETAL. GRATIAN. XI, *Quæst.* 3. *Chap.* 93, ‘If the Ruler ordain things not contrary to the Scriptures, let the servant obey the Ruler; but if he ordain things contrary thereto, let him obey the Lord of the soul, rather than the lord of the body. If the Emperor or Ruler decree a just matter, obey the Ruler; but if he decree a sinful thing, answer him from the ACTS v. *We must obey God, rather than men.* The same principle applies to wives regarding their husbands; to servants regarding their masters; and to children respecting their parents—That they ought to obey their husbands, masters, and

parents only in the things that are not opposed to the law of God :
St. Jerome Epist. on Titus.

The ancient Irish certainly had their eye steadfastly fixed upon that principle : for when the Protestant ruler ordered them, under pains and penalties, to abandon the Priest and the altar, they obeyed God rather than men. Were they slaves to self and to Mammon, as the moderns are, could Ireland now boast of either Priest or altar ? Why do I follow this argument so far, whereas the temporal laws command nobody to lend his money to usury, or to exact interest from any borrower ; and whereas no temporal law whatever is violated by not lending at interest, and by not exacting interest from the borrowers ? Hearken to *St. Thomas* and *St. Augustine*.

St. Thomas, 2, 2, Q. 78, ad *Im*, replying to the Objection ‘ that as the civil laws which determine justice between man and man, allow usury, it is therefore lawful,’ says ‘ The human laws allow many sins to go unpunished by reason of the imperfect state of mankind, for fear that many public benefits would be lost, if all sins be rigorously pursued’—if the tares be not permitted to grow until harvest time, for fear of disturbing the wheat. ‘ It is from the same principle that the temporal laws allow the practice of usury—not from its consistency with justice, but for fear the public utility would be frustrated. The dispensation which the Jews had to receive it from strangers, for the avoidance of greater evils, extends not to the Christians, who are bound to look upon all mankind as brethren, especially under the New Law, to which we are all called.’ Yes, many terrific sins, intemperance, duelling, heresies, and the like, are tolerated, not approved. If such crimes meet little or no penalty from the judge below, will they escape the Judge above ?

St. Augustine, as already observed, says ‘ What shall I say of the usury recovered in the courts of justice ? Is the rapine that is committed on the rich, less criminal, than the usury that is exacted from the poor ? It is desirable that this and all such ill-gotten goods be restored to the owners.’ Observe that he calls

usury, though it be sanctioned by the courts of justice, ill-gotten goods and rapine.

The Irish usurers boast of an Act, called the CONSCIENCE QUIETING ACT, that had been enacted for them by their goodly Parliament about the year 1780. That opium was never imported from Egypt, the regions of Mammon, more potent than the said Act, to allay the scruples of usurers: so completely has it quieted their conscience that they would exact, if possible, cent. per cent.; and that usurious dealings give them no scruples at all, unless perhaps their conscience be a little squeamish when they hear of bankruptcies. Nor was Vulcan's aegis more impervious to the flames of Etna than this Act to hell's flames. They think it nullifies all the prohibitions of Christ and of his Church. Thrice happy usurers, for your bread is baked, and your fire is kindled. What pity that your parliament had been so niggard; that they did not strike off more patterns of the precious mantle for the usurers in England, Holland, France, and America. Poor foreign usurers, what will become of you!

Base usurers in Ireland, you prostrate at the feet of an Assembly of Laymen the Church of Christ. You say that she, by opposing interest for 1780 years, threw an insurmountable barrier in the path of your prosperity; which they effectually removed by demolishing her fences. The *infallibility* bestowed upon her by her Founder—*That the gates of hell shall not prevail against her*, this you deprive her of, and transfer it to a Protestant assembly. Although that same assembly has not yet succeeded in putting a quietus on the conscience of your brethren, the English usurers. The perpetual murmuring there against the usury laws; the heaps of petitions coming every year from all quarters for their repeal, the intermittent fevers from panics in the money market seem to indicate that the Funds and usury are a cautery piercing England to the very soul; and that she is most anxious to take, if possible, a cooling in the bankrupt's sanatory pond. But in case she take the white washing, what will be her future course; will they fall into the narrow path of Christ, or return to the vomit; adopt the Gos-

pel free loans, or give full licence to rapine? Alas, the contempt of God's law, and desperate thirst for gold amongst all classes leaves no room to hope that England will, without some extraordinary grace from heaven, regain the free loans of Christ: but that she will continue the mangled prey of money-changers, daily languishing under her load and maladies. The fatal crisis, whether it be hastened by the delirious struggles of the exhausted members, or the stagnation of the blood, or quackery of statesmen, cannot be distant. If the explosion produce such concussion as it did in France, who can sustain it? Men will then wither away for fear and expectation of what will come upon the world.

I met, on my second visit to Rome, in the year 1829, in the Convent of St. Isodore, a book entitled *La Dottrina Della Chiesa Cattolica, Circa L'Usura, in Bologna, 1747.*

From which I carefully transcribed a RESCRIPT, and a DECREE of *Pope Gregory XIII.*; it can be seen beneath in the APPENDIX; but here follows an accurate translation thereof.

'A Rescript with a Decree of GREGORY XIII., in the matter of usury to William, Duké of Bavaria, edited from Tome 18, Part 1, Num. 94, of the manuscripts of St. Charles; which are preserved in the library of St. Ambrose at Milan; and compared and corrected with the Vatican Register of the same Pontiff.' So says the aforesaid Book, *LA DOTTRINA DELLA CHIESA.*

GREGORY XIII.

'Beloved Son, Illustrious Sire, health and Apostolical benediction. You have very often written to us that the custom in them places of exacting five per cent. for money lent is extremely suspicious to you; and that you wish to know from us whether this can, in justice and safe conscience, be done. You have discharged the part of the best prince, in taking care of your people's salvation. We have most dilligently examined the whole matter, and have called to our aid men the most learned. We send this sentence along, with this letter to your Highness. You will therefore order that this very form be observed: for thus will their salvation be secured, together with your great merit and praise. *Given in Rome, 27 May, 1581, and 10th of our Pontificate.*

V. ANT. BUCCAPADULIUS.

‘The form of a Contract celebrated all over Germany, concerning which, a final solution is requested.

‘Titius in Germany having money delivers the same to Sempronius, a man of any condition, for no specific purpose, but to be expended at the debtor’s option, with this agreement that Titius have by a pact and civil obligation (sometimes in the same documents expressed, sometimes in others,) a right whilst the said money is left with Sempronius, of receiving yearly from the said Sempronius five florins for every hundred, and afterwards the whole capital sum likewise. But with regard to the time when the restitution of the capital should be made, though it is sometimes determined, it is however generally left undetermined. But full liberty is left to both Titius and Sempronius, that whenever he would, (the utility received meantime not being counted as a part of the capital) he may rescind the contract; provided he who rescinds the contract, gives previously six months notice to the other. And by virtue of the contract, or of the subjoined pact, Titius runs no risk of losing the yearly gain, or the capital sum; but whether Sempronius fructifies the capital, or not, he has the right of exacting from him the yearly gain of five per cent.; and whether Sempronius live, or die, Titius recovers from him living, or, if he die, from his heirs, the capital sum; restoring no part of what he had meantime received.’

THE APOSTOLIC SENTENCE.

‘The Contract celebrated in the aforesaid mode and form is usurious; for it cannot be reduced into any other than a loan contract, with a convention that a gain be received from the said loan; from which it follows that it could not be defended by either custom, human law, or from any intention however good, of the contracting parties; whereas it is forbidden by the Divine and natural laws. From which cause also it is not lawful for any person either rich, or poor, or ever so miserable, to celebrate such a contract, and to acquire, or retain the profit.

However if there be in Germany celebrated a contract different in

mode and form from the aforesaid in which five per cent. is received, We do not hereby intend to condemn or approbate it, until it be specifically expressed and brought under consideration, to the purpose of coming to a decision thereon, just as the cases proposed have been decided upon.'

Recollect that a loan with the convention of receiving gain from the said loan can not be defended either by custom, human laws, or intention, however good, of the lender and borrower; that no person, rich, poor, or even miserable, can celebrate such a contract, and accept or retain gain thereby: because such a contract is forbidden by the Divine and natural Laws.

The practice that then prevailed in the Germanic regions is identically the same that prevails amongst us. The Germans lent money at five per cent. for no certain or specific use, but to be expended at the option of the borrowers: the lenders were by agreement to receive annual interest, whilst the capital remained in the hands of the borrowers; and they were to receive sometime or other the capital itself, without counting therein the aforesaid yearly interest; they ran no risk of losing either the interest or capital lent: for whether the borrowers gained or lost by the loan, they were, if living, answerable for the yearly interest and principal; and in case they died, their heirs fell under the same liability. Recollect that the Germanic practice which is exactly prevalent amongst us, is defined by the Vicar of Christ to be against the laws of God and nature. The usurers always wanted an express Definition from the Holy See upon legal interest. Now they have it. Will they leave it a dead letter, as they have left all other Catholic decrees on the same subject?

Had my two journies to Rome no other success than to enable me to present to the Reader the said valuable sentence, I should deem it ample requital for the fatigue of my travels.

In all countries, as in Bavaria, the Prince concurred with the Pontiff for suppressing usury; the material and Spiritual weapons were wielded together to pull the baneful weed, root and branch, out of the Vineyard of Christ, though they could scarcely succeed

with the horrid Jews, whose peculiar, natural, and, as if innate propensity, is to lend for gain. That holy co-operation of the Prince lasted in all nations, until the seventeenth century. Now that sound doctrine would be no longer endured, and that the sensual appetites would no longer brook to Gospel restraint, he wheels about, withdraws from the conflict, and actually sanctions and legalizes what he had all along suppressed. What had been always sinful, and infamous, this he deems legal and innocent; the pest that had been usually confined to the Jews, now infects the Christians. Notwithstanding, the Kings and peoples who thus swerve from the ancient Catholic doctrine would call themselves Catholics. He that diggeth a pit, shall fall into it: and he that breaketh the fence, him shall the serpent bite: ECCLE. x. 8. To this inroad upon the law of God, may be traced all the calamities of Europe for the last century. Usury, wherever it is sanctioned, first ruins and disperses the people amongst the nations, and finally, upsets the government. To be convinced of the truth of this saying, you have but to open the history of France, England, and Ireland.

FRANCE.

That both Powers in that country had from the earliest ages coalesced in condemning interest, is attested by every French author; although I adduce but three—*Collet*, *Genetto*, and the *Catechism of Montpellier*, (*Pouget*). With regard to the Spiritual Power, *Collet*, *De Usura*, page 298, puts on record several French Synods, that condemned it—one at Melun, An. 1579; at Rheimes, 1583; in Bourdeaux, 1583; in Toulouse, 1590; and another in Narbonne, 1606. He gives a decree from each Synod, which are for brevity sake omitted here, save that of Rheimes, which runs thus: ‘*Whosoever demands, or receives any more than the principal, whatever it be, so that it be a valuable article, he must be considered an usurer.*’ *Genetto*, in his *CASES OF CONSCIENCE*, page 220, a work which he dedicates to Pope Clement XI. says, in corroboration of *Collet*’s testimony, that the General Assemblies of the French Clergy, decreed in the year 1579, ‘that all persons are bound to hearken to the words of Christ, ‘*Lend, hoping for nothing*

thereby.' And with respect to the Temporal Power, *Collet* puts on record in the same page 298, various edicts against interest. Let it suffice to insert but a few of them.

CHARLES THE GREAT, *De Capit. Lib. 1. C. 15*, decrees, 'That it is usury to demand any more than had been given, if you give, for instance, ten shillings, and demanded more. *Lib. 5. C. 36*, Not only the Clergy but even the Christian Laity should refrain from usury. *Lib. 6. C. 20*, The venerable Canons and the Divine law forbid receiving usury.' *Collet* adds that St. Lewis in the year 1254, and King Philip in 1312, abolished the practice of interest from among the Christians and Jews equally.

The *Catechism of Montpelier* relates the same facts nearly in the same manner, saying: that CHARLES THE GREAT, *De Capit. Lib. 1. C. 125*, decrees, 'It is usury when any more is demanded than had been given: if you give, for instance, ten shillings and demand more; or, if you give one hogshead of wine or oil and demand more. *Lib. 5. C. 26*, Not only the Clergy but also the Laity should refrain from usury. *Lib. 6. C. 201*, The venerable Canons as well as the Divine law, forbid receiving usury. Let no Clergymen, therefore, presume to practise it, and let them, as much as possibly, suppress the practice amongst the Laity.

ST. LEWIS, *An. 1254*, decrees, 'Let the Jews desist from usury, and let the transgressors be punished according to law; so that all the Jews live by manual labor, or traffic free from terms and usury; but as to the Christians, we strictly forbid by the present Decree, that our Barons, Seneschals, and all other persons receive usury. *And by usury we understand every thing above the principal.*

KING PHILIP IV., *An. 1311*, decrees, 'For the general reformation of our kingdom we forbid our subjects individually and collectively, and also aliens residing within our territories, to contract for any sort or kind of usury, whereas it is condemned by God, the Holy Fathers, and our Ancestors. But we pursue and punish more rigorously the exorbitant usury that devours more effectually the substance of the people. All persons, natives, and aliens, incur *ipso facto*, corporal and pecuniary penalties, should they, in defiance of the present Decree, presume to practise, either in person,

or by an agent, exorbitant usury, by demanding or receiving over and above the principal one penny weekly, four pence monthly, or four shillings a pound yearly.'

The Catechism of Montpelier, in conclusion, observes : ' That all the edicts just given, which were compiled by the French Civilians, and published in Paris as late as the year 1678, make no distinction between the usury that is taken from the rich and the poor ; between the loan that is made for Commerce and for charity sake ;* which distinction is lately invented by some theorists ; no, but they all forbid usury without exception. And for this reason the judges never decreed for the creditors the costs attending the loan from the day that the money had been lent, but from the time of demanding it juridically : the judges acting so from the presumption that the debtors are then in the fault ; which fault ought, in their opinion, to be punished.' And Collet, in his concluding observations on the said Statutes, says, ' that to imagine that the aforesaid laws are merely penal, not binding in conscience, is the phantom of man capable of saying what is wicked. Whereas they evidently forbade usury because of its repugnance to the law of God, the Sacred Canons, and to every Christian rule.' Alas ! how often do we hear ' man capable of saying what is wicked,' assert that the Canons and Statutes against usury are not binding in conscience ; how often do we hear the modern theorists make distinctions between loans made for Commerce and for charity sake.

It is, therefore, a historical fact, that usury of all sorts had been condemned by both King and Prelates, in France. Would to God, that they persevered to the end. But the infernal new light began to dawn in the seventeenth century. Calvin's school teaching the sufficiency of faith, and discarding the merit of good works, sends, of course, overboard the free loans of Christ Jesus. ' The law of God is spiritual, as it regards the soul, the principle of our thoughts, and designs. From the heart, says our Lord, *MATT. xv. 19.* come evil thoughts, murders, adulteries, fornications, thefts, false testimonies ; and it is also temporal, as it regards human affairs or worldly property :' *Cat. Trid. De Furto. Al-*

* See page 138, Rule 2.

though the law of God is entrusted, without exception, or reservation, to the keeping of the Prelate, Calvin's school imagining the sufficiency of faith alone, declares that the Church has received from her Divine Founder no power over the affairs of the body, but over those of the soul. Hence, they issued a solemn decree in Paris, in the year 1682,

That Jesus Christ never gave any power directly, or indirectly to the Church over the temporal matters of Kings.

By the Church they mean, without doubt, the Pope, Cardinals, Prelates, and Priests; and by the temporal matters of Kings, all the revenue, specie, cattle, lands, and houses, in the kingdom. If that be not their meaning, no man can comprehend what they aim at. That the libertine, gambler, drunkard, or the atheist, say that the Church, or Priesthood, have no power directly, or indirectly from God to control him in the use, or abuse of the good things of this world, is a matter of no astonishment; for such notions are in character with that Gospel liberty claimed by all the heretics. And the law shall perish from the priest and the counsel from the ancients; and the King shall mourn, and the Prince shall be clothed with sorrow, and the hands of the people of the land shall be troubled; and I will do to them according to their own way; and I will judge them according to their own judgments; and they shall know that I am the Lord: **EZECH. vii. 26.** One thing is remarkable, that the Gallicans, whilst they run through fire and water, search the Scriptures and Tradition throughout, for proof that their King is independent of religion with regard to the use of his temporal property, or that he is an infidel, never tell us by what rule or law the Demi-God must be guided. Is not the King, like all others, a member of the One Fold and subject to the One Shepherd; is he not, like all others, liable to God's law; if he be, from whose hands will he receive it? From the lips of the Priest shall they seek the law: **MALAC. ii. 7; DEUT. xvii. 18.**

All persons find their respective duties and privileges chalked out in the law of God: there the child is commanded to honor his father and his mother: **MATT. xv. 4**; the servant to obey his carnal master with fear and simplicity of heart: **EPHES. vi**; the flocks

to obey their Prelates, and to be subject to them, for they watch having to render an account of your souls : HEB. xiii. If parents, masters, and prelates are by divine ordinance entitled to obedience, love, and respect, are they therefore independent, either in spiritual or temporal matters ? Why then could the Prince claim from the text, Let every soul be subject to the higher powers, for there is no power, but from God, ROM. xiii. independence in worldly affairs ? If the parent, master, or officer command what is forbidden by God, should not the inferior say, We must obey God rather than man ; and if the Ruler command his temporal matters, that is the people, to do what is forbidden by God, should they not reply, We must obey God rather than man ? It is likewise remarkable that the Gallicans, who fight tooth and nail for the King's independence, never utter a syllable on behalf of parents, masters, pastors, whose divine rights are equally clear in Scriptures. And why all their noise in defence of the Great Ones who have abundance of armies and other means of self defence ; why their profound silence regarding the little ones, who enjoy no means for self defence ?

As the whole population of the Kingdom are in some measure the King's temporal property, the pastor, who had subscribed to the aforesaid Declaration of 1682, could not interfere with the gambler, the sabbath breaker, the felon, actor, fortune-teller, or with any other transgressor of the commandments. Could not every one of them claim from the Gallican Liberties the right of using His Majesty's temporal property independently of Priest and Religion ? If independent of Religion, what rule will they go by ; if independent of the Church, what other Society, or Fold do they belong to ?

Let us suppose that a Signer of the aforesaid Declaration of Independence is a Chaplain to some Royal Despot, whom he accosts in this manner. 'Sire, these temporal matters, which Providence had bestowed upon you for beneficent purposes—for feeding the hungry, clothing the naked, and harboring the indigent, MATT. xxv. you pervert to the most iniquitous uses—to feed your own sensual appetites, avarice, gluttony, lust, and vanity, and, to come

to the climax of wickedness, you retain fast in heresies and schism all your subjects, to the ruin of their immortal souls.' It behoves therefore the Priest of God to impose satisfaction, both salutary and suitable to your crimes, for fear I would, by conniving at your sins, or by imposing through leniency a penance inadequate to your enormous sins, become accessory to your crimes :' *Con. Trid. Sess.* 14. c. 8.

'What!' replies the haughty King, 'has not the Declaration of 1682 secured our Gallican Liberties; has it not defined that neither the Pope, nor the Church has any power from Christ to interfere, directly or indirectly, with the temporal matters of Kings; notwithstanding all this, you, who are but an obscure Chaplain, would make me accountable for my temporalities. The cards and wine, the theatre and the revenue; nay, the whole population of the Kingdom are my temporal matters. You must not interfere directly or indirectly with myself, or with my people. Any attempt on your part to control me in the management of my worldly affairs is an assumption of power that had never been granted unto you by God; or the Declaration of our Gallican Liberties is but mockery. You must consequently fall into the steps of Reformed Clergy, who pass judgment in general terms without knowing the guilt or innocence of the penitents; without probing or healing their wounds.' The poor Chaplain seems to be in a curious dilemma, If he attempt a rejoinder, he must have his whole argument—premises, distinctions, conclusions; his minors, and majors, in form; but all will not, I am afraid, avail against his Mighty Penitent.

I should not have made this long digression but to point out the times and the causes that gave rise to usury in France. Since the adoption of the theory that faith, alone is sufficient, and that the King may use his temporalities independently of religion, he follows no longer the steps of St. Louis in suppressing usury, 'that had been condemned by God, the Holy Fathers, and his predecessors.' Accordingly we find it legalised in the reign of Louis XIV. to prosecute wars with all Europe, to build the stupendous

Hospital of Invalids in Paris, and palaces to feed his impure passions at Versailles.

‘ Being scarcely recovered from the turmoils of a stormy Regency, France was yet groaning under the pressure of financial difficulties. To the purpose of counteracting the machinations of the faction, and rendering them odious, she had to conciliate the people to the Monarchy, by alleviating as much as possible, the weight of the public taxes. The government finding it impossible to raise from the ordinary resources the fund that was necessary to execute the undertaking which it had in view ; the difficulty was surmounted by an offer from a rich company of merchants. In 1664, Colbert presented to Louis the XIV. the plan of an East India Company. To such privileges as those enjoyed by the Dutch Company, the king added every excitement that could enkindle the fire of emulation ; feeding the company with the hope of riches : honors and distinctions were also held out to every man who would appear conspicuous in that enterprise. The first expedition did not correspond with the ambitious views of the company. It attempted to make a settlement at Madagascar. The inhabitants of this place being savage and untameable, could not be brought to relish either the wares, religion, or customs of the Europeans. It was, therefore, deemed advisable to abandon this station ; the fleet then steered towards the Indies, and succeeded in establishing Factories and Counting-houses at Visapour, Masulipatan, and on the banks of the Ganges. Being encouraged by that success, they penetrated as far as Guzevale, between the Indies and Malabar, and in the year 1668, made choice of the town Surate, situated on the river Tappi, not far from the ocean, as a mart for all their Indian commerce. In this capital, combining, for the encouragement of the mercantile speculator, the advantages of a strong fortress, and the safest harbor in that quarter of the world, were concentrated all their riches. The combination of so many advantages, attracted hither, (Raynal Tom. 2, page 15,) infinity of Moguls, Indians, Persians, Arabs, Armenians, Jews, and Europeans. There was money had on easy terms. They had their Exchanges ; Insurance Companies ; Lottery Offices, and all other diabolical offices ; Pawnbrokers, Money Brokers, and all other

horrid Brokers. Policies of Insurance for all parts of the globe were effected there, in the twinkling of an eye.

‘ However, Surate turned out, in the end, not to answer the Company’s general prospects, avarice being always insatiable. It had to encounter the competition of other nations, that were possessed of more capital, experience, and credit. An independent post became therefore necessary in some one of the Spice Islands. The bay of Trinquimale, in the Isle of Ceylon, presented all the advantages called for ; and the Company rendezvoused here, all the vessels that arrived from Europe. Behold the Dutch had their jealousy at this attempt to make a settlement that threatened, at no distant period, to embarrass their own commercial enterprises in other quarters. Wars therefore ensued, that turned out disastrous to society and religion.’ *Choir Des Lettres Edifiantes*. Vol. 4. *Introduction*, page xxx.

So that no sooner had Lewis XIV. drifted from the path of antiquity, than his Kingdom groaned under the pressure of financial difficulties ; than trade, agriculture, and factories, were crippled, from duties and taxes. As the ordinary resources were not sufficient, extraordinary schemes were struck out by a company of usurers in the East Indies. Usurers abroad would heal the wounds that had been inflicted upon the country by the usurers at home ; what was fatal poison to the Mother Country, would be wholesome beverage to her colonies. Poor deluded sinners ! They were soon convinced that there is no wisdom ; there is no prudence against the Most High ; that the unchristian usury was not more baneful to France than to the Indies. For that medley of Moguls, Pagans, Jews, Turks, Arabs, and spurious Europeans, that flocked together in quest of gold at Surate, soon kindled up wars destructive to society and religion. The savage people would not relish the wares, creed, or customs of the Europeans. That was no wonder : for it is reported, that their religion was disgraced by their practice : that the change was the Church, a ledger the Gospel, and gold the God of the avaricious traffickers ; and that fraud, deceit, rapine, and extortion was their constant study ; it is moreover recorded that the Dutch performed, for the privilege of trafficking in them remote regions, the public ceremony of *trampling on the*

cross, to convince the 'savage and untameable inhabitants' how they despised the Christian religion.

Meantime every expedient was tried at home by the Minister of Finance to swell the revenue, every source of taxation was leased out to persons called Farmers General; who, in addition to the fund-holders, were feeding, like birds of prey, on the mouldering carcass, sucking the vital blood of the people. What the English call *funds* the French call *rentes* and *constitutions*. Now the parasites of 1682, reappear to reconcile the conscience of Catholic France to the *rentes*—to prove that they are consistent with the law of God and salvation of souls. They who fought tooth and nail against interest in private life, now allow the government to practise it; what they deemed sinful for individuals, this they deemed harmless for the Ruler. However no arguments could change the nature of things; no definition, be it ever so refined, of the *rentes*, funds, consols, *constitutions*, or whatever name you give to the public loans, would mitigate their pernicious effects, or render them palatable to the people; who could not perhaps comprehend why they should be loaded with debts for the purpose of carrying fire and sword into every corner of Europe, and for feeding the impure passions of Lewis XIV.

Whilst murmurs were heard from all quarters, Lewis XVI. made every possible reduction in the expenses of the court, and reduced, or abolished the pensions of hundreds of the Nobility, who at once recruited the ranks of the disaffected. During this state of effervescence a report of the public finances was published by Necker, the Minister of finance, which represented the expenditure of the nation far below the income. This deficit, though trifling, when compared with the resources of that mighty Kingdom, made a terrific appearance in figures, and was considered as an actual declaration of bankruptcy. Now especially are 'the errors of the administration, the vices of the nobility, the miseries and future prospects of Sweet France, discussed in every coffee room, tavern, hall, and club room, from end to end of the country. 'Poor France, what will become of thee.'

On the 5th May, 1789, were the States General convened in Versailles to deliberate on the public emergencies ; but the Tiers Etat, consisting of the briefless advocates, placeless clerks, and hungry editors of the kingdom, soon absorbed all authority, and assumed the name of National Assembly. The National Assembly began their career by ripping up the whole frame of society, and levelling all the institutions of antiquity : and, with the presence of improving the finances, and providing without further burdens to the people, for the exigencies of the State, they decreed that the property of the Church should be confiscated. But for fear of a sudden fall in that commodity, if the market were at once glutted therewith, they issued paper money called *Assignats*, which was secured or guaranteed on the Church lands. Which paper money, or rather the sacred property thereby represented, gave rise to a base spirit of stock-jobbing among Jews, atheists, deists, and Calvinists ; like the fund-holders' gambling in London. Soon after they abolished the whole Catholic Religion, and decreed as a substitute some indefinite public worship—*Culte publique*, which was, they said, more congenial to the modern philosophy ; and then they passed a law declaring the Catholic Clergy totally independent of the Vicar of Christ ; that is to say, declaring them schamatics.

Now has that cloud that was gathering during the two last reigns, roared with a loud crash of all the elements over the head of Lewis XVI. ; the innocent suffering for the guilty. ‘ And what tongue or pen can the moans and carnage of that doleful time relate.’ Atheists, deists, Jacobins, like Belona, or the Furies raging with pillage, murder depicted on their ghastly front ; the streets streaming with human gore ; neither age, nor sex, nor fane respected ; the ties of kindred, friendship, brotherhood, rent asunder ; the towns, and cities, and provinces, nay, all France together shaken to the very centre ; all things, public and private, sacred and profane, in a confused jumble ; wives torn from their husbands' arms ; the sacred virgins and widows profaned ; convents demolished ; Churches polluted : the Clergy, some guillo-

tined, some dispersed in hunger, thirst, and nakedness, among fens, rocks, and caves ; others spinning out wretched existence by the bounty of strangers, in the foreign land.

The stately temples, the grand monuments of ancient piety, despoiled and rendered the polluted receptacle of every crime ; ‘ where the infidel soldier,’ as *Abbe Barruel* relates, ‘ galanted wretched females ;’ and, in many instances, they continue, even to this day, the filthy abodes of the meanest tribes—tinkers, cobblers, actors, or scavengers. Witness the College of Lombard, the English and Scotch Colleges, or even the Sorbonne itself ; where Princes and Dignitaries from all parts of the globe often beheld with delight the pious students contending for the academic prize. What is it now ? As I visited Paris in the spring of 1820, I had the grief to behold a few students, perhaps sixteen or seventeen only, that received daily lectures on Sacred Theology in a couple rooms of that spacious University, being derided and insulted, at their going in, and coming out, by the myriads of young infidels who attended lectures on the worldly laws, or medicine in the other halls of the edifice. Alas, what falling off ! ‘ O God, the heathens are come into thy inheritance ; they have defiled thy holy temple : they have made Jerusalem a place to keep fruit ; they have given the dead bodies of thy servants to be meat for the fowl of the air ; the flesh of thy saints for the beasts of the earth ; they have poured out their blood as water round about Jerusalem ; and there was none to bury them. We are become as a reproach to our neighbors, a scorn and derision to them that are round about us. How long, O Lord ! wilt thou be angry forever. Shall thy zeal be enkindled like fire ?’

Various are the causes assigned for the Revolution that has shaken the moral world, deluged Europe with blood, and left wounds upon society that will not be healed for ages. Some writers trace it to ‘ the anti-Christian conspiracy, hatched in the darksome club-rooms of the Freemasons, and Illuminati ;’ while others ascribe it to ‘ the disproportion prevalent between knowledge and civil liberty,’ they imagine that the French people had by that time arrived at a degree of light and knowledge, that would no longer endure the absence of political liberty.’ On

the contrary, I confidently declare that the debt, taxes, and usury were the combustibles which enkindled and nourished the Revolution, though Freemasons and Philosophers, as they term themselves, were the most efficient agents to fan the flame. It must be admitted by every man that is acquainted with the French history that the Jacobins, though they might have discovered, as they progressed, other abuses, had made the debts and taxes their starting post.

‘I have found David my servant ; with my holy oil have I anointed him : for my hand shall help him ; and my arm shall strengthen him : the enemy shall have no advantage over him. And if his children forsake my law, and walk not in my judgments ; if they profane my justices ; and keep not my commandments, I will visit their iniquities with a rod ; and their sins with stripes :’ PSALM lxxx. Had the French people continued to observe the commandments of God, would he have visited their iniquities with the rod, or their sins with stripes ; had the King followed the Decrees of the Fathers, the steps of St. Lewis in suppressing usury among natives and aliens, Christians and Jews, would there be a national debt as a material for his enemies to work upon ? Defections from the law of God had been similarly visited in all ages and nations with public calamities. ‘But now, O Omnipotent God,’ says St. Ambrose, ‘we have well enough atoned by our afflictions and blood for the murder of the Confessors, the massacre of the Priests, and for all that impiety. Now it is clear enough that the violators of the faith, cannot be secure. Let us therefore observe the precepts of antiquity ; let us not rashly violate the sealed inheritance. That sealed Book of the Prophecies, neither sages, nor powers, nor angels, nor arch-angels dare to open ; to Christ alone is reserved the right of explaining it. The Book of the Canons, who among us would dare to discard—a book sealed by Confessors, and already consecrated with the blood of many Martyrs ? Which, if any persons have abandoned they did again, after having recanted their error, seal up. They who violated it not, became martyrs and confessors. How can we abjure the faith of them, whose victory we preach :’ *Vincent Lirens. Com. c. 7.* Now that it is clear enough that the transgressors of the laws of God

and of the Fathers cannot be safe, will not the French forsake their usurious paths and return to the straight road of Christ: while they applaud the faith of the Denies, Halaries, and Martins will they not regain the steps of the Denies, Halaries, and Martins?

Let us not forget the fate of the Church property—the property that had been bestowed by their pious Ancestors upon Churches and monasteries, and convents, and hospitals, to discharge religious duties—to offer masses for the living and the dead; to sing in the choir, to preach and minister the sacraments; to instruct, feed, and clothe the poor; to visit, and console, and relieve the sick, the widows, and the orphans; to cultivate hospitality, is now seized upon by the rueful philosophers, and sold for mere trifles to one another, to pay that debt that was contracted by the government with Jews and Quakers, and usurious Christians, who are worse than either the one or the other; who, at the time of making the loans, could not possibly calculate upon any other species of security than the public domains and revenue; by what degree of justice, then, could they now seize upon the property of the Church, which had never, directly or indirectly, any hand or part in their usurious contracts. Such was the justice of the levellers—to make the innocent pay for the guilty; to destroy religion and the poor's institutions, for the sake of usury and jobbers.

Calumny was a powerful weapon to effect this carnage and sacrilege; the religious were first robbed of their fame, to be afterwards robbed, with less shame, of their life and property; every writer in prose and verse, was let loose upon the victims, until priests, and nuns, and religion, became a rock of scandal. The Church-robbers, from interested motives, gave ear and currency to every calumny; and, indeed, considering the immense number of Ecclesiastics then in France, and the frailty of human nature, it may be presuming too far that there was not some room for the calumniator. O the depth of the riches of the wisdom and knowledge of God! How incomprehensible are thy Judgments, and how unsearchable thy ways! Without presumptuously prying into his inscrutable decrees, who promised eternity on condition of our faithful sufferance with himself, who chastises those whom he

loves, and who has brought the Church in her best days, and the most illustrious saints through the fiery ordeal, could we not say that the French nation might escape the storm had her kings continued their co-operation with the Church to suppress, since the days of St. Louis, usury, that was condemned by God, the Holy Fathers, and by their ancestors.'

Taking no lessons from this frightful convulsion, yet fresh in their memory, from the blood yet flowing before their eyes, nor from the heads, as if yet reeling on the scaffold, the government seems to be running fast towards a similar destruction. That national debt, lately so fatal, is again accumulating, for the payment, as they say, of the army of occupation, and all the other burdens hanging on the state since the recent troubles. In the year 1823, they have raised the additional loan of one hundred millions of francs, for carrying on the Spanish war. *Necessity*, of course, is the plea for all this; a plea never wanting to the spendthrift when he goes to raise the loans that will soon eject him from his inheritance. Will this apology reconcile the people to the fresh debts and taxes, allay, at all times, the popular murmurs, or blunt the keen edge of his axe for the future regicide?

The clergy think that by holding neuter, distant, dignified silence, they have nothing to answer or suffer for the usury contracts of the Government and fundholders. They may be mistaken; if the new debt be disastrous in its consequences as the last, there will not be, at some future period, a head left upon king, priest, or nun; or a livre of church property seen from one corner of the kingdom to the other. Deists, Atheists, levelers, will stab and cut one another to pieces. Do the Clergy so soon forget how dearly they paid for the last debt? But they say, that they have no physical temporal power for controlling their King and the Legislative Assembly, that they must therefore stand by in silent grief and resignation to the decrees of Providence. However, as long as they continue in communion with the palace of the Tuilleries, preaching, celebrating and administering the sacraments, they certainly connive and co-operate in the usury heresy, and are consequently culpable: *not only they are worthy of death, who do those things, but they also who consent to the*

doers: ROM. i. 32. Foreigners, perhaps, would give themselves but very little trouble how the king and his guides compromise the question, if it confined its baneful influence within the French territories; but, 'if one member of the body suffer any thing, all the members suffer with it;' the infidelity, that is engendered in Paris, takes a wide scope all over the Old and New world, blasting faith and morals in its progress. The Parisian fashion, whether good or evil, finds general reception; but unfortunately their sins and vices make more lasting impression on the strange traveller, than their noble virtues.

Ever since the lamp was despised in the thoughts of the rich, they grope as in the dark, and not in the light; they stagger like men that are drunk. JOB. xii. Ever since the calamitous reign of Lewis XIV. swarms of Jews, and Calvinists, all usurers by profession rolled into France from the Northern hives—from Prussia and Holland. They owned, it is said, the first fifteen banks that were founded in Paris. Whilst the gay Frenchman shed his blood in distant climes for what he called 'the rights and liberties of man,' and for the glory and dignity of 'Fair France,' these vipers gnawed at home her very vitals, and sapped the foundation of all liberty. He continues yet as a wretched serf, and blind tool to execute in every bloody convulsion the will and caprice of the same Jewish Faction, Bankers, Liberals, Advocates and Journalists; they rule and lord in every department, religious, civil, military and legislative. He is fed with freedom from 'Priestcraft and Jesuitism;' they are fed with the loaves and fishes. The law of God they have changed into a lie, wherefore God gave them up to the desires of their own heart, to iniquity, wickedness and covetousness. Consequently usury that caused the recent effusion of blood, and that will perhaps again open the bleeding sores, stalks abroad without disguise in the Change, both Chambers, and in the Palace, nay, all over France, in despite of Religion. Of Religion did I say? They have no Religion, nor a God. Yet usury though generally practised, is theoretically condemned in the Schools.

It had been condemned in my own presence, An. 1819, in the

college of Picpus Paris, it being styled rapine, heresy, mortal sin, and so forth. Not a single word was raised in defence of interest in that numerous seminary, where there were students of theology from all parts of France and Ireland, excepting that a Rev. Mr. O'Hagan from Belfast said 'What! are the Irish Bishops that allow the practice, hereticks?' And a Mr. Dwire from the County of Limerick added, 'that trade and commerce could not be carried on without interest.' But their profane reasoning was soon lost in the glare of Sacred Science that shone from the chair, which was dignified, if I recollect right, by a Mr. Macreath, a holy and learned French divine. The animation of his speech, and the excitement of his whole frame indicated the horror of his soul regarding the sanction of interest by the Irish Prelacy. His emphatic expressions are, even yet at the lapse of fifteen years, fresh on my memory. 'The state of religion, said he, in Ireland is deplorable; further steps must be taken on the question.'

Hereupon sorrow and shame pervaded the whole of the Irish students for the blasted character of their native land. Some said that though Mr. O'Hagan's testimony might be true with respect to his own neighborhood, it could not be so with regard to the whole Island; whilst others, as I was informed, commenced to write home to caution their families and friends against the eddy of usury that destroys souls and swallows up property.

In addition to the evidence of the French Students that usury, or increase of all sorts, is yet condemned by the Clergy of the Provinces, no missionary, if suspected of usury, would, to my own certain knowledge, find any footing in the Archdiocese of Soissons, though the harvest was great, and the laborers few; though there were two hundred flocks without any one pastor, with the exception of some pious Confessors that went from the Metropolitan Church at Easter, to afford the famished sheep, the Bread of life. But what could a few Missionaries do in a country where many days passed without the true God, without a priest, a teacher, and without the law: 2 PAR. xv. 3. where the whole Christian Religion was abolished, and would perhaps continue so until the end of t^he, had

not Bonaparte, from the impossibility of ruling a nation of infidels, restored it ; where fear and guilt of conscience on the part of the plunderers ; grief and resentment on that of the plundered, may be still in operation, stifling the Gospel virtue—charity, forgiveness, patience, resignation. Every convulsion, whose leading features are spoliation, and bloodshed, in which one portion of the community, seize upon the property acquired and possessed for ages by the other, generally shakes the Christian Religion to the centre. What could a few Confessors do among a people yet fresh from the slaughter, yet reeking with their neighbors' blood. Goldsmith's picture of the Dutch soon after the reformation, is rather too fine for the modern Atheists in France.

' But view them closer, fraud and craft appear,
 Ev'n liberty itself is bartered here,
 At gold's superior charms all freedom flies—
 The needy sell it, and the rich man buys.'

In conclusion, usury was the material from which Lewis XIV. fed his impure passions in Versailles ; the material with which the Regicides enkindled the French Revolution ; and the material perhaps from which the future Leveller will strike the flame in England that may ignite all Europe. O usury, what a curse you are upon nations ; what a weapon you are in the hands of Satan.

ENGLAND.

No people upon earth held usury in greater detestation than the ancient Britons. ' An usurer is a person charged with the act or habit of usury. The laws of the Saxon and Norman Kings were most rigorous against usurers or letters-out of money at interest. Edward the confessor even forbade that usurers would dwell in any part of his kingdom ; and decreed that the property of all persons convicted of the practice of excessive usury, (*fœnus*,) be confiscated ; and they themselves be outlawed ; because usury is the root of all evils, (*Aeg. Edw. Con. c. 37.*) They were indeed permitted to dispose of their property during life, if not convicted,

but after their death, it was confiscated, if it could be proved that they had lent money to usury within a year prior to their death. If a Clergyman were an usurer his property would not be confiscated, but distributed on pious uses. Usury had been in them days defined in this manner.

Est usura suos quisquis tradit, mihi nummos, *spe lucri*; fœnus duplex usura vocatur.

To lend money *in hope of gain* is usury; excessive usury is called fœnus.
Universal Dictionary.

The same historical fact is attested by *Blackstone, Com. Book 2, page 458.* 'The school divines,' says he, 'have branded the practice of taking interest, as being contrary to the Divine Law, both natural and revealed; and the Canon Law has proscribed the taking any, even the least increase, for the loan of money, as mortal sin.'

And the great patriot and celebrated author *William Cobbett* attests the fact. 'Seeing that to lend money at interest; that is to say, to receive money *for the use of money*, was contrary, and still is contrary to the principles of the Catholic Church: and among Christians, or professors of Christianity, such a thing was never heard of before that which is impudently called the Reformation. Indeed no such thing was ever attempted to be justified, until the savage Henry VIII. had cast off the supremacy of the Pope. Jews did it, but then Jews had no civil rights. In degraded wretches like these, usury, that is, *receiving money for the use of money*, was tolerated, just for the same cause, that incest is tolerated amongst dogs:' *Hist. Refor. Par. 402.*

Yes, *Harry VIII.*, soon after he constituted himself head of the English Church was so indulgent to his new flock that he allowed them by an act of Parliament to charge ten per cent. interest. The pretended motive for that deviation from the doctrine that had been revealed and handed down, was to counteract the excessive usury of the Jews. Lo, the good Pastor's antidote against the Jewish extortion, was to allow his thrice happy flock to practise the self same excessive interest!

His act, however, was repealed in less than seven years by his son

Edward VI. who decreed that no person should lend upon *usury* or *increase to be hoped for, or received beyond the sum lent.* But in fourteen years this young shepherd's law was repealed by the shepherdess, *Elizabeth*; who decreed, 13 *Eliz.*, that her father's law should be revived; that is to say, the ten per cent., declaring mean time that *usury is against the law of God, sinful and detestable.* The shepherdess that permitted her flock to practise what she defined to be against the law of God, sinful and detestable, must have had a great stock of piety and zeal for their salvation. Her law notwithstanding the general contempt of religion in them days, met strong opposition in the House of Commons; where usury was stigmatized by many members as a *crime involving the salvation of those who practised it.* It was that warm opposition, there is no doubt, that made them qualify the statute, by the declaration that *usury is against the law of God, sinful and detestable.* *King James'* statute reducing the rate to eight per cent., and making it penal to charge any more, *An. 1625,* concludes thus, 'Provided that no words in this law contained *shall be construed or expounded to allow the practice of usury in point of religion or conscience.*' The qualifications, 'usury is against the law of God, sinful and detestable;' 'a crime involving the salvation of those who practise it;' 'no words in this statute shall be construed or expounded to allow the practice of usury in point of religion or conscience,' would induce you to think that the law-makers had some scruples on the subject; that their conscience and practice were at variance. Interest was again reduced by *Oliver Cromwell,* and *Charles II.,* from eight to six, and by *Queen Anne* to five. Any more than that sum was declared penal. Thus did the reformed Princes go on legislating against their conscience, tolerating what they knew to be against the law of God, sinful and detestable; ruinous to the souls of those who practised it; thus did the practice of usury, that was at all times before that period confined to the hardened Jews, become general among all classes; thus did, what was carried on before under veil and palliatives, appear abroad in open day, without shame, or mask; drying up the very streams of charity; until the Orange Prince, commonly called King William III. mounted the throne, *An. 1692.*

GOLDSMITH, *Hist. Eng. Vol. 4*, relates, 'That William III. from *hatred* towards Louis XIV. and from anxiety to establish a balance of power in Europe, involved the nation in war ; but, from the insufficiency of the public revenue to prosecute it, he mortgaged the taxes for a loan, which in a short time swelled to thirty millions and continues, to this day, swelling on the shoulders of the nation ; and that a spirit of avarice pervaded all ranks in that interested age.' We see, then, that debts, banks, funds, and usurers have sprung from the *hatred* and *malice* of a Calvinistic king.

To that cursed debt that has already swelled to eight hundred millions may be ascribed directly, and indirectly, all the awful scourges that afflict and threaten the country. The revenue of England in her best days, even in the sunshine of her paper money, made but about fifty millions ; from which thirty millions goes to the Fund-holders ; as the remainder is never adequate to the other calls on the government, there must be recourse annually to fresh loans and additional taxes, until the country is taxed down to beggary. Whilst the interest, taxes and poor-rates unavoidably continue to increase on the one hand ; trade and commerce, husbandry and manufactories, go on decaying on the other, where will things stop ; what will be the result ? Evils and afflictions in abundance have already resulted. If you are at a loss for the cause or amount of the national calamities, go and ask of the weavers of Leeds, Spitalfield, or Skibbereen, pouring petitions every year into the House of Commons for relief : or the groups of mechanics that move, every winter with a chair, or another emblem of their decayed trade in their heads, through the streets of London, singing the beggar's petition, and casting their eyes upon the doors and windows at each side the street, to see if any tender hearted folk would throw down a half penny ; or the sad images of disease, hunger, and death that meet you every moment in the back streets and outlets of London—the miserable women surrounded each by her five, or six half famished, half naked little ones, having the doleful petition appended high in large letters on their head or shoulders. They have no employment ; they dare not beg, yet the silent chair or kettle, the piteous sign or appended scroll is a mode of begging, that would rend a heart

of stone. But if any of them be not able to inform you that all their miseries are reducible to Banks, funds, and taxes, go to the cargoes of paupers yearly consigned by the parishes from fertile England to the American shore, there to drudge, beg, or die; and if they understand not the cause, pass on to the big jails and tread-mills; perhaps the myriads of spectres there loaded with chains and writhing under the goad and cat-a-nine-tails may be able to throw some light on the object of your enquiry, able to convince you that all their miseries and gloomy prospects are attributable to usury and paper money alone.

The Hon. Mr. Fielden, member for Oldham, presented on the 2d April, 1833, in the House of Commons, various petitions from the laboring classes in the north of England, for relief; which petitions stated that in thirty-five townships in Lancashire, containing a population of 203,349, the one fourth, that is, 49,294 persons averaged by their daily wages and parish relief, for food and clothes, after deducting for fuel, light, and wear of implements, but 2¼d. a day:’ See *Cobbett’s Register*, 6th April, 1833.

It may appear incredible that any portion of human beings would be doomed to spin out existence on 2¼d. a day; but when that fact is published by Mr. Cobbett, a member of Parliament, in his Weekly Register, which is read in every coffee-room, club-room and family, not only in London, but throughout England, we must, however reluctantly, believe it.

Does not this appalling fact, this bitter fruit produced by banks, funds, and usury, verify the decrees of Providence? He said, 3 KINGS xi. 11. The Lord therefore said to Solomon, Because thou hast done this, and hast not kept my covenant and my precepts, which I have commanded thee, I will divide and rend thy kingdom and will give to thy servant. Nevertheless I will not do it in thy days for thy father David’s sake. I will rend and divide it in the days of thy son. And again, JUDITH v. 19. And as often as they were penitent for having revolted from the worship of their God, the God of heaven gave them power to resist; so they overthrew the king of the Chanaanites and of the Jebusites, and so forth. And they possessed their lands and their cities. And

as long as they sinned not in the sight of their God, it was well with them : for God hateth iniquity. And even some years ago, when they had revolted from the way which God had given them to walk therein, they were destroyed in battles by many nations ; and very many of them were led away captives into a strange land. And again the Lord by the mouth of the Prophet upbraiding the city of Jerusalem with her hideous crimes, says, *EZECH. xxii. 12.* Thou hast taken usury, and increase, and hast covetously oppressed thy neighbors ; and thou hast forgotten me, said the Lord God. Behold, I have clapped my hands at thy covetousness which thou hast exercised. Shall thy heart endure, or shall thy hands prevail in the days which I will bring upon thee ? I, the Lord, have spoken and I will do it. And I will disperse thee in the nations and will scatter thee among the countries. The people of the land (*verse 29.*) have used oppression, and committed robbery ; they have afflicted the needy and poor. And I have poured out my indignation upon them ; in the fire of my wrath have I consumed them ; I have rendered their way upon their head.

These awful decrees and threats of the Lord God, do we not see verified ? Will we then harden our hearts and make mockery of them, will we abuse the mercy and long suffering of heaven ? God in past generations suffered nations to walk in their own way : nevertheless he left not himself without testimony, doing good from heaven, giving rain and fruitful seasons, filling our hearts with food and gladness, *ACTS xiv. 15.* Although the Lord in his inscrutable decrees permits sinful people and nations to prosper, and forbears to inflict immediate punishment. Because he is compassionate and merciful, long suffering, and plenteous in mercy : *PSALMS cii. 8.* But be not ignorant, my beloved, of this one thing, that one day with the Lord, is as a thousand years, and a thousand years as one day. The Lord delayeth not his promise as some people imagine ; but beareth patiently for your sake, not willing that any man should perish, but that all should return to penance ; but the day of the Lord shall come as a thief :² *2 PET. iii. 8.* England, though she went her own way to destroy and plunder the institutions of Christ and to sanction the unchristian usury, received, however, good things from heaven, rain, fruit-

ful seasons and the fat of the land ; which prosperity when the just man saw his feet were almost moved ; he had well nigh tottered in his faith : PSALM lxxii. But the decrees of God seem to come to light ; the just retribution of England's plunder, and sacrilege, and heresies, and usury seems to be near at hand. The debt, Poor Rates, pauperism, and the general murmur are omens of some terrific storm.

Erroneous notions of the wealth and stability of that country may arise from the Quarterly Reports of her revenue. Now would they publish, ' This quarter's revenue exceeds by £247,000, 13s, 4½d. the corresponding quarter last year : there is a decrease in the excise but the Post-office department makes up the deficiency ;' and then, ' Yesterday being the day for settling the accounts of the treasury, holds out a cheering view of our commercial prosperity. The Customs have improved by £494,734, 13s, 11½d. beyond the same quarter last year.' But observe, the same papers that made, yearly, within my memory, such fulsome flourish regarding the financial prosperity, invariably publish two or three weeks after, ' that six millions is to be raised on the security of the consolidated Funds ;' or ' fourteen millions of exchequer Bills are to be issued forthwith, to meet the deficit of the excise which could not be paid in, by reason of this or that cause ;' or ' that thirteen millions are already borrowed by the Minister, Mr. Canning, from the Bank on terms most favorable to the public—at 3½ per cent. redeemable stock.'

The financial prosperity is carefully placed in the conspicuous front of the venal Press ; but the loans, in small letters at the bottom ; so that the reader is so dazzled with the former, that he scarcely looks at the latter ; or if he do look at the loans, he is led to believe that the Jewish bankers are tricked by the cleverness of Mr. Canning ; and that the country, under his wise administration, is making her fortune, not running head and heels into debts.

Erroneous ideas of the wealth of England may be also created by the shipping and commerce. Usury had, at all times, even prior to the Christian Era, in the Republick of Greece, Carthage, and Rome, collected, some time or other, the diffusive wealth into a few hands. And these few rich, whose avarice increases with the

increase of riches, turn their attention, whereas agriculture is crippled by the Poor Rates and other internal burdens, towards shipping and commerce. But it is to be dreaded that that speculation too will be equally unprofitable. Can the English merchant under all his taxes cope in the market for any time with the foreigner who is free or almost free from taxes? So blinded by the love of gain and bent down upon earthly pursuits are the rich men of England that they seem never to lift up their heads to look upon the overhanging cloud. Equally downcast and regardless of the gathering storm, were the Irish Squires and traffickers until the peace of 1815, opened their eyes by annihilating the rent roll. Had they then by a timely retrenchment pulled in their horns, they may be now riding securely over the rolling billows. But instead of this, they held up their wonted extravagance, adding debt to debt, till the grocer, draper and vintner furnished the long account and for nonpayment, put the affair into the Attorney's hands. Then have the paternal estate passed away, like the dream that leaves no trace behind; with this only difference that the gone by riches left behind, pride, lust, gluttony which must be fed from fraud, swindling, or some other infernal invention.

Usury and its parent *selfishness* created a doleful revolution in the moral world. Prior to its invention would the Kings and Queens and English noblemen, firmly believing that no man can serve two masters—God and mammon; and with their eyes steadfastly fixed upon the promise of Christ. MATT. xix. 21. ‘If thou wilt be perfect, go, and sell wheat thou hast and give to the poor and thou shalt have a treasure in heaven,’ would sell the splendid estates to build houses for the worship of God; saying with David, 1 PAR. xxix. 16, O Lord our God, all this store which we have prepared to build thee a house for thy holy name, is from thy hand, and all things are thine. I know, my God, that thou provest hearts and lovest simplicity. Wherefore I also in the simplicity of my heart, joyfully offer thee all these things; and I have seen with great joy thy people which are here present, offer their offerings. O Lord God of Abraham, and of Isaac and of Israel our Fathers, keep for ever this will of their hearts and let this mind remain always for the worship of thee. Thus did Churches and monasteries

and hospitals rise in England from the free offerings of the faithful, prior to the introduction of usury. But since, they spend their store in building houses—theatres, and other places of ill-fame, to the homage of Satan. Then would they enjoy sound health of both body and mind in the cloister meditating on future things ; now the bloated carcasses are seated at the hotel door viewing the transient object of their lust, or crawl sick in the mid-day bed after the night's dissipation ; or if sound and sober, they are at the first dawn in the Custom House or Exchanger settling the invoices and gambling on the stocks ; but if they meet any one commercial distaster, *suicide* consigns them right away to the presence of their angry God.

Formerly would the pious believers in the merits of good works make also by free will offerings ample provision for the poor and render compulsory charity needless. But now the selfish race must be compelled by law to feed the poor by poor rates. Which mode of providing for the indigent tends to extinguish the dying embers of Christianity, and to rip up the mutual dependance intended by Providence between the rich and the poor; when the rich are compelled by law to feed the poor they look upon them as their oppressors ; and when the poor see themselves provided for by the law, they despise the rich. Does not the system tend to make the poor ungrateful, the rich unfeeling, uncharitable; to rend asunder the very bonds of society ? It was from reflections of this sort that Goldsmith sung,

That independence, Britons prize too high
Keeps man from man, and breaks the social tie ;
The self-dependent lordlings stand alone ;
All claims that bind and sweeten life unknown,
Here, by the bonds of *nature* feebly held,
Minds combat minds, repelling and repelled.

Blackstone's Errors.

Comm. Book 2, page 458, he says, ' There is one species of this price or reward, the most usual of any, but concerning which, many good and learned men have, in former times, very much perplexed themselves and other people, by raising doubts about its legality *in foro conscientiæ*. That is, when money is lent on a contract to receive not only the principal sum again, but also an

increase, by way of compensation for the use; which generally is called *interest*, by those who think it lawful, and *usury* by those who do not. For the enemies to interest, in general, make no distinction between that and usury, *holding any increase of money to be indefensibly usurious*. And this they ground as well as on the prohibition of it by the law of Moses among the Jews, as also upon what is said to be laid down by Aristotle, that money is naturally barren, and to make it breed money, is preposterous, and a perversion of the end of its institution, which was only to serve the purposes of exchange, and not of increase. Hence, *the school divines have branded the practice of taking interest, as being contrary to the Divine Law, both natural and revealed; and the Canon Law* has proscribed the taking any, even the least increase for the loan of money, as mortal sin.*'

So then we have it from the pen of this Protestant, 'that many good and learned men have in former times perplexed themselves, making no distinction between interest and usury; holding any increase of money to be indefensibly usurious. And that the school divines have branded the practice of taking interest as contrary to the law of God; and that the Canon law proscribed taking the least increase as mortal sin.' Or, in other words, the Catholic Church in her Canons condemned interest as contrary to the law of God. It is astonishing that the Reformer allowed that there were any good and learned men in the days of Catholicity. But remark how easily he throws aside the doctrine of the good and learned men, or of the Catholic Church for fifteen hundred years.

'But in answer to this,' he adds, 'it hath been observed (by whom, of course, by the Church plunderers, Harry and Elizabeth,) that the Mosaical precept was clearly a political, not a moral precept. It only prohibited the Jews from taking usury from their brethren, the Jews; but, in express words, permitted them to take it from a stranger: DEUT. xxiii. 19: which proves, that the taking of moderate usury or a reward for the use, for so the word signifies, is not *malum in se*; since it was allowed where any but an Israelite was concerned.'

Remember that the Reformer gives not in the foregoing paragraph any sort of reason, argument, or authority for throwing aside the school Divines and Canons of the ancient Catholic Church. But in this last mentioned paragraph discarding by whole-

* *Decret. Greg. Lib. 5. Tit. 19: See from page 110 to 127,*

sale, not only them but also the rest of Scripture, which is strong and clear on the subject, he alights, at once on DEUT. xxiii. 19, 'The Mosaical precept was clearly a political, not a moral precept.' Where is his proof for saying that it was a political, not a moral precept? or upon what authority makes he a distinction between both precepts? A moral precept seems to regulate men's manners (*mores*) in society; a political precept, regards the manners or mutual relations of the multitude, (*polus, multus,*) consequently both precepts, moral and political, seem to signify one and the same thing. 'It only prohibited the Jews to take usury from their brethren the Jews; but in express words, permitted them to take it from strangers.*' If the Jews were permitted to take usury from strangers, not from their brethren the Jews; from what logic will he allow Christians to exact it from their brethren and strangers—from Christians and Jews; from friends and foes; from natives and aliens. And as God himself, the absolute Ruler of our life and property permitted the hardened Jews to exact usury from strangers, will Blackstone say that to take moderate usury is not *malum in se*—'an evil in itself?' The Reformer by similar argument may say, 'whereas the Omnipotent God transfers human life and property when, and how he pleases, it is not an evil in itself, if the Reformers do the same thing when and how it pleaseth them. Upon what authority does he foist in the adjective *moderate*, for the text which he quotes from, DEUT. makes no such distinction.

'And as to the reason supposed to be given by Aristotle, and deduced from the natural barrenness of money, the same thing may with equal force be alleged of houses, and twenty other things; which no body doubts it is lawful to make profit of, by letting them on hire.'

Now is the Reformer confronted with *Aristotle, Plutarch, Plato*, and with the great *St. Thomas*.† He gives neither proof, reason, nor authority, but his own unfounded assertion for throwing them as well as the doctrine of the good and learned men and the Canons of the Catholic Church, overboard.

'And though money,' says he, 'was originally used only for the purposes of

* See page 75.

† See page 70.

exchange, yet the laws of any state may be well justified in permitting it to be turned to the purposes of profit if the convenience of society shall require it.'

Nor does he give any proof here either. Can the laws of any state be justified in sanctioning what is forbidden by the law of God, by the Canons and doctrine of antiquity; could it be the utility or convenience of society, though the cravings of commerce, and the cupidity of traffickers seem to desire it, to throw open the door for the unchristian practices of Jews, Quakers, money changers; for the rapine of bank men and bankrupts?

'And that the allowance of *moderate interest*,' he continues, 'tends greatly to benefit the public, especially in a trading country, will appear from the generally acknowledged principle that commerce cannot subsist without mutual and extensive credit.'

The heretic pretended in the former paragraphs to defend interest from religious principles—from the law of Moses; but now throwing off the mask, he launches into open infidelity, discards all revealed religion for what he calls the *expediency* and *benefit* of the public. What proof gives he that the allowance of moderate interest greatly tends to the benefit of Society; or if he could prove it, let him say what is moderate interest; was it the ten per cent. of Old Harry; the eight of James; the six of Charles, or the five per cent. of Queen Anne? Among usurers the interest should rise or fall in proportion to the heat or temperature of their avarice, as there is no thermometer to ascertain the degrees of that avarice, by what rule could you say what is moderate or immoderate interest? Were Blackstone to rise again from the pit, England could tell him that even the low rate of interest by *Queen Anne*, and the extensive credit of *William III.*, do not greatly benefit the public.

'Thus in the dark ages of *monkish superstition*, and civil tyranny,' says he, 'when interest was laid under a total interdict, commerce was at the lowest ebb; and fell entirely into the hands of the Jews and Lombards; when men's minds began to be more enlarged, true religion and real liberty revived, and commerce grew again into credit; and again introduced with itself its inseparable companion, the doctrine of loans at interest.'

He calls the doctrine of the good and learned men of former times, and the Divines and Canons of the Catholic Church for fifteen hundred years, *Monkish superstition*. That odious name sounds well in the ears of deluded Protestants who know not what superstition is, and who take no pains to ascertain whether the doctrine to which he gives that horrifying appellation was nothing more or less than the doctrine revealed in both Testaments, and practised in all countries, by the primitive Christians. What a glorious testimony he is forced to bear to the disinterestedness of Catholic antiquity. In the dark ages of Monkish superstition, interest was laid under a total interdict; selfishness and commerce were confined to the Jews and heathen Lombards; but when true religion, that is to say, the Jewish and heathenish selfishness, and trafficking came into repute; when men's minds began to be enlarged—to go at random from all revealed religion; when money became the idol, a ledger the Bible, trafficking the true religion; and contempt of the Gospel of Christ the real liberty, then commerce revived and brought along its inseparable companion—the doctrine of lending at interest. Consequently interest, or lending for gain sake is not the seed that was originally sown, but the tares of eternal flames that was subsequently scattered by the demon and the world.

As for 'civil liberty,' interest is its greatest enemy: when a tyrant goes to destroy the rights and liberties of his own people, or of the neighboring countries, how does he go to work? First, he raises a loan from the usurers for creating armies and navies; second, he loads the country with fresh taxes to meet the interest of the loan; thirdly, tax-gatherers are in motion in all directions; and if there be any murmur among the people, martial law, prisons, gibbets, and banishment are the remedy.

'And as to scruples of conscience,' adds he, 'since all other conveniences of life may either be bought or hired; but money can only be hired, there seems to be no greater oppression in taking a recompense, or price, for the hire of this, than of any other convenience.'

Scruples of conscience ! You need not, usurers, have any such thing ; for your Apostle Blackstone, with his Spiritual Head, Harry, and Elizabeth, are gone before you to the infernal regions, to clear the way, and quench all the hell fire, that was lit up by the Prophet EZECH. xviii. 13. ; they having first repealed in this world above, the saying of Christ, *Lend, hoping for nothing thereby*, and thrown overboard the doctrine of the good and learned men of former times, together with the Canon law, of the Catholic Church ; he need not trouble himself about the scruples of usurers ; they have never any such things, unless perhaps, they feel a little squeamish, when the cent per cent. or the interest is not forthcoming ; or when they hear of the sad failure of their debtors.

‘ A capital distinction,’ he goes on, ‘ must, therefore, be made between moderate and exorbitant profit ; to the former of which, *we* usually give the name of interest, to the latter, the truly odious appellation of usury. The former is necessary in every civil state, if it were but to exclude the latter, which ought never to be tolerated in any well regulated society.’

By what rule does he make out the capital distinction between moderate and exorbitant profit—between usury and interest ? Certainly no Christian rule ; neither Scripture, Doctors, Popes, nor Councils ; nor the pious and learned men of former times, make out any such distinction. You would infer from the expression, ‘ we usually give the name of interest, that he had some other guides on his side of the question. Who are they ? Old Harry and Betsy, of course.

‘ For, as the whole of this matter is well summed up by Grotius. If the compensation allowed by the law does not exceed the proportion of the hazard run or the want felt by the loan, its allowance is neither repugnant to the revealed nor natural law ; but if it exceed those bounds, it is oppressive usury ; and though the municipal laws may give it impunity, they can never make it just.’

Mark the words of the heretic Grotius, ‘ If there be not proportion between the hazard run and the interest allowed by the law, though the temporal power may give it impunity, it can never make it just ; it is oppressive usury.’ By what criterion, let me ask, could the risk attending a loan made to a widow for redeeming her pot, or cow from the fangs of the tax-gatherer, or tythe

proctor be measured ; who should be called upon to apply the rule and compass to strike out the proportion between the hazard ran by the lender, and the interest due of the poor borrower ? Perhaps a dozen of fat and sleek Quakers, or of Jewish and ruthless usurers would chalk out the risk, and apply the sticking plaster to her emaciated shoulders. What a curious way the usurers follow for guarding against the risk—by increasing the burden. One would think that by adding usury to the capital sum, they would augment, not diminish the risk and danger. Blackstone seems to understand the absurdity, into which the other Reformer had fallen ; and, to throw some light on his devious paths, he falls himself into the opposite extreme of nonsense.

‘ We see,’ says he, ‘ that the exorbitance or moderation of interest depends upon two circumstances—the inconvenience of parting with it, * the hazard of losing it entirely. The inconvenience to individual lenders can never be ascertained by laws, the rate, therefore, of general interest must depend upon the usual or general inconvenience. This results entirely from the quantity of specie or current money in the kingdom ; for the more of specie there is circulating in any country, the greater superfluity there will be beyond what is necessary to carry on the business of exchange and the common concerns of life. In every nation or public community there is a certain quantity of money thus necessary, which a person well skilled in political arithmetic might perhaps calculate, as exactly as a private banker can, the demand for running cash in his own shop ; all above this necessary quantity may be spared or lent without much inconvenience to the respective lenders ; and the greater this national superfluity is, the more numerous will be the lenders, and the lower ought to be the rate of national interest ; but where there is not enough circulating cash, or barely enough to answer the ordinary uses of the public, interest will be proportionably high ; for lenders will be but few, as few can submit to the inconvenience of lending.’

What absurdity ! Though the inconvenience to individual lenders cannot be ascertained, that of the community, consisting of many individuals, can ! ! ‘ This interest should rise or fall according to the scarcity or plenty of money in the country.’ What nonsense ? Who can reckon the quantity of currency in his own

* See Risk, page 204

town, much less in the whole kingdom? Money sometimes lies dormant, sometimes stirs out: the same indetical sum passes one day through several hands, whilst more is kept in close confinement throughout the year. To lower or raise the interest, by what political arithmetician can it be measured?

What political arithmetician did Henry VIII. call in, when he settled the rate at 10, or Queen Anne, when she reduced it to 5? How did the congress of the United States measure the quantity of circulating money, when they settled the rate at 6 per cent.? It is a melancholy truth, that the more we advance from the first date of Christianity, the more is the growth of infidelity. Blackstone and Grotius throw off the doctrine of antiquity, though they had still some little regard for the proportion between the hazard and interest; but now their disciples, less scrupulous, go at random to allow the 5 or 6 per cent. in general, to all lenders, without any respect to hazards, superfluities, or inconveniences, and still call themselves the followers of Christ! 'The greater the superfluity beyond what is necessary, the less will be the rate of interest.' What nonsense! He should rather say, as there will be no want, no borrower for this unnecessary superfluity, there ought to be no interest at all settled for it.'

'So also the hazard of an entire loss,' continues he, 'has its weight in the regulation of interest; the better the security, the lower will be the rate. * * * A man who has money by him will perhaps lend it upon good personal security at 5 per cent., upon landed security or mortgage at 4 per cent., the hazard being proportionably less; but he will lend it to the State, on the maintenance of which all his property depends, at 3 per cent., the hazard being none at all.'

He then allows to charge the State 3 per cent., though there is no danger at all in lending her; but Grotius says, 'That if the rate of interest exceed the hazard, it is oppressive usury: though the municipal laws may give impunity, they can never make it just.' The two reformers are therefore already at variance. Why not, after they have strayed from the path, and passed beyond the ancient bounds of their fathers? Though we, or an angel from heaven,

preach a gospel to you besides that which we have preached, let him be anathema. As we have said before, so I say again, If any one preach to you a gospel besides that, which you received, let him be anathema. What will become, O God, of the millions of souls which the wretched heretics have seduced from thy holy law ?

IRELAND.

My heart rends with grief by reflecting on my native country,—an Island that is not excelled in fertility, salubrity, and local advantages by any other portion of the globe ; where the laws of wicked men are ever at variance with the laws of God ; where the blessings that are showered from heaven, are poisoned ere they reach the ground, by the misrule of the temporal ruler : where the tyranny is so grinding, and prospects so lowering, that many persons of spotless fame commit crimes with the only view of being transported to New South Wales ; and others sell their liberty by going on redemption to the Colonies ; preferring disgraceful exile, or captivity abroad to nominal liberty under the British government at home. Why not ? They behold themselves starved in the middle of plenty ; their fine and fertile Island became a common granary for the alms of Europe, and America ; the settled abode of famine, crime, and pestilence. Now, like the winter sun-shine, trade, peace, and plenty with smiling front march along ; and then come, in rapid succession, Orange men, Ribbon men, Rockites, with fury, arson, murder, painted on their ghastly brow ; widows, orphans, in moans, and tears, close behind. Now the Convict-carts slowly move from the inland counties to the place of embarkation, the hills and vallies echoing to their massy irons ; and then the more guilty culprits being escorted by the cavalry to the fatal gallows. Although all means were tried to prevent this crisis—Police, Martial Law, special Commissions, Insurrection Acts ; although the Attorney General had descanted at each Assizes on the delusion of the Rebels, on the zeal and nerve of the Crown Lawyers, and military, and contrasted the just laws of England with the bloody code of midnight ruffians ; the fair and

open trial of Judge and Jury with the hideous stripes and murders of Captain Rock.*

As this incorrigible depravity of the people could not be attributed to indolence or remissness in the local authorities, nor in the Catholic Clergy, who had sustained in every storm, fame, without stain or stigma, and who were always at their post exhorting, arguing, and reprimanding ; inculcating brotherly love, and submission to the laws and the magistrate, the government is completely puzzled how to account for it. Now the idea occurred to them, that the infection might exhale from the petty schools, through the pedagogues, who, perhaps, would be covert agents to some foreign pretender. Accordingly, Education Commissioners came in speed from England, to examine and report the system, books, talents, and politics of the teachers in all such schools, throughout Ireland. However, no conspiracy, or shadow of conspiracy is detected in this quarter either.

That Irishmen, who are in each foreign clime, remarkable for patience, industry, fortitude, and loyalty to their adopted rulers, should be in their native land for ever in distress, and at war with the laws and the authorities, is a contradiction that puzzles every man not acquainted with the real state of Ireland. The physician must first probe the wound ; trace the root and bearings of the malady ; otherwise the prescription will be but quackery ; it may for a time check, but will never subdue the evil. From reading and observation, during the greater part of my life on Irish affairs, I, without hesitation, affirm, that the Penal Laws, tythes, and Church plunder is the primary ; but *usury*, banks, and bankruptcies the secondary and immediate cause of Ireland's calamities—that usury is the principal pivot upon which rolls the whole machine of that country's affliction. It was of Old Harry when he invented usury, and let loose swarms of usurers upon the land, the Psalmist sung, PSALM vii. Behold he hath been in labor with injustice ; he hath conceived in sorrow ; and brought forth iniquity ; he hath opened a pit, and dug it ; and he hath fallen into the hole he made.

* Captain Rock, White Boys, Ribbon men, White Feet, Terry Aults, &c. are fictitious names, assumed by the lovers of the moon in Ireland.

If one member suffer any thing all the members suffer with it ; or if one member glory, all the members rejoice with it. Now, you are the body of Christ and members of the member. 1 Cor. xii. 27. This fellowship or *Communion of saints*, which is an article of the Creed requires that we love our neighbors as ourselves ; that we be always ready to relieve their wants. For he that is blessed with worldly goods and sees his brother in want, and relieves him not, is at once convicted of not having the love of God in him. This lively faith actuated the primitive Christians, when they had all things in common. Nor had it less influence on the ancient Irish. They had one heart and one soul ; loved their neighbor as themselves ; did unto others as they would be done by. For truth and sincerity were they remarkable ; they exhibited their heart and mind in their true and native colors ; imposed on no body ; they loved truth and abhorred falsehood ; suffered with joy for justice sake ; but never looked for revenge. They always held up the lamp of good works, that others seeing it might glorify God, who is in heaven. They visited the widows and orphans in their tribulation ; remembering them that were in chains, as if they themselves were in chains with them ; and them that were afflicted, as being themselves in the body also. In short, Ireland was then a terrestrial paradise.

Hospitality was a leading feature of the Irish character ; they were always taught by their pastors, to loose the manacles of wickedness ; to remove the heavy burdens ; to let the oppressed go free ; and to break every yoke : to share their bread with the hungry, and to bring the poor and the stranger into their house ; when they would see the naked to clothe him, and not to despise their own flesh. That by receiving into their house the poor and the houseless stranger, they would harbor Christ himself ; and that in the person of the strange guest were the angels received into hospitality by Abraham. Hospitality was not confined to their dwellings, but extended to the weary traveller on the high roads ; where individuals founded and endowed asylums. The venerable ruins of one of them, that was founded in the reign of John, by the pious and charitable *Alexander De Sancta Helena*, occurs at Balynamona, three miles south of Mallow on the Cork road. It

fell like the rest a victim to the rapacity of the Reformers. The poor travellers have to crawl ever since along the road for refreshment among the beer-houses, that have to pay eight pounds for licence together with two pence a quart as duty to the government. Woe to the hungry footman from whom is squeezed all that ; woe, to the tavern keeper, who has, either to oppress the poor, or practise illicit trade, or give up business in a country that is completely ruined, and that offers no other field for speculation. Curse upon the Reformers that have banished from the land the piety and hospitality of our fathers.

Whilst the poor are stript of all the asylums that were founded for them by their Catholic Ancestors ; and driven by taxation into the use of the *legal* stuff called beer, instead of the good home made ale which they had until forty years ago ; driven away from the safe company of their wives and children into the beer house, that school of infamy ; whilst they are made drunkards by the measures of the government, the venal press, and the Protestant Parsons circulate pictures of Paddy's intemperance. What wonder then that they are in perpetual conflicts with Captain Rock, and that their meeting houses are deserted ; notwithstanding their trickery for making proselytes. I cannot help recording one instance.

A *parson Lombard* lives, or did live, when I officiated in that parish, in the year 1816, close by the aforesaid Ballynamona, rioting with a large family in the revenues of the said ancient hospital. He amuses with manuscript sermons against the 'Pope and Popery,' a little congregation of stupid, ignorant Protestants ; who if they only cast an eye on yonder ruins, would learn, that the hungry traveller could sooner find a belly full in a Popish asylum, than in a parson's kitchen ; that from the Pope's principles did hospitals arise, but from the parson's maxims they were plundered and destroyed.

The same Mr. Lombard keeps together by his worldly influence and by doling out two pence in cash, and a three penny loaf to each poor man that goes to prayers, a congregation of eighty nom-

inal Protestants, who, for the most part, desert at the hour of death his loaves and pence, to become Roman Catholics. For instance, patients were sent, during the typhus of 1816, from all parts of the country into the public hospital of Mallow.* Among the crowd came Betty, an old loaf-eater of the parson, who received, because she was furnished with his credentials, the best room in the hospital. But in a few days her case appearing desperate, they told her to prepare for eternity, 'and asked would she not wish for the Protestant minister. Hereupon poor Betty drew a deep sigh, uplifted her head a little, and again reclined on the pillow, as if sinking into the arms of death, but after a short pause and reflection, perhaps, that there was no more need of loaves or pence, some fresh vigor pervaded her shrivelled frame, and she said with a firm voice, 'Gentlemen, send for the Roman Catholic Priest.' Accordingly the Rev. Michael Quinlan Roman Catholic Curate of the town, came and took her into the Mother Church. However Betty contrary to the opinion of all, recovered, and went home to the country, but returning to the vomit, she presented herself the very next sunday in the group of loaf-eaters to the parson. But the keen-eyed pastor, no longer to be imposed upon, recognized her in the crowd and desired 'the impostor to leave his sight and to go to the Catholic Priest for loaves and pence.' Why not rather follow the doctrine of his God; who maketh the sun to rise upon the good and bad, and raineth upon the just and unjust; or the example of the pious Alexander De Sancta Helena, who had founded and endowed the aforesaid hospital for all travellers without respect of creeds or persons?

The hospitality of the Irish was then, and even as late as forty years ago, so ardent that they would not enjoy a night's rest, or relish a meal, if they had not Christ in the person of the poor under their roof. And as God blessed the Sidonian widow for receiving and feeding Elias, so he rewarded the Irish with comfort, ease, and plenty. The farmers possessed, even within my own recollection, in the vicinity of Macroom, and throughout the whole County of Cork, each from fourteen to a score of milk

* Not endowed, like the Catholic hospital, by the free bounty of the parson, or his Protestants; but supported with a grand jury tax upon the county,

cows, two or three horses, with all the implements of husbandry ; a score of sheep to clothe the family ; a little cottage, snug, yet not showy ; they killed the hogs and the beeves at Christmas, and at Easter, and converted the grain into bread and beer, for the use of the house also. Though they were not yet, since the Episcopalians despoiled their religious foundations, able to erect respectable houses of worship, it was a fine sight to behold them flocking from all quarters of the country, well mounted, well clothed with home made woollens, to hear mass and the sermon of the saintly Priest, in the little ' chapel.' Nor was their ardent faith damped from seeing the grand Churches of their fathers overhung with ivy, as lasting monuments of Protestant parsons' spoliation ; or from beholding the humility of their Chapel, the meanness of the screwed chalice, and the cheapness of the chasuble. Such as would not find room inside during the holy sacrifice, kneeled outside, uncovered, under the hail, rain or snow, reciting the decade. The internal charity of their pious souls, was too warm to be cooled by the external elements. To a people thus believing in the merit of good works, and freely giving in imitation of God's free bounties to themselves, usury and usurers were abhorrent. The bare mention of *breis* or *breisdoil* ; *usoire*, or *breisoire*,* would make them shudder. The usurer and his offspring were, until forty years ago, considered *infamous*, and therefore shunned in conjugal, and all other connexions, as carefully as the felon or murderer's children were shunned.

That usury of all sorts had been reprobated by both Clergy and Laity in the County of Cork, from the first dawn of Christianity, until about the year 1780, is a fact attested by a host of witnesses, though I will adduce but three respectable priests ; whose spotless fame in the care of souls during fifty years, and their contiguity to eternity when I had the good luck to converse with them, raises their testimony beyond the reach of suspicion. They are ere now departed to receive the crown of glory from the Prince of pastors : it is not my intention to mis-state their evidence.

The *Rev. Mr. Barry*, pastor of Charleville declared, ' that in-

* *Breis* signifies, in the Irish language, increase ; and *breisoire*, or *usoire*, means an usurer.

terest had been condemned in his presence about forty years ago, in a General Conference of the Clergy in Doneraile, wherein Doctor McKenna, Bishop of the diocese and his coadjutor bishop presided.'

The *Rev. James Sheehan, O. S. F.* declared ' that, as he resided in the Buttevant Convent, about the year 1774, he went at the request of Mr. Cotter, pastor of Charleville, who had some occasion to leave home, to take charge of his flock ; and that during his temporary ministry there he was called upon to minister the last sacraments to a dying man, who, consistently with the general practice in the county, had always kept his hands clear of usury ; but, who, from strange fatuity, or delerium now wheels about and lends, at the awful hour of death, his money at interest for the support, as he said, of his young children ; but, that he, *Mr. S.*, strove to open his eyes upon the pit yawning before him, and induce him to revoke his sinful will ; and that, for his non-compliance, he refused him the sacraments. That the dying man's family became furious, going so far as to appeal to the Magistrate—a Protestant, (for the Catholics were then disqualified for the office by the Penal Laws) who issued an official summons against him, *Mr. S.*, for this supposed offence ; but, who, when he learned that usury of all sorts is condemned in both Testaments, returned him, *Mr. S.*, thanks for the genuine discharge of his Clerical duty. That the aforesaid *Bishop McKenna*, when he heard of the affair, signified his approbation also.'

And the *Rev. Daniel O'Connel*, pastor of Castlehaven, Co. Cork, who closed in 1821, a life of 83 years, having spent fifty in the care of souls, assured me a little previous to his death, that interest had been generally condemned in the diocese of Cloyne during the life of the aforesaid Bishop McKenna ; and that he knew, for instance, the usurers, because they could not obtain the sacraments from the pastor of Mallow, passed over every Easter to receive them from the Clergy in the City of Cork.'

The County and City of Cork are divided by the Catholic Church, into two dioceses ; namely, Cloyne and Cork. The former diocese embraces the greater part of the County, by north and west ; and the latter comprises the remainder of the County, with the

whole City. The diocese of Cloyne had been dignified about sixty years ago by the said pious and learned *Bishop McKenna*: and the See of Cork, a little before that, by *Bishop McCarthy Rabagh*. Whilst it remains evident from the testimony of the three priests, just recited, that usury, of all sorts, had been condemned in the diocese of Cloyne, during the life of Bishop McKenna, it is manifest, also from another fact, that it had been reprobated too in Cork City, from the very dawn of Christianity in the Island until the demise of the aforesaid Bishop McCarthy Rabagh. And that fact is this. The rapid growth of commerce, and of wealth, smothered the faith, and engendered avarice, the root of all evils. The Catholic traffickers murmured that the prevention of usury in their Church gave to the Protestants, whose Church is more accommodating, and conscience more elastic, a decided advantage in the scale of society.' To this the good Bishop McCarthy Rabagh replied, that he would transmit their remonstrance to the Holy See, and faithfully report the answer he would receive. Lo, the Papal decision arrived which was this:

'That no dispensation could be given from what is reprobated in both Testaments.'

Whether the decision stopped the mouth of that wretched people, I am not able to say; nor can I say, when, or how the practice crept in; but this I know for certain, that usury prevails there generally at the present time. The breach was made probably in the fences during the incumbency of *Bishop Buttler*, who was, I believe, the immediate successor to the aforesaid Bishop McCarthy Rabagh. Buttler appeared not too tenacious of the sacred deposit; for he apostatized and took a fair one into his arms; but again, when rolling years threw the silver mantle over his brow, furrowed his withered cheek, cooled his fiery passion, and convinced him of the vanity of earthly pomp and pleasure, he returned, like the prodigal child, to his Merciful father, and offered to atone for the offence given by him to God and man, by performing a public course of penance in Cork, the very scene of his enormities—to walk on his naked knees by the most frequented street from end to end of that City; and to consecrate, as a peace-offering, to God, his entire estate, £20,000 a year; though he

ultimately bequeathed but £1,500 yearly, for the maintenance of Clerical students in Maynooth college, which legacy goes by the name of 'the Dunboin Establishment. 'A sacrifice to God is an afflicted spirit; a contrite and humble heart, O God, thou wilt not despise. Whosoever gave admission to usury in that ill fated City inflicted a wound upon faith and morals that will never be healed.

Cork now throws off the law and the covenant, which God made with their fathers, and pursues vanity; and acted foolishly; and they followed the gentiles that were round about them. The Irish now, for the first time, *conform* to the New Church; yes, conform. No Catholic King, people or Priesthood taught or practised in Ireland, prior the period in question, usury, interest, or increase of any sort: it must therefore be called an innovation, or an act of conformity.

Dividimus muros, et mœnia pandimus urbis,
 Et monstrum infelix sacrata sistimus arce;
 Tum vero manifesta, fides, Danaumque patescunt
 Insidiæ

'We have broken down the walls and thrown open the bulwarks of the city; and we have placed the dread monster in the heart of the sacred citadel. Then indeed came to light the fraud and deceit of the Greeks.' Yes, the Sacred Canons have we pulled down, the fences of the Vineyard we have levelled. Then indeed came to light the avarice, malice, and extortion of the usurers.

The infection, since that period, rages, like a mountain torrent, sweeping away every vestige of our gospel piety; so strong and impetuous is it in that County and City, that if any man keep his hands clean, he is looked upon as proud and disaffected to the community. The language, sentiments, views, and manners of the people have undergone a complete revolution; all the lovely traits in the picture of their forefathers is down-right mockery. The wisdom now is to varnish the heart and mind with strange colors; to display falsehood for truth, and truth for falsehood; to seek honors and high places; to return evil for evil; to submit to no man, if there be means of resistance, otherwise, to dissemble the malice under the mask of forgiveness. This duplicity called er-

finement is learned by word and example, step by step from the cradle ; people without it are called *simpletons*, and *the simplicity of the just man is laughed to scorn* : JOB xii. 4. This selfish race profess to know God ; and in their deeds they deny him ; being abominable and incredulous, and unto every good work reprobate. The fraternal charity of their fathers degenerates into self-interest, that *seeketh the things that are her own, not the things that are Jesus Christ's* PHIL. ii. 21. Their ancestors would, before the going down of the sun, pay the laborer's hire, and would not muzzle the ox treading the corn ; they would, besides his hire, board and lodge him ; remembering that they had also a master in heaven. This saintly practice also withers before the infectious blast of the funds and usury. The influx of paper money trebled the prices and the rents ; so that on the fall of the leases, were the pious, hospitable occupiers of the soil ejected, one by one, for a poor, griping race of calculators ; who have to sell every thing—the beef, pork, mutton, butter, corn, poultry, and even the very eggs, for the payment of the tythes, rack-rent, and taxes. As saving and economy is the order of the day, the laborer is soon deprived of his board and lodging. ‘ A few notes added to his wages,’ they say, ‘ will relieve our genteel females from endless cookery, and keep the kitchen clean from the muddy, noisy shoes of the ploughman.’ But, remark, that soon after the infliction of this brutal wound on the poor, the failure of the bank swept away the notes. What more abhorrent to reason and religion than to muzzle the ox treading out the corn ; than to prevent the laborer, who spends the long day salting the beef, to eat a morsel thereof ? The free loans of the Redeemer likewise disappear ; all persons who are not solvent for the principal and interest, are allowed to sink under the creditor's iron rod. Hence thousands of broken tenants and merchants beg from door to door, or flee moneyless, friendless, from their fertile native land, from the endearments of friends and relatives, to spend their days amongst strangers on some distant shore.

Providence hath showed might in his arm : he hath put down the mighty from their seat, and hath exalted the humble ; he hath filled the hungry with good things ; and the rich he hath sent away empty. He allows even sinners to prosper and abound in this world.

When he raises, in his inscrutable decrees, the poor from the dung-hill to a level with the princes of the people, they forget the hand that raises them, and make mockery of his law and covenant. They wheel about to pay homage to the golden calf. Fear and trembling for their new idol came upon them. 'Money dormant in the chest continues barren, and holds out a temptation to the robber ; but if applied to commerce, it is also precarious and uncertain, especially for new men who have neither skill, nor taste for the drudgery of the counter.' During this suspense between hope and fear, many schemes occur to them for securing and fructifying the capital : they minutely weigh and balance them all in the scales of avarice ; finally that speculation is selected which at once presents security from robbers and certainty of gain ; namely, to *lend at interest*. All the anxiety, risk and labor will then fall upon the borrower, who will have nevertheless to pay, whether he gain or lose by the transaction, six per cent. to the idle usurers. There was never any profane reasonings drawn from the fountain of avarice to defend this crying injustice that is not somehow discovered by our upstart usurers. 'Society,' they say, 'could not subsist without usury. How did she stand for hundreds of years before Providence had been pleased to rescue them from their kindred obscurity and poverty, to affluence and dignity ; or how will she survive when he hurl them back again, by the failure of their debtors or some other cause, into their original nothingness ? How do the millions live who have neither means to lend or credit to borrow ? No matter how they live, usurers must by interest.

Interest becomes now the universal idol ; the farmers gain from war prices ; and the minors inheritance from his dying parent go out at interest. The lazy old man, the fantastic rake ; the thatri-cal dame could not at all subsist without interest. What a fertile field has Old Harry discovered that yields crops without culture, plough or labor, to all classes ! The merchant must traverse every clime, far and near, hot and cold ; or stand behind the counter the long year round, watching to bite the unwary prey for scraping together the interest of these lazy drones. Remember that whether he gain or lose by the speculation he must pay them the interest, If he gain, which seldom occur but from fraud or extortion, he

thinks all is well, if he lose, bankruptcy is the alternative. The public, in either case, is sure to suffer; with this difference that the fraud or extortion corrode insensibly; the bankruptcy tears up at once the very vitals of society.

Now as the food and existence of all classes must come from interest, their whole ingenuity, is directed to the choosing the best and safest of the borrowers. The ururer's eye rolls over town and country, to view the ways and means of all persons. The pompous 'squire, or thrifty chapman, in Cork, Youghal, Fermoy, Kinturk, Macroom, or Bandon, (towns in Ireland, remarkable for bankruptcies from 1810, to 1820, when all credit ceased) soon attracts his notice; in him would the vulture fasten his direful talons. The mill, still, or estate; the factory or stock in trade, offer some picking to the insatiable usurer. Bills and bonds on land and personal security are ratified without delay. Now the usurer says within himself, My soul, thou hast much goods laid up for many years; take thy rest, eat, drink, make good cheer. But God said to him, Thou fool, this night do they require thy soul of thee; and whose shall those things be, which thou hast provided: LUKE xii. Alas! no threats from God will deter him from his usurious path: for avarice, the root of all evils, has gained exclusive settlement in his wretched soul.

It is from this source that mischief takes its rise;
 From lust of large estate; no human vice
 Has oft'ner exercised the pois'ning trade,
 Or oft'ner stained the assassinating blade.
 What wonder? He that wishes to be rich,
 Will take the speediest way, no matter which.
 What fear, or shame, or reverence can restrain
 The keen set wretch from gold he longs to gain?
 When thus you school him, 'It is a useless deed
 To help a friend, or neighbor, in his need,'
 You teach your pupil, at the self same time,
 Rapine, fraud, and every guilty crime.

Juvenal Sat. 14.

The cholera never spreads through towns and cities with greater rapidity than usury through the County and City of Cork, for in the short space of fifty years, almost all persons in society

shared, more or less, of the infection. Consequently the miller, or chapman, or 'squire, here and there, picked up at interest all the spared money of his respective neighborhood. What golden prospects then opened—to the lenders, to the borrowers—to the community at large. The borrower would, by his trade, support his family in decency ; the lender, would, by the interest, live in pleasure and idleness ; trade would flourish ; tythes, rents, and taxes would start up ; comfort, peace, and plenty would smile over the land. Indeed the whole social family would prosper together. My people, says the Lord, PSALM lxxx. heard not my voice, and Israel hearkened not to me ; so I let them go according to the desires of their own hearts ; they shall walk in their own inventions. So did they, in Cork, go according to the desires of their own hearts, building, purchasing farms, and laying in store goods. As the prices were, during the paper mania, incessantly rising, they appeared indifferent regarding profit ; for they only dreaded that they would not grasp at lands, houses, and goods enough before any farther rise in the market. Thus did wild speculation keep pace with the progressing prices, until the return of peace in 1815, when the prices ran down again, with equal rapidity, and settled so low, that neither land, goods, nor houses would bring half the first cost.

Now the speculators totter at all sides of us. Commissioners, assignees, trustees, attornies, are all in motion. The Lord Chancellor takes £100 for issuing the writ—a large printed parchment, appended with a broad piece of painted wax, upon which is stamped the motto of usury and bankruptcy. Though the parchment is embellished with a crown supported by a lion and dragon, and some fine specimens of copper plate ; and the wax is sufficient to make a good candle, they seem too dear a bargain for £100. The daily fee of the Assignee is £5. It is evident that they continue in office as long as they think that fee worth notice ; especially, as there is no controlling power to hurry them ; the salary being in their own hands. Hence, meetings, adjournments, advertisements, and so forth, amuse the public for years. The mountains are in labor ; out comes the puny dividend, six pence to the pound. Poor usurer, what will become of thee ; that

Mammon for which thou hadst sold and betrayed thy soul and thy God, is filched away by legalized harpies ; who batten most on the spoil and calamities of society. Then might be said, I have seen iniquity and contradiction in the city ; day and night shall iniquity surround it upon its walls ; and in the midst thereof are labor and injustice ; and *usury and deceit* have not departed from its streets : PSALM liv. Does not that hideous picture of the ancient city literally agree with the towns and places in Ireland ; and in all other countries, where usury and paper money is tolerated ; are they not continual scenes of fraud and deception, of rapine and re-action between usurers, bankers, and bankrupts ; confidence, and credit, and honesty, being as things for ever gone by ?

Bankruptcy, as well as usury is the invention of Old Harry. The conscientious man, though he had no conscience or religious feelings with regard to the beheading of wives, to the plundering of churches, and to the burning and strangling of heretics, felt, as soon as he made himself Head of the Protestant Church, the absence of moral honesty in his flock, and, as a good and sapient pastor, he issued his decree against them. For the first bankrupt statute on record begins with this preamble ; 34 and 35 Henry VIII. ‘Whereas divers and sundry persons craftily obtaining into their hands, great substance of other men’s goods, do suddenly flee to parts unknown, or keep their houses, not minding to pay, or restore to any of their creditors their debts and duties ; but, at their own wills and pleasures, consume the substance obtained by credit of other men, for their own pleasure and delicate living, against all reason, equity, and good conscience.’

And the 21 *James 1, Chap. 19*, begins by declaring ‘that the aforesaid statute shall be *largely* and *beneficially* expounded and construed for the aid and relief of the creditors.’

What is this large and beneficial aid, that his statute brings to the creditors ! That the Lord Chancellor and his satellites devour at large the bankrupts’ estates, leaving behind but the mighty dividend of six pence to the pound ? The invention of the conscientious pastor went to uphold some order in the deranged machine, to preserve the loosened members from mutual destruction

But he became vain and foolish in his own thoughts. He that dwelleth in heaven shall laugh at them : and the Lord shall deride them. The creditors are always aided and benefitted at large by some fraudulent concealment of the debtors' property. The usurers' rapine and cupidity are met by the fraud and deceit of the bankrupt. I cannot but record one specimen of their doings.

Cork exports annually considerable quantities of beef, pork, butter, oats, and wheat ; which come in from the fertile counties of Limerick, Kerry, Tipperary, and Waterford ; with the price the farmers paid their rents, tythes, and taxes, and furnished the house with iron, apparel, groceries, and other necessaries. This state of things lasted for ages, and would, there is no doubt, last for ages to come, had not two brothers, impelled by selfishness and the calls of greedy traffickers, opened a bank, that was doomed to perish in the year 1822. The two wretches, like all bank men, had a smooth face, frank and candid speech ; they aimed at nought but ' sound currency,' ' healthy commerce,' ' liberal accommodations,' ' public security,' and so on. They would contribute now and then for charitable institutions—new schools, and Churches ; be all in tears for the afflictions of the poor ; and speechify at the popular meetings against the misrule of the country. By this means their notes gained, almost to the exclusion of all others, extensive currency in town and country, particularly in remote places ; for they discounted more freely to the distant traffickers than to their next door citizens, to the purpose, of course, that their bills would not readily return to the bank.

Terrific to be related, they had for three years prior to their failure, agents constantly buying provisions at the market ; which they shipped and sold for three shillings the hundred less than the first cost, in London. The public did not then know whether the fellows were agents to the bank, or how they got all the bills to pay for the provisions. That system of fraud carried on for three long years considerably augmented the subsequent calamity : it ruined and swept away from the market all honest merchants, created delusive hopes of improving times, and ' extended the issues' of the rotten bank. Alas, what pen or tongue could relate the tears, cries, moans, and suicides, in town and country for the

failure of that, and of another infernal bank, one morning of June, 1822, in Cork ! When people see themselves thus plundered with the sanction and connivance of the government, they fall into contempt of the laws and the magistrate ; they become furious and seek redress by their own hands. To this legalized plundering may be justly traced the bloody disturbances that periodically disgrace the country.

Usury and paper money operated differently in different places ; producing effects equally ruinous in all. In the County of Limerick the laborers which constitute perhaps two thirds of the population, procured subsistence from time immemorial by renting a small house for about thirty shillings, and an acre for three pounds, which was paid in work at four pence a day to the landlord, or by laboring during the harvest in remote places and often in England. Whilst the poor of other nations would throw themselves at once upon parish relief, the hardy and honest Irishmen strove to support themselves and families in this manner until the accursed paper money effected their expulsion. That County which is perhaps the richest pasture land in the world—the richest indeed that I have seen in Europe and America, supplied during the war, for the most part, the British army and navy with provisions. So fertile is the soil, that the acre feeds an ox and three sheep ; the ox generally cost £10 in the spring and sold for £20, in the fall of the year ; the sheep cost, in general, £4, 10, and sold for £9 ; so that they cleared by the three sheep £4, 10, and by the ox £10 ; that is to say, the clear profit of the pasture averaged £14, 10 an acre for six months of the year. Consequently the selfish proprietors now ‘ adding house to house, and field to field, as if they were the only inhabitants of the earth,’ expelled the poor, and covered the plains with sheep and oxen.

The poor thus expelled for the brutes of the field erected for themselves sheds on the road, in the quarry, or on the barren mountain ; and tried to procure by Agrarian law the usual tillage land. Identity of suffering united them against their common oppressors ; they concentrate this night in one end, and that night in the other

end of the parish, to dig up and spoil a fertile field, and thereby to compel the owner to let it at moderate rent to some one of their fraternity. The route of the Agrarian band could be marked at night by the luminous flames of hay and corn stacks ; and by day, in the prostrate carcasses of the obnoxious oxen. From the poor thus ruined, dispersed, and corrupted by usury and paper money, let us turn our eyes to see how it operated upon the rich.

Since they discovered that grazing was the shortest and smoothest path for the temple of Mammon, all persons pursued that road ; their attention was exclusively directed to flocks and herds ; trade and agriculture are almost neglected ; rents, tythes and taxes keep increasing with the increase of paper money. Now is the time of refinement and respectability ; as if the golden age of Saturn. The parson must make parsons of all his sons, and give away his daughters in marriage to none but parsons. Nor will the rich protestant allow, for the world, ‘ the offspring of any proud churchman to outstrip his own in taste or refinement.’ Hence music, dance, hounds, and horses become the order of the day. To fan the ‘ gentlemen’s pride, hardly a paper or other periodical fell into their hands, in which they would not read, contrasts between themselves and their fathers ; between the superfine clothes, graceful mien, and polished diction of the present age, and the coarse woolsens, clumsy gait, and offensive brouge of the olden times. And thus did the Press, whether it had been hired for so doing by the tax-gatherer, I cannot say, shame the people from their domestic manufactures into the broad clothes and fineries of England ; and of course, brought in a rich harvest to the tax-eaters.

The pride and vanity of the rich folk rose by this time to such a pitch that the rent roll though doubled and, in many instances, trebled by the paper prices, could not keep them from debt. So fastened were they at the return of peace in 1815, in the usurer’s snare, that, now when the income sinks to its original level, they are not able to make any reduction in their expenditure. Consequently the middle-men and farmers are washed away, as the workers had been long since, in the paper current ; and the fertile

county of Limerick had near been reduced to a desert. Had these scourges of mankind, usury, funds and bankruptcy, been the invention of the Pope, or Catholic Church, the hills and vallies, would for ever ring with the yells of Quakers, Jumpers, Methodists, and swaddlers, against the Inquisition, Jesuits, Pope, and Popery. But they are the invention of the Protestant Spiritual Head, Old Harry and King William III. Their invention is indeed a curse to governments and peoples ; it enabled a few cunning individuals to involve by repeated loans and receipts, England in a debt exceeding all the money in existence ; it brought into existence a set of persons that are neither merchants, manufacturers, nor proprietors ; a set of infamous idle usurers to be eternally devouring the fruits of other men's labor ; whose interests differ from that of all others : to whom public distress is a sun shine, and famine a harvest. The invention has moreover weakened the bonds of charity, generosity, and patriotism ; fostered the pride, ambition, and avarice of the rich ; created contempt for the poor ; enabled the government to mortgage the substance of all future generations ; and reduced commerce into a mere gambling speculation for the sole benefit of the usurer.

The black cloud overhanging the British Islands ready to burst and hurl all classes and things, sacred and profane, into a confused chaos ; to scatter about the fragments of society, the sport of murderers, robbers, and infidels, would indicate that satan never found out a bait more effectual for catching souls than usury. To our grief almost all classes, Catholics and Protestants, swallow it. If you say to the Protestants, though they have the Bible for ever hanging on their lips, that usury, or increase is reprobated in both Testaments, they will laugh at your simplicity. As to Catholics, both sheep and shepherds are, either as lenders or borrowers, entangled. Not from any pretensions to prophesy, but from my observation of the natural current of public events, I have long since formed a firm conviction that England will soon hear the crash. Nor have I ever ceased sounding the alarm ; though they invariably answer that it is but folly to continue for ever, Casandra-like, predicting the fall of Troy ; as no body will listen, and as persecution and obloquy is my only portion. Not less arduous and

numerous were the obstacles to the truth in all former ages ; not more avaricious and averse to the Gospel principles were the heathens than the modern usurers ; nor was the world in general then less corrupt than she is now ; notwithstanding the Apostles, Pope, and Prelates went up to face the enemy, and raised a wall for the house of Israel ; they fearlessly preached against avarice, usury, and extortion. Shall we not follow their steps ; shall we not, for fear of worldlings, hand down to posterity the same sacred deposit which we had received from the piety of our fathers ?

TRAFFICK AND MONOPOLY.

It is extremely difficult for Traffickers, in general, to save their souls. Forestalling and Monopoly, in particular, is odious to God and man. Traffick, being the parent of usury, infects by degrees public morals, and finally upsets society.

In proof of these Propositions, my documents are drawn, as usual, from the Corpus Juris Canonici—'Body of the Canon Law ;' and from the Corpus Juris Civilis—'Body of the Civil Law.' Here also, as usual, are my references carefully marked for the learned reader.

GRATIAN, *Dist.* 88, c. 11. The Lord, by expelling the buyers and sellers from the temple, signified, that a merchant can seldom or never please God. Therefore no Christian should be a merchant ; but if he would, let him be cast out of the Church of God. The Prophet saying, Because I have not known traffick, I will enter into the powers of the Lord : PSALM lxx. 15. Just as the man walking between two enemies and anxious to please both and gain the good will of each, cannot go on without evil saying : he must necessarily speak ill of this to that man, and of that to this man, so the buyer and seller cannot exist without lies and perjury. But their property is neither lasting nor prosperous, because it is gathered through sin : as when wheat, or any such grain is winnowed in the sieve, the grain falls down by degrees, and the dross and chaff alone finally remain in the sieve, so nothing of the trafficker's substance ultimately abides but sin alone.

'But to this some persons may object, 'All mankind are merchants.' But I shall show who is not a merchant, that the man

of a contrary character may be looked upon as a merchant. Whoever procures an article, not to sell the very thing entire and unaltered, but to make of it a material for some workmanship, he is not a merchant. And whoever procures a thing for the purpose of making profit by disposing of the same thing entire and unaltered, he is the merchant that is cast out of God's temple. Consequently the usurer is accursed beyond all traffickers, for he sells the things given him by God, not acquired as the trafficker does ; and he remands his own thing with usury, taking away, therefore, the other man's property together with his own.

Some persons may further object, Is not the man, who lets a farm on shares, or a house for rent, in the same state with the man, who gives money to usury ? He is not ; first, because money is intended for no other use, but to purchase with ; second, because the owner of a farm makes profit by tilling it, and the owner of a house profits by dwelling in it. Therefore, the man that lets the use of a farm, or house for price, seems to barter somehow profit for profit, whereas nothing is gained from the money that is hoarded ; third, the land or the house wears in the use, but the money is neither worn nor diminished in the circulation : ' *St. John Chrysostom, Constantinople, An. 400.*

Chap. 12. ' My mouth shall announce thy justice ; thy salvation all the day long : as I have not known traffic (*literaturam* : aliqui codices habent negotiationes, ait B. Augustinus.) I shall enter into the powers of the Lord : Ps. lxx. If the Psalmist sung the whole day the praises of God for not knowing traffic, let the Christians, by refraining from traffic, correct themselves. But the merchant replies, I bring the goods from afar, and seek bread by my labor ; the laborer is worthy of his hire. The sin is in the lie and perjury, not in the traffic. I, not the traffic, tell the lie. I could say, I bought for so much, and will sell for so much ; buy if you please. Upon what principle then could you restrain me from traffic ? All artizans, tailors, and farmers tell lies. Would you have me look to dear times for selling the corn that is stored in my granary ? But you say that neither honest farmers do this, nor upright merchants that. What then ? Is it sinful to have children, because, when they have a head-ache, the wicked

and infidel mothers seek to cure them with sacrilegious charms and spells? All these are the sins of the people, not of the things. Therefore see, Bishop, says the merchant to me, 'how you understand the Psalmist, and restrain me not from trafficking. The traffic makes me not a sinner, but my own lies and iniquity. Let us therefore go and seek the merchants, who presume to boast of their deeds, forgetting the Psalmist who recommends that no body boast of his deeds, as the PSALM lxxxvii. 10, *All the day I cried to thee O Lord*, is a living evidence against the physicians, the proud promisers of salvation, so is the PSALM lxx. *My mouth shall announce thy justice*, against the traffickers, that boast of their deeds. Consequently the Lord expelled from the temple those persons desirous to establish their own justice, and that are ignorant of the justice of God. Traffic is called negotiating, *negotium, quasi nec otium*, because it denies unto man the leisure that is good, and because it aims not at the true rest, which is God :’ *B. Augustin on PSALM lxx. An. 415, in Africa.*

33, *Quæst. 3, Dist. 5, Chap. 2.* The quality of the gain either excuses or accuses the trafficker, as profit is both innocent and base. However it is better for the penitent man to endure loss than to expose himself to the danger of trafficking ; whereas it seldom happens that the dealings of the buyer and seller are free from sin :’ *Pope Leo. An. 443.*

Chap. 4. ‘If any persons were, by God’s grace, called, they first manifested their faith by laying aside the military chain ; but should they again return to the vomit ; should they, by means of money, or the patronage of friends, return again to the military life, let them, after having spent three years with the hearers (audientes,) abide for ten years among the penitents, (penitentes). Let all persons notice their disposition and the fruit of their penance. Whosoever make manifest by tears and compunction and good works, their conversion, not by words alone, but in truth and fact, when the appointed time is fulfilled, and they have already began to hold prayer, communion, it will be allowable to the Bishop to treat them more leniently. But whosoever would indiscriminately receive relapsed sinners, imagining it sufficient for them to enter the Church, they must themselves certainly fulfil the stated times :’ *Con. Nice, Can. 11. An. 325.*

Chap. 6. 'Them we deem false penances, that are not, from the authorities of the Holy Fathers, imposed according to the quality of the crimes. Consequently, every soldier, or trafficker, or person in a sinful office, or in possession of ill-gotten goods, or harboring malice in his heart, must, if he would return to God, know, that no penance salutary, and conducive to salvation, can be effected, unless he renounce the traffick, desert the office, dismiss from his heart the malice, restore the ill-gotten goods, and lay down his arms; never again to resume them, except with the advice of the Holy Bishops in defence of justice :' *St. Greg. 7. An. 1078.*

Chap. 7. 'The question may be put, why did Peter, who had been previous to his conversion a fisherman, return after his conversion to the fishing; and as the Truth says, No man putting his hand to the plough and looking back, is fit for the kingdom of heaven; why did he again seek the office which he had deserted? The reason becomes, from a little reflection, manifest; because the occupation that might without sin be followed, previous to conversion, could, without sin, be pursued subsequent to conversion. We see that Peter had been a fisherman, and Matthew a publican; Peter returns after his conversion to the fishery; but Matthew sits no longer in the Exchange, for it is one thing to seek livelihood by fishing; and another, to make riches by money-changing. Almost all trafficks are of such nature, that they can seldom, or never be transacted without sin. Therefore, to such occupations as necessarily lead to sin, the mind should never, after her conversion, return :' *St. Greg. the Great, Hom. 24.*

Endless would be the task to quote all that the Catholic Church has decreed against trafficking. Impervious to the rays of truth and lost in the sable cloud of avarice must that trafficker be, who will not be convinced by the six authorities which I have given—SS. Chrysostom, Augustine, Leo, both Gregories, and the holy Council of Nice; particularly, when he sees how closely they keep their eye upon the seventieth Psalm, and upon the expulsion of the money changers from the temple. Is there a trafficker so reckless of salvation, that will not be panic-struck, when St. John

Chrysostom says, 'that a merchant can seldom or never please God; nothing of the merchants' substance abides but sin alone; merchants ought to be cut off from the Church of God.' When St. Augustine declares, 'that as the Psalmist sung the whole day the praise of God for not having known trafficking, so Christians should not become traffickers; trafficking is negotiating (*negotium*, quasi *nec otium*) because it denies unto man the true leisure which is God.' When St. Leo says, 'that it seldom happens that the dealings of the buyer and seller are free from sin.' When St. Gregory the Great attests, 'that almost all trafficks are of such nature that they can hardly ever be transacted without sin.' And when the Great Council of Nice decreed ten years' penance for the converted merchant who would again return to the vomit.

With regard to the soldiers mentioned in the Holy Council, it is known from Ruffinus, *Eccle. Hist, Lib. 10. c. 6*, that the allusion is made to them, who had resigned the military life, rather than deny the Christian Religion, in obedience to the wicked Ruler Licinus; but who again through worldly cupidity resumed it; not to the armies wielding the sword for a just cause, and with the lawful authority. Indeed every avocation as well as traffic, that may be an immediate occasion to sin; that may have a natural tendency to draw the soul from the love of God, and involve it in worldly cares and *unprofitable desires, which drown men into destruction and perdition*, 1 TIM. vi. 9. should be abandoned.

And whereas the Psalm lxx. 15. upon which are founded the foregoing sayings of the Holy Fathers, seems to be somewhat obscure, my observations must be extended. That psalm runs thus in the Vulgate, *Quoniam non cognovi litteraturam*. St. Augustine in the beginning of the Canon already quoted, says, that some versions of the Bible read *negotiatio* for *litteratura*; and Pope Gelasius in the Epistle to the Bishops of Lucania, An. 492, See *Gratian, Dist. 88, c. 2*. coincides with St. Augustine; for he gives the verse in this manner. *Quoniam non cognovi negotiationes*—'Whereas I have not known trafficks, I shall enter into the powers of the Lord.' That reading of the verse would remove all its obscurity. Observe further. Literature, in general, means learning; skill in learning; the Arts and Sciences; particularly the Sacred Science. Since

that species of literature was eagerly pursued, as a heavenly gift, by every Saint, and even by the Psalmist himself, it could not be the learning, for his ignorance of which he returned thanks to God the whole day. No, but the trafficker's book-keeping, and his art of numbering, or rather the traffick itself. This interpretation of the text seems to accord with the Blessed Redeemer's expression in the parable of the unjust Steward, LUKE xvi. 7. Accipe litteras tuas et scribe octoginta. Take thy account book, and write eighty.

The following Edicts, which I extract from the Justinian Code—Corpus Juris Civilis, shows the abhorrence in which all sorts of traffick and especially monopoly and forestalling, was held by the ancient Christian Emperors.

Codicis, Lib. 4. Tit. 59. 'We decree that no person do either from his own private authority, or from any law now in existence, or hereafter to be enacted, presume to practise monopoly of any clothes whatever, or of fish, or combs, or earthen ware, or of any article appertaining to food, or to the use of man; and that no man do by unlawful combinations agree or swear, *That the merchandize be not sold cheaper than they agree to sell them.* Let the architects, undertakers, other mechanics, and bath-owners be strictly prevented from combining, *That no man shall finish the work that had been began by another.* It being allowable to all persons to complete by other hands without fear of loss, the works that might have been begun and abandoned by others; and to denounce without costs of law, such crimes to the tribunals. But should any person dare to practise monopoly, let his substance be confiscated, and himself be banished for life. We likewise decree that the heads of other professions, if they attempt hereafter to combine for regulating the price of commodities, and form unlawful combinations, be fined forty pieces of gold.' *Emperor Zeno.*

Tit. 63, c. 3. 'We forbid all persons that are blessed with title, dignity, or ample patrimony to practise commerce, which is pernicious to the cities; to the end that the trade of buying and selling be, with greater facility, confined to the peddlers and plebeians.' *Emperors Theodosius and Honorius.*

Pious souls, how early had they discovered that commerce was ruinous to the cities, unfit for persons illustrious for birth, rank, or patrimony; and fit only for peddlers, and the meaner tribes! Even the Gentiles had found out by experience and the light of reason long before the true light came into the world, that wealth and commerce had, whenever they gained the sway, opened a wide door to vices of all sorts, especially to ambition and avarice, the root of all evils; that they corrupted by degrees, and finally effected the downfall of *Sparta*, *Carthage*, and *Rome*.

‘It appears evident, from the testimony of Polybius and Plutarch, that the great scheme of the Spartan legislator (Lycurgus,) was to provide for the lasting security of his country against foreign invasions, and to perpetuate the blessings of liberty and independence to the people by the generous plan of discipline, whereby he rendered his people invincible at home, by banishing all gold and silver, and prohibiting *commerce* and the use of shipping, he proposed to confine the Spartans within their own territories, and by taking away the means, to repress all desires of making conquests upon their neighbors. But when ambition and the lust of domination crept in, avarice and corruption soon followed. All historians agree, that wealth, with its attendants, luxury and corruption, gained admission at Sparta in the reign of the first Agis: from that time Sparta became venal. I further observe, that the introduction of wealth by Lysander, after the conquest of Athens, brought back all these vices which the prohibition of the use of money had formerly banished; and all historians assign that open violation of the laws of Lycurgus, as the period from which the decadence of Sparta is to be properly dated.’ *Edward Wortley Montague, jun. Rise and Fall of Ancient Republics*, pp. 34 and 70.

To wealth, *commerce*, and avarice, is also imputed the fall of Carthage, in the last punic war. ‘The Carthaginians having been intent this long time only on amassing private property and wealth, and no way careful of the public safety, became affrighted on the preparations of the Romans, and now too late began to see the

danger of riches in a state when it had no longer ability to defend them. These vessels, therefore, of gold and silver, the objects of their pride and luxury, were converted into arms. Then was this magnificent city made a heap of ashes by the merciless conquerors. The Roman Senate having decreed that no part of it should be rebuilt, it was all demolished to the ground, so that travellers are not able to say at this day where Carthage stood. This was the end of one of the most renowned cities in the world for arts, wealth, and extent of dominion; that rivalled Rome herself for more than one hundred years, and at one time was thought to have the superiority. But all the grandeur of Carthage was founded on commerce alone, which is ever fluctuating, and at best serves but to dress up a nation for being sacrificed, and to invite the conqueror.—*Goldsmith's Rom. Hist. Vol. I.*, pp. 195 and 197.

These two writers agree with regard to the pernicious tendency of wealth and commerce, with this difference, that the former condemns them in general terms, and without exception; the latter only ‘when the country has no power to defend them;’ this laxity in him is not to be wondered at, when you reflect that he wrote at a period when the usury and Orange funding system were in full operation. His book would meet no sale if he condemned riches as generally as the other.

With regard to the corruption and fall of *Rome*, we have the evidence of *Sallust*, in his preface to the Cataline war: He says, that ‘Rome was celebrated for industry and equity until the fall of her rival, Carthage; that then being no longer under control, she gave loose reins to all her passions, particularly to avarice and ambition, the root of all evils. These vices subvert public faith and equity, and every other virtue, to give room to pride, cruelty, and venality; spreading by degrees at first, they by and by become the established custom, so that the whole country turned out intolerably corrupt.’ *Innocentia pro malevolentia duci capit.*

Which may be translated, ‘Innocence of life was considered as malice towards the corrupt community.’ Or as the wise man

beautifully expresses, 'Let us lie in wait for the just, because he is not for our turn; and he is contrary to our doings; and upbraideth us with our transgressions of the law; and divulgeth against us the sins of our way of life: WISD. ii. 12; 1 PET. iv. 4. People so depraved and avaricious could not remain long free from the infection of usury; we find it in full operation among them: for *Livy, Book 2, C. 23*, relates, 'Whilst the City of Rome was threatened with war abroad, she was miserably distracted within, from the broils of the Patricians and Plebeians, regarding the public taxes. The latter complained, that whilst fighting the enemy in the field, in defence of their liberty and country, they were at home enslaved and oppressed by their fellow citizens; that their liberty was never at so low an ebb as in the time of peace. The flame of disaffection thus spreading, was fanned by one remarkable incident. An old man, loaded with all symptoms of misery, rushed into the forum. His garments tattered, visage pale and emaciated, beard and hair overgrown. He was, notwithstanding, recognized through this gloom of deformity; they cried out, 'He once bore many honorable distinctions in military and civil affairs.' He exhibited, in proof of his intrepidity, the manifold wounds in his front. The crowd demanded the cause of his abject condition; he replied, that in the general plunder of the country, and destruction of his native village, during the Sabine war, he lost both his cattle and substance altogether: that taxes being multiplied in his unfortunate days, he was obliged to contract debt upon debt, to meet the *swelling usury*. He was first ousted from the estate which he inherited from his father and grandfather, then stripped of his personal property; and, lastly, dragged by the creditor, not into slavery, but to the house of correction, and to the executioner.' He then exposed his naked back bleeding from the fresh stripes. The inflammable crowd, hereupon, vociferated. The tumult no longer confined itself within the forum, but took wing through all quarters of the city. Debtors rallied from all sides to the banners of insurrection, which were at once displayed in every lane, street, and alley.'

Witness *Venice*, and *Genoa*, that were for centuries proud Republics, cradles for the arts and sciences, models of industry

and happiness at home, the terror and scourge of tyrants abroad. But no sooner had they become the filthy nests of bankers, and usurers, and traffickers, than they lost their precious liberties, and finally became mere custom houses to fill the treasury of the neighboring potentates. *Spain* and *Portugal* were also great nations, happy at home, formidable abroad, prior to the wealth and commerce of both Indies : what will they be in future, since the English banks, funds, and traffickers have gained admittance among them ?

But the question is how to put a stop to usury ? No religious argument will do ; no step short of a renewal of the holy laws of the ancient kings of France ; see page 227 ; and of Edward the Confessor of England ; see page 242 ; that is to say, to outlaw all usurers, or letters-out of money at interest, and to confiscate their property. That they should be *outlawed* by the temporal laws is in character with the provisions of the Canon Law, which defines that they are *infamous*. See *Con. Later.* page 111, *Chap.* 4 ; for infamous or excommunicated persons are the same as outlawed persons : See *Decretal. Gratian*, 2 *Quæst.* 7, c. 23 ; 3, *Quæst.* 5, c. 9. See also JUSTINIAN CODE, *Authen*, *Collat.* 8, *Tit.* 16, c. 3.

SIMONY.

Simony and *usury* are closely allied ; both spring from the same fountain, *avarice* the root of all evils ; both are idolatry and consequently heresy ; for they tend to raise up the idol mammon instead of the Most High : the one by claiming a right of taxing loans with yearly interest, saps the very foundation of all good works ; the other by buying and selling the gifts of the Holy Ghost, would render venal heaven itself. Many are the instances in scripture of the wickedness and punishment of simony. Go and preach, saying, The kingdom of heaven is at hand. Heal the sick, raise the dead, cleanse the lepers ; cast out devils ; *gratis have you received, gratis give* : MATT. x. 7. When the prophet Eliseus would not accept any presents from Naaman of Syria, whom he had cured of leprosy, Giezi, his servant, followed the Syrian and took them ; upon which

the man of God said to him. So now thou hast received money and garments to buy olive yards and vineyards, and sheep and oxen, and men servants, and maid servants; but the leprosy of Naaman shall cleave to thee and to thy seed for ever: 4 KINGS v. 27. Judas having sold for price the Author of all sanctity, the Redeemer himself indeed hath possessed a field of the reward of iniquity and being hanged burst asunder in the midst; and all his bowels gushed out; ACTS i. xvii. Simon Magus having offered to the Apostles money for the power of miracles heard from St. Peter, May thy money perish with thee because thou hast *thought*, that the gift of God, may be possessed for money: ACTS viii. 20. It was from Simon Magus, that the *thought*, or *act* of buying or selling sacred for profane things is called *simony*.

The horror and detestation in which simony was all along held by the Church of Christ may be inferred from the Decrees and censures levelled against it by the Pope, and the Councils, in all ages and countries: See *Decretal Gratian*, 1, *Quest.* 1: also *Decretal. Greg. De Simonia*. Prevented by the narrow limits of my work to pursue Simony in all its branches I will treat but of the principal heads,

To demand price, or pension from religious persons, when they profess or enter the Order, is Simony.

Simony among worldlings is frightful; in religious communities shocking. Is it credible that the holy Nuns and Friars, who, through the knowledge of our Lord Jesus Christ, fled from the pollutions of the world; after having put their hands to the plough would turn back: that they would, after having been washed, return to the vomit, and wallow themselves again in the mire? To demand five or six hundred pounds for the future maintenance of the religious person, what is it but to sell the holy orders for price, sacred for profane things; what is it but to oppose a barrier to the conversion of sinners, and to the improvement of pious souls.

Convents were instituted by the ancient Christians from solid piety and sound principles; first as retreats for pious souls anxious like the Baptist, to adore God apart from this world; second, as asylums to sinners returning from the doleful shipreck and lastly,

as refuge for defenceless females from the seductions of a corrupt society. How many hundreds in every community religiously inclined had they any safe place for retirement ; how many hundreds of creatures tossed on the ocean and eager to return after shipwreck into harbor, had they any female asylums to come to. As the Protestants have stript society naked of all religious foundations, the sinners and the devotees have no refuge or asylum from the storm ; they must stand out on the high seas, until they finally go to the bottom. The eager anxiety of the Catholic Church to render the religious institutions accessible to all persons—to the rich and to the poor ; to the males and the females, is manifested in the following heavenly Decree.

DECRETAL. GREG. *Lib. 5, Tit. 3, Chap. 8.* ‘In vain is avarice restrained by the Apostlé, if the rule be not strictly observed by the Clergy, and especially by the religious. We therefore forbid that any money be demanded of persons desirous to embrace religion. Let not any priorship, or chaplainship of Monks, or Clergy be let for a yearly pension ; let no price be demanded of him for his commission to whom is entrusted the government of such places. Hence, whosoever presume to contravene this decree, let both the giver, and the receiver, or the co-operator, doubt not, that his lot shall be with Simon. Also, let no exaction of price of any sort be attempted for sepulture, and for receiving the chrism and oil. And let no man plead custom of any sort in defence of his crime, for the duration of time decreases not, but increases the sins :’ *Alex. III. in the Council of Tours, An. 1163.*

Chap. 19. ‘The Priest F. on his arrival has stated to us, that the Abbot and brethren of holy R. would not receive him as a friar until he agreed to pay thirty shillings ; but that the next day after he had made that agreement they gave him the religious habit. The same Friars demanded the thirty shillings, the Abbot ten, and the family twelve for a feast ; alleging that this is the custom of the monastery.

‘Whereas such a deed seems pernicious, We command, that, if you discover that the case is so, you compel the Abbot and Monks

to restore to said F. the money so unjustly exacted : that you suspend from the execution of their office the Abbot and Superior persons of the Monastery for being guilty of such depravity, and order the aforesaid F. to take care to serve the Lord in the habit of a monk in another monastery : *Alex. III. to England.*

Chap. 40. ‘Whereas the simoniacal plague so infects almost all Nuns that they hardly receive as sisters any ladies without price, wishing to palliate this vice under pretence of poverty : we strictly forbid that this be done for the future ; decreeing that whatever Nuns commit in future such depravity, both they receiving, as well as she received, whether she be an inferior or superior, be expelled, without hope of restoration, from this Convent, to be thrown into some place of more rigid discipline for doing perpetual penance. But with regard to those who were received in this manner prior to this Synodal decree, we have resolved thus, that after they be removed from the convents, into which they had uncanonically entered, they be placed in other places of the same Order. But if it should happen that from the great multitude, they could not be conveniently settled elsewhere, let them, for fear they should, to their own damnation, stroll about in the world, be received afresh by dispensation in the convents of the same order ; the former places being changed, and inferior ones being assigned to them. We have decreed that this same course be observed regarding monks and other regular Clergy. But for fear they would be able through simplicity or ignorance to excuse themselves, we have ordered that the Diocesan Bishops do cause this to be published every year in their respective dioceses.’ *Con. Later. c. 64, An. 1216. under Innocent III.*

EXTRAV. Lib. 5. Tit. 1. Verily, lest the briars and thistles smother the expected fruit in the vineyard of Christ, we must carefully pull them by the roots. Whereas we have learned from various creditable persons, that in some churches, monasteries, priories, and other religious places, of both men and women, of different orders, religions, and parties, the detestable and uncanonical abuse is upheld, that, when any persons are received by them into the

Order, they are, through rash presumption, either from law, or usage, which should rather be called an abuse, compelled to give feasts or dinners, to the Chapter or Brotherhood of said churches, monasteries, priories, and places, or monies, plate, or other articles already deputed, or to be deputed for ecclesiastical uses, to the said Churches, monasteries, priories and places, or to the superiors thereof. Whereby is our Holy Church, and spotless religion vilified ; several persons, both through odium of the abuse and the greatness of the expenses, are recalled from their sacred vocation ; and the said Churches, monasteries, and places remain bereft of their usual numbers for the service of God, to the great scandal of the faithful.

We therefore being desirous to apply an effectual remedy and condign penalty to this direful plague, do, leaving all former penalties decreed against such sinners in full force, hereby strictly forbid, by our Apostolical authority, all abbots, priors, deacons, superiors and rulers ; also abbesses, prioresses, and other governesses, whatever name they go by, and their officials, of all Churches whatever, monasteries, priories, houses, and places of all religions and orders whatever, even military, both exempt and not exempted, whatever name they go by ; also the chapters and brotherhood, and each and every one of them, that they do directly or indirectly demand, or any how exact from either males or females, going to enter their religion, churches, monasteries, priories, or places, at the receptions of the same persons, either before or after it, any feasts, dinners, suppers, monies, plate or other articles already deputed, or to be deputed, for Church, or any other pious use. But rather let them from true piety and sincere charity receive them and afford them food and raiment, as they do unto all other persons of the churches, monasteries, priories, houses and places.

But whatever articles the said persons, freely, liberally, and without compulsion of any sort, give or offer at their entrance into the churches, monasteries, priories, houses, or places of this description, these, but nothing else, can be canonically accepted

with thanksgiving. For we decree that whosoever contravene, if they be singular persons, both the givers and receivers incur, *ipso facto*, an *excommunication*; if they be chapters or convents, a *suspension*; from which they cannot, excepting in *articulo mortis*, be absolved without the special licence of Apostolic See. But we, from solicitude for their salvation, grant unto all persons of both sexes already infected with this plague that they be this one time only absolved through the ordinary of their respective places from that crime and *infamy* thereby contracted, after he imposed penance both salutary and suitable to their condition. Moreover we, from anxiety to uphold the character of the persons notoriously guilty in the foregoing matter, do concede, that if the articles received by them be already applied to the common use of said places or monasteries, the same articles be canonically retained for that use. But if they had been converted to the private use of the abbot, or abbess, prior or prioress, or any singular person they shall come into the common stock.' *Urban III. An.* 1187.

CON. TRID. *Sec.* 25, c. 16, *De Regularibus*. 'But before profession, let not any part of the novice's property be delivered under any pretext whatever, by his parents, guardians, or relatives to the monastery; excepting the food and raiment of that time of his, or her novitiate; lest he should not have power to retire because the monastery possess the whole, or the greater part, of his substance, and because he could not easily, should he retire, recover it. But rather the Holy Synod commands, under the pain of anathema, the givers and receivers not to do this by any means; and that all the goods that were their own, be restored to those retiring before the profession; which thing, that it be duly performed, let the Bishop, if necessary, compel, even under an ecclesiastical censure.'

Remark, that the end and aim of the Council of Tours, Bulls of Alexander III. and Urban III. and of the General Council of Lateran, is to save the Convents or religious Communities of men of men and women, from the infection of Simony; that for the attainment of that object they decree that neither money, goods, feasts, nor bribes of any sort, can be exacted or demanded either prior, or subsequent to the profession from persons professing or

entering a religious Order ; that it cannot be exacted or demanded under any pretence whatever—not even by reason of the Convent's poverty ; nor by virtue of any law or custom whatever, which should be called an abuse. That if any thing be given or accepted for either the superiors, brotherhood, or servants of the Community, the givers and receivers become guilty of simony, and fall, if they be singular persons, into an *ipso facto excommunication*: but if superiors, they fall moreover into a suspension from office ; and that they be besides translated for doing perpetual penance into some other house of stricter observance. Whatever articles the religious liberally, freely, and without any coercion whatever, offer at their entrance into the Convent, these, but nothing besides may be with thanksgivings accepted. The aforesaid four Canons, that are strong and express against exactions for the religious profession, are totally silent regarding the novitiate, or time of probation.

But the Holy Council of Trent, tending to secure full and free liberty for the novices, decrees that no part of their property, save for food and raiment during the novitiate, be delivered to, or deposited, under any pretext whatever, in the monastery ; and commands under pain of anathema, that, should any part of their substance be deposited there, it be restored to the religious person, in case he, or she return before profession to the world.

To pay, or demand price for collating Benefices, inducting Bishops, Priests, or other Ecclesiastical persons, into the Sees, or Churches ; or for ministering the Sacraments ; or for the sepulture, or obsequies of the dead, is Simony.

DECRET. GREG., *Lib. 5. Tit. 3. c. 9.* ‘Whereas all things ought to be done from charity in the body of the Church, and *what is received gratis, ought to be given gratis*, it is extremely horrible, that in some Churches venality is represented to have gone so far, that for investing Bishops or Abbots, or any other Ecclesiastical persons in the See, or for inducting Priests into the Church, also for the interment and obsequies of the dead, and for the benedictions of matrimony, or for other sacraments, something is required. But most persons imagine that this is lawful, be-

cause they think that the penal law is, from the long contrary custom, grown out of use ; not minding that the more grievous are sins, the longer they hold the unhappy soul in chains. Therefore we strictly forbid that these things be done in future ; that any thing be exacted either for inducting Ecclesiastical persons into the See, or for installing priests, or for burying the dead, or for imparting nuptial benedictions, or for other sacraments ministered, or to be ministered. But if any person act contrary to this, let him know that he shall have portion with Giezi :’ *Con. Later. under Alex. III. An. 1179.*

To pay, or demand price for seats, or room in the Church during the time of worship, seems to be Simony.

When you sell the corporeal, without which the incorporeal, or spiritual thing could not subsist, you do, in fact, sell the spiritual thing itself. Whereas neither mass, sermon, nor any other sacred function could, without a seat or place, be attended or performed in the Church, to charge price for seats for places during the august Solemnities, what is it but to charge it for the privilege of hearing mass—of adoring God on the altar. All persons agree that it is terrific Simony to pay or exact rent or price for the liberty of discharging the Clerical functions in the Church, or elsewhere. Why should it not, then, be Simony to pay or exact price for seats or places in the Church during the same functions ? If Clergy prostrate for the sake of pew-rent, the laws of their own Church, and run through all her censures, the Laity should leave the sin and gain to themselves ; and never become collectors of toll or pew-rents ; keeping in mind the anathema decreed in the year 451, by the General Council of Chalcedon against all co-operators in Simony.

DECRETAL. GRATIAN, 1, *Quest. 3, Chap. 7.* ‘If any man object that the consecration is not bought, but the very things that spring out of the consecration, he appears to be entirely out of his reason. For, as a corporeal Church, or Bishop, or Abbot, or any such thing, is useful in no one respect, without corporeal things, as the soul lives not corporeally without the body, so whosoever sells one of the things, without which the other subsists not, he

leaves neither of them unsold. Therefore, let no man buy a Church, or a prebend, or an Ecclesiastical thing; let him pay for things of this sort in future, neither pension nor board (pastellum).’ *Pope Paschal, An. 820.*

Chap. 8. ‘Our Saviour foretold in the Gospel, *MATT. xxiv. 5.* that false teachers and false prophets will, about the end of the world, rise up, and that they will seduce many, and that his faithful will have many conflicts in the world, but that the gates of hell shall not, however, prevail against his Church. Moreover, as the Apostle says, *1 COR. xi. 19.* It is necessary that heretics be, in order that they who are proved be made manifest, it behoves us to stand opposite, as the Prophet *EZECH. xiii. 5.* says, and to oppose a wall for the house of Israel.—You have proposed to us the question whether it be Simony to sell an Ecclesiastical thing? That this is Simony is clearly collected from the words of Peter to Simon Magus, *May thy money go with thyself into perdition, because thou hast imagined that the gifts of God could be possessed for money: ACTS viii. 20.* Whosoever would for gain sake buy or sell Church-things, which are the gifts of God, imagines, with Simon Magus, that the gifts of God could be possessed for money. Moreover, why does the Council of Chalcedon, consisting of 613 Bishops, so far forbid that the procurator, or Church advocate, or any other person subject to the rule, be created for money, *that she anathematizes even the co-operators of the sin,* unless she deems them Simoniacks? Besides, our holy predecessor, Pope Paschal affirms that whosoever *sells one of the things without which the other could not subsist, leaves neither of them unsold:’ Pope Urban, An. 1089,*

Who could introduce *buying and selling in the temple*; or set up chairs and tables for money-changers in God’s house? Who could think of dividing God’s house, like the theatre, into *pit, box, and gallery*—the floor for the poor, the pew for the rich, and gallery for the middle classes? It is really abhorrent that the spacious pew be locked up, brushed, and furnished with cushions of all sorts, for the rich nabobs, who are perhaps sonder of the theatre than of the Church; of the toilet than of the confessional; of the cards than of the prayer book, whilst the poor, God’s special favor-

ites, are jammed together on the naked flags about the cold door of the temple.

Respect of persons is unchristian, even in the world. ‘Respect not the person of the poor, nor honor the countenance of the mighty ; but judge thy neighbor according to justice :’ LEVIT. xix. 15. ‘Thou shalt not accept person nor gifts : for gifts blind the eyes of the wise and change the words of the just :’ DEUT. xvi. 19. Will then a crime so disgraceful and sinful in the world be tolerated in the house of God ? My Brethren, hold not in respect of persons the faith of our Lord Jesus Christ of glory : for if a person come into your assembly having a gold ring, in fine apparel ; and a poor man also come in mean attire ; and you cast your eyes on him that is clothed in fine apparel, and say to him, Sit thou here in a good place ; and say to the poor man, Stand thou there, or sit under my foot-stool, do you not judge within yourselves, and are become judges of unjust thoughts ? Hearken, my dearest Brethren, hath not God chosen the poor of this world, rich in faith and heirs of the kingdom, which God hath promised to them that love him ? JAMES ii. 1. Bribery and venality, respect for the rich, contempt for the poor, if once tolerated in the house of worship, will be a dreadful obstacle to the conversion of sinners. Will the poor Publican, when he would go up to the temple to make peace with his God, be told by the sexton at the door, that he must not enter without the toll or ticket ? No history mentions that the Apostles took price for seats, pews, or entrance into the temple of Jerusalem ; nor that, when the faithful originally built the sacred edifice, they retained shares or proprietorships therein. ‘O Lord our God,’ says David, ‘all this store that we have prepared to build thee a house for thy holy name, is from thy hand ; all things are thine. I know, my God, that thou provest hearts and lovest simplicity. Wherefore I also in the simplicity of my heart have joyfully offered thee all these things ; and have seen with great joy thy people which are here present, offer thee their offerings. O Lord God of Abraham, and of Isaac, and of Jacob, our father, keep for ever this will of their hearts, and let this mind remain always for the worship of thee.’ 1 Paral. xxix. 16.

Pious souls ! They looked upon their store as come from the

hand of God ; and when they freely offered for building a house for his holy name, they looked upon it as returning to him but a part of his own. But alas ! the spurious Christians of our day act differently : self-interest, shares and dividends, is with them the order of the day. They have rail-road companies, steam-boat companies, stage companies—all on speculation. So do they build the house of worship on speculation. The share-holders retain a right to the pews and pew-rent dividends ; others, when they lend money to God for building a house to his name, charge him interest for the temporary use thereof. What defence will the base usurers set up when arraigned at the tribunal of judgment ? They who had received all their store from the hand of God would not now lend him a small sum for building a house to his holy name, without interest.

But it may be objected, first, that if the contributors for building the Church be not entitled to shares and dividends, but left on the same footing with the non-subscribers, no man would subscribe, and consequently there will be no Church ; and secondly, if seats and pews be not sold, there will be no fund to pay the clerical salaries. Such reasoning may have some weight in a country that has lost, or never received the light of faith ; where the infidel worldlings look upon their property as their own ; and upon the house of God as a profane object of traffic—as a den of thieves. But it would have no weight in a true Christian country, where the people believe in a future state, and look upon their substance as a stewardship for which they must render an account to the Divine Master. Let no man think that my observations are levelled against the good people who contributed for the erection of my Church in Burlington ; for God has inspired them both in this state and elsewhere, to offer their store joyfully and in the simplicity of their heart for building that edifice,—Their disinterested liberality saved our Church, both from the simoniacal practice of pew-selling, and the direful bite of the usurer :—not a cent of usury has he received, nor a dollar can he call for. And I also know with certainty, that though there are no pews or seats sold, nor Clerical salary, the free offerings of the flock abundantly support the pastor.

As for Clerical pensions or salaries, they appear not less pernicious to religion, than shares and pew rents. They sink the Priest to the degraded level of a hireling ;—leave him dependent on the will of his employer, and, instead of guiding the people firmly in the faith of salvation, he is led by them through the means of mammon. The government, or the aristocracy, when they muzzle the Priest with salaries, are only usurping all power for themselves, and aiming at absolute despotism.—They soon lose the faith, and perhaps their heads too. Witness unfortunate France. Not so would pious antiquity act : they would have a Priesthood who would stand opposite and raise a wall for the house of Israel ; who would announce all the counsel of God ; consequently they shackled them with no pensions, or annual salaries. I find in the Ancient Monuments, that the Clergy depended for the first three hundred years, during the most trying storms, on the free offerings of the faithful, and that when kings and princes entered the fold of Christ, provision began to be made for them, without reserve, in *settled, immovable* lands : ‘ And Constantine the Great, who was the first monarch that openly embraced the faith, gave liberty to his subjects all over the Roman Empire to become Christians, build churches, and endow them with farms. He himself gave immense donations, and founded the Church of St. Peter, Prince of the Apostles. He even left the imperial city of Rome, and bestowed it upon the successors of St. Peter, until the end of time. Since that time forward, pious princes consecrated not only their farms and possessions, but also themselves to the Lord ; building Churches on their estates to the honor of the martyrs, and monasteries in the cities for religious communities.’—*Decretal Gratian, 12, Quest. 2, c. 15.*

This does not look as if they claimed shares of dividends in the sacred edifices. And to my own certain knowledge, no such thing as entrance-toll, or pew-rents is paid in the Church of St. Peter in Rome ; nor in any other Catholic Church in Italy. There is free access at all hours for all persons to all parts of them. Have we not the same God to adore that they had—the

same soul to save that they had? Can we save our soul or please God with false worship—worship defiled with simony, usury, or respect of persons? I fear that we cannot. Let us regain our lost ground—the faith of the Apostles, the Saints, and of the Vicar of Christ upon earth.

All nations, as soon as they emerged from the Apostolical poverty, following the example of Constantine the Great, appropriated estates, *immovable*, and *without reserve*, for the maintenance of the Priesthood. I find it not on record in any ancient annal, that their bread depended on salaries, pew-rents, or entrance-toll. Now that these estates were swept away in the British Islands, and that nobody thinks of creating them in America, why would not the Catholics by recurring to the primitive offerings keep their religion free from simoniacal scandals.

The pew-system sprung from Protestant infidelity; not knowing the merit of good works, they bring the worldly selfishness into the place of worship: as the Aristocracy build and furnish the dwellings, snug and comfortable for their own use alone, so they put up the Meeting House for themselves and families; they enclose themselves, like demi gods, in the satin trimmed pews from the vulgar crowd. Not so, not so acted the ancient Catholics. The splendid and spacious ruins in every town and village of Ireland, England, and Scotland show that the rich were truly pious and charitable; that they never thought of building the Church for themselves alone, but for the Community at large. Then they vied in erecting large churches and asylums for the poor; now the contention is in plundering them foundations, gathering riches, and in grinding the poor with usury and extortion. *Quanto mutatus ab illo.*

Evil communication corrupts good manners; the English Catholics, especially those of London, when they revive, as the Phœnix from her ashes, from the three hundred years' afflictions, losing sight of the distant, obsolete piety of their Fathers, fall into the pew selling steps of their neighbors. In Ireland also where the priest was amply upheld by free offerings since the spoliation, the pew-system has lately crept into many places, gaining deeper roots in Cork and Dublin. The cursed innovation is hastened by two cau-

ses—first, by the example of England ; secondly, by the shocking *half penny toll* already established in some poor congregations, as means for building or repairing the little church. The weeds soon take root and spread, if the husbandman slumber or sleep.

And what is more revolting to decency and religion than the annual sale, at Easter time, of pews in the American churches. The town auctioneer comes with his official emblems, profane cant and mountebank gesture and sets up a public sale before the altar of God. ‘Come, gentlemen, says he, bid for this splendid pew. What shall I say for it ? Ninety five dollars ; ninety six ; ninety six ; once, twice ; who bids more ? Ninety seven ; ninety seven ; once, twice ; all done ? Shame, genteels ; why, that pew located before the altar is richly worth \$150. Ninety seven dollars thrice ; just agoing. Insert Mr. Jos. O’Flannagan ninety seven dollars for pew No 1.’ Here, gentlemen, is a pew which for its closeness to the pulpit with a full view of the eloquent preacher is far superior to the one which we have sold. Who will have this pew ; what shall I say for it ? Seventy dollars ; seventy two and a half. Quick, quick, gentlemen, I see by the shadow on the wall that the sun is going down. Seventy two and a half ; seventy four ; seventy five ; all done ? Mr. John Bradley, pew No. 3. for seventy five dollars.’ What Catholic would not weep for the prostration of religion in the United States, when he is assured that this exhibition of the money-changers’ cant is annually performed in our temples to the edification of a motley assemblage of all castes and creed brought together by accident or curiosity ?

Do the gentry stop here itself ? Not they. Advertisements appear every now and then in the city papers, ‘that a charity Sermon will be given by the justly popular Preacher, Father Michael in this, or in that church next sunday at 11 o’clock, for the benefit of some school or other, *Tickets \$1,00 to be had of all the Catholic Clergy* and at the Catholic Book Stores of the city.’ Is not that selling tickets as the tavern, ball room, and theatre sells them, for the benefit of some actor or political institution.

But do they stop here either, does not shame and the dread of public opinion prevent them from any further steps. By no means, for another advertisement is made in the New York papers of May

17, 1834, 'That a GRAND ORATORIO of Sacred Music will be performed in the Cathedral Sunday the 25th for the benefit of such an Asylum ; that such actors and actresses will give the sacred cause the aid of their talents and that the aid of several other eminent professors is also expected. *Tickets \$1,00 to be had of the Clergy and Book Stores of the city.*' The same papers subsequently announced 'That the Grand Oratorio actually took place ; that it was brilliant and imposing, that the assemblage on the interesting occasion was highly imposing.'

The near sighted observer of things may highly prize the few hundreds, or even the thousands collected on that 'interesting occasion ;' but the man who looks to the firm stability of our holy religion thinks that nothing injures it more than the sale of tickets and the introduction of filthy stage-players ; that this open sanction of venality and theatrical performances in the temple is to strike at the very root of Christianity. Low and fallen must be that priesthood and that asylum which could not stand without the aid of God's enemies.

Actors and other professors of sinful and immoral callings, such as fortune-tellers, usurers, gamblers, pimps, and the like, were held, are still held, as *infamous*, by the Sacred Canons : DECRETAL. GRATIAN. 3, *Quest. 5. Chap. 9.* As being excommunicated persons, they were never allowed, previous to the performance of a public course of penance, to enter the Church, or hold any fellowship with the faithful. Alas, that holy economy of the Church of Christ is so fallen and trampled upon in New York, that the same infamous sinners are not only admitted into the fellowship of the faithful, but enlisted in aid of Catholic asylums.

Moreover it is reported that the same Dignitary who degrades his Cathedral with theatrical exhibitions, also practises or sanctions the execrable sale of the earth for the dead—that no graves or tombs are allowed to be made in his consecrated cemetery until a price be paid for the site.

And that the money which he had collected three years ago from the piety of Europeans for promoting religious institutions in the

United States, this he lent at *interest* to the Catholic Church of Albany ; that he afterwards vehemently threatened to sell out by writ, or some order of law, that church, and would perhaps have sold it, had not the congregation ability to refund to him the capital together with \$600 *interest*. Nor is it any extenuation of this terrific crime of usury, that the capital and interest went to the erection of Nyack College. For what is that but as the Proverb goes, *To rob Peter to pay Paul*? The notorious lender at interest incurs *ipso facto* an excommunication and suspension. *see page 110, Chap. 3.* The College for which usury is received, or exacted, an interdict. *See page 116. Chap. 1.*

Religion teaches, MATT. xxv. 40 ; 1 *Par.* 29, 16, that whatever is given to feed the poor or to build the house of God, it is bestowed on God himself ; consequently whatever usury is extorted from God's house, it is extorted from God himself. Upon what principle therefore can that Dignitary after having notoriously extorted the \$600 interest from the Church of Albany call upon that or upon any other church to contribute towards asylums or colleges ? Would they not naturally reply, ' You teach both by word and example, that it is fair and just to charge interest for money, even if lent to God himself, who had bestowed all things gratis upon us. Faithful to your example, we will lend all that is necessary for the college, provided you can give good security for the principal and interest.'

Why this glaring revolt from the faith ; is it that we are near the end of the world ? When you shall see the abomination of desolation which is spoken of by Daniel the prophet, standing in the holy places, then he that is in Judea, let him flee to the mountains.

When all the abominations already recited are standing in the holy places of New York, have we not too good reason to dread the end of the world, or the cholera, or some other terrific scourge ? When the shepherd begins to level the fences, the flocks seldom stop where he would ; they level them all, discard him, and become atheists. I cannot help thinking, that New York will soon be, like Africa, stript of priests and altars, if our Holy Prelates come not soon and help them. The Bishops of Christendom would in the old times

whenever the baneful heresy appeared in any corner of the Vineyard, flock into Nice, Vienne, or Trent for the purpose of pulling out the weed root and branch. Nor distance of place, nor old age, nor persecution of tyrants, nor respect of persons could deter their piety from the defence of the Sacred Deposite. But it may be said, that the exposure of that Dignitary may be productive of some scandal. That reason may be tenable, provided the Dignitary could be recalled from his errors otherwise ; and provided that his fame and standing in the Church is more important than the faith, which he is destroying, and the salvation of all the flocks, present, and to come,

GRAVE-TAX ; DISINTERMENT ; DISSECTION.

The people, when they knew God, have not glorified him as God, or given him thanks ; but became vain in their thoughts, and foolish in their darkened heart : them has God delivered up to a reprobate sense, to despair, uncleanness and avarice : Rom. i. 28. Having already turned in quest of gold every stone in the extensive field of commerce and cleared away all the hoary fences of their fathers, they now wheel about to make merchandize of our very bodies. Whilst the graves and tombs are regularly sold for price, and fellows with yearly salaries as collectors of the unhallowed tax, other ruffians called *Resurrection Men*, in derision of the General Resurrection of the flesh, have made it a trade to dig up the dead bodies and sell them to the infidel Surgeons : and the Surgeons must, of course, have some profit by the traffic too.]

This anti-Christian traffic that now rages under the veil of night, will, I suppose, soon throw off the mask, and appear with open front in clear day : for it finds advocates, numerous and powerful, not only among the deistical Physicians, but in the British Parliament, and, I am told, in some of the New England Legislators. Yearly motions are made in the English House of Commons for an Act to empower the Parish Overseers to sell for gain to the Medical School, the bodies of any poor persons that die in the Poor House. If man meet that degrading posthumous infliction for no

other crime than his poverty, who would be poor in that land of usury—who would not collect wealth by all means fair and foul? The enormous price of ‘subjects,’ as the ruthless infidels call the bodies of their fellow man, is a temptation to murder; nay, murder for the procurement of subjects is reduced into a system in London and Edinburgh, and perhaps nearer home. The infernal system assumes the name *burking*, from a fiend called Burke, a leader in the practice, who was executed three years ago, in Scotland.

Moreover it is a positive fact that a woman’s, or a man’s skin is at this time in a tanyard within a few miles of this very town, Burlington, to be tanned for some hell-born physicians from the other side the Lake Champlain. It is to be sold, there is no doubt, as sole leather to the Yorkers. I am told, that this is not a solitary case. Will not the Authorities rouse themselves to arrest such brutal, unnatural traffic. How we would be horrified upon hearing of the *scalping* Indians, or of the Cannibals in the Pacific Ocean!

Though infidelity and depravity stifle in burkers, physicians, tanners, grave-venders, and in scalpers, all feeling and veneration for the fallen, and the dead, it never will, thanks to the Author of human nature, stifle it in any person who retains a spark of Christianity. Veneration for the dead, the fallen, and the distressed, is a virtue consecrated in every civilized society, and even by the forest Indians. Why that rude mound which they raise over their fallen Chief; why that dread ferocity that drives man to war with man whilst living, relents into tears and pity when he sees him a bleeding corpse; why the strict decrees of the Church in all former ages for the preservation of Christian decorum in funerals; or the holy laws of the ancient Emperors against the violators of the grave. Why the well fenced cemetery embellished with crosses, ornamental trees, tombs and stones, close by every town and city; why rages the popular fury where disinterment or dissection is found to prevail; or how to account for the anxiety of all Christians to be deposited on the last day with the ashes of their fathers? The Emigrants abroad though they forget their native land, would, when the world is receding from view, lay down their bones with those of the Christians; never consenting, if not totally lost to natural feelings, to be thrown down without Christian rites in the unconsecrated field,

or hurled into the mouth of the lion or shark. Finally to what motive can be ascribed the conduct of myriads of Catholics in primitive and modern times who spent their days and their fortunes nursing the sick, and burying the dead? To a firm faith in the merit of good works, and in *the future resurrection of the flesh*.

The man believing that the body was created to be the temple of the Holy Ghost; that this corruptible must put on incorruption, and this mortal must put on immortality: 1 COR. xv. 53; that we will again be surrounded with our skin, and in our flesh will see God, JOB xix. 26; and that the whole man, body and soul must at the twinkling of an eye appear before his God to render an account of the deeds of the flesh, is solicitous that *he be holy both in body and in soul*, 1 COR. vii. 34. during life, and that he receive decent and Christian interment after death. To dissect bodies, as the butchers mangle the ox or the hog, or to throw them into the pit without Christian rites or ceremonies is revolting to human nature, and indicative of open infidelity.

Not so would the ancient Patriarchs act. It is written, GEN. xlix. 29. that Jacob, when he settled his affairs, accosted his children thus, 'Bury me with my forefathers in the double tomb, opposite Mambre in the land of Chanaan which Abraham purchased with the adjoining field from Ephron, for the use of a sepulchre, in which both he and his wife were buried; Isaac and his wife Rebecca; where Lia also lies buried;' and, that after having finished these orders to his children, he collected his legs on the bed and expired. Tobias' dying words to his son were similar. 'When God receive my soul, bury my body and honor thy mother all the days of her life; but when she will finish her days, bury her by me:' TOBIAS v. 3. Joseph of Amarathea obtained of Pilate the precious body of Jesus, and wrapping him in fine linen, he deposited him in a new sepulchre: LUKE xxiii. 53. It is a historical fact, that the primitive Christians preserved and buried with much care, and piety, the bodies of the martyrs. Finally, veneration for the dead was no where more conspicuous than in England and Ireland. The church-yard, in each parish, was invariably consecrated for the interment of the dead, in hope that the faithful coming to the holy mysteries, would be reminded, by

the 'Remember me,' or 'The Lord have mercy on him,' or the 'May he rest in peace,' on the surrounding stones, to send up a pious prayer to the throne of grace for the husband, child, wife, or neighbor, whose ashes lie concealed in this or that grave. The practice is founded upon human nature, as well as upon solid principles of religion.

DECRETAL. GRATIAN, 13. *Quest. 2, c. 19.* 'Let us not imagine that any thing, but prayers, alms, and the holy sacrifice of the altar, relieves the dead: though these suffrages will not benefit all the souls for whom they are made, but these alone, who during life made themselves worthy to be succored by them. But as we cannot distinguish who they be, it is proper to make them for all persons regenerated; so that no one of them be passed by, to whom our suffrages could and should reach: for it is better that our suffrages be redundant for the souls, whom they neither hurt nor relieve, than wanting to them, whom they may benefit. Each person is more exact in discharging this duty for his respective family, with the view that he be equally dealt with by his surviving friends. Whatever expenses be incurred on the funeral is no relief to the soul, but a fulfillment of a duty arising from human and natural affection, ordaining that *no man ever hateth his own flesh*: EPHES. v. 29. Hence it is our duty to bestow as much veneration as possible upon our neighbor's body after his death. If those who believe not in the resurrection of the flesh, discharge this duty, should we not, who believe in it, discharge it with diligence? So that such service rendered to the body that is dead and that will rise again and live in eternity, be somehow a confession of our faith. To bury people under the invocation of the martyrs seems to be a practice salutary to the deceased; for by recommending them to the martyrs' patronage, the suffrages on their behalf are multiplied:' *B. Augustin, Lib. de agenda cura pro mortuis.*

Chap. 2. 'Ephron is called the city of the four husbands; because there in a *double cave*, GEN. xlix. 30. lie buried the three Patriarchs with their three wives; that is, Abraham and Sarah, Isaac and Rebecca, Jacob and Lia, together with Adam himself and his wife Eve. And Tobias says to his son, 'When God receives my soul, thou shalt bury my body, and thou shalt honor thy

mother during her life ; and when she will finish her days, bury her *in the same sepulchre with me*. Let one tomb unite those whom one wedlock has joined together, because they are but one flesh ; and whom God has joined together, let not man separate :’
St. Jerome,

Chap. 3. ‘ Let each woman follow her husband, whether living or dead.—The sister of St. Benedict is interred in the monument which he had erected for himself. So that even the grave separates not the bodies of those, whose soul was always united in the Lord :’ *Pope Gregory the Great.*

Likewise Joseph, dying in Egypt, GEN. 1. enjoined on his brethren to carry his bones after his death and deposite them in the monument of his fathers. Also, it was said to the Prophet, who had, contrary to the command of the Lord, eaten in Bethel, *Thy dead body shall not be brought into the sepulchre of thy fathers :* 3 KINGS xiii. 22.

From which we learn, first, that interment in the tombs of their fathers was granted as reward for their piety to the just, and refused as punishment for their wickedness to the unjust ; and secondly, that, although it is strongly urged and recommended by nature and religion, to bury the married couple together, yet there is no positive law for it, but, on the contrary, it is decreed,

DECRET. GREG. *Lib. 3, Tit. 28, c. 7,* ‘ With regard to the wife, whether she, as well as the husband, should enjoy the freedom of sepulture ? No distinction ought, in our opinion, to be made in this respect, between the husband and wife ; for it is our opinion, that each of them enjoys an equal privilege ; whereas the election refers to that state, particularly, in which the woman is freed from the law of the husband :’ *Pope Lucius III.*

Con. Arela 3, Can. 4, An. 461. ‘ Let the Laity who undertake funerals, act with fear, awe, reverence ; let no body sing there profane verses, nor indulge in dance, or joke, which are pagan inventions from the instigation of the devil. Who is ignorant that it is sinful and not only foreign to the Christian religion, but also contrary to human nature, to appear merry, to dance, laugh, get drunk there, and, in contempt of all piety, and charity, as if to exult for a neighbor’s death, where grief and cries should resound for the

loss of a dear brother? We read, indeed, in many places that the fathers of both the Old and New Testaments bemoaned in tears the death of holy men; but no where do we read, that they exulted for the departure of any persons from this world. All Egypt mourned for seventy days the Patriarch Jacob's death, GEN. 1.; Joseph and his brethren, when they carried their father's corpse to be interred in the land of Chanaan, spent seven days in weeping and great lamentation. The lamentation was so vehement that the place got the name *The mourning of Egypt*: GEN. 1. 11. And we read of St. Stephen, that *devout men took care of his funeral and made great mourning over him*: ACTS viii. 2. Consequently, let such silly merriment and sinful canticles be forbidden by the authorities. But should any person feel desirous to sing there, let him chant the *kyrie eleison*; otherwise, let him be silent altogether. But if he would not observe silence, let him, as an example to others, be reprimanded next day by the priest: *Vide Summam Council.*

Con. Toletan 3. Can. 21, in Hispania. Those who by the decrees of Providence depart this life, should be accompanied to the grave with hymns and psalms. We strictly forbid that the usual profane dirges be sung; or that the family or neighbors be striking themselves on the breasts. Let it suffice that, from the hope of resurrection, sacred songs do accompany the Christian funerals: for St. Paul forbids to weep over the dead. *Regarding those that sleep I would not have you to be sad, like the rest who have no hope.* The Lord wept not for Lazarus' death, but rather deplored that he would be raised again to encounter the miseries of this life. Let the Bishop, if possible, prevent this practice amongst the Christians: *Vide Summam Conciliorum.*

DECRET. GRATIAN, *Dist 44. Chap. 7.* 'Let no Clergyman, when he attend the funeral or the anniversary of the dead, become drunk, or drink in memory of that or any other deceased person, or force others, or allow himself, to be forced to drink; let him not sing, excite bustle, or laughter, or relate silly anecdotes; let him not tolerate in his presence the indelicate exhibitions of bears or monkeys, or masquerades: for such practice is diabolical and contrary to the Canons.' *Con. Nanneten.*

13, *Quest. 2, C. 12.* ‘The very illustrious lady Nereida has complained to us that your Brotherhood demand of her one hundred shillings for the burial ground of her daughter. That sin we have strictly forbidden in our Church, since the time we were promoted by God’s grace to Episcopal dignity; nor have we at all suffered the base custom to revive. Being mindful that when Abraham would purchase from the sons of Ephron, that is, from the sons of Seor, the site of a Sepulchre for the interment of his wife, he refused taking the price for fear he would appear to make profit by the dead body. Whereas that pagan was possessed of so much tenderness of heart, how tar should we who are priests, be from committing that crime? I therefore conjure you, that this sin of avarice be not again attempted even upon strangers. But, when you allow any person to be entombed in your church, if his parents, friends, or neighbors freely offer any thing for lights, we do not forbid that it be accepted, but we strictly forbid that any thing be demanded or exacted, lest the charge of venality (which God forbid) attach to the Church, or that you would appear pleased with the deaths of man, by seeking in any manner whatever profit from their bodies:’ *Greg. Mag. to the Bishop of Sardinia. An. 599.*

Chap. 13 After Ephron was tempted by the price to sell for money the tomb, Abraham urging him to it, the letter *vau* which was with them read for *O*, was taken from his name (*GEN. xxiii. 11*; *ACTS. vii. 16* and instead of Ephron, he is called Ephran; the Scriptures hereby signifying that the man is not endowed with sound and perfect virtue, who would be guilty of selling the monuments of the dead. Consequently let them, who would sell the graves, being not compelled to receive the price, but even exacting it from unwilling people, know that their name is changed and that they have lost all merit. Whereas the very man who has been forced to accept the price, is privately reprimanded:’ *St. Jerome on GEN. 23.*

Chap. 14. ‘It is written in the Book *ECCLE. vii. 37. Restrain not grace from the dead; knowing that we must all die. And again, All things that are of the earth, shall into the earth return: xl. 11*; *GEN. iii.* Why dost thou, earth, sell the earth? Remember that thou art earth, and into earth thou must return; that death is to

come upon thee ; that it approaches and hurries. Remember that the earth is not man's property, but, as the Psalmist, PSALM xxiii. sings, *The earth and those who inhabit it, are the Lord's*. If thou sellest the earth, thou wilt be guilty of usurping another's right. Gratis hast thou received from God, give gratis for his sake. Therefore, it is strictly forbidden all Christians to sell the earth for the dead and to refuse unto them suitable place of interment ; unless the friends and relatives of the deceased freely offer any thing for his name and the salvation of his soul .’ *Con. Tribur, Can. 16. An. 895. in Germania.*

DECRET. GREG. *Lib. 3, Tit. 28, c. 13.* ‘ An abominable custom, that ought to be abolished, has grown up, it is said, in Mount Pessulan, that the grave be not opened for the dead, until a certain price be paid to the Church for the ground, in which they are to be buried. We command you, as being the Ordinary of that place, that you prevent the Clergy from having the presumption to demand any thing whatever in that respect :’ *Innocent III. to the Bishop of Magalan, An. 1208.*

Hence, it is evident, that to charge price for graves or tombs, or to refuse the dead a suitable place of interment, is a sin of avarice disgraceful even to the pagans ; that to sell the earth to the poor dead is a usurpation of God's right—an exaction from him of a price for a few feet of that earth which he bestowed gratis upon you. Remember, man, thou art but earth and into earth thou must return ; that death will come upon thee, that it approaches and hurries. Do these spurious, nominal Christians, who traffick upon the bodies of the dead ; who afford them cemeteries, graves, and tombs, not for God's sake, but for filthy gain ; who seek profit through the moans, and tears, and deaths of their fellow man, ever think or reflect that they themselves will soon be laid low ; that they must soon render to the Master a strict account of their stewardship ? When he will accost them thus : I was hungry and you gave not to eat ; I was sick and in prison and you visited me not ; I bestowed upon you for performing works of mercy, your wealth and lands ; but you would not restore unto me, without price, a small lot of my own ground for the interment of my poor ! Depart from me. ve cursed, into the eternal fire that

is prepared for the devil and his angels. What defence will the grave-venders, grave-diggers, surgeons, and burkers *who make merchandize of our very bodies* : 2 PET. ii. 3. set up on the day of wrath and retribution ?

EXTRAV. *Lib. 3. Tit. 6. De Sepultura. Chap. Detestandæ.* ‘ We decree that the detestable and ferocious practice with some Christians of mangling, to the horror of all pious minds, the bodies of human beings, be totally abolished. These Christians have the shocking custom, if any of their clan illustrious for rank, or title, die outside the limits of their own parts, and if he be, even from his own choice, buried either in his own, or in strange places, inhumanly to disinter, through some impious notions of charity, the dead body, and after cutting it into bits, limb from limb, to put them into water to be boiled on the fire ; and finally, when the flesh is melted away from the bones, they carry or send them for interment in the aforesaid parts. Which practice is odious in the sight of God, abhorrent to the eyes of man.

‘ Anxious therefore, in fulfillment of our sacred duty, to remedy and totally to root out this wicked and barbarous abuse, We command, and by the Apostolical authority, decree that when any person of any rank, state or dignity whatever, in future, depart this life, in Cities, quarters, or Countries, where the Catholic worship prevails, the aforesaid or similar abuses be not by any means practised upon his dead body ; and that the faithful do not pollute their hands with such barbarity. But, to the end that the dead bodies be not thus brutally and inhumanly handled, let them be carried in the first instance, to where they would, when living choose to be interred ; or let them be deposited for a time in the city, village, or place, where they die, or in the next place of Ecclesiastical interment ; so that at last, when the corpse moulder into dust, they may be transferred to where they would prefer for their own interment, and let them be there buried.

‘ If the Executor or Executors of the deceased person, or his relatives, or any other persons of any order, state, degree, or dignity whatever, even enjoying Episcopal dignity, presume to contravene

anywise the tenor of this our command and decree, by, as aforesaid inhumanly and barbarously treating, or causing to be treated the bodies of the dead, let them know that they will *ipso facto* incur the sentence of Excommunication, which we do hereby issue against them, from which they cannot, except in articulo mortis, obtain the grace of reconciliation, unless by the authority of the Holy See. Moreover let him whose body is thus inhumanly treated be deprived of Christian burial :’ *Boniface VIII.*

Remark that the Holy Father defines in the preamble of that Decree that the custom of cutting into bits and boiling on the fire the bodies of the dead is an abuse detestable to both God and man, and then he decrees an Excommunication *ipso facto* against all persons of whatever rank, station, or dignity, even Episcopal, found guilty of that horrid abuse ; and he decrees privation of Christian burial against the person himself, whose body is mangled or dissected. Remark moreover, that those spiritual penalties are incurred though the mangling or dissection is practised under the pretext of false piety—for carrying the remains of the deceased person to be entomed with the ashes of his fathers.

Our Surgeons, in violation of that Heavenly Decree and of all the dictates of religion and humanity continue the same practice that is odious to God and to man ; they dissect into bits the bodies of their fellow man ; God’s image and likeness, the temple of the Holy Ghost, the flesh of their dear brother ; and that, under the pretence of false piety, for the improvement of the medical science, for prolonging perhaps a few days or years the existence of their patients. *Can evil be done for the attainment of good.* Physicians, when they draw upon the rich store of science which they had hoarded up from natural and ordinary sources—from the works of eminent practitioners as well as from their own experience of the roots and progress of diseases, and the operation of different prescriptions, will be able, without doubt, to fulfil their important duty to the satisfaction of mankind. This impious profanation of the asylums of the dead, this horrid mangling of our brother’s flesh that is destined to rise on the last day, is a sure

symptom of the growth of atheism, and a presage of some public scourge. Harken to the illustrious traveller and historian, F. A. DE CHATEAUBRIAND. BEAUT. CHRIST. Chap. *Christian Tombs*.

Speaking of the terrific consequences of Atheism in the French Revolution of 1793, he says, 'The ancients would have considered that state as overthrown in which the asylum of the dead was violated. Every reader is acquainted with the excellent laws of Egypt, relative to burial places. The laws of Solon interdicted the violator of the tomb from the worship of the temple, and consigned him to the furies. Justinian's Institutes regulate even the bequest, inheritance, sale, and purchase of a sepulchre.

'It was reserved for our age to witness what was considered as the greatest of calamities among the ancients, what was the severest punishment inflicted on criminals, we mean the dispersion of their ashes; to hear this dispersion applauded as the masterpiece of philosophy. And what then was the crime of our ancestors that their remains should be treated with this indignity, except their having given life to such degenerate children as we? But observe the end of all this, observe the enormity of human wisdom. In some towns of France, dungeons were erected on the site of Church-yards; prisons for human beings were raised on the spots where God had decreed an end to all slavery; places of torment succeeded those abodes where afflictions were wont to cease; in short, but one point of resemblance, and that indeed an awful one, remained between these prisons and those cemeteries, namely, that the iniquitous judgments of men were executed where God had pronounced the decrees of inviolable justice.'

'We pass over in silence the abominations perpetrated during the days of the Revolution. There is not a domestic animal in any nation ever so little civilized, but is buried with more decency than the body of a French citizen was at that time. It is well known how funerals were then conducted, and how for a few pence, a father, a mother, or a wife, was consigned to the highways. Even there the dead were not secure; for persons made a trade of stealing the shroud, the coffin, or the hair of the deceas-

ed. All these things can be ascribed only to a decree of God himself; they were a consequence of the first offences during the monarchy.'

'When impious miscreants conceived the idea of thus violating the asylum of the dead, and dispersing their ashes in order to destroy the memory of the past, the plan, horrible as it was, might seem in the eyes of human folly, to possess a certain specious grandeur; but it was *tantamount to a conspiracy to overturn the world, not to leave in France one stone upon another*, and to advance over the ruins of religion to the attack of all other institutions. To plunge into such excesses merely to strike out of the beaten track, is to be actuated by all the madness of guilt. What became of these despoilers of the tombs? They fell into the pits which themselves had dug, and their bodies were left with death as pledges for those of which they had plundered him.

'But whither are we hurried by useless descriptions of these tombs long since swept from the face of the earth! Those renowned sepulchres are no more. Little children have played with the bones of the mighty monarchs. St. Denis is laid waste; the bird has made it her resting place; the grass grows on its shattered altars, and instead of the eternal hymn of death which resounded beneath its domes, nought is now to be heard save the pattering of the rain that enters at the roofless top, the fall of some stone dislodged from the ruined walls, or the sound of the clock which still runs its wonted course among empty tombs and plundered sepulchres: *Chataubriand*.

The ancient Roman Emperors as soon as they embraced the doctrine of Christ, enacted the severest laws against the violaters of the graves, and against those that would put a detainer on a dead body, or disturb during the days of mourning his family or relatives.

JUSTINIAN LAW, *Codicis Lib. 9. Tit. 19. c. 3.* 'If any person violate a sepulchre, let the judges of that place, if they neglect to pursue this crime, be fined not less than twenty pounds of gold, the very penalty decreed against the violaters of tombs; and let them be compelled to pay that sum into our treasury: *Constantius A. An. 349.*

Chap. 2. ‘If a servant be detected violating graves, let him, in case he did so without the privity of his master, be sentenced to hard labour; but if he had been urged into the crime by the order, or authority of his master, let him be punished. And if any thing be found carried away from the tomb to his house or villa, let the house, or villa, or edifice, whatever sort it be, be confiscated:’ *Idem. An. 340.*

Chap 4. ‘Those who violate sepulchres—the mansions of the dead, seem to perpetrate a double crime: they despoil the dead by pulling down their houses, and pollute the living by building up. If any person therefore carry from tombs for building with, or trafficking thereon, stones, or marble, or columns, or any other material whatever, let him be fined, ten pounds of gold, payable to the public treasury. This penalty is decreed in addition to all others that had been already provided by the ancient laws. Liable to this penalty shall they also be, *who will touch the bodies* or remains that be interred:’ *Idem. An. 357.*

Chap. 5. ‘The audacity of people now a-days reaches the monuments of the dead, and the consecrated burial places. Whereas our predecessors always held next to sacrilege, both to carry from them a stone and to dig the earth, and to take away the sod; and also to carry away from tombs any ornaments for decorating houses, or porticoes. Providing against these crimes in particular for fear the religion of the dead be, to the great offence of God, violated, We forbid, under the same penalties that are levelled against sacrilege, the commission of this crime:’ *Emperor Julian, at Antioc. An. 363.*

Chap. 6. ‘Whereas it is unjust, and foreign to our days, that an insult be offered to the remains of the dead by those who arrest the body, and prevent its interment under the pretence that he was their debtor. To stay the further progress of this insult, We decree that Creditors, by using compulsion against the persons, who superintend the dead man’s funeral, forfeit their title, and We totally annul all the proceedings taken at the grave, either by demanding the debt, or taking acknowledgments, pledges, or securities, but that the principal affair be, after the restoration of the pledges, and of any money that might have been paid, the discharge of the se-

curities, and after the reinstatement of all things, without alteration, to their original condition, discussed over again. And that he who is detected in a crime of this nature forfeits fifty pounds of gold; and that, if not solvent for that fine, he receive corporal punishment from the competent Judge:’ *Emperor Justinian*, 526.

Athen. Collat. 5, Tit. 15. Novell. 60, Chap. 1. ‘We therefore decree that if any person come to a sick man’s house, whom he considers his debtor, or annoys him, or his family, his wife, or children, or the house at all, or even puts of himself, and without the observance of the legal formalities, brands, upon the substance, he forfeits, after the said patient’s death, his action altogether; whether he had, or had not a just one. Let the amount of his claim, be recovered from him; and let it be paid over to the heirs of the person aggrieved; and let him moreover forfeit the third part of his own property, according to the laws of the Emperor Mark Philosophus; and let him besides be branded with *infamy*. For the man, who respects not human nature, should be punished in his honor, substance, and in every other respect:’ *Emperor Justin*.

Coll. 3, Tit. 16, Novell. 115, c. 5. ‘We remember having passed a law ordaining that no person whatever *have liberty to detain for debt the bodies of the dead or raise an obstacle to their interment*. But whereas we have learned that a certain man has arrested for debt the father returning from his son’s funeral, We deem it right and proper to meet by a holy law such barbarity, and we therefore decree that no man whatever have liberty to summon, or anywise disturb within the nine days of mourning, either the heirs, or parents, or children, or the wife, or the cousins, or cousins-in-law, or relatives, or sureties, or to serve notice upon them, or to cite them before any tribunal, either for the dead man’s debt, or for any other cause whatever appertaining to themselves. If any man presume to destrain within the space of nine days any of the aforesaid persons, or demand of him any bond, promise, or security, We declare all them proceedings invalid. But should any man think that he has a claim against the above mentioned people, he may

after the lapse of the nine days, sue them according to law :’ *Emperor Justinian*.

O Pious Emperors, why have you abandoned us ; why not rise from your heavenly repose to inflict your fines and corporal chastisement upon these ruthless infidels—these traffickers of their brother’s flesh—the burkers, anatomists, resurrection-men, and the base venders of graves and cemeteries ; who, when death deals about moans and tears, come not to console and relieve, but to dissect and deride ? As to burking and dissection, I find no specific mention of them in the Canons or laws of antiquity ; because no such infernal practices were then known or heard of : the invention was reserved for the murderers and infidel Quacks of our days. What would the Holy Pope and his Saintly Prelates, who had had strict laws and rules for preserving decency in Christian funerals, feel ; what would the primitive Emperors, who provided the severe penalties already recited, against even the violators of the mansions of the dead—against those who would steal even the shrouds or other articles from the graves or tombs ; *or who would touch the bodies, or remains that be interred* ; or who would for debt molest, during the nine days of mourning, the family, wife, children, or relatives of the deceased, feel or think, had they seen the abominations of the modern dissecting room which is becoming systematic, and likely to be embodied soon into a science, without mask or palliatives ? Of the many frightful pictures which I have seen of that room I shall insert only what is written of it in a public Paper by some gentleman who, for some reason of his own, gives not his name. He might be a member of the Faculty of Physicians whose conscience is tickled for the dissection of his brother’s flesh, and who is anxious for the suppression of the practice. If his *ADVENTURE IN THE DISSECTION ROOM*, as he entitles his piece, be a true representation of the reality, no punishment is too severe for the Surgeons and their accomplices. Not vouching, of course for the accuracy of his description I give from it the following extract.

After stating how it happened that he got access to the Dissecting Room, he says, ‘ It would turn your stomach to hear a de-

scription of the place ; there were dead bodies whole, and others cut up into bits of all sorts ; anatomies hanging by strings from the ceiling ; human entrails and *unbaptized babies* in bottles ; unclean things of all sorts ; knives, saws, and other surgical instruments in abundance ; to say nothing of the offensive odour. A ghastly old fellow with spectacles on his nose begins to poke away on the bowels of a dead man laid upon a table : he was attended by two young chaps, the one holding a candle, the other, a long knife. They discoursed in some gibberish to me almost unintelligible. So, says the old fiend, this is a fine muscular fellow indeed. What a chest he has ! I wonder what he died of ? He will be a good catch, says one of the two young brats ; yes, replies the other, for to-morrow's demonstration of the abdominal viscera. Come, genteels, adds the old caitiff, reach you the scalpel, and hold you the candle. Now for a clean section of the integuments and the superficial muscles : ' *Norwich Columbian Enquirer*, June 5, 1832.

There is another view of Christian interments not less entitled to the reader's attention than the former.

DECRET. GREG. *Lib.* 3, *Tit.* 23, *c.* 12. ' In the sacred Canons has it been decreed, that we communicate not with the dead, with whom we had not communicated whilst they lived ; and that those who were previously cut off from the unity of the Church, and not reconciled with the Church at the time of death, receive not Ecclesiastical interment.

' Hence, should it ever happen, that the bodies of excommunicated persons be, either through force or accident, interred in consecrated cemeteries, they ought, if they could be distinguished from the bodies of others, to be disinterred, and removed far from the consecrated burial-place ; but if they could not be distinguished, we deem it inexpedient that the bodies of the faithful be exhumated with the carcasses of the excommunicated : whereas an obscure, or no interment, injures not the just ; nor a splendid or sumptuous one benefits the impious : ' *Pope Innocent to the Archbishop of Nidros*.

If the check of public opinion be once removed ; if vice meet the same regard with virtue ; if the infidel and sinner, who make

mockery of God's law, receive from posterity the same veneration that is bestowed upon the just man, who will shun vice, or practise virtue? When notorious infidels and other unrepenting sinners, are deprived of Christian interment, it is but a fence that was raised about the religion of Jesus Christ, by the wisdom and piety of antiquity. Nor do I see any reason why the Pagans, Jews, Heretics, Usurers, Actors, Suicides, incestuous persons, the unbaptized, and all other excommunicated persons, who trample, during life, upon the law of Christ, and of his Church, should be displeased, or offended, if told that they shall not receive Christian burial, or interment in consecrated ground. Suicide was held no where in greater abhorrence than in England; the property of the self-murderer was confiscated, and his body invariably deposited at the meeting of the four roads, or in some other indecent place. This practice, which was the standing law of the land, is again repealed by Parliament when Castlereagh cut his throat. Now stript of all moral checks, suicide becomes fashionable with all classes, especially with the usurers: Moreover, hear the *General Council of Vienne, under Pope Clement V. An. 1312.*

CLEMENT. *Lib. 3, Tit. 7, De Sepultura.* 'We decree, that those who would of their peculiar rashness, presume to bury, in contempt of the keys of the Church, knowingly, the bodies of the dead in the cemeteries during the time of interdict, in cases not allowed by the law, or persons publicly excommunicated, or persons nominally interdicted, or notorious usurers, do incur ipso facto the sentence of excommunication; from which they cannot at all be absolved, unless they make first, according to the option of the diocesan Bishop, condign satisfaction to the persons injured by the foregoing; no privilege of exemption in this respect, or any other privilege under any form of words availing them;' *Chap. Eos qui.*

THE GALLICAN LIBERTIES ARE MANIFEST DEISM.

From pure Calvinistic notions they deny the merit of good works; say 'that we are justified by faith alone;' 11th of the 39 *Articles*; that nothing but faith falls under the cognizance of re-

ligion ; and that people may use, at pleasure, and independently of the Church, their worldly matters. That phantoms like these be propagated by the Calvinists of England is not surprising ; but that they be gravely defended since the year 1682, in Catholic France, and very lately imported into Ireland, is to me heart-rending. ' I will deliver Egypt into the hands of cruel masters, saith the Lord the God of hosts. And the water of the sea shall be dried up, and the river shall be wasted and dry ; and the rivers shall fail. And the reed and the bulrush shall wither away ; the channel of the river shall be laid bare from its fountain. The fishers also shall mourn ; and all that cast a hook into the river, shall lament ; and they that spread nets upon the waters shall languish away. The Lord hath mingled in the midst thereof the the spirit of giddiness : ' ISA. xix. Was it not from the spirit of giddiness or delirium, the sure symptom of death, that the Gallicans declared in the aforesaid year 1682,

That Christ has given to St. Peter, and to his Successors, and to the Church, no power direct or indirect, over the temporal matters of Kings ; and that therefore they could never be, by the authority of the Keys, deposed even indirectly ; or their subjects dispensed with, or exempted from the fealty or obedience due of them. DOCTOR DELAHOGUE, *Ecclesia*, page 241.

Since the promulgation of that proposition to which they gave the specious name of *Gallican Liberties*, the rivers of France ran dry ; the schools languished away ; and those that cast the hook—that preached to the dried up infidels, lament and mourn. The Lord hath mingled in the midst of them the spirit of giddiness, which was soon followed by the tragical death—the massacre and dispersion of the Clergy, profanation of the Nuns, destruction of the altar, pollution of the sanctuary.

We are bound to believe and hold ONE, HOLY, CATHOLIC, and APOSTOLIC CHURCH ; we firmly and sincerely confess her ; outside of her there is not—there cannot be either salvation or remission of sins. No where do we read that Jesus Christ established *two*, but *one* Fold ; in which the head, eyes, hands, and legs are members, mutually knitted together by the bond of charity and unity

of the spirit. If one member suffer any thing, all the members suffer with it, and if one member rejoice, all the members rejoice with it. God hath tempered the body together that there be no schism in it, but that all the members be mutually careful, one for another.

Nevertheless, the Gallican Infidels seeing that their anti-christian conspiracy was hopeless whilst the members of the body of Christ—the head, hands, eyes, and feet were mutually careful, one for the other, knitted together by unity and identity of interest, adopted satan's maxim, *divide and conquer*; they carried division into the Fold, by inventing what was never heard of; what was unknown to Scripture and Antiquity, namely *Church and State*; or Spiritual and Temporal Powers. I am indebted to the holy and talented ABBE DE LA MENNAIS for the history of the birth, growth, and doings of that imaginary being—One Fold with two heads, that is to say, Church and State.

‘The factious spirit of Protestancy,’ says the learned and pious Abbe, ‘that broke out, every now and then, in the French Parliament, had been kept under some restraint, during the reign of Lewis XIV. but it took a decisive attitude during the sway of Jansenism. Now philosophy matured what Protestancy and Jansenism left in embryo. By constant attacks upon that order of things which religion had founded, and which the Pontifical authority tended to foster and cement; by incessant struggles to separate religion from politics, they effected, perhaps what they had never contemplated, a total revolution in the moral world—a revolution that has substituted the fickle system of *interest* and *expediency* for the steady principles of justice; doubt and mistrust for security and confidence; unrestrained ambition and endless quarrels between the king and the people; until *force* at last stepped in as the only arbiter. The king and the people find themselves ever since, face to face, with no guidance, protection, nor control from religion.’

‘The unfortunate Parliament by prostrating the nation at the monarch's feet, and rendering him independent of the law of

God, gradually brought him into their own snare, and gained a complete victory over that power for which they pretended all along to have been fighting. They crippled the Supreme Pontiff's authority, with the pretence of defending the king's rights; but in reality, for raising themselves on the ruins of the Papal and Regal Powers. Behold to this Crusade which they waged against the Vicar of Christ avowedly for the king's sake, but in reality, for their own, they gave the name, *Gallican Liberties*. Two men.—*Pithou* and *Peter Dupuy* wrote two bulky volumes in defence of said liberties.'

'The volumes were however condemned by an order in Council, 20th Dec. 1638, and by a Synod of 19 Bishops in Paris, in the year 1639, in the following words. 'Never was the Christian religion, the Catholic Church, or the salvation of the king and kingdom, attacked by theories more dangerous than what is contained, under such imposing names, in said books.' And again, after having declared that the pretended liberties are false, heretical servitude, they add, 'We certify that the two volumes are by us unanimously declared pernicious for the most part, heretical in many parts, schismatical, impious, and contrary to the law of God in several places; they having a direct tendency to destroy the Hierarchy, Church discipline, the Sacraments, and the sacred Canons; offensive to the Holy See, to our august monarch, to the Gallican Church; and teeming with dangerous scandals.' The volumes had been condemned also by several other Synods and authorities.

'Meantime the Parliament carefully pursued their project for enslaving the French Church, by detaching it from the Roman Pontiff, or by subjecting it, in the exercise of its power, to the temporal authority. The King was, in fact, the head of the French Church, not the Pope. Liberty from the Pope, slavery to the King. The King's authority over the Church fell into the hands of lay judges; Laymen now lord over the Prelates; who can no longer expect aid, or fear chastisement from the Holy See; their fate totally hangs on the King's pleasure. The Spiritual jurisdiction, excepting the sins secretly declared to the Confessor, is almost annihilated. The magistrate takes, without regard to the Decrees

of the Church, cognizance, in the King's name, of every thing. The ancient and uninterrupted practice that the Bishops had to consult the Holy See upon questions of faith and morals, has disappeared ; hardly a vestige of that holy economy remains. The fact is, that the Kings rule and govern at their sole will and pleasure. The Holy See is but seldom addressed ; and when she is, it is for form sake ; her name apparently venerated, is but the shadow of a great name ; her authority is no longer recognized, but when they solicit some dispensation of the S. Canons. What is the consequence, but that even the laity turn into derision that mighty name, to which there is no recourse but for some particular favor ; thus is that amiable, maternal authority become the butt of vulgar ridicule.

‘The picture drawn by Fenelon of the higher Clergy in them days throws some light upon the proceedings in 1682. The majority of the Bishops, says Fenelon, blindly precipitated themselves towards that side, to which they saw the king inclining. You should not wonder at it, for they knew no other authority ; from the king they held their wealth and dignity ; imagining that in the then order of things they had nothing to hope or nothing to fear from the Holy See ; they saw both doctrine and discipline concentrated in the king. Neither doctrine nor discipline can be received, or rejected ; they used to say, until the winds veering at the Court be ascertained. Some pious prelates would have righted, there is no doubt, the councils of their brethren, had not the leaders already corrupted, overruled them.

‘During that state of things, a difference broke out between the Pope and the king : because the former defended the manifest rights of the Church. The Parliament fanned the flame and inflated the king. He resolved to take public vengeance upon the Supreme Pontiff ; he threatened the Clergy with his wrath. It is true that some servile prelates hurled themselves by a blind movement towards the side to which they saw the king leaning. Behold the history of the famous Declaration of 1682, called the Gallican Liberties.

‘By granting,’ continues the pious Abbe, ‘that the Church has no power, directly or indirectly over the temporal matters of the

king, it follows that the Clergy could not, without his consent, meet in Council ; he being, by virtue of his royal prerogative empowered to change at will the place of holding the Council, and to fix the term of its duration ; and that the Bishops, though commanded by the Pope, cannot, without the king's passport leave the kingdom.

‘ The consequences of that principle are first, to render the king absolute master of the Clergy, they being unable to leave the kingdom without his passport ; and of the Council, both national and provincial, which he convenes and dissolves at pleasure ; secondly, to leave the entire Church dependent on kings ; for the Gallicans maintain, on the one hand, that the spiritual Supremacy lies in the General Council ; and on the other, that it is the duty of the Pope to convene a General Council. Now if the Prelates, *though commanded by the Pope*, could not, without the king's permission, leave the kingdom, it is evident that no general Council, could, without the king's licence assemble ; and that the Church is consequently entirely dependent upon the will of princes.

‘ The declaration had been rejected by all the Churches in communion with the See of Rome ; branded with censures in Spain, *An. 1683*, also in Hungary by a National Council, as *absurd and detestable*. It was condemned and declared *null and void*, by POPE INNOCENT XI., in a letter in the form of Brief, dated 11 April, 1682 ; and by INNOCENT XII., and ALEXANDER VIII. in a Bull bearing date 4th August, 1690 : to them Decrees refers PIUS VI. in his Bull, *Auctorem fidei*. In France herself the Sorbonne refused to insert it in their Register. The Parliament had to send for the Register, and caused the fatal declaration to be inserted therein :’ *Abbe De La Mennais. La Religio, An. 1825 and 6.*

That long quotation from the saintly and learned Abbe, makes it clear that the Propositions called the Gallican Liberties, were hatched by two persons, *Pithou* and *Dupuy*, suspected of Protestantism ; fostered and ushered into notice by a Jansenistic Parliament, and finally adopted by a profligate Court ; that the prelates in subscribing it, signed the death warrant of the French Church ; that the bishops who should be leaders to the flocks, are

led by the flocks ; that they are degraded and unable to assemble in council, issue a pastoral, correspond with the Supreme Head, collate a benefice, open a school, leave the kingdom, or even walk the street, without the king's license ; that the king is virtually head of the Church ; and that the Lay Magistrates take cognizance and transact all things, except the sins secretly declared to the Confessor, in the name of His Majesty, without any regard whatever to the decrees of the Church. Nor do I see how the Clergy could, consistently with their own thesis, murmur. For the Infidels may say to them, ' Messieurs, have you not defined that neither the Pope, nor the Church, has any power direct or indirect over the temporalities of kings ? All the land, houses, schools, and benefices within the kingdom, are His Majestys' temporalities ; he has entrusted the administration of them to us. You must not meddle with them. Although it be written, *If we have sown unto you spiritual things, is it a great matter that we reap your carnal things ? Know ye not that they who serve the altar, partake with the altar ?* we shall make you serve the altar without partaking of our carnal things.'

The pious Abbe seeing the coming sword made this feeling apostrophe to France, ' Is there no Prelate in Gaul ardent and zealous in the cause of his God, to stem the torrent of errors and animate those that are sinking with grief ? Is the fortitude of the Denies and the piety of the Martins for ever gone by ? O St. Hilary, who had defended with the sword of the spirit the unity of the Church, have you also abandoned us ? O abandoned, O sad, O desolate Church of Gaul, what prospects of salvation awaits thee now ! Where will the sinking spirit of the Christian, in future, respire ? Thou hast, alas, tottered to the very foundation :' *La Religio*, page 219.

It can be confidently predicted that if the governments be not reunited with the Church, not a single throne will weather out the storm in Europe. *When the storm of winds PSALM x. 7, will come, they will be blown off, like the dust which the wind driveth from the face of the earth :*' PSALM i. 14.

That Prophecy dated 1826 seems verified by the expulsion of the king in 1830. Some thrones are, as he foretold swept away ;

some totter ; how many will be found, after the storm passes by, standing upon a solid basis ? Anarchy and confusion will cover the land, and darkness will be upon the face of the deep.

CHARLES X., a man of natural piety and goodness, went, until the very day of his expulsion, 1830, in the steps of his haughty Predecessors, filling vacant Sees, and controlling colleges ; he usurped a power that never belonged to him, and involved himself in a labyrinth, from which he will never recover. As the Clergy lost all power, spiritual and temporal, in the storms of 1793, and 1830, and as there is no more need to watch the veerings of the wind at the Court, what course will they pursue in future ; will they sing up the old tune, *Independence and Liberties*? If they continue to discard the Catholic Canons and supreme Pastor, they are but a withered, fallen branch. Africa, Asia, and other countries, that fall away from the life-giving trunk, soon withered into paganism. Is not France also nodding into the pool below ?

What the designs of Providence may be upon the Church is known to the Divine mind alone. Whether the temporal sway of the successor of St. Peter be destined to be eternal, or the crimes of men should have urged the Almighty in his wrath to remove from the earth so bright and cheering a light ; the Christian Philosopher will feel, that that was an evil day for the world, on which the Church of Christ ceased to hold any temporal influence over the destinies of mortals : and he will hesitate in concluding with the modern sophist, that the interests of notions were more secured, when their governments were rendered more secular, and the spirit of religion had less influence upon the legislation of states. Looking back to the history Christian ages, he will find that it was not the monarchs, who honored the holy Church, that trampled upon the liberties and interests of their subjects, nor the nations, which observed her laws with the greatest submission, that were most fond of revolution and rebellion ; that of all the existing institutions, those only are worth preserving, that are most imbued with the spirit of the Church, and that, as that spirit infused vigor and a lasting indurance into them, so in proportion as it is excluded, must they crumble and perish. He will find that it was the

Church, that gave security and permanence to the whole frame of society, that defended the privileges of the throne on the one hand, and the rights and the liberties of the subject on the other, that enjoined to kings the love and protection of their people, seeing that their high office rendered them most accountable to God, to nations love and obedience for conscience sake towards their kings, ennobling their service by declaring the divine origin of that, to which it was paid, and thus infusing into the whole body politic, a spirit of harmony and unity. Nor will the discord that every where prevails in the modern world, nor even the state of its material prosperity, much as that is the matter of constant boast, operate to make him waver in his opinion.

Whosoever maintains the independence of Princes, with regard to their temporal matters, must consistently yield to every species of tyranny, and deem it sinful even to murmur or petition for a redress of grievances. His theory would be flattering, yet extremely dangerous to weak Princes; tending to stifle in them the dictates of eternal justice, and to lull them asleep on the brink of the fatal eddy; but will it have the same effect upon the great body of the people, or make them forget their wrongs?

On the contrary, a theory is rapidly spreading, and will, there is no doubt, soon become general, that the Ruler is but a member of the body politic; a power ordained of God to keep all the other members to their respective duties; that *he is the minister of God, an avenger to execute wrath upon him that doth evil*; that he is amenable, like all others, to the law. But as soon as he releases himself from the observance of the law, the people may, as soon as possible, deliver themselves from his yoke. When that lively sense and attention to the doings of the Ruler melts down into callous indifference, as under the ancient Roman Emperors, it is invariably the surest symptom of dissolution in society.

Let it not be concluded from these expressions, that I am an advocate for every popular resistance; for several of them are certainly sinful. *Whosoever resisteth the power, resisteth the ordinance of God; and they that resist purchase to themselves damnation.* But this I say, that the *Manifestoes* usually issued by those that resist, to show to the world the rectitude of their motives,

and the injustice and tyranny of the Ruler—his inroads on the public rights ; grinding taxation ; obstruction to the course of justice, and so forth, is a proof, strong and clear, that nations and peoples claim it, as an indefeasible right, to resist the Ruler as often as he violates the fundamental laws. This theory was reduced to practice in England, Scotland, France, and America.

The English Puritans, or Calvinists, or whatever name you give them, not only beheaded one King and deposed another, but gave by *anticipation*, a plenary absolution from their allegiance to the subjects of every King, or Queen of England, that would, till the end of time, violate the fundamental laws, by becoming a Catholic or marrying a Catholic. They cared not whether the Ruler would become a Turk, Jew, or Heathen, provided he would not embrace the Catholic religion. That absurd absolution is recorded in the Statue Book, *An. 1 Will. and Mary, sess. 2. C. 2. Sec. 9.*

And Whereas it hath been found by experience, that it is inconsistent with the safety and welfare of this Protestant kingdom to be governed by a Popish Prince, or by any Popish King or Queen marrying a papist, the Lord's Spiritual and Temporal and Commons, do further pray, that it may be enacted, That all and every person or persons, that is, or shall be reconciled to, or shall hold communion with the See, or Church of Rome, or shall profess the Popish Religion, or shall marry a papist, shall be excluded, and be for ever incapable to inherit, possess, or enjoy the crown or government of this Realm and Ireland and the dominions, thereunto belonging, or any part of the same, or to have or exercise any Regal power, authority, or jurisdiction within the same. And in all and every such case or cases, the *people of these Realms shall be and are hereby absolved of their allegiance.* And the said crown and government shall, from time to time, descend to, and be enjoyed by such person or persons, *being Protestants*, as should have inherited or enjoyed the same, in case such person or persons, so reconciled, holding communion, or professing or marrying, as aforesaid, were naturally dead.

O Sweet Liberty where is thy abode. The buyer has liberty to go to the cheapest, the seller to the dearest market ; the parent freedom to choose at home or abroad the tutor best capable to train his darlings in judgment, justice, and mercy, in sacred and profane literature ; whilst all others enjoy the right of selecting to their taste and bent from the whole range of society, their spouse, the Royal Family of England must, till the end of time, if they turn their thoughts upon conjugal affairs at all, seek consorts under the speck-

led mantle of Protestancy ; must, like *George IV.* match themselves in the beggarly Principalities of Germany. No matter if the dame be a Baptist, Calvinist, Socinian, Unitarian, Quakress, or a Free-thinkress, or, if she hold no creed whatever ; all that is required that she goes under the indefinite name of Protestant. Where the king is forced under pain of forfeiting his crown and dignity to receive the hand of a lady, whose religion, habits, parentage, features or acquirements perhaps never met his fancy, why should they not have Bergamies and Green Bags and Royal divorces ? Where the freedom of matrimony is invaded, public and private calamities must ensue. Blessed be the Holy, Roman, Catholic Church, that has decreed, ‘Wherefore as it is extremely nefarious to invade the liberty of matrimony and that injustice would arise from them, from whom justice should be expected, the Holy Synod commands all persons of every grade, dignity, or condition whatever, under pain of anathema, which they would incur ipso facto, that they do not, in any manner, directly, or indirectly, compel their subjects or any others, from freely contracting marriages:’ *Con. Trid. Sess. 24. c. 9. De Mat.*

Equally expert in deposing kings for real or imaginary crimes were the Scottish Presbyterians. ‘Knox and Willox presented themselves as Deputies from their brethren, the Presbyterian Clergy, and declared, without hesitation, that, according to the precepts and facts recorded in Scripture, it was allowable to the people to resist tyrant kings, and even to deprive them of that power which they had turned to the ruin of the people, not, as Providence intended, to their protection.’ *Will Robertson Hist. Scotland* : quoted by *Abbe De La Mennais, La Religio*, page 124.

‘James IV., in the year 1596, having given some trouble to the Sectarrians ; they promptly adopted against him measures such as were never before heard of. As soon as the Clergy heard of this novel act of Royal clemency, the Commissaries appointed in the last Assembly hastened to Edinburgh ; and with that promptitude suited to the public emergency, they took the necessary precautions for the security of the Kingdom. They dispatched letters to the

Presbyteries throughout the kingdom to inform them of the impending danger and to pray that they would rouse the people to defend their just rights. Moreover they ordered them to fulminate from the pulpits an *excommunication* against the Popish Lords, and to include in the same sweeping censure, without the observance of the usual legal formalities, *all persons suspected of popery*. And as the public emergency allowed not time to establish a permanent tribunal of Ecclesiastics, they selected the most distinguished of the Scottish Clergy to reside constantly in Edinburgh and hold daily consultations with the ministers of that Capital. This assembly they styled the *Permanent Council of the Church*. That Body was vested with Supreme Authority; adopting the formula of ancient Rome, they charged them to *provide that the Church suffer no detriment: The same*.

Fourteen laymen in America after having recounted the tyrannical deeds of King George III., and appealed to the Supreme Judge for the rectitude of their intentions, had, by the authority of the Colonists, deposed him.

DECLARATION OF INDEPENDENCE BY THE UNITED STATES OF AMERICA. *Congress, 4th July, 1776.*

We, therefore, the Representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the Universe for the rectitude of our intentions, do, in the name, and by the authority of the good people of these Colonies, solemnly publish and declare that these United Colonies are, and of right, ought to be free and independent States; and that they are absolved from all allegiance to the British Crown; and that all political connection between them and the State of Great Britain, is, and ought to be totally dissolved.

Signed in due form.

By virtue of the Deposing theory were the United Provinces of Holland severed from Spain; and France deluged with blood in the civil wars of the Hugonots and again deprived of her kings in the revolutions of 1793 and 1830. Whenever the Ruler discard religious control the people generally take their own way to correct him. Of the two theories—the one that would cure him with the spiritual; the other, with the material sword, the king would

perhaps now, after seeing what he has seen and felt, prefer the former ; would perhaps rather face the Papal Bull than the rebels axe ; have perhaps more reason to tremble from the rage and fury of a discordant populace than from the mild councils of religion ; particularly when he sees that in the present age more kings have lost their crowns and heads by the hands of the people, than during the previous six centuries by the decrees of religion. But if they lost heads and crowns, they have gained Gallican Liberties. There is loss and gain.

Moreover, the primitive Christians during the first three hundred years under the Pagan Emperors left the settlement of all their worldly disputes to the Clergy, never had any recourse to the secular tribunals ; *Devoti, de Institut. Can. Tom. 3.* And we know from history also how bitterly the Irish Government complained under the Stuarts that the courts and the magistrates were falling into contempt, because the Popish Clergy privately adjusted all the spiritual and temporal disputes among the people. The pious ancients acted not from vexacious or frivolous motives, but from solid, sound principles of religion. The Apostle's maxim was deeply imprinted upon their pure souls : 1 COR. vi. Dare any of you having a matter against another, go to law before the unjust, and not before the saints ? Know ye not that the saints will judge this world ? And if the world shall be judged by you, are you unworthy to judge the smallest matter ? Know ye not that we shall judge angels ? And *St. Augustine, De Oper. Monach.* says, ' To be called upon every moment to adjust worldly difficulties is indeed a troublesome task to the Clergy. I would rather perform manual labor than to encounter the anxious perplexities of adjusting the temporal causes of others. But the Apostle has entailed that task upon us, certainly not from his own, but from the authority of his Master.

By placing the Body of the Canon Law—*Corpus Juris Canonici*, and the Justinian Code—*Corpus Juris Civilis*, side by side, it will be seen that the Civil Laws for many centuries, were but extracts, transcripts, or deductions from the Canon Law ; that no such things as Church and State, with different laws were then heard of. Nor had the ancient British, Irish, and Scotch, scarcely

during the Saxon and Norman reigns, and up to the 12th century, any rule or standard to expound Scripture, or decide questions on life and property, than the sayings of the Holy Fathers and the Definitions of the Pope and Councils. Were not Constantine and Theodosius in Rome, St. Lewis and Charlemagne in France ; Alfred and Edward in England ; or O'Brian and O'Connor in Ireland, who *heard the Church*, and received a copy of the law from the priest, as wise in counsel, brave in the field, and secure on the throne, as the modern heroes and civilians who have transgressed the limits of their Fathers, and go on, from year to year, passing laws that are as contrary to the law of God and the institutes of the Apostles as black is to white, or light to darkness ; were the Ancient Legislators who knew no distinction between Church and State, bewildered by political economists, lost in the cloud of law books, or starved in the middle of plenty ? What history relates that they were then, as now, every year in London, Manchester, and Glasgow, forced to feed with the hogs on draf, or to draw stones upon the road for four pence a day, or shipped by the parish for the American shore ?

As for me, I cannot comprehend why the decision of the Sacred tribunal, attended with no swearing, noise, or costs, could not be as beneficial to the plaintiff and defendant, and the public, and pleasing to God, as the civil decree accompanied by perjury, special pleading, and bills of costs. Let no man infer from these expressions that I have the slightest hope that the good old times will ever return, or that the Priest's decision will ever regain its wonted respect, if he do not strictly adhere to his holy Institute, by reflecting,

That he is the Lord's lot and inheritance ; that he should take no part among the other tribes ; but as a Levite and Priest, serving the altar he should be fed of the offerings of the altar : that having food and raiment he should be contented ; that all his revenue, from oblations, donations, or otherwise, are the price of sin, vows of the faithful, and the patrimony of the poor ; and whatever they make over and above his own support should revert to Christ in the persons of the poor ; that it is a terrific sacrilege or spoliation of the poor to squander upon his friends or relatives, if they

be not paupers, actually living by alms (for then they are entitled, like all other poor persons, to alms, but to nothing more) any part of the Church revenues:’ *Con. Trid. Sess. 25. c. 1.* If the Priest fighting for the Lord involves not himself, for sordid gain-sake, in worldly cares—traffick, farming, temporal agencies; if he display in his mien, dress and address, contempt for the world, and her allurements; if he manifest in his whole life and actions fervent zeal for the glory of God, and salvation of souls, his decision, upon both spiritual and temporal matters would be courted and respected. Fleeing from the world, worldly influence quickly follows him. Let him hear the will and law of his Mother Church.

‘It is provided by the laws of our forefathers that those who are taken from among men to offer gifts and sacrifices to God, refrain themselves from worldly pleasures. Let them not appear at plays, or exhibitions; let them shun public entertainments; let their private meals be both frugal and sober. Let them not, by any means, practice usury, nor sordid occupations, nor fraud of any sort; let them not put their heart in money, the root of all evils; let them relinquish all secular cares and trafficks; let them not, through ambition undertake degrees of dignity; let them not take price for the salutary gifts of God; let them not engage in plots and conspiracies; let them avoid envy, contention, hatred, and detraction; let them not walk abroad with strolling eyes, unbridled tongue, or loose and jumping gait: but let them display in their dress and carriage the modesty and regularity of their mind; let them shun, above all things, obscene words and actions; let them not encourage the visits of widows and virgins, nor frequent the houses of strange women; let them keep their body chaste; let them not indulge in self-praise; finally let them from constant reading hoard a rich fund of sacred science, psalms, and canticles, that they may be able to feed those who look up to them for the bread of life:’ *Dist. 23. c. 3.*

Isodore.

‘Whereas nothing so much excites others to piety and Divine worship, as the life and example of the ministers of religion; for upon them elevated on high, as upon a mirror, do the rest of mankind keep their eyes. It behoves, therefore, the Clergy called to be the lot of the Lord, so to regulate their life and conversation

that their walk, dress, and address, display gravity, decency, and religion ; so to avoid, even the smallest blemish, which in them would be deemed the greatest, that their actions attract general esteem. As such qualifications in the Clergy conduce to the decency and splendor of the Church, let them be more carefully cultivated. The Holy Synod has therefore, decreed that the several Constitutions issued on all former occasions by the Popes and Councils, for sustaining the life, dress, decency, and erudition of the Clergy, and likewise for restraining them from extravagance, revels, dances, plays, and crimes of all sorts, be hereafter enforced under the same, or greater penalties, to be imposed at the option of the Ordinary :’ *Con. Trid. Sess. 22. c. 1.*

The foregoing are but a few of the Decrees and provisions of Holy Mother the Church, for upholding the integrity and dignity of the priest ; but should he despise her maternal solicitude and conform to the world or to the cravings of his passions, he cannot expect that Providence, who measures unto us with the same measure that we mete withal, will inspire the flock to regard his decisions as the primitive Christians regarded those of their mortified, disinterested pastors ; should he not display on all occasions justice and judgment, the people will soon discover in the regions of fancy, that *unchristian*, never-heard of—two headed monster—**ONE FOLD**, consisting of Church and State, each equally independent, and potent in its respective sphere.

That theory I call *unchristian* : for I find no trace in the doctrine of Christ of *two* but *one Fold*, under one Shepherd : JOHN x. To convey an idea of the connexion and mutual dependence of all the members in the Fold, the Apostle draws a comparison from the human body, 1 COR. xii. ‘ For as the body is one and hath many members, and all the members of the body, whereas they are many, yet are one body. And the eye cannot say to the hand, I have no need of thy help ; nor again the head to the feet, I have no need of you. God hath tempered the body together that there might be no schism ; but that all the members might be careful one for another. If one member suffer any thing, all the members suffer with it ; and if one member glory, all the members glory and rejoice with it. No member of the body is said to be unconnected with,

or independent of the others, until it be amputated : then, indeed, it withers and dies. How then could any member that is not severed from the Body of Christ, say to the others, I have no need of you ; I am independent of you ?

This one Fold or body of Christ consists of sheep and shepherds. If the whole body were the eye, where would be the hearing ; if all were teachers, where would be hearers ? Consequently, God hath set indeed, some in the Church, first, Apostles, secondly, Prophets, and thirdly teachers, till we all meet in the unity of faith ; that we may not now be children tossed to and fro, and carried about with every wind of doctrine. The same mutual connexion and dependence that reigns between the eyes and the other members of the body, obtains also between the sheep and shepherds in the Body of Christ. The pastors are recruited and maintained from the laity. *They reap of the Laity's carnal things, to whom they sow spiritual things.* The Priesthood, if not recruited and nourished of the flocks, would soon disappear ; and the flocks, if not spiritually fed, or if separated from, or independent of the shepherds, would speedily relapse into paganism, become a nation without a God, an altar, or sacrifice.

It follows, I think, clearly from what has been said that Christ Our Lord instituted but one Fold ; that to that Fold were given some Apostles, and some Prophets, and others Evangelists ; and that their office is to teach the law of God, to keep the people in the unity of faith, and that they also received an unlimited power of *loosing and binding sins* MATT. xxviii. which power they daily exercise in the confessional, and otherwise ; that the ancient Christians had not for many ages, recourse to any other tribunals ; and, finally, that if the Clergy have leisure to decide, and the sword of the flesh to enforce their calm, silent, and pacific decisions would be as beneficial to the parties concerned and to society, and as consistent with the letter and spirit of the Divine law as the costly, noisy decrees of other quarters. As for leisure, they would certainly have it in abundance, if all persons in the Fold of Christ—sheep and shepherds, adopt and observe the laws of their Mother Church.

What can equal the folly of those who now maintain that the Church had received an unlimited power of *loosing* and *binding*, and then assert that she received from Christ no power direct or indirect over the temporal matters of kings? If they sincerely think that she has no power or right to decree upon morals or temporals, they must in consistency discard her decrees and definitions, both spiritual and temporal, during eighteen hundred years, and become infidels.

For understanding this saying, it must be recollected that the Decalogue is usually divided into two tables. The first, which comprises the three first commandments, prescribes man's immediate duty towards God; and the second, which includes the seven last commands, regulates our moral offices or conversation in society. The Ecclesiastical law may be also divided into two parts—Canons on faith, others on morals, or temporal matters. The former determine man's obligations towards God; the latter his conduct in relation to society. Now by reviewing, in the collections of the Canons, the decrees of Our Church for eighteen hundred years, it will be found that, at least, the two thirds of them bear upon temporal affairs. Although, strictly speaking, every Canon on faith influences morals, and the Canons on morals and worldly matters are built upon some articles of faith: for instance, the *Council Nice*, *Can. 17* decrees, 'Many Ecclesiastics being actuated by love of sordid gain, and forgetting the Divine precept which says, *Who hath not put out his money to usury*: Ps. xiv. when they lend, insist on receiving a percentage, the Great and General Council has justly decreed, that if any Clergyman subsequent to this decree be detected receiving usury, or seeking by any traffick whatever sordid gain, he be deposed and suspended.' Remark that this decree which is founded on Ps. xiv. regulates morals and temporal matters; that faith and morals are there blended; so are they in every other decree. As there is no rule to distinguish the spiritual and temporal decrees, if you deny the Church's authority to decree on temporals, you must deny her right to decree upon spiritual matters likewise, and become a doubter in her authority altogether.

Further, as all the S. Canons are but definitions drawn from such and such passages of Holy Writ, upon such and such articles of faith and principles of morals, the Sacred Canons could not be questioned without doubting and discarding the Scriptures. Besides, faith and morals are in Holy Writ, as in the Sacred Canons, so blended and connected, that they could never be considered or inculcated separately : for example, the article in the Creed, *He shall come again to judge the living and the dead*, is built on MATT. xxv. 31, ‘ When the Son of man shall come in his majesty, and all his angels with him ; then he shall sit upon the seat of his majesty and all nations shall be gathered together before him.’ But faith in that article could not be taught without teaching also the merit of good works—of clothing the naked, feeding the hungry, and redeeming the captives, *Verse 35*. Nor could the merit of good works be inculcated apart from faith in the general judgment. As the body without the spirit is dead, so also faith without works is dead : faith co-operates with works, and by works is faith made perfect : JAMES ii. 22.

Here would I conclude and leave the intelligent reader to see through the wickedness of the Gallican Liberties, had I not cast an eye again over the sort of defence usually set up for them by the Gallicans.

The Gallican Liberties, or Independence, is stated and defended at large by DOCTOR DELAHOGUE, DE ECCLESLE from *page 241 to 284*. He was the author of several Tracts on Divinity ; a Frenchman, and enamoured, of course, with every thing French ; but especially with Bossuet, whom he quotes with pride almost in every page. He was therefore a man of talents, lately arrived from the French school, knew all that could be advanced for the Independence, and how to set up his defence to the best advantage. He prefaces the Liberties with what he calls,

‘ A previous Disquisition concerning the origin and condition of the kingly power prior to the coming of Christ.’

‘ The supreme civil power’ says he, *Ecclesia, page 238, Dublin edit. 1819*, ‘ whether it be a king, senate, or otherwise is derived

from nature. As peace and tranquillity could not be preserved in society without a ruler of some sort, he must have been ordained of God, the author of society.

‘That the supreme power is Divine and lawful even amongst the infidels, is taught by Jesus Christ: MATT. xxii. 21: *Render unto Caesar the things that are Caesar’s; and by the Apostle: ROM. xiii. There is no power but from God, and those that are, are ordained of God. The prince is the minister of God; an avenger, to execute wrath upon him that doeth evil; and again, 1 TIM. ii. I desire first of all, that supplications and prayers be made for all who are in high stations, that we may lead a quiet and peaceful life.* And, prior to the Christian era, Cyrus was called the *Christ of the Lord*. Hence it is evident that he was as lawful a king over his people, as David and Solomon were over theirs. God who makes the sun to rise and the rain to fall upon the infidels, however aliens from the true religion, also allows them the privilege of a legitimate government, without which they could not subsist in society.’

‘From which it follows,’ he continues, ‘that the supreme civil power is not subjected by the ordinance of God, the Author of nature, to another—the spiritual power: first, because the sacerdotal power amongst the infidels sprung not from God, but from the devil; and it cannot therefore rule that power which springs from God; and secondly, because, as Bossuet says, Religion and empire are so constituted by God himself, that true religion can subsist unaccompanied by empire; and true and lawful empire unaccompanied by true religion; and therefore perfect government in matters appertaining to the order and laws of society. With regard to morals and the salvation of souls, the integrity of religion is certainly more essential than that of the republic; but with respect to the essence and substance of civil society, the case is otherwise: for when religion is laid prostrate, civil society could stand in its own order: but when the republic is demolished, there is no longer a civil society; which however remains by the decrees of the Great and Good God, in perfect integrity amongst the enemies of religion. *Defence of the Declaration of the Gallican Clergy by Bossuet.*’ So far Doctor Delahogue.

Is it possible that their Declaration stood in need of defence, even prior to the death of its author and champion—Bossuet! Wretched was that Declaration that could not be defended from Christian principles, or without launching upon the pathless ocean of infidelity. Are we told by a Catholic Divine in a Catholic college ‘that it is the decree of the Great and Good God that civil society remains in perfect integrity amongst the enemies of religion, that true and perfect empire could subsist unaccompanied by true religion; that after religion is laid prostrate, civil society could stand upon its own order.’ What blasphemy! That Declaration was hatched, remember, in the year 1682, by the Gallican Clergy; their theory recoiled upon themselves, with all its virulence, in the year 1793, and again, in 1830. The infidels taking them upon their own Declaration, dispersed and destroyed them, and laid all religion prostrate, to know if civil society could stand, without religion, upon its own order.

‘The Great and Good God willed,’ says he, ‘that civil society would stand entire amongst the enemies of religion.’ By ‘enemies of religion,’ he means, there is no doubt, the people and nations that make mockery of the law of God. If that be his meaning, he is guilty of open blasphemy. On the contrary, is it not revealed in every page of Holy Writ, that misery or happiness both here and hereafter is the lot of the people that observe or violate God’s *Covenant*? Consider that I have set before thee this day life and good, and, on the other hand, death and evil; that thou mayest love the Lord thy God, and walk in his ways and keep his commandments, and ceremonies; and judgments; and thou mayest live and he may multiply thee and bless thee in the land, which thou shalt go in to possess: DEUT. xxx.; PSALM lxxvii. 10; civ. 44; LEVIT. xxvi. 15. So sensible were God’s people of the impossibility of upholding society, and escaping calamities, should they prostrate religion, or violate God’s covenant, that they unanimously—Princes, Priests, Levites, Porters, Singers, and all others endowed with understanding, mutually bound themselves on oath to keep the commandments, judgments, and ceremonies of the Lord their God: 2 ESDRAS. x.

Did not the Lord break up Adam’s community—send him out

of the paradise of pleasure to till the earth, because by eating the forbidden fruit he made mockery of God's law ; had not the world been drowned in the deluge because they laid prostrate religion—because the wickedness of men was so great on earth, and all the thoughts of their hearts were bent upon evil ; had not Chore, Dathan, and Abiran, and their followers been swallowed into the earth because by blaspheming God they laid religion prostrate ; had not the Jewish community first under the judges, and afterwards under the kings, been scourged and broken up as often as they transgressed the covenant which God had made with their fathers, Abraham, Isaac, and Jacob ? What was the Babylonian captivity but a scourge for having prostrated the law of God ; or the destruction of Jerusalem, and dispersion of the Jews seventy two years after Christ, but a chastisement for the sinfulness of that people ? Jerusalem, Jerusalem, that killest the Prophets and stonest them that were sent to thee. Behold your house shall be left to thee desolate : LUKE xiii. I would not, says the Apostle Paul, have you ignorant, brethren, that our fathers were all under the cloud, and all passed through the sea ; and all in Moses were baptized, in the cloud, and in the sea ; and they all ate the same spiritual food ; and all drank the same spiritual drink : (and they drank of the spiritual rock that followed them ; and that rock was Christ.) But with the most of them God was not well pleased : for they were overthrown in the desert. Now these things were done in a figure of us ; that we should not covet evil things as they also coveted. Neither become ye idolaters, as some of them ; as it is written : 'The people sat down to eat and drink, and rose up to play. Neither let us commit fornication ; as some of them committed fornication, and there fell in one day three and twenty thousand. Neither let us tempt Christ ; as some of them tempted, and perished by the serpents. Neither do you murmur ; as some of them murmured, and were destroyed by the destroyer. Now all these things happened to them in figure ; and they are written for our correction, upon whom the ends of the world are come : 1 COR. x. In short, with all these threats and chastisements recorded in both Testaments against sinful people and nations, staring him in the face, can that man be a Christian who said ' that

the Great and Good God willed that civil government could subsist in all its integrity among the enemies of religion ?

‘The Priesthood,’ continues he, *page 239*, ‘received, at its institution in the law of Moses, no authority over the kingly power : When thou art come into the land which the Lord thy God will give thee and possessest it, and shall say : I will set a king over me, as all nations have that are round about : DEUT. xvii. 14. In that chapter from end to end there is not one word insinuating that the temporal should be subject to, or crowned by the Spiritual power.’

Low must have been his estimate of his pupils’ head and lore when he advanced in their presence such an assertion. That the assertion is contrary to the fact will be manifest by inserting a little more of the same 17th chapter of Deuteronomy. And when he is made a king . . . he shall copy out to himself the Deuteronomy of this law in a volume, *taking the copy of the Levitical tribe . . .* and he shall read it all the days of his life, that he may learn to fear the Lord his God, and keep his words and ceremonies, that are commanded in the law that he and his sons may reign a long life over Israel. If thou perceive, *verse 8*, that there be among you a hard and doubtful case in judgment, blood and blood, cause and cause, leprosy and leprosy ; and thou seest that the words of the judges within thy gate do vary, arise and go up to the place which the Lord thy God shall choose, and thou shalt *come to the Priests of the Levitical race*, and to the Judges that shall be at that time, and thou shalt ask of them and they shall shew thee the truth of the judgment : DEUT. xvii.

Now, as the king must take a copy of the Bible from the Priests, depending on them for its authenticity, and accuracy and submit all difficult matters to their judgment, why did they harken to the Doctor, in Catholic Ireland, asserting that there is not, in that 17th Chapter of Deuteronomy, one word subjecting the Temporal to the Spiritual Power, or ordaining that he be crowned by the Priesthood ?

To crown and anoint kings was under the Mosaic, as it is un-

der the Christian Law, a religious ceremony, appertaining to the ministers of religion. Saul and David were anointed kings by Samuel, who was both Judge and Pontiff: 1 KINGS x. 1 ; xvi. 12. Hazael was anointed king of Syria, and Jehu king of Israel by Elias : 3 KINGS xix. 15. It was customary amongst the primitive Christians, and is yet amongst the nations that have not lost, or corrupted the Christian religion, that the Kings and Queens be crowned and anointed by the Prelate ; which custom sprung not only from religion, but also from good sense, and sound policy : it tended to inspire the Ruler with pious zeal for the fulfillment of his sacred duty ; the people with awe and veneration for the anointed monarch ; and to impress upon both people and Ruler religious devotion to the Holy Pontiff. Notwithstanding Dr. Delahogue, as already observed, echoes from the Gallican School ‘ that there is not even one word in the 17th Chapter Deuteronomy insinuating that the ‘Temporal be subject to, or inaugurated by the Pontiff or Priesthood of Aaron.’ Who sees not that that unfortunate school was, by thus stripping the Clergy of their sacred authority, and releasing the king from all religious control, spinning the fatal rope for both king and Clergy ?

‘ In vain,’ he continues, *page 239*, ‘ would the fact be objected that Samuel anointed David, instead of Saul, as king of Israel, 1 KINGS xvi. 12. for Samuel was neither Pontiff, nor Priest, but, according to St. Jerome, merely a Levite.’ Remark the Doctor’s consistency : in the lines, which are cited above, he asserts ‘ that there is not even one word in Deuteronomy xvii, insinuating that the kingly power is subject to, or inaugurated by the Pontiff or Priesthood of Aaron ;’ but now what he denies unto the Pontiff and Priest, this he grants to the Levite : for ‘ Samuel was neither a Priest nor a Pontiff, but merely a Levite.’ Let the Irish Bishops look out : if they allow themselves to be thus undermined in their own schools, they may, at no distant period, be, like their brethren in France, stripped naked of all power, and authority. In short, the manifest end and aim of the Doctor’s ‘ Previous disquisition regarding the origin and condition of the kingly Power, antecedent to the coming of Christ,’ is to wage war with the Prelacy, and raise the Temporal Ruler beyond their control, and that of

religion. But now, *page 241*, he sets about proving that the king is independent of Christ himself.

JESUS CHRIST.

‘That Christ, says the Doctor, gave to Peter, or to his successors, or to the Church, no power direct, or indirect, over the temporalities of kings, *see page 241*, shall be demonstrated, first, from the Scriptures; secondly, from Tradition; and thirdly from history.’

How does he redeem this solemn promise, how demonstrate that Christ gave to St. Peter, or his successors, or to the Church, no power direct, or indirect, over the temporalities of kings? By endeavoring to prove, forsooth, that Christ the Omnipotent God, had no temporal authority whatever, which he could give! Harken to Delahogue himself.

‘Christ,’ says he, ‘when he sent the Apostles, saith, JOHN xx. 21. As the Father hath sent me, I also send you. Consequently, they were not to receive any other power than what he had, *as man*, received from his Father; but God delivered to Christ, *as man*, no temporal power which he would exercise upon earth. Let us hear Christ himself upon this matter. First, to one of the Scribes declaring that he would follow him whithersoever he would go, he answered, ‘The foxes have holes, and the birds of the air nests, but the Son of man hath not where to lay his head: LUKE ix. 58. *Certainly this squares not well with a supreme dominion over worldly matters.* Secondly, Christ has renounced all dominion and sovereignty, both, when the Jews would, after he had multiplied the five loaves, force him to become their king, JOHN vi. 15, and when, to one of them begging of him to order his brother to divide the inheritance with him, he answers, Man, who has made me a judge or divider over you: LUKE xii. 14. Thirdly, by the words, Render unto Caesar the things that are Caesar’s, MATT. xxii. 21, *he recognized Caesar’s authority alone in worldly affairs.* Which doctrine he confirms, in a remarkable manner, by ordering that tribute be paid for himself and Peter with the stater that was miraculously found in the fish’s entrails: MATT.

xvii. 26. Fourthly, when Pilate asked him during his passion, Art thou the King of the Jews? he replied, My kingdom is not of this world. If my kingdom were from this world, my servants would certainly strive that I should not be delivered to the Jews; but now my kingdom is not from hence: JOHN xviii. 36. To Pilate still urging him, Art thou a king then? Jesus answered, Thou sayest that I am a king. For this was I born, and for this came I into the world, that I should give testimony to the truth. *Hardly can it be conceived how Christ could express in clearer terms, that he had no other power than the spiritual upon earth—to instruct mankind in the true worship of God.* So far Dr. Delahogue.

Does he not avow, in that long quotation, that Jesus Christ, God made man, has no control over the worldly property of kings; no authority whatever over the temporal affairs of mankind? Does he not clearly maintain that opinion by the words, *‘But God delivered to Christ, as man, no temporal power upon earth,’* *‘Certainly this squares not well with a supreme dominion over worldly matters;’* *‘Christ has abjured all dominion and sovereignty;’* *‘Christ recognized Caesar’s authority alone in worldly affairs;’* *‘Hardly could it be conceived how Christ could express in clearer terms, that he had no authority upon earth, than the spiritual—to instruct mankind in the true worship of God.’* ‘Does he not there deny the Omnipotence of Christ Jesus, which is the same thing as to deny his Divinity, which is the same thing as Arianism or Socinianism?’

On the contrary the Catholic faith is this; that we worship one God in Trinity and Trinity in Unity . . . The Father is Almighty the *Son Almighty*, and the Holy Ghost Almighty; and yet they are not three Almighties, but one Almighty. So the Father is God, *the Son is God*, and the Holy Ghost is God; and yet they are not three, but one God.

Now the right faith is that we believe and confess that our Lord Jesus Christ, the Son of God, is both God and Man . . . perfect God and perfect man; of a rational soul and human flesh consist-

ing ; equal to the Father according to his Godhead, and less than the Father according to his manhood ; who, although he be both God and Man, yet is not two, but one Christ. One altogether by the Unity of person : for as the rational soul and the flesh is one man, so God and Man is one Christ This is the Catholic faith which unless each person faithfully and firmly believe, he cannot be saved : *Athanasian Creed*.

Whereas the Son, the second person of the Blessed Trinity, is Omnipotent God ; and is besides, since his incarnation, perfect God and perfect man ; yet not two, but one Christ ; one altogether by the unity of person, the Omnipotence is applicable to both natures, that is say to the person of Christ : as the ineffable union between both natures—the Divine and the human, in Jesus Christ, is similar to the indescribable connexion between the soul and flesh in man ; and as the human actions could not be ascribed to the soul apart from the flesh, nor to the flesh apart from the Spirit, so the Omnipotence, or Lordship of God made man, over worldly matters could not be attributed to the Godhead separately from the Manhood. The indescribable connexion between the rational soul and the human flesh, is such that the passions of the one are mutually felt by the other ; or rather, that the pain and pleasure of each are endured by the whole man. If any member of the body, the arm, for instance, be wounded, could the wound be felt by the flesh alone, not by the entire frame, body and soul together ? Is it not, therefore, absurd to attribute the Omnipotence of Jesus Christ to the Divinity alone ? To deny a community of suffering, and of Omnipotence to both natures in the Redeemer, what is it but to discard the Trinity and substitute a Quaternity of Persons in the Godhead ?

ST. VINCENT of LIRENS, *Com. c. 21*, says, ‘ We should most carefully confess that Christ is one not only now, but one always : for it is intolerable blasphemy, that, though you concede that he is now one, you contend that there was a time when he had not been one, but two ; namely, one since the time of baptism, two at the time of his nativity. Which terrific sacrilege we cannot but fall

into if we confess not that Man is united to God in unity of person, not since the Ascension, Resurrection, or Baptism, but already in his Mother's womb, already in that virginal conception: for which unity of person are the properties of God indifferently and promiscuously attributed to man, and the attributes of the flesh ascribed to God. 'Hence it is written, JOHN iii. 13, *The Son of Man has descended from heaven*; and again, 1 COR. ii. *The Lord of majesty was crucified upon earth*.

Chap. 22, he continues, 'Anathema therefore to Nestorius denying that God was born of a Virgin, asserting that there are two Christs, and, after having discarded the faith of the Trinity, introducing to us a Quaternity. Blessed be the Catholic Church that believes that there are in Christ two true and perfect substances, but one person. Blessed, I say, be the Church, which predicates that by reason of this unity of person in the Divine and ineffable mystery, the properties of God can be attributed to man, and the properties of man can be ascribed to God. By reason of the same unity of person, she denies not that man according to God, descended from heaven; and she believes that God, according to man, was made upon earth, suffered and was crucified. Finally, she confesses by reason of the same unity that man is the Son of God, and God the Son of the Virgin. Blessed be therefore for ever, and holy and heavenly that confession that glorifies One Lord God in three persons. It is for this reason principally that she predicates the unity of Christ, lest she would exceed the mystery of the Trinity.

LUKE x. 22. 'All things are delivered to me by my Father.' JOHN i. 3, 10. 'All things were made by him; and without him was made nothing that was made. The world was made by him and the world knew him not. He came into his own (property) and his own (people) received him not. In *propria* venit, et sui eum non receperunt.'

COLOSS. ii. 10. Beware lest any man cheat you by philosophy and vain deceit; according to the tradition of men, and not according to Christ: for in him dwelleth all the fullness of the Godhead corporally—who is the *head of all principality and power*.'

1 TIM. vi. 15. 'Keep the commandment without spot, blame-

less, unto the coming of Our Lord Jesus Christ. who is the Blessed and only Mighty, *the King of Kings and Lord of Lords*'

The *Catechism of the Holy Council of Trent*, on the *Creed*, Art. 2nd, defines 'Christ not only as God, but *as man* and partaker of our nature, we also acknowledge to be a king ; of him the angel testifies. He shall reign in the house of Jacob for ever, and of his kingdom there shall be no end. LUKE i, 33. Nor did he obtain this kingdom by hereditary or human right, though he was descended from the most illustrious race of kings ; but he was king because God bestowed on him, *as man*, whatever power greatness, and dignity the nature of man is capable to enjoy. To him, therefore, he delivered the government of the whole world, and to his sovereignty, which is already commenced, shall all things be fully and completely subject on the day of judgment.'

OUR LORD. Of our Saviour many things are recorded in scripture, some of which clearly apply to him, as God, and some *as man* : because from his different natures he received the different properties which belong to each. Hence, we say, with truth, that Christ is Almighty, Eternal, Infinite, and these attributes he has from his Divine nature : again, we say of him, that he suffered, died, and rose again, which manifestly are properties compatible with human nature.'

'Besides these, there are others common to both natures, as when, in this article of the Creed, we say, OUR LORD, a *name strictly applicable to both*. As he is eternal as well as the Father, so is he Lord of all things equally with the Father. And as he and the Father are not, the one, one God, and the other, another God, but one and the same God ; so likewise he and the Father are not, the one, one Lord, and the other, another Lord. *As man*, he is also, for many reasons appropriately called, OUR LORD : and first, because he is our Redeemer, who delivered us from sin. This is the doctrine of St. Paul, PHIL. ii. He humbled himself, becoming obedient unto death, even the death of the cross ; for which cause God hath exalted him and hath given him a name that is above all names, that at the name of Jesus every knee should bend, of those that are in heaven, on earth, and under the earth, and that every

tongue should confess that the Lord Jesus Christ is in the glory of God the Father. And of himself he says, after his resurrection, All power is given me in heaven and on earth : MATT. xxviii. 18. He is, also, called LORD, because in one person both natures, the human and divine, are united ; and though he had not died for us, he had yet deserved, by this admirable union, to be constituted common Lord of all created things, particularly, of those, who in all the fervor of their soul, obey and serve him.

The *same Catechism*, on the Lord's Prayer, *Thy kingdom come*, says, ' But although even in this life the pious and the holy, are, as we have observed, placed in a special manner under the kingly power of God, yet Our Lord himself informed Pilate, that *his kingdom was not of this world*, JOHN xviii 36, that is to say, that it *had not its origin from this world*, which was created and is doomed to perish. This is the temporary tenure on which empire is held by Kings, Emperors, Commonwealths, Rulers, and all, whose titles to the government of States and Provinces is founded upon the will and election of men, or, who, in the absence of legitimate title, have intruded themselves by violent and unjust usurpation, into sovereign power. Not so Christ Our Lord who as the Prophet declares, is appointed King by God : Ps. ii. 6.'

Remark that the Holy Council defines that the Redeemer merely denies, JOHN xviii, 36, having received his kingdom or Lordship from the world ; whereas he had been appointed King by God. On the contrary Delahogue, with the Gallican School, infers from the same text of JOHN, that it can be hardly conceived how Christ could, in clearer terms, express ' that he had no other power than the spiritual power of *instructing mankind in the true worship of God.*' The Holy Council makes one inference from the sacred text ; the Gallicans another. She declares that Christ Our Lord is King of Kings, and Lord of Lords ; that he received not his sovereignty from the world, or election of men, but from his own Godhead ; they imagine that he had no dominion or Lordship upon earth ; no legislative, but only the spiritual power ' of instructing mankind in the true worship of God ;' that he is merely a teacher, or prophet. What is that saying, but Judaism, Arianism, or Unitarianism ? That the Holy Council interprets the text right, the Gallicans wrong.

will be manifest by reinserting the text both in the Latin and English.

JOHN xviii. 36. Respondit Jesus, Regnum meum non est de hoc mundo ; si ex hoc mundo esset regnum meum, ministri mei utique decertarent, ut non traderer Judæis ; nunc autem regnum meum non est hinc.

‘ Jesus answered, My kingdom is not of this world ; if my kingdom were from this world, my servants would certainly strive that I should not be delivered to the Jews ; but now my kingdom is not from hence.’

The verse, observe, consists of three members, each being but a repetition of the same thing ; each making the sense and object of the Sacred Writer clearer and clearer. My kingdom is not of this world, *de hoc mundo*. If my kingdom were from this world—*ex hoc mundo*. But now my kingdom is not from hence,—*non est hinc*. The verse, had it contained but the first member, My kingdom is not of this world—*de hoc mundo*, may signify either *over*, or *from* this world, and may therefore be construed with the Council or with the Gallicans : but the preposition *from* (*ex*) in the second and also the adverb from *hence* (*hinc*) in the third member of the verse settles it manifestly in the Catholic sense, and declares that the Redeemer only denied having received his kingdom or sovereignty from this world : but that he, by no means, renounced the dominion thereof. That the verse should be taken in the Catholic interpretation is clear enough in the Douay English version, clearer in the Latin Vulgate, and most clear in the Greek Edition wherein is read the Preposition *ek* and the adverb *enteuthen*, that signify a motion from a place.

From the words of Christ, LUKE ix. 58. ‘ The foxes have holes, and the birds of the air nests ; but the Son of Man hath not where to lay his head, the Gallicans blasphemously infer, ‘ that this certainly squares not with a Supreme dominion over worldly matters.’ The horrid Jews also when they beheld their God having not where to lay his head, buffeted, spit upon, dragged from Pilate to Herod, crowned with thorns, and nailed to the cross, inferred that he had no dominion upon earth, and were scandalized. But we preach Christ crucified unto the Jews indeed a stumbling block and unto the Gen-

tiles foolishness : 1 COR. i. 23. Does not the Redeemer display an absolute dominion over all things visible and invisible by expelling the money changers, raising Lazarus from the dead, healing the sick, allaying to stormy seas, changing water into wine, increasing the loaves and fishes, creating the world : JOHN i. 3, expelling the demons from the penitent sinner, and by raising himself the third day from the dead ? Hence,

ST. GREGORY THE GREAT, *Pastor*, part 1. c. 3. says, ‘ These things have we briefly stated to show the responsibility of the Pre-
late, for fear unqualified persons usurp the mitre, and, in aiming at pre-eminence, become guides to perdition. The Apostle, James iii. piously forbids it, *Be not masters, my brethren*. And the Me-
diator himself of God and men, who surpasses in prudence and wisdom even the celestial spirits, and who reigns in heaven before all ages, forbade to accept of sovereignty upon earth. For it is certainly written, JOHN vi. 15, that when Jesus knew that they would come and take him by force, and make him king, he fled again into the mountain himself alone. *Who could, with more propriety rule over mankind than he would over those people whom he had created ?* But as he became man not only to redeem us by his passion, but also to instruct us by his conversation, so he would not, to the end of giving an example to his followers, be made a king, whilst he came voluntarily to the altar of the cross ; he fled from the dignity that was offered to him, and sought an ignominious death, to the purpose, that his members would learn to flee from the smiles of this world, to repine not at persecution for the truth sake, and to shudder at prosperity : for the one pollutes the heart with pride, and the other wipes away the dross ; the one makes man forget himself, and the other brings him even against his will, to a knowledge of himself.

Idem. Hom. X. in Epiphany on the text, MATT. ii. 11. The wise men entering into the house, found the child with MARY his mother, and falling down they adored him ; and opening their treasures, they offered him gifts, gold, frankincense, and myrrh ; says, ‘ The gold appertained to the king ; frankincense is used in the sacrifices of God ; and with the myrrh are embalmed the bodies of the dead. Therefore, the wise men proclaim by the mystical gifts, the pro-

perties of him whom they adore ; by the gold that he was king ; by the frankincense, God ; and by the myrrh, mortal man. However, there are some heretics, who believe that he is God, but would not at all believe that he reigns every where ; they offer him indeed the frankincense, but they would not offer also the gold. And heretics there are, that think he is king, but deny that he is God : they offer him the gold, but offer not the frankincense. And some heretics there are that confess that he is both God and King, but deny that he assumed mortal flesh ; they offer him the gold and frankincense, but refuse him the myrrh of assumed mortality.

‘ But let us offer at the Nativity of Our Lord, gold to manifest our belief in his universal reign ; frankincense to confess that he who appeared in time, had been God before all ages ; and let us offer the myrrh to declare our belief that he whom we believe to be impassible in his divinity, is mortal in our flesh.’

The same three classes of heretics are found in our unfortunate days also. The Jews, Arians, Socinians, and Unitarians sacrilegiously deny that Our Lord Jesus Christ is either God or King, but confess that he was a mortal prophet ; on the contrary, the Gallican heretics confess that he is God and that he became man for our redemption ; but they deny that he reigns every where ; they offer him indeed the frankincense, that is to say, prayer and sacrifice ; but they would not by any means offer him the precious metal. The subjoined Decree is from *Pope John XXII.*

EXTRAV. *Tit.* 14, *C.* 4. ‘Whereas some casuists doubt whether to assert obstinately that Our Redeemer and Lord Jesus Christ and his Apostles had neither in particular nor in common any things, is to be deemed, whilst contrary opinions are held upon the question, heretical.

We, being anxious to put an end to this dispute, declare in this perpetual decree, with the advice of our Brethren that such an obstinate assertion, whereas it evidently contradicts the Scriptures, which says in many places that they possessed some things, and openly insinuates that the Scriptures themselves whereby the articles of the orthodox faith are certainly proved, contains with regard to the foregoing the leaven of lie, and consequently renders the Catholic religion by shaking its foundation totally doubtful and un-

certain, must be henceforward deemed erroneous and heretical.

‘ Besides to assert obstinately hereafter that Our said Redeemer and his Apostles had no right of using the things which the Scriptures says; they possessed ; no right of selling or bestowing them, or of acquiring thereby other things which however they had done thereby, as the Scriptures testifies, or expressly supposes that they might have done, whereas such an assertion openly implies that the use of them things and management in the manner above mentioned is not just, which is manifest blasphemy to think of the usage, transactions, or doings of Our Redeemer, Son of God, contrary to the holy Scriptures, and injurious to the Catholic doctrine, that assertion, when obstinate, we do from the advice of our Brethren declare must be henceforward justly deemed erroneous and heretical. *Dated at Avignon, 2 Idus. Nov. the 7th year of our Pontificate.*’

Notwithstanding the selfsame assertions that are thus declared erroneous and heretical by that holy Pope are maintained with obstinacy by the Gallican School : they assert see page 241, ‘ that God delivered to Christ as man no temporal power upon earth ;’ and again ‘ that the son of man having no where to lay his head is a fact that squares not with a supreme dominion over worldly matters.’ And again, ‘ that Christ has abjured all Sovereignty ; that he recognized Caesar’s authority alone in worldly matters ;’ and again ‘ that it can be hardly conceived how Christ could in clearer terms express that he had no authority but the spiritual upon earth—to instruct mankind in the true worship of God.’ The Jews, Arians, and the Unitarians likewise, whilst they admit that the Redeemer was a prophet sent to instruct mankind in the true worship and religion of God ; to prepare the way and make straight the paths, deny that he had any temporal dominion or legislative power upon earth. On the contrary,

The Holy Catholic Church believes and confesses that our Lord Jesus Christ the Son of God, is both God and Man ; that he is our *Legislator* and that he will come again to judge the living and the dead. Hence,

The Holy Council of Trent, Sess. 6. Can. 21. ‘ If any person say that Christ Jesus had been given by God to mankind as a Re-

deemer in whom they would confide, but not as a Legislator whom they should obey, let him be anathama.'

As the Gallicans in their atheistical warfare, in their attempts to show that Christ Jesus Our Lord has no power upon earth but the spiritual—power of instructing mankind in the true worship of God, usurp the scriptures against Jesus Christ : so in their deistical crusade against the Pope they wrest the decrees of the Pope against the Pope ; and as they corrupt the Scripture against Christ, so they garble and mis-state the Canons against the Pope. For instance,

Delahogue, *Eccle. page 250*, quotes in favor of the royal independence an extract from the epistle of *Pope Gelasius* to the *Emperor Anastasius* ; but he takes good care to omit the very portion of it that would show the end and object of His Holiness. 'There are, My august Emperor, two Powers whereby is this world regulated ; the Pontifical and Regal powers. (Here the Doctor omits something which I shall supply.) If the Prelates recognize in you a divine right to the civil government, and even obey your laws—with what alacrity should you obey them, constituted over the divine mysteries.' Behold the same extract which I copy from the *Decretals*.

GRATIAN, *DIST. 96, c. 4*. 'There are certainly, My august Emperor, two Powers whereby is this world governed ; the Pontifical and Regal Powers. Of the two the Priest's duty is more important ; he having to render an account at the Divine judgment of the very kings. Do you know that you are amenable to their judgment ; not they to yours.—Supported by such laws and authorities several Pontiffs had excommunicated kings and Emperors : for example *Pope St. Innocent* excommunicated the Emperor *Arcadius* for his co-operation in the expulsion of *St. Chrysostom* from his See. And *St. Ambrose*, though not a Supreme Pontiff, excommunicated and cut off from the Church *Theodosius* the mighty Emperor for a crime not so very weighty in the eyes of other Priests : having also shown in his writings that gold surpasses not lead in splendor, as much as the Clerical excels in dignity the Regal Power. Do you not see that Kings and Princes bow the neck at the Priest's knee, seeking the aid of their prayers :' *Pope Gelasius Epist. to the Emperor Anastasius*.

Why do the Gallicans omit so much of the Pope's definition? Is it because the instances quoted by him were not in point—because SS Innocent and Ambrose were not justified by the law of God to excommunicate Emperors; or because the French kings would not bend their proud neck at the confessional, nor admit the superior splendor of the Clerical dignity? Did not the Apostle cut off the incestuous Corinthian: does not every good pastor, as SS Innocent and Ambrose, excommunicate thieves, robbers, gamblers, libertines, actors, and usurers, and other infamous, incorrigible sinners. If the people be reprimanded and corrected, will the crowned Heads be permitted to pursue their iniquitous paths until they receive their chastisement from the king-killer?

Delahogue, page 252, says, ' If the Church have any power direct or indirect, over the temporal affairs of kings, the condition of the Christian Princes is more deplorable than that of the pagan. He admits no ruler over him but God; whilst they have besides God the the Supreme Pontiff.'

Bravo, Gallicans, you now outdo the Calvinists. If the Christian Rulers be, for using the things of this world according to the dictates of religion and of their Priests, in a more miserable condition than the pagans, and the Calvinists, what Gallican is there, who would not elevate himself to the happy dignity of the pagans and Calvinists, by setting aside as they have done in 1793, the Priests and Christian religion entirely. One specimen more of Gallican Liberties, and then shall I have done.

Delahogue, Eccl. page 253, says, ' Although man should keep his temporal subordinate to his spiritual end; and even the Prince himself should at the helm of government prize the salvation of his soul more than all the goods and even kingdoms of this world, it follows not however that the power which rules the Empire is subject to the power which rules the Kingdom of Christ; for God might will that the two orders be ruled by two distinct powers, constituted immediately by himself in their respective spheres, both equally foremost, equally supreme, equally independent of one another; just as are two powers, the civil and military, in the Empire under the Prince, both constituted immediately without confusion by himself, both equally supreme, equally independent in their re-

spective spheres, though tending to the same end—to the welfare of the Republic. . . . It could be truly said that *all Christians* form *one* or *two* Republicks. The whole of them appertain to one, if by the Republic is to be understood the Church of Christ; and it could be said that they belong to two also—the one temporal, wherein we were born, and the other spiritual unto which we were regenerated; which have, each of them their different offices, these in the temporal and those in the spiritual order; also their ruling powers totally different and independent of one another.’

The passage just read is but sophistry, calculated to be swallowed only by the superficial reader; it conveys some incomprehensible notion of two societies co-existent, or subsistent, the one within the other, each equally supreme, equally independent in its respective sphere; which societies he calls the *Empire* and the *Kingdom of Christ*, the one temporal, wherein we were born, the other spiritual wherein we were regenerated. By the *Empire* he must mean society in a state of infidelity, or antecedent to the reception of the Christian Religion; and by the *Kingdom of Christ*, society in a state of belief, or subsequent to the adoption of Christianity. If that be not his meaning, it is impossible to comprehend him. If that be his meaning, the supposition which he makes is absurd and impossible.

To suppose that all Christians form two such societies, co-existent, and subsistent, the one within the other, is to suppose that all Christians are at one and the same time infidels and believers. Could heat and cold, love and hatred, or light and darkness abide together? As soon as the light enters in, the darkness recedes; and when darkness comes, the light disappears. What participation hath justice with injustice? Or what fellowship hath light with darkness? And what concord hath Christ with Belial? Or what part hath the faithful with the unbeliever? And what agreement hath the temple of God with idols? For you are the temple of the living God. When the body is separated by death from the soul, the soul passes from this to the other world, so when the ‘*Empire*,’ that is, the Body of mankind considered abstractedly from the Christian religion, be removed from sight, the Church or ‘*Kingdom*

of Christ' disappears also ; and again if the ' soul of the Church,' as they call it, that is the Christian religion be removed away, the people relapse into heathenism. If the people disappear, the Church and the Christian religion is no where visible, and if the Christian religion be abolished the people become pagans. With what reason therefore could the Gallicans assert that *all Christians* appertain to two Republics, the one temporal, wherein we were born, the other spiritual in which we were regenerated ; which have, each of them, different offices ; these in the temporal, and those in the spiritual order, having also their ruling powers totally different and mutually independent. It is recorded in the History of the French Revolution that, when the Gallicans themselves recurred in the year 1793 to that state in which they were born, that is to say, to the state of infidelity, the kingdom of Christ, that is, the spiritual Republic, unto which they were regenerated, disappeared altogether. The problem was then demonstrated, that two Republics, the temporal and the spiritual, equally supreme, equally independent in their respective spheres, are things incompatible, and impossible.

The Doctor's simile from the military and legislative orders is not to the purpose ; for the Empire, or Church of Christ is not a part of a pre-existing whole ; whereas the military and legislature are not essential, but accidental portions of a pre-existent whole : for diverse societies of true believers could be supposed to exist, did, and do actually exist, faithful to the law of God and of their spiritual superiors, voluntarily and without any coercion whatever. The Israelites knew no other ruler than the Patriarchs, Prophets, and Pontiffs until the year A. M. 2909 ; when the people as the sons of Samuel acted wrong, solicited a king.

1 KINGS viii. It came to pass, when Samuel was old that he appointed his sons to be judges over Israel, and his sons walked not in his ways, but they turned aside after *lucre*, and took bribes and perverted judgment. Then the ancients of Israel being assembled came to Samuel to Ramatha ; and they said to him, Behold thou art old, and thy sons walk not in thy ways, make us a king to judge us as all nations have. And the word was displeasing in the eyes of Samuel that they said, Give us a king to judge us. And Samuel

prayed to the Lord. And the Lord said to Samuel, Hearken to the voice of the people in all that they said to thee : for they have not rejected thee but me, that I should not reign over them ; but yet testify to them and foretell them the right of the king, that shall reign over them. This will be the right of the king that shall reign over you. He will take your sons and put them in his chariots ; he will appoint of them to be his tribunes and centurions and to plough his fields, and to reap his corn.

Nor has the Redeemer in the New Law used soldiers, or magistrates, or princes, but the Apostles, Prelates and doctors for the formation of society—for bringing mankind into one Fold and one faith : JOHN X. EPHES. iv. But as he foresaw *that scandals would come* : MATT. 18. and that all people would not hear the Church ; that there would be thieves, robbers, murderers, and evil-doers of all sorts, he institutes also the temporal power, as a necessary evil, for preserving order ; for the punishment of evil-doers, and for the praise of the good : 1 PET. ii. 14. He is God's minister, *an avenger to execute wrath upon him that doth evil* : ROM. xiii. From which it seems to be manifest that if people persevered in the law of God, and dictates of their Clergy they would never be saddled either in the Old or New Law with a temporal Ruler of any description ; and that, although he is God's minister, an avenger to execute wrath upon the evil doers, yet he is a member of Christ's Fold, subservient, like all others, to the institutes and shepherd thereof.

In some places the ruler is *hereditary* ; in others he is *elective*. Some nations concentrate the supreme civil power in *monarchy* ; some in *aristocracy* ; others prefer *democracy*, or republicanism. It is not my end or aim at present to discuss the relative merits or demerits of the different forms of government ; but this I am willing and ready to say, that the ruling power, or Chief Magistrate, when lawfully constituted, derives his authority from God, and that we are bound to honor and obey him not only for wrath, but also for conscience sake.

The commandments of God are spiritual, because they affect and direct the inward soul ; and also worldly, because they bear

upon and regulate worldly substance. Whereas the Pastor is in duty bound to preach, expound, and enforce them by *penance* and *restitution*, against the felon, gambler, perjurer, and all other sinners : *Whatever you bind upon earth, they also shall be bound in heaven* ; and whereas no species of temporal matters, nor class of sinners is reserved by that text from the controlling power of the Church ; and whereas each Pastor derives his spiritual jurisdiction immediately from the diocesan Bishop, who is empowered, *Con. Trent, Sess. 14, Can. 11*, to withhold or reserve cases, he (Bishop) enjoys throughout the diocese greater authority, spiritual, or temporal, or whatever name you give it, than that which is possessed by the simple Pastor in his respective parish. And whereas the jurisdiction, be it spiritual or temporal, radiates throughout the whole Catholic Church, from the Vicar of Christ who, according to the aforesaid Canon of the Council of Trent, may reserve, and actually has reserved cases, His Holiness' authority throughout Christendom must far surpass that of the Prelate in his respective diocese. Moreover does not the gentleman gain by virtue of the Pope's dispensation, the bride, with her estates, and consequently temporal patronage and electioneering influence ? In short, must not each Christian use the things of this world by the dictates and precepts of religion, which he receives through his Pastor directly from the Supreme Pontiff ?

Hence it is evident that the Gallicans, when they declared that neither the Church, nor the Pope has any right or control directly or indirectly over the temporal affairs of kings, declared what is not the fact, spun for themselves the fatal rope, and threw the inflated monarch headlong amidst the whetted blades of regicides. But what must be our grief upon seeing the selfsame Calvinistic Liberties incorporated with the oath of allegiance for the Irish and English Catholics.

I, A. B., do declare that I do not believe that the Pope of Rome, or any other foreign prince, prelate, state, or potentate hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly within this realm.

It is an unquestionable truth that the peoples and nations faithful to the law of God, and respectful to their pastors, enjoy more liberty, and security for life and property, than the peoples and nations that possess neither Priests nor religion ; It is also an unquestionable fact, that the ruler has more reason to tremble from the regicide's axe, than from the Pope's Bulls. What then can be the English government's end or object in the aforesaid oath ; is it possible that people will be more faithful to their king or country by denying upon oath a fact—by calling God to witness in the solemnity of an oath that the Pope has not received any power or jurisdiction direct or indirect over temporal matters in the kingdom of England. Each pastor by virtue of his spiritual jurisdiction derived to him from the Pope, is more efficient for correcting sinners, preserving the peace, and adjusting civil or temporal disputes, than the magistrate. This temporal control or influence over the people's manners and social commerce is inseparable from the pastor's spiritual authority ; he cannot rid himself of it, unless he cease to discharge his sacred functions, and allow, in the Protestant style, the people to follow their own way. Each pastor, that is not the hireling who seeth the wolf coming and leaveth the sheep, chastises by penance and the spiritual sword, obstinate sinners of all descriptions. Each pastor believes that he is empowered by the Redeemer to correct them, as he actually does every day. But the Pope never claimed, never exercised any other, but the same power of keeping his flock together on the pasture of Christ, and of correcting the perverse.

Whereas it is an undeniable fact, that the nations faithful to the Prelate, and to religion, enjoy more real liberty and security for life and property, than the infidels that care for neither God nor religion ; and that the regicide's axe is more formidable to the Ruler than the Papal Bull, what can be the English government's motive or object, for the foregoing oath ? ' Will the taking of such false, absurd oath render people more faithful to the king and country ? What wonder if God's vengeance overhang the country that legalizes and reduces into a system such manifest perjury ? If the Irish and English Prelates with the concurrence of the Holy See offer, as substitute, the oath of allegiance incor-

porated by the ancient Irish with the ARTICLES of LIMERICK, I see no reason why the government would not gladly accept it. That oath which I read in the Irish and English papers, 1829, is, if I recollect right, substantially this :

I, A. B. swear that I will bear true allegiance to his Majesty, William III. King of England, and Ireland ; and that I will not join, or assist in any conspiracy against his crown or person. So help me God.

*An extract from an Encyclical Letter of our most Holy Father, Pope Gregory XVI. to all Patriarchs, Primates, Archbishops and Bishops. **

POPE GREGORY XVI.

‘ Venerable Brethren, health and Apostolical benediction. We speak, Venerable Brethren, of what your own eyes have witnessed, and over which our tears flow in common. Wickedness is restless, science grown insolent, licentiousness unrestrained. The holiness of things sacred is despised ; and the majesty of the divine worship, at once so efficacious and so necessary, is called in question, vilified, mocked at by evil men. Hence the perversion of sound doctrine, and hence the effrontery with which errors of every kind are disseminated. The law of the sanctuary, its rights, its customs, whatever is most holy in discipline, is attacked by the tongues of them that speak iniquity. Our Roman See of St. Peter, on which Christ laid the foundation of His Church, is assailed on all sides ; and the bonds of unity are every day weakened, and breaking asunder. The divine authority of the Church is opposed ; robbed of her rights ; she is laid prostrate to satisfy human expediency, and iniquity exposes her a degraded slave to the hatred of the nations. The obedience due to Bishops is infringed, and their rights are trodden under foot. The schools and the universities echo monstrous novelties, which no longer content themselves with undermining the foundation of the Catholic faith, but quitting their lurking holes, rush openly to horrid and impious war with it. The youth corrupted by the doctrines and examples of their teachers, have inflicted a deep wound upon Religion, and have introduced a most gloomy perversion of manners. Hence

It is that men flinging away the restraints of our Holy religion, which alone can keep together the elements of kingdoms, and impart strength and stability to government, have brought us to witness the destruction of public order, the downfall of States, and the overthrow of all legitimate power. These accumulated miseries owe their origin principally, however, to the activity of certain societies, in which is collected, as in one common receptacle, whatever heresy, or the most impious sects, offer of crime, of sacrilege, and of blasphemy.

These things, Venerable Brethren, and many others, some perhaps more distressing, which it were long to enumerate, must still, as you well know, embitter and prolong Our grief, seated as We are in the Chair of the Prince of the Apostles, where the zeal for the whole of Our Father's House must consume Us more than others. But aware at the same time, that We have been placed here not only to deplore, but also to crush the evils to the utmost of Our power, We turn to your fidelity for aid, and We appeal to your solicitude for the salvation of the Catholic flock, Venerable Brethren, because your tried virtue and religion, exemplary prudence, and unremitting zeal, give Us courage, and shed a sweet consolation over Our minds, afflicted as they are in this season of trial. For it belongs to Us to give the alarm, and to leave no means untried which may prevent the boar of the forest from trampling down the vineyard, or the wolf from taking the lives of the flocks. Ours is the task to drive the sheep into healthful pastures which preclude all suspicion of danger. But God forbid, Dearest Brethren, God forbid that while so many evils press, while so many dangers threaten, pastors should be wanting to their duty, and that fear-stricken, they should fly from their flocks, or slumber in idle and inactive forgetfulness of them. In union of Spirit, then, let us be true to our common cause, or rather the cause of God; and let us unite our vigilance and exertions against the common enemy, for the salvation of the whole people.

Now you will best correspond with these sentiments, if in compliance with the nature of your station, you 'attend unto yourselves and to doctrine;' ever bearing in mind, 'that the Universal Church suffers from every novelty,' as well as the admonition of

the Pope St. Agatho, 'that from what has been regularly defined, nothing can be taken away, no innovation introduced there, no addition made ; but that it must be preserved untouched both as to words and meaning.'

Nor can we augur more consoling consequences to religion and to government, from the zeal of some *to separate the Church from the State, and to burst the bond which unites the Priesthood to the Empire.* For it is clear, that this union is dreaded by the profane lovers of liberty, only because it has never failed to confer prosperity on both. *Rome, August 15, 1832, and 2nd year of our Pontificate.'*

APPENDIX.

DECRET. GRATIAN, *Dist.* 46, *cap.* 8 Seditonarios statuimus nunquam ordinandos Clericos, sicut nec usurarios, nec injuriarum suarum ultores. 4 *Con. Carthag. c.* 67, *An.* 398.*

Cap. 9. Non licet scenerari ministris altaris, vel in sacerdotali ordine constitutis, vel usuras, vel lucra, quæ sescupla dicuntur, accipere. *Con. Leodicen. c.* 5. 320, *in Phrygia.*

Cap. 10. Sicut non suo, ita nec alieno nomine aliquis Clericorum exercere scenus attentet. Indecens est enim, crimen suum commodis alienis impendere. Fcenus autem hoc solum aspicere et exercere debemus, ut qui his misericorditer tribuimus, ab eo Domino, qui multipliciter, & in perpetuum mansura tribuit, recipere valeamus. *Leo Papa, Epist.* 1, *c.* 4, *An.* 443.

Dist. 47, *c.* 1. Episcopus aut Presbyter, aut Diaconus usuras a debitoribus exigens, aut desinat, aut certe deponatur. *Canon* 44. *Apostol.*

Cap. 3. Omnes hujus sculi dilectores in terrenis rebus fortes sunt, in cœlestibus debiles. Nam pro temporali gloria usque ad mortem desudare appetunt, & pro spe perpetua ne parum quidem in labore subsistunt; pro terrenis lucris quaslibet injurias tolerant, & pro cœlesti mercede vel tenuissimi verbi ferre contumelias recusant: terreno judici toto etiam die assistere fortes sunt: in oratione vero coram Domino vel unius horæ momento lassantur: sæpe nuditatem, dejectionem, famem pro acquirendis divitiis, atque honoribus tolerant: & earum rerum se abstinentia cruciant, ad quas adipiscendas festinant, superna autem laboriose quærere tanto magis dissimulant, quanto ea retribui tardius putant. Hi itaque quasi aliarum arborum more deorsum vasti sunt, sursum angusti: quia fortes inferiora subsistunt, sed ad superiora deficiunt. At

* A translation of these S. Canons is heretofore given in page 106, and onward.

contra ex qualitate palmarum designatur proficiens vita justorum, qui nequaquam sunt in terrenis studiis fortes, et cœlestibus debiles; sed longius; atque distantius, studiosos se Deo exhibent, quam seculo fuisse meminerunt. Nam cum quibusdam per prædicatorem nostrum dicitur: [*Humanum dico propter infirmitatem carnis vestræ. Sicut enim exhibuistis membra vestra servire immunditiæ, & iniquitati ad iniquitatem: ita nunc exhibete membra vestra servire justitiæ in sanctificationem: ROM. vi.*] eorum proculdubio infirmitati condescenditur, ac si eis apertius diceretur, si nequaquam amplius potestis; saltem tales estote in fructu bonorum operum, quales fuistis dudum in actione vitiorum, ne debiliores vos habeat sancta libertas aeris quos in carne validos habuit usus terrenæ voluptatis. *Greg. Lib. 19, Moral. c. 25, An. 590.*

Cap. 4. De Petro insuper ad nos pervenisse cognoscite, quod solidos dedit ad usuram: quod vos oportet cum omni subtilitate perquirere: & si ita constiterit, alium eligite, & ab hujus vos persona sine mora suspendite. Nam nos amatoribus usurarum nulla ratione manus imponimus. Si vero subtili habita inquisitione, hoc falsum esse patuerit (quia persona ejus nobis ignota est, et utrum ita sit de simplicitate ejus, quod ad nos perlatum est, ignoramus) cum decreto a vobis facto, ad nos eum venire necesse est: ut vitam moresque illius sollicitius inquirentes, sensum quoque pariter agnoscamus, ut si huic judicio aptus extiterit, vestra in eo (adjuvante Domino) desideria compleamus. *Greg. Clero Neap., An. 600.*

Cap. 5. Si quis Clericorum detectus fuerit usuras accipere, placuit degredari et abstinere. *Con. Eleber, c. 20, An. 305, in Hispania.*

Cap. 6. Virum Catholicum, & præcipue Domini Sacerdotem, sicut nullo errore implicari, ita nulla oportet cupiditate violari, dicente sancta Scriptura [*Post concupiscentias tuas non eas: ECCL. xviii.*] Mens enim potentiæ avida, nec abstinere novit a vetitis, nec gaudere concessis, nec pietati adhibere consensum. *Leo Papa I. Epis. 51, ad Anatolium, An. 452.*

14, *Quæst. 3, cap. 1.* * Si fœneraveris homini, id est, mutuam pecuniam tuam dederis, a quo aliquid plus, quam dedisti, expectus accipere, non pecuniam solam, sed aliquid plus quam dedisti sive illud triticum sit, sive vinum, sive oleum, sive quodlibet aliud, si

* See page 68.

plus, quam dedisti expectas accipere, fœnerator es, & in hoc improbandus, non laudatus. *Augus. in Ps. 30, v. tota die, An. 405, in Africa.*

Cap. 2. Putant quidam usuram tantum esse in pecunia. Quod prævidens Scriptura divina, omnis rei aufert superabundantiam, ut plus non recipias, quam dedisti. *Item ibid.* Alii pro pecunia fœnerata solent munuscula accipere diversi generis : & non intelligunt usuram appellari, & superabundantiam, quidquid illud est, si ab eo, quod dederint, plus acceperint. *Hieronymus, lib. 6. in Ezechiel. c. xviii., An. 410, in Palæstina.*

Cap. 3. Plerique refugientes præcepta legis, cum dederint pecuniam negotiatoribus, non in pecunia usuras exigunt ; sed de mercibus eorum, tamquam usurarum emolumenta percipiunt. Ideo audiant, quid lex dicat. *Neque usuram, inquit, escarum accipies, neque omnium rerum. Item paulo post.* Et esca usura est, & vestis usura est, & quodcumq. sorti accedit, usura est, quod velis ei nomen imponas, usura est. *Ambrosius in Tobias, c. xiv., 390 Mediolani.*

Cap. 4. Usura est, ubi amplius requiritur quam datur : Verbi gratia, si dederis solidos decem, & amplius quæsieris : vel dederis frumenti modium unum, & super aliquid exegeris. *Con, Agatha, An. 806.*

CATECHISMUS TRID. De Furto. Huc etiam referuntur fœneratores in rapinis acerrimi, & acerbissimi, qui miseram plebem compilant, ac trucidant usuris.

Est autem usura, quidquid præter sortem, & caput illud quod datum est, accipitur, sive pecunia sit, sive quidvis aliud, quod emi, aut æstimari possit pecunia : sic enim apud Ezechielem Scriptum est. Usuram & superabundantiam non acceperis : & Dominus apud Lucam. Mutuum date, nihil inde sperantes : **EZECH. xviii. 6. LUC. vi. 35.**

Gravissimum semper fuit hoc facinus etiam apud Gentes, & maxime odiosum, hinc illud. Quid fœnerari ? Quid hominem, inquit, occidere ? Nam qui fœnerantur, bis idem vendunt, aut id vendunt, quod non est.

Quæst. 4, cap. 1. Clerici, aut ab indignis quæstibus noverint abstinendum, et ab omni cujuslibet negotiationis ingenio, vel cupi-

ditate cessandum ; aut in quocumque gradu sint possiti, si cessare noluerint, mox a clericalibus officiis abstinere cogantur. *Gelasius Papa Episcopis per Lucaniam, An. 494.*

Cap. 2. Ministri qui fœnerantur placuit juxta formam divinitus datam eos a communione abstinere. *Con. Arela 1 An. 319, in Gallia.*

Cap. 3. Canonum statutis firmatum est, ut quicumque in Clero esse voluerit, emendi vilius vel carius vendendi studio non utatur ; quod certe si voluerit exercere, cohibeatur a Clero. *Con. Terracon, c. 2, An. 516, in Hispania.*

Cap. 4. Si quis oblitus timorem Domini et sacram Scripturam, dicentem, Qui pecuniam suam non dedit ad usuram, post hanc cognitionem magni Concilii foeneraverit vel centesimas exegerit, aut ex quolibet negotio turpe lucrum quæsierit, aut per diversas species vini, vel frugis vel cujuslibet rei emendo vel vendendo aliqua incrementa susceperit, de gradu suo dejectus, alienus habeatur a Clero. *Con. Martini Papæ, c. 62, An. 572.*

Cap. 5. Si quis Clericus in necessitate solidum præstiterit, hoc de vino vel de frumento accipiat, quod mercandi causa tempore statuto decretum fuerit venundari. Cæterum si speciem non habuerit necessariam, ipsum, quod dedit sine ullo incremento recipiat. *Con. Terracon. c. 3, An. 516, in Hispania.*

Cap. 6. Nullus Clericorum amplius accipiat, quam cuiquam commodavit ; si pecuniam, pecuniam accipiat ; si speciem, eandem quantum dederit, accipiat ; ed quidquid aliud, tantum quantum dederit, accipiat. *Con. Carthag. 3, c. 16. An. 397, in Africa.*

Cap. 7. Nec hoc prætereundum quoque duximus esse quosdam turpis lucri cupiditate captos, qui usurariam exercere pecuniam et fœnore volunt ditescere ; Quid nos, non dicamus in eos, qui clericali ordine constituti, sed etiam in laicos cadere, qui Christianos se dici cupiunt, condolemus ; quod acrius vindicari in eos qui fuerint confutati, decernimus, ut omnis peccandi opportunas adimatur. *Leo Papa Epist. 1, c. 3, 443.*

Cap. 8. Quoniam multi Clerici avaritiæ causa turpia lucra sectantes, obliti sunt divini præcepti, quo dictum est, Qui pecuniam suam non dedit ad usuriam, fœnerantes, centesimas exigunt, statuit hoc Sanctum Concilium, ut si quis inventus fuerit post hanc defini-

tionem usuras accipere, vel ex quolibet tali negotio turpia lucra sectari, vel etiam species frumentorum ad sescuplum dare, omnis quæ tale aliquid conatus fuerit ad quæstum, dejiciatur a Clero, et alienus ab Ecclesiastico habeatur gradu. *Con. Nicæn. 1, c. 17, An. 325, in Bithynia.*

Cap. 9. Quicumque tempore messis, vel vindemiæ, non necessitate, sed propter cupiditatem comparat annonam, vel vinum, verbi gratia de duobus denariis comparat modium unum, & servat usque dum vendatur denariis quatuor aut sex, aut amplius, hoc turpe lucrum dicimus. *Julius Papa, An. 806.*

Cap. 10. Si quis usuram acceperit, rapinam facit, vita non vivit. *Ambrosius Lib. de bono mortis, c. 12., An. 387, Mediolani.*

Cap. 11. Quid dicam de usuris, quas etiam ipsæ leges, & Judices reddi jubent? An crudelior est, qui subtrahit aliquid, vel eripit diviti, quam qui trucidat pauperem sænore? Hæc, atque hujusmodi male utique possidentur: & vellem, ut restituerentur: sed non est, quo Judice repetantur. Jam vero, si prudentes intueamur, quod scriptum est: Fidelis hominis totus mundus divitiæ sunt; infidelis autem, nec obolus; nonne omnes, qui sibi videntur gaudere licite conquisitis, eisque uti nesciunt, aliena possidere convincimus? Hoc enim certe alienum non est, quod jure possidetur: hoc autem jure, quod juste: & hoc juste, quod bene. Omne igitur, quod male possidetur, alienum est: male autem possidet, qui male utitur. *August. ad Maced. epist. 54. An. 414, in Africa.*

Quest. 5. Cap. 1. Nolite velle eleemosynas facere de sænore, et usuris. *St. Agust. ser. 35, 410.*

Cap. 4. Nemo qui rapit, moriens, si habet unde reddat, salvatur. Si eos, quorum fuit, invenire non poterit, Ecclesiæ, vel pauperibus tribuat. *B. Hieronymus, An. 410, in Palæstina.*

Cap. 6. Si quid invenisti, et non reddidisti; rapuisti: quantum potuisti, fecisti. Quia plus non invenisti, ideo non plus rapuisti. Qui alienum negat; si posset, et tolleret. Deus cor interrogat, non manum. *St. Aug. hom. 9. An. 400.*

DECRET. GREG. *lib. 5. tit. 19. Cap. 1.* Plures Clericorum. * * * Generalis Concilii decrevit auctoritas, ut nullus constitutus in clero,

vel hoc vel aliud genus usuræ exercere præsumat. Et si quis alicujus possessionem data pecunia sub hac specie, [vel conditione] in pignus acceperit, si sortem suam [deductis expensis] de fructibus jam percepit : absolute possessionem restituat debitori. Si autem, aliquid minus habet, eo recepto, possessio libere ad Dominum revertatur. Quod si post hujusmodi constitutum in Clero, quisquam extiterit, qui detestandis usurarum lucris insistat, Ecclesiastici officii periculum patiatur : Nisi forte Ecclesiæ beneficium fuerit, quod redimendum ei hoc modo de manu Laici videatur. *Alex. III. in con. Turon., An. 1180.*

Cap. 2. Quoniam non solum viris Ecclesiasticis, sed etiam quibuslibet aliis periculosum est usurarum lucris intendere : auctoritate præsentium duximus injungendum, ut eos qui de possessionibus, vel arboribus quas tenere in pignore noscuntur sortem [deductis expensis] receperunt : ad eadem pignora restituenda sine usurarum exactione Ecclesiastica distictione compellas. *Idem. Cantuarien. Archiep., An. 1180.*

Cap. 3. Quia in omnibus fere locis ita crimen usurarum invaluit ut multi [aliis negotiis prætermisiss] quasi licite usuras exercent, et qualiter utriusque Testamenti pagina condemnentur, nequaquam attendant : Ideoque constituimus, quod usurarii manifesti, nec ad communionem admittantur altaris, nec Christianam [si in hoc peccato decesserint] accipiant sepulturam, sed nec oblationes eorum quisquam accipiat. Qui autem acceperit, vel Christianæ tradiderit sepulturæ, et quæ acceperit, reddere compellatur : et donec ad arbitrium Episcopi sui satisfaciatur, ab officii sui maneat executione suspensus. *Idem. in Con. Lateran., An. 1179.*

Eos qui propriæ temeritatis audacia defunctorum corpora, non sine contemptu clavium Ecclesiæ, in cœmeteris interdicti tempore, in casibus non concessis a jure, vel excommunicatos publice, aut nominatim interdictos, vel usurarios manifestos scienter sepelire præsumunt ; decernimus ipso facto excommunicationis sententiæ subjacere ; a qua nullatenus absolvantur, nisi prius ad arbitrium diœcesani Episcopi eis, quibus per præmissa fuerit injura irrogata, satisfactionem exhibuerint competentem : nullo eis circa præmissa

exemptionis vel quovis alio privilegio, sub quacumque forma verborum concesso aequaliter suffragante. *Clemens V. in Con. Vien. de Sepulturis, An. 1312.*

Cap. 4. Super eo vero. * * * Respondemus, quod cum usurarum crimen utriusque Testamenti pagina detestetur, super hoc dispensationem aliquam posse fieri non videmus : quia cum Scriptura sacra prohibeat pro alterius vita mentiri ; multo magis prohibendus est quis, ne etiam pro redimenda vita captivi, usurarum crimine involvatur. *Alex. III. Panormitano Archiep., An. 1180.*

Cap. 5. Cum tu manifestos usurarios juxta decretum nostrum, quod nuper in Concilio promulgatum est, communionem altaris, et Ecclesiastica præceperis sepultura privandos, donec reddant, quod tam prave receperant : quidam eorum [ad excusandas excusationes in peccatis] impudenter affirmant illas duntaxat usuras restituendas, quæ sunt post interdictum nostram receptæ. * * * Super his frat. t. t. r. quod sive ante, sive post interdictum nostrum usuras extorserint, cogendi sunt per pœnam, quam statuimus in concilio, eas his, a quibus extorserunt, vel eorum hæredibus restituere, vel [his non superstitibus] pauperibus erogare, dummodo in facultatibus habeant unde ipsis possint eas restituere : cum juxta verbum B. Augustini, Non remittitur peccatum, nisi restituatur ablatum. Illi autem qui non habent in facultatibus unde usuras valeant restituere, non debent ulla pœna mulctari, cum eos nota paupertatis evidenter excuset. Possessiones vero, quæ de usuris comparatæ sunt, debent vendi, et ipsarum pretia his, a quibus usuræ sunt extortæ, restitui : ut sic non solum a pœna, sed etiam a peccato possint (quod per usurarum extorsionem incurrerant) liberari. *Idem. Salernitano Archiep.*

Cap. 6. In civitate tua dicis sæpe contingere, quod cum quidam piper, seu cinnamomum, seu alias merces comparant, quæ tunc ultra quinque libras nonvalent et promittunt se illis, a quibus illas merces accipiunt, sex libras statuto termino soluturos. Licet autem contractus hujusmodi ex tali forma non possit censi nomine usurarum, nihilominus tamen venditores peccatum incurrunt, nisi dubium sit merces illas plus minusve solutionis tempore valituras : et ideo cives tui saluti suæ bene consulerent, si a tali contractu cessarent : cum cogitationes hominum omnipotenti Deo nequeant occultari. *Idem.*

Cap. 7. Praetera parœcianis tuis usuras recipere interdicas, qui si parere contempserint, si Clerici sint, eos ab officio beneficioque suspendas : Si Laici, usque ad dignam satisfactionem ipsos vinculo excommunicationes astringas. *Idem.*

Cap. 8. Conquestus est nobis C. clericus. * * * Dis. ves. mandamus, quatenus si terram ipsam titulo pignoris detinetis, et de fructibus ejus sortem recepistis, praedictam terram Clerico memorato reddatis : Nisi terra ipsa de feudo sit monasterii vestri. *Idem Abbati et fratribus S. Laurentii.*

Cap. 9. Tua nos duxit frat. consulendos, quid sit de usurariorum filiis observandum, qui eis in crimine usurarum defunctis succedunt, aut extraneis, ad quos bona usurariorum asseris devoluta ? Tuae igitur quaestioni literis praesentibus respondemus, quod filii ad restituendas usuras ea sunt distictione cogendi, qua parentes sui, si viverent, cogerentur. Id ipsum etiam contra haeredes extraneos credimus exercendum. *Idem Episcopo Placentino.*

Cap. 10. Consuluit nos tua Devotio, an ille in judicio animarum quasi usurarius debeat judicari, qui non alias mutuo traditurus, eo proposito mutuum pecuniam credit, ut licet, omni conventionem cessante, plus tamen sorte recipiat. Et utrum eodem reatu criminis involvatur, qui [ut vulgo dicitur] non aliter parabolam juramenti concedit, donec, quamvis sine exactione, emolumentum aliquod inde percipiat. Et an negotiator poena consimili debeat condemnari, qui merces suas longe majori pretio distrabit, si ad solutionem faciendam prolixioris temporis dilatio prorogetur, quam si ei incontinenti pretium persolvatur. Verum quia, quid in his casibus tenendum sit, ex Evangelio Lucae manifeste cognoscitur, in quo dicitur ; Date mutuum, nihil inde sperantes : hujusmodi homines pro intentione lucri, quam habent [cum omnis usura, et superabundantia prohibeatur in lege] judicandi sunt male agere, et ad ea quae taliter sunt accepta restituenda, in animarum judicio efficaciter inducendi. *Urban III., An. 1186.*

Cap. 11, Quam perniciosum. * * * Mandemus quatenus manifestos usurarios [maxime quos usuris publice renunciasset constiterit] cum aliquis eos convenerit de usuris, nullius permittatis appellationis subterfugio se tueri. *Inno. III., Prælati Franciæ, An. 1213.*

*Cap. 12. Post Miserabilem. * * ** Judæos ad remittendas Christianis usuras, per Principes et Potestates compelli præcipimus sæculares. Et donec eis remiserint, ab universis Christi fidelibus tam in mercimoniis, quam in aliis per excommunicationis sententiam eis jubemus communionem omnimodam denegari. *Idem Narbonen. Archiep., An. 1213.*

Cap. 13. Tuas dudum recepimus quæstiones, quod quidam usurarii eos, quibus dant pecuniam ad usuram, præstare faciunt juramentum, quod usuras non repetant, et super his quas solverint nullam moveant quæstionem. Nos igitur respondemus, ut usurarios ipsos, monitione præmissa, per cen. Eccles. appel. remota, compellas ante usurarum solutionem ab earum exactione desistere vel restituisse ipsas, postquam fuerint persolutæ, ne de dolo & fraude contingat eos commodum reportare. *Idem Mutinensi Episco, An. 1213.*

Cap. 14. Quia frustra legis auxilium invocat, qui committit in legem: Statuimus, ut si quis usurarius a nobis literas impetraverit super restituendis usuris, vel fructibus computandis in sortem: nisi prius ipse restituerit usuras, quas ab aliis noscitur recepisse, auctoritate literarum ipsarum nullatenus audiatur. *Idem, An. 1213.*

Cap. 15. Cum in diœcesi tua sint quamplurimi usurarii, de quibus minime dubitatur, quin sint usurarii manifesti, contra quos propter timorem Potentum, qui tuentur eosdem, nullus accusator apparet, nec iidem sunt per sententiam condemnati. Fraternitati tuæ taliter respondemus, quod licet contra eos non appareat accusator, si tamen aliis argumentis illos constiterit esse usurarios manifestos, in eos pœnam in Later. Concilio contra usurarios editam libere poteris exercere. *Idem Altissiodorem. Episcopo, An. 1213.*

*Cap. 16. Salubriter. * ** Sane generum ad fructus possessionum, quæ sibi a socero sunt pro numerata dote pignori obligatæ, computandos in sortem, non credimus compellendum. Cum frequenter dotis fructus non sufficiant ad onera matrimonii supportanda. *Idem, An. 1213.*

Cap. 17. Michael Laicus suam nobis querimoniam destinavit, quod M, et quidam alii Bonon. cives multa extorserunt ab eo et a

patre suo cujus haeres extitit, nomine usurarum. Attentius provisurus, ne auctoritate nostra in negotio procedas eodem, nisi dictus conquerens restituerit, vel ad huc restituat, si quas aliquando ipse, vel pater ejus extorsit usuras. *Idem Epis. Bonon., An. 1213.*

Cap. 18. Quanto amplius Christiana religio ab exactione com-pescitur usurarum, tanto gravius super his Judaeorum perfida in-solescit, ita quod brevi tempore Chrtstianorum exhauriunt facultates. Volentes igitur in hac parte prospicere Christianis, ne a Judaeis immanitur aggraventur, Synodali decreto statuimus, ut si de cetero quocumque praetextu Judaei a Christianis graves immoderatasve usuras extorserint, Christianorum eis participium subtrahatur, do-nec de immoderato gravamine satisfecerint competenter, unde Christiani (si opus fuerit) per cen. Eccl. app. postposita, compel-lantur ab eorum commerciis abstinere. Principibus autem injun-gimus, ut propter haec non sint Christianis infesti, sed potius a tanto gravamine studeant cohibere Judaeos. Haec eadem poena Judaeos decernimus compellendos, ad satisfaciendum Ecclesiis pro decimis et oblationibus debitis, quas a Christianis de domibus et possessionibus aliis percipere consueverant, antequam ad Judaeos quocumque titulo devenissent : ut sic Ecclesiae conserventur in-demnes. *Idem in Con. General, An. 1216.*

Cap. 19. Naviganti vel eunti ad nundinas certam mutuans pecu-niae quantitatem, eo quod suscipit in se periculum, recepturus aliquid ultra sortem, usurarius est censendus. Ille quoque qui dat x. solidos, ut alio tempore totidem sibi grani, vini vel olei mensurae reddantur : quae licet tunc plus valeant, utrum plus vel minus solutionis tempore fuerint valiturae, verisimiliter du-bitatur : non debet ex hoc usurarius reputari. Ratione hujus dubii etiam excusatur, qui pannos, granum, vinum, oleum et alias merces vendit, ut amplius, quam tunc valeant, in certo termino recipiat pro eisdem, si tamen ea tempore contractus non fuerat venditurus. *Greg. IX. Patri R., An. 1236.*

SEXTI DECRET. *lib. 5, tit. 5. cap. 1.* Usurarum voraginem (quæ animas devorat, et facultates exhaurit) com-pescere cupientes, constitutionem* Lateranensis Concilii contra usurarios editam, sub

* *Vide pagin 366, Cap. 3.*

Divinæ maledictionis interminatione præcipimus inviolabiliter observari. Et quia, quo minor sæeneratoribus aderit sæenerandi commoditas, eo magis adimetur sæenus exercendi libertas, hac generali constitutione sancimus, ut nec collegium, nec alia universitas, vel singularis persona cujuscumque sit dignitatis, conditionis aut status alienigenas et alios non oriundos de terris ipsorum publice sænebrem pecuniam exercentes, aut exercere volentes, ad hoc domos in terris suis conducere, vel conductas habere, aut alias habitare permittant: sed hujusmodi usurarios manifestos omnes intra tres menses, de terris suis expellant, nunquam aliquos tales de cetero admissuri; nemo illis ad sæenus exercendum domos locet, vel sub alio titulo quocumque concedat. Qui vero contra fecerint, si personæ fuerint Ecclesiasticæ, Patriarchæ, Archiepiscopi, Episcopi, suspensionis: minores vero personæ singulares, excommunicationis; si autem collegium, seu alia universitas, interdicti sententiam ipso facto se noverint incursum. Quam si per mensem animo sustinuerint iudurato, terræ ipsorum (quamdiu in eis iidem usurarii commorantur) extunc Ecclesiastico subjaceant interdicto. Ceterum si Laici fuerint, per suos ordinarios, ab hujusmodi excessu (omni cessante privilegio) per censuram Ecclesiasticam compescantur, *Greg. X. in generali Concilio Lugdunensi, An. 1273, in Gallia,*

Cap. 2. Quamquam usurarii manifesti de usuris, quas receperant satisfieri expressa quantitate vel indistincte in ultima voluntate mandaverint: nihilominus tamen eis Ecclesiastica sepultura denegatur, donec de usuris ipsis fuerit (prout patiuntur facultates eorum) plenarie satisfactum: vel illis quibus facienda est restitutio, si praesto sint ipsi, aut aliis qui eis possint acquirere, vel, eis absentibus, loci Ordinario, aut ejus vices gerenti, sive Rectori parœciæ, in qua testator habitat coram aliquibus fide dignis de ipsa parœciâ (quibus quidem Ordinario, Vicario, et Rectori prædicto modo cautionem hujusmodi eorum nomine licet præsentis constitutionis auctoritate recipere: ita, quod illis perinde actio acquiratur) aut servo publico de ipsius Ordinarii mandato idoneè de restitutione facienda sit cautum. Caeterum si receptorum usurarum sit quantitas manifesta, illam semper in cautione prædicta exprimi volumus: alioquin aliam recipientis cautionem hujusmodi arbitrio moderandam, ipse tamen scienter non minorem quam verisimiliter creditur,

moderetur : et si secus fecerit, ad satisfactionem residui teneatur. Omnes autem religiosos et alios, qui manifestos usurarios, contra praesentis sanctionis formam ad Ecclesiasticam ausi fuerint admittere sepulturam, poenae Lateranensis Concilii contra usurarios promulgatae statuimus subjacere.

Nullus manifestorum usurariorum testamentis intersit, aut eos ad confessionem admittat sive ipsos absolvat : nisi de usuris satisfecerint, vel de satisfaciendo pro suarum viribus facultatum praesent (ut praemittitur) idoneam cautionem.

Testamenta quoque manifestorum usurariorum aliter facta non valeant, sed sint irrita ipso jure. *Idem. An. 1273.*

CLEMENTINARUM, *lib, 5, tit. 5.* Ex gravi ad nos insinuatione pervenit, quod quorundam Communitates locorum in offensam Dei, et proximi, ac contra jura Divina pariter et humana usurariam approbantes quodammodo privitatem, per statuta sua juramento quandoque firmata, usuras exigi, et solvi nedum concedunt, sed ad solvendas eas debitores scienter compellunt, ac juxta ipsorum continentiam statutorum gravia impondendo plerumque usuras repentibus onera, aliisque utendo super his diversis coloribus, et fraudibus exquisitis repetitionem impediunt earumdem. Nos igitur perniciosissimis his ausibus obviare volentes, sacro approbante Concilio, statuimus, ut quicumque Communitatum ipsarum Potestates, Capitanei, Rectores, Consules, Judices, Consilarii, aut alii quivis Officiales statuta hujusmodi de caetero facere, scribere, vel dictare, aut quod solvantur usurae, vel quod saluae, cum repetuntur, non restituantur plene ac libere, scienter judicare praesumpserint, sententiam excommunicationis incurrant. Eandem etiam sententiam incursum, nisi statuta hujus modi hactenus edita de libris Communitatum ipsarum (si super hoc potestatem habuerint) intra tres menses deliverint, aut si ipsa statuta sive consuetudines effectum eorum habentes quoquo modo praesumpserint observare.

Cæterum quia sœneratores sic ut plurimum contractus usurarios occulte ineunt et dolose, quod vix convinci possunt de usuraria pravitate, ad exhibendum, cum de usuris agetur, suarum codices rationum, censura ipsos discernimus Ecclesiastica compellendos.

Sane si quis in illum errorem inciderit, ut pertinaciter affirmare praesumat, exercere usuras non esse peccatum : decernimus velut

hæreticum puniendum. Locorum nihilominus Ordinariis et hæreticæ pravitatis Inquisitoribus districtius injungentes, ut contra eos, quos de errore hujusmodi diffamatos invenerint, aut suspectos, tamquam contra diffamatos, vel suspectos, de hæresi procedere non omittant. *Con. Vien. An. 1312, in Gallia.*

PROPOSITIONES CONDEMNATÆ.

* Licitum est mutuanti aliquid ultra sortem exigere, si se obligat ad non repetendam sortem usque ad certum tempus. *Condemnata ab Alex. VII. Martii 18, 1666.*

Cum numerata pecunia pretiosior sit numeranda, et nullus sit, qui non majoris faciat pecuniam præsentem quam futuram, potest creditor aliquid ultra sortem, a mutuatario exigere, et eo titulo ab usura excusari. *Condemnata ab Inno. XI. Martii 2, 1679.*

Usura non est dum ultra sortem aliquid exigitur tanquam ex benevolentia et gratitudine debitum, sed solum si exigatur ex justitia. *Condemnata ab eodem.*

† Usuram ad perniciem populorum latius manantem, pro nostri muneris cura reprimere cupientes, quaedam hujus generis delicta ex sacrorum canonum et probatorum Patrum sententiis delegimus; quæ quoniam frequentius in hac provincia committi animadvertimus; ea præcipue ac nominatim prohibenda duximus, eo consilio, ut si quis in aliis etiam ejusdem generis vetitis contractibus deliquerit; poenas, a jure constitutas, sibi subeundas esse intelligat.

Ex mutuo, vel depositis, etiam apud Judæum factis nihil præter sortem a quovis homine percipi ex convento, vel principaliter sperari possit, tametsi pecuniæ ipsæ sint, pupillorum, aut viduarum, aut locorum piorum, vel etiam dotales, nisi quatenus id jure nominatim permittatur.

Si quis oblatas re ipsa, loco et tempore pecunias, etiam dotales, sibi debitas, accipere recusaverit; nihil præter sortem, etiam ratione damniemer gentis, vel lucri cessantis, vel ex quacumque alia causa, accipere possit.

Ne fiant cambia, cum litteræ ad destinatum locum verè non mittuntur, et ibi non fit solutio, sed uno et eodem loco pecunia datur, et recipitur; vel quando dantur, et accipiuntur pecuniæ cum eo

* See page 123.

† See page 200.

pacto, ut habeatur recursus ad domum, vel ad respondentem dantis, aut accipientis, quod pactum vulgo vocatur *la ricorsa*; atque ita impensae, aut alterius rei onus imponitur.

Ne cui liceat cum altero ita contrahere, ut is totam pecuniae summam ei, qui dederit, solvat, cum ille partim pecunia dederit, partim nominibus, quae difficile exigì possint, vel in rebus pluris, quam valeant, aestimatis.

Ne cui, praesentem pecuniam quaerenti, quidquam carius vendatur, ut statim ab venditore per se, vel per interpositam personam vilius ematur.

Ne quis rem aliquam, ob dilatam solutionem, carius vendat justo pretio.

Ne ob anticipatam solutionem res minoris ematur justo pretio, vel solvatur minus, quam debebatur.

Ne res vendatur, dilata in tempus solutione, ita ut pretium, quod interim rei accreverit, venditori solvatur, si ejusdem periculo non sit diminutio.

Ne res modico pretio pignori detur, vel vendatur pacto redimendi intra certum tempus, ut si ad dictum tempus res redempta non sit, res libera sit emptoris, vel ejus, qui pignori accepit.

Ne frumentum, vinum, oleum, aliudve detur, ut eo, quod datum est, aliquid amplius exigatur, sive ejusdem generis, sive alterius quomodocumque, etiam si operae sint.

Ne quis mutuo det frumentum, vel id genus aliud corruptum, ut tantundem integri carioris reddatur, etiam si restitutio differatur in quodcumque tempus debitori commodum.

Ne in societate, in quam alter pecuniam confert, alter operas, lucri distributio constituatur, nisi per quotas partes

Nec ultra eas certa pecuniarum summa, vel quid aliud, conferenti pecuniam, persolvatur.

Neque fiat pactio, ut sors salva sit, fructus vero communiter dividantur.

In societate animalium, quae inaestimata alicui dantur ad custodiam, sive ut operas praestet, omnes casus etiam fortuiti, semper sint periculo ejus, qui dederit: nisi id alterius socii dolo, vel magna negligentia accidisse constiterit.

Ne fiat pactum, ut sors sit semper salva, etiam ex primis foetibus.

Neve quidpiam certum, praeter sortem, ex fructibus animalium quotannis solvatur.

Et in locationibus animalium, quae fiunt certo pretio si illa absq. dolo, aut negligentia ejus, qui conduxit, deteriora fiant, id semper sit damno ejus, qui locarit.

Si autem animalia dentur aestimata, ita ut sors danti salva sit, nihil omnino percipi possit.

Ne fiant contractus, qui libellarii seu ficti libellarii dicuntur, ubi non antecedit emptio certae rei immobilis pretio justo.

Vel ubi venditor redimere cogatur; vel ubi non possit redimere, nisi post certum tempus.

Vel ubi annuus census, ad cujus solutionem res obligatur, superat aestimationem fructuum, quos ex ipsa re dominus solet, aut potest percipere.

Et si loco pecuniae, vinum, frumentum, vel quid aliud in singulos annos promittatur; illud ad pecuniae, et justii pretii rationem redigatur pro consuetudine locorum

Si qui autem in aliquo ex his casibus, aut aliis qui usuram sapiunt, et a jure, ut iniqui, prohibentur, contraxerint, ipsi contractus, etiam jurejurando muniti, nulli, irriti, et inanes sint, contrahentes vero, tabelliones, qui instrumenta confecerint, proxenetae usurarum, aut lucri participes, ministriq. omnes horum scelerum, et poenis jure statutis, et Ecclesiasticis censuris puniantur.

Hortamur vero principes et magistratus, ut ipsi etiam huic pesti, quibus maxime poterunt, remediis, occurrant. *Con. Mediol. sub. B. Car. Borromæo; confirmatum a B. Pio Papa V. An. 1566.*

Gregorii XIII. Rescriptum cum Decreto in materia usurarum, ad Gulielmum Bavariae Ducem. Ex tomo 18, Parte 1, num. 94. MSS. S. Caroli, quæ in Ambrosiana Mediolanensi Bibliotheca servantur, editum, et cum Vaticano ejusdem Pontificis Regesto collatum et emendatum.

GREGORIUS P P. XIII,

DILECTE FILI, NOBILIS VIR, salutem, et Apostolicam benedictionem. Saepius ad nos scripsisti suspectum tibi vehementer esse morem istorum locorum quinos nummos in* centenos mutuo datos exigendi, cuperesque ex nobis cognoscere, jurene, ac salvâ consci-

* MS. Ambrosian. habent *centeno*; correctum est ex Regesto Vaticano.

entiâ, id fieri posset. Optimi Principis officio functus es, in suscipienda tuorum salutis cura. Rem omnem diligentissime consideravimus, doctissimos que viros adhibuimus. Sententiam istam Nobilitati tuæ* cum his literis mittimus. Mandabis igitur ut haec ipsa forma servetur; sic enim istorum saluti providebitur, magna etiam cum tua mercede et laude. *Datum Romæ apud S. Petrum sub annulo Piscatoris, die 27 Maii 1581. Pontificatus Nostri anno decimo.*

V. ANT. BUGCAPADULIUS.

Forma Contractus in Germania passim celebrati, de quo ultima resolutio petitur.

Titius in Germania pecuniam habens eandem Sempronio cujusvis conditionis homini, ad nullum certum usum, sed pro arbitrio Debitoris distrahendam, ea lege tradit, ut Titius ex pacto, et civili abligatione (aliquando in eisdem literis, interdum in aliis adjicitur) jus habeat, quamdiu eadem pecunia apud Sempronium relinquitur, accipiendi quotannis ab eadem Sempronio quinque florinos pro singulis centenariis, et postea totam quoque summam capitalem. De tempore autem que restitutio capitalis fieri debeat, licet interdum aliquid certi determinetur, ut plurimum tamen nihil statuitur. Sed tam Titio, quam Sempronio plena potestas relinquitur, ut quandocunque voluerit (utilitate interim perceptâ in partem sortis non computatâ) contractum rescindere possit; dummodo is, qui contractum rescindit, alterum sex menses antea praemoneat. Ex vi autem contractus, aut pacti adjeciti, Titius annui lucri, aut summae capitalis perdendae nullum periculum subit; sed, sive Sempronius fructificet, sive non, jus habet ab eo exigendi lucrum quinarium annuum pro centenario; et sive vivat sempronius, sive moriatur, Titius ab illo^{ve}vente, vel, illo mortuo, ab ejus haerede, summam capitalem recuperat, nihil quod interim recepit restituens. †

SENTENTIA APOSTOLICA.

Contractus, modo, et forma praedictis, celebratus, usurarius est; neque enim ad aliam speciem, quam mutui, cum conventionem lucri ex eodem mutuo accepti, reduci potest; ex quo consequitur, ut

* *Cum pro in*, quod in MS. Ambros. legitur, ex eodem Regesto emendatum.

† See translation, page 223.

per nullam consuetudinem, aut legem humanam excusari, neque ulla contrahentium etiam bona intentione defendi possit ; cum sit jure Divino et naturali prohibitus ; quâ etiam ex causa nemini, sive diviti, sive pauperi, et quantumvis miserabili personae, hujusmodi contractum celebrare, lucrumque acquirere, aut retinere licet.

Si tamen in Germaniâ aliquis est contractus, in quo quinque per centum accipiatur, aliis forma et modo a praedictis, celebratus, non per hoc tamen damnare, aut probare intendimus, donec specialiter fiat de eo expressio, et consideratio, ut quod de eo sit sentiendum decernatur, sicut de propositis decretum est.

Non nobis, Domine, non nobis, sed nomini tuo, da gloriam : PSALMUS cxiii.

FINIS.



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